ENVIRONMENTAL ASSESSMENT

BLM, Bishop Field Office
351 Pacu Lane, Suite 100
Bishop, CA 93514

EA Number: DOI-BLM-CAC-170-2014-0011-EA
Lease/Serial/Case File No.: CACA 046216 (Amendment)
Proposed Action Title/Type: Great Basin Unified Air Pollution Control District (GBUAPCD) Air Monitoring Sites
Location of Proposed Action: MDB&M, California,
  T. 16 S., R. 37 E.,
  Section 15, SE1/4NW1/4;
  T. 18 S., R. 38 E.,
  Section 18, SE1/4SE1/4.
  T. 19 S., R. 37 E.,
  Section 8, NW1/4NE1/4.
Applicant (if any): Great Basin Unified Air Pollution Control District (GBUAPCD)

A. Plan Conformance:

The proposed action is subject to the Bishop Resource Management Plan (RMP), approved March 25 1993. The 1993 Bishop RMP states under General Policies on Page 8, No.1; “Management will be on the basis of multiple use and sustained yield as per Federal Land Policy and Management Act of 1976 (FLPMA) section 102 (a)(7).”

Under the idea of multiple-use and sustained yield, the BLM is also authorized under FLPMA section 501(a)(1-7) to grant Rights-of-Way (ROW) and amendments to ROWs
for such uses as pipelines, roads, power lines, wells, and other facilities on the public lands for the public good. BLM’s regulations for ROWs are located under 43 CFR 2800. The proposed action would be the use of public land for wind and sand monitoring sites through the amendment of an existing right-of-way issued for the same purpose.

Under BRMP Area-Wide Decisions, Page 17, it states, “Protect and enhance unique or important vegetation communities and wildlife habitats—Yearlong Protection of endangered, threatened, candidate, and sensitive plant and animal habitats.” The proposed action area is within potential Mojave ground squirrel (BLM Sensitive Spp), Western snowy plover, and other migratory bird habitat. Review of the proposed action in relation to potential impacts to species has been completed. It has been determined that there would be no adverse impacts to either the populations or habitat of these species as a result of the proposed action if proposed mitigation as described is applied.

Under BRMP, Standard Operating Procedures, Wildlife, Page 12, No. 3. it states, “Manage candidate species, sensitive species and other species of management concern in a manner to avoid the need for listing as state or federal endangered or threatened species.” As stated in the above paragraph, it has been determined that there would be no adverse impacts to either the populations or habitat of these species as a result of the proposed action if proposed mitigation as described is applied.

The proposed action would be within the Owens Lake Management Area (MA). The proposed action with mitigation would not violate any specific decisions for the Owens Lake MA and would be in conformance with the direction for the MA.

The proposed action with mitigation would not violate any decisions, guidelines or direction of the Bishop Resource Management Plan and would be in conformance with the plan.

**B. Purpose and Need for Proposed Action:**

The LADWP is mitigating dust emissions from the Owens Lake through the Owens Lake Dust Mitigation Project. GBUAPCD has been monitoring the lake air quality for the last decade in order to establish a base-line for air quality in the basin. Twenty-three air monitoring sites are currently operating on public land under an existing right-of-way (ROW) CACA 046216. Now that the mitigation project is close to completion, additional sites are needed to enhance data gathering for those areas currently lacking monitoring sites. There are currently 187 wind and sand monitoring sites located on the Owens Lake bed. The three proposed sites on public land are also intended for that purpose.

The need for the action is established by the BLM’s responsibility under the Federal Land Policy and Management Act of 1976 (FLPMA) to respond to an application for amending an existing ROW for construction activities, facility installation, and operation of three sand monitoring sites on public land. This environmental document will be used to determine whether the proposed action is a significant action requiring an
Environmental Impact Statement (EIS) and whether a Decision issuing an amendment to the existing right-of-way, located on public land, should be approved.

Two alternatives are being analyzed: Alternative A (proposed action), and Alternative B (no action).

C. Public Comments/Scoping

The BLM Bishop Field Office received two letters (dated 4-25-2013 and 6-19-2013) and emails from LADWP regarding the siting and installation of the proposed dust monitoring equipment being analyzed in this document.

Generally, the letters stated that the proposed dust monitoring locations do not comply with other laws and requirements, that locations might be inhabited by endangered or threatened species, and that the sites are unnecessary for the intended purpose of modeling dust emissions on Owens Lake and prejudices LADWP.

GBUAPCD has been contacted regarding the proposed sites and has stated that the site locations conform to siting requirements and criteria. The BLM Bishop Field office staff conducted field exams for the botanical and wildlife affected environment. The resources and potential impacts are described in this document. LADWP did not provide any information regarding known endangered or threatened species within the proposed action area.

Whether the proposed dust monitoring equipment/locations are unnecessary for intended purposes of modeling is LADWP’s opinion and outside the BLM’s scope of analysis for this document. GBUAPCD has authority to propose this type of equipment on public land and has indicated that the equipment would improve and enhance the dust emission data currently being collected throughout the Owens Lake Basin.

LADWP will be notified of completion of the EA and provided the opportunity to appeal the BLM’s decision and environmental document regarding this proposal.

D. Description of Alternatives

D.1 Alternative A (Proposed Action):

The proposed action would be the installation of three (3) sand flux monitoring sites consisting of a Sensit (electronic sand motion sensor), data logger, solar panel, radio antenna, and a Cox Sand Catcher (CSC). The data logger, solar panel, and radio antenna would be mounted on a 4 foot steel pole. The CSC is located at ground level. The Sensit is mounted on a 3 foot steel pole. The site installation would take about 4-5 days and would take place as soon as authorized, projected to be in June, 2014. Access would be on existing dirt roads and then all equipment would be hand carried to each site. No off road driving would take place. No vegetation would be removed or
damaged therefore no vegetation rehab would be needed. Holes for site installation would avoid wildlife burrows. See Exhibit 1 and Map A and B.

D.2. Alternative B (No action)

Under the No Action Alternative, the proposed installation of three (3) sand flux monitoring sites would not be authorized. The existing ROW would not be amended.

E. Affected Environment/Environmental Impacts:

E.1. Alternative A (Proposed Action)

The proposed action is not within a Wilderness, Wilderness Study Area, Area of Critical Environmental Concern, Wild and Scenic River corridor, nor Essential Fishery habitat and there would be no effects on any lands so designated. There would be no impacts to prime farm lands, flood plains, nor water quality (including ground or surface waters).

Cultural resources

A cultural inventory was conducted by the Bishop FO archaeologist on March 1, 2013 and January 23, 2014. No cultural resources were found at any of the proposed sites. There would be no impact to cultural resources. Cultural notice of the proposed project was posted to BLM website on May 30, 2014 for the mandatory 15 day notice period, ending June 14, 2014.

Visual resources

The Visual Resource Management (VRM) for the area is Class III. VRM Class III is defined as, “Contrasts to the basic elements caused by a management activity may be evident and begin to attract attention in the characteristic landscape. However, the changes should remain subordinate to the existing characteristic landscape.”

The characteristic landscape is above the old Owens Lake lakeshore and is a gently sloping alluvial fan. The fan has a fine to medium texture surface with tan color and low desert shrubs. The 1-2’ high shrubs tend to be grey with light green canopies.

For the proposed sites, the Key Observation Points (KOP), where the project view is most sensitive, is along Hwy 136 and Hwy 190 which are well-used travel corridors between Lone Pine, Olancha and Death Valley. The speed limit on this road is 65 mph. The proposed sites are located from 200 feet to 400 feet from the highway. Some of the proposed sites are also 10 feet to 20 feet below the grade of the highway. It is expected that the low 4 foot height of the equipment and the sight distance of at least 200 feet would make the sites nearly invisible to the traveling public especially at highway speeds. The proposed sites meet VRM Class III standards.
Vegetation

Two of the proposed sites, BLM North 1 (near Dolomite) and BLM South East 1 (near Shell Cut) are characterized by the shadscale scrub vegetation type. The other site, BLM South 1 (southwest of Dirty Socks), is characterized by the salt grass vegetation type (Sawyer, Keeler-Wolf, Evens 2009).

The shadscale scrub type is dominated by allscale (*Atriplex polycarpa*), shadscale (*Atriplex confertifolia*) and burro-bush (*Ambrosia dumosa*). Vegetation density is low and the soil surface is dominated by gravelly sand. The salt grass vegetation type is dominated by low density salt grass (*Distichlis spicada*). Surface soils are comprised of silty sand. Both vegetation types are well represented throughout the Owens Lake basin. Monitoring stations at all three sites would be located in barren areas and installation of the monitoring stations would not result in removal or disturbance of existing vegetation.

There are no Federally Threatened or Endangered plant species that are known to occur or have potential to occur at or adjacent to the proposed sites.

There are no BLM Sensitive plants that are known to occur at any of the proposed sites. The sites may contain poor to marginal habitat for several BLM Sensitive plant species, however because no vegetation would be removed or damaged during installation of the monitoring devices, the minimal footprint of the monitoring devices and the minimal disturbance associated with maintenance of the monitoring stations, it is not expected that the proposed project would have adverse effects on BLM Sensitive plants.

Invasive, non-native species

There are no known invasive non-native plant species occurring in the proposed action area. There would be a potential that invasive, non-native plant seeds or reproductive material attached to vehicles could be dislodged and end up on the ground at the sites thus leading to an invasive plant infestation. However, it is not expected the proposed project has the potential to cause adverse impacts separate from the existing use of areas. In order to minimize the potential for invasive, non-native species introduction, mitigation should be added for washing any vehicles used for this project.

Wildlife habitat

The proposed action area is habitat for various birds, reptiles, lizards, rabbits, rodents, and insects. Rodent or reptile burrows in bare ground or under desert shrubs might be temporarily displaced during installation. Due to the limited amount of surface disturbance at these sites, there would be no measurable loss of habitat for these species.

Desert tortoise (Federally Threatened) have been documented approximately 1.7 miles from the southernmost proposed site. Tortoise are not expected at any proposed sites.
due to the lack of suitable habitat, therefore no impacts are expected. Tortoise typically prefer areas of creosote bush scrub or areas of high perennial plant diversity (USFWS 2011). None of the proposed sites have creosote or high perennial plant diversity.

Mojave ground squirrel (BLM Sensitive) is unlikely to occur at the northernmost site (BLM North 1) as it is outside the mapped range of the squirrel (Leitner 2008) and the soil is likely too sandy to support burrows. However, the squirrel was documented in the California Natural Diversity Database (CNDDB), between the BLM Southeast 1 and BLM South 1 proposed monitoring sites, and less than 2 miles south of the BLM South 1. These sites are within the mapped range of the squirrel, but outside the BLM conservation area for the squirrel. These southern sites are both poor quality habitat for the squirrel due to the minimal vegetation present. Squirrels are typically found in Creosote Bush Scrub, Mojave Mixed Woody Scrub and Desert Saltbush scrub habitats. Squirrels typically burrow under a shrub. At BLM South 1, there are no shrubs, as it is a salt grass area. At BLM Southeast 1, while Desert Saltbush Scrub habitat occurs, there is very limited vegetation and none will be removed. Because of the minimal disturbance and the proposed mitigations described at the bottom of this EA, no impacts are expected to the Mojave ground squirrel habitat.

Owen’s valley vole, also BLM Sensitive, was documented in CNDDB near the BLM South 1. None of the sites are suitable habitat for this vole due to lack of vegetation and lack of mesic characteristics found at any of the proposed monitoring sites, therefore no impacts are expected.

The proposed monitoring sites are near the edge of Owen’s Lake. The edge of lake provides nesting habitat for Western snowy plover consisting of un-vegetated gravel ridges and low-density salt grass. These ground-nesting birds and their nests and eggs are protected under the Migratory Bird Treaty Act. The breeding season varies with climatic conditions but potentially extends from March through July. Construction would take place within the breeding season, therefore, there would be a potential impact to breeding plovers. There should be mitigation where a plover survey is conducted prior to the onset of installation activities.

Since construction activities occur during migratory bird nesting season (February 15-September 1), a nesting bird survey should be conducted at least one week before the onset of construction to determine the presence or absence of nesting birds. If nesting birds are observed, work activities would be avoided within 100 feet of active nests until it has been determined that the young have left the nest.

In addition to the plover, the type of vegetation present in the project area may provide habitat for BLM Species of Concern dune weevils (Trigonoscuta spp). However, as this species is generally tied to dunes, which occur outside the project area and because no vegetation disturbance is proposed, there would be no impact to this species.

Although avoiding wildlife burrows is part of the proposed action, it is recommended that this be added as mitigation for emphasis.
Minerals

There are no known mining claims or material sites the proposed action areas.

Air Quality

The proposed action is within the Owens Valley federal nonattainment area. The EPA’s General Conformity requirements are that PM-10 emissions are below 70 tons per year and less than 10% of a non-attainment or maintenance area’s total emissions for that pollutant, which is, 29,408 tons per year for the Owens Valley non-attainment area. Other than driving on existing dirt roads during the 4-5 days of the project, no other surface disturbing activity would take place. The action would result in the emission of PM$_{10}$ during installation but the extremely small amount (estimated at <5 lbs per year) is well within the standard. Air quality would not be affected.

Impacts to Community or Tribe

There would be a slight positive impact to the local community and Tribes. The monitoring sites in conjunction with the numerous air monitoring stations and sites located in the Owens Lake basin would help in providing air quality data for the dust mitigation project and may identify additional areas where mitigation is needed. This project is already improving air quality near the local communities and the local Tribes.

The Lone Pine Native American tribe located 10 miles to the northwest is concerned about the general area due to the previous discovery of cultural resources in the Keeler Dunes. In July, 2008 a field exam was conducted with the Lone Pine Tribe in order to present the original sand monitoring proposal and gather tribal concerns for the proposed action. The Tribe indicated that the minimal surface disturbing impact of the proposed action would not cause concern. The cultural inventory did not locate any cultural resources.

Environmental Justice

There will be no disproportionate impacts to low income or minority groups, per Executive Order 12898 (2/11/94). There are no known local groups or low income groups that use the proposed action area. See Impacts to Community or Tribe section.

Wilderness Characteristics

The public land surrounding the proposed action area was inventoried for wilderness characteristics in 1979 as part of the Cottonwood wilderness inventory unit (CA-010-053). The Cottonwood unit was determined not to have wilderness characteristics and removed from further consideration due to: the influences of Hwy 395, multiple distribution and transmission power lines, maintenance roads for power lines, other existing dirt access roads, the LADWP aqueduct, Cottonwood power plant, remnants of
soda production dikes, and fences. These structural and surface effects have not
changed since the inventory.

The area was reviewed in March, 2012. The existing disturbances still exist. In
addition, numerous sand monitoring sites and stations have been added as well as
additional dirt roads for access to Owens Lake dust mitigation facilities. The general
area still does not have wilderness characteristics.

**Hazardous Materials**

There would be no hazardous materials associated with the proposed project.

**Cumulative effects**

The Owens Lake currently has 187 monitoring sites typical of the ones proposed.
These sites require little surface disturbance or have minimal impact to the surrounding
environment. The addition of three monitoring sites would not change that impact.

This project is expected to contribute to knowledge of air quality from enhanced data
gathering within the Owens Lake basin. These sites allow GBUAPCD to evaluate the
mitigated areas and determine where and if additional dust mitigation is needed in order
to continue improving air quality within the Owens Lake basin and the valley. In
addition, there would be no cumulative impact to global warming due to the minimal
amount of disturbance and placement of monitoring equipment in the environment.

**Description of Mitigation Measures and Residual Impacts:**

1. Wash all equipment and vehicles used during the construction to remove weed
   seeds and any accumulated dirt prior to entering public land.

2. Since construction activities occur during migratory bird nesting season
   (February 15- September 1) and there is potential for snowy plover, a nesting
   bird survey should be conducted at least one week before the onset of
   construction to determine the presence or absence of nesting birds. If nesting
   birds are observed, work activities would be avoided within 100 feet of active
   nests until it has been determined that the young have left the nest.

3. Holes for site installation are to avoid wildlife burrows.

4. For the Mohave Ground Squirrel (MGS)
   a. Avoid all potential burrows by 200 feet.
   b. Stay on existing access routes.
   c. Maintain a speed limit of 20 miles per hour on unpaved routes.
   d. If activity occurs during the active/above ground season (March-August)
      then, have a biological monitor walk in front of heavy equipment to ensure
      no MGS are crushed.
Utilization of the above mitigation measures would result in the elimination of potential impacts from invasion of noxious weeds or potential impacts to migratory birds and snowy plover, and any burrowing animals. There would be no residual impacts.

**Implementation Monitoring:**

None required. The minimum surface impact of installation of the three dust monitoring equipment does not warrant additional monitoring of the action.

**E.2 Alternative B (No Action)**

Under the No Action Alternative the affected environment would be the same as described under Alternative A.

Under the No Action Alternative, the proposed installation of three dust monitoring sites would not take place and the existing ROW would not be amended. There would be no impacts to the resources.

There would be a lost opportunity to improve or enhance dust monitoring at the proposed sites. GBUAPCD might propose locating sites somewhere else in the Owens Lake basin for data collection.

**F. Literature Referenced**


**G. Persons/Agencies Consulted:**

Grace Holder GBUAPCD
Nik Barbieri GBUAPCD
Martin Adams LADWP, Director of Water Operations
William VonWagoner LADWP, Manager Owens Lake Reg Issues

**H. Preparer(s):**
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Date: June 7, 2014

/s/ by Rebecca Brooke  June 9, 2014

Reviewed By: ___________________________________________  Date:  ________________

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