



UNITED STATES DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT
CALIFORNIA DESERT DISTRICT



FINAL ENVIRONMENTAL IMPACT STATEMENT

FINAL CALIFORNIA DESERT CONSERVATION AREA PLAN AMENDMENTS FOR THE NORTHERN AND EASTERN MOJAVE PLANNING AREA



JULY 2002

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BLM/CA/ES/2002/004+1790-1600



United States Department of the Interior
BUREAU OF LAND MANAGEMENT



CALIFORNIA DESERT DISTRICT
6221 BOX SPRINGS BOULEVARD
RIVERSIDE, CA 92507-0714
(909) 697-5200
www.ca.blm.gov

DEAR READER:

Enclosed for your review is the Northern and Eastern Mojave Desert (NEMO) Proposed Plan and Final Environmental Impact Statement. The NEMO Proposed Plan will update the Bureau of Land Management 1980 California Desert Conservation Area (CDCA) Plan in 2.7 million acres of BLM-managed public lands in the northeastern portion of the CDCA. BLM has prepared this plan in partial fulfillment of its responsibilities under the Federal Land Policy and Management Act of 1976, the National Environmental Policy Act of 1969, and the Federal Endangered Species Act of 1973. The NEMO Proposed Plan/FEIS is designed to stand alone from the Draft Plan/DEIS issued in April 2001. However, to gain a full management picture in the NEMO planning area, the reader is referred to the CDCA Plan, as amended and reprinted in 1989. Through this land-use planning process, only some aspects of the CDCA Plan are amended. Others, such as the Cultural Resources, Native American Resources, Geology, Energy, and Mineral Resources, Recreation, and Energy Production and Utility Corridors Elements remain largely unchanged. The document is a two-volume set. The second volume contains only appendices, including responses to comments.

The public devoted substantial effort to providing in-depth review and input on the DEIS and Draft Plan. BLM received approximately 1,150 comment submissions (about 1,000 of which were various form letters) from 1,200 commenters (some comments were signed by multiple signatories). The analysis of public review resulted in 424 unique comments. The BLM has assessed these comments and utilized them in making substantive changes in the Proposed Plan and other parts of the document, strengthening and otherwise clarifying the EIS analysis, and improving consistency with other concurrently developing plans that are also amendments to the CDCA Plan. BLM sincerely appreciates those of you who took your valuable time to provide comments to this planning effort. Your comments have resulted in a stronger and clearer plan. Changes between the Draft Plan/DEIS and Proposed Plan/FEIS are summarized at the beginning of each chapter.

Work on the NEMO planning effort began in 1994, in concert with the National Park Service, and joint public scoping meetings were held in 1995. The planning effort was revised in 1998 to focus on conservation and recovery of threatened and endangered species, and a workgroup was formed to develop recommendations for desert tortoise recovery. Additional public scoping was held in August/September 1998 to address public lands issues, and in particular, issues related to recovery of desert tortoise, including public lands access, resource uses such as mining within desert tortoise habitat, and forage utilization issues between cattle, burros, and desert tortoise. Issues and conflicts for other threatened and endangered species were also scoped and potential strategies discussed. The Scoping Issues from 1999 and how they are addressed in the Plan are listed in Chapter 5. Some issues that were previously included in the joint NPS/BLM planning effort were eliminated from the BLM Planning effort since the BLM revised effort was not intended to be a complete update of the CDCA Plan. On the other hand, the National Park Service was undertaking comprehensive General Management Planning (GMP) efforts, since they had no GMP for some or all of the lands for which they were planning. The BLM released the NEMO Draft Plan/DEIS in April 2001, which described and analyzed the effects of the Preferred Alternative and additional alternatives to accomplish Plan goals. As a result of public comments, internal review, and discussion with other agencies, the NEMO Proposed Plan was developed. The Preferred Alternative in the DEIS was revised and renamed the Proposed Plan in the FEIS.

NEPA allows you an opportunity for further administrative review of the FEIS through a plan protest to the BLM Director if you believe the approval of a proposed decision would be in error under 43 CFR 1610.5-2. Careful adherence to the above CFR guidance will assist you in preparing a protest that will assure the greatest consideration to your point of view. If you wish to protest the Proposed Plan, you must do so in writing within 30 days that the Notice of Availability of the Proposed Plan/FEIS appeared in the Federal Register, as filed by the Environmental Protection Agency. The Cover Sheet located at the beginning of NEMO contains the complete procedural, timeframe, and mailing instruction details for filing a protest.

Plan approval will be documented in a Record of Decision which will be made available to the public and mailed to all interested parties. Land use plan implementation usually involves on-the-ground management actions and permitted uses that might require further analysis and regulation. Land use plan implementation involves on-the-ground management actions and permitted uses which may require further analysis and decision-making, consistent with this plan, the CDCA Plan, FLPMA and NEPA, and other BLM policies, including public involvement and the opportunity for appeal of decisions under applicable regulations.

For the NEMO Proposed Plan, a biological opinion (BO) from US Fish and Wildlife Service (USFWS) had been received in February 2002 for the plants in the Carson Slough area, including the Amargosa niterwort and the Ash Meadows gumplant, and has recently been received in June 2002 for the federally listed desert tortoise. The USFWS gave the BLM a non-jeopardy opinion for these species. These are published as Appendices V and W, in Volume II. At this time, BLM is awaiting the BO from the USFWS on the adequacy of the Proposed Plan to provide for the Amargosa vole and Migratory birds in the Planning Area. The BO or Concurrence for these species must be received prior to BLM issuing the Approved Plan/Record of Decision, anticipated to occur later this year.

In recent months, BLM has implemented a number of interim land use decisions as a result of a lawsuit filed against BLM by a consortium of environmental advocacy groups. According to court stipulations, nearly all of these interim decisions, to the extent that they apply within the NEMO Planning Area, will end when the Record of Decision is signed. The basis for the Proposed Plan and the alternatives, which predates the lawsuit, has not been changed by the lawsuit, and the Approved Plan/Record of Decision will be based on the factors noted above and not on elements of the lawsuit.

Thank you for your interest in the management of your public lands.

Sincerely,



Linda Hansen
District Manager

Enclosure (2 volume set)

Proposed Northern and Eastern Mojave Desert Management Plan

Amendment to the California Desert Conservation Area Plan

and

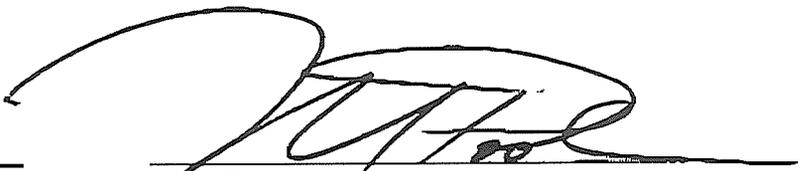
Final Environmental Impact Statement

Prepared by
Department of the Interior
Bureau of Land Management
California Desert District Office

July 2002



Linda Hansen
Acting District Manager, California Desert



Mike Pool
State Director, California

Proposed Northern and Eastern Mojave Desert Plan Amendments and Final Environmental Impact Statement

Final

Lead Agency: U.S. Department of the Interior
Bureau of Land Management
California Desert District

Project Location: (portions of) eastern San Bernardino and Inyo counties, and a small portion of Mono county, California

For Further Information Contact: Edy Seehafer, Project Lead
Bureau of Land Management
California Desert, Barstow Field Office
2601 Barstow Road
Barstow, CA 92311

Abstract: The Proposed Plan amends the Bureau of Land Management (BLM) 1980 California Desert Conservation Area Plan for the area identified as the Northern and Eastern Mojave Desert. The Proposed Plan and Final Environmental Impact Statement provides a comprehensive framework for recovery of the Eastern Mojave populations of the desert tortoise; and other listed species in the planning area and a landscape basis for resource management within the planning area, and does so in the context of BLM's multiple use management mission. The planning area is 3.3 million acres, covering portions of BLM field offices in Needles, Barstow, and Ridgecrest. This document was produced through a coordinated process involving numerous Local, State, and Federal agencies and special interest groups.

Protest procedures, time frame, and mailing: See next page

Filing Protests Procedure, Timeframe, and Mailing

The elements of a properly prepared protest are described in 43 Code of Federal Regulations 1610.5-2 Protest Procedures:

(a) Any person who participates in the planning process and has an interest, which is or may be adversely affected by the approval or amendment of a resource management plan may protest such approval or amendment. A protest may raise only those issues, which were submitted for the record during the planning process.

(1) The protest shall be in writing and shall be filed with the Director. The protest shall be filed within 30 days of the date the Environmental Protection Agency published the notice of receipt of the final environmental impact statement containing the plan or amendment in the FEDERAL REGISTER. For an amendment not requiring the preparation of an environmental impact statement, the protest shall be filed within 30 days of the publication of the notice of its effective date.

(2) The protest shall contain:

- (i) The name, mailing address, telephone number and interest of the person filing the protest;
- (ii) A statement of the issue or issues being protested;
- (iii) A statement of the part or parts of the plan or amendment being protested;
- (iv) A copy of all documents addressing the issue or issues that were submitted during the planning process by the protesting party or an indication of the date the issue or issues were discussed for the record; and
- (v) A concise statement explaining why the State Director's decision is believed to be wrong.

(3) The Director shall promptly render a decision on the protest. The decision shall be in writing and shall set forth the reasons for the decision. The decision shall be sent to the protesting party by certified mail, return receipt requested.

(b) The decision of the Director shall be the final decision for the Department of the Interior.

Mailing address for filing a protest:

Regular mail

U.S. Department of the Interior
Director, Bureau of Land Management (210)
Attn: Brenda Williams
P.O. Box 66538
Washington, D.C. 20035

Overnight (e.g. Fedex) mail

U.S. Department of the Interior
Director, Bureau of Land Management (210)
Attn: Brenda Williams
Telephone: (202) 452-5045
1620 "L" Street, NW, Room 1075
Washington, D.C. 20036

