

**U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
PALM SPRINGS-SOUTH COAST FIELD OFFICE**

**ENVIRONMENTAL ASSESSMENT  
EA Number CA-660-05-44**

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**DATE:** { DATE \@ "dddd, MMMM dd, yyyy" }

**TITLE / PROJECT TYPE:** Riverside County Transportation Dept.  
Midland Sand and Gravel Pit/Free Use  
Permit

**CASE FILE / PROJECT NO.:** CACA-44072

**FUNDING CODE:** 1330                      **PROGRAM ELEMENT:** EP

**BLM OFFICE:** Palm Springs-South Coast Field Office  
690 W. Garnet Avenue, P.O. Box 581260  
North Palm Springs, CA 92258-1260

**APPLICANT / PROPONENT:** Riverside County Transportation Department  
P.O. Box 1090  
Riverside, CA 92502-1090

**LOCATION OF PROPOSED ACTION:** Township 5S   Range 23E   Section 30

**PROJECT ACREAGE:**

BLM	<u>50</u>
Other Federal	_____
State	_____
Private	_____
Other (specify)	_____

**USGS TOPOGRAPHIC MAP:** Blythe NE; 1:24k quad

**LAND USE PLAN CONFORMANCE and Other Regulatory Compliance:**

In accordance with Title 43 Code of Federal Regulations 1610.5-3, the proposed action and alternatives are in conformance with the California Desert Conservation (CDCA) Plan (1980), as amended. Two of the four goals stated in the Geology, Energy and Minerals Element of the CDCA Plan are:

- (1) Within the multiple use framework, assure the availability of known mineral resource

lands for exploration and development.

(2) Encourage the development of mineral resources in a manner which satisfies national and local needs and provides for economically and environmentally sound exploration, extraction and reclamation processes.

Public lands identified in the proposal are designated Multiple-Use Class M (Moderate Use). As regards to saleable minerals in Class M, free-use permits, including sand and gravel sites, require environmental assessment, except as provided for under categorical exclusions in the department NEPA guidance. This proposal, involving no more than 100,000 cubic yards of mineral material production and an effective 50 acres of existing disturbance, does not fall within a categorical exclusion. The CDCA Plan, the State Division of Mines and Geology, and the Riverside County Planning Department all identify the subject lands as having high sand and gravel potential for mining.

The proposed action occurs in habitat for the desert tortoise (*Gopherus agassizii*), a species listed as threatened on both the State and Federal levels. As such, consultation with the US Fish and Wildlife Service (USFWS) is required. The formal consultation process with the USFWS was completed on February 27, 2002, resulting in a Biological Opinion on the Riverside County Transportation Department Borrow Site. A Section 404 consultation with the Army Corps of Engineers may be required of the operator.

The Surface Mining and Reclamation Act of 1975 (SMARA) is a State of California law pertaining to mine reclamation. SMARA is administered by the lead agency, in this case the Riverside County Planning Department. The Planning Department has approved a reclamation plan and reclamation financial assurances for this project.

## **NEED FOR THE PROPOSED ACTION**

This sand and gravel mining proposal was developed as a means to supply sand and gravel for construction and maintenance of County roads in the Blythe/Palo Verde Valley area in eastern Riverside County. Mineral materials, including sand and gravel extracted from these public lands, will continue to provide local demand for road maintenance and construction by the County. The subject lands are public and these minerals are federally owned. According to Title 43 Code of Federal Regulations Subpart 3620, it is BLM's policy to make mineral materials available for free use to any Federal or State agency, unit or subdivision, unless it is detrimental to the public interest to do so.

## **DESCRIPTION OF THE PROPOSED ACTION and ALTERNATIVES**

### Background

The Riverside County Transportation Department has had a BLM/Free Use Permit (FUP) on this site for use as a sand and gravel surface mine since 1971. The FUP was renewed by the BLM in

1981 and again in 1991. An environmental assessment was prepared in 1981 (EA # CA-066-1-14) for the 1981 FUP renewal. In 1991, a Record of Tiering to an Existing Environmental Document was completed relative to the 1991 FUP renewal. The current Environmental Assessment is in response to a request by Riverside County Transportation Department to renew the FUP that expired in 2001.

Prior to expiration of the most recent FUP, the BLM requested that the permittee evaluate the potential for desert tortoise on the project site. This evaluation resulted in preparation of a Biological Evaluation regarding the possible effects of continuing and expanding the County's sand and gravel pit upon the threatened desert tortoise (*Gopherus agassizii*). BLM made a request to initiate formal consultation with the US Fish and Wildlife Service (FWS) on April 26, 2001. A Biological Opinion, # FWS-ERIV-1813.3, was issued by the FWS on February 27, 2002.

#### 1. Proposed Action

The proponent proposes to continue mining sand and gravel from this previously permitted surface mine. There are no additional areas of disturbance proposed by the County for this FUP. The sand and gravel will be mined from currently disturbed areas on the site. The sand and gravel mined at this site will be used by the County Transportation Department for the construction and maintenance of County roads in the Blythe/Palo Verde Valley area. The pit is used on an intermittent basis, depending upon the need for sand and gravel for County road work in the valley. The following describes the proposed activities on the site:

- The mineral to be mined is sand and gravel. The finished products include road base, sub-base, and road fill. An average of 40,000 cubic yards of sand and gravel would be produced annually. There is an estimated life of 20 years remaining on this deposit, depending upon demand and use by the County. Future expansions and mining will be covered by future environmental assessments and FUPs.
- The total current disturbance is approximately 50 acres. No new areas are proposed to be disturbed.
- Mining methods: Sand and gravel will be excavated with a front-end loader to depths ranging from 0 to a maximum of 30 feet below existing surface elevations, so as to create an excavation that allows for drainage on the downstream end. The excavation side slopes will be mined and reclaimed no steeper than 4:1 (horizontal:vertical). The material will be either hauled to a feed hopper-screen system or loaded directly onto County trucks and transported off site. All stockpiling and processing will take place within existing disturbed areas. An estimated 2000 truck loads per year of finished product will be hauled from the site for use in the Blythe area.
- Site preparation: Topsoil would be identified, stockpiled, and protected for use during reclamation.

- Public safety measures: The site access road has a locked gate at the entry point adjacent to the Blythe/Midland Road. Mining slopes will be graded to a 4:1 gradient for reclamation purposes.
- Desert tortoise mitigation: A desert tortoise fence would be installed prior to initiation of any further operations as required by Biological Opinion # FWS-ERIV-1813.3. A biological consultant would be present to check for desert tortoises during fence installation. This consultant would survey for desert tortoises within the fence and move any tortoises if necessary. A speed limit of 20 miles per hour would be established due to a potential to encounter desert tortoises.
- Utilities/Sanitation: Portable toilets would be installed; and water for dust control is hauled to the site with a water truck from the nearby PVID canal.
- Reclamation: Reclamation would occur concurrently with mining. This will consist of regrading and recontouring the mined areas to blend in with surrounding terrain. Any stockpiled topsoil will be replaced and the slopes re-seeded with native vegetation. The feed hopper and screen and all related facilities would be removed. The reclamation plan includes specific criteria for revegetation success and monitoring. Riverside County has approved the Transportation Department's reclamation plan for the site in accordance with the California Surface Mining and Reclamation Act (SMARA). The Transportation Department maintains reclamation financial assurances of approximately \$30,000 to reclaim the site.

## B. No Action Alternative

The Proposed Action would not be undertaken. Existing management and use of the site would continue subject to applicable statutes, regulations, policy and land use plans. The previously permitted mining operation would cease operations and the Transportation Department would reclaim the existing disturbed areas in accordance with their approved reclamation plan.

## **AFFECTED ENVIRONMENT**

### 1. Area Description

Lands involved in this proposal are an existing County-operated sand and gravel mine. Also, numerous disturbances are evident in the area including graded dirt roads, as well as debris and trash associated with general public use. The Blythe Sanitary Landfill is located on the southerly and westerly boundary of this site. The Shepwells sand and gravel pit on private land is located on the west and northwest boundary of this site. Agricultural lands exist to the west of the Blythe/Midland Road. The general area to the north and east includes vast expanses of open space including a BLM/Midland Long Term Visitor Area, located approximately 2 miles to the north; and the designated Big Maria Wilderness, located approximately 2 miles to the northeast.

## 2. Land Status

1. **Land Use Classification:** The CDCA Multiple-Use Classification for the project is Multiple-Use Class M (Moderate Use).
2. **Valid Existing Rights:** There are no private lands or rights-of-way affected by this proposal.

## 3. Topography and Soils

The project area is characterized as an older alluvial fan surface and an active water course that slope from the north to the south. Elevations within the area range from 480 feet above sea level at the northern end to a minimum of 440 feet to the south. The predominant soils in the washes are coarse sands and gravels that percolate water rapidly. There is no evidence of hydric soils.

## 4. Surface Water

The natural hydrology onsite consists of an alluvial fan surface bisected by active washes. No permanent surface water exists within the active washes. There are four dominant and four tributary drainages that cross the site from north to south, and much of the remaining area of the fan is dissected by smaller washes. During an abnormally heavy storm event, surface water would be expected to temporarily flow down the wash.

## 5. Vegetation

The flat portions of the alluvial fan are dominated by creosote bush scrub (*Larrea tridentata*). Other shrub species in this community include California buckwheat (*Eriogonum fasciculatum*), sweet bush (*Bebbia juncea*) and white rhatany (*Krameria grayi*). Grasses observed on the site are mostly weedy invasives such as red brome (*Bromus madritensis*) and abu-mashi (*Schismus barbatus*).

The drainages are dominated by paloverde woodland. The plant community in these washes includes paloverde (*Cercidium floridum*), catclaw (*Agacia greggii*), sweet bush, and occasional individuals of smoke tree (*Psoralea spinosa*), ironwood (*Olneya tesota*), and tamarisk (*Tamarix aphylla*). The tamarisk is limited mainly to areas adjacent to the landfill and may represent a recent weedy introduction of seed or cuttings from landfill material.

## F. Special Status Species

Desert tortoise (*Gopherus agassizii*) surveys were conducted in September 1998 by Kirtland Biological Services. These surveys were completed in accordance with USFWS field survey protocols for presence/absence of desert tortoises. The only sign of desert tortoise located during the survey was a set of two drinking holes found in the undeveloped north central area of the

site.

Although the project site is within the historic range of the desert tortoise, this habitat is considered marginal due to the low abundance of tortoises and the highly impacted nature of the site. Periodic or seasonal desert tortoise use of the sandy washes within the project area, however, is considered likely.

In addition to the desert tortoise, six populations of the foxtail cactus (*Escobaria vivipara* ssp. *alversonii*) were found to exist within undeveloped portions of the project area. This is a species of concern on the California Native Plant Society's list. No other special status species are known to occur or be affected by this proposal.

#### 7. Recreation Resources

The project area has a low potential for recreational activities. Historically, this area has been used for casual recreation, such as firearms shooting. Opportunities for scenic viewing and other related recreational pursuits at this site are degraded by the existence of the adjacent landfill, a gravel pit, a proliferation of dirt roads, and a County road.

#### 8. Visual Resources

Public lands identified in the proposal are designated Multiple-Use Class M (Moderate Use) under the CDCA Plan. The appropriate levels of management and protection of visual resources are to be commensurate with the objectives stated in the multiple-use class guidelines. Multiple-Use Class M provides for a variety of present and future uses such as mining with mitigation as appropriate to conserve desert resources.

This area is characterized by low hills and washes, little vegetation, no water, and subtle color variations. Existing modifications to the scenery in the vicinity of the project area are so extensive that scenic qualities are substantially reduced. These include a landfill, existing gravel pits, a proliferation of dirt roads, a County road, and adjacent agricultural uses. Located within a mile of the project are additional agricultural fields, railroad and related rural development. This development extends south for 6 miles to the community of Blythe, California.

An evaluation of scenic quality, viewer sensitivity, and distance zones results in an interim Visual Resource Management (VRM) Class of "4."

- Scenic Quality: Class C indicating features are fairly common to the physiographic region.
- Viewer Sensitivity Level: Low to medium concomitant with the level of public concern for further modifications to a landscape that is already heavily impacted.
- Distance Zones: Foreground/middleground, indicating an area that can be seen for

a distance of 3 to 5 miles where management activities might be viewed in detail.

The management objective of VRM Class 4 areas is to allow for activities which result in major modification of the existing character of the landscape. These management activities may dominate the landscape in terms of scale and be the major focus of viewer attention, but should repeat the form, line, color, and texture of the characteristic landscape.

#### 9. Open Space

The 47,570-acre Big Maria Mountains Wilderness is located approximately two miles northeast of this proposed project. This area is very high quality open space for habitat purposes that will be preserved in perpetuity as wilderness. Lands to the north and west involve expanses of multi-purpose open space involving very scattered impacts such as roads, railroad tracks, a landfill, powerlines, gravel pits, and the BLM/Midland Long Term Visitor Area.

#### 10. Cultural Resources

Identification and evaluation efforts are described in the report entitled *Identification and Evaluation of Historic Properties, The Midland Materials Yard, Riverside County, California*, prepared by Michael Hogan (CRM TECH, Riverside, California, August 2004). A literature review and records search conducted at the Eastern Information Center, University of California at Riverside, revealed that the Area of Potential Effect (APE) had not been previously surveyed for cultural properties and that there were no known and recorded cultural properties within the APE. The literature review indicated that four cultural property surveys had been conducted and five cultural properties located within one mile of the APE.

CRM TECH identified one cultural property, assigned Site No. CA-RIV-7512 (Primary No. 33-13684), within the APE on public lands for this undertaking. Described as a prehistoric archaeological site, the site consists of a small scatter of ceramic sherds, all of which appear to be from a single ceramic vessel, and a single isolated lithic flake. The site was described as “unlikely” to contain subsurface potential. No other cultural properties were identified within the area of potential effect. CRM TECH recommended that Site CA-RIV-7512 did not appear to meet the criteria for inclusion on the National Register of Historic Places. The BLM found that the inventory effort was adequate to identify historic properties on public lands that might be affected by this undertaking. The BLM has also found that CRM TECH has provided sufficient documentation to support a “not eligible” determination for Site CA-RIV-7512. Based on the recommendations of the CRM TECH report, BLM determined that Site CA-RIV-7512 was not eligible for inclusion on the National Register of Historic Places.

## **ENVIRONMENTAL CONSEQUENCES**

### A. Critical Elements

The following table summarizes potential impacts to various elements of the human environment, including the "critical elements" listed in BLM Manual H-1790-1, Appendix 5, as amended. Elements for which there are no impacts will not be discussed further in this document.

<b>Environmental Element</b>	<b>Proposed Action</b>	<b>No Action Alternative</b>
Air Quality	slight impact	N/A
ACECs	N/A	N/A
Cultural Resources	No Effect	No Effect
Native American Concerns	N/A	N/A
Farmlands	N/A	N/A
Floodplains	N/A	N/A
Energy (E.O. 13212)	N/A	N/A
Minerals	removal of mineral material	N/A
T&E Animal Species	may affect desert tortoise	N/A
T&E Plant Species	N/A	N/A
Invasive, Nonnative Species	affect	N/A
Wastes (hazardous/solid)	potential for solid wastes and diesel fuel spills	N/A
Water Quality (surface and ground)	slight affect, surface water	N/A
Wetlands/Riparian Zones	N/A	N/A
Wild and Scenic Rivers	N/A	N/A
Wilderness	N/A	N/A
Environmental Justice	N/A	N/A
Health and Safety Risks to Children	N/A	N/A

Visual Resource Mgmt.	conforms with VRM Class 4 objectives	no additional impacts to visual resources; conforms with VRM Class 4 objectives
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B. Discussion of Impacts

1. **Proposed Action:**

**Soils**

The proposed action would not result in any further soil disturbance. This disturbance that has occurred ranges from soil compaction by vehicles and equipment to complete removal of soil from the site. Throughout the life of the operation, soils would become destabilized resulting in loss due to wind and water erosion. Unless protected, valuable topsoil would also be lost and the longterm productivity of the site would be reduced. In addition, soil horizons would be mixed resulting in loss of overall soil integrity.

**Air Quality**

As soils are disturbed and become susceptible to wind erosion, there would be an increase in the fugitive dust levels within the vicinity of this site. Vehicle and equipment use during mining and crushing operations will further increase these dust (PM-10) levels. During high wind events associated with on-going mining operations, these dust levels could substantially impact down wind areas up to 1/4-1/2 miles from the site, including Midland Road. These fugitive dust emissions, however, would slightly contribute to overall PM-10 levels in the general vicinity of this project given the extensive level of agricultural development and other surface disturbances in the Palo Verde Valley.

**Plants**

Plants located within the current disturbance area of 50 acres have been eliminated and their habitats degraded. This site degradation would last for 30 years or more after site closure due to the low rainfall of the region, degradation of soil structure, and the potential loss of topsoil. After reclamation, the site would gradually be recolonized by pioneer plant species. These species would modify the site so as to allow for later successional species such as creosote bush, blue palo verde, desert lavender, and burro bush.

During the mining operation, use of water at the site for dust abatement would likely result in localized growth of non-native and invasive plant species, such as tamarisk trees. Once established, these invasive species would provide a seed source for

continued invasion in the general area. These invasive species substantially degrade habitats for native plants and animals. This habitat degradation is especially severe after establishment of tamarisk trees that out-compete native plants, over-utilize water supplies in washes, and decrease suitable habitat for animal species.

### **Stream Channels**

During the mining operation, the potential exists for mining equipment and vehicles to stray off-site and into the delineated stream channel that traverses the site. This could result in the discharge of dredge or fill materials into the stream channel.

### **Animals**

Animals presently residing within the currently disturbed 50 acre site would be displaced, injured, or killed during the mining operation and their habitat degraded. Increased human activities resulting from the mining operation would displace some species from the vicinity of the site. After time and upon site reclamation, these species would gradually reoccupy this site as vegetation becomes established.

### **Special Status Species**

Desert tortoise could be injured or killed, their activities altered, and their habitat degraded during this operation. Use of vehicles at the site and equipment during mining operations could result in injury or death to desert tortoises. This is especially true with immature desert tortoises that are difficult to see due to their small size. If left open and unattended, especially over-night, desert tortoises could fall into pits and be injured or killed. Refuse and water supplies associated with this operation would attract ravens that prey on immature tortoises.

Desert tortoises seeking shade under parked vehicles or equipment could be run over when the vehicles or equipment are started and moved. The handling of desert tortoises by mine personnel could result in the deleterious voiding of internal fluids and other physiological stress. Desert tortoises could be entombed by equipment use and mining activities in proximity to occupied burrows. Preferred food sources within the 53 acres and general vicinity would decrease as a result of the increase in less palatable weed plant species associate with surface disturbances. This operation would also become a seed source for these invasive species resulting in an off-site increase in these unpalatable plants.

This proposal would result in the loss of 50 acres of desert tortoise habitat. No further disturbance is proposed under this project. Habitat fragmentation results in loss of food and shelter, displaces resident tortoises into areas occupied by other tortoises, alters social and other behaviors, and generally increases stresses within these desert tortoises. Over time, fragmentation of this habitat would result in the decline of desert tortoises in this general area.

In addition, this proposal would result in the loss of foxtail cactus plants, a species of concern on the Native Plant Society's list. This loss would contribute very slightly to the ongoing decline of this species throughout its range.

### **Visual Resources**

The basic philosophy underlying visual quality of a landscape depends on the visual contrast between a project and the existing landscape. The contrast can be measured by comparing the project features with the major features in the landscape. The contrast rating is conducted from the most critical viewpoints. These are usually along commonly traveled routes or at other likely observation points. Relative to the proposed action, the key observation points occur along Midland Road generally west of the project site. Views of the project site from locations further north and south along the road, and from the Palo Verde Valley, are precluded due to topographic features.

A contrast rating for the proposed project reveals the degree of contrast to be moderate based primarily on the size and location of the project, proximity of other disturbances, limited views of the project site, and concurrent reclamation actions as proposed. Where the degree of contrast is rated as moderate, the project begins to attract attention and begins to dominate the characteristic landscape when seen from the key observation points. A contrast rating of moderate is consistent with visual resource management objectives for Class 4 areas.

### **Cultural Resources**

CRM TECH identified one cultural property, assigned Site No. CA-RIV-7512 (Primary No. 33-13684), within the APE on public lands for this undertaking. Based on the recommendations of the CRM TECH report, the BLM determined that Site CA-RIV-7512 was not eligible for inclusion on the National Register of Historic Places. The BLM has also found that this undertaking would have no effect on historic properties eligible for inclusion or listed on the National Register of Historic Places.

### **Diesel Spills and Waste Disposal**

Diesel fuel and other petroleum products such as hydraulic fluid could be spilled or discharges during equipment use and refueling. Trash, refuse and septic wastes could be discharged, buried, or scattered throughout the operation. Trash laying on the surface could be carried off site by the wind.

#### **2. No Action Alternative:**

The site would not be developed and no impacts would occur.

#### **C. Mitigation Measures**

General Mitigation:

1. No topsoil and vegetation stripping shall occur as part of this project. Any existing topsoil stockpiles shall be clearly marked and protected throughout the life of the operation. Topsoil would then be spread over contoured areas upon site reclamation in a manner to insure maximum seed bed preparation.
2. Backfilling and regrading shall be implemented as required to return the site to a condition approximating the original contour and to allow for revegetation. All cut slopes shall be graded to be no greater than 4:1 (horizontal:vertical) slope gradient and shall be free from erosion potential.
3. No surface disturbance shall be authorized outside of the project area; and no additional surface disturbance beyond existing disturbed areas shall be made by the operator.
4. Speed limit and safety signs shall be required on site access roads.
5. Appropriate drainage structures shall be constructed and maintained on the access road to allow for precipitation runoff and public safety.
6. All tamarisk seedlings shall be removed from the site during operations including from areas subject to run-off of water associated with material processing.
7. Under direction of the biologist, foxtail cactus (*Escobaria vivipara* var *alversonii*) encountered on the site would be transplanted to suitable locations off-site and in the general vicinity of the project. The salvage and transplanting of other cacti shall be encouraged.
8. The operator shall be required to comply with all reasonable measures to control PM-10 emissions from the access road and project site including controlling vehicle speeds, application of dust suppressants, graveling surfaces, phased reclamation and application of water. The operator would curtail operations when sustained wind speeds exceed 30 miles per hour.
9. No hazardous materials or substances shall be used or stored on-site without specific written authorization of the authorized officer. Diesel fuel, solid wastes, sewage from holding tanks, and waste oil shall not be discharged or buried on-site. The operator shall be required to quickly clean up and properly dispose of any waste spills, discharge or deposits.
10. The boundaries of the project area shall be clearly delineated by signs and markers to insure that no mining vehicles or equipment are driven outside of the authorized site.

11. The operator shall meet with BLM at a minimum of once a year to report on their compliance with mitigation requirements, assess the effectiveness of all the mitigation, and modify mitigation as necessary to resolve any issues identified.

Desert Tortoise Mitigation:

The project proponent would comply with all measures identified in the attached FWS, February 27, 2002, Biological Opinion on the Proposed Midland Materials Yard Expansion.

D. Residual Impacts

After application of mitigation measures, the possibility of tortoise mortality or injury would be greatly reduced. Education of employees would increase awareness for tortoise conservation in general.

Loss of this desert tortoise habitat would not negatively affect regional conservation processes due to the small size of this project, the low density of desert tortoises in this general area, and the purchase of compensation lands in Category I or II desert tortoise habitat in the Chuckwalla Bench. As the area impacted by this project is considered marginal desert tortoise habitat, off-site mitigation and payment of fees is considered the most preferred method of mitigation. This is especially true as an equal amount of much higher quality habitat would be acquired in the Chuckwalla Bench and placed in preservation status.

The removal of tamarisk seedlings from the site would prevent invasion of the area by this weed species. Upon project completion and effective reclamation, the site would slowly revegetate. Habitat productivity would approach pre-project conditions as revegetation progresses. Following reclamation, the abundance and diversity of plants would be less than pre-operational conditions. Initially, annual species would invade the reclaimed areas. Natural plant succession would return the site to approximately pre-operational conditions in 30 years or less. Wildlife populations would return to this site as plant communities become established.

This action would result in the partial loss of some topsoil and the loss of soil structure in the immediate vicinity of each site where magnetite boulders are removed. There would be a short term and slight increase in fugitive dust emissions from this area as a result of the excavation, loading and hauling activities, however, the overall contribution to regional PM-10 levels would be negligible.

E. Cumulative Impacts

The area surrounding the proposed action has been extensively impacted by mining

operations for the last 50 years. To the immediate north lies the Shepwell's sand and gravel pit, to the immediate south and west lies the Blythe Sanitary Landfill impacting approximately 30 acres, to the east lies the Palo Verde Irrigation District's 22-acre pit and the 53 acre Crawford and Associates sand and gravel pit, and to the northwest is the California Calcium Carbonate limestone mine of about 30 acres. An old Caltrans pit lies about 4 miles to the northeast of this site impacting about 15 acres. All of these mining and landfill activities have cumulatively degraded the quality of plant and wildlife habitat in this area.

These impacts are expected to expand slowly over the next 30 years as demands for aggregate materials increase in the Palo Verde Valley. In addition, human impacts are anticipated to increase in this region as the population of Blythe, California and the overall Palo Verde Valley increases. These impacts are anticipated to increase PM-10 levels, reduce the scenic quality of the valley and vicinity, and reduce overall ecological diversity in this arid region.

**PERSONS / AGENCIES CONSULTED:**

USFWS  
Army Corps of Engineers  
CA, DF&G, Eastern Sierra-Inland Deserts Region  
Riverside County Planning Department  
Riverside County Transportation Department

**PREPARED BY:**

Steve Kupferman, BLM Geologist, Project Lead  
Rolla Queen, Archaeologist  
Jim Foote, Recreation Planner, VRM Specialist  
John Kalish, Supv., Lands, Minerals & Recreation

**REVIEWED BY:**

\_\_\_\_\_

Environmental Coordinator

\_\_\_\_\_

Date

**U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
PALM SPRINGS-SOUTH COAST FIELD OFFICE**

**DECISION RECORD  
CA-660-05-44**

**NAME of PROJECT:** Free Use Permit Renewal/Riverside County Transportation Dept.  
Midland Sand and Gravel Pit

**DECISION:** It is my decision to approve the proposed action as described in Environmental Assessment (EA) number CA-660-05-44. Compliance with the mitigation measures identified in the EA is hereby required. These measures are incorporated into this decision record as stipulations by reference. A copy of this Decision Record and attendant conditions of approval (stipulations) shall be in the possession of the on-site operator during all undertakings approved herein.

**RATIONALE:** The approved action is in conformance with applicable land use plans and will not cause unnecessary or undue degradation.

**FINDING OF NO SIGNIFICANT IMPACT:** Environmental impacts associated with the proposed action have been assessed. Based on the analysis provided in the attached EA, I conclude the approved action is not a major federal action and will result in no significant impacts to the environment under the criteria in Title 40 Code of Federal Regulations 1508.18 and 1508.27. Preparation of an Environmental Impact Statement to further analyze possible impacts is not required pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969.

**APPEALS:** This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations at Title 43 of the Code of Federal Regulations (CFR), Part 4, and the information provided in Form 1842-1 (enclosed). If an appeal is taken, your notice of appeal must be filed in the Palm Springs-South Coast Field Office, Bureau of Land Management, U.S. Department of the Interior, 690 West Garnet Avenue, P.O. Box 581260, North Palm Springs, California 92258, within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, pursuant to Title 43 of the Code of Federal Regulations, Part 4, Subpart E, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) the relative harm to the parties if the stay is granted or denied,
- (2) the likelihood of the appellant's success on the merits,
- (3) the likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) whether the public interest favors granting the stay.

During the appeal to the State Director, all decisions from which the appeal is taken shall be effective during the pendency of the appeal.

If no appeal is taken, this decision constitutes final administrative action of this Department as it affects the mining claim(s). No appeal, protest or petition for reconsideration will be entertained from this decision after the appeal period has expired.

**APPROVED BY:**

\_\_\_\_\_  
Field Manager  
Palm Springs-South Coast Field Office  
USDI Bureau of Land Management  
690 W. Garnet Avenue; P.O. Box 581260  
North Palm Springs, CA 92258-1260

\_\_\_\_\_  
Date