

## ENVIRONMENTAL ASSESSMENT, FONSI AND DECISION RECORD

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

**EA Number:** DOI-BLM-CAC-070-2009-0041-EA

**Lease/Serial/Case File No.:** CACA 046217

**Proposed Action Title/Type:** Conway Ranch Parking Lot and Kiosk ROW (Amendment)

**Location of Proposed Action:** MDM, T. 2 N., R. 26 E.,  
Section 7, NW1/4NW1/4NW1/4.

**Applicant (if any):** County of Mono

### **Plan Conformance:**

The proposed action is subject to the Bishop Resource Management Plan, approved March 25, 1993. The proposed action has been reviewed and is in conformance with the plan, except for the proposed construction time frame of April-May, 2010 which violates the RMP direction for potential sage-grouse nesting impacts. To avoid potential disturbance impacts to nesting sage-grouse, project construction activities should not occur between May 1<sup>st</sup> and June 30<sup>th</sup> (Bishop RMP 1993). If construction took place outside of these dates then the proposal would conform to the RMP.

Under the 1993 Bishop RMP General Policies, Page 8, No.1; "Management will be on the basis of multiple use and sustained yield as per FLPMA section 102 (a)(7)." As part of the multiple-use and sustained yield, the BLM can authorize Rights-of-Way (FLPMA section 501(a)(1-7) and amendments to ROWs for such uses as pipelines, roads, power lines, wells, and other facilities on the public lands for the public good.

### **Need for Proposed Action:**

The purpose of the action is to provide Mono County with as area of public land to serve as a visitor parking lot and information site for its fish rearing operation.

Mono County purchased a large portion of the Conway Ranch in 1999 for resource habitat and development of a fish rearing operation. The BLM also purchased about 220 acres of the Conway Ranch for wildlife habitat and cultural resources.

The Mono County fish operation has been used to supplement local streams and rivers with catchable fish (stocking) to enhanced the recreational industry within Mono County.

The fish operation currently uses public land for a pipeline ROW (CACA 046217) to improve water flows into the fish rearing area. As part of the educational aspects of the fish operation and the overall management of Conway Ranch, Mono County has proposed the construction of a parking lot and kiosk on public land for the general public. The proposed location on public land is just south of an existing ranch boundary fence and locked gate, both of which prevent unauthorized vehicle access to the ranch.

The parking lot would accommodate vehicle parking which is already being done on public land at the site. The parking lot and kiosk would also allow for public tours of the fish rearing operation as well as provide information about the habitat management that is taking place on the Ranch. It is expected that some kiosk panels would be used for educational information on BLM wildlife and cultural projects at Conway Ranch.

### **Description of Proposed Action: Alternative A**

The proposed action would be to authorize the use of public land for two parking lots and the installation of a four-sided kiosk. See Exhibit A and B for project location.

Each parking lot would be about 20 feet wide and 60 feet long and located along an existing dirt road which provides access to this area of Conway Ranch. The area where the lots would be constructed is in previously disturbed areas, but would require some blading and removal of shrub and grass vegetation. About 0.06 acres of vegetation would be removed. About 20 cubic yards of fill dirt would be used to level the lots and then compacted. The parking lots would be surfaced with crushed gravel.

The kiosk would be installed using four 6" diameter wood posts with minimal surface disturbance.

In order to replace any habitat that might be lost in the project, the proponent agreed to the following activity. The dead-end road near the parking lot would be blocked, ripped and re-vegetated. This road is about 8 feet wide and 1,600 feet long. It is not used by the public due to a fence line restricting any access. Reseeding would be with native species recommended by the Bishop FO botanist.

The construction would utilize pickups trucks, dump trucks, and a backhoe. A water truck would be used for dust abatement. Construction would take place after November 1, 2009 with the majority of work in April and May, 2010. The construction would take about 4-6 weeks.

Annual maintenance would consist of weed control, kiosk updating, and road and parking lot grading.

### **No Action: Alternative B**

Under this alternative the parking lots, kiosk and dead-end road would not be authorized. Mono County's ability to conduct educational tours would be reduced due

to lack of vehicular parking in the immediate area, nor would the public be able to easily park in the area and walk into the Ranch for enjoyment of the habitat and ranch property. Educational information on the Ranch and its management would not be available due to the lack of the kiosk.

### **Other Alternatives:**

There are no other reasonable alternatives to the proposed action which could accommodate Mono County's desire to provide for parking and public tours of the Conway Ranch.

### **Affected Environment/Environmental Impacts: Alternative A**

The action is not within a Wilderness, Wilderness Study Area, Area of Critical Environmental Concern, nor Wild and Scenic River corridor, and there would be no effects on any lands so designated.

There would be no impacts to listed species or habitat. There are no known sensitive species or habitats within the proposed action area except for sage grouse. See Vegetation and Wildlife Section.

There would be no impacts to prime farm lands, flood plains, or water quality (including ground or surface waters). The project does not occur in areas having these characteristics.

There would be no disproportionate impacts to low income or minority groups, per Executive Order 12898 (2/11/94). There are no known groups of this type that utilize the proposed action area.

### ***Air Quality***

The action is within a federal nonattainment designated area for the Mono Basin. Dust abatement would be utilized during construction. PM10 emissions would be extremely low due to dust abatement actions and the minimal amount of ground disturbance activity. Air quality would not be affected nor would the project violate non-attainment standards for the Basin.

### ***Cultural resources***

Cultural resources were evaluated for the project by the Bishop FO archeologist on August 7, 2009 and documented in Cultural Resources Inventory Report No. CA-170-09-55. No cultural resources were located within the area of potential effect. There would be no impact to known historic or prehistoric cultural resources from the project construction activities.

### ***Visual resources***

The area has a VRM Class II rating which states that “changes in any of the basic elements (form, line, color, texture) caused by a management activity should not be evident in the characteristic landscape. A contrast may be seen but should not attract attention.”

The proposed parking lots and kiosk are within the proximity of Hwy 395 to the west and Hwy 167 to the south. Both of these highways would be key observation points where casual observers may view the proposed action area. The proposed action area is a third of a mile from Hwy 395 and a half mile from Hwy 167. The proposed action area is slightly below the grade of Hwy 167 (Pole Line) and about 80 feet below the grade of Hwy 395 which are the key observation points.

The existing 2-3 foot high shrubs surrounding the proposed action area and the lower grade in relation to the highways would screen the disturbed area from both of these highways.

The disturbance would be slightly visible from the Mono Lake roadside viewpoint located two miles from the area and halfway up the Hwy 395 Conway grade. The two-mile distance from the viewpoint would highly reduce the visibility of the disturbance from the overlook. The parking lots are parallel to the existing dirt road and do not substantially widen the disturbed area to the point where the additional width is discernable from two miles away. In addition, the southern parking lot and kiosk would be masked by the 5-6' high willow corridor located between both parking lots.

The proposed action would not be evident in the characteristic landscape and would not dominate the landscape. Any contrast, although it may be seen, would not attract attention.”

The proposed action would meet VRM Class II standards.

### ***Soil and Vegetation***

Soils within the project area belong to the Orecart-Deepwell association which are soils derived from volcanic ash parent material. Soils are deep and somewhat excessively drained with low water holding capacity. Vegetation consists of a mix of Wyoming (*Artemisia tridentata* ssp. *wyomingensis*) and Mt. sagebrush (*A. tridentata* ssp. *vaseyana*) which is typical of this Sierran and Great Basin transition. Other dominant species include; bitterbrush (*Purshia tridentata*), desert peach (*Prunus andersonii*) and a high density of herbaceous forbs and grasses including silver lupine (*Lupinus argenteus*), tall buckwheat (*Eriogonum elatum*), *Eriogonum davidsonii*, Indian rice grass (*Achnatherum hymenoides*), Thurbers needlegrass (*Achnatherum thurberianum*) and needle and thread grass (*Hespirostipa comota*). The project area is moderately disturbed with intact sagebrush steppe vegetation surrounding the site. In addition, a mature stand of 5-6 foot high coyote willows (*Salix exigua*) border an existing irrigation ditch.

Parking lot construction would result in the direct loss of approximately 0.06 acres of previously impacted sagebrush steppe habitat.

### ***Threatened and Endangered Plant Species and BLM Special Status Plant Species***

No Threatened or Endangered Plant Species occur in the project area. A survey for the following BLM Special Status Plant Species (Plant species currently on List 1B of the California Native Plant Society's Inventory of Rare and Endangered Plants of California (<http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi>) that have potential to occur in the project area was conducted on 7/24/09; Tonopah milk vetch (*Astragalus pseudiodanthus*), Duran's Lupine (*Lupinus duranii*), Long Valley milk-vetch (*Astragalus johannis howellii*) and Mono Astragalus (*Astragalus monoensis*). No Special Status Species were found in the project area.

### ***Invasive, non-native species***

Although surrounding stands of sagebrush steppe vegetation adjacent to the project area are intact and contain a diverse mix of native shrubs, forbs and grasses, many of the ingress and egress sites as well as the private land portions of the fish hatchery, where soils have been removed and displaced, contain high densities of non-native weed species. Weeds include; Russian thistle (*Salsola tragus*), tansy mustard (*Sisymbrium altissimum*), bursage (*Ambrosia acanthicarpa*), white clover (*Melilotus albidus*) and mullein (*Verbascum thapsus*).

The proposed action would probably increase the non-native weed component of the site and increase the risk of the surrounding intact vegetation to weed invasion.

### ***Wildlife habitat***

The proposed project site is located within Wyoming big sagebrush habitat and provides habitat for a wide variety of sagebrush associated wildlife species. Species of management concern known to occur in the project vicinity include mule deer (*Odocoileus hemionus*) and Greater sage-grouse (*Centrocercus urophasianus*).

Greater Sage-grouse are a BLM designated sensitive wildlife species. Field surveys were conducted on July 23, 2009 and on August 18, 2009 to evaluate habitat conditions for sage-grouse in the vicinity of the proposed project site and to verify the presence/absence of habitat for other BLM designated sensitive wildlife species. Sage-grouse were confirmed using habitat within the vicinity of the proposed project site. No other sensitive wildlife species of habitats were encountered.

The proposed project site is located approximately 1.8 miles north of the Thompson sage-grouse lek. Wyoming big sagebrush habitats immediately adjacent to the proposed project site may be used by nesting sage-grouse during some years. The proposed construction schedule of April-May, 2010 could result in potential disturbance

impacts to nesting sage-grouse and is in violation of the Bishop RMP 1993 which sets a seasonal protection of May 1 to June 30 for sage grouse nesting habitat.

The proposed project site is located within the migration corridor/holding area for mule deer from the Mono Lake and East Walker deer herds. The proposed construction schedule of November, 2009 and April, 2010 could result in potential disturbance impacts to migrating mule deer. This migration occurs after the first significant fall/winter snowfall or prior to spring green-up (approximately November 1 and April 30).

Parking lot construction would result in the direct loss of approximately 0.06 acres of previously impacted Wyoming big sagebrush habitat (see vegetation section). This is an impact that would have minimal effect on the current availability of habitat for sagebrush associated wildlife species, including Greater Sage-grouse, known and likely to occur in the vicinity of the proposed project site. There may be some short-term displacement of sagebrush associated wildlife species from the immediate project vicinity as the result of noise and activity associated with project implementation. Both migratory and resident wildlife species would be expected to resume normal use patterns following project completion. Overall, the proposed project would have no measureable impact on sagebrush associated wildlife species known or likely to occur in the immediate project vicinity.

No threatened or endangered wildlife species are known or likely to occur within or immediately adjacent to the proposed project site, based on historical records, field monitoring, and habitat suitability. The proposed action and no action alternatives would have no effect on any federally-listed threatened or endangered wildlife species or designated critical habitat, because none are present within or immediately adjacent to the proposed project site.

### ***Minerals***

There are no known mining claims or mineral material sites in the proposed project area. No impact to minerals.

### ***Economic Impacts***

#### Viability of the Proposed Development

The project is considered to be viable and is funded by Mono County.

#### Impacts to the Community and to Tribal Interests

There would be little or no impact to the Lee Vining community although the improved parking and kiosk would provide another site for resource educational opportunities.

It is not expected that Mono Lake Tribal interests would be affected although cultural/Tribal information provided at the kiosk could disseminate Native American Tribal cultural information and expand public understanding of Native American

interests. The proposed action area and the Mono Basin has been the subject of a number of meetings and discussions with the Mono Lake Indian Community regarding Native American interest for the area. Previous proposals of this type have not resulted in the Tribe opposing the projects. The proposed action would not impact Native American historic use, affect cultural resources or impact religious activities.

### ***Environmental Justice***

The proposed action area is not part of an area where various groups are known to inhabit, occupy, or use except for the Mono Lake Indian Community.

The Mono Lake Indian Community is concerned with the Mono Basin and activities that take place within the Basin. The parking lot and kiosk proposal would not impact Native American historic use, affect cultural resources or impact religious activities.

### ***Hazardous Materials***

No impact

### ***Consistency with County Planning***

The Conway Ranch and associated proposed project are consistent with County Planning.

### ***Impacts to County Infrastructure***

The project allows the County to provide public education and public access to the Conway Ranch and provide information on the overall management of the Ranch.

### ***Impact to the Local Community***

The impact to the local community might be increased awareness of the Conway Ranch management, especially the fish rearing operation.

### ***Adherence to Local, State and Federal Environmental Ordinances / Laws***

The project would be in adherence to Local, State and Federal Environmental Ordinances and laws.

### ***Global Climate Change***

United States Department of Interior, Order Number 3226, signed January 19, 2001, Evaluating Climate Change Impacts in Management Planning, is an order to ensure that climate change impacts are taken into account in connection with planning and decision making. Climate change refers to any significant change in measures of climate (e.g. temperature or precipitation) lasting for an extended period of time (decades or longer).

Climate change may result from: natural processes, such as changes in the sun's intensity, natural processes within the climate system ( e.g. changes in ocean circulation); human activities that change the atmosphere's composition (e.g. burning fossil fuels) and the land surface (e.g. urbanization) (IPCC, 2007).

Changes in the atmosphere have likely influenced temperature, precipitation, storms, and sea level (IPCC, 2007). Rising greenhouse gases (GHG) levels are likely contributing to global climate change. In the eastern Sierra region of California, climate change may result in warmer, drier conditions, and potentially more extreme weather events.

The proposed action would result in some emissions of GHG from construction equipment diesel fuel exhaust and vehicle emissions from public transportation to the area. Current regulations and standards in regards to GHG have not been developed and finalized, nor have GHG emissions been quantified, in a reliable scientific based relationship, to the eastern Sierra regional climate in order to determine the potential impact on the local and regional climate. The overall contribution to GHG emissions would be considered quantitatively extremely small to overall state GHG emissions, the impacts of the project on global climate change would be considered insignificant, but an unavoidable impact. It cannot be determined to a reasonable degree of certainty that the project would result in a considerable incremental contribution to a significant cumulative impact of global climate change.

### **Environmental Impacts: Alternative B**

Under this alternative, the parking lots, kiosk and road re-hab would not take place, and the resource impacts identified under Alternative A would not take place.

It is expected that the noxious weeds in the immediate area would continue to occupy and extend their populations. These species may dominate certain areas adjacent to the road over time.

The no action alternative would have very slight impact on existing habitat quality or availability for sagebrush associated wildlife species known or likely to occur within the immediate project vicinity. The parking that is already taking place at the site has removed sagebrush and other associated vegetation.

GHG emissions from construction and future maintenance equipment use would be eliminated. GHG emissions would be generated from continued use of the area by vehicles accessing the site.

### ***Cumulative Impacts of Alternative A – Proposed Action***

The proposed project would result in a permanent loss of 0.06 acre of Wyoming and Mountain sagebrush plant community. This loss would not result in fracturing the available habitat of any species occupying the general area or impact species populations. Although the general area has and will have losses of the Wyoming and

Mountain sagebrush plant community through residential and some commercial development, these losses and the addition of 0.06 acres of this plant community is not expected to cumulatively result in a negative decline of this 7,000 acre plant community within the area or a negative impact to species habitat or populations.

Cumulative impacts to Global Warming cannot be determined due to the lack of reliable relational information required to gauge the project's affects on the local and regional atmospheric levels.

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

1. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.
2. Prior to site disturbance, hand remove all weeds (see list above) where construction activities would take place.
3. Spray-wash all equipment used for maintenance of road and parking lot prior to entering public land in order to remove noxious weeds and or seeds.
4. Fill dirt must be obtained from a weed free source.
5. For up to three years after project implementation, hand remove weeds in spring (may-June) prior to seed set.
6. Close and rehabilitate the 0.31 mile road segment located northwest of the north parking area. No seeding necessary, but weed control is required post-ripping for three years. If extant seed bank within road does not respond some supplemental seeding may be required with native seeds determined appropriate by BLM botanist.
7. Site the new kiosk in a depression and/or as close as practicable to the existing willow corridor. The goal is to decrease the effective height of the new kiosk.
8. Remove the existing kiosk/sign located on the west side of the access route and south of the ditch.



Larry Primosch  
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BLM, Realty Specialist  
BLM, Botanist  
BLM, Archaeologist  
BLM, Supervisory Natural Resources Specialist

**Date:** September 30, 2009

**By:** \_\_\_\_\_ **Reviewed**  
**Environmental Coordinator** **Date:** \_\_\_\_\_

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## **FINDING OF NO SIGNIFICANT IMPACT (FONSI)**

I have reviewed this environmental assessment DOI-BLM-CA-070-2009-0041-EA for the Mono County Conway Ranch parking lots and kiosk project including the explanation and resolution of any potentially significant environmental impacts.

I have determined that the project is in conformance with the Bishop Resource Management Plan, which was approved March 25, 1993. This plan has been reviewed, and the proposed action with the mitigation measures as described below conforms with the land use plan terms and conditions as required by 43 CFR 1610.5.

I have determined that the action with the mitigation measures described below will not have any significant impacts on the human environment and that an EIS is not required. The overall contribution to GHG emissions is considered quantitatively small to overall state GHG emissions, the impacts of the proposed project on global climate change would be considered insignificant, but an unavoidable impact. Cumulative impacts to Global Warming cannot be determined due to the lack of reliable relational information required to gauge the project's affects on the local and regional atmospheric levels.

There will be no effect on threatened or endangered species as a result of the action.

It is my decision to implement the project with the mitigation measures identified below.

The project resulted would result in a net gain of 0.23 acres of sagebrush and associated vegetation and general habitat in the immediate area. This gain will result in an increase of available habitat of any species occupying the general area including sage grouse.

A separate Decision Record with appeal rights will be issued for the environmental document and for amending the existing right-of-way CACA 046217 held by Mono County.

### **Mitigation Measures/Remarks:**

1. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation

measures will be made by the authorized officer after consulting with the holder.

2. Prior to site disturbance, hand remove all weeds (see list above) where construction activities would take place.
3. Spray-wash all equipment used for maintenance of road and parking lot prior to entering public land in order to remove noxious weeds and or seeds.
4. Fill dirt must be obtained from a weed free source.
5. For up to three years after project implementation, hand remove weeds in spring (may-June) prior to seed set.
6. Close and rehabilitate the 0.31 mile road segment located northwest of the north parking area. No seeding necessary, but weed control is required post-ripping for three years. If extant seed bank within road does not respond some supplemental seeding may be required with native seeds determined appropriate by BLM botanist.
7. Site the new kiosk in a depression and/or as close as practicable to the existing willow corridor. The goal is to decrease the effective height of the new kiosk.
8. Remove the existing kiosk/sign located on the west side of the access route and south of the ditch.
9. Construction activities are prohibited between May 1<sup>st</sup> and June 30<sup>th</sup> for avoidance of potential disturbance impacts to sage grouse nesting habitat.
10. Construction activities are prohibited after the first significant fall/winter snowfall in the Sierra Nevada or prior to spring green-up (approximately November 1<sup>st</sup> and April 30<sup>th</sup>) in order to avoid potential disturbance impacts to migrating mule deer.

**Authorized Official:** \_\_\_\_\_  
Acting Field Manager, Bishop Field Office

**Date:** \_\_\_\_\_