



**BLM BISHOP FIELD OFFICE
DECISION RECORD AND CATEGORICAL EXCLUSION**

Date: July 22, 2009

PART I: PROPOSED ACTIVITY

NEPA No: DOI-BLM-CAC-070-2009-0035-CX

Lease/Serial/Case File No: CACA 050959 (TUP)

Proponent of Activity: Los Angeles Dept of Water and Power

Description of Proposed Activity:

The proposed activity would be the use of public land for 6 months for 21 dust and wind monitoring sites near the Swansea, Keeler, Owens River terminus, and Flat Rock areas of the Owens lakeshore. These sites would consist of a tri-pod mounted 6 foot high pole to which would be attached wind monitoring equipment. The pole would also have a 2' by 3' solar panel attached. All equipment would be carried to the site and installed on the ground surface. Only existing dirt roads would be used and no off-highway travel would be conducted. The proposed action would take place from July 23, 2009 to December 31, 2009. It is expected that little or no surface disturbance would take place. See Maps Exhibit A (six maps) and Photo Exhibit B.

Location of Proposed Activity:

Mount Diablo Meridian, California,

T. 16 S., R. 37 E.,

Section 15, S1/2NW1/4, NE1/4NE1/4SW1/4, E1/2SE1/4;

Section 18, NE1/4NE1/4SW1/4;

Section 23, N1/2NW1/4;

T. 16 S., R. 38 E.,

Section 30, S1/2N1/2;

Section 32, SE1/4NE1/4, SE1/4;

T. 17 S., R. 38 E.,

Section 4, NE1/4NE1/4NW1/4;

Section 27, S1/2SW1/4;

Section 33, SE1/4NE1/4, SE1/4SW1/4, NW1/4SE1/4;

Section 34, NW1/4NW1/4;

Justification/Need:

LADWP continues to mitigate and monitor the Owens Lake Dust Mitigation Project being conducted within the Owens Lake basin. That activity requires that multiple levels of monitoring in order to fine tune the mitigation that has been proposed. The proposed action is an example of short-term monitoring of wind events within the basin to accurately determine the effects of the dust mitigation on the lake.

PART II: PLAN CONFORMANCE REVIEW

This proposed action is subject to the Bishop Resource Management Plan (BRMP), approved March 25, 1993. The action has been reviewed, and is in conformance with the plan even though it is not specifically provided for, because it is clearly consistent with the following RMP policy. The BRMP states on page 8 under General Policies; 1. Management will be on the basis of multiple use and sustained yield (FLPMA, Section 102(a)(7)). The temporary use of public land for wind monitoring sites under a temporary use permit (TUP) would be considered to be a multiple use of the public land. In addition, the proposed action does not violate any RMP decisions, terms, or conditions.

Five proposed sites are within the BLM Ridgecrest Field Office boundaries and under The California Desert Conservation Area Resource Management Plan approved in 1980. The proposed action has been reviewed and is in conformance with the plan.

The Ridgecrest office has been contacted and informed of the proposal and has agreed to the Bishop FO processing the proposed action for the Ridgecrest portion. Maps and resource data have been provided to that office, and the Ridgecrest office concurs with the proposal as described. The Ridgecrest office also stated that the proposal was not in a Wilderness or Wilderness Study Area.

PART III: NEPA REVIEW

Categorical Exclusion Authority

This proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 2, Appendix 1, dated 8/14/2007. It is exclusion number **E-19**, which states, "Issuance of short-term (3 years or less) rights-of-way or land use authorizations for such uses as storage sites, apiary sites, and construction sites where the proposal includes rehabilitation to restore the land to its natural or original condition."

PART IV: Screening for Extraordinary Circumstances

Extraordinary Circumstances

This proposal has been reviewed to determine whether any of the extraordinary circumstances in 516 DM 2, Appendix 2 apply. The accompanying Categorical Exclusion Checklist documents the required review.

A Cultural Resource Inventory was conducted in late June and early July by the Bishop FO archeologist and documented under cultural report CA-170-09-52. No sites were documented within the Area of Potential Effects and it was determined that there would be no impact to cultural resources as a result of the proposed action.

12 Extraordinary Circumstances	Yes	No	Staff	Date
Have significant impacts on public health or safety.		x	LRP	7-22-09
Have significant effects on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11900); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		x		
Have highly controversial environmental impacts or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		x		
Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		x		
Establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.		x		
Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		x		
Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the Bureau or the Field Office.		x		
Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		x		
Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		x		
Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		x		
Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).		x		
Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the species or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).		x		

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM2 apply.

PART V. CONTACT PERSON

Larry Primosch, Realty Specialist, BLM Bishop Field Office, 351 Pacu Ln., Bishop, CA, 93514, 760 872-5031, or email to Lawrence_Primosch@ca,blm.gov.

PART VI. Signature

Authorizing Official: _____ Date: _____

Name: F. Kirk Halford
Title: Acting Field Manager, Bishop Field Office

DECISION RECORD for CATEGORICAL EXCLUSION

I have reviewed the proposed activity for conformance with the Bishop Field Office RMP, as amended. I have reviewed the Categorical Exclusion DOI-BLM-CAC-070-2009-0035-CX analysis above and it is my decision to approve and implement the proposed action. I will issue a temporary use permit CACA 050959 to the Los Angeles Department of Water and Power for 21 wind monitoring sites in support of the Owens Lake Dust Mitigation Project.

This action involves little or no surface disturbing activities and would not have effects that may significantly affect the environment. There is no need for further NEPA analysis.

Stipulations:

None.

Authorized Officer: _____ Date: _____
F. Kirk Halford, Acting Field Manager