

United States Department of the Interior
Bureau of Land Management
Environmental Assessment # DOI-BLM-CA-D070-2013-0078
Case File # Plan of Operation: CACA-032144
Right-of-way: CACA-050523

Finding of No Significant Impact

Jimenez Mine

Imperial County, California

U.S. Department of the Interior
Bureau of Land Management
El Centro Field Office
1661 South 4th Street
El Centro, CA 92243

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Proposed Action Title/Type:

Modify and analyze activities permitted under the current Plan of Operations CACA-32144 and amend right-of-way CACA-50523.

Applicant/Proponent:

Granite Construction Company

Location of Proposed Action:

The 100 acre site is located in Imperial County, California on public lands administered by the Bureau of Land Management (BLM) within the northeast ¼ and east ½ of the southeast ¼ of Section 8, Township 16 South, Range 9 East of the San Bernardino Baseline and Meridian.

INTRODUCTION

The BLM prepared and made available for public review the Jimenez Pit Environmental Assessment (EA) in April 1996. At that time, the Proposed Action consisted of approving a Plan of Operations submitted by Granite Construction Company (Granite) to conduct aggregate (sand and gravel) mining and processing on 100 acres situated within the boundaries of two 160-acre unpatented claims (CK No. 1 and CK No. 3 / CAMC Nos. 38207 and 38209). The BLM issued a letter on June 19, 1996 approving the Plan of Operations, based on the BLM's finding that the action would not cause unnecessary or undue degradation to public lands, and that an environmental impact statement was not required.

Granite's operations include a number of material processing facilities, including an asphalt plant and a ready-mix concrete plant. It was understood in 1996 that such plants would be present as ancillary facilities to mining, although the 1996 EA and Plan of Operations offered little detail regarding their operation. To that end, the BLM recently prepared a Supplemental Environmental Assessment (SEA) to ensure that the existing plant facilities have had sufficient environmental analysis. The SEA also includes information on a number of water basins that Granite uses in its operations and analyzes a proposed change in Granite's operating hours at the site as well as a change to the slope angles of the mining excavation and clarifications to the reclamation phasing. The processing plants, water basins and operational changes are described in the SEA and in an amended Plan of Operations which has been submitted to the BLM. The SEA analyzes all of the above activities to be permitted under mine Plan of Operation CACA-032144 and right-of-way CACA-050523 amendments.

Except as indicated above, Granite is not proposing any other changes in site operations or activities. All operations will remain within the same 100-acre project site described in the EA and Plan of Operations. The depth of mining will remain a maximum of 50 feet below the original ground surface. No changes in traffic or production levels are proposed or will occur as a result of the project.

PLAN CONFORMANCE AND CONSISTENCY

This Proposed Action is subject to the following land use plans:

- California Desert Conservation Area Plan of 1980, as amended
- Western Colorado Desert Routes of Travel Designation

The Proposed Action has been reviewed and found to be in conformance with the objectives and decisions of these plans for the study area

FINDING OF NO SIGNIFICANT IMPACT

The El Centro Field Office interdisciplinary review and analysis determined that the Proposed Action would not trigger significant impacts on the environment based on criteria established by regulations, policy and analysis.

Based on the findings discussed herein, I conclude that the Proposed Action is not a major Federal action and will result in no significant impacts to the environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as defined in 40 CFR 1508.27 and do not exceed those effects described in applicable land use plans. Therefore, 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 (NEPA) of 1969.

This determination is based on the rationale that the significance criteria, as defined by the Council on Environmental Quality (CEQ) (40 CFR 1508.27) have not been met. “Significantly” as used in NEPA requires considerations of both context and intensity.

In making this Finding of No Significant Impact (FONSI), the following criteria have been considered, in accordance with the Council on Environmental Quality (CEQ), 40 C.F.R. 1508.27.

Context: The significance of an action must be analyzed in several contexts, such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the Proposed Action. For instance, in the case of a site-specific action, significance would usually depend upon the effect in the locale rather than in the world as a whole. Both short- and long-term effects are relevant.

Environmental impact associated with the Proposed Action have been assessed by an interdisciplinary team and described in the SEA (NEPA #: CA-D070-2013-0078-EA).

The context of the SEA analysis was determined to be at a local scale in Imperial County, California. The effects of the action are not applicable on a national scale, as no nationally significant values were involved.

Intensity: Intensity refers to the severity of the impact. The following discussion is organized around the 10 Significance Criteria described at 40 CFR 1508.27; BLM's Supplemental Authorities that must be considered as listed in Appendix 1 of the BLM NEPA Handbook (H-1790-1); and supplemental instruction memoranda, acts, regulations, and executive orders.

The following have been considered in evaluating intensity of this Proposed Action:

1. Impact that may be both beneficial and adverse and a significant effect may exist regardless of the perceived balance of effects:

Air Resources: As discussed in Section 4.2 of the SEA, the Proposed Action would not exceed the Imperial County Air Pollution Control District (ICAPCD) thresholds of significance for CO, VOC, NO_x, PM_{2.5}, PM₁₀ and SO_x. Based on review of the activities proposed and current air quality conditions in the area, the Proposed Action would not result in a significant air quality impact or:

- cause or contribute to a new violation of federal, state, and local standards in the area
- interfere with provisions in the application of the State Implementation Plan (SIP) for maintenance or attainment of air quality standards
- increase the frequency or severity of an existing violation of any standard
- delay timely attainment of any standard, any interim emission reduction, or other milestones included in the SIP for air quality, or
- fail to meet Clean Air Act (CAA) General Conformity Requirements.

Biological Resources: As discussed in Section 4.1 of the SEA, the Proposed Action would not cause significant impact to biological resources or result in: 1) loss of habitat that is regionally unique, declining, or designated sensitive by resource agencies; 2) substantial loss of species diversity in natural vegetation and wildlife habitat; 3) loss of critical resources used by a listed threatened and endangered species; 4) disturbance to populations or breeding areas of listed threatened or endangered species, reductions in important foraging habitat for threatened or endangered species, or loss of individuals or populations of a) a federal or state listed threatened or endangered species or their habitat, b) a species proposed for listing, federal candidates for listing, or species that are regionally rare or otherwise sensitive species, or c) endangered, rare, endemic, or otherwise sensitive species.

Since 1996, a series of studies have been performed which evaluated sensitive species extensively in the immediate area to the south, east, and west of the Jimenez Mine site. These studies generally confirm that, Jimenez site operations pose no significant direct, indirect or cumulative impacts upon these species, including PBS.

2. The degree to which the selected alternative will affect public health and safety:

Section 4.1.10 of the previously approved 1996 EA provides a discussion of health and safety related to the proposed action. The current Proposed Action is not anticipated to affect public health and safety. Mining activities under the Proposed Action would not likely expose toxic or hazardous wastes. The Proposed Action would not result in: an increased potential for human contact with hazardous activities; increased risk of recreational safety hazards; contamination of water wells within the study area; or increased potential for property damage or injuries.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas:

Prime or unique farmlands, floodplains, wetlands, riparian areas, wild and Scenic Rivers are not present in the project area. Areas of Special Designations are not affected.

The Proposed Action study area abuts the southern boundary of the Coyote Mountains Wilderness Area, which is considered an ecologically significant area. The Anza–Borrego Desert State Park is located 2.5 miles west of the study area. The Proposed Action would be the continuation of historical and ongoing sand and gravel production and processing, asphalt production, concrete production, and recycle of asphalt and concrete. These actions would not result in significant or adverse impact to the adjacent Coyote Mountains Wilderness Area or Anza–Borrego State Park. Section 5.1.5 of the 1996 EA states that the Proposed Action would not result in impacts to cultural resources. All mining activities within the existing mine pit are entirely within the previously disturbed area.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial:

The Proposed Action would be the continuation of ongoing and historic aggregate mining activities, asphalt production, concrete production, and recycle of asphalt and concrete. The effects of the Proposed Action on the quality of the human environment were addressed in the 1996 EA. In addition, the effects for the Proposed Action are similar to the current conditions. No controversy related to the effects, or the analysis of the effects by members of the public, or by Agency employees was identified through the public participation process, or through the NEPA process.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks:

The Proposed Action is not unique or unusual. The BLM has experienced developing similar projects for mining activities in similar areas and has found effects to be reasonably predictable. The environmental effects to the human environment were analyzed in the 1996 EA.

There are no predicted effects on the human environment, which are considered to be highly uncertain or involve unique or unknown risks.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration:

The Proposed Action does not set a precedent for future actions that may have significant effects, nor does it represent a decision in principle about a future consideration. A reclamation plan is required as a part of this Proposed Action that will restore that area after mining operations cease. Any future projects will be evaluated through the NEPA process and will stand on their own as to environmental effects.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impact, which include connected actions regardless of land ownership:

The Proposed Action is not related to other actions with individually insignificant but cumulatively significant impact and is not connected to actions under private, state, or federal ownership. The Proposed Action was evaluated in the context of past, present, and reasonably foreseeable actions.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places on may cause loss or destruction of significant scientific, cultural, or historical resources:

The Proposed Action would not adversely affect any sites or any significant scientific, cultural, or historic resources.

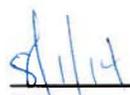
9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973, or the degree to which the action may adversely affect: 1) a proposed to be listed endangered or threatened species or its habitat, or 2) a species on BLM's sensitive species list:

The area of potential effect under the Proposed Action includes the current Jimenez mine site which was addressed by the 1996 EA. The United States Fish and Wildlife Service issued a Biological Opinion on the Proposed Jimenez Sand and gravel Mining Project, Imperial County, California (Reference: 1-6-98-F-97). The Proposed Action area of potential effect falls within the scope of this Biological Opinion. The appropriate measures as stated in the terms and conditions of the Biological Opinion are included in stipulation measures and would be implemented as part of the Proposed Action.

10. Whether the action threatens a violation of a federal, state, local, or tribal law, regulation, or policy imposed for the protection of the environment, where non-federal requirements are consistent with federal requirements:

The Proposed Action would not threaten a violation of a federal, state, local, or tribal law, regulation, or policy imposed for the protection of the environment. The 1996 Environmental Assessment and supporting project record contain discussions pertaining to the Endangered Species Act, National Historic Preservation Act, Clean Water Act, Clean Air Act, Mineral Materials Act of 1947 as amended, Federal Land Policy and Management Act of 1976, Surface Resources Act, SMARA and Executive Order 12898 (Environmental Justice). The Proposed Action is consistent with the open space designations of the Imperial County Land Use Ordinance, the Imperial County General Plan, and the Ocotillo/Nomirage Community Area. The Proposed Action is also in compliance with the following existing permits: U.S. Army Corps of Engineers Clean Water Act Section 404 permit, the California Air Resources Board permit, and the Imperial County Conditional Use permits for the on-site water wells.

Reviewed by: 
Nicollee Gaddis,
Environmental & Planning Coordinator


Date

Approved by: 
Thomas F. Zale, Field Manager
El Centro Field Office


Date