



# United States Department of the Interior



## BUREAU OF LAND MANAGEMENT

Mother Lode Field Office  
5152 Hillside Circle  
El Dorado Hills, CA 95762  
[www.blm.gov/ca/folsom](http://www.blm.gov/ca/folsom)

**EA Number:** CA-180-09-45

**Proposed Action:** Sierra Telephone right of way on Bullion Mountain

**Location:** MDM, T 4 S, R 17 E, Section 35, Mariposa County

### 1.0 Purpose of and Need for Action

Sierra Telephone has applied for a right of way on 1900 ft of road on BLM-administered land on Bullion Mountain. Sierra Telephone needs the right of way to install telephone cable within the road. The right of way would allow Sierra Telephone to provide service to residents currently without this service. There is currently no phone service in this remote area. The purpose of the project is to provide regular phone service (copper cable) to the private property beyond the BLM-administered land and the fiber optic cable would provide broadband service to the tower tenants on Little Mt. Bullion and Fremont Peak. Sierra Telephone currently has a request for broadband service from a tower tenant and they expect more requests to follow. The installation of the cable would bring 911 emergency service to the area also. Additionally, Sierra Telephone is building a remote carrier site on Fremont Peak. The fiber optic cable would connect to this site, creating a redundancy in the network generally (if a cable should be disabled elsewhere, communication can be redirected to this cable and remote site with no interruption of service).

### 1.1 Conformance with Applicable Land Use Plans

The proposed action is consistent with the Sierra Resource Management Plan Record of Decision (ROD), approved in February 2008. On page 32 of the ROD it states that the BLM will respond to demand for land use authorizations.

### 2.0 Proposed Action and Alternatives

#### 2.1 Proposed Action

The proposed action is to issue Sierra Telephone a right of way on 1900 ft of road to install telephone cable. Sierra Telephone would use a plow cat pulled by a D8 to “rip” the trench for the line. This would cause subsurface disturbance within the roadbed less than 6 inches wide by 40 inches deep. There would be no impact to areas adjacent to the road. Excess dirt caused by the installation may be pushed to the side of the road and Sierra Telephone would make repairs to road drainage features like water bars.

#### 2.2 Project Design Features

To minimize the potential for introduction or spread of invasive weeds, all equipment used for the proposed action would be cleaned prior to entering the area and, where possible, would avoid operating within weed-infested areas, such as stands of yellow star thistle.

Sierra Telephone has agreed not to use a large flat on BLM-administered land adjacent to the road/area of potential effect.

### **2.3 No Action**

The no action alternative is to not issue Sierra Telephone a right of way on 1900 ft of road. Sierra Telephone could not install telephone cable across BLM-administered land.

### **2.4 Alternatives Considered but Eliminated from Detailed Analysis**

There are no alternatives considered but eliminated from detailed analysis.

### **3.0 Affected Environment**

The APE is 1900 ft of road located in black oak-ponderosa pine woodland, at about 3250 ft above sea level, the on eastern flanks of Bullion Mountain, in the central Sierra Nevada. Understory plants include poison oak and toyon. The wildlife is typical for the central Sierra Nevada foothills. Cultural resource sensitivity is low due to the relatively steep terrain and lack of perennial water sources. Prehistoric- (i.e., bedrock mortars, lithic scatters, isolated lithics) and historic-era (gold mining) resources may occur in the area. No modern Native American issues are anticipated. The right of way would not change access to Bullion Mountain, which is mostly private property. Recreational use of BLM-administered land is considered to be extremely low because the BLM-administered land where the road is located behind a locked gate accessible by only a handful of people. The area may see occasional hunting use. BLM manages this area in accordance with class III visual resource management (VRM) standards. BLM's objective for class III is to partially retain the existing character of the landscape. The level of change to the characteristic landscape should be moderate. Management activities may attract attention but should not dominate the view of the casual observer. Changes should repeat basic elements found in the predominant natural features of the characteristic landscape.

### **4.0 Environmental Effects**

The following critical elements have been considered for this environmental assessment, and unless specifically mentioned later in this EA, have been determined to be unaffected by the proposal: areas of critical environmental concern, prime/unique farmlands, floodplains, hazardous waste, wetlands and riparian zones, wild and scenic rivers, wilderness, and environmental justice.

#### **4.1 Impacts of the Proposed Action and Alternatives**

The proposed action would have negligible short-term impacts on air, water, and soil resources. The area of potential effects is entirely within the footprint of an existing road. Telephone line installation may cause some temporary dust. Sierra Telephone would return the road to its existing condition after the installation of the line. They would make sure water bars and other drainage features on the road were functioning properly. The proposed action is not expected to cause erosion issues.

The BLM botanist analyzed the botanical resources impacts of issuing the right of way. The study was designed to help BLM meet its obligations under the Endangered Species Act and other BLM policy. He concluded that no special status plants will be affected by the proposed action because all the impacts will be within an existing road. The botanist recommended that the proposed action—issuing the right of way—would not affect threatened and endangered plants or other BLM special status plants.

The BLM wildlife biologist analyzed the impacts of the proposed action on wildlife, especially on special status wildlife. Her analysis was designed to help BLM meet its obligations under the Endangered Species Act and other BLM policy. The biologist concluded that no special status animals or habitat will be directly affected by the proposed action because the impacts will be within an existing road. The project would have negligible short-term impacts on wildlife due to temporary noise from heavy equipment creating the trench in the road. There would be no impacts on threatened and endangered wildlife or other BLM special status wildlife.

The BLM archaeologist conducted a cultural resource study of the project area to determine whether significant cultural resources would be affected by the proposed action. The study was designed to help BLM meet its obligations under Section 106 of the Historic Preservation Act and other BLM policy. The BLM archaeologist found that no significant cultural resources would be affected by the proposed action. He did find archaeological materials in a large flat adjacent to the road/area of potential effects. He recommends that Sierra Telephone avoid this area during telephone line installation. Heavy equipment should not be operated on the flat, nor should the flat be used as an area for placing barrow material (refer to the study attached by the BLM archaeologist for more information).

It is highly unlikely that any places of traditional religious and cultural significance to living Native Americans would be affected. The access situation and visual appearance would not change as a result of the telephone line installation (refer to the study attached by the BLM archaeologist for more information).

The proposed action would not negatively impact recreational use. Recreational use is very uncommon in the area affected by the proposed action. Recreation could be impacted, for a short period of time, during project implementation.

The proposed project would have no impact on visual resources. The telephone line would be entirely underground within the existing road footprint. BLM manages the area in accordance with VRM class III standards, and the proposed action is in line with the management objective for this class, which is to partially retain the existing character of the landscape.

The proposed action would have a long-term beneficial social impact. Once Sierra Telephone has completed installing the cable system, local residents would be able to receive broadband service, improving the speed and breadth of their communication.

#### **4.2 Impacts of the No Action Alternative**

Under the no action alternative, there would be no impacts to environmental resources. However, there would be a negative social impact. Local residents would not be able to receive broadband service, which might limit their potential communication ability.

#### **4.3 Cumulative Impacts**

There would be no cumulative impacts.

#### **5.0 Agencies and Persons Consulted**

No agencies or persons outside of BLM were consulted.

## 5.1 BLM Interdisciplinary Team

/s/ James Barnes

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NEPA coordinator

/s/ Albert Franklin

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Botany

/s/ James Barnes

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Cultural Resources

/s/ Peggy Cranston

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Wildlife

/s/ Jodi Lawson

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Realty

## 5.2 Availability of Document and Comment Procedures

This EA, posted on Mother Lode Field Office's website ([www.blm.gov/ca/folsom](http://www.blm.gov/ca/folsom)) under Information, NEPA (or available upon request), will be available for a 15-day public review period. Comments should be sent to the Mother Lode Field Office, 5152 Hillsdale Circle, El Dorado Hills, CA 95762 or emailed to us at [ca180@ca.blm.gov](mailto:ca180@ca.blm.gov).



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## Project (CA-180-09-45) Finding of No Significant Impact October 2009

It is my determination that this decision will not result in significant impacts to the quality of the human environment. Anticipated impacts are within the range of impacts addressed by the Sierra Resource Management Plan (RMP). Thus, the proposed action does not constitute a major federal action having a significant effect on the human environment; therefore, an environmental impact statement (EIS) is not necessary and will not be prepared. This conclusion is based on my consideration of CEQ's following criteria for significance (40 CFR §1508.27), regarding the context and intensity of the impacts described in the EA and based on my understanding of the project:

- 1) *Impacts can be both beneficial and adverse and a significant effect may exist regardless of the perceived balance of effects.* Potential impacts include soil disturbance within an exist road and temporary noise and dust.
- 2) *The degree of the impact on public health or safety.* No aspects of the proposed action have been identified as having the potential to significantly and adversely impact public health or safety. In fact, the project is designed to enhance public health because the right of way would allow local residents to receive 911 emergency services.
- 3) *Unique characteristics of the geographic area.* The project area does not contain any unique characteristics.
- 4) *The degree to which the effects on the quality of the human environment are likely to be highly controversial effects.* No anticipated effects have been identified that are scientifically controversial. As a factor for determining within the meaning of 40 C.F.R. § 1508.27(b)(4) whether or not to prepare a detailed environmental impact statement, "controversy" is not equated with "the existence of opposition to a use." *Northwest Environmental Defense Center v. Bonneville Power Administration*, 117 F.3d 1520, 1536 (9th Cir. 1997). "The term 'highly controversial' refers to instances in which 'a substantial dispute exists as to the size, nature, or effect of the major federal action rather than the mere existence of opposition to a use.'" *Hells Canyon Preservation Council v. Jacoby*, 9 F.Supp.2d 1216, 1242 (D. Or. 1998).
- 5) *The degree to which the possible effects on the human environment are likely to be highly uncertain or involve unique or unknown risks.* The analysis does not show that the proposed action would involve any 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 is not precedent setting.

7) *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.* No significant site specific or cumulative impacts have been identified. The proposed action is consistent with the Sierra RMP which requires that the Mother Lode Field Office respond to demands in land use authorizations.

8) *The degree to which the action may adversely affect National Historic Register listed or eligible to be listed sites or may cause loss or destruction of significant scientific, cultural or historical resources.* The proposed action would not adversely affect cultural properties listed on or eligible for the National Register of Historic Places.

9) *The degree to which the action may adversely affect ESA listed species or critical habitat.* No ESA listed species (or their habitat) are known to occur in the area potentially affected by the proposed action.

10) *Whether the action threatens a violation of environmental protection law or requirements.* There is no indication that the proposed action will result in actions that will threaten such a violation.

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William S. Haigh  
Field Manager, Mother Lode Field Office

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Date