

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

**DECISION RECORD
DOI-BLM-CA-060-0010-0002-EA**

NAME of PROJECT: La Posta Mountain Warfare Training Facility, CACA-43949

REGULATORY COMPLIANCE: The approved action is in conformance with the South Coast Resource Management Plan/Record of Decision (1994). Under the analysis of this Environmental Assessment (CA-060-0010-0002), no significant impacts to the human environment were identified and no Environmental Impact Statement is required.

SELECTED ALTERNATIVE: The Environmental Assessment (EA) analyzed three alternatives: 1) the Proposed Action which proposes the withdrawal of some 3,385 acres of land administered by the Bureau of Land Management (BLM) to the jurisdiction of the Department of the Navy for the expansion of the La Posta Mountain Warfare Training Facility (MWTF) and the issuance of a right-of-way for additional training exercises on adjoining lands. The action also proposes the development and construction of new training facilities and infrastructure; 2) Alternative 1- This alternative would reduce the amount of land that would be transferred to the Department of the Navy for the expansion of the La Posta Mountain Warfare Training Facility. The reduced acreage would be incorporated into the area proposed for a right-of-way; 3) the No Action alternative.

As analyzed in the EA, the Palm Springs-South Coast Field Office selects the Proposed Action with the following mitigation to address grazing impacts. Implementation of the Proposed Action would require the modification of the Clover Flats Grazing Allotment to exclude grazing on parcels C, E, F and G that are proposed for withdrawal and exclusive use by the Navy. No direct impacts to grazing would occur on parcels C and G as grazing does not occur on these lands or is anticipated to occur in the future. Potential future use of these lands for grazing under this grazing allotment, however, would be precluded. The Proposed Action, however, would result in a significant and adverse impact to on-going grazing use on parcels E and F. Recent consultation with the holder of the affected grazing allotment resulted in proposed mitigation to allow year-long cattle grazing within parcels E and F with the removal of livestock only during periods of infrequent use by the Navy. This mitigation, acceptable to both the Navy and allotment holder, reduces this impact to non-significance and is hereby adopted. Cattle grazing on these parcels would continue as described in the existing allotment management plan. All other mitigation identified in the EA and appendices, for the Proposed Action, would apply.

PUBLIC INVOLVEMENT: On October 16, 2009, the Bureau of Land Management initiated a 30 day public review period for the *La Posta Warfare Training Facility Environmental Assessment*. The EA and associated documents were published on BLM's Palm Springs-South Coast Webpage:

<https://www.blm.gov/ca/st/en/fo/palmsprings.html>

including instructions regarding submission of comments. The Webpage cited November 14, 2009 as the closing date for comments.

In response to the availability of the Environmental Assessment for review and comment, BLM received one comment via facsimile on November 14, 2009 from *Save Our Forest And Rangelands* (SOFAR). BLM's response to the public comment and the SOFAR comment letter are attached.

RATIONALE: The approved action as described above is in conformance with the applicable land use plan and will not cause unnecessary or undue degradation. All reasonable efforts were taken to avoid or minimize impacts to resources and the environment during the environmental phase of this proposal.

DECISION: It is my decision to approve the proposed action as described in Environmental Assessment (EA) number DOI-BLM-CA-060-0010-0002. Per the proposed action, the BLM will recommend to the Secretary of the Interior to transfer 3,385 acres of public land from the Department of the Interior to the Department of the Navy for the La Posta Mountain Warfare Training Facility and allow for construction and operation of training facilities within the transferred lands.

BLM will issue a non-exclusive use right-of-way (ROW) allowing the Navy to conduct mountain warfare training activities on 2,169 acres of BLM administered lands contiguous to the transferred lands.

All Federal, State, and County regulations and laws, best management practices, terms and conditions of the biological opinion, and mitigation and avoidance measures as addressed under the Proposed Action are incorporated into this decision.

Year-long cattle grazing will continue within parcels E and F with the removal of livestock only during periods of infrequent use by the Navy. All other terms and conditions of the Clover Flats Grazing Allotment Management Plan apply on these two parcels.



Field Manager
Palm Springs-South Coast Field Office
USDI Bureau of Land Management
1201 Bird Center Drive
Palm Springs, CA 92262

February 11, 2010

Date

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, 1201 Bird Center Drive, Palm Springs, California 92262, 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.