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

ENVIRONMENTAL ASSESSMENT
EA Number CA-660-06-17

DATE: January 11, 2006

TITLE / PROJECT TYPE: Maccele Road Wilderness Barrier

CASE FILE / PROJECT NO:

FUNDING CODE: 1210 **PROGRAM ELEMENT:** MD

BLM OFFICE: Palm Springs-South Coast Field Office
690 W. Garnet Avenue, P.O. Box 581260
North Palm Springs, CA 92258-1260

APPLICANT / PROPONENT: BLM

Hank Jackson, Woody Smith, Wes Asbenson, Morongo Valley residents

LOCATION OF PROPOSED ACTION:

Township 1 South, Range 4 East, Section 30, NE ¼ NE ¼ , SBBM

PROJECT ACREAGE:	**BLM**	.5
	Private	.5

USGS TOPOGRAPHIC MAP: Morongo Valley 7.5 minute

LAND USE PLAN CONFORMANCE and Other Regulatory Compliance:

In accordance with Title 43 Code of Federal Regulations 1610.5-3, the proposed action and alternatives are in conformance with California Desert Conservation Area (CDCA) Plan of 1980, as amended. In the 2002 CDCA Plan Amendment for the Coachella Valley, all wilderness areas were designated as Multiple Use Class "C" (Controlled Use). This class is defined as the most restrictive, allowing for a minimal level of multiple use. The blocking of motorized use of the San Gorgonio Wilderness, which the proposed action would accomplish, would be in conformance with this designation.

<u>Fish and Wildlife Consultation</u>

In accordance with tables and maps provided by the U.S. Fish and Wildlife Service (USFWS) to BLM's wildlife biologist, there are no known occurrences of threatened and endangered species or critical habitat within the project area. In compliance with the Endangered Species Act of 1973, as amended and 50 CFR 402, formal consultation with the USFWS is not required as a result of this "No Effect" determination.

Cultural Resources Review

Authorities for managing cultural resources and programs of historic preservation exist under the National Environmental Policy Act, Executive Order 11593, the Archaeological Resources Protection Act, the Native American Graves Protection and Repatriation Act, the Historic Sites Act of 1935, the Antiquities Act, the American Indian Religious Freedom Act, Executive Order 13007 ("Sacred Sites"), and the National Historic Preservation Act of 1966 (NHPA). Under the Federal Land Policy and Management Act of 1976 (FLPMA), the BLM is charged with managing public lands in a manner that will "protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archaeological values." Section 106 of the National Historic Preservation Act, as implemented at 36 CFR Part 800, requires Federal agencies to take into account the effects of their undertakings on historic properties. The 2004 State Protocol Agreement between the California State Director of the Bureau of Land Management (BLM) and the California and Nevada State Historic Preservation Officers (SHPO) defines the roles and relationships between the SHPO's offices and the BLM and provides BLM with an alternative procedure for meeting its responsibilities under Section 106. The State protocol is intended to insure that the California BLM operates efficiently and effectively in accordance with the intent and requirements of the NHPA. The protocol streamlines the 106 process by not requiring case by case consultation with the SHPO on most individual undertakings.

NEED FOR THE PROPOSED ACTION

Section 4(c) of the Wilderness Act prohibits the use of motorized vehicles in designated wilderness. Despite continuing efforts to eliminate this activity since the passage of the California Desert Protection Act (CDPA) in 1994, recreational motorized vehicle use continues to occur in the San Gorgonio Wilderness. Signs have been placed at wilderness boundaries to indicate the closure of traditional vehicle routes, but many are regularly removed, destroyed, or simply ignored by the public since they mark a boundary, but do not physically prevent willful entry into wilderness. Law enforcement efforts have been successful in educating the public and issuing citations, but the limited number of rangers and expanse of the area results in only "spot checks" at some of the more heavily used vehicle access sites.

Several local residents have also expressed concern to the BLM over illegal vehicle use in the San Gorgonio Wilderness. They have experienced continual noise and airborne dust from vehicles using the routes, and have recently become concerned with users starting fires at the end of the route into the wilderness. The proposed action would be carried out in conjunction with these residents, who would volunteer labor and materials and also block a portion of their private land from vehicular use.

DESCRIPTION OF THE PROPOSED ACTION and ALTERNATIVES

Background

In May 2005, local resident Hank Jackson contacted the Palm Springs South Coat Field Office requesting assistance in blocking a vehicle route into the wilderness. At the time, there was no permanent, full-time wilderness staff to work with Mr. Jackson. Since that time, several contacts have been made with Mr. Jackson and other local residents, and they continue to have problems with vehicle use on and around their private properties as well as on the BLM wilderness.

1. Proposed Action

The proposed action is to construct a chain link type gate and approximately 160 feet of post and wire fence along the San Gorgonio wilderness boundary. Residents would continue the fence and install another gate on private property to effectively block entry of vehicles into the area. The fence and gates would be located directly on the wilderness boundary. Following construction of the gate and fences, the portions of the routes that are visible from the wilderness boundary would be restored to a natural condition using vertical mulching. This technique involves the placement of dead vegetation to visually disguise the route and accelerate the natural revegetation process by creating micro climates for seedlings. It may be necessary to loosen the first few inches of soil with hand tools so that native seeds can be gathered nearby and hand broadcast to further accelerate restoration of the vehicle routes. The routes in the wilderness are heavily compacted due to long term use, and hand tools may prove ineffective in scarifying the soil. Mechanical ripping with heavy equipment will be analyzed in a supplemental EA if monitoring shows that hand tools are not effective. Work would take place over no more than three days. Maximum surface disturbance would be less than 1 acre.

2. No Action Alternative

The Proposed Action would not be undertaken. Existing management and use of the site would continue subject to applicable statutes, regulations, policy and land use plans. Signs, education, and law enforcement would continue to be inadequate in preventing vehicle use in the wilderness.

AFFECTED ENVIRONMENT

1. Area Description

Lands affected by this proposal are arid desert lands adjacent to the rural community of Morongo Valley. They were designated as the San Gorgonio Wilderness Addition by Congress in 1994. Air quality is good due to relatively sparse development. Vegetation is a mix of desert scrub and chaparral, mainly due to a higher elevation (approx. 3000 ft) than the Coachella Valley to the south. The vegetative mix includes creosote, scrub oak, yucca, buckwheat, and several species of perennial grasses. The project would be built on gentle to relatively flat slopes. Soils are

coarse and sandy and very well drained. No surface water is present. Wildlife species include jackrabbits, coyotes, various snakes and lizards, and occasionally deer down from the higher elevations. No threatened, endangered, or sensitive plant or animal species are known to occur. Recreational use is light, consisting mainly of the illegal use of vehicles which this project seeks to prevent. VRM class is I, which calls for maintaining the dominance of the natural landscape.

2. Land Status

1. **Land Use Classification:** The project area is a federally designated wilderness area. The CDCA multiple use class is "C", controlled.

2. **Valid Existing Rights:** No valid existing rights would be affected by the proposed action as none are present.

3. Cultural Resources

Archaeological base maps and survey reports on file in the Palm Springs-South Coast (PSSC) Field Office were examined. Information from the MDHRGIS database was also reviewed. Files were reviewed for a 2 mile radius from the project location. No cultural resources have been previously recorded within the APE of the project area.

Members of the Serrano Tribe occupied Morongo Valley during the ethnographic period. The Serrano followed a life way similar to their southern neighbors, the Cahuilla. Evidence exists that economic, ceremonial and social relationships existed between the Serrano and the Cahuilla. Both groups occupied villages situated to take advantage of ecotones and water supplies. The majority of necessary plant foods and materials were available within a short distance of village sites. Artifacts and features at recorded sites within the valley may represent the locations of Serrano villages.

Historic records on file in the Palm Springs Field Office indicate that homesteaders were filing for Desert Land Entry title to lands in Morongo Valley as early as the late 1880's. Most of these early homestead applications were relinquished back to the federal government. However, by the early 1900's settlement began in earnest. During the 1900's a large ranch was established in the area of what is now Covington Park. The old barn and other features at Big Morongo Preserve are remnants of this period of use. Power lines and water pipelines were established to serve the area and roads were constructed to connect the Coachella Valley with Morongo. One road followed the approximate route of today's State Highway 62, another road came through Big Morongo Canyon. Highway 62 was established in the 1930's.

The 1950's saw a dramatic increase in settlement of the Morongo valley as numerous individuals filed for title to five acre parcels under the Small Tract Act.

No homestead entries were recorded for the area of the current project. Aaron Kind, BLM Archaeological Technician conducted a Class III, intensive pedestrian, inventory of the project area on February 1, 2006. No cultural resources or historic properties were identified within the area of potential effect and there will be no effects to historic properties as result of this project.

If previously unidentified cultural resources are encountered during project activities, all work will cease in the immediate area and the PSSC Cultural Resources Specialist will be notified

ENVIRONMENTAL CONSEQUENCES

A. Critical Elements

The following table summarizes potential impacts to various elements of the human environment, including the "critical elements" listed in BLM Manual H-1790-1, Appendix 5, as amended. Elements for which there are no impacts will not be discussed further in this document.

Environmental Element	Proposed Action	No Action Alternative
Air Quality	No Impact	Minor dust emission from continued vehicle use
ACEC's	N/A	N/A
Cultural Resources	No effect	No effect
Native American Concerns	N/A	N/A
Farmlands	N/A	N/A
Floodplains	N/A	N/A
Energy (E.O. 13212)	N/A	N/A
Minerals	N/A	N/A
T&E Animal Species	N/A	N/A
T&E Plant Species	N/A	N/A
Invasive, Nonnative Species	Possible spread from equipment	Possible spread from vehicles
Wastes (hazardous/solid)	N/A	N/A
Water Quality (surface and ground)	N/A	N/A
Wetlands/Riparian Zones	N/A	N/A
Wild and Scenic Rivers	N/A	N/A
Wilderness	Impacted in short term, quality	Wilderness will continue to

	improved long term	be degraded by vehicle use.
Environmental Justice	N/A	N/A
Health and Safety Risks to Children	N/A	N/A
Visual Resource Mgmt.	Minimal impact due to visibility of other structures	Routes may proliferate from vehicle use, negatively impacting scenery

B. Discussion of Impacts

1. Proposed Action:

Air Quality

As soils are disturbed and become susceptible to wind erosion, there would be an increase in fugitive dust levels, PM-10, within the vicinity of the site. This increase would be negligible due to the very small area of disturbance and the rural nature of the area. As vegetation is re-established, erosion and dust levels would decrease. In the long term, stopping vehicle use in the area would curb fugitive dust.

Invasive or Non-native Species

Disturbance of the soil associated with vertical mulching may create conditions for certain invasive plants to establish. Prompt spreading of native seed will minimize this impact

Soils

After disturbance of the soil by hand tools for vertical mulching, some soil would be lost to wind and water erosion. Once vegetation was re-established, the overall soil condition would improve and erosion would decrease due to elimination of vehicle use.

Visual Resources

Impact to visual resources would occur due to construction of unnatural features not previously present. This impact is expected to be minimal due to the small project area, the low visual contrast of the structures, and the low sensitivity of the site (not visible over a large area).

Wilderness

Sights and sounds of crews and equipment would negatively impact wilderness

experience for visitors. The work would be limited to no more than three days to minimize this impact. In the long term, wilderness character would improve from elimination of vehicle use.

2. No Action Alternative:

Air Quality

Dust and associated PM-10 levels would increase from use of vehicles. Local residents would continue to be negatively affected.

Invasive or Non-native Species

Unmanaged vehicle use in the area could spread invasive plants into otherwise pristine wilderness areas.

Soils

No disturbance of soils from heavy equipment and the associated wind and water erosion would occur. Some loosening of the soil from the use of motor vehicles would continue to occur, causing erosion and soil loss.

Visual Resources

No impact to visual resources would occur from construction of fences and gates. Visual resources would continue to be negatively impacted from OHV use and the associated proliferation of vehicle routes.

Wilderness

Short tem impacts of sights and sounds would not occur. Degradation of the wilderness character by vehicle use would continue to occur. In the long term, wilderness would be negatively impacted due to ineffectiveness of current vehicle control strategies.

C. Mitigation Measures

No other mitigation measures other than those described in the proposed action will be required.

D. Residual Impacts

The fence and gates would detract from the natural setting of the area. Many local residences and associated structures are already present and the fence and gates would not appreciably decrease the visual quality.

E. Cumulative Impacts

The proposed action would improve wilderness character by eliminating vehicle use. The illegal use of vehicle routes that has occurred in the past would be prevented.

FREEDOM OF INFORMATION ACT CONSIDERATIONS:

Public comments submitted for this environmental assessment, including names and street addresses of respondents, will be available for public review at the Palm Springs-South Coast Field Office during regular business hours (7:45 a.m. to 4:30 p.m.), Monday through Friday, except holidays. Individual respondents may request confidentiality. If you wish to withhold your name or address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your comments. Such requests will be honored to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

PERSONS / AGENCIES CONSULTED:

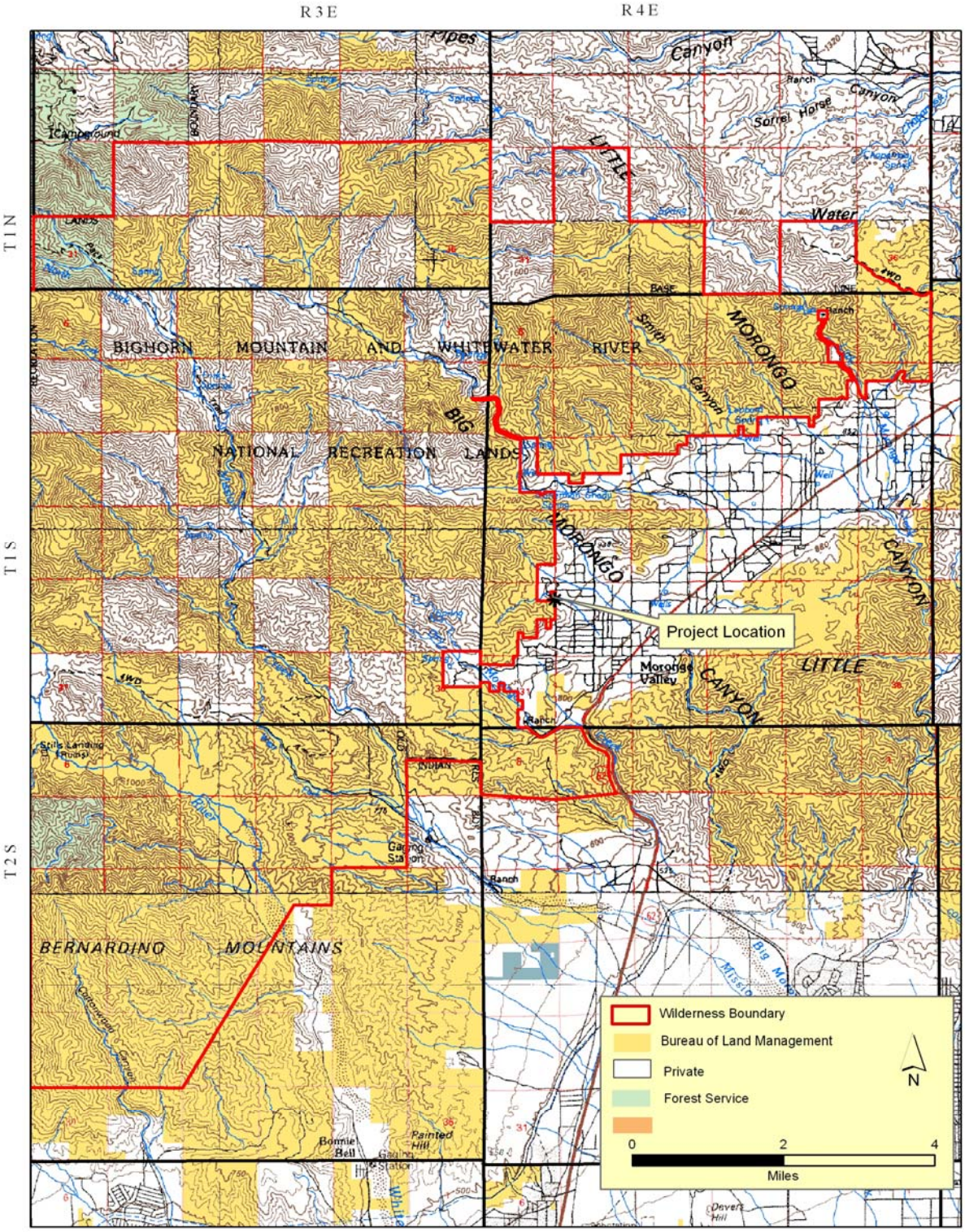
Mark Massar, BLM Wildlife Biologist

A Notice of Proposed Action (NOPA) for activities within wilderness areas was sent out to a mailing list of private and public interest groups which BLM maintains. Any comments received will be taken into consideration prior to signing of the EA. Please contact the BLM Palm Springs-South Coast Field Office at P.O. Box 581260, North Palm Springs, CA 92258, if you wish to be added to the mailing list.

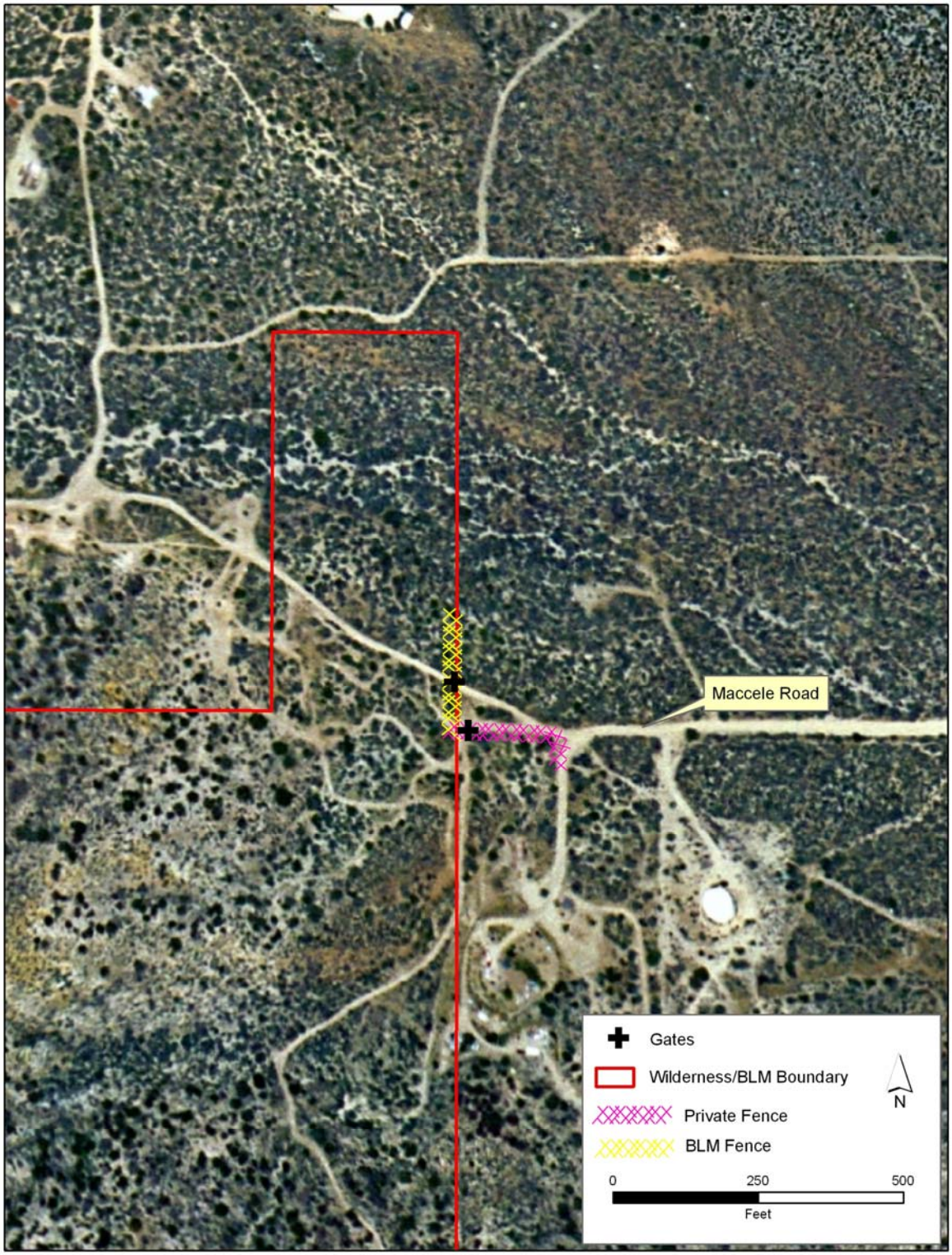
PREPARED BY: Justin Seastrand, Wilderness Specialist
Wanda Raschkow, Cultural Resources Specialist

REVIEWED BY: _____ _____
Environmental Coordinator Date

Appendix 1 – Project Map



Appendix 2 – Specific Location Map


Maccele Road
Gates
Wilderness/BLM Boundary
Private Fence
BLM Fence
N
0
250
500
Feet

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

DECISION RECORD
CA-660-06-17

NAME of PROJECT: Maccele Road Wilderness Fence

DECISION: It is my decision to approve the proposed action as described in Environmental Assessment (EA) number CA-660-06-17. Compliance with the mitigation measures incorporated into the proposed action is hereby required. These measures are incorporated into this decision record as stipulations by reference

RATIONALE: The relatively minor short term impacts are outweighed by the long term benefits to the wilderness resource and the positive cooperative relationship built with local residents. The approved action is in conformance with applicable land use plans and will not cause unnecessary or undue degradation.

FINDING OF NO SIGNIFICANT IMPACT: Environmental impacts associated with the proposed action have been assessed. Based on the analysis provided in the attached EA, I conclude the approved action is not a major federal action and will result in no significant impacts to the environment under the criteria in Title 40 Code of Federal Regulations 1508.18 and 1508.27. 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 of 1969.

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, 690 West Garnet Avenue, P.O. Box 581260, North Palm Springs, California 92258, 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.

RECOMMENDED BY: _____ _____

Field Manager
Palm Springs-South Coast Field Office
USDI Bureau of Land Management
690 W. Garnet Avenue; P.O. Box 581260
North Palm Springs, CA 92258-1260

Date

APPROVED BY: _____ _____

District Manager
California Desert District
USDI Bureau of Land Management
22835 Calle San Juan De Los Lagos
Moreno Valley, CA 92553

Date