



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Ridgecrest Field Office
300 S. Richmond Road
Ridgecrest, CA 93555
www.ca.blm.gov/ridgecrest

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LLCAD-05000.37

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RETURN RECEIPT REQUESTED

NOTICE OF FIELD MANAGER'S DECISION RECORD

Steve Stewart
Box 284
Lone Pine, CA 93545

Dear Mr. Stewart:

INTRODUCTION:

Currently, you hold the base property and the lease for the Lacey Cactus McCloud (LCM) Grazing Allotment which you purchased from Busch Properties in 2010. As result of the withdrawal land for grazing by the China Lake Naval Air Weapons Station (NAWS) of the Department of Defense (DOD) this allotment was reconfigured. As part of the reconfiguring three short boundary fences were needed to prevent cattle from going on to Navy property in the Upper Cactus Flat area. They were needed in order to make the allotment more useable. It is the purpose of this decision to establish and validate these boundary fences.

The LCM Allotment encompasses approximately 162,675 acres of public land and approximately 2,375 acres of private land. The allotment is within the West Mojave Planning (WMP) unit within the California Desert Conservation Area (CDCA). The allotment is located in Inyo County, California. It within the range of one threatened species, the Mohave ground squirrel. The allotment contains all or part of three wilderness areas: the Coso Range Wilderness (49,296 acres), the Argus Range Wilderness (3860 acres), and the Darwin Falls Wilderness (698 acres).

The three boundary fences in question lie in the Upper Cactus Flat area of the Cactus & McCloud Flat grazing area. Since the reconfiguration the allotment has two grazing areas. One is the Cactus – McCloud Flat and the second is the Centennial Flat. The Centennial Flat area is not currently useable.

BACKGROUND:

The grazing lease for the LCM allotment expired at the end of the 1999 grazing year (February 28, 2000). The grazing lease was not renewed because the Navy cancelled grazing on its portion of the allotment. At that time BLM decided that allotment needed to be reconfigured and new AUMs figured.

The *West Mojave Plan (WMP) and Final Environmental Impact Statement (EIS)* was published in 2005 and the Record of Decision (ROD) was approved in March 2006 by the California State Director and amended the CDCA Plan of 1980.

In November 2007 the BLM sent out a scoping document. In 2010 a Grazing Renewal EA (CA-D05000-13-01) was sent out and later withdrawn because it was felt that the proposed action and the alternatives did not work. In 2011 a new Grazing Renewal EA was sent out and commented on. In June 2013, Final Grazing Renewal EA was sent out for a 15 day protest. Eighteen protests were received and responded to by the BLM. This EA was appealed. The grazing renewal EA appeal was dropped by the appellants in February 2014. On April 8, 2014 the case was closed by Robert G. Holt, Administrative Law Judge.

This left the three boundary fences to be addressed more fully. In February 2014 an EA on the three boundary fences was sent out for comments. Comments have been received and answered. The answers to the comments are either embedded in the text of the EA or found in Appendix B. Two comments stand out as critical, those are: 1) the idea that because the three boundary fences were thought to be critical to grazing the Cactus-McCloud- Upper Cactus Flat portion of the allotment they should have been analyzed in the Grazing Renewal EA, and 2) that cattle would create a corridor along the fence line and thereby compact the soil, create places where weeds would grow, the Mohave ground squirrel (a threatened species) would trampled, cultural artifacts would be trampled, sensitive plants crowded out by weeds, and birds of prey would use the extra fence posts as perches for spotting the Mohave ground squirrel.

The 3-Fence EA (DOI-BLM-CA-D05000-2011-0062) is mentioned in the Grazing Renewal EA and says it will be considered separately. It was not an item we were trying to sneak by the public. It is mentioned at page 11, described at page 13, listed as a proposed range improvement at page 24, analyzed with the Mohave ground squirrel at page 45, and the effects of construction are mentioned page 65. It also shows up on two maps as a range improvement on pages 83 and 84.

The second objection to the 3-Boundary Fence EA is the idea of corridor being formed along the length of the fence line if cattle were allowed to graze there. Our experience and observation does not support this conclusion in this case. The 3-Boundary Fences are a part of the longer NAWS fence which runs north to south. The closest water is due west in McCloud Flat and there are no shady spots or lush spots to entice the cattle to use the fence line as a corridor to get from place to place.

FIELD MANAGER'S PROPOSED DECISION:

Based on the analysis conducted in EA-DOI-BLM-CA-D05000-2011-62 and the attached FONSI, I have concluded that the 3-Fences located on Upper Case Flat be built. I have also determined the Proposed Action alternative is the best strategy to meet BLM's mission for protecting and conserving the natural and physical resources and improving resource management to assure responsible use and sustain a dynamic economy.

Therefore, it is my decision to permit the building of the three (3) short boundary fences on Upper Cactus Flat as described under the Proposed Action alternative, in EA-DOI-BLM-CA-D05000-2011-62.

The boundary fences are 1) a gap fence at a small rock outcrop just to the south of the gate between the BLM and the Navy; 2) the extension of the Navy boundary fence to the north and up a hill for approximately 230 feet; and 3) a gap fence a large rock outcrop beyond the beyond the southern extension of the Navy security fences and north of the fence extending up from the pumice mine.

RATIONALE:

Based on analysis from EA-DOI-BLM-CA-D05000-2011-62 and the attached FONSI, the three boundary fences listed under the Proposed Action alternative are consistent with multiple use management and sustained yield principles identified in the West Mojave Plan.

Comments received from interested parties identified primary issues. These are the segmentation of the grazing renewal EA and the three fences EA into two parts when it should have been handled as one EA and the use of the fence line as a corridor which compacts the soil making easier for invasive species to grow, more likely that cultural artifacts will be trampled, more likely that the Mohave ground squirrel will be trampled and more likely that birds of prey will perch on the fence post watching for Mohave ground squirrels. This EA and the responses to comments section addressed these issues and analyzed them for potential impacts. Through review of this analysis a Finding of No Significant Impact was determined. Recognizing the BLM's mission is to provide for economic uses of the public land while conserving natural resources, the Proposed Action of building the boundary fences will continue to balance the conservation of resources and the commercial use of public land.

AUTHORITY:

The authority for this decision includes but is not limited to:

43 CFR 4120.2(4)(c): "The authorized officer shall provide opportunity for public participation in the planning and environmental analysis of proposed plans affecting the administration of grazing and shall give public notice concerning the availability of environmental documents prepared as a part of the development of such plans. The decision document following the environmental analysis shall be considered the proposed decision for the purposes of subpart 4160 of this part."

43 CFR 4120.3-1(a) "Range improvements shall be installed, used, maintained, and/or modified on the public lands, or removed from these lands, in a manner consistent with multiple-use management."

RIGHT OF PROTEST AND/OR APPEAL:

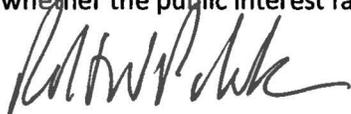
If you, or other individuals, believe you are adversely affected by the decision, you may file an appeal on this decision for the purpose of a hearing before an administrative law judge in accordance with the regulations contained in Title 43 CFR 4.21, 4.470 and subpart 4160.3(f). You may also petition for a stay of the decision in accordance with 43 CFR 4.21, pending final determination on appeal. The appeal and petition for stay must be filed at the BLM Ridgecrest Field Office, 300 South Richmond Road, CA 93555 within 30 days following receipt of the final decision.

The appeal should specify clearly and concisely why you think this decision is in error. All reasons for error not stated in the appeal shall be considered waived and may not be presented at the hearing. Any failure to meet the thirty (30) day appeal deadline will bar you from challenging this decision. If you wish to petition for a stay of this decision during the time that your appeal is being reviewed, the petition for the stay must be filed within thirty (30) days of receipt of this decision to the above BLM office. If you request a stay, you have the burden of proof to demonstrate why a stay should be granted.

Standards for Obtaining Stay:

Except as otherwise provided by law or other pertinent regulation, 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 the granting of the stay.



for

Carl B. Symons, Field Manager



Date

CC: District Manager, California Desert
Interested Publics of Record



United States Department of the Interior



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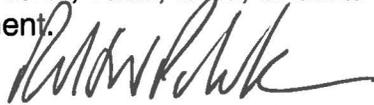
LCM Boundary Fences at Upper Cactus Flat Finding of No Significant Impact August 2015

It is my determination that the action analyzed in DOI-BLM-CA-D05000-2011-062 will not result in significant negative impacts to the quality of the human environment. Anticipated impacts are within the range of impacts addressed by the West Mojave Plan Amendment to the California Desert Conservation Area Plan. Thus, the project 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, Section 1508.27), regarding the context and intensity of the impacts described in the EA and based on my understanding of the project:

- 1) Impacts may be both beneficial and adverse. The proposed action would impact resources as described in the Environmental Assessment (EA). None of the environmental effects discussed in detail in the EA are considered significant, nor do the effects exceed those described in the West Mojave Plan Amendment to the CDCA Plan.
- 2) The degree to which the selected alternative will affect public health and safety. The proposed action will not affect public health or safety. The fences plug gaps in an existing fence and are critical to containing livestock.
- 3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farm lands, wetlands, wilderness, wild and scenic rivers, or ecologically critical areas. The northernmost fence segment is in the proximity of an archeological site. Care has been taken to delimit the site and map a route around the archeological site to reach the project site. The following Critical Elements of the Human Environment and other resource issues are not affected because they are not present in the project area; Prime or unique farmlands, flood plain management, other cultural resource concerns, environmental justice, hazardous or solid wastes, wild and scenic rivers, water quality, and riparian habitat. In addition, the following Critical Elements of the Human Environment, although present, would not be negatively affected by the proposed action; land use, recreation, livestock grazing, air and climate resources, and fire management. The Critical Element of vegetation will be impacted because vegetation along the fence lines will be minimally and temporarily disturbed.

- 4) The degree to which the effects on the quality of the human environment are likely to be highly controversial. The proposed action is within the purview of the allotment management plan and the West Mojave Plan Amendment to the CDCA plan. Fences are commonly constructed and the effects are well known and not controversial.
- 5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks. The project is not unique or unusual. The environmental effects to the human environment are analyzed in the EA. Fence construction is not 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 is not related to any other action and it does not set a precedent for any future actions..
- 7) Whether the action is related to other action with individually insignificant but cumulatively significant impacts – which include connected actions regardless of land ownership. The interdisciplinary team evaluated the possible actions in the context of past, present, and reasonably foreseeable future actions. Significant cumulative effects are not predicted.
- 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 or may cause loss or destruction of significant scientific, cultural, or historic resources. The project will not adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places, nor will it cause loss or destruction of 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 species to be listed as an endangered or threatened species or its habitat, or a species on BLM's sensitive species list. The routes of the fences were surveyed for disturbance of desert tortoises and other fauna. The area is not designated as desert tortoise habitat and Mohave ground squirrels were not encountered.

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 project does not violate any known federal, state, local, or tribal law or requirement imposed for the protection of the environment.

for 

Carl B. Symons, Field Manager, Ridgecrest FO

19 Aug 2015
Date



United States Department of the Interior
Bureau of Land Management

August, 2015



Environmental Assessment DOI-BLM-CA-D05000-2011-0062

Upper Cactus Flat Boundary Fences

Location: Township 20 South, Range 38 East, Section 33 SESE, Township 21 South, Range 38 East, Section 11, NENE and Township 21 South, Range 38 East, Section 14, SENE - Mount Diablo Meridian, County of Inyo, State of California.

Applicant: none, internal project

*Prepared By: Ridgecrest Field Office
Bureau of Land Management
300 South Richmond Road
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**Upper Cactus Flat Boundary Drift Fences
EA # DOI-BLM-CA-D05000-2011-0062**

1.0 PURPOSE & NEED

1.1 Introduction:

This Environmental Assessment (EA-DOI-BLM-CA-D05000-2011-0062) has been prepared to analyze the placement of three (3) drift fences at sites along the eastern boundary of the Lacey-Cactus-McCloud (LCM) Allotment and the western boundary of the China Lake Naval Air Weapons Station (NAWS). The Navy has an existing fence which delineates its boundary on the western edge of Upper Cactus Flat. There is a need to cover three open areas in the fence to shore up its integrity and its ability to control cattle.

These fences are mentioned in EA-CA-DO5000-13-01, the grazing renewal EA, at page 11, described at page 13, listed as a proposed range improvements at page 24, analyzed with Mohave Ground Squirrel on page 45, the lack of intrusiveness of the northern segment is mentioned on page 54, and lastly on page 65, the effects of construction are analyzed. Furthermore, the range improvements show up on the range improvement map on page 83, and again, on page 84. The fences were intended to be analyzed separately, but were considered to be part of the larger grazing renewal EA (CA-D05000-13-51) from their beginning. These sections of EA-CA-DO5000-13-01 are incorporated by reference.

Please note that this EA provides an analysis of a set of fences that have already been installed. However, their past installation was not analyzed, so this EA is being written post construction.

1.2 Background:

The Navy discontinued grazing on the NAWS in 2000. Since that time there has been a fence on the western boundary of the Upper Cactus Flat area which delineates the LCM Allotment and the NAWS boundary. At the time the Navy discontinued grazing in 2000 the grazing permit expired on the LCM allotment and it was determined by the Ridgecrest FO that a permit renewal EA on the reconfigured allotment would need to be done. Therefore, the permit was not extended under the Appropriations Act. The permit renewal EA was completed in 2013 and a permit was issued. This permit establishes preference but does not authorize seasonal grazing. With the intended resumption of grazing on the LCM Allotment the fence was checked and it was found that there were three areas where cattle could stray off the LCM Allotment and on to the NAWS (see maps). It is important to erect fences in these areas because cattle on the NAWS pose a safety hazard to Navy operation.

1.3 Need for Action:

The need for action is to stem the movement of cattle from LCM Allotment on to the NAWS and to establish the fences' integrity.

1.4 Conformance with BLM Land Use Plan(s):

All actions are subject to the California Desert Conservation Area Plan ("CDCA Plan") approved in 1980, as amended with note of the the West Mojave Plan (WEMO) 2006 plan amendment. All actions also conform to the Taylor Grazing Act of 1934, the Federal Lands Policy and Management Act of 1976, the Public Rangelands Improvement Act of 1978, and the California Desert Protection Act of 1994. All actions have been reviewed to confirm that they conform to the terms and conditions of the land use plan as required by Title 43 Code of Federal Regulations (CFR) 1610.5 – 3.

1.5 Land Use

The CDCA Plan designated Multiple-Use Classes within the CDCA. The Proposed Action and alternatives would take place on the boundary of two different land use classifications. The fence on the edge of wilderness will be on the edge of land designated as Multiple-Use Class C but will not impinge on the wilderness or alter wilderness characteristics. This fence on the edge of the wilderness would be totally with Multiple Use Class C land. The two other fence segments are on the edge of land designated as Multiple-Use Class M which is moderate use, but do not pose a threat to any known sensitive resources (see EA-CA-650-2008-027), or human activity.

1.6 Relationship to Statutes, Regulations, or other Plans:

All action alternatives are subject to all applicable Federal, State and local laws and regulations, specifically:

- * Archaeological Resources Protection Act of 1979, 16 U.S.C. 470aa to 470ll
- * National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470 et. seq.
- * National Environmental Policy Act of 1969, 42 U.S.C. 4321 et. seq.
- * Clean Air Act of 1970, as amended, 42 U.S.C. 7401 et. seq.
- * Wild Free-Roaming Horses and Burros Act (Pub.L. 92–195), as amended, 43 CFR Part 4700
- * Endangered Species Act of 1973, as amended, 16 U.S.C. 1531 et. seq.
- * Federal Land Policy Management Act of 1976, 43 U.S.C. 1701 et. seq.
- * Public Rangelands Improvement Act of 1978
- * Council on Environmental Quality, Title 40 Code of Federal Regulations, part 1500
- * Title 43 Code of Federal Regulations, part 2920
- * California Environmental Quality Act of 1970, 3 Cal. Code of Regulations 200 et. seq.
- * California Desert Conservation Area Plan of 1980
- * California Desert Protection Act of 1994

2.0 DESCRIPTION OF ALTERNATIVES, INCLUDING PROPOSED ACTION

2.1 Proposed Action

A. General

This project consists of building three fence segments totaling approximately 1700 feet. The north segment is approximately 230 feet long and rests on the boundary between LCM and the NAWS. At this point there is the Coso Range Wilderness on the LCM Allotment side and the fence will be built as an extension of the existing fence on the boundary of the wilderness. This northern segment will begin at the north end of the existing Navy fence and simply extends the existing fence along the same line. The middle segment is approximately 120 feet and begins at the south end of the existing Navy fence and ties off in the rocks on BLM land. The southern segment of the drift fences is approximately 1350 feet long and the two most easterly points are on the same GPS line as the beginning of the middle segment. Most of the southern segment will be built within BLM managed land, only the two most easterly points are on the NAWS boundary line. The fences would be constructed to avoid cultural and Threatened & Endangered resources. (See Maps, appendix A, at end of document.)

B. Specific

1. Construct three fence segments of 4- strand wire fence along the boundary separating LCM Allotment and China Lake NAWS.
2. Specifications for 4 strand (3 barbed, 1 smooth bottom wire) cattle fence will be used. Fence height will be 42” with the following spacing between wires from the ground up- 16”, 8”, 6”, 12”. Distance between the top 2 wires is wide (12 inches) to prevent a deer’s foot from getting trapped if it leaps and catches on the top wire. Smooth wire at the bottom allows smaller mammals to scoot under and not get snagged.
3. Wooden stress panel posts will be installed. T-posts will be spaced 22’ apart.
4. This project is a cooperative effort between BLM and the permittee. The permittee will construct the fence. The BLM will supply the materials and monitor the project. The permittee will be responsible for routine maintenance resulting from wear and tear or minor vandalism.

C. Operating Procedures:

The fences would be constructed using the following measures in Section **D**, below. BLM or a representative will monitor construction to ensure the measures are followed.

1. Access to the northern site will be by horseback, and possibly by pack mule through the Coso Range Wilderness. Only hand tools and no mechanical tools will be used to access or construct the fence.

D. Environmental Protection Measures

1. The fence lines will follow along routes designated by a BLM archaeologist to avoid cultural resources and agreed upon by the lessee.
2. In the event that cultural or paleontological resources, not previously identified, are discovered during development activities, operations in the vicinity of the discovered resources shall cease immediately and the BLM archaeologist will be notified. The BLM will, as appropriate, evaluate the significance of the site and determine the need for mitigation.
3. No blading of the fence line is permitted.
4. Biological garbage shall be kept in closed containers to discourage scavengers from coming to the site.
5. Post holes should not be left open over night or for the weekend.
6. Specifications for the fence will follow those for a standard 4-strand wire cattle fence – top 3 wires barbed and bottom wire smooth. The wire spacing will be (from ground to the top) 16”, 8”, 6”, & 12”.
7. BLM and the permittee will monitor the movement of cattle to identify any problems.
8. Fence construction will be completed outside the spring grazing season to prevent potential of fencing wild horses west of the China Lake NAWS boundary fence.
9. Prior to any additional proposed fencing, an evaluation will be conducted to assess the potential impacts to the free roaming nature of wild horses/burros.
10. In the wilderness segment of the fence (the northern segment) no mechanized tools will be used during construction of the fence.

2.2 Alternative: The No Action Alternative

Under this alternative, no fences would be constructed. Grazing would continue to be allowed on the land.

2.3 Alternatives Rejected From Further Analysis

An alternative to the placement of the southern segment was considered, however, it was more costly, and tended to encourage cattle to congregate in a corner created by the fence line, which could cause resource damage.

3.0 AFFECTED ENVIRONMENT

This chapter discusses the affected resources. The critical elements of the human environment that were identified by BLM resource specialists as likely to be impacted by the proposed action or alternatives are: Air Quality, Cultural, Native American, Invasive Species, Vegetation, Threatened and Endangered Wildlife, Livestock, Wild Horses and Burros, Soils, and Visual Resources. Refer to the table (4.10) for all other elements which were not covered because lack of impacts.

3.1 AIR QUALITY

The project area falls within the Great Basins Valleys Air Basin. The regional Great Basin Unified Air Pollution Control District (GBUAPCD) has jurisdiction over point and area sources in the project area. Air quality throughout the project area is generally good. There are, however, times that the area has not meet air quality standards due to locally generated and/or transported in pollutants. The USEPA has placed the area within the Coso Junction PM10

Planning Area which is currently classified as attainment/maintenance for PM10 under the National Ambient Air Quality Standards (NAAQS). According to the State Implementation Plan (SIP), air pollution in the Coso Junction PM10 Planning Area (CJPA) is dominated by windblown dust transported from Owens Lake, which is located outside the planning area. Air pollution sources within the nonattainment have not been found to have a significant impact on PM10 concentrations. Ozone pollutants occur in the area. They are primarily transported in from the South Coast Air Basin and the San Joaquin Valley Air Basin. The USEPA is considering classifying the area as a nonattainment area for the new 8 hour ozone standard.

3.2 CULTURAL RESOURCES

A review of cultural resource records and site files within the Ridgecrest Field Office Bureau of Land Management Heritage Division archives was conducted for the proposed areas of potential effect for all alternatives in August 2010. Five previously recorded sites are located within one mile of the proposed project area, but do not fall within the area of potential effect for the proposed action. The subsequent Class III pedestrian inventory of all three fence locations conducted by BLM cultural resource specialists in August 2010 encountered one previously unrecorded cultural resource site along the access route for one portion of the fence line: CFFS-1, a prehistoric habitation site recommended eligible for inclusion in the National Register of Historic Places. The site extends on both sides of a current boundary fence between BLM and NAWS China Lake jurisdiction. The site will be avoided by using an alternative access route determined by the NAWS China Lake Environmental Management Staff. Additionally, a cultural resource monitor will be present on site during fence construction.

3.3 INVASIVE AND NON-NATIVE PLANTS

A number of non-native plant species occur in the project vicinity and several noxious weeds are found in the area. Russian thistle (a state listed noxious weed) occurs on Cactus flat. In addition to the current non-native and noxious species in the area there is concern for the introduction of new noxious weeds. One common vector for the movement of weed seeds is construction equipment that moves from infested areas to non-infested sites carrying weed seeds. The Ridgecrest BLM Field Office Integrated Weed Management Plan calls for equipment washing as a preventative measure.

3.4 VEGETATION

The project area is located at the western edge of the Desert Floristic Province as described in the *Jepson Manual, Higher Plants of California*. It is adjacent to the California Floristic Province and the Great Basin Floristic Province. This has resulted in components from all these provinces occurring in the area. Sawyer and Keeler-Wolf in A Manual of California Vegetation describe the vegetation as Alliances (communities) dominated by shrubs. The primary vegetation is a mixed great basin saltbrush shrub Alliance. The primary plant species in this Alliance include shadscale (*Atriplex confertifolia*), spiny menodora (*Menodora spinescens*), bud sage (*Artemisia spinescens*) and spiny hop-sage (*Grayia spinosa*). The creosote bush (*Larrea tridentata*) Alliance is also found in the study area. In addition to the Creosote bush, this Alliance contains burro-bush or bursage (*Ambrosia dumosa*) and number of other common species. The Joshua tree (*Yucca brevifolia*) Alliance is also found in the study area. This Alliance is similar to the Creosote Series with the inclusion of emergent Joshua trees. The vegetation on the site is typical for the area and does not contain any specialized endemic plants or habitats. Several Special Status Plants are known from the project area. The NDDDB data base was checked for special status plants, Darwin Mesa milkvetch (*Astragalus atratus var mensanus*), Watson's oxytheca (*Oxytheca watsonii*) and Ripley's cymopterus (*Cymopterus ripleyi*) were found to occur in the general area. No special status plants are known from the specific project site. No special status plants have been found on the project site.

3.5 WILDLIFE (including T & E species)

A diverse wildlife fauna is present within the project area which is located in an upland area dominated by creosote bush.

The Mohave ground squirrel is a state threatened species and could occur at the proposed project site. The project is within the Mohave ground squirrel Conservation Area. About 54% of all Mohave ground squirrel records are from Mojave creosote bush scrub, with about 20% from desert saltbush scrub and 9% from Mojave mixed woody scrub. There

are many factors (like rainfall, etc.) that regulate the Mohave ground squirrel population, but winterfat (*Krascheninnikovia lanata*), spiny hopsage (*Grayia spinosa*) and saltbush (*Atriplex sp*) are especially important in the diet of the species. Using 1500 meters (about 5,000 feet) as the upper limits of its habitat, MGS is likely to be present.

Upland bird species include migrants, winter residents, breeders, and all others that depend on the upland habitat to survive. Most of the native bird species within the project area are protected under the Migratory Bird Treaty Act, but some have additional status. The burrowing owl, a BLM sensitive species, requires a productive vegetative community around their nest because they do not forage great distances as do other raptors. They do, however, prefer shorter vegetation around their nest site.

The Le Conte's thrasher occurs over the desert scrub portion of the project area and needs large shrubs, cactus, or Joshua trees for nesting and a productive vegetative community for foraging. Raptors as a group use this upland primarily for hunting prey, so they need a vegetative community that produces an abundance of rodents, rabbits, and other prey species. The prairie falcon also occurs in this area. It forages over a wide area.

The federally threatened Desert Tortoise occurs in slightly lower elevation (from sea level to around 3500 ft.). The fencing crew could come upon a tortoise as they travel to the site, but none were found in the immediate project area which occurs at 4500 ft. elevation.

Other species that are likely to occur in this area include bobcats, kit foxes, coyotes, and deer.

3.6 RANGE/LIVESTOCK

The environment in the vicinity of the proposed fences is generally desert scrub plants in washes and on the plain but is interspersed with numerous rocky outcrops that make movement difficult in some places. The prevailing wind is from the west. The south site is at approximately 5000 feet while the north site is about 5700 feet in elevation. The area is dry with the nearest source of water being the earthen water tank at McCloud Flat about a mile and a half away. The rancher would like to graze cattle in the BLM portion of this area and the installation of the gap fences would make this possible by reducing the possibility of cattle straying on to and disturbing the daily operations of the Navy base.

3.7 WILD HORSES AND BURROS

The CDCA Plan (1980) identified two HMAs within the Centennial HA. One is for the management of wild horses and the other is for the management of burros. A 1981 plan amendment to the CDCA Plan removed the HMA status for burros. The California Desert Protection Act of 1994 (Public Law 103-433), authorized the Secretary of Navy the management responsibility for the wild horses and burros located on the NAWS China Lake lands. The CDCA Plan established the appropriate management level (AML) at 168 wild horses, based on the allocation of 2020 AUMs and that a single horse consumes 1 AUM. The China Lake NAWS is currently using the AML established for the HMA by the CDCA Plan.

The Centennial HMA for wild horses comprises approximately 318,468 acres which includes 232,897 acres China Lake NAWS; 71,369 acres BLM; 9,121 acres private; and 5,081 acres State lands. Approximately 63,500 acres (20%) of the Centennial HMA is within the LCM Allotment.

The 2014 aerial population survey counted 361 horses. Based on the 2008, 2010, 2013 and 2014 population survey data, approximately 95 percent of the lands utilized by the wild horses are within the China Lake NAWS. The population survey data indicates there is approximately 55-60 head of wild horses utilizing lands along the boundary of the Navy and BLM lands, which would have the potential to be in the existing LCM Allotment any time throughout the year. The majority of these horses are on the northwestern portion along the northern boundary of China Lake NAWS, which utilize Upper Centennial Spring on BLM lands. Horses which are located on the northwestern portion of China Lake NAWS in the vicinity of the proposed fence lines (western boundary), utilize trail systems which follow drainages and the upland topography that are north of the existing boundary fence and proposed fence lines. The wild horse use level in the area where the proposed fence lines will be constructed is very low and there is no evidence that reflects that horses trail through this area. There are no perennial water sources on BLM lands in this area. The only time which horses would be west of the boundary line in the area of the proposed fence lines would be in the spring when ephemeral forage may attract horses to the area. If wild horses are fenced

on the west side of the boundary, they would be able to get back onto the China Lake NAWS by utilizing the areas to the north where the main horse trails are.

The 1981 Amendment 24 to the CDCA plan, deleted the Centennial HMA for burros, because of the conflicts that they were imposing on the Naval Air Weapons Station. Historically, the Centennial burro HMA comprised of approximately 665,366 acres with 80 percent of the HMA within the China Lake NAWS. The CDCA Plan established the AML at 1,137 burros, based on the allocation of 9,551 AUMs and that a single burro consumes 0.7 of an AUM. Current population estimate for the Centennial HA is 120 burros. Zero burros were sighted in the 2008, 2010, 2013 and 2014 population surveys within the L-C-M Allotment. There is a known population of approximately 30 burros in the Darwin Hills area, most eastern boundary of the L-C-M Allotment.

3.8 SOILS

No soil surveys have been conducted in this part of the allotment. The soils at the northern and middle segments are poorly developed, well drained and coarsely textured. The substrate at the southern site is rock with a thin layer of soil intermittently laid down. Concentrated grazing has not occurred at these sites so at present the soils are not compacted or heavily disturbed. At the southern segment of fence there are mostly rock outcrops.

3.9 VISUAL RESOURCES

The NAWS fence on the boundary is a contrast to the natural landscape. The northern and middle segments of the proposed fences total about 350 feet. The NAWS fence in this location is about a mile and a half (8000 ft.) long. These new fence segments would blend in rather seamlessly with the existing fence. The southern segment is in amongst rock outcroppings and would not be readily visible.

4.0 ENVIRONMENTAL IMPACTS

EA-CA-D05000-13-01 looks at the effects of grazing on the allotment as whole. What follows is a synopsis of the major points to be incorporated into this EA by reference.

The EA #CA-D05000-13-01 delineates the environmental effects of grazing in Chapter 3, on air quality, biological crusts, cultural resources, invasive plants, soils, special status plants, threatened and endangered and wildlife species, wetlands and riparian zones, wild horses and burros, and vegetation. These sections of CA-D05000-13-01 are included by reference (January 2009). CA-D05000-13-01 was signed 5-22-2013.

Air Quality: Emissions of pollutants as a result of the proposed action would be very small and are clearly de minimus.

Biological Crusts: Grazing animals can apply compressional and shear forces to the soil. The crust response to these disturbances is highly variable.

Cultural Resources: Cattle grazing would continue at levels pursuant to planning and managerial prescriptions. The potential threats to cultural properties would continue, but the intensity of the threats would diminish significantly from the current levels, due to the reduced acreage involved.

Invasive Plants: There are many possible routes of introducing invasive species but the risk is low on LCM because of low numbers of cattle, and cattle that come from adjacent areas. Furthermore, most of the existing invasive plants are already wide spread and have been for a long time.

Soils: At concentration sites such as watering troughs hoof action will destroy existing vegetation. Over a large grazing area interspaces between hoof prints are far enough apart so as not to create much disturbance.

Special Status Plants: No special status plant species occur in Cactus Flat/McCloud Flat area of the allotment.

Threatened/Endangered Species: Mojave Ground Squirrel (MGS) comes out in March toward end of the grazing season. Rotating the cattle through by use of water tanks and earthen tanks leaves enough forage for the MGS.

Wildlife: Small mammals and birds not likely to be affected. Large mammals depend more on range conditions which will be monitored.

Wetland and Riparian Zones: There are no riparian zones within the Cactus/McCloud Flat area.

Wild Horse and Burros: Census data gathered at the time indicate that 3-10 horses use the area. The horses could be there at any time and do not impact the area.

Vegetation: Proposed livestock use levels are very low and vegetation removed by grazing is renewable and on a sustained basis at moderate grazing levels.

This section forms the scientific and analytic basis for comparisons of the impacts of the proposed action and alternatives (40 CFR 1502.14).

This section discusses anticipated direct and indirect impacts of the proposed action and the no action alternative on the affected resources identified in the previous section. In addition, irreversible and irretrievable commitment of the resources and residual impacts are also addressed in this section.

This section also identifies means to mitigate adverse environmental impacts if those measures are not fully covered by the proposed action or alternatives (40 CFR 1502.16(h)).

The following discussion explains the mitigation that would occur for each resource, and then describes the residual impacts of the alternatives after application of that mitigation. Mitigation can come from the alternative's description, existing statute or regulation, or stipulations imposed by BLM as a condition for the construction of the fence. Impacts include all direct, indirect, and cumulative impacts. Cumulative impacts are the result of all past, present, and reasonably foreseeable future impacts, added together.

4.1. AIR QUALITY

4.1.1 Impacts

Under the Proposed Action, emissions from the proposed action will be minimal. No significant offsite impacts are anticipated. An increase in fugitive dust during wind storms could occur due to the soil disturbance as a result of the proposed action. Vehicle use on the access road will generate PM10 emissions throughout the project. All of these emission levels would be small. The project as proposed does not exceed the de minimus emission levels and conforms to the State Implementation Plan (SIP) and no further conformity analysis or determination is necessary.

4.1.2 Irreversible and irretrievable commitment of resources:

None

4.1.3 Recommended mitigation measures:

None

4.1.4 Residual Impacts:

None

4.1.5 Cumulative Impacts

The geographic scope for cumulative impacts the air quality is the entire allotment. The existing condition for air resources is described in Section 3.1 above. This condition reflects the impacts of past and present activities on the landscape. Reasonably foreseeable future actions that may impact air quality resources include grazing of the LCM allotment.

4.1.6 No Action Alternative:

If no fences are built, no cattle grazing would occur on the allotment.

4.2 CULTURAL RESOURCES

4.2.1 Impacts

Class III cultural resource inventory conducted by BLM cultural resource specialists identified a single, newly recorded prehistoric cultural resource site eligible for listing in the National Register of Historic Places within the area of potential effect for the proposed action. The site has the potential to be impacted by the route proposed to access one portion of the fence. An alternate route using an existing two-track road near the site but still within distance of the fence area was inventoried by NAWS Environmental Management Staff. The new route will be used to access the project area and avoid the site. As per request of the NAWS staff, a BLM cultural resource specialist must be present during construction activities in this portion of the project area to monitor ground disturbing activities associated with the proposed action.

4.2.2 Irreversible and irretrievable commitment of resources

There will be no irreversible and irretrievable commitment of cultural resources by using the alternative access route.

4.2.3 Recommended mitigation measures

1. Any cultural and/or paleontological resources (historic or prehistoric site or object) discovered by the Bureau of Land Management or any person working on the Bureau of Land Management's behalf, on public or Federal land shall be immediately reported to the Authorized Officer, Field Manager-BLM, Ridgecrest, CA. The BLM or its contractors shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the Authorized Officer to determine the appropriate actions to follow to prevent the loss of significant cultural or scientific values. The BLM will be responsible for the cost of the evaluation. Any decision as to proper mitigation measures to be taken will be made by the Authorized Officer after consultation with the California State Historical Preservation Office.

2. Collection or disturbance of artifacts and other archaeological, historical, and paleontological materials by the BLM, its representatives, contractors, or employees, shall not be allowed. Offenders shall be subject to prosecution under the appropriate State and Federal laws.

3. A BLM Cultural Resources specialist must be on site during construction activities in the vicinity of the National Register of Historic Places eligible property.

4. To reduce the possibility of impacts to existing cultural sites the rancher may elect to haul fence materials and non-mechanized equipment to the site by horse and pack mule. This is required for the northern fence section because of wilderness considerations.

4.2.4 Residual Impacts

The proposed action will have no residual impacts to cultural resources. The single, newly identified National Register of Historic Places eligible resource will be avoided by the use of an alternative access route.

4.2.5 Cumulative Impacts

The geographic scope for cumulative impacts to cultural resources is indeterminate because it cannot be revealed. However, it is smaller than the fence. The existing condition for cultural resources is described in Section 3.2 above. This condition reflects the impacts of past and present activities on the landscape. Reasonably foreseeable future actions that may impact cultural resources include grazing of the LCM allotment.

The proposed action will include the added protection to nearby cultural resources from livestock trampling and grazing. However, the single newly recorded cultural resource occurs on both sides of the existing fence line, where livestock are prone to create trails and hummocks. Over time, the site where it exists on BLM land, may be impacted by cattle following the fence line. However, the majority of the artifacts and features identified as part of the site fall within the NAWS boundary and will be protected from further impact by cattle.

4.2.6 No Action Alternative

There will be no impacts whatsoever to cultural resources listed or eligible for listing on the National Register of Historic Places if the No Action Alternative is selected. The majority of the cultural resources are on the NAWS side

of fence, and a lesser amount on the BLM side. If the no action alternative is chosen then there would not be any grazing on the allotment to disturb the cultural resources on the BLM side of the fence.

4.2.7 Public Comment

The pedestrian survey identified an important cultural site along the access route the northern fence segment. But the EA provides no explanation or mitigation that will stop cattle trailing through that National Register eligible cultural site once the boundary fence is completed.

BLM Response

As the EA states in cumulative impacts: **4.2.5 Cumulative Impacts**

Cumulative impacts from the proposed action include the added protection to nearby cultural resources from livestock trampling and grazing. *However, the single newly recorded cultural resource occurs on both sides of the existing fence line, where livestock are prone to create trails and hummocks.* Over time, the site where it exists on BLM land may be impacted by cattle following the fence line. However, the majority of the artifacts and features identified as part of the site fall within the NAWS boundary and will be protected from further impact by cattle.

The site is recommended eligible for listing on the National Register of Historic Places based on the presence of rock art elements. The elements occur on the east side of the site, well within the boundary of China Lake Naval Air Weapons Station and beyond the existing fence line where cattle are not currently permitted to graze. The construction of the boundary fence, in this case, an extension of the existing fence, will protect the site from impacts caused by cattle by preventing errant access to the portion of the site which contains the rock art elements. These elements are fragile and could be damaged by cattle rubbing along and congregating at the rock where the elements are located. Shovel test probes performed by the NAWS Archaeologist did not identify subsurface deposits of cultural material. The majority of the cultural deposit was identified on NAWS administered lands, including all artifacts identified as diagnostic to the site.

While cattle may trail along the existing boundary fence, they will be limited to the western boundary of the site where it occurs on BLM administered lands and where only sparse lithic debitage was identified. This portion of the site is cut by naturally occurring erosional rills and sheet wash from the nearby slope. It is unlikely that cattle trailing will increase from the extension of the fence, nor will they disturb subsurface cultural deposits or cause impacts to diagnostic material. Therefore, there will be no adverse effect from the construction of the fence extension. In accordance with CA BLM policy¹, BLM will adopt the following monitoring guidelines:

2. when damaging effects to cultural resources from grazing activities are ambiguous or indeterminate, Field Offices shall conduct monitoring, as necessary, to determine if degrading effects are resulting from grazing activities and if they are continuing to affect the characteristics that may make properties eligible to the NRHP or if they are otherwise adversely affecting the values of cultural resources (Section VII. A.2).

4.3 INVASIVE & NON_NATIVE PLANT SPECIES

4.3.1 Impacts

The proposed action should not have any impact on existing invasive non-native species and ongoing control activities. There is a low potential to introduce new invasive non-native species to the site.

The possibility of introducing invasive plants along the fence line during construction is minimal. The materials transported to the site along the fence bordering wilderness (north section) and along the south section will be done

¹ *Supplemental Procedures for Livestock Grazing Permit/Lease Renewals: A Cultural Resources Amendment to the State Protocol Agreement Between California Bureau of Land Management and the California State Historic Preservation Officer*

by horseback and/or pack stock which can transport seeds in their feces or hair but are generally lighter on the land than trucks.

4.3.2 Irreversible and irretrievable commitment of resources

None

4.3.3 Mitigation

None

4.3.4 Residual Impacts

None

4.3.5 Cumulative Impacts

The geographic scope of the cumulative impacts for weeds and invasive species is 3.8×10^{-6} % of the total grazing area. The existing condition for weeds and invasive species is described in Section 3.3 above. This condition reflects the impacts of past and present activities on the landscape. Reasonably foreseeable future actions that may impact weeds and invasive species include grazing of the LCM allotment.

Once the fences are built there may be some cumulative effect of the whole fence line becoming vulnerable to invasive plants because of cattle congregating along the fence. However, even if the cattle congregate and break up the soil surface or compact it, it is questionable that they would transport seeds all the way across the allotment from where they enter it to the farthest point to the east where the fence is located. The width of the allotment acts as a buffer zone to the establishment of invasive plants on the eastern boundary.

4.3.6 No Action Alternative

The fences would not be built and therefore, there would be no grazing. No cattle would be present to act as vectors for weeds.

4.4 VEGETATION

4.4.1 Impacts

Under the proposed action, there would be some individuals of common species of plants and seeds that may be directly destroyed by the action. No special status plants will be impacted by the proposed action because none were found in the area.

4.4.2 Irreversible and irretrievable commitment of resources

Vegetation would not be irreversibly damaged.

4.4.3 Mitigation

None

4.4.4 Residual Impacts

None

4.4.5 Cumulative Impacts

The geographic scope of the cumulative impacts for vegetation is 3.8×10^{-6} of the total grazing area, The same as wildlife area of disturbance. The existing condition for vegetation is described in Section 3.4 above. This condition reflects the impacts of past and present activities on the landscape. There would be no reasonably foreseeable future actions within this scope that would impact vegetative resources, therefore, there would be no cumulative effects.

4.4.6 No Action Alternative

Under the no action alternative, there would be no grazing throughout the allotment.

4.5 WILDLIFE

4.5.1 Impacts

A 100% clearance survey occurred in August of 2010. Sensitive species surveyed for were desert tortoises (not likely), Mohave ground squirrel, Le Conte's thrasher, burrowing owl, American badger, and kit foxes. No sensitive species or their sign were found, but many rodent and lizard burrows were observed, some of which could be Mohave ground squirrel burrows.

The West Mojave Plan restricts cumulative ground disturbance in the Mohave Ground Squirrel Conservation Area to 1%. The total length of the proposed fences is 1700 feet. The area of disturbance is approximately 6800 square feet. There are 43,560 square feet in an acre and 1,785,960,000 square feet in the proposed grazing area. This makes the disturbance approximately 3.8×10^{-6} of the grazing area or .00038% of the proposed grazing area. Clearly the impact to the Mohave Ground Squirrel habitat is much less than 1% and very slight.

Approximately the same amount of disturbed area would be present for other wildlife which are attendant to the fence. These wildlife (birds, small mammals, rodents and reptiles) would experience a similar slight level of disturbance.

4.5.2 Irreversible and irretrievable commitment of resources

None

4.5.3 Mitigation

All fences would be comprised of 3-4 strands of barbed and smooth wire following BLM standards for wire placement for cattle and in wildlife habitat. Specifically, the bottom wire would be at least 16" above ground level and the spacing between the uppermost two wires would be at least 12" to accommodate leaping deer.

In addition, the following should be incorporated as conservation measures in the Proposed Action for burrowing animals, especially Mojave Ground Squirrel:

1. Wooden and steel posts should be put in well away from existing burrows. Posts could be moved along the fence lines to avoid damaging a burrow.
2. No vegetation should be removed along the fence lines, vegetation may be crushed, cut back or trimmed, but entire plants should not be removed.
3. Birds' nests should be avoided. Shrubs with nests in them should not be severely trimmed back.
4. Work should take place outside of the breeding season (Spring), if possible.
5. The area of disturbance shall be confined to the smallest practical area.
6. To the extent possible, previously disturbed areas within the project site shall be utilized for the stockpiling equipment and parking of vehicles.

4.5.4 Residual Impacts

No residual impacts are expected and habitat can be restored.

4.5.5 Cumulative Impacts

The geographic scope of the cumulative actions on wildlife is 3.8×10^{-6} % of the total grazing area. The existing condition for wildlife is described in Section 3.5 above. This condition reflects the impacts of past and present activities on the landscape. There would be no reasonably foreseeable future actions within this scope that would impact wildlife resources, therefore, there would be no cumulative effects.

Loss of habitat over time is a limiting factor for most wildlife.

4.5.6 No Action Alternative

Under the no action alternative, there would be no grazing throughout the allotment.

4.6 RANGE/LIVESTOCK

4.6.1 Impacts

Under the Proposed Action, building the fences would further define the boundary between the BLM and the Navy. The fence segments would prevent cattle from crossing over into Navy property. Therefore the cattle would not be a safety hazard or impede the Navy's capability to conduct weapons testing.

4.6.2 Irreversible and irretrievable commitment of resources

No irreversible or irretrievable commitment of range resources would result.

4.6.3 Mitigation

None

4.6.4 Residual Impacts

None

4.6.5 Cumulative Impacts

The geographic scope of the cumulative impacts on range is 3.8×10^{-6} % of the total grazing area. The existing condition for livestock grazing is described in Section 3.6 above. This condition reflects the impacts of past and present activities on the landscape. There are two reasonably foreseeable future actions of livestock that would impact the landscape. One is with grazing it is possible, but unlikely, that invasive plants will be introduced on the west side of the allotment and travel to the eastern side of the allotment where the fence would exist. This is a distance of 5.5 miles, as the crow flies, that a cow must travel in order to drop a seed. The second foreseeable future impact of livestock grazing is that cattle may end up trailing along the fence compacting the soil, and creating a place for weeds and invasive species to grow. This is unlikely because there is nothing along the fence line for cattle to go toward. All the water is away from the fence to the west while fence runs north and south. Furthermore, the vegetation does not change appreciably. There are no "lush" spots or shady spots near the fences that would make the fences attractive as corridors.

4.6.6 No Action Alternative

Under the no action alternative, there would be no grazing in the allotment.

4.7 WILD HORSES & BURROS

4.7.1 Impacts

There would be no adverse impacts to wild horses or burros.

Wild horses utilize trail systems which follow drainages and the upland topography that are north of the existing boundary fence and proposed fence lines. The wild horse use level in the area where the proposed fence lines will be constructed is very low and there is no evidence that reflects that horses trail through the area of the proposed fence lines. The only time which horses would be west of the boundary line would be in the spring when ephemeral forage may attract horses to the area. If wild horses are fenced on the west side of the boundary, they would be able to get back onto the China Lake NAWS by utilizing the areas to the north where the main horse trails are.

4.7.2 Irreversible and irretrievable commitment of resources

None

4.7.3 Mitigation

Fence construction will be completed outside the ephemeral grazing season for horses.

4.7.4 Residual Impacts

None

4.7.5 Cumulative Impacts

The geographic scope of the cumulative impacts on the wild horse and burro populations is 3.8×10^{-6} % of disturbance area. The existing condition for wild horse and burro populations is described in Section 3.7 above. This condition reflects the impacts of past and present activities on the landscape.

The current number and type of fencing projects within the L-C-M Allotment would not affect the ability of wild horses and burros to be able to move between public and China Lake NAWS lands. The wild horses and burros have the ability to move between public and China Lake NAWS lands utilizing trailing systems that go around the existing and proposed fencing.

4.7.6 No Action Alternative

Under the No Action Alternative, no additional fencing would occur, therefore reducing the probability of impeding the free-roaming nature of wild horses and burros. Under the no action alternative, there would be no grazing in the allotment.

4.8 SOILS

4.8.1 Impacts

Under the Proposed Action: Soils will be minimally impacted while the fences are being built due to driving of T-posts and wooden posts.

4.8.2 Irreversible and irretrievable commitment resources

None

4.8.3 Mitigation

None

4.8.4 Residual Impacts

None

4.8.5 Cumulative Impacts

The geographic scope of the cumulative impacts on soils is 3.8×10^{-6} % of the total grazing area. The existing condition for soils is described in Section 3.8 above. This condition reflects the impacts of past and present activities on the landscape. In the reasonably foreseeable future there could be some compaction of the soils along the fence from trailing. This, however, is not a given that cattle would create a trail, particularly, since there is no destination toward which they would travel along the fence, i.e. no watering spots, "lush" spots, or shady spots.

4.8.6 No Action Alternative

Under the No Action Alternative: The fences would not be built in Upper Cactus and there would be no grazing throughout the allotment.

4.9 VISUAL RESOURCES

4.9.1 Impacts

Under the Proposed Action: Visually, the northern and middle segments of the proposed action would blend in with existing NAWS fence without creating obvious additional contrast over and above the existing departure from the natural landscape. The northern and middle segments are very short in the context of the fence as a whole (see Chapter 3). The southern segment would create an additional contrast to the natural landscape but would be concealed in rock outcroppings, and therefore, unobtrusive.

The possibility of plants being trampled and weeds being spread by cattle and therefore creating permanent changes to the visual resources along the fence as a whole are rather limited. Cattle trailing up and down the fence line and creating such an impact is lessened because there is no destination to which the cattle would be coming from or going to along the fence.

4.9.2 Irreversible and irretrievable commitment of resources

There would be no irreversible or irretrievable commitment of visual resources as the fences would theoretically be removable. (See also the vegetation (4.7) and weed (4.6) sections.) However, as long as the NAWS fence exists there would be a long term visual disturbance to the natural landscape.

4.9.3 Mitigation

None

4.9.4 Residual Impacts

None

4.9.5 Cumulative Impacts

The geographic scope of the cumulative impacts for weeds and invasive species is 3.8×10^{-6} % of the total grazing area. The existing condition for visual resources is described in Section 3.9 above. This condition reflects the impacts of past and present activities on the landscape. Reasonably foreseeable future actions that may impact weeds and invasive species include grazing of the LCM allotment.

4.9.6 No Action Alternative

Under the No Action Alternative there would be no additional fencing built in Upper Cactus Flat and no grazing in allotment.

4.10 CRITICAL ELEMENTS OF THE HUMAN ENVIRONMENT

Critical Element	No Impact	May Impact	Not Present	Rationale
Air Quality		X		Conformity applies
ACEC			X	No ACECs are present near the proposed location
Cultural	X			No adverse effect to cultural resources
Environmental Justice			X	There are no low income households impacted by the action
Farmlands, Prime or Unique			X	No farmlands are present in the project area
Floodplains			X	The proposed area is not adjacent to or in a floodplain
Invasive, nonnative Weeds		X		Some in area
Native American	X			No known TCPs or concerns
T&E Species (Wildlife)		X		State threatened MGS possible, a little high in elevation for Tortoise
Vegetation		X		Some vegetation will be disturbed during construction.
Wastes- Hazardous Wastes	X			No waste or hazardous waste conditions have been identified in the project area.

Water Quality			X	There are no water resources in the project area.
Wetlands/Riparian			X	There are no water resources in the project area.
Wild & Scenic Rivers			X	There are no wild or scenic rivers in the project area
Wilderness			X	The Coso Range wilderness will not be intruded upon by the northern fence segment. The fence will extend the existing fence by 230 feet. The fence should not change the character of the wilderness experience.
Wildlife		X		There will be minimal impact on wildlife during the construction of the fence. The fence is designed to allow movement of small animals underneath it and is also designed so that deer will not become entangled in the top wire.
Wild Horse and Burro		X		The wild horses in the general area utilize trails which would not be obstructed by the proposed fencelines. If wild horses are fenced on the west side of the boundary, they would be able to get back onto the China Lake NAWS by utilizing the areas to the north where the main horse trails are and there is no boundary fence.

4.10.2 Other Issues and Concerns

The resources, uses, and issues that may be affected are described in the Affected Environment section of this environmental assessment and are analyzed in the Environmental Consequences section. Those potential issues or resources that would not be affected are also identified in the table below and a brief rationale for not considering them further is provided.

Issue/Concern	No Impact	May Impact	Rationale
Forestry	X		There are no forests in the project area.
Fire Management	X		Fire management capabilities are not impacted by the fences beyond what they are now.
Geothermal	X		No Geothermal resources are within the project area
Lands	X		Class L lands allow grazing.
Minerals	X		No resources are present
Range/Livestock		X (positive impact)	Cattle movement will be controlled and trespass on to Navy lands should be absent.
Recreation & Open Spaces	X		Recreational activity will not be impacted because the fences only restrict movement on to Navy lands which are off limits to begin with.
Soils		X	Soils will be minimally impacted by driving T-Posts and placing wood posts. Some compaction along fence line.

5.0 PUBLIC PARTICIPATION, CONSULTATION AND COORDINATION:

5.1 Public Participation

In accordance with NEPA protocols this document was posted on our webpage and mailed for comment for 30 days to affected interests, government agencies, and interested publics who have notified the BLM in the past of their desire to be informed of BLM grazing projects. One comments letter was received and that letter has been answered by incorporating the response into this edition of the EA or by placing the comment and the BLM responses in juxtaposition at the end of the EA. It is also discussed in the cultural resources section above. For further delineation of comments see Appendix B.

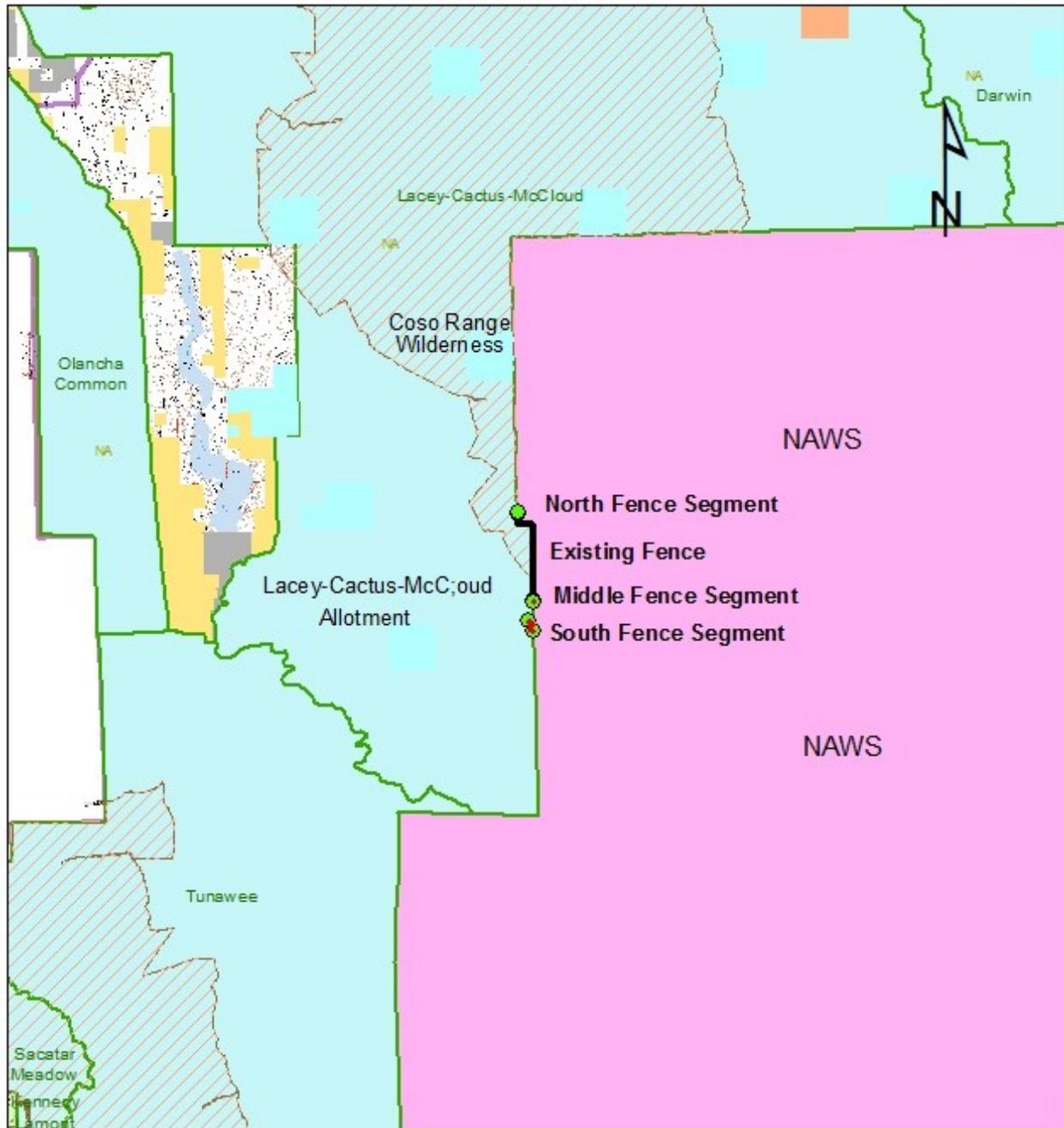
5.2 Consultation, Coordination:

The following were consulted during the writing of this E.A.:

Ashley A. Blythe, Archaeologist
Marty Dickes, Wilderness Specialist
Sam Fitton, Natural Resource Specialist
Glenn Harris, Natural Resource Specialist
Alex Neibergs, Wild Horse & Burro Specialist
Dan Tyree, Contract Archaeologist
Carrie Woods, Wildlife Biologist
Craig Beck, Recreation Branch Chief
Robert W. Pawelek, Resources Branch Chief

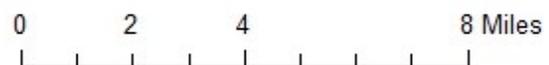
APPENDIX A
MAPS

LACEY-CACTUS-McCLOUD BOUNDARY FENCES

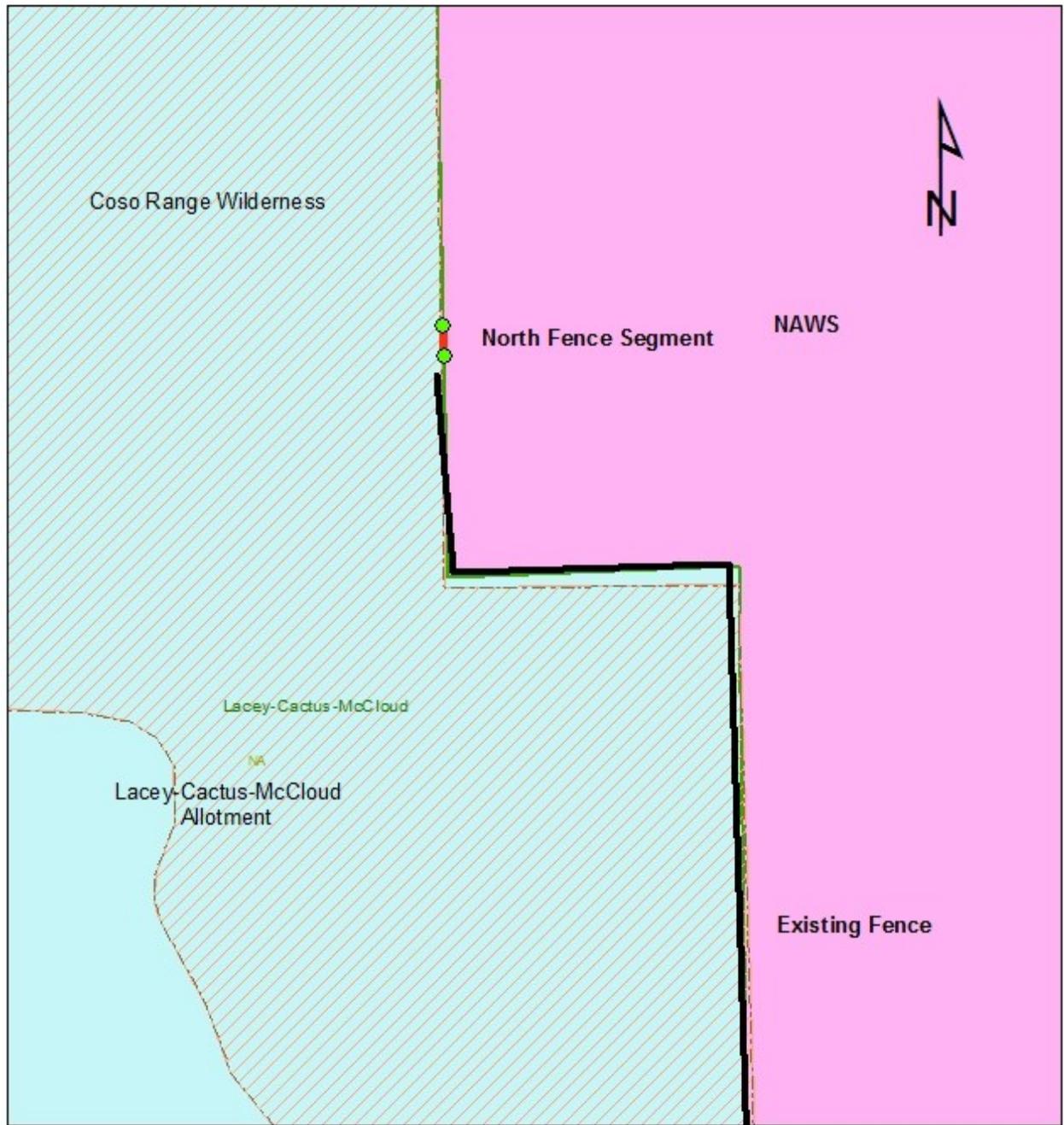


-  BLM Grazing Allotments
-  China Lake NAWS
-  Wilderness Areas
-  Existing Fence
-  New Fence Segments

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LACEY-CACTUS-McCLOUD BOUNDARY FENCES

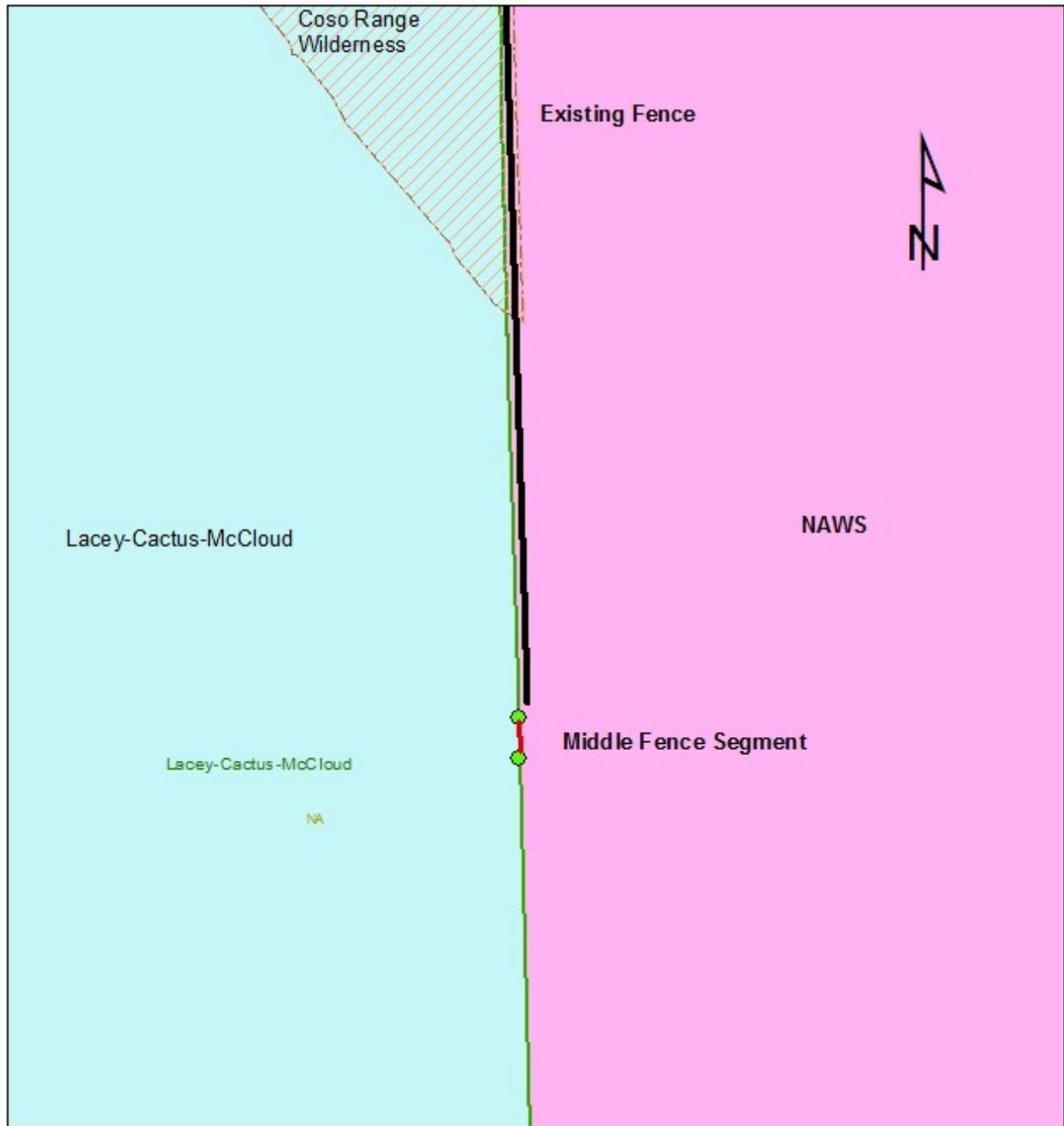


-  BLM Grazing Allotments
-  China Lake NAWS
-  Wilderness Areas
-  Existing Fence
-  New Fence Segments

1:10,220

0 0.075 0.15 0.3 Miles

LACEY-CACTUS-McCLOUD BOUNDARY FENCES



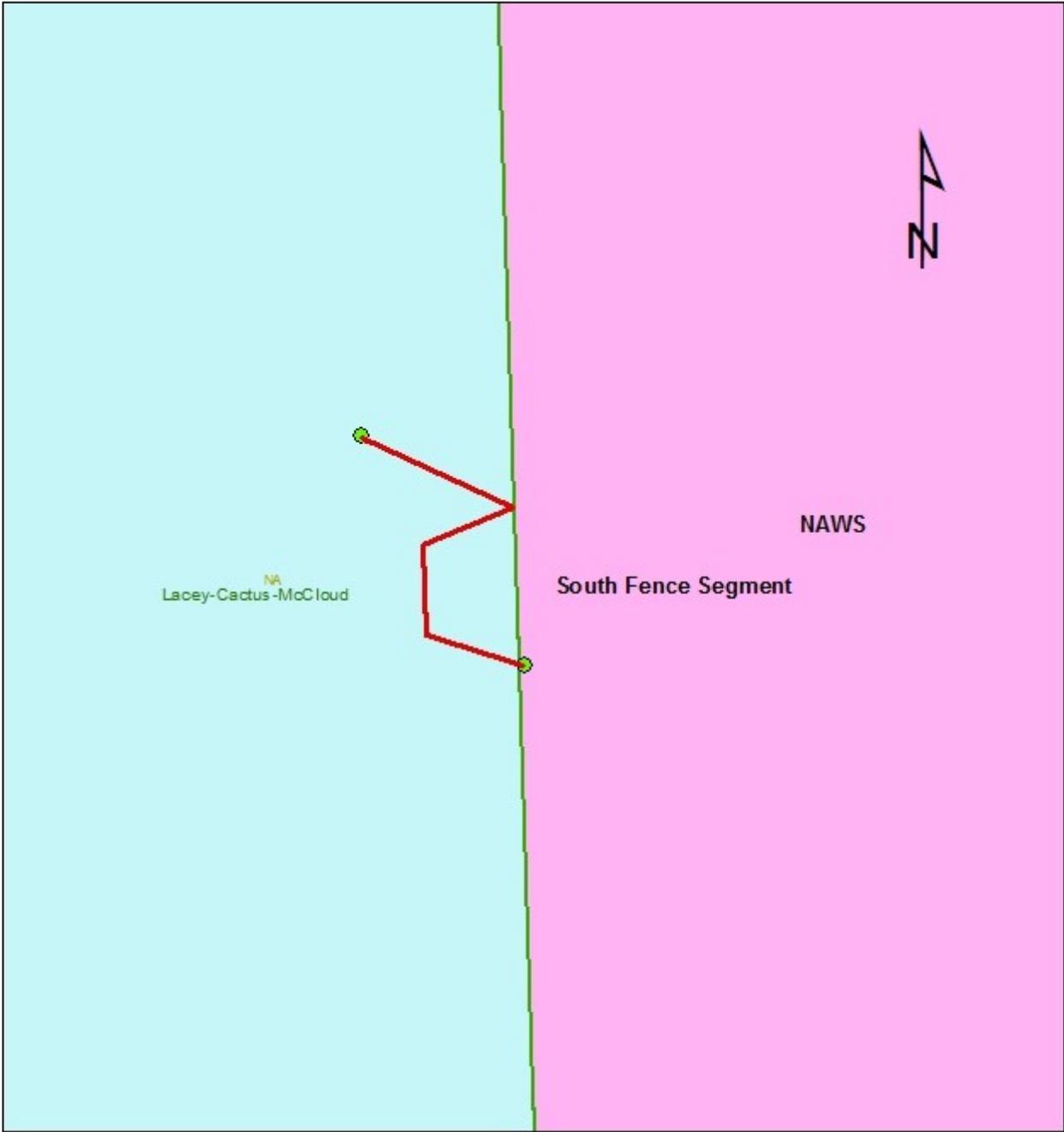
-  BLM Grazing Allotments
-  China Lake NAWS
-  Wilderness Areas
-  Existing Fence
-  New Fence Segments

1:10,220

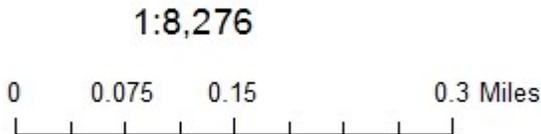
0 0.075 0.15 0.3 Miles



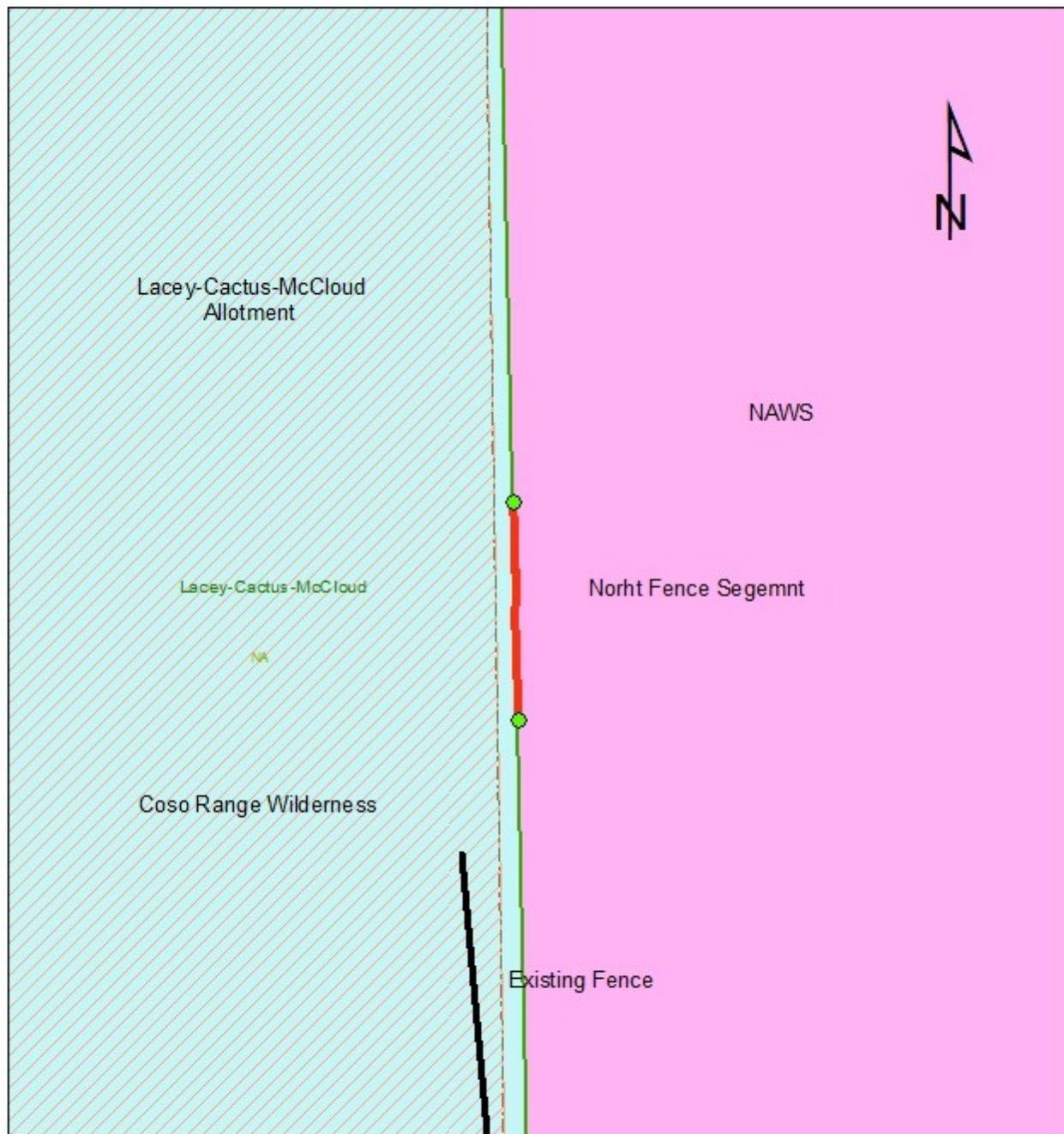
LACEY-CACTUS-McCLOUD BOUNDARY FENCES



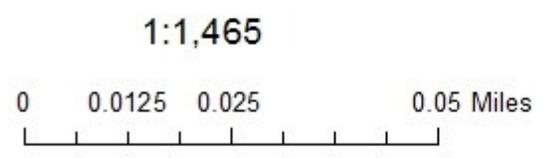
-  BLM Grazing Allotments
-  China Lake NAWS
-  Wilderness Areas
-  Existing Fence
-  New Fence Segments



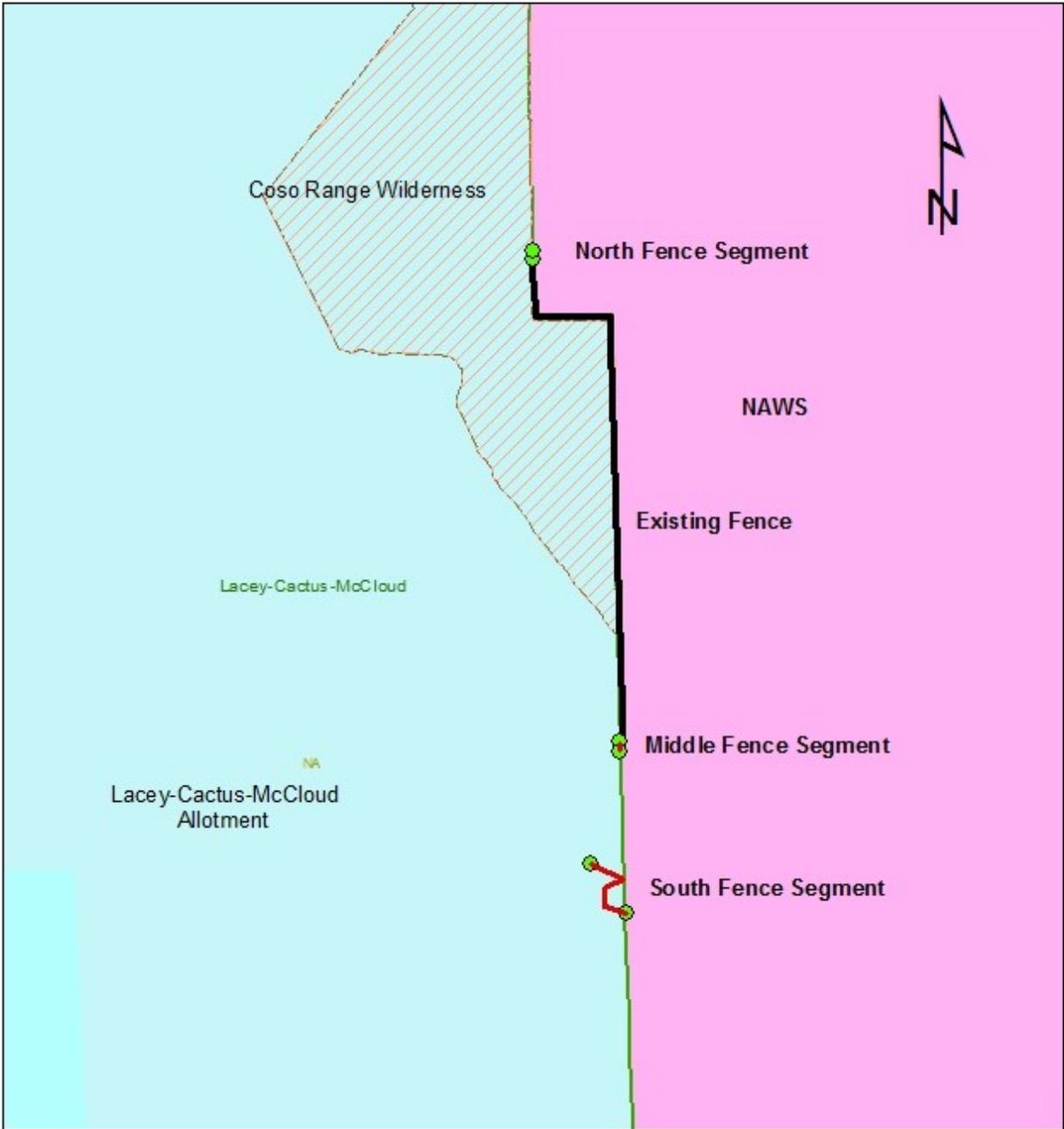
LACEY-CACTUS-McCLOUD BOUNDARY FENCES



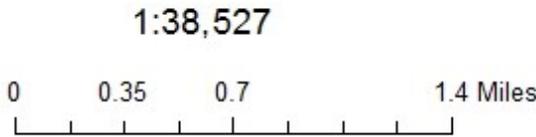
-  BLM Grazing Allotments
-  China Lake NAWS
-  Wilderness Areas
-  Existing Fence
-  New Fence Segments



LACEY-CACTUS-McCLOUD BOUNDARY FENCES



- BLM Grazing Allotments
- China Lake NAWS
- Wilderness Areas
- Existing Fence
- New Fence Segments



APPENDIX B: Response to Comments

Purpose and Need:

Summary of Comment: The Purpose and Need should consider livestock grazing as a connected action.

BLM Response: In this case the BLM already has a permit to graze and can graze the Upper Cactus Flat as part of its grazeable territory. The BLM needs to control the cattle, this can be done by fencing or herding or shutting down grazeable parts (Upper Cactus Flat).

There is a connection between grazing on the allotment as a whole and grazing at the specific location, along the eastern border of the allotment. This can be seen by the synopsis at the beginning of Chapter 4. The three fences were not considered in a vacuum but as part of the larger whole.

Land Use:

Summary of the Comment: The characterization of the “multiple use classes” is incorrect.

BLM Response: The multiple use classes have changed to correct this error (See “1.5 Land Use” page 4).

Summary of the Comment: The EA does not include a Wilderness section in the Affected Environment nor does EA provide impacts to the wilderness in the environmental affects section.

BLM Response: The possible disturbance the fence would have in the original EA is that it would have been 6” – 1’ inside wilderness. This has been corrected so that it now simply would extend the existing fence line (see page 5, 2.1 Proposed Action, A. General)

Summary of the Comment: The project area is within the field office’s Mohave Ground Squirrel Conservation Area, but the EA provides no analysis of the impacts to the habitat management area.

BLM Resonse: The area along the fence was checked for Mohave Ground Squirrel. While none were found it was noted that some the lizard and mouse holes could have been MGS holes. It was also noted that area of disturbance .00038 or 3.8×10^{-6} % of the total land area to be used which is substantially less than the 1% allowed for disturbances (see section 4.5.1 Impacts).

Wildlife

Summary of Comment: Wildlife such as birds, small mammals, rodents, and reptiles would be temporarily displaced by the fence construction.

BLM Response: Ground dwelling birds, small mammals, rodents, and reptiles could be minimally displaced for short period of time during construction of the fences. This kind of disturbance will be avoided by the fence builders.

Summary of Comment: The area is the most northerly of 4 core areas where the Mohave Ground Squirrel is found. The MGS would be impacted by cattle trailing along the fence line, indirectly by livestock changing the time soil and allowing for invasive plants, fire risks, and predators such as ravens.

BLM Response: Cattle trailing along the fence line will be minimal. Since there is no destination to which the cattle would travel. This alleviates the other problems. The existing fence is 1.4 miles long which yields an area of disturbance of 29,560 square feet. Add the area of disturbance from the new fences (6800 square feet) and that yields 36,360 square feet disturbance. Divide 36,360 square feet by 1,785,960,000 square feet which is square feet the grazing area. You get 2.01×10^{-5} % which is still considerably less than the 1% allowed the Mohave Ground Squirrel Conservation Area (see page 14).

Weeds and Invasive Species:

Summary of Comment: “A number of non-native species occur in the project vicinity and several noxious weeds are found in the area. Russian thistle (a state listed noxious weed) occurs in Cactus flat. In addition

to the non-native and noxious species in the area there is concern for the introduction of new noxious weeds.....” The EA ignores the effect of the fence on the livestock it is meant to control.....Fences trap tumbleweeds thus concentrating tumbleweed seeds at fence lines. Livestock trailing along fences will compound this by trampling the soil to eliminate protective cryptogamic crusts and facilitating establishment of new weeds.

BLM Response: The Cactus Flat, mentioned above, is 2.5 – 3.5 miles to the west of Upper Cactus Flat and one of the allotment’s attributes in this regard is its width. It is the width of the allotment which prevents most noxious species from getting from the reservoirs (4.5 – 5.0 miles to the west) to the fence line. This distance plus the change in elevation, and the couple ranges of hills discourage the movement of noxious and non-native seeds from the reservoir area up to the fence line. Couple this with the BLM policy of washing construction vehicles and the lack of trailing along the fence line because the cattle have no destination make the weed problem not nearly as critical as it first appears.

Wilderness:

Summary of Comment: The fence is being built, not to protect the wilderness but to keep cattle of NAWS and protect its resources. Putting the fence on the line between NAWS and allotment/wilderness avoids the problem.

BLM Response: BLM was in error not to incorporate a wilderness analysis into an EA where it was initially determined that the proposed northern fence "may impact" wilderness. We have changed our proposal so that we can now say that the fence will "not impact" wilderness.

BLM has now adopted an alternative that specifies that the existing NAWS fence will be extended only on and along the wilderness boundary. The original intention was never to build the fence inside wilderness; the up to 1 foot deviation from the boundary was simply an acknowledgement that fences are not always built on a straight line. However, with care, we now feel we can use the existing NAWS fence line as a guide to insuring that the new fence line remains straight and on the boundary. Under these circumstances, we can say that the new fence will have No Impact on Wilderness and does not merit further analysis. It will not be located inside wilderness. It will be built along a boundary which is already fenced for most of its length. It will be a very short (230 foot) extension of an already existing fence line. It will close a potentially troublesome gap in the existing fence line which could cause cattle to collect and trail the fence line on the wilderness side to reach the gap to cross over to the NAWS side. An impermeable barrier will diminish and disperse cattle impacts in the vicinity rather than directing and focusing them.

NAWS is absolutely within their rights to insist that this fence be built. They could, at any time, extend this fence line for any number of reasons, including national security, wilderness notwithstanding.

Cumulative Impacts:

Summary of the Comment: The BLM is required to consider the foreseeable cumulative effects to the environment. The EA must include cumulative effects of livestock grazing on the allotments sensitive resources including wilderness, rare plants, soils, cultural resources, and wildlife.

BLM Response: All, or most all, the cumulative impacts boil down to whether or not cattle will use the fence as a corridor to go from one place to another. If cattle do not use the fence as a corridor there is less likelihood that seeds from invasive plants take root, there is less likelihood that the Mohave Ground Squirrel will be trampled, less likelihood that soils will become compacted, more likelihood that sensitive plants will continue to grow, and less likelihood that cultural resources will be trampled.

BLM believes that the cattle will not use the fence as a corridor. Experience and observation does not indicate that this would occur as purported by Western Watersheds. Therefore, there would be less likelihood of invasive species establishing themselves, less likelihood of the Mohave Ground Squirrel being trampled, less likelihood of soil compaction, more likelihood sensitive plants growing and less likelihood of cultural resources being trampled than is purported by Western Watersheds because there is no destination to which the cattle are traveling along the fence¹. As for birds of prey using the fence from

which to spot Mohave Ground Squirrels, there is already a fence in place and these fences simply add a little more than a quarter of mile to it. The impacts of NAWS fence and the BLM additions is 2.4×10^{-5} % of the grazing area as whole.

1. Personal communication with Glenn Harris, retired Rangeland Management Specialist.