

United States Department of the Interior Bureau of Land Management

**Finding of No Significant Impact
Environmental Assessment
DOI-BLM-CA-D080-2015-0023**

January 2016

Highway 127 Baker to NTC Project

Location: Baker, California

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INTRODUCTION:

The Bureau of Land Management (BLM) has conducted an environmental analysis DOI-BLM-CA-D080-2015-0023 for a proposed action to address installation of a buried fiber optic line in the Baker area in San Bernardino County. The project would install approximately 12.25 miles of Fiber Optic Cable (FOC) within previously disturbed areas (Route). The majority of the route roughly parallels Highway 127, also known as State Route (SR-) 127, and proceeds from the intersection of Mill Road and Baker Boulevard, located southwest of the community of Baker, to the northeast to Cell Tower Site 9 on Fort Irwin. The proposed project is needed to provide bandwidth and reliability to support the Shoshone Central Office's cellular network and National Training Centers Combat Training Center – Instrumentation System Range at NTC. The underlying need for the proposal would be met while accomplishing the following objective: Installation of a FOC in an underground conduit from Baker CA, to a Cell Tower on Fort Irwin National Training Center.

The "Highway 127 Baker to NTC Project" project area is 45,487 feet long and 10 feet wide and encompasses 10.442 acres and is located near Baker, California. Legal description is as follows:

San Bernardino Base Meridian, California

T. 14 N., R. 8 E., Sec 1: W1/2 Lot 1 of NE1/4;

T. 14 N., R. 8 E., Sec 1: W1/2 Lot 2 of NE1/4;

T. 14 N., R. 8 E., Sec 1: W1/2 SE 1/4;

T. 14 N., R. 8 E., Sec 12: W1/2 NE1/4, SE1/4 NW1/4,
E1/2 SW1/4, SW1/4 SE1/4;

T. 14 N., R. 8 E., Sec 13: W1/2 NE1/4, W1/2, SE1/4;

T. 14 N., R. 8 E., Sec 24: W1/2 NE1/4, SE1/4 NE1/4, E1/2 SE1/4;

T. 15 N., R. 8 E., Sec 20: N1/2 SW1/4, SE1/4 SW1/4, SW1/4 SE1/4;

T. 15 N., R. 8 E., Sec 21: SE1/4 SW1/4, S1/2 SE1/4;

T. 15 N., R. 8 E., Sec 22: SW1/4 SW1/4, N1/2 SW1/4,
N1/2 SE1/4, SE1/4 SE1/4.

EA# DOI-BLM-CA-D080-2015-0023 is attached for this Finding of No Significant Impact (FONSI). A no action alternative and one action alternatives were analyzed in the EA.

FINDING OF NO SIGNIFICANT IMPACT:

Based upon a review of the EA and the supporting documents, I have determined that the project is not a major federal action and will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as defined in 40 CFR 1508.27 and do not exceed those effects described in the West Mojave RMP. Therefore, an environmental impact statement is not needed.

This finding is based on the context and intensity of the project as described:

Context: The entire project area falls within an area of relatively low development. However, the area is not pristine, given its location near major transportation route State Highway 127 and existing right-of-way.

The discussion of significance criteria that follows applies to the intended action and is within the context of local importance, due to the relatively limited scope of effects. DOI-BLM- CA-D080-2015-0023-EA details the effects of the project and is incorporated by reference into this FONSI. None of the effects identified including direct, indirect and cumulative effects, are considered significant based on the lack of conflict with existing uses, relatively low special-status species densities, minimal impacts to special-status species and their habitat or to current air quality, when considered along with the mitigation of identified impacts as set forth in the attached EA, and included as stipulations to this decision. The EA has also determined that the proposed action conforms with other aspects of the California Desert Conservation Area Plan, as amended.

Intensity: The following discussion is organized around the Ten Significance Criteria described in 40 CFR 1508.27 and incorporated into resources and issues considered (includes supplemental authorities Appendix 1 H-1790-1) and supplemental Instruction Memorandum, Acts, regulations and Executive Orders.

The following have been considered in evaluating intensity for this proposal:

1. Impacts may be both beneficial and adverse.

The proposed action would impact resources as described in the EA. Potential impacts include vegetation removal, soil disturbance, temporary noise and dust due to FOC installation. Mitigating measures to reduce impacts to plants, burrowing owl, desert tortoises, paleontology, and cultural resources were identified in the EA, and are incorporated in the decision. Based on the EA analysis, adopted design measures, and additional mitigation measures (Exhibit A), none of the environmental effects discussed in detail in the EA and associated appendices are considered significant.

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

Potential impacts to health and safety could occur during any phase of the construction of the FOC. These were analyzed in Sections 4.5.3, Air Quality; 4.9.4, Greenhouse Gas Emissions; 4.10.4, Health and Safety/Hazardous Materials; and 4.13.4, Noise. The EA discussed, analyzed and disclosed potential health, safety, and hazardous materials impacts and determined that there are no adverse impacts.

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 majority of the area is along the state highway 127. Segment 3 crosses the lakebed of Silver Lake (Dry); however, it will be alongside an existing haul road.

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

No anticipated effects have been identified that are scientifically controversial. As a factor for determining within the meaning of 40 C.F.R. § 1508.27(b)(4) whether or not to

prepare a detailed environmental impact statement, “controversy” is not equated with “the existence of opposition to a use.” *Northwest Environmental Defense Center v. Bonneville Power Administration*, 117 F.3d 1520, 1536 (9th Cir. 1997). “The term ‘highly controversial’ refers to instances in which ‘a substantial dispute exists as to the size, nature, or effect of the major federal action rather than the mere existence of opposition to a use.’” *Hells Canyon Preservation Council v. Jacoby*, 9 F.Supp.2d 1216, 1242 (D. Or. 1998).

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

The project is not unique or unusual; it is to install a FOC across federal lands to tie into an existing facility on Fort Irwin National Training Center. The environmental effects to the human environment are fully disclosed and analyzed in the EA. There are no predicted effects on the human environment that are considered to be highly uncertain or that involve unique or unknown risks.

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

The proposed action does not set a precedent for any future actions that may have significant effects, nor does it represent a decision in principle about a future consideration.

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

The actions considered in the selected alternative were considered by the interdisciplinary team within the context of past, present, and reasonably foreseeable future actions. Significant cumulative effects are not predicted. A complete analysis of the direct, indirect, and cumulative effects of the selected alternative and all other alternatives is described in Section 5.0 of the EA.

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 historical resources.

The project will not adversely affect districts, highway, sites, 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 historical resources. A cultural inventory has been completed for the proposed action, and no cultural resources were found.

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

No sensitive species were observed within the project area during the focused plant survey; however, due to the drought not all plant species including sensitive species were present. No sensitive wildlife species have been found within the project area. Mitigating measures to reduce impacts to vegetation and wildlife have been incorporated into the design of the proposed action.

- 10. Whether the action threatens a violation of a federal, state, local, or tribal law, regulation or policy imposed for the protection of the environment, where non-federal requirements are consistent with federal requirements.** The project does not violate any known federal, state, local or tribal law or requirement imposed for the protection of the environment. State, local, and tribal interests were given the opportunity to participate in the environmental analysis process. In the case of Native American consultation letters were sent to the Timbi-sha Shoshone Tribe, San Manual Band of Mission Indians, Fort Mojave, Chemehuevi Reservation. There was no response from any of the tribes regarding the project. Follow up phone calls were initiated with the tribes, and it was concluded and documented that there was no concern regarding this project by those tribes. In addition, the project is consistent with applicable land management plans, policies, and programs.



Katrina Symons, Field Manager

2/19/16

Date