

**Worksheet**  
**Documentation of Land Use Plan Conformance and NEPA Adequacy (DNA)**

U.S. Department of the Interior  
Bureau of Land Management (BLM)  
Bishop Field Office

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**Section A**

**DNA No.:** CA-170-06-12

**Lease/Serial/Case File No.:** CACA 047710 4-Lane Letter of Consent  
CACA 047713 ROW TUP 4-Lane

**Proposed Action Title/Type:** Independence 4-Lane Highway Project

**Location of Proposed Action:**

**Letter of Consent:**

Mount Diablo Meridian, California,  
T. 13 S., R. 34 E.,  
Sec. 12, NE1/4NE1/4NE1/4NE1/4;  
T. 13 S., R. 35 E.,  
Sec. 7, NE1/4 of S1/2 of Lot 2 of the NW1/4,  
SW1/4SW1/4SE1/4SE1/4.

**ROW Temporary Use Permit**

Mount Diablo Meridian, California,  
T. 13 E., R. 35 E.,  
Sec. 7, S1/2 of Lot 2 of the NW1/4,  
SW1/4SE1/4SE1/4.

**Description of the Proposed Action:**

The proposed action would be the issuance of a:

1. Letter of Consent CACA 047710 to the Federal Highway Administration (FHWA) so that a highway easement deed would be created for 4 parcels of public land (parcels 3772-1, 3773-1, 3799-1, and 3801-1) amounting to 1.42 acres for the Highway 395 Independence 4-Lane Project. The proposed action would be in conformance with the Interagency Agreement between the Bureau of Land Management and FHWA signed on July 27, 1982 and the Federal Highway Act of 1958. The existing highway is within a

400' wide highway ROW, but the 4-lane design requires small parcels of public land for completion.

2. 3-year ROW temporary use permit CACA 047713 would be issued to Caltrans for the use of 2 parcels (4.03 acres) of public land (parcels 3785-1 and 3787-1) for aligning existing access roads .

**Applicant (if any):**

Federal Highway Administration (FHWA)  
California Dept of Highways (Caltrans)

**B. Conformance with the Land Use Plan (LUP) and Consistency with Related Subordinate Implementation Plans**

**LUP:** Bishop Resource Management Plan

**Approved:** March 25, 1993

**Other Plans or Documents:** N.A.

**Approved:** N.A.

The proposed action is in conformance with the applicable LUPs because it is specifically provided for in the following LUP decisions:

General Policies; Management will be on the basis of multiple use and sustained yield as per FLPMA section 102 (a)(7). As part of the multiple-use and sustained yield, the BLM can authorize Rights-of-Way such as highways/roads on the public lands for the public good..

**C. Identify the applicable NEPA document(s) and other related documents that cover the proposed action.**

Independence Roadway Improvement Project, Environmental Assessment with Finding of No Significant Impact/Initial Study with Mitigated Negative Declaration, U.S. Route 395, from PM 70.3 to 76.1 between Mazourka Canyon road to Shabbell Lane in Inyo County, 09-214800, June 2004, Caltrans.

**D. NEPA Adequacy Criteria**

**1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed?**

Yes. The Caltrans EA was specifically written for the Independence Roadway Improvement 4-Lane Project. The proposed action is a part of Alternative 2b in the Caltrans EA. Alternative 2b was the Alternative selected by Caltrans for the Independence 4-Lane project.

**2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, resource values, and circumstances?**

Yes. The Caltrans EA has 3 alternatives which includes a “no Action” Alternative 1. Alternative 2a and 2b were design different Alternatives based on whether or not existing street parking in the town of Independence would be maintained. Impact to public land would be the same under both Alternative 2a and 2b. The alternatives analyzed were considered as acceptable proposals based on cost, economic and social impacts.

Five additional alternatives were considered but rejected. These alternatives were variations of moving the highway west of town, splitting the highway through the town, providing a truck bypass, building a southbound land west of town, and moving the highway east of town. These alternatives were considered to have unacceptable economic and social impact to the town of Independence and were rejected.

Public involvement consisted of 5 public meetings in Independence in 1997, 1999, 2000 and 2003. The Independence Chamber of Commerce and representative from the Independence community were invited to participate in the Project Development Team meetings. The Initial Study/Environmental Assessment: was given public review from June 2, 2003 to August 2, 2003, circulated to public and local agencies, notice was given to 500 member of the public and landowners, published in the Inyo Register, sent to three local libraries and placed on the Caltrans website.

**3. Is the existing analysis adequate and are the conclusions adequate in light of any new information or circumstances (including, for example, riparian proper functioning condition [PFC] reports; rangeland health standards assessments; Unified Watershed Assessment categorizations; inventory and monitoring data; most recent Fish and Wildlife Service lists of threatened, endangered, proposed, and candidate species; most recent BLM lists of sensitive species)? Can you reasonably conclude that all new information and all new circumstances are insignificant with regard to analysis of the proposed action?**

Yes. The Caltrans EA cited minor impacts to cultural resources for the BLM public land involved in the project and located as defined above. The cultural report has been reviewed by the Bishop FO archeologist and concurs with its findings. Caltrans still needs to complete the cultural recovery for the project. This will be stipulated in the Letter of Consent.

Yes. There has been no new information relevant to the project or changes to the project which would result in more analysis or changes to the existing Caltrans EA.

**4. Do the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the current proposed action?**

Yes. The methods and analysis of the Caltrans EA are currently relevant and applicable to the proposed action and would not differ in any new NEPA analysis.

**5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Does the existing NEPA document sufficiently analyze site-specific impacts related to the current proposed action?**

Yes. An internal scoping process conducted by the BLM staff on January 19, 2006 determined that the direct and indirect impacts of the current proposed action would be the same as identified in the Caltrans EA. There are no changes relating to environmental conditions or resources that would require changes to the Caltrans EA.

Yes. The Caltrans EA was written specifically for the proposed action and addresses site-specific impacts. The scoping also determined that the site specific impacts would be the same as identified in the Caltrans EA.

**6. Can you conclude without additional analysis or information that the cumulative impacts that would result from implementation of the current proposed action are substantially unchanged from those analyzed in the existing NEPA document(s)?**

Yes. Generally this project has little impact on the environment resources and mitigation has been used to minimize cited impacts. It is expected that cumulative impacts would be as stated in the EA, but the EA did not mention the positive cumulative impact of improved highway safety and travel surface resulting from this project and future 4-lane projects on Hwy 395.

**E. Interdisciplinary Analysis:**

<u>Name</u>	<u>Title</u>	<u>Represented</u>
Tom Dayak	Environmental Coordinator	Caltrans
Bob Pingel	ROW Utility Coordinator	Caltrans
Anna Halford	Botanist	BLM
Kirk Halford	Archeologist	BLM
Larry Primosch	Realty Specialist	BLM

**F. Mitigation Measures:** List any applicable mitigation measures that were identified, analyzed, and approved in relevant LUPs and existing NEPA document(s). List the specific mitigation measures or identify an attachment that includes those specific mitigation measures. Document that these applicable mitigation measures must be incorporated and implemented.

1. Prior to surface disturbing activity, all cultural mitigation consisting of avoidance or data recovery will completed to the satisfaction of the SHPO and the BLM Bishop FO.
2. All mitigation used for Alternative 2b and associated with the public land involved in the project will be incorporated in the Letter of Consent and the ROW TUP

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**Environmental Coordinator**

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**Date**

## CONCLUSION

Based upon the review documented above, I conclude that this proposal conforms to the Bishop Resource Management Plan and that the California Department of Transportation Environmental Assessment for the Black Rock 4-Lane Project 09-214800 fully covers the proposed action and constitutes BLM's compliance with the requirements of NEPA.

It is my decision to give the Letter of Consent CACA 047710 to the Federal Highway Administration for the Black Rock 4-Lane Project for issuance of a highway easement deed for 4 parcels of public land amounting to 1.42 acres more or less generally located in Mount Diablo Meridian, California, T. 13 S., R. 34 E., Sec. 12, NE1/4NE1/4NE1/4NE1/4; T. 13 S., R. 35 E., Sec. 7, NE1/4 of S1/2 of Lot 2 of the NW1/4, SW1/4SW1/4SE1/4SE1/4. The below stipulation will be part of the Letter of Consent.

I will also issue a 3 year ROW Temporary Use Permit CACA 047713 to Caltrans for the use of 2 parcels amounting to 4.03 acres for aligning existing access roads generally located in Mount Diablo Meridian, California, T. 13 E., R. 35 E., Sec. 7, S1/2 of Lot 2 of the NW1/4, SW1/4SE1/4SE1/4.

It is in the public interest to issue the Letter of Consent and the two other authorizations for the Independence 4-Lane highway project so that this portion of Hwy 395 can be upgraded which will reduce traffic congestion, reduce the accident rate, and improve overall safety to the traveling public.

Stipulation:

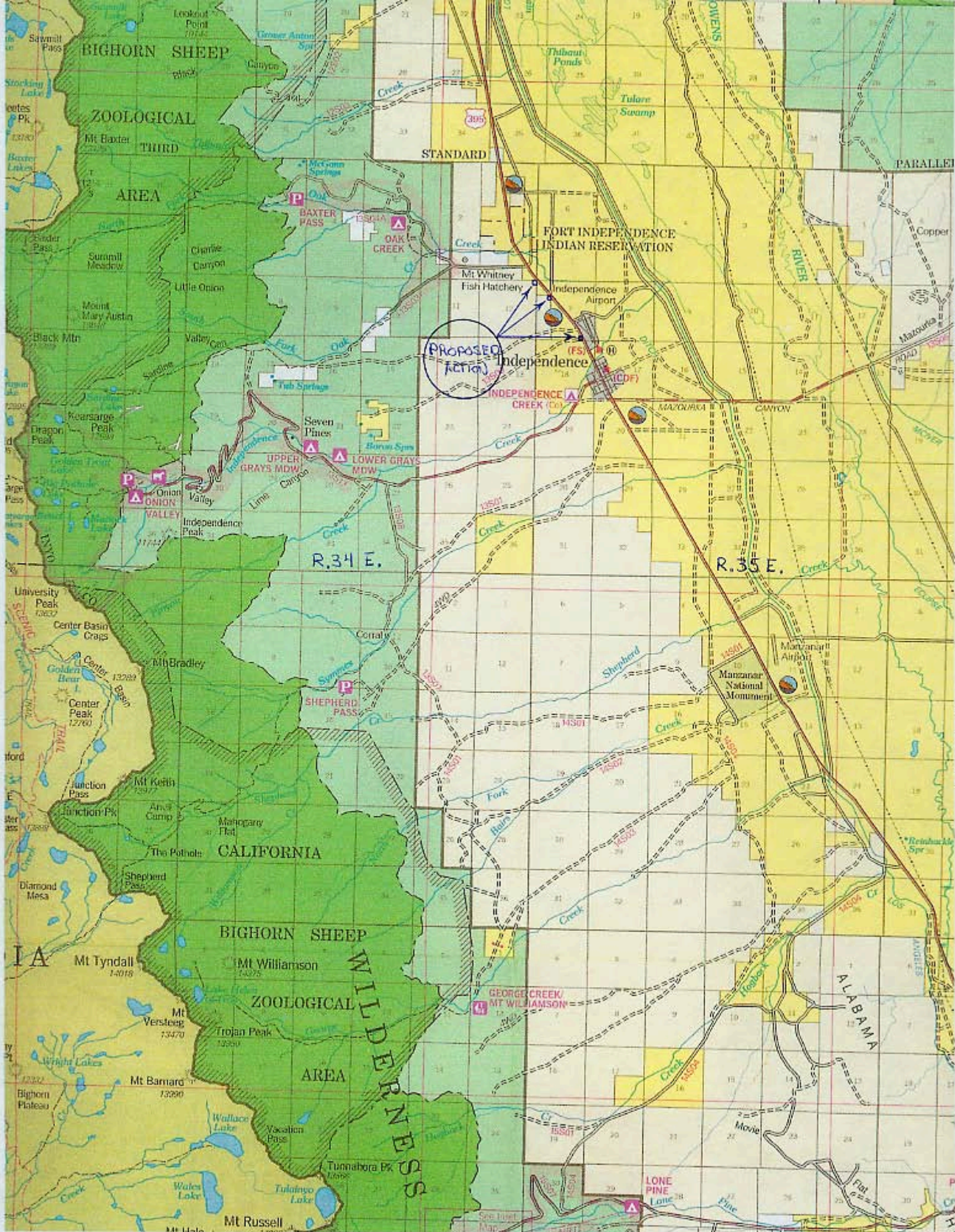
1. Prior to surface disturbing activity, all cultural mitigation consisting of avoidance or data recovery will be completed to the satisfaction of the SHPO and the BLM Bishop FO.
2. All mitigation used for Alternative 2b and associated with the public land involved in the project will be incorporated in the Letter of Consent and the ROW TUP.

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Bill Dunkelberger, Bishop Field Manager

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Date



INDEPENDENCE 4-LANE