

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

ENVIRONMENTAL ASSESSMENT TITLE PAGE

E.A. NUMBER: CA-018-92-8

State	District
California	Bakersfield
County	Resource Area
El Dorado	Folsom
Type of Action	Serial Number
Land Exchange	CACA 28162
Applicant's Name	Address
American River Land Trust (ARLT)	P.O. Box 502 Coloma, CA 95613

Date of most recent examination: October 23, 1991

LANDS INVOLVED

Refer to report for legal description

EL DORADO COUNTY
RECEIVED
DEC 19 1991
ENVIRON. LAND
MANAGEMENT

Prepared by:	Title:	Date of Report:
<u>Mike Kelley</u>	<u>Realty Specialist</u>	<u>December, 1991</u>

UNION MINE EXCHANGE

CACA 28162

Finding of No Significant Impact: Based on the analysis of potential environmental impacts contained in the attached environmental assessment, I have determined that impacts are not expected to be significant and an environmental impact statement is not required.

Prepared by:

Mike Kelley
Realty Specialist, Folsom

12/13/91
Date

Reviewed by:

Rich Cooper
Environmental Coordinator, Folsom

12/13/91
Date

I. INTRODUCTION

The American River Land Trust (ARLT), a non-profit conservation corporation, is facilitating an exchange involving lands located in El Dorado County, California. ARLT is offering the BLM a parcel of private land located on the South Fork of the American River in exchange for public land adjacent to El Dorado County's Union Mine Disposal Site; the Federal land would subsequently be deeded to the county by ARLT.

CONFORMANCE WITH APPLICABLE LAND USE PLAN: The proposed action is subject to the Sierra Planning Area Management Framework Plan Amendment (MFP) approved July 15, 1988. This plan has been reviewed to determine that the proposed action conforms with the land use plan terms and conditions as required by 43 CFR 1610.5. The objective of the 1988 plan amendment is to augment land tenure decisions (land disposal/retention) of the original 1983 Management Framework Plan (MFP).

The Federal property (selected land) proposed for exchange out of public ownership is within the MFP's Custodial Management Area. The plan calls for the retention of parcels identified by various counties for future disposal to the counties.

The private property (offered land) proposed for acquisition by the United States includes over 1½ miles of river frontage. The tract falls within the MFP's South Fork of the American River Management Area. Management goals include the protection of key resource values within the management area, with the obvious focus being protection of the river itself.

NEED FOR THE PROPOSED ACTION: The El Dorado County Board of Supervisors has requested that the county acquire the Federal land for use as a 1000 ft. buffer around their Union Mine Disposal Site. The county is also acquiring adjacent private holdings in combination with Federal acquisitions to satisfy state standards for the 1000 ft. buffer zone. (The county's need for the proposed action is discussed further under Section II of this report.)

In exchange for the above land, the United States would acquire approximately 190 acres of property with over 1½ miles of river frontage on the South Fork of the American River. This acquisition would enhance the BLM's management capabilities on the river and further insure that additional key recreation lands would be available in perpetuity for public enjoyment.

RELATIONSHIP TO STATUTES, REGULATIONS OR PLANS: The Federal Land Policy and Management Act (FLPMA) authorizes exchanges when the acquisition and disposal of lands are considered to be in the public interest. There are no known Federal, state, or county plans that are in conflict with the proposal.

LAND STATUS OF SELECTED PUBLIC LAND: The subject Federal lands were withdrawn for exchange by a Notice of Realty Action (NORA) published in the Federal Register on May 17, 1991, pursuant to 43 CFR 2201.1.

Two rights-of-way (R/W) exist on the subject land: (1) R/W CACA 5042 held by Martinez Mines Homeowners Corporation for an access road. (2) R/W CACA 4078 held by Pacific Bell for a telephone line. Issuance of patent by the United States would be subject to both of the above rights-of-way as prior valid existing rights.

Four lode mining claims encumber a portion of the Federal property; however there is very little evidence of activity in recent years. Geological and mining information indicates that the subject land does not have significant potential for mineral development. If the claims are not relinquished the patent would be subject to the claims and any rights associated with them. The proponent is in agreement with this arrangement. (For further information regarding mining claims, refer to the mineral report located in the case file.)

II. PROPOSED ACTION AND ALTERNATIVES

A. Proposed Action

1. Legal Description

The BLM proposes to exchange the following described Federal land to the American River Land Trust (ARLT), a non-profit corporation based in Coloma, California:

Selected Federal Land

El Dorado County

T. 9N., R.10E., Mt. Diablo Meridian

Section 12: Lots 32, 33, 34, 37, 38

Section 13: Lots 17, 18, 19

Totaling 93.55 acres, more or less

The total acreage for the selected land was estimated to be 115 acres as published in the Notice of Realty Action (NORA). However a supplemental plat has since been completed that lotted the property and calculated the acreage to be 93.55 acres.

Should a patent to the above land be issued, ARLT would transfer title to the property to El Dorado County.

In exchange for the above Federal land, the United States would acquire the following private property:

Offered (Private) Land

El Dorado County
T. 11N., R.10E., Mt. Diablo Meridian
Section 27: that portion lying North and East of the
Median (center) line of the South Fork of the American
River (AP# 089-020-03).

Totaling 189.35 acres, more or less

(ARLT currently holds an option to purchase the above private tract. Preliminary appraisal information indicates that the offered and selected lands are similar in value.)

2. Description of Proposed Uses

Selected Federal Land

The subject properties (93.55 acres) were identified in response to the County of El Dorado's request to acquire needed buffer land around their Union Mine Disposal Site. The El Dorado County Board of Supervisors outlined their request for the land in their letter to the BLM dated July 16, 1991. They also addressed public concerns regarding the possibility that this land would be utilized for landfill development and/or a borrow area for cover material rather than a buffer zone for the disposal site.

The following are excerpts from the board's letter to the BLM:

"At a regular meeting of the El Dorado County Board of Supervisors held on Tuesday, July 16, 1991, this Board authorized the submittal of this letter to you to urge your agency's swift and decisive completion of the pending land exchange for the County to acquire +/- 92 acres of Bureau of Land Management (BLM) public land adjacent to the County owned Union Mine property for the +/- 190 acre private parcel (AP# 089-020-03) along the South Fork of the American River presently owned by the Shriner's and Mercy Hospitals.

"This Board concurs that this exchange is in the best interest of our constituency as new and additional public land will result with this arrangement.

"The purpose of this acquisition is (1) to provide for the structural integrity for the closure of the existing Union Mine landfill, (2) to allow the County to install additional groundwater monitoring wells, (3) to facilitate the collection and treatment of both leachate and surface run-off, as per recent EPA driven National

Pollution Discharge Elimination System (NPDES) regulations and with respect to Title 14 of the California Code of Regulations, and (4) to provide for at least 1000 ft. of buffer area around and about the +/- 217 acre Union Mine Disposal Site property. The County has owned, operated and designated the Union Mine property as a regional landfill since 1964.

"The County has no plans to site or construct a new landfill onto BLM land acquired through this exchange, as we are currently in final design for an expansion of the existing landfill unit onto existing County property. This landfill expansion will provide site capacity lasting to approximately the year 2014. In addition, as noted in our existing permit with the state of California, the Union Mine property has designated landfill capacity lasting well beyond the year 2038. This will be accomplished with a second expansion into a canyon on existing County property, directly south of the first expansion area.

"The County has no plans to use the BLM land for cover material nor a future expansion. Any such use would be subject to a comprehensive environmental review and the issuance of a Special Use Permit.

"As noted several times before, the County has no plans to site or construct a new landfill on the BLM land. To comply with the monitoring and closure requirements of Title 14, the County must preclude, to the greatest extent possible, the occupation and siting of residences within 1000 ft. of the Union Mine Disposal Site area."

The proposed uses of the selected Federal parcels are summarized as follows:

1. To provide a 1,000 ft. buffer around the Union Mine Disposal Site.
2. To install ground water monitoring wells and subsurface gas monitoring probes that would be located in several locations and monitored regularly in accordance with state requirements.
3. To construct water diversion trenches necessary to divert stormwater run-off around the landfill in accordance with Federal EPA regulations.
4. To construct firebreaks as necessary to provide 150 ft. of clearance between refuse and natural plant cover.

On their own property, the county is proposing to construct a ground water, mining waste water, and leachate collection pond approximately 90 ft. wide and 300 ft. long. The proposed site is just north of Federal lot 32 in Sec. 12. Lot 32 (which is part of the exchange) is a narrow sliver of land, 1000 ft. in length that totals 1.77 acres. Soil would be stockpiled next to the pond and would most likely involve the northern end of the lot (for location of lot 32 see maps).

No other uses are proposed. As mentioned, the county believes that the Union Mine Disposal Site (including proposed expansion areas) would satisfy western El Dorado County's disposal requirements beyond the year 2038.

Offered Private Land

The BLM is proposing to acquire a 190-acre tract that includes over 1½ mile of riverfront located on the South Fork of the American River. The primary purpose of acquiring private lands along the river corridor is to prevent inevitable development both on the river and within the viewshed. Acquisitions such as this also provide protection to riparian areas and wildlife habitat. The intent is to preserve these qualities, and to maintain as much of a natural corridor as possible. This would enhance the recreational experience for the thousands of people that visit the area each year. Failure to acquire this and other lands like this would result in extensive residential development as well as other associated disturbances, such as roads, utility lines, cleared vegetation, etc., all of which will be detrimental to recreation, scenic quality, wildlife habitat, and the overall enjoyment that the river currently provides its many visitors.

B. Alternatives

1. No Action

This alternative would effect no change in ownership status. The selected land around the Union Mine Disposal Site would remain in Federal ownership, and the 190-acre riverfront tract would remain private. This would result in an ongoing need for the county to acquire the subject land for a buffer, and a lost opportunity for the BLM to acquire and preserve a prime riverfront property on the South Fork of the American River. Under this alternative the county would be forced to pursue some other avenue to meet their legal requirements around the disposal site, e.g. rights-of-way, land use permits, cooperative agreements, or Section 203 sale.

2. Alternatives Deemed Unfeasible

A second alternative to the proposed action would be to transfer other Federal land in exchange for the river property offered by ARLT.

To implement this alternative the BLM would begin a search for another marketable Federal tract that is both suitable for exchange disposal and approximately equal in value to the offered private land. Once found, the necessary clearances and evaluations (mineral potential, rare and endangered species, archeology, etc.) would be initiated. It would require the publication and distribution of a public notice followed by a public comment period; additional time may be required to respond to any comments or protests that could arise. It is estimated that it would take a minimum of six additional months to accomplish the required steps. ARLT's signed purchase agreement, which has already been extended once, is due to expire on December 31, 1991. It is therefore imperative to complete the transaction in the shortest time possible. An additional six month delay would very likely result in the BLM losing this exchange opportunity.

A third alternative would be a direct cash purchase of the river property by the United States. This alternative, however, is not available. There has been no funding by Congress for cash purchases on the South Fork of the American River.

III. AFFECTED ENVIRONMENT

A. Selected Federal Lands

The subject lands are located in western El Dorado County approximately six miles south of the county seat of Placerville and three miles south of the town of El Dorado. The property consists of two irregular-shaped tracts 16 acres and 77 acres in size. Legal access is available to the northerly 16-acre tract via Church Mine Road which is a paved county road. The larger southerly tract is accessible via Rattler Road which provides public access but is not a part of the county road system (see maps). Several residences are located in the general vicinity. The county owns a 217 acre tract that is adjacent to the subject Federal land; included within this tract is the Union Mine Disposal Site which occupies around 33 acres.

The subject public land ranges from 1,200 ft. to 1,640 ft. in elevation. Much of the topography consists of rolling hills with gentle to moderate slopes. The northerly 16-acre tract predominantly supports an interior live oak woodland with a white alder riparian corridor along Martinez Creek. The southerly tract (77-acres) has some oak woodland areas; other portions however, support dense brush, including buckbrush, oakbrush, and poison oak, along with a scattered overstory of digger pine. Rangeland resources are minimal due to competition with overstory vegetation.

The area is drained by Martinez Creek. This is a year round stream that crosses the northern 16-acre parcel of public land and passes to the east of the southerly parcel. A cultural inventory found no known archeological sites or any other cultural concerns present on the subject land. It was also determined following field examinations and a review of the California Department of Fish and Game's Natural Diversity Data Base that there are no known threatened or endangered plants or animals living on or in the vicinity of the property; therefore an Endangered Species Act, Title 7 consultation would not be required.

A recent survey revealed that the county inadvertently encroached onto the southwest corner of the northerly tract (lot 37 of Sec. 12); several loads of rock and gravel were removed and used for road surfacing. However material is no longer being removed from the site.

For information on geology and past mining activities, refer to the mineral report prepared for the proposed action (see case file).

B. Offered Private Land

The private tract proposed for acquisition by the United States is located on the South Fork of the American River, three miles upstream from the historic town of Coloma. (Coloma is the location of Marshall Gold Discovery State Historic Park.) Located in western El Dorado County the tract includes over 1½ miles of riverfront with the property line extending to the center of the river (see maps).

The topography consists of mostly steep slopes facing south and west; the exceptions are on the canyon rim and on the river. The tract at its highest point, 1,440 ft., is relatively level. From here it begins to drop off rapidly to the south and to the west as it approaches the river which is located at an elevation of 800 ft.

The property supports ample native annual grasses and brush. In the spring the green grassy slopes transform into a brilliant orange blanket of California poppies, a display which provides a special treat for rafters floating the river.

The South Fork of the American River is currently under study for potential designation as a National Recreation Area. The following excerpt is from the National Recreation Area Feasibility Report:

"The South Fork of the American is the most popular river for commercial whitewater rafting in the western United States (Mandel et al, 1989; National Park Service, 1983). Annually, more than 100,000 visitors float the river by inflatable rafts through the services of commercial outfitters. The number of commercial river rafters is controlled by El Dorado County, which manages whitewater recreation on the river. The South Fork of the American is served by over 70 commercial river-running companies (National Park Service, 1983)."

IV. RESIDUAL IMPACTS

A. Selected Private Land

The following elements have been analyzed:

<u>Critical Element</u>	<u>Affected</u>		<u>Critical Element</u>	<u>Affected</u>	
	Yes	No		Yes	No
Air Quality	—	X	T&E Species	—	X
ACECs*	—	X	Wastes, Hazard/Solid	—	X
Cultural Resources	—	X	Water Quality	—	X
Farmlands, Prim/Uniq	—	X	Wetlands/Rip Zones	—	X
Floodplains	—	X	Wild & Scenic Rivers	—	X
Nat. Amer. Rel. Cncns**	—	X	Wilderness	—	X
Hazardous Materials	—	X			

* Area of Critical Environmental Concerns

**Native American Religious Concerns

Although the county's plans are primarily centered around the maintenance of a buffer area, there are improvements proposed that would involve the removal and/or disturbance of some natural plant cover. This would have an effect on wildlife habitat and watershed and would inevitably result in some degree of erosion. In addition, visual impacts would occur due to the presence of water diversion trenches, air and water monitoring stations, associated access roads, stockpiled soil, and firebreaks. The estimated cumulative disturbance, however, would be less than four acres; overall this would minimally impact the 93.55 acres of selected Federal land.

Because the developments are designed to satisfy Federal and state laws and regulations, the residual impacts are considered necessary and unavoidable.

The consequences resulting from potential habitat loss are considered acceptable due in part to the minimal disturbance anticipated and in part to the lack of any known occurrences of sensitive plant or animal species. The county plans to implement measures to mitigate potential impacts on soils.

In view of the degree of disturbance, the potential impacts relative to wildlife habitat, watershed, soil, and scenic quality are considered to be minor.

In this report, analysis was limited to impacts as they relate to the El Dorado County Board of Supervisor's description of how the Federal lands would be utilized. Some neighbors living around the Union Mine Disposal Site, however, have voiced their concern that county plans could change. They fear that their land values and overall standard of living would be threatened should the "buffer zone" become a waste disposal area or a borrow area for landfill cover material.

If the exchange were completed, management responsibility for the property would fall entirely upon the county. There are, however, several state agencies that would work directly with the county in formulating land use proposals. For example, an expansion of the landfill into the buffer area or removal of borrow material from the buffer area would require the approval of a county Special Use Permit which is a discretionary action (vs. allowed right). Whenever a discretionary action involves significant changes, the applicant can expect that a project Environmental Impact Report (EIR) would be required; the EIR would be prepared in accordance with the California Environmental Quality Act of 1970 (CEQA) before a Special Use Permit request could be considered. Significant changes such as those outlined above would also require an amended Solid Waste Facilities Permit; this permit requires review and approval from the California Integrated Waste Management Board. The following agencies would work with the county in the formulation of county land use plans:

California Integrated Waste Management Board
(Solid Waste Facilities permits)
Central Valley Regional Water Quality Board
(Waste Discharge Requirements)
California Air Resources Board
(Permit to Construct)
California Department of Forestry
California Department of Fish and Game

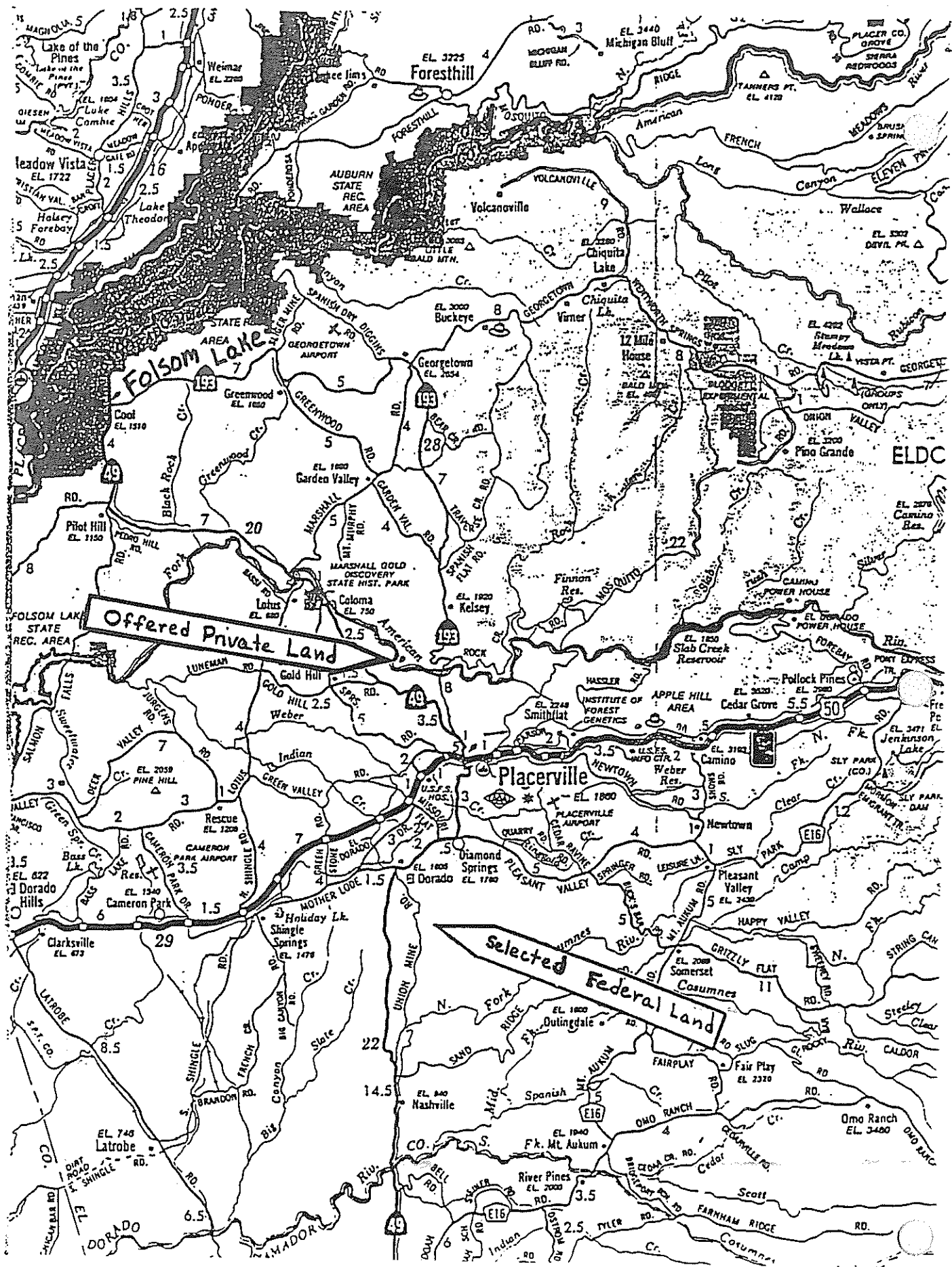
Proposals unrelated to the disposal site, whether for private or for general public use, would typically be evaluated on a case-by-case basis by the El Dorado County Community Development Department and require approval of the Board of Supervisors. The county would also be responsible for environmental reviews of such projects.

B. Offered Private Land

Residual impacts resulting from the BLM's acquisition would be directly related to the management goals as outlined in the MFP. The BLM's management responsibilities are basically to preserve the land in its natural state and to maintain as much of an undisturbed corridor as possible along the river. Land use requests incompatible with the stated MFP goals would likely be denied. Steps would also be taken to minimize potential mining activities. The most significant impact, however, would be the elimination of the potential for any portion of the tract to ever be used for residential development.

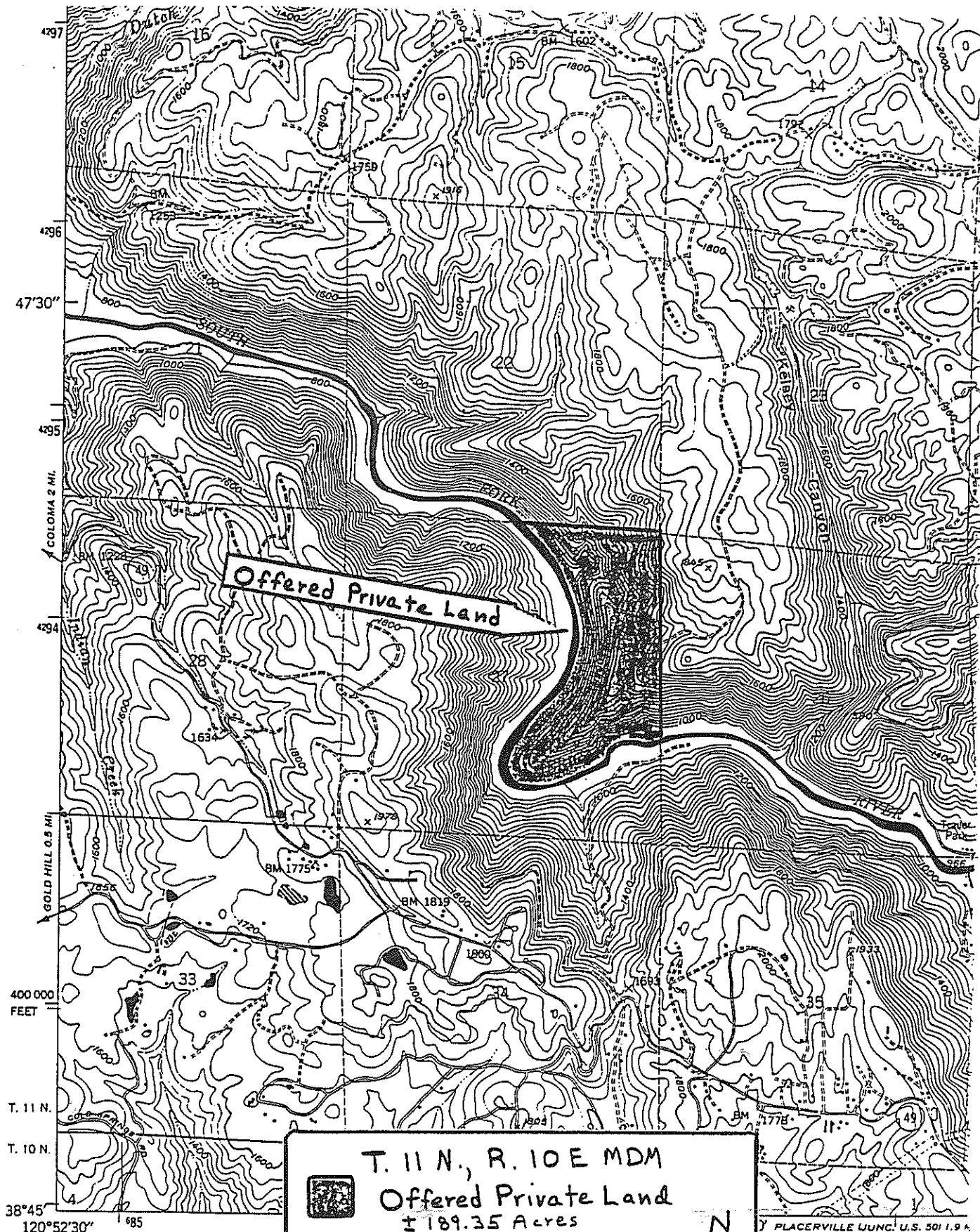
V. CONSULTATION AND COORDINATION

Tim Carroll	Geologist Bureau of Land Management
Dean Decker	Archeologist Bureau of Land Management
Al Franklin	Botanist Bureau of Land Management
Rick Cooper	Environmental Coordinator Bureau of Land Management
Bob Yeadon	Senior Water Resources Control Engineer, Calif. Regional Water Quality Control Board
John Witehill	Waste Management Specialist Calif. Integrated Waste Management Board
Jerry Mensch	Environmental Services Supervisor, Calif. Dept. of Fish and Game
Noel Laverty	Hazardous Materials Specialist Calif. Dept. of Toxic Substance Control
Kathryn Gualtieri	State Historic Preservation Officer Calif. Dept. of Parks and Recreation
Kharol Means	Senior Project Manager Environmental and Energy Serv. Co. (ERCE)
Jon A. Morgan	Manager El Dorado County Solid Waste and Hazardous Material Division



Offered Private Land

Selected Federal Land

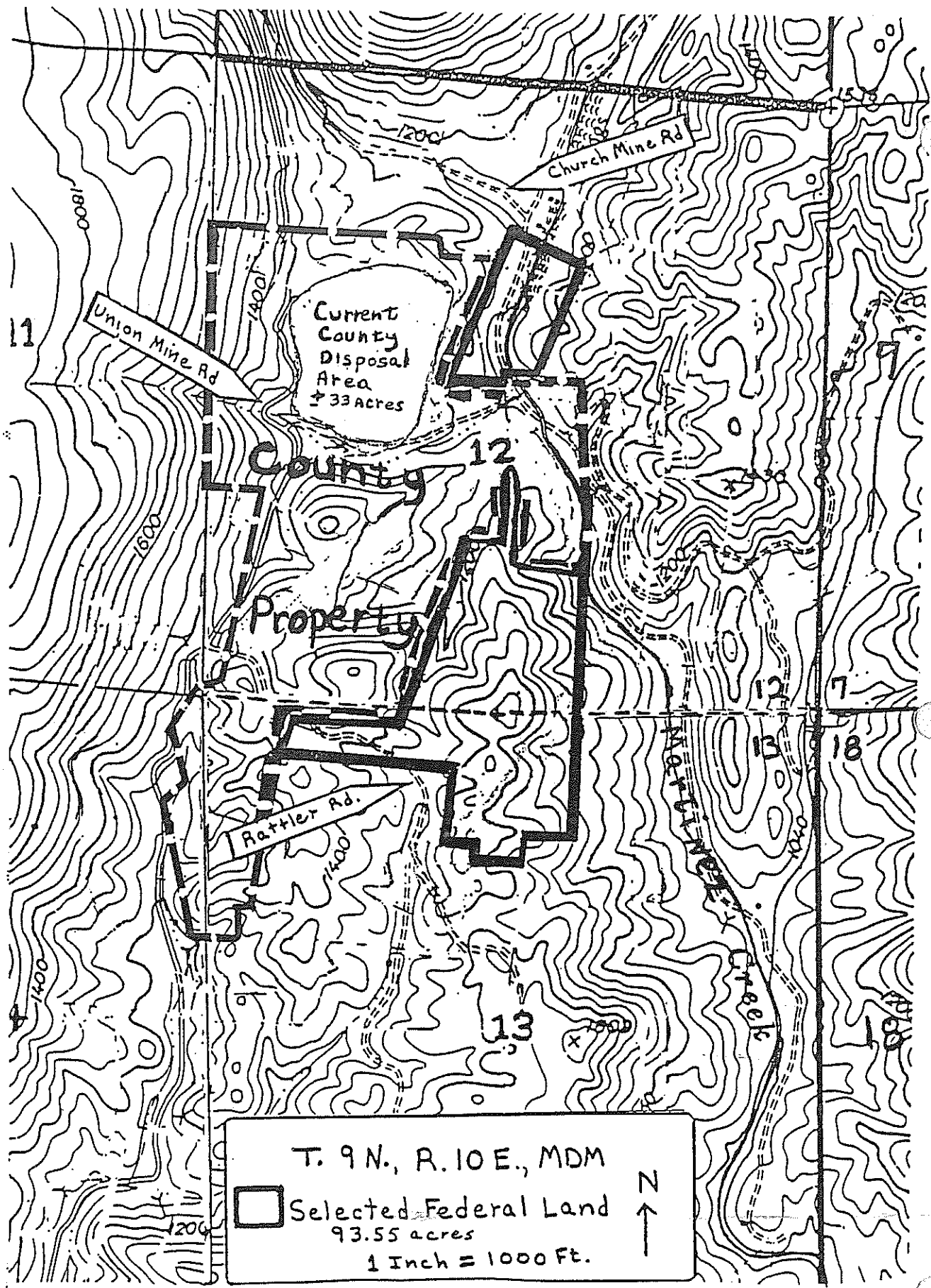


Offered Private Land

T. 11 N., R. 10 E MDM
Offered Private Land
± 189.35 Acres

N
↑

BASE MAP PREPARED BY U. S. GEOL
Control by USGS and NOS/NOAA
Topography by photogrammetric methods from aerial



T. 9 N., R. 10 E., MDM

Selected Federal Land
93.55 acres

1 Inch = 1000 Ft.



T. 9 N., R. 10 E., M. 12 W.

