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Meeting

CALENDAR ITEM

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GENERAL PERMIT - RIGHT OF WAY USE

PRC 6717.2

APPLICANT: Bureau of Land Management
873 North Main Street, Suite 201
Bishop, California 93514

AREA, TYPE LAND AND LOCATION:
Undetermined acreage, school land, adjacent to Mono Lake, Mono County.

LAND USE: Construction of cattle - grazing containment fence.

TERMS OF PROPOSED PERMIT:
Initial period: 49 years from September 1, 1984.

CONSIDERATION: The public benefit; with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee has been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: 01/18/85.

OTHER PERTINENT INFORMATION:

1. The applicant owns considerable acreage adjacent to Mono Lake and contiguous to two School land parcels which lie between the Lake's edge and the applicant's property. The applicant's upland parcels will be used for cattle grazing, and fencing will be needed to prevent cattle from leaving the area.

2. The constructed fence will be located just off the lake bed. The fence is part of a ten-mile run, along the northeast shoreline at the grazing area identified as the Mono Sand Flat Allotment, to control the grazing cattle.

3. Staff believes the fence will be a benefit to the State, and that the standard $450 processing fee should be waived. If the fence is not built, cattle would be free to graze and water on the lake bed, and roam into other lands outside the grazing area. Additionally, cattle would disturb the Mono Lake tufa formations, the snowy plover habitat, and cause other impacts to natural features within the Mono Lake Tufa Reserve. Finally, if the Commission wishes to grant future grazing leases on the fenced School lands, the constructed fencing will control cattle in that area.

4. The annual rental value of the fence alignment is negligible.

5. A Finding Of No Significant Impact (FONSI) was prepared and adopted for this project by the Bureau of Land Management. The document was circulated for public review as broadly as State and local law may require and notice was given meeting the standards in 14 Cal. Adm. Code 15072(a). Therefore, pursuant to 14 Cal. Adm. Code 15225, the staff recommends the use of the federal FONSI as the equivalent of a Negative Declaration.

APPROVALS OBTAINED:
None.

OTHER APPROVALS REQUIRED:
None.

EXHIBITS:
A. Land Description.
B. Location Map.
C. Finding Of No Significant Impact.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE FINDING OF NO SIGNIFICANT IMPACT (FONSI) PREPARED AND ADOPTED FOR THIS PROJECT BY THE BUREAU OF LAND MANAGEMENT MEETS THE REQUIREMENTS OF THE CEQA AND ADOPT, PURSUANT TO 14 CAL. ADM. CODE 15225, SUCH FEDERAL DOCUMENT FOR USE IN PLACE OF THE NEGATIVE DECLARATION.

2. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

3. WAIVE THE STANDARD PROCESSING FEES.

4. AUTHORIZE ISSUANCE TO THE BUREAU OF LAND MANAGEMENT OF A 49-YEAR GENERAL PERMIT - RIGHT OF WAY USE, FROM SEPTEMBER 1, 1984; IN CONSIDERATION OF THE PUBLIC BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; FOR THE CONSTRUCTION OF A CATTLE CONTAINMENT FENCE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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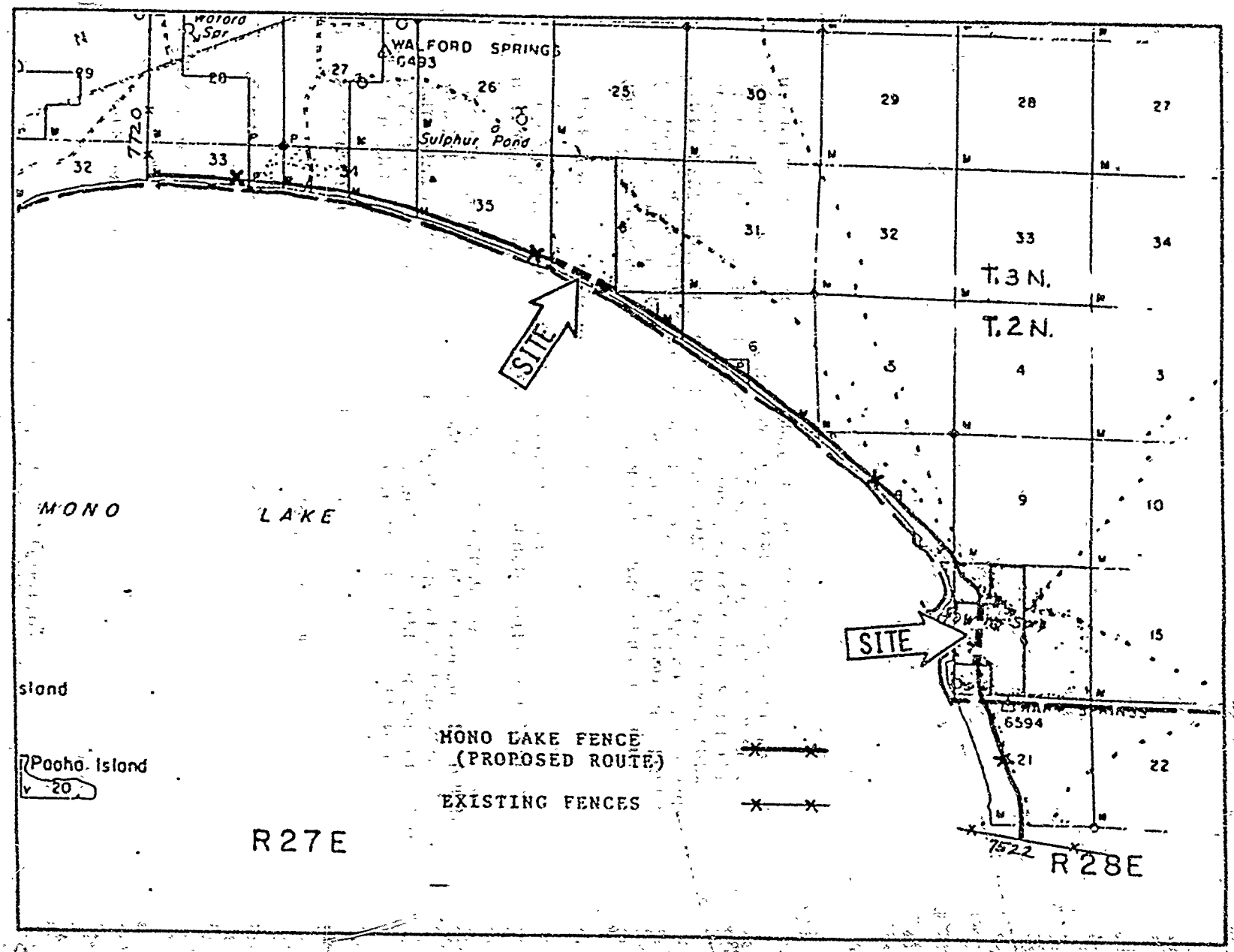

EXHIBIT "A"
LAND DESCRIPTION

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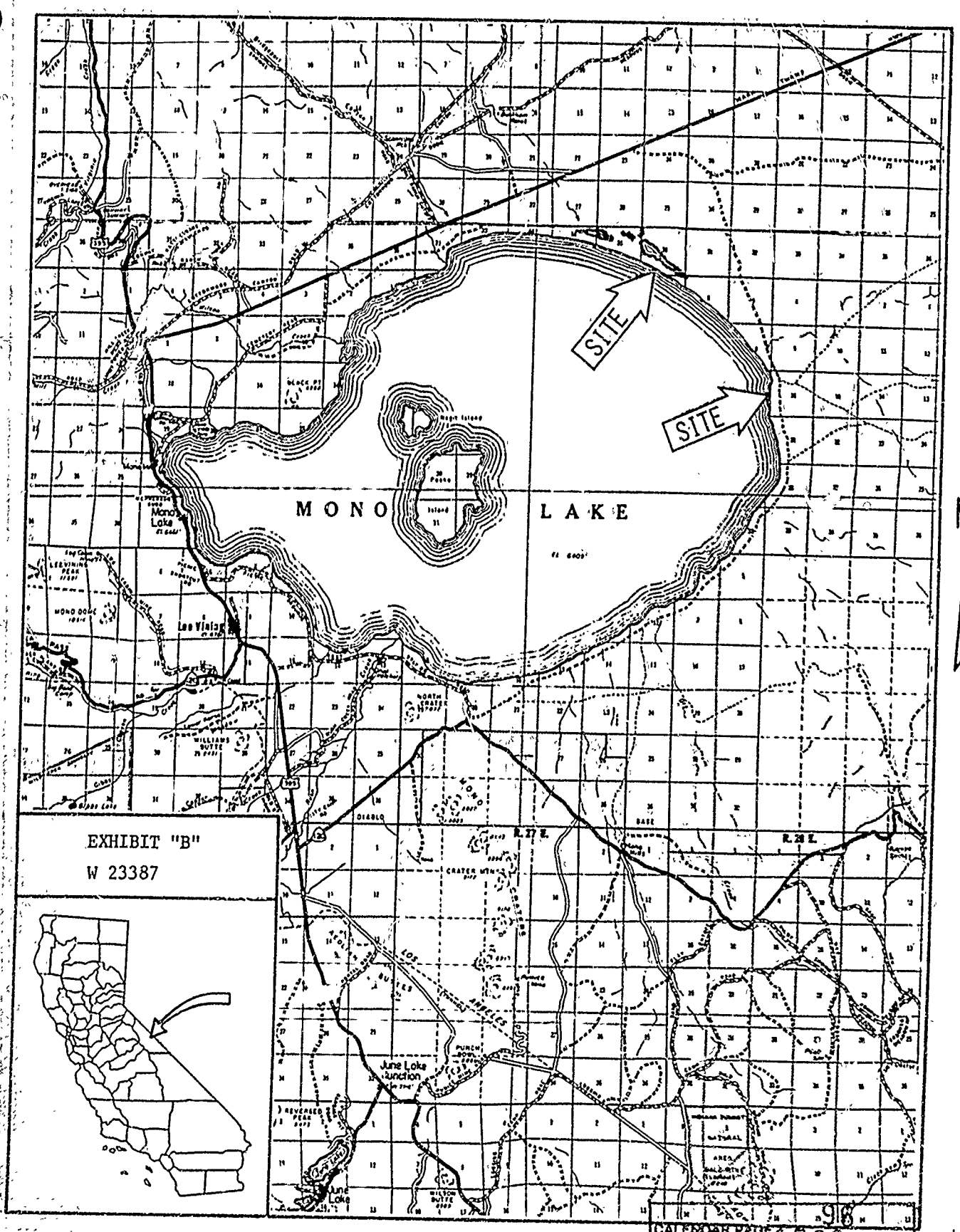

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EXHIBIT "C"

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Bishop Resource Area
873 N. Main St., Ste. 201
Bishop, California 93514

Dec Copy 6-21-84
Binder

IN REPLY REFER TO:
CA-017-84-11
JDR #7729

To : District Manager, Bakersfield

Date: June 21, 1984

FROM : Area Manager, Bishop

SUBJECT: Record of Decision for Proposed Mono Lake Fence

1. This fence can be constructed as planned, but modified to meet the identified mitigating measures as identified in the EA. In addition, the following conditions will be adhered to:

a. Any vehicle use necessary in the construction and maintenance of the fence will adhere to the east side of the fenceline. This will help reduce the possibility of future vehicle use occurring within the area of vehicle use limitations (relicted lands).

b. The fence may be modified to four-wire standard design where needed if monitoring indicates that the three-wire design is ineffective in containing livestock.

The purpose for this fence is to eliminate livestock use from the relicted lands in order to help enhance many sensitive values. Care should be taken, however, to minimize possible hazards to antelope in designing this modification.

2. This action is a result of a mitigating measure identified in the Bodie-Coleville Grazing EIS. This action was adequately analyzed in the EA. No EIS is necessary for this specific project.

3. This action is supported by Land Use Planning Direction identified in the Bodie-Coleville MFP and also supports the implementation of the Mono Lake ACEC management goals.

James S. Morrison

Enclosure: EA

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