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# EXHIBIT A



# Final Environmental Impact Statement and Proposed Plan **APPENDIX**

·Volume B

APPENDIX III: WILDERNESS

CALIFORNIA DESERT CONSERVATION AREA

Exhibit

### WILDERNESS STUDY AREA 112

Last Chance Mountain

# GENERAL DESCRIPTION

The area (38,200 acres)<sup>2</sup> is bounded on the north by Cucamonga Canyon road, on the east by the California/Nevada State border, on the south by the Loretta Mine Road and access road, and on the west by the Eureka Valley Road. The terrain is rough and mountainous throughout. The elevation varies from 3,360 feet near the west-central edge to 8,456 feet atop Last Chance Mountain in the northeastern portion of the area. This area is predominantly public land with approximately 5 percent in random blocks of non-public land. There are a number of recorded mining claims in the eastern portion along the California/Nevada border. This WSA is 80 percent mountains, 10 percent alluvial fans, and 10 percent dissected fans.

### WILDERNESS QUALITY

### Description of Environment

The area is mountainous with many deep canyons and a few springs. The eroding rock formation in the northwestern Cucamonga 'Canyon contains many shades of red, yellow, blue, and purple. The vegetative cover on the Eureka Valley bajada and mid-elevations consists of the Last Chance Range mixed creosote desert shrub community. The higher elevations of the Last Chance Range are generally mixed desert shrubs with a pinyon pine/juniper forest type of vegetation.

### Natural Condition

This area has generally retained its primeval character and appears to have been affected primarily by the forces of nature with the imprint of man's work substantially unnoticeable. Those noticeable works of man which are present have been excluded. These include the abandoned Crater Area mining operations and the Last Chance Spring Mine and access road. The extensive Crater Mining Area consists of many open pits, slag piles, and ways that significantly scar the natural condition of the area. The Last Chance Spring has a maintained access road, stock water source, building, and several open mining shafts. These areas have been excluded from wilderness consideration due to the substantially noticeable works of man which have degraded the natural condition of the immediate area.

<sup>\*</sup>Portions of Ts. 6, 7, and 8 S., Rs. 36, 37, 38, 39 and 40 E., MDM.

# Case 1:06-cv-01502-AWI-DLB Document 52-2 Filed 05/22/2008 Page 4 of 12 Outstanding Opportunities for Solitude or a Primitive and Unconfined Type of Recreation

This area contains outstanding opportunities for solitude, because of its relatively primitive character and natural condition. Extensive topographical variations and diverse vegetation which screen visitors provide freedom of movement without encroachment from man-made features. The varied topography and vegetation, along with the mountains and the lack of man-made features, provide for unconfined movement and diverse opportunities for a primitive type of recreation.

#### WILDERNESS STUDY AREA RANKING

This area was ranked 49 out of 137 WSAs.

### RESOURCES CONSIDERED

### Geology-Energy-Minerals

A major molybdenum deposit (a strategic mineral), with an in-place value of \$7.9 billion, and associated favorable terrain exist in the WSA. Geochemical anomalies reinforce mineral potential for molybdenum, lead, zinc, silver, copper, tin, rare earths, and other metals. The area supported past production of mercury (strategic metal--62% imported in 1979) with potential for future production.

The southern part of the WSA experienced sulfur production in the past. Sulfur reserves and known gypsum resources exist here. The favorable terrain for these deposits probably extends throughout the southern half of the WSA. The geologic environment is favorable for limestone, dolomite, and barite deposits.

There is a uranium occurrence in the Hanging Rock Canyon area, although sufficient data are not available to assess the potential for the rest of the WSA.

Approximately the southern third of the WSA, excluding the Sylvania Mountains, has potentially favorable geologic environments in the Last Chance thrust system for oil and gas.

Most of the area has unfavorable geology for sodium and potassium. However, the alluvial area between the Last Chance Range and Sylvania Mountains could contain such deposits, but data are inadequate to evaluate the potential.

The alluvial areas adjacent to the mountains have potential for sand and gravel and clays. The upland areas have potential for crushed and broken rock materials. Remoteness of the area would preclude large near-term demand for these comodities.

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### Vegetation

No unusual plant assemblages occur within this WSA. General vegetation components include <u>Coleogyne ramosissima</u>, <u>Atriplex confertifolia</u>, <u>Gravia spinosa</u>, and <u>Lycium</u> spp. The area is mostly shadscale and blackbrush types.

Several rare plant species have potential for occurring within this WSA. They include <u>Lupinus holmgrenanus</u>, <u>Fendlerella utahensis</u>, <u>Arabis shocklevi</u>, <u>Mimulus rupicola</u>, <u>Sclerocactus polyancistrus</u>, <u>Cymopterus gilmanii</u>, <u>Eriogonum gilmanii</u>, and <u>E. shocklevi</u>. All of these plants are limestone endemics.

### Wildlife

The area contains the northern half of the Last Chance Range and the eastern edge of Eureka Valley. The Last Chance Range is a rugged mountainous range with steep canyons and a few springs; elevations range approximately from 3,300 feet to above 8,400 feet. Pinyon pine and juniper are found in the higher elevations. The Eureka Valley bajada is primarily in a mixed creosote bush desert shrub community; the eastern slopes of the Last Chance Range are in a rich shadscale.

Two proposed sensitive species are known to inhabit the area. The entire Last Chance Range in the WSA provides seasonal range (30 sq. mi) for the desert bighorn sheep. Around Last Chance Peak is a concentration area (10 sq. mi.) for bighorn. The entire Last Chance herd, estimated at only 65 individuals, is believed to be declining in this area because of heavy livestock use on the east side of the range and conflict at Last Chance Spring. Declines here probably have occurred since the early 1970s (Rocklyn Wooley, pers. comm.).

The area contains about 50 square miles of golden eagle foraging habitat; this is about 1 percent of the total for the CDCA. There are two known eyries in this area.

Other significant species include the pale kangaroo mouse found in about 7 square miles in the Eureka Valley. Prairie falcons breed in at least one locale and forage over about 15 square miles of the area. Mule deer inhabit most of the Last Chance Range (35 sq. mi. in the WSA).

Further surveys are likely to reveal even more important and significant wildlife species.

There is a very important riparian area at Last Chance Spring. There is a small, fenced enclosure; the remaining riparian zone is heavily impacted by livestock.

# Cultural Resources

One area of high cultural resource sensitivity is located within the area.

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The Last Chance Range has been traditionally employed by Owens Valley area Paiute for pinyon collection and as a summer camp area. The profile of seasonal use is quite similar to the use pattern described for the White Mountain region (WSAs 100-107).

# Scenic Quality

The area encompasses "high" scenic quality. It received high scores for landform, color, and vegetation, and a medium score for uniqueness.

# General Recreation

Most of the WSA possesses good opportunities for deer and chukar hunting. The area is bordered on the north by Cucamonga Canyon Road. Cucamonga Canyon is a concentrated use zone which received 745 visitor use days in 1978. Uses include camping, four-wheel drive access, sightseeing, painting, and photography. None of these activities has been rated.

### Range Uses and Potential

Twenty-five percent of the Last Chance Allotment is in this WSA. The allotment is grandfathered. A portion of the Piper Mountain Herd Management Area is in the WSA.

# SUMMARY OF PUBLIC COMMENTS

### Inventory Phase

Comments supported the findings and also pointed out the varied recreational interests.

#### Study Phase

Thirteen of the 16 comments received about WSA 112 favored wilderness designation. Scenic quality was the most common value noted. Interest in geologic, wildlife, flora, educational, and historic values was expressed. Hiking, camping, rockhounding, backpacking, climbing, photography, and painting were all activities enjoyed in this area.

Deletion of the southern portion of the WSA, the mining area saddling the mountains near the origin of Hanging Rock Canyon, was suggested. Expansion of the boundary to Death Valley National Monument was also proposed.

The two comments opposing wilderness designation of WSA 112 dealt with mining and rockhounding. The mining interest felt mining should be first priority in wilderness consideration. The other expressed a desire for vehicle access to permit rockhounding with family and camping in the beauty and isolation of the desert.

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All letters in response to the workbook were in favor of this area as wilderness because of its accessibility and to protect wildlife and unique botanical values.

# Draft Plan Alternatives

A variety of public comments specific to WSA 112 was received in response to the Draft Desert Plan Alternatives. For example, one indicated complete agreement with the Protection Alternative, another expressed the need for strict control of wilderness, while a third insisted on a vehicle-access corridor between the sand dunes and Saline Valley. Another stated that the exploration and development of oil, gas, and geothermal resources were the best uses for the area.

# SUMMARY OF RATIONALE FOR THE PROPOSED PLAN

Wilderness Study Area 112, Last Chance Mountain, is recommended as nonsuitable for wilderness designation.

The area incorporates a major molybdenum deposit which has an extremely high estimated value. In addition, the WSA has other known geologic, energy, and mineral resources. The area includes the Last Chance grazing allotment and is used for a variety of recreation activities. The area did not meet the criteria outlined in the desert-wide wilderness objectives. It was ranked 49. These factors all contributed to the nonsuitability recommendation.

The WSA was recommended for Class L designation to protect its wildlife, cultural and Native American values, and scenic quality.

#### IMPACT OF PROPOSED PLAN

The WSA is divided between multiple use Classes L and M. The portion east of Last Chance Canyon is Class M as well as a very small area around Crater. The remainder falls within a Class L designation. The primary development expected within the WSA involves mineral exploitation. The southern one-third contains a variety of economically viable minerals and could be developed. Such development could have harsh adverse effects upon the natural condition of the area, although mitigation is required. The rugged terrain will tend to localize small-scale impacts; however, large-scale mining operations are a possibility and could effectively eliminate the wilderness values over large areas as has already occurred around Crater. Increased motor vehicle access would be a secondary impact along future designated mining areas routes in Classes L and M respectively. Overall, potential adverse impacts to wilderness values under the proposed multiple use class designations range from negative to highly negative depending upon the scope of mineral development.

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Greenwater Range

#### GENERAL DESCRIPTION

The area (131,000 acres)\* is bounded on the north by State Route 190, on the south by State Route 178, on the east by State Route 127, and on the west by a graded dirt road through Greenwater Valley. The area consists primarily of public land. Scattered non-public lands account for approximately 6 percent of the land area. An Act of Congress of November 9, 1921, set apart a materials site for the California Department of Transportation (CALTRANS). This was for 40 acres located in Section 10, T. 23 N., R. 6 E., SBM, effective on November 24, 1939. There are a number of recorded mining claims in the northern and central portions of the area. This WSA includes 30 percent mountains, 25 percent alluvial fans, 20 percent dissected fans, 10 percent hills, 5 percent plateaus, 5 percent highly dissected fans, 2 percent badlands, and 1 percent riverwashes.

### WILDERNESS QUALITY

# Description of Environment

Roughly 12 miles across at its widest point and 32 miles long, this area encompasses approximately 300 square miles. Terrain varies considerably, ranging from smooth, flat valleys and bajadas to coarse, jagged mountains. Two major drainages divide the site into thirds. Through Greenwater Canyon the waters have carved a narrow passage through volcanic rock, leaving steep sides and a twisting course. At Deadman Pass the erosion has produced a wide interspace with gently sloping sides. Although the valleys are densely vegetated, the mountains and slopes tend to support only sparse growth. Creosote is the dominant plant in the area, although numerous, less conspicuous, species abound, including desert holly, sagebrush, prickly pear, cholla, and bunch and annual grasses.

### Natural Condition

The northern boundary has been adjusted to exclude areas where man's impact has degraded the natural character. The exclusion includes active, abandoned mining operations, patented mining in Sections 21, 29, 31-33, (T. 25 N., R. 4 E.), a graded road, and a network of improved ways. The graded road leads east from Death Valley Junction past the remains of the abandoned Lila C mine (site of Old Ryan - now only tunnels, slag piles, and rusting equipment remain) to an area laced with old roads and mining claims at the

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<sup>\*</sup>Portions of T. 22 N., Rs. 4, 5, and 6 E.; T. 22 1/2 N., Rs. 4, 5, and 6 E.; T. 23 N., Rs. 4, 5, and 6 E.; and T. 25 N., R. 5., SBM.

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mouth of Greenwater Canyon. A grid-like network of unimproved way in located in the vicinity of the Lila C mine. At the site of the New Ryan, on the northern tip of the Greenwater Range, active and abandoned mining operations occur side by side. Tunnels, slag piles, and road scars exist here, as well as many of the old structures that were once inhabited by the population of Ryan. The remainder of the roadless area generally retains its primeval character and appears affected primarily by natural forces. Man's works, which include a few abandoned mine shafts and primitive ways, are substantially unnoticeable because of screening by terrain diversity and fairly dense vegetation.

# Outstanding Opportunities for Solitude or a Primitive and Unconfined Type of Recreation

This area offers outstanding opportunities for both solitude and a primitive and unconfined type of recreation. Terrain and vegetative variety provide many areas and spaces where a sense of isolation and seclusion are readily available. A relative lack of internal man-made features allows freedom of unconfined movement throughout the site. In terms of primitive recreation, the area offers both challenge and diversity. The Greenwater Range area is bounded to the east and west by large areas that are also relatively pristine, adding to the opportunities for a quality primitive experience. These opportunities are further enhanced by the adjacent wilderness values in Death Valley National Monument.

### WILDERNESS STUDY AREA RANKING

This WSA is ranked 86 out of 137 WSAs.

RESOURCES CONSIDERED

### Geology-Energy-Minerals

Resource data for this WSA have not been fully analyzed, integrated, and interpreted. Interpretations set forth here are based on a brief review of available data and are subject to change. Metallic occurrences are based solely on the compilation by Terradata; nonmetallic occurrences are based on the BLM industrial mineral survey. Interpretation of geochemical anomalies is based solely on statistical work by Terradata. Claims include all those that appear on the December 12, 1979, computer printout, representing an estimated 25 percent of all claims that have been recorded with BLM.

This WSA has potential for copper-molybdenum porphyry deposits, uranium, pumice, and sand and gravel. There is also potential for borates and lithium at the northern end. Six unpatented claims are recorded.

### Vegetation

No unusual plant assemblages occur within WSA 147. Vegetation consists of creosote bush scrub, desert holly scrub, and allscale scrub. No sensitive plant species are known to occur within this WSA.

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The more mountainous terrain in this study area is used as transient range by desert bighorn sheep. This section of the Greenwater Range forms an important corridor route for sheep populations in the Funeral Mountains to the north and Black Mountains to the south. The entire bighorn transient range in the Greenwater Range and bighorn corridor route between the Funeral Mountains and Black Mountains is present in WSA 147.

Portions of this area are also used for foraging by a nesting pair of prairie falcons and a nesting pair of golden eagles.

### Cultural Resources

Two areas of cultural resource sensitivity are located within this Wilderness Study Area.

# Native American Uses, Needs, and Sites

This WSA has village sites that lie along the eastern slope of the southern Greenwater Range, the old village site of Shoshone in the southeastern section, and collection areas throughout the southern Greenwater Mountains used by some members of the Panamint-Shoshone and Chemehuevi. The Panamint Shoshone share a berry-collection area and spring along the western border of the WSA with the Southern Utes. The Southern Ute Trail runs through the northern section of the WSA in a northwest direction. The Panamint Shoshone have a berry-collecting area in the extreme southeastern section of the WSA.

# Scenic Quality

The scenic quality of this area, which includes portions of four scenic quality polygons, is "medium" overall. Scores for all of the key factors (landform, color, vegetation, and uniqueness) generally fall in the medium range. Of visual significance is Greenwater Valley, one of the very few unintruded, expansive valleys in the entire California Desert.

### General Recreation

The unit includes an unevaluated interpretive site in Greenwater Canyon. The cannyon is of historic and prehistoric interest. There are four rockhound sites rated fair, three on the northern boundary and one on the southern boundary. There is good chukar and quail hunting in the northern and southern end of the Greenwater Valley.

### Range Uses and Potential

There are no allotments in this WSA. The WSA includes a portion of the Ash Meadows Herd Management Area.

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#### SUMMARY OF PUBLIC COMMENTS

### Inventory Phase

Several comments referred to man-made features and permanent scars from active and abandoned mining operations. These areas were deleted where appropriate. The Deadman Pass Road shows no sign of maintenance for many years. Other comments indicated that too much area had been deleted and that rehabilitation potential was not considered.

### Study Phase

Twenty-nine letters were received on WSA 147. Eighteen supported a wilderness designation. The major concern for this area of those favoring wilderness seems to be the question of the mines. Many felt the mines should be excluded, such as the Lila C., Old Ryan, and Greenwater Canyon Mines. Others felt the mined areas can be rehabilitated and should be included in the wilderness area. The area's contiguity to Death Valley National Monument was often noted as enhancing wilderness management. Wildlife, such as red-tailed hawks, great horned owls, and bighorn sheep, were noted for protection. Others were concerned that the pictographs in volcanic rock should be protected from vandals. Scenic, ecologic, educational, scientific, and geologic values were noted.

The letters opposing wilderness designation were overwhelmingly concerned about access and exploration for minerals. One letter discussed the road definition, calling it "capricious." Others spoke of the area as being too ugly to be designated wilderness, with mines and roads and signs of human existence. One letter was concerned that road closure would prohibit many from enjoying the pictographs.

Two letters in response to the workbook state that the WSA abuts Death Valley National Monument. The National Park Service suggested that WSAs 147 and 148 are compatible extensions of unmodified lands meeting wilderness criteria. One letter expressed the desire for the eastern boundary to be moved 3 or 4 miles away from State Route 127.

### Draft Plan Alternatives

The following range of public comments specific to WSA 147 was received in response to the Draft Desert Plan Alternatives. One stated that the entire study area and the northern half of the polygon should be recommended as suitable for wilderness under the Protection Alternative. A second view was that the entire Wilderness Study Area should be recommended for wilderness under the Balanced Alternative.

### SUMMARY OF RATIONALE FOR THE PROPOSED PLAN

The Greenwater Range Wilderness Study Area (147) is recommended as nonsuitable for wilderness designation.

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The area was rated 86 in relative wilderness value and did not possess any of the qualities identified as desert-wide wilderness opportunities. The site displays possible potential for metals and other minerals. Recreation opportunities are found throughout and include both motorized and nonmotorized types.

It was decided that the recreation resource and mineral values exceeded those of wilderness. The area was recommended for Class L to allow access for mineral exploration and development and provide for motorized vehicle recreational uses. This classification will protect the natural and cultural resources throughout the area.

### IMPACT OF PROPOSED PLAN

Approximately 95 percent is recommended for Class L. Both large, flat, low rolling hills and the rugged Greenwater Range fall into this category. The impacts on the bajadas would be significant as these areas do not afford screening of disturbed sites. The far northern edge is recommended for a Class M designation and is also relatively flat. As this designation is compatible with greater mineral development, significant adverse impacts to the natural condition of the landscape will result. The more rugged Class L areas could accept some activities without significant impairment of the wilderness values. Some degree of mining and range improvements could be localized within the interior without significant impacts. Overall, the impacts of the Class C and M designations are negative.