

SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM: 3.32  
(ID # 11434)

**MEETING DATE:**

Tuesday, January 28, 2020

**FROM :** TLMA-TRANSPORTATION:

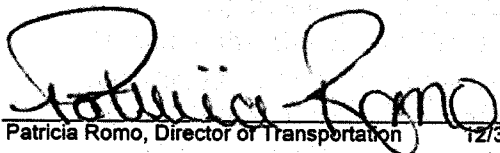
**SUBJECT:** TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:

Application between The County Transportation Department and the Bureau of Land Management (BLM) for access to the Thermal materials pit and mixing table. CEQA exempt. District 4. [\$0]

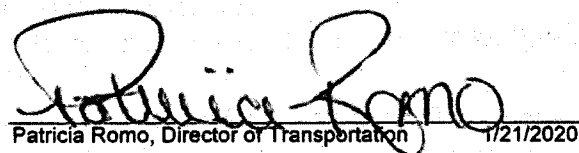
**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Find that the Project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 1530;
2. Authorize the Director of Transportation to execute the Application for Transportation and Utility Systems and Facilities on Federal Land;
3. Authorize the Director of Transportation to execute all Applications for Transportation and Utility Systems and Facilities on Federal Land subject to County Counsel approval as to form; and
4. Direct the Clerk of the Board of Supervisors to file the Notice of Exemption and journal voucher with the County Clerk for posting within five (5) working days of approval by the Board.

**ACTION:** Policy

  
Patricia Romo, Director of Transportation

12/30/2019

  
Patricia Romo, Director of Transportation


1/21/2020

---

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Perez, seconded by Supervisor Spiegel and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: None  
Date: January 28, 2020  
xc: Transp.

Kecia R. Harper  
Clerk of the Board  
By:   
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b> Not Applicable			<b>Budget Adjustment:</b> No	
			<b>For Fiscal Year:</b> 19/20	

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

The Transportation Department operates and maintains a material pit, near Avenue 54, in the community of Thermal. The facility provides rock material and a mixing area for the asphalt concrete used in the construction and maintenance of County roadways in the Coachella Valley. In 1999, the Transportation Department entered into a Right-of-Way Grant/Temporary Permit with the Bureau of Land Management (BLM) for right-of-way access to the materials pit by way of a 40 foot wide road, and a 200 foot long mixing table.

The current Permit expires on December 31, 2019. Because the Transportation Department depends upon this access to maintain roads, we have been coordinating with BLM to extend the permit. On December 16, 2019 BLM provided written correspondence confirming that our existing Right of Way grant will remain in effect, in accordance with Title 43 CFR 2807.22(f) which states that "if you make a timely and sufficient application for a renewal of your existing grant or lease, or for a new grant or lease, the existing grant does not expire until we have issued a decision to approve or deny the application". Therefore, our grant is current and access remains open and available for use at this time.

The Transportation Department has a continued need to extract material from the site for roadway projects and the only access to the site is across BLM land. The Department wishes to renew the existing permit with BLM through the Application for Transportation and Utility Systems and Facilities on Federal Lands. This Application for the extension of the permit will allow for continued access to the material pit by the Transportation Department for an additional 10 years, with an expiration date of December 31, 2029.

The Transportation Department operates and maintains other roads within BLM jurisdiction. In an effort to more efficiently respond to needs that require BLM approval, the Transportation Department recommends that approval be given to authorize the Director of Transportation to execute all Applications for Transportation and Utility Systems and Facilities on Federal Land subject to County Counsel approval. This would be particularly beneficial for emergency road restoration projects in the Coachella Valley.

**Environmental Findings**

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

The access road to the Thermal pit is exempt from CEQA under Section 15301(c) because the use of the access road does not create additional traffic lanes and involves negligible or no expansion of existing or former use of the existing roadway and associated facilities.

**Impact on Residents and Businesses**

Renewing the BLM access permit will allow for the ability to use local material for the asphalt concrete used in the construction and maintenance of Coachella Valley area County roadways.

**Additional Fiscal Information**

There is no cost associated with the application for the Thermal BLM transportation access.

**Contract History and Price Reasonableness**

Not applicable.

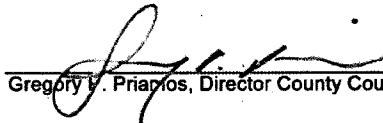
**ATTACHMENTS:**

Location Exhibit  
Vicinity Map  
Application for transportation access on federal land  
Original Agreement with BLM  
Notice of Exemption



Jason Farin, Senior Management Analyst

1/22/2020



Gregory V. Priaplos, Director County Counsel

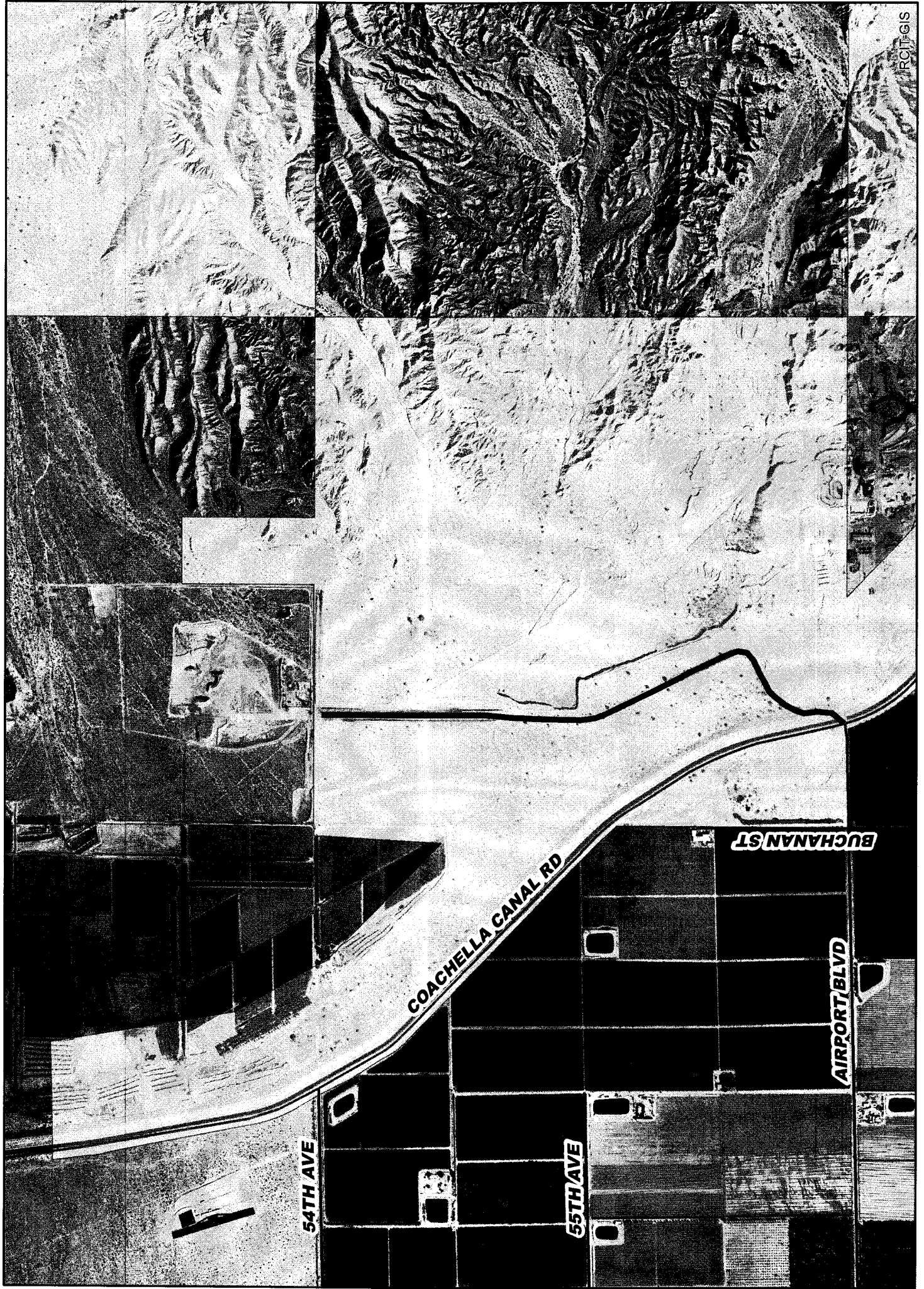
1/21/2020

# Thermal Pit BLM Road & Mixing table

0 500 1,200 2,400 Feet

1 inch = 1,200 feet  
Aerial photos flown 2016  
Printed by Calmas on 1/15/2019

— BLM Road  
□ BLM Land



RCIT-GS



0 2,600 5,200 10,400  
1 inch = 5,167 feet  
Orthophotos Flown 2016

# Thermal Pit BLM Road & Mixing table

— BLM Road  
□ BLM Land



APPLICATION FOR TRANSPORTATION AND  
UTILITY SYSTEMS AND FACILITIES  
ON FEDERAL LANDS

FOR AGENCY USE ONLY

NOTE: Before completing and filing the application, the applicant should completely review this package and schedule a preapplication meeting with representatives of the agency responsible for processing the application. Each agency may have specific and unique requirements to be met in preparing and processing the application. Many times, with the help of the agency representative, the application can be completed at the preapplication meeting.

Application Number

Date Filed

1. Name and address of applicant (include zip code)

Riverside County Transportation Department  
4080 Lemon Street  
Riverside, CA 92501

2. Name, title, and address of authorized agent if different from item 1 (include zip code)

Patty Romo  
Director of Transportation

3. Telephone (with area code)

Applicant

Authorized Agent

4. As applicant are you? (check one)

- a.  Individual
- b.  Corporation\*
- c.  Partnership/Association\*
- d.  State Government/State Agency
- e.  Local Government
- f.  Federal Agency

\* If checked, complete supplemental page

5. Specify what application is for: (check one)

- a.  New authorization
- b.  Renewing existing authorization number
- c.  Amend existing authorization number
- d.  Assign existing authorization number
- e.  Existing use for which no authorization has been received \*
- f.  Other\*

\* If checked, provide details under item 7

6. If an individual, or partnership, are you a citizen(s) of the United States?  Yes  No

7. Project description (describe in detail): (a) Type of system or facility, (e.g., canal, pipeline, road); (b) related structures and facilities; (c) physical specifications (Length, width, grading, etc.); (d) term of years needed; (e) time of year of use or operation; (f) Volume or amount of product to be transported; (g) duration and timing of construction; and (h) temporary work areas needed for construction (Attach additional sheets, if additional space is needed.)

Riverside County is requesting continued access on BLM property in Thermal, CA. The location is an access road, berm and mixing table area to allow access to the County's property. it is 40 feet wide for the first 2/3 of mile then 200 feet wide for the remaining 1/3 mile, and contains about 11.25 acres. The County currently has a 20 year term that expires Dec. 31, 2019. The County would like to extend this term 10 years. This facility is used off and on year round.

8. Attach a map covering area and show location of project proposal

9. State or Local government approval:  Attached  Applied for  Not Required

10. Nonreturnable application fee:  Attached  Not required

11. Does project cross international boundary or affect international waterways?  Yes  No (if "yes," indicate on map)

12. Give statement of your technical and financial capability to construct, operate, maintain, and terminate system for which authorization is being requested.

The facility is already in place, and the road is graded as necessary to maintain access to facility. Riverside County has the financial capacity to maintain the facility.

13a. Describe other reasonable alternative routes and modes considered.

no other routes available

b. Why were these alternatives not selected?

no other routes available

c. Give explanation as to why it is necessary to cross Federal Lands.

The property is land-locked and no other route is available. The County has been using this area at least since the 70's.

14. List authorizations and pending applications filed for similar projects which may provide information to the authorizing agency. (Specify number, date, code, or name)

n/a

15. Provide statement of need for project, including the economic feasibility and items such as: (a) cost of proposal (construction, operation, and maintenance); (b) estimated cost of next best alternative; and (c) expected public benefits.

This access is absolutely necessary to provide transport of sand material from the property owned by the County. This facility only benefits the public for maintaining public roads.

16. Describe probable effects on the population in the area, including the social and economic aspects, and the rural lifestyles.

No effects on the population. BMP's are utilized as necessary for dust control, etc.

17. Describe likely environmental effects that the proposed project will have on: (a) air quality; (b) visual impact; (c) surface and ground water quality and quantity; (d) the control or structural change on any stream or other body of water; (e) existing noise levels; and (f) the surface of the land, including vegetation, permafrost, soil, and soil stability.

The facility is already in place, no construction is necessary. No impacts to the environment will result from this access. No streams or vegetation are affected.

18. Describe the probable effects that the proposed project will have on (a) populations of fish, plantlife, wildlife, and marine life, including threatened and endangered species; and (b) marine mammals, including hunting, capturing, collecting, or killing these animals.

Stipulations in the original agreement are very strictly upheld regarding animal and plant resources.

19. State whether any hazardous material, as defined in this paragraph, will be used, produced, transported or stored on or within the right-of-way or any of the right-of-way facilities, or used in the construction, operation, maintenance or termination of the right-of-way or any of its facilities.

"Hazardous material" means any substance, pollutant or contaminant that is listed as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 et seq., and its regulations. The definition of hazardous substances under CERCLA includes any "hazardous waste" as defined in the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, 42 U.S.C. 6901 et seq., and its regulations. The term hazardous materials also includes any nuclear or byproduct material as defined by the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 et seq. The term does not include petroleum, including crude oil or any fraction thereof that is not otherwise specifically listed or designated as a hazardous substance under CERCLA Section 101(14), 42 U.S.C. 9601(14), nor does the term include natural gas.

No hazardous materials are stored or used on this roadway other than asphalt concrete. Standard BMP's are utilized to protect the facility from any run off.

20. Name all the Department(s)/Agency(ies) where this application is being filed.

Bureau of Land Management

I HEREBY CERTIFY, That I am of legal age and authorized to do business in the State and that I have personally examined the information contained in the application and believe that the information submitted is correct to the best of my knowledge.

Signature of Applicant

Date

Title 18, U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

GENERAL INFORMATION  
ALASKA NATIONAL INTEREST LANDS

This application will be used when applying for a right-of-way, permit, license, lease, or certificate for the use of Federal lands which lie within conservation system units and National Recreation or Conservation Areas as defined in the Alaska National Interest lands Conservation Act. Conservation system units include the National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, National Trails System, National Wilderness Preservation System, and National Forest Monuments.

Transportation and utility systems and facility uses for which the application may be used are:

1. Canals, ditches, flumes, laterals, pipes, pipelines, tunnels, and other systems for the transportation of water.
2. Pipelines and other systems for the transportation of liquids other than water, including oil, natural gas, synthetic liquid and gaseous fuels, and any refined product produced therefrom.
3. Pipelines, slurry and emulsion systems, and conveyor belts for transportation of solid materials.
4. Systems for the transmission and distribution of electric energy.
5. Systems for transmission or reception of radio, television, telephone, telegraph, and other electronic signals, and other means of communications.
6. Improved right-of-way for snow machines, air cushion vehicles, and all-terrain vehicles.
7. Roads, highways, railroads, tunnels, tramways, airports, landing strips, docks, and other systems of general transportation.

This application must be filed simultaneously with each Federal department or agency requiring authorization to establish and operate your proposal.

In Alaska, the following agencies will help the applicant file an application and identify the other agencies the applicant should contact and possibly file with:

Department of Agriculture  
Regional Forester, Forest Service (USFS)  
P.O. Box 21628  
Juneau, Alaska 99802-1628  
Telephone: (907) 586-7847 (or a local Forest Service Office)

Department of the Interior  
Bureau of Indian Affairs (BIA)  
Alaska Regional Office  
709 West 9th Street  
Juneau, Alaska 99802  
Telephone: (907) 586-7177

Department of the Interior  
Alaska State Office  
Bureau of Land Management  
222 West 7th Avenue #13  
Anchorage, Alaska 99513  
Public Room: 907-271-5960  
FAX: 907-271-3684  
(or a local BLM Office)

U.S. Fish & Wildlife Service (FWS)  
Office of the Regional Director  
1011 East Tudor Road  
Anchorage, Alaska 99503  
Telephone: (907) 786-3440

National Park Service (NPS)  
Alaska Regional Office  
240 West 5th Avenue  
Anchorage, Alaska 99501  
Telephone: (907) 644-3510

Note - Filings with any Interior agency may be filed with any office noted above or with the Office of the Secretary of the Interior, Regional Environmental Officer, P.O. Box 120, 1675 C Street, Anchorage, Alaska 99513.

Department of Transportation  
Federal Aviation Administration  
Alaska Region AAL-4, 222 West 7th Ave., Box 14  
Anchorage, Alaska 99513-7587  
Telephone: (907) 271-5285

NOTE - The Department of Transportation has established the above central filing point for agencies within that Department. Affected agencies are: Federal Aviation Administration (FAA), Coast Guard (USCG), Federal Highway Administration (FHWA), Federal Railroad Administration (FRA).

OTHER THAN ALASKA NATIONAL INTEREST LANDS

Use of this form is not limited to National Interest Conservation Lands of Alaska.

Individual department/agencies may authorize the use of this form by applicants for transportation and utility systems and facilities on other Federal lands outside those areas described above.

For proposals located outside of Alaska, applications will be filed at the local agency office or at a location specified by the responsible Federal agency.

SPECIFIC INSTRUCTIONS  
(Items not listed are self-explanatory)

- 7 Attach preliminary site and facility construction plans. The responsible agency will provide instructions whenever specific plans are required.
- 8 Generally, the map must show the section(s), township(s), and range(s) within which the project is to be located. Show the proposed location of the project on the map as accurately as possible. Some agencies require detailed survey maps. The responsible agency will provide additional instructions.
- 9, 10, and 12 The responsible agency will provide additional instructions.
- 13 Providing information on alternate routes and modes in as much detail as possible, discussing why certain routes or modes were rejected and why it is necessary to cross Federal lands will assist the agency(ies) in processing your application and reaching a final decision. Include only reasonable alternate routes and modes as related to current technology and economics.
- 14 The responsible agency will provide instructions.
- 15 Generally, a simple statement of the purpose of the proposal will be sufficient. However, major proposals located in critical or sensitive areas may require a full analysis with additional specific information. The responsible agency will provide additional instructions.
- 16 through 19 Providing this information with as much detail as possible will assist the Federal agency(ies) in processing the application and reaching a decision. When completing these items, you should use a sound judgment in furnishing relevant information. For example, if the project is not near a stream or other body of water, do not address this subject. The responsible agency will provide additional instructions.

Application must be signed by the applicant or applicant's authorized representative.

EFFECT OF NOT PROVIDING INFORMATION: Disclosure of the information is voluntary. If all the information is not provided, the application may be rejected.

DATA COLLECTION STATEMENT

The Federal agencies collect this information from applicants requesting right-of-way, permit, license, lease, or certification for the use of Federal lands. The Federal agencies use this information to evaluate the applicant's proposal. The public is obligated to submit this form if they wish to obtain permission to use Federal lands.



**SUPPLEMENTAL**

NOTE: The responsible agency(ies) will provide instructions	CHECK APPROPRIATE BLOCK	
<b>I - PRIVATE CORPORATIONS</b>	ATTACHED	FILED*
a. Articles of Incorporation	<input type="checkbox"/>	<input type="checkbox"/>
b. Corporation Bylaws	<input type="checkbox"/>	<input type="checkbox"/>
c. A certification from the State showing the corporation is in good standing and is entitled to operate within the State	<input type="checkbox"/>	<input type="checkbox"/>
d. Copy of resolution authorizing filing	<input type="checkbox"/>	<input type="checkbox"/>
e. The name and address of each shareholder owning 3 percent or more of the shares, together with the number and percentage of any class of voting shares of the entity which such shareholder is authorized to vote and the name and address of each affiliate of the entity together with, in the case of an affiliate controlled by the entity, the number of shares and the percentage of any class of voting stock of that affiliate owned, directly or indirectly, by that entity, and in the case of an affiliate which controls that entity, the number of shares and the percentage of any class of voting stock of that entity owned, directly or indirectly, by the affiliate.	<input type="checkbox"/>	<input type="checkbox"/>
f. If application is for an oil or gas pipeline, describe any related right-of-way or temporary use permit applications, and identify previous applications.	<input type="checkbox"/>	<input type="checkbox"/>
g. If application is for an oil and gas pipeline, identify all Federal lands by agency impacted by proposal.	<input type="checkbox"/>	<input type="checkbox"/>
<b>II - PUBLIC CORPORATIONS</b>		
a. Copy of law forming corporation	<input type="checkbox"/>	<input type="checkbox"/>
b. Proof of organization	<input type="checkbox"/>	<input type="checkbox"/>
c. Copy of Bylaws	<input type="checkbox"/>	<input type="checkbox"/>
d. Copy of resolution authorizing filing	<input type="checkbox"/>	<input type="checkbox"/>
e. If application is for an oil or gas pipeline, provide information required by item "I - f" and "I - g" above.	<input type="checkbox"/>	<input type="checkbox"/>
<b>III - PARTNERSHIP OR OTHER UNINCORPORATED ENTITY</b>		
a. Articles of association, if any	<input type="checkbox"/>	<input type="checkbox"/>
b. If one partner is authorized to sign, resolution authorizing action is	<input type="checkbox"/>	<input type="checkbox"/>
c. Name and address of each participant, partner, association, or other	<input type="checkbox"/>	<input type="checkbox"/>
d. If application is for an oil or gas pipeline, provide information required by item "I - f" and "I - g" above.	<input type="checkbox"/>	<input type="checkbox"/>

\*If the required information is already filed with the agency processing this application and is current, check block entitled "Filed." Provide the file identification information (e.g., number, date, code, name). If not on file or current, attach the requested information.

## NOTICES

Note: This applies to the Department of Agriculture/Forest Service (FS)

This information is needed by the Forest Service to evaluate the requests to use National Forest System lands and manage those lands to protect natural resources, administer the use, and ensure public health and safety. This information is required to obtain or retain a benefit. The authority for that requirement is provided by the Organic Act of 1897 and the Federal Land Policy and Management Act of 1976, which authorize the secretary of Agriculture to promulgate rules and regulations for authorizing and managing National Forest System lands. These statutes, along with the Term Permit Act, National Forest Ski Area Permit Act, Granger-Thye Act, Mineral Leasing Act, Alaska Term Permit Act, Act of September 3, 1954, Wilderness Act, National Forest Roads and Trails Act, Act of November 16, 1973, Archeological Resources Protection Act, and Alaska National Interest Lands Conservation Act, authorize the Secretary of Agriculture to issue authorizations or the use and occupancy of National Forest System lands. The Secretary of Agriculture's regulations at 36 CFR Part 251, Subpart B, establish procedures for issuing those authorizations.

### BURDEN AND NONDISCRIMINATION STATEMENTS

*According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082. The time required to complete this information collection is estimated to average 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.*

*The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).*

*To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.*

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

FORM 2000-14  
(August 1985)

Palm Springs 760 833-7100

Issuing Office  
California Desert District  
Palm Springs-South Coast  
Resource Area

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
RIGHT-OF-WAY GRANT/TEMPORARY USE PERMIT

SERIAL NUMBER CACA - 40022 - amended stipulations

1. A right-of-way is hereby granted pursuant to Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761).

2. Nature of Interest

a. By this instrument, the holder:  
Riverside County  
Transportation Department  
4080 Lemon Street, 8<sup>th</sup> Floor  
P.O. Box 1090  
Riverside, CA 92502-1090

receives a right to maintain, and terminate a(n) access road and berm on public lands described as follows:  
San Bernardino Meridian, Riverside County, California.  
T.6S, R.9E., Sec. 18 E1/2W1/2

b. The right-of-way area granted is as follows:

Right-of-way access road and mixing table

The right-of-way or permit area granted herein is 40 feet wide for the first two thirds of a mile, and 200 feet long for the remain third. It contains 11.25 acres, more or less.

c. This instrument shall terminate upon December 31, 2019 unless prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.

d. This instrument may be renewed. If renewed, the right-of-way shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest.

e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

## Attachment A

## Amended Stipulations

1. The right-of-way grant (ROW) is given to Faversham County and is not assignable to a non-governmental agency.
2. The R/W holder is responsible for the maintenance and care of the road authorized under this R/W grant.
3. **(AMENDMENT)** The ROW is for transportation purposes and the mixing of asphalt only.
4. The holder shall enter into an agreement with Left Bank Farms (A.K.A. Michael E. & Kennedy J. Ricker, George R. & Susan Phillips) CACA-39929 for location in maintenance the existing road within this right-of-way (R/W). The right-of-way road granted herein is 40 feet wide for the first two thirds of a mile and paved, the remaining third is 200 feet wide and paved. It contains 11.25 acres, more or less.
5. **(AMENDMENT)** The last third of a mile will be used for mixing table for asphalt. The size of the mixing table will remain the same 200ft wide, by 1750ft long, by 1.3 inches in depth approximately. No other materials or chemicals directly related to the mixing of asphalt are authorized by this ROW grant.
6. The grant is for 20 years, ending December 31, 2019.
7. This grant is subject to change and modification as federal laws and regulations require.
8. No turn-offs or construction staging areas shall occur on public lands.
9. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery shall be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder shall be responsible for the cost of evaluation and any decision as to proper mitigation measures shall be made by the authorized officer after consulting with the holder.
10. The holder shall protect all survey monuments found within the ROW. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management Cadastral Survey Corners, reference corners, witness points, U.S. Coastal and Geodetic benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. In the event of obliteration or disturbance of any of the above, the holder shall immediately report the incident, in writing, to the authorized officer and the respective installing authority if known. Where General Land Office or Bureau of Land Management ROW monuments or references are obliterated during operations, the holder shall secure the services of a registered land surveyor to restore the disturbed monuments and references using surveying procedures found in the Manual of Surveying Instructions for the Survey of the Public Lands in the United States, latest edition. The holder shall record such survey in the appropriate county and send a copy to the authorized officer. If the Bureau cadastral surveyors or other Federal surveyors are used to restore the disturbed survey monument, the holder shall be responsible for the survey cost.
11. The holder shall conduct all activities associated with the construction, operation and termination of the R/W within the authorized limits of the R/W.
12. No desert tortoise shall be handled unless it is in immediate danger of injury or death. If observed, report tortoises to the BLM to determine if additional measures are required for project operations.
13. All personnel shall be required to check under equipment and vehicles for tortoise before moving any vehicles.

3. Rental:

In accordance with the regulations contained in Title 43 CFR 2809.1-2 (b)(1)(i), "No rental shall be collected if the holder is a Federal, State or local government or agency or instrumentality thereof", therefore the Riverside County Transportation Department is exempt from rental requirements

4. Terms and Conditions:

- a. This grant is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations part 2800.
- b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 90 days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.
- c. Each grant issued for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way granted herein may be reviewed at any time deemed necessary by the authorized officer.
- d. The stipulations, plans, maps, or designs set forth in Attachment A attached hereto, are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.
- e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant shall constitute grounds for suspension or termination thereof.
- f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant.

David E. Bernhart  
 (Signature of Holder)  
 David E. Bernhart  
 Director of Transportation  
 \_\_\_\_\_  
 (Title)

[Signature]  
 (Signature of BLM Authorized Officer)  
 Field Manager  
 \_\_\_\_\_  
 (Title)

6/1/99  
 (Date)

7/12/99  
 (Effective Date of Grant)



**COUNTY OF RIVERSIDE  
TRANSPORTATION AND  
LAND MANAGEMENT AGENCY  
Transportation Department  
NOTICE OF EXEMPTION**



*Juan C. Perez, P.E., T.E.  
Director of Transportation*

December 4, 2019

**PROJECT TITLE:** Thermal Pit Agreement for Access Road  
Work Order #ZDST19, Task Code #Z1530

Original Negative Declaration/Notice of  
Determination was routed to County  
Clerks for posting on.

**PROJECT SPONSOR:** Riverside County Transportation Department

**PROJECT LOCATION:** Located in Eastern Riverside County in Thermal

1/30/2020  
Date

KD  
Initial

**SUPERVISORIAL DISTRICT:** Fourth

**PROJECT DESCRIPTION:** The Riverside County Transportation Department is renewing an agreement with the Bureau of Land Management for an access road to the County's materials pit. The access road includes an area used historically for an asphalt concrete mixing table.

In accordance with Section 7.1 of the Coachella Valley MSHCP, necessary operation and maintenance along existing roadways are considered a covered activity outside conservation areas. This activity is for an existing road outside any conservation area, on which no additional disturbance will occur. Access on this route will comply with MSHCP construction guidelines and BMP's.

The Riverside County Transportation Department Staff conducted a review of the above referenced project and has determined that the proposal qualifies for a Categorical Exemption per the California Environmental Quality Act (CEQA) Guidelines.

The Riverside County Transportation Department has found that the above-described project is exempt from the provisions of the California Environmental Quality Act (CEQA), based on the following:

**California Environmental Quality Act Guidelines:**

**Section 15301 (c) – Existing Facilities** – The project proposes to renew an agreement for an access road. This minor activity involves negligible or no expansion of use and is exempt from CEQA under Section 15301 (c). The improvements are consistent with Section 15301(c) because the project is use and maintenance of an existing road and associated facilities.

By: Jan Bulinski, Senior Transportation Planner

Signed: Mary Zambon  
Mary Zambon, Environmental Division Manager

JAN 28 2020 3.32



**RIVERSIDE COUNTY CLERK & RECORDER**

**AUTHORIZATION  
TO BILL  
BY JOURNAL VOUCHER**

-TO BE FILLED IN BY SUBMITTING AGENCY-

AUTHORIZATION NUMBER: W.O.#ZDST19, Task Code Z1530

AMOUNT: \$50.00

DATE: December 4, 2019

AGENCY: Riverside County Transportation Department

THIS AUTHORIZES THE COUNTY CLERK & RECORDER TO ISSUE A VOUCHER FOR PAYMENT OF ALL FILING AND HANDLING FEES FOR THE ACCOMPANYING DOCUMENT(S).

NUMBER OF DOCUMENTS INCLUDED: One (1)

AUTHORIZED BY: Mary Zambon, Environmental Division Manager

Signature: Mary Zambon

PRESENTED BY: Jan Bulinski

-TO BE FILLED IN BY COUNTY CLERK-

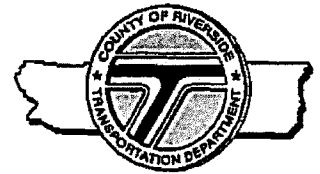
ACCEPTED BY: \_\_\_\_\_

DATE: \_\_\_\_\_

RECEIPT # (S) \_\_\_\_\_



**COUNTY OF RIVERSIDE**  
**TRANSPORTATION AND**  
**LAND MANAGEMENT AGENCY**  
**Transportation Department**  
**NOTICE OF EXEMPTION**



*Juan C. Perez, P.E., T.E.*  
*Director of Transportation*

**DATE:** December 4, 2019  
**TO:** Office of the County Clerk  
*MZambon*  
**FROM:** Mary Zambon, Environmental Division Manager  
**RE:** Thermal Pit Agreement for Access Road  
W.O.#ZDST19, Task Code #Z1350

The Riverside County Transportation Department is requesting that you post the attached Notice of Exemption. Attached you will find an authorization to bill by journal voucher in the amount of \$50.00 for your posting fee.

After posting, please return the document to Mail Stop #2136, Attention: Jan Bulinski. If you have any questions, please contact me at (951) 955-6859.

Attachment

cc: file

**RIVERSIDE COUNTY CLERK & RECORDER**

**AUTHORIZATION  
TO BILL  
BY JOURNAL VOUCHER**

-TO BE FILLED IN BY SUBMITTING AGENCY-

AUTHORIZATION NUMBER: W.O.#ZDST19, Task Code Z1530

AMOUNT: \$50.00

DATE: December 4, 2019

AGENCY: Riverside County Transportation Department

THIS AUTHORIZES THE COUNTY CLERK & RECORDER TO ISSUE A VOUCHER FOR PAYMENT OF ALL FILING AND HANDLING FEES FOR THE ACCOMPANYING DOCUMENT(S).

NUMBER OF DOCUMENTS INCLUDED: One (1)

AUTHORIZED BY: Mary Zambon, Environmental Division Manager

Signature: Mary Zambon

PRESENTED BY: Jan Bulinski

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: \_\_\_\_\_

DATE: \_\_\_\_\_

RECEIPT # (S) \_\_\_\_\_

# Thermal Pit BLM Road & Mixing table

0 600 1,200 2,400 Feet

1 inch = 1,200 feet  
Orthophoto Flown 2016  
Printed by camera on 11/5/2019

— BLM Road  
BLM Land

