

**FINDING OF NO SIGNIFICANT IMPACT and
DECISION RECORD**

for the

**Carson City N-S Water Main Right-of-Way
DOI-BLM-NV-C020-2011-0003-EA**

FINDING

Based on the analysis of potential environmental impacts contained in the *Carson City N-S Water Main Right-of-Way Environmental Assessment* (DOI-BLM-NV-C020-2011-0003-EA), and considering the significance criteria found in 40 CFR 1508.27, I have determined that the Proposed Action will not have a significant effect on the human environment. An environmental impact statement is therefore not required.



Linda J. Kelly
Field Manager
Sierra Front Field Office

11/3/2011

Date

DECISION

It is my decision to issue a right-of-way (ROW) to Carson City, Nevada in accordance with Title V of the Federal Land Policy and Management Act and regulations contained in Code of Federal Regulations (43 CFR Part 2800) to authorize Carson City's use of 4.61 acres of public land for a water transmission main, roads and other buried utilities and a multi-use path. The ROW area is depicted on Figures 3-5 and would be within the following described public land:

Mt. Diablo Meridian

T. 15 N., R. 20 E.,
sec. 15, lot 1,
sec. 21, SE $\frac{1}{4}$ NE $\frac{1}{4}$,
sec. 28, NE $\frac{1}{4}$ SW $\frac{1}{4}$.

The ROW would have the following dimensions:

- water transmission main – 1,200 feet by 50 feet
- access & buried utility lines - 1,900 feet by 60 feet
- multi-use path – 195 feet by 30 feet & 526 feet by 40 feet

The right-of-way grant should be issued for a 30-year term with renewal rights, subject to the following standard terms, conditions and special stipulations:

- a. The grant is subject to all valid rights existing on the effective date of the grant.

- b. In case of change of address, the holder shall immediately notify the Authorized Officer.
- c. Any cultural (historic or prehistoric site or object) or paleontological resources or Native American human remains, funerary items, sacred objects, or objects of cultural patrimony discovered by the holder, or any person working on their behalf, during the course of activities on federal land shall be immediately reported to the Authorized Officer by telephone, followed by written confirmation. The holder shall suspend all operations in the immediate area of such discovery and protect it until an evaluation of the discovery can be made by the Authorized Officer.

For cultural resources other than Native American human remains, funerary items, sacred objects, or objects of cultural patrimony, this evaluation will determine the significance of the discovery and what mitigation measures are necessary to allow the activities to proceed. The holder is responsible for the cost of evaluation and mitigation. Any decision on treatment and/or mitigation will be made by the Authorized Officer after consulting with the holder. Operations may resume only upon written authorization to proceed from the Authorized Officer.

For Native American human remains, funerary items, sacred objects, or objects of cultural patrimony the holder must stop activities in the immediate vicinity of the discovery and protect it from activities for 30 days or until notified to proceed by the Authorized Officer. The holder is responsible for the cost of consultation, evaluation and mitigation. Any decision on treatment and/or mitigation will be made by the Authorized Officer after consulting with the holder.

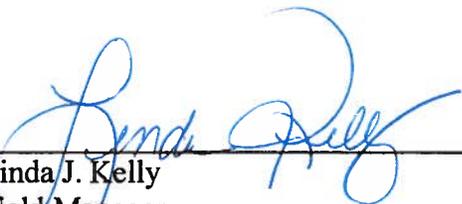
- d. Construction sites shall be maintained in a sanitary condition at all times; waste material at those sites shall be disposed of promptly at an appropriate waste disposal site.
- e. The holder shall maintain the ROW in a safe, usable condition, as directed by the Authorized Officer.
- f. The holder shall be responsible for continued noxious weed control within the limits of the ROW in consultation with the BLM or the appropriate local authority.
- g. In the event that the public land underlying the ROW encompassed in this grant, or portion thereof, is conveyed out of federal ownership and administration of the ROW or the land underlying the ROW is not being reserved to the United States in the patent/deed and/or the ROW is not within a ROW corridor being reserved to the United States in the patent/deed, the United States waives any right it has to administer the ROW, or portion thereof, within the conveyed land under Federal laws, statutes, and regulations, including the regulations in Title 43 CFR parts 2800 and 2880, as well as any rights to have the holder apply to the BLM for amendments, modifications, or assignments and for the BLM to approve or recognize such amendments, modifications, or assignments. At the time of conveyance, the patentee/grantee, and their successors and assigns, shall succeed to the interests of the United States in all matters relating to the ROW, or portion thereof, within the conveyed land and shall be subject to applicable State and local government

laws, statutes, and ordinances. After conveyance, any disputes concerning compliance with the use and the terms and conditions of the ROW shall be considered a civil matter between the patentee/grantee and the ROW holder.

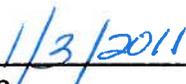
- h. Six months prior to termination of the grant, the holder shall contact the Authorized Officer to arrange a joint inspection of the ROW. This inspection will be held to agree to an acceptable termination and rehabilitation plan. This plan shall include but is not limited to, removal of facilities, drainage structures, or surface material, recontouring, topsoiling, or seeding. The Authorized Officer must approve the plan in writing prior to the holder's commencement of any termination activities.
- i. The holder shall seed all disturbed areas using an agreed upon method suitable and seed mixture for the location (Attachment 1). Seeding shall be repeated if a satisfactory stand is not obtained as determined by the Authorized Officer upon evaluation after the growing season.

PROTEST AND APPEAL OPPORTUNITIES

The decision to implement the Proposed Action may be appealed to the Interior Board of Land Appeals by following the guidance and procedures found in the Code of Federal Regulations (43 CFR Part 4; Subparts A,B and E) and Form 1842-1.



Linda J. Kelly
Field Manager
Sierra Front Field Office



Date

ATTACHMENT 1

**Carson City N-S Water Main ROW NVN 088364
Native Seed Mix for Restoration and Reclamation.**

The following native species are adapted to the environmental conditions at the site. Availability of the seed for each species may vary. If certain species are not available, then a native species substitute may be used when approved by the BLM office.

Seeding Rate Calculations

Seeding method: broadcast

Acres to seed: <1.0

Rate calculation method: NRCS seed rate

Species	Mix %	Standard Seeding Rate (lb/acre)	Standard Seeds/sqft	Actual Seeding Rate (lb/acre)	Actual Seeds/sqft	Total lb PLS	Germ %	Purity %	Total lbs. Bulk*
<i>antelope bitterbrush</i>	10	50.67	20	5.06	2	5.06	0.90	0.95	6
<i>Sandberg bluegrass</i>	35	1.66	40	0.58	14	0.58	0.80	0.9	1
<i>squirreltail</i>	35	9.07	40	3.17	14	3.17	0.80	0.9	5
<i>winterfat</i>	10	7.86	20	0.78	2	0.78	0.50	0.6	3
<i>woolly mule-ears</i>	10	69.69	40	6.96	4	6.96	0.80	0.9	10

Total Mix: 100 Total seeds/sqft: 36

Total seed required (lbs): 24

*The Total lb. Bulk, is the actual amount of seed to be purchased and would need to be calculated at the time of the seed purchase as each seed lot will have different percentages for seed purity and germ that is specific to each seed lot. All seed purchased must be certified as "weed free".