

Virginia City and Gold Hill Wastewater System Improvements

Decision Record

DOI-BLM-NV-C020-2011-0004-EA

September 2012



Background

Storey County, Nevada, is proposing to (1) upgrade their existing wastewater treatment plant (WTP) in Virginia City; (2) replace the Virginia City sewer collection system; (3) construct sewer lift stations in Gold Hill; and (4) replace/extend the Gold Hill sewer collection system. Construction of an upgraded WTP is required to reduce potential groundwater contamination, ensure public health, and meet Virginia City and Gold Hill wastewater demands while accommodating potential future growth.

Except for an auger screen installed in 2008, the WTP has not been updated since its construction in 1982. The treatment technology used by the plant is outdated and requires manual removal of solids. In addition, the drying beds are undersized to provide adequate sludge drying time. Construction of the upgraded WTP is needed to update the treatment technology, which would provide adequate treatment of solids and improve the quality of effluent being discharged into Six Mile Canyon Creek. In addition, based on the State of Nevada demographer's population estimates, the current WTP is undersized to process peak demand. An upgraded WTP is needed to treat wastewater for the population over the next 20 years.

During periods of high precipitation and runoff in Six Mile Canyon, stormwater has been known to flood the existing WTP aeration pond, discharging untreated wastewater downstream. This discharge of untreated wastewater is both hazardous to public health and a violation of Nevada Division of Environmental Protection (NDEP) standards that require treatment of wastewater prior to discharge. Construction of a stormwater drainage channel is needed to route stormwater around the aeration pond, and to avoid flooding and discharge of untreated wastewater.

The Virginia City sewer collection system is allowing raw sewage to infiltrate into the ground. This raw sewage is harmful to ground water resources and ultimately public health. The NDEP requires treatment of wastewater prior to discharge. Due to leaks, the current collection system does not meet NDEP standards and needs to be replaced so that all of the Virginia City wastewater is collected and conveyed to the WTP. In addition to deterioration, the existing Virginia City collection system lacks a sufficient number of manholes to ensure proper maintenance of the system. As a result, there is inadequate access to the pipes, so routine repairs cannot be made.

The Gold Hill sewer collection system does not currently service all residences and businesses in the area due to limited capacity of the community septic tank. Those portions of the community that are not connected to the collection system are currently using individual septic systems. In addition, the existing collection main is located in the shoulder of State Highway 341 and is substandard because there are no manholes and insufficiently sized pipes. The disposal field associated with the community septic system is failing as evidenced by the surfacing of effluent in the area. There is a need to provide waste water treatment to the Gold Hill community to reduce the potential for groundwater contamination and public health issues associated with effluent surfacing at the disposal field.

The right-of-way for replacement of 32,900 linear feet of pipeline on BLM-administered lands would be authorized by the BLM pursuant to Title V of the Federal Land Policy and Management Act of 1976 (PL 94-579) and the regulations contained in 43 CFR 2800. The

sewage WTP upgrade and expansion would be authorized by the BLM pursuant to the Recreation and Public Purposes Act of 1926, as amended, and the regulations contained in 43 CFR 2740 and 2912. The 12-acre WTP parcel will be conveyed directly to Storey County as a land patent.

Land Use Plan Conformance

The Proposed Action is in conformance with the Carson City Field Office Resource Management Plan (CRMP) adopted in 2001.

The following decisions in the CRMP affect the proposal:

Lands and Realty, LND-7, Administrative Actions #6:

Exchanges and minor non-Bureau initiated realty proposals will be considered where analysis indicates they are beneficial to the public.

The Proposed Action is consistent with the plans and policies of local, county, State, tribal and federal agencies and governments.

Public Involvement

To meet the BLM's obligation under NEPA for public involvement, on April 24, 2011 the USACE and BLM released the draft EA and FONSI for 30-days public review and comment. The draft EA and supporting documents were made available through ePlanning, a searchable database of NEPA documents for the BLM. A statewide news release was published and notification was provided to the Nevada State Clearinghouse to State and local agencies. The public comment period ended on May 24, 2011. Two comments were received through the Clearinghouse, one from the Nevada Division of Environmental Protection (regarding submittal of design plans to NDEP for review), and one from Nevada Division of Water Resources (regarding evaporation ponds and potential need for permitting). These comments were considered and where appropriate relevant information was updated in the Final EA.

Authority

The authority for the Carson City District Office to grant the rights-of-way (ROW) for BLM-managed lands involved in this project is found within the Section 502 of the Federal Land Management Policy Act of 1976 and BLM ROW regulations at 43 CFR 2800. The sewage WTP upgrade and expansion would be authorized by the BLM pursuant to the Recreation and Public Purposes Act of 1926, as amended, and the regulations contained in 43 CFR 2740 and 2912. The 12-acre WTP parcel will be conveyed directly to Storey County as a land patent.

Rationale

The Proposed Action addresses the BLM's purpose and need, which is to respond to an application for rights-of-way (SF-299) under the authority of Section 502 of the Federal Land Management Policy Act of 1976.

Decision

Based on the analysis in the *Virginia City and Gold Hill Wastewater Improvements Environmental Assessment* (EA), DOI-BLM-NV-C020-2011-0004-EA, it is my Decision to implement the Proposed Action on BLM-managed lands and to issue a right-of-way authorization for the purposes of constructing improvements on the BLM-managed lands and to issue a patent for BLM-managed lands for the wastewater treatment plant in Storey County as follows:

Portions of T 16 N, R 21 E and T 17 N, R 21 E of the Virginia City 7.5 minute quadrangle.

The BLM has participated as a Cooperating Agency in the development of the EA and hereby adopts the Final EA. The BLM has determined that the EA satisfies NEPA regulations and is consistent with the BLM NEPA Handbook (H-1790-1).



Leon Thomas
Field Manager
Sierra Front Field Office

9-25-12

Date

APPEAL PROCEDURES

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with 43 CFR Part 4. If you appeal, your appeal must also be filed with the Bureau of Land Management at the following address:

Leon Thomas
Field Manager
Sierra Front Field Office
5665 Morgan Mill Road
Carson City, NV 89701

Your appeal must be filed within thirty (30) days from receipt or issuance of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4942, January 19, 1993) for a stay (suspension) of the decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. Copies of the notice of appeal and petition for a stay must also be submitted to:

Board of Land Appeals
Dockets Attorney
801 N. Quincy Street, Suite 300
Arlington, VA 22203

A copy must also be sent to the appropriate Office of the Solicitor at the same time the original documents are filed with the above office.

U.S. Department of the Interior
Office of the Regional Solicitor
Pacific Southwest Region
2800 Cottage Way, Room E-1712
Sacramento, CA 95825

If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. A petition for a stay is required to show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied.
2. The likelihood of the appellants' success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted.
4. Whether the public interest favors granting the stay.

The Office of Hearings and Appeals regulations do not provide for electronic filing of appeals. Electronically filed appeals will therefore not be accepted.