



**United State Department of the Interior  
Bureau of Land Management**

Carson City Field Office  
Carson City, Nevada



June 2001

---

---

***FINAL***

**NORTH DOUGLAS COUNTY SPECIFIC**

**PLAN AMENDMENT**

## MISSION STATEMENT

The Bureau of Land Management is responsible for stewardship of our public lands. The BLM is committed to manage, protect and improve these lands in a manner to serve the needs of the American people. Management is based upon the principles of multiple use and sustained yield of our nation's resources within a framework of environmental responsibility and scientific technology. These resources include recreation, rangelands, timber, minerals, watersheds, fish and wildlife habitat, wilderness, air and scenic quality, as well as scientific and cultural values.

BLM/CC/PL-01/017+1610



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Carson City Field Office  
5665 Morgan Mill Road  
Carson City, NV 89701  
(775) 885-6000

In Reply Refer To:  
1610 (NV030)

Dear Reader:

The Final North Douglas County Specific Plan Amendment is the product of a joint planning effort between the Carson City Field Office of the Bureau of Land Management and Douglas County. This effort included numerous public meetings and close cooperation between Douglas County and BLM personnel. In this planning process the BLM and Douglas County jointly prepared a County Specific Plan for the area and this amendment to the Walker Resource Management Plan.

The North Douglas County Specific Plan was approved by the Douglas County Board of Commissioners in their regularly scheduled meeting on September 7, 2000. The County Specific Plan provides for orderly development of about 625 acres of private and federal lands in the planning area. It establishes land use and zoning designations, designates lands available for public facilities, identifies conservation areas and establishes site design standards and major transportation routes for all lands within the planning area.

This final BLM Plan Amendment makes land tenure designations on about 440 acres of BLM public lands found in the planning area and adopts criteria for acquisition and sale of lands or interests in lands in Douglas County Nevada. Specifically, the final plan amendment 1) Identifies 346 acres of BLM public land for disposal to the private sector for development purposes, 2) Identifies 64 acres of BLM public lands for disposal for recreation and public purposes, 3) Identifies 30 acres of BLM public land for transfer to the Washoe Tribe of Nevada and California or another federal agency for management on behalf of the Tribe, 4) Adopts criteria for acquisition of conservation easements on private lands in the Carson Valley by the BLM, 5) Adopts criteria for acquisition of environmentally sensitive lands in Douglas County by BLM, and 6) Adopts criteria for sale of small parcels of BLM public lands involved in unintentional trespass situations.

I would like to thank the people and organizations that provided comments and suggestions on the proposed plan during the 60 day public review and Governor's consistency review period. Twelve comment letters were received and considered prior to issuing the final plan. No protests were filed during the 30 day concurrent protest period. If you have any questions regarding implementation of this plan amendment please call or visit the Carson City Field Office at (775) 885-6000, 5665 Morgan Mill Road, Carson City, NV 89701.

Sincerely:

John O. Singlaub

Field Office Manager  
Carson City Field Office

UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
CARSON CITY FIELD OFFICE

---

FINAL

NORTH DOUGLAS COUNTY SPECIFIC PLAN AMENDMENT

June 14, 2001

---

*Final Plan Amendment, June 2001*  
North Douglas County Specific Plan Amendment



# CONTENTS

1.0	Introduction/Purpose and Need	
1.1	Introduction	1
1.2	Purpose and Need	1
1.3	Planning Process Overview	2
1.4	Planning Criteria	3
1.5	Conformance with Public Land Use Plans	4
1.6	Relationship to Statutes, Regulations, and Other Plans	4
2.0	Final Plan Amendment	
2.1	Goals of the Plan Amendment	7
2.2	Objectives of the Plan Amendment	7
2.3	Land Tenure Decisions	7
2.4	Acquisition Criteria For Conservation Easements	8
2.5	Acquisition Criteria For Environmentally Sensitive Lands	9
2.6	Sale Criteria For Small Parcel Sales	9
2.7	Land Management, Monitoring And Compliance	9
2.8	Administrative Actions	10
3.0	Consultation And Coordination	15
3.1	List of Preparers	15
3.2	Persons, Groups, and Agencies Consulted	15
3.3	Comments on the Proposed Plan/Protests	17
4.0	Decision Record and Finding of No Significant Impact	18

## List of Figures

- Figure 1 Vicinity Map
- Figure 2 Zone Map
- Figure 3 Final Plan Amendment
- Figure 4 Conservation Easement Acquisition Area

## List of Appendices

- Appendix I. Response to Comments
- Appendix II. Comment Letters
- Appendix III. Agency, State and Local Government Correspondence





# Final North Douglas County Specific Plan Amendment

## 1.0 Introduction/Purpose and Need

### 1.1 Introduction

Continuing growth in Douglas County has increased development pressure on both public and private lands in the Carson Valley area of Douglas County. In response, the Bureau of Land Management (BLM), Carson City Field Office and Douglas County have prepared a North Douglas County Specific Plan (NDCSP) and this Walker Resource Management Plan (RMP) Amendment (North Douglas County Specific Plan Amendment). The Specific Plan Area includes approximately 440 acres of BLM managed public lands and about 180 acres of private and/or U.S. Forest Service lands (Figure 1). Land tenure decisions regarding the BLM public lands are currently provided in the Walker RMP. Currently all 440 acres of public lands in this area are designated for potential disposal through exchange or under the Recreation and Public Purposes (R&PP) Act. However, inconsistencies between decisions in the RMP and existing land classification needs to be resolved. This final plan amendment is printed in abbreviated format and should be used in conjunction with the Proposed North Douglas County Specific Plan Amendment for information regarding alternatives or environmental analysis.

### 1.2 Purpose and Need

The purpose of the **North Douglas County Specific Plan Amendment** to the Walker Resource Management Plan is to: 1) Clarify land tenure designations on about 440 acres of BLM managed public lands in the Specific Plan Area; 2) Identify and designate approximately 30 acres of public lands containing an important cultural resource site, per 25CFR151, for transfer to the United States Government to be held in trust for the Washoe Tribe of Nevada and California through the Western Division of the Bureau of Indian Affairs in perpetuity; 3) Designate specific tracts of BLM managed public lands in the North Douglas County Specific Planning Area for potential disposal to the private sector for development purposes and/or to the private sector or local government for recreation and public purposes under provisions of the R&PP Act; 4) Adopt criteria for acquisition of private lands or interests in private lands by the BLM within Douglas County; and 5) Adopt criteria for sale of small parcels of BLM public lands on which portions of private structures have been constructed resulting in unintentional trespass.

The need for the plan amendment is generated by several factors: 1) Existing public land designation and classification inconsistencies currently exist between the Walker RMP and classifications on record in the Carson City Field Office; 2) A cultural resource site, important to the Washoe Tribe, exists in this area and will require protection prior to the disposal of surrounding lands for other purposes; 3) Continuing growth in Douglas County has increased private sector interest in acquiring public lands in the Specific Plan Area for development purposes; 4) The Walker RMP lacks specific criteria for acquisition of private lands or interests in private lands by BLM within Douglas County. Development and adoption of specific acquisition criteria in cooperation with the County would guide and facilitate future BLM acquisition of lands or interests in lands within the County; and 5) The Walker RMP lacks criteria for the sale of small parcels of BLM public lands to resolve unintentional trespass problems. In the past, inaccurate surveys have resulted in the construction of private structures that are partially located on BLM public lands. Adoption of specific sale criteria would allow BLM to resolve existing trespass problems.

### **1.3 Planning Process Overview**

The BLM, Carson City Field Office, and Douglas County have jointly prepared this North Douglas County Specific Plan Amendment to the Walker RMP as well as the NDCSP. Public meetings were held on May 10 and May 17, 2000 to seek public comment and concerns on both the NDCSP and RMP Amendment. A preliminary draft NDCSP and Alternatives were presented for review and comment at a public meeting held on June 21, 2000. The draft NDCSP was then presented to the Douglas County Planning Commission on July 11, 2000 and again on Aug 8, 2000. The Douglas County Board of Commissioners reviewed and approved the NDCSP at their regularly scheduled meeting on September 7, 2000. A public meeting was held on April 12, 2000 in conjunction with a regularly scheduled meeting of the Douglas County Board of Commissioners. The purpose of the meeting was to solicit comments on the proposed plan. About 30 individuals attended the meeting and comments were unanimously in support of the proposed plan. The County Board of Commissioners also endorsed the plan amendment at this meeting.

1. Planning issues were identified in the public scoping process initiated through a Federal Register Notice published on May 3, 2000. This was followed by joint BLM/Douglas County planning meetings through August, 2000. The following planning issues were identified during the scoping process.
  - a. **Land Use and Future Development**
  - a. **Traffic and Circulation**
  - b. **Infrastructure**
  - c. **Open Space**
  - d. **Wildlife and Sensitive Environmental Areas**
  - e. **Public Land Management and Process Issues**
2. An analysis of planning criteria concluded that the pre-planning criteria developed to guide the planning process for the most part remain appropriate. One additional criteria has been added to resolve unintentional trespass issues within Douglas County. The criteria are described in Section 1.4.
3. Resource data necessary to complete the analysis was compiled through evaluation of existing information and completion of additional inventories.
4. An analysis of inventory data and resource information was conducted in conjunction with social and economic information, public sector demand for public land, and open space needs. The results of this analysis are the basis of the affected environment description in this document.
5. Three alternatives are considered in this plan amendment. The Proposed Action, Continuation of Existing Management (No Action), and the full Retention alternatives were developed and/or suggested during the scoping process.
6. An analysis of the physical, biological, and social and economic impacts of implementing the proposed action and alternatives has been conducted and is presented in the environmental consequences section.

7. The Proposed Plan (Proposed Action) was identified through the joint planning process conducted with Douglas County.
8. The attached decision selecting the final North Douglas County Specific Plan Amendment is being issued following a 60 day Nevada Governor's consistency review / public comment and 30 day protest period. The public comment/governor's consistency review/30 day protest period ran concurrently and ended on May 21, 2001.
9. The plan will be periodically monitored to determine whether or not implementation of the selected alternative is achieving the desired results and whether or not the plan remains consistent with other federal, state, and local plans for the Specific Plan Area.

#### **1.4 Planning Criteria**

Planning criteria have been developed to ensure that the plan amendment is tailored to the issues identified and ensure that unnecessary data collection and analysis would be avoided. The plan amendment is guided and constrained by the following criteria applicable to the North Douglas County Planning Area:

1. Specific parcels of public lands are identified for potential disposal through sale under provisions of the Federal Lands Transactions Facilitation Act of 2000, exchange under provisions of the Federal Land Policy and Management Act of 1976 as amended by the Federal Land Exchange Facilitation Act of 1988, or under the Recreation and Public Purposes Act of 1954 to private and public entities. Approximately 410 acres of BLM managed public lands located in North Douglas County will be affected by the decisions regarding land disposal through sale, exchange or the R&PP Act.
2. Identify and designate approximately 30 acres of public lands containing an important cultural resource site, per 25CFR151, transfer to the United States Government to be held in trust for the Washoe Tribe of Nevada and California through the Western Division of the Bureau of Indian Affairs in perpetuity.

A significant cultural resource site important to the Washoe Tribe exists on these lands and will require inventory, delineation, management and protection. The development of a treatment plan for a cultural resource located within the area of sale or Exchange located on Figure 3 of the NDCSPA, will be necessary according to 36 CFR 800.5 (a)(2)(vii)" transfer, lease, or sale of property out of Federal ownership or control without adequate and legally enforceable restriction or conditions to ensure long-term preservation of the property's historic significance" constitutes an adverse effect (Federal Register, 1999).

3. BLM acquisition of private lands or interests in lands within Douglas County are guided by acquisition provisions of the Federal Lands Transactions Facilitation Act of 2000 and the Southern Nevada Public Lands Management Act of 1998. Lands or interests in lands acquired by exchange are guided by provisions of the Federal Land Policy and Management Act of 1976 as amended by the Federal Land Exchange Facilitation Act of 1988. Criteria for BLM acquisition

of lands or interests in lands will primarily focus on the acquisition of conservation easements in the Carson Valley in order to protect agricultural lands and the associated open space values, wildlife habitat, and flood plain functions. Approximately 25,000 acres of private lands in the flood plain are expected to be threatened by development in the future.

4. Criteria for sale of small parcels of BLM public land to resolve outstanding unintentional trespass situations are guided by sale provisions of the Federal Land Policy and Management Act of 1976.
5. No lands will be transferred out of or into Federal ownership as a direct result of this plan amendment. Specific exchange proposals or leases under the R&PP Act will be considered and analyzed case by case after both the joint County Specific Plan and BLM Resource Management Plan Amendment are completed.

This plan amendment is guided and constrained by provisions of numerous federal laws and regulations. These laws and regulations include but are not limited to the following: 1) Federal Land Policy and Management Act of 1976, 2) Federal Land Exchange Facilitation Act of 1988, 3) Southern Nevada Public Lands management Act of 1998, 4) Federal Lands Transaction Facilitation Act of 2000, 5) National Historic Preservation Act of 1966, 6) Endangered Species Act of 1973, 7) Migratory Bird Treaty Act of 1918, and 8) Other laws and regulations too numerous to list here.

### **1.5 Conformance with Public Land Use Plans**

The provisions of the final plan amendment will make or replace existing decisions regarding: 1) Land tenure decisions in the Walker RMP applicable to approximately 440 acres of public lands in the North Douglas County Specific Plan area; 2) 30 acres of public lands containing an important cultural resource site, per 25CFR151, for transfer to the United States Government to be held in trust for the Washoe Tribe of Nevada and California through the Western Division of the Bureau of Indian Affairs in perpetuity; 3) Specific criteria for acquisition of conservation easements in the Carson River flood plain by BLM; 4) General criteria for acquisition of other environmentally sensitive lands elsewhere in Douglas County by BLM; and 5) Criteria for sale of small parcels of BLM public land on which private structures have been built resulting in unintentional trespass.

### **1.6 Relationship to Statutes, Regulations, and Other Plans**

This amendment reflects decisions made by Douglas County in the North Douglas County Specific Plan and was developed jointly with the North Douglas County Specific Plan, September, 2000. The North Douglas County Specific Plan Zoning Map is provided in Figure 2.

This amendment is consistent with the BLM's FY 2000 Strategic Plan Mission Category 1.0 Serve Current and Future Publics; Mission Goal 1.6 Provide Economic and Technical Assistance; Long-Term Goal 1.6.3 By FY 2005, complete 2.6 million acres of projected land disposal and land conveyances in Alaska, and meet 80% of expected demand outside of Alaska, in support of local communities and state economic needs.

This amendment is also consistent with the BLM's FY 2000 Strategic Plan Mission Category 3.0 Management Strategies to Improve Organizational effectiveness; Revise land use planning guidance and offer training courses that promote community stewardship and cross jurisdictional decision making. These aids

support land use planning on a landscape basis across ownership boundaries, enhancing the ability of local BLM offices and their partners to work together toward common land and resource stewardship goals.

This amendment was prepared pursuant to Section 202 of the Federal Land Policy and Management Act, which directs the Secretary of the Interior to develop land use plans consistent with state and local plans to the maximum extent consistent with federal law.

This amendment is tiered to the Walker RMP/EIS which includes a comprehensive analysis of the affected environment.





Insert Figure 1 here

Insert Figure 2 here

## **2.0 Final Plan Amendment**

The intent of the Bureau of Land Management is to assist the county and other interested organizations in achieving the goals and implementing the policies of the Douglas County Master Plan (1996), the North Douglas County Specific Plan (September 2000), and the Douglas County Open Space and Agricultural Lands Preservation Implementation Plan (September 7, 2000). The BLM will act in partnership with and in support of the county and other organizations in pursuing and achieving these goals. It is recognized that BLM actions to dispose of lands for development purposes, and to acquire conservation easements and environmentally sensitive lands within the county will be pursued in a manner consistent with the BLM's mission, policies, and regulations.

### **2.1 GOALS**

- ! Transfer BLM public lands to private ownership, where appropriate, to assist Douglas County in implementing provisions of the county master plan regarding orderly economic development in Douglas County.
- ! Assist Douglas County and other organizations in the effort to protect agricultural use, associated open space values, wildlife habitat and other important flood plain functions of the Carson River located in western Douglas County.
- ! Help Douglas County protect environmentally sensitive lands and lands that serve important public purposes from inappropriate development.
- ! Assist the Washoe Tribe of Nevada and California in protecting cultural resources important to the Tribe.

### **2.2 OBJECTIVES**

- ! Make land disposal designations on 440 acres of public lands in north Douglas County consistent with the North Douglas County Specific Plan. These lands are located within Township 14 N, Range 20 E, portions of sections 5, 6, 7, and 8 on the USGS Genoa, NV 7½ minute Quadrangle (Figure 3).
- ! Identify and designate approximately 30 acres of public lands containing an important cultural resource site, per 25CFR151, for transfer to the United States Government to be held in trust for the Washoe Tribe of Nevada and California through the Western Division of the Bureau of Indian Affairs in perpetuity.
- ! Adopt criteria for acquisition of lands or interests in lands by the BLM within Douglas County.
- ! Adopt disposal criteria for small tracts of BLM public lands within Douglas County that are involved in unintentional trespass situations.

### **2.3 LAND TENURE DECISIONS**

- ! Designate approximately 64 acres of public lands as available for potential disposal to the private sector or local government for recreation and public purposes under provisions of the Recreation and Public Purposes Act of 1954.

- ! Designate approximately 346 acres of public lands as available for potential disposal to the private sector for development purposes.
- ! Designate approximately 30 acres of public lands for transfer to the Washoe Tribe or to another Federal agency for management on behalf of the Tribe.
- ! BLM will work in support of Douglas County's and other organization's efforts to acquire conservation easements in the Carson Valley. The intent of this coordinated effort is to cooperatively acquire conservation easements on a sufficient number of acres in Carson Valley to protect existing agriculture operations and the important social and natural resource values associated with these lands (Figure 3a.). To this end, BLM will acquire conservation easements on private properties in the Carson Valley from willing sellers in accordance with the identified *Acquisition Criteria for Conservation Easements* described in 2.4 below.
- ! Acquire environmentally sensitive lands or interests in environmentally sensitive lands elsewhere in Douglas County from willing sellers after consultation and coordination with County government and local organizations and individuals. The *Acquisition Criteria for Environmentally Sensitive Lands* presented in section 2.5 will be followed:
- ! Sell small parcels of BLM public lands on which portions of structures or facilities have been constructed in trespass. The *Sale Criteria for Small Parcel Sales* presented in section 2.6 will be used to determine whether or not the parcel should be sold to the landowner whose property has been found to be in trespass.

## **2.4 Acquisition Criteria For Conservation Easements**

On July 31, 1998, the Sierra Front/Northwest Great Basin Resource Advisory Council voted unanimously to recommend criteria to be used by the BLM to identify and set priorities for acquiring conservation easements on agricultural lands in the Carson Valley. The easements are part of a cooperative effort by BLM and Douglas County to preserve important agricultural lands in the Carson Valley from the imminent threat of development. BLM will use these criteria to set priorities and determine which lands should be considered for the purchase of conservation easements by BLM from willing private land owners in the Carson Valley. **The Criteria are ranked with the highest priority first.** Properties that are being considered will then be ranked based on the values present or offered on each property. The Criteria are as follows:

- **The land is an active agricultural operation.** Since the primary purpose of the conservation easement is to preserve productive agricultural lands, it is critical that property is an operating farm or capable of being part of a viable farm operation.
- **The land is subject to imminent threat from development, and protection is in conformance with the Douglas County Master Plan.** The Master Plan contemplates the transfer or purchase of development rights on certain agricultural lands, and that high density development will occur in "receiving areas".

- **The land is within the 100-year floodplain.** To allow the Carson River and its tributaries to utilize the natural floodplain and protect future development from flood damage, it is in the public interest to retain the agricultural use of the floodplain.
- **The land contains important wetlands or riparian wildlife habitat.**
- **The agricultural character of the land enhances scenic values.**
- **The landowner is willing to sell a recreational access easement on the property.** It maybe in the public interest to acquire access where such access does not interfere with the conservation purpose of the easement.
- **The land is of sufficient parcel size to be considered farmland.**
- **The land contains important cultural or historic values that would be protected by the acquisition.**
- **The landowner is willing to discount the sale of the conservation easement to BLM.** In many cases, it is in the landowner's interest to sell only a part of a conservation easement, and donate the remainder to a private land trust or other public entity as a tax benefit. Acquiring the conservation easement at a fraction of the value allows BLM to purchase more easements which is in the public interest.
- **The land has other unique values and acquisition would be in the public interest.**

## **2.5 Acquisition Criteria For Environmentally Sensitive Lands**

The following criteria will be used in determining which lands or interests in lands within Douglas County will be acquired by the BLM:

- Lands or interests in lands will be acquired by BLM on a willing buyer/willing seller basis only.
- Private lands or interests in private lands to be acquired by BLM will be subject to consultation and coordination procedures with Douglas County officials prior to completion of the acquisition.
- Private lands or interests in private lands to be considered for acquisition by BLM will serve purposes consistent with provisions in the Douglas County Master Plan.
- Private lands or interests in private lands to be acquired by BLM will a) provide access to public lands, b) block up federal lands ownership patterns or otherwise serve to improve management of the public lands, c) contain important natural resources, cultural resources, or habitat, or d) serve other public purposes.

## **2.6 Sale Criteria for Small Parcel Sales**

BLM will utilize the following criteria to determine whether or not sale of small parcels of BLM public lands will be pursued in order to resolve trespass situations that currently exist on BLM lands in Douglas County:

- The trespass situation has been created in a clearly unintentional manner. e.g: surveying errors, errors in Master Title Plats, very old construction etc.
- Portions of residential dwellings, commercial buildings, or other significant structures must have existed on the BLM public lands to be sold prior to approval of this Proposed Plan.
- BLM has made the determination that unauthorized structures cannot be practically removed from public lands.
- BLM public lands to be sold to resolve trespass violations with an individual landowner are

- very small and generally less than 1.0 acre in size.
- Sale of BLM public lands to resolve trespass situations will not significantly affect management of contiguous BLM public lands and will not create boundary management problems for the BLM when the BLM public lands to be sold are contiguous with more than 640 acres of other BLM public lands.

## **2.7 LAND MANAGEMENT, MONITORING AND COMPLIANCE**

Lands or interests in private lands acquired by BLM will be managed under applicable provisions of Federal law and decisions made in resource management plans and activity plans. Use and development of BLM public lands, transferred to private ownership, will be regulated by applicable Douglas County ordinances and Zoning designations. The following provisions apply to lands transferred under provisions of this plan amendment:

- ! BLM public lands transferred to the private sector for development purposes or to resolve trespass cases will be subject to local land use ordinances and the planning and zoning authority of Douglas County. Post-disposal use and development of these lands will be guided and constrained by provisions of local ordinances, plans and policies.
- ! Management of BLM public lands transferred to the private sector or local government for recreation and public purposes, under the R&PP Act, will be managed under applicable provisions of the act and local land use ordinances.
- ! Environmentally sensitive lands acquired by BLM, within Douglas County, will be managed by the appropriate Federal agency with jurisdiction over the lands acquired. In general, these lands will be managed in the same manner as surrounding or adjacent Federal lands, if the authorized officer determines such management is consistent with the purposes for which the land was acquired. Land use planning or activity planning may be initiated at the discretion of the authorized officer to provide long-term management guidance for these lands.
- ! Conservation easements acquired by BLM in the Carson Valley will be managed by BLM in a manner consistent with the terms and conditions of the easement. With the consent of the land owner, the monitoring and compliance required in the terms of the easement may be performed by agreement with another entity. The terms of such an agreement would be established through an intergovernmental agreement with Douglas County or similar agreements with organizations such as land trusts, conservation districts, or conservation organizations with the appropriate expertise in management of conservation easements, consistent with the terms and conditions of the easement. With the agreement of the landowner, the organization responsible for monitoring and compliance of these easements may be included as a co-holder of the easement.

## **2.8 ADMINISTRATIVE ACTIONS**

- ! Disposal of the 346 acres of BLM public land, identified for transfer to the private sector for development purposes, will be accomplished by one of the following processes:
  - a. Competitive sale under appropriate provisions of the Federal Lands Transaction Facilitation Act of 2000 (FLTFA), or
  - b. Exchange Under appropriate provisions of the Federal Land Policy and Management Act

of 1976 as amended by the Federal Land Exchange Facilitation Act of 1988. The method utilized to complete these transactions will be at the discretion of the authorized officer.

Competitive sale of BLM public lands is allowed under provisions of the FLTFA, if the lands were identified for disposal prior to passage of the act (July 25, 2000). Since all BLM public lands in the North Douglas County Specific Plan Amendment area were identified for disposal in the Reno Management Framework Plan approved in 1982, and the Walker Resource Management Plan approved in 1986, they qualify for sale under provisions of FLTFA. Consistent with provisions of FLTFA, proceeds from the sale of these lands shall be deposited in a separate account in the Treasury of the United States to be known as the "Federal Land Disposal Account". Proceeds deposited in this account may be used by the Secretary of the Interior or Secretary of Agriculture for acquisition of other lands consistent with the provisions of FLTFA.

- !
- Acquisition of environmentally sensitive lands and/or conservation easements in the Carson Valley may be accomplished through one or more of the following processes:
- a. Purchase under appropriate provisions of the Federal Lands Transaction Facilitation Act of 2000 (FLTFA),
  - b. Purchase under provisions of the Southern Nevada Public Lands Management Act of 1998, or
  - c. Through exchange under appropriate provisions of the Federal Land Policy and Management Act of 1976 as amended by the Federal Land Exchange Facilitation Act of 1988.

Under provisions of FLTFA, funds generated by the sale of BLM public lands may be used to purchase inholdings and lands or interest in lands that are adjacent to Congressionally designated areas and contain exceptional resources.

Examination of the private agricultural lands identified for protection through acquisition of conservation easements finds that 1) They are adjacent to Congressionally designated management units of the Humboldt-Toiyabe National Forest, 2) Contain exceptional open space values that are associated with existing agricultural operations, 3) Serve important flood plain functions such as passive flood water dispersal, groundwater recharge, 4) Contain important wetland/riparian habitat that support local as well as migratory populations of birds and other wildlife, 5) These values and functions have been identified for protection by local governmental authority in the Douglas County Open Space and Agricultural Lands Preservation Implementation Plan (September 7, 2000), and 6) Need long-term protection under the jurisdiction of a federal agency, Douglas County or other partner in order to maintain the resource for public benefit. Thus, acquisition of conservation easements on these private lands in the Carson Valley qualify for funding generated by the sale of BLM public lands under provisions of FLTFA.

- !
- Disposal of BLM managed public lands will be subject to valid existing rights on these lands. BLM may also reserve to the United States lands needed for utility corridors and other infrastructure prior to completion of the disposal action.



Insert Figure 3 here



Insert Figure 4 here.



## **3.0 Consultation And Coordination**

### **3.1 *List of Preparers***

#### **Resource Concepts, Inc.:**

Robert A. Pearce, Ecologist, Senior Resource Specialist

Lynn Zonge, Hydrologist, Senior Resource Specialist

Sheila Anderson, Biologist, Senior Resource Specialist

#### **BLM, Carson City Field Office:**

John Singlaub - District Manager

Ken Nelson - Land, Realty, and Hazardous Materials

Chuck Pope - Land and Realty

Tom Crawford - Socio-economic

Jim deLaureal - Soils, noxious weeds

Fran Hull Recreation

Dean Kinerson - Vegetation, T&E Plants

Walt Devaurs - Wildlife, T&E Animals

Terry Knight - Visual Resources

Gary Bowyer - Cultural Resources

Susan McCabe - Cultural Resources

Katrina Leavitt - Range Ecology

Mike McQueen - Planning and Environmental Coordination

Della Asuagbor - Production Coordinator

#### **Douglas County**

Dan Holler - Douglas County Manager

Mimi Moss - Douglas County Community Development

Pete Wysoki - Douglas County Planning

### **3.2 *Persons, Groups, and Agencies Consulted***

#### **Washoe Tribe of Nevada and California**

Brian Wallace - Chairman, Washoe Tribe of Nevada

#### **State and Federal Agencies**

Eric S. Miskow - Nevada Natural Heritage Program

U.S. Fish and Wildlife Service - Nevada Fish and Wildlife Office

Ronald M. James - Nevada State Historic Preservation Officer

### **3.3 *Comments on the Proposed Plan / Protests***

Twelve comment letters were received during the 60 day public review/Governor's consistency review

period. No protests were received during the concurrent 30 day protest period. Comment letters were received from the following agencies, organizations and individuals:

1. Carson City, Andrew R. Burnham, Development Services Director, March 22, 2001.
2. Carson City, Andrew R. Burnham, Development Services Director, May 15, 2001.
3. Nevada State Clearinghouse, Heather K. Elliot, May 25, 2001
4. Nevada Division of Wildlife, Western Regional Manager, Roy Leach, May 21, 2001.
5. Pine Nut Preservation League, President, John E. Dicks, May 20, 2001.
6. Cherokee Unlimited, Inc., President, Max C. Montgomery, May 14, 2001.
7. Carson Valley Trails Association, President, Mary C. Bennington, May 15, 2001.
8. Brooke; Shaw; Plimpton; Zumpft, General Partner, Bently Family Limited Partnership, April 13, 2001.
9. David A. and Kathi Hussman, May 15, 2001.
10. John and Donna Leveck, April 19, 2001.
11. Sheryl Leverington, May 21, 2001.
12. Ronald E. Rooker, March 19, 2001.

Responses to comments in these letters are presented in Appendix I for your convenience. Comment letters received during the review period on the proposed plan are presented in Appendix II. Additional correspondence with Federal and State agencies received during the planning process are found in Appendix I.

## 4.0 Decision Record and Finding of No Significant Impact

### **DECISION:**

The Final North Douglas County Specific Plan Amendment is approved as described in the attached final plan amendment. No substantial changes to the Proposed Plan Amendment were made during development of this final plan amendment.

### **FINDING OF NO SIGNIFICANT IMPACT:**

The proposed plan amendment and environmental assessment (NV-030-00-028) considered three alternatives. These alternatives include: 1) The Proposed Plan, 2) The No Action Alternative, and 3) the Retention Alternative.

The environmental assessment accompanying the proposed plan amendment addressed impacts resulting from implementation of the proposed plan and alternatives on the following issues identified during internal BLM and public scoping processes: 1) Land use and development, 2) Traffic and circulation, 3) Open space, 4) Wildlife and sensitive environmental areas, 5) Lands, 6) Soils, 7) Geologic Resources, 8) Cultural Resources, 9) Visual Resources, 10) Recreation, 11) Socio-economics, and 12) Noxious Weeds. Examination of the direct, indirect and cumulative impacts in environmental assessment NV-030-00-028 reveals no impacts which would be considered significant either individually or cumulatively. Based on my finding of no significant impact I have determined that preparation of an environmental impact statement is not required.

### **RATIONALE:**

The Final North Douglas County Specific Plan Amendment was developed jointly with Douglas County and included opportunities for public participation consistent with the requirements for a plan amendment generating issues of local or regional concern.

No federal lands will be transferred to private ownership as a direct result of approval of this plan amendment. Subsequent implementing actions such as sales, exchanges, acquisitions and transfers will be required to implement these decisions. Each implementing action will be analyzed in a manner consistent with provisions of the National Environmental Policy Act of 1969. Implementation of the Final Plan is expected to result in the following: 1) Disposal of 440 acres of BLM public lands in the North Douglas County Specific Plan Area, 2) BLM acquisition of conservation easements from willing sellers on agricultural lands within the Carson Valley, 3) BLM acquisition of environmentally sensitive lands in Douglas County from willing sellers, and 4) Transfer of small parcels of BLM public lands to private entities to resolve unintentional trespass issues.

Implementation of the final plan amendment will benefit BLM, Douglas County, the Washoe Tribe of Nevada and California and the public in the following ways:

Once subsequent implementing actions are completed, 410 acres of hard to manage BLM public lands will be transferred to the private sector for development purposes. Ultimately, 346 acres of these lands are expected to be used for residential and commercial purposes consistent with Douglas County land use and zoning designations in the North Douglas County Specific Plan. Transfer of these lands to the private sector will assist in economic development and community expansion in the north county area.

Another 64 acres of public lands in the planning area are expected to be developed for recreation and public purposes. These lands may be used for schools, parks, churches, or other public facilities. Once these lands are developed the community is likely to benefit from the development of these facilities. These disposal actions are consistent with the BLM's FY 2000 - 2005 Strategic Plan; long-term goal 1.6.3, to complete public land disposals in support of local communities and State economic needs.

An additional 30 acres of BLM public lands is identified for transfer to the Washoe Tribe of Nevada and California or another Federal agency for management on behalf of the Tribe. The acreage identified for transfer contains a cultural site important to the Tribe. The Tribe is expected to benefit from the long-term protection of this site. This action is consistent with BLM's federal trust responsibilities for Native Americans.

Future BLM acquisition of conservation easements in the Carson Valley will assist Douglas County in protecting open space and agricultural lands consistent with provisions in the Douglas County Open Space and Agricultural Lands Preservation Implementation Plan. In doing so, BLM will also help protect important migratory bird habitat, other wildlife habitat and important flood plain functions in the Carson Valley such as groundwater recharge and flood dissipation.

Future BLM acquisition of environmentally sensitive lands in Douglas County is expected to provide access to public lands, improve management of adjacent public lands, and protect important natural or cultural resources. This action responds to local issues regarding loss of access to federal lands and protection for areas containing sensitive natural resource values from encroaching developments.

Sale of small parcels of public lands involving construction of building or other facilities in unintentional trespass issues will resolve these outstanding issues.

In summary, implementation of the final plan amendment is expected to support community expansion, provide lands for economic growth, protect agricultural lands and the associated economic values, wildlife habitat, and important flood plain functions.

**APPROVED**

---

Robert V. Abbey  
State Director, Nevada

---

Date

## APPENDIX I.

### RESPONSE TO COMMENTS



## **Response to Comments Received on the Proposed North Douglas County Specific Plan Amendment**

**Comment:**

Several letters were received that expressed support for the Proposed Plan Amendment.

**Response:**

Thank you for your comments and support for the Proposed Plan Amendment.

**Comment:**

One request for an indefinite extension of the comment period was received .

**Response:**

The Carson City Field Office of the BLM respectfully declined to extend the comment period on the North Douglas County Specific Plan Amendment. The 60 days provided for The Governor's consistency review is prescribed in the Code of Federal Regulations at 43 CFR 1610.3-2 Consistency Requirements (e). Indefinite extension of this time period would needlessly delay the planning process. Coordination between Douglas County and Carson City is expected to continue as actions needed to implement this plan amendment and the North Douglas County Specific Plan are proposed and analyzed.

**Comment:**

Detailed analysis of impacts stemming from subsequent development of the planning area is needed. The analysis should include the following issues: 1) Detailed analysis of the costs of building infrastructure needed to develop the planning area and provide public services to the area should be completed and compared to the revenues generated by subsequent development; 2) Analysis of the rate at which land will be disposed of should be completed in order to mitigate growth impacts resulting from development of the planning area; 3) Additional analysis of traffic impacts needs to be completed in order to identify appropriate regional mitigation measures.

**Response:**

Decisions contemplated in this plan amendment address the potential disposal of BLM public lands and acquisition of private lands or interests in private lands within Douglas County. Subsequent implementing actions will be considered and analyzed prior to disposal of any BLM public lands or acquisition of private lands or interests in private lands. Once public lands are transferred to private ownership, use and development of those lands falls under jurisdiction of County planning and zoning regulations and designations. The analysis presented in EA No. NV-030-00-028 utilizes information and the zoning and land use maps presented in the North Douglas County Specific Plan (NDCSP) for analytical purposes. This plan was approved by the Douglas County Board of Commissioners on September 7, 2000 and is considered the best available information in regards to expected land use and development in the planning area.

The information needed to complete a detailed cost/revenue analysis is currently unavailable. The NDCSP does not include information or analysis regarding costs of developing infrastructure or revenue expected to

accrue to the County from subsequent development. Infrastructure costs are dependent on site specific development plans for the commercial, residential and public facilities expected to ultimately be built in this area. These site specific plans are usually produced by a developer and are subject to County approval. A developer is unlikely to complete this level of detailed planning prior to acquiring ownership of the lands involved. In addition, it is unclear whether the County or the developer would absorb the costs of infrastructure construction. This decision would also be made during the County approval process. A similar situation exists regarding revenues generated by the anticipated development of lands in the planning area. Sales and property tax revenues generated by businesses and residential development is also dependent on the specific projects constructed and the way the County assessor values the developments. Thus, BLM is unlikely to have this information prior to completing the actions needed to implement this plan amendment. This level of detailed analysis is premature at the Resource Management Planning level and may be, more properly, considered as sales and/or exchanges of BLM public lands are proposed and completed.

The NDCSP makes no assumptions regarding time required for build out of the planning area. Analysis presented in the environmental assessment of the proposed plan amendment assumes full implementation of the plan. However, the rate at which BLM actually disposes of public lands within this area is dependent on implementing actions such as land sales, land exchanges and applications for lands under the Recreation and Public Purposes Act. The rates at which these actions will be considered, processed and have decisions rendered will be subject to consultation with Douglas County and the processing requirements for each individual action. In addition, once public lands are transferred to private ownership, development of those lands are subject to Douglas County approval, and developer construction schedules. Information needed to complete such an analysis is not available in the NDCSP or in other County planning documents. Thus, the rates of transfer and development of public lands in the planning area is highly speculative at this time and may be more properly considered as implementing actions are contemplated and analyzed.

The analysis of traffic and circulation presented in the environmental assessment of the proposed plan relies on information found in the NDCSP. The environmental assessment acknowledges that traffic is expected to increase as development occurs and identifies four intersection improvements needed to maintain a level of service required by the Douglas County Master Plan. Analysis presented in the environmental assessment indicates implementation of the plan amendment is expected to focus growth in the planning area but is not expected to affect overall growth in the region. Regional increases in traffic will continue to occur as growth and development takes place in the Carson Valley/Carson City area. Thus, implementation of the plan amendment will not affect regional traffic volumes. Information needed to conduct additional detailed analysis of regional traffic patterns and discern how implementation of the plan amendment is likely to affect these patterns is not currently available. Additional analysis using existing information would yield extremely speculative results.

In general, the scope and detail of the analysis presented in environmental assessment No. NV-030-00-028 is commensurate with the land tenure decisions proposed in the plan amendment and with the information currently available in the North Douglas County Specific Plan and other County planning documents for use in analysis. Subsequent actions taken to implement the plan amendment will be analyzed in detail and may present an opportunity to consider additional detailed analysis of these issues.

**Comment:**

In the Proposed Action states “BLM will work in partnership with and in support of the County and other organizations in pursuing and achieving these goals.” Please identify the other organizations.

**Response:**

BLM has worked with Douglas County, several organizations, and many individuals on land tenure and agricultural land/open space protection in Carson Valley. Organizations include but are not limited to the Carson Valley Conservation District, the Sonoran Institute, the Sierra Business Council, the American Land Conservancy, University of Nevada Reno, Cooperative Extension Service, the Nature Conservancy, Nevada Division of State Lands, Western Nevada Resource Conservation and Development Inc., and others. BLM will continue to work with these organizations and others, such as local land trusts, to address land tenure issues in the Carson Valley area.

**Comment:**

Would acquisitions be limited to Douglas County or can a neighboring entity also be eligible for acquisitions?

**Response:**

All decisions in the North Douglas Specific Plan Amendment apply only to lands in Douglas County. Therefore no lands outside of Douglas county may be acquired under provisions of this plan amendment. However, the Consolidated Resource Management Plan for the Carson City Field Office includes provision for land acquisitions in other locations throughout the field office area of jurisdiction.

**Comment:**

Will Douglas County require solid waste from the planning area be taken to Douglas County’s transfer station in order to prevent impacts on Carson City’s land fill?

**Response:**

Solid waste from the planning area will be taken to the Douglas County transfer station and will not affect the capacity of the Carson City landfill.

**Comment:**

The description of land use and development presented in section 3.4 of the environmental assessment should be expanded to include low density residential areas to the east and a non-conforming use, a race track, which has existed since the 1960's. This use has the potential to adversely affect the residential component of the specific plan due to noise impacts.

**Response:**

The Land Use and Development section in the environmental assessment acknowledges the existence of ranches (low density residential) to the east of the planning area. The race track located at Fuji Park and is included in the industrial and commercial uses acknowledged to exist in the North County area. Potential noise impacts from the racetrack on residential development in the planning would be considered during consideration and analysis of implementing actions such as sales and/or exchanges. Noise from the race track may require mitigation measures during design of the residential development and may be reflected in the appraised values assigned to the BLM public lands in the area.

**Comment:**

One issue the plan has not addressed is affordable housing and/or the need for multi-family housing.

**Response:**

The issue of affordable housing is clearly under the jurisdiction of Douglas County. The NDCSP zoning map provides about 170 acres in the planning area for residential development. Subsequent development of these areas are subject to Douglas County approval procedures. Developments in these residential areas could include provisions for affordable housing.

During the NDCSP planning process, zoning for multi-family housing was considered in the planning area. In response to public concerns about the impacts of multi-family housing in the planning area, the Douglas County Board of Commissioners approved the NDSCP without areas zoned for multi-family housing. Issues regarding multi-family housing and zoning for this type of development are clearly under the jurisdiction of Douglas County.

**Comment:**

The Nevada Division of Wildlife finds the assessment of wildlife resources and habitats to be complete and accurate. We encourage the Field Office to consult our agency concerning any conservation easements that follow the pending decision.

**Response:**

The Carson City Field Office will consult with the Nevada Division of Wildlife as part of the coordinated and cooperative process envisioned in the Final Plan Amendment for acquisition of conservation easements.

**Comment:**

Comments suggesting various changes in zoning and land use designations were received. These comments raised issues in regards to the need for increased buffer zones, more parks, more roads to Carson City, better definition of "Neighborhood Commercial", combining parks and schools, and the need for an urgent care center in the area.

**Response:**

All changes in zoning and land use is under the jurisdiction of Douglas County. The zoning map identified as Figure 2 in the final plan amendment was approved by the Douglas County Commissioners on September 7, 2000 after an extensive public process. Decisions in the final plan amendment will not affect these zoning designations made by the County. Any future zoning changes would be subject to Douglas County approval procedures.

**Comment:**

Specific parcels of land were offered for conservation easements.

**Response:**

No specific proposals will be entertained until the planning process is complete. The planning process will be considered complete when the Nevada State Director of BLM signs the Decision Record approving this plan amendment.

## APPENDIX II.

### COMMENT LETTERS





## APPENDIX III.

### AGENCY CORRESPONDENCE





United States  
Department of the Interior  
Bureau of Land Management  
5665 Morgan Mill Road  
Carson City, NV 89701

---

OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE, \$300

AN EQUAL OPPORTUNITY EMPLOYER

FIRST-CLASS MAIL  
POSTAGE & FEES PAID  
BUREAU OF LAND  
MANAGEMENT