

**U.S. Department of the Interior  
Bureau of Land Management**

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**Finding of No Significant Impact and Decision Record  
DOI-BLM-NV-L030-2010-0001-EA  
June 22, 2010**

**Proposed Small Volume Wildlife Water Developments**

**Lincoln County, Nevada**

Caliente Field Office  
Caliente, Nevada  
Phone: 775-726-8100  
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**UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
CALIENTE FIELD OFFICE**

**INTRODUCTION**

I have reviewed Environmental Assessment (EA) DOI-BLM-NV-L030-2010-0001-EA, for the *Nine Small Game Water Developments in Lincoln County*, dated November, 2009 taking into consideration the project design specifications in Section 2.0 of the EA.

I have also considered the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and the intensity of impacts described in the EA:

Context:

The affected areas are located in uninhabited locations throughout Lincoln County. The area has no national or regional importance.

Intensity:

- 1) *Impacts that may be both beneficial and adverse:*  
The Environmental Assessment has analyzed and disclosed both beneficial and adverse impacts of the Proposed Action. These impacts combined do not amount to any significant impacts.
- 2) *The degree to which the Proposed Action affects public health or safety:*  
The Proposed Action does not affect public health or safety either adversely or in a significantly beneficial manner. The subsequent land use would be regulated by local, state, and federal regulations as applicable; therefore, no adverse affects to public health or safety are anticipated.
- 3) *Unique characteristics of the geographic area such as proximity to historical or cultural resources, parks lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas:*  
There are no parks lands, prime farmlands, wild and scenic rivers, known wetland/riparian areas, or ecologically critical areas on the Proposed Action sites. Cultural inventories have been performed and no sites eligible for nomination to the National Register of Historic Places are located at the Proposed Action sites.
- 4) *The degree to which the effects on the quality of the human environment are likely to be highly controversial:*  
Effects on the quality of the human environment from the Proposed Action are not likely to be controversial. The proposed small game water developments would

primarily occur in remote and low-use areas, would not interfere with the current use of public lands in the region and are consistent with designated land uses. Conflicts with cattle grazing would be avoided through the implementation of Standard Operating Procedures that restrict access to active watering areas. The subsequent land use is not expected to be highly controversial.

- 5) *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks:*

No known risks exist on the proposed water development sites. It is highly unlikely that any unknown, unique, or uncertain risks exist.

- 6) *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration:*

Use of the sites is not expected to result in or establish a precedent for further use of additional sites in the region. No precedent will be set due to the construction of these units.

- 7) *Whether the action is related to other actions with individually insignificant, but cumulatively significant impacts:*

Based on the conditions set forth in this Finding of No Significant Impact and Decision Record, no significant impacts will occur due to the Proposed Action. The subsequent land use would be regulated by local, state, and federal regulations as applicable; therefore, no significantly cumulative impacts are anticipated.

- 8) *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing on the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historic resources:*

No sites eligible for nomination to the National Register of Historic Places are located at the proposed water development sites. Because the needs assessment identified no sites would be damaged, no significant impacts are suspected.

- 9) *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973:*

The Proposed Action would not adversely affect endangered or threatened species or their habitat. Consultation with the US Fish and Wildlife Service has been conducted.

- 10) *Whether the action threatens a violation of Federal, State, local or tribal law or requirements imposed for the protection of the environment:*

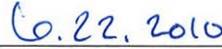
This action is consistent with federal, state, local, and tribal laws and other requirements for the protection of the environment. All agencies were properly notified of the Proposed Action and given appropriate comment time to respond.

**FINDING OF NO SIGNIFICANT IMPACT**

I have determined that the proposed action will not significantly affect the quality of the human environment and that preparation of an Environmental Impact Statement (EIS) is not required.



Victoria Barr  
Field Manager  
Caliente Field Office



Date



# United States Department of the Interior



## BUREAU OF LAND MANAGEMENT

Caliente Field Office

PO Box 237 (1400 South Front St.)

Caliente, Nevada 89008-0237

[http://www.blm.gov/nv/st/en/fo/ely\\_field\\_office.html](http://www.blm.gov/nv/st/en/fo/ely_field_office.html)

In Reply Refer To:  
1741-2 (NVL0300)

### **DECISION**

<b>Proposed Small Volume Wildlife</b>	:	Decision Record
<b>Water Developments</b>	:	Authorize Wildlife Habitat Enhancement
	:	DOI-BLM-NV-L030-2010-0001-EA

I have reviewed the application, the Environmental Assessment, and have made a Finding of No Significant Impact (FONSI) for the proposal for Nine Small Volume Wildlife Water Developments. Based on that review and the record as a whole, I approve the proposal and authorize the Wildlife Habitat Enhancement.

### **RATIONALE:**

- 1) The Proposed Action is in conformance with the Ely District Record of Decision and Approved Resource Management Plan signed in August of 2008. Section 2.3 of the Environmental Assessment documents the conformance review.
- 2) The Proposed Action is consistent with all other federal, state, local, and tribal policies and plans to the maximum extent possible.

### **PUBLIC INVOLVEMENT:**

The project was developed by Nevada Department of Wildlife in coordination with the Bureau of Land Management. The project was scoped with the Caliente Field Office ID Team on July 1, 2008. The ID Team provided comments on the EA.

### **APPEALS:**

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4. The appellant has the burden of showing that the decision appealed from is in error. If an appeal is taken, a notice of appeal must be filed at the Bureau of Land Management, Caliente Field Office, at the address on the letterhead within 30 days of either of receipt of the decision if served a copy of the document, or otherwise within 30 days of the date of the decision. If sent by United States Postal Service, the notice of appeal must be sent to the following address:

Bureau of Land Management  
Caliente Field Office  
P O Box 237  
Caliente, NV 89008-0237

The appeal may include a statement of reasons at the time the notice of appeal is filed, or the statement of reasons may be filed within 30 days of filing this appeal. At the same time the original documents are filed with this office, copies of the notice of appeal, statement of reasons, and all supporting documentation also must be submitted to each party named in this decision and to the Department of Interior Solicitor at the following address:

Regional Solicitor, Pacific Southwest Region  
U.S. Department of the Interior  
2800 Cottage Way, Room E-2753  
Sacramento, CA 95825-1890

If a statement of reasons is filed separately from the notice of appeal, it also must be sent to the following location within 30 days after the notice of appeal was filed:

Board of Land Appeals  
Office of Hearings and Appeals  
4015 Wilson Boulevard  
Arlington, VA 22203

If the appellant wishes to file a petition pursuant to regulations at 43 CFR 4.21 for a stay of the effectiveness of this decision during the time that the appeal is being reviewed by the Board, the petition for a stay must accompany the notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. If the appellant requests a stay, the appellant has the burden of proof to demonstrate that a stay should be granted.

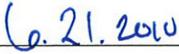
### **Standards for Obtaining a Stay**

Except as otherwise provided by law or by other pertinent regulation, a Petition for a Stay of a Decision pending appeal shall 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 appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

**Approved by:**

  
\_\_\_\_\_  
Victoria Barr  
Field Manager  
Caliente Field Office

  
\_\_\_\_\_  
Date