

U.S. Department of the Interior  
Bureau of Land Management  
Carson City District Office

**CATEGORICAL EXCLUSION  
ENVIRONMENTAL REVIEW AND APPROVAL**

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**Project Creator:** Erik Pignata

**Field Office:** Stillwater

**Lead Office:** Stillwater

**Case File/Project Number:** NVN 089433 (supersedes NVN 054431)

**Applicable Categorical Exclusion**

516 DM 11.5; Appendix 4 – 151, E. Realty, #9. “Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.”

**NEPA Number:** DOI-BLM-NV-2012-C010-0023-CX

**Project Name:** Brooks Power line and Water Facilities Renewal

**Project Description:**

A patented mining claim in the Elizabeth Hill area (Northeast of the town of Gabbs) has gone through numerous hands over the last fifty years. In 1960, a right-of-way for a power line was granted under the authority of a land law from 1901 to the Gabbs Exploration Company. As stated, numerous assignments of the authorization have taken place over the years, as have grant amendments. In 2001, by application from the holder at the time, the right-of-way was amended to include an access road, pump house, and water pipeline to the patented site. The authorization expired on February 28, 2010.

On December 15, 2010, Doris House, the current holder, applied for renewal of the authorization. As the application was received after expiration, and the rights are under a law repealed by FLPMA, this “renewal” action will be done under a reserialization of the old case. NVN 054431 will be replaced by a FLPMA authorization NVN 089433. No new structures, actions, rights, or surface disturbance is being authorized; indeed, the acreage on the case is being reduced through partial relinquishment of the 50 foot wide right-of-way corridor and most of the access road that was added in 2001.

The power line portion from the airport to the pump house area is approximately 12,413.3 feet long (2.35 miles) by 12 feet wide. The pump house, well, and related facilities is a 100 by 100

foot area. The span of access road from the property to the well site, the underground pipeline, and the rest of the overhead power line corridor is approximately 568.2 feet by 35 feet wide. This is a total project area of 4.11 acres.

The authorization was found to be in noncompliance upon inspection for renewal. By field inspection on December 12, 2011, the issues were seen to be addressed, and the authorization was found to be back in compliance. This action will be an issuance of a FLPMA grant for 30 years to re-authorize current facilities and disturbance and to bring the right-of-way under current policy and regulations. Nothing new is being authorized.

The holder is currently Doris House. It was requested by the applicant that the holder's name be changed to Doris Brooks on the new authorization, the same person under a new married name.

**Applicant Name: Doris Brooks (House)**

**Project Location: Gabbs Airport to Elizabeth Hill**

Mount Diablo Meridian

T. 12 N., R. 36 E.,  
sec. 5, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ .

T. 13 N., R. 36 E.,  
sec. 28, NE $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , unsurveyed;  
sec. 32, NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ , unsurveyed;  
sec. 33, NW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$  unsurveyed.

**BLM Acres for the Project Area: 4.11 acres**

**Land Use Plan Conformance:**

**LND-7, #6:** "Exchanges and minor non-Bureau initiated realty proposals will be considered where analysis indicates they are beneficial to the public."

**Name of Plan:** Carson City Field Office Consolidated Resource Management Plan (2001)

**Cultural Needs:**

Under the State Protocol Agreement, finalized October 26, 2009, pg. 11, Part A. 2, states undertakings exempt from inventory and review are listed in Appendix C, Categorical Exemptions.

The action proposed in this document falls under Appendix C, pg. 38, #7 –

"Renewing existing rights-of-ways characterized by complete surface disturbance (roads, pipelines, power lines, communication sites, etc.) when no new surface disturbance is authorized."

**Special Stipulations:**

The following special stipulation will be added to those found in the lease agreement –

- a. The holder shall contact the BLM and obtain approval from the authorized officer before beginning any activity that is a substantial deviation from this grant or that will cause new surface disturbance.

**Screening of Extraordinary Circumstances:** The following extraordinary circumstances apply to individual actions within categorical exclusions (43 CFR 46.215). The BLM has considered the following criteria: (Specialist review: initial in appropriate box)

<i>If any question is answered 'yes' an EA or EIS must be prepared.</i>	YES	NO
1. Would the Proposed Action have significant impacts on public health or safety? (Range-Jill Devaurs)		JD
2. Would the Proposed Action have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (EO 11990); floodplains (EO 11988); national monuments; migratory birds (EO 13186); and other ecologically significant or critical areas? (Archeology, Recreation, Wilderness, Wildlife, Range by allotment, Water Quality)		JD Jew DW
3. Would the Proposed Action have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA 102(2)(E)]? (PEC)		Jew
4. Would the Proposed Action have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks? (PEC)		Jew
5. Would the Proposed Action establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects? (PEC)		Jew
6. Would the Proposed Action have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects? (PEC)		Jew
7. Would the Proposed Action have significant impacts on properties listed, or eligible for listing, on the NRHP as determined by the bureau or office? (Archeology)		Jew
8. Would the Proposed Action have significant impacts on species listed, or proposed to be listed, on the list of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species? (Wildlife)		JD
9. Would the Proposed Action violate federal law, or a State, local or tribal law or requirement imposed for the protection of the environment? (PEC and Archeology)		Jew Jew
10. Would the Proposed Action have a disproportionately high and adverse effect on low income or minority populations (EA 12898)? ((PEC)		Jew
11. Would the Proposed Action limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (EO 13007)? (Archeology)		Jew
12. Would the Proposed Action contribute to the introduction, continued existence, or spread of noxious weeds or non-native species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and EO 13112)? (Range-Jill Devaurs)		JD

**SPECIALISTS' REVIEW:**

During ID Team review of the above Proposed Action and extraordinary circumstances, the following specialists reviewed this CX:

Planning Environmental Coordinator, Steve Kramer: *SK* 01/17/2012  
Public Health and Safety/Grazing/Noxious Weeds, Jill Devaurs: *JD* 1-17-12  
Recreation/Wilderness/VRM/LWC, Dan Westermeyer: *DW* 1/17/12  
Wildlife/T&E (BLM Sensitive Species), John Wilson: *JW* 1-17-12  
Archeology, ~~Susan McCabe~~: *JASON WALKER* *pw* 1-17-12  
Water Quality, vacant:  
Soils, Jill Devaurs/Linda Appel/Chelsy Simerson: *la* 1/17/12

**CONCLUSION:** Based upon the review of this Proposed Action, I have determined that the above-described project is a categorical exclusion, in conformance with the LUP, and does not require an EA or EIS. A categorical exclusion is not subject to protest or appeal.

Approved by:

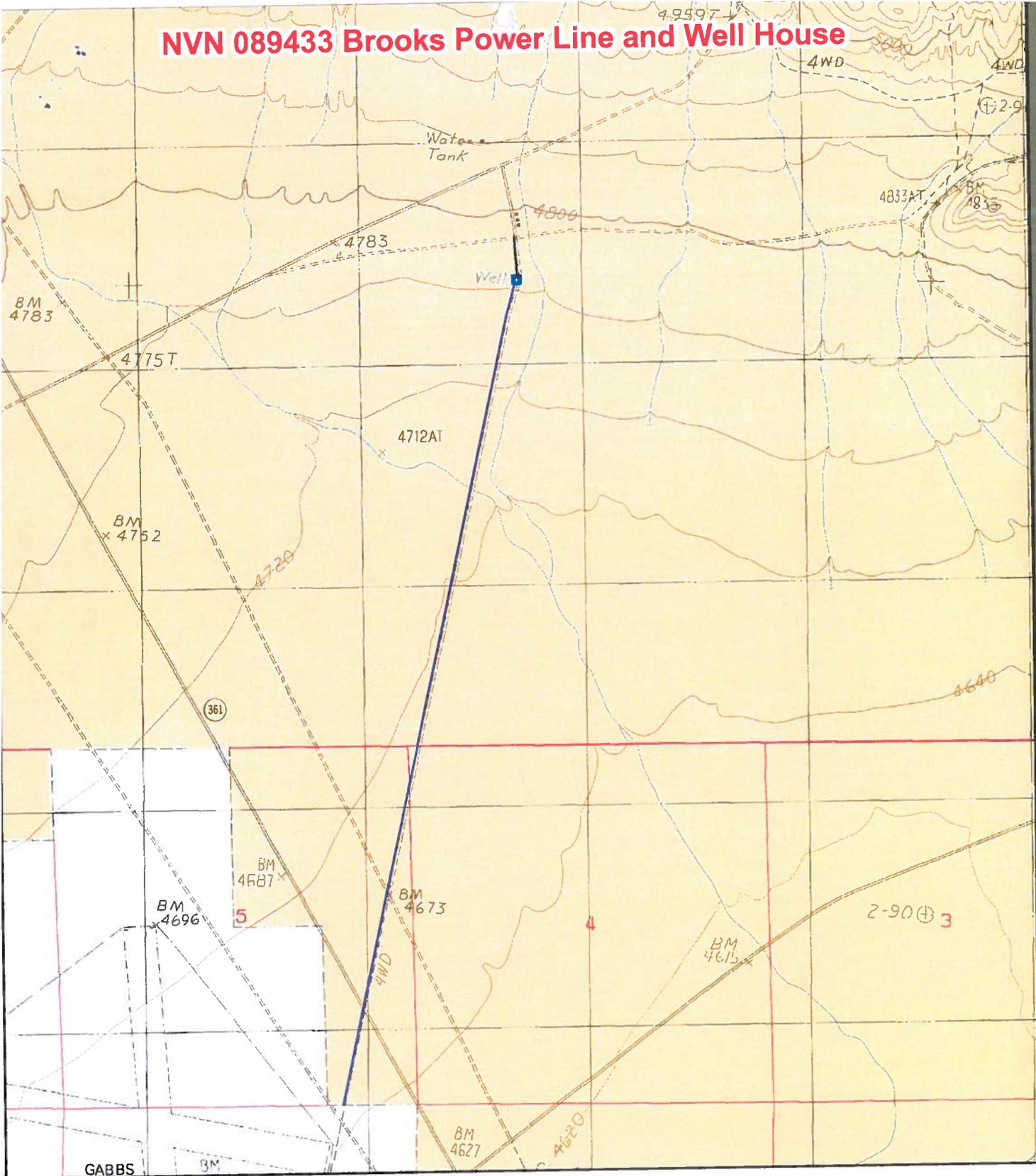
*Teresa J. Knutson*  
Teresa J. Knutson  
Field Manager  
Stillwater Field Office

*2/7/2012*  
(date)

# NVN 089433 Brooks Power Line and Well House

BLM

Carson City District Office



0 0.1 0.2 Miles

Exhibit A

MDM, Tps. 12 and 13 N., R. 36 E (within).



United States Department of the Interior  
 Bureau of Land Management  
 Carson City District Office  
 5665 Morgan Mill Rd.  
 Carson City, NV. 89701  
 (775) 885-6000

Map Produced by: Erik Pignata  
 01/05/2012AD

No Warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data.

Legend	
	Road, Pipe, and Line
	Bureau of Land Management
	Overhead Line
	Private
	Well House Area
	Water

