

Determination of NEPA Adequacy (DNA) Worksheet

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

OFFICE: Red Rock Field Office, LLNVS02000

TRACKING NUMBER: DOI-BLM-NV-S020-2012-0002-DNA

CASEFILE/PROJECT NUMBER:

PROPOSED ACTION TITLE/TYPE: Red Rock Canyon National Conservation Area Visitor Center Septic System Redevelopment

LOCATION/LEGAL DESCRIPTION: T. 21 S., R. 58 E. Section 12

APPLICANT (if any): BLM

A. Description of Proposed Action and any applicable mitigation measures

Description of Proposed Action:

The Bureau of Land Management (BLM) Red Rock Canyon National Conservation Area (NCA) Visitor Center has outgrown the capabilities of the septic system that was installed in the initial construction. In addition, original design flaws have led to improper leaching which indicates failure of the current system. As such, a new septic system is proposed to be installed to accommodate use and to address public health and safety.

The Proposed Project would be located in approximately 13.42 previously surveyed and analyzed acres bounded by Visitor Center entrance/exit road on the north and south; Visitor Center on the west, and fee booth area on the east. The 13.42 acres are comprised of 4.35 acres of previous disturbance and 9.07 acres of new disturbance. The Proposed Project footprint would be a smaller disturbance within the 13.42 acres (a range between 1.0 to 9.07 acres dependant upon the footprint to be finalized by BLM Engineering Division) and would be comprised of new sewage pipes connecting from the Red Rock Visitor Center to new septic tanks and an associated new leach field located adjacent to the existing septic system east of the lower Visitor Center Parking Lot. [See attached Map].

The Proposed Project would be constructed by an independent contractor with an anticipated 60 day construction period to be completed by end of 2012. A BLM Authorizing Officer would supervise the project.

The following list sequences the Proposed Project steps:

1. Perform pre-construction geotechnical work consisting of approximately 3 drilling location to be used for geotechnical survey points;
2. Build the new septic and leach field area;
3. Connect Visitor Center to septic and leach field area with new pipe system;
4. Remove old septic system and pipes; and

5. Revegetate disturbed areas with native plants removed during the Proposed Project construction.

Additional components for the construction period of the Proposed Project include:

- The Proposed Project site would be fenced for safety per BLM Best Management Practice (BMP) standards. The fencing will also prevent Desert Tortoise and other wildlife from entering construction site. Fencing would be removed once construction activities are completed.
- No open water source is anticipated to be on-site during construction period.
- The construction equipment would include heavy machinery — i.e. backhoe, dump truck, and truck with flatbed trailer to bring in the material.
- Construction equipment/machinery would be staged at lower (overflow) Visitor Center parking area for the duration of the construction period. Approximately 40 parking spaces would be unavailable during construction period. Proposed Project would coordinate with Recreation planners to alleviate any parking issues if a recreation/visitor event occurs that would require the overflow parking facility.
- There is a potential for traffic flow delays to occur on the roads in/adjacent to the project area, however, may be reduced to negligible delays since equipment moving activities would occur before daily opening of Red Rock Canyon NCA or after closing of the NCA. BLM Project Manager would be part of the communication loop for the traffic coordination.
- The new septic and leach field system would be designed to withstand a 100-year/ 500-year storm event.

Upon completion of the Proposed Project, regular maintenance would occur in accordance with an established maintenance plan that includes:

1. Routine maintenance to occur based on the septic system manufacturer's requirements;
2. Pumping of septic tanks anticipated to occur every 2-3 years;
3. Leach field cleaning/conditioning anticipated to occur every 10 years; and
4. Septic/pipe system replacement anticipated after 30 years.

Mitigation Measures:

In addition to the Proposed Project design features described above, the following Standard Stipulations will be implemented as resources minimization measures:

- **Air Quality:**
 - Department of Air Quality and Environmental Management (DAQEM) requires a dust control permit for all construction activity of 0.25 acres or greater in the aggregate. Ensure compliance with dust control permit stipulations for the duration of the project.
- **Cultural**

- If previously unknown cultural resources are discovered during construction, the BLM Contracting Officer and NCA Archaeologist shall be contacted within 24 hours. Additionally, work will stop in the immediate vicinity of the discovery until the resource can be evaluated in accordance with the National Historic Preservation Act by the BLM NCA Archaeologist. If it is determined that such resources are significant and eligible for inclusion in the National Register of Historic Places, at a minimum, the BLM will perform such mitigation measures as deemed appropriate in the State Protocol Agreement between the BLM and SHPO.

- **Fuels/Fire Management:**

- Fire restrictions are generally enacted between May 15 and October 1. Compliance with fire restrictions is mandatory while fire restrictions are in place. Specific activities may be waived on a case by case basis by a line officer after review and approval by the Fire Management Officer.

- **Noxious Weeds/Invasive Non-native Species:**

- For the prevention of noxious weeds, vehicles and equipment will be washed off-site prior to coming to the work site. Care shall be taken to rinse the undercarriage areas of the vehicles extremely well. Upon project completion, vehicles and equipment would be thoroughly cleaned to prevent the spread of noxious weeds into another project site.
- Locally collected seed is supplemented with commercially available products during post construction restoration. Only certified weed free seed and other organic products for erosion control, stabilization, or revegetation (e.g. straw bales, organic mulch) shall be used. According to Nevada law (NRS 587.111), “all seed shipped to or sold within Nevada is to be free of noxious weed seeds.” The Project Manager for the Proposed Project will consult with BLM Authority regarding contaminant species not legally classified as noxious.

- **Migratory Birds**

- Under the Migratory Bird Treaty Act of 1918 (MBTA) and subsequent amendments (16 U.S.C. 703-711), it is unlawful to take, kill, or possess migratory birds. A list of the protected bird species can be found in 50 C.F.R. §10.13. The list of birds protected under this regulation is extensive and the project site has potential to support many of these species, including the BLM sensitive species the western burrowing owl (*Athene cunicularia*). Typically, the breeding season is when these species are most sensitive to disturbance, which generally occurs from March 15 through July 30.
 - 1) To prevent undue harm, habitat-altering projects or portions of projects should be scheduled outside bird breeding season. In upland desert habitats and ephemeral washes containing upland species, the season generally occurs between March 15th - July 30th.
 - 2) If a project that may alter any breeding habitat has to occur during the breeding season, then a qualified biologist must survey the area for nests prior to commencement of construction activities. This shall include burrowing and ground nesting species in addition to those nesting in vegetation. If any active nests (containing eggs or young) are found, an appropriately-sized buffer area must be avoided until the young birds fledge.

- **Recreation/Transportation**

- The Project Manager for the Proposed Project will coordinate with BLM Red Rock staff to help reduce any possible visitor conflicts from the Proposed Action.
- **Threatened, Endangered or Candidate Animal Species**
 - A qualified biologist will be required to clear the project area immediately before ground disturbance. If tortoise fencing is not constructed then an authorized biologist will need to be on site during construction.
 - A speed limit of 25 miles per hour shall be required for all vehicles travelling on the existing access roads.
 - Should a Desert Tortoise enter the project area, all activities will immediately stop until such time as the animal has left the area of its own accord.
 - Workers will be instructed to check underneath all vehicles before moving them as tortoises often take cover underneath parked vehicles.
- **Wastes (hazardous or solid)**
 - All proposed projects are to comply with BLM with Hazardous Material/Pesticides/ Liability stipulations in accordance with the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, *et seq.*, or the Resource Conservation and Recovery Act, 42 U.S.C. 6901, *et seq.*
 - The Permitted Contractor shall immediately report any release of hazardous substances (leaks, spills, etc.) caused by the Permitted Contractor or third parties in excess of the reportable quantity as required by federal, state, or local laws and regulations. A copy of any report required or requested by any federal, state or local government agency as a result of a reportable release or spill of any hazardous substances shall be furnished to the Authorized Officer concurrent with the filing of the reports to the involved federal, state or local government agency.
 - The Permitted Contractor shall immediately notify the Authorized Officer of any release of hazardous substances, toxic substances, or hazardous waste on or near the Project location potentially affecting the Project location of which the Permitted Contractor is aware.
 - As required by law, the Permitted Contractor shall have responsibility for and shall take all action(s) necessary to fully remediate and address the hazardous substance(s) on or emanating from the project location.
 - The Permitted Contractor contractual agreement contains any additional waste stipulations for this Project.
- **Woodland / Forestry**
 - Cactus and yucca are considered government property and regulated under the BLM Nevada forestry program. Specific existing vegetation (*Ambrosia*, *Coleogyne ramosissima*, *Ephedra*, Cacti and Yucca) would be removed from the Proposed Action location. This vegetation will be placed in a salvage plot. Once this occurs, the top soil should be removed from the site and stored (marking it as top soil and no higher than 4 feet tall). Once development is complete on the two new sites, the stored top soil will be

replaced to the site and the disturbed areas will be rehabilitated using vegetation from the salvage plot and/or additional plants as needed.

- In addition, the following must be adhered to:

To ensure successful salvage and transplant, all cactus and yucca must be salvaged using a contractor (or other approved by the BLM botanist) with at least three years experience salvaging and maintaining plant materials in the Mojave or Sonoran Deserts.

- A defined construction corridor will be defined to limit disturbance for vehicles needing to access the Proposed Action location. This area will be rehabilitated once the development is complete.

- **Wild Horses and Burros**

- The Proposed Project is located in the Red Rock Herd Management Area. All individuals will not harass (feed, pet, chase, etc.) wild burros that may be found near the staging and construction areas. If they do see any wild burros, they should keep a safe distance, they are wild animals and can be unpredictable, especially during foaling and breeding season.

B. Land Use Plan Conformance

LUP Name* Red Rock Canyon Date Approved: May 20, 2005
 National Conservation
 Area Resource
 Management Plan
 (RMP) and Record of
 Decision (ROD)

**List applicable LUPs (for example, resource management plans; activity, project, management, or program plans; or applicable amendments thereto)*

The Proposed Action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions:

The Proposed Action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions of the designated Management Emphasis Areas (MEAs) within the Red Rock Canyon NCA RMP and ROD, which provide a framework for indicating the management intent for a particular geographic area and for evaluating the appropriateness of future actions and proposals.

Red Rock Canyon NCA has been divided into five MEA zones, each with a set of guidelines which both describes its current setting and provides a standard for future management. Any actions or improvements must be consistent with what is normally expected in that particular setting so the visitor is provided a positive experience consistent with expectations.

The Proposed Action is located in the 13-Mile Scenic Drive vicinity which is designated a *Roaded Developed MEA Zone* which “may include paved roads and buildings, but the design should blend with the natural environment” with “human interaction level moderate to high in more developed portions and low to moderate elsewhere” and have “on site controls, facilities and law enforcement noticeable” (Red Rock Canyon NCA ROD, p. 29–32). The Proposed Action is in conformance with the 2005 Red Rock Canyon NCA RMP and ROD *Roaded Development MEA Zone* guidelines as it would:

- support the moderate to high uses of human interaction and on site controls/facilities; and

- blend with the natural environment by revegetating the disturbed areas with native plants removed during the construction period.

The Proposed Action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions):

The Proposed Action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions) by addressing human health and safety for environmental safeguards designed to “provide recreation opportunities allowing the public to enjoy and appreciate the unique natural setting which composes Red Rock Canyon” (Red Rock Canyon NCA ROD, p. 6).

C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the Proposed Action.

List by name and date all applicable NEPA documents that cover the Proposed Action.

NEPA documents:

- Environmental Assessment For Red Rock Canyon NCA Visitor Center Pre-Construction Work and Septic System Repair/Redevelopment

NEPA Number: NV-050-2006-234-EA

Date Signed: July 20, 2006

- Red Rock Canyon NCA Visitor Center Environmental Assessment

NEPA Number: NV-050-2007-63

Date Signed: January 19, 2007

List by name and date other documentation relevant to the Proposed Action (e.g. biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report).

Biological Opinion: BO#1-5-04-F-526ABD.04

D. NEPA Adequacy Criteria

1. Is the new Proposed Action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

Yes, the new Proposed Action is a feature of, or essentially similar to, an alternative analyzed in the existing EA document NV-050-2006-234-EA. The Proposed Project is within the same analysis area and the geographic and resource conditions are sufficiently similar to those analyzed in EA documents NV-050-2006-234-EA and NV-050-2007-63.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new Proposed Action, given current environmental concerns, interests, and resource value?

Yes, the range of alternatives analyzed in the existing EA document NV-050-2006-234-EA are appropriate with respect to the new Proposed Action, given current environmental concerns, interests, and resource value.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessments, recent endangered species listings, updated lists of BLM sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new Proposed Action?

Yes, it can be reasonably concluded that new information and new circumstances would not substantially change the analysis of the new Proposed Action. The EA documents NV-050-2006-234-EA and NV-050-2007-63 analyzed the supplemental authorities to be considered as referenced in Appendix 1 of the BLM Manual National Environmental Policy Act Handbook H-1790-1. BLM resource specialists reviewed the NEPA document NV-050-2006-234-EA and NV-050-2007-63 and determined the existing analysis is valid in light of any new information or circumstances.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new Proposed Action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

Yes. BLM resource specialists reviewed EA document NV-050-2006-234-EA which listed Air Quality, Threatened and Endangered Species, and Water Quality having potential impacts and EA document NV-050-2007-63 with Migratory Birds and determined the direct, indirect, and cumulative effects that would result from implementation of the new Proposed Action would be similar to those analyzed in the existing NEPA documents. Mitigation measures listed in the above Description of Proposed Action section would protect any potential impacts to these resources.

5. Are there public involvement and interagency reviews associated with existing NEPA document(s) adequate for the current Proposed Action?

Yes, the public involvement and interagency review associated with EA documents NV-050-2006-234-EA and NV-050-2007-63 are adequate for the current Proposed Action.

E. Persons/Agencies/BLM Staff Consulted

Table 1. List of Preparers

Name	Role	Discipline
Mark Boatwright	Archaeologist	Cultural Resources; Native American Religious Concerns; Paleontology
Lisa Christianson	Air Resource Specialist	Air Resources; Greenhouse Gas Emissions; Visual Resources
Lorri Dee Dukes	Geologist	Geology / Mineral Resources / Energy Production
Susan Farkas	Planning and Environmental Coordinator	Environmental Justice; NEPA; Socio-Economics
Krystal Johnson	Wild Horse and Burro Specialist	Farmlands (Prime or Unique); Wild Horses and Burros

Name	Role	Discipline
Sendi Kalcic	Wilderness Planner	BLM Natural Areas; Wilderness/Wilderness Study Areas (WSAs); Lands with Wilderness Characteristics
James Lee Kirk	Outdoor Recreation Planner	Recreation; Wild and Scenic Rivers
Katie Kleinick	Natural Resource Specialist	Livestock Grazing; Rangeland Health Standards; Threatened, Endangered or Candidate Plant Species; Woodland/Forestry; Vegetation Excluding Federally Listed Species
Greg Marfil	Fire Management Specialist	Fuels/Fire Management
Glen Marsh	Project Manager	Project Management
Boris Poff	Hydrologist	Floodplains; Hydrologic Conditions; Soils; Water Resources/Quality (drinking/ surface/ ground); Wetlands/Riparian Zones
Lucas Rhea	Fuels Technician	Invasive Species / Noxious Weeds
Amelia Savage	Wildlife Biologist	Areas of Critical Environmental Concern; Fish and Wildlife Excluding Federally Listed Species; Migratory Birds; Federally Listed Threatened, Endangered or Candidate Animal Species
Kerri-Anne Thorpe	Realty Specialist	Lands/Access
Chad Vellinga	Civil Engineer	Plan of Development

Note

Refer to the EA/EIS for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

Conclusion

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the Proposed Action and constitutes BLM's compliance with the requirement of NEPA.


 Glen Marsh, Project Manager

Red Rock/Sloan Field Office


 Susan Parks, Planning and Environmental Coordinator

Pahrump and Red Rock/Sloan Field Offices



Tim Wakefield, Field Manager

3/30/12

Date

Red Rock/Sloan Field Office

Note:

The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

Decision Record and Rationale (NV-050-2006 -234-EA and NV-050-2007-63-EA)

Decision:

BLM will redevelop the septic system for the Red Rock Visitor Center complex in the Red Rock Canyon National Conservation Area (NCA).

Rationale:

1. This decision of the current proposed action is consistent with the Red Rock Canyon NCA Resource Management Plan (RMP) and Record of Decision (ROD) approved May 20, 2005 as it will provide human health and safety for visitors and on-site staff.
2. The current proposed action is similar to an alternative analyzed in the existing Environmental Assessments (EAs) NV-050-2006 -234-EA and NV-050-2007-06-EA and is within the same analysis area.
3. The range of alternatives of analyzed in EAs NV-050-2006 -234-EA and NV-050-2007-63-EA is appropriate with respect to the current proposed action and any new information or circumstances would not substantially change the analysis of the new proposed action.
4. Direct, indirect, and cumulative effects that will result from implementation of the new proposed action area are similar (both quantitatively and qualitatively) to those analyzed in EAs NV-050-2006 -234-EA and NV-050-2007-63-EA and public involvement and interagency reviews associated with the EA is adequate for the current proposed action.

Mitigation Measures:

Mitigation will be provided for in the proposed action. All recommended mitigation measures shall become stipulation and shall be implemented to reduce impacts.

Finding

Based on the attached Environmental Assessments (NV-050-2006 -234-EA and NV-050-2007-63-EA), which includes a Finding of No Significant Impact (FONSI) and Decision Record, and the attached Determination of NEPA Adequacy (DNA) (DOI-BLM-NV-S020-2012-0002-DNA), I have determined that the EAs NV-050-2006 -234-EA and NV-050-2007-63-EA are adequate, and that the impacts are not expected to be significant.

Recommended by: Elan Marsh

3-27-12
Date

Approved by:

A handwritten signature in blue ink, appearing to read "Dan Weisheit", is written over a horizontal line.

3/30/12
Date