

Decision Record and Rationale (EA NV-050-2002 -84)

Decision:

BLM will redevelop the septic system and construct a gravel area for the Red Rock Fire Station 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 on-site staff support that provide for protection of resources in Red Rock Canyon NCA.
2. The current proposed action is similar to an alternative analyzed in the existing Environmental Assessment (EA) NV-050-2002-84 and is within the same analysis area.
3. The range of alternatives of analyzed in EA NV-050-2002-84 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 EA NV-050-2002-84 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 Assessment (NV-050-2002-84), which includes a Finding of No Significant Impact (FONSI) and Decision Record, and the attached Determination of NEPA Adequacy (DNA) (DOI-BLM-NV-S020-2012-0003-DNA), I have determined that the EA NV-050-2002-84 is adequate, and that the impacts are not expected to be significant.

Recommended by: _____

Michael Pulver

4/13/12

Date

Approved by: _____

Anthony Whitefield

4/13/12

Date

Determination of NEPA Adequacy (DNA) Worksheet

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

OFFICE: Fire Division — LL00S00540

TRACKING NUMBER: DOI-BLM-NV-S020-2012-0003-DNA

CASEFILE/PROJECT NUMBER:

PROPOSED ACTION TITLE/TYPE: Red Rock Canyon NCA Fire Station Expansion — Septic Redevelopment and Gravel Area

LOCATION/LEGAL DESCRIPTION: T21 SR59E Section 8

APPLICANT (if any): Bureau of Land Management

A. Description of Proposed Action and any applicable mitigation measures

The Bureau of Land Management (BLM) Red Rock Fire Station and Law Enforcement (LE) complex 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 employee health and safety.

The Proposed Project would be located in approximately 1.2 previously surveyed and analyzed acres in the Red Rock Fire Station Complex. The 1.2 acres are comprised of 0.2 acres of previous disturbance and 1.0 acres of new disturbance. The Proposed Project footprint would be a smaller disturbance within the 2.0 acres (dependant upon the footprint to be finalized by BLM Engineering Division). [See attached Map].

The current septic tank and leach field system located on the north side of the LE building would be abandoned in place, and new septic tank to support the LE building and Fire Station bunkhouse would be installed next to the existing septic tank and connected by new pipes to a new leach field in an adjacent expanded area east of the existing leach field. This project would also include a gravel lay-down area in the expanded area located along the eastern side of the LE building and south of the proposed leach field. The gravel lay-down area used during the septic system construction period would subsequently become a permanent parking and storage space. All vegetation would be cleared within the expansion site. The lay-down area would be graded and graveled.

The septic system and gravel area expansion would require the movement of the current fenced boundary to be moved eastward. BLM would install a temporary fence around the Proposed Project site, clear vegetation within the expanded area, and gravel the graded lay-down area. An independent contractor would perform pre-construction geotechnical work consisting of approximately 3 drilling location to be used for geotechnical survey points to determine best location for the leach field. The contractor would construct the new system with BLM Authorizing Officer supervising the project. Upon completion of the septic system construction, a

permanent tortoise proof chain-link fence would be installed around the leach field and eastern boundary of the Red Rock Fire Station facility. The anticipated 2–3 month construction period would be completed by end of 2012.

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

- 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 use the access road to the Fire Station and access the project via the lay-down area.
- No open water source is anticipated to be on-site during construction period.
- 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 each year;
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 State Historic Preservation Office (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 BLM Fire Management Officer.

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

- Impacts from construction and maintenance may introduce and exacerbate weed populations, with potential spread to adjacent lands. All stipulations and mitigation measures for weed control standard to the Southern Nevada District Office apply.
- 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.

- **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.
- Any trench or open hole/pit shall be backfilled or covered at the end of each day during hours of inactivity or the trenches shall be dug in such a manner that the side and/or end walls are contoured to allow any animals that inadvertently fall in, a means to climb out.
- A speed limit of 25 miles per hour shall be required for all vehicles travelling on the existing access roads.
- If a tortoise is found on the road or with project area, all vehicles and activity shall stop until the tortoise moves out of harm's way on its own volition.

- Workers will be instructed to check underneath all vehicles before moving them as tortoises often take cover underneath parked vehicles.
- A copy of the biological opinion will be uploaded in the EA document folder under "Wildlife Terms and Conditions" once consultation is complete. This notice will serve as the Section 7 Determination and no additional paperwork will be provided (Sec. 7 Log # NV-052-12-069).

● **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.

● **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*	<u>Red Rock Canyon National Conservation Area Resource Management Plan (RMP) and Record of Decision</u>	Date Approved:	<u>May 20, 2005</u>
Other Document	<u>Record of Decision (ROD) for the Approved Las Vegas Resource Management Plan (RMP) and Final Environmental Impact Statement (FEIS)</u>	Date Approved:	<u>October 5, 1998</u>

**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 2005 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” (2005 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.

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 on-site staff support who provide for protection of resources and zero tolerance of fire in lower elevations of Red Rock National Conservation Area (NCA) consistent with the 1998 Approved Las Vegas RMP and ROD objective FE-I Zone 1: “Provide fire suppression for three million public acres, based on suppression zones and resource management needs” with Red Rock Canyon located in management Zone 1 with a

higher percentage of human-caused and or related fires potentially to occur due to “high recreation and visitor use, high fuel carryover potential, high urban/wildland interface factor, and a high interagency mutual aid assistance factor” (1998 Las Vegas RMP ROD, p. 30).

The Fire Station Complex is also addressed in the 2005 Red Rock Canyon NCA RMP and ROD as a modification to the Management Emphasis Areas (MEA). It states: "The need for this facility in Red Rock Canyon NCA was based on increasing resource protection through reduced initial attack response times, providing assistance to Clark County Fire and Rescue for fires occurring at local residences, and enhancing public safety for the expanding number of visitors to Red Rock Canyon." (2005 Red Rock Canyon NCA ROD, p. 6).

In order to provide the fire suppression Red Rock Fire Station was constructed in 2002. This project is a maintenance activity associated with continued use of this valuable public safety resource.

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.

- Applicable NEPA document:
 - Environmental Assessment for Red Rock Fire Station Facility and Utility Construction
NEPA Number: NV-050-2002-084-EA
Date Signed: May 30, 2002
- Other related NEPA documents:
 - Environmental Assessment for Law Enforcement and Helipad
NEPA Number: NV-050-2007-090-EA
Date Signed: September 16, 2008
 - Environmental Assessment for Southern Nevada Fire Station Solar
NEPA Number: NV-S010-2010-0053-EA
Date Signed: August 25, 2010

In 2002, BLM analyzed the development of existing septic system (NEPA document: NV-050-2002-084-EA). Additional projects analyzed at the RRCNCA Fire Station include the Law Enforcement and Helipad (NEPA document: NV-050-2007-090-EA) and the Southern Nevada Fire Station Solar (NEPA document: NV-S010-2010-0053-EA).

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: 1-5-04-F-526.APD
Date Signed: April 12, 2012

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 NEPA documents. This proposed action was previously analyzed appropriately under NV-050-2002-084-EA. Any possible additions, including the movement of the chain link fence, have been sufficiently analyzed in the construction and Law Enforcement and Helipad EA NV-050-2007-090-EA, no impacts from this project will be substantially different.

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-050-2002-084-EA is 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 document NV-050-2002-084-EA analyzed the supplemental authorities to be considered as referenced in Appendix 1 of the BLM Manual National Environmental Policy Act Handbook H-1790-1. In addition, the area was previously analyzed in NEPA documents NV-050-2007-090-EA and NV-S010-2010-0053-EA. BLM resource specialists have reviewed the NEPA documents and have 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, the direct, indirect, and cumulative effects that would result from implementation of the new proposed action area similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA documents. BLM resource specialists reviewed EA document NV-050-2002-084-EA 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 help to minimize 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 document NV-050-2002-084-EA are adequate for the current Proposed Action.

E. Persons/Agencies/BLM Staff Consulted

Table 1. List of Preparers

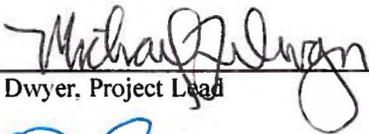
Name	Role	Discipline
Audrey Asselin	Civil Engineer	Plan of Development
Mark Boatwright	Archaeologist	Cultural Resources; Native American Religious Concerns; Paleontology
Lisa Christianson	Air Resource Specialist	Air Resources; Greenhouse Gas Emissions; Visual Resources
Mike Dwyer	Project Manager	Project Lead
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
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
Boris Poff	Hydrologist	Floodplains; Hydrologic Conditions; Soils; Water Resources/Quality (drinking/surface/ground); Wetlands/Riparian Zones
Lucas Rhea	Fire Planner	Fuels/Fire Management; Invasive Species / Noxious Weeds
Amelia Savage	Wildlife Biologist	Areas of Critical Environmental Concern; Fish and Wildlife Excluding Federally Listed Species; Migratory Birds; Threatened, Endangered or Candidate Animal Species
Kerri-Anne Thorpe	Realty Specialist	Lands/Access
George Varhalmi	Geologist	Geology / Mineral Resources / Energy Production
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.

 4/13/12

Mike Dwyer, Project Lead

 4/12/12

Susan Farkas, NEPA Coordinator

 4/13/12

Tim J. Wakefield, Red Rock/Sloan Field Manager Date

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.

Figure 1. Red Rock Fire Station Expansion



Note: Red line- the boundary of the new expansion.