

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

**CATEGORICAL EXCLUSION
ENVIRONMENTAL REVIEW AND APPROVAL**

Project Lead: J. Hufnagle

Field Office: Sierra Front

Lead Office: Sierra Front

Case File/Project Number: NVN 036603/2800

Applicable Categorical Exclusion (cite section): 516 DM 6, Appendix 5.4: E: (9) - Renewals and assignments of leases, permits, or rights-of-way and where no additional rights are conveyed beyond those granted by the original authorization.

NEPA Number: DOI-BLM-NV-C020-2012-0037-CX

Project Name: Smith Valley Waterline ROW Renewal

Project Description: Mitch Geissinger has applied for a renewal of ROW NVN 036603. The ROW was originally issued 30 years ago for water facilities to move water from an area on public land to an agricultural operation on private land in Smith Valley. The ROW holder holds a certificate (4025) from the State of Nevada that permits diversion of water from Willow Canyon Creek on public land (within NW of section 29, T 12 N, R 23 E) for irrigation use. The water facilities include a water pipeline and a water diversion box and are currently operational. A dirt road was in existence prior to installation of the water facilities and is available for ingress and egress related to facility maintenance. The road is not a part of the ROW. The holder is not proposing any changes to the facilities and will continue with routine maintenance activities for continued water delivery to private land. The entire ROW was disturbed during installation and/or maintenance activities during the original ROW grant term. No new surface disturbance would be authorized under the proposed ROW renewal.

Applicant Name: Mitch Geissinger

Project Location (include Township/Range, County): T 12 N, R 23 E, sec. 29, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Lyon County, NV

ROW Dimensions: 2503.02 feet x 10 feet (waterline)

50 feet by 20 feet (Diversion facilities)

BLM Acres for the Project Area: 0.60 acres

Land Use Plan Conformance (cite reference/page number): Page LND-7 states "non-bureau initiated realty proposals would be considered where analysis indicates they are beneficial to the public".

Name of Plan: NV – Carson City RMP.

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? (project lead/P&EC)		JAT
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? (wildlife biologist, hydrologist, outdoor recreation planner, archeologist)		ADC nc RGC
3. Would the Proposed Action have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA 102(2)(E)]? (project lead/P&EC)		JAT
4. Would the Proposed Action have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks? (project lead/P&EC)		JAT
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? (project lead/P&EC)		JAT
6. Would the Proposed Action have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects? (project lead/P&EC)		JAT
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? (archeologist)		RGC
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 biologist, botanist)		BT
9. Would the Proposed Action violate federal law, or a State, local or tribal law or requirement imposed for the protection of the environment? (project lead/P&EC)		JAT
10. Would the Proposed Action have a disproportionately high and adverse effect on low income or minority populations (EA 12898)? (project lead/P&EC)		JAT
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)? (archeologist)		RGC
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)? (botanist)		BT

SPECIALISTS' REVIEW: During ID Team consideration of the above Proposed Action and extraordinary circumstances, the following specialists reviewed this CX:

Jo Hufnagle, Realty Specialist
Arthur Callan, Outdoor Recreation Planner
Niki Cutler, Hydrologist
Rachel Crews, Archaeologist
Pilar Ziegler, Wildlife Biologist/BLM Sensitive Species - Wildlife
Dean Tonenna, Botanist - Natural Resource Specialist/BLM Sensitive Species - Plants
Brian Buttazoni, Planning & Environmental Coordinator

DECISION: 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. It is my decision to approve a 30-year renewal of the ROW subject to current standard stipulations. No mitigation has been identified and no special stipulations are proposed.

Approved by:



Leon Thomas
Field Manager
Sierra Front Field Office

6-26-12
(date)