

Worksheet
Determination of NEPA Adequacy (DNA)
U.S. Department of the Interior
Bureau of Land Management

Project Lead: Rex Wells

Field Office: Sierra Front Field Office

Lead Office: Sierra Front Field Office

Case File/Project Number: NVN-088192

NEPA NUMBER: DOI-BLM-NV-C020-2012-0046-DNA

Project Name: Winters Ranch Acquisition Project (Priority #10-2, Project #BL60)

Applicant Name: Bureau of Land Management (BLM)

Project Location: T. 16 N., R. 19 E., Portions of Sections 2 and 3

T. 17 N., R. 19 E., Portions of Sections 34 and 35

(See legal description in attached Appendix A and map)

A. Description of the Proposed Action and any applicable mitigation measures:

The proposed action is federal acquisition of non-federal land, known as the Winters Ranch, and appurtenant water rights (see Appendix A and map) consisting of 320.39 acres, more or less, in the northern Washoe Valley area of Washoe County. If acquired, the property would be administered by the BLM, Sierra Front Field Office, in accordance with the Carson City Consolidated Resource Management Plan (CRMP) and in accordance with the policies and guidance in Instruction Memorandum No. NV-2005-062, Management Issues for Lands Acquired by Purchase. The property was approved for acquisition funding under the Southern Nevada Public Land Management Act (SNPLMA) in Round 10 by the Secretary of the Interior on September 4, 2009, to protect riparian, wetland, historic, and cultural resources and associated wildlife habitats; preserve aesthetic values in the area, and improve management of adjacent portions of the ranch previously acquired by the United States through the SNPLMA.

Acquisition of the property would be subject to valid existing rights determined to be acceptable encumbrances by the Department of the Interior Office of the Solicitor.

B. Land Use Plan (LUP) Conformance

LUP Name: CRMP (May 2001) which incorporates decisions in the Southern Washoe County Urban Interface Plan Amendment (January 2001).

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

Southern Washoe County Urban Interface Plan Amendment (Page 3-4) Lands-Retention/Acquisition

- Private lands in southern Washoe County that are designated as desired open space in the Reno, Sparks, and Washoe County Master Plans and the Washoe County Regional Open Space Plan would be considered for acquisition opportunities by the BLM. This includes the corridor of land on both sides of the Truckee River, east of Sparks. Acquisition

opportunities may include acquisition of conservation easements or other interest in private lands.

- Future acquisitions within the planning area will take into consideration the costs of management, restoration, and liability to the BLM
- Lands retained in public ownership will be managed to protect open space, visual, recreation, watershed, and wildlife resources. Protection of these resources will be given priority over other land uses.

Acquisitions must meet one or more of the following criteria:

- Facilitate access to public land and resources
- Provide resource protection
- Facilitate implementation of the RMP
- Provide for a more manageable land ownership pattern
- Maintain or enhance public recreational uses and open space values

In addition, BLM will focus acquisition efforts on lands:

- With few or no man-made improvement
- Not requiring substantial restoration efforts, except in certain circumstances when other entities can be involved as partners in the effort
- With no known hazardous materials or contamination problem
- With no noxious weed infestations that would present a long-term liability to the BLM

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

Proposed Southern Washoe County Urban Interface Plan Amendment and Environmental Assessment No. NV-030-00029

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 proposed action is a feature of the proposed action analyzed in, and is within the analysis area covered in, in the cited NEPA document.

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 values?

Yes. A reasonable range of alternatives was analyzed in the cited NEPA document that was prepared for the Plan Amendment approved by the BLM Nevada State Director. This proposed action is a feature of the proposed action analyzed in the cited NEPA document.

3. Is the existing analysis valid in light of any new information or circumstances (such as, range- land health standard assessment, 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. The existing analysis is valid. There are no new information or new circumstances that would change the analysis.

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. This proposed action is a feature of the proposed action analyzed in the cited NEPA document and direct, indirect, and cumulative effects are similar.

5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

Yes. The BLM's planning process provides for extensive public involvement and the public involvement and interagency review for the cited plan amendment and associated NEPA document are adequate for the current proposed action. In addition, as part of the SNPLMA Round 10 review process, there was a 45-day public comment period between March 20 and May 4, 2009. After successful completion of the screening and evaluation process involving the Departments of the Interior and Agriculture, the nomination was approved for acquisition funding by the Secretary of the Interior on September 4, 2009 (BL60, Priority 10-2).

E. Persons/Agencies/BLM Staff Consulted

<u>Name</u>	<u>Title</u>	<u>Resource/Agency Represented</u>
Rex Wells	Realty Specialist (Contractor)	Lands and Realty/BLM
Brian Buttazoni	Planning and Environmental Coordinator	NEPA/BLM

Note: Refer to the EA 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 the BLM's compliance with the requirements of the NEPA.



Signature of Project Lead



Signature of NEPA Coordinator

Decision

It is my decision to proceed with the land acquisition described as the Proposed Action in Determination of NEPA Adequacy (DNA) No. DOI-BLM-NV-C020-2012-0046-DNA. I have reviewed this LUP conformance and NEPA compliance record and have determined that the proposed project is in conformance with the CRMP and that no further NEPA analysis is required.



Leon Thomas
Field Manager
Sierra Front Field Office
Carson City District

7-6-12

Date

APPEAL PROCEDURES

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with 43 CFR Part 4. If you appeal, your appeal must also be filed with the Bureau of Land Management at the following address:

Leon Thomas
Field Manager
Sierra Front Field Office
5665 Morgan Mill Road
Carson City, NV 89701

Your appeal must be filed within thirty (30) days from receipt or issuance of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4942, January 19, 1993) for a stay (suspension) of the decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. Copies of the notice of appeal and petition for a stay must also be submitted to:

Board of Land Appeals
Dockets Attorney
801 N. Quincy Street, Suite 300
Arlington, VA 22203

A copy must also be sent to the appropriate Office of the Solicitor at the same time the original documents are filed with the above office.

U.S. Department of the Interior
Office of the Regional Solicitor
Pacific Southwest Region
2800 Cottage Way, Room E-1712
Sacramento, CA 95825

If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. A petition for a stay is required to 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 appellants' success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted.
4. Whether the public interest favors granting the stay.

The Office of Hearings and Appeals regulations do not provide for electronic filing of appeals. Electronically filed appeals will therefore not be accepted.

APPENDIX A
WINTERS RANCH ACQUISITION PROJECT
LEGAL DESCRIPTION

All that certain real property situate in the County of Washoe, State of Nevada, described as follows:

PARCEL 1

That portion of the West ½ of Section 35, Township 17 North, Range 19 East, M.D.M., in the County of Washoe, State of Nevada, designated as Parcel 4 in that Deed for Boundary Line Adjustment recorded March 21, 2003 as Document No. 2824399, and shown and delineated as Parcel 4 of Record of Survey Map No. 4217, filed on March 21, 2003 as Document No. 2824400, both of Official Records of Washoe County, Nevada, and being more fully described as follows:

All that certain real property situate in the West ½ of Section 35, Township 17 North, Range 19 East, M.D.M., located in the County of Washoe, State of Nevada and more particularly described as follows: Commencing at the ¼ Corner common to Sections 34 and 35, T17N, R19E, M.D.M. and the Point of Beginning:

Thence along the following 4 Courses:

Along the Center ¼ Section Line of said Section 35,

1. S 89°58'18" E, 677.25 feet, to the West R/W of Hwy. 395, Continuing along said R/W the following course,
2. S 08°29'07" E, 1347.50 feet, Leaving said R/W,
3. N 89°43'46" W, 881.22 feet,
4. N 00°13'15" E, 1328.93 feet to the Point of Beginning

APN: 46-022004

PARCEL 2

That portion of the Southwest ¼ of Section 35, Township 17 North, Range 19 East, M.D.M., in the County of Washoe, State of Nevada, designated as Parcel 5 in that Deed for Boundary Line Adjustment recorded March 21, 2003 as Document No. 2824399, and shown and delineated as Parcel 5 of Record of Survey Map No. 4217, filed on March 21, 2003 as Document No. 2824400, both of Official Records of Washoe County, Nevada, and being more fully described as follows:

All that certain real property situate in the Southwest $\frac{1}{4}$ of Section 35, Township 17 North, Range 19 East, M.D.M., located in the County of Washoe, State of Nevada and more particularly described as follows:

Commencing at the Corner Common to Sections 34 and 35, T17N, R19E, and Sections 2 and 3, T16N, R19E, M.D.M.

Thence Along the West line of said Section 35, N 00°13'15" W, 543.11 feet, to the Point of Beginning:

Thence along the following 8 Courses:

Continuing along said West line of Section 35,

1. N 00°13'15" E., 800.00 feet,

Leaving Said Section Line,

2. S 89°43'46" E, 881.22 feet, to the West R/W of Hwy. 395,

Continuing along said R/W the following courses,

3. S 08°29'07" E, 378.56 feet,

4. S 53°29'07" E, 29.70 feet,

5. S 08°29'07" E, 20.00 feet,

6. S 36°30'53" W, 29.70 feet,

7. S 08°29'07" E, 368.87 feet,

Leaving Said R/W,

8. N 89°43'46" W, 1003.74 feet, to the Point of Beginning.

APN: 46-022-05

PARCEL 3

That portion of the South $\frac{1}{2}$ of Section 34, Township 17 North, Range 19 East, M.D.M., in the County of Washoe, State of Nevada, designated as Parcel 6 in that Deed for Boundary Line Adjustment recorded March 21, 2003 as Document No. 2824399, and shown and delineated as Parcel 6 of Record of Survey Map No. 4217, filed on March 21, 2003 as Document No. 2824400, both of Official Records of Washoe County, Nevada, and being more fully described as follows:

All that certain real property situate in the South $\frac{1}{2}$ of Section 34, Township 17 North, Range 19 East, M.D.M., located in the County of Washoe, State of Nevada and more particularly described as follows:

Commencing at the Corner Common to Sections 34 and 35, T17N, R19E, and Sections 2 and 3, T16N, R19E, M.D.M.

Thence Along the South line of said Section 34, N 89°43'24" W, 687.35 feet, to the Point of Beginning:

Thence along the following 12 Courses:

Continuing along said South line of Section 34,

1. N 89°43'24" W, 1951.67 feet to the South ¼ Section Corner of Section 34,

2. N 89°41'00" W, 84.17 feet, to the Easterly R/W of Old Hwy. 395,

Along Said R/W the following Courses,

3. N 57°06'29" E, 1171.30 feet,

4. N 60°09'34" E, 187.85 feet,

5. Along a Curve to the Left, Having a:

Length: 750.23 feet, Radius: 1850.00 feet,

Delta: 23°14'07", Tangent: 380.34 feet,

Leaving Said Easterly R/W

6. N 89°48'49" E, 463.31 feet,

7. N 00°02'34" W, 76.05 feet,

8. N 89°57'26" E, 533.27 feet,

9. N 28°01'55" E, 115.70 feet, to the East line of said Section 34,

Continuing along said East line of Section 34,

10. S 00°13'15" W, 902.09 feet,

Leaving Said East line,

11. N 89°43'46" W, 401.04 feet,

12. S 28°01'55" W, 613.67 feet, to the Point of Beginning.

APN: 46-022-06

PARCEL 4

That portion of the Southeast ¼ of Section 34, and the Southwest ¼ of Section 35, Township 17 North, Range 19 East, M.D.M., and the Northwest ¼ of Section 2 and the North ½ of Section 3, Township 16 North, Range 19 East, M.D.M., in the County of Washoe, State of Nevada,

designated as Parcel 7 in that Deed for Boundary Line Adjustment recorded March 21, 2003 as Document No. 2824399, and shown and delineated as Parcel 7 of Record of Survey Map No. 4217, filed on March 21, 2003 as Document No. 2824400, both of Official Records of Washoe County, Nevada, and being more fully described as follows:

All that certain real property situate in the Southeast $\frac{1}{4}$ of Section 34, and the Southwest $\frac{1}{4}$ of Section 35, Township 17 North, Range 19 East, M.D.M., and the Northwest $\frac{1}{4}$ of Section 2 and the North $\frac{1}{2}$ of Section 3, Township 16 North, Range 19 East, M.D.M., located in the County of Washoe, State of Nevada and more particularly described as follows:

Commencing at the Corner Common to Sections 34 and 35, T17N, R19E, and Sections 2 and 3, T16N, R19E, M.D.M.

Thence Along the North line of said Section 3, N 89°43'24" W, 687.35 feet, to the Point of Beginning:

Thence along the following 13 Courses:

1. N 28°01'55" E, 613.67 feet,
2. S 89°43'46" E, 1404.78 feet, to the Westerly R/W of Hwy. 395,

Along said R/W,

3. S 08°29'07" E, 2147.98 feet, to an existing fence,

Following said existing fence the following 5 courses,

4. S 47°18'27" W, 589.77 feet,
5. N 88°34'42" W, 2581.78 feet,
6. S 86°40'49" W, 24.40 feet,
7. S 89°56'19" W, 71.80 feet,
8. N 88°07'21" W, 2185.93 feet, to a point on the Easterly R/W of Old Hwy. 395,

Along said R/W the following courses,

9. N 03°22'59" E, 108.15 feet,
10. Along a curve to the Right, Having a:
Length: 1837.85 feet, Radius: 1960.00 feet,
Delta: 53°43'30", Tangent: 992.75 feet,
11. N 57°06'29" E, 417.87 feet,

Leaving said R/W and following the North line of Section 3,

12. S 89°41'00" E, 84.17 feet, to the N ¼ corner of said Section 3, Continuing along said North line of Section 3,

13. S 89°43'24" E, 1951.67 feet, to the Point of Beginning.

APN: 46-022-07

TOGETHER WITH:

Surface Water Rights described as follows, totaling 48.762 acre-feet:

All of Amended Proof 02753 from Bowers Hot Spring, a tributary of Bower's Mansion Overflow, consisting of 10.86 acres of Harvest Crop with a duty of 48.762 acre-feet and including all of the diversion rates as decreed.

Non-supplemental Underground Water Rights described as follows, totaling 84.84 acre-feet:

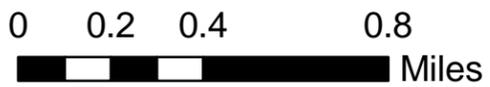
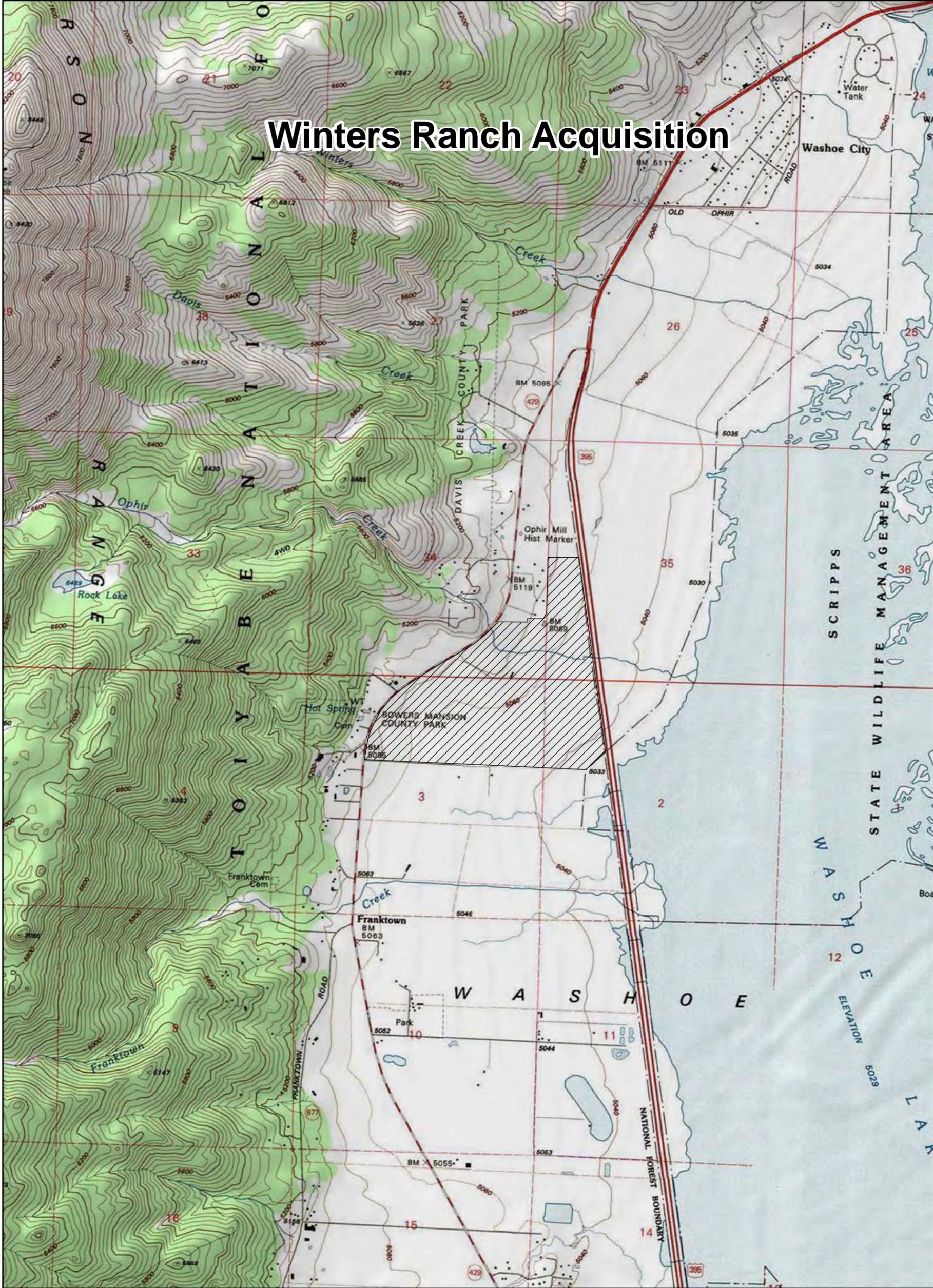
A portion of Permit 68101 consisting of a duty of 16.93 acre-feet annually and a pro-rata share of the diversion rate

All of Permit 68102 consisting of a diversion rate of 0.048 cubic feet per second (cfs) and a duty of 9.54 acre feet

A portion of Permit 68103 consisting of a diversion rate of 0.0679 cfs and a duty of 13.57 acre feet

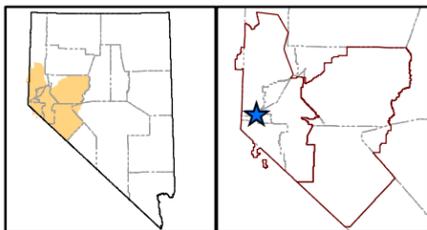
Proof of Appropriation 05764 consisting of a diversion rate of 0.1 cfs and with a duty of 44.8 acre-feet (2000 cattle)

Winters Ranch Acquisition



Project Area
 Acquisition Boundary

Carson City District Project Area



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:
B. Buttazoni on
June 29, 2012

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