

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: NVN083302/2800

Applicable Categorical Exclusion (cite section): *516 DM 11.9 E. Realty* (12) Grants of right-of-way wholly within the boundaries of other compatibly developed rights-of-way.

NEPA Number: DOI-BLM-NV-C020-2012-0023-CX

Project Name: McLeod Development Company, Inc. (previously Circle Bar N Ranch, LLC) ROW Amendment

Project Description: McLeod Development Company, Inc. (McLeod) has an Industrial Park located in the northern portion of Yerington, in Lyon County, Nevada on the east side of US Highway 95A. There is a small acreage of public land between the Industrial Park property and the highway. The previous industrial park owner, Circle Bar N, had obtained a ROW from BLM for road and utility purposes. BLM has recently processed an assignment from Circle Bar N to McLeod. McLeod has been working with the City and Nevada Department of Transportation (NDOT) on improvements for the Industrial Park for safer traffic movements, adequate vehicle storage in turn lanes for vehicles entering and exiting the industrial park, adequate deceleration and acceleration lands for vehicles entering and exiting the industrial park, required secondary and emergency access for local fire and other public agencies, adequate drainage and utility infrastructure for the build-out of the industrial park, adequate parking and landscaping to maintain the marketability and sustainability of the industrial park. As a result, McLeod has applied to amend the existing ROW as follows:

- Relocate and widen road intersection with US Highway 95A
- Add a frontage road (initially gravel with future plan to pave)
- Include/relocate various public utilities (overhead and underground)
- Include public infrastructure (potential parking, curb, gutter, sidewalk, ADA accessible ramps)
- Include landscaping (mulch, rock, vegetation, and irrigation to meet standard landscape requirement of the City of Yerington and suited to area)

The proposed facilities would be designed, constructed, maintained and operated to meet or exceed the requirements of the City of Yerington and NDOT. Further details on the improvements/developments proposed for public land are included in the Plan of Development submitted as part of the ROW amendment application. All of the public lands proposed to be added to the existing ROW area are within the NDOT Highway ROW (BLM # NVCC 0018421). Much of the public land involved in this ROW amendment application has been previously disturbed and portions are occupied by existing single lane dirt roads and highway facilities. Construction of the proposed facilities is planned for late spring to early summer of 2012 and is expected to continue throughout the remainder of 2012 and into early 2013.

Applicant Name: McLeod Development Company, Inc.

Project Location (amendment): T 13 N., R 25 E, sec. 9, E½NE¼SE¼. City of Yerington, Lyon County, NV

BLM Acres for the Project Area: Proposed ROW Amendment 2.70 acres

Total ROW area following amendment approval – 7.10 acres (existing grant incorrectly indicates acreage of 1.377 acres for area depicted actually containing 4.40 acres)

Land Use Plan Conformance (cite reference/page number): **Lands and Realty Administrative Actions 3.** All applicants for right-of-way grants, whether or not they are within corridors, are subject to standard approval procedures as outlined in the right-of-way regulations (43 CFR 2802)/ROW-4

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)		JLT
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)		KSP for PZ 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)		JLT
4. Would the Proposed Action have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks? (project lead/P&EC)		JLT
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)		JLT
6. Would the Proposed Action have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects? (project lead/P&EC)		JLT
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)		KSP for DT KSP for PZ
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)		JLT
10. Would the Proposed Action have a disproportionately high and adverse effect on low income or minority populations (EA 12898)? (project lead/P&EC)		JLT
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)		KSP for DT

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

Jo Ann 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

Although BLM Sensitive Species is not described in one of the 12 extraordinary circumstances question, review of the applicability of this CX has taken them into consideration.

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.

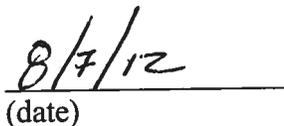
DECISION: It is my decision to implement the action, as described and approve the proposed amendment to ROW NVN 083302. Terms, conditions and stipulations of the original grant should continue to apply and the following stipulation should be included in the amended grant:

The holder shall construct, operate, and maintain the facilities, improvements, and structures within the boundaries of this right-of-way amendment in strict conformity with the plan of development dated December 2011, which is approved and made a part of this grant. Any relocation, additional construction, or use that is not in accord with the approved plan of development, shall not be initiated without the prior written approval of the BLM authorized officer.

Approved by:



Leon Thomas
Field Manager
Sierra Front Field Office


(date)

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