

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-088189

NEPA NUMBER: DOI-BLM-NV-C020-2012-0059-DNA

Project Name: Ranch No. 1 Conservation Easement Acquisition Project (Priority #9-2, Project #BL57)

Applicant Name: Bureau of Land Management (BLM)

Project Location: T. 12 N., R. 19 E., Portion of Section 11

T. 13 N., R. 19 E., Portions of Sections 10 and 15

(See legal descriptions in attached Appendix A and maps)

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

The proposed action is federal acquisition of a conservation easement on 3 parcels of non-federal land, known as Ranch No. 1 (see Appendix A and maps) consisting of 356.96 acres, more or less, in the Carson Valley area of Douglas County. If acquired, the conservation easement would be administered by the BLM, Sierra Front Field Office, in accordance with the Walker Resource Management Plan (RMP) as amended by the North Douglas County Specific Plan Amendment (NDCSPA), 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 9 by the Secretary of the Interior on August 16, 2008, to protect agricultural lands that provide local and migratory bird habitat and other wildlife habitat, floodplain functions such as groundwater recharge and flood dissipation, wetlands, riparian, open space, and scenic values.

Acquisition of the conservation easement 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: Walker RMP (June 1986) as amended by the NDCSPA (June 2001).

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

From the NDCSPA Decision Record/FONSI

Future BLM acquisition of conservations easements in the Carson Valley will assist Douglas County in protecting open space and agricultural lands consistent with provisions of the Douglas County Open Space and Agricultural Lands Preservation Implementation Plan. In doing so, BLM will also help protect important migratory bird habitat, other wildlife habitat

and important flood plain functions in the Carson Valley such as groundwater recharge and flood dissipation.

From NDCSPA Section 2.3 – Land Tenure Decisions

BLM will work in support of Douglas County’s and other organization’s efforts to acquire conservation easements in the Carson Valley. The intent of this coordinated effort is to cooperatively acquire conservation easements on a sufficient number of acres in Carson Valley to protect existing agriculture operations and the important social and natural resource values associated with these lands (Figure 3a.). To this end, BLM will acquire conservation easements on private properties in the Carson Valley from willing sellers in accordance with the identified *Acquisition Criteria for Conservation Easements* described in 2.4 below.

Section 2.4 of the NDCSPA prioritizes ten conservation easement acquisition criteria for the Carson Valley. The proposed conservation easement meets the following six criteria:

- **The land is an active agricultural operation.** Since the primary purpose of the conservation easement is to preserve productive agricultural lands, it is critical that property is an operating farm or capable of being part of a viable farm operation.
- **The land is subject to imminent threat from development, and protection is in conformance with the Douglas County Master Plan.** The Master Plan contemplates the transfer or purchase of development rights on certain agricultural lands, and that high density development will occur in "receiving areas".
- **The land is within the 100-year floodplain.** To allow the Carson River and its tributaries to utilize the natural floodplain and protect future development from flood damage, it is in the public interest to retain the agricultural use of the floodplain.
- **The land contains important wetlands or riparian wildlife habitat.**
- **The agricultural character of the land enhances scenic values.**
- **The land is of sufficient parcel size to be considered farmland.**

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

Proposed North Douglas County Specific Plan Amendment and Environmental Assessment No. NV-030-00-028 (June 2001)

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 NDCSPA 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 9 review process, there was a 45-day public comment period between April 18 and June 2, 2008. 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 August 16, 2008 (BL57, Priority 9-2).

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 conservation easement acquisition described as the Proposed Action in Determination of NEPA Adequacy (DNA) No. DOI-BLM-NV-C020-2012-0059-DNA. I have reviewed this LUP conformance and NEPA compliance record and have determined that the proposed project is in conformance with the RMP, as amended by the NDCSPA, and that no further NEPA analysis is required.



Leon Thomas
Field Manager
Sierra Front Field Office
Carson City District

8-30-12

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
RANCH NO. 1 CONSERVATION EASEMENT ACQUISITION PROJECT
LEGAL DESCRIPTION**

CENTERVILLE LANE CONSERVATION EASEMENT AREA

All that certain lot, piece, parcel or portion of land situate, lying and being within the west 1/2 of Section 11, Township 12 North, Range 19 East, M.D.M., Douglas County, Nevada and more particularly described as follows:

COMMENCING at the south 1/4 corner of aforesaid Section 11;

THENCE along the south line of said section, South 89°52'00" West a distance of 1321.31 feet to the southwest corner of the southeast 1/4 of the southwest 1/4 of said Section 11;

THENCE along the west line thereof North 00°10'30" West a distance of 30.00 feet to a point on the north right-of-way line of Centerville Lane which point is the **TRUE POINT OF BEGINNING**;

THENCE continuing along said west line North 00°10'30" West a distance of 1,293.75 feet to the northwest corner of said southeast 1/4 of the southwest 1/4;

THENCE along the north line thereof, North 89°52'00" East a distance of 1,321.29 feet to the northeast corner of said southeast 1/4 of the southwest 1/4;

THENCE along the east line of west 1/2 of said Section 11, North 00°10'34" West a distance of 1,709.94 feet to a point of intersection with the extension of the southerly line of that parcel described in deed filed for record in Book 48 at page 100, Official Records of Douglas County, Nevada;

THENCE along said line, South 70°59'47" West a distance of 1,664.32 feet to a fence corner as described in deed filed for record in Book A1 at page 140, Official Records of Douglas County, Nevada;

THENCE along the fenceline as described in said deed, South 01°18'08" West a distance of 1,169.94 feet;

THENCE along said fenceline, South 89°34'45" West a distance of 814.31 feet;

THENCE along said fenceline, South 03°28'01" West a distance of 1,294.30 feet to a point on the northerly right-of-way line of Centerville Lane;

THENCE along said line, North 89°52'00" East a distance of 1,180.70 feet to the **TRUE POINT OF BEGINNING** and the end of this description.

Containing 86.36 acres, more or less.

WASSON RANCH EAST CONSERVATION EASEMENT AREA

All that certain lot, piece, parcel or portion of land situate, lying and being within the southwest 1/4 and the southwest 1/4 of the southeast 1/4 of Section 10, the north 1/2 of the northwest 1/4 and the west 1/2 of the northwest 1/4 of the northeast 1/4 of Section 15, all in Township 13 North, Range 19 East, M.D.M., Douglas County, Nevada and more particularly described as follows:

COMMENCING at the section corner common to Sections 9, 10, 15 and 16, Township 13 North, Range 19 East, M.D.M.;

THENCE along the line between said Sections 15 and 16, South 00°09'11" East a distance of 1,315.69 feet to the southwest corner of the north 1/2 of the northwest 1/4 of said Section 15;

THENCE along the south line thereof, North 89°35'37" East a distance of 1,179.64 feet to a point on the easterly right of way line of Foothill Road as described in Deed filed for record September 19, 1950 in Book Z of Deeds at Page 282, Official Records of Douglas County, Nevada which point is the **TRUE POINT OF BEGINNING**;

THENCE continuing along said south line, North 89°35'37" East a distance of 2,111.10 feet to the southeast corner of the west 1/2 of the northwest 1/4 of the northeast 1/4 of said Section 15;

THENCE along the east line of said west 1/2, North 00°19'09" West a distance of 1,318.61 feet to the northeast corner of the west 1/2;

THENCE along the east line of the west 1/2 of the southwest 1/4 of the southeast 1/4 of aforesaid Section 10, North 00°03'42" West a distance of 932.97 feet to a point of the southerly right-of-way line of Genoa Lane;

THENCE along said right-of-way line, North 71°30'07" West a distance of 2,747.74 feet to an angle point;

THENCE continuing along said right-of-way line, North 71°38'33" West a distance of 97.80 feet to the intersection of the easterly line of a 20.00 foot wide sanitary sewer easement as described in that certain Sewer Utility Easement Deed filed for record March 19, 2001 in Book 301 at Page 4558 as Document Number 0510657, Official Records of Douglas County, Nevada;

THENCE leaving said right-of-way line along the easterly line of said sewer easement, South 32°21'26" West, 235.79 feet;

THENCE leaving said easterly line, South 37°23'32" West, 257.43 feet;

THENCE South 00°08'00" East, 19.13 feet;

THENCE South 75°53'45" East, 185.70 feet;

THENCE South 69°33'22" East, 47.84 feet

THENCE South 00°08'00" East, 492.60 feet;

THENCE South 31°07'33" West, 247.91 feet;

THENCE South 33°38'18" East, 231.76 feet;

THENCE South 61°25'36" West, 281.99 feet to a point on the easterly right of way line of Foothill Road as described in said Deed, Book Z Page 282;

THENCE southerly along said right of way line, South 28°34'43" East a distance of 1880.84 feet to the **POINT OF BEGINNING**.

TOGETHER WITH the southwest 1/4 of the northwest 1/4 of said Section 15, excepting therefrom that portion of said land lying west of the east line of Foothill Road as described in Deed filed for record September 19, 1950 in Book Z of Deeds at Page 279, Official Records of Douglas County, Nevada.

Containing 166.56 acres, more or less.

SLAUGHTER HOUSE RANCH CONSERVATION EASEMENT AREA

All that certain real property situate within a portion of Section 10, Township 13 North, Range 19 East, M.D.M., County of Douglas, State of Nevada, being more particularly described as follows:

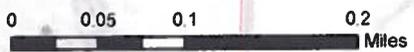
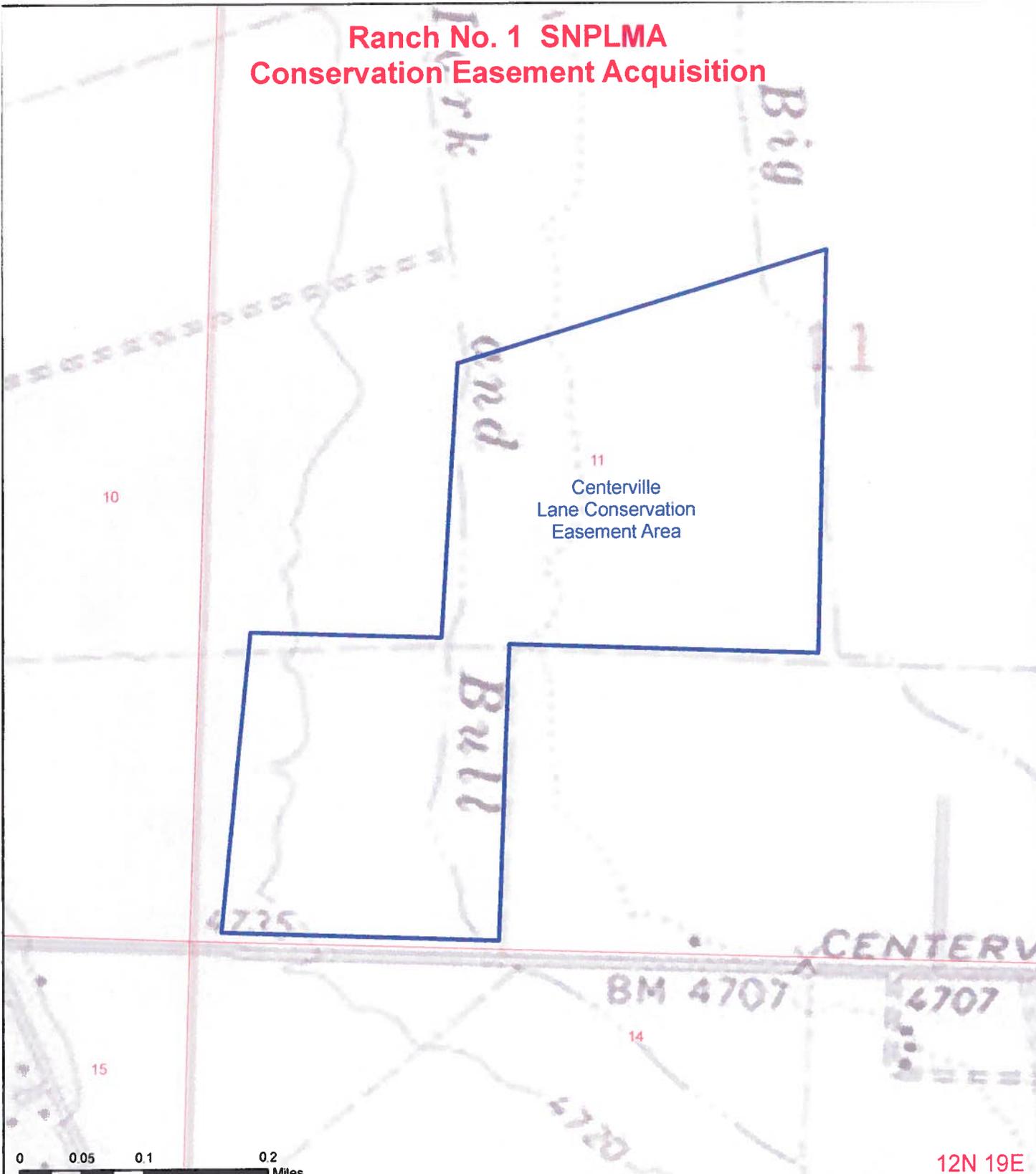
Parcels 1 and 2 of Map of Division into Large Parcels, LDA 06.053, for RANCH No. 1 LIMITED PARTNERSHIP, accordingly to the map thereof, filed in the office of the County Recorder of Douglas County, Nevada on October 9, 2008 as File No. 731224, Official Records.

Excluding therefrom the southerly 5.00 feet of said Parcels 1 and 2 dedicated as public right of way per said Map of Division into Large Parcels.

Containing 104.04 acres, more or less.

Ranch No. 1 SNPLMA Conservation Easement Acquisition

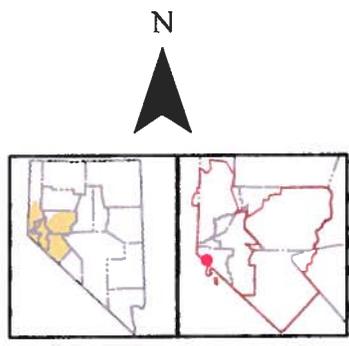
Carson City District Office



12N 19E

Legend

Conservation Easement Area	Fish and Wildlife Service
Bureau of Indian Affairs	National Parks Service
Bureau of Land Management	Nevada State Lands
Bureau of Reclamation	Park
Department of Defense	Private
Department of Energy	Water
Forest Service	

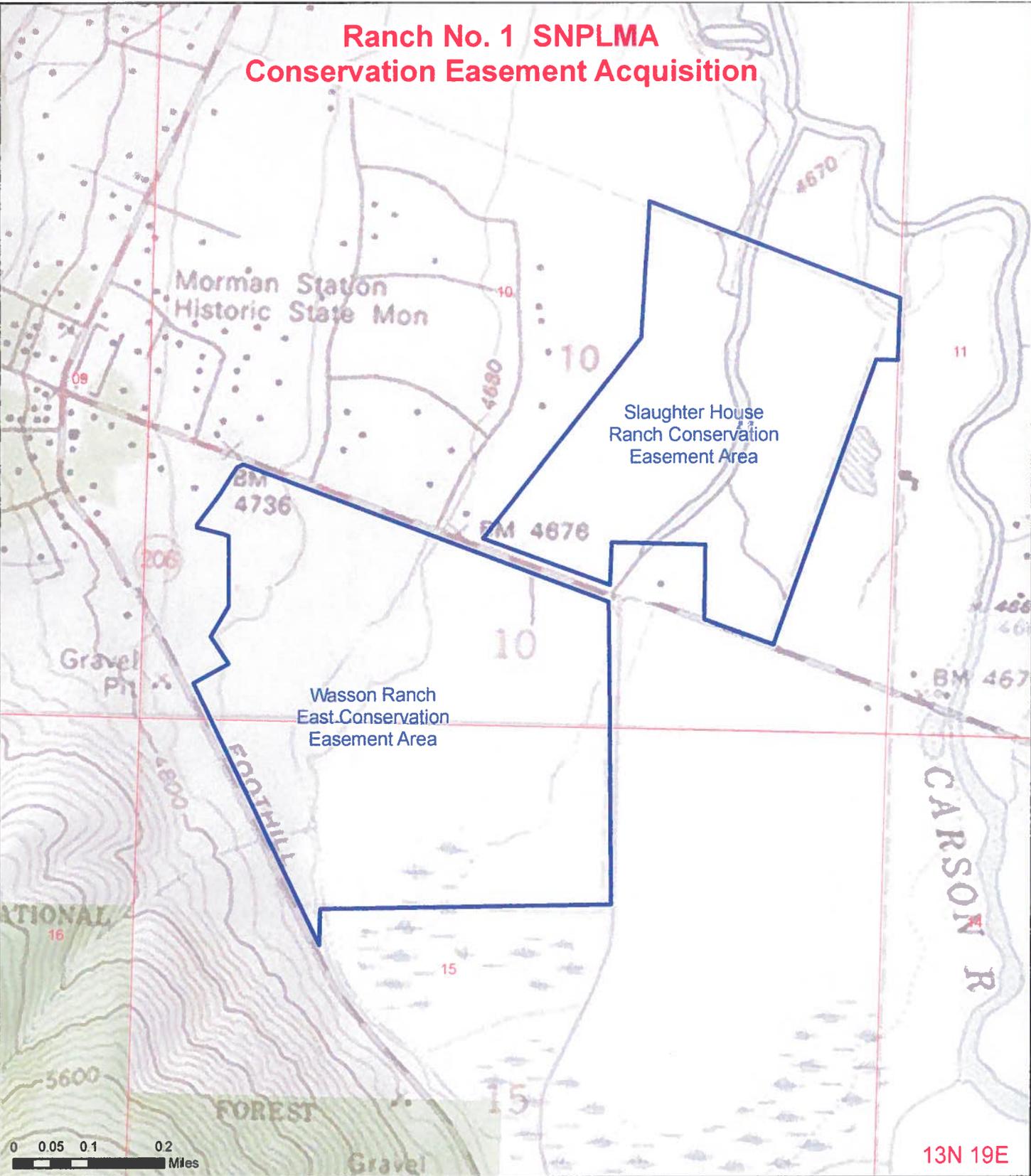


United States Department of the Interior
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Map Produced by:
 DW 08/21/2012

No Warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data

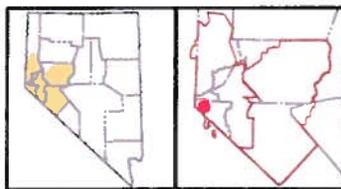
Ranch No. 1 SNPLMA Conservation Easement Acquisition



Carson City District Office



- Legend**
- Conservation Easement Area
 - Bureau of Indian Affairs
 - Bureau of Land Management
 - Bureau of Reclamation
 - Department of Defense
 - Department of Energy
 - Forest Service
 - Fish and Wildlife Service
 - National Parks Service
 - Nevada State Lands
 - Park
 - Private
 - Water



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13N 19E