

Pahrump Fire Station Well

Identifying Information:

Title, EA number, and type of project:

Pahrump Fire Station Well

DOI-BLM-NV-S030-2013-0001

Date: 6/27/2013

Location of Proposed Action:

Mt. Diablo PM

Pahrump Fire Station Complex

7501 Chromium Blvd.

Pahrump NV 89061

T21S. R54E, Sec. 02 NW NW

Name and Location of Preparing Office:

Bureau of Land Management

Office of Fire and Aviation

Southern Nevada District Office

4701 North Torrey Pines Drive

Las Vegas NV 89130

Background Information

The Bureau of Land Management (BLM) Pahrump Fire Station Complex was constructed to provide vegetation, resource, and property protection for the Pahrump area, opening for service in 2004. The construction of the Fire Station Complex was intended to provide utilities to the Fire Station. Due to the complexity of connecting to utilities in the nearby community, the construction was not completed, leaving the Fire Station Complex without water. Since the completion of the Fire Station, water has been brought in by truck by the BLM.

Purpose and Need for Action:

The BLM Pahrump Fire Station Complex was constructed without connection to a self contained water system. The Fire Station supports as many as two engines, wildland fire fighters, Law Enforcement Rangers, and 11 room living quarters. Currently, water is supplied using a tanker truck. The distance from the Southern Nevada District Office (SNDO) to the Fire Station is 140 miles round trip. Multiple trips are made during fire season to maintain the water supply. A more stable water supply is needed to better serve and support staff at the Fire Station.

The purpose of the Proposed Action is to provide a more reliable source of water to the Fire Station. The BLM has acquired water rights in the area amounting to 2 acre feet per year (AFY).

The BLM's decision to be made is to approve or not approve the installation of a well system at the Fire Station.

Scoping, Public Involvement and Issues:

Internal scoping was performed to identify potential issues present with the Proposed Action. The only issue identified as present was Threatened and Endangered Wildlife Species.

Proposed Action and Alternatives

Description of the Proposed Action:

Since the Fire Station went into operation in 2004, these facilities have been without a permanent water source and have relied on water to be trucked in from Las Vegas. To remedy this problem, the BLM SNDO has acquired the water rights to 2 AFY. A well system will be installed to access the water at the Fire Station.

Construction of the well system at the Fire Station would be located within the fenced area on the northern boundary, north of the engine barn and living quarters (see map in Appendix). A filtration system would be installed in an adjacent building and connected to the living quarters and engine barn. Once completed, the well would provide efficient potable water to the facility capable of supporting the fire sprinkler system. Construction will follow local, county, and state regulatory requirements and minimization measures. Construction of the well system would consist of but not limited to:

- Drilling and excavation of cemented soils, caliche and/or solid rock.
- Drilling a bore hole, casing and submersible pump.
- Placement of a 10,000 - 15,000 gallon underground tank.
- Placement of a 12 ft. by 12 ft. prefabricated control room.
- Control room will house: booster tanks, pressure tanks, and disinfectant system.
- System will tie into existing water lines to living quarters, engine bay, and offices.
- System will tie into fire sprinkler system in office(s) and living quarters.

Disturbance

The previous total disturbance of the Fire Station Complex was 4.15 acres. Placement of the well system is expected to be within the existing Fire Station Complex footprint with no new disturbance and will be in compliance with existing visual resource requirements for the Fire Station.

Maintenance

Upon completion of the Proposed Action, maintenance of the water system may be needed on an ongoing basis. The pump houses and well would be monitored monthly and repairs to the system would be conducted on an as-needed basis.

Vegetation

Construction is expected in the existing disturbance area and in the fenced footprint of Fire Station. In the event vegetation is removed, all vegetation would be cleared on the construction site within the approved construction disturbance limits or requirements. Yucca and cactus would be salvaged prior to construction and replanted in temporarily disturbed areas.

Scheduling

The Proposed Action would take place once all applicable contracting steps are completed and the appropriate minimization measures are completed.

Description of Alternatives Analyzed in Detail:

No Action

Under the No Action alternative, the Proposed Action would not take place. If no action is taken, the Fire Station would continue to receive water transported in by tanker truck.

Alternatives Considered but not Analyzed in Detail

Original plans for the Fire Station called for the connection to existing municipal water lines in the City of Pahrump but were determined unfeasible due to cost and coordination.

Conformance

The Proposed Action is in conformance with the Las Vegas Resource Management Plan and Record of Decision (October, 1998), which provide a framework for indicating the management intent for evaluating the appropriateness of future actions and proposals. The Proposed Action will support BLM staff associated with providing resource protection and public safety.

Affected Environment:

The table below summarizes the environmental attributes that have been reviewed, whether they will be affected by the Proposed Action, and rationale for that determination. Elements that will not be affected will not be discussed further, with the exception of Threatened and Endangered Species. These elements are discussed even though they are not affected to reiterate the need to follow mitigation measures. Any present and affected elements will also be carried forward for analysis.

Table 1. Affected Resources Form

Supplemental Authority	Not Present	Present/ Not Affected	Present May be Affected	Rationale for Determination
Air Resources		X		Present but not impacted, as the Proposed Action includes air quality resource design features as minimization measures.
Areas of Critical Environmental Concern	X			The Proposed Action area is not within an ACEC or designated critical habitat for the desert tortoise.
BLM Natural Areas	X			There are no such designations within the Field Office.
Cultural Resources	X			The BLM Archaeologist conducted a cultural review of the area of potential effect (APE) for this well drilling. The well and associated infrastructure would be placed within the fence line surrounding the already existing and ground disturbed Fire Station parcel and as such is exempt from Section 106 review as per Appendix C. 13 of the 2012 State Programmatic Agreement between the BLM and the Nevada State Historic Preservation Office. No historic properties would be affected by this undertaking; no further evaluation is required.
Greenhouse Gas Emissions		X		Currently there are no emission limits for suspected Greenhouse Gas (GHG) emissions, and no technically defensible methodology for predicting potential climate changes from GHG emissions. However, there are, and will continue to be, several efforts to address GHG emissions from federal activities, including BLM authorized uses.
Environmental Justice	X			No minority or low-income communities are present in the Proposed Action area.
Farmlands (Prime or Unique)	X			There are no prime or unique farmland designations in the District.

Fish and Wildlife Excluding Federally Listed Species		X		<p>Wildlife species in the general area include small mammals, rodents, birds and reptiles. Additionally, the BLM sensitive species including the western burrowing owl, banded gila monster, Mojave shovel-nosed snake, desert glossy snake, and the Mojave desert sidewinder may be present in the general area.</p> <p>These species may be found on the adjacent undisturbed lands and could wander into the Proposed Action area. The primary direct impact of the Proposed Action on wildlife would be mortality resulting from vehicular traffic on existing roads within the project area. Wildlife species in the general area are common and widely distributed throughout the area and the loss of some individuals and/or their habitat would have a negligible impact on populations of the species throughout the region.</p> <p>Impacts to BLM Sensitive Species are not anticipated to lead to further decline of the species range wide as there is no new disturbance and impacts for this project is relatively small. Minimization measures provided for the desert tortoise will also further minimize impacts to other wildlife species.</p>
Floodplains	X			The Proposed Action does not occur in a floodplain and will not impact downstream flooding.
Fuels/Fire Management		X		Construction will take place in a previously developed area. The fuels and fire management environment are unlikely to be impacted.
Geology / Mineral Resources/Energy Production	X			No issues with mineral resources, geology, or energy production
Hydrologic Conditions		X		Project location and size will not impact hydrologic conditions of the area.
Invasive Species/ Noxious Weeds		X		The construction of a potable well and water system at the Fire Station will occur within the existing fire station footprint, therefore no new disturbance is expected. The threat of introduction and/or spread of invasive and noxious weeds adjacent to the site can be avoided as the Proposed Action would include Invasive Species/Noxious Weeds resource design features as minimization measures.
Lands/Access	X			The proposed well-site is located wholly within the existing withdrawal for the Fire Station. There are no access issues pertaining to this project.
Livestock Grazing	X			The Proposed Action area is not located in any authorized grazing allotments.
Migratory Birds		X		As there will be no new surface disturbance associated with the Proposed Action, there will be no impact on migratory birds.

Native American Religious Concerns		X		No Native American religious concerns would be affected by this undertaking.
Paleontology	X			No fossil strata would be affected by this undertaking.
Rangeland Health Standards	X			The Proposed Action does not include any additional surface disturbance; therefore there will be no impacts to rangeland health.
Recreation	X			Recreation is not present in the area impacted by the Proposed Action.
Socio-Economics			X	The Proposed Action may provide social and economic benefit by providing water to the BLM support staff who work to protect the resources on public lands managed by the Pahrump Field Office, but not to a degree that analysis would be required.
Soils			X	Project location and size will not impact local soils of the area.
Threatened, Endangered or Candidate Plant Species	X			Not present.
Threatened, Endangered or Candidate Animal Species			X	Carried forward for analysis.
Vegetation Excluding Federally Listed Species	X			As the Proposed Action is restricted to existing roads and disturbed areas, no new impacts to BLM special status plants are expected. There will be no surface disturbance.
Visual Resources			X	The Proposed Action is in VRM Class III, which aims to partially retain the existing character of the landscape. Levels of change to the landscape can be moderate, but should not dominate the view of the casual observer. This project is not expected to dominate the view of the casual observer. Ensure that any change, as a result of this action, repeats the basic elements of form, line, color, and texture found in the natural landscape to the extent practical.
Wastes (hazardous or solid)	X			Not present. Standard Hazardous Material stipulations are in plan of operations.
Water Resources/ Quality (drinking/ surface/ground)			X	Present but not impacted, as the Proposed Action includes water resource design features as minimization measures.
Wetlands/ Riparian Zones	X			Proposed Action does not occur in a wetland/riparian zone.
Wild and Scenic Rivers	X			No such designations exist in the Southern Nevada District.
Wilderness/WSA	X			The Proposed Action is not located within or adjacent to WSAs, ISAs, or designated Wilderness.

Woodland / Forestry	X			Cactus and yucca are considered government property and regulated under the BLM Nevada forestry program. Because the Proposed Action is limited to existing roads and disturbed areas, no new impacts to cactus and yucca, acacia trees and other forestry products are expected. The Proposed Action includes Woodland/Forestry resource design features as minimization measures.
Wild Horses and Burros		X		This project is located in the Johnnie HMA, however due to the small amount of disturbance and location and the proposed project including design features as minimization measures, there should be no impacts to wild horses or burros.
Lands with Wilderness Characteristics		X		The Proposed Action is located in areas which underwent an initial wilderness inventory and were determined not to meet the elements of wilderness characteristics. This area was not nominated for wilderness characteristics as part of the Las Vegas RMP Revision and therefore the BLM did not consider a re-inventory in this area. The Proposed Action is in conformance with the existing LUP as it relates to management of LWCs.

Threatened, Endangered Species

Threatened and Endangered (T&E) species are placed on a federal list by the U. S. Fish and Wildlife Service (USFWS) and receive protection under the Endangered Species Act of 1973, as amended. The only T&E species known to occur in the vicinity of the project area is the threatened desert tortoise (*Gopherus agassizii*).

In the Mojave region, the desert tortoise occurs primarily on flats and bajadas with soils ranging from sand to sandy-gravel characterized by scattered shrubs and abundant inter-shrub space for herbaceous plant growth. They are also found on rocky terrain and slopes.

The Proposed Action will occur within the existing disturbed areas within the fenced Fire Station which is surrounded by moderate density tortoise habitat. A site visit in 2010 by Great Basin Institute Natural Resource Specialist confirmed that the desert tortoise exclusion fence was properly constructed, had no damage and that there was zero clearance between the entrance gate and the ground.

Environmental Effects:

Threatened, Endangered Species

Proposed Action

The project site falls within moderate density tortoise habitat. Impacts to tortoises are possible since tortoises have been found in the vicinity and undisturbed habitat is located adjacent to the project site. There is potential for tortoises to wander into the project area if the tortoise fence is damaged or not properly maintained. If not noticed and avoided during construction operations, desert tortoises could be either killed (by crushing) or harassed (being moved out of harm's way).

Section 7 Consultation for this project is covered under the Programmatic Biological Opinion for Multiple Use Activities (1-5-97-F-251) contingent on compliance with the terms and conditions for Area B.

In addition to the attached terms and conditions, the Proposed Action must be carried out in compliance with the following measures:

1. Trenches 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.
2. Existing desert tortoise exclusion fence will continue to be maintained and monitored by BLM Fire personnel, ensuring there are no breaches in the fence especially after heavy rain storms and to ensure zero clearance between entrance gate and ground is maintained.
3. During work, ensure entrance gate is kept closed to prevent tortoise entry into the site.
4. If a breach in the existing tortoise exclusion fence is discovered, it must be immediately repaired. Notify BLM Wildlife Biologist to determine if further action is required.

No Action

In the event this action is not undertaken, there will be no impacts to T&E Species.

Cumulative Effects

Cumulative impacts are defined in the BLM (1988) NEPA Handbook as impacts on the environment that result from the incremental impact of the Proposed Action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor, but collectively significant, actions taking place over a period of time.

Past Actions

The Fire Station was constructed in 2003 to support the wildland fire management mission of the Southern Nevada District.

Present Actions

The installation of a well system at the Fire Station is the only improvement currently planned for the facility by the BLM. The area surrounding Fire Station is not currently being developed.

Reasonable Foreseeable Future Actions

Community plans adjacent to the Fire Station call for the construction of a Great Basin Community College campus. Planning and development are in the initial stages with development planned to occur over a ten year period. There is a possibility that Pahrump may grow in size and spread toward the Fire Station. Long term cumulative effects are not expected as a result of this project though future development in the area may take place.

Mitigation Measures

Air Quality

- Ensure all local, county, and state regulatory requirements are met during construction.

Invasive Species/ Noxious Weeds

- Avoid or minimize all types of travel through weed- infested areas. If a problem is identified and avoidance or removal is not possible, the project proponent shall set up inspection and equipment cleaning sites to prevent the spread of weeds upon departure.
- Limit ground disturbance to the minimum necessary to safely construct and operate the Proposed Project. The Applicant would avoid creating soil conditions that promote weed germination and establishment.
- Project related equipment (i.e. undercarriages and wheel wells) will be cleaned of all mud, dirt and plant parts before each tour. Project workers shall inspect, remove, and dispose of weed seed and plant parts found on their clothing and personal equipment, bag the product and dispose of in a dumpster. Disposal methods may vary depending on the project.

Threatened and Endangered Species

- All minimization measure identified in the Biological Opinion must be adhered to.

Water Resources/Quality

- Ensure regulatory requirements are met during construction.

Tribes, Individuals, Organizations, or Agencies Consulted:

This project is part of ongoing maintenance and improvement at the Fire Station and limited consultation was necessary.

Table 2. List of Persons, Agencies and Organizations Consulted

Name	Purpose & Authorities for Consultation or Coordination	Findings & Conclusions
U.S. Fish and Wildlife Service	Consultation was completed concerning the Biological Opinion in reference to Desert Tortoise.	Comply with the terms and conditions, which implement reasonable and prudent measures.

List of Preparers

Table 3. List of Preparers

Name	Title
Lisa Christianson	Air Quality Specialist
Kathleen Sprowl	Archeologist
Susan Farkas	Planning and Environmental Coordinator
David Fanning	Geologist
Troy Ezell	Realty Specialist
Marc Sanchez	Recreation Planner
Boris Poff	Hydrologist
Fred Edwards	Botanist
Katherine Kleinick	Biologist
Billy Williams	Weed Specialist
Krystal Johnson	Wild Horse and Burro Specialist
Sendi Kalcic	Wilderness Planner
Jessie Stegmeier	Wildlife Biologist
Lucas Rhea	Fuels Technician
Sean McEldery	Supervisory Fire Management Specialist

Appendix

- Fire Station Image
- Map
- Biological Opinion

Image. Pahrump Fire Station: Looking northeast (buildings left to right-Engine Bay and Office/Barracks).



**Pahrump Fire Station
T21S, R54E
Sec. 2 NW NW**

**Southern Nevada
District Office**

Legend

 Bureau of Land Management



0 0.005 0.01 0.02 Miles

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Case Number: n/a
NEPA Project #: DOI-BLM-NV-S030-2013-0001-EA
Sec. 7 Log #: NV-052-13-020

Terms and Condition of the Multiple Use Biological Opinion for Area B

File No. 1-5-97-F-251

In order to be exempt from the prohibitions of section 9 of the Act, the Bureau must comply with the following terms and conditions, which implement the reasonable and prudent measures described above. These terms and conditions are non-discretionary.

1. To implement Reasonable and Prudent Measure Number 1, the Bureau shall fully implement the following measures:
 - a. A qualified tortoise biologist, or designee of the Bureau, shall present a tortoise-education program to all foremen, workers, and other employees working on the project. The program will include information on the life history of the desert tortoise, legal protection for desert tortoises, penalties for violations of Federal and State laws, general tortoise activity patterns, reporting requirements, measures to protect tortoises, terms and conditions of this biological opinion, and personal measures employees can take to promote the conservation of desert tortoises. The definition of "take" will also be explained. Workers will be encouraged to carpool to and from project sites. The presentation shall be approved by the Service prior to implementation. Specific and detailed instructions will be provided on the proper techniques to capture and move tortoises which appear onsite, in accordance with Service-approved protocol. Currently, the Service-approved protocol is Desert Tortoise Council 1994, revised 1999.
 - b. A speed limit of 25 miles per hour shall be required for all vehicles on the project site and unposted dirt access roads.
 - c. During construction activities, tortoise burrows should be avoided whenever possible. If a tortoise is found onsite during project activities which may result in take of the tortoise (e.g., in harms way), such activities shall cease until the tortoise moves, or is moved, out of harms way. The tortoise shall be moved by either a tortoise biologist or individual trained in the proper technique of handling and moving desert tortoises. All workers will also be instructed to check underneath all vehicles before moving such vehicles.
Tortoises often take cover under vehicles.
 - d. **The project shall require a tortoise biologist onsite during construction activities unless determined by the Bureau and Service that an onsite biologist is not necessary. Unless fenced and cleared, projects will require an onsite biologist during construction of the project during the tortoise active period (March 1 through October 31), and a biologist on call during the tortoise inactive period (November 1 through February 28/29).**
 - e. The FWS must approve the selected consulting firm/biologist to be used by the applicant to implement the terms and conditions of this biological opinion or permit issued by the Bureau. Any biologist and/or firm not previously approved must submit a curriculum vitae and be approved by the FWS before authorized to represent the Bureau in meeting compliance with the terms and conditions of this biological opinion. Other personnel may assist with implementing mitigation measures, but must be under direct field supervision by the approved qualified biologist.

In accordance with *Procedures for Endangered Species Act Compliance for the Mojave Desert Tortoise* (Service 1992), a qualified desert tortoise biologist should possess a

bachelor's degree in biology, ecology, wildlife biology, herpetology, or closely related fields as determined by the Bureau. The biologist must have demonstrated prior field experience using accepted resource agency techniques to survey for desert tortoises and tortoise sign, which should include a minimum of 60 days field experience. All tortoise biologists shall comply with the Service-approved handling protocol (Desert Tortoise Council 1994, revised 1999) prior to conducting tasks in association with terms and conditions of this biological opinion. In addition, the biologist shall have the ability to recognize and accurately record survey results. .

- f. Desert tortoises encountered experiencing heat stress will be placed in a tub, by a qualified tortoise biologist, with one inch of water in an environment with a temperature between 76 degrees F and 95 degrees F for several hours, until heat stress symptoms are no longer evident.
 - g. Tortoises and nests found shall be relocated by a qualified tortoise biologist in accordance with Service-approved protocol (Desert Tortoise Council 1994, revised 1999). Burrows containing tortoises or nests will be excavated by hand, with hand tools, to allow removal of the tortoise or eggs.
 - h. Tortoises that are moved offsite and released into undisturbed habitat on public land, must be placed in the shade of a shrub, in a natural unoccupied burrow similar to the hibernaculum in which it was found, or in an artificially constructed burrow in accordance with Desert Tortoise Council (1994, revised 1999).
 - i. Desert tortoises moved during the tortoise inactive season or those in hibernation, regardless of date, must be placed into an adequate burrow; if one is not available, one will be constructed in accordance with Desert Tortoise Council (1994, revised 1999). During mild temperature periods in the spring and early fall, tortoises removed from the site will not necessarily be placed in a burrow.
 - j. This project will not require fencing.
 - k. Where the Bureau allows or requires the installation of a *temporary* tortoise-proof fence, the fence shall include as much of the proposed construction site as feasible. This may in some cases require the installation of temporary fencing along access routes. Typical fence design should consist of 1-inch mesh or 1-inch horizontal by 2-inch vertical mesh (hardware cloth or plastic) and be installed flush with ground and extend at least 18 inches above ground. Temporary tortoise-proof fencing should not be buried.
2. To implement Reasonable and Prudent Measure Number 2, the Bureau shall fully implement the following measure:
- A litter-control program shall be implemented, by the applicant, to minimize predation on tortoises by ravens drawn to the project site. This program will include the use of covered, raven-proof trash receptacles, removal of trash from the construction site to the trash receptacles following the close of each work day, and proper disposal of trash in a designated solid waste disposal facility. Vehicles hauling trash to the landfill and leaving the landfill must be secured to prevent litter from blowing out along the road.
3. To implement Reasonable and Prudent Measure Number 3, the Bureau shall fully implement the following measures:
- a. If possible, overnight parking and storage of equipment and materials, including stockpiling, shall be in previously disturbed areas or areas to be disturbed which have been cleared by a tortoise biologist. If not possible, areas for overnight parking and storage of equipment shall be designated by the tortoise biologist which will minimize

habitat disturbance.

- b. All vehicle traffic will be restricted to existing access roads where possible. New access roads will be created only when absolutely necessary and only when approved by the Bureau. Routes for new access roads will be flagged by the tortoise biologist prior to surface disturbance.
 - c. Project activity areas will be clearly marked or flagged at the outer boundaries before the onset of construction. All activities shall be confined to designated areas. Blading of vegetation will occur only to the extent necessary and shall be limited to areas designated for that purpose by the Bureau or tortoise biologist.
 - d. Remuneration fees only apply to future disturbance in tortoise habitat. Past disturbance or disturbance on land not considered to be tortoise habitat by a tortoise biologist, and approved by the Bureau, are not assessed a tortoise remuneration fee. Remuneration fees will be used to fund management actions which are expected to benefit the desert tortoise. Actions may involve: Habitat acquisition; population or habitat enhancement or protection; research that increases our knowledge of desert tortoise biology, habitat requirements, or factors affecting habitat attributes; reducing loss of individual animals, documenting the species' current status and trend, and preserving distinct population attributes or any other action described in the Management Oversight Group's report titled *Compensation for the Desert Tortoise* (Hastey, et al. 1991) or Recovery Plan.
 - e. Projects resulting in residual impacts will require the submission of a Bureau-approved reclamation plan, unless determined by the Bureau and Service that reclamation rehabilitation is not necessary. The reclamation plan will describe objectives and methods to be used, species of plants and/or seed mixture to be used, time of planting, success standards, and follow-up monitoring. Depending upon the size and location of the project, reclamation could simply involve recontouring, if necessary, and rehabilitation and restriction of access points or could involve reclamation over the entire area of surface disturbance. Reclamation will be addressed on a case-by-case basis.
4. To implement Reasonable and Prudent Measure Number 4, the Bureau shall fully implement the following measures:
- a. ***The project applicant shall notify the Bureau at least 10 days before initiation of the project. Notification shall be made to the Bureau's wildlife staff at (702) 515-5000.***
 - b. The Bureau wildlife staff (702/515-5000) and Service (702/515-5230) must be notified of any desert tortoise death or injury due to the project implementation by close of business on the following work day.
 - c. All appropriate NDOW permits or letters of authorization shall be acquired prior to handling desert tortoises and their parts, prior to initiation of any activity which may require handling tortoise.
 - d. ***The project proponent must submit a document to the Bureau within 30 days of completion of the project showing the number of acres disturbed; remuneration fees paid; and number of tortoises taken, which includes capture and displacement, killed, injured, and harassed by other means, during implementation of programmatic actions.***

DESERT TORTOISE SECTION 7 COMPLIANCE FORM

Entire form is to be completed by the project proponent and delivered to the Bureau of Land Management within 30 days of project completion

Biological Opinion File Number: 1-5-97-F-251

Species: desert tortoise (*Gopherus agassizii*)

Project Name Pahrump Fire Station Well
Case file No.: n/a (DOI-BLM-NV-S030-2013-0001-EA)
Acreage of Disturbance Authorized: 0
Acreage Actually Disturbed: _____
Fees Assessed: \$0 Rate: n/a

In accordance with this biological opinion, applicants or project proponents must avoid or remove tortoises from lands to be disturbed within the project area.

- Area B mandatory desert tortoise clearance survey
- Area C mandatory desert tortoise clearance survey
- Area C voluntary desert tortoise clearance survey conducted
- Area C voluntary desert tortoise clearance survey not conducted

Date(s) clearance survey(s) conducted: _____
Number of desert tortoises observed: _____
Number of desert tortoise burrows observed: _____
Number of desert tortoises injured: _____
Number of desert tortoises killed: _____
Number of desert tortoises removed from the project site: _____

(Provide a report detailing all tortoise encounters and what happened to the animals. This report will include age class, gender, and health of each animal, maps showing where each tortoise was captured and later relocated, and the air temperature during the relocation.)

Company and persons who conducted the survey and removal¹:

Company: _____
Name: _____
Address: _____
Phone: _____
State Permit #: _____

If desert tortoises were encountered, attach a summary of each action. This summary shall include: date encountered; whether the animal was avoided, injured, killed, or moved out of harm's way; and if the animal was handled, please identify where the animal was relocated to.

Deliver this completed form and required supplemental information to:

Bureau of Land Management
Division of Renewable Resources
4701 N. Torrey Pines Drive
Las Vegas, NV 89130
(702) 515-5000

If you have questions, call the BLM's Wildlife staff at (702) 515-5000.

¹ BLM approval of biological monitors/surveyors required. Submit resumes for review/approval 15 days prior to construction.

Finding of No Significant Impact

Pahrump Fire Station Well

DOI-BLM-NV-S030-2013-0001-EA

I have reviewed Environmental Assessment (EA) DOI-BLM-NV-S030-2013-0001-EA, dated 06/27/13. After consideration of the environmental effects as described in the EA, and incorporated herein, I have determined that the proposed action identified in the EA will not significantly affect the quality of the human environment and that an Environmental Impact Statement (EIS) is not required to be prepared.

I have determined the proposed action is in conformance with the approved 1998 Las Vegas Resource Management Plan (RMP) and is consistent with applicable plans and policies of county, state, tribal and Federal agencies. This finding and conclusion is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and the intensity of impacts described in the EA.

Context:

The "Pahrump Fire Station Well" is a site-specific action with construction and installation occurring within Nye County, NV on lands managed by the BLM.

The lands proposed for the installation of the well system are managed by the Bureau of Land Management. The land houses the Pahrump Fire Station Complex. The Proposed Action is in conformance with the Las Vegas Resource Management Plan and Record of Decision (October, 1998), which provide a framework for indicating the management intent for evaluating the appropriateness of future actions and proposals. The Proposed Action will support BLM staff associated with providing resource protection and public safety.

Intensity:

1. *Impacts that may be both beneficial and adverse.*

The EA has considered both the beneficial and adverse impacts of the proposed action. Overall, the proposed action would provide benefits to the Fire Station by providing a reliable water source to for wildland fire support and law enforcement operations in the Pahrump, NV area.

Installation of the well would occur in previously disturbed areas within the Fire Station footprint. Minimization measures are in place to reduce potential impacts to resources including threatened and endangered (T&E) species thus potential impacts are expected to be negligible.

2. *The degree to which the proposed action affects public health or safety.*

The proposed action is likely to have minimal affects to public health or safety. The proposed action includes regulatory, compliance, and minimization measures to ensure public health and safety.

3. *Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*

The proposed action would occur at the BLM Pahrump Fire Station which is adjacent to Pahrump NV, on BLM managed lands. No unique characteristics were identified in the Pahrump Fire Station Well EA.

4. *The degree to which the effects on the quality of the human environment are likely to be controversial.*

The effects of the proposed action on the quality of the human environment are unlikely to be controversial. Installation and design of the well system are in support of resource protection and public safety.

5. *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*

No unique or unknown risks are expected to effect the human environment. Little uncertainty exists with this project.

6. *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.*

The actions considered in the proposed action were considered by the interdisciplinary team within the context of past, present, and reasonably foreseeable future actions. Significant cumulative effects are not predicted. A complete analysis of the direct, indirect, and cumulative effects is described in the EA. The proposed action does not establish a precedent for future actions with significant effects and does not represent a decision in principle about a future consideration.

7. *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.*

After analysis, no significant cumulative impacts have been identified in the EA.

8. *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the NRHP or may cause loss or destruction of significant scientific, cultural, or historical resources.*

The proposed action will not adversely affect districts, sites, highways, structures or objects listed in or eligible for listing in the NRHP. It will not cause the loss or destruction of significant scientific, cultural, or historical resources. The area is already disturbed and therefore low probability resources exists, and the existing development itself is not a historic property.

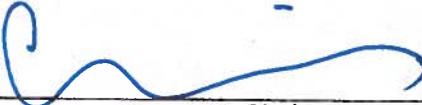
9. *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the ESA of 1973.*

The planning area includes habitat for the threatened desert tortoise. The EA has identified that no significant or adverse impacts would result to this species or its habitat from implementation of the proposed action. Design features and minimization measures are included in the proposed action to minimize and avoid impacts to the species and it was concluded there was a "no effect" determination.

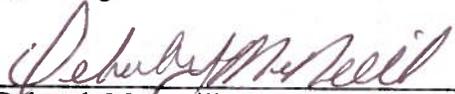
10. *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

The proposed action will not violate or threaten to violate any Federal, State, or local law or requirement imposed for the protection of the environment.

Signed:

Recommended by: *for:*  *8/20/13*

Mike Haydon
Fire Management Officer
Christopher J. Glode [Date]

 *8/20/13*

Deborah MacNeill
Pahrump Field Office Manager
[Date]

Decision Record — Memorandum

Pahrump Fire Station Well

DOI-BLM-NV-S030-2013-0001-EA

Compliance

The Proposed Action is in compliance with the following:

- Clean Air Act of 1970 (as amended in 1977 and 1990). 42 USC 7401 et seq. PL 91-604; 42-USC 1857h-7 et seq.
- Clean Water Act of 1977 (as amended). 33 USC 1251-1387. PL 92-500.
- Endangered Species Act of 1973 (as amended). 16 USC 1531 et seq. PL 93-205.
- Executive Order 13112. 1999. Invasive Species. February 3.
- Federal Land Policy and Management Act of 1976 (43 U.S.C. §§ 1701 et seq.).
- Migratory Bird Treaty Act of 1918, as amended (16 USC 703 et seq.).
- National Environmental Policy Act of 1969 as amended. Public Law 91-190, 42 USC 4321-4347, Public Law 94-52, July 3, 1975, Public Law 94-83, August 9, 1975, and Public Law 97-258, § 4(b), Sept. 13, 1982.
- National Historic Preservation Act of 1966 as amended. 16 USC 470a et seq. 80 Stat. 915; PL 89-665.
- Federal Noxious Weed Act of 1975. Public Law 93-629. 7 USC 2801 et seq.; 88 Stat. 2148. January 3.
- Wild Free-Roaming Horses and Burros Act of 1971. PL 92-195
- Clark County Conservation of Public Land and Natural Resources Act of 2002 (Public Law 107-282).
- Las Vegas Resource Management Plan, 1998.

Selected Action

It is my decision to approve the Pahrump Fire Station Well project. The selected action is the Proposed Action as described in Environmental Assessment (EA) DOI-BLM-NV-S030-2013-0001-EA, dated 06/27/2013.

I have determined that the action will not result in significant impacts based analysis in the EA and attached Finding of No Significant Impact. This action was selected over no action as it will eliminate the dependence on outside water source for the Fire Station, in accordance with any mitigating measures in the EA. It is my decision to authorize the installation of the well system at the Pahrump Fire Station.

Construction of the well water system at the Fire Station would be located within the fenced area in the existing Fire Station Complex footprint. A filtration system would be installed in an

adjacent building and connected to the living quarters and engine barn. Once completed, the well would provide efficient potable water to the facility capable of supporting the fire sprinkler system. Implementation of this proposed action may occur at any time provided that all minimization and mitigation measures described in the EA, and incorporated herein, are completed.

Compliance with NEPA:

The action has been analyzed within EA DOI-BLM-NV-S030-2013-0001-EA dated 06/27/2013 and Finding of No Significant Impact, incorporated herein by this reference, will not have any significant impact on the human environment and the action does not require the preparation of an Environmental Impact Statement.

Public Involvement:

An internal review of this EA was conducted by BLM Southern Nevada District resource specialists, the completed document was then posted to the NEPA register web page.

Rationale:

The proposed action is in conformance with the Las Vegas RMP and ROD (1998), which provide a framework for indicating the management intent for evaluating the appropriateness of future actions and proposals. The proposed action will support BLM staff associated with providing resource protection and public safety.

Appeal or Protest Opportunities:

In accordance with 43 CFR 4.470, 4160.3 (c) and 4160.4, any person whose interest is adversely affected by a final decision of the authorized officer may appeal the decision for the purpose of a hearing before an administrative law judge. The appeal must be filed within 30 days after the date the proposed decision becomes final or 30 days after receipt of the final decision. In accordance with 43 CFR 4.470, the appeal shall state clearly and concisely the reason(s) why the appellant thinks the final decision of the authorized officer is wrong..

Pursuant to 43 CFR 4.471 and 4160.3(c), an appellant also may petition for a stay of the final decision pending appeal by filing a petition for stay along with the appeal within 30 days after the date the proposed decision becomes final or 30 days after receipt of the final decision.

The appeal and any petition for stay must be filed at the office of the authorized officer, Southern Nevada District Office 4701 N. Torrey Pines, Las Vegas, NV 89130. **At this time, the BLM will not accept protests or appeals sent by electronic mail.** Within 15 days of filing the appeal and any petition for stay, the appellant also must serve a copy of the appeal, and any petition for stay, on any person named in the decision and listed at the end of the decision, and on the Office of the Solicitor, Regional Solicitor, P.O. Box 1200, Reno, Nevada 89520.

Pursuant to 43 CFR 4.471(c), a petition for stay, if filed, must show sufficient justification based on the following standards:

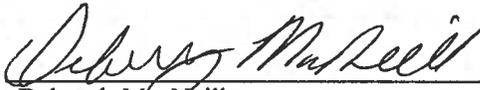
1. The relative harm to the parties if the stay is granted or denied;
2. The likelihood of the appellant's success on the merits;
3. The likelihood of immediate and irreparable harm if the stay is not granted; and,
4. Whether the public interest favors granting the stay.

43 CFR 4.471(d) provides that the appellant requesting a stay bears the burden of proof to demonstrate that a stay should be granted.

Any person named in the decision from which an appeal is taken (other than the appellant) who wishes to file a response to the petition for a stay may file with the Hearings Division in Salt Lake City, Utah, a motion to intervene in the appeal, together with the response, within 10 days after receiving the petition. Within 15 days after filing the motion to intervene and response, the person must serve copies on the appellant, the Office of the Solicitor and any other person named in the decision (43 CFR 4.472(b)).

At the conclusion of any document that a party must serve, the party or its representative must sign a written statement certifying that service has been or will be made in accordance with the applicable rules and specifying the date and manner of such service (43 CFR 4.422(c)(2)).

Authorizing Official:



Deborah MacNeill
Pahrump Field Office Manager

8/20/13

Date

Contact Person

For additional information concerning this Finding, contact.

Chris Glode
Southern Nevada District Office
4701 N. Torrey Pines Dr
Las Vegas NV 89130
702-515-5000