

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-088193

NEPA NUMBER: DOI-BLM-NV-C020-2013-0032-DNA

Project Name: Quilici Ranch Conservation Easement Acquisition Project (Priority #9-3, Project #BL58)

Applicant Name: Bureau of Land Management (BLM)

Project Location: T. 16 N., R. 21 E., Portions of Sections 12 and 13

T. 16 N., R. 22 E., Portions of Sections 7 and 18

(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 a conservation easement on non-federal land, known as the Quilici Ranch (see Appendix A and map) consisting of 70.30 acres, more or less, near Dayton, Nevada, in Lyon County. If acquired, the conservation easement would be administered by the BLM, Sierra Front Field Office, in accordance with the Reno Management Framework Plan (MFP), 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 along the Carson River corridor that provide important riparian, wetland, and wet meadow habitat, open space, a scenic viewshed, and scientific research opportunities.

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: Reno MFP (December 1982).

The Proposed Action is in conformance with the applicable LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions):

From Decision VRM 1.2

Manage the following areas according to the requirements established by BLM Manual 8400 for VRM Class III which provides that activities may be evident in the landscape but should remain subordinate to the existing characteristic landscape. (List includes the Lower Carson River).

From Decision W 3.5

Retain public lands within 100-year floodplain boundaries. Authorize developments within 100-year floodplains only if consistent with existing Federal, state, and local government restrictions.

From Decision WL 4.2

Consolidate by land acquisition 34,880 acres of private land that is important as wildlife habitat in the Pine Nut-Markleeville Planning Units.

From Decision WL 17.1

All riparian areas will be given special management consideration through the consultation and coordination process to provide for adequate protection.

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

Final Reno Grazing Environmental Impact Statement (September 1982)

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. Although the Proposed Action is not specifically provided for in the applicable LUP, it is similar to management actions analyzed in the cited NEPA document and contained in the LUP for the protection of floodplains, riparian areas, wildlife habitats, and scenic quality, and is consistent with the LUP decisions identified above. The Proposed Action is within the analysis area covered 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 approved by the BLM Nevada State Director. This Proposed Action is consistent with 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. Although the Proposed Action is not specifically provided for in the applicable LUP, it is similar to management actions analyzed in the cited NEPA document and contained in the LUP for the protection of floodplains, riparian areas, wildlife habitats, and scenic quality, and is consistent with the LUP decisions identified above. Direct, indirect, and cumulative effects of the Proposed Action are similar to the direct, indirect, and cumulative effects analyzed in the cited NEPA document.

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

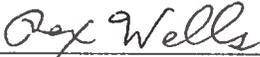
Yes. The BLM's planning process provides for extensive public involvement and the public involvement and interagency review for the cited LUP and associated NEPA document are adequate for the current Proposed Action. In addition, as part of the SNPLMA Round 9 review process, there was a 45-day public 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 (BL58, Priority 9-3).

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 EIS 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) (DOI-BLM-NV-C020-2013-0032-DNA). I have reviewed this LUP conformance and NEPA compliance record and have determined that the proposed project is in conformance with the MFP and that no further NEPA analysis is required.



Leon Thomas
Field Manager
Sierra Front Field Office
Carson City District

7-19-13

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
QUILICI RANCH CONSERVATION EASEMENT ACQUISITION PROJECT
LEGAL DESCRIPTION

A portion of the "Quilici Ranch Corporation Parcel", (former **Assessor's Parcel No. 16-341-24**);

Situate in;

the Southeast 1/4 of section 12, and within the North 1/2 of section 13, T. 16 N., R. 21 E., M.D.B.& M., and within;

the Southwest 1/4 of section 7, and within the Northwest 1/4 of section 18, T. 16 N., R. 22 E., M.D.B.& M.,

Dayton, Lyon County, Nevada, and being more particularly described as follows:

All that portion of "The Quilici Ranch Corporation Parcel", lying North-Northwest of an existing barbed wire fence marking the existing limits of cultivation, and South-Southeast of the Ordinary High Water Mark (OHWM) on the Right Bank of The Carson River, as shown on the "RECORD OF SURVEY FOR THE QUILICI RANCH CORPORATION", said map having been recorded in the official records of Lyon County on January 22nd, 2013 as document no. 501943, by reference thereto made a part hereof. The parcel being further described as:

BEGINNING at the point of intersection of an existing barbed wire fence marking the northerly limits of cultivation of the Quilici Ranch, with the N/S section line common to sections 13 & 18, R. 21 E | R. 22 E., from which, the corner common to sections 7, 12, 13 & 18 bears N 01° 25' 47" E, a distance of 205.62 ft., said section corner being marked with a 5/8" rebar with brass tag stamped "PLS 3579", to which, I affixed a 2 inch aluminum cap stamped "PLS 5547", and set a metal "T-Bar" fence post as guard stake and raised a small mound of stone;

Thence, along said fence marking the limits of cultivation, the following twenty five (25) courses;

- 1). **S 87° 45' 06" W**, a distance of **47.51 ft.**; (L-34)
- 2). **S 52° 04' 25" W**, a distance of **84.34 ft.**; (L-35)
- 3). **S 34° 31' 26" W**, a distance of **132.53 ft.**; (L-36)
- 4). **S 21° 50' 44" W**, a distance of **153.45 ft.**; (L-37)
- 5). **S 54° 39' 00" W**, a distance of **174.09 ft.**; (L-38)
- 6). **S 65° 41' 16" W**, a distance of **256.17 ft.** (L-39) to a set 5/8" diameter "copperweld" monument with 1-1/2" brass cap stamped "PLS 5547";
- 7). **S 82° 28' 26" W**, a distance of **464.00 ft.** (L-40) to a set 5/8" diameter "copperweld" monument with 1-1/2" brass cap stamped "PLS 5547";
- 8). **S 86° 44' 50" W**, a distance of **300.85 ft.**; (L-41)
- 9). **S 77° 06' 42" W**, a distance of **108.39 ft.**; (L-42)
- 10). **S 66° 00' 25" W**, a distance of **157.11 ft.**; (L-43)
- 11). **S 88° 16' 40" W**, a distance of **418.42 ft.** (L-44) to a set 5/8" diameter "copperweld" monument with 1-1/2" brass cap stamped "PLS 5547";
- 12). **N 87° 59' 25" W**, a distance of **103.28 ft.**; (L-45)
- 13). **S 79° 42' 51" W**, a distance of **107.31 ft.**; (L-46)

- 14). S 39° 49' 00" W, a distance of 159.53 ft.; (L-47)
- 15). S 29° 34' 45" W, a distance of 169.80 ft.; (L-48)
- 16). S 62° 00' 30" W, a distance of 185.38 ft. (L-49) to a set 5/8" diameter "copperweld" monument with 1-1/2" brass cap stamped "PLS 5547";
- 17). S 83° 51' 10" W, a distance of 73.64 ft.; (L-50)
- 18). S 76° 31' 24" W, a distance of 153.07 ft. (L-51) to a set 8" bridge spike at the Southwest corner of an existing railroad-tie fence post;
- 19). N 08° 34' 02" E, a distance of 41.76 ft. (L-52)
- 20). N 84° 01' 14" W, a distance of 238.68 ft.; (L-53)
- 21). S 20° 44' 16" W, a distance of 208.27 ft.; (L-54)
- 22). S 37° 36' 14" W, a distance of 120.45 ft.; (L-55)
- 23). S 04° 32' 03" E, a distance of 172.30 ft.; (L-56)
- 24). S 25° 24' 59" W, a distance of 92.76 ft.; (L-57)
- 25). S 49° 46' 34" W, a distance of 99.35 ft. (L-58) to the West boundary of "The Quilici Ranch Corporation Parcel";

Thence, along said West boundary, N 31° 49' 51" W, a distance of 1242.24 ft. to the OHWM on the Right Bank of the Carson River;

Thence, along said OHWM on the Right Bank of the Carson River, the following twenty five (25) meander courses;

- 1). N 78° 29' 23" E, a distance of 243.70 ft.; (L-1)
- 2). S 71° 34' 18" E, a distance of 235.25 ft.; (L-2)
- 3). S 87° 12' 26" E, a distance of 264.41 ft.; (L-3)
- 4). N 58° 45' 01" E, a distance of 228.31 ft.; (L-4)
- 5). N 27° 54' 24" E, a distance of 290.56 ft.; (L-5)
- 6). N 32° 19' 06" E, a distance of 203.09 ft.; (L-6)
- 7). N 52° 59' 56" E, a distance of 163.79 ft.; (L-7)
- 8). S 88° 00' 21" E, a distance of 190.49 ft.; (L-8)
- 9). S 60° 26' 46" E, a distance of 172.14 ft.; (L-9)
- 10). S 37° 12' 16" E, a distance of 169.43 ft.; (L-10)
- 11). S 44° 30' 47" E, a distance of 233.53 ft.; (L-11)
- 12). S 78° 27' 28" E, a distance of 181.76 ft.; (L-12)
- 13). N 75° 40' 42" E, a distance of 509.16 ft.; (L-13)
- 14). N 60° 30' 32" E, a distance of 263.87 ft.; (L-14)
- 15). N 62° 25' 27" E, a distance of 489.06 ft.; (L-15)
- 16). N 42° 19' 31" E, a distance of 201.54 ft.; (L-16)
- 17). N 35° 19' 58" E, a distance of 181.99 ft.; (L-17)
- 18). N 55° 44' 58" E, a distance of 318.85 ft.; (L-18)
- 19). N 19° 08' 37" E, a distance of 267.98 ft.; (L-19)
- 20). N 24° 13' 34" E, a distance of 401.24 ft.; (L-20)
- 21). N 41° 05' 30" E, a distance of 186.99 ft.; (L-21)
- 22). N 74° 04' 52" E, a distance of 156.66 ft.; (L-22)
- 23). N 79° 01' 25" E, a distance of 206.25 ft.; (L-23)
- 24). N 86° 35' 05" E, a distance of 202.84 ft.; (L-24)

25). N 62° 17' 26" E, a distance of 108.73 ft. (L-25) to the East boundary of "The Quilici Ranch Corporation Parcel";

Thence, leaving said OHWM on the Right Bank of the Carson River, and along said East boundary, S 22° 24' 18" W, a distance of 375.42 ft. to a found 1" diameter iron pipe, approx. 4" high, in which, I set a 5/8" rebar with 2" aluminum cap stamped "PLS 5547";

Thence, S 42° 28' 42" E, a distance of 147.91 ft. to the point of intersection of said East boundary with the existing barbed-wire fence marking the Northerly limits of cultivation of the Quilici Ranch;

Thence, along said fenceline, the following seven (7) courses;

- 1). S 19° 19' 15" W, a distance of 244.83 ft.; (L-27)
- 2). S 46° 38' 56" W, a distance of 339.20 ft.; (L-28)
- 3). S 53° 36' 48" W, a distance of 452.81 ft.; (L-29)
- 4). S 21° 11' 55" E, a distance of 211.49 ft.; (L-30)
- 5). S 10° 03' 53" E, a distance of 32.97 ft.; (L-31)
- 6). S 46° 15' 24" W, a distance of 34.08 ft.; (L-32)
- 7). S 87° 45' 06" W, a distance of 126.02 ft. (L-33) to the **TRUE POINT OF BEGINNING;**

Containing an area of 70.30 Acres, more or less.

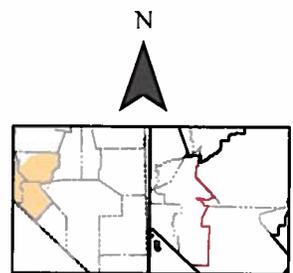
Proposed Quilici Ranch Conservation Easement Aquisition, NVN-088193



Legend

-  Proposed Conservation Easement Quilici Ranch
-  Section
-  Township

The location of the Carson River on the base map is from information on 1:24000 USGS quadrangles (Dayton (1993) and Flowery Peak (1994)). The northern boundary of the proposed conservation easement area is the right (southern) ordinary high water mark of the Carson River as determined by a survey completed in January 2013




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Map Produced by: ADC
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