

FINAL ENVIRONMENTAL ASSESSMENT

Bulletproof Tactical LLC Tactical Vehicle Off-Highway Operations Project

Finding of No Significant Impact

DOI-BLM-NV-C010-2014-0006-EA

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It is the mission of the Bureau of Land Management to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations.

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Background

BACKGROUND

The Tactical Vehicle Off-Highway Operations Project (Project) is located in Churchill, Storey, and Washoe Counties, Nevada. The Project would be located on lands administered by the Bureau of Land Management, Carson City District Office (BLM), as well as small portions of private land. Off-highway vehicle training was provided to primarily civilian customers on BLM-administered land between the mid-1990s and 2002 through Rod Hall International on the same routes proposed for this Project. Annual special use permits were filed with the BLM during this period. Current activities under Bulletproof Tactical LLC (BPT) began in 2003 with training occurring primarily on state land administered by the Nevada Army National Guard at the Stead Training Center and federal land administered by the BLM. Based on training activities occurring in Fallon in December 2011 on BLM-administered land, the BLM indicated, in February 2012, that a permit would be necessary to continue training activities on BLM-administered land. The use of public lands for training activities provides increased opportunities for the utilization of different types of routes for different types of training activities. In February 2013, the Tactical Vehicle Off-Highway Operations Project Plan of Operations (Plan) was submitted to the BLM in accordance with the regulations at 43 Code of Federal Regulations (CFR) 2920. At the same time, a complete BLM Form 2920-1 Land Use Application and Permit was also submitted to the BLM for review. This Environmental Assessment (EA) has been prepared in compliance with the National Environmental Policy Act of 1969 (NEPA) to examine the effects of the issuance of a land use permit for the proposed Project.

BPT is proposing to utilize approximately 679,391 linear feet or approximately 129 miles of existing roads and primitive roads, and rights-of-way (ROWs), with approximate 12-foot running widths, within the three counties to provide off-highway tactical vehicle training in a desert environment for military special operators, allied military, other government personnel, non-government personnel, and civilian drivers. Training activities would also occur at the Navy Munitions Command Fallon Gravel Quarry. Training would be comprised of proper off-highway driving techniques, safe vehicle operations, vehicle maintenance, vehicle recovery procedures, and vehicle evaluation services of military prototype vehicles. BPT would also provide training to their trainees on the "Leave No Trace" and "Tread Lightly!" principles. The proposed training venues include six staging/assembly areas. The Project would allow eight individuals as a minimum group size and 32 individuals as a maximum group size, including BPT trainers. The student to vehicle ratio is usually two to one, but may go as high as four to one. The staff to student ratio is at a minimum of one to three, to a maximum of one to twelve, depending on the type of training conducted. The duration of each training program may last up to eight days alternating between different routes, with up to 36 sessions held annually.

No new surface disturbance, including new road construction, creation of primitive roads, or overland travel, would be involved with this Project. The volume of proposed training activities is the same as the volume of current training activities.

Land Use Plan Conformance

The Proposed Action and alternatives described below are in conformance with the Carson City District Office Consolidated Resource Management Plan (2001) as follows:

Section 8, REC-2, Land Use Allocations, 1: “All Public lands under Carson City Field Office jurisdiction are designated open to Off-Highway Vehicle (OHV) use unless they are specifically restricted or closed” (BLM 2001a).

Section 8, REC-7, Standard Operating Procedures, 1: “All public lands designated as open for off highway use are subject to Conditions of Use in 43 CFR 8341 where no person shall operate an off highway vehicle in a manner causing, or likely to cause significant, undue damage to or disturbance of soil, wildlife, wildlife habitat, improvements, cultural, or vegetative resources or other authorized uses of the public lands. Additionally, competitive or commercial OHV use will remain subject to environmental review and the discretionary authority of the authorized officer.”

Section 8, REC-8, Standard Operating Procedures, 5: “Where the authorized officer determines that OHVs are causing or will cause considerable adverse affects upon soil, vegetation, wildlife, wildlife habitat, cultural resources, historical resources, threatened or endangered species, wilderness suitability, other authorized uses, or other resources, the authorized officer shall close the areas effected to the type(s) of OHV causing the adverse affect until the adverse affects are eliminated and mitigating measures implemented to prevent recurrence (43 CFR 8341.2). Emergency closures and interim designations will not require a planning amendment.

Finding

This finding and conclusion is based on the consideration of the Council on Environmental Quality’s criteria for significance (40 CFR 1508.27), both with regard to the context and the intensity of impacts described in the EA.

Based upon the analysis in the EA# DOI-BLM-NV-C010-2014-0006-EA *Tactical Vehicle Off-highway Operations Project*, it is my determination that the implementation of the Proposed Action will not have significant environmental impacts and that the Proposed Action is in conformance with the Carson City Consolidated Resource Management Plan adopted in 2001. I have determined that the Proposed Action is not a major federal action, and will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. Therefore, an environmental impact statement is not necessary and will not be prepared for the Proposed Action.

Context:

The Project is located in Churchill, Storey, and Washoe Counties, Nevada. The Project would be located on lands administered by the Bureau of Land Management, Carson City District Office (BLM), as well as small portions of private land. Approximately 679,391 linear feet or approximately 129 miles of existing roads and primitive roads, and ROWs, with approximate 12-foot running widths, within these three counties would be utilized for off-highway tactical vehicle training in a desert environment for military special operators, allied military, other government personnel, non-government personnel, and civilian drivers. No new road construction would be involved in this project.

Churchill County, Washoe County and Mineral County, NV, get approximately 5 inches of rain per year and the snowfall is anywhere from 3 inches to 23 inches in the higher elevations. The Project Area's climate is arid to semiarid. Winter temperatures can reach below 0°F and summer highs may exceed 100°F.

Intensity:

The following discussion is based on the relevant factors that should be considered in evaluating intensity as described in 40 CFR 1508.27:

1) Impacts that may be both beneficial and adverse.

I have determined that none of the direct, indirect or cumulative impacts associated with the Proposed Action (as analyzed in Chapter 3 of the EA) are significant, individually or combined. The EA evaluated both beneficial and adverse impacts of the Proposed Action for the utilization of approximately 679,391 linear feet or approximately 129 miles of existing roads and primitive roads, and ROWs, within the three counties to provide off-highway tactical vehicle training in a desert environment for military special operators, allied military, other government personnel, non-government personnel, and civilian drivers. Training activities would also occur at the Navy Munitions Command Fallon Gravel Quarry. Training would be comprised of proper off-highway driving techniques, safe vehicle operations, vehicle maintenance, vehicle recovery procedures, and vehicle evaluation services of military prototype vehicles. BPT would also provide training to their trainees on the "Leave No Trace" and "Tread Lightly!" principles. No new surface disturbance, including new road construction, creation of primitive roads, or overland travel, would be involved with this Project. Impacts to BLM sensitive wildlife species, general wildlife, and migratory birds were analyzed in detail in chapter 3 of the EA.

Although Project activities include OHV training activities on existing roads and primitive roads, individual nesting birds, individual special status bird and mammal species, and individual wildlife species could be impacted by vehicle noise and result in displacement from the nests. However, training activities would be of short duration, and most birds would be expected to return to a nest site if displaced. In addition, direct mortality may occur, especially to small mammals, as a result of being run over by vehicles. However, training activities would be of short duration, and most wildlife species would be expected to return to the site if displaced. In

addition, Project activities would not result in a regional population change to wildlife species, migratory birds or sensitive status species.

With implementation of Environmental Protection Measures built into the Proposed Action and through informal consultation with the U.S. Fish and Wildlife Service (USFWS) adverse impacts to wildlife, sensitive status species and migratory birds would be minimal.

All of the impacts and identified mitigation measures are described and analyzed in detail in Chapter 3 of the Final EA.

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

Public safety would be maintained throughout the life of the Project. All equipment and other facilities would be maintained in a safe and orderly manner; a speed limit of 20 mph, or posted speed limits, would be used by Project-related equipment on roads within the Project Area to reduce the potential for collisions with people, grazing animals, and wildlife, and to reduce dust emissions from Project roadways; BPT would avoid utilizing any routes during high visitation periods, such as weekends and major holidays, when practicable, to maintain the safety of their clients and the general public. Through adherence to these Environmental Protection Measures built into the Proposed Action, the proposed off-highway tactical operations will not result in potentially substantial or adverse impacts to 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 BLM Interdisciplinary Team scoped the Supplemental Authorities and Resources other than Supplemental Authorities to determine if they were present and if so, whether they may be affected by the Proposed Action. These resources were evaluated in Chapter 3 of the Final EA# DOI-BLM-NV-C010-2014-0006-EA.

There are no Wilderness Study Areas, prime or unique farmlands or Floodplains located within the vicinity of the proposed project area.

Portions of the Project pass through and are adjacent to the Carson Wandering Skipper Area of Critical Environmental Concern (ACEC). However, the Proposed Action does not include any ground disturbing activities and the fugitive dust associated with vehicles emissions would not be at levels above the existing levels created by traffic in the area and would not impact the ACEC. Refer to Chapter 3 of the Final EA# DOI-BLM-NV-C010-2014-006-EA for the analysis of impacts to the Carson wandering skipper (*Pseudocopa eunus obscurus*). The BLM conducted informal consultation with the USFWS based on the listing status of the Carson wandering skipper by preparing and submitting a Biological Assessment (BLM 2013). The conclusion in the Biological Assessment prepared by the BLM, and concurred with by the USFWS, was that the Proposed Action “may affect, but is not likely to adversely affect the Carson wandering skipper or its habitat” (BLM 2013).

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

The EA was scoped internally by BLM resource specialists in March 2013. Coordination with the tribes occurred initially in September of 2013 and again during the comment period. To date, no information has been provided to the BLM regarding concerns about traditional use or religious concerns.

The EA was sent out for public comment and review on December 23, 2013. The comment period ended on January 27, 2014. During the comment period, comment submissions were received from the Naval Air Station, Fallon, State Historic Preservation Office (SHPO) and the Nevada Department of Wildlife (NDOW). Minor changes were made to the Final EA document for clarification purposes based on comments received during the comment period. No substantial changes were needed, nor additional alternatives proposed for this project. Refer to the table in Appendix C for a list of comments and BLM's responses to those comments. The effects on the quality of the human environment from implementation of the Proposed Action are not likely to be highly controversial.

No unresolved issues have been identified following public notification and review of the EA. This is demonstrated through the effects analysis in Chapter 3 of the Final EA.

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

The analysis provided in the EA does not indicate that this action would involve any unique or unknown risks. Relevant components of the human environment which would be either affected or potentially affected by the Proposed Action and other alternatives were addressed through the effects analyzed in Chapter 3 of the Final EA.

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 proposed action will not establish a precedent for future actions with significant effects or represent a decision about a future consideration. Completion of this Final EA does not establish a precedent for other assessments nor does it authorize other tactical vehicle off-highway operations within this area that are outside the scope of the Final EA. Any future projects within the Project area that is outside of the scope of EA# DOI-BLM-NV-C010-2014-0006-EA, or in surrounding areas will be analyzed on their own merits, independent of the actions currently proposed.

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

Direct and indirect impacts of the Proposed Action were analyzed in Chapter 3 (Affected Environment and Environmental Consequences) of the Final EA. None of the environmental impacts discussed in detail in Chapter 3 of this EA are considered significant. Past, present and

reasonably foreseeable future actions have been considered in the cumulative impacts analysis within Chapter 3 of the EA. The cumulative impacts analysis examined all of the other appropriate actions and determined that the proposed action would not incrementally contribute to significant impacts. In addition, for any actions that might be proposed in the future, further environmental analysis, including assessment of cumulative impacts, would be required.

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.*

All proposed training activities including staging areas would remain within the disturbed area of existing roads and primitive roads. Based on a Class I review of the cultural resources information and the Project route maps, the Project would not affect historic properties. This analysis is summarized in the BLM cultural resources report CRR 3-2672 on file at the BLM Carson City District Office. Therefore, there would be no adverse impacts to districts, sites, highways, structures or objects listed in or eligible for listing in the National Register of Historic Places or cause a loss or destruction of significant scientific, cultural or historical resources.

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.*

None of the proposed training routes traverse through greater sage-grouse Primary Priority Habitat. Some portions of the routes traverse through greater sage-grouse Primary General Habitat. However, there are no known active lek sites within 3.2 miles of a proposed training route. Project activities would not result in a regional population change to special status species. Therefore, impacts to special status as a result of the Proposed Action are considered minimal.

The USFWS Information Planning and Conservation (IPAC) system query, as well as the Nevada Department of Wildlife (NDOW) data response letter, identified the cui-ui (*Chasmistes cujus*), an endangered species, as occurring in the Project Area (USFWS 2013; NDOW 2013). The query also identified the threatened Lahontan cutthroat trout (*Oncorhynchus clarkii ssp. henshawi*) as occurring in the Project Area (USFWS 2013). However, based on the habitat assessment performed, the habitat does not support the presence of these species within the area of impact of all the proposed training routes.

The USFWS IPAC query, as well as the Nevada Natural Heritage Program (NNHP) data response letter, identified the endangered Carson wandering skipper (*Pseudocopaeodes eunus obscures*) as occurring in the Project Area (USFWS 2013; NNHP 2013). The BLM conducted informal consultation with the USFWS based on the listing status of the Carson wandering skipper by preparing and submitting a Biological Assessment (BLM 2013). The conclusion in the Biological Assessment prepared by the BLM, and concurred with by the USFWS, was that the Proposed Action “may affect, but is not likely to adversely affect the Carson wandering skipper or its habitat” (BLM 2013).

Refer to Chapter 3 of the Final EA for the impact analysis regarding threatened, endangered and sensitive status wildlife species.

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 is in compliance with the Carson City District Office Consolidated Resource Management Plan (2001). The Proposed Action is consistent with Statutes, regulations and policies of neighboring local, County, State, Tribal governments and other Federal agencies. The Proposed Action is in conformance with the Federal Land Policy and Management Act of 1976 as amended and applicable regulations at 43 CFR §2920. The Proposed Action does not violate or threaten to violate any Federal, State, or local law or requirement imposed for the protection of the environment.


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Date

