

Determination of NEPA Adequacy (DNA) Worksheet for a Land Conveyance to the Nevada System of Higher Education for the College of Southern Nevada

U.S. Department of the Interior
Bureau of Land Management

OFFICE: Las Vegas Field Office, NVS01000

TRACKING NUMBER: DOI-BLM-NV-S010-2015-0087-DNA

CASEFILE/PROJECT NUMBER: N-88283-02

PROPOSED ACTION TITLE/TYPE:

Land Conveyance to the Nevada System of Higher Education for the College of Southern Nevada.

LOCATION/LEGAL DESCRIPTION:

Location: Located in North Las Vegas, north of Highway 215, west of Interstate Highway 95, on Elkhorn Road and Durango Drive.

Legal Description: Mount Diablo Meridian, Nevada, T. 19 S., R. 60 E., sec. 17, lots 18, 31, 32, 35, 36, 37, and 38.

APPLICANT (if any): Nevada System of Higher Education

A. Description of Proposed Action and any application mitigation measures

This is a land conveyance to the Nevada System of Higher Education for the College of Southern Nevada.

On December 19, 2014, bill H.R. 3979, was enacted as Public Law 113–291. Sec. 3092(h) of the public law, conveys approximately 40 acres to the Nevada System of Higher Education, Board of Regents, for construction of a college campus for the College of Southern Nevada. The public law mentions that —no later than 180 days after the date of enactment of this section, the BLM shall convey to the Nevada System of Higher Education, without consideration...the land identified on the map entitled “College of Southern Nevada Land Conveyance” dated June 26, 2012.

However, the area to be conveyed, as noted on the map for the public law, dated June 26, 2012, was a portion of a lot, and therefore would have to be re-surveyed and re-lotted. Also, a small portion of lot 18, situated north of Oso Blanca Road on the parcel, was not included in the map drawing. The BLM would prefer to include the entire lot 18, therefore, BLM, revised the map. The new revised map which the BLM created is identified as the “College of Southern Nevada Land Conveyance Revision”, dated July 27, 2015. The BLM cadastral surveyors performed a re-survey and supplemental plat for the area. The new legal description (after the re-survey) for the parcel area is Mount Diablo Meridian, Nevada, T. 19 S., R. 60 E., sec. 17, lots 18, 31, 32, 35, 36, 37, and 38. The corrected legal description is identified above under Legal Description and the new revised map dated July 27, 2015 is attached to this document. The revised acres for the parcel after the re-survey of the area, is 42.03 acres.

In accordance with the National Environmental Policy Act (NEPA), a Determination of NEPA Adequacy (DNA) is prepared. Due to the NEPA review, the preparation of a Biological Opinion for the Desert Tortoise, completion of a re-survey, and creation of a re-revised map, the BLM was unable to complete the conveyance within the 180 time limit as mentioned in the public law. The Nevada System of Higher Education was notified of the situation.

Mitigation Measures: The conveyance parcel is undeveloped and undisturbed and located within a residential housing area. A final environmental site assessment (ESA) and hazmat evaluation of the parcel will be conducted prior to sale. Minerals evaluation, resource evaluations, Biological Opinions, and tortoise remuneration fees will be assessed for the conveyance.

This conveyance will be in accordance with Public Law 113–291, sec. 3092(h), and as it states: “Notwithstanding section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) and section 1(c) of the Act of June 14, 1926, (commonly known as the Recreation and Public Purposes Act) (43 U.S.C. 869(c), and subject to all existing rights and such terms and conditions as the Secretary determines to be necessary.”

B. Land Use Plan Conformance

LUP Name*	<u>Las Vegas Resource Management Plan and Final Environmental Impact Statement</u>	Date Approved:	<u>October 5, 1998</u>
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**List Applicable LUPs (for example, resource management plans; activity, project, management, or program plans; or applicable amendments thereto*

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

The action meets Lands Management. Objective: LD-1: “Approximately 175,314 acres of public lands within the disposal areas identified on Map 2–3 are potentially available for disposal through sale, exchange, or Recreation and Public Purpose patent to provide for the orderly expansion and development of southern Nevada.”

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

This is a DNA according to NEPA regulations H-1790-1, 5.1.

The resource land area was previously analyzed in 2003 for use as a park under NEPA 2003-271, Decision and Fonsi signed November 28, 2003.

The resource land area was previously analyzed in 2004 under the Las Vegas Valley Disposal Boundary Environmental Impact Statement (EIS), Record of Decision (ROD) signed December 23, 2004.

The resource land area was previously analyzed in 1998 under the Las Vegas Resource Management Plan and Final Environmental Impact Statement, signed October 5, 1998.

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?

The Proposed Action is similar to an alternative analyzed in the previous EA 2003-271. The alternative in EA 2003-271 was analyzed as a Recreation and Public Purpose Act (R&PP) proposal for a park area with restrooms, parking lots, picnic areas, ballfields, basketball, tennis courts and community center. The new proposed conveyance action is a proposal for a college campus which will consist also of a park area, restrooms, parking lots, ballfields, basketball, tennis courts, and building education centers. It is therefore, essentially similar to the alternatives analyzed in EA 2003–271.

The conveyance action is within the same analysis area and same location as the previous EA 2003-271. The land is still undeveloped so the geographic location and the resource conditions are the same.

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?

The land is still undisturbed and undeveloped so the range of alternatives analyzed in the previous EA 2003–271 should remain the same as in this analysis. Since the area is in-valley in a residential area, there shouldn't be any new current environmental concerns or resource values. The alternatives in the previous analyzation should be appropriate for this action.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessments, 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?

It is reasonable to conclude that there would be no substantial change to the analysis of the proposed action. There are no new information or circumstances that would require additional analysis.

The parcel area was previously analyzed under Biological Opinion File No. 1-5-96-F-23R.2 for the desert tortoise. In 2012, the Fish and Wildlife Service developed a new Biological Opinion for the area. However, there are several conveyance actions in Public Law 113–291 which must be evaluated. The total acreage for all the conveyance actions totals 4,698 acres. The 4,698 acres of land disposals in the Public Law bill exceeds the adverse effects threshold in our programmatic biological opinion. Since this action exceeds the limit in the biological opinion, we will have to reinstate consultation for additional acres prior to appending this action. This action should not substantially change the analysis of the new proposed action. A new EA will not be necessary.

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, the direct, indirect, and cumulative effects that would result from implementation of the new conveyance action are similar (both quantitatively and qualitatively) to those analyzed in the

previous EA 2003-271. The development of a college in this north Las Vegas residential area would have a similar cumulative effect on the general area as the previous EA which was for development of a park. Both would consist of an increase in public involvement in the area with additional parking lots, buildings, sidewalks, traffic road congestion, road travel, and higher PM10 emissions in the area. The future cumulative effects on T&E Species for plants and animals, cultural, wilderness, range, and other resources would remain the same as in the previous analysis since the parcel is located in a community residential area where effects on these resources would be minimal due to the residential housing and other developments in the area.

5. Are there public involvement and interagency reviews associated with existing NEPA document(s) adequate for the current Proposed Action?

Public involvement, and other agency, and interagency reviews and involvement occurred in 2003 with the previous EA assessment. Since the action and activity are similar, the existing NEPA documentation is adequate for the Proposed Action.

E. Persons/Agencies/BLM Staff Consulted

Note

Refer to EA number 2003-271 for the team members and general public who participated in the preparation of the environmental analysis or planning documents. This DNA was reviewed and analyzed by the BLM Las Vegas Field Office Resource Specialists shown below. Their comments and evaluations were placed in an Affected Resource Form (ARF) which can be found in the eplanning computer system under DOI-BLM-NV-S010-2015-0087-DNA.

Name	Title	Resource/Agency Represented
Dorothy J. Dickey	BLM Realty Specialist	Las Vegas Field Office
Stanley Plum	BLM Cultural Resources, Archaeologist	Las Vegas Field Office
Gayle-Marrs Smith	BLM Socio Economics	Las Vegas Field Office
Benjamin Klink	BLM Fire Management Officer, Weeds	Las Vegas Field Office
Lori Dee Dukes	BLM Minerals	Las Vegas Field Office
Ashley Holcomb	BLM Wildlife Biologist	Las Vegas Field Office
Lisa Christianson	BLM Air Quality Specialist	Las Vegas Field Office
Chris Linehan	BLM Recreation Specialist	Las Vegas Field Office
Krystal Johnson	BLM Wild Horse and Burro Specialist	Las Vegas Field Office
Boris Poff	BLM Hydrologist	Las Vegas Field Office
Matthew Hamilton	BLM Wildlife Biologist	Las Vegas Field Office
James Lee Kirk	BLM NEPA Coordinator	Las Vegas Field Office
Dorothy J. Dickey	BLM Realty Specialist	Las Vegas Field Office
Mark Slaughter	BLM Wildlife Biologist	Las Vegas Field Office
Lisa Christianson	BLM HazMat Specialist	Las Vegas Field Office

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 constitute BLM's compliance with the requirements of the NEPA.

Project Lead: Dorothy Jean Dickey, Realty Specialist

Signature of NEPA Coordinator

Vanessa L. Hice
Assistant Field Manager
Lands Division

Date

Note:

The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

A COPY OF THE NEW REVISED MAP DATED JULY 27, 2015 IS SHOWN BELOW. THIS MAP WILL BE USED IN THE CONVEYANCE ACTION.

