

U.S. Department of the Interior  
Bureau of Land Management  
Carson City District Office

**CATEGORICAL EXCLUSION  
ENVIRONMENTAL REVIEW AND APPROVAL**

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**Project Creator:** Matt Simons, Realty Specialist

**Field Office:** Stillwater Field Office/Sierra Front Field Office

**Lead Office:** Stillwater Field Office

**Case File/Project Number:** N-66753

**Applicable Categorical Exclusion:** H-1790-1, Appendix 4 E(9)

“Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.”

**NEPA Number:** DOI-BLM-NV-C010-2014-0023-CX

**Project Name:** Hodges Transportation Vehicle Testing Permit.

**Project Description:** Renewal of the expired Land Use Permit (LUP) which allows Hodges Transportation, Inc. / Nevada Automotive Test Center (Hodges) to conduct commercial vehicle testing activities, both on and off roads, in parts of Douglas, Lyon, and Churchill Counties, NV. A detailed description of the activities Hodges was permitted to conduct is contained in EA NV-030-01-021.

**Applicant Name:** Hodges Transportation Incorporated

**Project Location:** See serial register page in LR2000 and EA NV-030-01-021

**BLM Acres for the Project Area:** Approximately 1,350 acres.

**Land Use Plan Conformance:**

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with Administrative Actions listed on page ROW-4 of the Right-of-way Corridor section and would comply with the Standard Operating Procedures listed on pages ROW-4 through ROW-6.

**Name of Plan:** Carson City Field Office Consolidated Resource Management Plan (2001)

**Screening of Extraordinary Circumstances:** The following extraordinary circumstances apply to individual actions within categorical exclusions (43 CFR 46.215). The BLM has considered the following criteria: (Specialist review: initial in appropriate box)

**Stillwater Field Office**

| <i>If any question is answered 'yes' an EA or EIS must be prepared.</i>   | YES | NO                   |
|---|-----|----------------------|
| 1. Would the Proposed Action have significant impacts on public health or safety? (Range)   |     | JP                   |
| 2. Would the Proposed Action have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (EO 11990); floodplains (EO 11988); national monuments; migratory birds (EO 13186); and other ecologically significant or critical areas? (Archaeology, Recreation, Wilderness, Wildlife, Range by allotment, Water Quality) |     | JW<br>JL<br>JG<br>JK |
| 3. Would the Proposed Action have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA 102(2)(E)]? (PEC)   |     | JDR                  |
| 4. Would the Proposed Action have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks? (PEC)  |     | JDR                  |
| 5. Would the Proposed Action establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects? (PEC)  |     | JDR                  |
| 6. Would the Proposed Action have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects? (PEC)  |     | JDR                  |
| 7. Would the Proposed Action have significant impacts on properties listed, or eligible for listing, on the NRHP as determined by the bureau or office? (Archaeology)   |     | JW                   |
| 8. Would the Proposed Action have significant impacts on species listed, or proposed to be listed, on the list of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species? (Wildlife)  |     | JK                   |
| 9. Would the Proposed Action violate federal law, or a State, local or tribal law or requirement imposed for the protection of the environment? (PEC and Archaeology)   |     | JW<br>JDR            |
| 10. Would the Proposed Action have a disproportionately high and adverse effect on low income or minority populations (EA 12898)? ((PEC)  |     | JDR                  |
| 11. Would the Proposed Action limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (EO 13007)? (Archaeology)  |     | JW                   |
| 12. Would the Proposed Action contribute to the introduction, continued existence, or spread of noxious weeds or non-native species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and EO 13112)? (Range)   |     | JP                   |

**SPECIALISTS' REVIEW:**

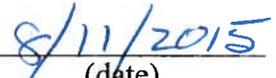
During ID Team review of the above Proposed Action and extraordinary circumstances, the following specialists reviewed this CX:

- Planning Environmental Coordinator: Angelica Rose *DR 6/23/14*
- Public Health and Safety/Noxious Weeds: Jill Devaurs *JD 6-23-14*
- Recreation/Wilderness/VRM/LWC: ~~Dan Westermeyer~~ *MS 6/30/14*
- Wildlife/T&E (BLM Sensitive Species): Chris Kula *CK 7/9/14*
- Archaeology/Paleontology: Jason Wright / Kristin Bowen *JW 6/23/14*
- Livestock Grazing/Wild Horses and Burros: Linda Appel / Chelsy Simerson *LA 6/30/14*
- Minerals: Dave Schroeder / Ken Depaoli *DS 6/30/14*
- Soils/Vegetation: Linda Appel / Chelsy Simerson *LA 6/30/14*  
*CS 6/30/14*

**CONCLUSION:** Based upon the review of this Proposed Action, I have determined that the above-described project is a categorical exclusion, in conformance with the LUP, and does not require an EA or EIS. A categorical exclusion is not subject to protest or appeal.

Approved by:

  
Teresa J. Knutson  
Field Manager  
Stillwater Field Office

  
(date)

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
**LAND USE APPLICATION AND PERMIT**  
(Sec. 302(b) of P.L. 94-579, October 21, 1976, 43 U.S.C. 1732)

FORM APPROVED  
OMB NO. 1004-0009  
Expires: October 31, 2004

FOR BLM USE ONLY

Application Number

*N 66753 Renewal*

|   |   |  |
|---|---|--|
| 1. Name (first, middle initial, and last)<br><b>Hodges Transportation, Inc.</b> | Address (include zip code)<br><b>P.O. Box 234<br/>Carson City, Nevada 89702</b> | Phone (include area code)<br><b>(775) 629-2000</b> |
|---|---|--|

2. Attach map or sketch showing public lands for which you are applying **SAME AS CURRENT PERMIT**

3. Proposed date(s) of use: from **05/21/2011** to **05/20/2014**

4. Give legal basis for holding interest in lands in the State of Nevada  
(Check appropriate box at right and explain.)

|   |   |
|---|---|
| <input type="checkbox"/> Resident               | <input type="checkbox"/> Partnership      |
| <input checked="" type="checkbox"/> Corporation | <input type="checkbox"/> County           |
| <input type="checkbox"/> Local Government       | <input type="checkbox"/> State Government |
| <input type="checkbox"/> Other                  |   |

5. Are the lands now improved, occupied or used?  Yes  No (If "yes," describe improvements and purposes, identify users and occupants.)

6. Do you need access to the land?  Yes  No (Describe needed or existing access)

7a. What do you propose to use the lands for?  
**Commercial activities involving the testing of vehicles both on and off road.**

b. What improvements and/or land development do you propose? (To complete application processing, engineering and construction drawings may be required)  
**None**

|  |  |
|--|--|
| c. What is the estimated capital cost?<br>\$ _____ | d. What is the source of water for the proposed use?<br><b>None required</b> |
|--|--|

I CERTIFY That the information given by me in this application is true, complete, and correct to the best of my knowledge and belief and is given in good faith.

*[Handwritten Signature]*  
(Signature of Applicant)

**03/07/2011**  
(Date)

Title 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

**PERMIT**

|  |                                    |
|--|------------------------------------|
| Permission is hereby granted to <b>Hodges Transportation, Inc. / NATC</b><br>of<br>to use the following described lands: | Permit Number<br><b>NVN 066753</b> |
|--|------------------------------------|

| TOWNSHIP | RANGE | SECTION | SUBDIVISION |
|----------|-------|---------|-------------|
|----------|-------|---------|-------------|

(See Case File)

|                        |                        |                           |                                  |
|------------------------|------------------------|---------------------------|----------------------------------|
| Meridian<br><b>MDM</b> | State<br><b>Nevada</b> | County<br><b>Multiple</b> | Acres (number)<br><b>1,350.0</b> |
|------------------------|------------------------|---------------------------|----------------------------------|

for the purpose of

and subject to the following conditions:

- |  |   |
|--|---|
| <ol style="list-style-type: none"> <li>1. This permit is issued for the period specified below. It is revocable at the discretion of the BLM, at any time upon notice. This permit is subject to valid adverse claims heretofore or hereafter acquired.</li> <li>2. This permit is subject to all applicable provisions of the regulations (43 CFR 2920) which are made a part hereof.</li> <li>3. This permit may not be assigned without prior approval of the BLM.</li> <li>4. Permittee must not enclose roads or trails commonly in public use.</li> <li>5. Authorized representatives of the Department of the Interior, other Federal agencies, and State and local law officials will at all times have the right to enter the premises on official business.</li> <li>6. Permittee must pay the United States for any damage to its property resulting from the use.</li> <li>7. Permittee must notify the BLM of address change immediately.</li> <li>8. Permittee must observe all Federal, State, and local laws and regulations applicable to the premises and to erection of maintenance of signs or advertising displays including the regulations for the protection of game birds and game animals, and must keep the premises in a neat, orderly, and sanitary condition.</li> <li>9. Permittee must pay the BLM, in advance, the lump sum of \$ _____ for the period of use authorized</li> </ol> | <p>by this permit or \$ <b>950.00</b> _____, annually, as rental or such other sum as may be required if a rental adjustment is made.</p> <ol style="list-style-type: none"> <li>10. Use or occupancy of land under this permit will commence within <b>3</b> months from date hereof and must be exercised at least <b>30</b> days each year.</li> <li>11. Permittee must take all reasonable precautions to prevent and suppress forest, brush, and grass fires and prevent pollution of waters on or in the vicinity of the lands.</li> <li>12. Permittee must not cut any timber on the lands or remove other resources from the land without prior written permission from the BLM. Such permission may be conditioned by a requirement to pay fair market value for the timber or other resources.</li> <li>13. Permittee agrees to have the serial number of this permit marked or painted on each advertising display or other facility erected or maintained under the authority of such permit.</li> <li>14. This permit is subject to the provisions of Executive Order No. 11246 of September 24, 1965, as amended, which sets forth the Equal Opportunity clauses. A copy of this order may be obtained from the BLM.</li> <li>15. Permittee acknowledges, by signing below, that he/she knows, understands and accepts the terms and conditions under which this permit is issued.</li> </ol> |
|--|---|
16. Special conditions (attach additional sheets, if necessary)

Permit issued for period \_\_\_\_\_  
 From 05/22/2011  
 To 05/21/2014

  
 \_\_\_\_\_  
 (Permittee)  
  
 \_\_\_\_\_  
 (BLM)  
 Field Manager, SFO  
 \_\_\_\_\_  
 (Title)

08/03/2011  
 \_\_\_\_\_  
 (Date)

**INSTRUCTIONS**

- |   |  |
|---|--|
| <ol style="list-style-type: none"> <li>1. Submit, in duplicate, to any local office of the Bureau of Land Management having jurisdiction of the lands.</li> <li>2. Applications for Land Use Permits will not be accepted unless a notification of the availability of the land for non-BLM use (<i>Notice of Realty Action</i>) has been published in the Federal Register and for 3 weeks thereafter in a newspaper of general circulation. This provision does not apply in those situations where the publication of</li> </ol> | <p>a (<i>Notice of Realty Action</i>) has been waived by the BLM.</p> <ol style="list-style-type: none"> <li>3. Costs of processing the application must be paid by the applicant in advance.</li> <li>4. The BLM may require additional information to process an application. Processing will be deferred until the required information is furnished by the applicant.</li> </ol> |
|---|--|

## NOTICES

**The Privacy Act** and 43 CFR 2.48(d) require that you be furnished with the following information in connection with the information required by this form.

**AUTHORITY:** 43 U.S.C. 1732 and 43 CFR Part 2920 permit collection of the information requested by this form.

**PRINCIPAL PURPOSE:** The BLM uses the information in this form to process your application.

**ROUTINE USES:** In accordance with the System of Records titled, "Land and Minerals Authorization Tracking System--Interior, LLM-32," disclosure outside the Department of the Interior may be made: (1) To appropriate Federal agencies when concurrence or supporting information is required prior to granting or acquiring a right or interest in lands or resources, (2) To Federal, State, or local agencies or a member of the general public in response to a specific request for pertinent information, (3) To the U.S. Department of Justice or in a proceeding before a court or adjudicative body when (a) the United States, the Department of the Interior, a component of the Department, or when represented by the government, an employee of the Department is a party to litigation or anticipated litigation or has an interest in such litigation, and (b) the Department of the Interior determines that the disclosure is relevant or necessary to the litigation and is compatible with the purpose for which the records were compiled, (4) To an appropriate Federal, State, local, or foreign agency responsible for investigating, prosecuting, enforcing, or implementing a statute, regulation, rule, or order, where the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation, (5) To a member of Congress or a Congressional staff member from the record of an individual in response to an inquiry made at the request of that individual, (6) To the Department of the Treasury to effect payment to Federal, State, and local government agencies, nongovernmental organizations, and individuals, and (7) To individuals involved in responding to a breach of Federal data. The BLM will only disclose this information in accordance with the Freedom of Information Act, the Privacy Act, and the provisions at 43 CFR 2.56(c).

**The Paperwork Reduction Act** requires us to inform you that:

The BLM collects this information to process applications for land use authorizations, in accordance with 43 CFR Part 2920.

You do not have to respond to this or any other Federal agency-sponsored information collection unless it displays a valid OMB control number.

**EFFECT OF NOT PROVIDING INFORMATION:** Submission of the requested information is necessary to obtain or retain a benefit. Failure to submit all of the requested information or to complete this form may result in delay or preclude the BLM's acceptance of your form.

**BURDEN HOURS STATEMENT:** The estimated public reporting burden for this form is 1 hour per response for the majority of responses, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. For more complex responses, the estimated public reporting burden is 120 hours per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. You may submit comments regarding the burden estimate or any other aspect of this form to: U.S. Department of the Interior, Bureau of Land Management (1004-0009), Bureau Information Collection Clearance Officer (WO-630), 1849 C Street, N.W., Washington, D.C. 20240.

Attachment 1

N-66753 – Permit Renewal **May2011**

1. This permit is issued subject to the permit holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations Part 2920. Failure of the permit holder to comply with applicable law or any provision of this permit shall constitute grounds for suspension or termination thereof.

2. All operations involving vehicle testing activities on federal lands shall be in strict conformity with Environmental Assessment (EA) NV-030-02-021 and the Road Maintenance Plan (May 2002) which were approved and are made part of this permit. Any use that is not in accord with the EA and Road Maintenance Plan shall not be initiated without the prior written approval of the BLM authorized officer.

3. This permit does not authorize new surface disturbance. Testing or maintenance activities by NATC that result in surface disturbance beyond the limits of the existing disturbed areas associated with roads authorized for NATC's use shall be a permit violation and shall constitute grounds for suspension or termination thereof. This stipulation does not apply to the Sand Mountain or Four Mile Flat areas.

4.a. Any cultural (historic or prehistoric site or object) or paleontological resource or Native American human remains, funerary items, sacred objects, or objects of cultural patrimony discovered by the permit holder, or any person working on their behalf, during the course of activities on federal land shall be immediately reported to the authorized officer by telephone, followed by written confirmation. The permit holder shall suspend all operations in the immediate area of such discovery and protect it until an evaluation of the discovery can be made by the BLM authorized officer.

4.b. For cultural resources other than Native American human remains, funerary items, sacred objects, or objects of cultural patrimony, this evaluation will determine the significance of the discovery and what mitigation measures are necessary to allow the activities to proceed. The permit holder is responsible for the cost of evaluation and mitigation. Any decision on treatment and/or mitigation will be made by the authorized officer after consulting with the permit holder. Operations may resume only upon written authorization to proceed from the BLM authorized officer.

4.c. For Native American human remains, funerary items, sacred objects, or objects of cultural patrimony the permit holder must stop activities in the immediate vicinity of the discovery and protect it from your activities for 30 days or until notified to proceed by the authorized officer. The permit holder is responsible for the cost of consultation, evaluation and mitigation. Any decision on treatment and/or mitigation will be made by the BLM authorized officer after consulting with the permit holder.

5. Mechanized maintenance shall not be permitted on the segment of road designated as CrNV-03-5528 shown on Exhibit A of the permit.

6. The permit holder shall not perform maintenance that would involve blading, excavating or removal of wooden culverts at railroad crossings which are designated as CrNV-03-1614 shown on Exhibits B and C of the permit.
7. If the permit holder is prohibited or restricted by a private or other landowner from utilizing a segment of road for vehicle testing and no existing turn-around area exists on public lands, the permit holder must discontinue testing on the road segment on federal land.
8. Damage to range improvements from permit holder activities shall be immediately reported to the BLM authorized officer by telephone, followed by written confirmation. The permit holder is further required to repair damage or replace improvements to the satisfaction of the BLM authorized officer.
9. The permit holder is required to periodically inspect gas pipeline crossings on permitted roads and maintain appropriate soil cover to protect the integrity of the pipeline as directed by Paiute Pipeline.
10. If erosion occurs as a result of NATC's authorized operations in the immediate vicinity of Nevada Bell's existing communication cable, the permit holder is required to perform road maintenance to stabilize the soil and protect the integrity of the cable.
11. For testing of vehicles in excess of 26,000 pounds, the permit holder is required to place temporary signs along the specific portion of roadway used for the test to notify the public of this use. The signs should remain in place only during the actual testing period.
12. The permit holder shall not operate in a manner that prevents public use of any roads or areas authorized for vehicle testing by this permit.
13. Vehicle testing in the vicinity of the Wabuska community pit may be reduced or eliminated by the BLM authorized officer if necessary for expansion of the pit area.
14. The permit holder shall comply with all applicable Federal, State and local laws and regulations, existing or hereafter enacted or promulgated, with regard to any hazardous material, as defined in this paragraph, that will be used, produced, transported or stored on or within the right-of-way or any of the right-of-way facilities, or used in the construction, operation, maintenance or termination of the right-of-way or any of its facilities. "Hazardous material" means any substance, pollutant or contaminant that is listed as hazardous under CERCLA of 1980, as amended, 42 U.S.C. 9601 et seq., and its regulations. The definition of hazardous substances under CERCLA includes any "hazardous waste" as defined in the RCRA of 1976, as amended, 42 U.S.C. 2011 et seq. The term does not include petroleum, including crude oil or any fraction thereof that is not otherwise specifically listed or designated as a hazardous substance under CERCLA section 101(14), U.S.C. 9601 (14), nor does the term include natural gas.
15. BLM may halt testing activities authorized by this permit when warranted for resource protection or public health and safety. Situations resulting in temporary shut-downs could

include but would not be limited to: extreme wet or dry conditions, poor road conditions, conflicts with other public land users and new information on sensitive resources which could be impacted by continued testing.

16. The permit holder shall ensure that all gates opened for passage of test vehicles are immediately closed following passage of the vehicles.

17. BLM shall notify the permit holder of scheduled OHV events on roads included in this authorization a minimum of 14 days prior to the event. The permit holder (NATC) shall suspend testing on these roads during approved OHV events.

18. The permit holder shall notify BLM at least 48 hours prior to use of the Sand Mountain area for testing. BLM may prohibit testing at Sand Mountain based on public use of the area.

19. No testing or testing-related activities shall be permitted on road segments within Bull and Mineral Canyon shown on Exhibit D of the permit between March 1<sup>st</sup> and June 15<sup>th</sup>. Between June 16<sup>th</sup> and February 28<sup>th</sup> testing involving no more than 4 vehicle round-trips per day may be permitted if advance approval for each test is requested from and granted by BLM. No mechanized maintenance (grading, dragging, etc.) shall be permitted on these road segments unless specifically requested and directed by BLM.

20. All test drivers shall have completed a wildlife awareness training provided by the permit holder prior to operating on federal lands. This training, at a minimum, shall include information on nesting raptors, migratory birds and burrowing owls and shall instruct drivers not to stop vehicles in areas adjacent to nests or riparian vegetation or occupied burrows, other than in emergency situations.

21. No testing shall be permitted within the Four Mile Flat area between May 20<sup>th</sup> and August 15<sup>th</sup>, unless the area has been surveyed for presence of snowy plover nesting prior to testing. Survey results shall be provided to BLM for final approval of testing. If evidence of nesting is found, no testing shall be permitted until after the nesting and brooding period.

22. Figure 10 of EA NV-030-01-021 is revised by Exhibit E (2008 Renewal) which depicts the permitted area at Sand Mountain. Areas in the southeast and southwest of the previous permit boundaries are removed from testing activities under this permit. The lands outside the "OPEN" area in the northern portion of the permit area are only available for testing if test vehicles can operate on existing OHV routes generally depicted on Exhibit E without altering existing roads or road signs.

EXHIBIT A

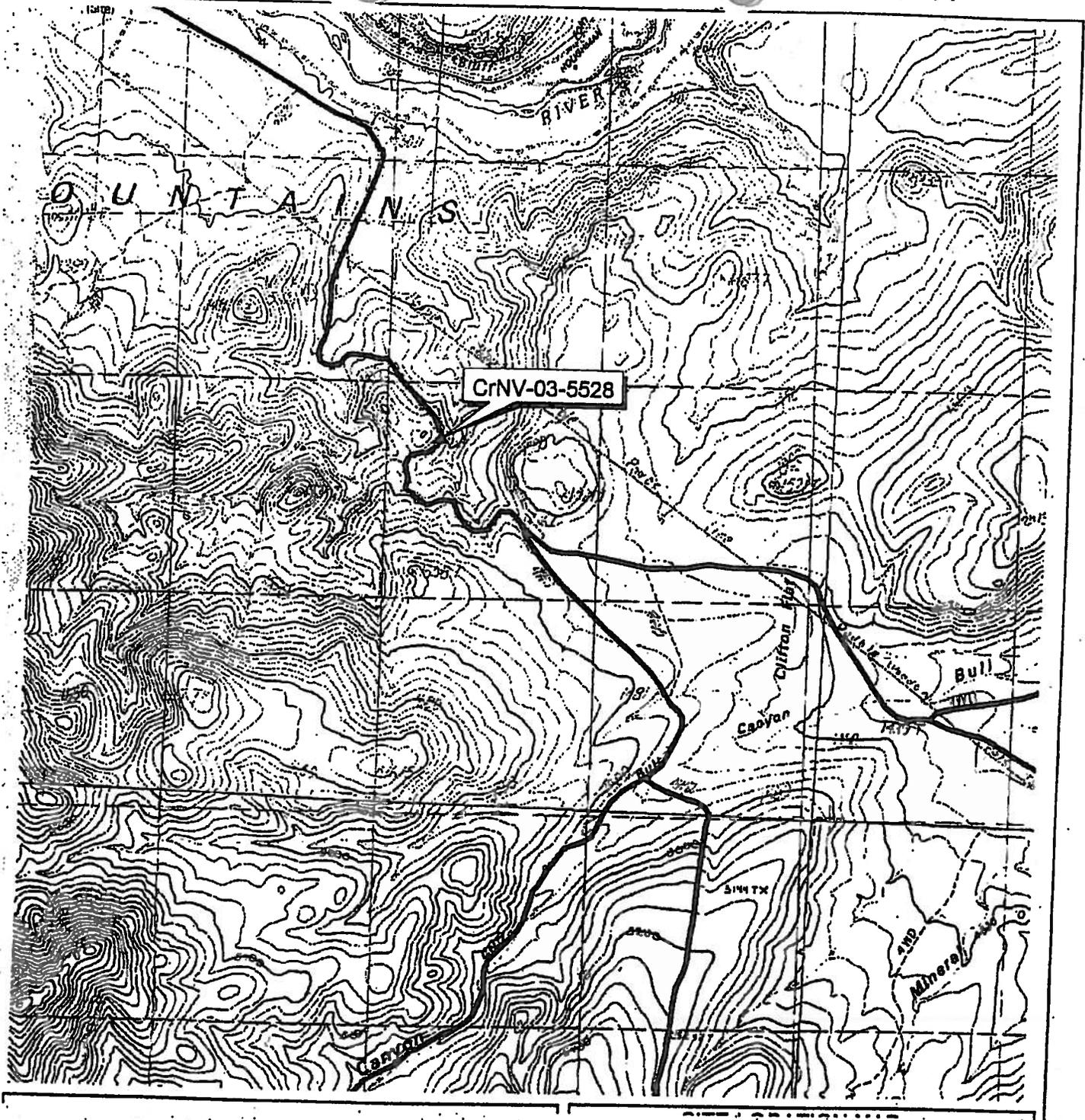


EXHIBIT B

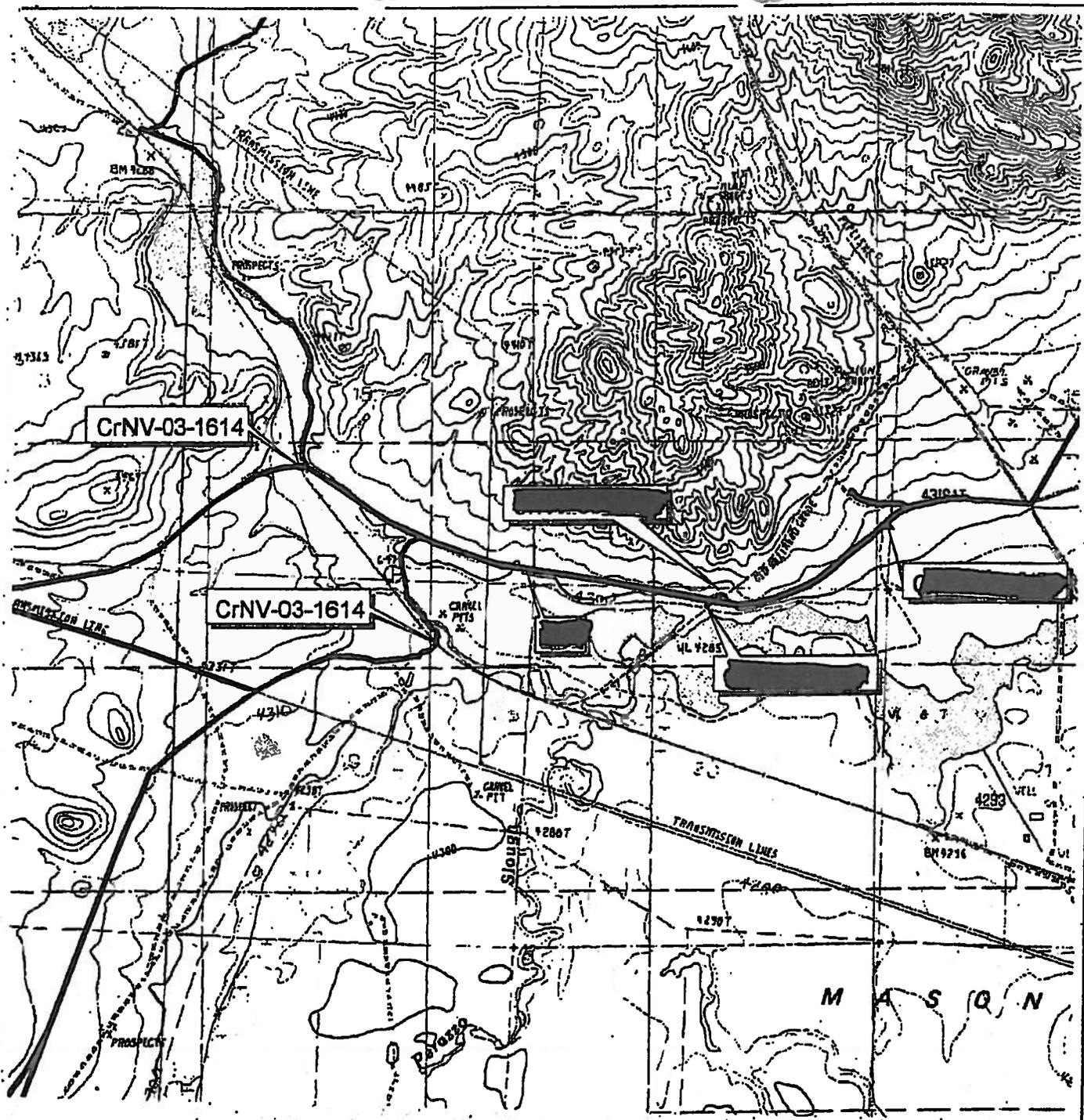


EXHIBIT C

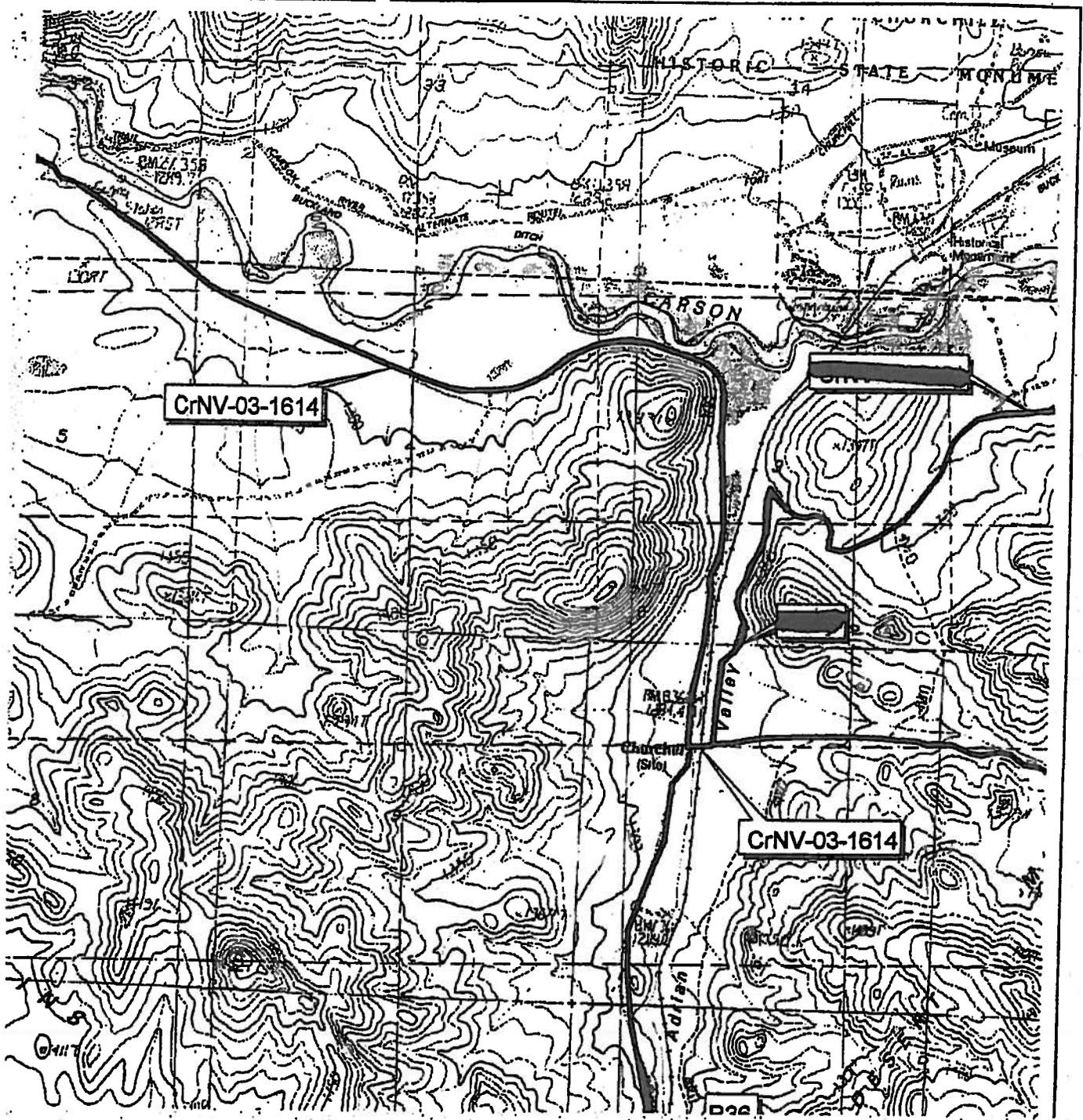
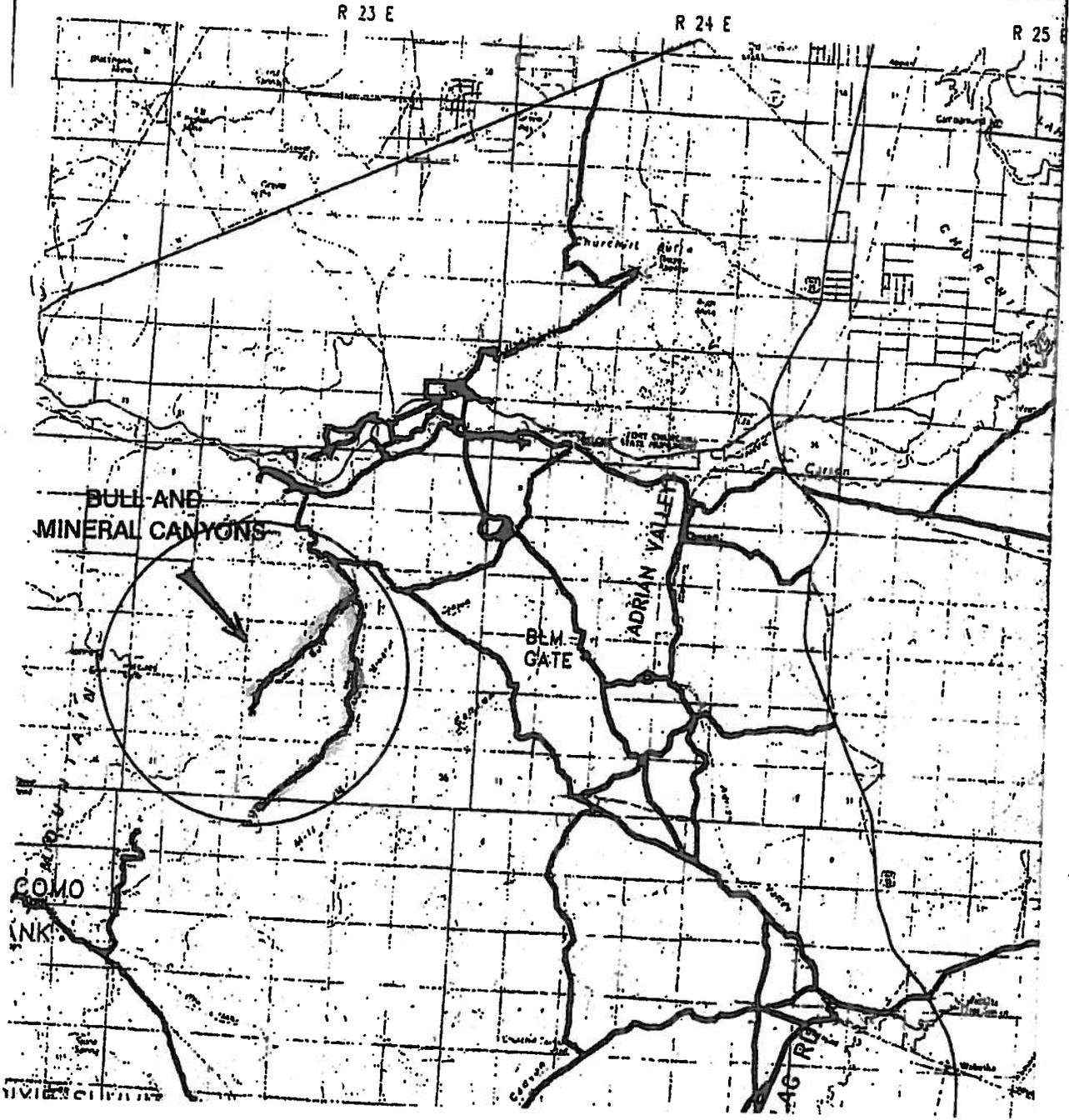


EXHIBIT D



# Exhibit E 2011 Renewal

## NVN 066753

