

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

Categorical Exclusion

**Southwest Gas Co. Underground Natural Pipeline
DOI-BLM-NV-S010-2015-0143-CX
N-93938**

PREPARING OFFICE

U.S. Department of the Interior
Bureau of Land Management
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BLM Office:	Las Vegas Field Office 4701 N. Torrey Pines Dr Las Vegas, Nevada 89130	Serial Number:	N-93938
		NEPA Number:	DOI-BLM-NV-S010-2015-0143-CX

1.1. Introduction

1.1.1. Title and Type of Project

Southwest Gas Co Underground Natural Gas Pipeline

1.1.2. Location of Proposed Action

Located in northwest Las Vegas, on the south side of Ann Road between Hualapai Way and Conquistador Street

MDM, T. 19 S., R. 60 E., sec. 31, lots 5,6, W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$.

1.1.3. Applicant Name

Southwest Gas Corporation

1.1.4. Background

1.1.4.1. Description of Project

This is an Administrative Action Only. The pipeline already exists underground. Southwest Gas (SWGAS) has applied for an underground natural gas pipeline and related appurtenances for an already existing underground line. The line is in trespass – however, due to the fact that the line is located in a sale parcel in the November 17, 2015 land sale, this needs to be expedited. The natural gas pipeline consists of approximately 1036 feet in length X 10 feet wide, approx. 0.24 acres. No new disturbance will occur. The line is underground so no visual changes.

Proponent said the gas line was necessary to strengthen the system to provide additional capacity to the northwest growing area. The lines were installed in 2014.

There is no construction proposed for this project. Pipeline is existing.

1.1.4.2. Stipulations

See attached: **TERMS AND CONDITIONS for ROWs: BO File No. 84320-2010-F-0365. R003**

1.2. Land Use Conformance

Land Use Plan: Las Vegas Resource Management Plan, as amended	Date Approved: 1998
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1.2.1. Land Use Conformance Summary

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

- Lands Management: Lands would be available to enhance community growth and expansion.

1.3. Compliance with NEPA

NEPA Document: Las Vegas Programmatic EA for In Valley Actions	Date Approved: October 1996
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1.3.1. Categorical Exclusion

The action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, Appendix 4 [insert appropriate BLM CX and text] or 516 DM 2, Appendix 1 [insert appropriate DOI CX number and text].

This categorical exclusion is appropriate for this action because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 apply (see Appendix A).

516 DM 11.9

E. Realty

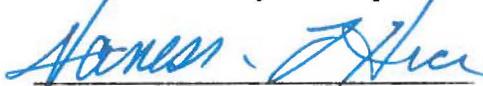
12. Grants of right-of-way wholly within the boundaries of other compatibly developed rights-of-way.

This pipeline is located within ROWs N-58560, N-66135-for Ann Rd, N-74323 for CenturyLink & N-74492 for NV Energy

16. ~~Acquisition of easements for an existing road~~ or issuance of leases, permits, or rights-of-way for the use of existing facilities, improvements, or sites for the same or similar purposes.

1.4. Conclusion

I considered this plan conformance and NEPA compliance record and have determined that the proposed project is in conformance with the approved land use plan(s) and that no further environmental analysis is required.

	
Signature of Responsible Official Vanessa L. Hice, Assistant Field Manager, Division of Lands	Date

1.5. Contact

For more information, contact Nicolle Gaddis, BLM Planning and Environmental Coordinator, 702-515-5136 or ngaddis@blm.gov.

Appendix A. Review of Extraordinary Circumstances

The Department of the Interior Manual 516 2.3A (3) requires review of the following “extraordinary circumstances” (516 DM 2 Appendix 2) to determine if an otherwise categorically excluded action would require additional environmental analysis/documentation.

Table A.1. Review of Extraordinary Circumstances

Does the proposed action:	Y- e- s	N- o	Rationale
Have significant impacts on public health or safety.		X	No impacts to public health and safety are likely as there will be no new construction associated with this authorization. This is an administrative procedure to bring Southwest Gas Co into compliance.
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 (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		X	There will be no 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; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas per interdisciplinary specialists review in Appendix B.
Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		X	This action will not have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources as it is an administrative procedure and no new construction will be authorized.
Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X	This action will not have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks as it is an administrative procedure and no new construction will be authorized.
Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X	This action will not establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects as it is an administrative procedure and no new construction will be authorized. Furthermore, this pipeline is wholly within the right-of-way of an existing, approved right-of-way grant.

Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	X	This action will not have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects as it is an administrative procedure and no new construction will be authorized.
Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.	X	This action will not have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office as it is an administrative procedure and no new construction will be authorized and is not subject to Section 106 review (see Appendix B).
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.	X	This action will not 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 per interdisciplinary specialists review in Appendix B.
Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	X	This action will not violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment as it is an administrative procedure and no new construction will be authorized.
Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	X	This action will not have a disproportionately high and adverse effect on low income or minority populations as it is not authorizing new construction and it wholly within an existing, approved right-of-way grant.
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 (Executive Order 13007).	X	This action will not 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 as it is an administrative procedure and no new construction will be authorized.
Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive 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 Executive Order 13112).	X	This action will not as contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species it is an administrative procedure and no new construction will be authorized.

Appendix B. Affected Resources Review

Table B.1. Affected Resources Form

Resource List	Impact	Rationale and Mitigation	Initial Internal Review Complete		Final Review Requested		
Resource	NP, NI, PI	Provide Rationale and Applicable Mitigation	Specialist Digital Signature	Date	Request (X)	Initials	Date
Air Quality	NI	Ensure dust control permit is obtained through Department of Air Quality for all soil disturbing activities of .25 acres or more, in the aggregate and ensure stipulations are in compliance for the duration of the activity.	Lisa Christianson	10/16/2015			
Areas of Critical Environmental Concern (ACEC)	NP	The proposed project area is not within an Area of Critical Environmental Concern.	Carla Wise	10/14/2015			
BLM Natural Areas/Conservation Lands	NP	Resource is not present in the project area.	Steve Leslie	10/6/15			
Climate Change/ Greenhouse Gas Emissions	NI	Currently, there are no emission limits for suspected greenhouse gas (GHG) emissions, for this project, and no technically defensible method for predicting potential climate change contributions from GHG emissions during construction of the proposed action. However, there are, and would continue to be, several efforts to address GHG emissions from federal activities, including BLM authorized uses in future planning documents.	Lisa Christianson	10/16/2015			
Cultural Resources	NP	This action not subject to Section 106 review. (Appendix A.#2 of the State Protocol Agreement with the Nevada State Historic Preservation Office). i.e. "Maintaining, replacing or modifying existing projects, facilities, routes, or programs that do not disturb additional surface area, or historic properties; or where the ground has been previously disturbed to the extent that historic properties could not exist; or where the facility itself is not a historic property."	Stan Plum	9/28/2015			
Environmental Justice	NI	No minority or low income group would be disproportionately impacted by health or environmental effects.	Dorothy J. Dickey	10/15/2015			

Farmlands (Prime or Unique)	NP	There are no prime or unique farmland designations in the District.	Krystal Johnson	10/19/2015			
Fish and Wildlife Excluding Federally Listed Species	NI	No issues that would cause extraordinary circumstances or noncompliance with the RMP. Wildlife species in the general area include mammals, birds, reptiles, and invertebrates. Additionally, the BLM is directed to conserve special status species through BLM Special Status Species Manual 6840. The BLM maintains a comprehensive list of species that have risks associated with a downward population trend and/or have specialized habitats that may be at risk. Wildlife, including BLM sensitive species, may have been displaced as 0.24 acres of lands were disturbed within the project area. The primary direct impacts of the trespass action on wildlife would have been killing or maiming of ground dwelling animals during construction and operation, displacement of individuals, increased noise, the permanent loss and fragmentation of habitat, and increased potential for harassment of wildlife. Future impacts may be similar for maintenance activities. Indirect impacts would have included increased erosion and spread of weeds by the construction and operation. Wildlife species in the general area are common and widely distributed throughout the area and the loss of some individuals and/or their habitat should have a negligible impact on populations of the species range wide. Impacts to BLM Sensitive Species are not anticipated to lead to further decline of the species range wide. Many impacts to BLM sensitive species would be minimized through desert tortoise stipulations.	Carla Wise	10/14/2015			
Floodplains	NI	No new issues as this project is located in the valley disposal boundary and the general area is already disturbed.	Boris Poff	10/16/15			

<p>Fuels/Fire Management</p>	<p>NI</p>	<p>Fire restrictions are generally enacted May through October. Compliance with fire restrictions is mandatory while fire restrictions are in effect. Specific non-compliant activities may be permitted in writing on a case by case basis by a line officer after review and approval by the Fire Management Officer (43 CFR 9212). In the event of an unplanned ignition that causes a wildfire the proponent will be held responsible for all costs of suppression and damaged resources pending a fire Origin and Cause Investigation. An Origin and Cause Investigation will be done on any human caused fire by BLM Law Enforcement or their designated representative. Conditions that support wildland fire spread can occur any time of the year in Southern Nevada. In general and when fire restrictions are not in effect, utilize standard fire prevention measures and best management practices to prevent fires</p>	<p>Ben Klink</p>	<p>10/16/15</p>			
<p>Geology / Mineral Resources/Energy Production</p>	<p>NI</p>	<p>This is an administration action and there are no issues related to mineral resources. However, as part of the land sale there are considerations. There is a recent history of mineral material trespasses associated with development in the area where material is being removed without authorization and being dumped on vacant land without authorization. This, and all land sales should have the following language included.</p> <p>All mineral materials need to be used on site within the right-of-way or stockpiled on site for disposal by the BLM. If mineral materials are stockpiled on site for future disposal by the BLM, a mineral material contract, free use permit or material site right-of-way must be issued by the BLM before those mineral materials may be used.</p>	<p>James Wilkinson</p>	<p>10/1/15</p>			
<p>Human Health and Safety</p>	<p>NP</p>	<p>No impacts to public health and safety are likely as there will be no new construction associated with this authorization. This is an administrative procedure to bring Southwest Gas Co into compliance.</p>	<p>Nicolee Gaddis</p>	<p>10/26/15</p>			

Hydrologic Conditions	NI	No new issues as this project is located in the valley disposal boundary and the general area is already disturbed.	Boris Poff	10/16/15			
Invasive Species/ Noxious Weeds	NI	The proposed action is within the Las Vegas Valley Disposal Boundary and was analyzed under the associated EIS. The proposed action introduces no new risk to spread or establishment of invasive species / noxious weeds to BLM land outside of this boundary.	Ben Klink	10/16/15			
Lands/Access	NI	No issues. The gas line is already underground. No new disturbance to occur. Administrative action only. This project is not located within a utility corridor.	Dorothy J. Dickey	10/15/2015			
Utility Corridors	NP	There are no designated utility corridors in the project area.	Michelle Leiber	10/15/2015			
Lands with Wilderness Characteristics	NP	There are no lands managed for wilderness character in the project area.	Steve Leslie	10/6/15			
Livestock Grazing	NP	No issues that would cause extraordinary circumstances or noncompliance with the RMP. The proposed action area is not located in any authorized grazing allotments.	Ashley Holcomb	10/14/15			

Migratory Birds	NI	No issues that would cause extraordinary circumstances or noncompliance with the RMP. The Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703 <i>et. seq.</i>) protects migratory birds and their nests (nests with eggs or young). For all operations and maintenance, the proponent must comply with the MBTA and avoid potential impacts to protected birds within the project area. A list of MBTA protected birds are found in 50 C.F.R. 10.13). The BLM is directed to conserve special status species through BLM Special Status Species Manual 6840. The BLM maintains a comprehensive list of species that have risks associated with a downward population trend and/or have specialized habitats that may be at risk. Migratory birds, including the BLM sensitive species and their nests, may be present on the project site. Migratory birds may have been displaced by habitat removal and/or noise disturbance during construction and operation, and may be disturbed by noise during maintenance activities. Impacts to BLM Sensitive Species are not anticipated to lead to further decline of the species range wide. Any impacts to BLM sensitive species would be minimized through project specific stipulations.	Carla Wise	10/14/2015			
Native American Concerns	NI	The cultural ethnography performed by the Chambers Group in 2004 indicates that there are no properties of religious concern to any Native American Group in this portion of the Las Vegas Valley.	Stan Plum	9/28/2015			
Paleontology	NI	No ground disturbance will occur therefore there is no possibility for effecting paleontological resources	Stan Plum	9/28/2015			

Rangeland Health Standards	NI	No issues that would cause extraordinary circumstances or noncompliance with the RMP. The trespass action is within an existing, developed ROW (Case file N-58560, N-66135). Since this is an administrative action to authorize the existing pipeline, no new surface disturbance will occur. Four fundamentals of rangeland health are listed in Title 43 CFR § 4180.1. These include watersheds, ecological processes, water quality, and habitats. Potential impacts to these values are analyzed as part of the vegetation, hydrology, wildlife and federally listed species sections and are not analyzed in this section.	Ashley Holcomb	10/14/15			
Recreation	NI	Because this is an administrative action only and no new surface disturbance or activity would occur, there would be no impact to recreation opportunities.	Steve Leslie	10/15/15			
Renewable Energy/Transmission	NP	This action is not authorizing activity within a corridor or near proposed or authorized renewable energy projects.	Nicollee Gaddis	10/26/15			
Socioeconomics	NI	This project will not disproportionately impact social or economic values.	Dorothy J. Dickey	10/15/2015			
Soils	NI	No new issues as this project is located in the valley disposal boundary and the general area is already disturbed.	Boris Poff	10/16/15			
Threatened, Endangered or Candidate Plant Species	NP	No issues that would cause extraordinary circumstances or noncompliance with the RMP. Based on known locations and habitat requirements, Threatened, Endangered or Candidate plant species are not present.	Mark Slaughter	10/14/15			

<p>Threatened, Endangered or Candidate Animal Species</p>	<p>NI</p>	<p>No issues that would cause extraordinary circumstances or noncompliance with the RMP. This project must comply with section 7 of the Endangered Species Act of 1973 as amended (16 U.S.C. 1531 et seq.) for consultation with the USFWS on effects to federally listed species. The above action has a may affect, likely to adversely affect determination for the federally threatened desert tortoise (<i>Gopherus agassizii</i>), and a no effect determination for its designated critical habitat, as the project is outside of this range. This project will have no effect on any other federally protected species or designated critical due to the species/habitat not present in the action area.</p> <p>Historical survey data indicate that the area surrounding the project site is very low density tortoise habitat. It has been determined the trespass action disturbed approximately 0.24 acres of desert tortoise habitat. Past habitat disturbance on BLM administered lands was without authorization from the BLM and was not covered under our programmatic biological opinion. There is the potential that desert tortoises could have been “taken” by this unauthorized action, which is a violation under section 9 of the Endangered Species Act. Since tortoise sign has been found in the vicinity and undisturbed habitat exists in and adjacent to the project site, there is potential for tortoises to wander into the project area. If not noticed and avoided during maintenance activities, desert tortoises could be either injured or killed (by crushing) or harassed (by being moved out of harm’s way). The primary direct impacts of the proposed action on federally protected species would be killing or maiming of ground dwelling animals during maintenance activities, displacement of individuals, and increased potential for harassment of federally protected species.</p>	<p>Carla Wise</p>	<p>10/14/2015</p>			
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Threatened, Endangered or Candidate Animal Species (cont.)	NI	Special Stipulations: Section 7 Consultation for this project is covered under the Programmatic Biological Opinion (84320-2010-F-0365.R003) contingent on compliance with the terms and conditions. This trespass action has disturbed 0.24 acres of tortoise habitat. The BLM has no documentation the project was covered under the USFWS's biological opinion or if fees have previously been paid. The proponent will be required to pay remuneration fees of \$202.32 based on the current year's rate of \$843/acre of disturbance. Terms and conditions and minimization measures in the above Biological Opinion contain measures to avoid and minimize future potential impacts, including take, to desert tortoise. A copy of the terms and conditions has been uploaded to ePlanning (Sec 7 Log # NV-052-16-003).	Carla Wise	10/14/2015			
Wastes (hazardous or solid)	NP	Not present, however do include standard stipulations into the final grant document(s).	Lisa Christianson	10/16/2015			
Water Resources/Quality (drinking/surface/ground)	NI	No new issues as this project is located in the valley disposal boundary and the general area is already disturbed.	Boris Poff	10/16/15			
Wetlands/Riparian Zones	NP	There are no wetlands/riparian zones present in the project area.	Boris Poff	10/16/15			
Wild and Scenic Rivers	NP	Resource is not present in the project area.	Steve Leslie	10/15/15			
Wilderness/WSA	NP/NP	Resources are not present in the project area.	Steve Leslie	10/6/15			
Woodland / Forestry	NI	No issues that would cause extraordinary circumstances or noncompliance with the RMP. Cactus and yucca are considered government property and are regulated under the Nevada BLM forestry program. This gas pipeline was a trespass action within an existing developed ROW (Case file N-58560, N-66135). Since this is an administrative action to authorize the existing pipeline, no new surface disturbance will occur. Therefore, no new impacts to cactus, yucca and other forestry products are expected.	Ashley Holcomb	10/14/15			

Vegetation Excluding Federally Listed Species	NI	No issues that would cause extraordinary circumstances or noncompliance with the RMP. This gas pipeline was a trespass action within an existing developed ROW (Case file N-58560, N-66135). Since this is an administrative action to authorize the existing pipeline, no new surface disturbance will occur. Therefore, no new impacts to vegetation, including BLM sensitive species, are expected.	Ashley Holcomb	10/14/15			
Visual Resources	NI	<p>The proposed action is located on lands managed as VRI Class IV and VRM Class III in the RMP. The objective of VRM Class III is to partially retain the existing character of the landscape. The level of change to the characteristic landscape can be moderate. Management activities may attract the attention but shall not dominate the view of the casual observer. Changes shall repeat the basic elements of form, line, color, and texture found in the predominant natural features of the characteristic landscape.</p> <p>The proposed action is an administrative action only and would not result in modifications to the existing character of the landscape, nor would it attract the focus of the casual viewer. The proposed action would not result in modifications to existing VRI class. The proposed action is in conformance with VRM Class III objectives.</p>	Steve Leslie	10/6/15			
Wild Horses and Burros	NP	This project is not located in an active herd management area, there will be no impacts to wild horses or burros.	Krystal Johnson	10/19/2015			