

**Worksheet**  
**Determination of NEPA Adequacy (DNA)**  
**U.S. Department of the Interior**  
**Bureau of Land Management (BLM)**

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OFFICE: Battle Mountain District (Tonopah Field Office)

TRACKING NUMBER: DOI-BLM-NV-B020-2016-0025-DNA

PROPOSED ACTION TITLE/TYPE: October 2016 Competitive Geothermal Lease Sale

LOCATION/LEGAL DESCRIPTION: See Attachment A

GEOHERMAL LEASE SALE STIPULATIONS: See Attachment B

**A. Description of the Proposed Action and any applicable mitigation measures**

A competitive geothermal lease sale of certain public land within the Battle Mountain District, Tonopah Resource Management Planning Area by the U.S. Department of the Interior, Bureau of Land Management, Nevada State Office, pursuant to 43 CFR 3200; scheduled for October 26, 2016.

**B. Land Use Plan (LUP) Conformance**

LUP Name: *Tonopah Resource Management Plan (RMP) and Record of Decision*  
Date Approved: October 2, 1997

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 objective:

“The Tonopah Resource Management Plan objective is to provide opportunities for exploration and development of fluid minerals such as oil, gas, and geothermal resources, using appropriate stipulations to allow for the preservation and enhancement of fragile and unique resources” (p. 22, Tonopah RMP 1997).

The proposed action is also clearly consistent with the following two documents, which amend the Tonopah RMP.

*Environmental Impact Statement and Record of Decision for Geothermal Leasing in the Western US (Geothermal PEIS/ROD)* Date Approved: December 17, 2008

This decision specifically amends LUPs including the Tonopah RMP (Geothermal ROD Appendix A, Table A-1, page A-4) to:

- “Identify public lands that are administratively and legally closed or open to leasing, and under what conditions.

- “Develop a comprehensive list of stipulations, BMPs, and procedures to serve as consistent guidance for future geothermal leasing and development on public and NFS lands” (Geothermal ROD Chapter 2.1, page 2-1).

“This ROD incorporates the programmatic analysis of the PEIS and amends BLM land use plans. As such, it allows the BLM to make future decisions on whether or not to issue geothermal leases in conformance with the amended land use plan on the basis of the analysis in the PEIS. It is the intent of the BLM that, upon receipt of future nominations or applications for leases, affected BLM offices would be able to conduct a Documentation of Land Use Plan Conformance and NEPA Adequacy (DNA) evaluation to make lease sale decisions without further plan amendments or NEPA analysis, unless new information or special circumstances require additional environmental evaluation” (Scope of Analysis and Decisions, Geothermal ROD page 1-5).

***Nevada and Northeastern California Greater Sage-Grouse Approved Resource Management Plan Amendment (GRSG Plan Amendment)*** Date Approved: September 2015

This decision specifically amends LUPs including the Tonopah RMP (GRSG Plan Amendment Chapter 1.1, page 1-6) “to identify and incorporate appropriate measures in existing land use plans. It is intended to conserve, enhance, and restore GRSG habitat by avoiding, minimizing, or compensating for unavoidable impacts on GRSG habitat in the context of the BLM’s multiple use and sustained yield mission under FLPMA” (GRSG Plan Amendment Chapter 1.2, Purpose and Need, page 1-8). Appendix G, Fluid Mineral Stipulations, Waivers, Modifications, and Exceptions, of the GRSG Plan Amendment provides stipulations specific to geothermal leasing within identified GRSG habitat areas in Nevada (GRSG Plan Amendment Appendix G, Table G.1, Stipulations SG-01-NSO; SG-02-NV-GEOT-NSO; SG-03-TL through SG-07-TL; SG-08-CSU through SG-09-CSU; SG-NV-10-CSU).

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

List by name and date all applicable NEPA documents that cover the proposed action.

Programmatic Geothermal Environmental Assessment for the Tonopah Planning Area (NV-065-2001-0081), signed January 27, 2002.

List by name and date other documentation relevant to the proposed action (e.g., biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report).

The Geothermal Leasing Act of December 24, 1970 as amended through P.L. 109–58, enacted August 8, 2005, authorized and established the procedures for the leasing of geothermal resources and associated byproducts on public lands through competitive and non-competitive leasing systems.

#### 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. The proposed geothermal lease parcels are included in the acreage previously analyzed and designated as open for fluid minerals leasing (subject to restrictions in some areas) in the Tonopah RMP and the Geothermal ROD. Applications for exploration and/or development at specific sites would be subject to project-specific, site-specific environmental analysis before ground-disturbing actions would be approved, as stated in the Geothermal ROD (Chapter 1.9.3, page 1-17).

The proposed lease parcels are also within the area analyzed by the GRSG Plan Amendment. Where GRSG habitats (as identified by the GRSG Plan Amendment and by criteria and processes it prescribes) intersect the proposed lease parcels, the GRSG habitat areas within the parcels are subject to the applicable stipulations in GRSG Plan Amendment Appendix G.

- 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. Environmental concerns, interests, and resource values have changed little since the Geothermal PEIS/ROD (2008) and GRSG Plan Amendment (2015) were signed. The environmental constraints for fluid minerals leasing, the acres available for leasing and the areas closed to mineral leasing have not changed since the Geothermal PEIS/ROD was finalized; and GRSG concerns, interests, values and conservation strategies have not changed since the GRSG Plan Amendment was finalized last year. In addition, all construction, operation, and maintenance activities associated with geothermal development must comply with all applicable federal, state, and local laws and regulations including those that provide for stringent environmental protection of conflicting resources.

- 3. Is the existing analysis valid in light of any new information or circumstances (such as rangeland 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. There is no new information or circumstance that would substantially change the Tonopah RMP or Geothermal PEIS/ROD analyses of areas open to geothermal lease sale. Geothermal PEIS/ROD stipulations are intended to be applied according to the current status and condition of any given parcel at the time of lease sale, as identified and recommended by resource specialists familiar with the current information and circumstances. Further, the Geothermal PEIS/ROD prescribes subsequent site-specific

environmental review of any future project proposed on a parcel (Chapter 1.9.3, page 1-17), which would encompass any new information or circumstances at that time. As an example, the Geothermal PEIS/ROD establishes stipulations to be applied to geothermal lease parcels wherever endangered, threatened or other special-status species habitat is involved, and thus are applicable to the most recent lists. Also, as stated in the Geothermal ROD, "Following lease issuance, when an application to conduct activities involving surface disturbance is submitted that could affect a listed species or critical habitat at a particular location within one of these areas, it would be subject to full policy and legal review at the time it is filed. This includes review and coordination under the ESA and other applicable statutes of the applicability of the stipulations, best management practices, and procedures for the protection of other resources" (ROD page 1-22). Similarly, the GRSG Plan Amendment establishes geothermal lease stipulations according to GRSG habitat type, along with protocols for identifying the current habitat delineations.

**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. Geothermal leasing per se creates no impact to the environment. The lease confers upon the holder the right to use as much of the land as is necessary to explore for, drill for, mine, extract, remove and dispose of all the geothermal resources in a leasehold, subject to stipulations, restrictions, and reasonable measures to minimize adverse impacts to other resources. The right to use the land for these purposes does not authorize the leaseholder to create any surface disturbance or cause any impact to the environment. Exploration and/or development proposals will be analyzed for direct, indirect and cumulative effects at the time the proposals are submitted. Any issued geothermal leases located on BLM-administered public land will be subject to the applicable stipulations and best management practices (BMPS) established by the Geothermal PEIS/ROD.

**5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Does the existing NEPA document sufficiently analyze site-specific impacts related to the current proposed action?**

Yes. The proposed action does not authorize any surface or subsurface use or disturbance; therefore, there will be no direct or indirect impact with this action. When and if ground disturbing activities are proposed, they will be subject to site-specific analysis. See items 1, 3 and 4 above.

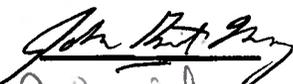
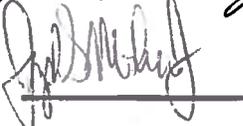
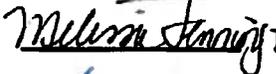
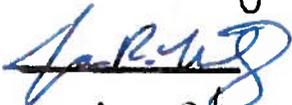
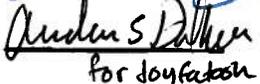
**6. Can you conclude without additional analysis or information that the cumulative impacts that would result from implementation of the current proposed action are substantially unchanged from those analyzed in the existing NEPA document(s)?**

Yes. The proposed action does not authorize any surface or subsurface use or disturbance; therefore, there will be no cumulative impact with this action. When and if ground disturbing activities are proposed, they will be subject to site-specific analysis. See items 1, 3 and 4 above.

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

Yes. The Tonopah RMP, Geothermal PEIS and GRSG Plan Amendment processes all included extensive public involvement as documented in pages 39-42 of the Tonopah RMP, Chapter 1.13 of the Geothermal ROD, and Chapter 3 of the GRSG Plan Amendment. The Geothermal ROD was prepared jointly by the BLM and U.S. Forest Service, in close coordination with several other federal agencies as documented in Chapter 1.10.2. The BLM also collaborated with numerous agencies in preparing the GRSG Plan Amendment, as described in Chapter 3.1.

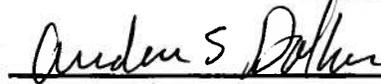
**E. Persons/Agencies/BLM Staff Consulted**

| Name               | Title                                  | Signature                                                                                              | Date              |
|--------------------|----------------------------------------|--------------------------------------------------------------------------------------------------------|-------------------|
| Austin Brewer      | Wildlife Biologist                     |                      | <u>6-28-16</u>    |
| Christine McCollum | Cultural Resources Specialist          |                      | <u>6-28-16</u>    |
| Wendy Seley        | Realty Specialist                      |                     | <u>6-28-2016</u>  |
| Daltrey Balmer     | Rangeland Management Specialist        |                    | <u>6/28/2016</u>  |
| Jeremy Sykes       | Rangeland Management Specialist        |                    | <u>6/28/2016</u>  |
| Gant Massey        | Environmental Protection Specialist    |                    | <u>06/28/2016</u> |
| John Ames          | Mining Engineer                        |                    | <u>6/28/2016</u>  |
| Elizabeth Friere   | Wild Horse and Burro Specialist        |                    | <u>6/28/16</u>    |
| Melissa Jennings   | Geologist                              |                    | <u>6/28/2016</u>  |
| Juan Martinez      | Native American Coordinator            |                    | <u>6-28-16</u>    |
| Joy Fatooh         | Planning and Environmental Coordinator | <br>for joyfatorah | <u>6-28-16</u>    |

**Conclusion**

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan as amended, and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.

  
\_\_\_\_\_  
Signature of Project Lead

 6/28/2016  
\_\_\_\_\_  
Signature of NEPA Coordinator

 *By: Timothy Carroll* 6/28/16  
\_\_\_\_\_  
Signature of Responsible Official TFO Date

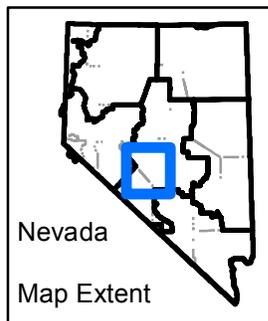
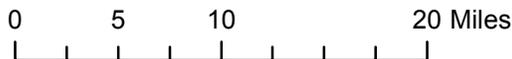
**Note:** The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific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

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# TFO Geothermal Lease Sale Parcels 2016

## Legend

-  TFO Parcels
-  Field Office Boundary
-  Mount Lewis Field Office
-  Tonopah Field Office
-  County Boundary
-  Land Status: Bureau of Indian Affairs
-  Land Status: Bureau of Land Management
-  Land Status: Department of Defense
-  Land Status: Forest Service
-  Land Status: Private



## United States Department Of The Interior

Bureau of Land Management  
 Tonopah Field Office  
 1553 S. Main Street/P.O. Box 911  
 Tonopah, NV 89049



Map Date: April 19, 2016

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.

ATTACHMENT A  
BATTLE MOUNTAIN DISTRICT TONOPAH FIELD OFFICE – GEOTHERMAL 2016 LEASE PARCELS

NV-16-10-013                    4376.920 Acres

T.0010S, R.0400E, 21 MDM, NV

Sec. 013 ALL;  
014 ALL;  
015 ALL;  
016 ALL;  
017 ALL;  
018 LOTS 25 - 48;  
018 E2;

Esmeralda County  
Battle Mountain DO  
PENDING NOMINATION NVN093689  
Formerly Lease No.

NV-16-10-030                    1160.000 Acres

T.0110N, R.0430E, 21 MDM, NV

Sec. 009 N2, N2SW, N2SE, SESE;  
016 ALL;

Nye County  
Battle Mountain DO  
PENDING NOMINATION NVN092622  
Formerly Lease No

**No Surface Occupancy Lease Stipulations**

No Surface Occupancy (NSO) stipulations are considered a major constraint, as they do not allow for surface development. An NSO is appropriate when the standard terms and conditions, other less restrictive lease stipulations (see below), and best management practices for permit approval are determined to be insufficient to achieve the resource protection objectives.

**NVB0630- 05**                      • Water bodies, riparian areas, wetlands, playas, and 100-year floodplains.

| <u>Parcel</u> | <u>Description of Lands</u>                                             |
|---------------|-------------------------------------------------------------------------|
| NV-16-10-030  | T.0110N, R.0430E, 21 MDM, NV<br>Sec. 009 NW, N2SW, SESE<br>016 E2NE, SE |

For the purpose of:

No surface occupancy will be allowed on areas identified as wetlands by U.S. Fish and Wildlife Service.

**No Surface Occupancy Lease Stipulations**

No Surface Occupancy (NSO) stipulations are considered a major constraint, as they do not allow for surface development. An NSO is appropriate when the standard terms and conditions, other less restrictive lease stipulations (see below), and best management practices for permit approval are determined to be insufficient to achieve the resource protection objectives.

**NVB0630- 10** • Slopes in excess of 40 percent and/or soils with high erosion potential.

| <u>Parcel</u> | <u>Description of Lands</u>                                                                                                                                                                                                         |
|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NV-16-10-013  | T.0010S, R.0400E, 21 MDM, NV<br>Sec. 013 NE and E2SE<br>014 NW, SW, N2NE, NESE, SWSE, SESE<br>015 N2NW, NWSW, NESW, SESW, NE, SENE<br>016 NESW, SWSW, SESW, E2NE, SE<br>017 SESW, NWSE, SWSE, SESE<br>018 Lots 38-42 and Lots 44-48 |

For the purpose of:

No surface occupancy will be allowed on areas that have a slope in excess of 40%.

**Timing Limitations and Controlled Surface Use Lease Stipulations**

- NVB0630- 16**                      • *Protection of important habitat and migration corridors.* This stipulation would be applied to protect the continuity of migration corridors and important habitat.

| <u>Parcel</u> | <u>Description of Lands</u> |
|---------------|-----------------------------|
| NV-16-10-013  | All lands                   |
| NV-16-10-030  | All lands                   |

For the purpose of:

Operators should be aware that any ground clearing or other disturbance (such as creating cross-country access to sites, drilling, and/or construction) during the migratory bird (including raptors) nesting season (March 1 -July 31) risks a violation of the Migratory Bird Treaty Act (please contact USFWS for more information). Disturbance to nesting migratory birds should be avoided by conducting land-clearing activities outside the migratory bird nesting season (March 1 ~July 31). If surface disturbing activities must be implemented during the migratory bird nesting season, a preconstruction survey for nesting migratory birds should be performed by a qualified wildlife biologist. If active nests are found, a no surface disturbance buffer should be placed on the active nest until the nesting attempt has been completed.

**Timing Limitations and Controlled Surface Use Lease Stipulations**

**NVB0630- 20**

***Cultural Resources Stipulation***

In accordance with BLM Instruction Memorandum No. 2005-003, the BLM will apply the following stipulation to protect cultural resources: “This lease may be found to contain historic properties and/or resources protected under the National Historic Preservation Act (NHPA), American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, Executive Order 13007, or other statutes and executive orders. The BLM will not approve any ground-disturbing activities that may affect any such properties or resources until it completes its obligations under applicable requirements of the NHPA and other authorities. The BLM may require modification to exploration or development proposals to protect such properties, or disapprove any activity that is likely to result in adverse effects that cannot be successfully avoided, minimized or mitigated.”

| <u>Parcel</u> | <u>Description of Lands</u> |
|---------------|-----------------------------|
| NV-16-10-013  | All lands                   |
| NV-16-10-030  | All lands                   |