



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

Eagle Springs Refinery Land Acquisition Project Resource Management Plan Amendment and Environmental Assessment Tonopah Field Office

DOI-BLM-NV-B020-2023-0025-RMP-EA



**FORELAND REFINING CORPORATION
EAGLE SPRINGS REFINERY
LAND ACQUISITION PROJECT
NYE COUNTY, NEVADA**

Resource Management Plan Amendment
and
Environmental Assessment
#DOI-BLM-NV-B020-2023-0025-RMP-EA

June 2024

Bureau of Land Management
Tonopah Field Office
Battle Mountain District
1553 South Main Street/P.O. Box 911
Tonopah, Nevada 89049

**FORELAND REFINING CORPORATION
EAGLE SPRINGS REFINERY LAND ACQUISITION PROJECT
RESOURCE MANAGEMENT PLAN AMENDMENT
AND
ENVIRONMENTAL ASSESSMENT**

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LIST OF ACRONYMS AND ABBREVIATIONS

BLM	Bureau of Land Management
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CX	Categorical Exclusion
EA	Environmental Assessment
EJ	Environmental Justice
EMS	EM Strategies, a WestLand Resources, Inc. Company
EO	Executive Order
ESA	Environmental Site Assessment
FEMA	Federal Emergency Management Agency
FLPMA	Federal Land Policy and Management Act of 1976
Foreland	Foreland Refining Corporation
GRSG	Greater Sage-grouse
GRSG ARMPA	Nevada and Northeastern California Greater Sage-Grouse Approved Resource Management Plan Amendment
HFRA	Healthy Forests Restoration Act
HPTP	Historic Properties Treatment Plan
HREC	historical recognized environmental condition
IM	Instruction Memorandum
LWC	lands with wilderness characteristics
McGinley	McGinley & Associates
MDM	Mount Diablo Meridian
MTBE	methyl tert-butyl ether
NDEP	Nevada Division of Environmental Protection
NDOW	Nevada Department of Wildlife
NEPA	National Environmental Policy Act of 1969
NORA	Notice of Realty Action
NRHP	National Register of Historic Places
Project	Eagle Springs Refinery Land Acquisition Project
REC	recognized environmental condition
Refinery	Eagle Springs Refinery
RMP	Resource Management Plan
RMP Amendment	Amendment to the Tonopah RMP
ROW	right-of-way
SHPO	State Historic Preservation Office
SPCC	Spill Prevention Control and Countermeasures
TFO	Tonopah Field Office
US	United States
US 6	US Highway 6
WSA	Wilderness Study Area

**FORELAND REFINING CORPORATION
EAGLE SPRINGS REFINERY LAND ACQUISITION PROJECT
RESOURCE MANAGEMENT PLAN AMENDMENT
AND
ENVIRONMENTAL ASSESSMENT**

1 INTRODUCTION / PURPOSE OF AND NEED FOR ACTION

1.1 Introduction

A direct land sale action (N-100385) has been proposed for 249 acres of public land at the Eagle Springs Refinery Land Acquisition Project (Project) located in east-central Nevada approximately 64 miles southwest of Ely, in Nye County, Nevada (Figure 1.1.1). There are two actions associated with the Project subject to compliance with the National Environmental Policy Act of 1969 (NEPA) and analyzed in this Environmental Assessment (EA): 1) the direct land sale action; and 2) an amendment to the Tonopah Resource Management Plan (RMP Amendment) (Bureau of Land Management [BLM] 1997). The Project is located on public lands managed by the BLM Tonopah Field Office (TFO). The Project is located in parts of Sections 24 and 25, Township 9 North (T9N), Range 56 East (R56E), and Sections 19 and 30, T9N, R57E, Mount Diablo Meridian (MDM) (Project Area) (Figure 1.1.2). The Project is accessed from Tonopah by traveling east on United States (US) Highway 6 (US 6) for approximately 105 miles, or traveling from Ely for approximately 64 miles southwest on US 6. Figure 1.1.1 shows the Project location and access.

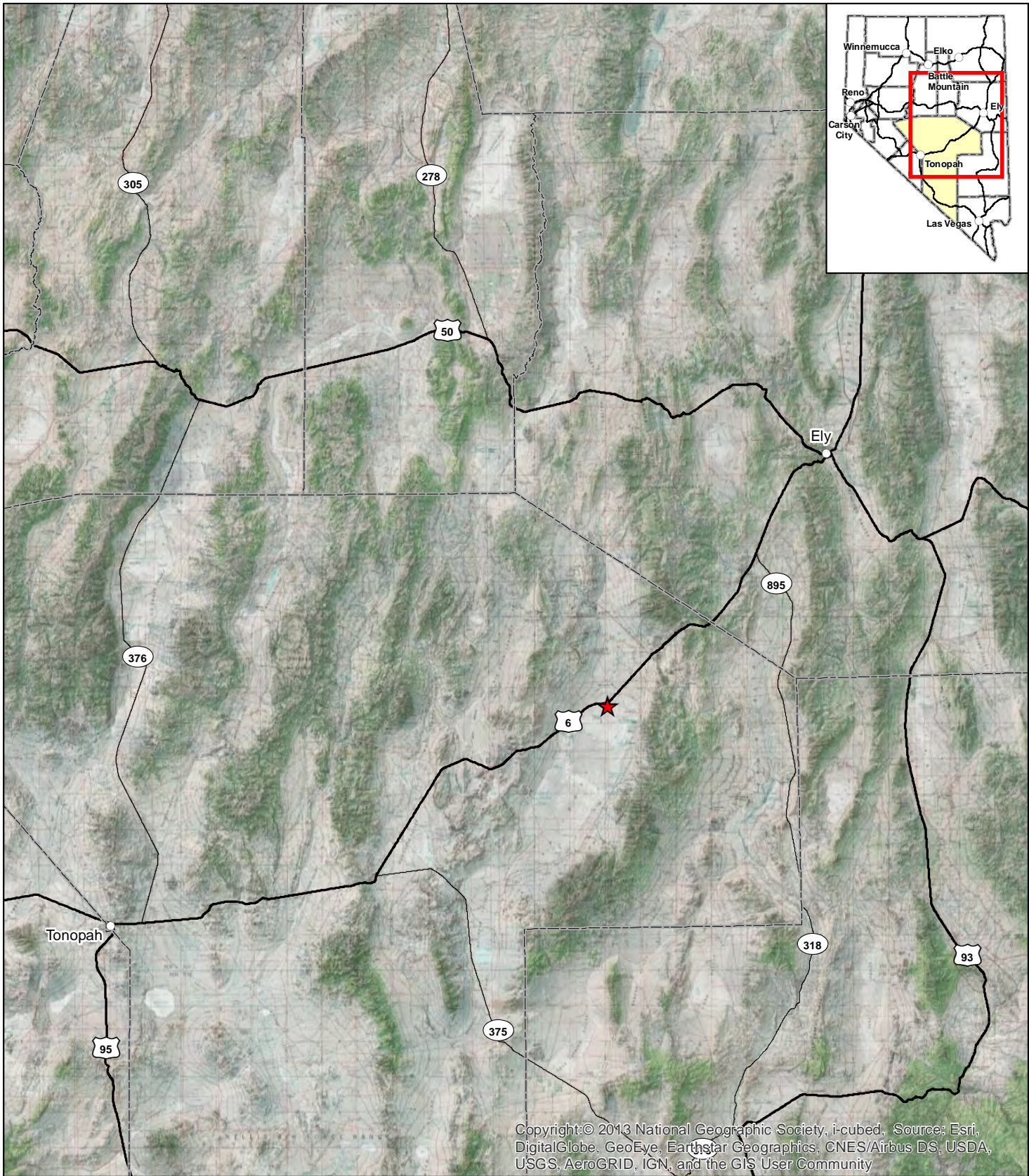
Foreland Refining Corporation (Foreland) currently operates its 40-acre Eagle Springs Refinery (Refinery) under a BLM right-of-way (ROW) grant (N-41035). The Refinery has been operating under a ROW grant since 1984. The BLM received Foreland’s official request for approval of a Land Sale application on April 20, 2021, which included an additional 209 acres of vacant land just south of and adjacent to the Refinery, in addition to the 40 acres encompassing the Refinery. On August 23, 2021, the BLM acknowledged the receipt of the application letter and outlined the process of the sale. Table 1.1-1 outlines the legal description for the proposed land sale area.

Table 1.1-1: Land Sale Legal Description

Township	Range	Section	Aliquot Part
9 N	56 E	24	S½NE¼SE¼
			N½SE¼SE¼
			S½SE¼
		25	NE¼NE¼
			SE¼ NE¼
9 N	57 E	19	Lot 4
		30	Lot 1
			Lot 2

S = south; NE = northeast; SE = southeast

The Project Area is currently not identified for disposal under the Tonopah RMP (BLM 1997). A RMP Amendment is required to identify the Project Area as available for disposal to be in conformance with Section 203 of the Federal Land Policy and Management Act of 1976 (FLPMA) and 43 Code of Federal Regulations (CFR) 2710.0-6(a).



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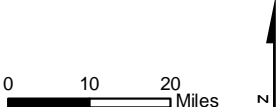
Explanation

- ★ Project Location
- State Route
- US Route



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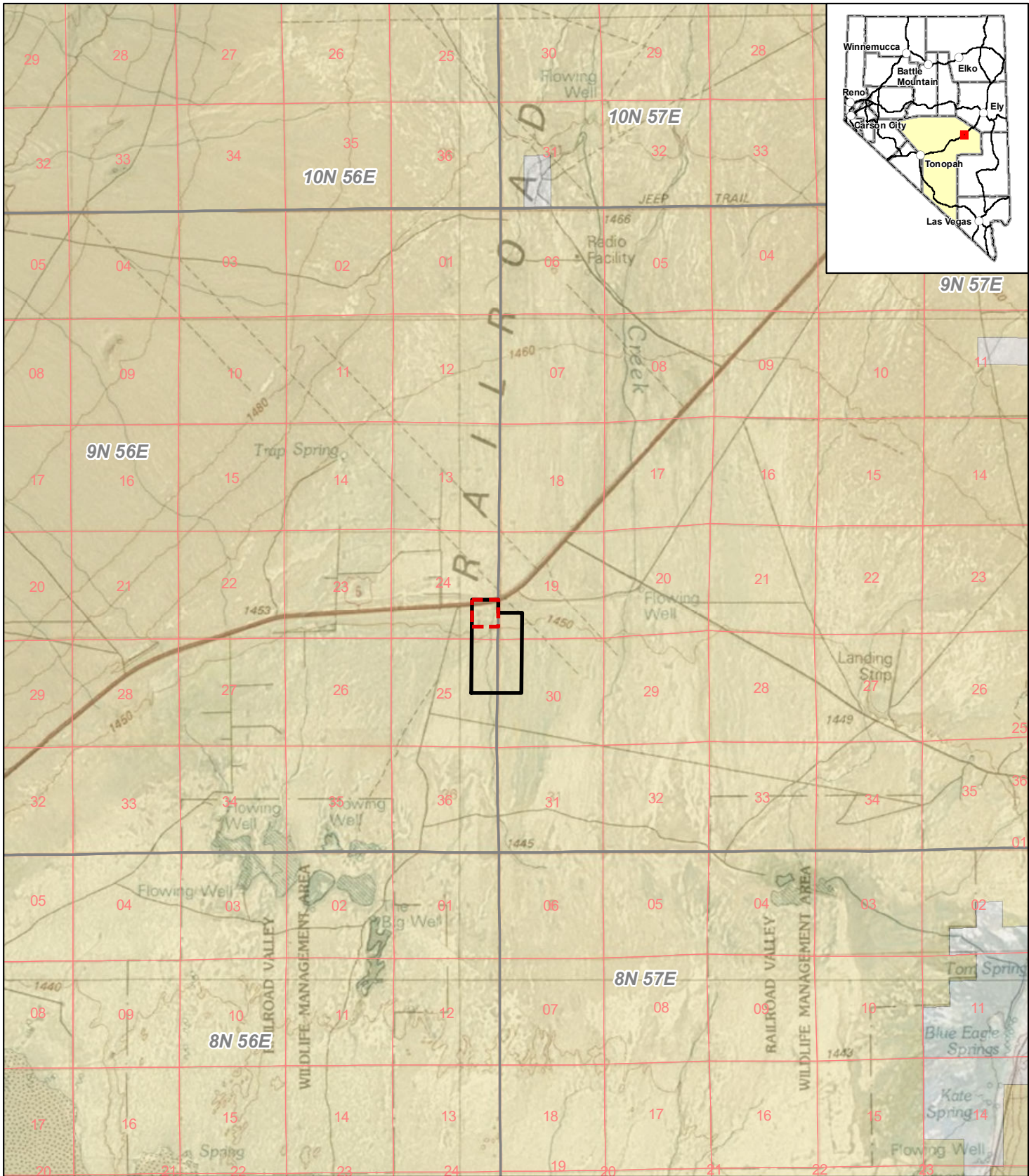
BUREAU OF LAND MANAGEMENT

**EAGLE SPRINGS REFINERY
 LAND ACQUISITION PROJECT**

Project Location and Access

Figure 1.1.1

11/08/2022



Explanation

Project Area (249 acres)

Refinery (40 acres)

Land Status

Bureau of Land Management

Private



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Tonopah, Nevada 89049

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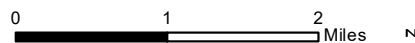
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**EAGLE SPRINGS REFINERY
LAND ACQUISITION PROJECT**

Project Area and Land Status

Figure 1.1.2

10/04/2023



1.2 Purpose of and Need for Action

The purpose of the federal action is to make available by direct sale to Foreland approximately 249 acres of public land in portions of Sections 24 and 25, T9N, R56E, and Sections 19 and 30, T9N, R57E, MDM, in Nye County, Nevada (Figure 1.1.2). A memorandum from the BLM Nevada State Director to the BLM TFO field manager signed April 12, 2021, gave approval for the TFO to begin the direct land sale process and stated the following reasons:

FLPMA, as amended, states that BLM can select lands for sale if, through land-use planning, they are found to meet one of three criteria: 1) they are scattered, isolated tracts that are difficult or uneconomic to manage; 2) they were acquired for a specific purpose and are no longer needed for that purpose; or 3) disposal of the land will serve important public objectives, such as community expansion and economic development. Sale of the lands to the Proponent would assist the further economic development of the area's oil and gas industry.

A direct sale is justified under the authority of 43 CFR 2711.3.3(a)(3). "Direct sales (without competition) may be utilized, when in the opinion of the authorized officer, a competitive sale is not appropriate, and the public interest would best be served by a direct sale." Examples include but are not limited to... "a need to recognize an authorized use such as an existing business which could suffer a substantial economic loss if the tract were purchased by other than the authorized user." The Proponent would suffer an economic loss if the land under and surrounding the Eagle Springs Refinery, an existing business, were purchased by another user.

The need for the action is established by BLM's responsibility under Section 203 of the FLPMA, and under 43 CFR 2711.1-1(c) to respond to a request for a land sale, and for compliance with the Tonopah RMP Management Decisions (RMP page 18).

1.3 BLM Responsibilities and Relationship to Planning

The BLM is responsible for the preparation of this EA, which was prepared in conformance with the NEPA, applicable laws and regulations passed subsequently, including the President's Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR 1500-1508), US Department of the Interior requirements, and the policy guidance provided in the BLM NEPA Handbook H-1790-1 (BLM 2008).

1.4 Land Use Plan Conformance

1.4.1.1 Tonopah Resource Management Plan

The Project is not in conformance with the 1997 Tonopah RMP. The Lands and Rights-of-Way RMP determination No. 2 states that the BLM would "[m]ake an additional 255,380 acres of public land available for potential disposal (see Appendix 14, and Maps 20, 21, 40, and 41)." The Project Area is not identified as an area available for disposal. The current action would amend the RMP to identify the Project Area for disposal and would amend Appendix 14 and Map 20 of the RMP.

1.4.1.2 Nevada and Northeastern California Greater Sage-Grouse Approved Resource Management Plan Amendment and Record of Decision

In September 2015, the BLM issued the Nevada and Northeastern California Greater Sage-Grouse [GRSG] Approved Resource Management Plan Amendment (GRSG ARMPA) and Record of Decision (BLM 2015). On May 16, 2022, the BLM Nevada State Office completed Plan Maintenance Action #5 for the GRSG ARMPA through Categorical Exclusion (CX) (DOI-BLM-NV-0000-2022-0006-CX) to update the GRSG habitat management area maps and habitat objectives for GRSG in Table 2-2 in the GRSG

ARMPA. According to the updated habitat management area maps, there is no GRSG mapped habitat in the Project Area.

1.5 Scoping and Issues

Internal scoping for the Project by the BLM interdisciplinary team occurred through virtual meetings held September 7, 2021, November 29, 2022, and December 1, 2022. During these meetings, BLM personnel identified all elements and other resources as Not Present or Present and Not Affected by the Proposed Action (see Chapter 3).

The BLM TFO initiated government-to-government consultation by sending letters describing the Project to the Ely Shoshone Tribe and Duckwater Shoshone Tribe on August 30, 2021. The BLM briefed the Duckwater Shoshone Tribe at an in-person meeting on May 23, 2022. No concerns from either Tribe have been received associated with this consultation effort; however, consultation would continue throughout the life of the Project.

The BLM would formally announce the proposed sale by publishing a Notice of Realty Action (NORA) in the Federal Register, identifying BLM's intent to sell the interest in the Project Area through a direct noncompetitive sale, and initiating a public comment period of 45 days. A Notice of Intent describing the RMP amendment would also be issued at the same time as the NORA. A press release, interested party letter, the public draft of the EA, and the draft Finding of No Significant Impacts would be published on the BLM's National NEPA Register (e-planning).

2 DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

2.1 Proposed Action

The Proposed Action consists of a direct (non-competitive) land sale from the BLM to Foreland of 40 acres of lands underlying an existing Refinery, and approximately 209 acres of vacant land just south of and adjacent to the Refinery, in Railroad Valley, Nevada (Figures 1.1.1 and 1.1.2). Foreland is not proposing any new surface disturbance in the Project Area and no new surface disturbance is analyzed in this document. The Proposed Action also consists of an amendment to Appendix 14 and Map 20 of the Tonopah RMP.

2.2 No Action Alternative

In accordance with BLM NEPA guidelines H-1790-1, Chapter V (BLM 2008), this EA evaluates the No Action Alternative, which is a reasonable alternative to the Proposed Action. The objective of the No Action Alternative is to describe the environmental consequences that would result if the Proposed Action were not implemented. The No Action Alternative forms the baseline for which the impacts of all other alternatives can be measured. Under the No Action Alternative, the BLM would not approve the direct land sale to Foreland, and the Refinery would continue to operate under a BLM ROW grant for N-41035.

2.3 Alternatives Considered but Eliminated from Detailed Analysis

There were no other alternatives considered since the direct land sale involves an existing oil refinery.

3 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

3.1 Introduction

The purpose of this section of the EA is to describe the existing environment of the Project Area, as well as environmental consequences from implementation of the Proposed Action or any of the listed alternatives including the No Action Alternative, as well as potential cumulative impacts.

Supplemental Authorities that are subject to requirements specified by statute or executive order (EO) must be considered in all BLM environmental documents. The elements associated with the supplemental authorities listed in the NEPA Handbook (BLM 2008, Appendix 1) and in the Nevada Instruction Memorandum (IM) 2009-030, Change 1, are listed in Table 3.1-1. The following elements have been determined as Not Present in the Project Area, Present/Not Affected, or Present/May Be Affected by Project activities, and the following table provides the rationale for those determinations, or the section of the EA where the resource is discussed. The elimination of non-relevant elements complies with CEQ policy.

Table 3.1-1: Elements Associated with Supplemental Authorities and Rationale for Detailed Analysis for the Proposed Action

Resource	Not Present	Present/ Not Affected	Present/ May Be Affected	Rationale/Reference Section
Air Resources and Climate Change		X		There is no new surface disturbance, emissions sources, or increased facility capacity associated with the proposed transfer of land from BLM management to private ownership; therefore, existing air pollutants and greenhouse gas emissions, and air resource conditions would remain the same. This element is not analyzed further in this EA.
Areas of Critical Environmental Concern	X			These elements are not present within the Project Area and are not analyzed further in this EA.

Resource	Not Present	Present/ Not Affected	Present/ May Be Affected	Rationale/Reference Section
Cultural Resources		X		<p>A Class III cultural resources inventory was conducted in the Project Area in May 2022 (Powell and Felling 2022). A total of three newly identified sites were recorded and two previously identified sites were revisited and updated during the inventory. Additionally, one previously recorded architectural resource was revisited and photographed but not fully updated. All three newly identified sites are recommended as not eligible for listing on the National Register of Historic Places (NRHP) under any evaluation criteria. Of the previously identified sites that were revisited and photographed, one is recommended as not eligible for listing on the NRHP, and one has previously been deemed ineligible for inclusion in the NRHP. The Gravel Bar Site, previously recorded but not fully updated, is recommended as unevaluated for listing on the NRHP pending subsurface testing. No isolated artifacts were observed within the Project Area during the current inventory. A testing plan for the unevaluated Gravel Bar Site would be submitted for review and concurrence to the BLM and State Historic Preservation Office (SHPO), then testing would be conducted to determine the NRHP-eligibility of the Gravel Bar Site. If the site is determined not eligible for listing on the NRHP after testing is completed, then no further action would be necessary. If the site is determined eligible for listing on the NRHP, then a Historic Properties Treatment Plan (HPTP) would be prepared, detailing how the site would be managed to ensure there are no adverse impacts to the archaeological resource. A Memorandum of Agreement would be entered into by the BLM, SHPO, and Foreland to ensure adherence to the HPTP. Therefore, this element is not analyzed further in this EA.</p>

Resource	Not Present	Present/ Not Affected	Present/ May Be Affected	Rationale/Reference Section
Environmental Justice (EJ)		X		According to BLM guidance (IM 2022-059 and attachments), the BLM is committed to determining if its proposed and alternative actions would adversely and disproportionately impact minority, low-income, or Tribal populations. To determine if an action or alternative disproportionately and adversely impacts an EJ population, the BLM analyzes aggregate effects of all proposed actions and resources and cumulative effects of all proposed actions when compounded by an impact when added to other past, present, and reasonably foreseeable future actions. This Project would result in the direct sale of land underlying an existing oil refinery, as well as adjacent vacant land. The Project is located in a rural area, and EJ communities would not experience disproportionate and adverse effects associated with the Project. There would be no change to the existing personnel working at the refinery, and no change in any other existing conditions. Conversations concerning unforeseen impacts should continue with members of the Duckwater Shoshone Tribe. This determination may change as further information becomes available. There are no Traditional Cultural Properties in the Project Area. This element is not analyzed further in this EA.
Farm Lands (Prime or Unique)	X			This element is not present within the Project Area and is not analyzed further in this EA.
Fish Habitat	X			Native fish habitat is not present within the Project Area and is not analyzed further in this EA.
Floodplains		X		The Federal Emergency Management Agency (FEMA) maps for Nye County, Nevada (FEMA 2022), show that the Project Area includes portions characterized as the following: Zone A, or an area with a one percent annual chance flood hazard, but with no base flood elevations determined; and Zone X, or areas determined to be outside the 0.2 percent annual chance floodplain. There is no new surface disturbance associated with the proposed transfer of land from BLM management to private ownership; therefore, existing conditions would remain the same. This element is not analyzed further in this EA.

Resource	Not Present	Present/ Not Affected	Present/ May Be Affected	Rationale/Reference Section
Forests and Rangelands (Healthy Forests Restoration Act [HFRA] projects only)	X			This Project does not meet the requirements to qualify as an HFRA project.
Human Health and Safety (Herbicide Projects)	X			The Project may use herbicides to eradicate noxious weeds; however, EO 13045, “Protection of Children from Environmental Health Risks and Safety Risks”, would not apply to this Project as there would be no children on the site.
Migratory Birds		X		Field surveys were conducted in May 2022 in the Project Area. The following migratory bird species were observed: American kestrel (<i>Falco sparverius</i>); common raven (<i>Corvus corax</i>); horned lark (<i>Eremophila alpestris</i>); mourning dove (<i>Zenaida macroura</i>); western kingbird (<i>Tyrannus verticalis</i>); western meadowlark (<i>Sturnus neglectus</i>); white-crowned sparrow (<i>Zonotrichia leucophrys</i>); and yellow warbler (<i>Setophaga petechia</i>) (EM Strategies, a WestLand Resources, Inc. Company [EMS] 2022a). There was one active common raven nest observed in a tree in the southern portion of the Project Area, and one partially constructed nest of an unknown species in the refinery area. There is no new surface disturbance associated with the proposed transfer of land from BLM management to private ownership; therefore, existing conditions would remain the same, and there would be no impacts to active nests. This element is not analyzed further in this EA.
Native American Religious and Cultural Concerns		X		See sections 1.5 and 4.1.

Resource	Not Present	Present/ Not Affected	Present/ May Be Affected	Rationale/Reference Section
Noxious Weeds, Invasive and Non-native Species		X		<p>A noxious and invasive weed field survey was conducted in May 2022. The following noxious weed species were observed: whitetop (<i>Cardaria draba</i>); broadleaved pepperweed (<i>Lepidium latifolium</i>); and salt cedar (<i>Tamarix ramosissima</i>). The following invasive and non-native (nuisance) species were observed: blue mustard (<i>Chorispora tenella</i>); flixweed (<i>Descurainia sophia</i>); prickly lettuce (<i>Lactuca serriola</i>); prickly Russian thistle (<i>Salsola tragus</i>); saltlover (<i>Halogeton glomeratus</i>); and tall tumbled mustard (<i>Sisymbrium altissimum</i>) (EMS 2022a). The Project involves the sale of land from the BLM to a private owner. The BLM cannot infringe upon private property rights and therefore cannot enforce weed treatment activities. Additionally, there is no new surface disturbance associated with the proposed transfer of land from BLM management to private ownership; therefore, existing conditions would remain the same. This element is not analyzed further in this EA.</p>

Resource	Not Present	Present/ Not Affected	Present/ May Be Affected	Rationale/Reference Section
Wastes – Hazardous/Solid		X		<p>A Phase I Environmental Site Assessment (ESA) was completed in May 2022. There were no controlled recognized environmental conditions (RECs) found for the Project Area, but one historical REC (HREC) and three RECs were found (McGinley & Associates [McGinley] 2022a). A No Further Action determination was made on the HREC in September 1993 by the Nevada Division of Environmental Protection (NDEP). Literature reviewed shows the following three RECs occurred: a release of approximately 1,680 gallons of diesel fuel to the soil in October 1992; a March 1994 request by NDEP for a Corrective Action Plan to be prepared to delineate a free product plume and identify a product recovery plan; and the lack of documentation of remediation in accordance with a Remedial Action Plan for methyl tert-butyl ether (MTBE) in 2021 monitoring well samples after a release due to holes in an evaporation pond liner. A Phase II ESA was conducted in September 2022 to assess the soils and groundwater in the plant area and outside the Project Area, and to respond to the RECs identified in the Phase I ESA (McGinley 2022b). Samples at 11 soil borings were taken and assessed. All total petroleum hydrocarbon levels at all borings were below the NDEP reporting limit of 100 milligrams per kilogram; therefore, there are no regulatory reporting requirements. Borings B1 and B2 indicated low-level benzene and MTBE concentrations above the Nevada Action Level; however, those results were consistent with residual impacts from the 1990s release and are not migrating offsite. This element is not analyzed further in this EA.</p>

Resource	Not Present	Present/ Not Affected	Present/ May Be Affected	Rationale/Reference Section
Water Quality, Surface and Ground		X		There is one ephemeral drainage that trends north to south through the central portion of the Project Area (EMS 2022b). There is no new surface disturbance associated with the proposed transfer of land from BLM management to private ownership; therefore, existing water quality conditions would remain the same. The Phase II ESA (McGinley 2022b) identified that any releases to the groundwater were consistent with residual impacts from the 1990s release and are not migrating offsite. This element is not analyzed further in this EA.
Wetlands and Riparian Zones	X			These elements are not present within the Project Area or vicinity and are not analyzed further in this EA.
Wild and Scenic Rivers	X			These elements are not present within the Project Area and are not analyzed further in this EA.
Wild Horses and Burros	X			The Project Area is not located within a Herd Management Area. Therefore, this resource is not analyzed further in this EA.
Wilderness/Wilderness Study Areas (WSAs)	X			No Wilderness areas or WSAs are present within the Project Area or vicinity. This element is not analyzed further in this EA.

In addition to the elements listed under supplemental authorities, the BLM considers other resources and uses that occur on public lands and the issues that may result from the implementation of the Proposed Action. Other resources or uses of the human environment considered for this EA are listed in Table 3.1-2.

Table 3.1-2: Resources or Uses Not Associated with Supplemental Authorities

Other Resources or Uses	Not Present	Present/ Not Affected	Present/May Be Affected	Rationale/Reference Section
Fire Management	X			This resource is not present within the Project Area and is not analyzed further in this EA.
Lands and Realty		X		The Proposed Action includes the sale of land underlying the Refinery. With approval of the sale, the existing ROW N-41035 would be terminated and the land transferred to private ownership. There are no other ROWs in the Project Area. This resource is not analyzed further in this EA.

Other Resources or Uses	Not Present	Present/ Not Affected	Present/May Be Affected	Rationale/Reference Section
Lands with Wilderness Characteristics (LWC)	X			The Project Area is within LWC unit NV-060-186. The BLM has determined that this unit does not contain wilderness characteristics. This resource is not analyzed further in this EA.
Mineral Resources		X		A Mineral Potential Report was prepared for the Project and signed in November 2022 (DeLong 2022). It was determined there was a low potential for the occurrence of locatable and salable minerals in the Project Area, low potential for commercial development in the foreseeable future. It was also determined there was a moderate potential for the occurrence of leasable minerals, with a high potential of commercial development in the foreseeable future. The transfer of land from BLM management to private ownership would not result in any changes to the conclusions of the report. The existing oil refinery would continue to refine oil under current conditions. This resource is not analyzed further in this EA.
Paleontological Resources	X			This resource is not present within the Project Area and is not analyzed further in this EA.
Rangeland Management		X		The Project Area is primarily within the Blue Eagle grazing allotment, with a small portion in the Butterfield grazing allotment. The transfer of land from BLM management to private ownership would reduce acreage of those allotments, and may reduce animal unit months. However, a two-year grazing letter was sent to the permittee with the Project notification; no protest has been received. This resource is not analyzed further in this EA.

Other Resources or Uses	Not Present	Present/ Not Affected	Present/May Be Affected	Rationale/Reference Section
Recreation		X		<p>Recreational uses of the public land in the vicinity of the Project Area consist primarily of dispersed recreation activities including the following: off-highway vehicle use; camping; hiking; biking; sightseeing; hunting; wildlife viewing; and wind sailing. The Project Area is located within Nevada Department of Wildlife (NDOW) Hunt Unit 134. Hunting of pronghorn antelope (<i>Antilocapra americana</i>), desert bighorn sheep (<i>Ovis canadensis nelsoni</i>), mule deer (<i>Odocoileus hemionus</i>), and mountain lion (<i>Felis concolor</i>) occurs in this hunt unit (NDOW 2022), as well as hunting of small mammals and upland and migratory game birds. The change in ownership of approximately 209 acres of undisturbed land may remove opportunities for dispersed recreation; however, impacts are anticipated to be indiscernible. This resource is not analyzed further in this EA.</p>
Socioeconomics		X		<p>The direct sale of the lands underlying an existing oil refinery from the BLM to Foreland would not create a demand for additional public or private services and would not impact public schools, the permanent housing market, or other services otherwise associated with permanent workers. There would be no change to the existing number of personnel at the refinery, or any other changes to existing activities. All employees have permanent residences in the study area; therefore, there would be no impacts from the use of lodging and other accommodations in the study area. This resource is not further analyzed in the EA.</p>
Soils		X		<p>There are two soil types documented in the Project Area by the Natural Resources Conservation Service: the Rustigate-Nuyobe-Kawich complex, zero to 15 percent slopes; and the Jotava silty clay loam, zero to two percent slopes. There is no new surface disturbance associated with the proposed transfer of land from BLM management to private ownership; therefore, existing conditions would remain the same, and there would be no impacts to soils. This resource is not analyzed further in this EA.</p>

Other Resources or Uses	Not Present	Present/ Not Affected	Present/May Be Affected	Rationale/Reference Section
Special Status Species (Plants and Wildlife), including bald and golden eagles and threatened and endangered species		X		Surveys for special status plant and wildlife species were conducted in May 2022. There were no special status plant or wildlife species observed in the Project Area during the surveys (EMS 2022a). Although habitat for some special status species is present, there is no new surface disturbance associated with the proposed transfer of land from BLM management to private ownership. This resource is not analyzed further in this EA.
Vegetation		X		One vegetation community was identified in the Project Area during the May 2022 field surveys: Inter-Mountain Basins Greasewood Flat (EMS 2022a). There is no new surface disturbance associated with the proposed transfer of land from BLM management to private ownership; therefore, existing conditions would remain the same, and there would be no impacts to vegetation. This resource is not analyzed further in this EA.
Visual Resources		X		The Project Area is within Visual Resource Management Class IV. The transfer of land from BLM management to private ownership would remove the requirement for the Project to conform to BLM visual resource management objectives. Additionally, no new surface disturbance is associated with the proposed transfer of land ownership; therefore, existing conditions would remain the same. This resource is not analyzed further in this EA.
Wildlife		X		Wildlife field surveys were conducted in May 2022. The following general wildlife and/or sign were observed: black-tailed jackrabbit (<i>Lepus californicus</i>); coyote (<i>Canis latrans</i>); deer mouse (<i>Peromyscus maniculatus</i>); pronghorn antelope; western whiptail lizard (<i>Aspidoscelis tigris</i>); and western fence lizard (<i>Sceloporus occidentalis</i>) (EMS 2022a). There is no new surface disturbance associated with the proposed transfer of land from BLM management to private ownership; therefore, there would be no additional impacts to general wildlife over existing conditions. This resource is not analyzed further in this EA.

3.2 Resources Present and Brought Forward for Analysis

A BLM ID team consisting of NEPA and Resource Specialists contributed to this EA. The ID team used various sources of information to prepare the EA, including existing data inventories and data collected during field visits. The potential impacts to the resources reviewed in Tables 3.1-1 and 3.1-2 were evaluated by the ID team to determine if detailed analysis would be necessary. Through this process, the ID team determined there were no resources or issues that warranted a detailed analysis in this EA from activities associated with the Proposed Action.

3.3 No Action Alternative

Under the No Action Alternative, the land sale would not occur and the conditions would remain the same. Foreland would be required to continue to maintain compliance with state and federal regulations, including state air permits, noxious weed treatment, and groundwater monitoring. Additionally, Foreland would continue to comply with its Spill Prevention Control and Countermeasures Plan (Foreland 2014) and Stormwater Pollution Prevention Plan (Foreland 2019) to minimize impacts from spills and waste disposal.

4 CONSULTATION AND COORDINATION

This EA was prepared at the direction of the BLM, TFO, Battle Mountain District, Nevada, by WestLand Engineering & Environmental Services, under a contract with Foreland. The following is a list of persons, groups, and agencies consulted, as well as a list of individuals responsible for the preparation of this EA.

4.1 Native American Consultation

The BLM TFO initiated government-to-government consultation by sending letters describing the Project to the Ely Shoshone Tribe and Duckwater Shoshone Tribe on August 30, 2021. No comments have been received associated with this consultation effort; however, consultation would continue throughout the life of the Project. Also see Section 1.5.

4.2 Persons, Groups, and Agencies Consulted

Federal Agencies

United States Fish and Wildlife Service

State Agencies

Nevada Division of Natural Heritage
Nevada Department of Wildlife
Nevada Sagebrush Ecosystem Program

4.3 List of Preparers and Reviewers

Bureau of Land Management

Eugene Gilseth	Project Manager, Planning and Environmental Coordinator
Frank Giles	Air Quality
Frederick Marcell	Lands and Realty
Brandon Crosby	Migratory Birds, Special Status Wildlife Species, General Wildlife
Wilfred Nabahe	Native American Consultation and Coordination/Public Affairs
Erin Gillett	Cultural Resources, Paleontology
Ashley King	Recreation, Visual Resources, Lands with Wilderness Characteristics
Thomas Gibbons	Hydrology, Floodplains, Wetlands and Riparian Zones
Matthew Fockler	Socioeconomics, Environmental Justice
Melissa Jennings	Geology/Minerals
David Davis	Wastes, Hazardous or Solid
Thomas Mendoza	Grazing Management, Noxious Weeds, Invasive and Non-native Species, Soils, Vegetation
Aimee Bollinger	Wild Horses

WestLand Engineering & Environmental Services

Catherine Lee	Project Manager, NEPA Compliance
Kris Kuyper	Biological Resources
Danielle Felling	Cultural Resources
Jim Branch	GIS Data Management and Figure Production
Ellen Farley	Editorial Review

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