

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

Environmental Assessment
DOI-BLM-NV-S010-2014-0069-EA

December 2015



APPLICANT

Art Production Fund of New York
Seven Magic Mountains Production, LLC., c/o Nevada Museum of Art

GENERAL LOCATION

The proposed project area is generally located along Las Vegas Boulevard and northwest of Jean Dry Lake in Clark County, Nevada.

BLM CASE FILE SERIAL NUMBER

N-92763

PREPARING OFFICE

U.S. Department of the Interior
Bureau of Land Management
Las Vegas Field Office
Phone: (702) 515-5000
Fax: (702) 515-5010



Table of Contents

Acronyms and Abbreviations	iii
1 Introduction	4
1.1 Project Overview	4
1.2 Artists' Vision and Objective	4
1.3 BLM's Purpose and Need	5
1.4 Relationship to Laws, Regulations, Policies, and Other Plans	5
1.5 Scoping, Public Involvement, and Issues	6
2 Proposed Action and Alternatives	7
2.1 Description of the Proposed Action	7
2.2 No Action Alternative	11
2.3 Alternatives Considered but not Analyzed in Detail	11
2.4 Conformance	11
3 Affected Environment, Environmental Consequences, and Mitigation Measures	14
3.1 General Setting of the Proposed Artwork Site	17
3.2 Air Quality	18
3.3 Soils, Geology, Mineral Resources	19
3.4 Lands and Access	20
3.5 Migratory Birds	21
3.6 Recreation	23
3.7 Socioeconomics	24
3.8 Threatened and Endangered Wildlife Species	24
3.9 Visual Resources	26
3.10 Cumulative Impacts	30
4 List of Persons, Agencies and Organizations Consulted	32
5 List of Preparers/Reviewers	34
6 References	36
Appendix A: Contrast Rating Worksheet and Simulation	37
Appendix B: Legal Descriptions	38
Appendix C: Comments on the Draft Environmental Assessment	39

Acronyms and Abbreviations

Applicant's (Producer's) Fund of	Seven Magic Mountains Production LLC. and Art Production New York
Artist	Ugo Rondinone
BLM	Bureau of Land Management
DAQ	Clark County Department of Air Quality
FLPMA	Federal Land Planning and Management Act
GIS	Geographic Information System
GHG	Greenhouse Gas
I-15	Interstate 15
KOP	Key Observation Point
MBTA	Migratory Bird Treaty Act
NEPA	National Environmental Policy Act
OHV	Off-highway Vehicle
PBO	Programmatic Biological Opinion
Project (Artwork)	Seven Magic Mountains Project
ROW	Right-of-way
RMP	Las Vegas Resource Management Plan
SLRU	Scenic Level Rating Unit
SQRU	Scenic Quality Rating Unit
SR 604	Las Vegas Boulevard
SRMA	Special Recreation Management Area
SRP	Special Recreation Permit
USC	United State Code
UPRR	Union Pacific Railroad
VRI	Visual Resource Inventory
VRIC	Visual Resource Inventory Classification
VRM	Visual Resource Management
VRMC	Visual Resource Management Classification

1 Introduction

1.1 Project Overview

Seven Magic Mountains Production, LLC, a wholly owned subsidiary of the Nevada Museum of Art, and Art Production Fund of New York (Applicants or Producers), are jointly working with renowned Swiss artist Ugo Rondinone (the Artist) to install the first large-scale land art installation on lands managed by the Bureau of Land Management (BLM), Las Vegas Field Office. *Seven Magic Mountains* (project or artwork) is a proposed public outdoor sculptural installation comprised of seven, twenty-five to thirty-foot high towers of painted stone, sourced locally, and installed on up to three acres within Clark County and adjacent to Las Vegas Boulevard/State Route 604 (Las Vegas Boulevard) between Jean and Las Vegas, Nevada. The site, located in Section 21, Township 24 South, Range 60 East, is approximately 10 miles south of the intersection of Las Vegas Boulevard and St. Rose Parkway in Henderson, Nevada and 5 miles north of Jean, Nevada.

The artwork is proposed for a two-year display and viewing period with the exhibition opening anticipated in March 2016. No fees will be charged during the exhibition period. At the end of the two-year exhibition period, the sculptures will be disassembled and transported to select art collectors around the world. All disturbed areas, including the sculpture site, parking lot, and walking path, would be reclaimed per the project Restoration Plan and the terms and conditions defined in the Right-of-Way Grant.

The Producers are requesting a Right-of-Way (ROW), a Special Recreation Permit (SRP) and a Film Permit for the exhibition opening anticipated in March 2016 and future Artist and/or Producer-sponsored events or filming during the two-year exhibition period.

1.2 Artists' Vision and Objective

Seven Magic Mountains represents a globally significant art installation by an internationally acclaimed artist whose contributions to contemporary site-specific sculpture and installation art have helped to define the history of these fields. The Artist selected the proposed site based upon historical precedents and in consideration of landscape elements that would frame his artwork. The proposed artwork site is located only a short distance from Nevada's legendary Jean Dry Lake, an area integral to the history of land art in the American West, and the location of historically significant artworks by artists Jean Tinguely (1962) and Michael Heizer (1968). This rich natural, historical, and cultural context underlines the importance of educational and experiential activities designed to engage both residents of and visitors to the region during the two-year exhibition period.

In 2012 and 2013, the Artist visited and examined potential sites to arrive at the optimal site that captured the intensity of his interpretation. According to the Artist, the selected site is physically and symbolically mid-way between the natural and the artificial: the natural is expressed by the mountain ranges and the Jean Dry Lake as well as the desert setting, and the artificial is expressed by the highway and the constant flow of traffic between Los Angeles and Las Vegas. The artist envisions *Seven Magic Mountains* as occupying a liminal zone between these realms, a location that will serve as the canvas for the seven stacks of brightly colored boulders—an “artificial nature” sculpted from rocks indigenous to the region and painted in unexpectedly bright colors, providing a contrast between the historical artworks by Tinguely and Heizer and adding to the dialogue they began last century.

The location that fulfills the Artists vision of being visible from moving vehicles on Interstate 15 (I-15) and Las Vegas Boulevard, while creating an unbroken view between the sculptures and the natural background of Jean Dry Lake is the area requested by the Artist in the BLM ROW application.

To accompany the *Seven Magic Mountains* project, the Producers have established an Education and Outreach Committee that has been working to promote awareness of contemporary art and the rich natural and cultural heritage of the region, while placing the *Seven Magic Mountains* project into a larger national and international context.

Preliminary education and outreach programs in development include:

- a) Development of a set of educational materials for the project's website, to include an educational summary and lesson plans for educators that will help them integrate the project into their classroom teaching;
- b) Integration of a smart phone-based visitor guide and informational application suitable to the site's technology constraints (Global Positioning System-driven versus cellular); and
- c) Conduct a series of public programs, to include a series of off-site films and lectures, and educational and interpretive programming interpreting the project through lenses of contemporary art and art history, public lands, history, and geography.

Due to the site's location, many of the programmatic components will take place at partner locations, including the Marjorie Barrick Museum on the campus of the University of Nevada, Las Vegas and at the ARIA Hotel.

1.3 BLM's Purpose and Need

In accordance with the Federal Land Policy and Management Act (FLPMA) (Section 103(c)), public lands are to be managed for multiple uses. Taking into account the BLM's multiple-use mandate, the purpose and need for the proposed action is to respond to a FLPMA ROW application submitted by the Producers to install, exhibit and within two years, remove the artwork on BLM managed land in Clark County in compliance with FLPMA, BLM ROW regulations, and other applicable Federal laws and policies.

In addition, the Producers are requesting an SRP and Film Permit for the Exhibition opening, and up to 6 Producer-sponsored events during the two-year exhibition period. The Federal Land Recreation Enhancement Act authorizes the BLM to "...issue special recreation permits for group activities and recreation events" (43 CFR 2931.3(b)).

The BLM is responsible for the decision whether to issue the requested grant and permits, and if issued, the applicable terms, conditions, or other stipulations. In the decision process, the BLM must consider how the BLM's resource management goals, objectives, opportunities, and/or conflicts relate to this non-federal use of public lands. The BLM may include any terms, conditions, and stipulations it determines to be in the public interest, and may include modifying the proposed use or changing the route or location of the proposal (43 CFR 2805.10(a)(1)).

1.4 Relationship to Laws, Regulations, Policies, and Other Plans

This Environmental Assessment has been prepared in accordance with the following statutes, regulations, policies, and procedures:

- National Environmental Policy Act (NEPA) of 1969, as amended (Public Law 91-190, 42 United States Code [USC] 4321 et seq.);
- National Historic Preservation Act and H-1780 Guidelines for Improving & Sustaining BLM-Tribal Relations;
- 40 CFR 1500 et seq.: Regulations for Implementing the Procedural Provisions of NEPA;
- BLM NEPA Handbook (H-1790-1) (BLM 2008);
- FLPMA, as amended;
- Clark County Title 30 Development Code (June 21, 2000);
- Clark County Multiple Species Habitat Conservation Plan (Clark County 2000); and
- Las Vegas Resource Management Plan (RMP) and Final Environmental Impact Statement (BLM 1998).

1.5 Scoping, Public Involvement, and Issues

Internal scoping was done for the proposed project and the following concerns were raised:

- Concerns regarding the removal of desert pavement and the potential for erosion and cumulative effects on air quality and visual resources in the area.
- Potential impacts to migratory birds if construction/disturbance occurs during the bird breeding season.
- Concerns regarding stockpiling and future disposal and removal of mineral resources.
- Potential impacts to desert tortoise, a federally-listed threatened species, and their habitat.
- Potential impacts between off-highway vehicles (OHV) use in the area and activities during the installation phase and two-year exhibition period. Potential for route proliferation via cross-country travel, resource damage, and vandalism.
- Concerns regarding visual and scenic effect of sculptures on filming activities in the Jean Dry Lake area.
- Concerns regarding the strong contrast of the sculptures in a Visual Resource Management (VRM) Class III area.

The BLM notified adjacent ROW holders regarding the proposed project. AT&T confirmed the project would not conflict with their fiber-optic line which is located approximately 180 feet east of Las Vegas Boulevard (AT&T 2015). Clark County Department of Aviation confirmed the proposed project would not conflict with the proposed Southern Nevada Supplemental Airport, but requested the Producers be required to submit an appropriate reclamation plan and bonding (Southern Nevada Supplemental Airport 2015).

This proposal has been reviewed by BLM resource staff and management members. Their comments and evaluations were included in this Environmental Assessment.

2 Proposed Action and Alternatives

The alternatives considered in this Environmental Assessment include a) the Artist's Proposed Action; and b) a No Action alternative.

2.1 Description of the Proposed Action

The Proposed Action includes:

- Installation of seven, twenty-five to thirty-foot high sculptures of painted limestone boulders set on pre-cast foundations within a 100 foot by 100 foot area (0.23 acres);
- Use of a temporary working area around the artwork site (encompassing an area of approximately 100 feet beyond the artwork site);
- Construction of a 0.3 acre parking lot off Las Vegas Boulevard;
- Installation of a ingress/egress pedestrian gate near the parking lot;
- Use of desert wash as part of the walking path to the artwork site (linear distance of approximately 300 feet with an average width of 8-10 feet); and
- Use of an existing two-track road during the installation phase and during the exhibition period (linear distance of approximately 1,200 feet with an average width of 20 feet during the installation phase and 12 feet during the exhibition period).

The Producers requested a ROW grant of up to 3 acres; however, it is anticipated that the final project footprint will be less than 1 acre (Figure 2-1). Legal descriptions for each of the project components are included in Appendix B.

Up to thirty limestone boulders, of varying sizes, will be used for the artwork. The boulders have been sourced from a private quarry north of Las Vegas. The sculptures will be fabricated and shaped to the Artist's specification in a fabrication area at the quarry. Each sculpture consists of stacked boulders, connected by a threaded steel rod and bolts anchored to a pre-cast concrete foundation. When the sculptures are complete, they will be disassembled at the fabrication site and each boulder will be transported via heavy-load truck to the project site for reassembly. It is estimated that up to 30 truckloads would be required to deliver the boulders and foundations from the quarry to the project site.

2.1.1 Site Layout

In consultation with the BLM, the Producers on behalf of the Artist have configured the artwork site in a manner that minimizes impacts to the surrounding desert. An existing two-track dirt road will be used for delivery and during installation of the artwork, with a portion used during the exhibition period. The distance between the existing gate and the proposed artwork site is approximately 1,200 feet. During the exhibition period, visitors will access the artwork site via a pedestrian gate near the parking lot, walk along an existing wash to the intersecting two-track road, and walk approximately 400 feet to the artwork site.

The two-track road is accessed through a barbed-wire gate approximately 180 feet east of Las Vegas Boulevard. The gate opening currently measures 16.9 inches and may need to be widened to 20-feet during the installation phase. To allow wider loads to access the artwork site during the installation period, a temporary gate will replace the existing gate on the two-track road and the road will be bladed to a maximum width of 20 feet to allow safe and reliable access to the sculpture site. The current width of the existing road measures between 10 – 15 feet, depending on location. Any disturbance created as a result of the widening of the existing road will be

restored following the installation of the sculptures. This may include placement of boulders that were removed and/or planting native shrubs, cacti or yucca as appropriate in the disturbance areas. Subject to the BLM's decision, the temporary gate will either be removed after the installation period, or following the dismantling process after the two-year exhibition.

The sculptures will be sited within an area measuring approximately 100 feet by 100 feet (0.23 acres), adjacent to, or a short distance from the two-track road. A temporary work area around the artwork site will be used for unloading the sculpture components, construction equipment turn-around, and crane placement. The temporary work area will extend approximately 100 feet beyond the sculpture footprint and total approximately 0.45 acres. Following installation of the artwork, the two-track road and the disturbance areas around the sculptures will be reclaimed per the project Restoration Plan and the terms and conditions defined in the Right-of-Way Grant.

A 0.3 acre parking lot will be constructed on the east-side of Las Vegas Boulevard, between Las Vegas Boulevard and an existing barbed-wire fence approximately 600 feet south of the two-track road. The location for the parking lot was chosen to avoid washes traversing from west to east in the area near Las Vegas Boulevard and the entrance to the two-track road. The parking lot driveway will operate in one-way clockwise direction with the north driveway serving ingress movement and the south driveway serving egress movement. The parking lot will be graveled with the exception of the handicapped-accessible parking spaces which will be asphalt/concrete per Clark County requirements. To delineate the extent of the parking lot, small boulders will be placed around the perimeter to restrict vehicular access outside the parking lot.

A pedestrian ingress/egress gate will be installed near the parking lot. An existing wash between the parking lot and the two-track road will be used to access the sculptures. The use of this natural meandering walking path will allow for greater appreciation of the artwork against the surrounding landscape. Directional signage will be placed within the parking area, along the wash and two-track road. Minimal alterations will be made within the wash to delineate the proposed pathway. To the extent possible, vegetation will not be removed. Rocks and boulders may be placed along the edge of the wash to delineate the designated path. No mechanical alterations will be made within the bed of the wash.

Informational signage explaining the conceptual framework of the artwork and warning signs cautioning against climbing on or disturbing the sculptures, warning of the presence of possible poisonous reptiles, and other possible hazards will be located within the parking lot. Contact information for the Producers will be provided for additional information about the artwork and to arrange for special tours.

2.1.2 Installation Process

Installation of the artwork would be sequenced over a 2 to 3 week period before the, exhibition opening anticipated in March 2016. Prior to any surface disturbance, a desert tortoise clearance survey will be conducted. Appropriate flagging will delineate work area boundaries. If desert tortoises are found, they will be removed by a qualified biologist per the terms and conditions outlined in Biological Opinion No. 84320-2010-F-0365-R003. Desert tortoise fencing will be installed per the terms and conditions outline in the Biological Opinion and in consultation with the BLM biologist.

The 0.3 acre parking lot will be installed first, and will be used for construction and vehicle parking during the sculpture installation process. The parking lot will be graded and covered

with gravel with the exception of the handicapped-accessible parking spaces which will be asphalt/concrete per Clark County requirements. Vegetation between the bus and vehicle parking area, will not be removed. To delineate the extent of the parking lot, small boulders will be placed around the perimeter to restrict vehicular access outside the parking lot.

Approximately one week before the sculptures are transported to the project site for installation, each sculpture location will be excavated for placement of the pre-cast concrete foundations and sculptures. The excavations will be completed with a small backhoe (CAT 420 size or similar). Each concrete foundation will measure approximately 13 feet by 13 feet by 2.5 feet and will be set approximately 6 inches below ground level to allow for covering of the pad and restoring of land. The excavation spoils will be spread onsite and used as backfill at the end of the project.

The sculptures will be delivered in sequence, beginning with the pre-cast foundation, followed by each boulder that comprises the sculpture. A crane would be used to lift each boulder from the transport vehicle and to set each piece. Steel rods and threaded bolts would secure each piece and would be tightened as the boulders are stacked. It is anticipated that 1 to 2 sculptures may be installed per day.

Prior to transport from the fabrication site, each boulder will be painted. To achieve the desired result, the stones will be primed with white etching primer, followed by a pure white outdoor dispersion paint sprayed over the surface. A quick-drying, water-based pigmented fluorescent acrylic paint will be sprayed on the treated surface, followed by a final coat of water-based ultraviolet non-toxic spray to protect the paint from fading and flaking. If required, the sculpture may require paint touch-ups once installed.

During the installation process, 3 to 5 workers, including an authorized desert tortoise biologist, will be onsite. All work will be conducted during daylight hours. Construction equipment and vehicles will include a backhoe, a grader, up to 30 diesel trucks with low-boy trailers used to transport the boulders, up to 2 cranes to install the sculptures, one water truck, and worker pickups and service trucks. Construction equipment and vehicles will access the artwork site via the two-track road and use the temporary work area around the site for staging and turn-around. The temporary work area around the sculpture site will extend approximately 100 feet beyond the 0.24 acre sculpture footprint. After installation is complete, all disturbed areas around the sculpture site and along the two-track road would be reclaimed per the project Restoration Plan and the terms and conditions defined in the Right-of-Way Grant.

To retain the natural setting within the artwork footprint and other disturbed areas following the installation of the sculptures, the contractor may employ the following measures: rock mulch salvage and/or application of a BLM-approved rock colorant. Rock mulch salvage is the collection and stockpiling of surface rock mulch prior to grading. Grading equipment will accumulate the rock mulch in windrows or stockpiles within the artwork site. After installation, this mulch will be applied to the surface. If the rocks cannot be salvaged, the contractor will install similar rock material to restore the disturbed areas. These methods are described further in the Restoration Plan.

2.1.3 Waste and Hazardous Materials Management

The Producers' General Contractor will prepare a project-specific Environmental Health and Safety Plan for the proposed project. The Environmental Health and Safety Plan would outline all installation activities and identify all potentially hazardous substances that may be used at the

site during the installation process, their use, and proper disposal requirements. In addition, the Plan would identify specific onsite hazards and safety control measures.

During installation of the artwork, a sanitary service will be contracted to provide and maintain a portable toilet onsite. After the installation is complete, the portable toilet will be removed.

The General Contractor would implement a continuous cleanup program throughout the installation period. All waste materials and debris would be collected, hauled away, or disposed of at approved disposal sites. Refuse and trash, including stakes and flags, would be removed from the site and disposed of in an approved manner. No onsite maintenance of project vehicles or construction equipment is authorized. Petroleum products or other authorized chemicals will be properly contained and removed from the site in accordance with Federal, state and local waste disposal regulations and BLM policy. No open burning of any kind would occur on BLM-administered lands.

If onsite touch-up painting is required, BLM approved best management practices and protective control measures will be employed to ensure that no over-spray impacts the surrounding environment. These measures may include the use of a containment system and implementation of a wind monitoring program during the spraying process. Spill cleanup kits would be available so that paint spills or leaks of vehicle fluids could be quickly cleaned up for proper disposal.

2.1.4 Exhibition Period

The exhibit would be open for viewing, free of charge, 24 hours a day for the two-year exhibition period.

The *Seven Magic Mountains* exhibition opening is anticipated in March 2016. The exhibition opening will include an off-site event at the ARIA hotel in Las Vegas. Invited guests will be bused to the site for viewing of the exhibition. Each bus, accommodating up to 50 passengers, will be used to transport guests to the site for a personal tour given by the Artist. The tours will be staggered over a 2-3 hour period beginning in the afternoon of the exhibition opening. It is anticipated that up to 200 guests will attend the opening day event.

Up to two portable toilets will be delivered and set up in the parking lot during the afternoon of the exhibition opening. The portable toilets will be removed after the event, either during the evening or early the following morning. Guests will likely be on site for less than 90 minutes.

The Producer's anticipate the exhibition opening will be filmed. The filming crew will consist of up to three people, including a videographer and his/her assistants. All filming will occur within or near the proposed artwork site. Filming activities will not disturb the landscape nor impact the environment.

Up to six Producer-sponsored events are anticipated over the 2-year exhibition period. No more than 100 guests are anticipated at each of these events. It is anticipated that the format of future Producer-sponsored events will be structured similar to the exhibition opening and like the exhibition opening, the events will be by invitation only. Prior to hosting these events, the Artist and/or Producers will consult with the BLM Las Vegas Field Office to ensure the SRP and Film Permits are adequate for the event.

An animal-proof trash receptacle will be provided in the parking lot during the exhibition period. The Producers will contract with an entity to conduct weekly inspections of the parking lot and artwork site and ensure trash is removed.

2.1.5 Removal / Restoration

Removal of the physical features of the artwork and parking lot would commence immediately after the two-year exhibition period and would be completed within a 2-3 week period, weather permitting. The sculptures, including the foundations, will be dismantled and each piece will be loaded onto a heavy-load truck and removed to an offsite location. Up to 30 truckloads will be used to transport the artwork offsite.

All disturbed areas, including the sculpture site, parking lot, and walking trail, would be reclaimed per the project Restoration Plan and the terms and conditions defined in the Right-of-Way Grant.

2.2 No Action Alternative

The No Action Alternative means that the ROW grant would not be approved, and the proposed artwork would not be installed.

2.3 Alternatives Considered but not Analyzed in Detail

The Artist visited the project area in late 2012 and early 2013 to identify locations that would incorporate and capture his artistic objectives. The Jean Dry Lake landscape as viewed from travelers along I-15 and Las Vegas Boulevard is a key element of the Artists vision. The primary objective of the artwork is to provide a significant visual experience using the Jean Dry Lake playa and surrounding mountains as the backdrop. The artwork is meant to be viewed by travelers to and from Las Vegas as a foreground element in this landscape.

In consideration of these objectives, the Artist identified several segments along the I-15 and Las Vegas Boulevard corridor that would allow the most optimal viewing experience. Several locations along a 2.5 mile stretch were identified, but were eliminated due to topography, conflicts with OHV routes, and potential access issues. Other alternatives considered included spacing and height configuration of each artwork. Ultimately, the requested ROW area was chosen that incorporated all the elements that would convey the Artists core vision. No other locations would meet the Artist's objective.

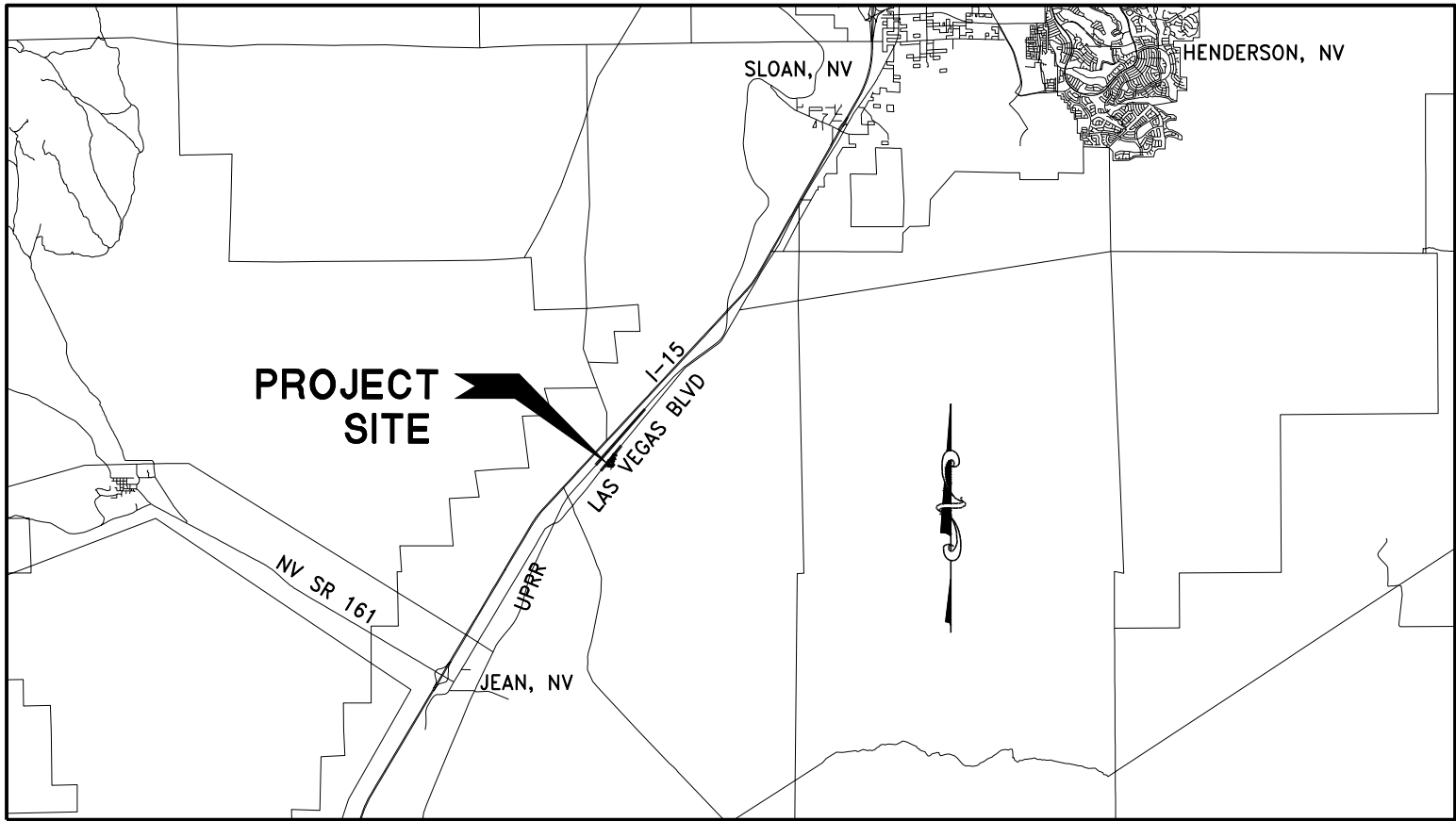
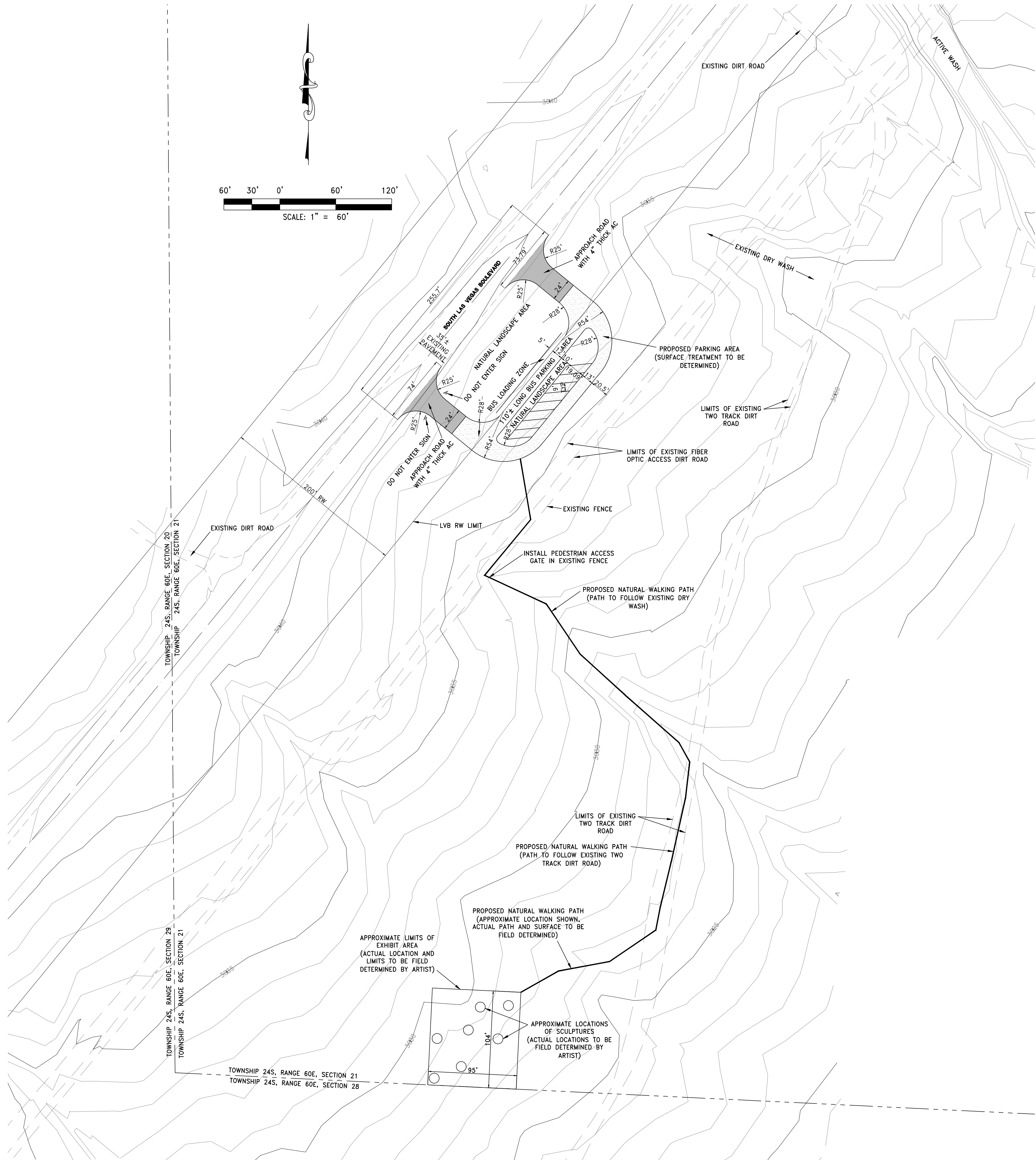
2.4 Conformance

Approximately 2.5 million acres of BLM-administered lands in southern Nevada are managed under the Las Vegas RMP and Final Environmental Impact Statement (BLM 1998). The RMP provides management objectives and directions for public lands within the Southern Nevada District Office for the BLM. The determination of land use plan conformance rests on how consistent the action is or is not with the specific resource management objectives and decisions within the RMP.

In general, the proposal is broadly consistent with the overall RMP objective, whereas:

“All public lands within the planning area, unless otherwise classified, segregated or withdrawn, and with the exception of Areas of Critical Environmental Concern and Wilderness Study Areas, are available at the discretion of the agency, for land use leases and permits under Section 302 of Federal Land Policy and Management Act and for airport leases under the authority of the Act of May 24, 1928, as amended.”

The Jean/Roach Lake SRMA is managed by the BLM “*for intensive recreation opportunities, including competitive OHV races and other recreational events, as well as dispersed recreational use and commercial activities*”



VICINITY MAP
NOT TO SCALE

SITE PLAN FOR SEVEN MAGIC MOUNTAINS

A PORTION OF APN 204-21-000-003 & 204-29-000-003
CLARK COUNTY, NEVADA
2.9 +/- ACRES

OWNER

USA/BLM
US DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
LAS VEGAS FIELD OFFICE
4701 NORTH TORREY PINES DRIVE
LAS VEGAS, NEVADA 89130
PH 702-515-5000 FAX 702-515-5023

DEVELOPERS

ART PRODUCTION FUND
15 WOOSTER STREET
NEW YORK, NEW YORK 10012
PH 212-966-0193 FAX 212-966-1561

SEVEN MAGIC MOUNTAINS PRODUCTION, LLC
C/O NEVADA MUSEUM OF ART

160 WEST LIBERTY STREET
RENO, NEVADA 89501
PH 775-329-3333 FAX 775-329-1541

DESIGN ENGINEER:

RCI Engineering

4325 Dean Martin Drive Suite 300 Las Vegas, Nevada 89103
PH#702.453.0800 FAX#702.453.0801

PARKING ANALYSIS

OUTDOOR EXHIBIT AREA = 9880± SQ. FT.
PARKING SPACES REQUIRED PER TITLE 30.60, TABLE 30.60-1
CULTURE USE - MUSEUM:
33 STANDARD
32 HANDICAP
PARKING SPACES PROVIDED:
8 STANDARD
0 HANDICAP
2 BUSES

LEGAL DESCRIPTION

IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION 20, THE SOUTHWEST QUARTER (SW1/4) OF SECTION 21, THE NORTHEAST QUARTER (NE1/4) OF SECTION 29, AND THE NORTHWEST QUARTER (NW1/4) OF SECTION 28, TOWNSHIP 24 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA

BENCHMARK

CLARK COUNTY VERTICAL CONTROL v.2003
STATION OC31/19SEE6/2000 - A RIVET AND ROUND ALUMINUM PLATE IN A CONCRETE ELECTRICAL PAD, WEST SIDE OF SR 604, +/- 100 FEET SOUTH OF I-15 NORTHBOUND ON RAMP. ELEVATION = 2695.677.

BASIS OF BEARINGS

SOUTH 00°24'43" EAST ALONG THE WEST LINE OF SECTION 21, TOWNSHIP 24 SOUTH, RANGE 60 EAST, M.D.M. AS SHOWN ON FILE 180, PAGE 64 OF SURVEYS IN THE CLARK COUNTY RECORDER'S OFFICE, NEVADA.

DATE	REV	DESCRIPTION	BY	APPD	DATE
APR 28, 2015					
HORIZ. SCALE: 1"=60'					
VERT. SCALE: N/A					
DRAWN BY: JIL					
DESIGNED BY: JIL					
CHECKED BY: JIL					
APPROVED BY: JIL					
PROJECT #:					
4440.0001					
SEVEN MAGIC MOUNTAINS PRODUCTION, LLC					
C/O NEVADA MUSEUM OF ART					
160 WEST LIBERTY STREET					
RENO, NEVADA 89501					
PHONE: 775-329-3333 FAX: 775-329-1541					
RCI Engineering					
4325 Dean Martin Drive Suite 300, Las Vegas, NV 89103					
PH#702.453.0800 FAX#702.453.0801					
NEVADA					
CLARK COUNTY					
PROFESSIONAL ENGINEER - STATE OF NEVADA					
JOHN I. LAND					
Exp. 12/31/2015					
CIVIL					
No. 16441					
DRAWING					
SP-1					
SHT 1 OF 1					

3 Affected Environment, Environmental Consequences, and Mitigation Measures

The following table identifies those resources which may or may not be present within the proposed project area. Only those resources identified as being present and may be affected by the proposed project are analyzed further in this EA.

Table 3.1 Resources Analyzed		
Resource	Determination¹	Rationale
Air Quality	PI	Carried forward for analysis. See section 3.2.
Area of Critical Environmental Concern	NP	The proposed project area is not within an Area of Critical Environmental Concern.
Cultural Resources	NI	The proposed project area has been subject to previous cultural resources surveys as part of the development for the I-15 corridor. One historic refuse site – 26CK7635 – has been previously recorded within the Area of Potential Effects of the undertaking. The site was determined not to be eligible to National Register of Historic Places (NV SHPO concurrence 5/4/2009). The action will have “no effect” significant cultural resources under Section 106 of the National Historic Preservation Act (Section 106) and the BLM-NV State Protocol Agreement; no issues.
Greenhouse Gas (GHG) Emissions	NI	Currently there are no emission limits for suspected GHG emissions and no technically defensible methodology for predicting potential climate changes from GHGs emissions. However, there are, and will continue to be, several efforts to address GHG emissions from federal activities, including BLM authorized uses.
Environmental Justice	NP	No minority or low-income communities are present in the project area.
Farmland (Prime and Unique)	NI	There are no prime or unique farmland designations in the BLM Las Vegas District.
Fish and Wildlife excluding Federal-listed species	NI	Wildlife species in the general area include mammals, birds, invertebrates, and reptiles. Additionally, the BLM is directed to conserve

¹ NP: Not Present in the area impacted by the proposed or alternative action; NI: Present, but not affected to a degree that detailed analysis is required; PI: Present with potential for relevant impact that need to be analyzed in detail in the EA.

Table 3.1 Resources Analyzed		
Resource	Determination₁	Rationale
		<p>special status species through BLM Manual 6840 – Special Status Species. These sensitive species, including western burrowing owl, Mojave shovel-nosed snake, desert glossy snake, and Mojave sidewinder, may be present in the general area.</p> <p>Wildlife species in the general area are common and widely distributed throughout the area and any loss of some individuals and/or their habitat should have a negligible impact on populations of the species throughout the region. Impacts to BLM Sensitive Species are not anticipated to lead to further decline of the species range wide. Any impacts to sensitive species would be avoided and/or minimized through the adherence to the terms and condition provided for this project.</p>
Floodplain	NP	There are no FEMA designated floodplains present in the project area.
Fuels and Fire Management	NI	Fire restrictions are generally enacted May through October. Compliance with fire restrictions is mandatory while fire restrictions are in place. In the event of an unplanned ignition that causes a wildfire the Producers 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.
Soils/ Geology / Mineral Resources	PI	Carried forward for analysis. See section 3.3.
Hydrologic Conditions	NI	Project location and size will not impact hydrologic conditions of the area.
Invasive Species/Noxious Weeds	NI	Minimal surface disturbance for this project poses no serious threats to spread of Invasive Species / Noxious Weeds. All project actions must conform to applicable Best Management Practices and standard BLM weed stipulations.
Lands/Access	PI	Carried forward for analysis. See section 3.4.
Livestock Grazing	NP	The proposed project area is not located in any authorized grazing allotments.

Table 3.1 Resources Analyzed		
Resource	Determination₁	Rationale
Migratory Birds	PI	Carried forward for analysis. See section 3.5.
Native American Religious Concerns	NI	Based on relevant previous Native American consultations / coordination there are no known issues that relate to Native American Religious Concerns within the area of concern.
Paleontology	NI	Based on review of relevant maps and literature, there are not any known paleontological resources in the vicinity.
Rangeland Health Standards	NP	The proposed project area is outside of an active grazing allotment.
Recreation	PI	Carried forward for analysis. See section 3.6.
Socioeconomic Resources	PI	Carried forward for analysis. See section 3.7.
Threatened Endangered or Candidate Plant Species	NP	Based on known occurrences and habitat requirements, not present.
Threatened Endangered or Candidate Animal Species	PI	Carried forward for analysis. See section 3.8.
Wastes (Hazardous or Solid)	NI	Standard stipulations will be included in the grant document. A solid/hazardous waste plan must be prepared and implemented for the duration of the project, including potential hazardous/biologic wastes that could occur during the life cycle and deconstruction of the project.
Water Resources / Quality (Drinking/Surface/Ground)	NI	The proposed action may alter surface water flows through disturbance of the site. To the extent possible, areas of temporary disturbance should be restored to pre-disturbance conditions (See Project Reclamation Plan).
Wetlands / Riparian Zones	NP	No permanent surface waters or wetlands exist in or near the project area.
Woodland / Forestry	NI	Cactus and yucca may be present within the project impact area. Cactus and yucca are considered government property and are regulated under the Nevada BLM forestry program. If unable to be avoided, all cactus and yucca within permanent and temporary impact areas must be salvaged and replanted at the closest BLM salvage stockpile.

Table 3.1 Resources Analyzed		
Resource	Determination₁	Rationale
		Unless otherwise directed by the BLM botanist, all replanted cactus and yucca must be watered and otherwise maintained for a period of one year. To ensure successful salvage and transplant, all cactus and yucca must be salvaged using a BLM-approved botanist with at least three years' experience salvaging and maintaining plant materials in the Mojave or Sonoran Deserts.
Vegetation excluding Federally-listed Species	NI	Based on known occurrences and habitat requirements, there are no BLM sensitive species within the area. Therefore, no impacts to BLM sensitive species are expected. Once project concludes, revegetation of the entire project area is required. A revegetation plan must be developed according to the current BLM guidelines and requires review by BLM Botanist. Normally a revegetation plan last 5 years and performance criteria must be achieved.
Visual Resources	PI	Carried forward for analysis. See section 3.9.
Wild Horses and Burros	NP	The proposed project is not located in an active herd management area. There will be no impacts to wild horses or burros.
Lands with Wilderness Characteristics	NP	There are no designated lands with wilderness characteristics within the project area.

3.1 General Setting of the Proposed Artwork Site

The project area is located east of Las Vegas Boulevard approximately 10 miles south of the intersection of Las Vegas Boulevard and St. Rose Parkway, between Knight Ranch Road and Light Haul Road, and approximately 5 miles north of the unincorporated town of Jean, Nevada. The site is generally bound by a two-track dirt road and barbed-wire fence to the west-northwest, with vacant land, Las Vegas Boulevard, Union Pacific Railroad (UPRR) tracks, and the I-15 freeway beyond and vacant land to the northeast, southeast, and southwest. The site is approximately 2.5 miles northwest of the western edge of Jean Dry Lake bed. The McCullough Mountain Range bounds the eastern and northern edge of the Jean Dry Lake, with the Sheep Mountain forming a divide between the project area and the Town of Jean, Nevada.

The project site is within the Sonora-Mojave Creosote bush-White Bursage Desert Scrub vegetation community. Creosote (*Larrea tridentata*) is the most common species found within the Project area. Other less dominant species include mojave yucca (*Yucca schindegera*),

brittlebush (*Encelia frutescens*) and a variety of cactus (cholla, beavertail, and hedgehog cactus).

3.2 Air Quality

3.2.1 Affected Environment

The project area is located in the Mojave Desert west of the Jean Dry Lake bed at an elevation of approximately 2,980 to 3,040 feet above mean sea level. The elevation of the surrounding mountain ranges along with the lower elevations of the valley creates discernible air quality effects in the valley as the mountain ranges keep pollutants within the valley. Sources of criteria pollutants in the vicinity of the project area include commercial and small-scale industrial sources near Sloan, windblown dust, fugitive dust from OHV use on the lakebed and emissions and fugitive dust from vehicles traveling on I-15 and Las Vegas Boulevard.

The nearest air quality monitoring station is located approximately 5 miles south of the project area in Jean, Nevada (AQS# 32-003-1019). The primary objective of this monitoring site is to monitor transport pollutants from southern California. Ozone, PM₁₀ and continuous and filter-based PM_{2.5} are also monitored at this location (Clark County 2012). The Clark County Department of Air Quality (DAQ) is the jurisdictional agency that regulates air pollutant emission sources and enforces air quality regulations in the area.

3.2.2 Environmental Consequences

3.2.2.1 No Action Alternative

Under the No Action Alternative, the artwork would not be installed; therefore, no project related effects on air quality would occur.

3.2.2.2 Proposed Action

Air emissions associated with the installation phase of the proposed project are expected to be short-term and chiefly associated with ground-disturbing activities during the 2-3 week installation period and decommissioning. The General Contractor, in order to comply with air quality regulations and Clark County DAQ dust control permit requirements, would use water to control dust and stabilize soils at the project site. The project area is located outside Clark County's PM₁₀ area therefore there are no special treatment requirements for the parking lot (Richter 2015).

During the two-year exhibition period, with the exception that minor fugitive dust may occur from pedestrian use of the site, no major contributions to air emissions would be generated on site. However, due to the increase in vehicle traffic to the site, and potential attraction of casual OHV activity to the site, increases in fugitive dust and vehicle emissions are likely to occur.

The Artist and/or Producers will occasionally host special events at the artwork site. Prior to hosting these events, the Artist and/or Producers will consult with the BLM Las Vegas Field Office to ensure the SRP and Film Permits are adequate for the event. No air quality impacts are anticipated during these temporary events.

3.2.3 Mitigation

To reduce impacts on air quality, the General Contractor on behalf of the Producers, would 1)

prepare a project-specific Dust Control Plan; and 2) since surface disturbance is greater than 0.25 acres, obtain and comply with the Clark County DAQ Air Quality Permit. Water will be used to reduce fugitive dust during the installation period.

The Producers will be responsible for ensuring the artwork site remains stabilized during the exhibition period, specifically, the parking and previously undisturbed areas. Stabilization of the project and associated areas will become part of the decommissioning phase, at the end of the exhibition period.

3.3 Soils, Geology, Mineral Resources

3.3.1 Affected Environment

The project area is located in the northern portion of the Ivanpah Valley west of Jean Dry Lake. The Jean Dry Lake is the terminus of large alluvial fans which drains westward out of the McCullough Range. Only after significant rainfall events does water accumulate in the normally dry lake bed. The soils in the area consist of alluvial, aeolian, and playa deposits which are surrounded by steeply sloping alluvial aprons of gravel and sand. Some of the alluvial fan surfaces exhibit poorly to moderately well-developed desert pavement with desert varnish. Desert pavement is a feature consisting of closely packed clasts (rock fragments), lying in a layer one to two deep, on fine soils or embedded in soils several centimeters to several meters thick (Cooke, 1970). Desert pavement covers many slightly inclined landforms including alluvial fans, basalt flows, pluvial lake benches, and ancient alluvial terraces in the desert southwest (Cooke *et al.*, 1993).

A geotechnical investigation to evaluate the earth materials underlying the site and to provide recommendations for project design and installation of the proposed sculptures was conducted by GeoTek, Inc. on December 18, 2014 (GeoTek 2014). The investigation characterized the geologic and geotechnical conditions of the site based on current data, and provided earthwork and construction recommendations to the structural and civil engineers for the project with respect to those conditions.

There are no mining claims on or near the artwork site. Mineral materials, which include sand and gravel, are public property and administered by the BLM under the regulations at 43 CFR 3600 (Mineral Materials Disposal) and the Federal Aid to Highway Act. Any mineral materials extracted, severed or removed from public lands require a permit.

3.3.2 Environmental Consequences

3.3.2.1 No Action Alternative

Under the No Action Alternative, the artwork would not be installed; therefore, no project related effects to soils, geology, or mineral resources would occur.

3.3.2.2 Proposed Action

The Proposed Action is not expected to produce excess mineral materials. Soils removed for installation of the foundations will be spread onsite and used as backfill at the end of the project.

Prior to hosting special events during the exhibition period, the Artist and/or Producers will consult with the BLM Las Vegas Field Office to ensure the SRP and Film Permits are adequate for the event. No impacts to soils, geology or mineral resources are anticipated during these events.

3.3.3 Mitigation

All mineral materials will be used on site within the ROW. If mineral materials are stockpiled on site for future disposal by the BLM, a mineral material contract, free use permit or material site ROW must be issued by the BLM before those mineral materials may be used.

3.4 Lands and Access

3.4.1 Affected Environment

The proposed artwork site is located in an uninhabited area approximately 10 miles south of Las Vegas Boulevard and St. Rose Parkway, between Knight Ranch Road and Light Haul Road, and approximately 5 miles north of the unincorporated town of Jean, Nevada. Surrounding land use includes transportation and utility infrastructure, OHV trails, and open desert.

The proposed artwork site is located within a legislatively designated corridor. This corridor extends along I-15 south of the Las Vegas Valley to the state line borders of Nevada and California. Pursuant to the 2002 Clark County Conservation of Public Land and Natural Resources Act [Public Law 107–282], this corridor is legislatively restricted to a width of 2,640 feet between the Las Vegas Valley and the proposed Southern Nevada Supplemental Airport for the placement, on a non-exclusive basis, of utilities and transportation. The corridor is managed for multiple use purposes subject to any land management designations under Las Vegas RMP, or the Clark County Multi-species Habitat Conservation Plan. Subject to valid existing rights, the corridor is withdrawn from location and entry under the mining laws and from operation under the mineral leasing and geothermal leasing laws until the Secretary of the Interior terminates the withdrawal or the corridor or land, respectively, is patented.

An AT&T fiber-optic line is located adjacent to the barbed-wire fence between Las Vegas Boulevard and the proposed artwork site. AT&T has confirmed that the proposed project does not conflict with AT&T's fiber-optic line (AT&T 2015).

The project area falls within the South County Planning Area; a special planning sub-region for Clark County. Las Vegas Boulevard south of the Sloan intersection is under the jurisdiction of Clark County. The Producers have obtained a Special Use Permit for the proposed project (Clark County 2015).

Due to the scenic and visual quality of the Jean Dry Lake and surrounding mountains, the lakebed is commonly used by professional movie crews and commercial photographers. Pursuant to Public Law 106-206, which BLM has implemented through Instruction Manual 2004-073, the BLM requires a film permit for any type of commercial filming on or near the Jean Dry Lake.

The Producer's anticipate portions of the installation process and the exhibition opening will be filmed. The filming crew will consist of up to three people, including a videographer and his/her assistants. All filming will occur within or near the proposed artwork site. The action will not disturb the landscape nor impact the environment.

3.4.2 Environmental Consequences

3.4.2.1 No Action Alternative

Under the no action alternative, the artwork would not be installed; therefore, no project-related impacts to land use or access would occur.

3.4.2.2 Proposed Action

Installation of the artwork would not prevent other authorized land uses and due to its temporary nature, the artwork would not impact future land use authorizations or ROWs in the project area (AT&T 2015; Southern Nevada Supplemental Airport 2015).

Prior to hosting special events during the exhibition period, the Artist and/or Producers will consult with the BLM Las Vegas Field Office to ensure the SRP and Film Permits are adequate for the event. No impacts to lands and access are anticipated during these events.

3.4.3 Mitigation

Mitigation measures included in attached stipulations.

3.5 Migratory Birds

3.5.1 Affected Environment

The Migratory Bird Treaty Act (MBTA) of 1918, and subsequent amendments (16 USC 703–711), states that it is unlawful to take, kill, or possess migratory birds. The MBTA protects migratory birds and their nests. The list of birds protected under this regulation is extensive and the project area has potential to support many of these species. During the breeding season (from February 15 through August 31) is when these species are most sensitive to disturbance. It is assumed that the project area may contain potential nesting and foraging habitat for a wide range of migratory birds. The following sensitive bird species could potentially be impacted by the Proposed Action.

Western burrowing owl (*Athene cunicularia hypugaea*)

The Western burrowing owl is a diurnal bird of prey specialized for shrub-steppe habitats. Burrowing owl habitat typically consists of open, dry, treeless areas on plains, prairies, and desert floors (Haug et al. 1993). Burrowing owls most frequently use burrows created by other animals such as kit fox, coyotes or desert tortoises. The burrows are used for nesting, roosting, cover, and caching prey. In recent decades, the range and species count have been declining primarily due to agricultural, industrial, and urban development that reduce burrow availability.

3.5.2 Environmental Consequences

3.5.2.1 No Action Alternative

Under the No Action Alternative the artwork would not be installed; therefore, no project related impacts to migratory birds would occur.

3.5.2.2 Proposed Action

Migratory birds, including the BLM sensitive species, western burrowing owl, may be present on the project site. Migratory birds in the area may be disturbed and/or displaced by noise, construction, and through removal of up to 2 acres of nesting and foraging habitat on the project site. There is the potential to disturb nesting birds within or immediately adjacent to the project area during the installation period. To comply with the MBTA and avoid potential impacts to protected birds within the project area, the following minimization measures will be undertaken during the installation period:

- If installation of the artwork occurs during the breeding season (generally between February 15th and August 31st), a qualified biologist will survey the area for nests

immediately prior to commencement of construction activities. This shall include burrowing and ground nesting species in addition to those nesting in vegetation. If any active nests are found, an appropriately-sized buffer area would be established and maintained until the young birds fledge. The buffer area must connect to suitable, undisturbed habitat.

- No artificial lighting will be provided during the exhibition except during certain special events.

Western burrowing owl

The direct impacts of the Proposed Action on western burrowing owl would be the loss of up to 2 acres of nesting habitat and forage, mortality and harassment of individual animals, and decrease in habitat value of adjacent remaining “wildland” areas due to increased human activity in the area. The species is protected by the MBTA and the Producers will be required to adhere to the following minimization measures:

- If authorization for the project is provided prior to the breeding season of burrowing owls (mid-March – through August), collapse all burrows, holes, crevices, or other cavities on the artwork site after a qualified biologist thoroughly checks them for inhabitants. This will discourage owls from breeding on the site.
- If authorization for the project is not provided until after the commencement of breeding season and burrowing owls can be seen within the area during surveys, a qualified biologist must rely on behavioral observations to determine their breeding status. If breeding behavior is observed, one should assume that an active nest is present and the area should be avoided until the chicks fledge to ensure the nest is not abandoned. The total nesting cycle takes a minimum of 74 days, during which time installation activity would need to cease on the site. Generally, eggs may be laid between mid-March to the end of May, and young may be present from mid-April through August.
- A combination of the behaviors listed below may indicate the presence of an active nest, however these are meant to be used as a guide. For a proper determination of breeding status, a biologist with avian behavioral experience should be consulted to interpret the owls breeding status.
 - A pair of owls is observed constantly at a site and then only one owl is seen. This is an indication that the pair may have chosen a nest burrow, and the female has gone below to lay and incubate eggs. Once incubation begins the female rarely leaves the burrow.
 - An owl is frequently seen carrying food to the burrow. The male provides food for the female while she is incubating eggs. The best time of day to observe owls is dawn and dusk, but they can be active throughout the day. The male will most likely leave the food in front of the burrow and the female will come to the entrance to take the food. This is probably the best indication that the owls have an active nest.

- Only one owl has been seen for a while, but all of a sudden two owls are seen again. This would indicate that the eggs have hatched, and the female has emerged from the burrow to assist the male in hunting for food to feed the chicks. The chicks will appear at the burrow entrance when they are about 10 days old.

Prior to hosting special events during the exhibition period, the Artist and/or Producers will consult with the BLM Las Vegas Field Office to ensure the SRP and Film Permits are adequate for the event and there are no conflicts with migratory birds.

3.5.3 Mitigation

No additional mitigation measures are required.

3.6 Recreation

3.6.1 Affected Environment

The project area is located within the 216,300-acre Jean/Roach Lake Special Recreation Management Area (SRMA). The Jean/Roach Lake SRMA is managed by the BLM “for intensive recreation opportunities, including competitive OHV races and other recreational events, as well as dispersed recreational use and commercial activities” (BLM 1998).

Special recreation permits are required by the BLM for certain recreational activities on or near the Jean Dry lakebed. These permits must be applied for at least six months in advance of the event. OHV high-speed events typically occur during the winter and summer months. These events average approximately 8,000 visitors per event, with some events bringing over 20,000 per event (BLM 2014).

3.6.2 Environmental Consequences

3.6.2.1 No Action Alternative

Under the no action alternative, the artwork would not be installed; therefore, no project-related impacts to recreational resources would occur.

3.6.2.2 Proposed Action

The proposed artwork site is located approximately 0.3 miles west of a competitive OHV race route and high-speed event main route. Installation activities would be sequenced over a 2 to 3 week period, beginning in late February or early March 2016 with an exhibition opening anticipated in March 2016. The Producers will coordinate the installation activities, the exhibition opening, and future Artist and/or Producer-sponsored events with the BLM Las Vegas office to avoid conflicts with scheduled events during the installation period.

The sculptures will be sited adjacent to an existing two-track road. However, the artwork could attract casual recreationist to the site, potentially traveling cross country and creating route proliferation and resource damage.

Prior to hosting special events during the exhibition period, the Artist and/or Producers will consult with the BLM Las Vegas Field Office to ensure the SRP and Film Permits are adequate for the event and there are no conflicts with other recreational uses occurring at the same time.

3.6.3 Mitigation

The Producers have had discussions with BLM recreation specialists and OHV representatives to

discuss ways to educate off-road users about impacts of route proliferation and protection of the artwork.

3.7 Socioeconomics

3.7.1 Affected Environment

The proposed project is a temporary public artwork that is intended to enrich the viewer's appreciation of the natural landscape, including the Jean Dry Lake area and the surrounding mountains. The artwork will provide a recreational, educational, and social venue that highlights the historic significance of land art in the Jean Dry Lake area.

3.7.2 Environmental Consequences

3.7.2.1 No Action Alternative

Under the no action alternative, the artwork would not be constructed, and there would be no change in socioeconomic conditions. Temporary socioeconomic benefits from visitors traveling to southern Nevada to view the artwork and the educational opportunities would not be realized.

3.7.3 Proposed Action

During the exhibition period, the Producers anticipate the site will be visited by thousands of local residents and tourists and will become a topic of discussion in the Las Vegas art community, providing a model for how the local art scene can be invigorated by internationally important and newsworthy projects set in the natural landscape outside the customary art venues.

The artwork will impact more than the residents and visitors in Southern Nevada, with millions seeing the artwork in media and online over the two year exhibition period and beyond. The artwork will attract sophisticated international art audiences who are known to travel considerable distances to participate in art events such as Venice, Italy (The Venice Biennale), Miami Beach, Florida (Art Basel Miami Beach) and Marfa, Texas (Chinati Foundation and Prada Marfa). Las Vegas is a world class tourism destination, with many attributes that are highly prized by visitors. However, tourism is a highly competitive business that is subject to changes in the business cycle. A substantive art installation like *Seven Magic Mountains* could generate a significant economic impact in new visitor dollars injected into the Southern Nevada economy.

3.7.4 Mitigation

Only beneficial socioeconomic impacts are anticipated to result from installation of the artwork; therefore, no mitigation measures are warranted.

3.8 Threatened and Endangered Wildlife Species

3.8.1 Affected Environment

The project site is within the Sonora-Mojave Creosote bush-White Bursage Desert Scrub vegetation community. This vegetation community generally occurs below 4,000 feet and is the primary habitat for the desert tortoise. Disturbance activities such as grazing, development, highway and road construction, utility corridor construction, and recreational activity (casual

OHV, concentrated OHV activities, and competitive races) have fragmented habitat, increased edge effects, and created conditions that facilitate establishment on non-native annual grasses.

Threatened and endangered species are placed on a federal list by the U.S. Fish and Wildlife Service and receive protection under the Endangered Species Act of 1973, as amended. The only threatened and endangered species known to occur in the vicinity of the project area is the threatened Mojave Desert tortoise (*Gopherus agassizii*). The proposed project is not within desert tortoise critical habitat.

The Mojave Desert tortoise occurs primarily on flats and bajadas with soils ranging from sand to sandy-gravel. They are also found on rocky terrain and slopes. Tortoises occur in saltbush scrub, creosote scrub, and blackbrush scrub habitat types. Within these vegetation types, desert tortoises can potentially survive and reproduce provided their basic habitat requirements are met. These requirements include a sufficient amount and quality of forage species; shelter sites for protection from predators and environmental extremes; suitable substrates for burrowing, nesting, and overwintering; various plants for shelter; and adequate area for movement, dispersal, and gene flow.

Historical survey data indicate that the area surrounding the project site is moderate density tortoise habitat. Race survey data show 5 burrows and 2 carcasses within one-half mile of the proposed artwork site and 2 additional burrows within 1 mile (Wise 2014).

3.8.2 Environmental Consequences

3.8.2.1 No Action Alternative

Under the No Action Alternative, the artwork would not be installed; therefore, no project related effects on special status wildlife species would occur.

3.8.2.2 Proposed Action

The proposed action would directly affect less than 1.5 acres of Sonora-Mojave Creosote bush-White Bursage Desert Scrub. Of the impact, approximately 1.0 acre is expected to be temporary, the result of soil excavation during construction and drive and crush associated with parking vehicles and staging equipment and supplies. Revegetation of temporary impacts (including seeding and or planting with native species) is expected to facilitate natural recovery and reduce the time needed for natural recovery. This vegetation community is widespread in the Las Vegas and Pahrump field offices; however, it is a limited and finite resource and extremely slow to recover even with restoration. When combined with other reasonably foreseeable actions in the BLM Las Vegas Field Office planning area, the proposed action could result in a temporary incremental addition to current declines in the quality and quantity of Sonora-Mojave Creosote bush-White Bursage Desert Scrub across the Southern Nevada District and Mojave Ecoregion.

The proposed 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 U.S. Fish and Wildlife Service on effects to federally listed species. The Proposed Action has a may affect, likely to adversely affect determination for the federally threatened Mojave Desert tortoise (*Gopherus agassizii*) and no effect for its designated critical habitat, as the project is outside of this range. The Proposed Action will have no effect on any other federally listed species or designated critical habitat due to absence of the species and/or habitat.

Potential impacts to tortoise from the Proposed Action include the loss of up to 2 acres of

tortoise habitat. Since tortoises have been found in the vicinity and undisturbed habitat is located adjacent to the project site, there is potential for tortoises to wander into the project area. If not noticed and avoided during the installation phase and/or exhibition period, 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 tortoises would be killing or maiming of tortoises, displacement of individuals, the permanent loss and fragmentation of habitat, increased potential for harassment due to an increase in public access, and increased noise during installation. Indirect impacts could include the introduction and spread of weeds and increased erosion potential.

Prior to hosting special events during the exhibition period, the Artist and/or Producers will consult with the BLM Las Vegas Field Office to ensure the SRP and Film Permits are adequate for the event and there are no conflicts with desert tortoise.

3.8.3 Mitigation

Section 7 consultation for this project is covered under the current Programmatic Biological Opinion (84320-2010-F-0365.R003) contingent on compliance with the terms and conditions which have been attached to this EA for desert tortoise. Terms and conditions and minimization measures in the above Biological Opinion contain measures to avoid and minimize potential impacts, including take, to desert tortoise.

3.9 Visual Resources

The landscape character of the Jean/Roach Lake SRMA is typical of the southern Great Basin. Regional topography consists of mountain ranges arranged in a north-south orientation, separated by broad, expansive valleys. The Jean/Roach Lake SRMA, typical of this topographic composition, is bounded by the McCullough Mountain Range to the southeast and the Bird Spring Range to the northwest. These mountain ranges are dominant visual features against the Jean Dry Lake, which is a flat area devoid of vegetation and exhibits a chalky white color that contrasts with the adjacent beige to gray-greens of the Mojave Desert.

Manmade features that are visually evident from public viewing locations and have locally modified the natural character of the landscape include I-15, Las Vegas Boulevard, UPRR rail bed, a gravel quarry, a barbed wire fence that parallels Las Vegas Boulevard, overhead transmission lines, and numerous unimproved single- and double-track dirt trails and roads that crisscross the Ivanpah Valley. These cultural modifications have modified the scenic quality of the landscape in which the proposed artwork would be installed. The overall character of the area can therefore be described as semi-natural.

Visual Resources Study

The visual resource study was based upon the BLM's Visual Resource Management (VRM) System (BLM Manual 8410-1, January 1986) and addresses the potential visual effects of the proposed artwork on landscape scenic quality and sensitive viewers and compliance with VRM classifications. The visual study included inventory of visual resources, an assessment of visual resources impacts associated with the project, and a determination of compliance with VRM objectives identified in the Las Vegas RMP.

Visual Inventory

The visual inventory includes the BLM's planning-level visual resource inventory (VRI),

sensitive viewing locations and associated key observation points (KOP), and VRM classes. Following are descriptions of components that comprise the visual inventory.

VRI

The VRI provides BLM managers with a means for determining the visual values of public lands for land use planning purposes. The inventory consists of a scenic quality, sensitivity level rating units, and a delineation of distance zones. Based on a Geographic Information System (GIS) assessment using these three factors, BLM-administered lands are placed into one of four VRI classes: VRI Class I–IV. These inventory classes represent the relative value of the visual resources.

Scenic Quality Evaluation

Scenic Quality Rating Units (SQRUs) are used by the BLM to describe specific natural landscape types and cultural modifications found within the regional landscape. The designations are categorized into three classes: A (outstanding), B (above average), and C (common). The proposed artwork will be installed within the Ivanpah Valley SQRU. Based on limited landform features, minimal variety in color and low scarcity the scenic quality of the landscape is class “C”. The Jean Dry Lake and the McCullough Mountains do add interest, from an adjacent scenery perspective, to what is otherwise a very common landscape for the Southern Great Basin.

Distance Zones

The BLM has identified three distance zones in its VRM System for determining relative visibility from travel routes or observation points. These distance zones have been divided into foreground/middleground, background, and seldom seen. The foreground/middleground zone includes areas seen from viewing locations that are less than 3 to 5 miles away. Background zone areas are beyond the foreground/middleground zone, but are usually less than 15 miles away. Areas not seen as foreground/middleground or background are in the seldom seen zone. The proposed project occurs in the foreground/middleground distance zone from primary I-15, a major travel route that connects Las Vegas with Los Angeles, and Las Vegas Boulevard, which was the original connection (US Route 91) between Salt Lake City and Los Angeles.

Sensitivity Level Rating Units (SLRU)

SLRUs are designations that represent the public’s concern for the maintenance of scenic quality. A unique landform that is well known by the local community may be designated as a high rating unit, while a common landscape that does not have any particular history or recreation associated with it may be designated as a low rating unit..

Visual Resource Inventory Classes (VRIC)

VRICs are the compilation of scenic quality, Distance Zones, and sensitivity levels. These values of visual resources are combined using GIS to derive an overall value of the landscape. In the case of the proposed artwork, the VRIC is Class III.

Visual Resource Management Classes (VRMC)

VRMCs were inventoried within the study area using GIS data acquired from the BLM. BLM VRMCs are assigned to lands managed by the BLM and provide direction regarding levels of visual change within each class. The location of the proposed artwork site is designated as Class

III. The objective for VRMC III lands is to, “*partially retain the existing character of the landscape. The level of change to the characteristic landscape should be moderate.* Management activities may attract attention but should not dominate the view of the casual observer. Changes should repeat the basic elements found in the predominant natural features of the characteristic landscape”.

3.9.1 Affected Environment

3.9.1.1 Sensitive Viewing Locations and Associated Key Observation Points

Sensitive viewing locations represent locations in the landscape where it is likely that the public would view the artwork. Sensitive viewing locations are typically associated with residential, recreation, and transportation land uses. KOPs are areas located within, or along a sensitive viewing location from which a project is characterized and analyzed for potential impacts. The analysis consists of a contrast assessment using methods described in BLM Manual 8431, which include visual resource contrast rating, photo documentation of existing conditions, and the development of a simulation. Viewing locations and associated KOPs were identified based on an assessment of existing land use, viewing factors, the scale of the project, and agency consultation.

Given the relatively small scale of the proposed artwork features and the rural nature of the project area, only a limited number of sensitive viewing locations were identified, most of which are transportation routes. Viewing locations that would be potentially affected by the artwork include I-15, Las Vegas Boulevard, and the Jean/Roach Lake SRMA. Specific to the SRMA, the actual lakebed itself was deemed as the viewing location where the vast majority of the public would have views of the artwork. Based on these sensitive viewing locations, five KOPs were selected to analyze visual effects and determine compliance with Class III VRM objectives. It is important to note that KOPs are to be used to determine compliance with VRM classes. Impacts to viewers (sensitive viewing locations) and the landscape (i.e. scenic quality) use the contrast rating worksheet results to inform the investigator of potential contrast but also take into account other elements that the evaluator(s) deem key to identifying impacts. For example, the speed that viewers are traveling along I-15 and Las Vegas Boulevard factor heavily into understanding the impacts and overall perceived contrast as the project would be seen at a relatively high rate of speed (i.e. 55 miles per hour).

As described above, the only viewing locations identified in context with the project were I-15, Las Vegas Boulevard, and the Jean Dry Lake. Given the relationship between I-15 and Las Vegas Boulevard (i.e., I-15 parallels Las Vegas Boulevard and is separated by approximately 0.25 miles), KOPs 1 through 4 were selected to represent effects from both sensitive viewing locations. The primary difference between the two transportation corridors is that views from travelers using I-15 are intermittently screened by the UPRR rail bed and associated trains, whereas views from Las Vegas Boulevard are largely opened except when subtle terrain features and vegetation screen potential views of the project. Both transportation routes allow for high-speed travel, although travelers using I-15 have a slightly higher speed limit. The users are different as well. Typically, Las Vegas Boulevard is used to access the Jean/Roach Lake SRMA, a popular recreation destination for locals and tourists, while I-15 is primarily used for traveling from locations in California to Las Vegas and has a very high use volume. The following four KOPs assigned to these travel corridors were based on the need to inform the public about what level of contrast, or visual change, would occur as travelers are heading to or from Las Vegas, or

heading to Jean Dry Lake for recreational activities.

KOP 1 represents the closest point to the proposed artwork. Also, this view represents what the public would see when they enter the proposed project area. For this reason, in consultation with the BLM, KOP 1 was chosen to develop the simulation for the project. The McCullough Mountains provide a backdrop for the Jean Dry lakebed, which yields a focal landscape. KOPs 2 through 4 were identified at intervals of 0.25 miles, 0.5 miles, and 1 mile from the entrance to the artwork site, respectively. KOP 5 occurs within the Jean Dry lakebed, approximately 5 miles to the south-southeast of the project. Views from the lakebed are expansive and are dominated by the I-15 travel corridor, UPPR rail bed, Las Vegas Boulevard, and a gravel pit.

3.9.2 Environmental Consequences

3.9.2.1 No Action Alternative

Under the no action alternative, the artwork would not be installed; therefore, no project-related impacts to visual resources would occur.

3.9.2.2 Proposed Action

The visual analysis for this project will require a departure from the usual goal of minimizing a project's visibility and should instead be conducted from the perspective that a central purpose of the proposed artwork is the creation of a significant visual experience for the viewer. The artwork is intended to be a setting of contrasts. The artist envisions that the "stillness, the roughness, and the flatness of the Nevada desert will serve as a contrast to the artificial appearance of the artwork" (Ugo Rondinone, November 20, 2013).

In this context, effects to scenic quality and views were analyzed. Effects to scenic quality were based on an assessment of the naturalness of the setting and the scenic quality rating for the unit within which the artwork is proposed. Typically, those landscapes that have been previously modified would be able to absorb impacts, as compared to a pristine landscape setting. Effects to viewers were analyzed by assessing the contrast from representative KOPs as seen from the viewing locations. For example, KOP 1 represents travelers using Las Vegas Boulevard. Although the simulation appears to be from a static position, in reality, the scale of the project would only be seen as depicted in the simulation for roughly 16 seconds (assuming a speed of 55 miles per hour) and therefore contrast would be reduced based on this viewing conditions (see KOP 1 Contrast Rating Sheet). As such, and per BLM VRM policy, Contrast Rating Worksheets were developed for each KOP and are located in Appendix A.

Affects to Scenic Quality

The proposed project would be constructed in close proximity to I-15, the UPPR, Las Vegas Boulevard, and energy infrastructure (wood pole distribution lines), where these features have locally modified the setting by introducing strong geometric lines, color (primarily blacks and grays), and landform contrast. As such, effects to Class C scenic quality are anticipated to be minimal during the two-year exhibition period. Furthermore, long-term effects (beyond five years) would not occur because when the artwork removed, the site would be restored to pre-installation conditions and any modifications resulting from the proposed project would not be discernable.

Affects to Sensitive Viewers

Travelers using Las Vegas Boulevard and I-15 would have a short duration view of the artwork. Traveling at speeds from 55 to 70 miles per hour, respectively, viewers would have intermittent views of the artwork based on subtle topographical variations that occur on the east side of the I-15 corridor. Open direct views would occur within approximately a quarter mile of the site entrance for northbound and southbound travelers. At this point, views of the strong color and vertical forms would be seen for a short duration based on the typical speed associated with transportation viewers. Based on the simulation immediately west of the artwork site (see Visual Simulation KOP 1), contrast in form and color would be strong. However, based on the speed at which travelers using both I-15 and Las Vegas Boulevard are moving through the landscape, contrast resulting from the artwork would be moderate. Furthermore, the artwork would be decommissioned after two years, and therefore long-term contrast would be low to none.

Views from KOP 5, the Jean Dry lakebed, would be partially screened by intervening topography. It is anticipated that only the tops of the vertical artwork features would be visible. Given the fact that the art exhibit would be seen in context with the stated background, and the relatively small stature of the artwork, color and form contrast would be low. The vertical line and dark color of existing infrastructure will continue to dominate the view.

VRM Compliance

Based on the assessment of visual effects from the previously described KOPs, overall long-term (beyond five years) contrast for the proposed artwork would range from moderate, along Las Vegas Boulevard and I-15, to low, from Jean Dry lakebed during the two-year exhibit period. Since the site would be restored after the artwork is removed, contrast would be decreased to low. The objective for Class III landscapes is “to partially retain the existing character of the landscape. The level of change to the characteristic landscape should be moderate. Management activities may attract attention but should not dominate the view of the casual observer. Changes should repeat the basic elements found in the predominant natural features of the characteristic landscape.” It is expected that the proposed project would achieve this objective both during the exhibition and after decommission. Though within a quarter of mile approaching the artwork, from both the northeast and southwest, the project would dominate the views when viewers are looking towards the exhibition. This dominance would exponentially decrease fairly quickly to levels of moderate and finally to weak within 2 miles of the Project based on the travelers speed, intermittent screening by vegetation and topography, and the size of the artwork in context with the large-scale setting.

Although the proposed action does not meet visual resource management criteria and in the short term (2 year life of the project) this art installation does not meet visual standards, because the project will be removed and the area restored long term impacts are negligible and the project would not create long-term changes to the landscape that conflict with the Las Vegas Resource Management Plan, 1998 as amended. Visual effects would vanish after removal of facilities and restoration of disturbed sites.

3.9.2.3 Mitigation

Following installation of the artwork, areas of temporary disturbance will be reclaimed per the project Restoration Plan and the terms and conditions defined in the Right-of-Way Grant.

3.10 Cumulative Impacts

The cumulative effects of the Proposed Action in conjunction with other past, present, and reasonably foreseeable actions in the project area is anticipated to be minimal. The artwork will be exhibited for two-years, after which time, each sculpture would be removed and all disturbance areas, including the sculpture site, parking lot, and walking path will be reclaimed per the project Restoration Plan and the terms and conditions defined in the Right-of-Way Grant.

4 List of Persons, Agencies and Organizations Consulted

<u>Name</u>	<u>Purpose & Authorities for Consultation or Coordination</u>
AT&T	Notification of potential conflict with fiber-optic ROW grant. The project would not conflict with the fiber-optic line (AT&T 2015).
Clark County Comprehensive Planning	<u>Special Use Permit, Waiver of Development Standards, and Design Review. The Clark County Board of County Commissioners approved and issued Use Permit #UC-0280-15-USA on June 16, 2015. The Producers are required to comply with the Clark County Board of County Commissioners decision.</u>
Clark County Department of Air Quality	Confirmation – Parking lot is not required to be paved.
Clark County Department of Aviation	Notification of potential conflict with proposed Southern Nevada Supplemental Airport. The project would not conflict with the proposed airport.
U.S. Fish and Wildlife Service	Section 7 Consultation - PBO 84320-2010-F-0365.R003.
<u>Clark County Public Works Department</u>	<u>Per Use Permit #UC-0280-15-USA, the “Applicant is required to widen Las Vegas Boulevard South paving to accommodate a left turn lane into parking lot, to be approved by Public Works Department”. The Producers are working with the Clark County Public Works Department to develop the final engineering design or other traffic safety alternatives along Las Vegas Boulevard.</u>
<u>Goodsprings Citizen Advisory Council</u>	<u>Based on comments received on the Draft Environmental Assessment, representatives from the Nevada Museum of Art presented the project at the September 29, 2015 Advisory Council Meeting in Goodsprings, Nevada. Two council members and two members of the general public expressed concerns about the visual impact of the project to traffic safety along I-15 and Las Vegas Boulevard. Commenters indicated the project would cause a distraction to drivers along I-15 and Las Vegas Boulevard that would lead to road hazards on those</u>

roadways (e.g. rubber-necking, stopping along road). The Producers are working with the Clark County Public Works Department to develop traffic safety alternatives along Las Vegas Boulevard. In addition, the Producers are working with the Nevada Department of Transportation to install agency-approved signage along I-15 identifying the project and where drivers should exit to view the project.

A public comment period for the Seven Magic Mountains Project Draft Environmental Assessment was held from August 11, 2015 to August 25, 2015. Four comments were received and are included in Appendix C.

5 List of Preparers/Reviewers

Name	Responsibility
BLM	
Vanessa Hice	Assistant Field Manager, Division of Lands
Catrina Williams	Supervisory Realty Specialist, Project Lead
Gayle Marr-Smith	Las Vegas Field Office Manager, Environmental Justice, Socio-economic Resources
Jamie Moeini	Project Lead, Realty Specialist, Lands and Access
Carla Wise	Fish and Wildlife, Excluding Federally Listed Species; Migratory Birds; Threatened, Endangered, and Candidate Animal Species
Ashley Holcolm	Livestock Grazing; Rangeland Health Standards; Threatened, Endangered, and Candidate Plant Species; Woodland/Forestry; Vegetation Excluding Federally Listed Species
Chris Linehan	Recreation, Visual Resources
Evan Allen	Geology, Mineral Resources, Energy Production
Lisa Christianson	Air Quality, GHG, Wastes (hazardous or solid)
Krystal Johnson	Farmlands (Prime and Unique), Wild Horses and Burros
Fred Edwards	Biological Resources, Restoration
Ben Klink	Invasive Species, Noxious Weeds
Mark Boatwright	Cultural Resources, Native American Religious Concerns, Paleontology
Boris Poff	Floodplains; Water Resources Quality (drinking/surface/ground), Hydrologic Conditions, Soils; Wetlands/Riparian
Sean McEldery	Fuels and Fire Management
Nicollee Gaddis	Planning and Environmental Coordinator

Seven Magic Mountains Team	
David Walker, Executive Director/CEO JoAnne Northrup, Director of Contemporary Art	Nevada Museum of Art (Producer)
Doreen Remen, Co-Founder Yvonne Force Villareal, Co-Founder Casey Fremont, Director Kathleen Lynch, Project Manager	Art Production Fund of New York (Producer)


Name	Responsibility
Ugo Rondinone Mattias Herold Stuart Mitchell	Rondinone Studios
Sylvia Harrison, Partner	McDonald Carano Wilson Law Office
Sandra Fairchild, President	Fairchild Consulting Group, Inc. (Project Manager)
Marc Schwartz, Principal & Technical Director	EPG, Inc. (Visual Resources)

6 References

- AT&T c/o Forkert, Joseph. 2015. Letter of No Conflict with AT&T Fiber-Optic Line from Joseph Forkert to Fairchild Consulting Group dated July 17, 2015.
- BLM, 2013. Final Supplemental Environmental Impact Statement for the Silver State South Project and Proposed Las Vegas Field Office Resource Management Plan Amendment. Las Vegas Field Office, Las Vegas, Nevada. September 2013.
- _____. 2008. BLM National Environmental Policy Act Handbook H-1790-1. Washington D.C.
- _____, 1998. Las Vegas Resource Management Plan and Final Environmental Impact Statement. Las Vegas Field Office, Las Vegas, Nevada. May 1998
- Clark County, 2000. Title 30 Clark County Unified Development Code. Adopted June 21, 2000.
- _____. 2012. Clark County Annual Network Plan Report, June 2012.
- Cooke, R.U., 1970. Stone pavements in deserts. *Association of American Geographers Annals*, 60:560-577.
- Cooke, R.U., A. Warren and A. Goudie, 1993. *Desert Geomorphology*. London: UCL Press, Ltd. 526 pp.
- Geotek, 2015. Geotechnical Evaluation Seven Magic Mountains Art Installation Located on BLM-Owned Parcel between Jean and Las Vegas, Clark County, Nevada. GeoTek Project No. 12138-LV6, dated January 8, 2015.
- Haug, E., Millsap, B.A. and Martell, M.S. 1993. Burrowing Owl, in the *Birds of North America* (A. Poole and F. Gill, eds.), No. 61. Academy of Natural Science, Philadelphia.
- Heizer, Michael. 1968. Rift # 1" (1968–72; deteriorated), Nine Nevada Depressions, Jean Dry Lake, Nevada.
- Richter, Chuck 2015. Personal communication between Sandra Fairchild and Chuck Richter, Compliance Advisor with Clark County Air Quality Department on May 6, 2015.
- Silverstein, Mark 2015. Email correspondence between Mark Silverstein and the BLM regarding conflict between the Seven Magic Mountains project and the proposed Southern Nevada Supplemental Airport.
- Tinguely, Jean. 1962. *Study for an End of the World*, No. 2.
- Wise, Carla. 2014. Affected Resource Form comments on Threatened, Endangered, and Candidate Animal Species.

Appendix A: Contrast Rating Worksheet and Simulation

Date: July 17, 2014
District/Field Office: Las Vegas, NV
Resource Area: Jean/Roach Dry Lake SRMA
Activity (program): Land Art Installation

Project Name: Seven Magic Mountains Project	Location Township: 24S Range: 60E Section: 21	Location Sketch 
Key Observation Point: KOP 1		
VRM Class: III		

Characteristic Landscape Description

	Landform/Water	Vegetation	Structures
Form	FG/MG: Relatively flat BG: Irregular horizontal and pyramidal	FG: Numerous, low, scattered, creating patches MG: No vegetation (in playa)	FG/MG: few, thin, vertical
Line	FG/MG: Horizontal, diagonal (road) BG: Irregular, horizontal	FG/MG: Butt edge (at road), diffused edge	FG/MG: Vertical
Color	FG/MG: Light brown, tan BG: Dark brown to bluish-grey	FG/MG: Golden, olive green, brown, sage (FG)	FG/MG: Dark gray, dark brown, metallic gray
Texture	FG/MG: Fine to medium grain BG: Fine grain	FG/MG: Medium grain, appearing dense with distance BG: Fine grain	FG/MG: Fine grain

Proposed Activity Description (Facility)

	Landform/Water	Vegetation	Structures
Form	NA	NA	FG: Tall, irregular, grouped
Line	NA	NA	FG: Vertical
Color	NA	NA	FG: Bright primary and neon colors
Texture	NA	NA	FG: Medium to coarse grain, matted

Distance Zones - FG: Foreground, MG: Middleground, BG: Background NA – activity description likely not seen from this KOP

Degree of Contrast

Degree of Contrast		Features											
		Landform/Water Body				Vegetation				Structures			
		Strong	Moderate	Weak	None	Strong	Moderate	Weak	None	Strong	Moderate	Weak	None
Elements	Form				X			X		X			
	Line				X			X		X			
	Color				X			X		X			
	Texture				X			X		X			

X Temporary Permanent

Does project design meet visual resource management objectives?
Yes

Additional mitigating measures recommended?
No

Evaluators Names:
EPG Visual Personnel

Date: July 17, 2014
District/Field Office: Las Vegas, NV
Resource Area: Jean/Roach Dry Lake SRMA
Activity (program): Land Art Installation

Overall moderate contrast would result from the construction and exhibition of the proposed Project in a designated VRM Class III land unit. The view is from Las Vegas Boulevard looking directly at the project site. Note that while the simulation looks as if depicted from a static KOP (i.e. the features are not blurred), travelers using Las Vegas BLVD are likely traveling at 55 miles per hours (MPH).

The proposed Project would be located on neutral terrain (as compared to this KOP) and would be partially backdropped by the McCullough Mountain Range. Disturbance associated with construction access would be negligibly perceptible from the KOP based on intermittent vegetative between the road and the project features and the speed at which viewers would see the project.

The proposed structures would introduce strong contrast for the visual element of color and form, with moderate contrast introduced for texture, form, and line into the landscape. The disturbance associated with vegetation removal and landscape alteration (minimal grading) would not be perceptible due to vegetation that will remain through the exhibition and the speed at which viewers would be traveling on Las Vegas BLVD. Based on these viewing conditions from this KOP, the overall contrast seen within ¼ mile of the project would be reduced to a moderate level. For the long term (i.e. beyond 5 years), contrast would be weak to none given that the project would be decommissioned after two years and the site would be reclaimed to near preconstruction conditions. Based on this analysis, the project would comply with VRM Class III designated lands.



View southeast from Las Vegas Boulevard near the Jean/Roach Lake Special Recreation Management Area.

Date: July 17, 2014
District/Field Office: Las Vegas, NV
Resource Area: Jean / Roach Dry Lake SRMA
Activity (program): Land Art Installation

Project Name: Seven Magic Mountains Project	Location Township: 24S	Location Sketch
Key Observation Point: KOP 2	Range: 60E	
VRM Class: III	Section: 21	

Characteristic Landscape Description

	Landform/Water	Vegetation	Structures
Form	FG/MG: Relatively flat BG: Irregular horizontal and pyramidal	FG: Numerous, low, scattered, creating patches MG: No vegetation (in play)	FG/MG: few, thin, vertical
Line	FG/MG: Horizontal, diagonal (road) BG: Irregular, horizontal	FG/MG: Butt edge (at road), diffused edge	FG/MG: Vertical
Color	FG/MG: Light brown, tan BG: Dark brown to bluish-grey	FG/MG: Golden, olive green, brown, sage (FG)	FG/MG: Dark gray, dark brown, metallic gray
Texture	FG/MG: Fine to medium grain BG: Fine grain	FG/MG: Medium grain, appearing dense with distance BG: Fine grain	FG/MG: Fine grain

Proposed Activity Description (Facility)

	Landform/Water	Vegetation	Structures
Form	NA	NA	FG: Tall, irregular, grouped
Line	NA	NA	FG: Vertical
Color	NA	NA	FG: Bright primary and neon colors
Texture	NA	NA	FG: Medium to coarse grain, matted

Distance Zones - FG: Foreground, MG: Middleground, BG: Background

Degree of Contrast

Degree of Contrast		Features											
		Landform/Water Body				Vegetation				Structures			
		Strong	Moderate	Weak	None	Strong	Moderate	Weak	None	Strong	Moderate	Weak	None
Elements	Form			X				X		X			
	Line			X				X			X		
	Color			X				X			X		
	Texture			X				X				X	

X Temporary Permanent

Does project design meet visual resource management objectives?
Yes

Additional mitigating measures recommended?
No

Evaluators Names:
EPG Visual Personnel

Date: July 17, 2014
District/Field Office: Las Vegas, NV
Resource Area: Jean / Roach Dry Lake SRMA
Activity (program): Land Art Installation

Overall moderate contrast would result from the construction and exhibition of the proposed Project in a broad landscape setting designated as VRM Class III. Views of the Project would be partially backdropped by the McCullough Mountain Range for travel viewers with a slightly superior view. Intervening vegetation and topography and traveling at high rates of speed would likely render all ground disturbing activity imperceptible to the casual observer traveling along Las Vegas BLVD.

The proposed sculptures (structures) would be viewed from approximately 0.30 mile from this KOP and would introduce moderate to strong contrast for the visual elements of form, line, and color, with weak contrast introduced for texture. Based upon the rate of travel on this road and the aforementioned screening elements (vegetation and topography), overall contrast would be reduced to a moderate level. After the project is decommissioned (after two years), contrast would be reduced to weak to none. The project would comply with VRM Class III objectives.



View south from Las Vegas Boulevard near the Jean/Roach Lake Special Recreation Management Area towards the proposed project.

Date: July 17, 2014
District/Field Office: Las Vegas, NV
Resource Area: Jean / Roach Dry Lake SRMA
Activity (program): Land Art Installation

Project Name: Seven Magic Mountains Project	Location	Location Sketch
Key Observation Point: KOP 3	Township: 24S	
VRM Class: III	Range: 60E Section: 21	

Characteristic Landscape Description

	Landform/Water	Vegetation	Structures
Form	FG/MG: Relatively flat BG: Irregular horizontal and pyramidal	FG: Numerous, low, scattered, creating patches MG: No vegetation (in playa)	NA
Line	FG/MG: Horizontal, diagonal (road) BG: Irregular, horizontal	FG/MG: Butt edge (at road), diffused edge	NA
Color	FG/MG: Light brown, tan BG: Dark brown to bluish-grey	FG/MG: Golden, olive green, brown, sage (FG)	NA
Texture	FG/MG: Fine to medium grain BG: Fine grain	FG/MG: Medium grain, appearing dense with distance BG: Fine grain	NA

Proposed Activity Description (Facility)

	Landform/Water	Vegetation	Structures
Form	NA	NA	FG: Tall, irregular, grouped
Line	NA	NA	FG: Vertical
Color	NA	NA	FG: Bright primary and neon colors
Texture	NA	NA	FG: Medium to coarse grain, matted

Distance Zones - FG: Foreground, MG: Middleground, BG: Background

Degree of Contrast

Degree of Contrast		Features											
		Landform/Water Body				Vegetation				Structures			
		Strong	Moderate	Weak	None	Strong	Moderate	Weak	None	Strong	Moderate	Weak	None
Elements	Form				X				X		X		
	Line				X				X			X	
	Color				X				X		X		
	Texture				X				X			X	

X Temporary Permanent

Does project design meet visual resource management objectives?
Yes

Additional mitigating measures recommended?
No

Evaluators Names:
EPG Visual Personnel

Date: July 17, 2014
District/Field Office: Las Vegas, NV
Resource Area: Jean / Roach Dry Lake SRMA
Activity (program): Land Art Installation

Moderate contrast would result from the construction and exhibition of the proposed Project in a landscape designated as VRM Class III. The proposed Project would occur on relatively neutral terrain and would be partially backdropped by the McCullough Mountain Range and screened by intervening vegetation and topography. At this distance, ground disturbance would not be visible. The proposed sculptures are approximately 0.5 mile from the viewer, thus the visual elements of form and color would introduce a moderate contrast. From this vantage point, the scale of the Project features starts to affect the visual contrast. Similar to the other dynamic KOPs along Las Vegas Boulevard, viewing duration would have a reducing effect on contrast. At this distance, moderate to weak moderate contrast is expected, although the color at certain times of the day would be moderate. Also, the structure themselves would be perceived as one mass and therefore form would result in a moderate contrast. Similar to KOPs 1-3, contrast would be reduced to none after two years based on the decommissioning of the project and the implementation of the reclamation plan.



View looking south from Las Vegas Boulevard near the Jean/Roach Lake Special Recreation Management Area.

Date: July 17, 2014

District/Field Office: Las Vegas, NV

Resource Area: Jean / Roach Dry Lake SRMA

Activity (program): Land Art Installation

Project Name: Seven Magic Mountains Project	Location	Location Sketch
Key Observation Point: KOP 4	Township: 24S	
VRM Class: III	Range: 60E Section: 21	

Characteristic Landscape Description

	Landform/Water	Vegetation	Structures
Form	FG/MG: Slightly sloping BG: Irregular horizontal and pyramidal	FG: Numerous, low, scattered, creating patches MG: No vegetation (in playa)	NA
Line	FG/MG: Horizontal, diagonal (road) BG: Irregular, horizontal	FG: Butt edge (at road), diffused edge	NA
Color	FG/MG: Light brown, tan BG: Dark brown to bluish-grey	FG/MG: Golden, olive green, brown, sage (FG)	NA
Texture	FG/MG: Fine to medium grain BG: Fine grain	FG/MG: Medium grain, appearing dense with distance BG: Fine grain	NA

Proposed Activity Description (Facility)

	Landform/Water	Vegetation	Structures
Form	NA	NA	FG: Tall, irregular, grouped with pronounced mass
Line	NA	NA	FG: Vertical
Color	NA	NA	FG: Bright primary and neon colors but muted at this distance
Texture	NA	NA	FG: Medium to coarse grain, matted

Distance Zones - FG: Foreground, MG: Middleground, BG: Background

Degree of Contrast

		Features											
		Landform/ Water Body				Vegetation				Structures			
		Strong	Moderate	Weak	None	Strong	Moderate	Weak	None	Strong	Moderate	Weak	None
Elements	Form				X				X			X	
	Line				X				X				X
	Color				X				X			X	
	Texture				X				X				X

X Temporary Permanent

Does project design meet visual resource management objectives?
Yes

Additional mitigating measures recommended?
No

Evaluators Names:
EPG Visual Personnel

Date: July 17, 2014
District/Field Office: Las Vegas, NV
Resource Area: Jean / Roach Dry Lake SRMA
Activity (program): Land Art Installation

Weak to no contrast would result from the construction and exhibition of the proposed Project from this KOP. The proposed Project would be screened by terrain for travelers using Las Vegas Boulevard. This condition occurs from approximately 1 miles north and to a lesser degree south of the project all the way to the City of Las Vegas when northbound. Based on these conditions, compliance with VRM Class III is anticipated for this KOP.



View looking south-southwest from Las Vegas Boulevard towards the Jean/Roach Lake Special Recreation Management Area.

Date: July 17, 2014

District/Field Office: Las Vegas, NV

Resource Area: Jean / Roach Dry Lake SRMA

Activity (program): Land Art Installation

Project Name: Seven Magic Mountains Project	Location	Location Sketch
Key Observation Point: KOP 5 – Jean Dry Lake	Township: 25S	
VRM Class: III	Range: 60E Section: 009	

Characteristic Landscape Description

	Landform/Water	Vegetation	Structures
Form	FG/MG: Relatively flat BG: Irregular horizontal and pyramidal	FG: No vegetation (playa) MG: Numerous, low, scattered patches	Linear, formal. Rectangular dynamic forms (Haul Trucks on Highway) regularly moving through the landscape
Line	FG/MG: Horizontal BG: Irregular	FG/MG: Diffused edge	Formal and straight to sinuous based on the topography that the highway occurs on
Color	FG: Light tan MG: Tan/brown BG: Dark brown to bluish-grey	MG: Olive green, brown	Dark grey to black, mostly weak at this distance associated with Highway, rail bed, and other man-made features in the landscape
Texture	FG: Fine directional to smooth MG: Fine to medium grain BG: Fine grain	MG: Gradational medium grain to dense with distance BG: Fine grain	Ranges from smooth to jagged based on the man-made introductions to local topography (i.e. desert mountain peaks) respectively

Proposed Activity Description (Facility)

	Landform/Water	Vegetation	Structures
Form	NA	NA	MG: Block cylindrical, asymmetrical grouping, may appear as large mass based on the distance from the Project
Line	NA	NA	MG: Vertical, slightly angular bold groupings
Color	NA	NA	MG: Muted primary and secondary colors appearing “mixed” because of the distance between the viewer and the project
Texture	NA	NA	MG: Clumped, medium grain

Distance Zones - FG: Foreground, MG: Middleground, BG: Background

Degree of Contrast

		Features											
		Landform/ Water Body				Vegetation				Structures			
		Strong	Moderate	Weak	None	Strong	Moderate	Weak	None	Strong	Moderate	Weak	None
Ele	Form				X				X			X	
	Line				X				X		X		

Does project design meet visual resource management objectives?

Yes

Additional mitigating measures recommended?

No

Evaluators Names:

EPG Visual Personnel

Date: July 17, 2014
District/Field Office: Las Vegas, NV
Resource Area: Jean / Roach Dry Lake SRMA
Activity (program): Land Art Installation

	Color				X				X		X		
	Texture				X				X			X	

X Temporary  Permanent

Moderate to weak contrast would result from the construction and exhibition of the proposed Project in a designated VRM Class III landscape. This KOP is located within the Jean/Roach dry lake bed where sensitive viewers tend to recreate. At this distance, about 5 miles, the proposed Project would be seen in context with the I-15 corridor, Las Vegas Boulevard, and the UPRR. In addition, intervening topography would partially screen the view of the project. Based on these viewing conditions, contrast would be moderate to low based on where the viewer would be located on the within the lake bed and time of day the project would be viewed. Compliance with VRM Class III is therefore anticipated.



View looking north from Jean Dry Lake

Appendix B: Legal Descriptions

WALLACE MORRIS KLINE SURVEYING, LLC
Land Survey Consulting

APN: 204-21-000-003

OWNER: USA

EXHIBIT "A"

EXPLANATION: THIS DESCRIPTION REPRESENTS A PROPOSED PARKING AREA
IN SUPPORT OF THE "SEVEN MAGIC MOUNTAINS" PROJECT.

DESCRIPTION

THAT PORTION OF SECTION 21, TOWNSHIP 24 SOUTH, RANGE 60 EAST, M.D.M.,
CLARK COUNTY, NEVADA;

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21;

THENCE ALONG THE WEST LINE THEREOF, NORTH 00°24'43" WEST, 277.19 FEET TO
THE SOUTHERLY RIGHT-OF-WAY LINE OF "SOUTH LAS BOULEVARD" (200' RIGHT-
OF-WAY RELINQUISHED TO COUNTY OF CLARK BY DOCUMENT RECORDED IN
BOOK 20070111 AS INSTRUMENT NO. 03775, OFFICIAL RECORDS, CLARK COUNTY,
NEVADA);

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTH 39°18'19" EAST,
491.01 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 51°55'26" WEST, 81.94 FEET;

THENCE NORTH 39°17'37" EAST, 246.52 FEET;

THENCE SOUTH 51°55'26" EAST, 81.99 FEET;

THENCE CONTINUING SOUTH 51°55'26" EAST, 75.13 FEET;

THENCE SOUTH 39°17'37" WEST, 246.52 FEET;

THENCE NORTH 51°55'26" WEST, 75.18 FEET TO THE **POINT OF BEGINNING**.

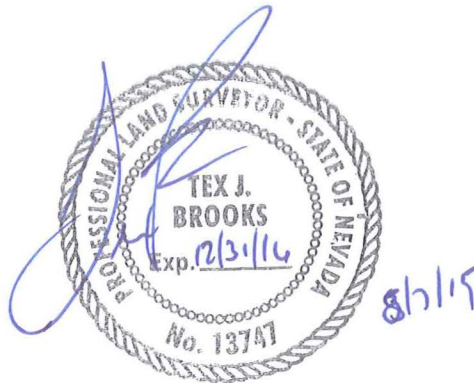
CONTAINING 38,724 SQUARE FEET OR 0.89 ACRES, MORE OR LESS.

APN: 204-21-000-003

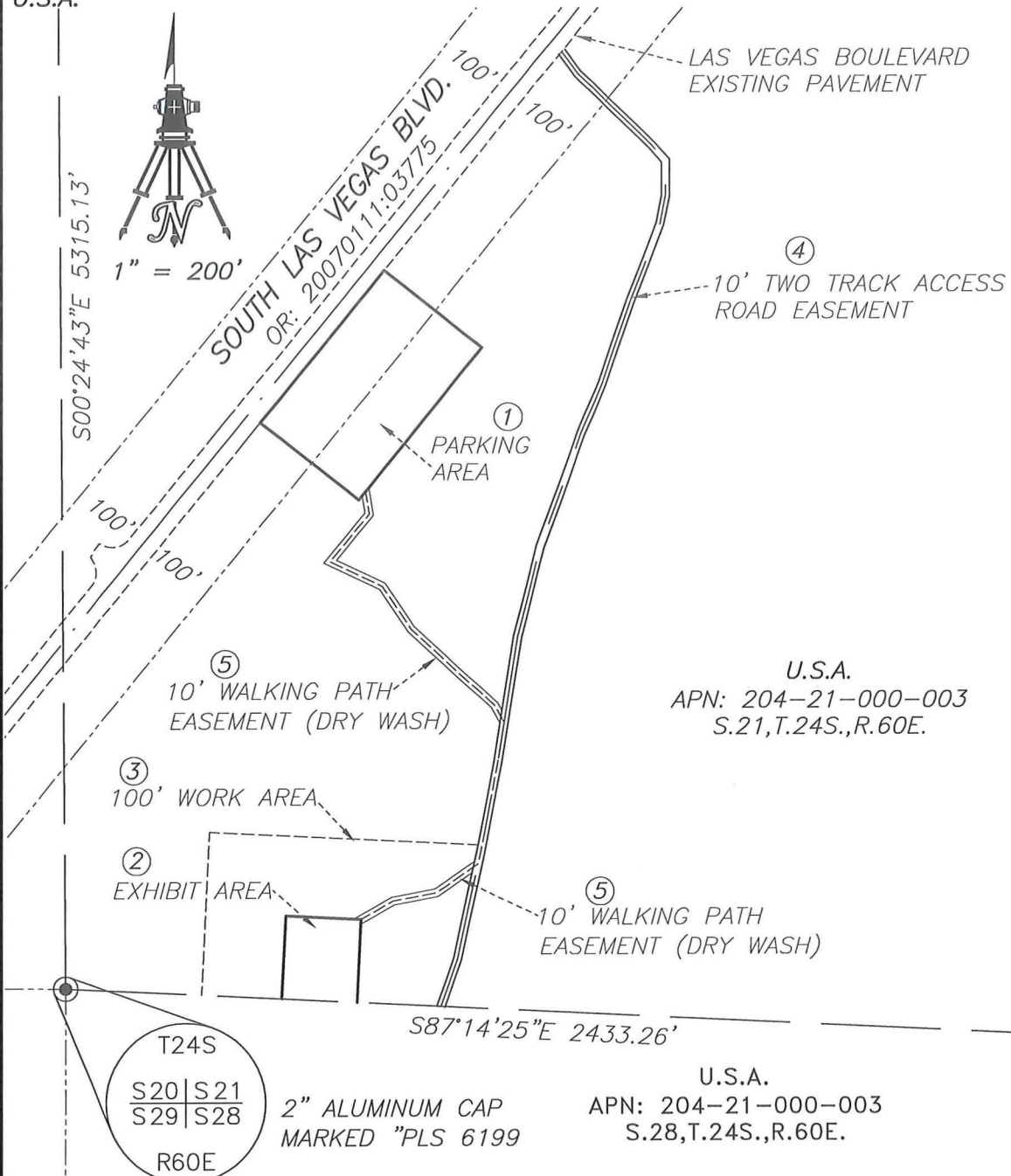
BASIS OF BEARINGS

SOUTH 87°14'25" EAST, BEING THE BEARING OF THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 21, TOWNSHIP 24 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA, AS SHOWN BY MAP THEREOF IN FILE 180, PAGE 64 OF SURVEYS IN THE CLARK COUNTY RECORDER'S OFFICE, NEVADA.

TEX J. BROOKS, PLS
NEVADA LICENSE NO. 13747



APN: 204-21-000-001
U.S.A.



P:\APF\15039\DWG\EXHIBITS\15039 ESMT.DWG

WALLACE MORRIS KLINE
SURVEYING, LLC.
LAND SURVEY CONSULTING

5740 S. ARVILLE ST. #206
LAS VEGAS, NEVADA 89118

EXHIBIT "B"

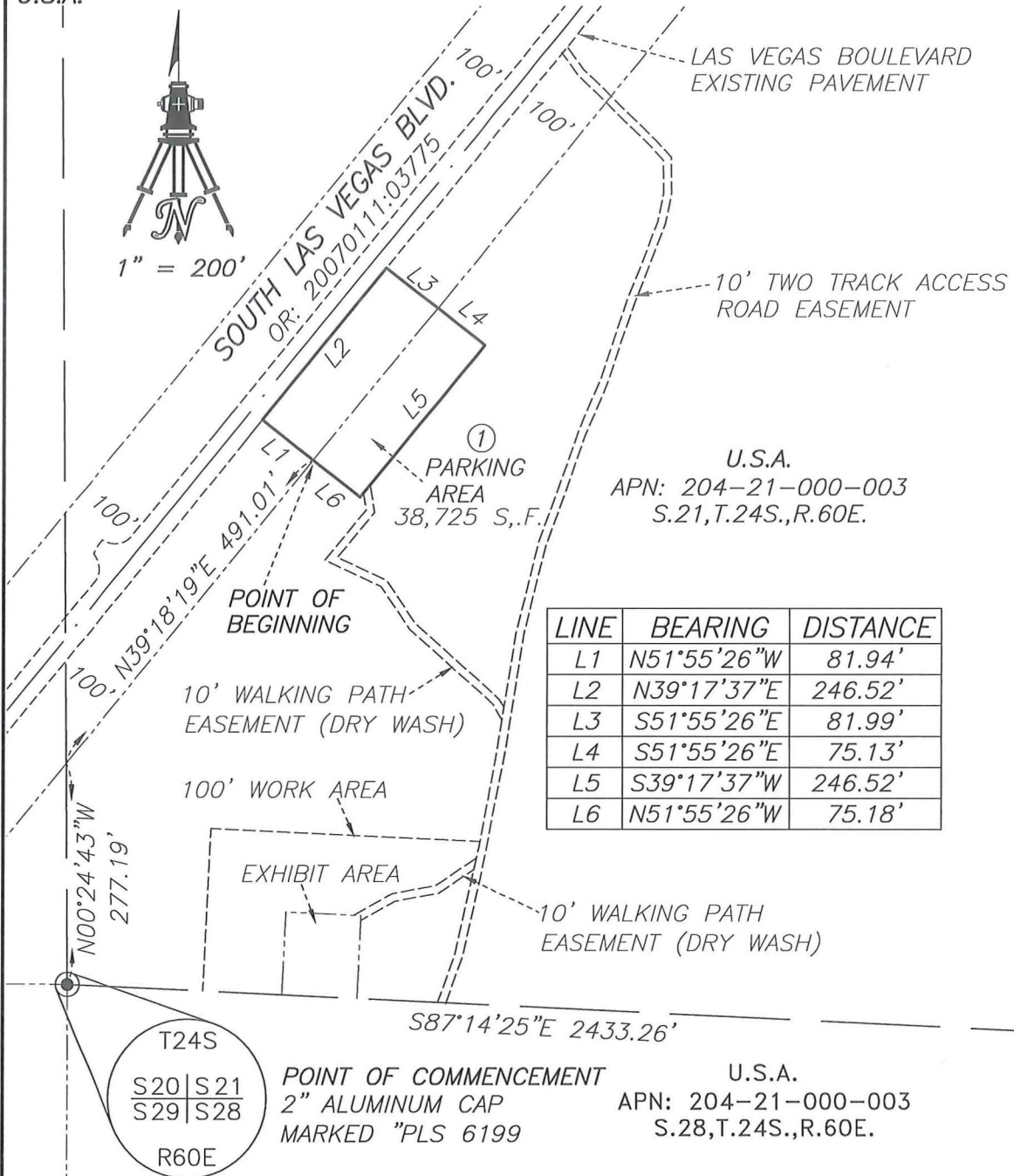
PORTION OF SECTION 21, TOWNSHIP 24 SOUTH,
RANGE 60 EAST, MDM, CLARK COUNTY, NEVADA

PAGE 1 OF 2

APN: 204-21-000-001
U.S.A.



1" = 200'



P:\APF\15039\DWG\EXHIBITS\15039 ESMT 1.DWG

WALLACE MORRIS KLINE
SURVEYING, LLC.
LAND SURVEY CONSULTING

5740 S. ARVILLE ST. #206
LAS VEGAS, NEVADA 89118

EXHIBIT "B"

PORTION OF SECTION 21, TOWNSHIP 24 SOUTH,
RANGE 60 EAST, MDM, CLARK COUNTY, NEVADA

PAGE 2 OF 2

WALLACE MORRIS KLINE SURVEYING, LLC
Land Survey Consulting

APN: 204-21-000-003

OWNER: USA

EXHIBIT "A"

EXPLANATION: THIS DESCRIPTION REPRESENTS A PROPOSED EXHIBIT AREA
IN SUPPORT OF THE "SEVEN MAGIC MOUNTAINS" PROJECT.

DESCRIPTION

THAT PORTION OF SECTION 21, TOWNSHIP 24 SOUTH, RANGE 60 EAST, M.D.M.,
CLARK COUNTY, NEVADA;

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21;

THENCE ALONG THE SOUTH LINE THEREOF, SOUTH 87°14'25" EAST, 271.20 FEET TO
THE **POINT OF BEGINNING**;

THENCE NORTH 02°45'35" EAST, 104.00 FEET;

THENCE SOUTH 87°14'25" EAST, 95.00 FEET;

THENCE SOUTH 02°45'35" WEST, 104.00 FEET THE SOUTH LINE OF SAID SECTION
21;

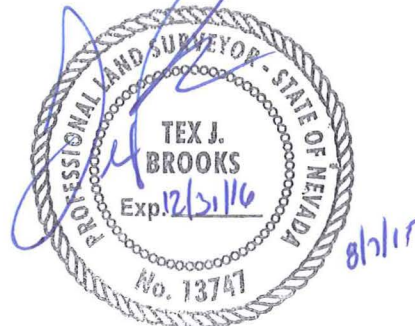
THENCE ALONG SAID SOUTH LINE, NORTH 87°14'25" WEST, 95.00 FEET TO THE
POINT OF BEGINNING.

CONTAINING 9,880 SQUARE FEET OR 0.23 ACRES, MORE OR LESS.

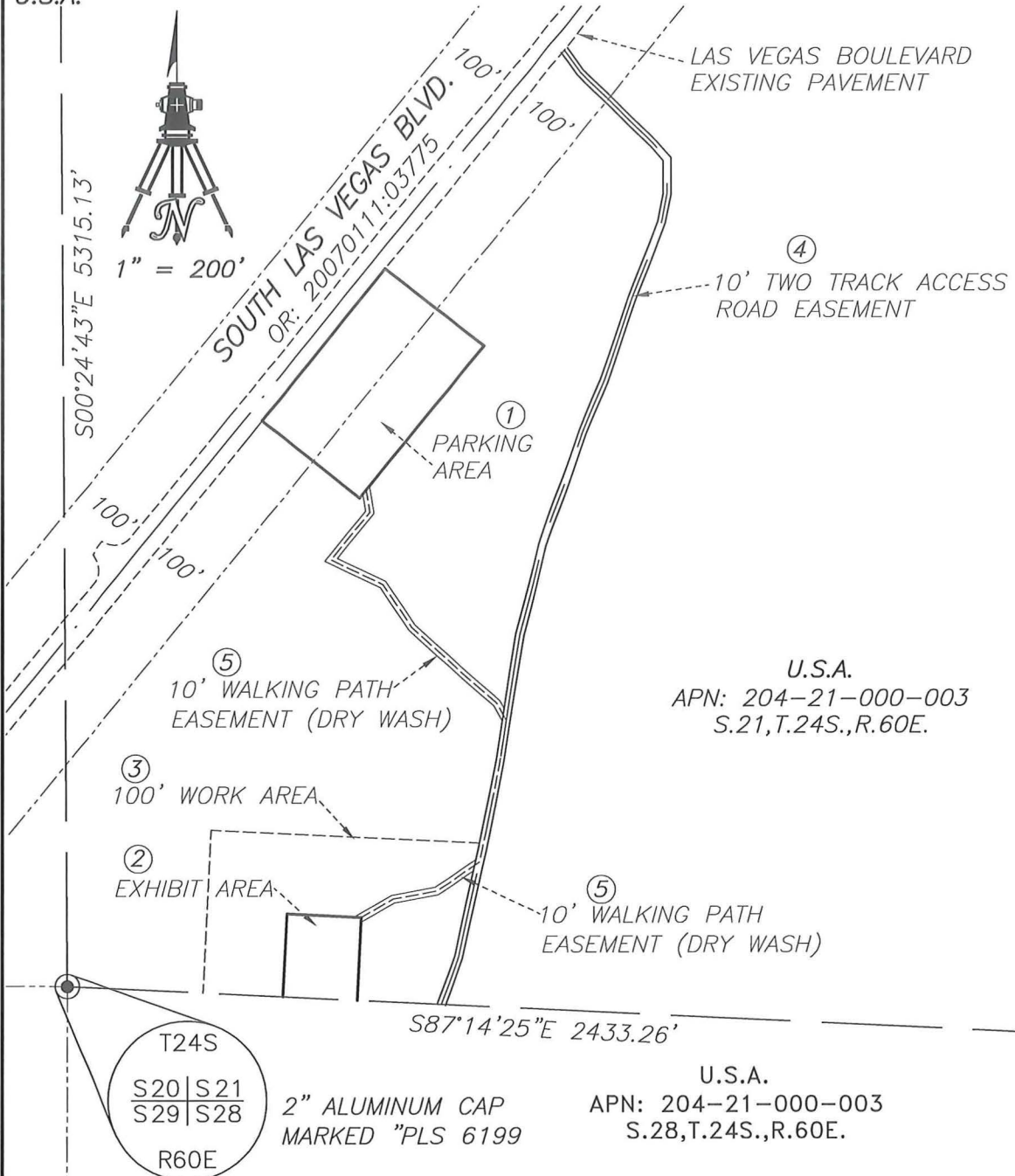
BASIS OF BEARINGS

SOUTH 87°14'25" EAST, BEING THE BEARING OF THE SOUTH LINE OF THE
SOUTHWEST QUARTER (SW1/4) OF SECTION 21, TOWNSHIP 24 SOUTH, RANGE 60
EAST, M.D.M., CLARK COUNTY, NEVADA, AS SHOWN BY MAP THEREOF IN FILE 180,
PAGE 64 OF SURVEYS IN THE CLARK COUNTY RECORDER'S OFFICE, NEVADA.

TEX J. BROOKS, PLS
NEVADA LICENSE NO. 13747



APN: 204-21-000-001
U.S.A.



P:\APF\15039\DWG\EXHIBITS\15039 ESMT.DWG

WALLACE MORRIS KLINE
SURVEYING, LLC.
LAND SURVEY CONSULTING

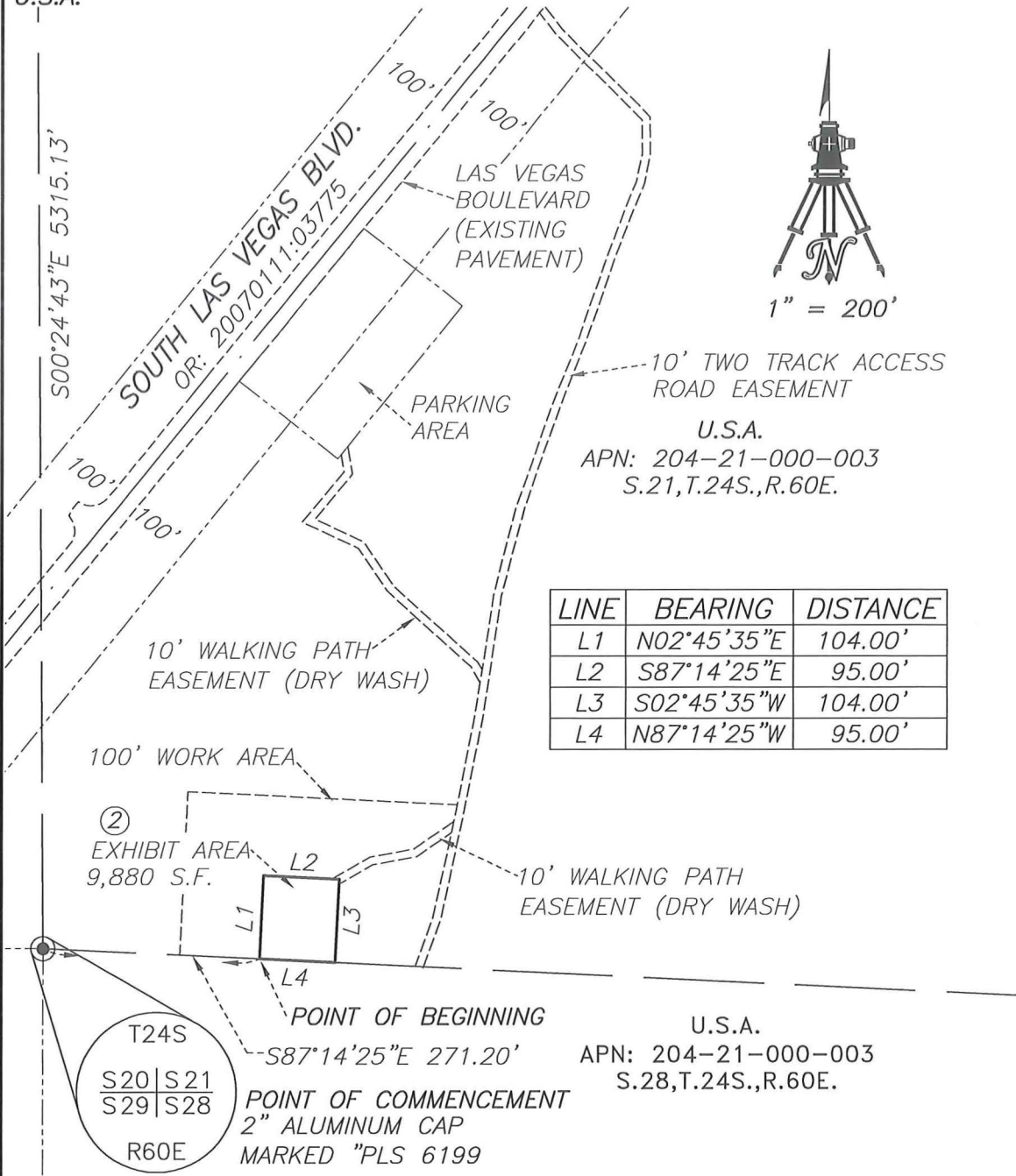
5740 S. ARVILLE ST. #206
LAS VEGAS, NEVADA 89118

EXHIBIT "B"

PORTION OF SECTION 21, TOWNSHIP 24 SOUTH,
RANGE 60 EAST, MDM, CLARK COUNTY, NEVADA

PAGE 1 OF 2

APN: 204-21-000-001
U.S.A.



U.S.A.
APN: 204-21-000-003
S.21,T.24S.,R.60E.

U.S.A.
APN: 204-21-000-003
S.28,T.24S.,R.60E.

P:\APF\15039\DWG\EXHIBITS\15039 ESMT 2.DWG

WALLACE MORRIS KLINE SURVEYING, LLC. LAND SURVEY CONSULTING	EXHIBIT "B"
5740 S. ARVILLE ST. #206 LAS VEGAS, NEVADA 89118	PORTION OF SECTION 21, TOWNSHIP 24 SOUTH, RANGE 60 EAST, MDM, CLARK COUNTY, NEVADA
	PAGE 2 OF 2

WALLACE MORRIS KLINE SURVEYING, LLC
Land Survey Consulting

APN: 204-21-000-003
OWNER: USA

EXHIBIT "A"

EXPLANATION: THIS DESCRIPTION REPRESENTS A PROPOSED WORK AREA IN
SUPPORT OF THE "SEVEN MAGIC MOUNTAINS" PROJECT.

DESCRIPTION

THAT PORTION OF SECTION 21, TOWNSHIP 24 SOUTH, RANGE 60 EAST, M.D.M.,
CLARK COUNTY, NEVADA;

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21;

THENCE ALONG THE SOUTH LINE THEREOF, SOUTH 87°14'25" EAST, 171.20 FEET TO
THE **POINT OF BEGINNING**;

THENCE NORTH 02°45'35" EAST, 204.00 FEET;

THENCE SOUTH 87°14'25" EAST, 338.56 FEET;

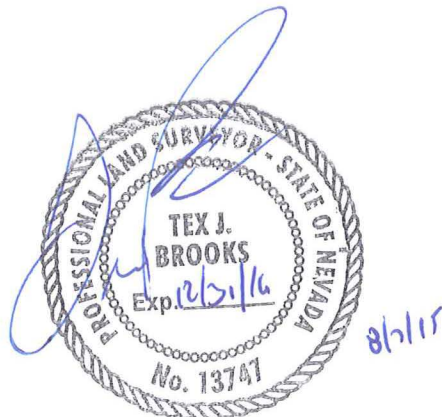
THENCE SOUTH 11°13'53" WEST, 7.69 FEET;

THENCE SOUTH 12°21'15" WEST, 136.74 FEET;

THENCE SOUTH 19°55'19" WEST, 64.43 FEET TO THE SOUTH LINE OF SAID SECTION
21;

THENCE ALONG SAID SOUTH LINE, NORTH 87°14'25" WEST, 295.62 FEET TO THE
POINT OF BEGINNING.

CONTAINING 65,313 SQUARE FEET OR 1.50 ACRES, MORE OR LESS.



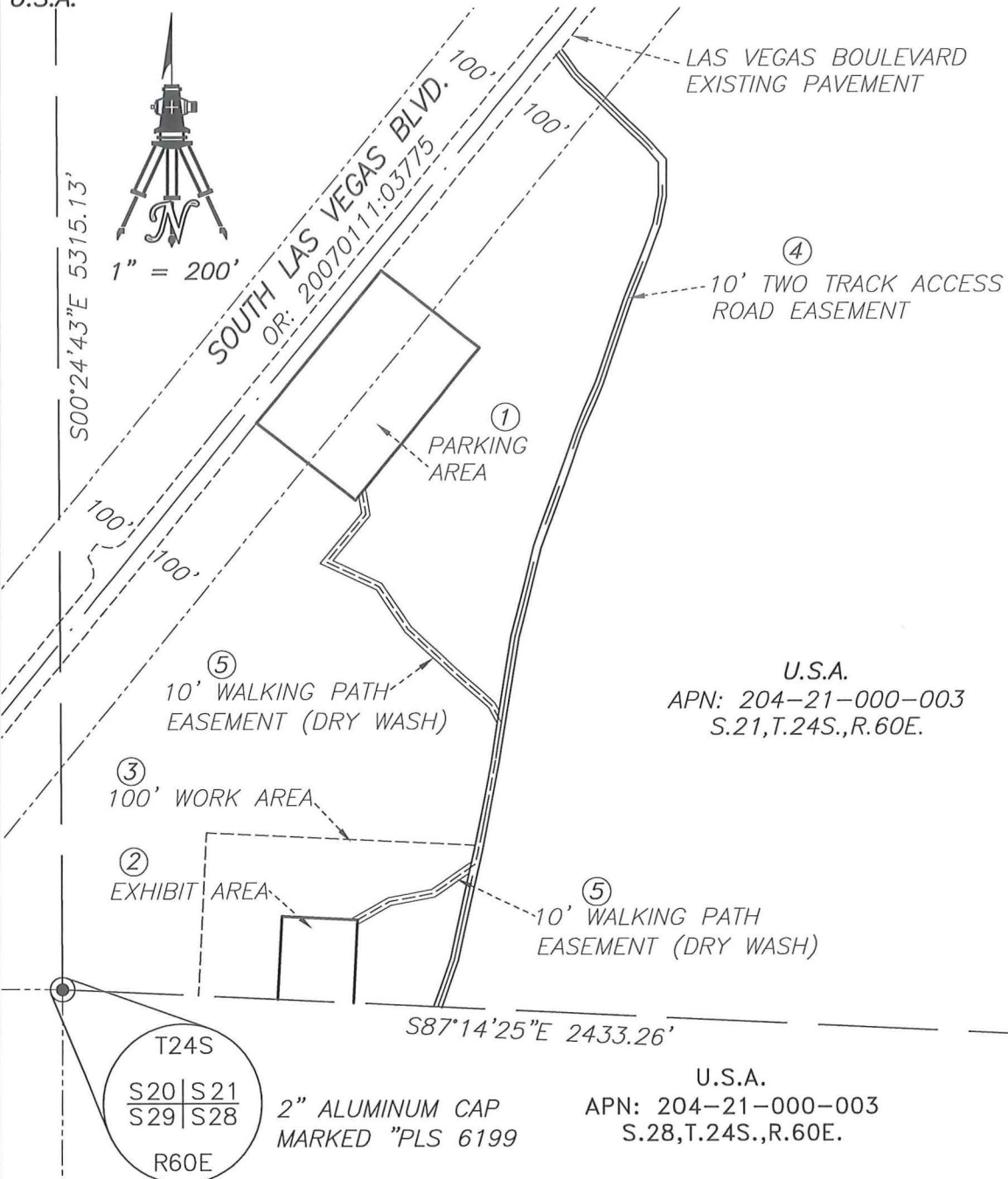
APN: 204-21-000-003

BASIS OF BEARINGS

SOUTH 87°14'25" EAST, BEING THE BEARING OF THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 21, TOWNSHIP 24 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA, AS SHOWN BY MAP THEREOF IN FILE 180, PAGE 64 OF SURVEYS IN THE CLARK COUNTY RECORDER'S OFFICE, NEVADA.

TEX J. BROOKS, PLS
NEVADA LICENSE NO. 13747

APN: 204-21-000-001
U.S.A.



P:\APF\15039\DWG\EXHIBITS\15039 ESMT.DWG

WALLACE MORRIS KLINE
SURVEYING, LLC.
LAND SURVEY CONSULTING

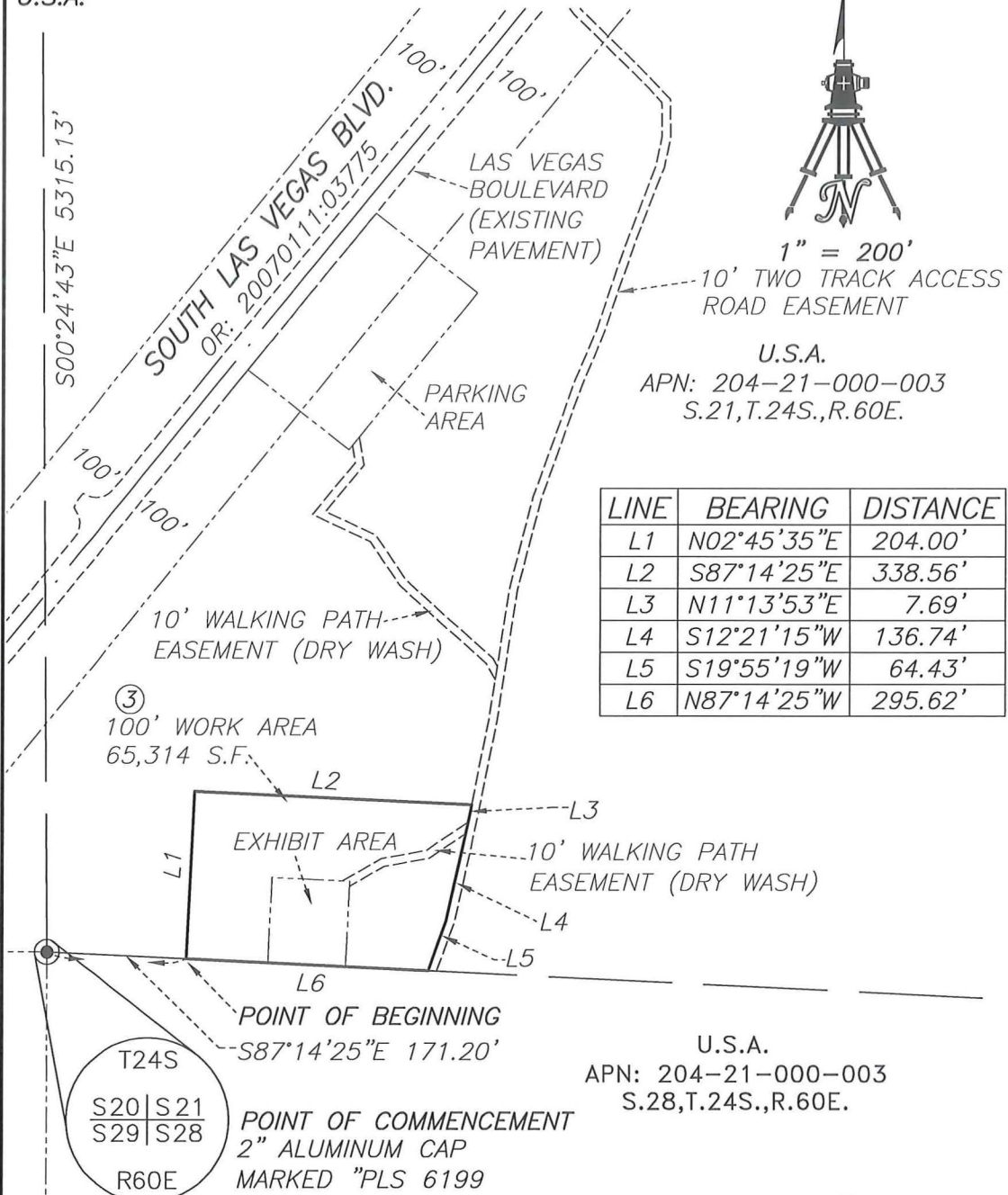
5740 S. ARVILLE ST. #206
LAS VEGAS, NEVADA 89118

EXHIBIT "B"

PORTION OF SECTION 21, TOWNSHIP 24 SOUTH,
RANGE 60 EAST, MDM, CLARK COUNTY, NEVADA

PAGE 1 OF 2

APN: 204-21-000-001
U.S.A.



P:\APF\15039\DWG\EXHIBITS\15039 ESMT 3.DWG

WALLACE MORRIS KLINE
SURVEYING, LLC.
LAND SURVEY CONSULTING

5740 S. ARVILLE ST. #206
LAS VEGAS, NEVADA 89118

EXHIBIT "B"

PORTION OF SECTION 21, TOWNSHIP 24 SOUTH,
RANGE 60 EAST, MDM, CLARK COUNTY, NEVADA

PAGE 2 OF 2

WALLACE MORRIS KLINE SURVEYING, LLC
Land Survey Consulting

APN: 204-21-000-003

OWNER: USA

EXHIBIT "A"

EXPLANATION: THIS DESCRIPTION REPRESENTS A PROPOSED 10' TWO TRACK ACCESS ROAD EASEMENT IN SUPPORT OF THE "SEVEN MAGIC MOUNTAINS" PROJECT.

DESCRIPTION

THAT PORTION OF SECTION 21, TOWNSHIP 24 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA;

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21;

THENCE ALONG THE SOUTH LINE THEREOF, SOUTH 87°14'25" EAST, 472.06 FEET TO THE **POINT OF BEGINNING** OF A STRIP OF LAND 10' WIDE LYING 5' ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE;

THENCE NORTH 19°55'19" EAST, 63.22 FEET;

THENCE NORTH 12°21'15" EAST, 137.12 FEET;

THENCE NORTH 11°13'53" EAST, 114.13 FEET;

THENCE NORTH 08°53'30" EAST, 159.33 FEET;

THENCE NORTH 14°20'21" EAST, 115.62 FEET;

THENCE NORTH 19°44'04" EAST, 149.33 FEET;

THENCE NORTH 22°38'11" EAST, 70.02 FEET;

THENCE NORTH 18°53'10" EAST, 110.03 FEET;

THENCE NORTH 21°21'13" EAST, 101.46 FEET;

THENCE NORTH 11°21'06" EAST, 36.77 FEET;

THENCE NORTH 00°28'51" WEST, 43.73 FEET;

THENCE NORTH 42°33'39" WEST, 25.59 FEET;

THENCE NORTH 45°41'04" WEST, 128.57 FEET;

Page 1 of 2

P:\APF\15039\LEGALS\APF15039-ESMT-04.docx

5740 S. Arville Street, Suite 206, Las Vegas, Nevada 89118, Ph: 702.212.3967 Fx: 702.212.3963

APN: 204-21-000-003

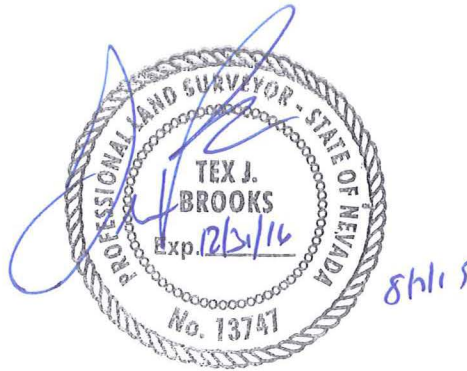
THENCE NORTH 36°53'17" WEST, 34.78 FEET TO THE **POINT OF TERMINUS**.

THE SIDELINES OF SAID STRIP OF LAND ARE TO BE SHORTENED OR LENGTHENED TO BEGIN ON THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SAID 21, TO MEET AT ALL ANGLE POINTS, AND TO TERMINATE ON THE SOUTHERLY EDGE OF PAVEMENT OF SAID "SOUTH LAS VEGAS BOULEVARD";

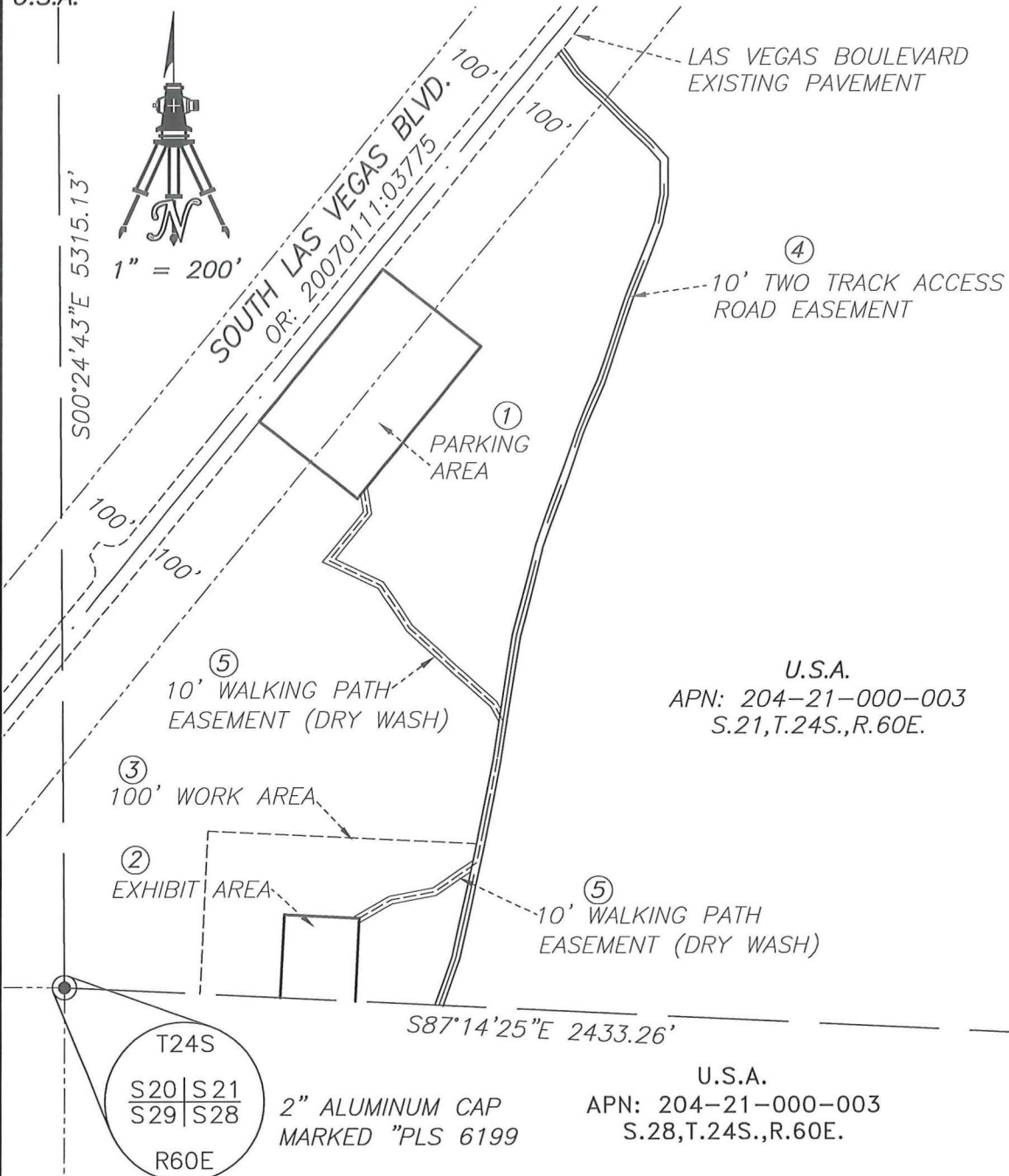
BASIS OF BEARINGS

SOUTH 87°14'25" EAST, BEING THE BEARING OF THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 21, TOWNSHIP 24 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA, AS SHOWN BY MAP THEREOF IN FILE 180, PAGE 64 OF SURVEYS IN THE CLARK COUNTY RECORDER'S OFFICE, NEVADA.

TEX J. BROOKS, PLS
NEVADA LICENSE NO. 13747



APN: 204-21-000-001
U.S.A.



U.S.A.
APN: 204-21-000-003
S.21,T.24S.,R.60E.

U.S.A.
APN: 204-21-000-003
S.28,T.24S.,R.60E.

P:\APF\15039\DWG\EXHIBITS\15039 ESMT.DWG

WALLACE MORRIS KLINE
SURVEYING, LLC.
LAND SURVEY CONSULTING

5740 S. ARVILLE ST. #206
LAS VEGAS, NEVADA 89118

EXHIBIT "B"

PORTION OF SECTION 21, TOWNSHIP 24 SOUTH,
RANGE 60 EAST, MDM, CLARK COUNTY, NEVADA

PAGE 1 OF 2

WALLACE MORRIS KLINE SURVEYING, LLC
Land Survey Consulting

APN: 204-21-000-003
OWNER: USA

EXHIBIT "A"

EXPLANATION: THIS DESCRIPTION REPRESENTS A PROPOSED 10' WALKING PATH EASEMENT IN SUPPORT OF THE "SEVEN MAGIC MOUNTAINS" PROJECT.

DESCRIPTION

THAT PORTION OF SECTION 21, TOWNSHIP 24 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA;

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21; THENCE ALONG THE SOUTH LINE THEREOF, SOUTH 87°14'25" EAST, 366.20 FEET;

THENCE LEAVING SAID SOUTH LINE, NORTH 02°45'35" EAST, 104.00 FEET TO THE **POINT OF BEGINNING** OF A STRIP OF LAND 10' WIDE LYING 5' ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE;

THENCE NORTH 60°33'31" EAST, 46.59 FEET;

THENCE NORTH 79°33'08" EAST, 55.32 FEET;

THENCE NORTH 55°48'25" EAST, 64.41 FEET;

THENCE NORTH 12°21'15" EAST, 15.64 FEET;

THENCE NORTH 11°13'53" EAST, 114.13 FEET;

THENCE NORTH 08°53'30" EAST, 50.40 FEET;

THENCE NORTH 29°04'01" WEST, 24.80 FEET;

THENCE NORTH 48°32'31" WEST, 76.83 FEET;

THENCE NORTH 47°39'55" WEST, 65.75 FEET;

THENCE NORTH 33°56'30" WEST, 64.47 FEET;

THENCE NORTH 65°00'41" WEST, 73.10 FEET;

THENCE NORTH 39°38'27" EAST, 77.42 FEET;

APN: 204-21-000-003

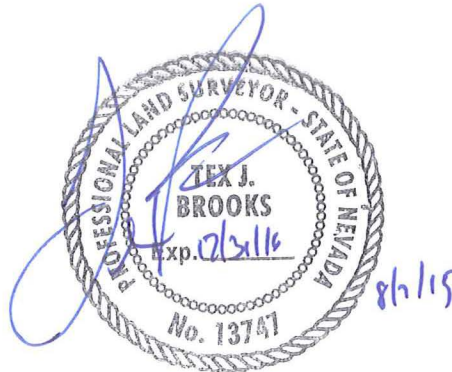
THENCE NORTH 09°38'19" WEST, 28.20 FEET TO THE **POINT OF TERMINUS**.

THE SIDELINES OF SAID STRIP OF LAND ARE TO BE SHORTENED OR LENGTHENED TO BEGIN ON THE "EXHIBIT AREA", TO MEET AT ALL ANGLE POINTS, AND TO TERMINATE AT THE "PARKING AREA".

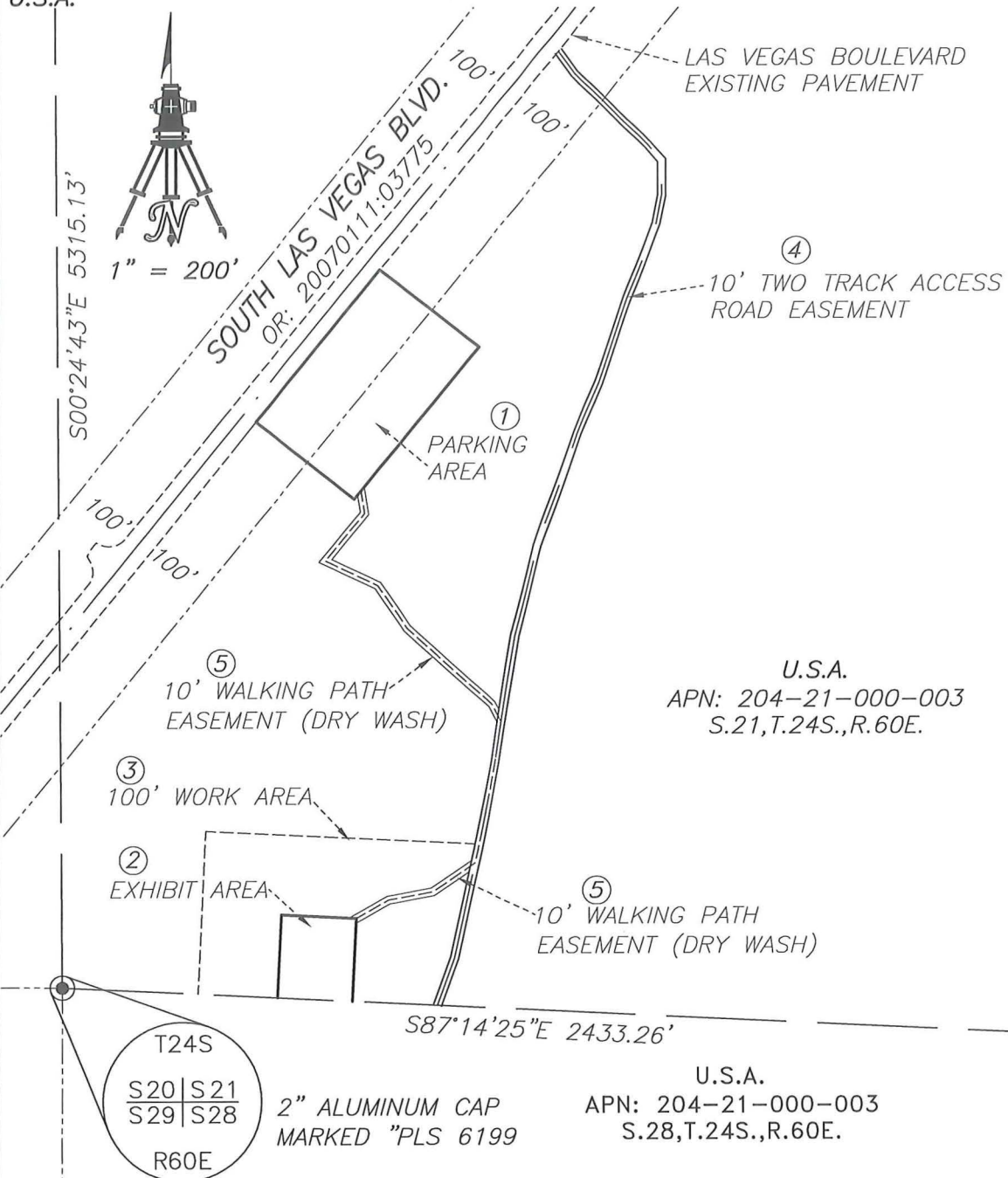
BASIS OF BEARINGS

SOUTH 87°14'25" EAST, BEING THE BEARING OF THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 21, TOWNSHIP 24 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA, AS SHOWN BY MAP THEREOF IN FILE 180, PAGE 64 OF SURVEYS IN THE CLARK COUNTY RECORDER'S OFFICE, NEVADA.

TEX J. BROOKS, PLS
NEVADA LICENSE NO. 13747



APN: 204-21-000-001
U.S.A.



P:\APF\15039\DWG\EXHIBITS\15039 ESMT.DWG

WALLACE MORRIS KLINE
SURVEYING, LLC.
LAND SURVEY CONSULTING

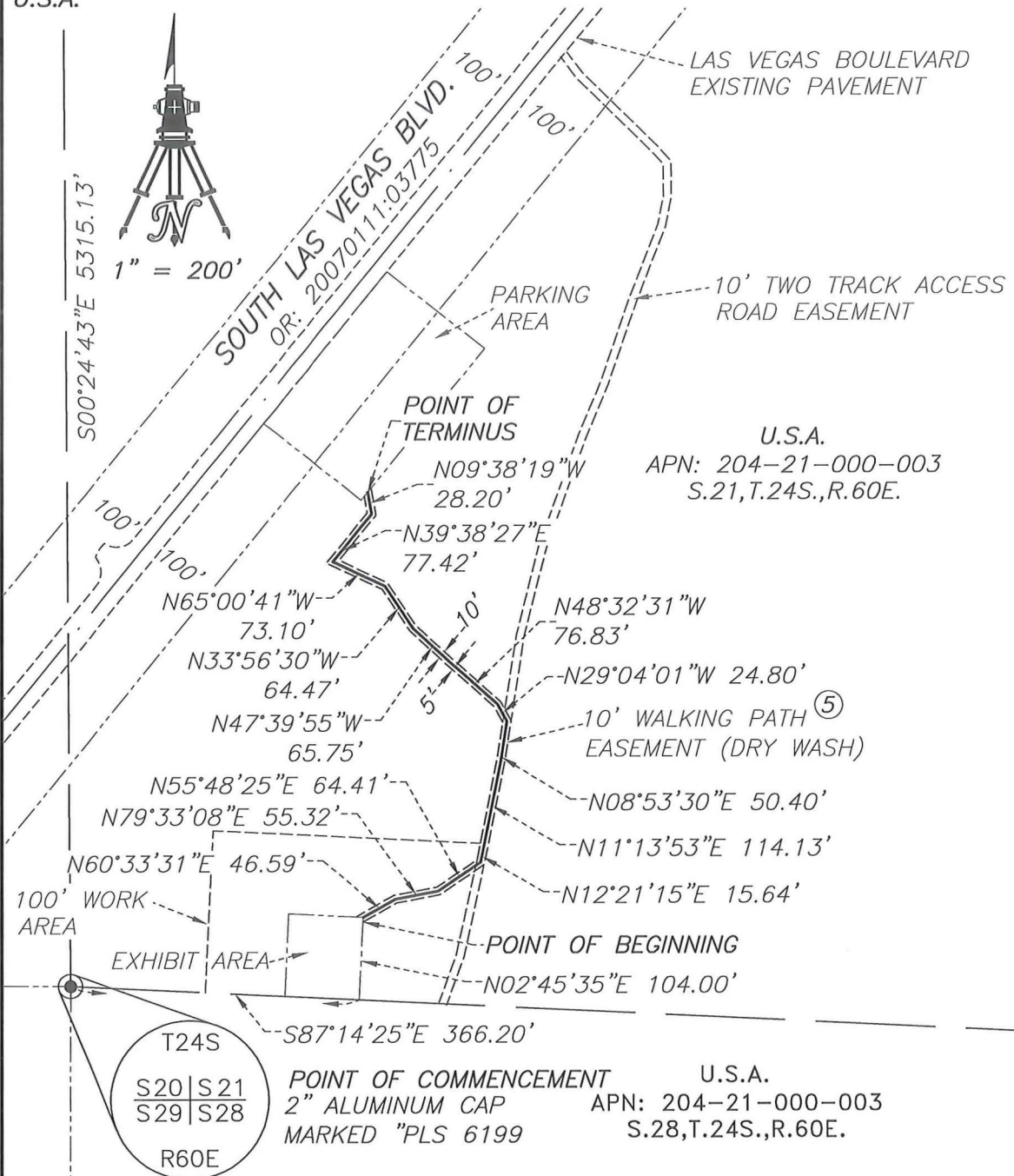
5740 S. ARVILLE ST. #206
LAS VEGAS, NEVADA 89118

EXHIBIT "B"

PORTION OF SECTION 21, TOWNSHIP 24 SOUTH,
RANGE 60 EAST, MDM, CLARK COUNTY, NEVADA

PAGE 1 OF 2

APN: 204-21-000-001
U.S.A.



P:\APF\15039\DWG\EXHIBITS\15039 ESMT 5.DWG

WALLACE MORRIS KLINE
SURVEYING, LLC.
LAND SURVEY CONSULTING

5740 S. ARVILLE ST. #206
LAS VEGAS, NEVADA 89118

EXHIBIT "B"

PORTION OF SECTION 21, TOWNSHIP 24 SOUTH,
RANGE 60 EAST, MDM, CLARK COUNTY, NEVADA

PAGE 2 OF 2

Appendix C: Comments on the Draft Environmental Assessment

Draft EA

Submission Successful
Your Submission ID is: BLM-1-32262

Names & Addresses

Edward H Haase
 29 Montelago Blvd. Unit 349
 29 Montelago Blvd. Unit 349
 Henderson, Nevada 89011, United States
 Email Address: edhhaase@gmail.com
 Day Phone: 1760-702-7308
 Evening Phone: 760-702-7308
 Fax Number:
 Other Phone: 760-702-7308
 Agency: Public Web Page

Comments

Comment ID: 1

Comment Title: Finally a use

I've been watching this exhibition with a lot of interest over the last couple of years, ever since Ugo Rondinone did that spectaculr display in Times Square I've wondered what he would follow it up with. It's nice to see the BLM is finally allocating a part of the desert something other than cattle owners with guns, off road racing and mega solar projects. The desert is rarely a venue for cultural or artistic people, but this project will give them an opportunity to see our great Nevada desert for the specatular venue it is. Who knows maybe we'll even get to see some large scale art projects in the future.

Submission Classification

Response Type:	Front Office Submission Form
Delivery Type:	Front Office Submission Form
Receipt Date:	08/11/2015
Status:	ACTIVE

Agreements

No - Withhold personally identifying information from future publications on this project?

Yes - Please include me on the mailing list for this project?

Original Submission Files

Draft EA

Submission Successful
Your Submission ID is: BLM-1-32361

Names & Addresses

Karin Marshall
 SANDY VALLEY, Nevada 89019, United States
 Email Address: rockinmr@juno.com
 Day Phone: 1
 Evening Phone:
 Fax Number:
 Other Phone:
 Agency: Public Web Page

Comments

Comment ID: 1

Comment Title: traffic impact las vegas blvd. seven magic mountains art

Would appreciate egress turn out for traffic entering and exiting site from las vegas blvd . to prevent congestion which would delay local resident traffic that commutes into las vegas from Sandy Valley, Goodsprings and Primm . Also would recommend that directional signs use the St. Rose exit off of I 15 and not the Jean Exit from California again this would prevent traffic congestion tat would delay local commuters from outlying residential areas within south county. Residency and Traffic data should be available to confirm this concern from Metro Police, Highway Patrol and County Commisioners office.

Submission Classification

Response Type: Front Office Submission Form
 Delivery Type: Front Office Submission Form
 Receipt Date: 08/12/2015
 Status: ACTIVE

Agreements

Yes - Withhold personally identifying information from future publications on this project?
 Yes - Please include me on the mailing list for this project?

Original Submission Files

Draft EA

Submission Successful
Your Submission ID is: BLM-1-32862

Names & Addresses

Mrs. Meggan Holzer
 500 S. Grand Central Pkwy
 6th Floor
 Las Vegas, Nevada 89155, United States
 Email Address: meggan@clarkcountynv.gov
 Day Phone: 1702-455-0341
 Evening Phone:
 Fax Number:
 Other Phone: 702-373-3924
 Agency: Public Web Page
 Organization/Group: Clark County Position: Rural Towns Liaison

Comments

Comment 1
 ID:

Comment Title: Concerns from Goodsprings Citizens Advisory Council

The Seven Magic Mountains project was discussed at the Goodsprings Citizens Advisory Council(CAC) meeting last night. The CAC members and residents have many concerns regarding the project including its impact on the traffic both along the I-15 and Las Vegas Boulevard, the distraction that will be caused by the installation, the impact upon the desert environment, the restoration of the area after the project and the incompatibility of the project with the surrounding area. During the meeting there were many questions posed that need to be answered by the artist and/or applicant. The Goodsprings Citizens Advisory Council made a formal motion to request that the comment period for this project be extended so that the applicant or representative of this project can attend a CAC meeting to present information regarding the project and respond to the questions and concerns of the community.

Submission Classification

Response Type: Front Office Submission Form
 Delivery Type: Front Office Submission Form
 Receipt Date: 08/26/2015
 Status: ACTIVE

Agreements

No - Withhold personally identifying information from future publications on this project?
 Yes - Please include me on the mailing list for this project?

Original Submission Files

Draft EA

Submission Successful Your Submission ID is: BLM-1-32962

Names & Addresses

Dr. Elizabeth Warren
PO Box 19039

Jean, Nevada 89019, United States

Email Address: liz@xenei.net

Day Phone: 1702-874-1410

Evening Phone:

Fax Number:

Other Phone: 702-639-9987

Agency: Public Web Page

Organization/Group: Old Spanish Trail Assn. Position: Nevada Director

Comments

Comment 1
ID:

Comment Title: Magic Mountain Art Project

The project is sited along the original route (1829-30) of the Old Spanish Trail through Clark County. No one from the Old Spanish Trail Association was consulted about this proposal, which would have a very negative effect on this National Historic Trail.

The Old Spanish Trail has been on the roster of National Historic Trails since 2002. Its route through Clark County has been ground truthed, and scholars continue to research the variations of this trail that was so significant in the development of commerce between Mexican California and New Mexico. The original route, blazed by Antonio Armijo in 1829-30, entered Nevada via the Colorado River. His party of 60 men and 100 mules laden with woven woolen goods to trade for horses and mules in California came into Las Vegas Valley via Las Vegas Wash, then turned south and headed over the Black Mountains. The caravan found knee-high grass in Hidden Valley, most important forage for the caravan's animals. Continuing southward, the pioneering party entered Jean Dry Lake basin, then headed to higher ground where they found water at Goodsprings. Armijo called the spring there "the little spring of the tortoise," indicating he found tortoise shells at an archaeological site near the spring (in January, tortoises are hibernating). The group then continued over the Spring Mountains and eventually into eastern California.

This trail was used by Armijo again on his return to Santa Fe, and by other caravans in the following years. During the next decades of use (before the U.S. assumed ownership of Mexican holdings in what is now continental U.S.), other caravans followed in Armijo's footsteps. Eventually other routes were discovered and adopted, and the final trail route through Clark County (cf. Fremont's expedition route of 1844) took quite a different path.

Comment:

Congress established National Historic Trails in 1966. The legislation was intended to identify and protect the trails, especially where they are still relatively open and traces of the historic paths can be seen. A significant change in the Spanish Trail trace occurred during the period of Mormon settlement in Utah, when wagons were introduced for the first time. These wagons changed the single mule path trace to a double-rut, but the significance remains the same: the Old Spanish Trail provided a route for these animal-drawn wagon trains to travel from Utah to Los Angeles, with valuable water sources and forage located along it.

Part of the goal of identifying National Historic Trails is to locate segments that today can help transport trail visitors back to the time when the trail was first in use. In other words, protect those segments of the trail that are located where visitors can experience some sense of the isolation of 19th century trail users: the quietude, the vistas of Mojave Desert landscapes without modern intrusions such as paved roads, lights, houses and shops. The Magic Mountain Art Project is located in an area of long vistas, superb native vegetation, and geology which easily transports the viewer back to the time when dry, dusty tracks promised to lead to richer surroundings than the dry lake environment offered to the traveller in Jean Dry Lake Valley. Certainly the project will clash with the story revealed by this National Historic Trail.

The Old Spanish Trail Association opposes placing this art project along the trail in Jean Dry Lake Valley, and in any other location that would impact the trail. We work with BLM consistently to protect the trail from intrusions such as power transmission lines and towers, roadways and any other physical change to the landscape that would destroy the goals of the National Historic and Scenic Trails System. If the project is sited elsewhere in this valley, it must not be located within two miles of the trail centerline.

Elizabeth Warren, Nevada Director, Old Spanish Trail Association

Submission Classification

Response Type:	Front Office Submission Form
Delivery Type:	Front Office Submission Form
Receipt Date:	08/28/2015
Status:	ACTIVE

Agreements

No - Withhold personally identifying information from future publications on this project?
Yes - Please include me on the mailing list for this project?

Original Submission Files