

RECLAMATION

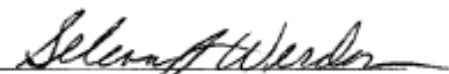
Managing Water in the West

Ash Canyon Acquisition Project

Finding of No Significant Impact

FONSI No. LO-2014-1017

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Date: 7/2/15

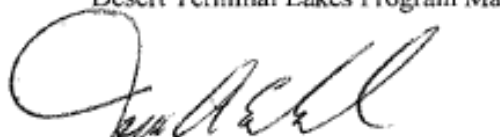
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I. Background, Proposed Action, and Purpose and Need

The Nevada Land Trust (NLT) plans to acquire 45.5 acres of private land and approximately 20 acre-feet of associated water rights from a willing seller in Ash Canyon, west of Carson City, Nevada. The acquisition funds would be provided via a sub-grant from the National Fish and Wildlife Foundation (NFWF); the original grant funding source is the Bureau of Reclamation's (Reclamation) Desert Terminal Lakes Program.

The Ash Canyon property is an isolated private inholding surrounded by publically owned open space. Several local, regional, and state plans for the Carson and Truckee River basins identify the Ash Canyon property as a high priority for public acquisition. The property provides critical road and trail access from the east (Carson City) to the Lake Tahoe Basin and the Marlette-Hobart Backcountry. Permanent rights-of-way have not been previously acquired for agency or public access. Purchasing the property would provide permanent public open space access, facilitate consistent public land management, and conserve a water source in the Carson River watershed.

The Ash Canyon Acquisition Project (Project) would include acquisition of the property and transfer of fee title to an appropriate public entity such as the Nevada Division of State Parks or the Carson City Open Space Program, both of which are adjacent landholders. The Project would also enable NLT to provide interim protection for a wet meadow on the property by relocating natural materials present on-site to block motorized vehicle access.

II. Summary of Impacts

In accordance with the National Environmental Policy Act of 1969 (NEPA), Reclamation's Lahontan Basin Area Office has evaluated the potential environmental consequences of allowing the use of federal grant funding by NLT for the Proposed Action in an Environmental Assessment (EA). The results of the analysis are summarized in the following sections.

Proposed Action

Land Use, Access, Recreation, and Zoning

The Proposed Action would provide for public use of 45.5 acres of land and ensure continued public use of existing road and trail routes to access surrounding public open space and backcountry areas. The Proposed Action would have an insignificant impact on recreation use by preventing motorized vehicle access to a small wet meadow to protect the meadow. Property zoning and overall land use would not change, but any potential future development such as construction of a residence would be eliminated.

Visual Resources

Visual resources quality within the Project area would not change.

Vegetation

There would be less than 1 acre of temporary ground disturbance in the Project area from relocating logs and boulders to prevent motorized vehicle access to the wet meadow. The

Proposed Action would not directly affect riparian or wetland vegetation within the Project area. No special status plants are present within the Project area or would be affected by the Proposed Action.

Threatened and Endangered Species

No Federal endangered, threatened, proposed, or candidate species are present or have habitat within or near the Project area.

Wildlife

Direct impacts to wildlife could result from mortality or injury by equipment during the wet meadow barrier placement, but this is not expected to occur as most wildlife would move away. Indirect effects could include temporary displacement and disturbance from noise, human presence, and equipment, as well as minor short-term habitat loss from vegetation impacts. Less than 1 acre of native vegetation would be temporarily disturbed around the wet meadow under the Proposed Action. The extent of any temporary disturbance of wildlife associated with the Proposed Action is not anticipated to affect local or regional populations of any species.

Water Resources

The Proposed Action would not directly impact surface water or groundwater quality or quantity. Protection of the wet meadow from motorized vehicles would maintain its hydrological function and beneficial contribution to surface water quality conditions.

Soil Resources

Project-related soil disturbance would be insignificant and limited to minor ground disturbance (< 1 acre) associated with constructing natural barriers to motorized vehicle access around the wet meadow. On-site logs and boulders would be relocated to strategic access points. Best management practices would be implemented during barrier construction to limit soil damage and prevent acceleration of soil erosion beyond natural levels.

Air Quality and Noise

Meadow barrier construction activities would produce temporary fugitive dust, equipment engine emissions, and noise. Dust would be minimized by the use of best management practices. Noise and emissions from equipment would be temporary and insignificant and would not result in violations of national or state standards. No air quality or noise impacts are anticipated post construction.

Cultural Resources

Through a cultural resources inventory, one isolated historic artifact was identified within the area of potential effect for the Project; no historic properties were identified. Reclamation initiated consultation with the Nevada State Preservation Office (SHPO) on January 13, 2015, and SHPO responded on February 17, 2015, concurring with Reclamation's determination of no adverse effect to historic properties listed, or eligible for listing, on the National Register of Historic Places pursuant to 36 CFR Part 800.4(d)(1).

Indian Trust Assets

There are no Indian Trust Assets within or adjacent to the Project area (512 DM 2). Therefore, there would be no impact to Indian Trust Assets from the Proposed Action.

Indian Sacred Sites

There are no identified Indian Sacred Sites within or adjacent to the Project area (Executive Order 13007 and 512 DM 3). Therefore, there would be no impacts that would adversely affect the physical integrity of Indian Sacred Sites or restrict access to or ceremonial use of such sites.

Climate Change

The Proposed Action would not produce greenhouse gases emissions significantly above current levels from motorized vehicle use on the existing roads and trails and, therefore, would not produce cumulative effects to greenhouse gas emissions.

Environmental Justice

The Proposed Action will not have disproportionately high and/or adverse human health or environmental effects on minority or low-income populations (Executive Order 12898).

No Action Alternative

Under the No Action Alternative, Reclamation would not allow NLT to use NFWF sub-grant funding to acquire the 45.5-acre Ash Canyon property and associated water rights from the willing seller. The No Action Alternative would maintain existing conditions for as long as allowed by the current private landowner. The property could eventually be sold to another private entity, which could impact future public and agency access to the property and surrounding open space areas.

III. Cumulative Impacts

Based on existing information, there would be no known cumulative effects to the human environment from the Proposed Action when combined with past actions and any known current or reasonably foreseeable future actions.

IV. Irreversible and Irretrievable Commitments

The Proposed Action would not result in significant irreversible or irretrievable commitments of nonrenewable resources.

V. Consultation and Coordination

Opportunities were provided for public review and comment on the Project and Draft EA. On August 20, 2014, 13 stakeholders participated in a field trip to the Project area. On November 3, 2014, Reclamation sent the Nevada State Clearinghouse a scoping notice for the Draft EA. Reclamation also sent a scoping letter to the Washoe Tribe of Nevada and California on November 7, 2014. Reclamation announced the availability of the Draft EA in a news release

dated May 8, 2015. On May 8, 2015, Reclamation also mailed a notice of availability to local, State, and Federal agencies. The Nevada State Clearinghouse notified 86 interested parties and agencies about the availability of the Draft EA via email on May 11, 2015. Reclamation also sent letters on May 12, 2015, to the Washoe Tribe of Nevada and California and to the Reno-Sparks Indian Colony. The Draft EA was available online for review for 2 weeks at www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=21541, and hard copies were available at Reclamation's Lahontan Basin Area Office in Carson City, Nevada, and the Carson City Library. Four responses were received during the comment period:

- The Nevada SHPO affirmed that Section 106 consultation was concluded and that SHPO concurred with Reclamation's determination of No Properties Affected.
- The Nevada State Land Use Planning Agency supported the Project "as a way to consolidate management of valuable land in the public domain and avoid its potential development."
- The National Trails Intermountain Region of the National Park Service commented "The project appears to be highly desirable from an environmental standpoint. None of the designated national historic trails administered by this office of the National Park Service is in the vicinity of the project area."
- The Nevada Army National Guard stated that the Project would not affect any Nevada Army National Guard plans or programs and that they had no other issues or concerns.

VI. Findings and Decision

Reclamation's decision is to allow NLT to use NFWF sub-grant funding to implement the Proposed Action. Based on the analysis of the environmental impacts in the attached EA and on thorough review of public comments received, Reclamation has determined that the Proposed Action is not a major Federal action that will significantly impact the quality of the human environment or the natural resources of the area. A Finding of No Significant Impact is justified for the Proposed Action. Therefore, an environmental impact statement is not necessary to further analyze the environmental effects of the Proposed Action.

The attached EA describes the existing environmental resources in the Project area and evaluates the effects of the Proposed Action and No Action Alternative on those resources. The EA was prepared in accordance with NEPA (42 United States Code 4321-4347), Council of Environmental Quality Regulations for implementing the procedural requirements of NEPA (40 Code of Federal Regulations [CFR] 1500-1508), and Department of the Interior NEPA regulations (43 CFR Part 46). The EA documents that compliance has occurred with the Endangered Species Act, Section 106 of the National Historic Preservation Act, Indian Trust Assets, Clean Air Act, Clean Water Act, Environmental Justice, Fish and Wildlife Coordination Act, Migratory Bird Treaty Act, and NEPA.

Following are the reasons why the impacts of the Proposed Action are not significant:

1. Impacts to existing land uses (motorized recreation) would be minor and localized to the small wet meadow.

2. Impacts to vegetation, wildlife, soils, air quality, and noise during barrier construction would be minor, localized, and temporary.
3. There will be no impact to listed, proposed, or candidate threatened or endangered species.
4. There will be no impact to historic properties.
5. There will be no impact to Indian Trust Assets.
6. There will be no impact to Indian Sacred Sites.
7. Implementing the Proposed Action will not disproportionately affect minorities or low-income populations and communities.