

# RECLAMATION

*Managing Water in the West*

## **Carson River Diversion Dam and Derby Diversion Dam Tender Houses Demolition and Removal Project**

Finding of No Significant Impact

FONSI No. LO-2012-1012

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## **I. Background, Proposed Action, and Purpose and Need**

The Newlands Project was initiated by the Bureau of Reclamation (Reclamation) in 1903. It provides water from the Carson and Truckee Rivers for irrigation of approximately 57,000 acres in the Lahontan Valley near Fallon and Fernley in western Nevada. Dam tender houses were built by Reclamation to provide on-site housing for the operators of the diversion dams associated with the Newlands Project. The Truckee-Carson Irrigation District (TCID) has been operating and maintaining these dams under Reclamation contracts since 1926. The dam tender houses were previously occupied by TCID, but are currently vacant. They remain under Reclamation ownership, but are no longer needed for the Newlands Project.

The Carson River Diversion Dam and Derby Diversion Dam Tender Houses Demolition and Removal Project (Project/Proposed Action) would include demolition and removal of the two dam tender houses and all of their associated structures, filling any resulting excavation sites (*e.g.*, from septic tank removal), and general site cleanup. Given their remote locations and vacant status, the dam tender house complexes have attracted vandals and vagrants. There is also risk to the health and safety of TCID and Reclamation employees from the deteriorating structural conditions, rodent infestations, and debris on the two properties. Implementation of the Proposed Action would permanently eliminate future, long-term safety and security issues, as well as maintenance requirements.

## **II. Summary of Impacts**

In accordance with the National Environmental Policy Act of 1969 (NEPA; 42 United States Code 4321-4347), Reclamation's Lahontan Basin Area Office has evaluated the potential environmental consequences of the demolition and removal of the existing dam tender house complexes on Reclamation-acquired land in an Environmental Assessment (EA). The results of the analysis are summarized in the following sections.

### **Proposed Action**

#### **Wildlife and Special Status Wildlife**

Approximately 2 acres of potential terrestrial wildlife habitat would be disturbed at each site under the Proposed Action. There would be no direct or indirect effects to aquatic wildlife species from the Proposed Action. Direct impacts to local terrestrial wildlife from the Proposed Action could include death or injury, but these impacts are not expected to occur as most wildlife would voluntarily move away from equipment. Indirect effects could include temporary displacement and disturbance due to noise, human presence, equipment, and potential limited removal of vegetation. Permanent displacement of some wildlife (*e.g.*, bats, rodents) could result from the removal of structures. Nests of any migratory birds in structures or vegetation would be avoided until the juveniles have fledged. The extent of any disturbance of wildlife associated with the Proposed Action is not anticipated to affect local or regional populations of any species. No Federal endangered, threatened, proposed, or candidate species are present or have critical habitat within the Project areas.

## **Floodplains and Wetlands**

The Proposed Action would have insignificant beneficial impacts on the Carson and Truckee River floodplains through removal of impermeable surfaces. The Project areas do not contain wetland habitat based on a review of National Wetlands Inventory data and site visits.

## **Air Quality and Noise**

The Proposed Action would create temporary increases in fugitive dust, equipment engine emissions, and noise. Dust created during implementation of the Proposed Action would be minimized by the use of best management practices (*e.g.*, water truck). The Derby House site may periodically experience minor amounts of blowing dust post-Project until exposed soils naturally vegetate; the Carson House site is sheltered from the wind by surrounding mature vegetation and topography. Fugitive dust, equipment emissions, and noise associated with the Proposed Action would not result in violations of national or state standards.

## **Vegetation**

Impacts to native and ornamental vegetation from the Proposed Action would be minor and localized (pruning, trampling/crushing, strategic removal of individual mature trees or shrubs for equipment access). Long-term impacts would be minimized by future growth of existing dense vegetation and natural vegetation successional processes. Weed management would continue to be implemented by TCID under Reclamation contract. No special status plants would be affected by the Proposed Action.

## **Soil Resources**

Project-related disturbance of soils would primarily be limited to areas in the immediate vicinity of structures. Best management practices would be implemented during Project implementation to limit soil damage and prevent future acceleration of soil erosion from wind or water beyond natural levels. This would include filling and re-contouring excavation areas to reflect natural drainage patterns.

## **Cultural Resources**

No prehistoric cultural resources were identified in the Project area. Portions of the Newlands Project are listed in the National Register of Historic Places pursuant to 36 CFR Part 800.4(d)(1). The dam tender house complexes are the only cultural resources identified in the direct area of potential effects for the Proposed Action. Reclamation consulted with the Nevada State Historic Preservation Office (SHPO) on a finding of adverse effect to historic properties for the removal of these two complexes. SHPO concurred with Reclamation's finding of effect. Reclamation and SHPO are developing a Memorandum of Agreement (MOA) to resolve adverse effects of the Proposed Action on Newlands Project Ongoing Support Features prior to implementation of the Project.

## **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).

## **Visual Resources**

Impacts from the Proposed Action to scenic quality and viewers at both Project areas would be minimal because of the existing vegetation and topography, distances to key observation points, and short-term viewing durations from transportation corridors. Impacts would be reduced over time due to future vegetation growth.

## **Hazardous Materials**

Prior to implementation of the demolition phase of the Proposed Action, surveys for hazardous materials will be completed by a state-licensed inspector. Workers will be protected from exposure and the environment will be protected through proper disposal of any hazardous materials. Management oversight for hazardous materials will be provided by the Nevada Occupational Safety and Health Administration.

## **Indian Trust Assets**

There are no Indian Trust Assets within or adjacent to the Project areas (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 areas (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 nearby roads and, therefore, would not produce cumulative effects to greenhouse gas emissions.

## **No Action Alternative**

Under the No Action Alternative, Reclamation would not demolish or remove the two houses, associated buildings, or other existing property infrastructure. Both acquired properties would also remain under Reclamation ownership. TCID and Reclamation would continue to access the vacant structures on an as needed or emergency basis. TCID would continue to provide basic maintenance and security under their Reclamation contract, including restricting public access and remote camera monitoring. Physical hazards to human health and safety would remain and likely worsen over time due to the increasing overall age of the structures, lack of human occupancy and regular use, and harsh desert climate conditions.

## **III. Cumulative Impacts**

Due to the absence of reasonably foreseeable future actions, the cumulative impacts analysis consists of the incremental impact of the Proposed Action in combination with past and present actions. Cumulative impacts to a historic property resulting from removal of additional contributing components of the Newlands Project will be resolved through mitigation pursuant to a MOA with SHPO. Cumulative visual impacts associated with the removal of structures from

the landscape will be minimal because the structures are well screened from the majority of viewers by vegetation and topography. Based on the relatively small ground disturbance footprints, the temporary construction activity periods and the use of best management practices, cumulative impacts to wildlife, floodplains, air quality and noise, vegetation, soil resources, hazardous materials, and climate change are expected to be negligible.

## **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. Reclamation identified three federally-recognized Indian tribes as potentially having knowledge of or concerns with impacts on resources of cultural or religious significance. On March 24, 2014, Reclamation notified the Fallon Paiute-Shoshone Tribe, Pyramid Lake Paiute Tribe, and Reno-Sparks Indian Colony of the proposed action and invited their participation in the Section 106 National Historic Preservation Act (NHPA) consultation process. On November 10, 2014, Reclamation submitted a finding of adverse effect to SHPO under Section 106 of the NHPA. On February 17, 2015, Reclamation notified the Advisory Council on Historic Preservation of a finding of adverse effect to historic properties. Reclamation announced the availability of the draft EA in a news release dated February 25, 2015. On February 25, 2015, Reclamation also mailed a notice of availability to local, State, and Federal interested parties. The Nevada State Clearinghouse notified 86 interested parties about the availability of the draft EA via email on February 25, 2015. The draft EA was available online for public review for 30 days, starting February 25, 2015, at [www.usbr.gov/mp/nepa/nepa\\_projdetails.cfm?Project\\_ID=20845](http://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=20845), and hard copies were available at the Churchill County Library, Storey County Library, and Reclamation's Lahontan Basin Area Office during this same 30-day period. Three entities responded to Reclamation's consultation and coordination efforts:

- The Fallon Paiute-Shoshone Tribe requested notification if sites of religious or cultural significance are identified.
- The Nevada Division of Environmental Protection's Bureau of Water Pollution Control (BWPC) commented that BWPC permits are required for discharges to surface waters and groundwater or construction of treatment works, and that other local, State, and Federal permits may be required.
- The SHPO affirmed that they concurred with Reclamation's determination of adverse effect to historic properties and that a MOA would be negotiated among consulting parties to mitigate the adverse effect.

## **VI. Findings and Decision**

Reclamation's decision is to implement the Proposed Action. Based on the analysis of the environmental impacts in the attached EA and on thorough review of 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 areas and evaluates the effects of the Proposed Action and No Action Alternative on those resources. The EA was prepared in accordance with NEPA, 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 NHPA, 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 wildlife, floodplains, air quality and noise, vegetation, and soil resources would be minor, localized, and temporary.
2. There will be no impact to wetlands.
3. There will be no impact to listed, proposed, or candidate threatened or endangered species or their critical habitat.
4. Impacts to cultural resources (historic properties) will be mitigated under a MOA. No demolition or ground disturbing activities will occur at the Project areas until the MOA is signed by Reclamation and SHPO.
5. Implementing the Proposed Action will not disproportionately affect minorities or low-income populations and communities.
6. Impacts to visual resources will be minimal and would be mitigated by future vegetation growth.
7. There will be no impact to Indian Trust Assets.
8. There will be no impact to Indian Sacred Sites.
9. There will be no significant impact to climate change.
10. There will be no significant irreversible or irretrievable commitments of nonrenewable resources.