



**TRANSPORTATION NOTICE  
PUBLIC NOTICE**

**Material Site WP 29-01 (NEV058088) Expansion  
Packer Basin  
SR 829 Milepost WP 3.8**

**PURPOSE OF NOTICE:** The Nevada Department of Transportation (NDOT), in cooperation with the Federal Highway Administration (FHWA) and the Bureau of Land Management (BLM), has prepared an Environmental Assessment (EA) to analyze a proposal to expand an existing material source site (BLM #NEV058088) from 100 to 190 acres on BLM administered lands.

The existing 100-acre material site is located on public land in Newark Valley, White Pine County, Nevada on SR 892 at milepost WP 3.8, just north of U.S. 50 and south of Strawberry. The proposed 90-acre expansion is to the south and west of the existing site.

**WHY:** The purpose of this proposed action is to expand a material source site from 100 to 190-acres to provide riprap, borrow, base, and shoulder materials for the construction and maintenance of the SR 892 and US 50 highways east of Eureka, Nevada. NDOT geologists estimate 1,350,000 cubic yards of suitable material is available on this proposed 90-acre site.

Material source sites are necessary for the construction and long-term maintenance of highways. These sites are generally located on lands under the jurisdiction of BLM. The BLM is responsible for determining whether this action is a legitimate use of public lands, as authorized under the Federal Land Policy and Management Act (FLPMA) of 1976, or other Public Land Acts, while preventing undue and unnecessary degradation to the land.

**WHERE YOU COME IN:** You are invited to review and comment on the EA. You may request a copy of the EA from the Environmental Services Division, Nevada Department of Transportation, 1263 South Stewart Street, Carson City, NV 89712, 775-888-7013 or you may view an electronic copy of it at:  
[http://www.nevadadot.com/pub\\_involvement/meetings/documents/WP29\\_01\\_EA\\_July\\_2010.pdf](http://www.nevadadot.com/pub_involvement/meetings/documents/WP29_01_EA_July_2010.pdf)

Your comments can be submitted for the public record through 5:00 p.m. **October 28, 2010**. You may email your comments to [info@dot.state.nv.us](mailto:info@dot.state.nv.us) with a reference to this project in the subject line or fax it to 775-888-7104, or you may mail your comments to Steve M. Cooke, P.E., Chief Environmental Services Division, Nevada Department of Transportation, 1263 South Stewart Street, Carson City, NV 89712.

**CONTACT:** For general project information, Lori Bellis, Environmental Services Division, Nevada Department of Transportation, 1263 S. Stewart Street, Carson City, NV 89712, (775) 888-7035, [lbellis@dot.state.nv.us](mailto:lbellis@dot.state.nv.us).

**NOTE:** Reasonable efforts will be made to assist and accommodate individuals with disabilities desiring to review and comment on the EA. Requests for these services should be made to Julie Maxey, Nevada Department of Transportation, Public Hearings Officer at (775) 888-7171.

# **ENVIRONMENTAL ASSESSMENT**

## **Material Site WP 29-01 (NEV058088) Expansion Packer Basin, White Pine County Nevada**

SR 892 milepost WP 3.8



### **Proposed 90-acre Material Site Expansion**

Lead Agency:  
**Federal Highway Administration**

Cooperating Agency:  
**Bureau of Land Management**

Preparing Agency:  
**Nevada Dept. of Transportation**

**July 2010**

**Material Site WP 29-01 (NEV058088) Expansion**  
**Packer Basin, White Pine County Nevada**  
SR 892 milepost WP 3.8

**Proposed 90-acre Material Site Expansion**

Proposed 90-acre Expansion:

Mt. Diablo Meridian

White Pine County, Nevada

T. 18 N., R. 55 E., Section 17, W  $\frac{1}{2}$  SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , N  $\frac{1}{2}$  SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ,  
Section 18, E  $\frac{1}{2}$  SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ , E  $\frac{1}{2}$  NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , NE  $\frac{1}{4}$  SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ .

Existing 100-acre Site:

Mt. Diablo Meridian

White Pine County, Nevada

T. 18 N., R. 55 E., Section 17, E  $\frac{1}{2}$  SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , W  $\frac{1}{2}$  SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ,  
NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , W  $\frac{1}{2}$  NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ .

The entire 190-acres site as proposed:

Mt. Diablo Meridian

White Pine County, Nevada

T. 18 N., R. 55 E., Section 17, SW $\frac{1}{4}$  NW $\frac{1}{4}$ , W $\frac{1}{2}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ ,  
NW $\frac{1}{4}$  SW $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$ ,  
Section 18, E $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ , E $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ ; NE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$ .

**Prepared by:**

Lori Bellis, Environmental Scientist  
Environmental Services Division, NDOT  
As a representative for the  
Federal Highway Administration  
1263 South Stewart Street, Room 104  
Carson City, Nevada 89712  
(775) 888-7035

**BLM Office Review:**

**Egan Field Office**

702 N. Industrial Way

HC 33 Box 33500

Ely, NV 89301

Phone: 775-289-1800

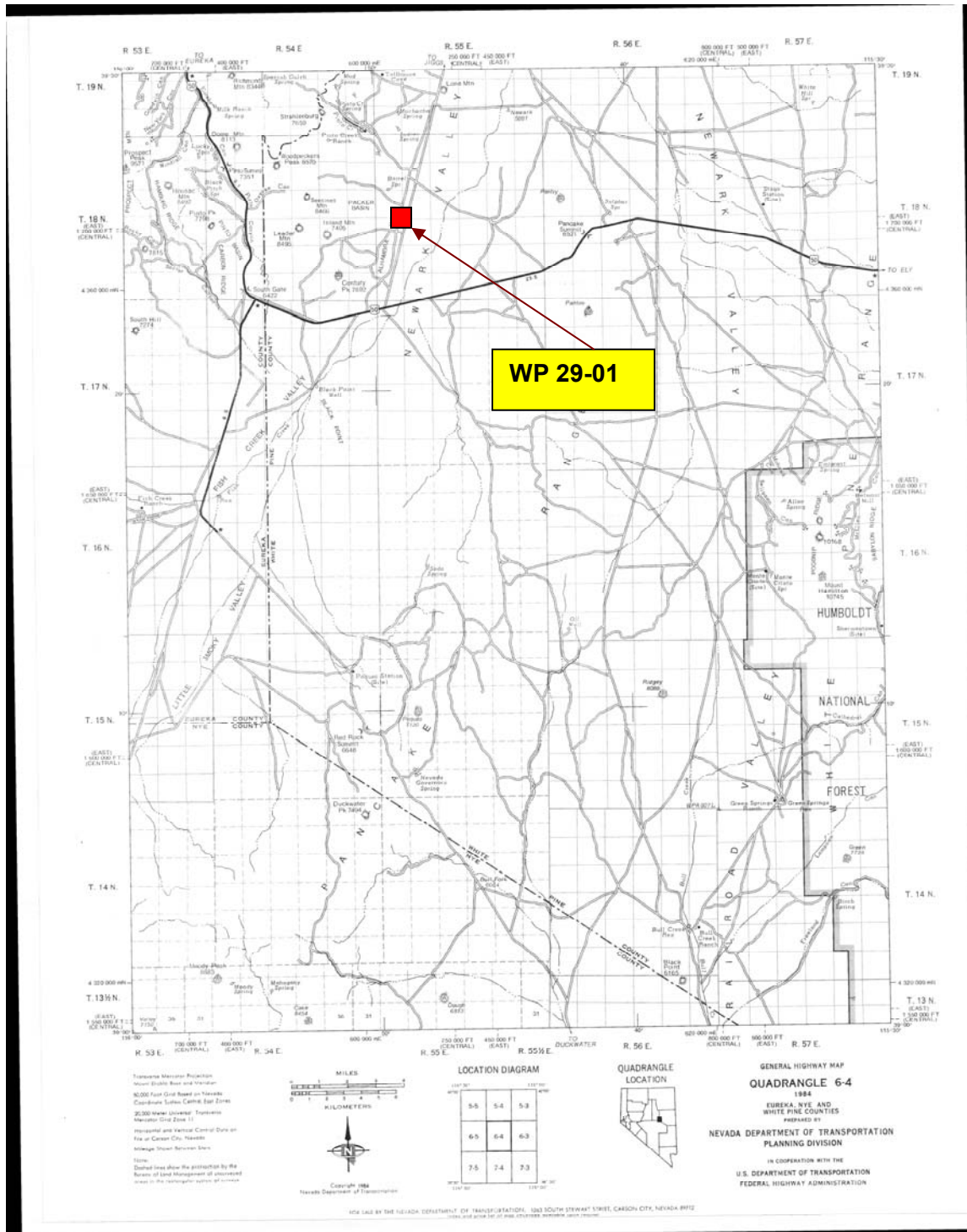
Field Manager: Jeffrey Weeks

**July 2010**

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# Project Location



## 1.0 INTRODUCTION

This Environmental Assessment (EA) has been prepared to analyze a proposal to expand an existing material source site (NEV058088) from 100 to 190-acres on Bureau of Land Management (BLM) administered lands. This action is a right-of-way (ROW) application from the Federal Highway Administration (FHWA) to the BLM. The BLM grants the right-of-way to the FHWA. The Nevada Department of Transportation (NDOT) is acting on behalf of the FHWA in the data collection, document preparation, and oversight of the material site use. FHWA, in cooperation with the BLM, is the project proponent.

The existing 100-acre material site right-of-way is located on public land in Newark Valley, White Pine County, Nevada, on SR-892 at milepost WP 3.8, north of U.S. 50 and south of Strawberry. The proposed 90-acre expansion is to the south and west of the existing site.

The EA is a site-specific analysis of potential impacts that could result from the implementation of the Proposed Action or No Action Alternative. The EA assists the FHWA, NDOT, and BLM in project planning and ensuring compliance with the National Environmental Policy Act (NEPA), and in making a determination as to whether any “significant” impacts could result from the analyzed actions. “Significance” is defined by NEPA and is found in Chapter 40 CFR §§1508.27. An EA provides evidence for determining whether to prepare an Environmental Impact Statement (EIS) or a statement of “Finding of No Significant Impact” (FONSI).

This document is tiered to and incorporates by reference the *Ely proposed Resource Management Plan/Final Environmental Impact Statement* (RMP/EIS) released in November 2007 (Record of Decision signed August 2008).

### 1.1 PURPOSE AND NEED

The purpose of this proposed action is to expand a material source site from 100 to 190-acres to provide riprap, borrow, base, and shoulder materials for the construction and maintenance of SR-892 and US-50 highways east of Eureka, Nevada. NDOT geologists estimate 1,350,000 yd<sup>3</sup> of suitable material is available on this proposed 90-acre site.

In September 2005 during a field survey, NDOT geologists noted that excavation had occurred outside the boundaries of the existing site. In a Fall 2008 survey, the BLM geologist noted excavations out of bounds to the south. The out-of-bounds excavations cover an area of approximately 170,000 ft.<sup>2</sup>. Amending the application to include the additional 90-acres would incorporate the unauthorized excavations into the material site.

Material source sites are necessary for the construction and long-term maintenance of highways. These sites are generally located on lands under the jurisdiction of BLM. The BLM is responsible for determining whether this action is a legitimate use of public lands, as authorized under the Federal Land Policy and Management Act (FLPMA) of 1976, or other Public Land Acts, while preventing undue and unnecessary degradation to the land.

## 1.2 RELATIONSHIP TO LAWS, POLICIES, AND PLANS

### 1.2.1 Conformance with BLM Land Use Plan:

The proposed action is in conformance with the Goals and Objectives of the Ely District Record of Decision and Approved Resource Management Plan (Ely RMP, BLM 2008), which are to:

- Allow development of mineral materials in a manner that will prevent unnecessary or undue degradation, meet public demand and minimize adverse impacts to other resource values and,
- To provide for the responsible development of mineral resources to meet local, regional and national needs, while providing for the protection of other resources and uses (p 92).

In addition, review of management decisions for other resources and concerns that would possibly be impacted by the project was conducted, and it was determined that approval of the proposed action is in conformance with the Ely RMP.

### 1.2.2 Relationship to Statutes, Regulations, or other Plans:

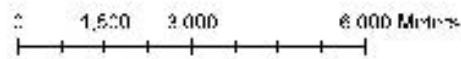
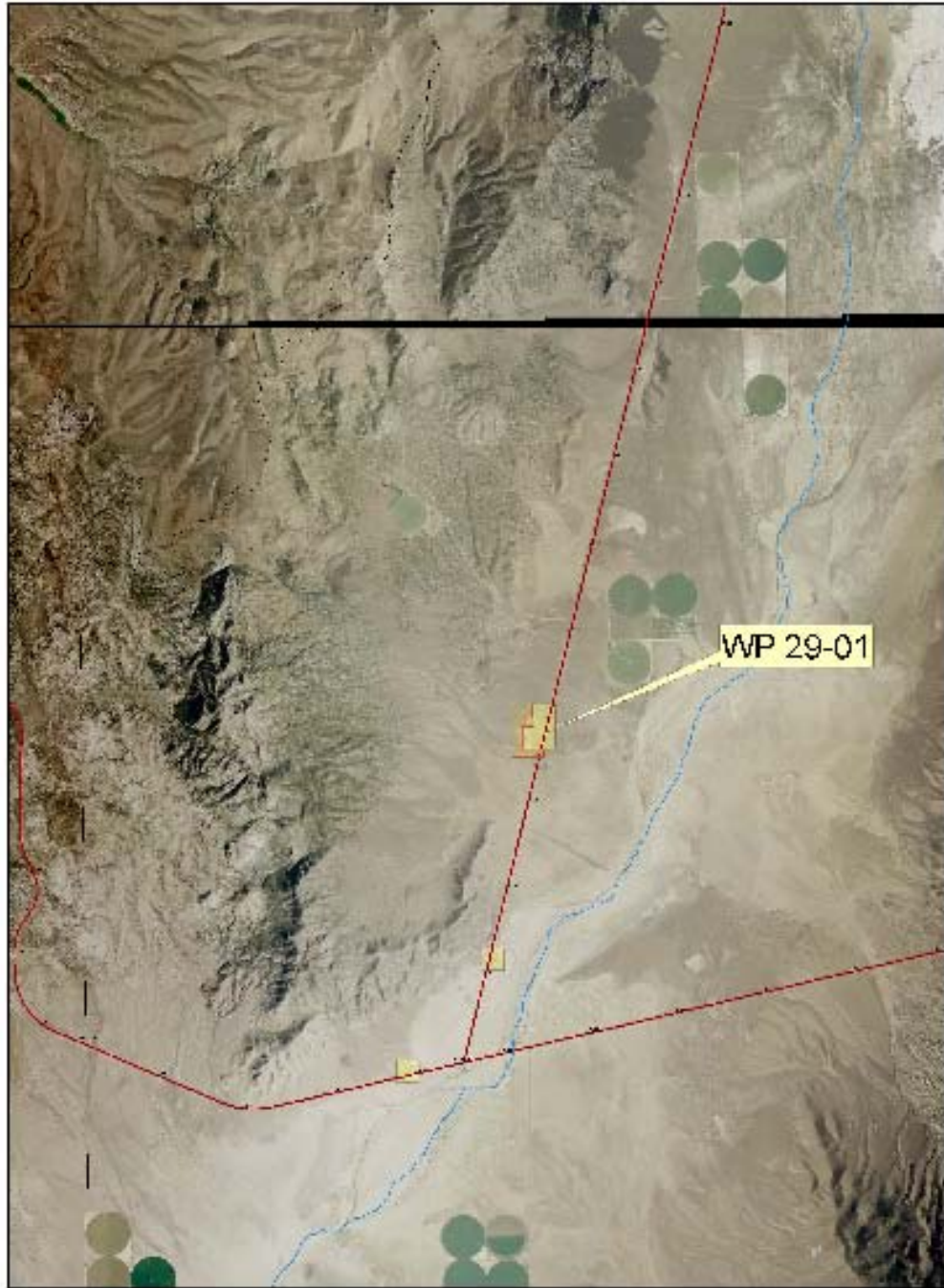
- Title 23 U.S.C. Sections 107(d) and 317 (Title 23), Interstate and Defense Highways Act and the Federal-aid Highways Acts, authorizes the appropriation of public lands for the maintenance and construction of federal-aid highways.
- The Federal Land Policy and Management Act of 1976 (FLPMA) (43 U.S.C. Sections 1737, P.L. 94-579) defines the legitimate uses of public land.
- This document is prepared for compliance with the National Environmental Policy Act of 1969 (NEPA).
- A Memorandum of Understanding (MOU), November 2007, between NDOT, BLM, and the Federal Highway Administration (FHWA), and the BLM-FHWA Interagency Agreement executed in 1982 defines the roles of each agency in relationship to NEPA and Title 23 rights-of-way.
- Cultural Resources Inventory Report, Federal Antiquities Permit # N-39794

The Resource Management Plan and MOU are available upon request from the BLM office in Ely, Nevada.

General view of existing material site in the background and proposed expansion area, west side, in the foreground.



### Material Site WP 29-01 SR-892 WP 3.8





## **2.0 PROPOSED ACTION AND ALTERNATIVES**

In order to meet the purpose and need of the proposed project in a way that resolves the issues, the Proposed Action and No Action Alternative have been evaluated. These alternatives are presented below with detailed analysis along with the alternatives considered but eliminated from consideration. The potential environmental impacts or consequences resulting from the project implementation are analyzed in Chapter 3 for each of the identified issues.

### **2.1 PROPOSED ACTION**

The proposed action is to acquire the rights to expand an existing NDOT material site (WP 29-01, NEV058088) located on the west side of Newark Valley, north of US-50 on SR-892, in White Pine County, Nevada. This site will be used to obtain material for multiple highway construction and maintenance projects funded from State and Federal monies over the next 20 years. The primary site users are NDOT contracted construction companies performing highway construction and maintenance projects in the vicinity. NDOT maintenance crews obtaining material for highway maintenance are secondary site users. Site occupancy is usually from three to twelve months, but can be longer for large projects. Site dormancy can be from one week to three years or longer between projects. An NDOT Resident Engineer oversees the specific highway project the material site is used for and is responsible for making sure the contractor meets all requirements for material site use. NDOT maintenance crews generally utilize stockpiled material every year.

The site intersects SR-892 at milepost 3.8. This proposed 90-acre expansion is adjacent to the west and south of the existing 100-acre material site (NEV058088), on the west side of the highway. The site has been used extensively over the past ten years for highway construction and maintenance projects. The east side of the highway will remain undisturbed.

#### **2.1.1 Site Development**

Development of the site would result in surface and subsurface disturbance, including vegetation clearing, test hole drilling and backfilling, material extraction through excavation and blasting, and a variety of processing activities. Materials suitable for producing plantmix bituminous products, borrow, base aggregates, concrete aggregates, riprap and shouldering material would be excavated, crushed, sorted, stockpiled, processed, and transported from the site to the project area. Highway project material type requirements would determine the specific location within the material site where excavation would occur. As an area is exhausted of usable material, it would be re-contoured and re-vegetated. Over time, the entire site could be subject to disturbance.

All surface disturbances would be confined to the specific area needed for extraction, processing, and stockpiling of the aggregate materials. Topsoil and overburden would be stockpiled separately and stabilized for use in reclamation of the site. Overburden would be removed to the minimum depth necessary for the production of acceptable aggregate and only in the amount needed for production of the required quantity of aggregate material.

The aggregate material would be crushed to a size and gradation that is acceptable for its intended purpose. If a crusher is used, it would be set within the site boundaries. Material is fed into the crusher by earthmoving equipment. Material screened during the crushing operation

would be stockpiled adjacent to the source area. Rejected material would also be stockpiled, with stockpiles kept relatively close together.

If hot mix or concrete plants for mixing asphalt materials or concrete are to be established at the site, they would be set adjacent to the stockpiles. These plants, when used, would be fed by large earthmoving equipment from the stockpiles and the resultant asphalt or concrete mix would be hauled in trucks to the highway construction site for use. All truck transport activity is restricted to one access road.

The contractor is responsible for furnishing power to the site. Usually on-site generators are used to power the plant rather than electrical power on new power poles. Several mobile trailers may be located on-site to accommodate office and testing facilities for the project. If the contractor chooses to use this location to set up the crusher and hot plant, scales must also be installed. No permanent residences or structures would be set up on the site.

Prior to site use, the contractor would submit a mining plan to the BLM for review and approval. At that time, the location of operations within the material site would be identified and any specific issues regarding natural resource protection would be addressed.

## **2.1.2 Resource Protection and Monitoring**

**2.1.2.1 Air Quality.** Any contractor choosing to utilize the site must comply with existing Federal and State air quality regulations. Prior to engaging in surface disturbance at the site, contractors would be required to obtain and pay for required permitting. If the contractor plans to operate material-processing plants at the site, such as those for production of concrete, hot-mix asphalt, or any crushing, screening, or conveyance of raw material, then the contractor would be required to obtain and pay for the appropriate stationary-source air quality permit for these material-processing plants as well. The contractor would be required to implement those Best Management Practices (BMPs) for control of fugitive dust, as specified in the permit. After the contractor completes a project, they would be required to stabilize disturbed areas of the site according to those BMPs specified in the permit.

**2.1.2.2 Migratory Birds.** Vegetation removal would be conducted to conform with the Migratory Bird Treaty Act (MBTA) to avoid impacts to listed migratory birds (50 CFR 10.13) that may be actively utilizing vegetation for nesting. When possible, vegetation removal would not occur during avian breeding season (April 15 through July 31). If vegetation removal must occur during avian breeding season, nesting surveys would be conducted. If nesting sites are found, an avoidance buffer area around the nest site of a minimum of 50 feet or more, based on species, would be established. Nesting areas would be flagged and avoided until the birds fledge.

**2.1.2.3 Forestry & Vegetation.** Plant surveys would be conducted prior to site use to determine if sensitive plant species have colonized the site. If populations of sensitive plant species are found, the BLM botanist would be consulted, avoidance areas would be established, and a monitoring plan implemented.

**Yucca and cactus.** All plants of the cactus family cactaceae and all plants of the genus yucca are protected under NRS 527.060-.120, which prohibits destruction of these plants without "written permission from the legal owner...specifying locality by legal description and number of plants to be removed or possessed" (NRS 527.100).

**2.1.2.4 Noxious Weed Management.** Noxious weed surveys would be conducted prior to site use. If noxious weeds or other invasive species deemed detrimental by BLM are found, a BLM weed specialist would be consulted and an appropriate treatment plan developed and implemented. Control standards and measures would comply with applicable State and federal regulations. Weed treatments may include the use of herbicides, and only those herbicides approved for use on public lands by the BLM would be evaluated for use.

All equipment including trailers, crushers, and batch plants will be thoroughly cleaned before entering the site to prevent the spread of noxious weeds and other invasive plants.

If noxious weeds are present on the site, an NDOT biologist would notify the contractor of weed type, location, and treatment options. Contractors using the site would be required to submit a Noxious Weed Management Plan to NDOT Environmental Services via the Resident Engineer prior to occupying the site. The plan would include weeds to be controlled along with appropriate eradication/control methods based on weed type, location, and applicator certification. Monitoring would be conducted throughout the life of the project and retreatment completed as necessary. The plan would also include methods for keeping equipment, personnel, staging areas, construction and excavation sites, and roadways clear of noxious weed plants and seeds. Equipment leaving noxious weed infested areas shall be cleaned prior to moving to another location. Equipment coming into or leaving the project area shall be cleaned and the cleaning area kept clear of plant material and contaminated dirt to prevent weed spread. The plan shall also address the treatment of weeds in topsoil salvage material. Materials used for erosion control and re-vegetation must be certified weed-free.

NDOT staff would inspect the site while in use to assure BMPs are being followed to prevent weed infestations on to the site and that the Noxious Weed Management Plan is being followed.

**2.1.2.5 Cultural Resources.** NDOT is responsible for staking site boundaries and avoidance areas and ensuring contractors stay within the site. The material site corner boundaries would be surveyed and staked with permanent metal boundary markers. The lines between the permanent corner markers would be staked with temporary markers (wooden stakes approximately 3 feet high) prior to site use for each specific project. Avoidance areas within the site boundaries would be clearly marked. These temporary markers would be clearly visible and within site distance of each other. They would remain in place until the specific project is completed and removed when the contractor vacates the site.

During excavation, if any historical, archaeological, or paleontological resources are discovered, operations with the potential to affect the resources would cease immediately and the discovered materials and surrounding area would be protected. NDOT archaeologists would investigate the site, assess the significance of those resources, contact the BLM archaeologist, and determine the best course of action.

**2.1.2.6 Water Resources.** Temporary erosion control measures would be implemented on the site and for the haul road, addressing both fugitive dust abatement and water pollution controls. These measures may include using chemical palliatives and water. Water would be used in accordance with all applicable State of Nevada and Federal regulations and, if necessary, approval from the appropriate water rights owner must be obtained by the contractor.

Material stockpiles would be placed a minimum of 100-feet away from concentrated flows of storm water and drainage channels. Non-active material stockpiles (not moved for longer than

21 days) would be covered or protected to stabilize the soil and control sediment using a temporary perimeter sediment control barrier (silt fence, berm, straw wattles, etc.). Active stockpiles would be protected with a temporary sediment control barrier installed prior to the onset of predicted precipitation. Operations would be conducted to avoid the accumulation of standing water within the project area.

Storm water discharges from this site are permitted by NDEP under the General Permit for Storm Water Discharges Associated with Industrial Activity (Permit No. NVR050000) defined in 40 CFR §122.26(b)(14). This permit covers borrow activities. Contractors utilizing this site would obtain coverage under NDEP's General Permit for Storm Water Discharges Associated with Construction Activity (Permit No. NVR100000) for the project the material would be used for. The permit would cover any temporary concrete, asphalt, and material plants or operations associated with this material site. A Storm Water Pollution Prevention Plan (SWPPP) is required to address specific storm water controls for the project, including material site use.

Based on contractor needs, a water well may be drilled onsite. The contractor is responsible for acquiring all necessary permits associated with well drilling, Nevada Division of Water Resources (NDWR) notification and retaining a Nevada licensed driller to properly install and abandon the well pursuant to NAC 534. Wells drilled on a material source site are temporary, supplying water for project use for the duration of the project only. Water use is project related and project specific. In general, water is pumped into a lined holding pond or above ground tank. It is used to fill water trucks for dust control; crushing and milling operations; hot plant processing; and other project related activities. The well is capped and abandoned when the project is completed.

**2.1.2.7 Visual Resources.** Measures to minimize site use visibility would be incorporated into the site use stipulations, including using neutral, non-obtrusive colors like tan, brown, white or gray for structures; using water for dust abatement on the haul road; and not using reflective metals. No structures, excavation, or developments would occur on ridgelines. Between uses and when this site is no longer needed, the area would be contoured and reseeded with natural and native vegetation to minimize visual impacts, blending the site in with its surroundings.

**2.1.2.8 Health and Safety/Hazardous Materials.** Solid waste (e.g. asphalt and concrete) would be removed and disposed of in accordance with applicable laws or regulations. Reportable quantity releases of all hazardous or regulated materials would be reported to federal and state authorities as required by 40 CFR 302.6 as well as NDOT Environmental Services Division. Resultant impacted material would be remediated and/or disposed in accordance with applicable state and federal requirements.

All state and federal safety standards would be followed. In keeping with NDOT policy, all environmental requirements resulting from this assessment would be stipulated in the contract documents. The site would not be accessible to the general public during active use. The site would be inspected annually during non-active use to assure it is not being used for illegal dumping. If public access creates a safety or environmental hazard, NDOT would consult with BLM to determine the best course of action to remedy the situation.

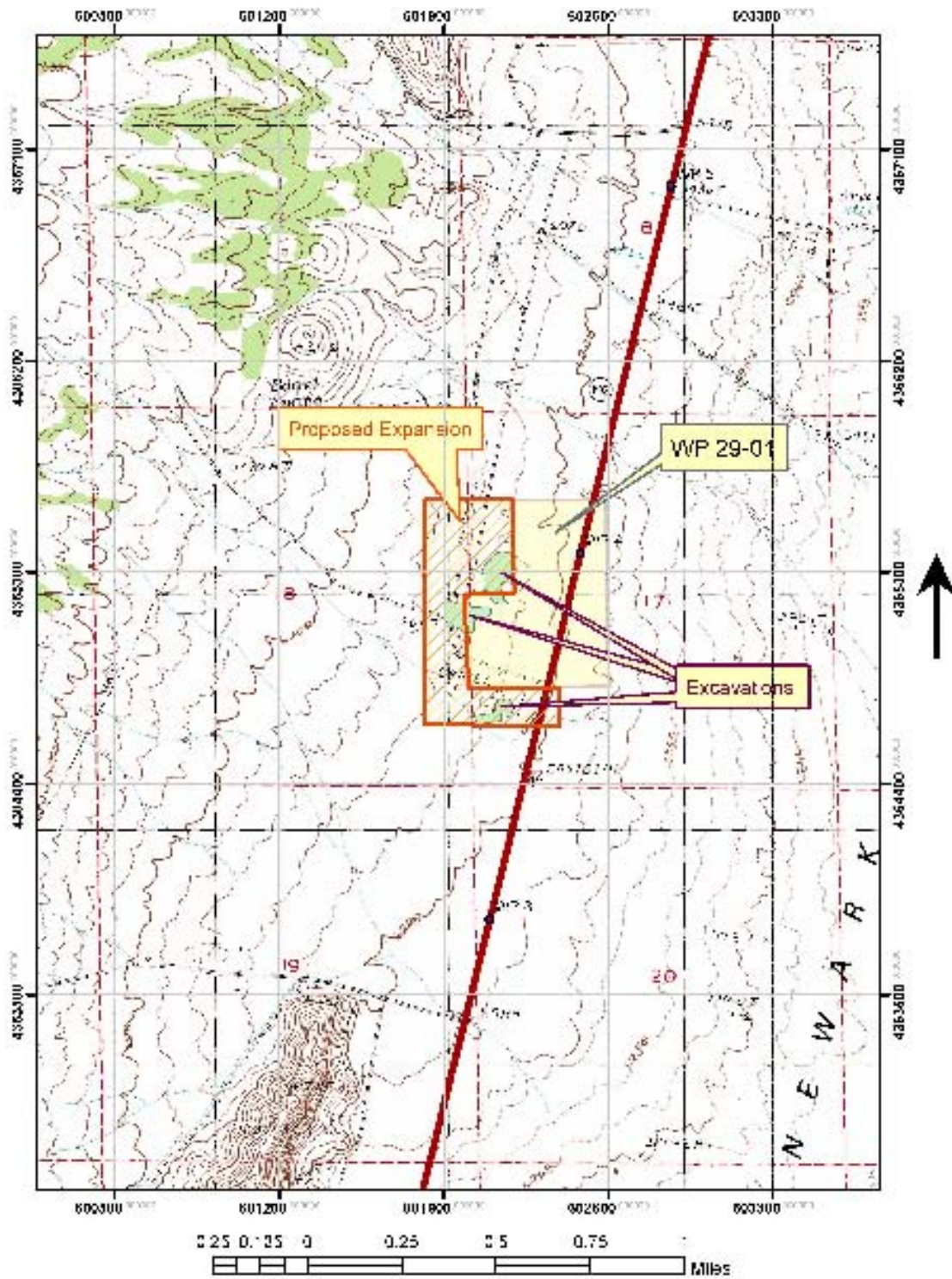
**2.1.2.9 Reclamation.** At the end of each project, any disturbance created would be restored to NDOT/BLM standards. All ancillary equipment would be removed from the site. With the exception of topsoil stockpiles and solid waste, all stockpiles remaining after operations cease would be used to backfill the site unless arrangements are made to retain these materials on the

site or move them to another site for use on another public project. All slopes would be contoured to a 3:1 ratio or to pre-construction conditions and stabilized unless the slopes are subject to special stipulations. Site reclamation would conform to the topography of the natural land formations of the area. Slope re-grading would resemble the natural topography, including drainage, slope, and valley gradients which blend in with the natural landforms and mimic natural systems. The gradients would ensure hill slopes effectively dissipate energy from heavy rainfall events without causing erosion or gullies. When the area would no longer be used, re-vegetation would occur with a native plant seed mix approved by BLM. After re-contouring and stabilization have been completed, stockpiled topsoil would be spread uniformly over the area of disturbance and reseeded. Reclamation is considered complete when re-vegetation is successful.

View from southwest area within the proposed expansion looking northeast.



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## **2.2 No Action Alternative**

The existing material site will be exhausted of material and will not be expanded. Highway construction and maintenance requires a material source, which means obtaining material at an existing site, creating a new site, or not performing highway construction and maintenance activities. The unauthorized out-of-bounds excavation would remain outside of the material site boundaries.

## **2.3 Other Alternatives**

Other material source sites were not analyzed since this action is intended to remediate unauthorized out-of-bounds excavation at this site in addition to acquiring access to additional material.

Creating a new material source site in an undeveloped area was not considered since this alternative increases rather than reduces environmental impacts through additional non-contiguous land disturbance and habitat fragmentation.

### 3.0 AFFECTED ENVIRONMENT & ENVIRONMENTAL IMPACTS

This chapter describes the environment that may be affected and describes the potential impacts of the Proposed Action. The analysis of the Proposed Action includes direct and indirect effects of the proposed expansion, and of past development of the material site associated with the No Action alternative. It includes the effects of other present, reasonably foreseeable actions associated with the No Action alternative, which demonstrates the incremental difference (cumulative impacts) resulting from the Proposed Action.

In general, the approval of the proposed material site would directly affect a maximum of 90-acres of land adjacent to the existing 100-acre site, for a total of 190-acres of contiguous land disturbance. The site would be used for multiple highway construction and maintenance projects over the next 20 years.

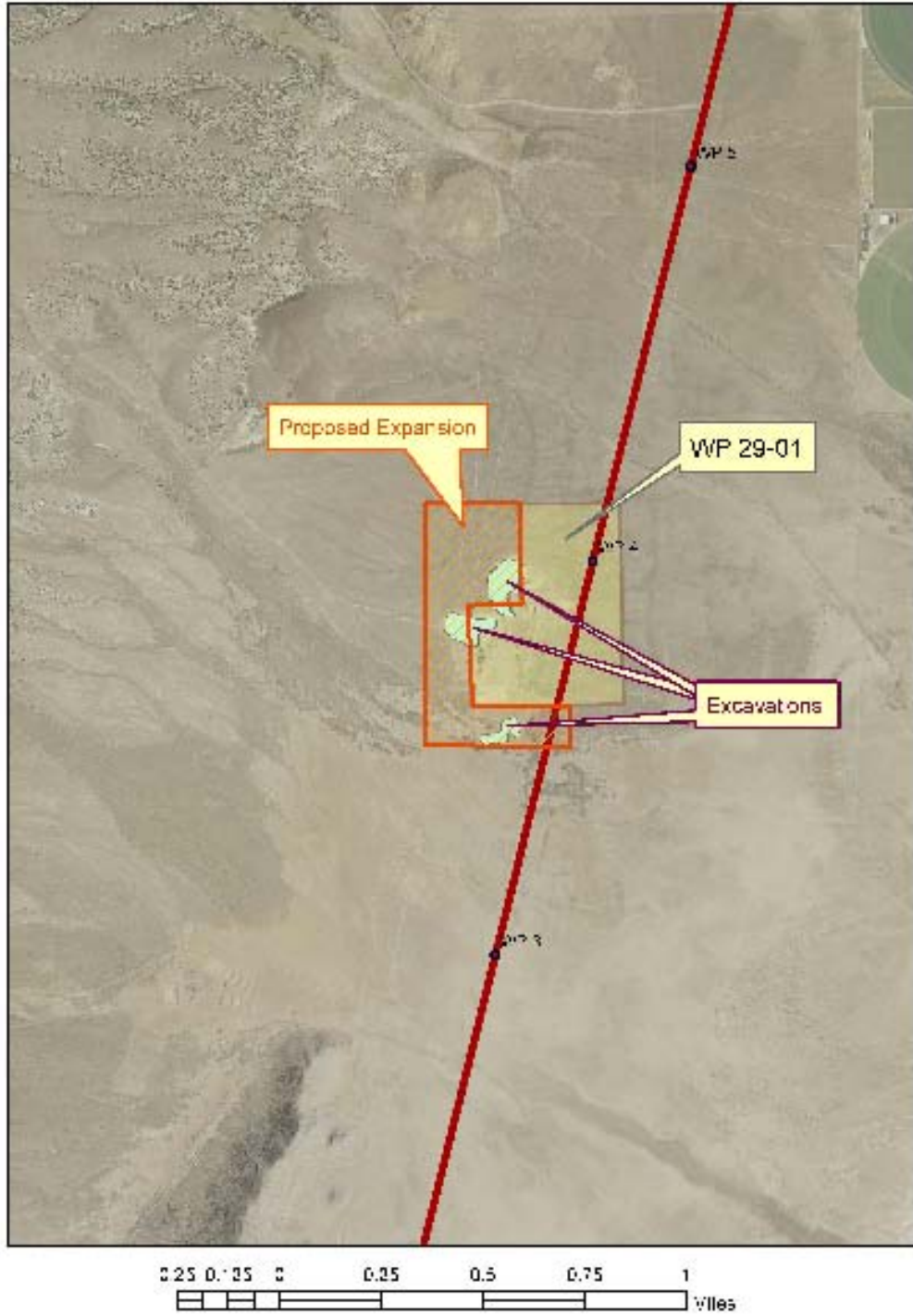
This 90-acre proposed expansion to the existing 100-acre material site (NEV058088) along the west side of Newark Valley is located adjacent to the west side of SR-892 at milepost WP 3.8, in White Pine County, Nevada. The existing site is located at: Mt. Diablo Meridian, White Pine County, Nevada, T. 18 N., R. 55 E., Section 17, E $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$ , W $\frac{1}{2}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  SW $\frac{1}{4}$ , W $\frac{1}{2}$  NE $\frac{1}{4}$ S W $\frac{1}{4}$ . The proposed 90-acre expansion is located at Mt. Diablo Meridian, White Pine County, Nevada, T. 18N., R.55E., Section 17, W $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$ , N $\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 18, E $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ , E $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ , NE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$ . The additional acreage would create a 190-acre material source site.

View from SR-892 looking northwest.





### Material Site WP 29-01 SR-892 WP 3.8



### 3.1 IDENTIFICATION OF ISSUES

While many issues may arise during scoping, not all of the issues raised warrant analysis. Issues raised through scoping are analyzed if:

- Analysis of the issue is necessary to make a reasoned choice between alternatives.
- The issue is associated with a significant direct, indirect, or cumulative impact, or where analysis is necessary to determine the significance of impacts.
- If there is a disagreement about the best way to use a resource, or resolve an unwanted resource condition, or potentially significant effects of a proposed action or alternative.

Field reviews and scoping were conducted by an interdisciplinary team that analyzed the potential direct, indirect, and cumulative consequences of the Proposed Action to the listed resources.

RESOURCE	Further Analysis	Rationale
Air Quality	N	As disclosed in Section 4.2 of the Ely RMP/EIS (incorporated by reference), mineral extraction projects can result in increased particulate emissions, thereby affecting air quality of the project area. The site is in the Newark Valley Hydrographic Basin (HA154), which is considered by the Environmental Protection Agency (EPA) to be <i>unclassifiable /attainment</i> for all National Ambient Air Quality Standards (NAAQS) criteria pollutants (i.e., CO, PM <sub>10</sub> , PM <sub>2.5</sub> , and O <sub>3</sub> ; and also NO <sub>2</sub> , and SO <sub>2</sub> ). Therefore, transportation conformity requirements do not apply. The Nevada Division of Environmental Protection (NDEP) has authority to enforce air quality regulations and permit air contaminant emission sources at the site.  Excavation and processing of raw material and its transport off-site can impact the local air quality since those activities have the potential to generate air contaminants. Localized and short-term increases in emissions of fugitive dust and carbon monoxide are anticipated from activities at the site. However, these would be temporary and would not cause long-term adverse effects.
ACEC	N	None Present.
Threatened or Endangered Species	N	None Present.
Special Status Species	Y	Sage Grouse are known to occur in the area. The site is within sage grouse nesting, summer, and winter range.
Wildlife & Fish	Y	Vegetation removal directly affects resident wildlife and may affect migratory wildlife.
Migratory Birds	Y	Vegetation removal may affect migratory birds.
Wild Horses	N	Not within a Herd Management Area.
Grazing/Range	N	The site is within the Newark grazing allotment (#00608) encompassing 218,105 public acres. The allotment is permitted for 1,968 AUMs of sheep use and 3,100 AUMs of cattle use from November 1 to April 15. This action would not affect grazing operations.

Forestry & Vegetation	Y	Vegetation removal would occur. The site contain does not contain protected cacti and yucca species.
Noxious Weeds	Y	No noxious weed infestations occur on or near the site, however land disturbance increases the risk of invasion.
Wetlands & Riparian	N	No wetlands or riparian areas.
Wild & Scenic Rivers	N	None Present.
Wilderness & WSA	N	None Present.
Cultural Resources	Y	The material site was inventoried by NDOT archaeologists through a formal cultural resource site survey. Historic cultural resources occur on the site.
Native American Concerns	N	This site is not adjacent to Native American lands and no Native American concerns, traditional cultural uses, or cultural resources have been identified. There are no identified traditional religious sites or cultural sites of importance within the project area and as a result there are no identified potential impacts. There are no identified 'Indian Assets' managed by the Ely District Office BLM on behalf of any federally recognized tribe within the project area.
Farm Lands, Prime or Unique	Y	The southern portion of the site is within the Linoyer-Heist-Tulase association (232), which is classified as "prime farmland if irrigated and reclaimed of excess salts and sodium" according to the NRCS soil survey.
Floodplain	N	Site is not in a floodplain.
Land Use	N	Land is managed for multi-use. Land use designation is not changed by this action. The action is within the scope of the current land use designation.
Noise	N	The remote location of the material site does not warrant traffic or construction noise modeling or field ambient recording since it is not near residential or frequent public use areas such as parks, schools, churches, or hospitals. Typically ambient noise levels for highway construction projects, including material site operations, are in the low to mid 40 decibel range, well below the 66 decibels Noise Abatement Criteria that NDOT classifies as adverse traffic noise.
Recreation	N	The proposed expansion area does not contain, and would not affect, recreation facilities or routes.
Socioeconomic & Environ. Justice	N	The site is in a rural, undeveloped area. No low-income or minority groups would be disproportionately affected by the proposed action. The adjacent land is public land. Highway maintenance and construction projects for which this site would be used can bring temporary construction employment opportunities to the area and may generate revenue for local businesses in Eureka. During construction, truck traffic increases between the material site and the project site.
Soils	Y	Excavation activities affect soils.
Visual Resources	Y	The site is located within a class III Visual Resource Management area, which allows for modifications of existing character of landscapes as long as the existing character of

		the landscape is partially retained. Measures to minimize site use visibility would be incorporated into the site use stipulations.
Water Resources	N	<p>The site is located in the Newark Valley hydrographic basin (HA154) within the Central Region River Basin Region in White Pine County, Nevada. No surface water bodies exist within the material site boundary or in the vicinity. Several small ephemeral drainages trend west to east through the site. These drainages flow during periods of localized intense rain or snow melt from the eastern slopes of the Diamond Mountains eastward toward Newark Lake. Newark Lake is a seasonally dry lake bed sink in the center of the valley north of U.S. 50.</p> <p>The Nevada Division of Water Resources well log database was searched to obtain static water levels to determine the average site depth to ground water. One well log record appears in Sections 17 and 18 of T.18N R.55E indicating a static water level of 66 ft. with total depth of 163 ft.</p> <p>In general, material site operations do not adversely impact surface or groundwater. Groundwater has not been intercepted from past excavations, consequently, the existing pits do not act as conduits for potential groundwater contamination. Any new wells drilled on BLM administered lands would require a permit through the Nevada Division of Water Resources.</p>
Wastes, Hazardous or Solid	N	None present or anticipated.

### 3.2 WILDLIFE, INCLUDING MIGRATORY BIRDS AND SPECIAL STATUS SPECIES.

**3.2.1 Affected Environment.** Evidence of the following species was encountered during field surveys: mule deer, pronghorn, black-tailed jackrabbits, coyote, raven, sage sparrow, side-blotch lizards, and small rodent and reptile burrows. The site contains potential sage grouse habitat.

Migratory bird protection responsibilities are defined in the Executive Order issued January 11, 2001 under the Migratory Bird Treaty Act of 1918 and subsequent amendments (16 U.S.C. 703-711). Breeding season is generally April 15<sup>th</sup> - July 31<sup>th</sup> for most species in this BLM management area. The Nevada Partners in Flight Bird Conservation Plan identifies the following migratory bird species associated with Sagebrush Steppe: sage grouse, ferruginous hawk, sage sparrow, sage thrasher, vesper sparrow, gray flycatcher, burrowing owl, loggerhead shrike, black rosy finch, calliope hummingbird, prairie falcon, and Swainson's hawk. The site is within a mile of the transition zone into pinyon-juniper woodland, which has the following migratory bird species associations: pinyon jay, gray vireo, juniper titmouse, black-throated gray warbler, ferruginous hawk, gray flycatcher, western bluebird, Virginia's warbler, and Scott's oriole.

No burrowing owls or potential burrowing owl burrows were found on site. No pygmy rabbits or evidence of pygmy rabbit burrows were found on site. No sage grouse were encountered during

the surveys and no evidence of a sage grouse lek was found within the site boundaries. A Nevada Department of Wildlife (NDOW) Biologist surveyed the area in July 2008. His report indicated that the site was not optimum for sage grouse lekking, however sage grouse could be using the site for forage, cover, and movement between the agricultural fields to the east and the open sagebrush areas to the west. Based on BLM and NDOW records, a historic sage grouse lek site occurs approximately one mile to the north of the material site.

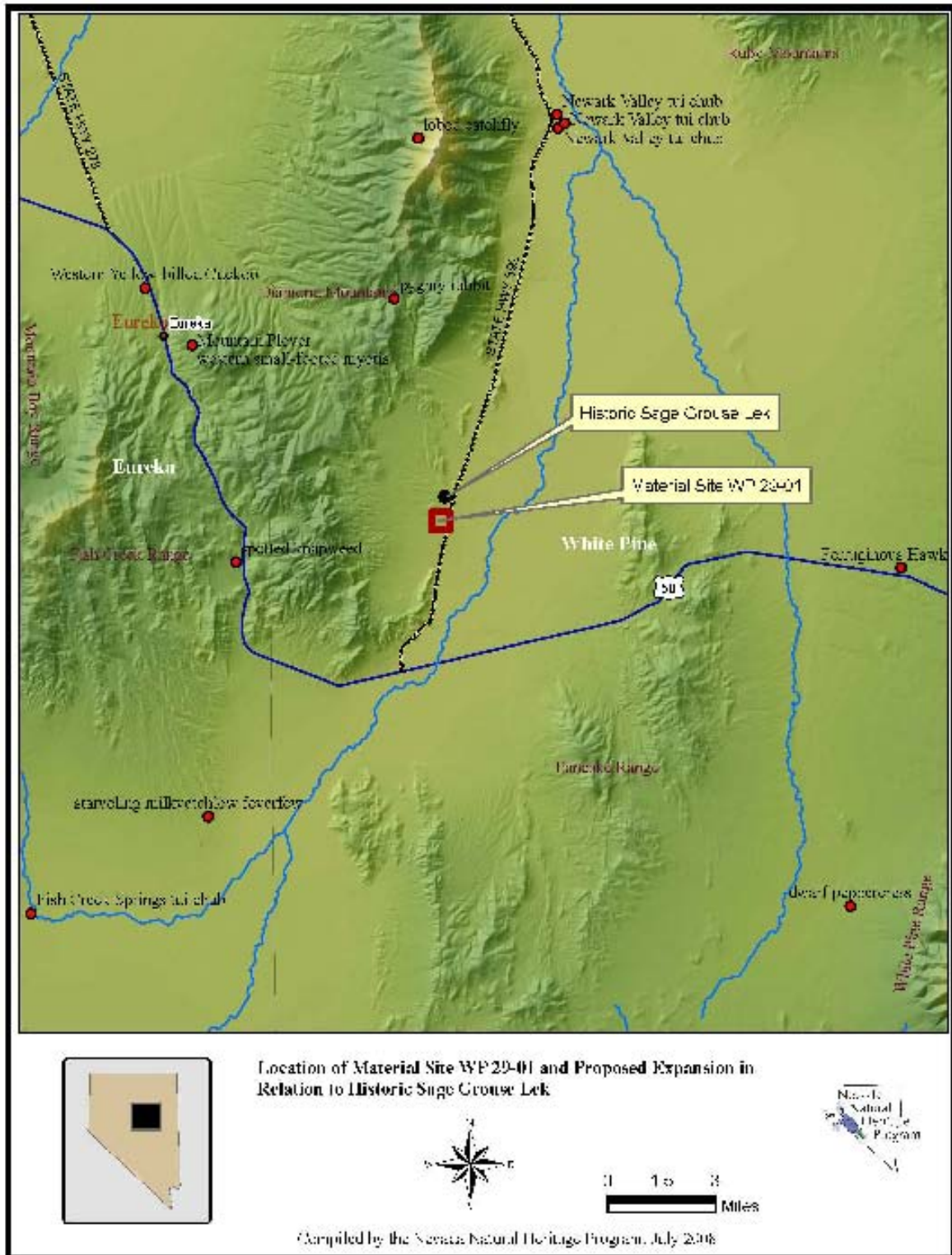
Conservation efforts to protect sage grouse include no surface occupancy within 0.5 miles of a sage grouse lek, seasonal restrictions in brood rearing areas and crucial winter habitat areas. This proposed site is within one mile of a historic lek, and within sage grouse nesting, summer and winter range.

**3.2.2 Impact Analysis.** The greatest direct effect from this proposal is to mammalian and reptilian species with low mobility. Soil disturbance and excavation destroys animal burrows, injuring or killing trapped animals. Mobile animals would be displaced by the excavation activities, resulting in loss of cover, forage, and travel routes.

Loss of potential nesting, roosting, and foraging areas may impact resident and migratory birds. Ground clearing activities during avian breeding season (April 15 to July 31) would have the highest potential impact to nesting birds. Direct impacts to migratory birds are expected to be minimal since the nearest riparian area is Barrel Spring, approximately one-half mile to the north west. The Pinyon-Juniper woodland vegetation begins approximately one mile to the west. Direct effects to wildlife from habitat removal and disturbance include population reduction from loss of individuals through direct death and harassment which can reduce reproduction potential.

Indirect effects of the dust, noise and vibration caused by construction activities may cause terrestrial and avian species to abandon adjacent habitat they currently use for forage, cover, and nesting. During material site use, operations could cause resident and migratory animals to avoid the area, altering their movement patterns into unfamiliar territory, which could increase their risk of exposure to injury or predators.

**3.2.3 Cumulative Effects.** Cumulative effects of habitat fragmentation from all types of ground disturbing activities reduces the area available to wildlife, restricts or alters their movement, and can expose animals to higher risks of death, injury, and illness. The cumulative effects of habitat disturbance and fragmentation are minimized when disturbance is adjacent to a road and/or an already disturbed site.



### 3.3 FORESTRY AND VEGETATION.

**3.3.1 Affected Environment.** The site lies within the semi-arid uplands of Carbonate Sagebrush Valleys of the Central Basin & Range Eco-region dominated by sagebrush. The existing site was surveyed in July 2006 and the proposed expansion surveyed in May 2008. The dominant vegetation is a mixed mosaic of low sagebrush (*Artemisia arbuscula*) and big sagebrush (*A. tridentata*). Associate vegetation includes spiny hopsage (*Artriplex spinosa*), broom snakeweed (*Gutierrezia sarothrae*), and a variety of bunch grasses including indian rice grass (*Achnatherum hymenoides*), squirrel tail (*Hordeum jubatum*). The disturbed areas are dominated by Russian thistle (*Salsola tragus*) and cheat grass (*Bromus tectorum*).

**3.3.2 Impact Analysis.** The site contains native sagebrush scrub vegetation, which will be removed as site excavation occurs. Vegetation removal contributes to soil erosion, particularly when combined with excavation activities which change the landform topography. An excavated area can affect adjacent land by altering the flow of storm water, removing vegetation, and creating gullies and rills down slopes. As discussed in the wildlife impact analysis, another indirect effect of vegetation removal is reduction and fragmentation of habitat for wildlife use.

**3.3.3 Cumulative Effects.** The cumulative effect of vegetation removal from excavation activities is the permanent alteration of landform and the potential to permanently alter vegetation type. Reclamation activities will be conducted to create landforms as consistent with the surrounding environment as possible and to re-establish native vegetation, however, the site will not return to its original condition. Native vegetation from adjacent land will eventually re-colonize the site.

### 3.4 NOXIOUS WEEDS.

**3.4.1 Affected Environment.** The proposed expansion area was inventoried in July 2006, May 2008, and April 2010 for noxious weed infestations. The existing site and roadside do not contain noxious weeds.

**3.4.2 Impact Analysis.** Disturbance of native soils and vegetation allows opportunistic noxious weed species to invade. If these species are not controlled, they may prevent reestablishment of native species in the disturbed areas in addition to moving into undisturbed areas and out-competing the native vegetation. The likelihood of a noxious weed invasion increases if noxious weeds are present on adjacent sites or if seeds are transported from an invaded area to a disturbed area by equipment or soil movement.

Contractors from outside the area would bring equipment into the project area, increasing the possibility of new weed infestations. Weeds of concern that are not currently found in this area of Nevada could be brought in if equipment cleaning best management practices are not followed.

**3.4.2 Cumulative Effects.** The cumulative effects of land disturbance are loss of native vegetation to bare ground, which creates a niche for invasive species establishment. In Nevada, cheat grass and Russian thistle, both annual invasive species, readily colonize disturbed sites. These species are more fire-prone than native perennial grasses and shrubs, increasing fire frequency and intensity. Generally, invasive species do not provide adequate forage or cover for wildlife, rendering the area unusable wildlife habitat. Since invasive species spread easily, their establishment along disturbed areas like roadways and cleared areas can also increase the likelihood of weed infestations spreading along into undisturbed lands.

### 3.5 CULTURAL RESOURCES

**3.5.1 Affected Environment.** The existing 100-acre material site was inventoried by NDOT archaeologists through a formal cultural resource site survey and report completed in December 1987. The survey results were documented in NDOT Cultural Resource Report WP87-073P, BLM Report 040-0895P. The proposed 90-acre expansion was surveyed in 2006, and the report completed in December 2006 (NDOT report WP06-009P, BLM report 8111 NV-04-09-1835). The reports were completed under Nevada BLM Class III survey guidelines and submitted to the BLM for review and subsequently accepted. The area surveyed contains a historic road trending north-south in the northern portion of the expanded area.

**3.5.1 Impact Analysis.** This action has the potential to affect a historic road within the project area. Prior to site use, the road will be designated as an avoidance area on NDOT site maps, pit sketches, and in the contractor special provisions for site use. In addition, NDOT will delineate the area of avoidance with flagging prior to site use.

### 3.6 SOILS

**3.6.1 Affected Environment.** The Natural Resources Conservation Service (NRCS) Soil Survey classifies the site within the Pyrat-Cowgil-Broyles Association (181). The landform is a gentle east sloping alluvial fan, well-drained, with a typical profile of gravelly sandy loam. The western side transitions into Palino very gravelly loam (282) well-drained fan remnants. The lithology is basalt, gray-brown carbonate and orthoquartzite. The southern portion is within the Linoyer-Heist-Tulase association (232), described as very gravelly loam.

**3.6.2 Impact Analysis.** Up to 90 acres of land may be disturbed by this proposed action. The removal and stockpiling of topsoil exposes the underlying parent material and increases the likelihood of erosion from storm water runoff. Excavation and extraction activities permanently alter the soil structure and landform. The pits will collect water from rain and snow melt. Erosion is most likely to occur where ephemeral drainages are intercepted by excavation, which can cause rilling on the slope into the pit and the potential for headcuts and gully up the drainage, beyond the material site boundary. To minimize erosion where drainages are impacted by excavation, slopes will be recontoured at a 3:1 ratio and revegetated. The point where a drainage enters a pit will be stabilized.

**3.6.3 Cumulative Effects.** The cumulative effects of material removal are alterations in soil composition. The removal of vegetation reduces decomposition and nutrient cycling in the soil. Once the underlying gravel is exposed and excavated, reclamation is more difficult because plant establishment is more difficult and the opportunity for erosion is greater.

### 3.7 PRIME OR UNIQUE FARMLAND

**3.7.1 Affected Environment.** Eight acres on the southern end of the material site, within the Linoyer-Heist-Tulase association (232), is classified as "prime farmland if irrigated and reclaimed of excess salts and sodium" according to the NRCS soil survey. The out-of-bounds trespass activity has already disturbed 3.5 acres of potential prime farmland. Another 4.5 acres would become part of the material site as a result of this expansion.

**3.7.2 Impact Analysis.** Up to eight acres of potential prime farmland will be affected by this action. This rating by NRCS indicates that irrigation is required to classify this acreage as prime



farmland. The site is on BLM land, adjacent to BLM land, consisting of native sagebrush vegetation. The opportunity to utilize it as farmland would require a land transfer or conversion to private land, acquisition of water rights, removal of native vegetation, field creation including leveling and planting, and the installation of an irrigation system. The closest developed farmland is to the northeast, across the highway (see page 3 map). Consequently, it is unlikely this site would be used as farmland.

**3.7.3 Cumulative Effects.** Use as a material source would make the site no longer be viable as farmland.

### 3.8 VISUAL RESOURCES

**3.8.1 Affected Environment.** The proposed expansion area, immediately adjacent to the existing approved gravel pit, is located within Visual Resource Management (VRM) Class III lands, along SR-892. The Diamond Mountains, alluvial fans, the surrounding flat valley bottom of Newark Valley, are dominant features in the characteristic landscape.

The Class III VRM objective 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 caused by management activities may be evident and begin to attract attention, but these changes should remain subordinate to the existing landscape.

Visual resources are identified through the VRM inventory. This inventory consists of a scenic quality evaluation, sensitivity level analysis and a delineation of distance zones. Based on these factors, BLM-administered lands are placed into four visual resource inventory classes: VRM Class I, II, III and IV. Class I and II are the most valued, Class III represents a moderate value and Class IV is of the least value. VRM classes serve two purposes: (1) as an inventory tool that portrays the relative value of visual resources in the area, and (2) as a management tool that provides an objective for managing visual resources.

**3.8.2 Impact Analysis.** The existing gravel pit is evident and attracts attention to the casual observer traveling on SR-892. The proposed expansion would increase the visual contrasts within the area by increasing the size of the gravel pit. The removal of desert vegetation and exposure of the lighter soils would create a moderate to strong visual contrast with the surrounding vegetation, plus creating a demarcation between the two. Continued disturbance to the alluvial fan and flat valley bottom would create a moderate visual contrast with the surrounding landscape forms.

To minimize visibility, stockpiles left on site during non-use must be a minimal height and contoured to mimic the characteristic landscape. Reclamation would be designed to restore the characteristic line and color elements. Areas where reclamation is not complete or successful would continue to contrast with visual resources in the area.

**3.8.3 Cumulative Effects.** If the measures to minimize visibility are followed, the proposed project would be in compliance with VRM Class III management objectives. Upon completion of reclamation activities, visual resources would be greatly improved.

View from SR-892 looking southwest.



#### **4.0 OVERALL CUMULATIVE IMPACTS**

Statewide, as with most mining activities, the development of material sites contributes to the cumulative degradation of Nevada ecosystems. The cumulative long-term negative impact resulting from this project is a larger surface area of disturbance in an arid environment where restoration efforts have met with limited success due to low precipitation, poor soil growing conditions, and the spread of invasive species (cheat grass) which promote more frequent fire cycles.

An indirect cumulative effect of material sites is accessibility which can lead to illegal dumping. Illegal dumping has a detrimental visual and physical effect on the environment, can become a safety hazard, and is costly to clean up.

#### **5.0 MITIGATION AND MONITORING**

The resource protection and monitoring measures described in Section 2.2.2 Resource Protection and Monitoring are requirements for site use. Consequently, no additional mitigation or monitoring actions are proposed.

## 6.0 CONSULTATION AND COORDINATION

- Doris Metcalf, Lands and Realty, BLM
- Lisa Gilbert, Archaeology, Historic, Paleontological, BLM
- Mark D'Aversa, Soil, Water and Air, Flood Plains, Riparian, BLM
- Mindy Seal, Invasive, Non-Native Species, Vegetative Resources, BLM
- Amanada Anderson, Range, BLM
- Marian Lichtler, Wildlife, Migratory Birds, Special Status Animals/Plants, BLM
- Erin Rajala, VRM, Recreation, BLM
- Dave Davis, Minerals, BLM
- Melanie Peterson, Hazardous & Solid Waste, BLM
- Elvis Wall, Native American Religious Concerns/Tribal Coordination, BLM
- Gina Jones, NEPA, BLM
- Mike Podborny, Wildlife Biologist, NDOW
- Eric Miskow, Biologist/Data Manager, NNHP
- Steve M. Cooke, P.E., Chief, Environmental Services, NDOT
- Halana Salazar, Manager, R/W Engineering, NDOT
- Lou Grofman, Geologist, NDOT
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- Cliff Creger, Cultural Resource Manager, NDOT
- Sabra Gilbert-Young, Native American Consultation Coordinator, NDOT
- James Murphy, Water Quality Specialist, NDOT
- Rupali Mohansingh, Air Quality Specialist, NDOT
- Robert Piekarz, Hazardous Materials Specialist, NDOT
- Abdelmoez Abdalla, Environmental Program Manager, FHWA

## 7.0 REFERENCE AND ACRONYMS

### 7.1 REFERENCES

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### 7.2 ACRONYMS

**ACEC**-Area of Critical Environmental Concern  
**BLM**-Bureau of Land Management  
**BMP**-Best Management Practice  
**CFR**-Code of Federal Regulations  
**DR**-Decision Record  
**EA**-Environmental Assessment  
**ESA**-Endangered Species Act  
**FHWA**-Federal Highway Administration  
**FLPMA**-Federal Land Policy and Management Act  
**FONSI**-Finding of No Significant Impact  
**FWS**-U.S. Fish and Wildlife Service  
**ID**-Interdisciplinary  
**MTBA**-Migratory Bird Treaty Act  
**NDOT**-Nevada Department of Transportation  
**NDEP**-Nevada Division of Environmental Protection  
**NDOW**-Nevada Department of Wildlife  
**NEPA**-National Environmental Policy Act  
**NNHP**-Nevada Natural Heritage Program  
**RMP**-Resource Management Plan  
**ROW**-Right-of-Way  
**SWPPP**-Storm Water Pollution Prevention Plan  
**USACE**-Army Corp of Engineers  
**USGS**-U.S. Geological Survey