



United States  
Department of  
Agriculture

Forest  
Service

Intermountain  
Region



# Scoping Document

## Humboldt-Toiyabe Geothermal Leasing Project

USDA Forest Service  
Humboldt-Toiyabe National Forest  
Sparks, Nevada  
April 2011

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## **1. Comments Welcome**

The Humboldt-Toiyabe National Forest welcomes your comments on the Humboldt-Toiyabe Geothermal Leasing Project, which will address geothermal leasing on certain National Forest System (NFS) lands in the Humboldt-Toiyabe National Forest. The Programmatic EIS (PEIS) for Geothermal Leasing in the Western United States (2008) analyzed the effect of allocation of lands for geothermal leasing for exploration and development in the Western United States. The United States Department of Agriculture, Forest Service (Forest Service) has determined that additional site-specific environmental analysis is needed to supplement the PEIS in order for the Forest Service to make a decision about providing concurrence/consent<sup>1</sup> to the Bureau of Land Management to lease lands in the Humboldt-Toiyabe National Forest for the purpose of developing geothermal resources.

The Forest Service is now seeking public comments specific to the proposed Humboldt-Toiyabe Geothermal Leasing Project. The proposal will be analyzed in an Environmental Impact Statement (EIS). This comment period is in accordance with the requirements of the National Environmental Policy Act of 1969 (as amended) (NEPA) regarding public scoping.

## **2. Location**

The lands to be made available encompass the Nevada portion of the Bridgeport Ranger District (approximately 659,000 acres), one area on the Austin Ranger District (3,961 acres), one area on the Tonopah District (165.92 acres), and one area on the Ely Ranger District (3,538.39 acres). Figure 1 shows the location of the Bridgeport Ranger District Analysis Area and Figure 2 shows the locations of the proposed geothermal analysis areas for the Austin, Tonopah, and Ely portions of the project area.

## **3. Leasing Background Information**

The Energy Policy Act of 2005 (Public Law 109-58, August 8, 2005) establishes a goal for the Secretary of the Interior to approve 10,000 megawatts of electricity from non-hydropower renewable energy projects located on public lands. This includes solar, wind, and geothermal. Further, Secretarial Order 3285A1, amended February 22, 2010, establishes the development of environmentally responsible renewable energy as a Department of Interior priority. The Forest Service has obligations under Section 225 of the Energy Policy Act to facilitate the development and production of geothermal energy.

The State of Nevada, through the Renewable Portfolio Standard, has mandated that investor owned utilities generate, acquire or save at least 20 percent of their produced electricity from renewable energy systems by 2015. The State of California, a potential customer of Nevada's geothermal energy, has mandated that 33 percent of electrical power be derived from renewable energy sources by 2020. Geothermal resources, along with oil and gas, fall under the Forest Service Leasable Minerals Program. The Geothermal Steam Act of 1970 gives the Secretary of the Interior authority to issue geothermal leases on NFS lands and regulate subsurface geothermal activities through the United States Department of the Interior, Bureau of Land Management (BLM) [30 United States Code 1002, Sec.3]. The lessee has the

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<sup>1</sup> For purpose of this document, the words consent and concurrence have the same meaning.

right to explore, develop, and produce geothermal energy subject to rules and regulations [NEPA of 1969, et. al.] in place to protect surface use and resources (30 United States Code 1023).

In response to requests from industry, the BLM has requested the concurrence of the Forest Service to lease NFS lands in the Humbolt-Toiyabe National Forest for future geothermal exploration, development, and production. BLM may only lease nominated NFS lands with Forest Service consent [43 Code of Federal Regulations 3201.10(a) (2)]. Prior to providing concurrence to the BLM for leasing, the Forest Service is responsible for conducting a NEPA analysis for leasing, for developing appropriate terms and conditions under which leases may be issued, and for ensuring decisions are consistent with the Humboldt and Toiyabe National Forests Land and Resource Management Plans (LRMP).

Because of the interest in geothermal energy, and the recognized potential for geothermal resources on the eastern side of the Bridgeport Ranger District, the Humbolt-Toiyabe National Forest realizes that continued applications for leasing NFS lands for geothermal activity are likely. Therefore, the Humbolt-Toiyabe National Forest proposes analyzing not only the nominated areas across the Humbolt-Toiyabe National Forest and pending lease applications, but also the Nevada side of the Bridgeport District with a high geothermal interest. By incorporating portions of the Bridgeport District, as well as nominated lands and pending lease applications under one EIS, future nominations and applications may be addressed and consent or non-consent provided to the BLM in a timely manner.

Geothermal phases that may occur on NFS lands are sequential and can include 1) the applicant acquiring a lease, 2) exploring through geophysical techniques and exploratory wells, 3) developing the field through additional wells if an economic discovery is made, and 4) establishing production through a plant, gathering pipelines and a distribution network. Leasing regulations state that a NEPA analysis will be carried out at each phase. Issuing leases does not authorize ground-disturbing activities. Future proposals for exploration, development, or production operations would be subject to the appropriate NEPA review before activities are approved for each phase. Consistent with the rights conferred by the lease, future development proposals may be conditioned to minimize impacts on natural resources.

#### **4. Purpose Of and Need for Action**

The purpose of the proposed action is to determine if certain lands within the Humbolt-Toiyabe National Forest may be made available for geothermal leasing, and if so, to identify reasonable and necessary conditions to protect surface resources. The need for the proposed action is to allow the Forest Service to satisfy their respective statutory and policy mandates in responding to requests for the environmentally responsible development of energy resources; to address provisions of the Energy Policy Act of 2005 (Sections 211 and 222[d][1]); and respond to other policy directives calling for clean and renewable energy.

The BLM is obligated by statute to obtain the consent of the Forest Service before it can issue geothermal leases on NFS lands. Per a Memorandum of Understanding with the BLM, the Forest Service will identify lands that are administratively available for leasing, and any surface use stipulations and mitigation measures that would be included in future leases the BLM may issue.

The Forest Service, as surface manager of NFS lands, works in conjunction with the BLM in managing geothermal activities so that impacts on resources are minimized on NFS lands. The BLM is required to obtain concurrence from the Forest Service prior to issuing a lease on NFS lands [43 Code of Federal Regulations 3201.10(a) (2)]. Therefore, the Forest Service is tasked with completing a NEPA analysis and ensuring that decisions are consistent with the Humboldt and Toiyabe National Forests Land and Resource Management Plans (LRMP) before the BLM is provided with a consent. Based on the environmental analysis and disclosure in the EIS, the Forest Service will decide whether or not it will consent to BLM to issue leases on NFS lands. A “Nonconsent” determination recommends that no leases be issued. A “Consent” determination can include consent with or without stipulations, or consent with no surface occupancy.

The decision resulting from this analysis would not affect any prior decisions on: 1) pending and existing geothermal leases; or 2) lands made available under previous Forest-Level Availability Determination Decisions. In addition, this decision would not make any leasing determination decisions on any lands being analyzed under separate environmental analysis at the time of the EIS.

## 5. The Proposed Action

The US Forest Service would consent to up to approximately 667,000 acres of NFS lands be administratively available for geothermal leasing. The lands to be made available encompass the Nevada portion of the Bridgeport Ranger District (approximately 659,000 acres), one area on the Austin Ranger District (3,961 acres), one area on the Tonopah District (165.92 acres), and one area on the Ely Ranger District (3,538.39 acres). Figures 1 and 2 show the areas of analysis, subject to modification pending any final land status adjustments. Leasing would include stipulations from Chapter 2 of the Geothermal Leasing PEIS (BLM, October 2008) and other stipulations determined to be reasonable and necessary to protect surface resources.

## 6. Possible Alternatives

The Forest Service will also evaluate the following possible alternatives. Additional alternatives may be developed in response to issues identified during scoping.

The No-Action Alternative: The Forest Service would not make an availability determination on lands within the geothermal analysis areas. Processing of geothermal lease applications and nominations would continue; however, they would be evaluated on a case-by-case basis under separate NEPA analyses.

The No-Leasing Alternative: The No-Leasing Alternative would not allow leasing of geothermal resources on the subject lands. Under this alternative, lands within the geothermal analysis areas would not be available for leasing.

## 7. Preliminary Issues

The following preliminary issues have been identified for the Humboldt-Toiyabe Geothermal Leasing Project based on Forest Service experience with similar projects. The project has the potential to impact the following resources if development of leases occurs. The potential impacts would come from ground disturbance associated with the future exploration and development of geothermal resources.

- Cultural resources;
- Wildlife;
- Vegetation;
- Air;
- Water;
- Native American concerns;
- Visual;
- Land use;
- Hazardous materials;
- Inventoried Roadless Areas; and
- Social and economic conditions.

Other issues may be identified during the scoping process.

## 8. Comment Process

Written comments must be submitted to:

Keith Whaley  
Project Manager  
Humboldt-Toiyabe National Forest  
Bridgeport Ranger District  
HC 62 Box 1000  
Bridgeport, CA 93517

Comments may also be sent via email or via facsimile to (760) 932-5899. Electronic comments must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), Acrobat (.pdf), and Word (.doc) to:

comments-intermtn-humboldt-toiyabe@fs.fed.us

Please place “Geothermal EIS” in the subject line.

Comments can be hand-delivered to: Bridgeport Ranger Station, Highway 395 South, Bridgeport, CA, Attn. Keith Whaley. Office business hours are 8:00 am to 4:30 pm, Monday through Friday, excluding holidays.

In order to be most useful, comments should be received by May 16, 2011.

## 9. Analysis Process

A tentative timeline has been developed for completion of this EIS. Key steps are outlined below:

| <b>Activity</b>                                | <b>Approximate Dates</b>         |
|------------------------------------------------|----------------------------------|
| Begin Scoping                                  | Mid-April 2011                   |
| Notice of Intent published in Federal Register | Mid-April 2011                   |
| 30-day public comment period                   | Mid-April to Mid-May 2011        |
| Draft EIS prepared                             | Late August 2011                 |
| 45-day public comment period                   | Late August to Late October 2011 |
| Final EIS prepared                             | Mid-January 2012                 |
| Final Decision Notice/ROD signed               | Late February 2012               |
| 45-day appeal period starts (if needed)        | Late February 2012               |

## 10. Contact

For further information, contact Keith Whaley, Project Manager, at:

Telephone number: (760)-932-5821

Email address: [kwhaley@fs.fed.us](mailto:kwhaley@fs.fed.us)

## **Attachments:**

Figure 1

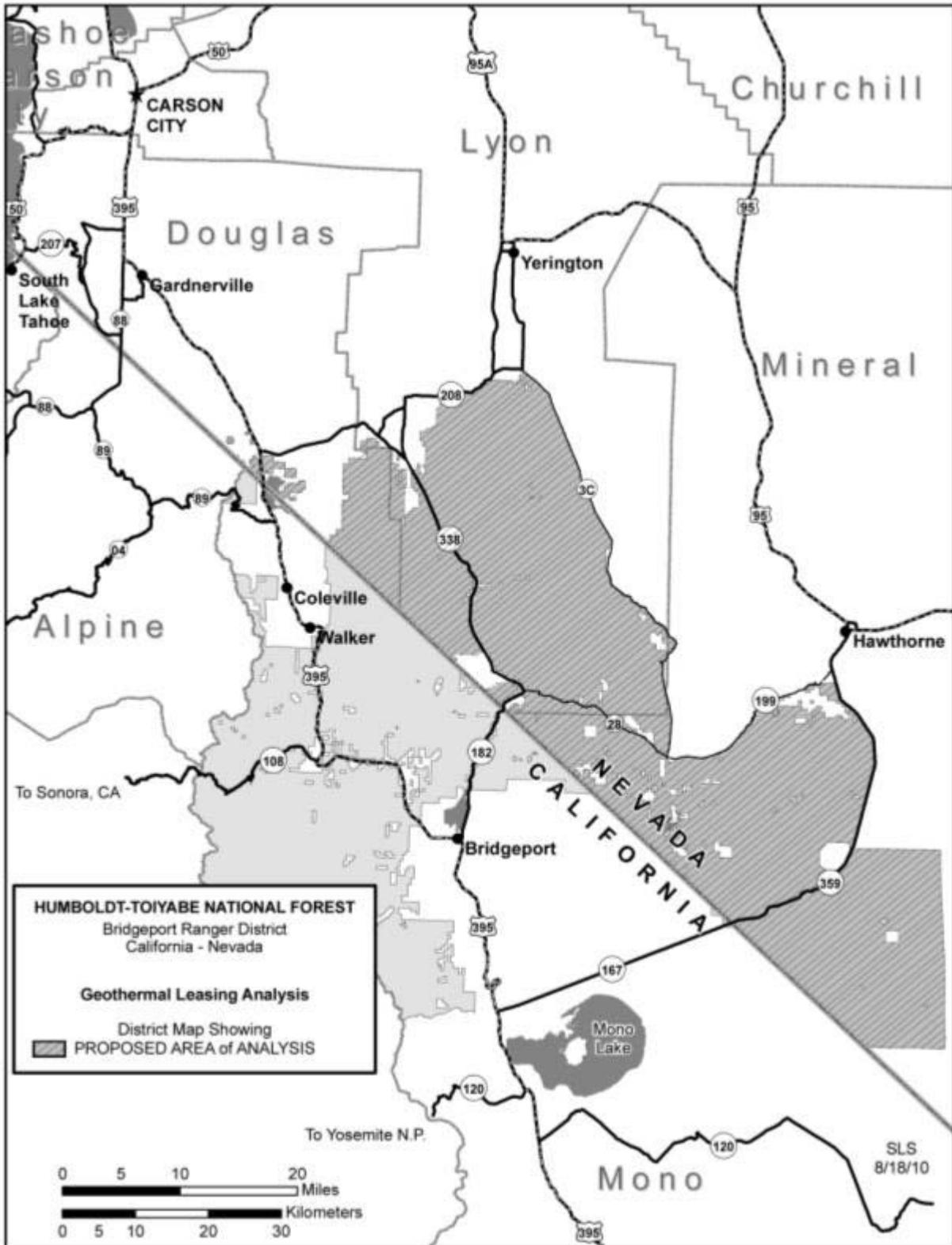


Figure 2

