

RECLAMATION

Managing Water in the West

RECORD OF DECISION

Newlands Project Resource Management Plan Final Environmental Impact Statement

ROD LO-2009-1001

Recommended by:

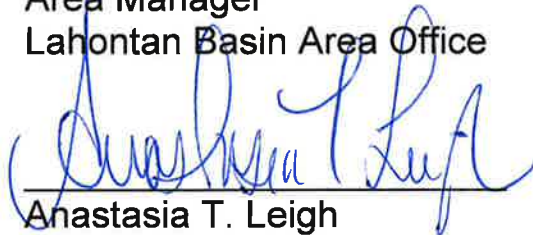


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Introduction

The US Department of the Interior (DOI), Bureau of Reclamation (Reclamation), Lahontan Basin Area Office (LBAO) has prepared this Resource Management Plan (RMP) Final Environmental Impact Statement (EIS) that includes a Grazing Management Plan for the Newlands Project. The RMP Final EIS described and analyzed three alternatives for managing Reclamation-administered lands in the Newlands Project Planning Area (Figure 1). The planning area is located in the west-central Nevada counties of Washoe, Storey, Lyon, and Churchill. The EIS analyzed the environmental effects that could result from implementing any of the alternatives defined in the RMP. The Newlands Project lands have been administered in accordance with applicable Reclamation directives and standards; however, this will be the first RMP for the Newlands Project lands administered by LBAO.

This Record of Decision (ROD) documents Reclamation's decision to follow a specific direction for resource management provided in the alternative selected for the Newlands Project Planning Area (Planning Area). This ROD was prepared to comply with the National Environmental Policy Act [NEPA] (42 U.S.C. §4321-4347), as amended, and in accordance with the Council on Environmental Quality's (40 CFR 1500-1508) and DOI's (43 CFR Part 46) NEPA implementing regulations. The decision made herein is based on the information and analysis contained within the Final EIS which is incorporated by reference and was published in November 2014. The Final EIS describes only the magnitude and direction of impacts associated with each alternative, and does not include site-specific analysis except for the Grazing Management Plan (GMP). Reclamation has considered all comments received on the Proposed Action in developing this ROD.

The Newlands Project provides irrigation water from the Truckee and Carson Rivers for agricultural activities in the Lahontan Valley near Fallon and benchlands near Fernley in western Nevada through a series of diversions, canals, dams, and reservoirs. The Planning Area encompasses approximately 442,000 acres surrounding the Newlands Project facilities and is composed of all Reclamation-administered lands, including waterbodies, managed as part of the Newlands Project. The Truckee-Carson Irrigation District (TCID) does not manage the Federal lands.

Reclamation possesses state permits to store water in its reservoirs but does not own any water rights in the Newlands Project. The operation and maintenance of the Newlands Project are conducted through a contract with the TCID and are not addressed in this RMP. This RMP only addresses the use of Newlands Project lands administered by Reclamation in the Planning Area that are ancillary to the primary purpose of providing water for irrigation. The water resource itself and the operation and maintenance of the facilities and infrastructure used in the storage, transport, and delivery of the irrigation water are excluded from this RMP.

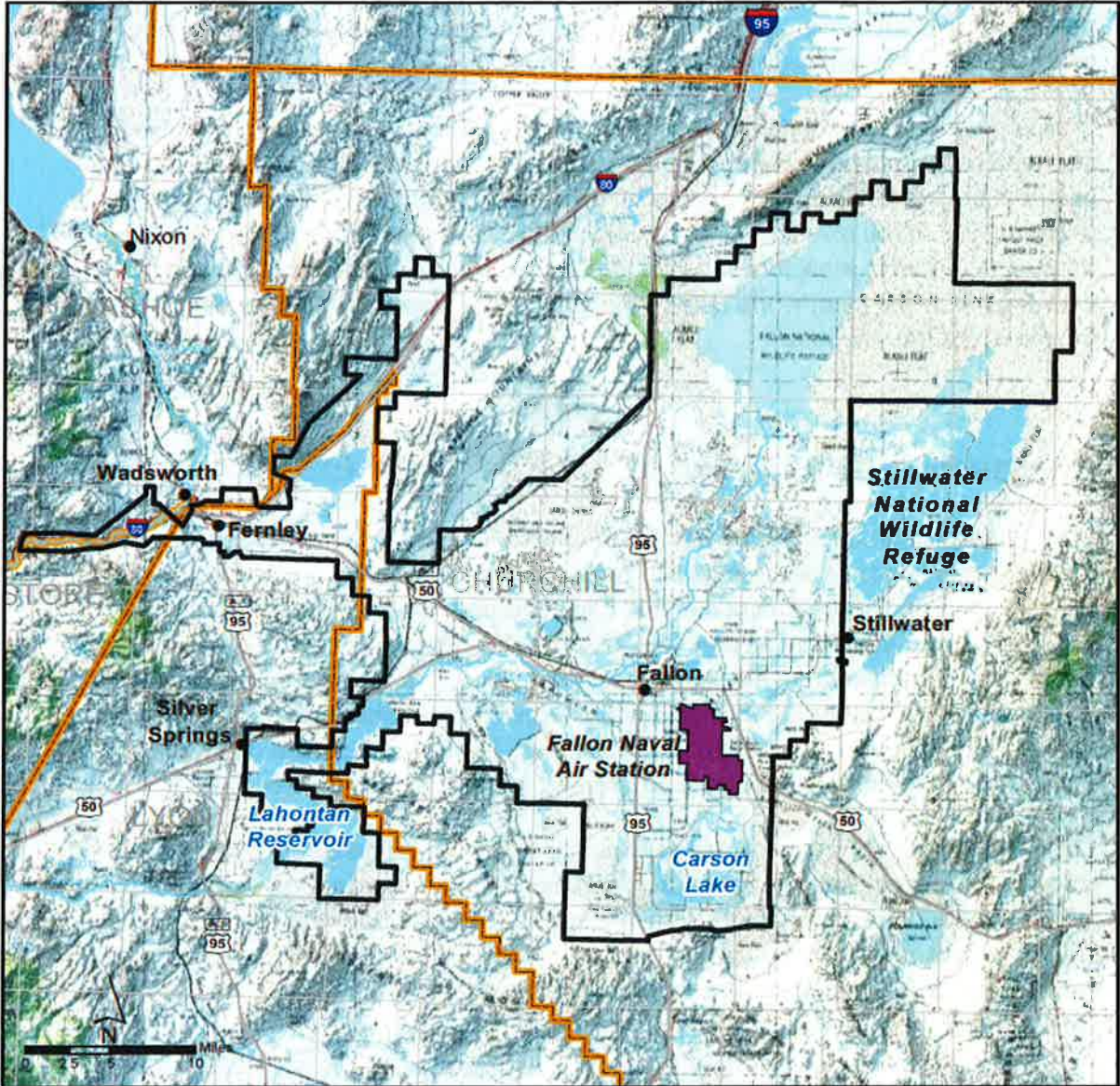
The RMP Final EIS facilitated a public understanding of the range of resources that Reclamation manages. It also helped the public understand the constraints and legal requirements that provide the framework in which Reclamation must manage these lands. The RMP Final EIS provided the basis for consistent and integrated decisions for managing Reclamation-administered lands in the Planning Area. The guidance provided will help managers administer the Planning Area lands in fulfillment of Reclamation's mission, "to protect water and related resources in an environmentally and economically sound manner in the interest of the American public."

Figure 1. Newlands Project Planning Area

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U.S. Department of the Interior
 Bureau of Reclamation

Newlands Project Lands



Reclamation lands of the Newlands Project, excluding water, encompass approximately 359,393 acres.

The project does not address the 14 acres of Reclamation Easement at Tahoe Dam

- County
- Newlands Project Boundary
- City
- Interstate Highway
- State Highway



U.S. Department of the Interior
 Bureau of Reclamation

Decision

Reclamation's decision is to implement Alternative B, the agency Preferred Alternative, as described in the RMP Final EIS. This alternative was found to meet Reclamation's mission and responsibilities, giving consideration to economic, environmental, technical and other factors. Implementing this alternative provides the most reasonable and practical approach to managing the Planning Area land resources and uses, while addressing the relevant issues and purpose and need.

This alternative incorporates many management objectives and actions from the other alternatives and may include new management direction, as necessary. Alternative B balances project lands management with an appropriate level of flexibility to meet the overall needs of the resources and use allocations. This alternative represents management that is proactive and provides flexibility to adjust to changing conditions over the life of the plan, while emphasizing a level of protection, enhancement, and use of the resources into the future.

Alternatives Considered in the RMP Final EIS

Three management alternatives were developed to address the major planning issues. Each alternative provides direction for resource programs based on the development of specific goals and management actions. Each alternative describes specific issues influencing land management and emphasizes a different combination of resource uses, allocations, and restoration measures to address issues and resolve conflicts among users. Resource program goals are met in varying degrees across alternatives. Management scenarios for programs not tied to major planning issues or mandated by laws and regulations often contain few or no differences in management between alternatives.

The alternatives vary in the degree to which activities are allowed or restricted, the amount of access allowed for activities, and the amount of mitigation or restoration required for authorized activities. Grazing is where the alternatives vary the most and was of the greatest interest to the public during scoping. These differences are summarized in the paragraphs following the discussion of Management Actions Common to All Alternatives.

Management Actions Common to All Alternatives

Each of the alternatives has different components and management actions that would attain the direction of that alternative. However, several components and management actions are common to the No Action and action alternatives.

Under all alternatives, Reclamation would comply with all applicable laws and regulations, including those relating to air and water quality, hazardous materials, fish and wildlife, special status species, trespass, health and safety, transportation, recreation, cultural resources, social and economic resources, and environmental justice. Further, the Newlands Project will continue to be designated and managed as a Special Use Area, in accordance with 43 CFR, Part 423.

Alternative A (No Action—Continue Current Management)

The current levels, methods, and mix of multiple use management of Reclamation-administered lands in the Planning Area would continue, and resource values would generally receive attention at present levels.

Under Alternative A, the issuance of grazing leases, including the associated terms and conditions would be brought into compliance with Reclamation's current directives and standards. Seasonal and annual grazing leases would be issued for a maximum of one year through a noncompetitive renewal process. Range improvements would have to be compatible with directives and standards and with project purposes.

Alternative B (Agency Preferred)

Alternative B is intended to balance management of resource uses with management of natural and cultural resources. This alternative was developed by combining those aspects of Alternatives A and C that provide the most balanced outcome for managing Reclamation-administered lands in the Planning Area. Alternative B incorporates many management objectives and actions from the other two alternatives and may include new management direction as necessary. This alternative allows for more uses and active resource management than under Alternative C but less than under Alternative A.

Under Alternative B, Reclamation developed a GMP with public input to balance grazing with restoration of land health in grazing areas. The GMP was included as Appendix A in the Final EIS. The GMP included decision criteria concerning allotment boundaries, length of leases and renewals, lease terms and conditions, fees, management during extreme conditions (e.g., droughts and fires), and the needs for maintaining sustainable rangeland health and protecting sensitive habitats. Once the ROD is signed, the current leases and allotments would be reevaluated in accordance with the GMP criteria and managed accordingly. Range improvements would be inventoried and managed, and new improvement authorizations would be carried out in accordance with the GMP.

Alternative C (Conservation)

Alternative C is the Environmentally Preferable Alternative. This is the alternative that causes the least damage to the biological and physical environment and best protects, preserves, and enhances historic, cultural, and natural resources. However, this alternative does not provide for the widest range of beneficial uses. This alternative deemphasizes recreation, access, and mineral and energy development goals in favor of

natural resource values. There would be more restrictions on these resource uses than under the other alternatives.

Under Alternative C, all grazing on Reclamation-administered lands would be phased out and eliminated within two years. Rangeland improvements would be removed where appropriate and degraded rangelands would be identified for re-vegetation and restoration.

Basis of Decision, Issues Evaluated, and Factors Considered (Environmental Consequences)

Reclamation evaluated the direct and indirect effects and cumulative impacts of the proposed alternatives on land use; climate; topography, geology, soils, and minerals; hydrology, water resources and quality; air quality; noise; biological and cultural resources; Indian Trust Assets; energy development; fire management; transportation; utilities; public health and safety; recreation; visual resources; socioeconomics; and environmental justice.

Alternative A (No Action Alternative) would be a continuation of current management. Taking no action (i.e., choosing the No Action Alternative) would prohibit Reclamation from implementing management measures needed to both protect resources and to address concerns related to recreation and other resource use pressure. Alternative A, would minimally address current and relevant issues identified through public scoping and required components of the land use planning guidance. Alternative B would allow for many uses to continue but could constrain certain activities in order to maintain or improve natural and cultural resources. Alternative B would allow for the continuance of grazing on suitable lands in accordance with the GMP, the Federal rules and regulations and Reclamation's Directives and Standards to ensure a healthy, sustainable rangeland system.

In addition, Alternative B would allow greater flexibility in the relinquishment, transfer or disposal of withdrawn or acquired lands deemed not necessary for Project purposes. Alternative B would have the least impact on the social and economic resources of the Planning Area while providing protection to the natural and cultural resources.

Alternative C would have a lesser impact on physical and biological resources but a greater impact on the potential for development, social and economic resources, and recreation in the Planning Area. Alternative C focused on conservation of the public land, but lacks a balance between resource conservation and resource use allocations.

Rationale for Identifying the Preferred Alternative

Reclamation selected Alternative B as the preferred alternative and the proposed action alternative, based on interdisciplinary team recommendations, environmental analysis of the alternatives, and public input. Alternative B provides the most reasonable and practical approach to managing the Planning Area, while addressing the relevant issues and the purpose and need. Alternative B would implement focused management plans, such as the GMP, not realized in the No Action Alternative. Alternative B limits some recreation opportunities compared to Alternative A and would minimize potential effects to water quality, air quality, and wildlife. Alternative B would allow for a greater variety of opportunities for visitors to experience the Planning Area resources compared to Alternative C. Alternative B balances project lands management and emphasizes a level of protection, enhancement, and use of Planning Area resources into the future and incorporates many management objectives and actions from the other alternatives and new management direction, as necessary.

Implementing the Decision and Environmental Commitments

Reclamation will implement Alternative B of the RMP Final EIS. Reclamation will operate in accordance with laws to protect water quality, natural resources and cultural resources including, but not limited to, National Environmental Policy Act, Clean Water Act, Clean Air Act, Endangered Species Act, National Historic Preservation Act, Archaeological Resources Protection Act, and Native American Graves Protection and Repatriation Act.

Comments on the RMP Final EIS

Reclamation's Notice of Availability of the RMP Final EIS was published on November 18, 2014, and the United States Environmental Protection Agency's Notice of Availability was published on November 28, 2014. A press release was issued on November 18, 2014, and sent to Tribal entities and interested parties. Copies of the RMP Final EIS were distributed to those who requested a copy. The RMP Final EIS was available at http://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=2822. Comments were received from Churchill County, TCID, and Naval Air Station (NAS) Fallon. Grammatical and formatting changes were incorporated into the RMP Final EIS.

Reclamation reviewed the comments received on the RMP Final EIS, and determined that three substantial comments would be re-addressed in this ROD.

The RMP provided no information on the lands proposed to be relinquished to BLM. Reclamation plans to relinquish 273,853.78 acres of land to BLM. Reclamation

will not perform NEPA for this activity; however, BLM is currently preparing a separate comprehensive RMP and associated EIS to guide management of BLM administered public land, including the relinquished lands noted above. Additionally, a map of the relinquished lands was posted on Reclamation's website at <http://www.usbr.gov/mp/lbao/newlands-rmp/docs/index.html>.

Implementation of Reclamation's Grazing Management Plan. Reclamation plans to implement its GMP (Appendix A of the RMP Final EIS) in 2016. The GMP is intended to maintain healthy and sustainable rangeland systems. Reclamation plans to engage the grazing permit holders in the GMP requirements and implementation process.

Management of Reclamation Facilities affected by Yellow-billed Cuckoo. The Yellow-billed Cuckoo was designated on October 3, 2014 as threatened by the United States Fish and Wildlife Service (USFWS) and is known to occur in Lyon County near the Lahontan Reservoir. USFWS expects to designate the Yellow-billed Cuckoo critical habitat in Lyon County in 2015. Future Reclamation actions in implementing this RMP will be evaluated to assess whether or not there would be any adverse effects to the Yellow-billed Cuckoo. Reclamation would modify the actions to assure there would be no adverse effect or consult with the USFWS if there may be an adverse effect to the species.

Table 1 summarizes the additional comments received.

Table 1. Responses to Comments

Comment No.	Commenter	Comment	Response to Comment
1	Churchill County and TCID	The RMP states, "The purpose of the Newlands Project RMP is to provide a single, comprehensive land use plan that will guide contemporary resource and recreation needs of the federal lands administered by Reclamation". Churchill County applauds Reclamation for completing this much needed document. We urge Reclamation to collaborate extensively with all stakeholders as implementation plans are developed.	Thank you for your comment. Reclamation will engage stakeholders as part of the implementation process.

Comment No.	Commenter	Comment	Response to Comment
2	Churchill County and TCID	The RMP provides no information on specific areas that may be appropriate for mineral development, suitable for recreation, or lands proposed to be relinquished to the BLM. Without this information, no appropriate comment can be provided. At what stage in the process will specifics be given?	<p>See response above.</p> <p>The lands withdrawn for the Newlands Project were not withdrawn from Mineral Leasing activities such as geothermal leasing and development. Geothermal leasing and development is managed by BLM under their rules and regulations. Reclamation only reviews and approves land surface stipulations. All geothermal development is subject to Reclamation's NEPA process with the appropriate public comment period. Identification of lands suitable for recreation would take place during the implementation process. The potential relinquishing of lands to the BLM is discussed under cumulative impacts as it is a reasonably foreseeable action. Any relinquishment would be documented through BLM's NEPA process.</p>

Comment No.	Commenter	Comment	Response to Comment
3	Churchill County and TCID	Appendix A. Grazing Management Plan: Have the existing permittees been included in the development of <i>this</i> plan and notified about the change in fee structure and proposed monitoring requirements?	See response above. Many existing grazing permittees attended the public meetings. Notification to grazing permittees will take place during implementation of the grazing plan. In Chapter 4, for each resource, the methods of analysis and assumptions used are detailed.
4	Churchill County and TCID	The environmental impact of various land uses has been determined to have "No impact". What analysis was undertaken to reach this conclusion? Will further analysis be undertaken when a specific action has been selected?	In Chapter 4, for each resource, the methods of analysis and assumptions used are detailed.
5	Churchill County and TCID	"Action B-WR1.1 Identify point and non-point sources of pollution..." Non-point sources of pollution may occur on privately held lands and may occur many miles from the Newlands Project. How will Reclamation monitor and manage non-point sources of pollution?	As stated in Table 2-1 <i>Newlands Project Resource Management Plan Alternatives</i> , identification of non-point sources of pollution will occur through drainage studies, periodic monitoring or other means.

Comment No.	Commenter	Comment	Response to Comment
6	Churchill County and TCID	Chapter 2, Page 2-8: Objective 8-MR1: What are the criteria that will be used to determine what areas are "appropriate" for mineral development? Are they the criteria in the Action Items? If so, why is distance to sensitive wildlife habitat (such as greater sage grouse) not included?	See Comment No. 2.
7	Churchill County and TCID	Page 2-18: Action 8-WR1.1 Identify point and non-point sources of pollution. Non-point sources may not be on Reclamation administered lands and would therefore not be in Reclamation's jurisdiction.	Correct, non-point sources may not be on Reclamation lands. However, coordination with neighboring landowners would be needed to minimize the potential for pollutants entering Project facilities.
8	Churchill County and TCID	Page 2-36, Fire Management: There is no mention of post fire rehabilitation.	Reclamation's fire plan and directives and standards include provisions for restoration activities.
9	NAS Fallon, Churchill County and TCID	Chapter 3: The top of all the pages are labeled incorrectly.	Corrected.
10	NAS Fallon, Churchill County and TCID	Chapter 4: The top of all the pages are labeled incorrectly.	Corrected.

Comment No.	Commenter	Comment	Response to Comment
11	Churchill County and TCID	Page 4-65, Alternative 8 would specify which areas would and would not be appropriate for mineral development, including geothermal resources. It would have been helpful to have these areas delineated in this plan in order to review them.	See Comment No. 2.
12	Churchill County and TCID	Page 4-87, Alternative 8 would identify lands suitable for recreation. It would have been helpful to have that information so it could be reviewed.	Identification of lands suitable for recreation would take place during the RMP implementation process.
13	Churchill County and TCID	Page 4-188, Fish and Wildlife. Pronghorn sheep should be either pronghorn antelope or just pronghorn.	Corrected throughout RMP Final EIS to "pronghorn".
14	Churchill County and TCID	Page 4-190: Relinquishment of withdrawn land to the BLM is not being made through this EIS. Why is it referenced so many times in this document? Why isn't it being done through this document?	The relinquishment of withdrawn land to BLM is a reasonably foreseeable event. This RMP documents the efforts that would be undertaken. Any relinquishment would be documented through BLM's NEPA process.
15	NAS Fallon, Churchill County and TCID	Chapter 5, Page 5-6: The last bullet is incorrect; it extends below into Section 5.6.	Corrected.
16	NAS Fallon	Section 3.2 Noise: In the last paragraph, B-16 is not used for conventional bombing, it is used by helicopters and ground training by the Naval Special Warfare Group.	The sentence was changed as follows: The southern bombing range, known as B-16, is used by helicopters and ground training by the Naval Special Warfare Group.

Comment No.	Commenter	Comment	Response to Comment
17	NAS Fallon	Page 3-50 Sec 3.8.2: In October the USFWS designated the Western yellow-billed cuckoo a Threatened Species. It has been observed along the Carson River west of Lahontan Reservoir. Update the Table 3.10-1 and yellow-billed cuckoo section on Page 3-51.	Corrected.
18	NAS Fallon	Chapter 6 references: NAS Fallon questioned many of the references cited that may have been updated.	Reclamation updated references where appropriate.
19	NAS Fallon	Page 3-37: Ethnographic information. NAS Fallon suggested listing the types of sites that might be associated with the period and asks if there any known or listed TCP's in the area. A map of the tribal areas might be helpful.	Thank you for your comment.
20	NAS Fallon	Page 3-38: Historic Context. No mention of the history of NAS Fallon, Fallon, Fernley, or Wadsworth.	Thank you for your comment.
21	NAS Fallon	Page 3-39: Lincoln Highway should be mentioned.	Thank you for your comment.
22	NAS Fallon	Page 3-42: Lincoln Highway and California Emigrant Trail also run through the project area.	Thank you for your comment.

