

DETERMINATION OF NEPA ADEQUACY

October 23, 2018 Geothermal Lease Sale, Churchill County Parcels

NEPA Document Number:
DOI-BLM-C010-2018-0013-DNA

U.S. Department of the Interior
Bureau of Land Management
Carson City District
5665 Morgan Mill Road
Carson City, NV 89701
775-885-6000

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It is the mission of the Bureau of Land Management to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations.

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Worksheet
Determination of NEPA Adequacy (DNA)
U.S. Department of the Interior
Bureau of Land Management

FIELD OFFICE: Stillwater Field Office LLNVC01000

NEPA NUMBER: DOI-BLM-NV-C010-2018-0013-DNA

CASEFILE PROJECT NUMBER: Geothermal Lease Nominations: NVN-095111 (NV-18-10-003) and NVN-094866 (NV-18-10-004)

PROPOSED ACTION TITLE/TYPE: October 23, 2018 Geothermal Lease Sale – Churchill County Parcels

LOCATION/LEGAL DESCRIPTION: MDM T. 22 N., R. 35 E., sections 7 & 18 (NV-18-10-003) and MDM T. 23 N., R. 35 E., sections 11, 14, & 23 (NV-18-10-004)

APPLICANT (if any): Ormat Nevada, Inc.

A. Description of the Proposed Action and any applicable mitigation measures

The BLM is proposing to lease two (2) geothermal lease parcels covering approximately 916 acres in Churchill County, Nevada on October 23, 2018. Issuance of geothermal leases confers on the lessee a non-exclusive right to future exploration and an exclusive development right of the resource within the lease area. However, leasing geothermal resources does not confer on the lessee the right to proceed with any ground disturbing activities related to exploring for or developing geothermal resources. Issuance of geothermal leases could have indirect impacts because such leasing represents a commitment of resources and it is reasonably expected that subsequent exploration, development, and reclamation of facilities would occur. Proposals for exploration and/or development at specific sites would be examined for conformance with the land use plan and analyzed through the NEPA process at the time the proposals are submitted. Any proposal for exploration and/or development would be analyzed as required by NEPA.

A geothermal lease typically grants the lessee access to geothermal resources in the lease area for a period of 10 years. The terms of the lease require the lessee to show a certain level of diligence toward developing the geothermal resources within the lease area or the lease may be terminated. Once an area is developed for productive use of geothermal energy, the lease allows the lessee use of the resource for 40 years with a right of renewal for another 40 years. Geothermal exploration and production on public land conducted through leases is subject to terms and stipulations to comply with all applicable federal and state laws pertaining to various considerations for sanitation, water quality, wildlife, safety, and reclamation. Lease stipulations may be site specific and are derived from the environmental analysis process. The lease parcel review process is when stipulations that are site specific and derived from the current management plan for that specific area are attached to the lease parcel, prior to lease issuance.

Federal geothermal leases are initially issued through a competitive process. Only public lands that have been offered competitively and receive no bid are made available for noncompetitive leasing. Parcels

not sold at the competitive sale become available for noncompetitive leasing for a 2-year period. Most lease applications are for a minimum of 640 acres. Lands not available for leasing are cited under Department of Interior, Bureau of Land Management, 43CFR §3201.11 Geothermal Resource Leasing and Geothermal Resources Unit Agreements and in the CRMP, 2001, as amended. Examples of public lands not open to fluid mineral leasing are Wilderness Areas, Wilderness Study Areas (WSAs), Areas of Critical Environmental Concern (ACECs), or Page 9 National Conservation Areas. Also excluded are tribal lands, wildlife refuges, wildlife management areas, and private land with titles that include all fluid mineral rights.

B. Land Use Plan (LUP) Conformance

LUP Name*Carson City Consolidated Resource Management Plan

Date Approved: May 2001

**List applicable LUPs (for example, resource management plans; activity, project, management, or program plans; or applicable amendments thereto)*

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions:

MIN-1, Desired Outcomes, 1: Encourage development of energy and mineral resources in a timely manner to meet national, regional, and local needs consistent with the objectives for other public land uses.

MIN-5, Standard Operating Procedures: Leasable Minerals, 5: Oil, gas and geothermal exploration and production upon BLM land are conducted through leases with the Bureau and are subject to terms and stipulations to comply with all applicable federal and state laws pertaining to various considerations for sanitation, water quality, wildlife, safety and reclamation. Stipulations may be site specific and are derived from the environmental analysis process

C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.

1. Fluid Mineral Leasing Within Six Areas On The Carson City District, DOI-BLM-NV-C010-2014-0013-EA
2. Programmatic Environmental Impact Statement for Geothermal Leasing in the Western United States (PEIS), Record of Decision (ROD) signed December 17, 2008:
The decision 1) allocated BLM lands as either open or closed to consideration for geothermal leasing, 2) established a projected new level of potential geothermal development through existing planning level decisions (a reasonably foreseeable development scenario), and 3) adopted stipulations, BMPs, and procedures for geothermal leasing and development. The Geothermal ROD actions were to be implemented as amendments for 114 BLM land use plans. The BLM makes decisions whether or not to issue geothermal leases in conformance with the amended land use plans on the basis of the analysis in the Geothermal PEIS.

D. NEPA Adequacy Criteria

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

Yes, the proposed action is identical to the activities and within the project area analyzed in both the Fluid Mineral Leasing Within Six Areas On The Carson City District EA, signed in 2014 and the PEIS for Geothermal Leasing in the Western U.S., signed in 2008. All of the proposed lease parcels are within lease areas identified in the 2014 EA or nearly adjacent in locations geographically identical with similar resource conditions.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource values?

Yes, environmental concerns, interests, and resource values have not changed since the completion of the 2014 EA or the 2008 PEIS. The preferred action alternative analyzed in those documents is still appropriate since the environmental constraints of geothermal leasing have not changed: “approximately 118 million acres of public land would be allocated as open and 79 million acres of NFS land would be legally open to geothermal leasing for direct and indirect use subject to existing laws, regulations, formal orders, stipulations attached to the lease form, and the terms and conditions of the standard lease form. The authorized officer retains the discretion to issue leases with stipulations that impose moderate to major constraints on use of the surface of any leases in order to mitigate the impacts to other land uses or resource objectives as defined in the guiding resource management plan.”

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?

Yes, the anticipated impacts to the resources have not changed. The issuing of geothermal leases does not confer on the lessee the right to proceed with any ground disturbing activities related to exploring for or developing geothermal resources. Any future exploration or utilization projects on an issued lease, beyond casual use, would receive their own project specific environmental analysis. The proposed action of offering parcels for leasing will not have any adverse effect on human health or the environment. Any change to lists of sensitive or endangered species would be addressed in site specific environmental analysis should any future projects, beyond casual use, be proposed on an issued lease. As delineated by the habitat mapping process for the 2015 Greater Sage-Grouse management plan amendment, none of the proposed lease parcels fall within Greater Sage-Grouse habitat.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

Yes, the 2014 EA and 2008 PEIS analyzed cumulative impacts on relevant resources. The cumulative impacts to public lands resulting from geothermal leasing would remain unchanged from those analyzed in the 2014 EA and in the 2008 PEIS. Lease issuance alone does not authorize any ground disturbing activities to explore for or develop geothermal resourced without site specific approval for the intended operation. Such approval would be subject to further environmental analysis with any stipulations, Conditions of Approval, and constraints developed through that process. Stipulations for each parcel, developed from the leasing environmental documents, are included in Appendix A.

5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

Yes, geothermal leasing was analyzed in the 2014 EA and the 2008 PEIS and the public involvement for those documents is described in them. Consultation with other agencies and interested parties was conducted for those documents. Notification was provided Churchill County Commissioners and Fallon Paiute Shoshone Tribal officials regarding the upcoming lease offerings.

F. Persons/Agencies/BLM Staff

<u>Name</u>	<u>Title</u>	<u>Name & Date</u>
Linda Appel	Rangeland Management Specialist	la 5/14/18
Mark Mazza	Rangeland Management Specialist/ Weeds Coordinator	MBM 5-7-18
Melanie Cota	Wildlife Biologist	
Melanie Hornsby	Outdoor Recreation Planner <small>SURVEY DONE PEIL NV-2014-031</small>	MMH 5-7-18
Jason Wright	Archaeologist	juw 5/16/18
Melanie Hornsby	Planning & Environmental Coordinator	MMH 5-7-18
Ken Depaoli	Geologist	kd 5/14/18
Dave Schroeder	Environmental Protection Specialist	ds 5-14-18
John Grasso	Realty Specialist	
Michelle Stropky	Hydrologist	MRS 4-17-2018
Keith Barker	Fire Ecologist	KB 5-2-2019

Note: Refer to the EA/EIS for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

Conclusion

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.



Signature of Project Lead



Signature of Planning and Environmental Coordinator



Signature of Responsible Official

Date 7/5/2018

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.