

**Bureau of Land Management
Winnemucca District Office**

Field Office(s) : HRFO BRFO

**Categorical Exclusion
Team Review**

Applicant: U. S. Geothermal Nevada
Proposal: San Emidio Seismic Survey
CX#: DOI-BLM-NV-W030 -2010- 0021 -CX

Prepared By: Mark Gingrich *Mark Gingrich Team Lead* **Date:** 8/20/2010

Name /Title	Resource/Agency Represented	Signature/Date	Comments (Attach if more room is needed)
Kathryn Ataman/Archeologist	Cultural Resources	<i>K. Ataman</i> 8/20/10	stipulations are attachment
Roger Farschon/Ecologist	T&E (plants and animals)	<i>Rog Farschon</i> 8/24/10	

Continue the list of specialties as necessary

43 CFR 46.215

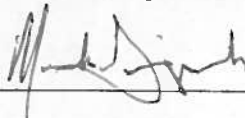
Categorical Exclusions: Extraordinary Circumstances

CX#: DOI-BLM-NV-W030-2010-0021-CX

- | <u>Yes</u> | <u>No</u> | | |
|--------------------------|-------------------------------------|-----|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (a) | Have significant impacts on public health or safety |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (b) | Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (c) | Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (d) | Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (e) | Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (f) | Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (g) | Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (h) | Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (i) | Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (j) | Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898). |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (k) | Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007). |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (l) | Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112). |

All of the above questions must be answered negatively before the Categorical Exclusion may be approved. This checklist is taken from 43 CFR 46.215

Prepared By: Mark Gingrich



Date August 24, 2010

CX#: DOI-BLM-NV-W030-2010-0021-CX

Applicant: US Geothermal Nevada

Project Title: San Emidio Geophysical Exploration Project

Part I: Plan Conformance Review

The proposed Action is subject to the:

- Paradise-Denio Management Framework Plan
- Sonoma-Gerlach Management Framework Plan
- Black Rock Desert-High Rock Canyon Emigrant Trails NCA and Associated Wilderness and Other Contiguous Lands in Nevada RMP

(The Proposed Action has been reviewed for conformance with this plan (43 CFR 1610.5, BLM Manual 1617.3).

Part II: NEPA Review

Categorical Exclusion Review: This Proposed Action qualifies as a categorical exclusion under:

43 CFR 46.210 DOI Implementation of NEPA of 1969, Listing of Departmental Categorical Exclusions *(formerly 516 DM2 Appendix 1)*

516 DM11.9, (BLM) B(6) Approval of Notices of Intent to conduct geophysical exploration of oil, gas, or geothermal, pursuant to 43 CFR 3150 or 3250, when no temporary or new road construction is proposed.

ESA and BLM Sensitive Status Species

Evaluation Criteria	Yes	No
1. Are species listed under the Endangered Species Act likely to occur in the project area? If yes, list the species in Table 1 below. Verify with USFWS or use approved list.	<input type="checkbox"/>	x
2. Are BLM NV Sensitive Species, based upon the current IM, likely to occur in the project area? If yes, list the species in the Table 1 below.	<input type="checkbox"/>	x
3. Could the proposed action result in "take" under the Migratory Bird Treaty Act? If yes, attach appropriate mitigation measures.	<input type="checkbox"/>	x
Note: Due to the timing of the project, impacts to the migratory birds are not expected to occur.		

Table 1. Special Status Species that may occur in the project area:

ESA	BLM	Common (<i>Scientific</i>) Name	May Be Affected?	Mitigation for BLM Sensitive Species (<i>Attach ESA Section 7 Compliance to Form</i>)
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/> Yes <input type="checkbox"/> No	

CX#: DOI-BLM-NV-W030-2010-0021-CX

Applicant: US Geothermal Nevada

Project Title: San Emidio Geophysical Exploration Project

<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/> Yes <input type="checkbox"/> No	

Table 2 Migratory Bird Treaty Act Consideration

Potential MBTA Species w/in the Project Area Common (<i>Scientific</i>) Name	May Be Affected?	Proposed Mitigation
	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	

The Proposed Action has been reviewed to determine if any exceptions described in 43 CFR 46.215
Categorical Exclusions: Extraordinary Circumstances (See attached page)

Mitigation Measures/Remarks: Subject to lease stipulations. See Attached

CX#: DOI-BLM-NV-W030-2010-0021-CX

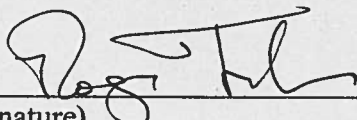
Applicant: US Geothermal Nevada

Project Title: San Emidio Geophysical Exploration Project

Part III: DECISION: I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed project is in conformance with the approved land use plan and that no other environmental analysis is required. It is my decision to implement the project, as described, with the mitigation measures identified above.

Remarks reserved for authorized officer:

Authorized Official


(Signature)

Date: 8/24/10

Administrative Review or Appeal Opportunities

See 43 CFR 4.401(a) Part 4 for general rules relating to procedures and practice involving appeals.

Cultural Stipulations for US Geothermal San Emidio Seismic Project

1. Access routes to the seismic testing locations will be those described in the cultural resource inventory report for the project (Karpinski 2010). In that report all cultural resource sites are avoided by a 30 m buffer. If US Geothermal wants to use any other access routes, they must be inventoried by a qualified archaeologist.
2. If cultural resources not identified in the Class III inventory for the project are recognized in the course of the project, work in the area of the find will be halted and the BLM cultural resource specialist will be notified. Work will not resume in the area of the find until the BLM cultural resource specialist has evaluated the cultural material and has determined there will be no adverse effect to significant resources.

Karpinski, Mark

2010 A Cultural Resource Inventory of 23.1 Miles of Seismic Line for U.S. Geothermal Nevada's San Emidio Seismic Project, Washoe County, Nevada. Logan Simpson Design, Salt Lake City. On file at the BLM Winnemucca District Office.