

# FINAL ENVIRONMENTAL ASSESSMENT

## Dodge Flat Utility and Road Crossing Project

Case file number N-96241

## Decision Record

DOI-BLM-NV-C020-2019-0017-EA

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

August, 2019



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.

DOI-BLM-NV-C020-2019-0017-EA

**DECISION RECORD**  
**Dodge Flat Utility and Road Crossing Project**  
**WASHOE COUNTY, NEVADA**

**Environmental Assessment**  
**DOI-BLM-NV-C020-2019-0017-EA**

**1.1 Introduction/Background**

Dodge Flat Solar, LLC (DFS) is developing the Dodge Flat Solar Energy Center (DFSEC) as a 200-megawatt (MW) alternating current photovoltaic (PV) solar energy and storage facility on approximately 1,632 acres of private land located in unincorporated Washoe County, Nevada. The DFSEC would produce approximately 500,000 MW-hours of renewable energy annually.

Project components include a 200 MW alternating current PV solar energy panel array, an up to 200 MW energy storage facility, and associated facilities such as an on-site substation, inverters, fencing, roads, and supervisory control and data acquisition system. NV Energy, which owns the existing transmission line that the on-site substation would connect to, would also use the proposed roads to access the substation.

To construct and operate the DFSEC, DFS has requested ROWs from the BLM for new roads and buried utility lines, and use of existing improved roads that cross public lands. DFS's purpose for the Proposed Action is to obtain site access and utility collection between the private parcels being developed for the DFSEC. DFS's need for the Proposed Action is to have legal access to the DFSEC and to connect the DFSEC solar generation facilities across non-contiguous parcels (Figure 1, Regional Map, and Figure 2, Project Site).

**1.2 Proposed Action**

The BLM intends to issue of a right-of-way (ROW) grant for the portion of the Project on federal lands. The total ROW area requested for all four parcels of public land is 3.23 acres. Specifically, the Dodge Flat Utility and Road Crossing Project occurring on BLM administered land would include:

- Issuance of ROW for two triangle-shaped areas of public land to allow the construction of access roads and buried utility lines between the private parcels where the DFSEC would be constructed. Each leg of the triangle would be 100 feet long starting from the section corner. The maximum disturbed area within each triangle would be approximately 0.11 acre for a total of 0.23 acre.
- The use, improvement, and maintenance of an existing 20-foot-wide dirt utility service road to allow access to the DFSEC. The existing road is located within a 50-foot-wide ROW corridor. The total length of the auxiliary access road would be approximately 4 miles, of which approximately 0.5 mile of public land (approximately 1.2 acres of existing road surface within 3 acres of ROW corridor) would be crossed.

### **1.3 Public Involvement**

The *Dodge Flat Utility and Road Crossing Project Environmental Assessment (EA)* was made available for public review and comment on July 26, 2019, through August 8, 2019. One comment letter was received from the Pyramid Lake Paiute Tribe expressing concern over the potential use of Stampmill Drive on Tribal lands to access the auxiliary access road. After discussions with the applicant (DFS) regarding the necessity of the Stampmill Drive segment that occurs on the reservation and what alternative routes DFS could use. DFS made the decision to remove that segment from their application and POD. Based on DFS's request to remove the use of the segment of Stampmill Drive on Tribal land from their application and POD the EA was revised to remove that road segment from the Proposed Action.

No other comments were made that required changes to the EA.

### **1.4 Decision**

On the basis of the information contained in the EA and the associated Finding of No Significant Impact (FONSI), it is my decision to select the Proposed Action for implementation.

This management decision for the Dodge Flat Solar Utility and Road Crossing Project is issued pursuant to 43 Code of Federal Regulations (CFR) §2800. This Decision is effective immediately upon signature and acceptance of the ROW grant by both parties (BLM and DFS), and payment of rental and monitoring fees. This decision will remain in effect while appeals are pending before the Office of Hearings and Appeals (OHA) unless OHA grants a stay under §4.2 I (b) of this title. The SF-299 Right of Way Application and Plan of Development for the Project is hereby approved subject to the terms and conditions of the ROW grant, and environmental protection and conservation measures. DFS must conduct activities as described in the Plan of Development (as described in Chapter 2 of the EA under Proposed Action ), in accordance with the terms and conditions attached to the ROW grant and the mitigation measures contained in this Decision.

The rationale for the attached FONSI supports this decision. The Proposed Action coupled with the ROW terms and conditions has led to my decision that all practicable means to avoid or minimize environmental harm have been adopted and significant impacts will not result from implementation of Proposed Action as identified in the EA. This decision is consistent with the 2001 CCD Consolidated Resource Management (CRMP).

### **1.5 Rationale**

The selection of Proposed Action is based on factors including, but not limited to:

- The Authority for this action (refer to Authority section below)
- The action conforms with the Land Use Plan (refer to Land Use Plan Conformance section below) and is consistent with other Federal agency, state, and local plans to the maximum

extent consistent with Federal law and Federal Land Policy Management Act provisions.

- Based on the EA, it is determined that this decision will not result in any unnecessary or undue environmental degradation of public lands and is consistent with other Federal agency, state, and local plans to the maximum extent consistent with Federal law and Federal Land Policy Management Act provisions.
- The selected Proposed Action alternative will not adversely impact any threatened or endangered species or significant scientific, cultural, or historical resources.
- The EA and FONSI support this decision.

## **1.6 Land Use Plan Conformance**

### **Carson City District Consolidated Resource Management Plan (CRMP), May 2001:**

The Proposed Action is in conformance with the Carson City Consolidated Resource Management Plan, even though it is not specifically provided for, because it is consistent with the Administrative Actions listed on page ROW-4 of the Right-of-Way Corridors section and would comply with the Standard Operating Procedures listed on pages ROW-4 through ROW-6. Specifically:

All applicants for right-of-way grants, whether or not they are within corridors, are subject to standard approval procedures as outlined in the right-of-way regulations (43 CFR 2802). These procedures include 1) preparation of an environmental assessment in accordance with the National Environmental Policy Act of 1969; 2) a determination of compliance of the applicants proposed plan with applicable federal and state laws; 3) consultation with federal, state, and local agencies; and 4) any other action necessary to fully evaluate and make a decision to approve or deny the application and prescribe suitable terms and conditions for the grant or permit. Consultation with the public, including adjacent landowners, will occur throughout the process.

### **The Nevada and Northeast California Greater Sage-Grouse Approved Resource Management Plan:**

The Nevada and Northeast California Greater Sage-Grouse Approved Resource Management Plan establishes goals and objectives for managing greater sage-grouse (*Centrocercus urophasianus*) populations and habitat on BLM lands according to identified management areas. The Proposed Action is not located in a management area for greater sage-grouse. Therefore, the Proposed Action is in conformance with the Nevada and Northeast California Greater Sage-Grouse Approved Resource Management Plan Amendment.

## 1.7 Authority

The Proposed Action is in conformance with the FLPMA of 1976, the CRMP approved in 2001, the regulations at 43 CFR §2800, and with current BLM policies, plans and programs. The Proposed Action is consistent in relationship to statutes, regulations and policies of neighboring local, County, State, Tribal governments and other Federal agencies.

The SF-299 ROW Application in combination with the mitigation measures, ROW grant terms and conditions, and the attached FONSI show that all practicable means to avoid or minimize environmental harm have been adopted and that unnecessary or undue degradation of the public lands will not occur as a result of the proposed new roads and buried utility lines and use of existing improved roads that cross public lands.

## 1.8 Approval from Authorized Official

The *Dodge Flat Utility and Road Crossing Project* DOI-BLM-NV-C020-2019-0017-EA and associated SF-299 and Plan of Development are approved for implementation with incorporation of right-of-way grant stipulations. This decision is effective immediately upon signature and acceptance of the right-of-way grant by both parties (BLM and DFS), and payment of rental and monitoring fees in accordance with Title 43 of the Code of Federal Regulations at 2800.

This Decision is in conformance with the National Environmental Policy Act of 1969 (P.L. 91-190) as amended (72 USC 4321 et. seq.); Carson City District Consolidated Resource Management Plan (CRMP) (BLM 2001); and the Nevada and Northeast California Greater Sage-Grouse Approved Resource Management Plan; the regulations at 43 CFR §2740, the Federal Land Policy and Management Act of 1976, as amended, and with current BLM policies, plans and programs.



Victoria E. Wilkins  
Acting Field Manager  
Sierra Front Field Office  
Carson City District Office

8/28/2019  
Date

## **1.9 APPEAL PROCEDURES**

If you wish to appeal this decision, it may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with 43 CFR Part 4. If you appeal, your appeal must also be filed with the Bureau of Land Management at the following address:

Victoria E. Wilkins, Acting Sierra Front Field Manager  
BLM, Carson City District Office  
5665 Morgan Mill Road  
Carson City, NY 89701

Your appeal must be filed within thirty (30) days from receipt or issuance of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4942, January 19, 1993) for a stay (suspension) of the decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal.

Copies of the notice of appeal and petition for a stay must also be submitted to:

Board of Land Appeals  
Dockets Attorney  
801 N. Quincy Street, Suite 300  
Arlington, VA 22203

A copy must also be sent to the appropriate office of the Solicitor at the same time the original documents are filed with the above office.

U.S. Department of the Interior  
Office of the Regional Solicitor  
Pacific Southwest Region  
2800 Cottage Way, Room E-1712  
Sacramento, CA 95825

If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. A petition for a stay is required to show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied.
2. The likelihood of the appellants' success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted.
4. Whether the public interest favors granting the stay.

The Office of Hearings and Appeals regulations do not provide for electronic filing of appeals, therefore they will not be accepted.

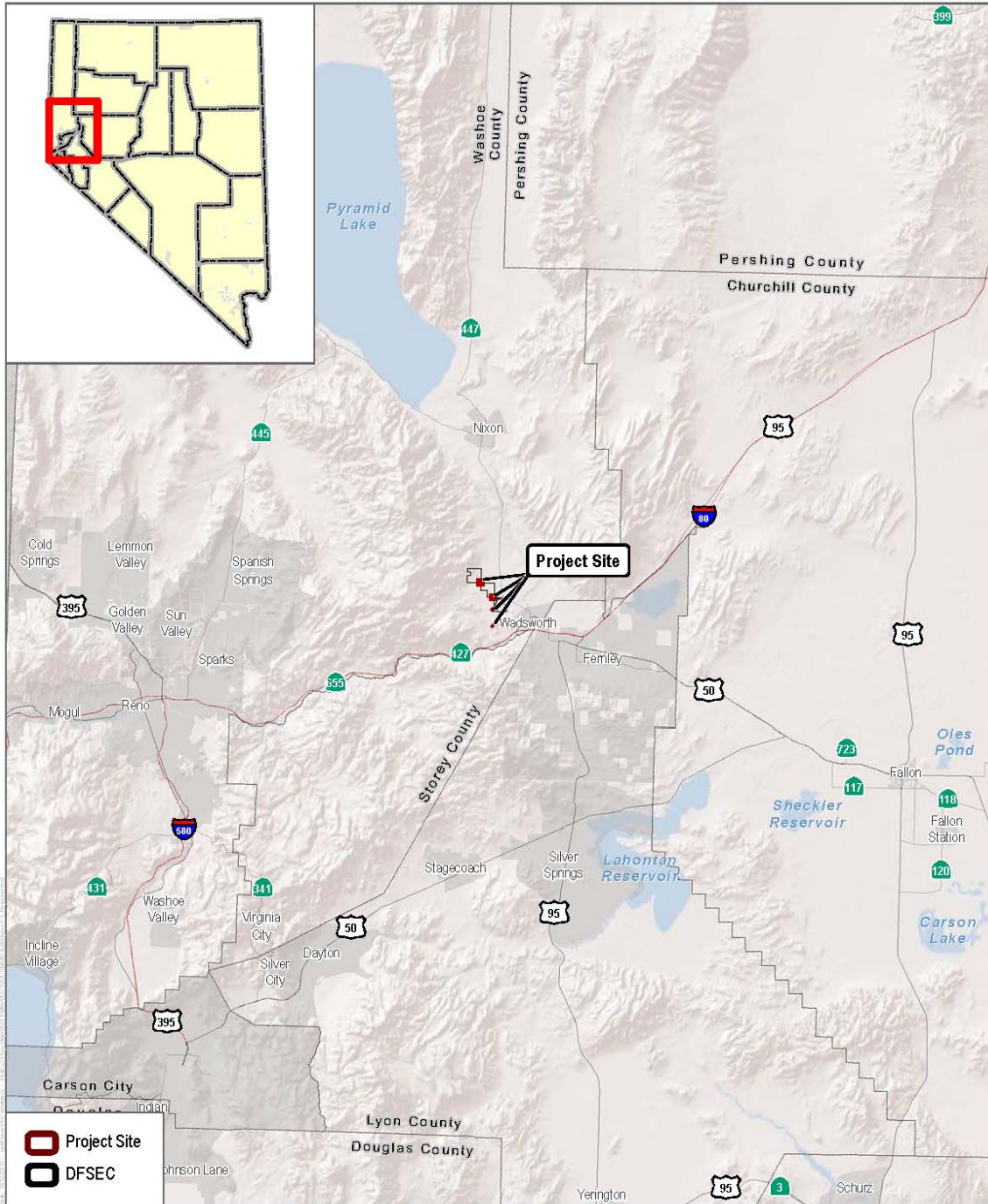


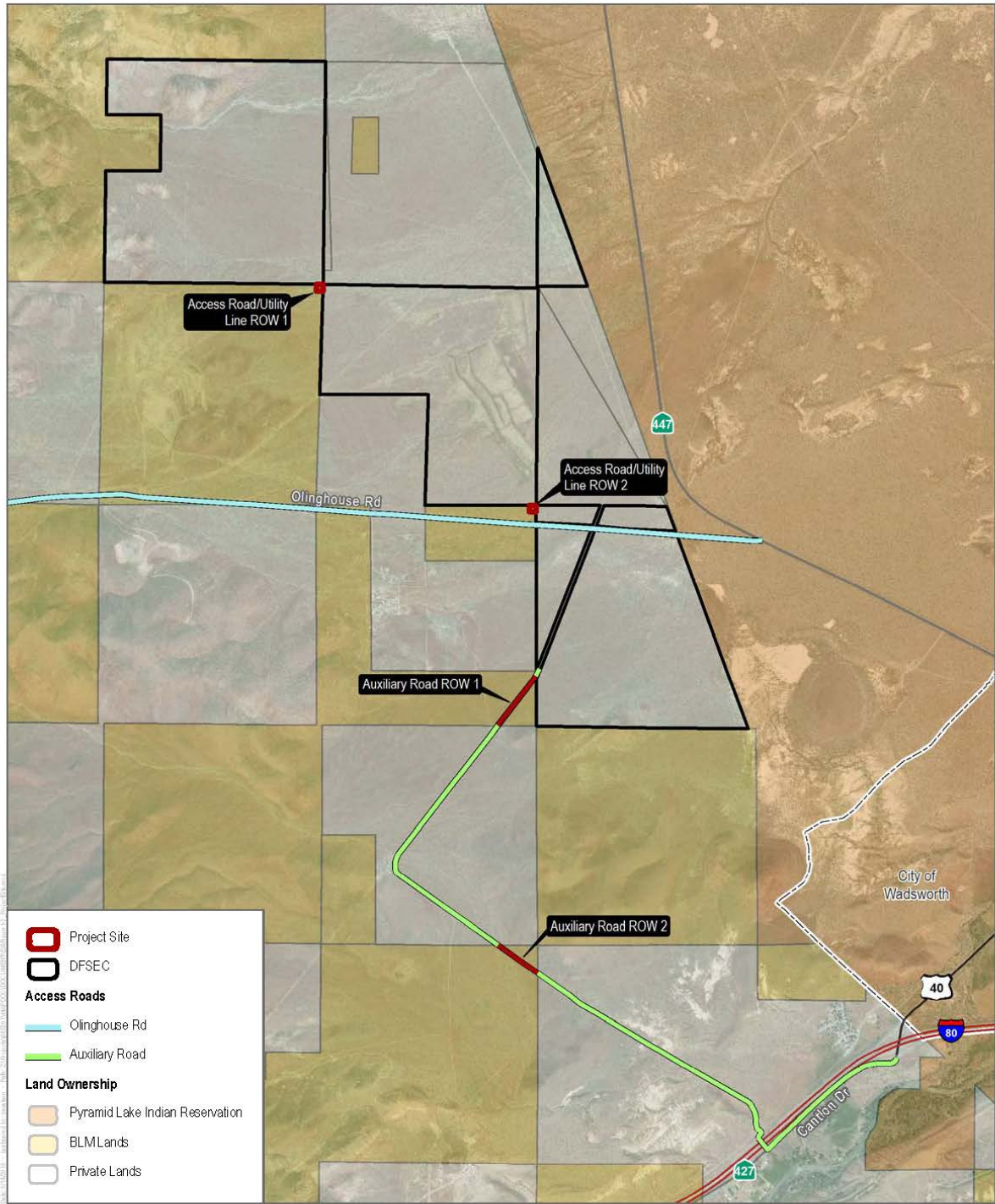
FIGURE 1

Regional Map

Dodge Flat Utility and Road Crossing Project - Environmental Assessment

Figure 1. Regional Map



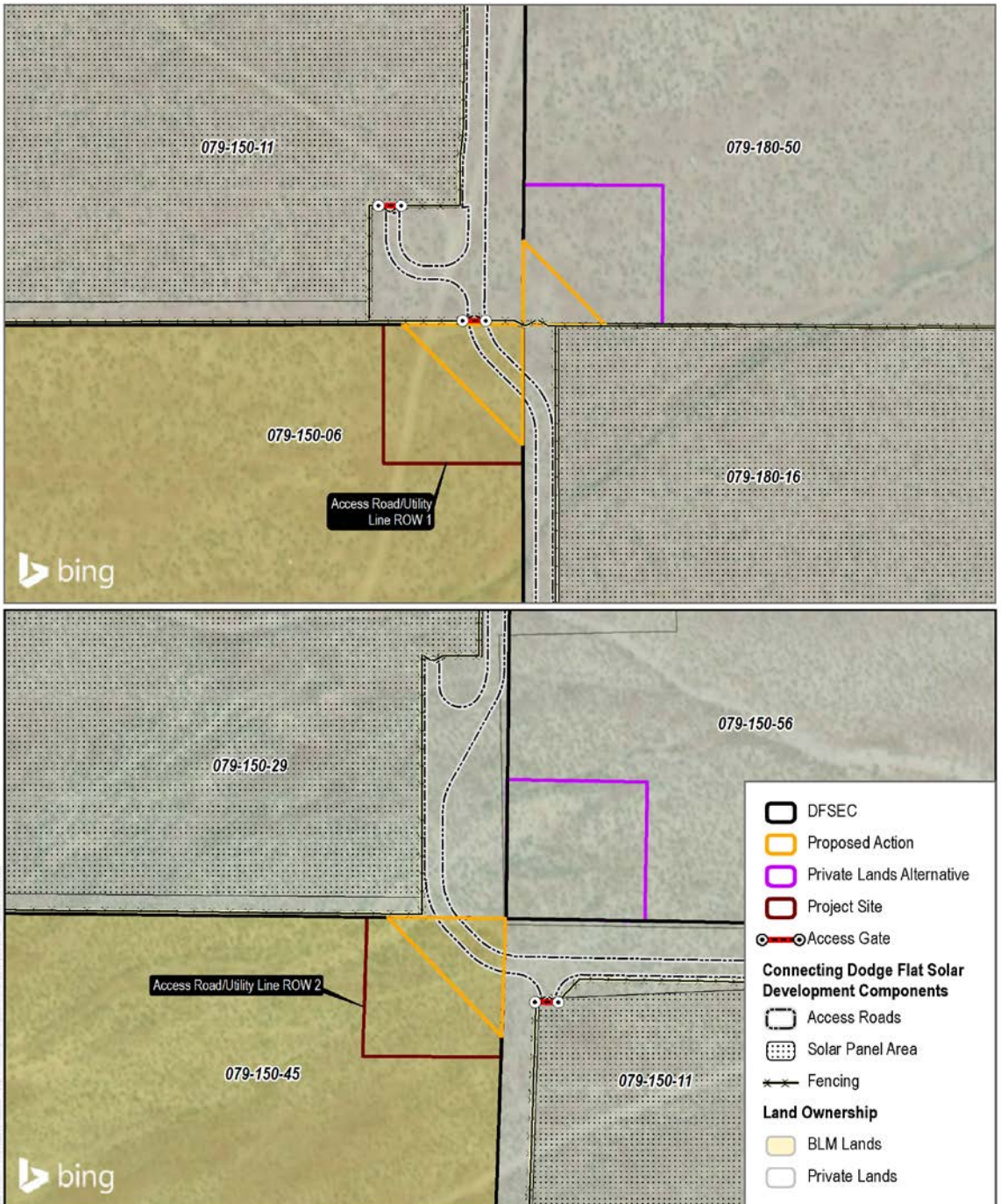


SOURCE: Bing Maps 2019



**FIGURE 1-2**  
**Project Site**  
 Dodge Flat Utility and Road Crossing Project - Environmental Assessment

Figure 2. Project Site



SOURCE: USGS 2018; GCW Engineers 2017; Bing Maps 2018

**FIGURE 3**



Conceptual Layout

Dodge Flat Utility and Road Crossing Project - Environmental Assessment

Figure 3. Conceptual Layout