

**DRAFT**  
**FINDING OF NO SIGNIFICANT IMPACT**

**Las Vegas Paiute Tribe**  
**Snow Mountain Reservation Public Water System Improvement Project**

The U.S. Environmental Protection Agency (EPA) Region 9 is considering providing grant funding to the Las Vegas Paiute Tribe (the Tribe) in Clark County, Nevada for the Snow Mountain Water System Project, a water infrastructure improvement project.

EPA Region 9's award of a grant for the proposed project is a federal action requiring compliance with the National Environmental Policy Act (NEPA), 42 USC §§4321-4370f. In accordance with the NEPA, Council of Environmental Quality Regulations at 40 CFR §§1500.1-1508.28, and EPA NEPA regulations at 40 CFR Part 6, EPA Region 9 has prepared a Draft Environmental Assessment (EA) describing the potential environmental impacts associated with, and the alternatives to, the proposed project. This Finding of No Significant Impact (FONSI) documents EPA Region 9's decision that the proposed project will not have a significant effect on the environment.

**Project Location and Description**

The Las Vegas Paiute Tribe Snow Mountain Reservation is located approximately 21 miles north west of Las Vegas, Nevada off Highway 95. The Reservation was placed into trust for the Las Vegas Paiute Tribe in 1982 through an act of congress and several residential homes were constructed. When the homes were constructed in the 1980s, one potable water well was drilled and a 216,000 gallon tank installed to accommodate the residents. In 1994, the Tribe initiated the Snow Mountain Golf Resort project, include the golf resort, golf courses, a clubhouse, and convenience store/gas station.

**Purpose and Need of the Proposed Project**

The proposed project would provide increased security and assurance of continued clean and safe drinking water to the residents of the Snow Mountain Reservation. The potable water supply (PWS) system owned and operated by the Las Vegas Paiute Tribe (the Tribe) at the Tribe's Snow Mountain Reservation northwest of Las Vegas, Nevada, was constructed in the 1980s and has had no appreciable improvements, additions, or expansions since it was installed. Problems with the system occur annually and are routine, to the point that the Tribe now accounts for regularly recurring breaks and other system problems in its annual budget.

Repairs to the system are difficult to make because of the inferior materials used when the system was built, system deterioration, and the lack of shut-off valves and metering on the system. There is no backup for the system. The water tank is not cleaned regularly and was last successfully cleaned in 2013. The Tribe proposes to install a new well and water tank to add redundancy to its PWS system on the Snow Mountain Reservation. A pump, shut-off valves, connection piping, and other essential system components also would be installed. Upon completion of the project, the reservation would have two functioning water tanks and wells for potable water. During emergencies, and when one of the tanks or pumps needs to be shut down for maintenance, the other would serve as a backup water supply.

## **Environmental Consequences**

In compliance with the national Environmental Policy Act (NEPA), EPA has prepared an EA that analyzes the environmental impacts of the proposed action. After considering a wide range of regulatory, environmental (both natural and human) and socio-economic factors, the EA did not identify any significant impacts to the environment that would result from the implementation of the proposed project.

During the preparation of the EA, potential impacts to the Mojave desert tortoise were identified. EPA requested formal Section 7 consultations with the U.S. Fish and Wildlife Service. On July 17, 2017, the Service provided a biological opinion that the Project, as proposed and analyzed, is not likely to jeopardize the continued existence of the threatened Mojave desert tortoise. The no jeopardy is based in part on EPA proposed conservation measures (See attached list of conservation measures.)

In addition, a cultural resources survey was also conducted for the proposed project. No historic properties or archaeological resources were identified as being impacted. EPA's determination of No Historic Properties Affected was confirmed by the Nevada State Historic Preservation Office on May 26, 2016.

Finally, EPA sent letters to three Native American governments (Pahrump Paiute Tribe, Colorado River Indian Tribes and Moapa Band of Paiutes) in May, 2016 to determine whether there were Traditional Cultural Places (TCPs) within the vicinity of the proposed project or other issues of concern by the tribes. Communication with the native American governments was initiated in accordance with the federal NEPA guidance (42 U.S.C. 4321-43351) and Section 106 of the National Historic Preservation Act (16 U.S.C. 470, 36 CFR 800.3). No TCPs or concerns were identified by the Native American governments.

After carefully considering the regulatory, environmental (both natural and human) and socioeconomic factors as described in the EA, EPA Region 9 has not identified any significant impacts to the environment that would result from implementation of the proposed project.

## **Public Review**

The Draft Final EA is on file and available for public review at the EPA Region Office at 75 Hawthorne Street, San Francisco, California 94105 by contacting Stephanie Wilson at (775) 885-6190. These documents are also available for review at the Las Vegas Paiute Tribe Office at 1 Paiute Drive, Las Vegas, Nevada 89106 by contacting Ricardo Gonzalez at (702) 387-1974. The Draft Final EA and FONSI will also be posted on the EPA website at <https://wcms.epa.gov/nepa/snow-mountain-reservation-public-water-system-improvement-project>. Comments on the EA and FONSI may be submitted to the EPA until October 18, 2017 and can be sent via letter, fax or email to:

EPA Region 9, WTR-3-4  
Attn: Stephanie Wilson  
75 Hawthorne Street  
San Francisco, California 94105-3901  
Telephone: 775-885-6190  
Email: [wilson.stephanie@epa.gov](mailto:wilson.stephanie@epa.gov)

EPA Region 9 will not take administrative action on the proposed project prior to the close of the comment period. If, after considering public comments, EPA Region 9 concludes the proposed project

will not have significant environmental impacts, EPA Region 9 will revise this FONSI by adding a summary of the comments received and EPA Region 9's responses. The revised FONSI will be forwarded to the Water Division Director for review and signature. The FONSI will be final upon signature. EPA Region 9 will not recirculate the signed FONSI for public review, but will make it available to any individual upon request.

The following minimization measures will be included in the project design and construction:

1. A desert tortoise education program shall be presented to all personnel onsite during construction. This program will contain information concerning the biology and distribution of the desert tortoise, its legal status and potential occurrence near the proposed project area, the definition of "take" and associated penalties, measures designed to minimize the effects of construction activities, the means by which employees can facilitate this process, and reporting requirements to be implemented in the event that desert tortoises are encountered.
2. An authorized desert tortoise biologist or environmental monitor shall be required to be onsite or on-call during project construction unless determined otherwise by the Service. Potential authorized desert tortoise biologists shall be approved by the Service. Workers will be required to be watchful of tortoises when working.
3. All project vehicles will not exceed 15 miles per hour within project boundaries March 15 through November 15 and 25 miles per hour at other times.
4. Project personnel shall halt activities when the continuation of such activities may endanger a desert tortoise or if a tortoise is found on a project site. Project activities may resume after the tortoise moves out of the work area or is relocated by an authorized desert tortoise biologist.
5. Project personnel shall exercise caution when commuting to the project area and obey speed limits to minimize any chance for the inadvertent injury or mortality of species encountered on roads leading to and from the project site. All desert tortoise observations, including mortalities, shall be reported directly to the Service.
6. Any vehicle or equipment within desert tortoise habitat shall be checked underneath before moving, including the morning before any construction activity begins. If a desert tortoise is observed, an authorized desert tortoise biologist will be contacted.
7. A litter-control program shall be implemented that includes the use of covered, raven-proof trash receptacle, disposal of edible trash in trash receptacles following the end of each work day.
8. All project activity will be confined to designated areas. All work shall be located on previously-disturbed areas.
9. All fuel, transmission or brake fluid leaks, or other hazardous materials shall not be drained onto the ground or into drainage areas. All petroleum products and other potentially hazardous materials shall be removed to a disposal facility authorized to accept such materials. Waste leaks, spills or releases shall be reported immediately to EPA and the Service. Servicing of construction equipment will take place only at a designated area. All fuel or hazardous waste leaks, spills, or releases will be stopped or repaired immediately and cleaned up at the time of occurrence. Service and maintenance vehicles will carry a bucket and pads to absorb leaks or spills.
10. Cross-country travel and travel outside construction zones and fenced areas shall be prohibited.
11. An authorized desert tortoise biologist shall record each observation of handled desert tortoises including those moved roads. Data will be collected, including: location, date, time of observation, whether the tortoise was handled, the general health of the tortoise,

whether it voided its bladder, the location the tortoise moved from and the location it moved to, and any unique physical characteristics. The authorized desert tortoise biologist shall also include the names of all monitors approved for the project, and the activities and level of involvement during the project. The Tribe and EPA are responsible for collecting all tortoise-related information and submitting it to the Service.