

F I N A L

Appendix J to S  
Volume 3, Book 2

J U L Y 2 0 0 8

C O Y O T E S P R I N G S  
I N V E S T M E N T

P L A N N E D D E V E L O P M E N T P R O J E C T

# Coyote Springs Investment Planned Development Project

## Appendix J to S July 2008

*Prepared EIS for:*

**LEAD AGENCY**

U.S. Fish and Wildlife Service  
Reno, NV

**COOPERATING AGENCIES**

U.S. Army Corps of Engineers  
St. George, UT

U.S. Bureau of Land Management  
Ely, NV

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COYOTE SPRINGS INVESTMENT PLANNED DEVELOPMENT PROJECT

# Appendix J to S

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Appendix J	Mitigation Plan, The Coyote Springs Development Project, Lincoln County, Nevada
Appendix K	Summary of Nevada Water Law and its Administration
Appendix L	Alternate Sites and Scenarios
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Appendix N	Fiscal Impact Analysis
Appendix O	Executive Summary of Master Traffic Study for Clark County Development
Appendix P	Applicant for Clean Water Act Section 404 Permit Application, Coyote Springs Project, Lincoln County, Nevada
Appendix Q	Response to Comments on the Draft EIS
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Appendix S	Species Selection Process

# Alternate Sites and Scenarios



**ALTERNATE SITES CONSIDERED BUT DISMISSED**



## Alternative Sites

The development of alternatives included evaluation of different development locations. Important considerations in the evaluation of alternative locations were the size and accessibility of alternative locations and the availability of sufficient water supply infrastructure to support development. To meet the project's purpose, the selected site would need to have adequate acreage to support the project. CSI conducted an extensive evaluation of potential alternative sites with a focus on large land parcels potentially available for acquisition or exchange in southern Nevada within an approximate one-hour's drive from Las Vegas.

Because of the prevalence of federal land ownership in the area (Figure 3-6) and the lack of designated utility corridors between existing facilities and the parcels, none of the alternative sites evaluated in southern Nevada were identified as viable alternative sites. Without associated utility corridors, none of these alternative locations could be supplied with power, water, and other necessary utilities. In addition, the sites were not suitably configured for the type of development planned nor were the sites capable of accommodating the project purpose from both a logistical and cost perspective. However, parcels meeting certain criteria were examined as potential alternatives for comparison.

The following paragraphs present the parcels evaluated and how they compared with the location retained for the two action alternatives.

### LINCOLN COUNTY

There is a limited amount of privately owned lands in Lincoln County; the federal government administers 98 percent of the land within Lincoln County. The following properties were considered:

- The Lincoln County Conservation, Recreation and Development Act of 2004 (Public Law 108-424) provided for the sale of 13,328 acres by open public auction. This property is located in southeastern Lincoln County adjoining the county line with Clark County immediately north of the City of Mesquite. A sale was conducted on February 9, 2005, in which 13,075 acres consisting of eight parcels were sold. The parcels ranged from 666 to 4,357 acres and were bought by five separate purchasers. Development plans for these parcels are underway by the owners; therefore, these parcels are not available.
- A Resource Management Plan (RMP) for the Ely District of the U.S. Bureau of Land Management is presently under development which may designate additional lands for disposal to private ownership. The RMP is scheduled for finalization in late 2007 or early 2008. It is expected that lands which would be made available for sale would be those that would promote community development in and around the small towns in Lincoln County and would be too small and scattered to meet CSI's project requirements. Also, the only disposal activity presently underway in Lincoln County involves land for a proposed industrial park adjacent to the town of Alamo.

Although the project purpose is to construct a new town in Lincoln County, CSI examined neighboring counties for potential alternative sites, as discussed below.

### NYE COUNTY

The current BLM Resource Management Plan (RMP) for the Pahrump Disposal Area in southern Nye County identifies a total of 9,385 acres as available for disposal. The parcels are scattered around the perimeter of the private lands within the Pahrump Valley. No sales have been conducted and any held in the future would be requested by the local jurisdiction involved. Therefore, property to become available in the future is unknown and is presently defined as unsatisfactory in size and configuration for the Project.

### CLARK COUNTY

The following parcels were identified from the Clark County Assessor records, based on single parcels of large acreage. These, being the largest single parcel properties, were researched and evaluated. None were large enough to meet the project's purpose.

- **Parcel 1 (Assessor's Parcel Number (APN) 08500002001 – 10,975 acres):** Parcel 1 is located immediately north of North Las Vegas near the master planned communities currently under construction and/or proposed near the 215 Beltway. The parcel is approximately half the size of the Development Area. However, it is vested in the USA and is outside the BLM Disposal Boundary established in the Southern Nevada Public Lands Management Act (SNPLMA) and therefore would require an act of Congress to become available.
- **Parcel 2 (APN 08600002001 – 11,110 acres):** As with Parcel 1, this parcel is located immediately north of North Las Vegas near the master planned communities currently under construction and/or proposed near the 215 Beltway. However, it is also vested in the USA and is outside the BLM Disposal Boundary established in the SNPLMA and would, therefore, require an act of Congress to become available. It is also located near where several Las Vegas buckwheat plants (a BLM sensitive species recommended for full protection by the State of Nevada) have been observed and documented.
- **Parcel 3 (APN 14100001001 – 10,505 acres):** This parcel is located north of Lake Mead Boulevard and south of Nellis Air Force Base. The terrain is steeper than in the Development Area in Coyote Spring Valley, thereby limiting the amount of developable land. The parcel is also vested in the USA and is outside the BLM Disposal Boundary established in the SNPLMA and therefore would require an act of Congress to become available. Its proximity to an active air base (Nellis Air Force Base) also makes it unsuitable for housing.
- **Parcel 4 (APN 14100002001 – 11,457 acres):** This parcel is located immediately south of Parcel 3. As such, its suitability for housing is similarly limited because of its steep terrain and proximity to Nellis Air Force Base. The parcel is also vested in the USA and is outside the BLM Disposal Boundary established in the SNPLMA and therefore would require an act of Congress to become available.
- **Parcel 5 (APN 02000001002 – 7,363 acres):** This parcel is located north of U.S. Hwy 95 and the Las Vegas Paiute Indian Community. This parcel is significantly smaller in size than the area proposed for development at Coyote Springs, and access is limited, as there is no highway or major road leading to the property. The parcel is also vested in the USA and is outside the BLM Disposal Boundary established in the SNPLMA and would, therefore, require an act of Congress to become available.
- **Parcel 6 (APN 02000002002 – 7,340 acres):** This parcel lies to the south of, and is similar in size to, Parcel 5. As such, it has the same size and access limitations. The parcel is also vested in the USA and is outside the BLM Disposal Boundary established in the SNPLMA and would, therefore, require an act of Congress to become available. In addition, Parcel 5 is within the Desert National Wildlife Range (DNWR).
- **Parcel 7 (APN 08700002004 – 8,413 acres):** This parcel is east of U.S. Hwy 95 and north of Floyd Lamb State Park. It has the same size and access limitations as Parcels 5 and 6. The parcel is also vested in the USA and is outside the BLM Disposal Boundary established in the SNPLMA and would, therefore, require an act of Congress to become available. Parcel 7 is within the DNWR.
- **Parcel 8 (USA Patent 27-2003-0052 – 7,690 acres):** This parcel was conveyed to the City of Mesquite on May 7, 2003, pursuant to the Mesquite Lands Act of 1988, Public Law 99-548, as amended by Section 121 of Public Law 104-208, dated September 30, 1996, and as amended by Public Law 106-113, dated November 29, 1999, and Section 209 of the Federal Land Management Act of 1976, (43 U.S.C. 1719), as amended. This property consisted of numerous Assessor Parcel Numbers and is located within the city limits of Mesquite. The City of Mesquite immediately sold the majority of the property to residential and commercial real estate developers, retaining a portion for a City-sponsored business park and, therefore, the land is not available for acquisition. In addition, this parcel is significantly smaller in size than the Development Area in Coyote Spring Valley, and access is limited, as there is no highway or major road leading to the property.
- **Parcel 9 (USA Patent 27-2004-0104 – 5,752 acres):** This parcel was conveyed to Clark County, Nevada pursuant to the Ivanpah Valley Airport Lands Transfer Act of January 24, 2000, 114 Stat. 1404 for use as an airport facility. Clark County is presently conducting relative studies for such use. In the event that the land is not used for the intended purpose, the property would revert to the USA and, therefore, is not available for acquisition. In addition, this parcel is significantly smaller in size than the proposed location.

In addition to the lack of availability and other shortcomings of the alternative sites, the Federal lands do not provide a reasonable alternative to the CSI site for the following reasons:

- The land is only offered for auction after the BLM and the applicable units of local government have jointly selected lands to be offered for sale. This process results in tracts of land that the local jurisdiction determines can be served by infrastructure and public services. Therefore, at each auction, scattered parcels throughout Lincoln County, of varying sizes and in several jurisdictions, are offered for sale. Recent auctions of Clark County lands contained several parcels, which were mostly smaller scattered parcels, with occasional parcels of several hundred acres for master-planned use. This being somewhat representative of recent auctions, it is apparent that it is virtually impossible to fashion an assemblage of parcels that would meet the purpose of the proposed CSI project in Lincoln County. For instance, in the last two public auctions under the SNPLMA in Clark County conducted by the BLM in November 2005 and August 2006, 96 percent of the parcels offered were 10 acres or less. In the 2005 sale, two large parcels were combined to total 2,655 acres in North Las Vegas, and one stand-alone parcel was 14 acres. The remaining 74 parcels were 10 acres or less.
- Locations in Nye and Clark counties would not meet the project's objective of providing facilities for residents and companies to support long-term economic viability in Lincoln County.

For all of the reasons outlined above, the proposed site is the only practicable location. Therefore, alternative sites were dismissed from further analysis.

### **A Comparative Analysis of Potential Impacts to Waters of the United States Among Alternative Sites in Lincoln, Clark and Nye Counties, Nevada**

The 404(b)(1) Guidelines state that “. . . no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences.”<sup>1</sup> The 12 locations determined to be potential off-site alternatives were examined using aerial photography, U.S. Geological Survey (USGS) topographic maps, and the USGS National Hydrographic Data Set (Figure L-5). The only exceptions to this were Parcels/sites 5 and 6 where only topographic mapping was used due to the lack of available orthorectified aerial photography (Figures L-10 and L-11). However, the USGS National Hydrographic Mapping Data Set showed mapped drainages being present on each of these sites.

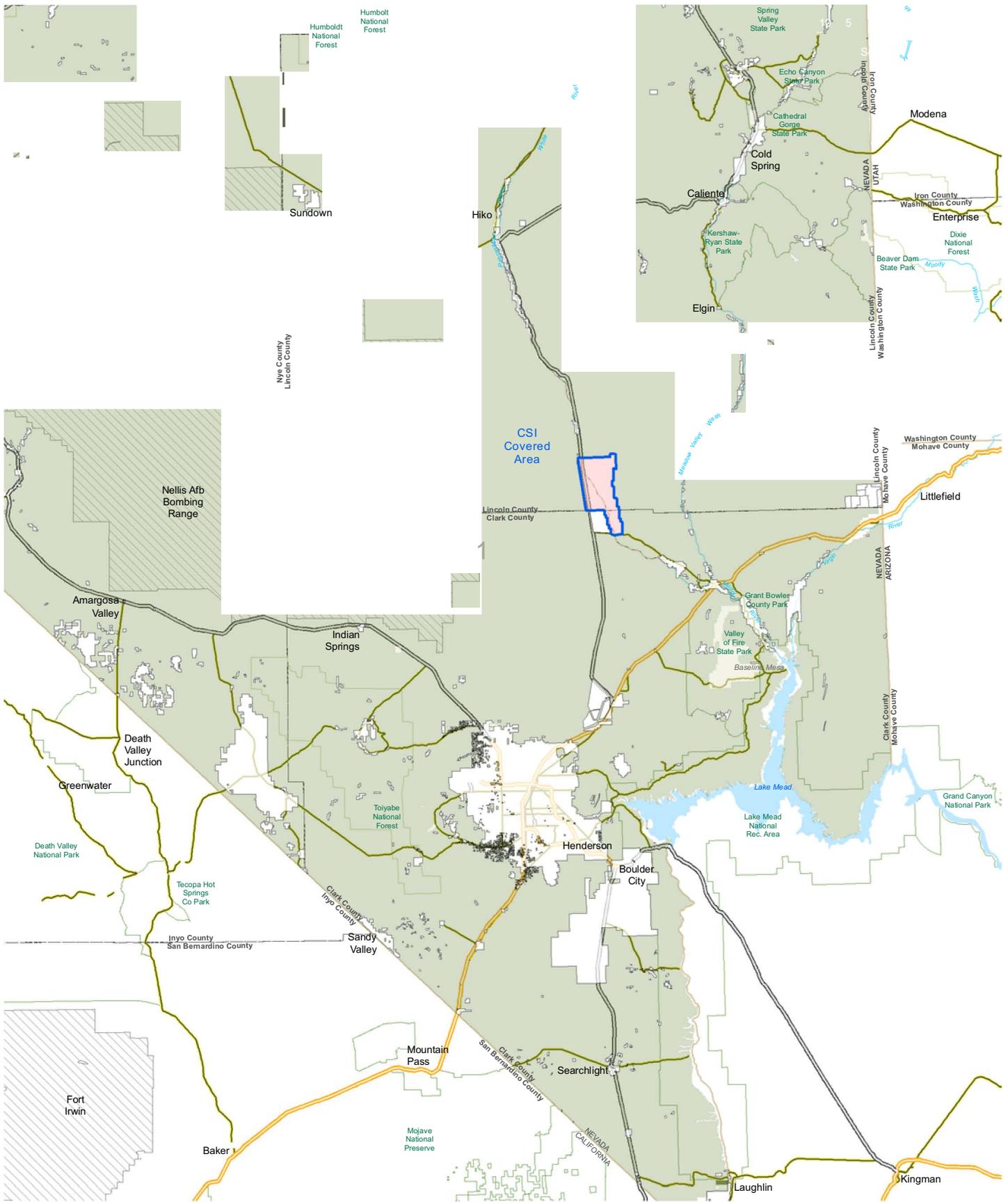
Review of topographic mapping and aerial photography revealed that 10 of the 12 sites (Figures L-6 through L-12 and L-14 through L-17) exhibited relatively steep topographic relief and associated valleys with alluvial fans similar to the proposed project site alternative in Lincoln County (Figure L-18). Desert dry wash habitat containing potential WOUS was found to be present within each of these terrain features with the greatest concentration of dry wash habitat occurring within the valley areas between elements of steep topographic relief. Parcel 9 and the North BLM Pahrump Disposal Lands (Figures L-14 and N-16) exhibited flatter terrain. However, the flatter terrain appeared to be prone to flooding beyond the banks of the desert dry washes as indicated by their landscape position and evidence of salt deposits on the aerial photography reviewed for Parcel 9. Like the proposed project site no wetlands or other special aquatic sites were identified at any of the alternative project site locations.

Based on this analysis it was determined that potential WOUS were present at each of the twelve alternative project site locations (Figure L-5). The analysis also revealed that if a new town were constructed at any one of the twelve locations evaluated, the same flood control requirements necessitating relocation and/or widening of WOUS at the proposed site would result in similar or greater impacts at the alternative locations. Therefore, there are no practicable alternatives to the proposed discharge that would have less adverse impact on the aquatic ecosystem.

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<sup>1</sup> 40 CFR § 230.10(a)

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Coyote Springs Covered Area  
 Private Lands  
 Federal Lands  
 State Lands

Military Installation  
 County Boundary  
 State Boundary  
 Interstate  
 Highway  
 State Route

Stream  
 Ephemeral Channel  
 Parks  
 National Forests

CSI Planned Development Project Draft EIS

**Figure L-1**  
 Distribution of Public and  
 Private Land  
 in Clark, Nye and Lincoln Counties,  
 Southern Nevada



Nevada  
 Utah  
 California  
 Arizona  
 Map Extent  
 Pacific Ocean





**Parcel Label and Acreage**

A	4,315 acres	G	1,042 acres	County Boundary
B	2,012 acres	H	961 acres	Interstate
E	1,367 acres	I	1,767 acres	Highway
F	654 acres	J	1,272 acres	Roads
		P	129 acres	Desert Dry Wash

- Private Lands
- Federal Lands
- State Lands

CSI Planned Development Project Draft EIS

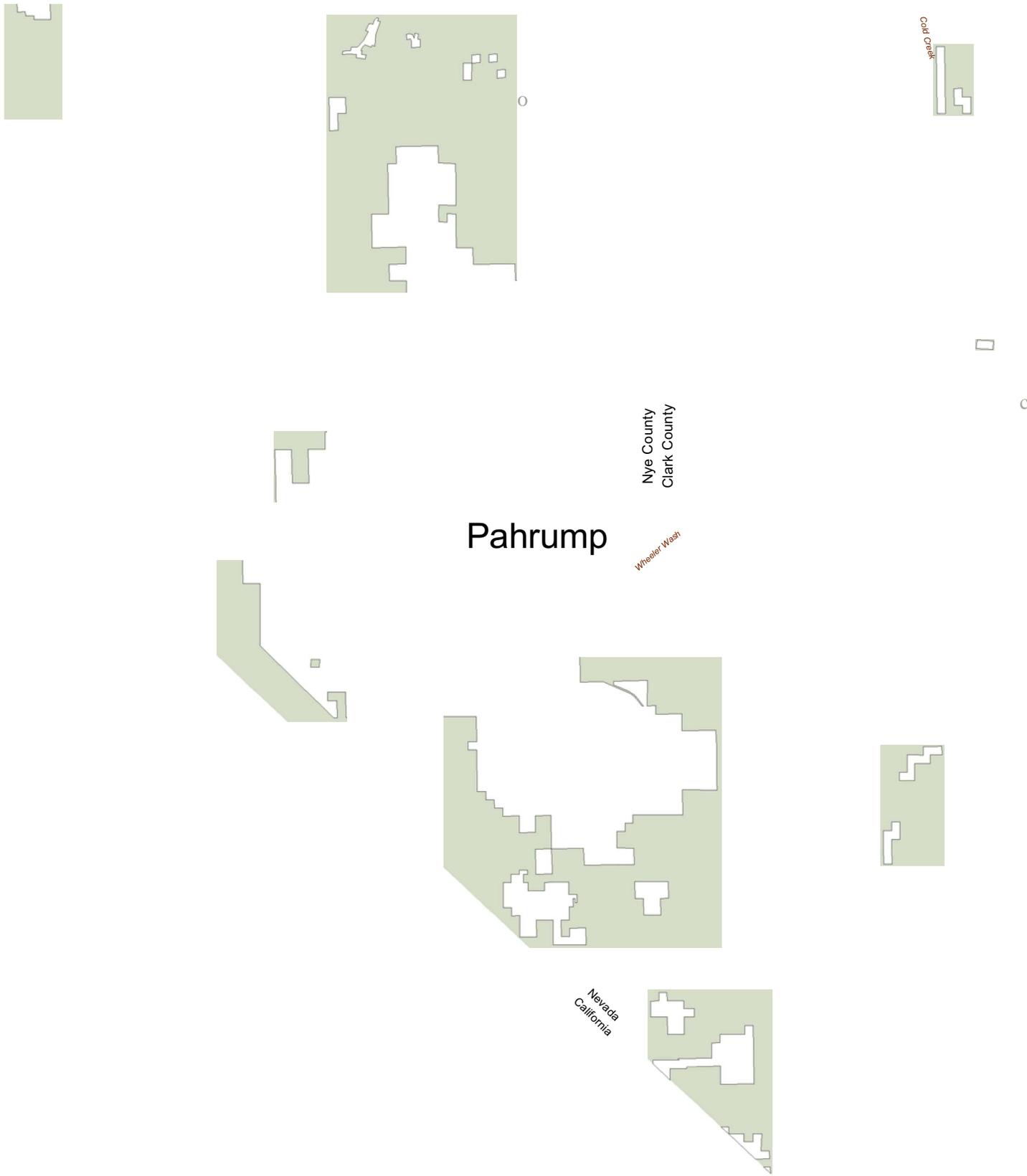
**Figure L-2**  
Alternative Locations Evaluated  
in Lincoln County  
(LCLA lands data received from  
Clint Mertz at Lincoln County)

Note: LCLA Lands data received from Clint Mertz at Lincoln County



Phone Cable  
Toquop Wash  
Lower Toquop  
Toquop Wash  
Toquop Wash  
Toquop Wash  
California  
Nevada  
Utah  
Arizona  
Map Extent  
Pacific Ocean





# Pahrump

Nye County  
Clark County

Wheeler Wash

Cold Creek

Nevada  
California

- BLM Disposal Lands
- Private Lands
- Federal Lands
- State Lands
- Highway Roads
- Desert Dry Wash
- County Boundary

CSI Planned Development Project Draft EIS

**Figure L-3**  
Alternative Locations Evaluated  
in Nye County



California Nevada Utah  
Arizona  
Pacific Ocean  
Map Frame



Nellis Afb Bombing Range

Kane Springs V

Parcel 8

Project Development Location

Meadow Valley Wash

Lincoln Co.  
Clark Co.

Parcel 5



Parcel 6



Parcel 7

Parcel 1

Muddy River

Valley Of Fire State Park



California Wash

Deer Creek

Parcel 2



Gypsum Wash

Parcel 3

Las Vegas Dunes Natl. Rec Area

Las Vegas



Parcel 4



Lake Mead Natl Recreation Area



Lake Mead Natl. Rec Area

Parcel 9



CSI Planned Development Project Draft EIS

**Figure L-4**  
Alternative Locations Evaluated  
in Clark County



Pacific Ocean

California

Nevada  
Map Frame

Utah

Arizona









Figure L-6. Map Showing Location of Potential WOUS, Parcel 1



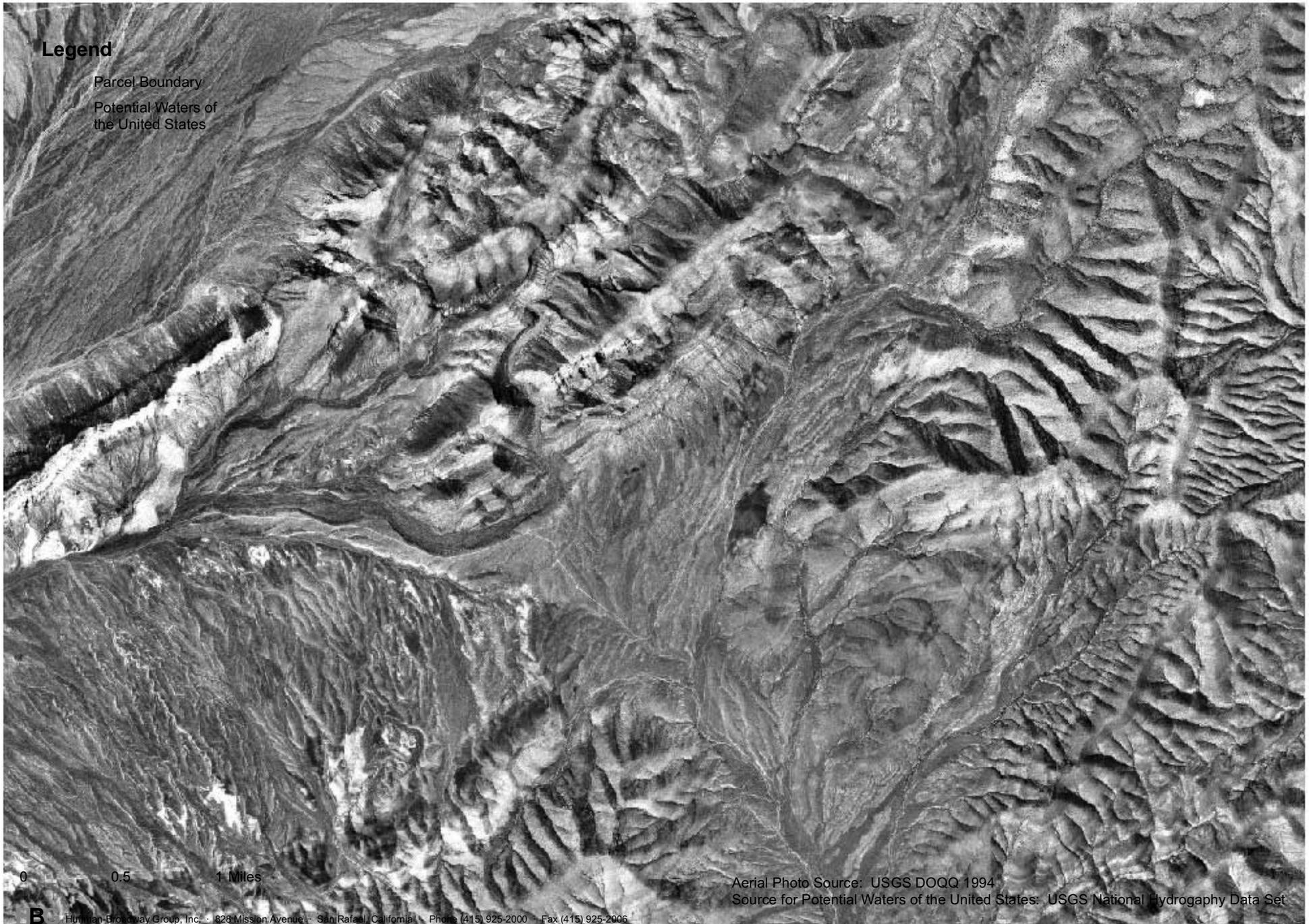


Figure L-7. Map Showing Location of Potential WOUS, Parcel 2





Figure L-8. Map Showing Location of Potential WOUS, Parcel 3





Figure L-9. Map Showing Location of Potential WOUS, Parcel 4



**Legend**

- Potential Waters of the United States
- Parcel Boundary



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Map Base: USGS 7.5 minute quadrangle maps (Frenchman Lake SE; Quartz Peak SW; Indian Springs NW; Mercury NE)  
Source for Potential Waters of the United States: USGS National Hydrography Data Set

**Figure L-10. Map Showing Location of Potential WOUS, Parcel 5**



**Legend**

Potential Waters of the United States

Parcel Boundary



0 0.5 1 Miles

Map Base: USGS 7.5 minute quadrangle maps (Indian Springs NW; Mercury NE)  
Source for Potential Waters of the United States: USGS National Hydrography Data Set

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Figure L-11. Map Showing Location of Potential WOUS, Parcel 6



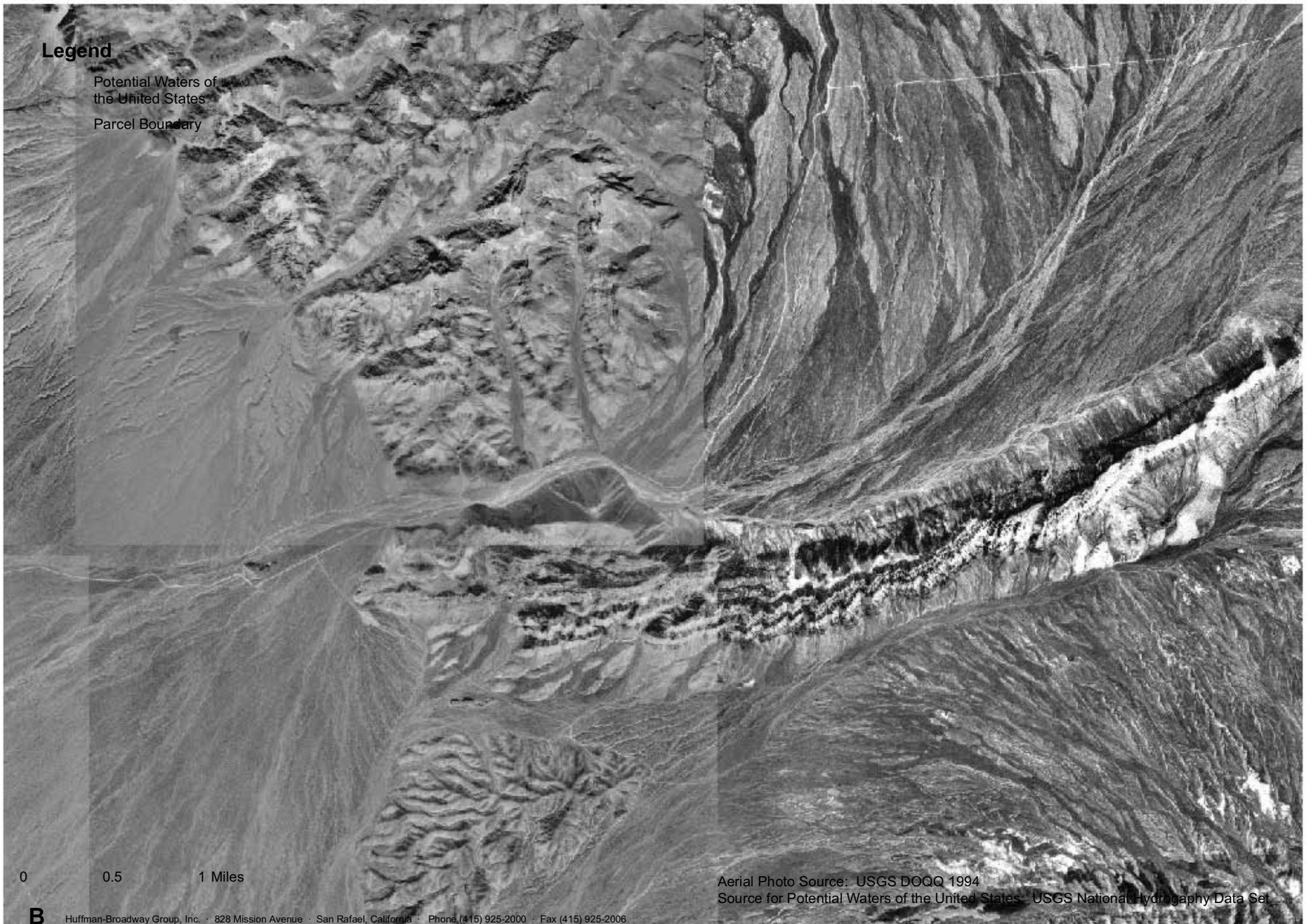


Figure L-12. Map Showing Location of Potential WOUS, Parcel 7



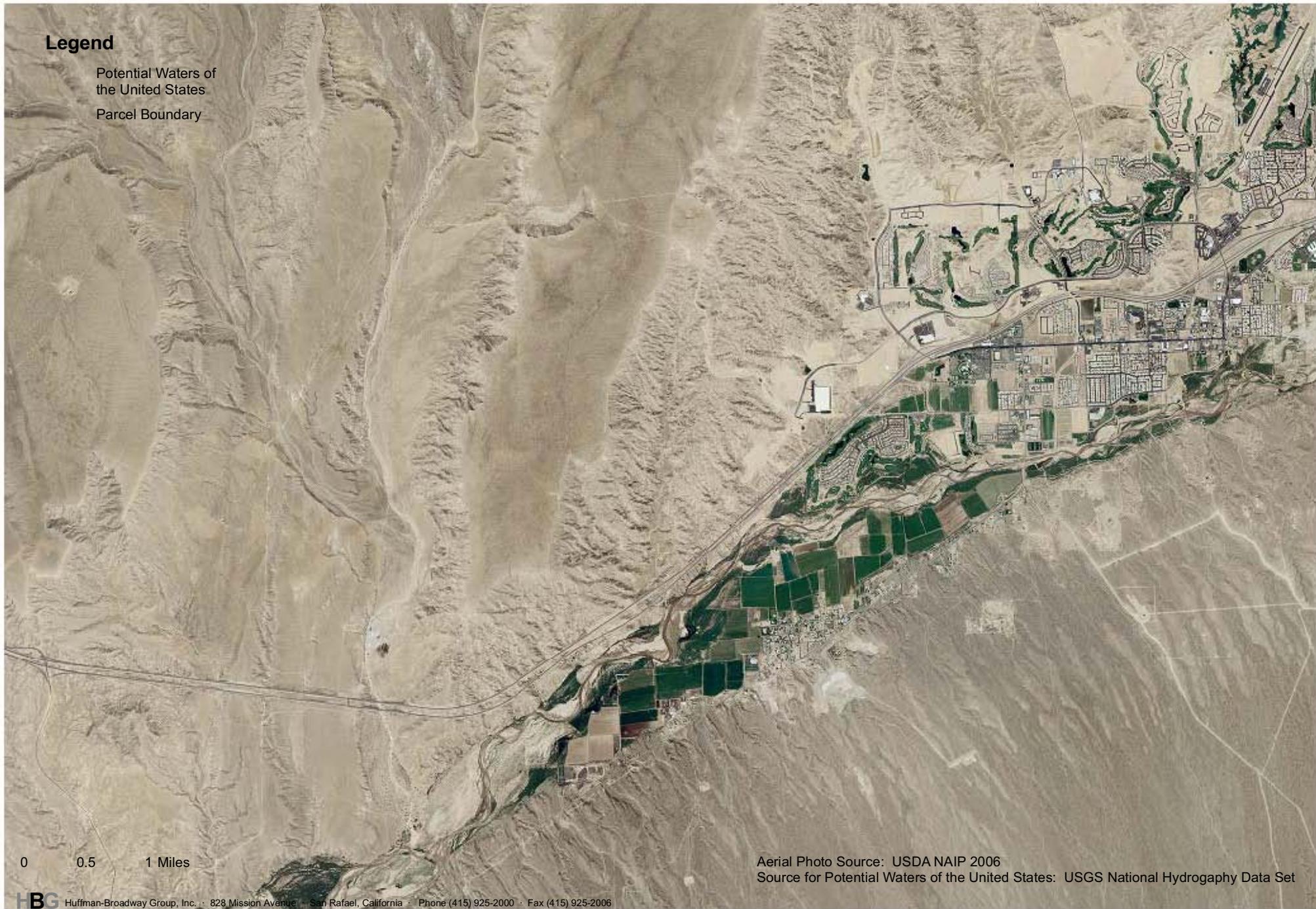


Figure L-13. Map Showing Location of Potential WOUS, Parcel 8



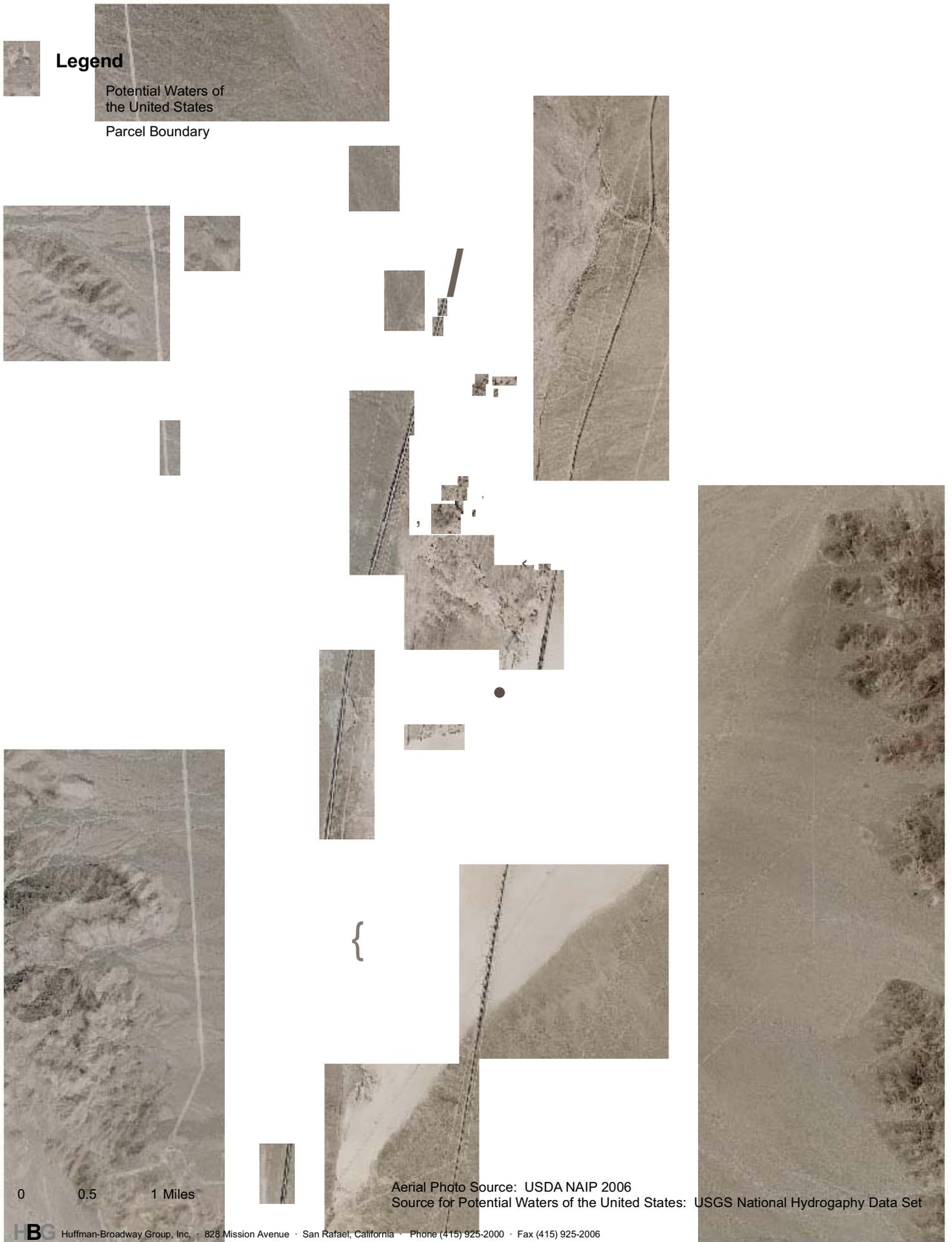


Figure L-14. Map Showing Location of Potential WOUS, Parcel 9





Figure L-15. Map Showing Location of Potential WOUS, LCLA Lands





Figure L-16. Map Showing Location of Potential WOUS, BLM Pahrump Disposal Lands North

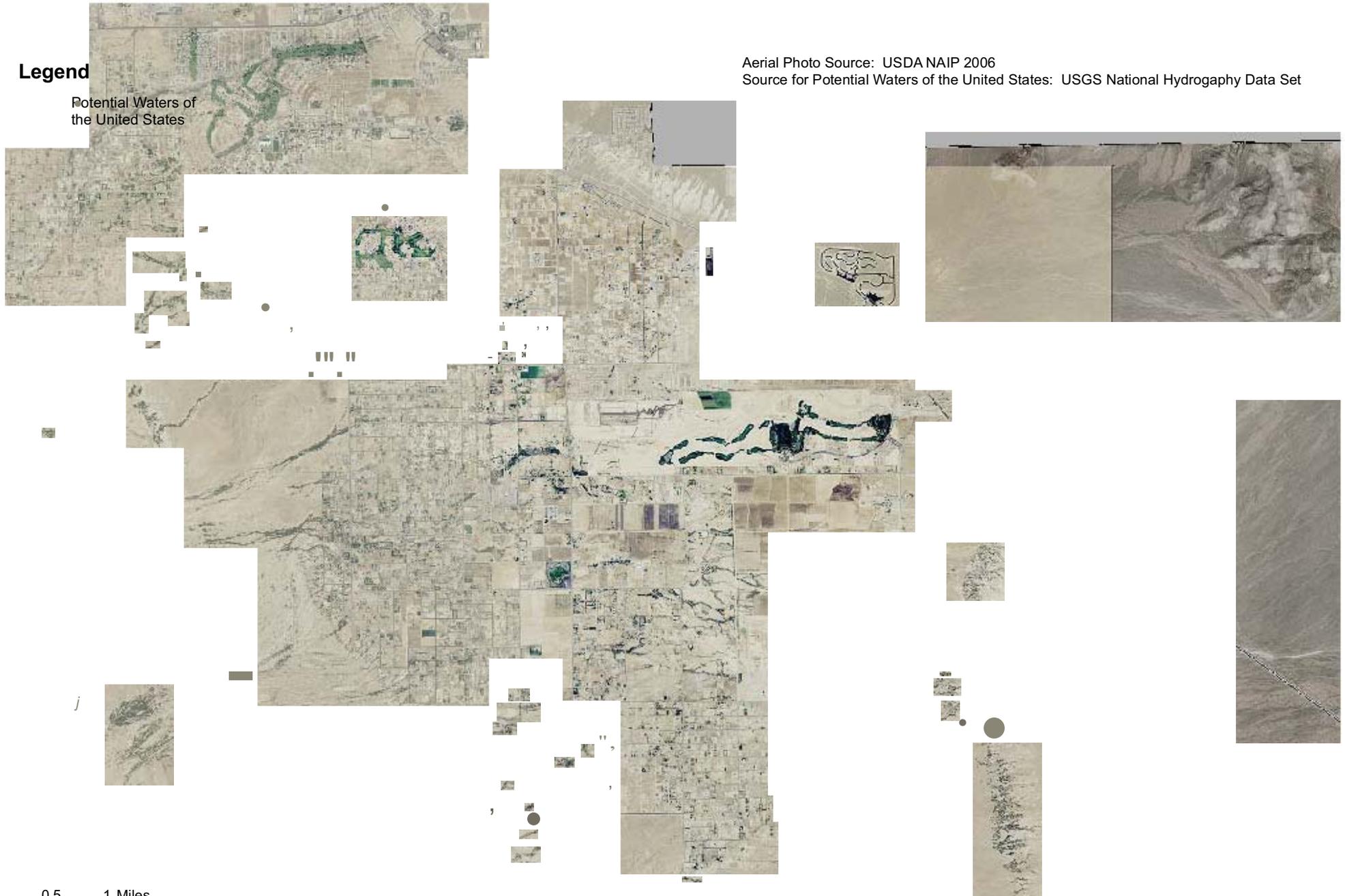


**Legend**

Potential Waters of the United States

Aerial Photo Source: USDA NAIP 2006

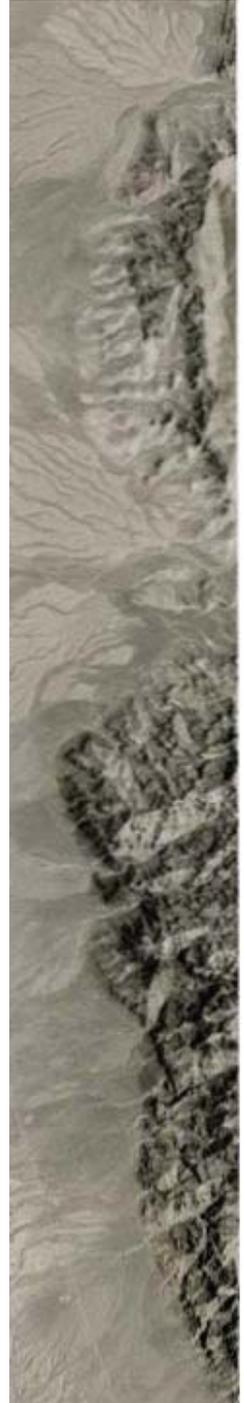
Source for Potential Waters of the United States: USGS National Hydrography Data Set



0 0.5 1 Miles

Figure L-17. Map Showing Location of Potential WOUS, BLM Pahrump Disposal Lands South





**Legend**

- Potential Waters of the United States
- Project Boundary

0 0.5 1 Miles

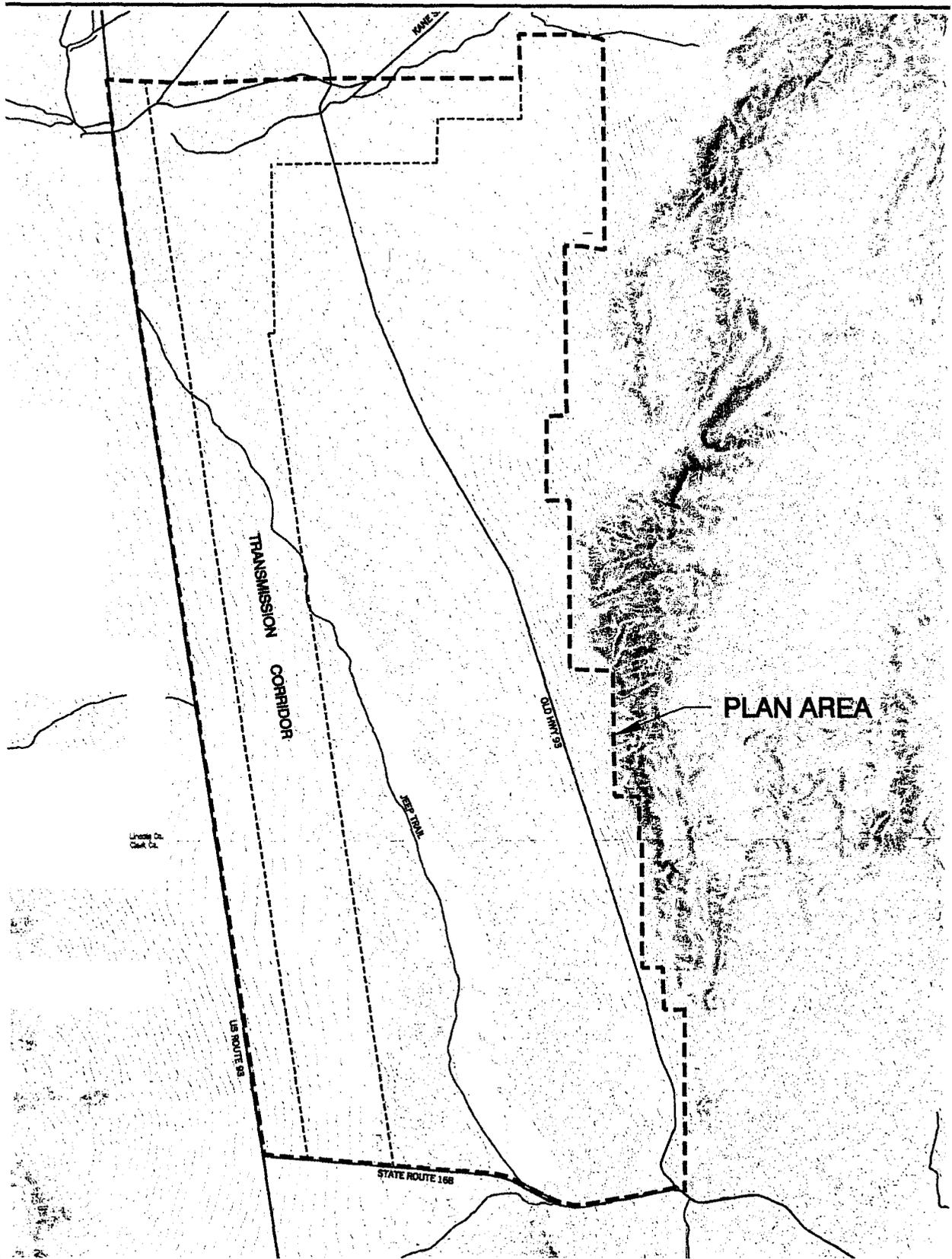
Aerial Photo Source: USDA NAIP 2006  
Source for Potential Waters of the United States: USGS National Hydrography Data Set

**Figure L-18. Map Showing Location of Potential WOUS, Proposed Project Alternative**



**ALTERNATE ON-SITE SCENARIOS CONSIDERED BUT DISMISSED**



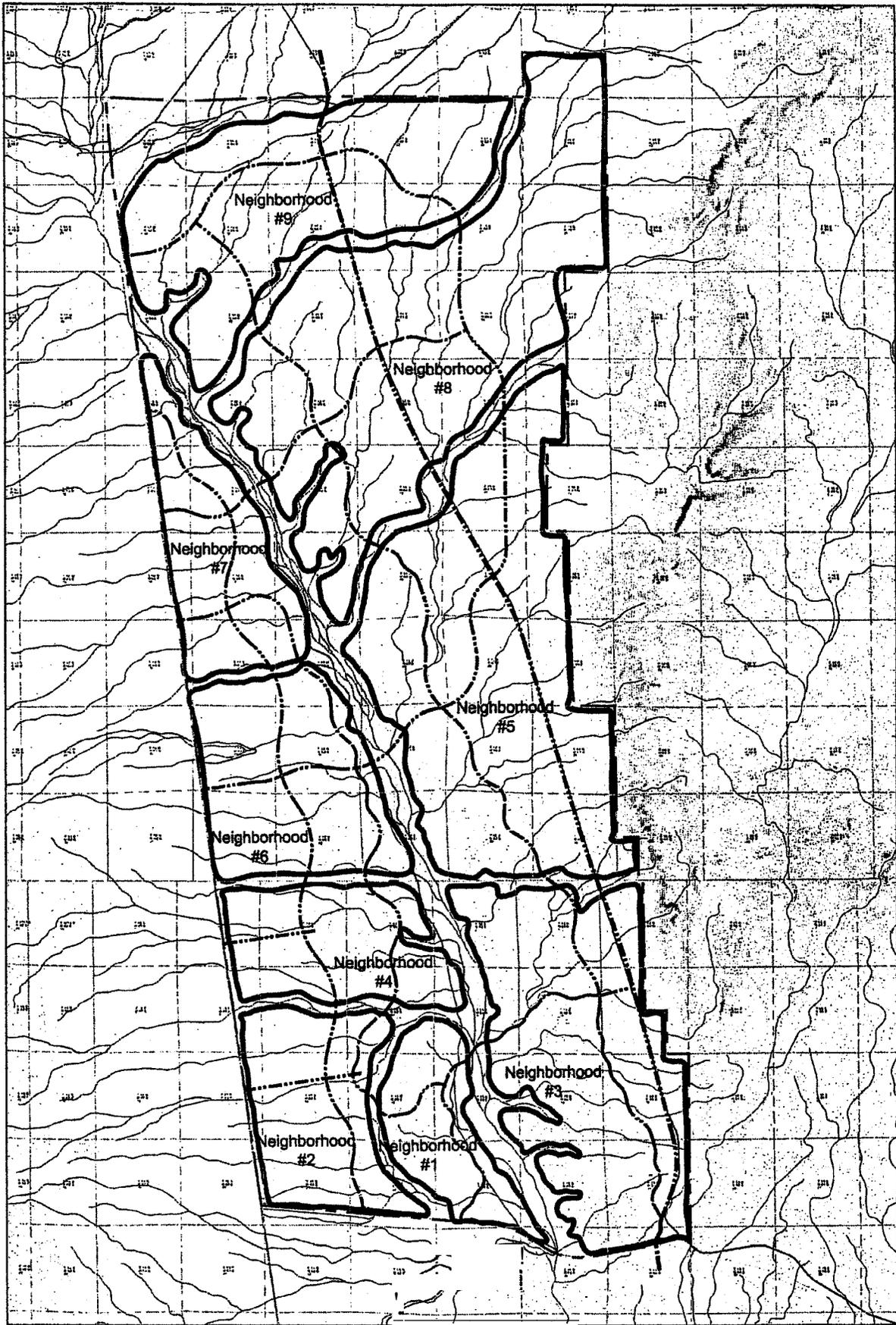


**FIGURE 2**  
Plan Area  
Coyote Springs Investment LLC

no scale  
3/12/03

RESOURCE CONCEPTS, INC.





CSI

Neighborhood Plan

Figure 7a



NORTH

1/2 mile

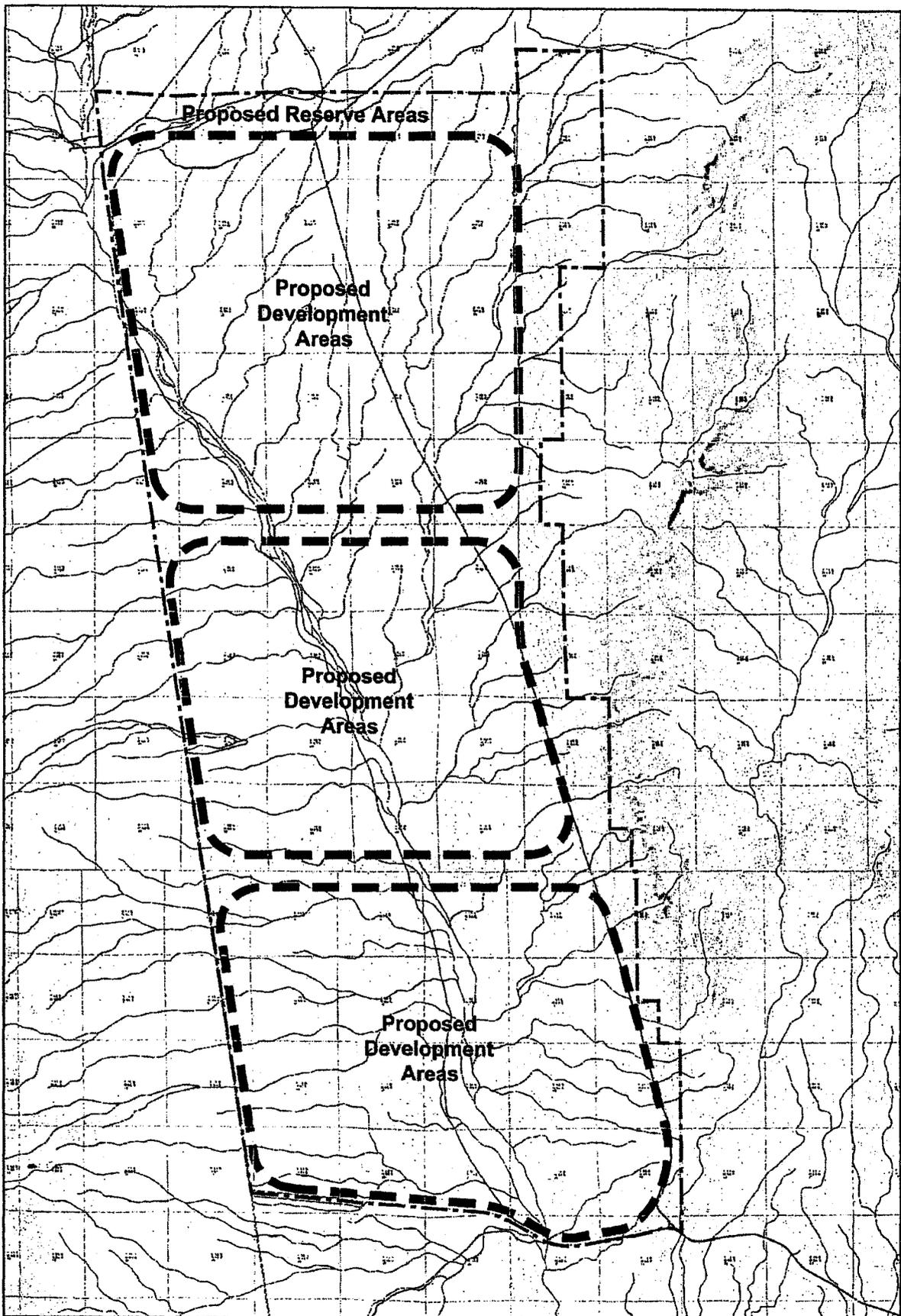
1 mile

2 miles

September 2003

ms



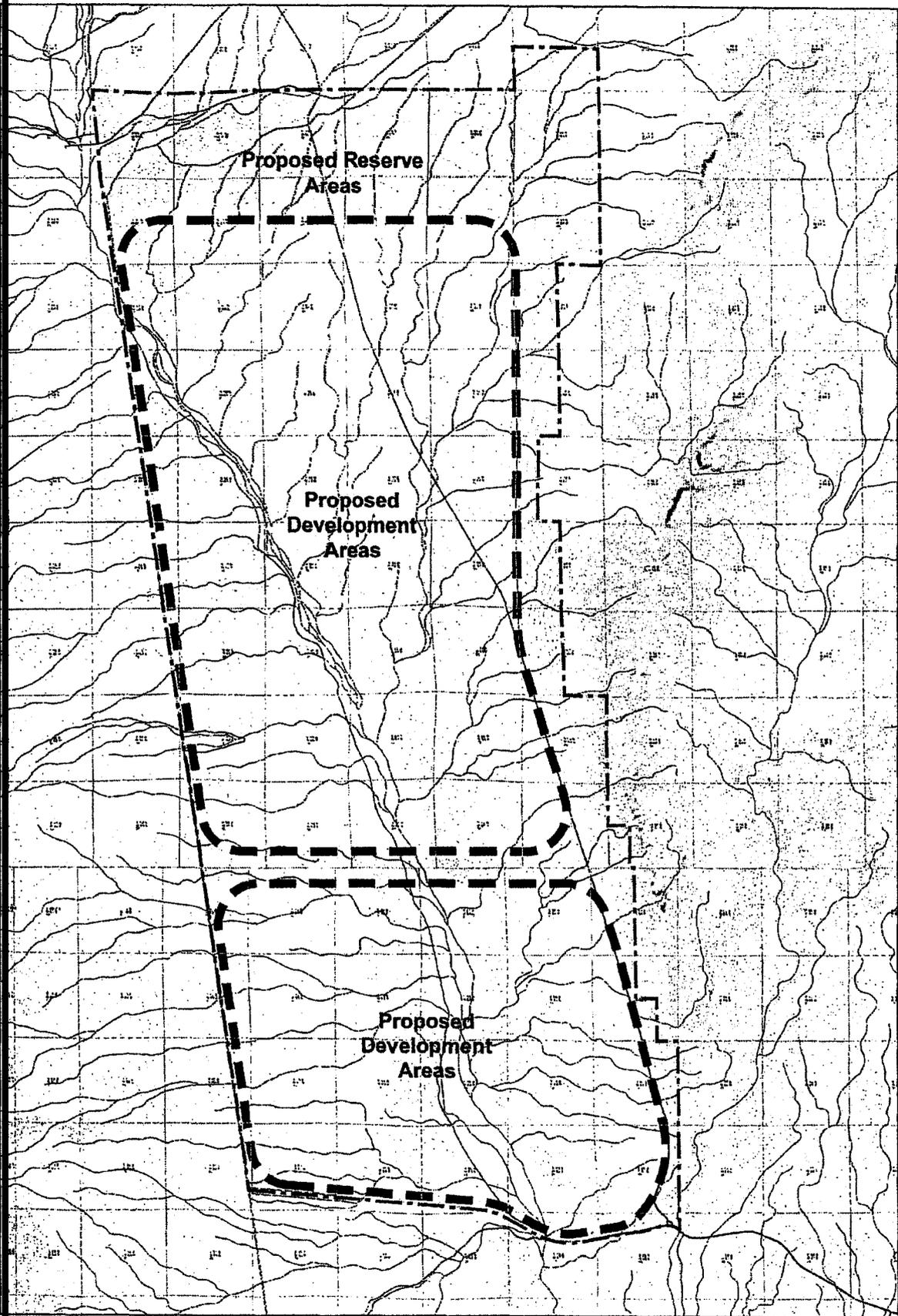


# COYOTE SPRINGS INVESTMENT, LLC

Scenario B: Three Development Envelopes  
FIGURE 7b







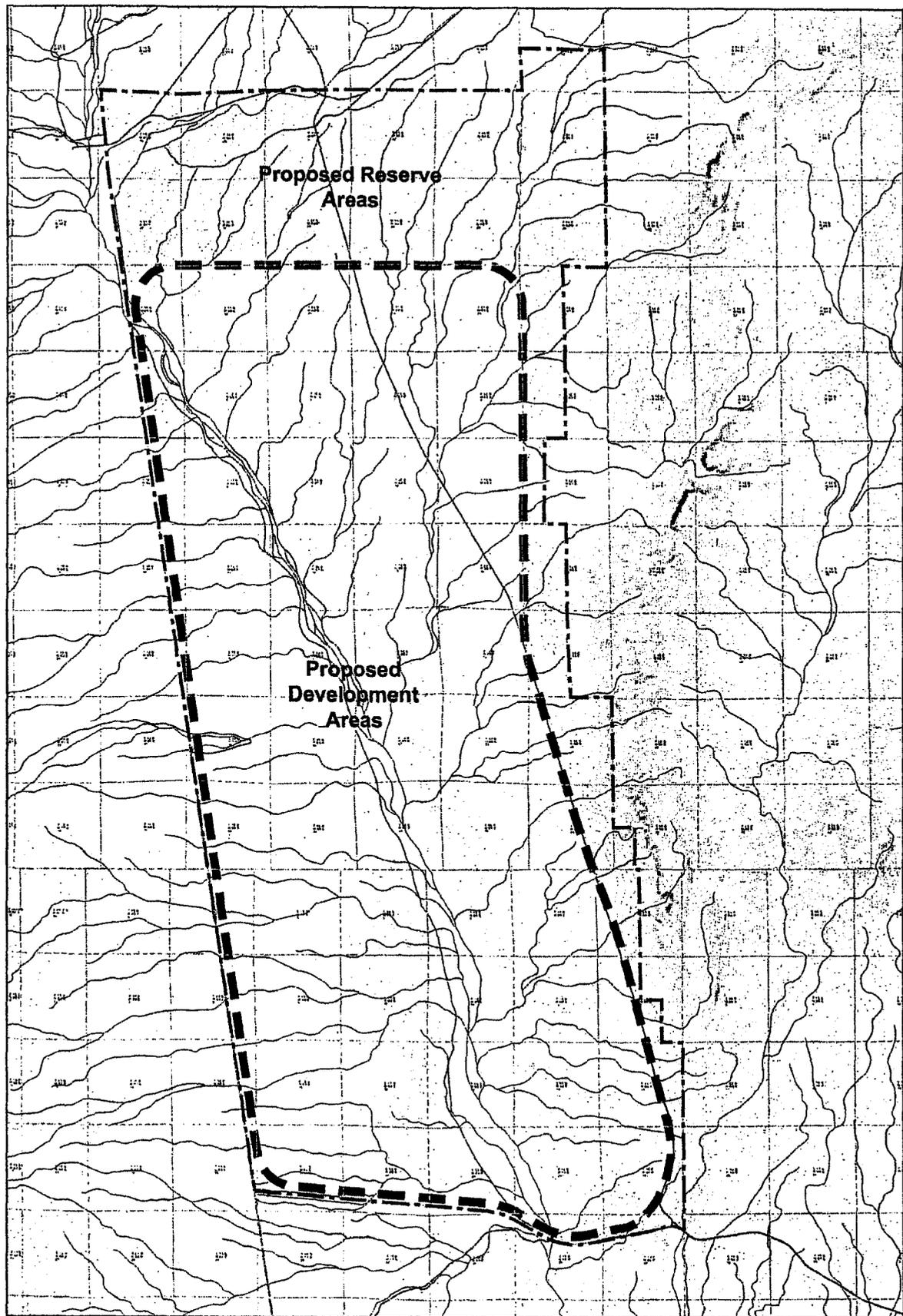
**COYOTE SPRINGS INVESTMENT, LLC**

Scenario C: Two Development Envelopes

FIGURE 7c







# COYOTE SPRINGS INVESTMENT, LLC

Scenario D: One Development Envelope  
FIGURE 7d

