

3.6 LANDS AND REALTY

3.6.1 Affected Environment

3.6.1.1 Land Use and Ownership

The assessment area encompasses approximately 2 million acres of public lands primarily within the WFO but partially within the jurisdiction of the Carson BLM District. Within the entire area there are lands, which are owned in fee on the surface and subsurface by the United States and split estates.¹² Private lands are interspersed with the government lands. The only lands being considered for leasing under proposal are lands on which the BLM has jurisdiction on the surface and the Federal Government has retained the subsurface rights.

Lands within the PVAs are owned and managed by numerous entities/agencies. As stated above, the only lands considered for leasing under this proposal are the public lands managed by the BLM. The breakdown of land ownership and/or use in the assessment area boundaries is as follows:

**TABLE 3.6-1
LANDS IN THE ASSESSMENT AREA**

Agency/Description	Acres (Percent of Total) (Approximate)
Bureau of Land Management	2,124,000 (67%)
Private	1,017,000 (32%)
Water	16,000 (.5%)
State of Nevada Managed Lands*	6,000 (.2%)
Department of Energy	3,000 (.1%)
Native American Reservation	3,000 (.1%)
Intermittent Water	2,000 (<.1%)
Total	3,171,000

* Bureau of Reclamation withdrawn lands

The assessment areas are traversed by several BLM-permitted utility rights-of-way and access rights-of way. Most permitted uses are non-exclusive to the user; therefore, geothermal exploration and development of these areas would not be prohibited. Mining is a major industry

¹² Split estates are areas where the surface land is owned by one owner, such as a private citizen or corporation, and the subsurface rights are owned wholly or in some cases partially by the United States

in the region with several mines operating under BLM permit. Mining has not created any conflicts in land use with geothermal exploration, development and production in the past and it is not considered to be a factor for the future. Other land uses, in and adjacent to the study area, include grazing, recreation, and resource conservation.

The BLM manages all public lands under its jurisdiction for multiple-use pursuant to the Federal Lands Management Policy Act (FLPMA)¹³ and applicable land use plans. In accordance with multiple-use doctrine, geothermal resources lessees are not granted exclusive rights to use the surface lands—the BLM reserves the right to continue operation of existing uses and to authorize future uses. This includes granting new rights-of-way, so long as such new uses are conditioned to prevent unnecessary or unreasonable interference with the rights of the lessee. The potential exists for multiple surface uses while extracting subsurface resources.

3.6.1.2 Land Tenure Acquisition and Disposal

As opportunities arise, the BLM considers acquisition of private lands interspersed with public lands in order to consolidate Federal holdings into a non-disjointed ownership pattern. Conversely, the BLM may dispose of public lands that no longer meet criteria for Federal ownership and management and may be disjointed from other Federal lands. These two processes are collectively known as land tenure adjustment. Lands in the assessment area are unlikely to be a priority for disposal due to the high mineral or geothermal potential and given the criteria set forth in Section 203(a) of FLPMA. Lands that are contiguous with United States lands that may have geothermal development potential may be considered for acquisition if the opportunity arises. The current extent of land acquisition and disposal in the assessment area is minimal.

3.6.2 Environmental Impacts

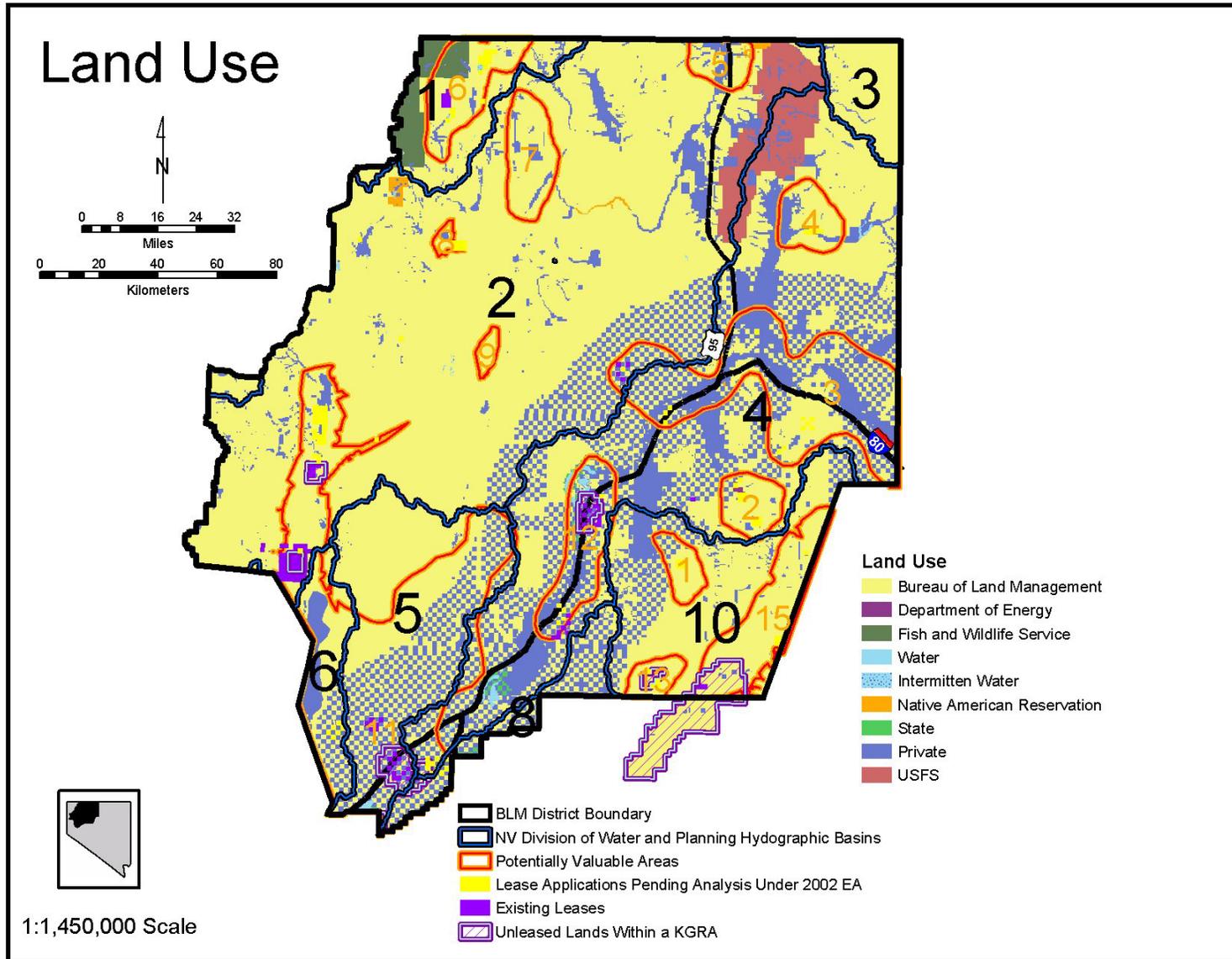
3.6.2.1 Proposed Action

Direct Impacts – Leasing creates a valid existing right, which could affect other future land-use authorizations.

Indirect Impacts – When considering the “reasonably foreseeable development scenario,” impacts could occur to existing utility rights-of-way and roads if all or some areas are opened for geothermal exploration and leasing. Existing rights-of-way may need to be relocated to accommodate development of the resources. Granting of new rights-of-way for non-geothermal development would need to take into consideration existing geothermal leases. No other impacts to land use or realty are expected to occur.

¹³ Federal Land Policy Management Act (FLPMA) of 1976 (P.L. 94-579 (43 USC §1701) (36 CFR §2310.1-2; 1600 Series))

FIGURE 3.6-1
ASSESSMENT AREA LAND USE



3.6.2.2 No Action Alternative

Direct Impacts – Leasing creates a valid existing right, which could affect other future land-use authorizations.

Indirect Impacts – Indirect impacts from the No Action Alternative would be similar to those described in the Proposed Action; however, updated mitigation measures and stipulations would not apply using the 1982 Geothermal EA.