

White River / Ellison Creek Brush Mowing Project
Decision Memo

Ely Ranger District
Humboldt-Toiyabe National Forest
USDA – Forest Service
White Pine County, Nevada

Decision

I have decided to treat 200 acres of decadent sagebrush along the White River and Ellison Creek in the White Pine Range in coordination with the Rocky Mountain Elk Foundation. The project area will be treated using a mower pulled behind a tractor. Areas with little existing understory vegetation will be seeded with native grasses and forbs. Electronic fencing will be used in the seeded area until the seedlings are established. The project is planned for late summer or early fall to avoid the nesting season for birds. The design of the mowing will retain the established cover of sagebrush in all age classes, to provide good habitat for deer, elk, sage grouse, and other wildlife species. The areas are located about twenty-eight and thirty miles southwest of Ely, Nevada in the White Pine Range. The legal location for Ellison Creek is T14N, R59E, Sections 28 and 32, and for White River, T12N, R60E, Sections 5 and 6, and T13N, R59E, Sections 32, 33, and 34. See attached map.

Purpose and Need for Action

The purpose is to improve the sagebrush community by increasing the age class diversity of the sagebrush and improve the grass/forb species composition and diversity in the understory. These areas of sagebrush are old and decadent with a lack of naturally occurring vegetative mosaics, which leads to shading out of the understory. Mowing the older sagebrush in a mosaic pattern will promote multiple age classes of brush that will increase plant diversity and understory vegetation (e.g. big basin wild rye, Indian ricegrass, lupine, milkvetch). The mowing and seeding of these areas will improve the habitat for wildlife (e.g. migratory birds, sage grouse, deer, and elk).

Public Involvement

We sent a scoping letter to 114 individuals, organizations, and agencies on February 11, 2008 covering the brush mowing along the White River and Ellison Creek. We received nine comments. The State Clearing House for the Division of Water Resources, seven individuals said they supported the project, and one did not support the project.

Extraordinary Circumstances

I have determined that there are no extraordinary circumstances associated with this proposal, as defined by NEPA. I have made this determination based on an interdisciplinary analysis. Below is the summary of findings relative to the seven extraordinary circumstances defined at FSH 1909.15 (30.3) (2).

1. Floodplains, wetlands, or municipal watersheds.

The District Hydrologist determined there would be no effects on any floodplains, wetlands, or municipal watersheds.

2. Threatened, endangered, proposed, and sensitive species and their critical habitat.

The District Biologist concluded that there are no adverse impacts to these species or their habitat.

3. Congressionally designated areas such as a wilderness, wilderness study area, or National Recreation Area.

The project is not located in a congressionally designated area.

4. Inventoried Roadless Areas.

The project is not in an Inventoried Roadless Area.

5. Research Natural Areas.

The project is not in a RNA.

6. American Indian or Alaska Native religious or cultural sites.

The project leader consulted with the Ely Shoshone and Duckwater Tribes who had no objections.

7. Archaeological sites or historic properties or areas.

The District Archeologist completed a cultural resource survey over the entire project area. This survey located four prehistoric lithic scatters. These sites are not eligible to the National Register of Historic Places; therefore, this project will have 'no effect' to eligible cultural resources. If additional cultural resources are located, we will stop this project until we evaluate these resources.

Finding of no Significant Effect to the Environment

In addition to the above, I have incorporated consideration of other elements in my determination that there are no adverse effects to extraordinary circumstances, as defined by NEPA, nor other significant effects associated with this project. I have considered the potential for cumulative effects, as directed in the June 24, 2005 CEQ Memorandum. I have concluded that without notable individual effects from the proposal, and in the absence of current or proposed similar projects in this area, there are no significantly direct, indirect, or cumulative effects to the environment. I have based my conclusion on the small scale and duration of activity, the minimal visual and environmental change expected, information gathered during public scoping, and the low risk of environmental impact.

Categorical Exclusion

The Chief of the Forest Service has identified specific actions that may be categorically excluded from documentation in an environmental assessment (EA) or environmental impact statement (EIS), if there are no adverse impacts to extraordinary circumstances (Chapter 30, Forest Service Handbook, 1909.15, Section 31.2). The proposed action qualifies for this exclusion under Category 6, in 31.2, "Timber stand and/or wildlife habitat improvement activities which do not include the use of herbicides or do not require more than one mile of low standard road construction."

Findings Required by other Laws

This project complies with all laws and Executive Orders affecting National Forest management, including the National Forest Management Act, the Endangered Species Act, the Clean Air Act, and the American Antiquities Act. There will be no adverse effects on health, human safety, consumers, minorities, civil rights, American Indian rights, or women. This decision is consistent

with the Land and Resource Management Plan for the Humboldt National Forest of August 1986. The project is in accordance with the goals and objectives included in the Forest Plan management direction for wildlife and fisheries as described on pages IV-5.

Administrative Review or Appeal Opportunity

This decision is subject to appeal in accordance with the July 2, 2005 order and subsequent clarifications (issued on July 7, September 16, and October 19, 2005) issued by the US District Court for the Eastern District of California in *Earth Island Institute v. Ruthenbeck (Pengilly)*. Only individuals or organizations who submitted substantive comments during the comment period are eligible to appeal (36 CFR 215.6).

Appeals must meet the content requirements of 36 CFR 215.14. Appeals must be postmarked or received by the Appeal Deciding Officer within 45 days of the publication of this notice in The Ely Times. The Appeal Deciding Officer is Patricia N. Irwin, District Ranger. Send appeals by fax to 801-625-5277 or by email to: appeals-intermtn-regional-office@fs.fed.us. Submit Emailed appeals in rich text (rtf) or Word (doc) and include the project name in the subject line. Appeals may also be hand delivered to the above address, during regular business hours of 8:00 am to 4:30 pm Monday through Friday.

Implementation Date

If not appealed, implementation of this decision may begin on, but not before, the fifth business day following the close of the appeal filing period (36 CFR 215.9[a]).

If appealed, implementation of this decision may occur on, but not before, the 15th business day following the date of appeal disposition (36 CFR 215.9[b]).

Contact Person

For further information, contact Kathy Johnson, Wildlife Biologist, at the address below or telephone (775) 289-3031.

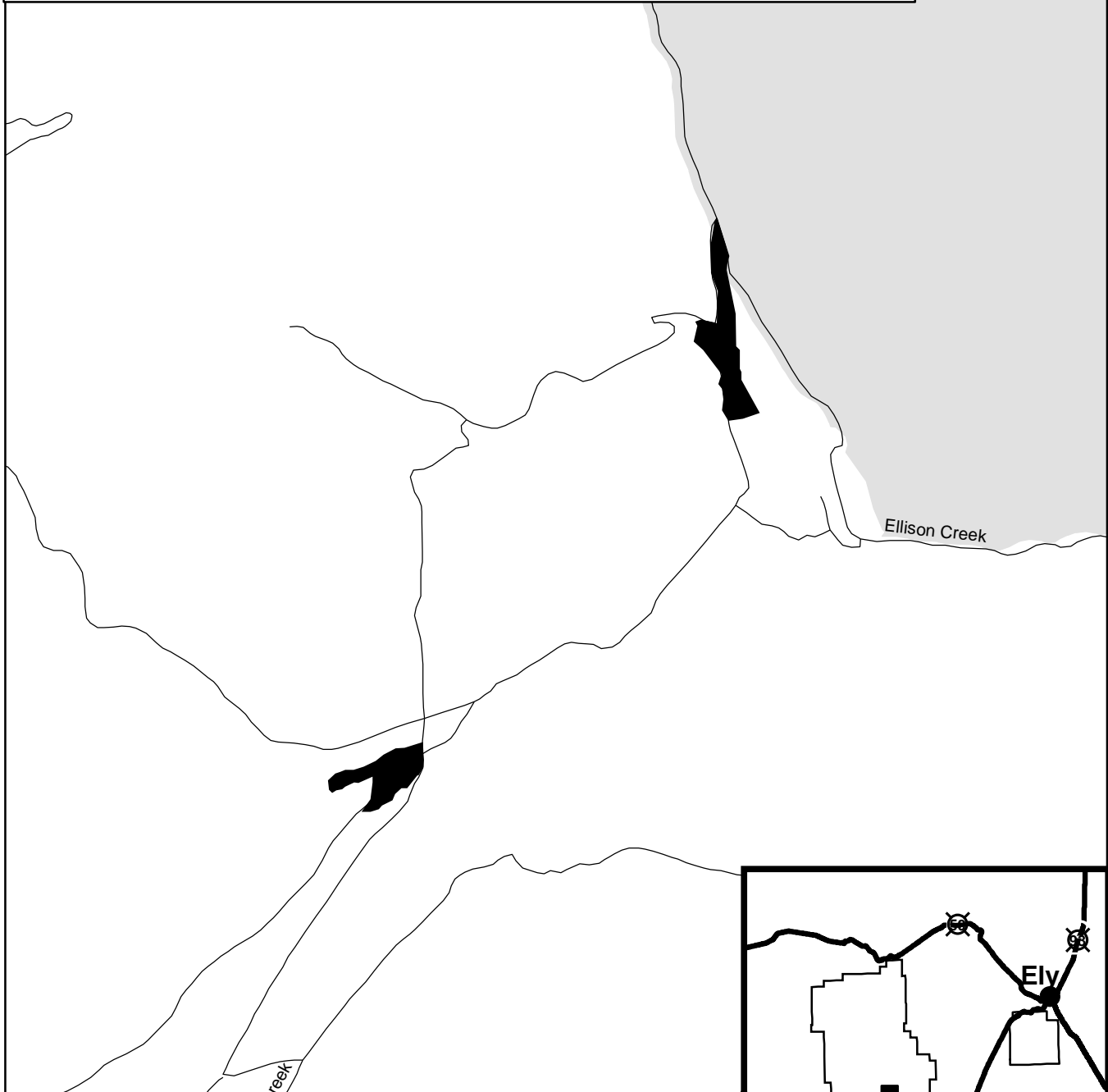
/s/ Carol Carlock for
PATRICIA N. IRWIN
District Ranger, Ely Ranger District

May 16, 2008
Date




Ely Ranger District
825 Avenue E
Ely, NV 89301

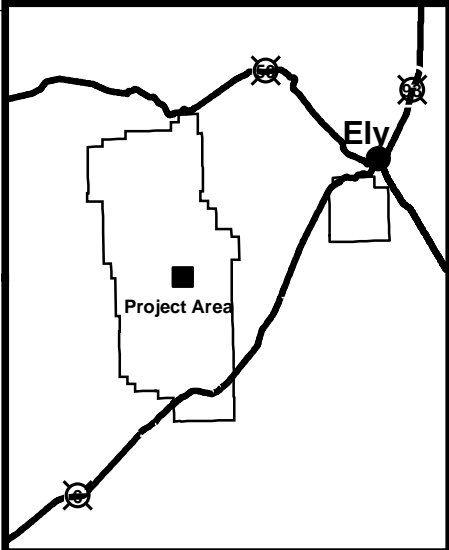
White River/Ellison Creek Brush Mowing

Ely Ranger District, Humboldt-Toiyabe NF
(50 acres)



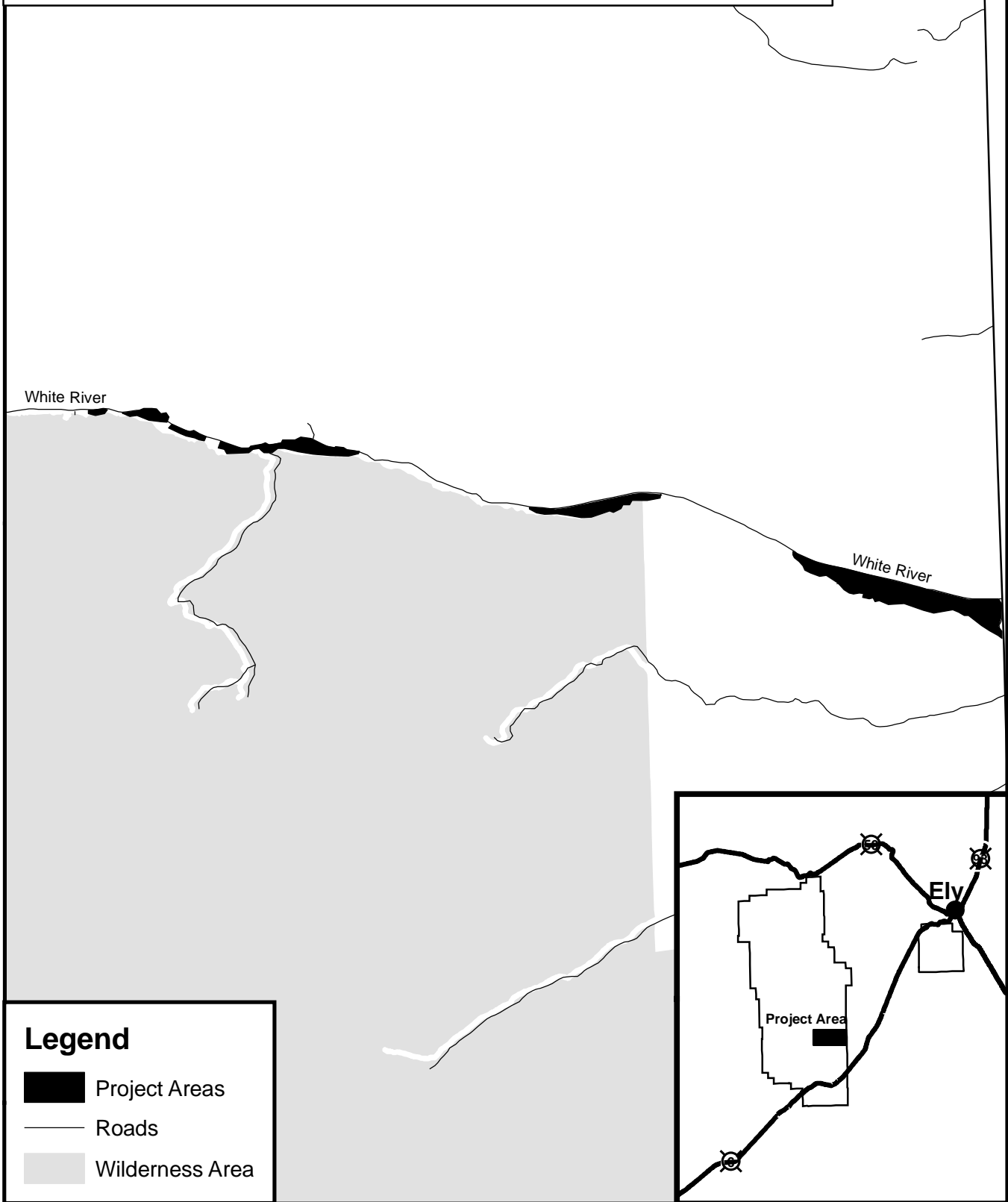
Legend

-  Project areas
-  Roads
-  Wilderness Area



White River/Ellison Creek Brush Mowing

Ely Ranger District, Humboldt-Toiyabe NF
(150 acres)



Legend

-  Project Areas
-  Roads
-  Wilderness Area