



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Ely Field Office

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In Reply Refer To:
9214 (NV-044)

Finding of No Significant Impact and Decision Record North Antelope Valley Habitat Improvement and Fuels Reduction Project EA-NV-040-06-051

Finding of No Significant Impact

Based on the environmental assessment (EA) for the proposed North Antelope Valley Habitat Improvement and Fuels Reduction Project (EA-NV-040-06-051), the BLM has determined that the proposed action will not significantly affect the quality of the human environment. All environmental effects for this determination have been discussed and disclosed in the EA, and the BLM has determined that implementation of its decision will not have a significant effect on the quality of the human environment. Therefore, the preparation of an Environmental Impact Statement (EIS) is not required prior to implementing treatments in the proposed project area.

This finding is based on consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), with regard to the context and the intensity of impacts described in the EA.

Context

The project area is located in North Antelope Valley within Townships 25 and 26 North and Ranges 66 and 67 East; Mount Diablo Meridian (MDM); White Pine County, Nevada (Map 1). The project area is located primarily along the mid and upper benches on both the east and west sides of the north Antelope Range in the Steptoe A and North Antelope Valley watersheds. The primary vegetation within the project area consists of sagebrush communities and established stands of pinyon and juniper. Perennial grasses and forbs occur at levels under site potential on a majority of the project area. The total project area parameter includes approximately 12,010 acres, although only and estimated 60 to 70 percent of the total acreage within the boundary is targeted for treatment. All of the lands within the project area parameter are public lands administered by the BLM.

The Steptoe A and North Antelope Valley Watershed Evaluation Report (June 2006) analyzed four main vegetation groups (salt desert shrub, sagebrush semi-desert, mountain shrub and pinyon/juniper woodlands) for the North Antelope Valley watershed using the FRCC methodology, available ecological site inventory, cover composition data and resource specialist input. The North Antelope Valley watershed overall FRCC rating was 2 (moderate departure). The primary vegetation types within the North Antelope Valley project area are salt desert shrub,

sagebrush semi-desert, mountain shrub and pinyon/juniper woodlands. The sagebrush semi-desert vegetation type within the watershed has a FRCC of 2. This indicates that fire regimes have been moderately altered from their historical range. Fire frequencies are departed from historical frequencies by multiple return intervals. Risk of losing key ecosystem components is moderate. Vegetation attributes have been moderately altered from their historical range. The salt desert shrub, mountain shrub and pinyon and juniper woodlands within the watershed have a FRCC of 3. Fire frequencies are departed from historical frequencies by multiple return intervals. Risk of losing key ecosystem components is high. Vegetation attributes have been highly altered from their historical range. There is a need to assure each fuel type with the project area is within the natural regime. The goal is to meet FRCC 1 for each fuel type within the project area.

Two main vegetation groups (sagebrush semi-desert and pinyon/juniper woodlands) were analyzed for the Steptoe A Watershed using the FRCC methodology, available ecological site inventory, cover composition data and resource specialist input. The Steptoe A watershed overall FRCC rating was 3 (highly departed). The primary vegetation types within the Steptoe A project area are sagebrush semi-desert and pinyon/juniper woodlands. The sagebrush semi-desert and the pinyon/juniper woodlands within the watershed have a FRCC of 3. This indicates that fire regimes have been highly altered from their historical range. Fire frequencies are departed from historical frequencies by multiple return intervals. Risk of losing key ecosystem components is high. Vegetation attributes have been highly altered from their historical range. There is a need to assure each fuel type with the project area is within the natural regime. The goal is to meet FRCC 1 for each fuel type within the project area.

Key components of sage grouse habitat include adequate canopy cover of tall grasses and medium height shrubs for nesting, abundant forbs and insects for brood rearing and availability of riparian herbaceous species for late growing season forage (USDI-BLM, 2004). Management recommendations for the improvement and enhancement of sage grouse habitat include the control of pinyon and juniper establishment on sagebrush habitats with prescribed fire or mechanical methods (Commons et al. 1999, Miller and Rose 1999, USDI-BLM et al. 2000). There is a need to reduce the tree component and increase the shrub and herbaceous, understory species to meet sage grouse and other wildlife species habitat needs. The project will improve habitat conditions for sage grouse and other wildlife species such as mule deer and elk. The project will also improve habitat conditions for wild horses.

Intensity

1. Impacts that may be both beneficial and adverse.

The EA has considered both beneficial and adverse impacts of the habitat improvement and fuels reduction project. Considering all impacts, the project will result in reduced fuel loads, improved ecological and habitat conditions and fire resiliency for the proposed project area. Reduced fuel loading will reduce the risk of damage from wildfire within the project area. Effects to overall habitat improvement, improved watershed stability and establishment of a more fire resilient ecological community are expected over time. A return of the natural fire regime and vegetative conditions is considered as merely improving the quality of the human

environment through proactive treatments and fire management. Impacts that could be adverse include the potential for soil erosion on the thinning treatment and chaining treatment which could occur with high intensity precipitation events in the short term following treatment. Reseeding the treatment areas immediately following or during project implementation should mitigate effects from soil erosion. The scattered biomass from chaining activities should also mitigate effects from soil erosion. If necessary, erosion control structures could be installed if monitoring data indicates excessive erosion has occurred.

2. The degree to which the proposed action affects public health or safety.

The proposed action will result in improved public health and safety by reducing the existing fuel load and minimizing the risk of damage due to uncontrolled wildfires. Proposed treatment designs and mitigating measures will minimize impacts to public health and safety. Public health and safety could be compromised if vegetation treatments are not implemented in the area. Vegetation, soils, wildlife habitat and other watershed values will be at substantial risk to wildfire due to heavy fuels accumulation and the frequency of summer lightning storms. Soils will be at immediate risk to wind and water erosion in the event a large, uncontrolled wildfire event occurred.

The proposed action will have very minimal effects on air quality for the short term. Dust is expected to occur under chaining activities but is not expected to exceed Nevada and National Ambient Air Quality Standards. Emissions from equipment will also occur, but air quality will not be affected beyond the current emission levels. Air quality will be minimally impacted, as wind will sufficiently transport particles from the area. All State and National air quality standards are expected to be met.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers or ecologically critical areas.

The project area is representative of the Great Basin in terms of vegetative condition and ecological functionality. Treatment design features and mitigating measures associated with the proposed action will ensure the protection of historic and cultural resources that occur within the project area. The project area does not contain any park lands, prime farmlands, wetlands or wild and scenic rivers. The area is not considered an ecologically critical area, but failure to take action to reduce the risk from wildfire could place the area at risk from erosion and/or the establishment of noxious or invasive weeds following a large wildfire. Failure to improve the ecological conditions will eventually result in a loss or damage to cultural resources that occur within or near the project area. Implementing the project will allow a better understanding of cultural resources that occur in the area, as cultural inventories will be completed prior to each treatment.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

The treatment methods analyzed in the EA are well known and documented as successful tools for reducing fuel continuity and improving habitat conditions. The treatments in the proposed action will allow for attainment of resource objectives. Chaining has been somewhat controversial due to the visual imprint it creates on the land. However, the proposed treatment design to leave islands and to create a mosaic pattern will mitigate this concern. Oust treatments have also been somewhat controversial in other states, but treatments in this area and circumstances are entirely different compared to treatments that failed. The treatment design features and mitigating measures associated with the treatments will minimize adverse impacts to the quality of the human environment. In the long term, benefits will be realized to the quality of the human environment as vegetative species diversity and distribution will increase, and wildfire sizes will decrease. The effects resulting from the proposed treatments are not likely to be highly controversial.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The treatment methods to be used are accepted standard practices, and the effects of the treatments do not involve unique or unknown risks. Mitigation measures have been included in the treatment designs to address known risks and uncertainties. Monitoring is also incorporated in the project design to address any uncertainty.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The actions associated with this project, and as identified in the EA do not establish a precedent for future actions with significant effects and does not represent a decision in principle about a future consideration. While post treatment monitoring data from this project might be used to determine appropriate actions in future similar type projects, those projects will be subject to environmental assessment standards and as independent decision-making processes.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

All resources have been evaluated for cumulative impacts in the EA and no significant impacts were identified. Other fuels reduction and habitat improvement projects may be proposed in the future along the Antelope Mountain Range. These projects seen together with anticipated future proposed land disturbing activities in the area will not result in cumulatively significant impacts at the local or watershed scale. Overall, future similar projects will improve vegetation and habitat diversity and protect watersheds from erosion and hazards from large wildfires. As standard procedure, future projects will be subject to cumulative impact analysis and reviewed on an area-specific case-by-case basis.

8. The degree to which the action may adversely affect districts, sites, highways, structures or objects listed in or eligible for listing in the NRHP or may cause loss or destruction of significant scientific, cultural or historical resources.

The proposed action will not adversely affect districts, sites, highways, structures or objects listed on or eligible for listing in the National Register of Historical Places, nor will it cause the loss or destruction of significant scientific, cultural or historical places. Mitigation measures associated with the actions address protection of eligible historic and cultural properties that occur in the project area. Identified cultural and historic properties will be avoided or mitigation actions completed prior to treatment to prevent adverse impacts.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the ESA of 1973.

It has been determined that no federally listed threatened or endangered species occur within the proposed project area.

10. Whether the action threatens a violation of Federal, State or local law or requirements imposed for the protection of the environment.

The proposed action will not violate or threaten to violate any Federal, State or local law or requirement imposed for the protection of the environment. The proposed action is consistent to the maximum extent possible with Federal, State and local policies and plans.

Decision

Based on the analysis contained in the North Antelope Valley Habitat Improvement and Fuels Reduction Project EA-NV-040-06-051, it is the decision of the BLM to implement the project using the proposed action as presented in the EA. All actions, mitigation measures, standard operating procedures and monitoring as described in the proposed action will be incorporated.

Rationale

The proposed action is in conformance with the Schell Resource Area Management Framework Plan (MFP) and Record of Decision (ROD) (approved in June and July of 1983, respectively). The proposed action is also consistent with plans and policies of neighboring local, county, state and federal agencies and governments including the Schell Grazing Environmental Impact Statement (EIS) ROD (July of 1983), Ely District Managed Natural and Prescribed Fire Plan (2000), Final EIS - Vegetation Treatments on BLM Lands in Thirteen Western States (1991), White Pine County Public Land Use Plan (May 1998), White Pine County Elk Management Plan (March 1999), Title 43 of the Code of Federal Regulations (CFR) Part 4190.1 (Effect of Wildfire Management Decisions), A Collaborative Approach for Reducing Wildland Fire Risks to Communities and the Environment, Ten-Year Comprehensive Strategy (2001), The Standards and Guidelines for Nevada's Northeastern Great Basin, Healthy Forests Restoration Act (HFRA) (2003) and Healthy Forests Initiative for Wildfire Prevention and Stronger Communities (2002).

In addition, on July 29, 2005, the Ely Field Office, Bureau of Land Management began a 120 day public comment period for the Ely District Resource Management Plan and Environmental Impact Statement (Ely RMP/EIS). When complete, the Ely RMP/EIS will replace the Schell and Caliente Management Framework Plans and the Egan Resource Management Plan. The proposed action is also in conformance with the Draft Ely RMP/EIS. The proposed action is also consistent to the maximum extent possible with Federal, State and local policies and plans.

It has been determined that a decline in ecological conditions has occurred within the project area based on ecological site inventory (ESI) data. A decline in ecological conditions adversely affects rangeland health, wildlife habitat, soil stability and other watershed values over the long-term. Proper functioning ecological sites have a diversity of grasses, forbs, shrubs and trees and are essential to watershed integrity by stabilizing soils, promoting water infiltration and providing sufficient soil cover. There is a need to restore ecological site conditions in order to improve a wide array of watershed values.

The proposed action will promote an improvement in soil protection, soil stability, rangeland health, wildlife habitat and other watershed values over the long term. The proposed action will improve the health, vigor, recruitment and production of perennial grasses, forbs and shrubs. A mosaic pattern will allow for greater vegetative diversity, diverse age-class distribution and a patchiness effect which provides thermal cover, protective cover and improves visual resources. The rejuvenation of decadent, even-aged stands of sagebrush and reducing the establishment of pinyon and juniper on sagebrush ecological sites will assist in improving the ecological condition of sites within the project area.

It has also been determined that resources within the project area are at substantial risk of wildfire due to heavy fuels loading based on resource information analyzed in the Steptoe A and North Antelope Valley Watershed Evaluation Report (June 2006). The primary vegetation types within the North Antelope Valley project area are salt desert shrub, sagebrush semi-desert, mountain shrub and pinyon/juniper woodlands. The sagebrush semi-desert vegetation type within the watershed has a FRCC of 2. This indicates that fire regimes have been moderately altered from their historical range and the risk of losing key ecosystem components is moderate. The salt desert shrub, mountain shrub and pinyon and juniper woodlands within the watershed have a FRCC of 3. This indicated that fire regimes have been highly altered from their historical range and the risk of losing key ecosystem components is high. The primary vegetation types within the Steptoe A project area are sagebrush semi-desert and pinyon/juniper woodlands. The sagebrush semi-desert and the pinyon/juniper woodlands within the watershed have a FRCC of 3 (highly departed). This indicates that fire regimes have been highly altered from their historical range and the risk of losing key ecosystem components is high. The goal is to meet FRCC 1 for each fuel type within the project area which means that fire regimes are within the natural regime for each specific biophysical setting.

The proposed action will decrease fire behavior of wildfires by reducing fuel loading and continuity. Future natural fires will be less extensive and smaller in size. Smaller wildfires will be easier to manage, reducing the risk to multiple natural resources, private lands, private withholdings, physical structures associated with right-of-ways and aesthetic values. The danger

of large uncontrolled wildfires will be reduced. The FRCC will be reverted to within the natural (historic) range.

As a result of the analysis in the North Antelope Valley Habitat Improvement and Fuels Reduction EA, and the above Finding of No Significant Impact, the BLM has determined that the decision to implement the proposed action and associated mitigation measures will not result in unnecessary or undue degradation to public lands or cause significant impacts to public health and safety.

Persons and Agencies Consulted

The project proposal was posted on the Ely Field Office website on October 4, 2006 under "NEPA Projects" at <http://www.nv.blm.gov/ely>. A letter describing the project proposal was mailed to groups and individuals on October 5, 2006 who have expressed an interest in participating in habitat improvement and hazardous fuels reduction projects, as well as State and Federal wildlife agencies. A tribal coordination meeting was conducted at the Ely Field Office on October 17, 2006. Coordination occurred with the grazing permittees, Nevada Department of Wildlife (NDOW) and other interested public affected by the project proposal. During the preliminary scoping period, comments and questions were received from Western Watersheds Project. Many questions and comments were in regards to the resource conditions of soils, vegetation, woodland resources, riparian and wildlife habitat, other land uses in the area and projected cost of implementing the project. A project area tour for all public interests occurred on November 8, 2006. Western Watersheds Project expressed concerns at the tour primarily regarding the potential for increasing cheatgrass infestations due to disturbance, visual impacts to the area as a result of the treatments and the potential for increasing or expanding livestock use in the area. The Goshute Tribe also expressed concerns primarily involving visual impacts and disturbing the natural setting of the area. Following the tour, mitigating measures and standard operating procedures have been incorporated which would minimize the impacts and concerns which were identified on the tour. NDOW stated they were supportive of the project through informal discussions and the field tour held on November 8, 2006. NDOW has requested that treatment designs be conducted in a mosaic fashion to allow for diversity of vegetative structure and age class distribution and to avoid special habitat areas (sage grouse leks, raptor nesting sites, etc.). Questions and comments relevant to the proposed project were considered and incorporated into the development of the proposed action, as appropriate.

The preliminary EA was posted on the Ely Field Office website for a public comment period and mailed to interested public on July 10, 2007. The public review and comment on the preliminary EA ended on July 25, 2007. During the review and comment period, Western Watersheds Project requested a copy of the Steptoe A and North Antelope Valley Watershed Evaluation Report, expressed concerns with the short time frame on the public review period for the EA and expressed concerns that chaining and Oust treatments were controversial. A copy of the Steptoe A and North Antelope Valley Watershed Evaluation Report was mailed to Western Watersheds Project on July 20, 2007 and they were granted a one week extension on the public review period.

Appeal Procedures

All of the documents supporting this decision are available for review by the public.

Appeal procedures for this decision are outlined in Title 43 CFR, Part 4.

In accordance with Title 43 CFR 4.410, any party to a case who is adversely affected by the decision of an officer of the Bureau of Land Management shall have a right to appeal to the Interior Board of Land Appeals (Board). In accordance with Title 43 CFR 4.411, a person who wishes to appeal the decision must file a notice that he wishes to appeal in the office of the authorized officer who made the decision. In accordance with Title 43 CFR 4.413, within 15 days of filing the notice of appeal and any petition for stay, the appellant also must serve a copy of the appeal and any petition for stay on any person named in the decision and on the Office of the Solicitor in the manner prescribed in Title 43 CFR 4.401(c). The office to file notice of appeal and a copy of the notice to appeal:

Bureau of Land Management
Ely Field Office
HC 33 Box 33500
Ely, NV 89301

and a copy to

Office of the Regional Solicitor
Pacific Southwest Region
U.S. Department of the Interior
2800 Cottage Way, Room E-2753
Sacramento, CA 95825-1890

A person served with the decision being appealed must transmit the notice of appeal in time for it to be filed in the office where it is required to be filed within 30 days after the date of service. In accordance with Title 43 CFR 4.411 (b), the notice of appeal may include a statement of reasons for the appeal, a statement of standing if required by Title 43 CFR 4.412 (b), and any arguments the appellant wishes to make. In accordance with Title 43 CFR 4.412 (a), if the notice of appeal did not include a statement of reasons for the appeal or the appellant wishes to file additional statements of reasons, the appellant shall file such statements with the Board within 30 days after the appeal was filed. The address to file such statements to the Board is:

Board of Land Appeals
Office of Hearings and Appeals
801 North Quincy Street
Arlington, VA 22203

If statement of reasons for appealing were filed with the "Notice of Appeal", no additional statement is necessary.

Pursuant to Title 43 CFR 4.21 (b), an appellant also may petition for a stay of the final decision pending appeal by filing a petition for stay along with the notice of appeal.

At the conclusion of any document that a party must serve, the party or its representative must sign a written statement certifying that service has been or will be made in accordance with the applicable rules and specifying the date and manner of such service [Title 43 CFR 4.422(c)(2)].

Approval

Tye Petersen
Fire Management Officer

Date

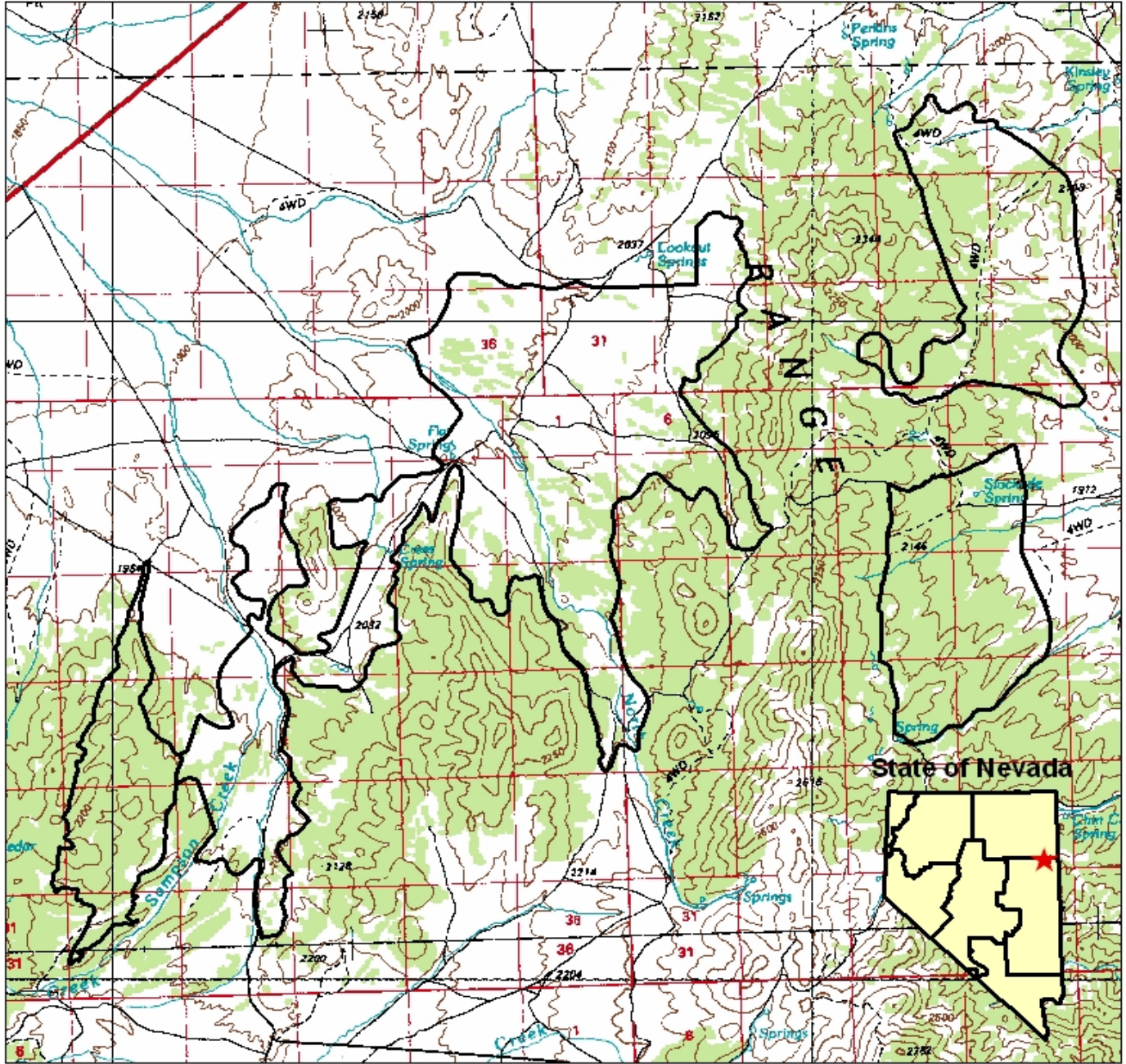
References Cited:

Commons, M.L., R.K. Baydack and C.E. Braun. 1999. Sage grouse response to pinyon/juniper management. Pages 238-239 in S.B. Monsen and R. Stevens, compilers. Proceedings of the Ecology and Management of Pinyon/Juniper Communities Symposium.

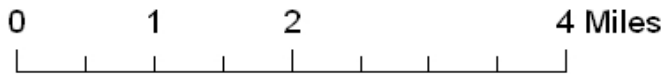
Miller, R., T. Svejcar and J. Rose. 1999. Conversion of shrub-steppe to juniper woodland. Pages 385-390 in S.B. Monsen, R. Stevens, R. J. Tausch, R. Miller and S. Goodrich, editors. Proceedings of the Ecology and Management of Pinyon/Juniper Communities within the Interior West Symposium. U.S. Department of Agriculture - Forest Service Proceedings RMRS-P-9. Rocky Mountain Research Station, Fort Collins, Colorado.

USDI-BLM, 2004. National Sage Grouse Habitat Conservation Strategy.


Map 1 - North Antelope General Project Area



Scale: 1:78,000
 Date: September 2006
 Ely Field Office
 Jeff Fenton



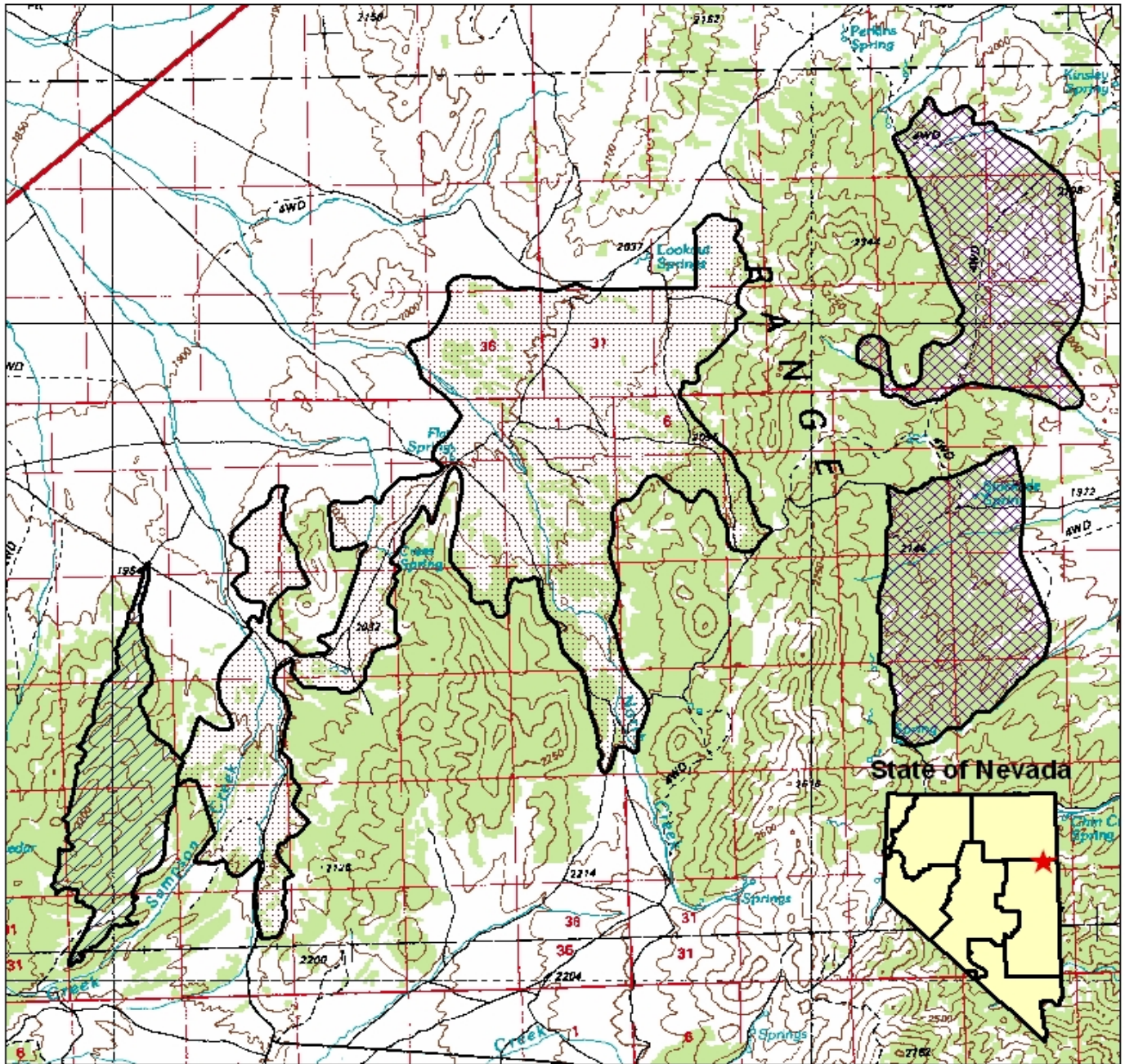
Townships 25 and 26 North
 Ranges 66 and 67 East
 MDM, NAD83
 White Pine County, NV

 General Project Area
 12,010 Acres

No warranty is made by the Bureau of Land Management as to the accuracy, reliability or completeness of these data for individual use or aggregate use with other data.



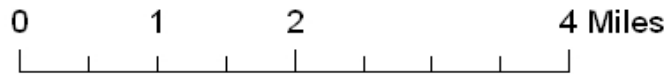
Map 2 - North Antelope Proposed Treatment Areas






State of Nevada



Scale: 1:78,000
 Date: September 2006
 Ely Field Office
 Jeff Fenton



Townships 25 and 26 North
 Ranges 66 and 67 East
 MDM, NAD83
 White Pine County, NV

-  Chemical Treatment Area
-  Thinning Treatment Area
-  Chaining Treatment Area

Chemical Treatment (1,190 Ac)
 Thinning Treatment (6,799 Ac)
 Chaining Treatment (4,021 Ac)
 - Upper Portion (2,089 Ac)
 - Lower Portion (1,932 Ac)

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