

**U.S. Department of the Interior  
Bureau of Land Management**

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**Preliminary Environmental Assessment  
DOI-BLM-NV-L010-2010-0032-EA  
September 22, 2010**

**ROCK SPRINGS RIPARIAN PROJECT  
NEWARK ALLOTMENT  
NEWARK VALLEY WATERSHED**

*Location: White Pine County, Nevada*

U.S. Department of the Interior  
Bureau of Land Management  
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## **1.0 INTRODUCTION**

This Environmental Assessment (EA) has been prepared to analyze the environmental effects of the proposed Rock Springs Riparian Exclosure and associated pipeline and trough. The EA is a site-specific analysis of potential effects that could result with the implementation of the proposed action or alternatives. The EA assists the Bureau of Land Management (BLM) in project planning and ensuring compliance with the National Environmental Policy Act (NEPA), and in making a determination as to whether any “significant” impacts could result from the analyzed actions. “Significance” is defined by NEPA and is found in Chapter 40 of the Code of Federal Regulations (CFR) §§1508.27. An EA provides evidence for determining whether to prepare an Environmental Impact Statement (EIS) or a statement of “Finding of No Significant Impact” (FONSI).

The proposed project area is located on public land within the Newark Allotment (00608) approximately 50 air miles northwest of Ely, Nevada. The legal description of the project is as follows: T. 21N., R. 56E., in the northeast quarter of Section 36 (Map 1).

### **1.1 Tiering**

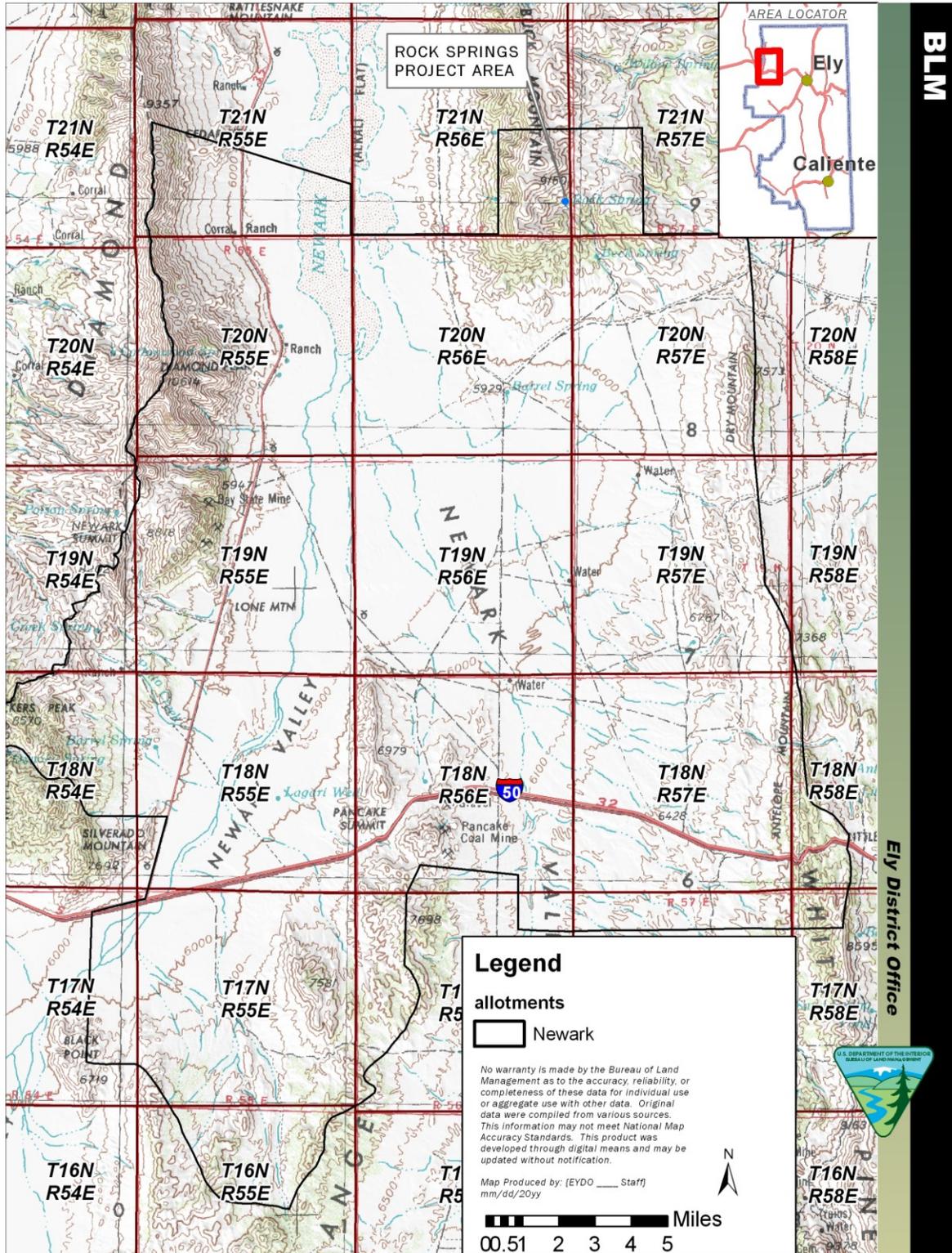
This document is tiered to the Ely Proposed Resource Management Plan/Final Environmental Impact Statement (RMP/EIS) released in November 2007. Should a determination be made that implementation of the proposed or alternative actions would not result in “significant environmental impacts” or “significant environmental impacts beyond those already addressed in the RMP/EIS”, a FONSI would be prepared to document that determination.

### **1.2 Background Information**

The proposed Rock Springs Riparian Exclosure and associated pipeline and trough are located within the Newark Watershed and the Newark Grazing Allotment (00608). On January 22, 1912, Handley Bros. filed an Application for permission to appropriate the public waters of the State of Nevada on Rock Springs in White Pine County. The application asked for permission to use two gallons per minute for stock watering purposes. The amount of water to be appropriated shall be limited to but not to exceed 0.025 cubic feet per second and be used for the beneficial use of stock watering.

The spring was improved in 1939 to provide stock watering facilities for livestock grazing during the summer grazing season. In 1958, a riparian exclosure and associated pipeline/trough were developed to protect the existing riparian area and provide stock water for cattle grazing during the summer season. In 1994, the Final Multiple Use Decision for the Newark Allotment identified long-term management actions to “*maintain habitat condition of meadows and riparian areas in good or better condition.*” The Standards Determination Document for the Newark Allotment, dated April 2009, states: “*Rock Springs was assessed in 2007 and 2008 by an interdisciplinary team and found to be nonfunctional. It was noted that this reduced functionality was due to severe trampling by cattle and wild horses, low flows, and lack of vegetation.*”

Map 1. General Reference Map



### **1.3 Purpose and Need for the Proposed Action:**

The BLM's purpose and need for the riparian project proposal is to improve riparian functionality of the Rock Springs riparian area. The need is also to continue to maintain and further enhance achievement of the Northeastern Great Basin Area's Riparian and Wetland Sites Standard, and to maintain the availability of a dependable water source for livestock, wild horses and wildlife.



**Figure 1:** Rock Springs Riparian area June 16, 2010



**Figure 2:** Riparian area downstream from Rock Spring, June 16, 2010

**1.4 Relationship to Planning**

This EA is in conformance with the Ely District Record of Decision and Approved Resource Management Plan (RMP, 2008) which states the following for desired range of conditions, “...In addition to achieving riparian proper functioning condition, composition, structure, and cover of riparian vegetation will occur within capabilities of the site. Ground cover and species composition will be appropriate to the site (page 32).”

- VEG-23 states, “Promote vegetation structure and diversity that is appropriate and effective in controlling erosion, stabilizing stream banks, healing channel incisions, shading water, filtering sediment, and dissipating energy, in order to provide for stable water flow and bank stability (page 33).”
- VEG-24 states, “Focus management actions on uses and activities that allow for the protection, maintenance, and restoration of riparian habitat (page 33).”
- WL-18 states, “Restore natural water sources (i.e., springs and seeps to increase water availability through restoration of riparian habitats and proper livestock and wild horse management (p.36).”

### **1.5 Relationship to Other Plans**

The proposed action is consistent with the Term Grazing Permit Renewal on the Newark Allotment (00608) EA June 2009.

The proposed action is in compliance with the following laws, regulations, Executive Orders, and county public land plans:

- The National Environmental Policy Act of 1969 (42 U.S.C. §§ 4321-4347, January 1, 1970, as amended 1975 and 1994)
- The Federal Land Policy and Management Act of 1976 (43 U.S.C. §§ 1701-1782, October 21, 1976, as amended 1978, 1984, 1986, 1988, 1990-1992, 1994 and 1996)
- Northeastern Great Basin Resource Advisory Council (RAC) Standards and Guidelines (February 12, 1997).
- White Pine County Public Lands Policy Plan (2007)
- State Protocol Agreement between the Bureau of Land Management (BLM), Nevada and the Nevada State Historic Preservation Office (October 26, 2009)
- National Historic Preservation Act (Public Law 89-665; 16 U.S.C. 470 as amended through 2000)
- Safe Drinking Water Act, as amended (42 USC 300f *et seq.*)
- Clean Water Act of 1977
- Migratory Bird Treaty Act (16 U.S.C. §§ 703-712, July 3, 1918, as amended 1936, 1960, 1968, 1969, 1974, 1978, 1986 and 1989)
- The Endangered Species Act of 1973 (16 U.S.C. §§ 1531-1544, December 28, 1973, as amended 1976-1982, 1984, and 1988)
- Executive Order 13186: Responsibilities of Federal Agencies to Protect Migratory Birds (2001)
- White Pine County Portion (Lincoln/White Pine Planning Area) Sage Grouse Conservation Plan (2004)
- White Pine County Elk Management Plan (2007 revision)

### **1.6 Scoping and Public Involvement and Issues**

The Rock Springs Riparian Exclosure proposal was internally scoped by the Egan Field Office interdisciplinary (ID) team on June 7, 2010 to determine preliminary issues with the proposed action. The preliminary issues identified were effects of the proposed action and alternatives to water resources and cultural concerns.

An external public scoping/comment period was established from August 10 to August 27, 2010. A notice of the Proposed Action was published on the Ely District website on August 19, 2010 during the external public comment period. One comment letter was received from Western Watersheds Project.

## **2.0 DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES**

### **2.1 Proposed Action**

The proposed action is to construct a livestock exclosure fence around the Rock Spring riparian area, install a springbox and/or other collection system at the spring source, install a pipeline

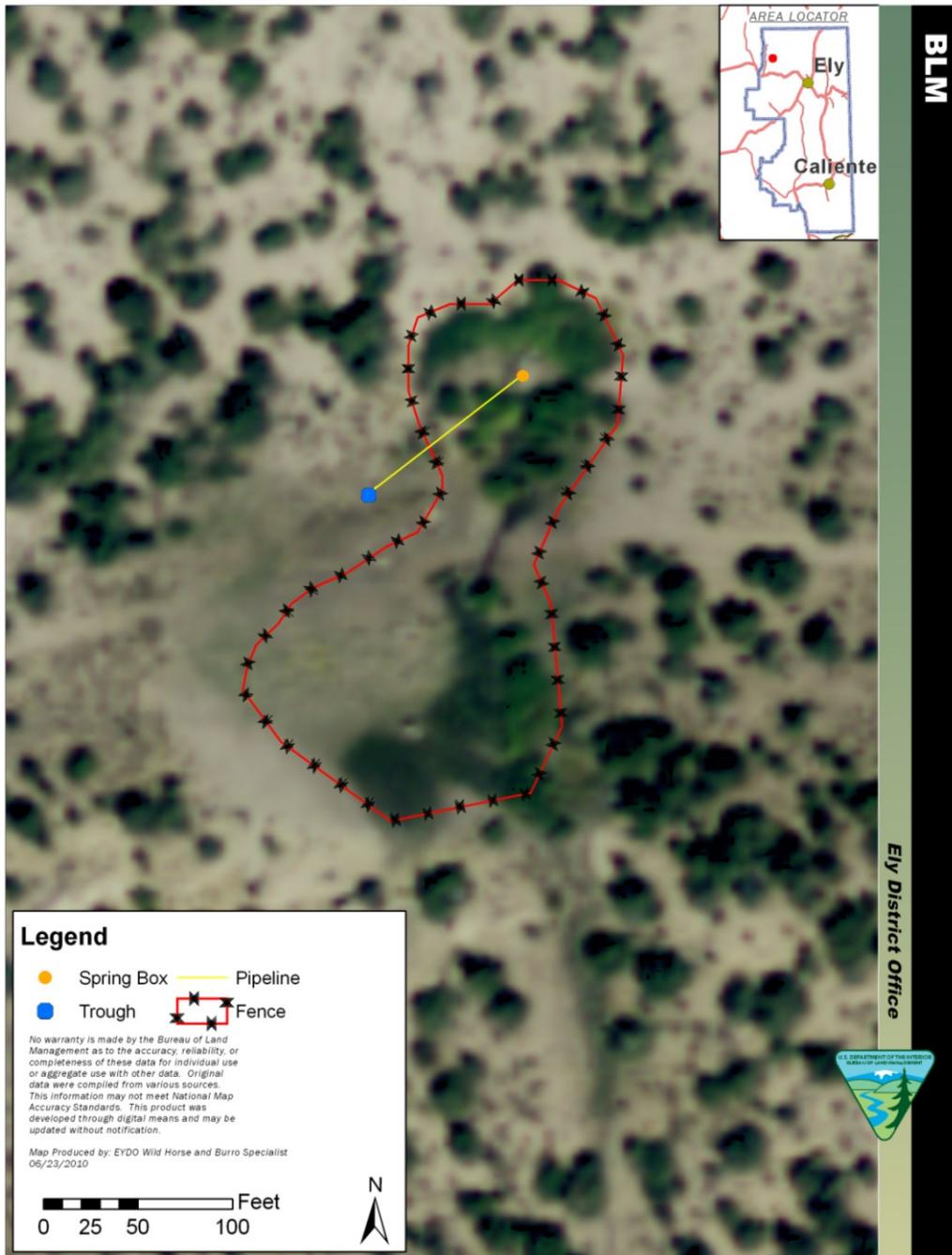
(approximately 100 feet) to a livestock trough outside the fenced riparian zone, and install the new livestock trough. The installation of the springbox and/or other collection system at the spring source, install a pipeline to a livestock trough is to provide water outside the enclosure for livestock, wildlife, and wild horses. Existing debris (wire, broken pipes, old water trough, etc.) would be removed from the site.

The enclosure would be approximately one acre in size. The fence would be either standard four strand barbed wire or metal pipe railing. White flagging would be attached to the top wire between posts during construction to alert wildlife and livestock to the existence of the new fence. Two gates would be installed on the existing two track road to allow access to the spring. The fence would be built to BLM specifications and standard operating procedures as outlined in the District Fenceline Environmental Assessment No. EA-NV-040-5-27. Fence construction may involve the use of pick-up trucks, post-hole diggers attached to tractors or backhoes and other equipment as necessary.

The springbox and/or collection system, discharge pipe and trough would be designed and installed to standard BLM specifications. Spring development and site cleanup could include the use of heavy equipment (i.e. backhoe-loader tractors) as well as pickup trucks.

The project is proposed for completion by summer/fall 2011. The BLM would supply all materials. The construction of the riparian enclosure and associated water pipeline and trough would be completed by a BLM crew and/or the livestock operator (2704520). Maintenance responsibilities would be assigned to the livestock operator (2704520). A Cooperative Range Improvement Agreement (Form 4120-6) would be initiated to assign areas of responsibility and allocation of resources needed for the project.

Standard Operating Procedures (SOP's) that would be followed for this proposed action are listed in Appendix I.



**Figure 3.** Proposed riparian fence enclosure and associated pipeline to trough at Rock Springs

Construction is not anticipated during the migratory bird nesting period, from April 15 to July 15. If construction is necessary during that period, a survey of the construction site would be completed prior to construction by a wildlife biologist in order to identify active nests so that they may be avoided.

A Class III Cultural Resources Inventory was performed during the field visit on June 16, 2010. Cultural sites were evaluated and the project will be designed to protect against adverse effects.

The following Best Management Practice (BMP) would apply during the construction phase:

- In the case of an unanticipated discovery, the BLM archeologist will be notified, all activities associated with the undertaking, within 100 meters of the discovery, will be halted and the discovery shall be appropriately protected, until the BLM authorized officer issues a Notice to Proceed.

The stipulations listed in the Weed Risk Assessment (See Appendix II) would be followed when construction of the fence, pipeline, and trough occurs.

The project inspector (PI) or representative from the BLM would make periodic site visits to check on compliance of specifications and progress during the construction phase. Upon completion of the project, a final inspection would be made to ensure construction and installation specifications were met. Periodic compliance checks would be made following project completion to ensure the project remains in proper functioning condition.

## **2.2 No Action Alternative**

Under the no action alternative, the proposed fence and associated water pipeline and trough would not be built. Without the proposed riparian fence and spring development, livestock and wild horses would continue to have access to the spring and riparian zone resulting in continuation of trampling and heavy use to the riparian area.

## **2.3 Alternatives Considered but Eliminated From Detailed Analysis**

Riparian exclosure fence without a water development was considered as an alternative method for achieving management objectives. However, it was eliminated from detailed analysis because of the limited water resources within the Newark Allotment and the Triple B Herd Management Area. This alternative would not provide for adequate livestock, wild horse, and wildlife distribution throughout the area.

## **3.0 AFFECTED ENVIRONMENT/ENVIRONMENTAL EFFECTS**

### **3.1 General Setting**

The Newark Allotment (00608) encompasses approximately 218,105 public land acres. The allotment occurs within White Pine County, and is situated approximately 45 miles west of Ely, Nevada. Rock Springs is located in the northern portion of the allotment. The project area is also within the Newark Watershed (#121) and the Triple B Wild Horse Herd Management Area (HMA).

The Rock Springs riparian system is currently a grass dominated system showing signs of reduced resiliency and functionality, as assessed by BLM in 2009. The sedge/rush/grass riparian community is surrounded by upland shrub species and is used by livestock, wildlife, and wild horses as a watering site. Trampling by the above ungulates has led to riparian soil disturbance

and resultant loss of riparian vegetation on the margins of lotic (flowing) portions of the riparian system and over-utilization of vegetation in the lentic (still or non-flowing) portions.

Within the project area, plant communities are dominated by pinyon pine (*Pinus monophylla*), Utah juniper (*Juniperus osteosperma*), and big sagebrush (*Artemisia tridentata*) which occur extensively throughout mid elevations in this area. Sagebrush is the most common shrub along the pinion-juniper perimeter. Winterfat (*Krascheninnikovia lanata*), black sagebrush (*Artemisia nova*), saltbush (*Atriplex canescens*), and other “salt desert shrubs” occur at lower elevations.

Currently, to protect riparian values at Rock Springs, the permittees are allowed to graze this area on alternating years and the maximum utilization level for the area has been established at 40% of the current year’s growth by weight.

### 3.2 Resources/Concerns Considered for Analysis

Potential effects to the following resources/concerns were evaluated in accordance with criteria listed in the BLM NEPA Handbook (2008) to determine if detailed analysis is required. Consideration of some of these items is to ensure compliance with laws, statutes or Executive Orders that impose certain requirements upon all Federal actions. Other items are relevant to the management of public lands in general, and to the Ely District BLM in particular.

**Table 1.** Resources/Concerns Considered and Rationale for Detailed Analysis or rationale for dismissal from further analysis.

<b>Resource/Concern Considered</b>	<b>Issue(s) Analyzed ? (Y/N)</b>	<b>Rationale for Dismissal from Analysis or Issue(s) Requiring Detailed Analysis</b>
Air Quality	No	The proposed action would not measurably affect Air Quality in the project analysis area. Implementation and construction activities could, however unlikely, produce fugitive dust during fence post and spring box placement. Any dust resultant from the proposed action would be ephemeral and expected to persist for only minutes before air quality levels return to pre-action levels.
Areas of Critical Environmental Concern (ACEC)	No	Resource not present in the project area.
Cultural Resources	No	Cultural resource surveys have been completed. All eligible cultural resources would be avoided by project design.
Paleontological Resources	No	At this time there are no known resources present in the project area.
Forest Health	No	Resource not present in project area.

<b>Resource/Concern Considered</b>	<b>Issue(s) Analyzed ? (Y/N)</b>	<b>Rationale for Dismissal from Analysis or Issue(s) Requiring Detailed Analysis</b>
Rangeland Standards and Health	No	Construction of this project would allow for the achievement of the Riparian and Wetland Standard in this area. Beneficial effects to rangeland standards and health are consistent with the need for the proposed action. No further analysis is needed.
Migratory Birds	No	Due to the following design feature of the proposed action; construction is not anticipated during the migratory bird nesting period, from April 15 to July 15, if construction is necessary during that period, nest surveys would be completed prior to construction by a wildlife biologist in order to avoid nests, there would be no impacts to migratory birds.
Native American Religious Concerns	No	No concerns were identified during coordination.
FWS Listed or proposed for listing Threatened or Endangered Species.	No	Threatened, Endangered, Proposed or Candidate species are not known to be present in the project area.
Prime or Unique Farmlands	No	Resource is not present in the project area.
Wastes, Hazardous or Solid	No	The proposed action would not result in the creation of hazardous wastes or solid.
Water Quality, Drinking/Ground	No	No CWA section 303(d) impaired water bodies are found in the project area. No surface water within the area is used for domestic drinking water. Water emanating from Rock Springs persists for 150 meters below the spring source before becoming subsurface.
Environmental Justice	No	Concern is not present. No minority or low-income groups would be disproportionately affected by health or environmental effects.
Floodplains	No	Resource is not present in the project area.
Watershed Management	No	Proposed Action would have no effect on watershed health or function. Water from an underground source and/or construction of a riparian fence would not affect the natural hydrologic system or balance of water in Newark Watershed. Detailed analysis is not necessary.
Wetlands/Riparian Areas	<b>Yes</b>	Effects to riparian areas analyzed in EA.

Resource/Concern Considered	Issue(s) Analyzed ? (Y/N)	Rationale for Dismissal from Analysis or Issue(s) Requiring Detailed Analysis
Noxious and Invasive Weed Management	No	Poison hemlock ( <i>Conium maculatum</i> L.) exists within the project area. While there is limited potential for the project implementation to spread poison hemlock or introduce new weeds to the riparian area, design features (weed stipulations) of the proposed action would minimize the establishment and spread of weeds. No further analysis is necessary.
Special Status Animal Species	No	Special status bird species golden eagle ( <i>Aquila chrysaetos</i> ), ferruginous hawk ( <i>Buteo regalis</i> ), and loggerhead shrike ( <i>Lanius ludovicianus</i> ) may be present within or near the project area. Greater sage-grouse ( <i>Centrocercus urophasianus</i> ) may utilize the riparian area for brood rearing. However, adherence to the minimization measure in the Migratory Bird section of the proposed action, will avoid impacts to the aforementioned species.
Special Status Plant Species	No	Resource is not present in the project area.
Wild Horses	No	The project area is within the Triple B Wild Horse Herd Management Area (HMA). The trough location outside the fence, would provide water for wild horses. Temporary displacement of wild horses is possible during construction but would have a negligible effect in the long-term.
Fish and Wildlife	No	The spring is within habitat for elk ( <i>Cervus canadensis</i> ), mule deer ( <i>Odocoileus hemionus</i> ) (migration corridor), and Rocky Mountain bighorn sheep ( <i>Ovis canadensis canadensis</i> ) (unoccupied). Many other species of mammals, birds and reptiles may use the riparian area. Design features of the proposed action including attaching white flagging to the top wire between posts during construction to alert wildlife to the new fence (Appendix I), would prevent impacts. The trough placement outside of the fence would allow access to water by these species. Some wildlife would be displaced during construction, but this would be a short-term effect.

Resource/Concern Considered	Issue(s) Analyzed ? (Y/N)	Rationale for Dismissal from Analysis or Issue(s) Requiring Detailed Analysis
Soil Resources	No	Soil surface disturbance would occur to the width of the equipment used to bury the proposed pipeline (about 100 feet), including excavation and backfilling the trench for the pipe. Pipeline construction and installation of the water trough would disturb approximately 0.1 acres of land surface. Minor soil loss would occur as a result of erosion by wind. Minor soil surface disturbance would occur as a result of vehicle travel necessary for construction of the proposed fence line (about 0.2 acres). Maintenance access roads for the pipeline and fence would be used sporadic during the life of the facilities and is not expected to cause undue or excessive soil disturbance. Further analysis is not necessary.
VRM	No	The proposed project is within VRM Class IV, as stated in the Ely RMP, and is consistent with the class objectives. The VRM Class IV objective is to provide for management activities which require major modification of the existing character of the landscape. The level of change to the characteristic landscape can be high. These management activities may dominate the view and be the major focus of the viewer attention. However, every attempt would be made to minimize the impact of these activities through careful location, minimal disturbance, and repeating the basic elements.
Livestock Grazing	No	The project area is grazed on alternating years by cattle. Due to the anticipated timing of construction, the proposed action would not affect livestock grazing and/or available forage in the Newark Allotment.
Land Uses	No	There would be no modifications to land use authorizations by the proposed actions. Detailed analysis is not necessary.
Recreation Uses	No	Recreation uses in the proposed project area are low and dispersed. The nature of the proposed action would not cause any long term impacts to the recreation uses that currently take place in the project area.

<b>Resource/Concern Considered</b>	<b>Issue(s) Analyzed ? (Y/N)</b>	<b>Rationale for Dismissal from Analysis or Issue(s) Requiring Detailed Analysis</b>
Water Resources	No	Water resources for the purpose of this EA are defined as surface and subsurface water sources, water rights, and use of water that occurs in the proposed project area. The only water source, water right, and permitted use of water in the proposed project area is associated with Permit 2315 described in the background of this EA.  BLM would work with water right holder and protect private property rights associated with the water right. Proposed project would not affect existing or pending water rights for Rock Springs or within the project analysis area.
Mineral Resources	No	There would be no modifications to mineral resources due to the proposed action, therefore no direct, or indirect effects would occur to minerals.
Vegetative Resources	No	Temporary, direct impacts to vegetation would be related to any removal and disturbance during construction. As the riparian area improves, native vegetation would reestablish and is anticipated to improve. No further analysis is necessary.
Wilderness	No	Resource not present in project area.
Wild and Scenic Rivers	No	Resource is not present in project area.

### **3.3 Wetlands/Riparian Areas**

#### **3.3.1 Affected Environment**

Approximately one acre of riparian vegetation occurs around Rock Springs on public lands in the area of the proposed action. The vegetation primarily consists of wild rose (*Rosa woodsii* Lindl.), willow (*Salix* spp), sedges (*Carex* spp), rushes (*Juncaceae* spp), and grasses.

#### **3.3.2 Environmental Effects**

##### **3.3.2.1 Proposed Action**

The enclosure fence would prevent livestock and wild horses from accessing the spring and riparian zone. The fence would assist in meeting the standards for riparian and wetland sites established by the Nevada Northeastern Great Basin Resource Advisory Council by returning the spring area to proper functioning condition.

Short-term effects could include an anticipated reduction in trampling of riparian soils and the elimination of use of riparian vegetation by wild horses and livestock within the enclosure.

Long-term effects include the establishment of stabilizing riparian vegetation along the free-flowing segments of the riparian system and establishment of dense mats of riparian vegetation within the riparian segments supported by subsurface water flow. The lentic and lotic riparian systems would be expected to show increased resilience to large wind and water events and an increased functionality to store water during seasons of high flow and release of water longer into the drier months of the year. All of which allows the riparian system to produce more water for use outside the riparian enclosure (stock watering trough) and retain riparian functionality and resiliency within the riparian enclosure.

### **3.3.2.1 No Action Alternative**

The impacts from the construction and installation of the fence and spring development as described above would not occur. Without the proposed riparian fence and spring development, livestock and wild horses would continue to have access to the spring and riparian zone resulting in continuation of trampling and heavy use to the riparian area.

## **4.0. CUMULATIVE EFFECTS**

As required under NEPA and the regulations implementing NEPA, this section analyzes potential cumulative impacts from past, present, and reasonably foreseeable future actions combined with the Proposed Action within the area analyzed for impacts in Chapter 3 specific to the resources for which cumulative impacts may be anticipated. A cumulative impact is defined as “the impact which results from the incremental impact of the action, decision, or project when added to other past, present, and reasonably foreseeable future actions, regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time” (40 Code of Federal Regulations 1508.7).

The Cumulative Effects Study Area (CESA) for the cumulative effects analysis is defined by the Newark Watershed.

### **4.1 Past Actions**

Livestock grazing has a long history in the region dating back to the late 1800’s. Throughout its history, livestock grazing has been characterized by localized areas of intense use. Hunting, trapping, wildlife viewing, wild horses and other activities have occurred on the watershed year round. OHV use has occurred on the roads and two-tracks in the watershed. Range improvements have been implemented/installed in the Newark Watershed to improve grazing management including fencing, seedings, and stockwater developments. Wildfires have occasionally occurred in the watershed.

### **4.2 Present Actions**

The grazing allotments in the Newark Watershed are currently being grazed by cattle and sheep. Hunting, trapping, wildlife viewing, wild horses and other activities occur in the watershed year round. OHV use may occur on the roads and two-tracks on the allotment. Maintenance of range improvements is ongoing. The Newark Watershed Analysis is currently being conducted.

### **4.3 Reasonably Foreseeable Future Actions**

Wildfires could be likely within the CESA. Hunting, trapping, wildlife viewing, wild horses and other activities will probably occur on the watershed year round. OHV use could occur on the roads and two-tracks in the watershed. In addition, wild horse gathers are conducted periodically in order to maintain wild horse populations at AML. Maintenance of range improvements is ongoing. New range improvement projects are considered on an annual basis and analyzed on a site-specific basis. Livestock grazing permits on the Newark Allotment expire in 2020 at which time they will likely be renewed.

Current water permit titleholders may reasonably be expected to apply for a change in the quantity of water, POU, and manner of use associated with Permit 2315.

#### **4.4 Cumulative Effects Analysis**

Continued use of CESA in accordance with BLM management objectives for the grazing allotments and potential changes to the permitted use of water within the allotment is not expected to lead to a measureable change in the surface and subsurface water sources, water rights, and quantity of water that occurs in the analysis area.

### **5.0 PROPOSED MITIGATION AND MONITORING**

#### **5.1 Proposed Mitigation**

Outlined design features incorporated into the proposed action are sufficient to minimize impacts. No additional mitigation is proposed based on the analysis of environmental effects.

#### **5.1 Proposed Monitoring**

Appropriate monitoring has been included as part of the Proposed Action. No additional monitoring is proposed as a result of the impact analysis.

### **6.0. TRIBES, INDIVIDUALS, ORGANIZATIONS, OR AGENCIES CONSULTED**

A public scoping period was offered from August 10, 2010 through August 27, 2010. The proposed action was posted to the Ely District website on August 19, 2010. One comment letter was received from Western Watersheds Project.

Tribal Coordination Letters were sent August 20, 2010. No concerns were identified.

### **7.0. LIST OF PREPARERS**

Gina Jones	Ecologist/Planning and Environmental Coordinator
Amanda Anderson	Rangeland Resources
Mindy Seal	Vegetation; Noxious and Invasive, Non-native Species
Marian Lichtler	Wildlife, Special Status Species, Migratory Birds
Erin Rajala	Recreation, Visual Resources
Lisa Gilbert	Cultural Resources
Mark D'Aversa	Soil, Water, Riparian/Wetlands, Floodplains, Air Quality
Elvis Wall	Native American Cultural Concerns
Melanie Peterson	Hazardous Materials, Safety
Dave Davis	Minerals
Ruth Thompson	Wild Horse and Burro Resource

## **6.0 REFERENCES, GLOSSARY AND ACRONYMS**

### **6.1 References Cited**

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### **6.2 Acronyms and Definitions**

**BLM**-Bureau of Land Management

**CFR**-Code of Federal Regulations

**DR**-Decision Record

**EA**-Environmental Assessment

**EIS**-Environmental Impact Statement

**FLPMA**-Federal Land Policy and Management Act

**FMUD**-Final Multiple Use Decision

**FONSI**-Finding of No Significant Impact

**ID**-Interdisciplinary

**IM**-Instructional Memorandum

Lentic – Still Water riparian systems

Lotic – Flowing Water riparian systems

**NEPA**-National Environmental Policy Act

**RFFA**-Reasonably Foreseeable Future Action

**RMP**-Resource Management Plan

## **APPENDIX I STANDARD OPERATING PROCEDURES**

The following SOP's that apply to the proposed action should be adhered to for the riparian fence project:

1. Removal of vegetation will be held to the minimum necessary for construction, access, and to provide for safety.
2. Construction activities will be limited to times when soils are not wet or saturated, to lessen soil compaction by equipment. In addition, construction activities may be delayed by the authorized officer due to severely dry conditions, to prevent unnecessary erosion of soil resources.
3. Vehicle travel shall only be permitted along the proposed fence line corridor during the construction phase. Access will be via existing roads and trails whenever possible. Where existing roads are not available, off road travel will be kept to the minimum necessary for construction.
4. White flagging will be tied at each wire stay for visibility to animals such as deer and sage grouse. These will remain for a time sufficient to allow animals to see the newly constructed fence.
5. Maximum corridor width of the fence line would be a total of 16 feet.
6. If the need to use, store, and/or dispose of hazardous materials arises, (which is not identified in this EA), the authorized person(s) constructing the project would notify and seek authorization from the BLM.
7. Maintenance of the riparian fence project will be accomplished by the operator(s) through cooperative agreements with the BLM, or through range improvement permits.
8. Pursuant to 43 CFR 10.4(G) the holder of this authorization must notify the authorized officer by telephone, with written confirmation immediately upon discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (as defined at 43 CFR 10.2). Further, pursuant to 43 CFR 10.4 (c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.
9. All equipment and assorted materials associated with the construction of the project must be removed within 30 days after completion of the project. Project area cleanup will be accomplished by removing all refuse to an approved sanitary landfill.
10. Fence specifications for wildlife concerns will be strictly adhered to in the construction of this fence. These specifications are to be provided to the builder prior to construction.

11. The “no activity” period for all management actions in migratory bird habitat is from 4/15 to 7/15 unless a survey is done to determine no migratory bird breeding or nesting is occurring in the area. For any activity scheduled between 4/15 and 7/15 the following must take place:

The wildlife team will conduct breeding bird surveys to identify if migratory bird breeding or nesting is occurring in the area.

12. For sage grouse wintering grounds, disturbance should be avoided from November 1 to March 31.

**APPENDIX II**  
**RISK ASSESSMENT FOR NOXIOUS & INVASIVE WEEDS**

Rock Springs Exclosure  
 White Pine County

The BLM proposes to construct a livestock exclosure fence around the Rock Spring riparian area, install a springbox and/or other collection system at the spring source, install a pipeline to a livestock trough outside the fenced riparian zone, and install a new livestock trough. The exclosure would be approximately one acre in size. The springbox and/or collection system, discharge pipe and trough would be designed and installed to standard Bureau specifications for these structures. Spring development could include the use of heavy equipment (i.e. backhoe-loader tractors) as well as pickup trucks.

No field weed surveys were completed for this project. Instead the Ely District weed inventory data was consulted. Currently poison hemlock (*Conium maculatum*) is found within the project area. The following species are found along roads or drainages leading to the project:

- |                        |              |
|------------------------|--------------|
| <i>Carduus nutans</i>  | Musk thistle |
| <i>Cirsium vulgare</i> | Bull thistle |

There is also probably cheatgrass (*Bromus tectorum*), bur buttercup (*Ceratocephala testiculatus*), and Russian thistle (*Salsola kali*) scattered along roads in the area. The area was last inventoried for noxious weeds in 2009.

**Factor 1 assesses the likelihood of noxious/invasive weed species spreading to the project area.**

None (0)	Noxious/invasive weed species are not located within or adjacent to the project area. Project activity is not likely to result in the establishment of noxious/invasive weed species in the project area.
Low (1-3)	Noxious/invasive weed species are present in the areas adjacent to but not within the project area. Project activities can be implemented and prevent the spread of noxious/invasive weeds into the project area.
Moderate (4-7)	Noxious/invasive weed species located immediately adjacent to or within the project area. Project activities are likely to result in some areas becoming infested with noxious/invasive weed species even when preventative management actions are followed. Control measures are essential to prevent the spread of noxious/invasive weeds within the project area.
High (8-10)	Heavy infestations of noxious/invasive weeds are located within or immediately adjacent to the project area. Project activities, even with preventative management actions, are likely to result in the establishment and spread of noxious/invasive weeds on disturbed sites throughout much of the project area.

For this project, the factor rates as Moderate (3) at the present time. Poison hemlock is commonly found at lower elevations along roadsides, ditch and stream banks, creek beds, and fence-lines, where there is sufficient soil moisture. It can also invade native plant communities in riparian woodlands and flood plains where natural aquatic systems dominate. It can survive in dry sites with poorly drained soils, but is most competitive under wetter soil conditions. This plant is toxic to humans, but livestock poisonings are much more common. All classes of livestock and wildlife are susceptible to poisoning. Animals tend to avoid this plant when other forage is available, but they will consume it when not much other vegetation is present. As the riparian area improves poison hemlock could spread in the riparian area. Also, the ground disturbance created by project installation and vehicles in the area could lead to the introduction of new weed infestations to the project area.

**Factor 2 assesses the consequences of noxious/invasive weed establishment in the project area.**

Low to Nonexistent (1-3)	None. No cumulative effects expected.
Moderate (4-7)	Possible adverse effects on site and possible expansion of infestation within the project area. Cumulative effects on native plant communities are likely but limited.
High (8-10)	Obvious adverse effects within the project area and probable expansion of noxious/invasive weed infestations to areas outside the project area. Adverse cumulative effects on native plant communities are probable.

This project rates as Moderate (6) at the present time. If new weed infestations establish within the project area this could have an adverse impact those native plant communities since the area is currently considered to be mostly weed-free. Also, an increase of cheat grass could alter the fire regime in the area.

**The Risk Rating is obtained by multiplying Factor 1 by Factor 2.**

None (0)	Proceed as planned.
Low (1-10)	Proceed as planned. Initiate control treatment on noxious/invasive weed populations that get established in the area.
Moderate (11-49)	Develop preventative management measures for the proposed project to reduce the risk of introduction of spread of noxious/invasive weeds into the area. Preventative management measures should include modifying the project to include seeding the area to occupy disturbed sites with desirable species. Monitor the area for at least 3 consecutive years and provide for control of newly established populations of noxious/invasive weeds and follow-up treatment for previously treated infestations.
High (50-100)	Project must be modified to reduce risk level through preventative management measures, including seeding with desirable species to occupy disturbed site and controlling existing infestations of noxious/invasive weeds prior to project activity. Project must provide at least 5 consecutive years of monitoring. Projects must also provide for control of newly established populations of noxious/invasive weeds and follow-up treatment for previously treated infestations.

For this project, the Risk Rating is Moderate (18). This indicates that the project can proceed as planned as long as the following measures are followed:

- Prior to the entry of vehicles and equipment to a planned disturbance area, a weed scientist or qualified biologist will identify and flag areas of concern. The flagging will alert personnel or participants to avoid areas of concern.
- Prior to entering public lands, the contractor, operator, or permit holder will provide information and training regarding noxious weed management and identification to all personnel who will be affiliated with the implementation and maintenance phases of the project. The importance of preventing the spread of weeds to uninfested areas and importance of controlling existing populations of weeds will be explained.
- To eliminate the transport of vehicle-borne weed seeds, roots, or rhizomes all vehicles and heavy equipment used for the completion, maintenance, inspection, or monitoring of ground disturbing activities; or for authorized off-road driving will be free of soil and debris capable of transporting weed propagules. All such vehicles and equipment will be cleaned with power or high pressure equipment prior to entering or leaving the work site or project area. Cleaning efforts will concentrate on tracks, feet and tires, and on the undercarriage. Special emphasis will be applied to axels, frames, cross members, motor mounts, on and underneath steps, running boards, and front bumper/brush guard assemblies. Vehicle cabs will be swept out and

refuse will be disposed of in waste receptacles. Cleaning sites will be recorded using global positioning systems or other mutually acceptable equipment and provided to the Field Office Weed Coordinator or designated contact person.

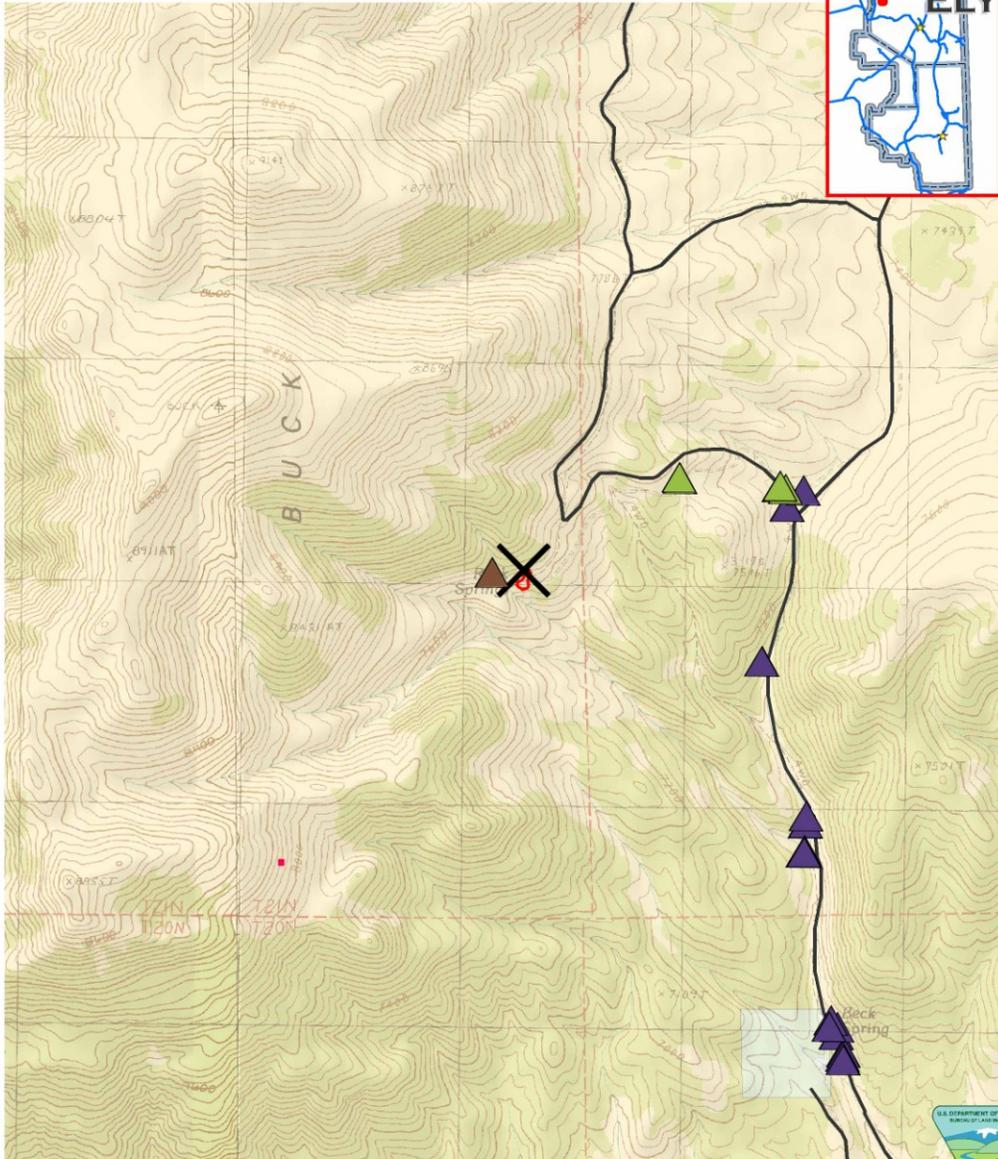
- Removal and disturbance of vegetation would be kept to a minimum through construction site management (e.g. using previously disturbed areas and existing easements, limiting equipment/materials storage and staging area sites, etc.)
- Reclamation would normally be accomplished with native seeds only. These would be representative of the indigenous species present in the adjacent habitat. Rationale for potential seeding with selected nonnative species would be documented. Possible exceptions would include use of non-native species for a temporary cover crop to out-compete weeds. Where large acreages are burned by fires and seeding is required for erosion control, all native species could be cost prohibitive and/or unavailable. In all cases, seed mixes would be approved by the BLM Authorized Officer prior to planting.
- Include noxious and invasive weed detection in all monitoring activities. If the spread of noxious or invasive weeds is noted, appropriated weed control procedures will be determined in consultation with BLM personnel and will be in compliance with the appropriate BLM handbook sections and applicable laws and regulations.

Reviewed by:  /s/Mindy Seal  
Mindy Seal  
Natural Resource Specialist

7/18/2010  
Date

# ROCK SPRINGS RIPRIAN FENCE

BLM



Ely District Office



**Legend**

<b>Ely Dist. Noxious Weed Inventory</b>	Invasive Annual and Biennial Forbland	BLM
<b>Commonname</b>	Invasive Annual Grassland	FS
BULL THISTLE	Invasive Perennial Grassland	State of Nevada
MUSK THISTLE	Roads	Private
POISON HEMLOCK		
Fence		

1:24,000



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.

Last weed inventory done in 2009.  
Map Produced by: EYDO Weed Staff  
7/18/2010