



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Southern Nevada District Office
4701 N. Torrey Pines Drive
Las Vegas, NV 89130
<http://www.blm.gov/nv/st/en/fo/lvfo.1.html>

MAR 30 2009

In Reply Refer to:
1210 (NVS0052)

Dear Interested Party:

The Environmental Assessment (DOI-BLM-NV-SO10-2009-0110-EA) entitled "The Clark County Desert Conservation Program Rare Plant Inventory Surveys throughout Clark County" was approved by Mary Jo Rugwell, District Manager of the Southern Nevada District Office for the Bureau of Land Management (BLM) on March 30, 2009.

The Clark County Desert Conservation Program, in cooperation with the BLM, National Park Service and U.S. Fish and Wildlife Service has requested approval to conduct rare plant inventory surveys for ten rare plant species that are found in Clark County. The data generated from these surveys would assist the BLM in estimating coverages for these species and identifying areas for conservation actions. For a hard copy of the Environmental Assessment and Decision Record you can contact Katie Kleinick, Natural Resources Specialist at (702) 515-5351 or by E-mail at Katherine.Kleinick@blm.gov.

The BLM decision to approve the Environmental Assessment may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

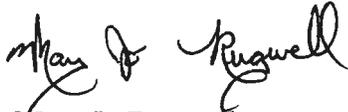
If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) or 43 CFR 2804.1 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each part named in this decision and to the Interior Board of Land Appeals and to the appropriate office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favor granting the stay.

Sincerely,

A handwritten signature in cursive script that reads "Mary Jo Rugwell".

Mary Jo Rugwell
District Manager
Southern Nevada District Office

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

**Environmental Assessment
DOI-BLM-NV-S010-2009-0110-EA
March 26, 2009**

**Clark County Desert Conservation Program
Rare Plant Inventory Surveys throughout Clark County**

APPLICANT

Clark County Desert Conservation Program

GENERAL LOCATION

The proposed action is on lands managed by the BLM throughout Clark County, including Wilderness Areas and some of Nye County.

BLM CASE FILE SERIAL NUMBER(S)

NV-052-2009-110

PREPARING OFFICE

U.S. Department of the Interior
Bureau of Land Management
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BACKGROUND INFORMATION

Purpose and Need for the Proposed Action

The Clark County Desert Conservation Program has requested approval to conduct rare plant inventory surveys for ten rare plant species that are found in Clark County to identify areas for conservation actions. In addition to observation based data collections, collection of voucher specimens will be necessary for new populations as long as collections do not effect that species subpopulation. The inventories are designed to obtain comprehensive knowledge of the species to further define their predictive ecological models. The area requested is on lands managed by the BLM throughout Clark County, including designated Wilderness areas, Wilderness Study Areas and some of Nye County.

The species to be inventoried are sticky ringstem (*Anulocaulis leisolenus*), Las Vegas bearpoppy (*Arctomecon californica*), white bearpoppy (*Arctomecon merriamii*), threecorner milkvetch (*Astragalus geyeri* var. *triquetrus*), Pahrump Valley buckwheat (*Eriogonum bifurcatum*), Las Vegas buckwheat (*Eriogonum corymbosum* var. *nilesii*), sticky buckwheat (*Eriogonum viscidulum*), Beaver Dam breadroot (*Pediomelum castoreum*), white margined beardtongue (*Penstemon albomarginatus*), yellow two-tone beardtongue (*Penstemon bicolor* ssp. *bicolor*).

Inventories will begin in the spring of 2009 and be completed in 2011.

Applicant

Marci Henson, Clark County Desert Conservation Program
Alternate contact: Sonja Kokos
500 S Grand Central Pkwy
Las Vegas, NV 89155

Cooperators: The National Park Service, US Fish and Wildlife Service, Bureau of Land Management

Location of the Proposed Action

The Clark County Desert Conservation Program has proposed to conduct rare plant inventory surveys, and to take collections of voucher specimens for new populations on lands managed by the BLM throughout Clark County, including designated Wilderness Areas, Wilderness Study Areas and some of Nye County.

Each survey area will be randomly selected, so some Township, Range and Sections may not be surveyed throughout the life of the project.

Legal descriptions on BLM lands are as follows:

| Township and Range |
|--------------------|--------------------|--------------------|--------------------|--------------------|
| 12S 63E* | 16S 67E | 19S 68E | 20 1/2 N 11E | 15 1/2N 16E |
| 12S 64E* | 16S 68E | 19S 69E | 20N 12E | 15 1/2N 17E |
| 12S 65E* | 16S 69E | 19S 70E | 19N 12E | 29S 61E |
| 12S 66E* | 16S 70E | 19S 71E | 24S 56E | 29S 62E |
| 12S 67E* | 16S 71E | 20S 54E | 24S 57E | 29S 63E |
| 12S 68E* | 17S 53E | 20S 55E | 24S 58E | 29S 64E |
| 12S 69E* | 17S 54E | 20S 56E | 24S 59E | 15N 17E |
| 12S 70E* | 17S 55E | 20S 57E | 24S 60E | 15N 18E |
| 12S 71E* | 17S 56E | 20S 58E | 24S 61E | 30S 62E |
| 13S 63E | 17S 57E | 20S 59E | 24S 62E | 30S 63E |
| 13S 64E | 17S 58E | 20S 62E | 24S 63E | 30S 64E |
| 13S 65E | 17S 59E | 20S 63E | 19N 13E | 30S 65E |
| 13S 66E | 17S 63E | 20S 64E | 25S 56E | 14N 18E |
| 13S 67E | 17S 64E | 20S 65E | 25S 57E | 14N 19E |
| 13S 68E | 17S 65E | 21S 54E | 25S 58E | 31S 63E |
| 13S 69E | 17S 66E | 21S 55E | 25S 59E | 13N 19E |
| 13S 70E | 17S 67E | 21S 56E | 25S 60E | 31S 64E |
| 13S 71E | 17S 68E | 21S 57E | 25S 61E | 31S 65E |
| 13 1/2 S 63E | 17S 69E | 21S 58E | 25S 62E | 13N 20E |
| 13 1/2 S 64E | 17S 70E | 21S 59E | 25S 63E | 12N 20E |
| 14S 63E | 17S 71E | 21S 62E | 25S 64E | 32S 64E |
| 14S 64E | 18S 53E | 21S 63E | 18N 13E | 32S 65E |
| 14S 65E | 18S 54E | 22S 54E | 18N 14E | 32S 66E |
| 14S 66E | 18S 57E | 22N 10E | 26S 57E | 12N 21E |
| 14S 67E | 18S 58E | 22N 11E | 26S 58E | 33S 65E |
| 14S 68E | 18S 59E | 22N 10E | 26S 59E | 41N 16W |
| 14S 69E | 18S 60E | 21N 11E | 26S 60E | 39N 16W |
| 14S 70E | 18S 63E | 22S 55E | 26S 61E | 38N 16W |
| 14S 71E | 18S 64E | 22S 56E | 26S 62E | 37N 16W |
| 15S 54E | 18S 65E | 22S 57E | 26S 63E | 36N 16W |
| 15S 63E | 18S 66E | 22S 58E | 26S 64E | 35N 16W |
| 15S 64E | 18S 67E | 22S 59E | 17N 14E | 34N 16W |
| 15S 65E | 18S 68E | 22S 60E | 17N 15E | 33N 16W |
| 15S 66E | 18S 69E | 22S 61E | 27S 58E | |
| 15S 67E | 18S 70E | 22S 62E | 27S 59E | |
| 15S 68E | 18S 71E | 22S 63E | 27S 60E | |
| 15S 69E | 19S 53E | 22S 63 1/2E | 27S 61E | |
| 15S 70E | 19S 54E | 23S 54E | 27S 62E | |
| 15S 71E | 19S 55E | 23S 55E | 27S 62 1/2E | |
| 16S 53E | 19S 58E | 23S 56E | 27S 63E | |
| 16S 54E | 19S 59E | 23S 57E | 27S 64E | |
| 16S 55E | 19S 60E | 23S 58E | 16N 15E | |
| 16S 55 1/2 E | 19S 61E | 23S 59E | 16N 16E | |
| 16S 56E | 19S 62E | 23S 60E | 28S 59E | |
| 16S 57E | 19S 63E | 23S 61E | 28S 60E | |
| 16S 63E | 19S 64E | 23S 62E | 28S 61E | |
| 16S 64E | 19S 65E | 23S 63E | 28S 62E | |
| 16S 65E | 19S 66E | 23S 63 1/2E | 28S 63E | |
| 16S 66E | 19S 67E | 24S 55E | 28S 64E | |

*Areas outside of Clark County not authorized through the Las Vegas BLM Field Office.

Conformance with Land Use Plans

This project is in conformance with the Las Vegas Resource Management Plan (1998) Wilderness Management objective WS-1, page 2-34 which states: "Ensure that characteristics on certain lands that caused them to be inventoried and designated as Wilderness Study Areas are maintained and not diminished or lessened in any way that might constrain or limit Congress' final wilderness designation decisions."

It is also in conformance with the Special Status Species Management objective SS-2, page 2-17 which states: "Manage habitat to further sustain the populations of Federally listed species so they would no longer need protection of the Endangered Species Act. Manage habitats for non-listed special status species to support viable populations so that future listing would not be necessary."

The proposed action is in conformance with the following laws: Wilderness Act (Public Law 88-57) which states "wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use;" the Federal Land Policy and Management Act of 1976 (Public Law 94-579, as amended); Clark County Conservation of Public Land and Natural Resources Act of 202 (Public Law 107-282); Management of Designated Wilderness Areas (43 CFR Part 6300).

The proposed action also conforms to the following BLM guidelines: Interim Management Policy for Lands Under Wilderness Review (H-8550-1) which states, "Uses and/or facilities found to be nonimpairing may be permitted on lands under wilderness review.....Actions that clearly benefit a WSAs wilderness values through activities that restore, protect, or maintain these values are allowable." Management of Designated Wilderness Areas (BLM Manual 8560) states "Research is permitted and encouraged as long as all projects are conducted in such a manner as to preserve the area's wilderness character and they further the management, scientific, educational, historical, and conservation purposes of the area."

Issues

Issues addressed in this Environmental Assessment were identified through internal and public scoping. Internal scoping was done via meetings and written communications with BLM resource specialists. A 30-day public Notice of Proposed Action (NOPA) was initiated on February 24, 2009 and was mailed to interested parties. One comment was received in support of the proposed action. A second comment was received which objected to the purpose and usefulness of the proposed action; Section 4(b) of the Wilderness Act clearly states that wilderness areas shall be devoted to such public purposes that include scientific use.

DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

Proposed Action

Clark County is requesting approval to conduct rare plant inventory surveys on BLM lands throughout Clark County, including designated Wilderness areas, Wilderness Study Areas and some of Nye County.

In addition to observation based data collections, collection of voucher specimens will be necessary for new populations as long as collections do not effect that species subpopulation. Voucher specimens are necessary to verify the identity of the species and to further support data collected. To ensure collections will not affect species subpopulations, collections will be restricted to at least five voucher specimens, not to exceed 10% of any subpopulation, as per the Nevada Division of Forestry permit the applicant has obtained.

Clark County will select a contractor through a request for proposal process for the inventory work. The contractor will have to meet Clark County's qualifications criteria to conduct the work. If required on behalf of the contractor, Clark County shall obtain all federal and state permits for voucher specimen collections. Clark County has obtained a collection permit from the Nevada Division of Forestry for the Las Vegas bearpoppy, threecorner milkvetch, sticky buckwheat, and the Las Vegas buckwheat.

The objective of this project is to collect presence/absence data for the ten plant species, including plant collections for voucher specimens. In addition, the contractor will be collecting data on soil type, slope, aspect, elevation, presence/absence of cryptogamic crust, anthropogenic threats, weeds, associated species, photographic evidence of the survey polygons, and all rare species found during surveys. This information will be used to refine the predictive models for each species.

Inventories would be conducted on approximately 600 survey areas, each approximately 10 acres, throughout Clark County, including Wilderness Areas and some of Nye County. Each survey area will be randomly selected, so some Township, Range and Sections may not be surveyed throughout the life of the project.

Inventories will begin in the spring of 2009 and be completed in 2011. Contractors will use vehicles only on existing designated roads and from there hike to survey sites. The contractor will access the sites no more than twice and only during daylight hours. However, it is expected the contractor may camp in remote locations near inventory locations. The contractor or County will obtain all required camping permits prior to field season.

It is expected that as many as 8 field personnel will be required to survey larger areas, and two field personnel for the smallest areas. No more than two vehicles will be used to access the sites.

Alternative “A”

This alternative is similar to the proposed action except, the proponents would not be authorized to collect voucher specimens of any plants in designated wilderness areas. Only observation based data collections would be authorized in designated wilderness areas. Without collection of voucher specimens to validate species, collected data will not be as reliable.

No Action Alternative

Under this alternative, the proponents would not be authorized to conduct rare plant inventory surveys on any BLM lands.

DESCRIPTION OF THE AFFECTED ENVIRONMENT

A detailed description of the affected environment is contained in the Las Vegas Resource Management Plan.

The table below summarizes the environmental attributes that have been reviewed, whether they may be affected by the Proposed Action, and the rationale for that determination. Elements that would not be affected will not be discussed further in this environmental assessment.

Supplemental Authority	Not Present	Present/Not Affected	Present/May be Affected	Rationale
Air Quality	✓			No impact to the air quality will be created by the proposed action.
Area of Critical Environmental Concern (ACEC)		✓		There will be no affect to ACEC as travel is restricted to existing designated roads and there will be no surface disturbance.
Cultural/Historical	✓			The BLM Archaeologist has determined that the undertaking as proposed is exempt from Section 106 review as set forth in Appendix C.10 of the State Protocol Agreement with the Nevada State Historic Preservation Office (SHPO). No surface disturbance is permitted in association with this permit; therefore, no further evaluation is required unless the scope of the undertaking changes.
Environmental Justice	✓			No minority or low-income groups would be disproportionately affected by health or environmental effects.
Farmlands Prime or Unique	✓			Resource is not present
Noxious Weeds/Invasive Non-native Species		✓		No impacts to noxious weeds/invasive non-native species will be created by the proposed action.
Native American Religious Concerns	✓			No impacts to Native American Religious Concerns will be created by the proposed action.
Floodplains		✓		No impact to floodplains will be created by the proposed action.

Supplemental Authority	Not Present	Present/Not Affected	Present/May be Affected	Rationale
Riparian/Wetlands/	✓			No impact to the riparian/wetland areas will be created by the proposed action as none of the plant species to be inventoried are found in such habitat.
Threatened, Endangered Species.		✓		None of the plant species to be inventoried are federally threatened or endangered. There will be no impact on any threatened or endangered species, including the desert tortoise.
Migratory Birds	✓			As there will be no new surface disturbance associated with the proposed action, there will be no impact on migratory birds.
Waste –Hazardous/Solid	✓			None of the alternatives would result in creation of hazardous wastes.
Water Quality	✓			No impact to the water quality will be created by the proposed action.
Wild & Scenic Rivers	✓			Resource is not present.
Wilderness			✓	Impacts Assessed in EA.
Forests and Rangelands (HFRA only)	✓			Resource is not present.
Human Health and Safety.	✓			No impact to human health and safety will be created by the proposed action.
Vegetation			✓	Impacts Assessed in EA.

Wilderness

The following designated Wilderness areas may have voucher specimens collected from them:

Meadow Valley Range, Arrow Canyon, Mormon Mountains, Lime Canyon, Jumbo Springs Muddy Mountains, North McCullough, Mount Charleston, La Madre Mountain, Rainbow Mountain, Eldorado, Ireteba Peaks, South McCullough, Spirit Mountain and Wee Thump Joshua Tree Wilderness.

Voucher specimens may also be collected from the following Wilderness Study Areas (WSAs):

Virgin Peak and Sunrise Mountain Instant Study Area (ISA); Million Hills and Mount Stirling WSA.

The Wilderness Act of 1964 defines wilderness and mandates that the primary management direction is to preserve wilderness character. Although wilderness character is a complex idea and was not explicitly defined in the Wilderness Act, it may be described as the combination of biophysical, experiential, and symbolic ideals that distinguish wilderness from all other lands.

Wilderness areas, regardless of size, location, or any other feature, are unified by this statutory definition of wilderness. The four qualities of wilderness, related to wilderness character are:

- **Untrammeled** — area is unhindered and free from modern human control or manipulation.
- **Natural** — area appears to have been primarily affected by the forces of nature.
- **Undeveloped** — area is essentially without permanent improvements or human occupation and retains its primeval character.
- **Outstanding opportunities for solitude or a primitive and unconfined type of recreation** — area provides outstanding opportunities for people to experience solitude or primeval and unrestricted recreation, including the values associated with physical and mental inspiration and challenge.

Additionally, The BLM is required to avoid impairment to wilderness characteristics of WSAs until Congress passes legislation either designating the WSA as wilderness or releasing it from wilderness consideration. The BLM is required to review all proposals for uses and/or facilities with WSAs to determine whether or not the proposal meets the non-impairment criteria. Briefly, these criteria: 1) prohibit the installation of new facilities and new activities in the WSAs that are not temporary, create surface disturbance that require reclamation, or involve permanent placement of facilities; 2) the use and/or facility must not significantly degrade wilderness values.

Untrammeled

The few trammeling activities that exist within the Wilderness areas and WSAs include various measures in the management of wildland fire, weeds, and removal of vegetation due to grazing by burros. Additional obstructions are present in the form of range developments from prior grazing activities, and wildlife water developments.

Natural

The Wilderness areas and WSAs are to a large extent free from the effects of modern civilization, having been primarily affected by the forces of nature. The areas maintain vegetation characteristic of the Mojave Desert ecoregion and provides habitat for numerous animal species. The areas topography varies from rugged cliffs and escarpments to gently sloping bajadas and washes. There are numerous cave resources, arches and springs. Impacts to the natural quality of wilderness include changes in historic vegetation patterns stemming from invasive annual grasses.

Undeveloped

The Wilderness areas and WSAs have few permanent improvements or other evidence of modern human presence or occupation and retains its primeval character and influence. There are range developments from prior grazing activities and wildlife water developments. Former vehicle routes totaling are found throughout portions of the areas. Permanent fixed anchors are located on cliffs and ledges in association with technical rock climbing activities. An unknown number of foot-worn hiking paths exist.

Outstanding Opportunities for Solitude or Primitive and Unconfined Recreation

The Wilderness areas and WSAs provide outstanding opportunities for people to experience solitude and primitive, unconfined recreation, including the values of inspiration and physical and mental challenge. There are numerous draws, ravines, rock outcrops, ridges, and canyons that create secluded locales. These locales, the wilderness' large area, and low visitation combine

to provide outstanding opportunities for solitude. However, flat topography, sparse vegetation, and periodic sights and sounds of vehicles on adjacent lands and aircraft flying overhead may decrease experiences of solitude.

The geologic and topographic features provide for primitive recreation opportunities such as hiking, camping, climbing, caving, hunting, trapping, horseback riding, and nature study. No permits are required to visit and there are no group size limits; only the 14-day stay limit for camping confines recreation opportunities. An unknown number of trails exist which were created by burros. Visitation to some portions may be presumed to be frequent due to the relative ease of access, however use likely decreases in the less accessible areas. Less difficult recreational opportunities can be experienced on the lower slopes of the area's outer edges. Gently sloping alluvial fans present extensive vistas of the adjoining valleys and neighboring mountain ranges.

Maintaining Traditional Skills

The proposed action does not utilize or maintain any traditional skills.

Safety of Visitors, Personnel, and Contractors

None identified.

Economic and Time Constraints

None identified.

Additional Wilderness-specific Comparison Criteria

None identified.

Vegetation

There will be a minimal affect on new populations of species to be inventoried resulting from collection of voucher specimens. The collection of voucher specimens will ensure accurate credible results will assist future BLM conservation and management of these species. None of these species is listed as federally threatened or endangered. Three of these species are state listed; the applicant has already received a collection permit from the Nevada Division of Forestry. Because populations of these species typically contain between several hundred and several thousand individuals, the loss of five individuals per population would not be measurable. Therefore, we consider any effect to be insignificant. There will be no other affect on vegetation.

ENVIRONMENTAL CONSEQUENCES

Proposed Action

Untrammeled – Inventory surveys and collections should not affect the untrammeled quality of wilderness because it is limited in scope, and does not manipulate or control to any great extent, the natural processes or conditions with the areas.

Undeveloped- There is no development associated with this project.

Natural - There will be no effects on the quality of the naturalness where inventory surveys and collections may occur. The areas will continue to be subject to the forces of nature and free from human influence. The proposed action will not hinder, alter or disrupt the natural process within the various Wilderness Areas.

Outstanding opportunities for solitude or a primitive and unconfined type of recreation - Impacts to solitude in the wilderness areas resulting from field personnel will be minimal and is temporary.

Vegetation - There will be a minimal direct impact on vegetation resulting from the collection of voucher specimens for new populations. Such collections will only occur as long as it will not effect that species subpopulation. At least five voucher specimens, not to exceed 10% of any subpopulation will be collected. No other impacts are anticipated to the natural environment as the actions do not involve surface disturbing activity and occur, for the most part, in areas that are resistant to change or impact.

Alternative "A"

There will be minimal, temporary impacts to solitude in the wilderness areas as this alternative would still authorize crews to conduct observational surveys within designated wilderness areas. No other impacts are anticipated to the wilderness values under this alternative.

This alternative would allow collections of voucher specimens on BLM lands that are not designated wilderness areas. Therefore, there would still be a minimal direct impact on vegetation resulting from these collections as described above. No other impacts are anticipated to the natural environment as the actions do not involve surface disturbing activity and occur, for the most part, in areas that are resistant to change or impact.

No Action Alternative

There would be no impacts to wilderness values or the natural environment under this alternative.

Cumulative Impacts

The inventories are designed to obtain comprehensive knowledge of the species to further define their predictive ecological models. The collection of voucher specimens will ensure accurate credible results are obtained. The results will assist future BLM conservation and management of these species.

RECOMMENDED MITIGATION MEASURES

1. *A summary of the findings, when available, must be submitted to the BLM.*
2. All motorized vehicles are restricted to existing *designated* roads. Use is not permitted on any roads that access by the permittee will modify the condition of the road. Within WSAs, vehicle use may be permitted on existing “ways” as identified by the initial wilderness inventories for the areas. Maps identifying these routes will be made available. Motorized vehicles and motorized equipment are prohibited within designated Wilderness areas; access will be by foot only and removal of plant specimens will utilize hand tools.
3. Speed limit of 25 mph will be maintained on all unposted dirt roads.
4. All litter, garbage and trash shall be removed from the site daily.
5. The painting of rocks or the establishment of permanent markers or improvements is prohibited.
6. Desert tortoises are protected by law. Handling or harassing is prohibited unless they are in imminent danger (eg. from oncoming traffic).
7. Prior to moving a parked vehicle the tires and ground beneath the vehicle will be inspected for desert tortoises. If a tortoise is found, it must be allowed to move out of harms way on its own volition. If it has withdrawn it is considered in imminent danger and may be moved in accordance with approved handling techniques.
8. No permanent ground disturbance is authorized in association with this activity.
9. It is unlawful to disturb any archaeological sites or remove, relocate or bury archaeological artifacts. Care must be taken when visiting archaeological sites to avoid excessive walking on or crushing of archaeological deposits (midden) and surface manifestations.
10. Applicant must not disturb archaeological and historical sites, including, but not limited to, petroglyphs, ruins, historic buildings, and artifacts.
11. Any cultural artifacts or vertebrate paleontological materials (including fossil trackways) discovered through permitted operations must be left in place and the BLM notified.
12. Applicants will be provided with a copy of the Invasive Weed Identification for Nevada handbook. Participants should become weed aware and not transport weed seeds or plant parts from one site to another. They will need to inspect, remove, and dispose of weed seeds, plant parts and soils found on their clothing, vehicles and equipment before entering and before leaving individual sites. Disposal methods vary depending on the project.
13. If noxious weeds are found at any time during the project, please provide species and location data (GPS if possible) to the local BLM Weed Coordinator.
14. There are numerous mining claims and operations throughout the possible study areas. Two pdfs (1 for claim information and 1 for operations) will be provided to applicant. Before a final determination on where the study plots are to be located these should be referenced to determine how many claims/operations occur in the section. Secondly, several areas are old historic mining districts that may have unknown/"undiscovered" mine workings so safety may be an issue.

15. *Voucher specimens will need to be deposited in the UNLV herbarium so that they are available for future scientific research.*
16. The applicant will not conduct surveys in any designated Wilderness areas or WSAs until the decision notification has been sent to all who responded to the original public notification and pending conclusion of the 30-day appeal period.

CONSULTATION AND COORDINATION

The following BLM specialists reviewed, provided comments and/or assisted in the preparation of the environmental assessment:

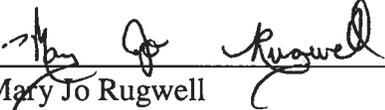
Kevin Routsong, Wilderness
Sendi Kalcic, Wilderness Planner
Sarah Peterson, Hydrologist
George Varhalmi, Minerals
Jeff Steinmetz, Lead Planning and Environmental Coordinator
Lisa Christianson, Air Quality Specialist
Susanne Rowe, Archeologist
Frederic Marcell, Lands Specialist
Mark Chandler, Visual Resource Manager
Mark Slaughter, Wildlife Biologist
Fred Edwards, Vegetation
Nora Caplette, Noxious Weeds
Carolyn Ronning, MSHCP Coordinator

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

Environmental Assessment NV-052-2009-110 for
Clark County Desert Conservation Program Rare Plant Inventory Surveys throughout Clark
County

Finding of No Significant Impact:

Based upon analysis of potential environmental impacts in the attached environmental assessment, and recommendation of staff, I have determined that the potential for significant impacts to wilderness and natural resources are adequately addressed and that an environmental impact statement is not required.



Mary Jo Rugwell
District Manager
Southern Nevada District Office

Date: 3/30/09

DECISION RECORD

Environmental Assessment NV-052-2009-110 for
Clark County Desert Conservation Program Rare Plant Inventory Surveys throughout Clark
County

Decision:

The Clark County Desert Conservation Program request for rare plant inventory surveys and collections, covered under EA #NV-052-2009-110, dated January, 14, 2009 is approved, using the proposed actions. They will be allowed to conduct rare plant inventory surveys and collections on BLM managed lands throughout Clark County, including designated Wilderness areas, Wilderness Study Areas and some of Nye County.

Rationale:

The environmental assessment of potential impacts to wilderness and natural resource values adequately addresses all potential environmental concerns.

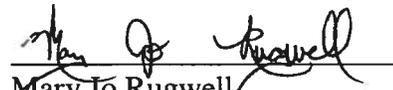
The rare plant inventory surveys and collections are in conformance with the Las Vegas Resource Management Plan Wilderness Management objective WS-1 and Special Status Species Management objective SS-2.

Impacts to solitude in the wilderness areas resulting from field personnel will be minimal, is temporary and has no permanent or long-lasting affect on the values for which the area was designated.

Mitigation Measures:

The proposed action is approved subject to the mitigating measures recommended in the environmental assessment.

Approved by:



Mary Jo Rugwell
District Manager
Southern Nevada District Office

3/30/09
Date

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE INTERIOR BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you,
- AND
2. You believe it is incorrect

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

1. NOTICE OF APPEAL..... 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. If a decision is published in the FEDERAL REGISTER, a person not served with the decision must transmit a notice of appeal in time for it to be filed within 30 days after the date of publication (43 CFR 4.411 and 4.413).

**2. WHERE TO FILE
NOTICE OF APPEAL.....**

WITH COPY TO
SOLICITOR.....

3. STATEMENT OF REASONS Within 30 days after filing the Notice of Appeal, File a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the Notice of Appeal, no additional statement is necessary (43 CFR 4.412 and 4.413).

WITH COPY TO

4. ADVERSE PARTIES..... Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the Notice of Appeal, (b) the Statement of Reasons, and (c) any other documents filed (43 CFR 4.413). If the decision concerns the use and disposition of public lands, including land selections under the Alaska Native Claims Settlement Act, as amended, service will be made upon the Associated Solicitor, Division of Land and Water Resources, Office of the Solicitor, U.S. Department of the Interior, Washington, D.C. 20240. If the decision concerns the use and disposition of mineral resources, service will be made upon the Associated Solicitor, Division of Mineral Resources, Office of the Solicitor, U.S. Department of the Interior, Washington, D.C. 20240.

5. PROOF OF SERVICE..... Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (43 CFR 4.401(c)).

6. REQUEST FOR STAY..... Except where program-specific regulations place this decision in full force and effect or provide for an automatic stay, the decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for a stay is timely filed together with a *Notice of Appeal* (43 CFR 4.21). If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Interior Board of Land Appeals, the petition for a stay must accompany your notice of appeal (43 CFR 4.21 or 43 CFR 2804.1). A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the *Notice of Appeal* and Petition for a Stay **must** also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay. Except as other provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards: (1) the relative harm to the parties if the stay is granted or denied, (2) the likelihood of the appellant's success on the merits, (3) the likelihood of immediate and irreparable harm if the stay is not granted, and (4) whether the public interest favors granting the stay.

Unless these procedures are followed your appeal will be subject to dismissal (43 CFR 4.402). Be certain that **all** communications are identified by serial number of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (43 CFR 4.401(a)). See 43 CFR Part 4, subpart b for general rules relating to procedures and practice involving appeals.

43 CFR SUBPART 1821--GENERAL INFORMATION

Sec. 1821.10 Where are BLM offices located? (a) In addition to the Headquarters Office in Washington, D.C. and seven national level support and service centers, BLM operates 12 State Offices each having several subsidiary offices called Field Offices. The addresses of the State Offices can be found in the most recent edition of 43 CFR 1821.10. The State Office geographical areas of jurisdiction are as follows:

STATE OFFICES AND AREAS OF JURISDICTION:

Alaska State Office ----- Alaska
Arizona State Office ----- Arizona
California State Office ----- California
Colorado State Office ----- Colorado
Eastern States Office ----- Arkansas, Iowa, Louisiana, Minnesota, Missouri
and, all States east of the Mississippi River
Idaho State Office ----- Idaho
Montana State Office ----- Montana, North Dakota and South Dakota
Nevada State Office ----- Nevada
New Mexico State Office ---- New Mexico, Kansas, Oklahoma and Texas
Oregon State Office ----- Oregon and Washington
Utah State Office ----- Utah
Wyoming State Office ----- Wyoming and Nebraska

(b) A list of the names, addresses, and geographical areas of jurisdiction of all Field Offices of the Bureau of Land Management can be obtained at the above addresses or any office of the Bureau of Land Management, including the Washington Office, Bureau of Land Management, 1849 C Street, NW, Washington, DC 20240.
