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**United States  
Department of  
Agriculture**

**Forest Service**

**Humboldt-Toiyabe  
National Forest**

**June 7, 2010**

**REQUEST FOR  
COMMENTS/NOTICE OF  
PROPOSED ACTION**

**NORTH SCHELL RESTORATION  
PROJECT**

**ELY RANGER DISTRICT**

**HUMBOLDT-TOIYABE NATIONAL FOREST**

**WHITE PINE COUNTY, NEVADA**

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## **COMMENTS WELCOME**

The Ely Ranger District welcomes your comments on the proposed North Schell Restoration Project. The purpose of this comment period is to provide additional opportunity for public participation prior to a decision by the Responsible Official (Ely District Ranger). In addition, submission of comments during this period is required to establish appeal eligibility. We will accept written, facsimile, hand delivered, oral, and electronic comments concerning this action for thirty calendar days following the publication of the Notice of Proposed Action in the Ely Times. For detailed information on how to provide comments, please refer to *Comment Process* section of this document.

## **SUMMARY**

The Ely Ranger District proposes to treat up to 35,000 acres within the North Schell Project Area using both mechanical and prescribed fire treatment methods. The treatments are being proposed to restore vegetative communities, restore and improve wildlife habitats and reduce fuel loading to lessen the fire severity on National Forest System lands (NFS) within White Pine County, Nevada.

## **LOCATION**

The project area is located on National Forest System lands on the Ely Ranger District. The area is located between the Shellbourne Pass road on the north and the Kalamazoo Summit road to the south. The project area extends to the Forest Service boundary on both the east and west side of the mountain range. The project is located approximately 20 miles north of the town of Ely NV. The enclosed map displays the location of the project area.

The legal description for the project area is Township 22N, Range 64E, Township 22N, Range 65E, Township 21N, Range 64E, Township 21N, Range 65E, Township 20N, Range 64, and Township 20N, Range 65E in all or parts of the sections.

## **PURPOSE AND NEED FOR ACTION**

- There is a need to treat pinyon-juniper communities to restore sagebrush and mountain shrub communities.
- There is a need to restore and maintain aspen communities on the landscape.
- There is a need to restore fire into fire dependent ecosystems where appropriate.
- There is a need to increase vegetative diversity and create a mosaic of structure and composition to restore and improve wildlife habitats and ensure that those habitats are more resilient to disturbances such as wildland fire. Of particular interest is the restoration of habitats for species such as sage grouse and mule deer and other species dependent upon sagebrush and mountain shrub communities.
- There is a need to reduce fuel loadings to lessen fire severity and provide improved fire protection adjacent to private properties within the cumulative effects area.

## **THE PROPOSED ACTION**

The proposed action involves the use of both mechanical and prescribed fire treatments to restore vegetative communities, restore and improve wildlife habitats and reduce fuels on up to 35,000 acres within the project area. Approximately 20,000 acres may be treated with a combination of mechanical and prescribed fire treatment methods. Approximately 15,000 acres are planned for treatment using only prescribed fire treatment methods.

### **Prescribed Fire**

Approximately 15,000 acres will be treated using prescribed fire. Prescribed fire treatments may occur during any season of the year within established prescriptions. Prescribed fire treatments would be used to reduce pinyon-juniper densities, improve structural and age class diversity within sagebrush and mountain brush communities, and to regenerate and improve the health of aspen communities. Burned openings will typically range from 1/4 to 200 acres in size and will create a mosaic pattern across the landscape. Larger openings may occur, particularly when utilizing prescribed fire as a tool due to somewhat unpredictable nature of fire. A variety of ignition methods may be used, including:

- Ground ignition-drip torches and/or flares
- Aerial ignition using helicopters-helitorch and/or Plastic Sphere Dispenser (PSD)
- Management of naturally occurring wildfires (unplanned ignitions).

Ground support staging areas will be on existing roads or designated areas. Handlines will be discouraged; however may be used to protect archeological resources, historic properties, private lands or other high value resources. In addition, firefighting resources would be present to ensure full containment of the prescribed fire within the project area. The target areas for the prescribed burn would be Phase I and Phase II pinyon/juniper stands, aspen communities, mountain brush and high elevation sagebrush communities.

Roads within the project area would be closed to the public for the brief time that operations are in progress. Proper signs would be posted, as would a notification through proper media (e.g., television, radio, and newspapers). Local residents, businesses and local governments would be notified. The project area would also be checked and cleared of any campers, hunters, or other recreational users. These actions would ensure the safety of both the public and project personnel.

### **Mechanical Treatments**

Approximately 20,000 acres may be treated using a combination of mechanical and prescribed fire treatment methods. Mechanical treatments would be emphasized on slopes less than 30% and around private lands to reduce the risk from wildfire. Mechanical treatments will improve the health and diversity of vegetation and restore and improve wildlife habitats, particularly winter ranges and important shrub communities. Prescribed fire treatments may be used in association with mechanical treatments to further reduce slash build-ups or to treat areas where road access prevents the efficient use of mechanical treatment methods. The use of both mechanical and prescribed fire treatments will be closely coordinated with adjacent private landowners to prevent any adverse impacts to their private lands. A variety of treatments will be used to meet site-specific objectives. Mechanical treatment methods may include:

- Mastication, chipping, or similar mechanical methods
- Hand cutting/thinning with chainsaws

- Personal green fuelwood harvest
- Commercial green fuelwood harvest using low impact mechanized vehicles or other equipment.
- Slash created from treatments may be disposed through chipping, removal from the project area, or jackpot burning during periods of low fire risk.

Potential equipment that may be used would include chainsaws, three wheeled shears, tracked vehicles, rubber tire skidders and chippers. The work may be accomplished using contractors, Forest Service crews, stewardship contracts, commercial sales, volunteer groups or other similar methods. Existing roads will be used for access. Roads within the project area may be closed to the public for the brief time that operations are in progress. Proper signs would be posted, as would a notification through proper media (e.g., television, radio, and newspapers). Local residents, businesses and local governments would be notified. These actions would ensure the safety of both the public and project personnel.

### **Priority for Treatments**

Prescribed fire and/or mechanical treatments will restore vegetative communities, restore and improve wildlife habitats and reduce fuels. The following are the priorities for treatments:

- Regeneration and restoration of aspen communities, which currently contain a conifer component.
- Restoration of sagebrush steppe and mountain brush communities through the treatment of pinyon-juniper.
- Improvement within mountain mahogany communities through the selective treatment and removal of pinyon-juniper.
- Restoration and improvement of riparian communities.
- Treatment of mature sagebrush steppe and mountain brush communities to increase age class diversity and improve the herbaceous vegetative component.
- Treatment and regeneration of stable aspen communities in association with treatments in sagebrush and mountain brush communities.

### **PROPOSED MITIGATION MEASURES**

Mitigation measures have been developed to ensure the project maximizes the benefits and minimizes the risks to resources in the project area.

#### **Wildlife**

- Establish a minimum of a 250-acre protection area around any active goshawk nests. Also, establish an appropriate aircraft buffer around any active goshawk nests during spring or early summer burns to prevent disturbance to the nesting birds.
- No igniting in pure mountain mahogany stands identified on the H-T current vegetation map and on the ground; avoid burning these stands which provide important wildlife habitat
- Prescribed fire will not be used in occupied habitat for pygmy rabbits. Trees in these areas may be removed with chainsaws and be accessed by foot.

- Ensure that ignition activities for prescribed burning are less than 2 weeks in duration within treatment units to allow for migratory birds that may lose their nest to re-nest.
- If mechanical treatments are implemented during the breeding season (May 1 to July 15), nesting bird surveys will be done and breeding territories found will be flagged and avoided.

### **Heritage**

- Avoid burning known historic wood features within the project area. Hand clearing of vegetation around these features may be done as needed to protect the sites.
- Avoid active ignition of other known cultural sites.
- Avoid and/or record arbor glyphs as needed to identified sites.

### **Noxious and invasive weeds**

- During implementation, wash all vehicles prior to entering the project area to avoid transmission of invasive and/or noxious weed seeds.
- As needed, control of noxious weeds and invasive species would be done under the Forest's approved treatment program.

### **Vegetation**

- No ignition will occur on rocky outcrops to avoid burning presettlement trees and rare plant communities
- Avoid igniting or cutting identifiable presettlement trees. These trees are identifiable on the landscape by their, flattened, rounded and/or asymmetrical crowns which stand well above the surrounding younger trees that are shorter with conical crowns that may display a pointed tip (stronger apical dominance).
- Seeding of native grasses and forbs may be done before or following treatment to provide additional seed sources for vegetative recovery. Non-native species will not be included within any seed mixes.

### **Range**

- Grazing of treated areas will be prohibited for minimum of two years to ensure adequate recovery of the treatments. Grazing of aspen treatment areas will be deferred until the regeneration reaches an average height of 6 feet. Required rest on sheep allotments may be accomplished utilizing herding techniques; however, monitoring must occur to ensure that these techniques are successful.

### **Soils/Air/Water**

- Skidding or other activities that would tend to loosen soils will avoid steep slopes.
- Skidding of materials across drainages will be avoided whenever feasible.

### **Public Safety**

- Roads within the project area would be closed to the public for the brief time that operations are in progress.
- Signs would be posted, as would a notification through public media.
- Local residents, permittees, and local governments would be notified by personal contact.

- The project area would also be checked and cleared of any campers, hunters, and any other recreational users.

## **MONITORING**

Monitoring is proposed to 1) assess the effectiveness of treatments in achieving objectives; 2) identify unintended impacts to resources; and 3) determine success in achieving desired vegetation re-establishment.

- Vegetation – Photo point and vegetation density transects would measure pre and post vegetative response to treatments
- Cultural Resources - Conduct a post burn assessment on a minimum of three sites identified by the district archeologist to determine the effects of the treatments.
- Noxious Weeds and Invasive Species – Annual site visits will be conducted within the treatment area and noxious weeds will be treated.
- Known or identified Northern Goshawk nests will be monitored annually.
- Annual site visits will monitor sage grouse use of treated areas.

## **PUBLIC INVOLVEMENT**

This project has been listed in the Humboldt-Toiyabe National Forest Schedule of Proposed Actions beginning with the April 2009 edition and continuing through the present publication. The original scoping notice was provided to the public and other agencies for comment in June of 2009 for a 30-day public comment period. Eight comment letters were received and most supported the project. A number of commenter's urged caution in the prescribed burning in portion of the project area. Another commenter did not want to see any burning at all. One commenter had concerns that mechanical was the only type of treatment that should be used around private property.

## **TRIBAL CONSULATATION**

The Yomba Shoshone, Goshutes, Ely Shoshone, Duckwater Shoshone Tribes were sent scoping letters in June 2009. Additionally, we have discussed the proposed project and our program with a tribal representative from the Ely Shoshone Colony. No comments or concerns have been submitted from the tribal governments at this point in the process.

## **ISSUES**

Based on public comment, consultation and interdisciplinary analysis, the following significant issues were identified and will be analyzed within the Environmental Assessment:

- The Proposed Action may result in effects upon Wildlife Species and/or their habitats including Sensitive Species, Management Indicator Species, and Migratory Birds.
- The Proposed Action may result in effects upon vegetative communities including increased risks for noxious and invasive weeds.
- The Proposed Action may result in effects upon hydrologic resources including soils.

## **COMMENT PROCESS**

We will accept written, facsimile, hand-delivered, oral, and electronic comments concerning this action for thirty calendar days following the publication of this notice in the *Ely Times*. The publication date in the newspaper of record is the exclusive means for calculating the comment period for this analysis. Those wishing to comment should not rely upon dates or timeframe information provided by any other source. Regulations prohibit extending the length of the comment period.

Written comments must be submitted to the Responsible Official: District Ranger, Ely Ranger District: 825 Avenue E, Ely, NV 89301, or fax: (775) 289-2132. The telephone number is (775) 289-3031. Office business hours for those submitting hand-delivered comments are 8:00am to 4:30pm, Monday through Friday, excluding holidays.

Electronic comments must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), Acrobat (.pdf), and Word (.doc) to comments-intermtn-humboldt-ely@fs.fed.us. Comments must have an identifiable name attached, or verification of identity will be required. A scanned signature may serve as verification on electronic comments.

Comments must be received by the close of the comment period. Those who provide comments during this comment period are eligible to appeal the decision. Individuals and organizations wishing to be eligible to appeal must provide the information identified in 36 CFR 215, including:

- Name and address,
- Title of the Proposed Action;
- Specific comments (36 CFR 215.2) on the Proposed Action, along with supporting reasons that the Responsible Official should consider in reaching a decision,
- Signature or other verification of identity upon request; identification of the individual or organization who authored the comments(s) is necessary for appeal eligibility,
- For multiple names or multiple organizations, a signature must be provided for the individual authorized to represent each organization, or for each individual that wishes to have appeal eligibility, and
- Individual members of organizations must submit their own comments to meet the requirements of appeal eligibility as an individual, comments received on behalf of an organization are considered as those of the organization only.

Comments received in response to this solicitation, including names and addresses of those who comment, will be considered part of the public record for this project, will be available for public inspection, and released if requested under the Freedom of Information Act.

## **APPEAL ELIGIBILITY**

It is the responsibility of persons providing comments to submit them by the close of the comment period. Those who provide comments during this comment period (or the previous comment period) are eligible to appeal the decision under the Federal Code of Regulations (36 CFR 215).

For further information, contact Carol Carlock (Fuels Specialist) or Jose Noriega (District Ranger), Ely Ranger District at (775) 289-3031.

# North Schell Restoration Project

