



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Schell Field Office

HC33 Box 33500 (702 N. Industrial Way)

Ely, Nevada 89301-9408

[http://www.blm.gov/nv/st/en/fo/ely\\_field\\_office.html](http://www.blm.gov/nv/st/en/fo/ely_field_office.html)



In Reply Refer To:  
4130 (NVL0200)

Mr. Henry C. Vogler  
HCR 33 Box 33920  
Ely Nevada 89301

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Dear Mr. Vogler:

On June 30, 2010, the Rye Grass Fire started and was ignited by lightning. The Rye Grass Fire burned a total of 308 acres of which 190 acres were public lands and 118 acres were privately owned lands approximately 50 miles northeast of Ely, Nevada. The fire was declared contained on July 3, 2010.

As a result of the burn, aerial seeding of 190 acres, ATV harrowing of 133 acres and lopping and scattering of one in ten burned trees along the slope contour in the burned area is planned in the fall of 2010. Hand seeding locally collected species and hand planting of antelope bitterbrush seedlings will on approximately 30 acres will occur in the fall or winter of 2012. Dead trees were felled, bucked and limbed and placed to ensure advantageous soil contact, to reduce slope length and raindrop impact, and to trap sediment. The area would be surveyed for cultural resources.

As a result of the Upper Springs Fire, 308 acres (0.1%) of the Tippett Allotment burned. The burned area will be closed to grazing until monitoring data indicates that vegetation recovery objectives have been met (an average of five to seven or more desirable perennial plants per square meter in burned area).

Enclosed you will find a copy of a location map and the Burned Area Livestock Closure Agreement for the Rye Grass Fire for your signature. Please return this closure agreement, signed before August 15<sup>th</sup> 2010 or contact us to make arrangements to meet and discuss your concerns.

If you have any questions, please contact Brett Covlin, Rangeland Management Specialist at (775) 289-1896. If you would prefer to discuss this matter in person, please call and set up an appointment with us so that we may respond to any questions you may have.

Sincerely,

Mary D'Aversa  
Field Manager

Schell Field Office

2 Enclosures

- 1 Burned Area Livestock Closure Agreement Rye Grass Fire (3pp)
- 2 Map of Rye Grass Fire Closure Area (1pp)

NV0200,Hendrix,7/22/2010,Fire Closure

cc:

Nevada State Clearinghouse (electronic copy)

Nevada Land & Resource Company

Steve Foree (NDOW)

Steve Carter

White Pine Conservation District

Western Watersheds Project

U.S. Fish and Wildlife Service

D. Bradford Hardenbrook (NDOW)

Sustainable Grazing Coalition

John Uhalde & Company

Eastern Nevada Landscape Coalition

Craig F. Baker



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### Burned Area Livestock Closure Agreement Rye Grass Fire (FH0K)

On June 30, 2010 the Rye Grass Fire started and was lightning caused. The fire burned approximately 308 acres of which approximately 190 acres are BLM administered lands and 118 acres are private lands located in the South Mountains north northeast of Ely, Nevada. The fire was declared contained July 3, 2010. As a result of the burn, rehabilitation of the area is required to maintain site suitability and vegetation establishment. Rehabilitation would include aerial seeding, harrowing portions of the burned area and felling and lopping trees during the winter of 2010/2011. No fence is proposed to be built at this time. As a result of the Rye Grass Fire a small portion of the northwest Kern Mountain Use Area of the Tippet Allotment will be closed to livestock grazing.

Based on a field trip and the Soil Survey of Eastern White Pine County, Nevada the dominant vegetation in the burn area pre-fire was pinyon-juniper (*Pinus monophylla* and *Juniperus osteosperma*). Mountain big sagebrush (*Artemisia tridentata* ssp. *vaseyana*) and black sagebrush (*Artemisia nova*) and antelope bitterbrush (*Purshia tridentate*) are the dominant shrubs in the area. Grass plants include Indian ricegrass (*Achnatherum hymenoides*), Sandberg bluegrass (*Poa secunda*) and needleandthread grass (*Hesperostipa comate*). Forbs include tapertip hawksbeard (*Crepis acuminata*), lupine (*Lupinus* spp.), penstemon (*Penstemon* spp.), locoweed (*Astragalus* spp.), eriogonum (*Eriogonum* spp.) and Indian paintbrush (*Catilleja* spp.). The Rye Grass fire burned on two soil map units #3435 Chainlink-Ravendog-Lodar association and #3536 Lodar-Amtoft-Monarch association. Cheatgrass (*Bromus tectorum*) was observed in adjacent unburned areas.

The proposed treatment is to aerial seed 190 acres of public lands which burned, harrow portions of the burned area using ATV's and felling and lopping approximately one of ten standing dead trees. The aerial seeding would consist of a mixture of grass, forb, and shrub seeds and bitterbrush seedlings would be hand planted in selected areas in the higher elevations of the burn. The purpose of these treatments is to stabilize the disturbed soils. Seeded perennials can also provide competition with the invasive annuals, hindering their establishment and dominance post-disturbance. The potential for cheatgrass invasion into the site is present, additional treatments if cheatgrass is established include livestock prescription grazing and/or chemical herbicide treatments. Seeding is scheduled to occur during the winter of 2010-2011.

To protect the soil from erosion and to ensure maximum revegetation potential, the reclaimed areas in the Tippett Allotment Kern Mountain Use Area (see the attached map) will be temporarily closed to livestock grazing. This closure agreement is effective immediately and will remain in effect for a minimum of two growing seasons or until stabilization and rehabilitation objectives are met (see below). No enclosure fence is proposed at this time. Livestock use of the area is limited due to distance from water, slopes and the lack of understory vegetation in the surrounding pinyon juniper communities. Livestock will be managed so that they are not free to graze within the reclaimed perimeter. Management strategies to keep cattle off the reclamation may include herding and salting away from the reclaimed area. Cattle are not to be allowed to graze within the reclaimed area until objectives are met. Management practices such as the use of temporary water hauls will be approved only after clearances are performed by qualified BLM staff.

The closure includes the portions of the Tippett Allotment Kern Mountain Use Area within the 190 acres of the Rye Grass Fire Reclamation area. This closure does not pertain to any other portions of the allotment.

Due to the size of the reclamation and the low percentage of the allotment acreage reclaimed, no livestock grazing animal unit months (AUMs) will be placed in nonuse under this agreement within the Tippett Allotment.

Since this is a partial allotment closure, the following will also be completed:

- 1) Notify the Rangeland Management Specialist if your cattle have been in the reclamation area and if you have removed them;
- 2) Remove any cattle from the allotment which are repetitively found in reclamation area.

The primary goals of the fire closure agreement area are:

- 1) Control of Erosion
- 2) Restoration of vegetative communities
- 3) Provide rest and recovery period for the reestablishment of vegetation.
- 4) Prevention of invasive species and noxious weed establishment;
- 5) Provide and protect forage and cover for wildlife species;
- 6) Prevent loss of species diversity.

The Bureau of Land Management and other cooperating agencies will monitor the recovery of the reclaimed area to see if the stabilization and rehabilitation goals and objectives are being achieved. The area will be monitored to determine that sufficient perennial vegetation establishment and soil stabilization has occurred.

Livestock closures will remain in effect until monitoring data show that the following closure objectives have been met:

1. An average of five to seven or more desirable perennial plants per square-meter will be permanently established in the reclamation area.
2. Re-sprouting vegetation will have good leader growth appropriate to the species and the Ely region (based on available monitoring or production data from wildlife, range, NDOW

and/or NRCS), will provide vertical and horizontal cover appropriate for the site, and will show resistance to damage from grazing by pulling or tearing of the vegetation.

3. Newly sprouting vegetation with young root systems will resist disruption when pulled, indicating grazing would not impair established root systems.
4. Native vegetation will show vigor, health and evidence of reproduction.

Compliance inspectors will monitor for trespassed livestock. Any personnel on the reclaimed area will make note of livestock animals, dung, and tracks within the reclaimed area. If livestock or sign of livestock use is present within the reclaimed area, spatially-referenced photographs will be taken. Personnel will notify the Range Management Specialist for the area concerning any sign of livestock.

Failure to keep livestock out of the reclamation areas may result in suspension of grazing privileges on the affected allotment for the duration of the closure period.

This closure agreement is issued pursuant to Title 43 Code of Federal Regulations (CFR), Section 4110.3-2 (a) Permitted use may be suspended in whole or in part on a temporary basis due to drought, fire, or other natural causes, or to facilitate installation, maintenance, or modification of range improvements. Due to the size of the burn and the low percentage of the allotment acreage reclaimed, no active Animal Unit Months (AUMs) for livestock grazing will be affected during the closure period. The permittee is asked to work closely with the assigned Rangeland Management Specialist in the Schell Field Office during the temporary closure period.

Livestock closures following reclamation are consistent with Emergency Stabilization and Rehabilitation policy which states that burned areas must be closed to grazing until monitoring data show that recovery objectives have been met (pages 35-36, H-1742-1, Burned Area ES&R Handbook).

**Project location legal description**

Portions of: T. 22 N., R. 69 E., Sections 14 and 23, M.D.B.M.  
A map of the closed area is attached to this agreement.

**SIGNATURES:**

\_\_\_\_\_  
Henry C. Vogler

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary D'Aversa  
Field Manager  
Schell Field Office

\_\_\_\_\_  
Date



# RYE GRASS FIRE CLOSURE

## TIPPETT ALLOTMENT KERN MOUNTAIN USE AREA

### O U N T A I N S

T. 22 N., R. 69 E.

PRIVATE  
PROPERTY

CLOSURE  
AREA

### Legend

- Rye Grass Fire Closure and Private Lands
- Allotments
- US Highways
- State Highways
- Unpaved Roads
- BLM Wilderness
- USFS Wilderness

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. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.



Map Produced by: [EYDO Schell Staff]  
07/14/2010



Ely District Office



Rye Grass Patch