



United States
Department of
Agriculture

Forest Service



Notice of Proposed Action
South Ruby Fuels Reduction Project

Humboldt-Toiyabe National Forest
Ruby Mountains Ranger District
White Pine County, Nevada

April 2007

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Comments Welcome

The Ruby Mountains Ranger District is conducting an analysis of the South Ruby Fuels Reduction Project in White Pine County, NV. This proposal is to treat approximately 4450 acres of pinyon and juniper woodland on the southern end of the Ruby Mountain Range with prescribed fire and mechanical treatment. **The public is invited to provide comments on the proposal at this time.**

Purpose and Need

The purpose of this proposal is to reduce vegetative fuels and reduce the potential for large-scale catastrophic wildfires within the project area.

The need for this project is to reintroduce fire to reduce the amount and spatial distribution of pinyon (*Pinus monophylla*) and juniper (*Juniperus occidentalis*). These tree species have become abundant, and in doing so are displacing the other vegetation types, especially the sagebrush communities with their associated grasses and forbs.

The purpose is to maintain a broader spatial distribution of the herbaceous grasses and forbs over the landscape, interspersed with pockets of pinyon, juniper and other sagebrush dominated communities typical of earlier successional stages. The high density of trees has increased the competition for water and other resources, resulting in the ongoing displacement of the other vegetation types.

Goals and Objectives

The main goal for this project is to reduce the risk of severe wildfire to this area. This will be accomplished by reducing the amount of juniper encroachment on other vegetation types by reducing the amount of departure from natural conditions typified by similar ecosystems.

Objectives for the South Ruby project area are to:

1. Reduce the amount of live juniper trees per acre.
2. Maintain and restore normal distribution of pinyon and juniper for this area.
3. Create a mosaic of openings within the pinyon and juniper for grass/forb release.
4. Reduce the continuum of fuels (sagebrush-juniper-pinyon) that increase the risk for large-scale fire.

The prescribed fire is designed to result in a mosaic in which pockets of live vegetation are left unburned among tracts of burned areas. A mosaic burn will increase the amount of vegetation edges that are beneficial to wildlife and minimize habitat fragmentation. The unburned portions maintain a seed source and provide quality habitat for wildlife such as sage grouse and deer. A mosaic of burned and unburned sections allow for a quicker recovery of the site through on-site seed dispersal. The percentage of landscape within the units to be burned is 30-80%. This range will provide a balance of habitat diversity and fuel reduction while minimizing impacts on the ground.

Background

The project area consists of pinyon-juniper stand with Mountain Big sage and mountain brush community type. Much of the juniper areas are approaching a threshold of closed canopy and an absence of understory grasses and forbs typical for this vegetation type in the absence of fire. The South Ruby project area is above the edge of a Wyoming sagebrush community type. Most of this area could benefit from reintroduction of fire. Mountain Big sage is becoming very dense in draws and juniper is starting to spread beyond its normal range. This is exemplified by relatively younger trees spreading out and encroaching on the lower elevation sage community.

This area and elevation (6200-8350ft.) were selected for its potential resource benefits that are at risk from wildfire. This area consists of a large amount of Phase Two Pinyon-Juniper that will be the primary focus. Phase Two indicates a substantial canopy cover while still maintaining an understory. As this vegetation type transitions into Phase Three, the understory grasses and forbs are lost and canopy cover of these tree species closes. This allows for higher intensity and severity wildfire which can be detrimental to the landscape and require substantial rehabilitation efforts.

The higher elevation of this project was also selected to reduce opportunities for cheat grass (*Bromus tectorum*) and other invasive plant species to thrive.

Proposed Action

The proposed action for treating the designated project area is to use prescribed fire to reduce pinyon and juniper tree density and distribution to improved desired ecological conditions. Prescribed fire would reduce the risk of high severity wild fire and lead to faster re-establishment of the native grasses and forbs. It will also reduce the number of younger, outlying juniper that is typically reduced by natural wildfire while leaving the older and more mature trees.

The ignition method to be used for this project will be through the use of a helitorch. The use of a helitorch is preferred because it will accomplish two objectives for this project. It will minimize impacts on the ground that would otherwise occur from mechanical equipment in the project area. It will also minimize cost for implementation by increasing efficiency for targeting specific areas. Hand ignition methods may also be used.

Mechanical treatment will be by chainsaw. It will not be necessary for vehicles to be off existing roads. Mechanical treatment within the study plot will be limited to less than 50 acres. Trees that are cut will be left on-site. If any other mechanical treatment is found to be necessary or helpful for the safe implementation of this project, approval by the resource specialists will be needed. This includes the archeologist, biologist and any other relative specialist.

This project will be planned to reduce overstory vegetation (primarily tree species) by 30-80% over approximately 4450 acres.

Grazing by domestic livestock of this area will be excluded until this area has recovered sufficiently. Recovery time for this type of treatment should be approximately two years and is in accordance with the Humboldt Forest Plan. Improvements such as fences and cattle guards are minimal, mostly metal and should not be affected. Any wooden improvements will be avoided.

This project and project area was identified in consultation with the Nevada Division of Wildlife (NDOW). It has been identified as an area that provides deer winter range. Maintaining and restoring the herbaceous grass and forb component is critical to meet the habitat needs of these ungulates.

The project area also lies within the Cherry Springs Wildhorse Territory. As with mule deer, maintaining and restoring the herbaceous grass and forb component is critical to meet the habitat needs of these ungulates. Mitigation, including “pushing” horses out of the project area during project implementation, would be adopted to minimize any direct effects to the wild horse population.

Any management activities directly related to the South Ruby Fuels Reduction Project will be cleared with the archeologist, botanist, and wildlife specialists so as to minimize impacts to the different resources.

The use of fires is planned for moderate weather conditions to minimize the intensity and severity of the fire. Implementation of this project will be late August-October, depending on preceding and recent precipitation. Weather will determine when this project will be in prescription and other times of the year may be determined to be favorable. Firefighting resources, including engines, would be present to ensure full containment of the prescribed fire within the project area.

The burn will be patrolled as needed to monitor for flare-ups and escaped fires. This project will be monitored to ensure that vegetative recovery is occurring and to ensure objectives are met. Items to be monitored will include vegetation recovery and trends including invasion of any potential non-natives and noxious weeds. New occurrences of noxious weeds and non-natives would be treated and controlled to minimize spread.

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

Elko and White Pine County Roads 719/1000, also known as the Elko Hamilton Stage Line will not be affected. This is the main corridor between Overland Pass and State Road 228 (Jiggs/Harrison Pass).

Related Research

This project will also be part of a research project conducted by Rocky Mountain Research Station (RMRS). The goal of this research project is to study differences in the distribution and dominance of how pinyon and juniper change their response to the different types of vegetation manipulation.

This study project will consist of three plots, approximately 50 acres each, two of which will be within the area to be treated.

One plot will be treated by prescribed fire. The second plot will be mechanically thinned with a crew of 10-15 people using chainsaws, using a fall and leave on the contour method. This method removes aerial fuels (standing trees which would promote running crown fires) by cutting trees and placing them on the ground. This mechanical method is fast, and is the most cost effective.

The third plot will act as a control plot with no treatment to be performed and will be outside of the treated area.

Location

The South Ruby project area is located on the southwest corner of the Ruby Mountain Range in NE Nevada. This area is in White Pine County, north of Overland Pass. The legal description for the project area is Township 25N, Range 56E, Sections 1-3, 9-11, 14-16, 21, 22, and Township 25N, Range 57E, Sections 6, 7, 18.

Preliminary Assessment

Analysis of this project has been ongoing since 2006. This project was sent out for public comment in May-June, 2006. Comments received are being considered and have become part of the project record.

The preliminary assessment indicated that this proposal falls within a category of actions listed in the Forest Service NEPA Handbook (FSH) that are excluded from documentation in an Environmental Assessment or Environmental Impact Statement, and that no extraordinary circumstances exist that would preclude use of the category (FSH 1909.15, 31.2 – Category #10 – Hazardous fuels reduction activities using prescribed fire, not to exceed 4,500 acres, and mechanical methods for crushing, piling, thinning, pruning, cutting, chipping, mulching, and mowing, not to exceed 1,00 acres).

The District Ranger, under advisement of the resource specialists, will make a determination in association with the final decision regarding this proposal on whether or not an Environmental Assessment or Environmental Impact Statement is warranted.

Extraordinary Circumstances

The following resource conditions were reviewed when considering the potential for extraordinary circumstances:

- **Federally listed threatened or endangered species or designated critical habitat, species proposed for federal listing or proposed critical habitat, or US Forest Service sensitive species**

The Endangered Species Act requires that federal activities do not jeopardize the continued existence of any species federally listed or proposed as threatened or endangered, or result in adverse modification to such species' designated critical habitat. All sites have been evaluated for federally listed or proposed species, and for critical habitat. There will be no effect to any federally listed threatened or endangered species or designated critical habitat, species proposed for federal listing or proposed critical habitat, or US Forest Service sensitive species.

As stated in the burn plan, should fire escape the treatment areas, ignition will cease and suppression efforts will be initiated, to prevent damage to unsurveyed areas.

- **Floodplains, Wetlands, or Municipal Watersheds**

Floodplains - Executive Order 11988 is to avoid adverse impacts associated with the occupancy and modification of floodplains. Floodplains are defined by this order as "... the lowland and relatively flat areas adjoining inland and coastal waters including flood prone areas of offshore islands, including at a minimum, that area subject to a one percent [100-year recurrence] or greater chance of flooding in any one year". The project is not located in or near floodplains. This has been validated by map and site review.

Wetlands - Executive Order 11990 is to avoid adverse impacts associated with destruction or modification of wetlands. Wetlands are defined by this order as "... areas inundated by surface or ground water with a frequency sufficient to support and under normal circumstances does or would support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds". All of the project activities will take place in upland sites. No effects to wetlands are expected, either directly or indirectly.

Municipal Watersheds - Municipal watersheds are managed under multiple use prescriptions in land and resource management plans. No municipal watersheds are located within or adjacent to the project area.

- **Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas**

The project is approximately 20 miles south of the Ruby Mountains Wilderness. Impacts to the character of the wilderness will not occur. The project provides for the protection of designated wilderness consistent with Forest Plan direction.

- **Inventoried Roadless Areas**

The project consists of the southern portion of the Pearl Peak Inventoried Roadless Area. Any impacts to the Inventoried Roadless Area will be minimal and short-term and are consistent with Forest Service interim direction for roadless area protection. Actions will not alter the roadless character of the Inventoried Roadless Area to the degree that it would no longer qualify as a roadless area. Allowing operations adjacent to roadless areas will not prevent any area from being considered for designation as wilderness in the future.

- **Research Natural Areas**

The Pearl Peak Research Natural Area is located approximately ten miles to the north and will not be affected. No Research Natural Area lies within or adjacent to the project area.

- **American Indian and Alaska Native religious or cultural sites**

The federal government has trust responsibilities to Tribes under a government-to-government relationship to insure that the Tribes' reserved rights are protected. Consultation with Tribes helps insure that these trust responsibilities are met. The Forest consulted with potentially affected Tribes. The intent of this consultation was to remain informed about Tribal concerns. At this time, no Tribal concerns were identified for this project.

- **Archeological sites, or historic properties or areas**

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effect of a project on any district, site, building, structure, or object that is included in, or eligible for inclusion in the National Register. Section 106 also requires federal agencies to afford the Advisory Council on Historic Preservation a reasonable opportunity to comment. The Archaeological Resources Protection Act covers the discovery and protection of historic properties (prehistoric and historic) that are excavated or discovered on federal lands. The Native American Graves Protection and Repatriation Act covers the discovery and protection of Native American human remains and objects that are excavated or discovered on federal lands. It encourages avoidance of archaeological sites that contain burials or portions of sites that contain graves in

situ preservation, but may encompass other actions to preserve these remains and items.

Heritage resource surveys have been completed for this project. The State Historic Preservation Office determination of effect is pending at this time.

Notice and comment period

As part of the ongoing analysis, the District Ranger is inviting public comment on this project. You are invited to comment on this proposal, in accordance with the July 2, 2005, order issued by the U. S. District Court for the Eastern District of California in Case No. CIV F-03-6386JKS. The 30-day comment period provides those interested in or affected by this proposal an opportunity to make their concerns known prior to a decision being made.

The Advisory Council on Historic Preservation encourages agencies to coordinate the review of potential impacts to heritage resources as required under the National Historic Preservation Act, with reviews required under NEPA. Regulations (36 CFR, part 800) concerning protection and preservation of historic and pre-historic properties give the public, local governments, and other entities opportunities to participate in the review and evaluation of effects to cultural sites. This review and evaluation pertains to section 106 of the National Historic Preservation Act. In addition to seeking comments about historic and pre-historic sites, certain individuals and organizations with a demonstrated interest in the proposal may participate as consulting parties in the Section 106 process. The Forest Service shall consider all written requests to participate.

How to Comment and Timeframe

Written, facsimile, hand-delivered, oral, and electronic comments will be accepted for 30 days following publication of the Legal Notice for this project in the Elko Daily Free Press.

Written comments, concerns, questions and suggestions should be sent to Albert Flores, Fire Ecologist, Mountain City Ranger District, 2035 Last Chance Road, Elko, NV 89801, or by telephone at 775-738-6121. Comments may also be sent via facsimile to the following number: 775-778-6199.

Written comments may also be submitted to: Terry Chute, District Ranger, Ruby Mountains/Jarbidge Ranger Districts, P.O. Box 246, Wells, Nevada, 89835. The office business hours for those submitting hand-delivered comments are 8:00 am to 4:30 pm Monday through Friday, excluding holidays. Oral comments must be provided at the Responsible Official's office during normal business hours via telephone at (775) 752-3357 or in person.

You may also e-mail your response to: comments-intermtn-humboldt-toiyabe-rubymtns-jarbidge@fs.fed.us in rich text format (.rtf), or Word (.doc). Please place “South Ruby Fuels Project” in the subject line of your email.

Comments must meet the information requirements of 36 CFR 215.6. Only those who submit timely comments will be eligible to appeal the subsequent decision under 36 CFR 215. Comments received, including the names and addresses of those who comment, will be considered part of the public record on this proposal and will be available for public inspection. You must submit written comments or contact us if you want to remain on the mailing list for this project.

This document will also be made available on the Humboldt-Toiyabe National Forest web site: <http://www.fs.fed.us/r4/htnf/projects>

Contacts

For information or if there are any questions, please contact project coordinator Albert Flores, Fire Ecologist, Mountain City Ranger District, 2035 Last Chance Road, Elko, NV 89801, or by telephone at 775-738-5171.