



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Winnemucca Field Office
5100 East Winnemucca Boulevard
Winnemucca, Nevada 89445
775-623-1500
<http://www.nv.blm.gov/winnemucca>

FEB 18 1999

2/22/99
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In Reply Refer To:
(NV-22.18)
4120.3

Dear Interested Public:

Please find enclosed for your review and comment the Draft Environmental Assessment for the East Fork of Little Owyee Exclusion.

If you have any questions, feel free to contact Gene Seidlitz at (775) 623-1500. The comments are due by March 22, 1999.

Sincerely yours,

Colin P. Christensen
Assistant Field Manager
Renewable Resources

Enclosure

DRAFT ENVIRONMENTAL ASSESSMENT
EAST FORK OF LITTLE OWYHEE RIVER ENCLOSURE

I. **Introduction/Overview**

Purpose and Need

The proposed project is to fence the upper public reaches of the East Fork of the Little Owyhee River and associated wetland riparian habitats. The proposed enclosure would be located in the Antelope pasture of the Little Owyhee Allotment. The project would prevent livestock grazing and trampling of streambank riparian and wetland riparian habitats. However, in the future, limited livestock use could occur inside the enclosure after the habitats have had rest to recover from PAST utilization.

This project was initiated as part of the Stipulation For Dismissal Of The Nevada First Corporations Appeals, on the Little Owyhee Allotment, dated February 17, 1995.

This action is in conformance with the Paradise-Denio Area Land Use Plan.

II. **Proposed Action and Alternatives**

Proposed Action

The proposed action is to fence the streambank riparian habitat of the East Fork of the Little Owyhee River and some wetland riparian habitats. The proposed enclosure would be located in T.45N., R.41E. Sec. 1&12 and T.45N., R.42E., Sec. 6 &7 (see attached map). The fenced areas would include riparian vegetation associated with the wetland riparian/streambank riparian habitats and associated upland sagebrush/grass communities. The proposed enclosure would be approximately 16,300 feet long or 3.07 miles with one Type A drainage crossing. The enclosure fence would consist of four strands of fence wire, steel posts, steel pipe panels and would be built to BLM manual pronghorn specifications (16", 22", 28", and 40", top three wires barbed, bottom wire smooth). The fence would tie into an existing pasture fence to the north and would end up terminating into a natural barrier along the Calico Mountains. The contractor would be allowed to knock down brush along the proposed route, but the surface would not be cleared. Access to the construction site would be by existing roads/trails and some cross country travel would occur.

This project would be implemented under a cooperative agreement. The BLM would fund and construct the proposed project while the permittee, Nevada First Corporation, would be assigned maintenance as per Stipulation For Dismissal Of The Nevada First Corporation Appeals dated February 17, 1995.

No Action Alternative

The enclosure would not be constructed. The riparian vegetation would continue to be impacted by livestock. The BLM and Nevada First Corporation would not be adhering to the Stipulation For Dismissal Of The Nevada First Corporation Appeals.

III. **Affected Environment**

The enclosure would be located in a sagebrush-grass/riparian vegetation types. Slopes are flat to moderately steep and the soils are shallow to moderately deep. The proposed enclosure is located within a mule deer winter range, pronghorn summer range, and a sage grouse general distribution area. Numerous nongame species inhabit the area.

Noxious weeds are not present in the vicinity of the project area.

No on the ground field investigation was conducted for sensitive/protected plants and animal species. However, according to the Nevada Threatened and Endangered Plant Map Book as updated, no sensitive plants have been observed in the project area. The proposed action would have no adverse impact to sensitive plants.

The following BLM State sensitive species and the U.S. Fish and Wildlife Service candidate species and species of concern may occur in the proposed project area:

Candidate Species

Spotted Frog

Species of Concern

Pygmy rabbit	Spotted bat
Small-footed myotis	Long-eared myotis
Fringed myotis	Long-legged myotis
Pacific townsend's big-eared bat	Western burrowing owl
Pale Townsend's big-eared bat	Black tern
Least bittern	White-faced ibis

Of these species, the Western burrowing owl and the pygmy rabbit have the highest probability of experiencing effects as a result of constructing the fence.

The Western burrowing owl is a small underground nesting bird of prey which lives in colonies inside abandoned rodent and small mammal dens.

The proposed exclosure site is located within a Class IV Visual Resource Management (VRM) Area.

Please consult the Paradise-Denio Grazing EIS for a more complete description of the affected environment.

The following critical elements of the human environment are not present and/or not affected by the proposed action or alternatives: air quality, areas of critical environmental concern, cultural resources, prime or unique farm lands, flood plains, Native American religious concerns, paleontology, threatened or endangered species, wastes-hazardous or solid, water quality, wild and scenic rivers, wilderness, and noxious weeds.

IV. **Environmental Consequences**

Proposed Action

Implementation of the proposed action would result in an improvement of the condition of the riparian areas.

Wildlife populations in the area would benefit from the proposed action. Construction of the exclosure would result in an increase in vegetative cover and wildlife habitat associated with the streambank riparian and wetland riparian habitats. Increased vegetative cover would also stabilize the soils, reduce soil erosion and control sediment deposition in the riparian areas. This would result in improved water quality and quantity available for wildlife utilizing the these habitats.

Construction of the exclosure would cause some short-term damage to vegetation from crushing, trampling, and breaking during construction.

The proposed exclosure would be constructed to pronghorn specifications, thus, there would be minimal adverse impacts to wildlife.

The proposed projects are located within a Class IV Visual Resource Management (VRM) Area. Visual resources were considered in the analysis of the project and were determined not to be impacted by the proposed action. Therefore, a VRM worksheet was not completed.

Potential impacts to the burrowing owl from construction of the exclosure include possible damage to burrow entrance by construction vehicles along with temporary displacement of broods. The opening appears as a obvious hole in the ground which is well marked by whitewash excrement from the colony.

Following construction, any resident owls would experience a positive benefit from the creation of a new series of perching areas.

The pygmy rabbit exists in sagebrush/grass communities and is therefore widely distributed. Potential impacts to the pygmy rabbit during construction of the enclosure are from short term damage to vegetation by construction vehicles along with temporary displacement of the young. These impacts would be short term and would occur over a small area relative to the entire community and is therefore not considered to be significant.

A cultural resource inventory CR2-1345 (N) was conducted and found to be negative.

There are no known Native American concerns.

No Action Alternative

The enclosure would not be constructed. The riparian vegetation would continue to be impacted by livestock.

Cumulative Impact Analysis

All resource values have been evaluated for cumulative impacts. It has been determined that cumulative impacts would be negligible as a result of the proposed action or alternative.

V. **Specialists Coordination/Concurrence/Comments**

The permittee, Nevada First Corporation, has been involved in the coordination of the proposed enclosure.

The following interested publics have been sent this document: Nevada First Corporation, Charley Amos, James Bonavia, Humboldt County Commissioners, RCI, Sierra Club, NRDC, NDOW, USFWS, USFS, Nevada Cattlemen's Association, Idaho Watersheds Project, Desert Bighorn Council, Trout Unlimited, WHOA, NCPWH, and Jerry Harper.

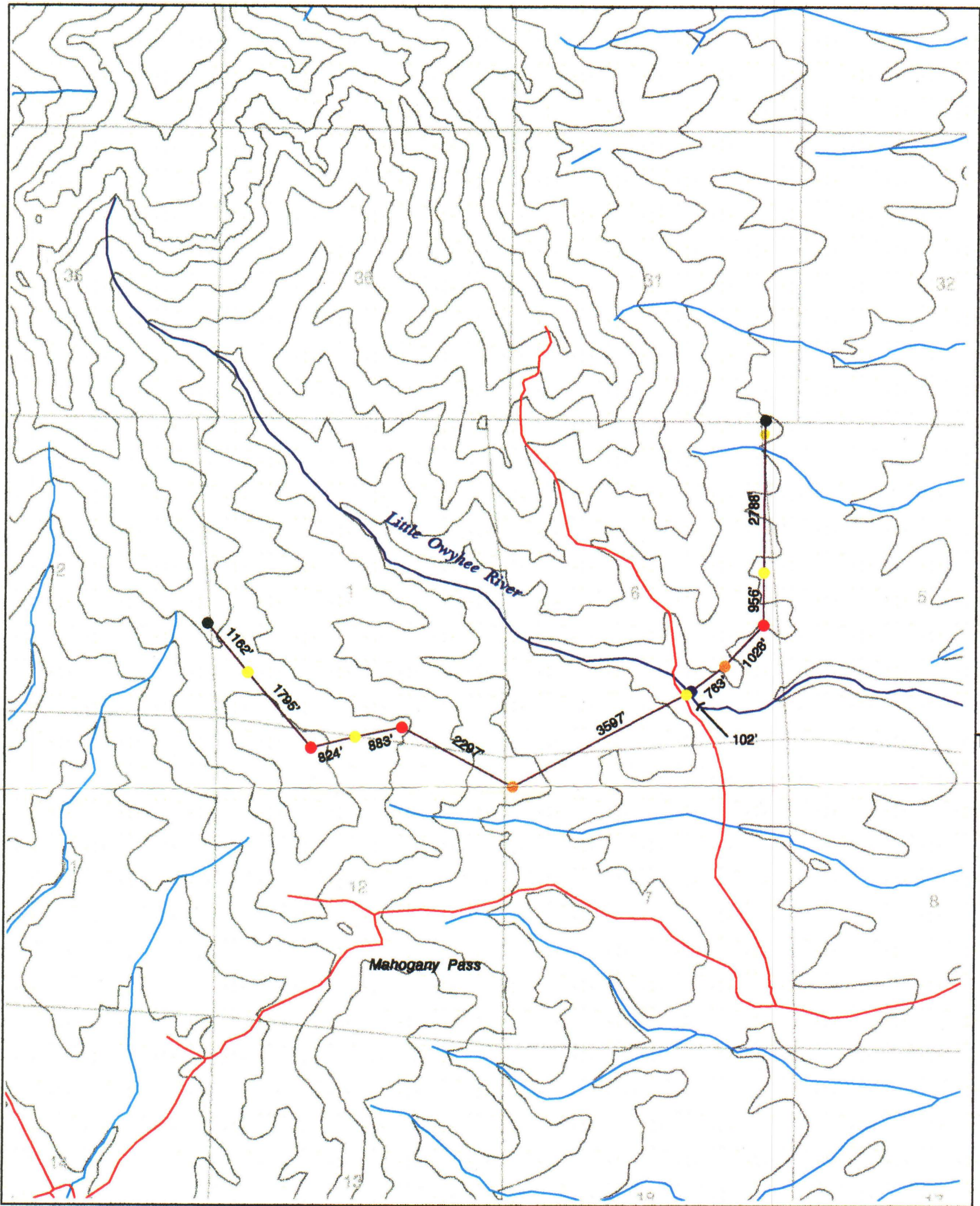
East Fork Exclosure

R. 41 E.

R. 42 E.

T. 46 N.

T. 45 N.



0.25 0 0.25 0.5 Miles



1:24000

- Corners
- Corner gate
- Gates
- Drainage crossing
- Tie-ins
- Fence Line
- Roads
- Little Owyhee River
- Ephemeral drainages
- Contours
- Section Lines

Total Length = 16,295 ft. (3.07 mi.)



2/17/99

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In Reply Refer To:

(NV-22.18)

4130

FEB 16 1999

Nevada First Corporation
P.O. Box 490
Winnemucca, NV 89446

Dear Mr. Bengochea:

I'm writing this letter to follow up conversations that you and Charley Amos had with Gene Seidlitz of my range staff.

In the fall/winter of 1998, Gene discussed the utilization monitoring that was conducted throughout the grazing year. It was brought to your attention that the utilization objective for the streambank riparian habitat of the East Fork of the Little Owyhee River was not met. This utilization objective was also not met in 1997.

In 1998, an allowable use level of 30% for this habitat was implemented and when the utilization on the herbaceous and/or woody species reached 25%, you were to be notified to remove the livestock from this use area within five (5) days. You were notified and a compliance check determined that the livestock were removed from this use area. Utilization monitoring at this time showed that the utilization levels were below the objective of 30%. However, monitoring conducted on 09/15/98, determined that the utilization level on the herbaceous vegetation exceeded the objective of 30%. After discussing the monitoring results with you, Gene was told that livestock drift had occurred from the Antelope #1 pasture. I realize and appreciate the time and effort your livestock manager and employees spent in this use area to keep the livestock out. However, a few cows drifting during the hot season can lead to non-achievement of utilization objectives in streambank/wetland riparian habitats which was the case in 1998.

Also at this time, discussions took place as to how the utilization objective can be achieved in 1999. It was recommended to modify the survey and design of the Antelope #2 fence. By modifying this project to an enclosure, better control of the livestock would take place once the project is complete.

On August 13, 1998, Charley Amos and Gene surveyed and designed the East Fork Exclosure. This project should be constructed prior to livestock turnout in this pasture. However, if this project is not constructed prior to livestock turnout, the **only** authorized use in this pasture will be when the livestock are trailed through this pasture to the Forest Service.

This stipulation will be a term and condition of your summer grazing authorization. Also, this term and condition was outlined in the Stipulation for the Dismissal of Appeals dated February 17, 1995, that stated if utilization objectives were not met on wetland/riparian habitats, appropriate corrective actions will be taken the following year.

Once the East Fork Exclosure is constructed, the utilization objectives on the public reaches of the East Fork of the Little Humboldt River should be met. The Environmental Assessment for this project will be sent to you for your review and comments.

If you have any questions, feel free to contact Gene Seidlitz at (702) 623-1500.

Sincerely yours,



Colin P. Christensen
Assistant Field Manager
Renewable Resources

cc NDOW - Fallon
NDOW - Winnemucca
Charley Amos
James Bonavia
WHOA
NCPWH

3/4/98



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In Reply Refer To:
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4130

MAR 4 1998

Nevada First Corporation
P.O. Box 490
Winnemucca, NV 89445

Dear Mr. Bengochea:

I'm writing this letter to follow up on conversations that you and Charley Amos had with Gene Seidlitz of my range staff.

In the fall/winter of 1997, Gene discussed the utilization monitoring that was conducted throughout the grazing year. It was brought to your attention that the utilization objective for the streambank riparian habitat of the East Fork of the Little Owyhee River was not met. Also, at this time, discussions took place as to how the utilization objective can be achieved in 1998. It was recommended that an allowable use level of 30% be implemented and when the utilization on the herbaceous and/or woody species reach 25% you would be notified to remove the livestock from this use area within five (5) days. You agreed to this recommendation.

This stipulation will be a term and condition of your summer grazing license. Also, this term and condition was outlined in the Stipulation for the Dismissal of Appeals dated February 17, 1995 that stated if utilization objectives were not met on wetland/riparian habitats, appropriate corrective actions will be taken the following year.

The re-survey and design of the Antelope #2 Fence/Exclosure will be completed in the spring/summer 1998. Once this range improvement is completed, the utilization objectives for the East Fork of the Little Humboldt River should be met.

If you have any questions, feel free to contact Gene Seidlitz at (702) 623-1500.

Sincerely yours,

Colin P. Christensen
ADM, Renewable Resources

cc Charley Amos
NDOW - Wmca
NDOW - Fallon
WHOA
CPWH ✓