

## CHAPTER 1

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# PROPOSED ACTION AND PURPOSE AND NEED



# CHAPTER 1

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### 1.1 Introduction

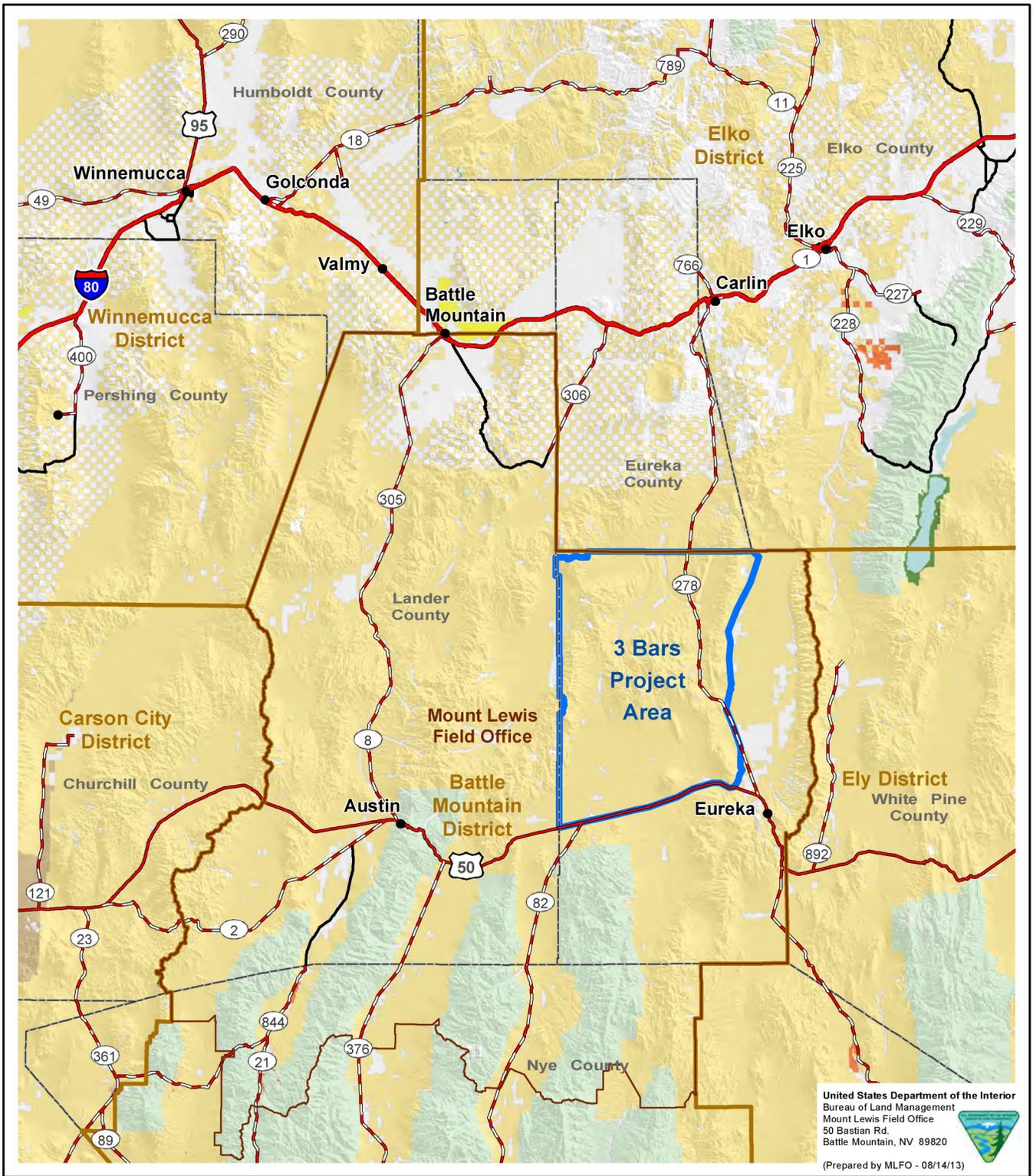
The 3 Bars ecosystem is approximately 749,810 acres in central Eureka County, northwest of Eureka, Nevada (**Figure 1-1**). The ecosystem is administered by the U.S. Department of the Interior (USDOI), Bureau of Land Management (BLM), Mount Lewis Field Office. It is a shrub steppe ecosystem with important resource values, ranging from habitat for a diversity of plants and animals, to providing traditional use areas for several Native American tribes; the 3 Bars ecosystem is also an important recreation resource for Nevada residents. Resource conditions on several areas within the ecosystem, however, have deteriorated due to past land use activities, causing the BLM to target this area for restoration. Although 3 Bars ecosystem health is in decline in some areas, the ecosystem has characteristics that suggest its health can be substantially improved through land restoration activities. Given the opportunity to improve 3 Bars ecosystem health, the 3 Bars Ecosystem and Landscape Restoration Project (3 Bars Project) is being proposed by the BLM to develop the 3 Bars ecosystem into a sustainable, healthy, and resilient landscape.

The 3 Bars ecosystem provides critical habitat for greater sage-grouse,<sup>1</sup> a bird species that is being considered for federal listing as threatened or endangered under the Endangered Species Act. Through sagebrush and other habitat restoration on the 3 Bars ecosystem, the BLM would help to reduce the likelihood that the greater sage-grouse will be federally listed in the future. To ensure that treatments benefit greater sage-grouse, sagebrush restoration treatments would adhere to the most recent guidance available at the time of treatment implementation, currently the Western Association of Fish and Wildlife Agencies and the Wyoming Game and Fish Department greater sage-grouse guidelines, and the BLM Nevada State Office and Washington Office Instructional Memoranda when restoring sagebrush habitats. These include using a mosaic design where treated areas have a width of no greater than 200 feet between untreated areas, avoiding treatments near greater sage-grouse leks that results in a decrease in canopy cover of greater than 15 percent, and avoiding treatments in breeding, brood-rearing, and wintering habitats during those times of the year when greater sage-grouse are using these habitats. The BLM, as mitigation for the 3 Bars Project, may also manage livestock where necessary to meet greater sage-grouse habitat goals. These goals include having suitable sagebrush cover in greater sage-grouse nesting, brood-rearing, and wintering areas and ensuring that allowable use levels for livestock for herbaceous species are appropriate within greater sage-grouse habitat.

In order to ensure long-term success, restoration projects would not be conducted in areas with moderate to severe forage utilization until mitigation measures associated with grazing management, as discussed in Section 3.17.4, are implemented through agreements or decisions subsequent to the 3 Bars Project Record of Decision to ensure proper utilization levels during the appropriate season of use. The BLM would work with permittees on a permit by permit

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<sup>1</sup> Common and scientific names of plants and animals given in this Environmental Impact Statement are given in **Appendix A**.



United States Department of the Interior  
 Bureau of Land Management  
 Mount Lewis Field Office  
 50 Bastian Rd.  
 Battle Mountain, NV 89620  
 (Prepared by MLFO - 08/14/13)



Legend	
<b>Land Status</b>	● City or Town
Yellow: Bureau of Land Management	Red line: Interstate Highway
Orange: Bureau of Reclamation	Red dashed line: U.S. Highway
Brown: Department of Defense	Black dashed line: State Highway
Orange square: Native American Reservation	Black solid line: Major Road
Green: U.S. Fish & Wildlife Service	Yellow outline: BLM Field Office
Light Green: U.S. Forest Service	Black outline: County Boundary
Blue: Nevada State	Blue outline: 3 Bars Project Area
White: Private	
Light Blue: Water	

**3 Bars Ecosystem and Landscape Restoration Project**

**Figure 1-1**

**General Vicinity Map**

Source: BLM 2012a.  
 No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual 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 notice.

basis to address any changes in livestock management due to treatment implementation. In all instances, appropriate through agreements or decisions would be finalized prior to project implementation. Project funding would come from funds allocated by Congress to the BLM for resource management. To reduce the cost of treatments to the taxpayer, the BLM would seek outside funding partnerships with other resource agencies, non-governmental organizations, or private industries that are interested in resource management within the 3 Bars ecosystem. Additionally, it is anticipated that habitat enhancement activities authorized with the 3 Bars Project decision would provide opportunities to utilize off-site mitigation account funds associated with various development activities within or adjacent to the 3 Bars Project area.

## 1.2 Background

In order to better understand conditions on the 3 Bars ecosystem, in 2009 the BLM prepared an *Assessment of Existing and Current Conditions for the Proposed 3 Bars Ecosystem and Landscape Restoration Project Environmental Impact Statement* (AECC; USDO I BLM 2009a). This document summarized baseline data available to the BLM for the 3 Bars ecosystem, including the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service ecological site descriptions, studies of proper functioning condition and multiple indicator monitoring for wetland and riparian areas, rangeland health assessments, and ecological site inventories.

In 2010 and 2011, the BLM and its contractors conducted several studies to obtain additional information on rangeland and woodland health on the 3 Bars ecosystem. Based on these studies, several reports were prepared: 1) a *3 Bars Ecosystem and Landscape Restoration Project Pinyon-juniper Assessment* that provided the results from an assessment of singleleaf pinyon pine and Utah juniper (pinyon-juniper) stands within the 3 Bars ecosystem (AECOM 2011a); 2) a *3 Bars Ecosystem and Landscape Restoration Project Cheatgrass Assessment* that summarized the results from an assessment of the occurrence and distribution of cheatgrass and other noxious weeds and invasive non-native vegetation within

### Terminology

**Desired Plant Community** is the one of the several plant communities that may occupy a site that has been identified through a management plan to best meet the plan's objectives for the site.

**Encroachment** can be defined as natural succession resulting in densification or interspace in-filling by vegetation, causing an understory or previously dominant plant species to decline. It also includes expansion areas.

**Infilling** can be defined as increase in the density and competition as a result of pinyon and juniper establishment within woodland communities at a rate that exceeds the natural stand replacement.

**Expansion** occurs when vegetation, such as pinyon-juniper, expands into new areas where it was not found historically.

**Hazardous fuels** in the context of wildfire include living and dead and decaying vegetation that form a special threat of ignition and resistance to control.

**Herbicide** is a chemical pesticide used to injure or kill vegetation.

**Invasive plants** are plants that are not part of (if exotic), or are a minor component of (if native), the original plant community or communities and not designated as noxious under federal or state statute.

**Native species** are species that historically occurred, or currently occur, in a particular ecosystem and were not introduced.

**Noxious weeds** are plants designated by federal or state statute that interfere with management objectives for a given area at a given point in time.

**Potential Natural Community** is the plant community that would become established if all successional sequences were completed without interference by man under current environmental conditions.

**Prescribed fires** are any fire ignited by management actions to meet specific objectives. A written, approved prescribed fire plan must exist, and National Environmental Policy Act requirements (where applicable) must be met, prior to ignition.

**Restoration** is the implementation of a set of actions that promotes plant community diversity and structure that allows plant communities to be more resilient to disturbance and invasive species over the long term.

**Resilience** is the ability to recover from or adjust easily to change.

**Undesirable plants** are species classified as noxious, invasive, harmful, exotic, injurious, poisonous, or otherwise undesirable under state or federal law, but not including species listed as endangered by the Endangered Species Act, or species.

the 3 Bars ecosystem (AECOM 2011b); and 3) a *Landscape Restoration Project Rangeland Health Report* that provided the results of an evaluation of rangeland health on approximately 532,000 acres within the 3 Bars ecosystem (Eastern Nevada Landscape Coalition and AECOM 2012).

The AECC and resource studies identified specific elements for each resource component that are in need of improvement or change, and served as the framework for developing potential treatment objectives for further consideration and analysis in this EIS. The following discusses in more detail why there is a need for change for key resource areas.

### **1.2.1 Vegetation**

The 3 Bars ecosystem includes diverse upland vegetation community types. Key concerns identified in the AECC for range resources are that one or more key perennial grass species are absent; the composition and/or production of key species are below the potential for the natural community; invasive or non-native species are dominant in certain areas; sagebrush monocultures are present; and some streams, springs, and meadows are functioning at less than their proper condition.

Other key vegetation concerns identified in the AECC included the expansion of the pinyon-juniper plant community onto adjacent range sites and encroachment into the interspaces within woodland sites; deterioration in the condition of native plant communities in some areas; degradation of range conditions; decrease in pine nut production and tree vigor; decrease in the occurrence and health of traditional, edible, and medicinal plants used by Native Americans; decline in woodland species and health; and excessive buildup of hazardous fuels.

Weeds categorized by the State of Nevada as “noxious” and invasive, and non-native annual grasses, occur sporadically throughout the 3 Bars ecosystem, particularly on wildfire burn scars, near roads and streams, and on disturbed areas. The key concerns from the AECC for noxious weeds and other undesirable invasive non-native species is the potential for the establishment and spread of noxious weeds and cheatgrass monocultures resulting from past wildfires and in areas of high soil disturbance. The focus of treatments would be to control the spread of noxious weeds and invasive annual grasses found within the 3 Bars ecosystem and to encourage the establishment of native and desirable non-native species.

### **1.2.2 Wetland and Riparian Areas and Water Quality and Quantity**

The key concern for wetland and riparian areas and water quality and quantity is the loss of wetland and stream functionality. Some streams and associated meadows are being threatened by knickpoints and headcuts, channel incision, and streambank erosion. Key stream components, such as stream channel sinuosity, streambank stability, and occurrence of woody and rock debris in stream channels that help to dissipate flood energy, are lacking in many streams. Pinyon-juniper woodlands have encroached into wetland and riparian areas. Wetland and riparian habitat is declining and plant vigor and density are deteriorating. In addition, upland perennial deep-rooted herbaceous species are being lost, resulting in decreased infiltration rates and increased run-off and surface erosion and thus contributing to reduced water quality.

### **1.2.3 Fish and Wildlife**

Surveys and monitoring have shown that some sagebrush-steppe, wetland, riparian, and mountain shrub habitats in the 3 Bars ecosystem are deteriorating, while pinyon-juniper woodlands are expanding and encroaching into these

habitats. Key concerns from the AECC include less than optimal fish and wildlife habitat; expansion of pinyon-juniper into important habitats; reduction in key habitats due to degraded range conditions in some areas; invasion of undesirable species into habitats; decline in the health of native plant communities; and high, very high, or extreme risk of catastrophic wildfire in greater sage-grouse habitats.

#### **1.2.4 Native American Tradition and Cultural Values, Practices, and Resources**

Various tribes and bands of the Western Shoshone have stated that federal projects and land actions can have widespread effects on their culture and traditional practices. Numerous traditional/cultural/spiritual use sites are found on the 3 Bars Project area. The BLM will provide affected tribes with an opportunity to comment and consult on proposed projects. The BLM will attempt to both identify locations that have traditional/cultural importance, and to reduce or eliminate any negative impacts to identified Native American traditional/cultural/spiritual values and practices from proposed treatment actions.

Key concerns identified in the AECC for Native American traditional/cultural/spiritual values and practices included a decline in the distribution and abundance of traditional, edible, and medicinal plants, a decrease in pine nut production and tree vigor, and a decline in abundance of wild game species.

#### **1.2.5 Wild Horses**

The key concern from the AECC for wild horses is rangeland degradation from multiple factors, as indicated by limited key plant species abundance and recruitment within the understory.

#### **1.2.6 Livestock**

Key concerns identified in the AECC for range resources are that one or more key perennial grass species are scarce; the composition and/or production of key species are below the potential for the natural community; invasive non-native vegetation is dominant in certain areas; sagebrush monocultures are present; and some streams, springs, and meadows are functioning at less than their proper functioning condition.

#### **1.2.7 Fire Management**

Key concerns from the AECC for fire include excessive hazardous fuel loads and fuel situations, and declining ecosystem health in some areas, which are contributing to high wildfire potential and threats to resource values.

### **1.3 Proposed Action**

The BLM proposes to treat vegetation using manual and mechanical methods, biological controls, and fire (both prescribed and wildland fire for resource benefit). Treatments would address multiple resource issues and aid in restoring functionality to key elements of the 3 Bars ecosystem.

The BLM has identified site-specific treatment projects that it proposes to implement to restore and manage the 3 Bars ecosystem. Treatment projects were identified through an iterative process involving the BLM and other federal and state agencies. Treatments would focus on four priority vegetation management concerns:

- Riparian—treatments in riparian habitats would focus on restoring functionality in areas where stream structural integrity (incised channel, headcuts, knickpoints, developments, and diversions) and/or appropriate plant species composition are compromised.
- Aspen—treatments in quaking aspen (aspen) habitats would focus on improving the health of aspen stands by stimulating aspen stand suckering and sucker survival.
- Pinyon-juniper—treatments in pinyon-juniper habitats would focus on thinning historic pinyon-juniper communities to promote woodland health and removing pinyon-juniper where it encroaches into riparian zones and upland habitats, including sagebrush habitat, or outside of proper ecological state.
- Sagebrush—treatments in sagebrush habitats would focus on restoring the sagebrush community by removing encroaching pinyon-juniper, promoting the reestablishment of native forbs and grasses in sagebrush communities, and promoting the development of sagebrush in areas where it should occur based on ecological site description reference, desired state, or management objective.

### 1.4 Purposes for the Project

Using the information from the AECC and field studies, the BLM identified several purposes for the 3 Bars Project. Purposes are consistent with the *Shoshone-Eureka Resource Management Plan Environmental Impact Statement* (Shoshone-Eureka RMP), as amended, and the *Shoshone-Eureka Resource Area Record of Decision* (Shoshone-Eureka ROD), which guide land management activities in the 3 Bars ecosystem (USDOI BLM 1986a, 1987). Purposes for the 3 Bars Project include:

- Improve woodland, rangeland, and riparian health, productivity, and functionality.
- Increase stream flows and restore channel morphology in degraded streams.
- Improve stream habitat for fish and wildlife by implementing physical treatments that include installing large woody debris, rock clusters, and check dams, and other measures that support regrowth of riparian vegetation.
- Improve the health of aspen, mountain mahogany, and other mountain tree and shrub stands to benefit wildlife, and Native Americans that use these plants for medicinal purposes.
- Manage pinyon-juniper woodlands to promote healthy, diverse stands within persistent woodlands.
- Slow the expansion of pinyon-juniper into sagebrush and riparian plant communities.
- Slow the spread of noxious weeds and other invasive non-native vegetation, including cheatgrass.
- Protect and enhance habitat for fish and wildlife, including species of concern such as raptors, greater sage-grouse, and Lahontan cutthroat trout.

The BLM has also identified project purposes that are specific to fire use and improving ecosystem management through the use of fire. These include:

- Restore fire as an integral part of the ecosystem; reduce the risk of large-scale wildfire; reduce extreme, very high, and high wildfire risks to moderate risk or less; and develop fuel breaks within the treatment and adjacent areas.

- Protect life, property, and community infrastructure, and protect fish and wildlife habitat from devastating wildfire effects.

Treatment purposes would be met by implementing land restoration treatments in areas where resource management goals are not being met, and the likelihood of treatments improving resource conditions is great. The proposed treatments would range from several acres to several thousand acres, depending on specific treatment and management goals and desired outcomes for each resource area.

## **1.5 Need for the Project**

The 3 Bars ecosystem has long been recognized as an area in resource conflict due to the many and often competing uses occurring within the ecosystem. Some of these uses include mineral exploration and development, livestock grazing, woodland product harvest, recreation, and wilderness activities. The ecosystem is an important use area for wild horses, fish, and wildlife, including sensitive fish and wildlife species (for example [e.g.], Lahontan cutthroat trout, greater sage-grouse). In addition to competing land uses, other factors affecting land uses and health in the ecosystem result from the effects of past grazing practices, changes to the natural fire regime, establishment and spread of invasive and noxious weed species, and expansion and densification of pinyon-juniper woodlands. Collectively, these have caused substantial changes in the native vegetation community and loss of important ecosystem components. Based on these changes, the BLM has determined that there is a need to improve rangeland health in some areas and to provide a sustainable habitat for wildlife.

The 3 Bars Project purposes identified by the BLM are also based on restoration needs identified in the Healthy Lands Initiative (USDOJ 2007a, USDOJ BLM 2010a) and the 1986 Shoshone-Eureka RMP, as amended (USDOJ BLM 1986a, 1987).

### **1.5.1 Healthy Lands Initiative**

In recognition of the degradation of the diversity and integrity of plant communities in the western United States (U.S.), the USDOJ launched the Healthy Lands Initiative in 2007 to accelerate land restoration, increase land productivity, and improve the health of public lands in the western U.S. (USDOJ 2007a). The goal of the Healthy Lands Initiative is to preserve the diversity and productivity of public and private lands across the landscape. The Healthy Lands Initiative enables and encourages local land managers to set land restoration priorities across a broad scale, and to mitigate adverse impacts to an array of natural resources, in ways not previously available to them (USDOJ BLM 2010a).

The Healthy Lands Initiative identified seven regions in need of treatment, including the Oregon-Idaho-Nevada shrub-steppe restoration area. The goals for this area include accelerating implementation of habitat restoration projects identified in state and local greater sage-grouse conservation plans, and selecting and implementing land treatments to maintain and restore the upland and riparian components of these shrublands (USDOJ BLM 2010b).

Under the Healthy Lands Initiative, the BLM developed the Cooperative Shrub-Steppe Restoration Partnership for Oregon, Washington, and Nevada. The Partnership is a coordinated, landscape-level program involving multiple partners working together to maintain the health of existing shrub-steppe habitat and to strategically restore shrub-steppe habitat in areas critical to wildlife. The Partnership area encompasses 53.5 million acres, roughly 50 percent of the remaining sagebrush-steppe habitat in the Great Basin. The diversity and integrity of the plant communities in this area support crucial habitat for large populations of greater sage-grouse, mule deer, pronghorn antelope, and

numerous sagebrush-dependent species. The highest priority of the Partnership is to maintain sagebrush-steppe habitat, followed by strategically restoring fragmented habitat. Specific Partnership goals include:

- Join local greater sage-grouse working groups, federal agencies, and the scientific community in efforts to accelerate implementation of habitat restoration projects identified in state and local greater sage-grouse conservation plans.
- Engage tribes, conservation organizations, and state and federal agencies to strategically select and implement land treatments to maintain and restore the upland and riparian components of shrub-steppe habitat.
- Build upon existing programs and initiatives, such as the BLM's Great Basin Restoration Initiative (USDOI BLM 2000a, b), to implement a landscape-restoration strategy.
- Leverage funds to build on current successes to maximize the positive benefits of restoration at the largest scale.

The 3 Bars Project meets the Healthy Lands Initiative and Cooperative Shrub-Steppe Restoration Partnership goals and priorities.

### 1.5.2 Shoshone-Eureka Resource Management Plan

While numerous national BLM plans identify broad objectives for the management of vegetation on public land, treatment activities at the regional and local levels are guided by the goals, standards, and objectives of land use plans developed for each BLM district office. Policies established at the national level help direct local efforts.

Land use plans, usually in the form of RMPs, ensure that public lands are managed in accordance with the intent of Congress, as stated in the Federal Land Policy and Management Act (43 United States Code [USC] § 1701 et sequentia [et. seq.]), under the principles of multiple use and sustained yield. Land use plans guide land use, vegetation, and other resource management decisions within the geographic area they cover, and provide specific goals, standards, objectives, and expected outcomes that apply to vegetation treatment projects and other restoration activities. These plans identify important local resources to be protected; identify historic, current, and future desired conditions for vegetation and other resources; and describe land use activities and levels that are appropriate to maintain a healthy ecosystem.

The 1986 Shoshone-Eureka RMP and associated ROD and amendments form the land use plan that guides resource management on public lands within the Shoshone-Eureka Resource Area of north-central Nevada, including the 3 Bars ecosystem. The RMP provides for multiple-use management through the protection of fragile and unique resources, such as riparian and stream habitat, while not overly restricting the potential for the production of commodities from other resources. The RMP offers solutions to eight resource management issues identified by the public and the BLM—wilderness designations, land tenure adjustments, utility corridors, woodland products, livestock grazing, wild horse use, wildlife habitat management, and riparian and aquatic habitat. The RMP outlines objectives, short-term and long-term management actions, Standard Operating Procedures (SOPs), and implementation measures for each of these management issues. The primary RMP objectives that would apply to the 3 Bars Project are shown in **Table 1-1**.

**TABLE 1-1**

**Primary Resource Management Plan Objectives for the Shoshone-Eureka Resource Area**

Riparian and Aquatic Habitat Management	<ul style="list-style-type: none"> <li>• Improve priority riparian and stream habitat to “good” or “better” condition and prevent the decline of remaining areas.</li> <li>• Improve and maintain habitat for state-listed sensitive species and federally listed threatened or endangered species.</li> </ul>
Woodland Products	<ul style="list-style-type: none"> <li>• Manage suitable woodlands for optimum production of woodland products on a sustained-yield basis, while protecting sensitive resources.</li> <li>• Maintain, where necessary for management, those access routes currently servicing pinyon-juniper harvest areas.</li> <li>• Set aside certain historical pinyon-juniper woodland areas for non-commercial pine nut gathering by Nevada Native Americans and all other members of the public.</li> </ul>
Wildlife Habitat Management	<ul style="list-style-type: none"> <li>• Maintain and improve wildlife habitat while providing for other appropriate resource uses.</li> <li>• Provide habitat sufficient to allow big game populations to achieve reasonable numbers in the long term.</li> <li>• Improve and maintain habitat for state-listed sensitive species and federally listed threatened or endangered species.</li> </ul>
Wild Horse Use	<ul style="list-style-type: none"> <li>• Manage viable herds of sound, healthy, wild horses in a wild and free-roaming state.</li> <li>• Initially manage wild horse populations at existing numbers based on 1982 aerial counts and determine if this level of use can be maintained.</li> <li>• Manage wild horses within the areas that constituted their habitat when the Wild and Free-roaming Horse and Burro Act became law in 1971.</li> </ul>
Livestock Grazing	<ul style="list-style-type: none"> <li>• Initially manage livestock at existing levels and determine if such use can be maintained.</li> <li>• Establish a grazing management program designed to provide key forage plants with adequate rest from grazing during critical growth periods.</li> <li>• Achieve, through management of the livestock and wild horses, utilization levels consistent with those recommended by the 1981 Nevada Range Studies Task Group to allow more plants to complete growth cycles and to increase storage of reserves for future growth.</li> <li>• Increase vegetation production while protecting sensitive resources.</li> </ul>
Wilderness	<ul style="list-style-type: none"> <li>• Recommend Wilderness designation for those Wilderness Study Areas where such designation is considered along with other resource values and uses that would be forgone due to Wilderness designation.</li> <li>• Recommend Wilderness designation only for those Wilderness Study Areas that can be effectively managed as wilderness over the long term.</li> </ul>
Utility Corridors	<ul style="list-style-type: none"> <li>• Minimize adverse impacts to the environment by concentrating compatible rights-of-way in designated corridors that avoid sensitive resource values.</li> </ul>

## 1.6 Restoration Objectives

Based on the desired future conditions and key concerns for resources on the 3 Bars ecosystem, the BLM identified specific restoration objectives for key resources (**Table 1-2**). These objectives were used to identify potential treatments that could be used to achieve the desired conditions for each resource area. Treatments proposed by the BLM are discussed in Chapter 2.

## 1.7 Scope of Analysis and Decisions to be Made

The National Environmental Policy Act (NEPA) mandates that every federal agency prepare a detailed statement of the effects, or Environmental Impact Statement (EIS), of “major federal actions significantly affecting the quality of the human environment” (42 USC § 4321 et seq.; USDOJ BLM 2008a). An EIS is intended to provide decision-makers and the public with a complete and objective evaluation of significant environmental impacts, beneficial and adverse, resulting from the proposed action and several reasonable alternatives. Given the magnitude of treatments and the resulting potential for significant cumulative effects from the 3 Bars Project, the BLM has determined that an EIS is warranted to evaluate impacts from the 3 Bars Project.

This EIS analyzes the effects of using a variety of treatments to improve ecosystem health on the 3 Bars ecosystem. Decisions expected to be made through this EIS process include:

- Determine which areas within the 3 Bars ecosystem would be treated.
- Determine which treatment methods would be used to accomplish management objectives.
- Determine which management actions would be taken to facilitate restoration of public lands.
- Identify criteria to guide future restoration activities within the 3 Bars ecosystem.

At least 30 days after the U.S. Environmental Protection Agency (USEPA) publishes the Notice of Availability of the final EIS, the BLM decision-maker will prepare a ROD. The decision may be to select one of the alternatives in its entirety, or to combine features from several alternatives that fall within the range of alternatives analyzed in this EIS. The ROD will address significant impacts, alternatives, mitigation measures, and relevant economic and technical considerations.

This EIS does not evaluate vegetation management that is primarily focused on commercial timber or other woodland product enhancement or use activities that are not related to improving woodland or rangeland health or work authorized under the Healthy Forests Restoration Act of 2003.

Commercial timber activities conducted with the primary purpose of providing a sustained yield of timber volume to commercial industries are not included in this EIS. Rather, they represent a manner of vegetation harvest (in other words [i.e.], the species [product] is removed and replanted for future harvest). As part of the 3 Bars Project, however, the BLM would designate some treatment areas for small-scale commercial harvest to help meet restoration goals. Commercial timber allocations and sustainable harvest were previously analyzed in the Shoshone-Eureka RMP.

Human-related activities and natural processes have inherent risks and threats to the health of the land, which can lead to the decline of plant communities and ecosystems. Although this EIS refers to activities consistent with the authorities under the Federal Land Policy and Management Act and other statutes that may contribute, in some cases, to short term land and resource degradation, its focus is on proactive treatments to maintain and restore ecosystem

**TABLE 1-2**

**Restoration Goals and Objectives for Each Resource for the 3 Bars Ecosystem**

Vegetation Resources	<ul style="list-style-type: none"> <li>• Promote and maintain healthy native plant communities.</li> <li>• Increase plant community diversity and health by improving the regeneration and vigor of desirable species.</li> <li>• Improve rangeland conditions by encouraging understory species and desired plant communities.</li> <li>• Improve rangelands that have been historically overutilized or degraded by improving key species production, decreasing the impacts of plant utilization, and improving the vegetation use patterns of wildlife, livestock, and wild horses. Achieve a minimum of 50 percent of the rangeland site potential for production of the desired and/or native perennial grass and forb components on all rangeland sites. Improve the frequency and production of desired plant species at rangeland sites where the desired dominant and/or co-dominant species are missing.</li> <li>• Establish understory plant species at 75 to 100 percent of the Potential Natural Community. The Potential Natural Community is the plant community that would become established if all successional sequences were completed without interference by humans under current environmental conditions. Potential Natural Communities can include naturalized non-native species.</li> <li>• Thin trees in order to improve stand health and reduce competition with aspen and mountain mahogany in pinyon-juniper habitats.</li> <li>• Remove all Phase I and II pinyon-juniper in order to improve the understory plant species abundance and diversity in sagebrush habitats.</li> <li>• Reduce pinyon-juniper stocking rates to 1,200 stems per acre in order to encourage pine nut production and tree vigor. Pinyon-juniper mortality rates should be reduced to less than 20 percent in order to improve overall woodland health.</li> <li>• Ensure 20 to 200 pinyon-juniper trees per acre within historical woodland ranges, dependent on management objectives for a given stand.</li> <li>• Maintain pinyon-juniper distribution within historical ranges. Restore current pinyon-juniper expansion areas that are outside of the historical pinyon-juniper range to the desired plant community.</li> <li>• Increase the distribution and abundance of traditional, edible, and medicinal plants by improving the relative abundance of desirable plant species in previously identified locations (obtained through Native American consultation). Sustain the regeneration and recruitment of desirable species such as aspen, bitterbrush, and mountain mahogany.</li> <li>• Manage woodlands for optimum production of woodland products on a sustained-yield basis, while protecting sensitive values.</li> <li>• Avoid adversely impacting woodland stand conditions to the detriment of water infiltration and groundwater recharge.</li> <li>• Eliminate noxious weeds and invasive non-native species.</li> <li>• Limit noxious weeds and undesirable native and non-native species to the following acreages:             <ul style="list-style-type: none"> <li>○ 0 acres of Category A State of Nevada noxious weeds.</li> <li>○ Less than 500 acres of Category B State of Nevada noxious weeds.</li> <li>○ Less than 1,500 acres of Category C State of Nevada noxious weeds.</li> <li>○ Cheatgrass monocultures at less than 25 percent in any given fire scar.</li> </ul> </li> </ul>
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**TABLE 1-2 (Cont.)**

**Restoration Goals and Objectives for Each Resource for the 3 Bars Ecosystem**

<p>Wetlands and Riparian Areas and Water Quality and Quantity</p>	<ul style="list-style-type: none"> <li>• Improve the physical and ecological processes of streams, meadows, springs, and seeps by improving riparian and wetland areas to proper functioning condition.</li> <li>• Improve wetland and riparian function by improving road locations or implementing best management practices in areas where roads inhibit function.</li> <li>• Improve upland water retention, infiltration, and residence time by reducing upland pinyon-juniper canopy cover and increasing key perennial plant species.</li> <li>• Improve wild horse, wildlife, and livestock distribution by establishing, maintaining, or enhancing water sources.</li> <li>• Improve and/or maintain riparian plant communities with mid-late seral characteristics and high root-stability ratings.</li> <li>• Ensure water quality parameters are in compliance with State of Nevada water quality standards.</li> <li>• Ensure conditions and trends are progressing towards desired conditions for a given site.</li> <li>• Remove non-riparian trees within the historic floodplain, and thin non-riparian trees to 30-foot spacing outside of the historic floodplain and within 300 feet of the stream channel.</li> <li>• Reduce fuel loads to 1 to 5 tons per acre in riparian areas with juniper fuels.</li> </ul>
<p>Range Resources</p>	<ul style="list-style-type: none"> <li>• Improve key plant species production and/or composition in accordance with the Northeastern Great Basin Resource Advisory Council’s Standards and Guidelines.</li> <li>• Make significant progress toward meeting the Northeastern Great Basin Resource Advisory Council’s Standards and Guidelines for grazing management systems.</li> <li>• Achieve a minimum of 50 percent of the rangeland site potential for dominant and/or native perennial grass and forb component production on all rangeland sites.</li> </ul>
<p>Fire Management</p>	<ul style="list-style-type: none"> <li>• Downgrade fire risk rating by at least 1 step by reducing above-ground biomass (all burnable vegetation) in identified areas by 50 to 95 percent. For example, an area with 59 tons per acre of fuel loading would be reduced to 29.5 to 2.95 tons per acre of fuel loading.</li> <li>• To inhibit crown fire spread over large areas, improve overstory canopy spacing to an average of 30 feet and/or create multiple-canopy openings totaling 30 to 45 percent of a given contiguous stand in treatment areas (an average canopy spacing of 30 feet is roughly 30 to 40 mature trees per acre and is not capable of sustaining crown fires). For example, an area having an existing canopy spacing of 5 to 15 feet, with stocking rates of 400 to 600 trees per acre, would be thinned to achieve an average canopy spacing of 30 feet—a reduction to 370 to 570 trees per acre.</li> <li>• Inhibit the movement of a surface fire into the upper tree canopies (crown fire) by reducing ladder fuels.</li> <li>• Improve ecosystem health and reduce catastrophic wildfire potential by improving Fire Regime Condition Class from III and II to Class I.</li> <li>• Maintain areas of Fire Regime Condition Class I in order to maintain ecosystem health and keep catastrophic wildfire risk from exceeding a “moderate” rating.</li> </ul>

**TABLE 1-2 (Cont.)  
Restoration Goals and Objectives for Each Resource for the 3 Bars Ecosystem**

Fire Management (Cont.)	<ul style="list-style-type: none"> <li>• Improve ecosystem health and reduce the catastrophic fire potential and wildfire threats to resource values by reducing hazardous fuel loads, spatially decreasing fuel continuity both in the surface fuels and aerial fuels, reducing excessive fuel ladders where appropriate, and improving rangeland condition class.</li> <li>• Reduce fuel loading to 1 to 2 tons per acre in shrub fuel types and to 1 to 5 tons per acre in pinyon-juniper fuel types.</li> <li>• Conduct treatments when fuel loads are greater than 2 tons per acre in shrub fuel types and loadings, or 10 tons per acre in pinyon-juniper fuel types and loadings, or more than 500 pounds per acre of fine fuels.</li> <li>• Limit fuel continuity and arrangement: <ul style="list-style-type: none"> <li>○ Sagebrush – limit crown fire risk to no more than 2,000 acres.</li> <li>○ Pinyon-juniper woodlands – establish canopy spacing greater than 30 feet and/or multiple canopy openings totaling no more than 45 percent of a given continuous stand.</li> </ul> </li> </ul>
Fish and Wildlife	<ul style="list-style-type: none"> <li>• Improve in-stream habitat conditions for Lahontan cutthroat trout and other aquatic species by enhancing in-stream characteristics within existing and potential Lahontan cutthroat trout habitat: <ul style="list-style-type: none"> <li>○ Pool depth and riffle/pool ratio ranges should be consistent with stream gradient.</li> <li>○ Stream temperature should not exceed 72 degrees Fahrenheit.</li> <li>○ Spawning beds should be well oxygenated and relatively silt-free.</li> </ul> </li> <li>• Develop habitat conditions needed by Lahontan cutthroat trout by promoting macroinvertebrate diversity and abundance and overall nutrient composition and availability.</li> <li>• Ensure against decline or loss of greater sage-grouse populations by protecting and enhancing wildlife habitat in important greater sage-grouse use areas.</li> <li>• Enhance wildlife habitat by reducing pinyon-juniper tree densities and occurrence in important wildlife habitats and in areas outside of historical ranges.</li> <li>• Maintain or improve wildlife habitat conditions and ecological processes.</li> <li>• Eliminate pinyon-juniper in Phase I and II areas in important wildlife habitats; old-growth trees greater than 150 years old are excluded.</li> <li>• Restore and maintain mule deer and greater sage-grouse habitats.</li> </ul>
Wild Horses	<ul style="list-style-type: none"> <li>• Improve habitat for wild horses within the Roberts Mountains, Whistler Mountain, Fish Creek, and Rocky Hills Herd Management Areas by improving rangeland key plant species production, use patterns, and plant diversity.</li> <li>• Maintain wild horse body condition year-round and during periods of drought or extreme winters by improving habitat for wild horses within the Herd Management Areas, improving the distribution of wild horse use, and consistently maintaining wild horse populations at the Appropriate Management Level.</li> </ul>

**TABLE 1-2 (Cont.)**

**Restoration Goals and Objectives for Each Resource for the 3 Bars Ecosystem**

<p>Native American Traditional/Cultural Values, Practices, and Resources</p>	<ul style="list-style-type: none"> <li>• Improve the distribution and abundance of traditional, edible, and medicinal plants.</li> <li>• Set aside certain historical pinyon-juniper woodlands for noncommercial pine nut gathering by Native peoples and all other members of the public.</li> <li>• Reduce pinyon-juniper stocking rates to 1,200 stems per acre in order to encourage pine nut production and tree vigor in traditional or proposed harvest areas.</li> <li>• Improve habitat for desired game species, especially mule deer.</li> <li>• Manage persistent and old-growth woodlands for sustainable yields of woodland products, including pine nuts, within allowed pine nut harvest areas. Depending upon the management objectives for a given stand, the number of pinyon pine trees should be between 20 and 200 trees per acre.</li> </ul>
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health in the long term. The focus of the EIS is not to restrict, limit, or eliminate Federal Land Policy and Management Act-authorized activities as a means to restore ecosystem health. These types of management actions are defined and considered under land use planning regulations (43 Code of Federal Regulations [CFR] § 1610) and are outside the scope of this EIS.

The BLM is currently authorized to use herbicides using ground-based equipment to control local occurrences of noxious weeds and other invasive non-native vegetation, and using fixed-wing aircraft and helicopters to control cheatgrass, as authorized by the *Record of Decision Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States Programmatic Environmental Impact Statement* (17-States PEIS ROD; USDO IBLM 2007a), and the *Environmental Assessment Integrated Weed Management Plan Battle Mountain District Nevada Mt. Lewis Field Office and Tonopah Field Office* (USDO IBLM 2009b). Thus, this EIS does not propose new herbicide treatments.

This EIS does not evaluate policies and programs associated with Emergency Stabilization and Burned Area Rehabilitation, which mitigates the adverse effects of fire on the soil and vegetation in a cost-effective and expeditious manner and to minimize the possibility of wildfire recurrence or invasion of weeds. The terms rehabilitation and restoration are often used synonymously. Rehabilitation is the repair of a wildfire area utilizing native and/or non-native plant species to obtain a stable plant community that will protect the burned area from erosion and invasion of weeds. Restoration is defined as the process of returning ecosystems or habitats to their original structure and species composition.

## **1.8 Documents that Influence the Scope of the EIS**

Much of the scope of this EIS is based on BLM Handbook H-1740-2, *Integrated Vegetation Management* (USDO IBLM 2008b), and *Integrated Weed Management Plan Battle Mountain District Nevada Mt. Lewis Field Office and Tonopah Field Office* (USDO IBLM 2009b). These documents provide expectations for a more consistent and unified approach to managing vegetation on public lands and clarify multi-program goals, objectives, and priorities relative to maintaining and restoring ecologically diverse, resilient, and productive native plant communities.

The Shoshone-Eureka RMP and associated ROD and amendments form the land use plan that guides resource management on public lands within the Shoshone-Eureka Resource Area, including the 3 Bars ecosystem. The RMP provides for multiple-use management through protection of fragile and unique resource values, such as riparian and stream habitat, while not overly restricting the ability of the other resources to provide for the production of commodity values on public lands.

This EIS tiers to the *Record of Decision Vegetation Treatments on BLM Lands in 13 Western States* (13-States EIS), 17-States PEIS, and *Vegetation Treatments on Bureau of Land Management Lands in 17 Western States Programmatic Environmental Report* (17-States PER; USDO IBLM 1991a, 2007b, c). The 17-States PEIS addressed the cumulative effects from all treatment methods, and the 13-States EIS and 17-States PER addressed the BLM's use of non-herbicide vegetation treatment methods, including the use of prescribed fire and manual, mechanical, and biological control methods, on BLM-administered lands in the western U.S., including Nevada. Where appropriate, information in these documents that is relevant to analysis of the current proposal is cited and incorporated by reference.

Other documents and policies that influence the scope of this EIS include:

- *National Fire Plan* (USDOJ and USDA 2001).
- Chapter 1 (*Interagency Burned Area Emergency Stabilization and Rehabilitation*) in USDOJ Department Manual 620 (*Wildland Fire Management*; USDOJ 2004).
- *A Collaborative Approach for Reducing Wildland Fire Risks to Communities and the Environment 10-Year Comprehensive Strategy Implementation Plan* (USDOJ and USDA 2006a).
- *Protecting People and Sustaining Resources in Fire Adapted Ecosystems: A Cohesive Strategy* (USDOJ and USDA 2006b).
- *Healthy Lands Initiative of 2007* (USDOJ 2010a).

These documents provide policy and guidance for hazardous fuels reduction and land restoration activities to reduce the risk of wildfires and restore fire-adapted ecosystems, and to rehabilitate and restore lands damaged by wildfires.

In addition, the *Partners Against Weeds - An Action Plan for the BLM* (USDOJ BLM 1996), and *Meeting the Invasive Species Challenge Management Plan* (National Invasive Species Council 2001), were consulted to identify appropriate actions to control weeds on public lands. The *Great Basin Restoration Initiative* provides goals and methods to maintain or restore the Great Basin's native and plant communities that in turn provide habitat for livestock, wildlife, and wild horses (USDOJ BLM 2010a, b). The Nevada Northeastern Great Basin Resource Advisory Council's Standards and Guidelines for Grazing and Wild Horses and Burros (USDOJ 2007b) outlines guidelines for maintaining healthy wild horse and burro herds on herd management areas administered by the BLM within the designated geographic area of the Northeastern Great Basin. BLM Manual 6280, *Management of National Scenic and Historic Trails and Trails under Study or Recommended as Suitable for Congressional Designation*, provides guidance on management of the Pony Express National Historic Trail. In addition, Instructional Memorandum 2012-043, Greater Sage-grouse Interim Management Policies and Procedures, and Instructional Memorandum 2012-044, *BLM National Greater Sage-grouse Land Use Planning Strategy*, were consulted for guidance on managing lands to benefit greater sage-grouse (USDOJ BLM 2011a, b).

## **1.9 Relationship to Statutes, Regulations, and Policies**

### **1.9.1 Federal Laws, Regulations, and Policies that Influence Restoration Treatments**

Several federal laws, regulations, and policies guide BLM management activities on public lands. The Federal Land Policy and Management Act of 1976 directs the BLM to manage public lands "in a manner that will protect the quality of scientific, scenic, historic, ecological, environmental, air and atmospheric, water resources and archeological values" and to develop RMPs consistent with land use plans of state and local governments to the extent that BLM programs also comply with federal laws and regulations. The Taylor Grazing Act of 1934 introduced federal protection and management of public lands by regulating grazing on public lands. The Public Rangelands Improvement Act of 1978 requires the BLM to manage, maintain, and improve the condition of the public rangelands so that they become as productive as feasible.

Numerous other laws, regulations, and policies pertain to the protection of resources found in the 3 Bars ecosystem. These are discussed in Chapter 3 under the resources to which they apply.

## 1.9.2 NEPA Requirements of the Project

The intent of this EIS is to comply with NEPA by assessing the program impacts of proposed treatments on lands within the 3 Bars ecosystem. Additional guidance for NEPA compliance and for assessing impacts is provided in the Council on Environmental Quality (CEQ) *Regulations for Implementing the Procedural Provisions of NEPA* (40 CFR §§ 1500-1508), and the BLM *National Environmental Policy Act Handbook H-1790-1* (USDOI BLM 2008a).

In general, the NEPA process may be done at multiple scales depending on the scope of the proposal. The broadest level is a national-level programmatic study. This level of study contains broad regional descriptions of resources, provides a broad environmental impact analysis, including cumulative impacts, and focuses on general policies. Additionally, it provides an umbrella Endangered Species Act Section 7 consultation for the broad range of activities described in the EIS. The 17-States PEIS, which provided Bureau-wide decisions on herbicide use for vegetation management, represents an example of a national-level programmatic study.

The next scale of analysis represents a regional level of analysis, and may be prepared for regional or statewide programs. A regional level of analysis would typically focus on methods to be used, regional or statewide issues, and provide an Endangered Species Act Section 7 consultation focused on regional issues. The *Great Basin Restoration Initiative* and the Cooperative Shrub-Steppe Restoration Partnership represent examples of these types of analyses and programs.

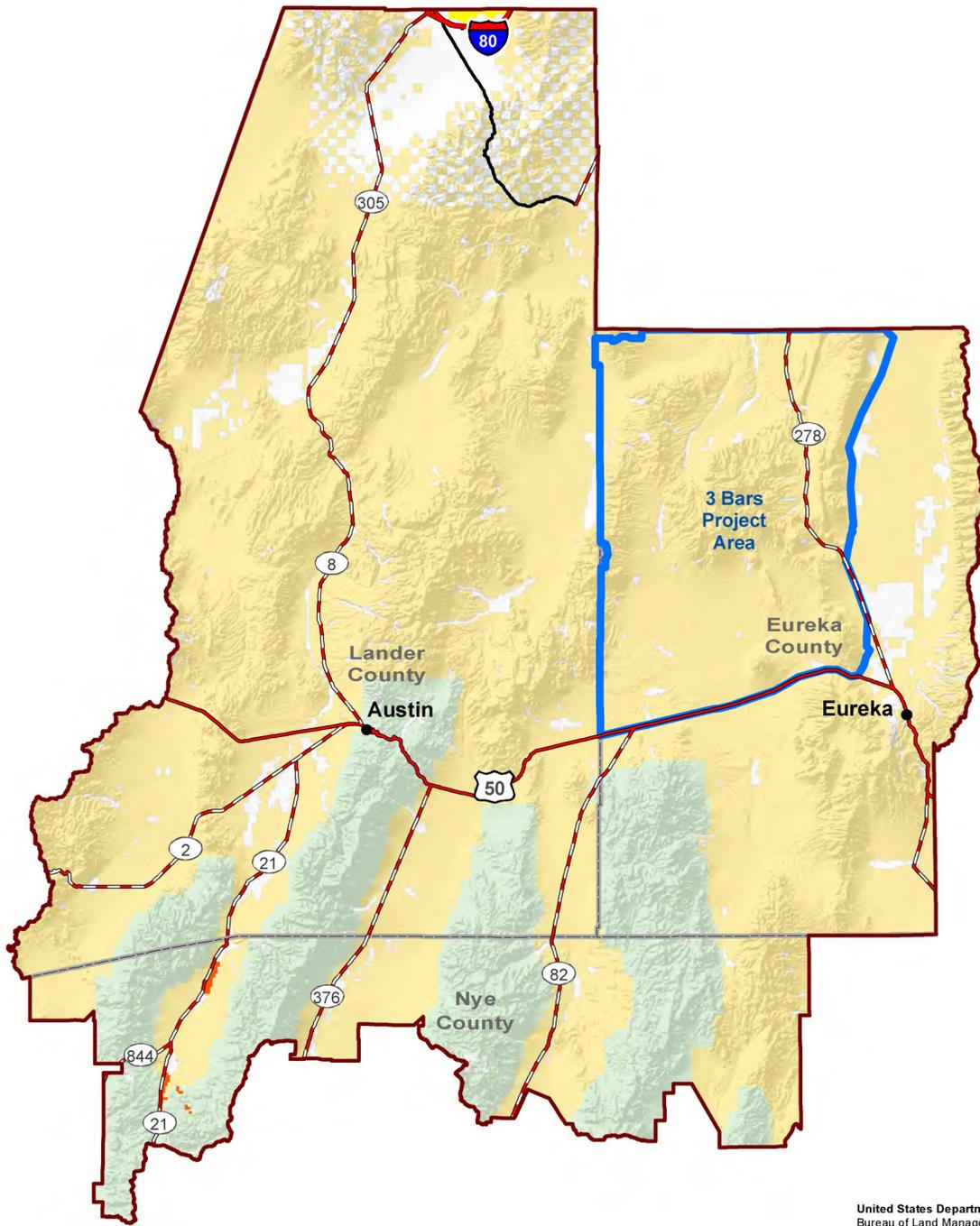
Below the regional scale of analysis, there is the option to prepare a district or field office level of analysis. The Shoshone-Eureka RMP represents the district or field office level of analysis. This level of analysis may be prepared for district or field office-wide programs. The analysis is tiered to either or both of the two higher scales of analysis and focuses on impacts of methods and options for local projects.

The local scale provides project level analysis and is prepared for site-specific proposals. The analysis may be tiered to any or all of the above scales of analysis. The analysis focuses on site-specific impacts of implementing a single management proposal as identified through local planning. Examples include, but are not limited to, noxious weed control, prescribed fire, hazardous fuel reduction, and wildland-urban interface projects. This EIS for the 3 Bars Project is an example of project level analysis.

Tiering allows local offices to prepare more specific environmental documents without duplicating relevant portions of this EIS. Analyses done by local BLM offices will be prepared in accordance with NEPA guidance and will include public involvement as regulated by the CEQ, as well as follow USDOI and BLM manual and handbook guidance and pertinent instruction memoranda. To the extent practicable, existing environmental analyses were used in analyzing impacts associated with the 3 Bars Project, including information contained in documents listed in a previous section, Documents that Influence the Scope of the EIS.

## 1.10 Interrelationship and Coordination with Agencies

In its role as manager of approximately 4.4 million acres in central Nevada, the BLM Mount Lewis Field Office has developed numerous relationships at the federal, tribal, state, and local levels, as well as with conservation and environmental groups with an interest in resource management, and members of the public that use public lands or are affected by activities on public lands. The lands administered by the Mount Lewis Field Office are depicted on **Figure 1-2**.



United States Department of the Interior  
 Bureau of Land Management  
 Mount Lewis Field Office  
 50 Bastian Rd.  
 Battle Mountain, NV 89820  
 (Prepared by MLFO - 08/14/13)



**Legend**

- |                               |                       |
|-------------------------------|-----------------------|
| <b>Land Status</b>            | — Interstate Highway  |
| ■ Bureau of Land Management   | — U.S. Highway        |
| ■ Bureau of Reclamation       | — State Highway       |
| ■ Native American Reservation | — Major Road          |
| ■ U.S. Forest Service         | — BLM Field Office    |
| □ Private                     | — 3 Bars Project Area |

**3 Bars Ecosystem and Landscape Restoration Project**

**Figure 1-2**

**Public Lands Administered by the Mount Lewis Field Office**



Source: BLM 2012a.

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual 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 notice.

### **1.10.1 Cooperating Agencies**

Federal, state, and local regulatory agencies with jurisdiction by law or special expertise relevant to the 3 Bars Project were solicited at the beginning of the NEPA process to determine their interest in participating as a co-operating agency. The cooperating agency role derives from the NEPA, which called on federal, state, and local governments to cooperate with the goal of achieving “productive harmony” between humans and their environment. The CEQ’s regulations implementing NEPA allow federal agencies (as lead agencies) to invite tribal, state, and local governments, as well as other federal agencies, to serve as cooperating agencies in the preparation of environmental impact statements. Agencies that have been granted cooperating agency status for preparation of this EIS are:

- National Park Service, National Trails Intermountain Region
- Nevada Department of Wildlife (NDOW)
- Eureka County Board of Commissioners

In 2005, the BLM amended its planning regulations to ensure that staffs at all levels—state office or field office—engage their governmental partners consistently and effectively through the cooperating agency relationship whenever land use plans are prepared or revised. The BLM was the first federal agency to promulgate regulations that establish a consistent, permanent role for cooperating agencies. The BLM believes that by working closely with state, local, tribal, and federal government partners, the agency will improve communication and understanding, identify common goals and objectives, and enhance the quality of our management of the public lands.

### **1.10.2 Other Governmental Agencies**

Several federal, state, and local agencies that are not participating as cooperating agencies administer laws that govern activities on public lands. The U.S. Fish and Wildlife Service (USFWS), Advisory Council on Historic Preservation, Agricultural Research Service, USDA Natural Resources Conservation Service, USEPA, and U.S. Geological Survey (USGS) also have an interest in the project. State agencies, such as the Nevada Department of Agriculture, Nevada Division of Environmental Protection, Nevada Division of Forestry, Nevada State Historic Preservation Office (SHPO), University of Nevada Cooperative Extension, and Nevada State Clearinghouse, play vital roles in coordination with national, tribal, state, county, and private interests through their oversight and coordination responsibilities. Local agencies, such as the Eureka County Department of Natural Resources, have an interest in resources of interest to local residents.

These agencies and the BLM regularly coordinate on resource management and control efforts to benefit all federally administered lands. Other local coordination includes the sharing of equipment, training, and financial resources, and developing resource management plans that cross administrative boundaries.

### **1.10.3 Non-governmental Organizations**

The BLM coordinates at the national and local levels with several resource advisory groups and non-governmental organizations, including BLM Resource Advisory Councils, Western Governors’ Association, National Association of Counties, Western Area Power Administration, National Cattlemen’s Beef Association, National Wool Growers Association, Society of American Foresters, and American Forest and Paper Association. The BLM also solicits input from national and local conservation and environmental groups with an interest in land management activities on public lands, such as The Nature Conservancy, Eastern Nevada Landscape Coalition, Western Watersheds Project,

Center for Biological Diversity, and National Mustang Association. These groups provide information on strategies for noxious weed establishment and spread prevention, effective noxious weed treatment methods, use of domestic animals to control noxious weeds and other invasive non-native vegetation, landscape-level planning, vegetation monitoring, techniques to restore land health, and methods to ensure that prescribed burning does not impact the safe operation of power transmission lines.

### 1.11 Consultation and Coordination

As part of this EIS, the BLM consulted with the USFWS as required under Section 7 of the Endangered Species Act. The BLM prepared a formal initiation package that included: 1) a description of the program, listed threatened and endangered species, species proposed for listing, and critical habitats that may be affected by the program; and 2) a *Biological Assessment for the 3 Bars Ecosystem and Landscape Restoration Project* (USDOI BLM 2013a). The Biological Assessment evaluated the likely impacts to listed species, species proposed for listing, and critical habitats from the 3 Bars Project and identified management practices to minimize impacts to these species and habitats. Consultation is ongoing and will be completed before publication of the ROD.

The BLM consulted with the Advisory Council on Historic Preservation, and Nevada SHPO, as part of Section 106 consultation under the National Historic Preservation Act to determine how proposed treatment actions could impact cultural resources. Consultation is ongoing and will be completed before publication of the ROD. Formal consultations with the Nevada SHPO and Native American tribes also may be required during implementation of projects at the local level (**Appendix B**).

The BLM consults with federally recognized tribes before making decisions or undertaking activities that will have a substantial, direct effect on federally recognized tribes, or their assets, rights, services, or programs. The BLM initiated consultation with various tribes and bands of the Western Shoshone to identify their cultural values, religious beliefs, traditional practices, and legal rights that could be affected by BLM actions. This included sending out letters to the tribes and groups that could be directly affected by vegetation treatment activities, requesting information on how the proposed activities could impact Native American interests, including the use of vegetation and wildlife for subsistence, religious, and ceremonial purposes, and conducting meetings and site visits with the interested tribes by the BLM's Native American Coordinator. The results of the meetings and trips are summarized in the *3 Bars Ecosystem and Land Restoration Project: Native American Contacts Review* (Bengston Consulting 2012). Tribes consulted for the project are:

- Te-Moak Tribe of Western Shoshone and constituent bands:
  - Battle Mountain Band
  - South Fork Band
  - Elko Band
- Duckwater Shoshone Tribe
- Ely Shoshone Tribe
- Yomba Shoshone Tribe

## 1.12 Public Involvement and Analysis of Issues

The purpose of public scoping is to focus the analysis in an EIS on the significant issues and reasonable alternatives in order to eliminate extraneous discussion and to reduce the length of an EIS. Scoping is an ongoing process that involves the public in developing an EIS.

On January 25, 2010, the BLM published a Notice of Intent (USDOJ BLM 2010c) notifying the public that the BLM had formed an interdisciplinary team to prepare an EIS for proposed restoration activities for the 3 Bars Project. The Notice of Intent initiated the formal public scoping period for the project. The Notice of Intent stated that comments on issues could be submitted in writing until February 24, 2010, in order to be considered in the development of the Draft EIS for the 3 Bars Project. However, the BLM stated at the public scoping meetings that it would consider all comments received prior to the close of the scoping period or 15 days after the last public meeting, whichever was later, during development of the Draft EIS. The last scoping meeting was on February 23, 2010, and scoping comments were accepted through March 10, 2010.

### 1.12.1 Public Scoping Meetings

Two public scoping meetings were held, one in Battle Mountain, Nevada, on February 22, and one in Eureka, Nevada, on February 23, 2010. These meetings were conducted in an open-house style where BLM resource specialists were able to answer questions from the public about the 3 Bars Project. Informational displays were provided at the meeting, and handouts describing the project, the NEPA process, and issues and alternatives were given to the public. In addition, a formal presentation was given to the public with additional information on 3 Bars Project goals and objectives. In addition to BLM and EIS contractor personnel, 6 individuals attended the meeting in Battle Mountain, and 18 individuals attended the meeting in Eureka.

The BLM received 24 scoping comment letters on the proposed 3 Bars Project. In addition, comments were recorded during informal discussions with the public at the public scoping meetings. However, not all individuals commenting orally at the meeting were able to be identified, making it difficult to determine the exact number of individuals presenting comments at the meetings. Based on written and oral comments given during the scoping period, 637 catalogued individual comments were recorded during scoping for the 3 Bars Project EIS. **Table 1-3** lists the agencies and organizations that provided comments during public scoping.

*A Scoping Comment Summary Report for the 3 Bars Ecosystem and Landscape Restoration Project EIS* (Scoping Report; AECOM 2010) was prepared that summarized the issues and alternatives identified during scoping. This document was made available to the public in February 2012 on the 3 Bars Project website on the BLM NEPA register.

### 1.12.2 Scoping Issues and Concerns

**Table 1-4** lists the number of comments received by subject areas in this EIS. Vegetation treatment planning and management and vegetation treatment methods were the two most important topics to the public. A wide range of issues was identified during scoping. Issues accounting for over 80 percent of the comments received during scoping are listed in **Table 1-5**. A list of all issues identified during scoping can be found in the Scoping Report.

**TABLE 1-3**

**Agencies/Organizations/Individuals Providing Written Comments during Public Scoping**

<b>Individual/Organization</b>	<b>Number of Individual Comments Provided</b>
Center for Biological Diversity	29
Eureka County Natural Resources Advisory Commission	57
National Mustang Association, Inc.	2
Nevada State Clearinghouse	2
Paiute Pipeline Company	1
State of Nevada Department of Wildlife	25
University of Nevada Cooperative Extension	11
U.S. Environmental Protection Agency	2
Western Watersheds Project	345
Individuals	123

**TABLE 1-4**

**Comment Subject Breakdown**

<b>Comment Subject</b>	<b>Number of Comments<sup>1</sup></b>	<b>Percent of Total</b>
<b>Proposed Action and Purpose and Need for Action</b>		
Proposed Action	4	0.6
Purpose and Need for Proposed Action	2	0.3
Scope of Analysis and Decisions to be Made	1	0.2
Relationship to Statutes, Regulations, and Policies	9	1.4
Interrelationships and Coordination with Agencies	13	2.0
Public Involvement and Analysis of Issues	9	1.4
<b>Alternatives Including the Proposed Action</b>		
Vegetation Treatment Planning and Management	53	8.2
Description of Treatment Methods	45	6.9
Description of Action Alternatives	6	0.9
Proposed Action – Alternative A	3	0.5
No Action Alternative – Alternative D	2	0.3
Other Possible Alternatives	13	2.0
Alternatives Considered but Eliminated from Analysis	3	0.5
Treatment Standard Operating Procedures	24	3.7
Special Precautions	1	0.2
Studies and Monitoring	33	5.1
Coordination and Education	5	0.8
Mitigation	3	0.5
<b>Affected Environment</b>		
Affected Environment – General	2	0.3
Introduction and Study Area	4	0.6

**TABLE 1-4 (Cont.)**  
**Comment Subject Breakdown**

<b>Comment Subject</b>	<b>Number of Comments<sup>1</sup></b>	<b>Percent of Total</b>
Land Use	6	0.9
Climate and Air Quality	1	0.2
Soil Resources	5	0.8
Water Resources (Quantity and Quality)	23	3.5
Wetlands, Riparian Areas, and Floodplains	6	0.9
Vegetation Resources	72	11.1
Fish and other Aquatic Resources	6	0.9
Wildlife Resources	39	6.0
Livestock	32	4.9
Wild Horses	20	3.1
Wilderness and other Special Areas	2	0.3
Cultural Resources	3	0.5
Social and Economic Values	5	0.8
<b>Environmental Consequences</b>		
Environmental Consequences – General	6	0.9
Assumptions for Analysis	10	1.5
Land Use	9	1.4
Climate and Air Quality	6	0.9
Topography, Geology, and Minerals	4	0.6
Soil Resources	2	0.3
Water Resources (Quantity and Quality)	6	0.9
Wetlands, Riparian Areas, and Floodplains	3	0.5
Vegetation Resources	53	8.2
Fish and other Aquatic Resources	2	0.3
Wildlife Resources	10	1.5
Special Status Species	4	0.6
Livestock	6	0.9
Wild Horses	21	3.2
Wilderness and other Special Areas	4	0.6
Cultural Resources	2	0.3
Recreation	5	0.8
Social and Economic Values	13	2.0
Human Health and Safety	1	0.2
Cumulative Effects Analysis	19	2.9
<b>Other Comments</b>		
References	4	0.6
Glossary, Acronyms, and Abbreviations	3	0.5
Comments not Evaluated in this EIS	2	0.3
<b>Total Comments</b>	<b>650</b>	<b>100</b>
<sup>1</sup> Total number of comments is greater than actual number of comments provided because a few comments were referenced under more than one comment subject.		

TABLE 1-5

Key Issues (and Number of Comments) Identified during Scoping

Issues	Number of Comments
<b>Program Purpose and Need</b>	
Evaluate land use (grazing, fire suppression, and mining) on ecosystem health, and provide baseline studies	44
Focus on the recovery and viability of listed, rare, and imperiled species, and provide baseline assessments	27
Work closely with agencies, conservation groups, and private landowners on restoration activities	15
Address how EIS will impact RMPs and other planning; update RMP	13
Focus on long-term ecosystem sustainability and biological diversity, and clearly define restoration objectives	8
Provide an explanation of the rationale for why these lands need treatment	8
Provide an evaluation and assessment of past treatments on District lands	8
Focus on addressing the causes rather than treating the symptoms	7
Provide assessment of areas that are functioning well	5
<b>Proposed Action</b>	
Ensure viable wild horse herds, and provide historic and current conditions of herds	30
Do not thin re-forested/persistent woodlands, protect old growth, and cut only younger age class trees	26
Ensure compliance with existing statutes, regulations, and policies	12
Treatments should be less invasive/more “passive,” and avoid additional disturbances due to treatments	9
Consider all treatment methods, and allow for innovative solutions	7
Describe where acres will be treated and by what methods, and treat areas uniquely	6
Maintain grazing permits and avoid livestock limitations	6
Use selective hand-cutting/drilling and avoid mechanical removal	5
Determine appropriate forage allocations, and distinguish between livestock, wild horses, and big game	5
<b>Other Potential Alternatives</b>	
Fuels reduction should only occur in wildland urban interface or where there is a threat of significant wildfire	5
Develop a prescription grazing alternative	5
<b>Restoration Goals and Best Management Practices</b>	
Monitor success of treatments and establish performance measures to determine treatment success	35
Use current and consistent ecological concepts, terminology, and theory, and provide methods	31
Restrict grazing during treatments and on un-impacted lands, and provide rest periods following treatments	22
Restoration efforts should focus on restoring native vegetation, and focus on areas seeded to exotics	20
Preserve sagebrush and sagebrush habitat	14
Use native plants and certified native seed, where practical, for revegetation	9
Expand/adjust the boundaries of the project, use natural boundaries, and focus on human-interface areas	5
Focus restoration efforts on restoring natural disturbance regimes, ecosystem processes, and functions	4
<b>Environmental Consequences</b>	
Address how treatments will affect the local and regional economy	20
Address the impacts of project activities on available habitat and habitat fragmentation	11
Evaluate the effects of herbicide treatments on non-target species, on water supplies, and on human health	9
Address the impacts of past and future land uses on anticipated success of vegetation treatments	6
Evaluate the potential for return of invasive species following treatment	6
Address the role of grazing in contributing to or controlling weeds, invasive vegetation, and hazardous fuels	6
Address the impacts of treatments on fire/historical range of variation	6
Address the impacts of multiple treatments and application of multiple chemicals in single areas	5
Address economic and habitat value of pinyon pine	5
Evaluate the impacts of project activities on climate change and air quality	5
Address the impacts of roads and off-road vehicle use on vegetation conditions and treatments	4
Evaluate the impacts of treatments on the Pony Express Trail and Wilderness Study Areas	4

The primary issue of controversy identified through scoping was the BLM's proposed treatment approaches for the restoration of the 3 Bars ecosystem. Respondents were also concerned with the impacts that treatment actions would have on the spread of invasive species, the viability of wild horses and livestock, preservation of old growth woodlands, and protection of habitat for wildlife and special status species. All relevant issues identified through public scoping, however, have been analyzed in this EIS to the extent practicable.

### **1.12.3 Development of the Alternatives**

The public scoping comments influenced the development of several 3 Bars Project ecosystem resource management alternatives. Numerous respondents suggested that the BLM avoid using fire and herbicide treatment methods, or only use manual methods, including the use of hand tools such as chainsaws and weed whackers. Based on these comments and NEPA-review requirements, four alternatives addressing restoration and management of the 3 Bars ecosystem are evaluated in this EIS. These alternatives are discussed in detail in Chapter 2, Alternatives.

### **1.12.4 Issues Not Addressed in the Draft EIS**

Less than 4 percent of comments received were not addressed in the EIS because they were beyond the scope of the document or were not relevant to the basic purpose and need of the project. The following represent the comments not addressed in the EIS:

- Complete a new inventory of public lands and associated RMP.
- Provide a new Appropriate Management Level for wild horses that examines the relative impacts of horses versus livestock and remove livestock competition and set new Appropriate Management Levels based on the findings. This request included detailed mapping that shows where and how livestock facilities have proliferated into, and disrupted, wild horse Herd Management Areas.
- Provide an analysis of all demands on, and alteration of, the aquifer including the effects of all the mining activity near Cortez-Beowawe and other areas, and the proposed Mount Hope molybdenum mine.
- Establish a series of Areas of Critical Environmental Concern or reserves as part of this process and act to leave large areas undisturbed.
- Include use of federal fire funds to purchase grazing permits and permanently remove livestock from degraded lands.
- Prepare a full analysis of the worst case scenario for mining and energy development in the 3 Bars Project area.

## **1.13 Limitations of this EIS**

The analyses of impacts of the 3 Bars Project treatments proposed in this EIS are based on the best and most recent information available. As is always the case when developing management direction for a wide range of resources, not all information that might be desired is available. Council on Environmental Quality regulations provide direction on how to proceed with the preparation of an EIS when information is incomplete or unavailable:

“If the information relevant to reasonably foreseeable significant adverse impacts cannot be obtained because the overall costs of obtaining it are exorbitant or the means to obtain it are not known, the agency shall include within the

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environmental impact statement: 1) a statement that such information is incomplete or unavailable; 2) a statement of the relevance of the incomplete or unavailable information to evaluating reasonably foreseeable significant adverse impacts on the human environment; 3) a summary of existing credible scientific evidence which is relevant to evaluating the reasonably foreseeable significant adverse impacts on the human environment; and 4) the agency's evaluation of such impacts based upon theoretical approaches or research methods generally accepted in the scientific community. For the purposes of this section, "reasonably foreseeable" includes "impacts which have catastrophic consequences, even if their probability of occurrence is low, provided that the analysis of the impacts is supported by credible scientific evidence, is not based on pure conjecture, and is within the rule of reason" (40 CFR § 1502.22 b).

For this EIS, the primary effect of unavailable information is the inability to quantify certain impacts. Where quantification was not possible, impacts have been described in qualitative terms. Existing credible scientific evidence that is relevant to evaluating the reasonably foreseeable adverse impacts on the natural, human, and socioeconomic environment and support the BLM's evaluation of such impacts have been included in Chapter 3, in the appendices that accompany this EIS, and in supporting documents that were prepared for this EIS and that have been included on the accompanying compact disk (CD) and are also available on the 3 Bars Project website on the BLM NEPA Register.

If changes in the proposed project activities and levels occur in the future, they would be reviewed to determine whether additional environmental documentation is needed, including an Environmental Assessment or EIS. This EIS would serve as a source document that would be used to support any additional documentation that may be required. Any new or additional actions would also be evaluated for compliance with federal, state, and local laws and regulations prior to implementation, and the public would be informed of any major actions that may be considered for implementation by the BLM as part of the NEPA compliance process.