

**FINAL ENVIRONMENTAL ASSESSMENT  
FONSI and DECISION RECORD**

**TRE and Preacher Fires –  
Emergency Action,  
Temporary Closures**

DOI-BLM-NV-C020-2012-0049-EA

U.S. Department of the Interior  
Bureau of Land Management  
Carson City District  
Sierra Front Field Office  
5665 Morgan Mill Road  
Carson City, Nevada 89701  
775-885-6000

**July 2012**



## 1.0 INTRODUCTION/PURPOSE AND NEED

### 1.1 Introduction, Purpose and Need

#### *TRE Fire*

On May 22, 2012 the TRE Fire was started by an escaped pile burn in the backyard of a private residence. The TRE Fire occurred on the south end of the Pine Nut Mountains in Douglas County, Nevada (Map 1). The TRE Fire was controlled after burning approximately 7,073 acres of public and private lands, and was declared out on May 27, 2012.

Post-fire analysis suggests that most of the burn area on Bureau of Land Management (BLM) managed lands was exposed to moderate to high intensity fire, causing a loss of substantial perennial vegetation. Approximately 6,217 acres of BLM-managed lands, and 856 acres of private lands (including 703 acres of Indian Trust lands) are included within the burn area.

#### *Preacher Fire*

On June 1, 2012 the Preacher Fire was started by a lightning-strike on Bureau of Indian Affairs lands (Indian Trust Lands). The Preacher Fire occurred on the Pine Nut Mountains in Douglas County, Nevada (Map 2). The Preacher Fire was controlled after burning approximately 1,076 acres public and private lands, and was declared out on June 7, 2012.

Post-fire analysis suggests that most of the burn area on BLM-managed lands was exposed to moderate to high intensity fire, causing a loss of substantial perennial vegetation. Approximately 424 acres of BLM-managed lands, and 652 acres of private lands (including 163 acres of Indian Trust lands) are included within the burn area.

The Proposed Action would apply to BLM-managed lands within the administrative jurisdiction of the Sierra Front Field Office. The Proposed Action does not apply to private lands within the burn area.

The Proposed Action would temporarily: 1) restrict motorized vehicle use to posted roads and two-track trails and ban cross-country travel; and 2) close BLM-managed lands within the burn areas to wood harvesting and/or tree cutting on BLM-managed lands. The proposed restrictions would be in effect for two years from publication of this closure and restriction notice in the *Federal Register*. Under the Proposed Action, the BLM would install signs informing the public that they are entering a temporarily restricted area where all Off-Highway Vehicle (OHV) travel is limited to posted routes. Existing dirt roads and two-track trails within the burn areas would be posted as open to motorized vehicle use. Signs would also notify the public that they are entering BLM-managed lands where wood harvesting and/or tree cutting is prohibited.

Establishing these restrictions would enable resource recovery over two growing seasons, and provide the BLM time to implement post-fire recovery and rehabilitation. The purpose of this

action is to restrict and close BLM-managed lands to certain uses during a duration of two years to facilitate and implement post-fire rehabilitation efforts. The need for this action is to address adverse environmental impacts to the burn areas that are occurring and would continue to occur for several years from off-highway vehicle (OHV) cross-country use, and associated wood harvesting and tree cutting activities.

The authority for the proposed restriction and closure order is 43 Code of Federal Regulations (CFR) 8364.1. Furthermore, this order would be published in the *Federal Register* after issuance of this Decision Record. This Final Environmental Assessment (EA) serves as documentation of compliance with the National Environmental Policy Act (NEPA) for this action per BLM Instructional Memorandum (IM) No. 2010-028, Change 1.

The Proposed Action would also include site-specific application of approved herbicides to control or prevent the spread of noxious invasive plant species in the burn areas on BLM-managed lands and would also authorize planting of native plants by hand.

### **1.2 Land Use Plan Conformance Statement**

The Proposed Action is in conformance with the Carson City Field Office Consolidated Resource Management Plan (May 2001). This emergency action is consistent with 43 CFR 46.150 (DOI NEPA Regulations). The Sierra Front Field Authorized Officer has identified this effort as an emergency action and this EA/FONSI/DR serves as the document to fulfill compliance with NEPA.

### **1.3 Decision to be Made**

The Authorized Officer would decide whether to implement the Proposed Action which would: 1) restrict motorized vehicle use to posted roads and two-track trails on BLM-managed lands; and 2) close BLM-managed lands within the burn areas to wood harvesting and/or tree cutting for two years upon publication of this closure and restriction notice in the *Federal Register*. The Authorized Officer would decide whether to post existing dirt roads and two-track trails within the burn areas as open to motorized vehicle use at each point where the road or two-track trail enters the BLM-managed lands within the burn areas. The Authorized Officer would also decide whether to include site-specific application of approved herbicides to control or prevent the spread of noxious invasive plant species in the burn areas on BLM-managed lands and to authorize planting of native plants by hand.

## **2.0 PROPOSED ACTION AND ALTERNATIVES**

### **2.1 Alternative A: Proposed Action**

The Proposed Action would temporarily: 1) restrict motorized vehicle use to posted roads and two-track trails and ban cross-country travel; and 2) close BLM-managed lands within the burn areas to wood harvesting and/or tree cutting on BLM-managed lands. The proposed restrictions would be in effect for two years from publication of this closure and restriction notice in the *Federal Register*. Under the Proposed Action, the BLM would install signs informing the public that they are entering a temporarily restricted area where all Off-Highway

Vehicle (OHV) travel is limited to posted routes. Existing dirt roads and two-track trails within the burn areas would be posted as open to motorized vehicle use. Signs would also notify the public that they are entering BLM-managed lands where wood harvesting and/or tree cutting is prohibited.

The BLM-managed lands (Maps 1 and 2) that would be affected by the Proposed Action are located as follows:

TRE Legal Description

Mount Diablo Meridian Nevada

- T. 10 N., R 22 E.,
  - sec. 1, lots 2, 3, and 4;
  - sec. 2, lots 1, 2, 3, and 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;
  - sec. 3, lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ .
- T. 11 N., R. 22 E.,
  - sec. 24, SE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ ;
  - sec. 25;
  - sec. 26, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ ;
  - sec. 27, S $\frac{1}{2}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ ;
  - sec. 33, E $\frac{1}{2}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ ;
  - sec. 34, N $\frac{1}{2}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;
  - sec. 35;
  - sec. 36.
- T. 10 N., R. 23 E.,
  - sec. 6, lots 2, 3, 4, and 5, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ .
- T. 11 N., R. 23 E.,
  - sec. 19, lots 3 and 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;
  - sec. 20, S $\frac{1}{2}$ SW $\frac{1}{4}$ ;
  - sec. 28, W $\frac{1}{2}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ ;
  - sec. 29;
  - sec. 30, lots 1, 2, 3, and 4, E $\frac{1}{2}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ ;
  - sec. 31, lots 1, 2, 3, and 4, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ ;
  - sec. 32, N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ ;
  - sec. 33, NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ .

The area described contains 8,070.4 acres, more or less.

Preacher Legal Description

Mount Diablo Meridian Nevada

- T. 12 N., R 21 E.,
  - sec. 24, S $\frac{1}{2}$ SW $\frac{1}{4}$ ;
  - sec. 25, NW $\frac{1}{4}$ ;

sec. 26, N½NE¼, SW¼NE¼, NE¼NW¼, S½NW¼, SW¼, SW¼SE¼;  
sec. 35, NW¼NW¼.

The area described contains 720 acres, more or less. The Proposed Action would not apply to private lands within the burn areas (Maps 1 and 2).

The Proposed Action would also include site-specific application of approved herbicides to control or prevent the spread of noxious invasive plant species in the burn areas on BLM-managed lands. The Proposed Action would also authorize planting of native plants by hand as described in Section 4.3.

Under the Proposed Action, the BLM would post existing dirt roads and two-track trails within the burn areas as open to motorized vehicle use at each point where the road or two-track trail enters the BLM-managed lands within the burn areas. Signs would notify the public that off-road vehicle use is prohibited, and that they are entering BLM-managed lands where wood harvesting and/or tree cutting is prohibited. The BLM would maintain the signage during the duration of the restriction and closure order.

The authority for the proposed restriction and closure order is 43 Code of Federal Regulations (CFR) 8364.1. Furthermore, this order would be published in the *Federal Register* after issuance of this Decision Record.

## **2.2 Alternative B: No Action**

The BLM would not limit motorized vehicle use to existing posted roads and two-track trails within the burn areas, and would not close the burn areas to wood harvesting and/or tree cutting. Since the time of the fires, and in the near-term until annual and perennial vegetation re-grows, user defined single and two-track trails would be created and spread potentially throughout the burn areas. The result is adverse effects to soil and vegetative resources as a result of off-highway vehicle (OHV) use on burned lands are occurring and would likely continue for several years. Furthermore, post-fire rehabilitation efforts such as seeding would be compromised.

## **3.0 AFFECTED ENVIRONMENT**

### **3.1 General Setting**

The burn areas are located in the Pine Nut Mountains (Maps 1 and 2). Elevations throughout the burn areas range from 5,600 to 8,700 feet above sea level. The burn areas are a mixture of private lands (including lands held in Indian Trust), and BLM-managed lands.

### **3.2 Supplemental Authorities**

Appendix 1 of BLM's NEPA Handbook (H-1790-1) identifies Supplemental Authorities that are subject to requirements specified by statute or executive order and must be considered in all BLM environmental documents.

**Table 1. Supplemental Authorities\*.**

Resource	Present Yes/No	Affected Yes/No	Rationale
Air Quality	N		Resource not present.
Areas of Critical Environmental Concern	N		Resource not present.
Cultural Resources	Y	N	Temporarily closing BLM-managed lands to wood harvesting and/or tree cutting, and limiting motorized vehicle use to posted existing roads and trails would have no adverse effect on cultural resources, where present. Post-fire planting of seedlings by hand would only occur after a cultural resources inventory is completed and a determination made that such activity would not have an adverse effect to historic resources.
Environmental Justice	N		Resource not present.
Farm Lands (prime or unique)	N		Resource not present.
Floodplains	N		Resource not present.
Noxious invasive plant species	Y	Y	Carried forward for analysis.
Migratory Birds	Y	N	Temporarily closing BLM-managed lands to wood harvesting and/or tree cutting, and limiting motorized vehicle use to posted existing roads and trails would have no adverse effect on migratory birds.
Native American Religious Concerns	N		Resource not present.
Threatened or Endangered Species (animals)	N		Resource not present.
Threatened or Endangered Species (plants)	N		Resource not present.
Wastes, Hazardous or Solid	N		Resource not present.
Water Quality (Surface/Ground)	Y	Y	See Soils section.
Wetlands/Riparian Zones	N		Resource not present.
Wild and Scenic Rivers	N		Resource not present.
Wilderness/WSA	N		Resource not present.

*\*See H-1790-1 (January 2008) Appendix 1 Supplemental Authorities to be Considered.*

*Supplemental Authorities determined to be Not Present or Present/Not Affected need not be carried forward or discussed further in the document.*

*Supplemental Authorities determined to be Present/May Be Affected may be carried forward in the document.*

### 3.3 Resources or Uses Other Than Supplemental Authorities

BLM specialists have evaluated the other potential impacts of the Proposed Action and No Action Alternative on these resources and documented their findings Table 2. Resources or uses that

“may be affected” by the Proposed Action or No Action Alternative are further described in this EA.

**Table 2. Resources or Uses Other Than Supplemental Authorities.**

Resource or Issue**	Present Yes/No	Affected Yes/No	Rationale
BLM Sensitive Species (animals)	Y	N	Temporarily closing BLM-managed lands to wood harvesting and/or tree cutting, and limiting motorized vehicle use to posted existing roads and trails would have no adverse effect on sensitive animals.
BLM Sensitive Species (plants)	Y	N	Temporarily closing BLM-managed lands to wood harvesting and/or tree cutting, and limiting motorized vehicle use to posted existing roads and trails would have no adverse effect on sensitive plants.
Fire Management/Vegetation	Y	Y	See Vegetation section.
Forest Resources	Y	Y	See Vegetation section.
General Wildlife	Y	N	Temporarily closing BLM-managed lands to wood harvesting and/or tree cutting, and limiting motorized vehicle use to posted existing roads and trails would have no adverse effect on general wildlife.
Land Use Authorization	N		Resource not present.
Lands with Wilderness Characteristics	N		Resource not present.
Livestock Grazing	Y	N	The BLM may issue a temporary closure of affected lands for the Spring Gulch and Buckeye Allotments. Livestock grazing would not be affected by this separate closure.
Minerals	N		Resource not present.
Paleontological	N		Resource not present.
Public Safety	Y		Resource not present.
Recreation	Y	Y	Carried forward for analysis.
Socioeconomics	N		Resource not present.
Soils	Y	Y	Carried forward for analysis.
Travel Management	Y	Y	See Recreation section.
Vegetation	Y	Y	Carried forward for analysis.
Visual Resources	Y	N	Temporarily closing BLM-managed lands to wood harvesting and/or tree cutting, and limiting motorized vehicle use to posted existing roads and trails would have no effect on the visual character and classification of the burn areas.
Wild Horses and Burros	N		Resource not present.

*\*\*Resources or uses determined to be Not Present or Present/Not Affected need not be carried forward or discussed further in the document.*

*Resources or uses determined to be Present/May Be Affected may be carried forward in the document.*

## **4.0 ENVIRONMENTAL CONSEQUENCES/CUMULATIVE EFFECTS**

The Affected Environment for the Proposed Action and No Action Alternative area the same, and consist of those BLM-managed lands within the burn areas (approximately 8,149 acres). The cumulative effects analysis area is the entire closure and restriction area, consisting of approximately 9,657 acres of BLM-managed lands and private lands.

### **4.1 Recreation**

#### *Affected Environment*

Under the CRMP, the TRE and Preacher Fire burn areas are designated “open” to OHVs. Although the burn areas currently have dirt roads and two-track trails, allowable use in the area also includes use of single-track trails, off-road and cross-country travel. Other dispersed recreation that occurs in the area includes hunting, rockhounding and hiking.

The setting of the burn areas are in proximity to residential neighborhoods and urban areas. As a result, recently burned areas are highly accessible to the public with OHVs. Individuals can often head straight out from their backyard onto BLM-managed lands that were recently burned and due to the loss of vegetation barriers.

#### *Environmental Consequences*

Under the Proposed Action, the proposed restriction and closure order would limit motorized vehicles to existing posted roads and two-track trails. Use of single track trails, off-road and cross country travel would be prohibited. The restriction and closure order would not affect other dispersed forms of recreation that may occur in the burn areas.

#### *Cumulative Effects*

Cumulative effects to recreation would be short-term, the restriction and closure order would be in place for two years upon publication of the closure and restriction notice in the *Federal Register*. BLM-managed lands in the region would continue to provide for a wide variety of recreation opportunities. This order would only adversely affect and limit those recreationists interested in use of the specific lands for a short period of time.

### **4.2 Soils**

#### *Affected Environment*

Soil associations within the burn areas include Cagle-Nosrac, Devada-Burnborough Variant, Duco-Cagle-Nosrac, Duco-Devada-Norsac, Duco-Nosrac and Kram-Puett Variant. The erosion hazard for these soils is moderate to severe (Soil Survey Douglas County Area, Nevada).

#### *Environmental Consequences*

Limiting motorized vehicle use to existing posted roads and two-track trails would allow soils affected by the fire to stabilize and vegetation re-growth to occur over several growing seasons. Additionally, over the next two years the BLM would implement a number of measures to respond to the effects of the fire including: aerial seeding, lateral tree falling (to decrease soil erosion and increase water infiltration), and monitoring for noxious weed species. These

management treatments over the long-term will benefit soil conditions and reduce the likelihood of severe soil erosion.

#### *Cumulative Effects*

Implementing the proposed restriction and closure order would cumulatively benefit soil conditions by allowing soil stabilization and re-growth of perennial plants. Rehabilitation of the burn areas would also be aided by BLM post-fire treatment such as hand planting of seedlings.

### **4.3 Vegetation**

#### *Affected Environment*

Pre-fire perennial vegetation in the burn areas was composed of pinion pine (*Pinus monophylla*) and western juniper (*Juniperus occidentalis*). Understory in the burn areas was composed of big sagebrush species (*Artemisia tridentata* var *vaseyana*, *Wyomingensis* and *tridentata*) and bitterbrush (*Purshia tridentata*) along with perennial grasses such as Thurber needlegrass (*Achnatherum thurberianum*), basin wildrye (*Leymus cinereus*), bluegrass species (*Poa* sp.), Indian ricegrass (*Achnatherum hymenoides*), bluebunch wheatgrass (*Pseudoroegneria spicata*), and bottlebrush squirreltail (*Elymus elymoides*).

#### *Environmental Consequences*

Limiting motorized vehicle use to existing posted roads and two-track trails would allow vegetation re-growth to occur over several growing seasons. Additionally, over the next two years the BLM would implement a number of measures to respond to the effects of the fire that would benefit vegetation including: aerial seeding, and lateral tree falling (to decrease soil erosion and increase water infiltration). The BLM may also plant bitterbrush and sagebrush seedlings by hand, after the conclusion of any required cultural resources inventories and a determination that such activity would have no adverse effect to historic resources.

#### *Cumulative Effects*

Implementing the proposed restriction and closure order would cumulatively benefit vegetation by allowing soil stabilization and re-growth of perennial plants. Rehabilitation of the burn areas would also be aided by BLM post-fire treatment such as hand planting of seedlings, which would be cumulatively beneficial.

### **4.4 Noxious invasive plant species**

#### *Affected Environment*

Noxious invasive plant species present in the burn areas include: cheatgrass (*Bromus tectorum*), yellow star-thistle (*Centaurea solstitialis*), Scotch thistle (*Onopordum acanthium*), hoary cress (*Cardaria draba*) and perennial pepperweed (*Lepidium latifolium*). Burn areas have a high probability of being transitioned to cheatgrass.

#### *Environmental Consequences*

To control or prevent the spread of noxious invasive plant species, site-specific application of approved herbicides would be carried out in compliance with Informational Bulletin No. 2012-022 and the *Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in*

17 Western States Programmatic Environmental Impact Statement and Record of Decision (2007), which is hereby incorporated by reference.

*Cumulative Effects*

Without intervention and site-specific application of approved herbicides to control or prevent the spread of noxious invasive plant species, cumulative effects would be adverse.

**5.0 MONITORING PLAN**

The BLM would implement the following monitoring measures during the duration of the proposed closure and restriction:

- Adequate patrols of the burn areas by BLM law enforcement to ensure compliance with the restriction of motorized vehicle use to posted roads and two-track trails;
- The BLM would maintain posted signs and make adjustments, as needed; and
- The BLM would monitor seeding and erosion control measures for effectiveness.

Should monitoring determine that additional measures are warranted, the BLM would use adaptive management that could:

- Increase or decrease the number of roads and/or two-track trails that are open for public use;
- Increase or decrease BLM law enforcement measures as needed to address new adverse impacts to resources;
- Modify post-fire rehabilitation efforts as described here to increase effectiveness or respond to changes on the ground; and
- Modify site-specific application of herbicides based on post-fire spread of noxious invasive plant species.

**6.0 PERSONS, GROUPS, AND AGENCIES CONSULTED**

**6.1 List of Preparers**

**Bureau of Land Management**

Name	Title	Project Expertise
Ryan Elliot	Fire Planner	ESR Coordinator
JoAnn Hufnagle	Realty Specialist	Land Use Authorizations
Brian Buttazoni	Planning and Environmental Coordinator	NEPA
Arthur Callan	Outdoor Recreation Planner	Recreation
Kathryn Dyer	Range Management Specialist	ESR Coordinator
Dean Tonenna	Botanist	Vegetation and Noxious invasive plant species

## 7.0 FINDING OF NO SIGNIFICANT IMPACT

Based on the analysis of potential environmental impacts contained in this Final EA, and considering the significance criteria found in 40 CFR 1508.27, I have determined that the Proposed Action, will not have a significant effect on the human environment. An environmental impact statement (EIS) is not required.

  
for Leon Thomas

Field Manager  
Sierra Front Field Office

7/24/12  
Date

## 8.0 DECISION

It is my Decision to approve this emergency action and issue a Notice of Temporary Restriction and Closure of Public Lands for publication in the *Federal Register* under the provisions of the Federal Land Policy Management Act (90 Statute 2743; U.S.C. 1701) and regulations contained in 43 CFR 8364.1. Furthermore, it is my Decision to implement the following post-fire activities including: site-specific application of approved herbicides to control or prevent the spread of noxious invasive plant species in the burn areas; and post-fire aerial seeding and planting of native plants on BLM-managed lands.

This EA would also be used to approve the issuance of *Federal Register* notices for the described closure, subject to any changes in appropriate policies, regulations or statutes.

The public lands identified for temporary restriction and closure are described as follows:

### TRE Legal Description

#### Mount Diablo Meridian Nevada

- T. 10 N., R 22 E.,
  - sec. 1, lots 2, 3, and 4;
  - sec. 2, lots 1, 2, 3, and 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;
  - sec. 3, lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ .
- T. 11 N., R. 22 E.,
  - sec. 24, SE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ ;
  - sec. 25;
  - sec. 26, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ ;
  - sec. 27, S $\frac{1}{2}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ ;
  - sec. 33, E $\frac{1}{2}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ ;
  - sec. 34, N $\frac{1}{2}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;
  - sec. 35;
  - sec. 36.

T. 10 N., R. 23 E.,  
sec. 6, lots 2, 3, 4, and 5, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ .  
T. 11 N., R. 23 E.,  
sec. 19, lots 3 and 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
sec. 20, S $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
sec. 28, W $\frac{1}{2}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
sec. 29;  
sec. 30, lots 1, 2, 3, and 4, E $\frac{1}{2}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
sec. 31, lots 1, 2, 3, and 4, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
sec. 32, N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
sec. 33, NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ .

The area described contains 8,070.4 acres, more or less.

Preacher Legal Description

Mount Diablo Meridian Nevada

T. 12 N., R 21 E.,  
sec. 24, S $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
sec. 25, NW $\frac{1}{4}$ ;  
sec. 26, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
sec. 35, NW $\frac{1}{4}$ NW $\frac{1}{4}$ .

The area described contains 720 acres, more or less.

The Proposed Action would not apply to private lands within the burn areas (Maps 1 and 2).

for

Leon Thomas  
Field Manager  
Sierra Front Field Office

Date

**APPEAL PROCEDURES**

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with 43 CFR Part 4. If you appeal, your appeal must also be filed with the Bureau of Land Management at the following address:

Leon Thomas  
Field Manager  
BLM, Sierra Front Field Office  
5665 Morgan Mill Road

Carson City, NV 89701

Your appeal must be filed within thirty (30) days from receipt or issuance of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4942, January 19, 1993) for a stay (suspension) of the decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. Copies of the notice of appeal and petition for a stay must also be submitted to:

Board of Land Appeals  
Dockets Attorney  
801 N. Quincy Street, Suite 300  
Arlington, VA 22203

A copy must also be sent to the appropriate Office of the Solicitor at the same time the original documents are filed with the above office.

U.S. Department of the Interior  
Office of the Regional Solicitor  
Pacific Southwest Region  
2800 Cottage Way, Room E-1712  
Sacramento, CA 95825

If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. A petition for a stay is required to show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied.
2. The likelihood of the appellants success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted.
4. Whether the public interest favors granting the stay.

The Office of Hearings and Appeals regulations do not provide for electronic filing of appeals. Electronically filed appeals will therefore not be accepted.

