

Decision Record - Memorandum
Lost Fire Rehabilitation and Restoration Projects
DOI-BLM-CA-N070-2014-0001-DR

Prepared by
U.S. Department of the Interior
Bureau of Land Management
Surprise Field Office
Cedarville, CA

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Effective Immediately

1.1. Introduction

The purpose of the Proposed Action is to stabilize, rehabilitate, and restore lands burned by the Lost Fire. These actions will reduce soil erosion, provide watershed stability, rehabilitate wildlife habitat, and facilitate regeneration of endemic plant species burned in the fire.

The need for the action is that portions of the burned area either are at risk of catastrophic loss of function or have lost extensive areas of important wildlife habitat. In the Clover Creek drainage, the wildfire and a subsequent flash flood event created impacts that require emergency stabilization and rehabilitation actions. Elsewhere in the fire, monitoring results from 2013 suggest that shrub density remains extremely low in areas that previously provided important habitat and forage for wildlife species, including Greater sage-grouse. The fire consumed a sizable portion of the Massacre Population Management Unit for Greater sage-grouse, and the entire fire area was classified as Preliminary Priority Habitat.

1.2. Selected Action

Given the emergency nature of stabilization treatments, this is a “Full Force and Effect” decision authorizing implementation of treatments immediately under 43 CFR 5003.1.

It is my decision to authorize rehabilitation and restoration projects within the Lost Fire, as described in the Proposed Action of the DOI-BLM-CA-N070-2014-0001 Environmental Assessment. Projects will be implemented in accordance with all associated Standard Operating Procedures and stipulations identified in the aforementioned EA.

The Proposed Action includes the following treatments:

1. **Clover Creek Erosion Stabilization:** In the Main Fork, repair existing in-stream stabilization structures, reconstruct a lower floodplain, hand-plant grass plugs and shrubs, and clean out culverts on approximately 10 acres; drill seed native grasses and forbs on approximately 14 acres. In the North Fork, repair existing loose-rock structures and extend the downstream aprons, construct additional structures, and drill seed native grasses and forbs on approximately 16 acres. In the South Fork, drill seed native grasses and forbs on approximately 30 acres.
2. **Aerial Seeding of Native Shrubs:** Aerial seed mountain big sagebrush and Wyoming big sagebrush on approximately 5,000 acres.
3. **Targeted Hand Planting and Seeding of Native Shrubs:** Hand-plant up to 200 acres with seedling plugs of antelope bitterbrush, big sagebrush, and curl-leaf mountain mahogany to provide cover and forage for wildlife. Use a low-impact rangeland drill to seed native shrubs at or near the hand-planting sites.

Table 1.1. Summary of Proposed Action

Location	Treatment Category	Treatments Proposed	Approx. Acres
Main Fork Clover Creek	Clover Creek Erosion Stabilization: In-Stream Erosion Control and Stream Bank Revegetation	Floodplain reconstruction; in-stream structure repair; and seeding/planting on new floodplain	10
	Clover Creek Erosion Stabilization: Stream Bank Revegetation	Drill seeding on historic floodplain; culvert clean-out	14
North Fork Clover Creek	Clover Creek Erosion Stabilization: In-Stream Erosion Control and Stream Bank Revegetation	Structure construction and repair; drill seeding on historic floodplain	16
South Fork Clover Creek	Clover Creek Erosion Stabilization: Stream Bank Revegetation	Drill seeding on historic floodplain	30
High elev, N slopes	Aerial Seeding of Native Shrubs	Aerial application of sagebrush seed	5000
Selected areas	Targeted Hand Planting and Seeding of Native Shrubs	Hand-plant seedling plugs and drill seed	200
Total acres:			5270

This decision is effective immediately.

1.3. Alternatives Considered but not Selected

The No Action Alternative was considered but not selected. Under this alternative, no rehabilitation or restoration projects would be implemented within the Lost Fire. This alternative was not selected because important wildlife habitat would not be restored, and portions of the fire would be vulnerable to catastrophic erosion and loss of ecological resiliency.

1.4. Compliance with NEPA

The Bureau of Land Management (BLM) has conducted an environmental analysis (DOI-BLM-CA-N070-2014-0001-EA) analyzing the impacts of implementing rehabilitation and restoration projects within the Lost Fire. Based on the analysis contained in the EA, the BLM has prepared a Finding of No Significant Impact, and has determined that an Environmental Impact Statement is not required.

1.5. Decision Rationale

The BLM has made the determination that as a result of the Lost Fire, the affected vegetative communities, particularly sage brush communities within Sage Grouse Preliminary Priority Habitat (PPH), are at risk from long term habitat degradation due to the slow recovery of shrub species and the risk of invasive annual grasses and other noxious weeds within the new disturbance. In addition to impacts to sage grouse, habitat values for bighorn sheep, pronghorn antelope, mule deer, and migratory birds have also been compromised. Additionally, watershed resources in the Clover Creek drainage are at acute and immediate risk from soil erosion following a severe flashflood event.

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Alternatives Considered but not Selected*

The proposed rehabilitation and restoration projects will promptly stabilize and prevent further degradation to watershed resources within the Clover Creek watershed, restore sagebrush habitats that fall within sage-grouse/sagebrush obligate species use areas, deter the establishment and spread of invasive and/or noxious weeds, and promote the restoration of healthy, stable ecosystems in the burned area.

Based on the environmental analysis, it is determined that the proposed action will not result in any undue or unnecessary environmental degradation of the public lands and is consistent with federal, state and local laws, regulations and plans. Based on the Finding of No Significant Impact, an Environmental Impact Statement is not necessary.

The Proposed Action will not adversely impact any threatened or endangered species, migratory birds, or significant scientific, cultural, or historical resources.

The stipulations included in the EA provide sufficient measures to protect the human environment.

1.6. Consultation and Coordination

A list of agencies and interested publics consulted and coordinated with is provided in chapter 5 of the EA.

1.7. Public Involvement

The BLM Surprise Field Office conducted internal scoping with an interdisciplinary team of specialists. On September 9, 2013 the BLM sent a scoping letter to interested parties for an 18-day public comment period. Two comments were received as a result of this scoping period. The BLM formally consulted with the Cedarville Rancheria on September 12, 2013, the Fort Bidwell Tribe on July 13, 2013, and Summit Lake Paiute Tribe on October 19, 2013 regarding this project. No issues or concerns were brought forth during these consultations.

1.8. Plan Consistency

This proposed action is subject to the following use plan(s): Surprise Resource Management Plan (RMP) and Record of Decision (ROD), approved on April 1, 2008. The proposed action has been determined to be in conformance with this plan as required by regulation (43 CFR 3600). This decision is also consistent with the Native American Religious Freedom Act; other cultural resource management laws and regulations; Executive Order 12898 regarding Environmental Justice; and Executive Order 13212 regarding potential adverse impacts to energy development, production, supply and/or distribution.

1.9. Administrative Remedies

DOI BLM Full Force and Effect Regulations:

The DOI BLM added regulations so wildland fire management decisions can be effective immediately in accordance with 43 CFR 4190 when:

- Vegetation, soil, or other resources on public lands are at substantial risk of wildland fire because of drought, fuel buildup, or for other reasons, or

- Public lands are at immediate risk of erosion or other damage because of wildland fire.

The regulations also expedite administrative review of those decisions. This rule supplements existing full force and effect regulations for forest management (43 CFR 5003).

Decisions in this document are effective immediately. All documents supporting this decision are available for review by the public. The wildfire management decision in this document is subject to appeal in accordance with procedures set forth in 43 CFR, Part 4.

Appeal procedures for the Wildfire Management Decision are outlined in 43 CFR, Part 4.

In accordance with 43 CFR 4.410, any party to a case who is adversely affected by the decision of an officer of the Bureau of Land Management shall have a right to appeal to the Interior Board of Land Appeals (Board). In accordance with 43 CFR 4.411, a person who wishes to appeal the decision must file a notice that he wishes to appeal in the office of the authorized officer who made the decision. In accordance with 43 CFR 4.413, a copy of the notice to appeal must be sent to the Office of the Solicitor in the manner prescribed in 43 CFR 4.401(c) not later than 15 days after filing the document. The offices to file notice of appeal:

Bureau of Land Management

Surprise Field Office

602 Cressler Street

Cedarville, CA 96104

and

Office of the Regional Solicitor

Pacific Southwest Region

U.S. Department of Interior

2800 Cottage Way, Room E-2753

Sacramento, CA 95825-1890

A person served with the decision being appealed must transmit the notice of appeal in time for it to be filed in the office where it is required to be filed within 30 days after the date of service.

In accordance with 43 CFR 4.411 (b), the notice of appeal may include a statement of reasons for the appeal, a statement of standing if required by 43 CFR 4.412 (b), and any arguments the appellant wishes to make. In accordance with 43 CFR 4.412 (a), if the notice of appeal did not include a statement of reasons for the appeal or the appellant wishes to file additional statements of reasons, the appellant shall file such statements with the Board within 30 days after the appeal was filed. The address to file such statements to the Board is:

Board of Land Appeals

Office of Hearings and Appeals

*Chapter 1 Decision Record: Lost Fire Rehabilitation
and Restoration Projects
Administrative Remedies*

801 North Quincy Street

Arlington, VA 22203

If statement of reasons for appealing were filed with the “Notice of Appeal”, no additional statement is necessary.

Pursuant to 43 CFR 4.21 (b), an appellant also may petition for a stay of the final decision pending appeal by filing a petition for stay along with the appeal within 30 days after the date the proposed decision becomes final or 30 days after receipt of the final decision.

The effective date of this decision (and the date initiating the appeal period) will be the date this notice of decision is posted on BLM’s internet website (<http://www.blm.gov/ca/st/en/fo/surprise.html>).

/s/ Timothy J. Burke

Timothy J. Burke
Field Manager, Surprise Field Office

November 8, 2013

1.10. Contact Person

For additional information concerning this Finding, contact.

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