



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Winnemucca District Office
5100 East Winnemucca Boulevard
Winnemucca, Nevada 89445-2921
Phone: (775) 623-1500 Fax: (775) 623-1503
Email: NV_WFO_Webmail@blm.gov
www.nv.blm.gov/winnemucca



MAR 06 2015

In Reply Refer to:
(6300, 6510)
NV020.00

NOTICE OF PROPOSED ACTION **IN WILDERNESS AREA**

STATE: Nevada

COUNTY: Humboldt County

OFFICE: Black Rock Field Office
Winnemucca District
5100 East Winnemucca Blvd.
Winnemucca, Nevada 89445

WILDERNESS AREA **High Rock Lake Wilderness (NV-020-007)**

PROPOSED ACTION: **Fly Canyon Desert Dace Protective Enclosure**

Background

The High Rock Lake Wilderness (HRLW) was designated with the passage of the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area Act (2000) (Amended 2001). The recommendation for wilderness was, in part, due to exceptional naturalness and a complex of important wildlife values.

In 1985 the U.S. Fish and Wildlife Service listed the Desert Dace (*Eremichthys acros*) as a federally listed threatened species under the Endangered Species Act (ESA). At the time of listing, critical habitat was also listed, that encompasses 50 feet on each side of designated thermal springs and their outflow streams. ("Recovery Plan for the Rare Species of Soldier Meadows", USFWS 1997).

In 2010 Nevada Department of Wildlife (NDOW) discovered a separate population of Desert Dace in a geothermal spring in Fly Canyon, located in the High Rock Lake Wilderness. Desert Dace are known to occur in only a small number of locations and require specific type of spring environments. At this time the Fly Canyon population of Desert Dace is at immediate risk of irreparable harm from wild horse and burro use of the spring. This is due to continuing drought conditions which are impacting water sources for wild horses and burros. The Desert Dace Working Group (Group) anticipates this recently discovered population will not survive the

summer 2015 without some type of protection. An enclosure to protect the spring is needed to prevent further wild horse impacts to the spring.



Figure 1: Project Area in July 2011



Figure 2: Project Area in February 2015

This population of Desert Dace is a separate population from that found in the Soldier Meadows area and may have different genetic traits. The population in Fly Canyon is at immediate risk of irreparable harm from wild horse and burro use of the spring. Moving the population from Fly Canyon to another spring outside of the wilderness would not be possible because the genetic traits of this population are not yet fully understood. Moving the Fly Canyon population to a different area may affect the genetic lineage of each group.

Description of the Action

The Group proposes to install a protective enclosure of approximately 75' x 150' around the spring where the Desert Dace is located in order to reduce impacts caused by wild horses and burros using the spring as a water source. The spring is located approximately one-half mile from the High Rock Lake Wilderness Boundary (see attached map). The enclosure would be constructed of pipe rails painted to blend in with current surroundings. Materials would be brought to the site via helicopter, approximately four trips, but the helicopter would not land in the wilderness. A crew would assemble the enclosure with a cordless drill and non-mechanized tools (post hole digger and hack saw). The duration of construction is anticipated to be one day. The enclosure would remain on site indefinitely.



Figure 3: Example of Proposed Enclosure

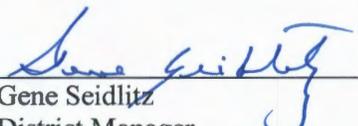
Due to the level of urgency, particularly with on-going drought conditions, NDOW would like to install the enclosure before the end of March.

Immediate action may be taken when necessary to prevent or reduce risk to public health or safety, property, or important resources. (BLM H-1790-1: National Environmental Policy Handbook). The proposed action is currently being reviewed in conformance with the National Environmental Policy Act (NEPA) through an Environmental Assessment (DOI-BLM-NV-W030-2015-0013-EA). Due to the urgency of the situation, this project may be implemented prior to the completion of the NEPA process. The Environmental Assessment will be made available through the NEPA Register (https://www.blm.gov/epl-front-office/eplanning/nepa/nepa_register.do) (Use the following search criteria: State: NV; Office: Black Rock Field Office; Document Type: EA; Fiscal Year: 2015. Select the Fly Canyon Enclosure project).

The proposed action described above would involve one or more of the prohibited uses identified in section 4(c) of the Wilderness Act. Specifically, the activities would include mechanized transport of materials and equipment via helicopter, the construction of an installation, and the use of mechanized equipment (cordless drill). Prohibited uses may be allowed if necessary to meet the minimum requirements for the administration of the area for the purposes of the Wilderness Act. (BLM Manual 6340). Prohibited uses may also be allowed if non-wilderness legislation, such as the Endangered Species Act, place responsibilities on wilderness managers that can only be met by allowing some exception to the prohibited uses. (BLM Manual 6340).

A Minimum Requirements Decision Guide worksheet has been completed for this project. Alternatives to the proposed action considered included carrying materials and equipment to the site or not completing the action (no action). It was determined the proposed action as described above is necessary to occur in the HRLW and was determined to have the least impacts to the wilderness, thus meeting the minimum tool requirement.

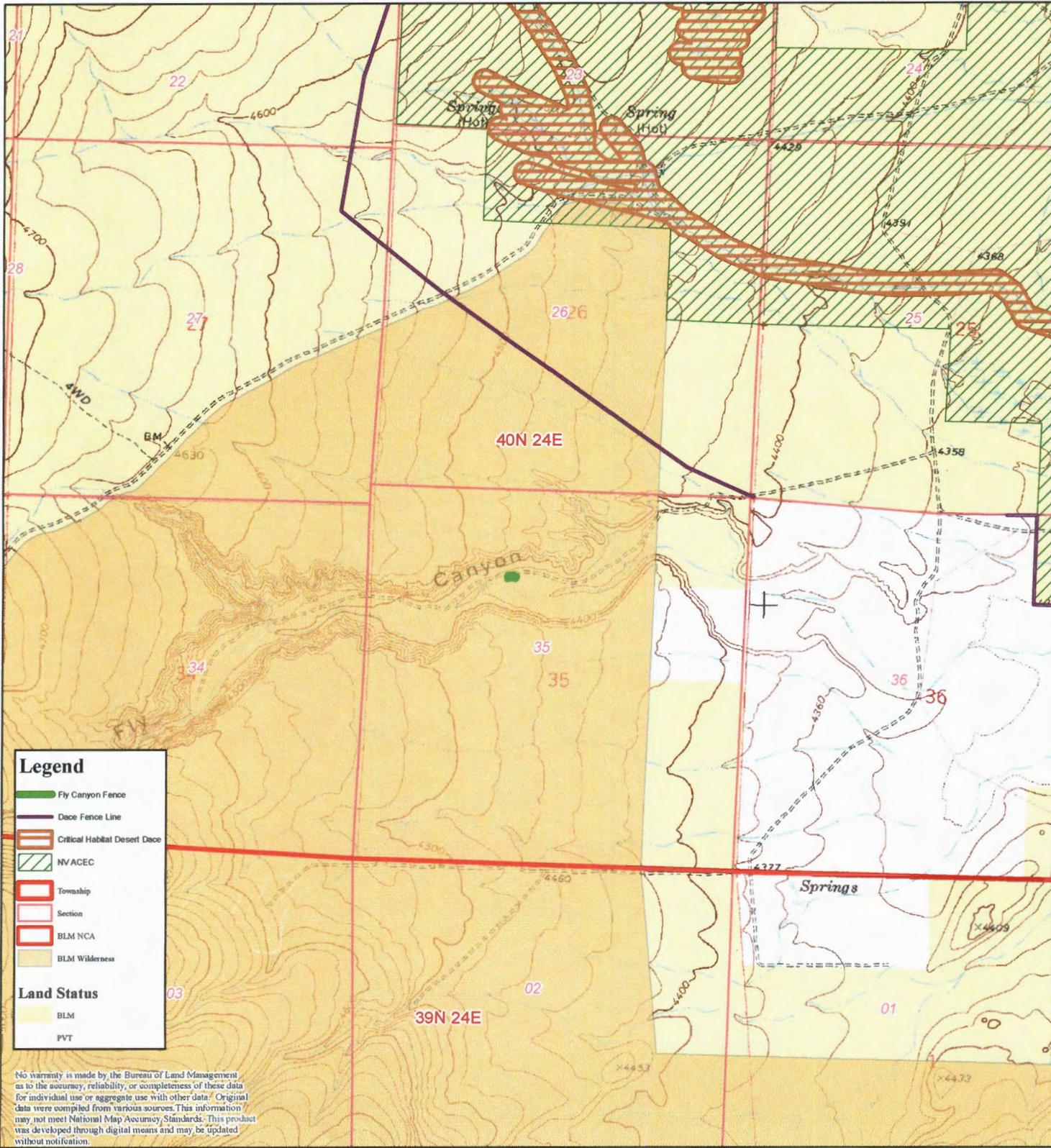
Administrative Review or appeal opportunities will be described in the Decision Record for the Environmental Assessment once completed and will also be available through the NEPA Register.



Gene Seidlitz
District Manager
Winnemucca District

3/5/15
Date

Proposed Fly Canyon Fence



Legend

- Fly Canyon Fence
- Dace Fence Line
- Critical Habitat Desert Dace
- NVACEC
- Township
- Section
- BLM NCA
- BLM Wilderness

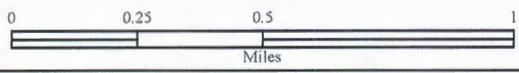
Land Status

- BLM
- PVT

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Winnemucca District
 Bureau of Land Management
 5100 E. Winnemucca Blvd
 Winnemucca, NV. 89445

Mud Meadows, NV
 USGS 24k Quadrangles
 T.40 N., R.24 E., sec. 35




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 Date: 3/5/2015

