N Pine Nut Weed Treatments Weed Treatments

Decision Record

DOI-BLM-NV-C020-2015-0030-DNA

July 2015

BLM

Sierra Front Field Office, Nevada

Introduction

The Bureau of Land Management (BLM) Carson City District (CCD) has prepared a Integrated Weed Management Plan (IWMP) and final programmatic environmental assessment (PEA) to address potential environmental consequences associated with the control and/or eradication of noxious and invasive weeds, and to identify potential resource protection measures that would mitigate potential adverse impacts.

The purpose of this project is to treat small patches of less than 15 acres of the invasive weed, Canada thistle (*Cirsium arvense*), with herbicide picloram, in order to reduce identified patch sizes to zero. Identified patches are found in a 70 acre area in the North Pine Nut Mountains. Use of picloram during the flowering stage and in the fall works best for Canada thistle, when plants occur away from surface water. If the plants are in standing water then an aquatic formulation of 2,4-D or glyphosate must be used. Follow up applications, as a result of monitoring, will occur until the goal is met. Expected time for implementation is estimated at 4—10 days to access all units.

Public Involvement

On April 28, 2014 this project was reviewed by the BLM's interdisciplinary team. Issues that were discussed during this meeting included:

- How would site-specific treatments be addressed under the National Historic Preservation Act (NHPA)?
- How would compliance under the Endangered Species Act (ESA) be completed when site-specific locations are identified for treatment?

Based on this meeting, the BLM determined which resources would require analysis as a part of this final PEA (see Section 3.0).

Additional meetings with the BLM's interdisciplinary team were held on January 26 and February 9, 2015.

On January 15 and 21, 2015 the BLM sent consultation initiation letters to all tribes that have affiliation with public lands in the CCD including: the Bridgeport Indian Colony; Fallon Paiute-Shoshone Tribe; Lovelock Indian Colony; Pyramid Lake Paiute Tribe; Reno-Sparks Indian Colony; Susanville Indian Rancheria; Walker River Paiute Tribe; Washoe Tribe of Nevada and California; Yerington Paiute Tribe; and Yomba Shoshone Tribe.

On May 18, 2015 the BLM initiated a 45-day public review and comment period. A news release announcing the comment period had been released by the BLM on May 15, 2015. The news release appeared High Beam (internet site) on May 15, 2015 and in the *Reno Gazette-Journal* on May 27, 2015. Letters were sent to 50 individuals, 34 organizations/companies, 10 tribes, and nine agencies including the Nevada State Clearinghouse on the project mailing list. The public comment period closed on July 1, 2015.

The BLM received eight comment letters or emails on the draft documents. Summarized responses are provided in Appendix F of the final PEA, Comments and Reponses to Comments.

Land Use Conformance

The Proposed Action described below is in conformance with the Carson City Field Office Consolidated Resource Management Plan (BLM 2001):

On page LSG-1:

- "Maintain or improve the condition of the public rangelands to enhance productivity for all rangeland and watershed values;"

On page LSG-8:

- "Application of herbicides…would be in accordance with procedures established in Bureau Manual 9222…to ensure non-impairment of other than target species." and

On page WLD-2:

- "Maintain and improve wildlife habitat, including riparian/stream habitats…"
- "Maintain or improve the habitat condition of meadow and aquatic areas."
- "Maintain or improve the condition of the public rangelands so as to enhance productivity for all rangeland values (including wildlife)."

Authority

Implementation of the Proposed Action is under the authority of the Federal Land Policy and Management Act of 1976.

Rationale

Canada thistle is one of many noxious weeds that adversely affects the quality of wildlife habitat. Several units are located in Bi-State sage-grouse (*Centrocercus urophasianus*) habitats, which is a BLM sensitive species. Removing thistle through application of herbicides would be anticipated to improve native vegetation over time, and associated wildlife species.

Decision

It is my Decision to implement the proposed weed treatments as described in the Determination of NEPA Adequacy, which is in conformance with the IWMP. If as a result of monitoring, re-application of herbicides is necessary in the future because treatment objectives were not met, such re-application is also authorized without further consideration.

Leon Thomas
Field Manager
Sierra Front Field Office

7-30-15
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.