

**ENVIRONMENTAL ASSESSMENT
PROPOSED BACA LAND SALE PARCELS
BLM/EK/PL-2003/034**

Serial Nos. N-77169, N-77170, N-77171, N-77173, N-77176 and N-77177

I. INTRODUCTION/PURPOSE AND NEED

A. Introduction/Purpose and Need

The Bureau of Land Management (BLM), Elko Field Office, has proposed to sell six parcels of public land, totaling approximately 808 acres. Parcel values would be obtained by the appraisal process and would be sold for no less than the fair market value. The parcels are located in Elko and Lander Counties, Nevada, and are in the Elko Resource Management Plan (RMP) area of the Elko BLM Field Office. (See location map and parcel maps in Appendix A.)

This environmental assessment (EA) has been prepared in order to analyze potential effects of the proposed land sale and alternatives on the quality of the environment. The purpose of the proposal is to meet BLM land use planning objectives by implementing the Elko RMP. Public lands that are difficult and uneconomic to manage will be made available for disposal primarily through the sale process.

B. Issues

In response to public scoping, the parties listed in Chapter V have identified the following issues with regard to this proposal:

1. Request for an EA/EIS to be completed prior to completion of the land sale.

An EA will be completed in order to analyze any effects to the environment and consider those effects in the decision making process.

2. What are the connected actions for the land sale?

Once the sale is complete, the land becomes private property. Once that takes place the BLM has no control over what happens on the land. The parcels are located in areas where development is taking place or they are isolated parcels that are surrounded by private lands.

3. Why is the land being sold?

The land is being sold under the Federal Land Transaction Facilitation Act also known as the "Baca" Bill. This bill established a funding mechanism to pay BLM's administrative costs. When public land sales are conducted under Baca, four percent of the proceeds from a Baca sale are paid off the top to the Nevada State school fund. Eighty percent of the remaining proceeds go to BLM Nevada for the purchase of environmentally sensitive lands, or interests in lands such as conservation easements. The other twenty percent will go into the Federal Land Disposal account for use by all states.

4. Who is the purchaser?

The parcels will be sold in a competitive fashion, therefore, the buyer will not be known until the parcel is sold.

5. Are these parcels identified in the Land Use Plan as disposable?

All of the parcels that are being proposed for sale are identified for disposal in the Elko Resource Management Plan (1987).

6. Request for rights-of-way affected to be issued in perpetuity as a condition of the sale.

All rights-of-way affected by the proposed land sales will be issued in perpetuity if the right-of-way holder requests it. All patents would be issued subject to all valid and existing rights.

7. Withdrawal of parcel 03-24 located in sections 12 and 13, T.32N., R.44E., MDM.

The Battle Mountain Band Council is in the process of trying to acquire this parcel through the Bureau of Indian Affairs. The parcel is bordered by the Colony on three sides with a graveyard that would possibly be impacted as a result of the sale. The parcel has been withdrawn from the proposed sale.

8. Why has parcel 03-15 been proposed for sale when it is adjacent to BLM land?

The parcel was identified in the RMP for disposal. It was determined that parcels 03-15 and 03-17 did not have any management issues due to the fact that they are adjacent to BLM land. Therefore, these two parcels have been dropped from the proposed sale.

9. Could the lands be exchanged instead of sold?

The lands have been identified in the RMP for disposal, primarily by sale. They could be exchanged but no private parties have approached our office to propose an exchange.

C. Land Use Plan Conformance Statement

The proposed action and alternatives described below are in conformance with the Elko Resource Management Plan, Issue Lands, management (prescriptions/decisions) 1, which states to make available, primarily through sale, up to 8,340 acres of public lands that are difficult and uneconomic to manage. The proposed action is also consistent with Federal, State, and local laws, regulations, and plans to the maximum extent possible. On June 18, 2003, the Board of Commissioners of Elko County replied in support of the proposed land sale. The Elko County Planning Commission reviewed the proposal on July 1, 2003 with no objections. Lander and Eureka Counties were also contacted and no comments or concerns were received from either County.

II. PROPOSED ACTION AND ALTERNATIVES

A. Proposed Action

The Bureau of Land Management (BLM), Elko Field Office would offer for sale 808.56 acres of federal land administered by the BLM. The parcels range in size from 40 acres to 250 acres. The parcels will be offered for sale in a competitive fashion. Standard appraisal process would

determine the fair market value based on the highest and best use for each individual parcel. The minimum bid will begin at the appraised fair market value. No bids lower than the appraised value will be accepted.

Federal Lands

The following public lands would be offered for sale:
Mount Diablo Meridian, Nevada

	Parcel #	Township	Range	Section	Aliquot Part	Acres
N-77169	03-01	37	60	30	SE $\frac{1}{4}$ NE $\frac{1}{4}$	40
N-77170	03-06	35	57	4	Lots 2, 3 and 4, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$	249.4
N-77171	03-13	34	55	24	W $\frac{1}{2}$ NE $\frac{1}{4}$	80
N-77173	03-16	29	56	12	NW $\frac{1}{4}$	160
N-77176	03-22	34	44	36	NE $\frac{1}{4}$	160
N-77177	03-23	32	44	2	Lots 3 and 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$	119.16
Total						808.56

Interests in the parcels held by the United States would be conveyed with the surface estate, subject to all-valid existing rights and reservations associated with each parcel (See Appendix A). The mineral rights associated with each parcel would be reserved to the United States and not conveyed into private ownership.

B. No Action Alternative

The alternative to the proposed action is "no action." Under this alternative, the proposal would not be processed and lands would not be offered for sale. The lands would have to be offered for disposal by some other means or not disposed of at all.

C. Alternatives Considered but Eliminated from Detailed Analysis

Parcels 03-15 and 03-17 were eliminated from the sale proposal due to the parcels being located adjacent to public lands. The parcels were identified in the RMP for disposal. It was determined that parcels 03-15 and 03-17 did not have any management issues due to the fact that they are adjacent to BLM land. Therefore, these two parcels have been dropped from the proposed sale.

Parcel 03-24 was also dropped from further consideration due to the fact that the Battle Mountain Colony has included this parcel in their proposal to acquire the land through a legislative process. The parcel is bordered by the Colony on three sides with a graveyard that would possibly be impacted as a result of the sale. In order to avoid complications and confusion, the BLM withdrew that parcel from the land sale process.

Parcel 03-18 was dropped from further consideration due to potential resource values that possibly exist on the subject parcel. The resource issues will need to be further analyzed at a

later date, so the parcel is dropped from consideration at this time, however, it could be proposed for sale again at a later time.

III. DESCRIPTION OF THE AFFECTED ENVIRONMENT

A. Proposed Action

1. General Setting

The affected lands are located in various areas throughout the Elko District (see attached maps in Appendix A for each parcel). The elevations of the subject areas range from 4,500 to 6,000 feet above mean sea level. Vegetation is mainly dominated by sagebrush with an understory of native bunchgrasses and cheatgrass.

2. Critical Elements of the Human Environment

The following list of critical elements of the human environment is not present or not affected by the proposed action:

- Air Quality
- Areas of Critical Environmental Concern
- Cultural Resources [BLM Report #BLM 1-2309 (N)]
- Environmental Justice
- Farmlands (prime or unique)
- Native American Religious Concerns
- Wetlands/Riparian Zones
- Wild and Scenic Rivers
- Wilderness

Bureau specialists have further determined that the following critical elements are not affected by the proposed action or no action alternative for the following reasons.

(a) Floodplains

Parcel 03-01 is on the Humboldt River floodplain boundary. When a parcel is located in a portion of 100-year floodplain on the federal lands, floodplain restrictions would have to be written into the patent. The patent would be subject to a permanent restriction that would constitute a covenant running with the land, that the land would be used only for agricultural purposes, not for dwellings or buildings. Parcel 03-22 is on the edge of McIntyre Slough, but not in a mapped floodplain.

(b) Wastes (hazardous or solid)

An Environmental Site Assessment was conducted for the federal lands to assess the sites for recognized environmental conditions. There were no signs of any recognized environmental concerns, including petroleum or chemical spills on the subject lands. No drums, stained soils, or other indications of hazardous wastes or petroleum products were noted on the lands during the field inspection with the exception of parcel 03-06, where sewage may have been dumped

within ½ mile of the site. There was no evidence of stained soil or stressed vegetation, however, any time there is extensive disturbance such as in the areas of the gravel pits or the existence of dirt roads, the possibility exists that hazardous materials could have been dumped. Several of the parcels have assorted kinds of solid waste; generally rusted metal, wood and broken glass. (See the Environmental Site Assessment located in the casefile for a detailed evaluation.)

(c) Migratory Birds

On January 11, 2001 President Clinton signed the Migratory Bird Executive Order. A listing of species that may occur on the parcels, per 1999 Nevada Partners in Flight Bird Conservation Plan, is available from the Elko BLM Field Office. All parcels to be offered for sale are surrounded by private lands. There is little to no potential for the BLM to manage isolated parcels to specifically conserve migratory bird species of potential concern. Those species that are also listed as BLM-sensitive are discussed in the sections on Special Status Species for each parcel.

3. Resources Present and Brought Forward for Analysis (separated by parcel)

PARCEL 03-01 (40 acres)

(a) Invasive, Nonnative Species

Parcel 03-01 contains a noxious weed infestation, which occurs in the upland areas of hoary cress (*Cardaria draba*) that is 6.49 acres.

(b) Lands

(1) Rights-of-way and Other Land Use Authorizations:

The proposal would overlap the following land use authorizations:

CC-020889, a highway right-of-way held by Nevada Department of Transportation (NDOT)

The right-of-way listed below is in the process of being relinquished and closing the casefile.

The Elko BLM office has been in communication with NDOT and they have stated that they are interested in relinquishing this site and will be pursuing to do so. If the site is not relinquished and the parcel is sold, then the parcel would be subject to the material site right-of-way issued to NDOT.

CC-020870, a material site right-of-way held by Nevada Department of Transportation

(2) Access

The parcel is accessible using the existing NDOT right-of-way for old Highway 40.

(3) Range Improvements

None of Record

(c) Minerals

The Mineral Potential Report for the Proposed Baca Land Sales describes the mineral potential of the federal lands as (McFarlane, 2003):

Locatable Minerals (gold, base metals, barite): low potential
Leasable Minerals (oil, gas, geothermal): moderate potential
Salable Minerals (sand & gravel): high potential

See the mineral report located in the casefile for an expanded list of minerals considered: gold, silver, copper, base metals barite and molybdenum.

(d) Range Management

This parcel is not located in any grazing allotments. The BLM does not currently license any grazing use on this parcel. No range improvements of record are on this parcel.

(e) Special Status Species

(Threatened, Endangered, Candidate Nevada BLM Sensitive Species and State of Nevada Listed Species)

No threatened, endangered, or candidate species are known to inhabit the subject parcel.

However, the area provides habitat for State of Nevada Listed Species and Nevada BLM Sensitive Species. This parcel provides habitat for burrowing owls, golden eagles, Swainson's hawks, ferruginous hawks, short-eared owl, prairie falcon, vesper sparrow, black rosy finch and sage grouse on an intact big sagebrush habitat type area. It is unknown if the parcel provides habitat for pygmy rabbit without survey work.

No known special status plant species are known to occur on the parcel.

(f) Visual Resource Management

The parcel is located within VRM Class IV. The Class IV VRM objective is to allow for management activities, which involve major modification of the existing character of the landscape. The level of contrast can be high—dominating the landscape and the focus of viewer attention. However, every attempt should be made to minimize the impact of these activities through careful location, minimal disturbance, and repeating the basic elements of the characteristic landscape.

(g) Water Resources

There are no springs or streams on this parcel, nor any record of any wells. This parcel is within a half mile of the Humboldt River, which is water quality impaired and is listed on the most recent Nevada 303(d) list.

(h) Wildlife

This parcel provides pronghorn summer range. Mule deer summer range use is incidental due to marginal habitat.

There are approximately 100 bird species, 70 mammal species and several reptile and amphibian species that can be found in sagebrush habitats on the Elko Field Office area. The parcel provides habitat for many of these species on a seasonal or yearlong basis in association with habitat types mentioned above. For the complete lists, consult the BLM Nevada Elko District Bird, Mammal, and Reptile and Amphibian Lists available at BLM Elko Field Office.

PARCEL 03-06 (249.4 acres)

(a) Invasive, Nonnative Species

Parcel 03-06 is in the vicinity of a noxious weed infestation, which occurs in the upland areas approximately ¼ mile from the subject parcel on adjacent public lands. The infestation is 10-20 plants of Dyer's woad (*Isatis tinctoria*).

(b) Lands

(1) Rights-of-way and Other Land Use Authorizations:

The proposal would overlap the following land use authorizations:

CC-021208, a power line right-of-way held by Sierra Pacific Power Co.

CC-021089, telephone line right-of-way held by Nevada Bell

N-051759, a telephone line right-of-way held by Citizens Communications

N-5321, a telephone line right-of-way held by Citizens Communications

N-46946, a telephone line right-of-way held by Beehive Telephone Co.

N-046204, a road right-of-way held by Elko County

Nev-058170, a federal aid highway right-of-way held by NDOT

CC-020107, a federal aid highway right-of-way held by NDOT

N-46266, a fiber optic line right-of-way held by AT&T GRE Lease Administration

(2) Access

Access to the parcel can be obtained by using the existing County roads and Interstate 80.

(3) Range Improvements

None of Record

(c) Minerals

The Mineral Potential Report for the Proposed Baca Land Sales describes the mineral potential of the federal lands as (McFarlane, 2003):

Locatable Minerals (gold, base metals, barite): low potential

Leasable Minerals (oil, gas, geothermal): moderate potential

Salable Minerals (sand & gravel): high potential

See the mineral report located in the casefile for an expanded list of minerals considered: gold, silver, copper, base metals barite and molybdenum.

(d) Range Management

This parcel lies in the North Fork Group Allotment. The North Fork Group is grazed in common by 8 permittees. One permittee has only suspended non-use AUM's and another has a permit only for the area south of Interstate 80, meaning that this action would affect the permits of 6 permittees. However, the parcel is only rated at 10 AUM's. Proportioning this grazing reduction out amongst the 6 affected permittees would result in changes to permitted use of less than 1%

for each affected permittee. Therefore, no grazing adjustments will be made. There are also no range improvements of record on this parcel.

(e) Special Status Species

(Threatened, Endangered, Candidate Nevada BLM Sensitive Species and State of Nevada Listed Species) No threatened, endangered, or candidate species are known to inhabit the subject parcel.

However, the area provides habitat for State of Nevada Listed Species and Nevada BLM Sensitive Species. This parcel provides habitat for burrowing owls, golden eagles, Swainson's hawks, ferruginous hawks, short-eared owl, prairie falcon, vesper sparrow, black rosy finch and sage grouse on an intact big sagebrush habitat type area. It is unknown if the parcel provides habitat for pygmy rabbit without survey work.

No known special status plant species are known to occur on the parcel.

(f) Visual Resource Management

The parcel is located within VRM Class IV. The Class IV VRM objective is to allow for management activities, which involve major modification of the existing character of the landscape. The level of contrast can be high—dominating the landscape and the focus of viewer attention. However, every attempt should be made to minimize the impact of these activities through careful location, minimal disturbance, and repeating the basic elements of the characteristic landscape. This parcel is also located within the I-80 Low Visibility Corridor. The I-80 Low Visibility Corridor is a 3-mile wide (where possible) passage along I-80 on which existing utility transmission or transportation facilities are located for which a future need may be accommodated if the facility is not evident in the characteristic landscape. The objective for visual resources within this area is for management actions not to be evident in the characteristic landscape.

(g) Water Resources

There are no springs or streams on this parcel. There are at least two domestic wells adjacent to this parcel in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 4 and several wells in section 5, however, there are no wells located on this parcel. The depth to the groundwater is approximately 3 to 12 feet. This parcel is within a half mile of the Humboldt River, which is water quality impaired.

(h) Wildlife

This parcel provides intact crucial mule deer and pronghorn winter range primarily during extreme winter conditions such as 1992-93 and periods during the 2001-02 winter. During periods of inclement weather and persistent snow accumulations, several hundred pronghorn migrate from as far north as the Wildhorse Reservoir area approximately 65 miles north of Interstate 80 from relatively large summer range areas to generally restricted winter range areas along the north Interstate 80 corridor that includes the parcel. Depending on mule deer populations, several hundred to several thousand deer also migrate to areas that include the parcel. The subject parcel provides uniform intact winter range where Wyoming big sagebrush is the dominant overstory shrub important for cover and forage.

Big game winter range area in Management Area Seven, that includes the Osino area, has been affected by fire. The area has large areas that provide intermediate range, winter range or migration corridors that are encumbered as a result on man's activities, which exacerbate poor winter range conditions. However, the subject parcel is relatively unencumbered for big game movements to and from the upper elevations to the north. Shrub seeding rehabilitation, by natural or artificial means, has not resulted in any substantial improvement to burned habitat. Current mule deer populations reflect the loss of winter habitat to fire although many other man-related factors are involved. Man-made features and disturbances such as net wire fences, and Interstate 80 and associated high volume traffic, act as barriers for big game movements further south. The availability of winter habitat is a critical limiting factor for affected pronghorn and mule deer herds.

There are approximately 100 bird species, 70 mammal species and several reptile and amphibian species that can be found in sagebrush habitats on the Elko Field Office area. The parcel provides habitat for many of these species on a seasonal or yearlong basis in association with habitat types mentioned above. For the complete lists, consult the BLM Nevada Elko District Bird, Mammal, and Reptile and Amphibian Lists available at BLM Elko Field Office.

PARCEL 03-13 (80 acres)

(a) Lands

(1) Rights-of-way and Other Land Use Authorizations:

The proposal would overlap the following land use authorizations:

CC-021081, a highway right-of-way held by NDOT

N-65572, a road right-of-way held by the City of Elko

N-48188, a road right-of-way held by Elko County

N-65780, a telephone line right-of-way held by Citizens Communications

(2) Access

Access to the parcel can be obtained by using the existing County roads and highway.

(3) Range Improvements

Fenceline JDR#0794

(b) Minerals

The Mineral Potential Report for the Proposed Baca Land Sales describes the mineral potential of the federal lands as (McFarlane, 2003):

Locatable Minerals (gold, base metals, barite): low potential

Leasable Minerals (oil, gas, geothermal, oil shale): moderate potential

Salable Minerals (sand & gravel): moderate to high potential

See the mineral report located in the casefile for an expanded list of minerals considered: gold, silver, copper, base metals barite and molybdenum.

(c) Range Management

This parcel lies in the Four Mile Canon Allotment. Recent land transfers have made this portion of the allotment generally unavailable to livestock grazing, therefore, no reductions in permitted use would occur as a result of this action.

One fenceline (JDR#0794) crosses this parcel.

(d) Special Status Species

(Threatened, Endangered, Candidate Nevada BLM Sensitive Species and State of Nevada Listed Species)

No threatened, endangered, or candidate species are known to inhabit the subject parcel.

However, the area provides habitat for State of Nevada Listed Species and Nevada BLM Sensitive Species. It is unknown as to which bat species inhabit the parcel without survey work. The presence of juniper habitat on the parcel near rocks, talus and abandoned mine dugouts, increases the likelihood of occurrence of bat species on the parcel. This parcel provides habitat for burrowing owls, golden eagles, Swainson's hawks, short-eared owl, prairie falcon, vesper sparrow, black rosy finch, long-eared owl, juniper titmouse and ferruginous hawks on intact big sagebrush and juniper habitat type areas. It is unknown if the parcel provides habitat for pygmy rabbit without survey work. No known special status plant species are known to occur on the parcel.

(e) Visual Resource Management

The parcel is located within VRM Class IV. The Class IV VRM objective is to allow for management activities, which involve major modification of the existing character of the landscape. The level of contrast can be high—dominating the landscape and the focus of viewer attention. However, every attempt should be made to minimize the impact of these activities through careful location, minimal disturbance, and repeating the basic elements of the characteristic landscape.

(f) Water Resources

There is no perennial surface water on this parcel, nor any wells. There are two wells adjacent to it, which are possibly municipal water supply wells. If these are municipal wells then this parcel may be within a wellhead protection area.

(g) Wildlife

This parcel provides intact crucial mule deer winter range primarily during extreme winter conditions such as 1992-93 in NDOW-delineated Management Area 10. Utah juniper, and Wyoming and black sagebrush are the primary shrub species that help provide food and cover during the winter period. BLM wildlife biologist noted mule deer concentrated on the east side of the parcel abutting a subdivision during this period when heavy snowfalls accumulated, and persisted, to over 21 inches in depth. These intact "extreme" winter range areas are critical for survival of small populations of mule deer that live on a yearlong basis in the Elko Hills to Elko Summit area in light of loss of habitat to housing developments. This area also provided habitat for pronghorn during the same 1992-93 period during the late winter-early spring period. These

pronghorn were forced across Interstate 80 and the Humboldt River and were in the process of attempting to move north back to summer range.

There are approximately 100 bird species, 70 mammal species and several reptile and amphibian species that can be found in sagebrush habitats on the Elko Field Office area. The parcel provides habitat for many of these species on a seasonal or yearlong basis in association with habitat types mentioned above. For the complete lists, consult the BLM Nevada Elko District Bird, Mammal, and Reptile and Amphibian Lists available at BLM Elko Field Office.

PARCEL 03-16 (160 acres)

(a) Lands

(1) Rights-of-way and Other Land Use Authorizations:

There are no rights-of-way of record in this parcel.

(2) Access

Access to the parcel is limited due to it being surrounded by private ownership. Access was obtained by the BLM by contacting the adjacent landowners prior to visiting the parcel.

(3) Range Improvements

Fence JBR#1244

(b) Minerals

The Mineral Potential Report for the Proposed Baca Land Sales describes the mineral potential of the federal lands as (McFarlane, 2003):

Locatable Minerals	(gold, base metals, barite): low potential
Leasable Minerals	(oil, gas): moderate to low potential (geothermal): moderate potential
Salable Minerals	(sand & gravel): moderate to low potential

See the mineral report located in the casefile for an expanded list of minerals considered: gold, silver, copper, base metals barite and molybdenum.

(c) Range Management

This parcel does not appear to be inside any grazing allotments, and no records can be found to indicate that the BLM has ever licensed any grazing use on this parcel.

One range improvement (fence) (JDR#1244) passes through this parcel.

(d) Special Status Species

(Threatened, Endangered, Candidate Nevada BLM Sensitive Species and State of Nevada Listed Species)

No threatened, endangered, or candidate species are known to inhabit the subject parcel.

However, the area provides habitat for State of Nevada Listed Species and Nevada BLM Sensitive Species. It is unknown as to which bat species inhabit the subject parcel without survey work. The presence of riparian habitat increases the likelihood of occurrence of bat

species on the parcel. This parcel provides habitat for burrowing owls, golden eagles, Swainson's hawks, ferruginous hawks, northern goshawk, short-eared owl, prairie falcon, vesper sparrow, black rosy finch and sage grouse on intact sagebrush, montane shrub, and montane riparian habitat types (Dry Creek drainage). It is unknown if the parcel provides habitat for pygmy rabbit without survey work. No known special status plant species are known to occur on the parcel.

(e) Visual Resource Management

The parcel is located within VRM Class III. The Class III VRM objective is to partially retain the existing character of the landscape. The level of change to the characteristic landscape should be moderate. Management activities may attract attention but should not dominate the view of the casual observer. Changes should repeat the basic elements found in the predominant natural features of the characteristic landscape.

(f) Water Resources

There is no perennial surface water on this parcel, nor any record of wells.

(g) Wildlife

This parcel provides mule deer intermediate range during the spring (March 16 to May 1) and fall (October 15 to December 14).

There are approximately 350 species of vertebrate wildlife, which occur, in northeastern Nevada. This includes approximately 100 bird species, 70 mammal species and several reptile and amphibian species that can be found in sagebrush habitats on the Elko Field Office area. The parcel provides habitat for many of these species on a seasonal or yearlong basis in association with habitat types mentioned above. For the complete lists, consult the BLM Nevada Elko District Bird, Mammal, and Reptile and Amphibian Lists available at BLM Elko Field Office.

PARCEL 03-22 (160 acres)

(a) Lands

(1) Rights-of-way and Other Land Use Authorizations:

The proposal would overlap the following land use authorizations:
N-5463, a power line right-of-way held by Sierra Pacific Power Co.
N-4217, a telephone line right-of-way held by Nevada Bell

(2) Access

Access to the parcel can be obtained by using the existing County roads and local roads in the area.

(3) Range Improvements

None of Record

(b) Minerals

The Mineral Potential Report for the Proposed Baca Land Sales describes the mineral potential of the federal lands as (McFarlane, 2003):

Locatable Minerals	(gold, base metals, barite): low potential
Leasable Minerals	(oil, gas): very low potential (geothermal): moderate potential
Salable Minerals	(sand & gravel): moderate to low potential

See the mineral report located in the casefile for an expanded list of minerals considered: gold, silver, copper, base metals barite and molybdenum.

(c) Range Management

This parcel lies in the Twenty-Five Grazing Allotment, which is grazed by the 26 Ranch Inc. The parcel is rated at 11 AUM's, which is less than 1% of the total active preference. Therefore, no reductions in use will be made.

There are no range improvements of record.

(d) Special Status Species

(Threatened, Endangered, Candidate Nevada BLM Sensitive Species and State of Nevada Listed Species)
No threatened, endangered, or candidate species are known to inhabit the subject parcel. However, the area provides habitat for State of Nevada Listed Species and Nevada BLM Sensitive Species. This parcel provides habitat for burrowing owls, loggerhead shrike and golden eagles. It is unknown if the parcel provides habitat for pygmy rabbit without survey work. No known special status plant species are known to occur on the parcel.

(e) Visual Resource Management

The parcel is located within VRM Class IV. The Class IV VRM objective is to allow for management activities, which involve major modification of the existing character of the landscape. The level of contrast can be high—dominating the landscape and the focus of viewer attention. However, every attempt should be made to minimize the impact of these activities through careful location, minimal disturbance, and repeating the basic elements of the characteristic landscape.

(f) Water Resources

There are no springs or streams located on this parcel, but it is on the edge of McIntyre Slough and may have standing water during wet seasons. There are no records of any wells on any of the parcels.

(g) Wildlife

This parcel provides pronghorn summer range tied, in part, to private irrigated fields.

PARCEL 03-23 (119.16 acres)

(a) Lands

(1) Rights-of-way and Other Land Use Authorizations:

The proposal would overlap the following land use authorizations:

N-30545, a road right-of-way held by Marshall Ashcraft

N-65550, a telephone line right-of-way held by Williams Communications

CC-023029, a power line right-of-way held by Sierra Pacific Power Co.

N-57541, a telephone line right-of-way held by Nevada Bell

N-16360, a telephone line right-of-way held by Nevada Bell

Nev-060332, a federal aid highway right-of-way held by NDOT

CC-021153, a federal aid highway right-of-way held by NDOT

The three rights-of-way listed below are in the process of being relinquished and closing the casefile. The Elko BLM office has received relinquishment forms from NDOT and will proceed with closing the casefile. Therefore, if the parcel is sold, the patent would not be subject to these rights-of-way.

Nev-060228, a material site right-of-way held by NDOT

Nev-059828, a material site right-of-way held by NDOT

CC-021150, a material site right-of-way held by NDOT

(2) Access

Access to the area can be obtained by using the existing County roads. Direct access to the parcel requires the crossing of private lands.

(3) Range Improvements

None of Record

(b) Minerals

The Mineral Potential Report for the Proposed Baca Land Sales describes the mineral potential of the federal lands as (McFarlane, 2003):

Locatable Minerals (gold, base metals, barite): moderate potential

Leasable Minerals (oil, gas): very low potential (geothermal): moderate potential

Salable Minerals (sand & gravel): high potential

See the mineral report located in the casefile for an expanded list of minerals considered: gold, silver, copper, base metals barite and molybdenum.

(c) Range Management

This parcel is part of the Elko District, however, the Battle Mountain Field Office administers the livestock grazing and wildlife habitat management for this area. There are no adjudicated livestock grazing privileges in this parcel, however, due to the adjoining North Buffalo Allotment being unfenced from the parcel, the parcel is accessible to livestock that “drift” from

the allotment. The proposed sale would not affect the grazing permits of Agri-Beef Co., Ellison Ranching and Badger Ranch.

(d) Special Status Species

(Threatened, Endangered, Candidate Nevada BLM Sensitive Species and State of Nevada Listed Species)
No threatened, endangered, or candidate species are known to inhabit the subject parcel. However, the area provides habitat for State of Nevada Listed Species and Nevada BLM Sensitive Species. This parcel provides habitat for burrowing owls, loggerhead shrike and golden eagles. It is unknown if the parcel provides habitat for pygmy rabbit without survey work. No known special status plant species are known to occur on the parcel.

(e) Visual Resource Management

The parcel is located within VRM Class III. The Class III VRM objective is to partially retain the existing character of the landscape. The level of change to the characteristic landscape should be moderate. Management activities may attract attention but should not dominate the view of the casual observer. Changes should repeat the basic elements found in the predominant natural features of the characteristic landscape.

(f) Water Resources

This parcel is near the Humboldt River, but does not have any surface water on it. There are no records of any wells on any of the parcels.

(g) Wildlife

This parcel provides pronghorn summer range tied, in part, to private irrigated fields.

B. No Action Alternative

The description of the affected environment for the No Action alternative would be the same as that for the proposed action.

IV. ENVIRONMENTAL CONSEQUENCES

A. Proposed Action

1. Resources Present and Brought Forward for Analysis

(a) Invasive, Nonnative Species

Transfer of federal lands to private ownership would prevent these parcels from being included in existing large-scale weed treatment plans. These lands haven't been treated and don't easily fit within noxious weed control planning and treatment efforts in the Elko District. Weed treatments on these lands would be the responsibility of the private landowner. Since the weed infestations on these lands are mainly in sagebrush uplands, fewer resources, including important

riparian areas, would be affected by loss of native vegetation if treatment did not occur, in the short term.

(b) Lands

Parcels that are difficult to manage would be disposed of. The conveyance of these lands into non-federal ownership would consolidate the land ownership pattern of non-federal lands and facilitate management for uses by the private sector. The federal lands would be conveyed subject to all valid prior and existing encumbrances and rights-of-way.

(c) Minerals

The mineral rights associated with each parcel that is to be sold would be reserved to the United States and would not be conveyed into private ownership.

(d) Range Management

The land sale will result in consolidated land ownership pattern for the federal and private lands. This will allow for a more effective and efficient way to manage the lands for both parties. The lands that are transferred out of federal ownership will no longer be permitted for use by the BLM. The private landowners will have control of utilization of the land.

(e) Special Status Species

The sale would result in the loss of approximately 808 acres of Special Status Species habitat under public lands management. This includes sage grouse habitat on 160 acres of parcel 03-16; 250 acres on parcel 03-06 and 40 acres on parcel 03-01.

This action would preclude opportunities for the BLM to manage special status species habitat on the lands that become private.

(f) Visual Resource Management

The transfer of federal lands into the private lands in the proposed land sale would eliminate the ability to manage the lands for visual resources. The private owners will have full discretion over the scenic aspects of their land, regardless of the original BLM designation.

(g) Water Resources

Water quality could be negatively impacted if the land use on the parcels near the Humboldt River were changed to mining, agriculture, or industrial uses. The Humboldt River is already water quality impaired, and any more intense land use could further impact it.

(h) Wildlife

Parcel 03-01

The land sale would result in the loss of approximately 40 acres of wildlife habitat. Future management of the lands in private ownership would be unknown, as would the fate of the

wildlife habitat on the parcel. This action would preclude opportunities for the BLM to manage wildlife habitat on the lands that become private.

Parcels 03-06

The sale would result in the loss of approximately 250 acres of wildlife habitat, including crucial pronghorn winter range, under public lands management. Public lands multiple use mandates including provisions to conserve and enhance crucial wildlife habitat would no longer apply if the land is sold. Although the parcel has intact native range, BLM would foreclose on the opportunity to rehabilitate this area in the event of a wildfire. Any impending land development would result in permanent or partial loss of all or portions of 250 acres of crucial pronghorn winter range as well as habitat for other wildlife species including sage grouse. Without actions to mitigate any developments, a net loss of crucial big game habitat would occur. Pronghorn numbers could be reduced dramatically after a severe winter since the availability of intact winter range is a critical limiting factor. Although relatively small, the parcel is part of the collective winter range area that is imperiled by man's actions.

Parcel 03-13

The sale would result in the loss of approximately 80 acres of wildlife habitat including crucial mule deer winter range under public lands management. Concerns are similar as those mentioned above. In the event of land development or no action after wildfire, mule deer numbers could be dramatically reduced after a severe winter since the availability of intact "extreme" winter range at lower elevations near Elko is a critical limiting factor for the affected small population.

Parcel 03-16

The land sale would result in the loss of approximately 160 acres of wildlife habitat including sage grouse nesting and brood-rearing habitat. BLM management of mule deer intermediate range, which provides linkage habitat between summer and winter range areas, would be compromised.

Parcels 03-22 and 03-23

The land sale would result in the loss of approximately 280 acres of wildlife habitat under public lands management. The land sale would foreclose the option for the Nevada Department of Transportation (NDOT) to use Parcel 03-22 in the future for free sand and gravel for maintenance of Interstate 80 under the federal highway system. The potential is there since the adjoining private lands have been used as a gravel pit. With essentially all of the lands under private ownership to the east of Battle Mountain for 12 miles, this could force NDOT to seek gravel on private lands, including more sensitive lands near or along the Humboldt River, where fees would be paid using taxpayer money.

B. No Action Alternative

The description of the environmental consequences for the No Action alternative would be that the land would not be sold and would continue to be managed as public lands.

C. Mitigation

None.

D. Cumulative Impact Analysis

Livestock grazing has traditionally occurred on the lands to be sold for more than a century. Under the proposal, livestock grazing could continue in the future or livestock grazing could be stopped completely. The reduction of AUM's on federal grazing allotments due to the loss of federal acres will reduce the numbers of AUM's allowed to graze on those affected allotments.

The use of the proposed parcels by big game has been affected historically by management practices and rangeland condition. More recently (in a historical sense), the development of fenced grazing allotments, road construction (especially Interstate 80), increased vehicle traffic, and the development of gold mines in the area have all had an effect on important big game winter habitat. While these likely limiting factors will not be removed, and in fact may increase in the future, the possible sale of these parcels would result in a loss of wildlife habitat on federal lands that can be managed by the BLM.

The consolidation of ownership into a more blocked configuration will produce benefits for the BLM. Management of intermingled lands is more difficult, more expensive and less efficient. With completion of the sale, the opportunity will exist for more efficient management of public and private lands. For the BLM, management of noxious weeds has become a recent priority and will continue to be in the future. Weed treatments will be applied more efficiently and effectively. Recreation use will benefit in the future from consolidation, with an expectation of reduced problems resulting from unmarked, intermingled private and public lands, and access problems.

In conclusion, the likely future uses of the federal lands that will be transferred into private ownership, in combination with past and present uses, are not expected to produce cumulative impacts that can be considered significant. Future management of both private and public lands resulting from consolidation and the associated opportunities for making positive changes in management likely will produce benefits in the future, compared with management of those same lands without the sale.

E. Monitoring

No monitoring needs have been identified for this action.

V. CONSULTATION AND COORDINATION

A. List of Preparers

Jason Allen - Lands, Lead Preparer

Tamara Hawthorne – Wilderness, Recreation, Visual Resources

Mark Coca – Invasive, Nonnative Species

Carol Evans – Wetland/Riparian Zones

Ken Wilkinson - Wildlife, Special Status Species, Migratory Birds

Deb McFarlane - Geology, Hazardous Materials

Carol Marchio - Soil, Water and Air
Bill Fawcett - Cultural Resources
Gerald Dixon - Native American Religious Concerns
Jeff Moore, Donna Nyrehn - Vegetation, Range Management
Lorrie West - NEPA Coordinator

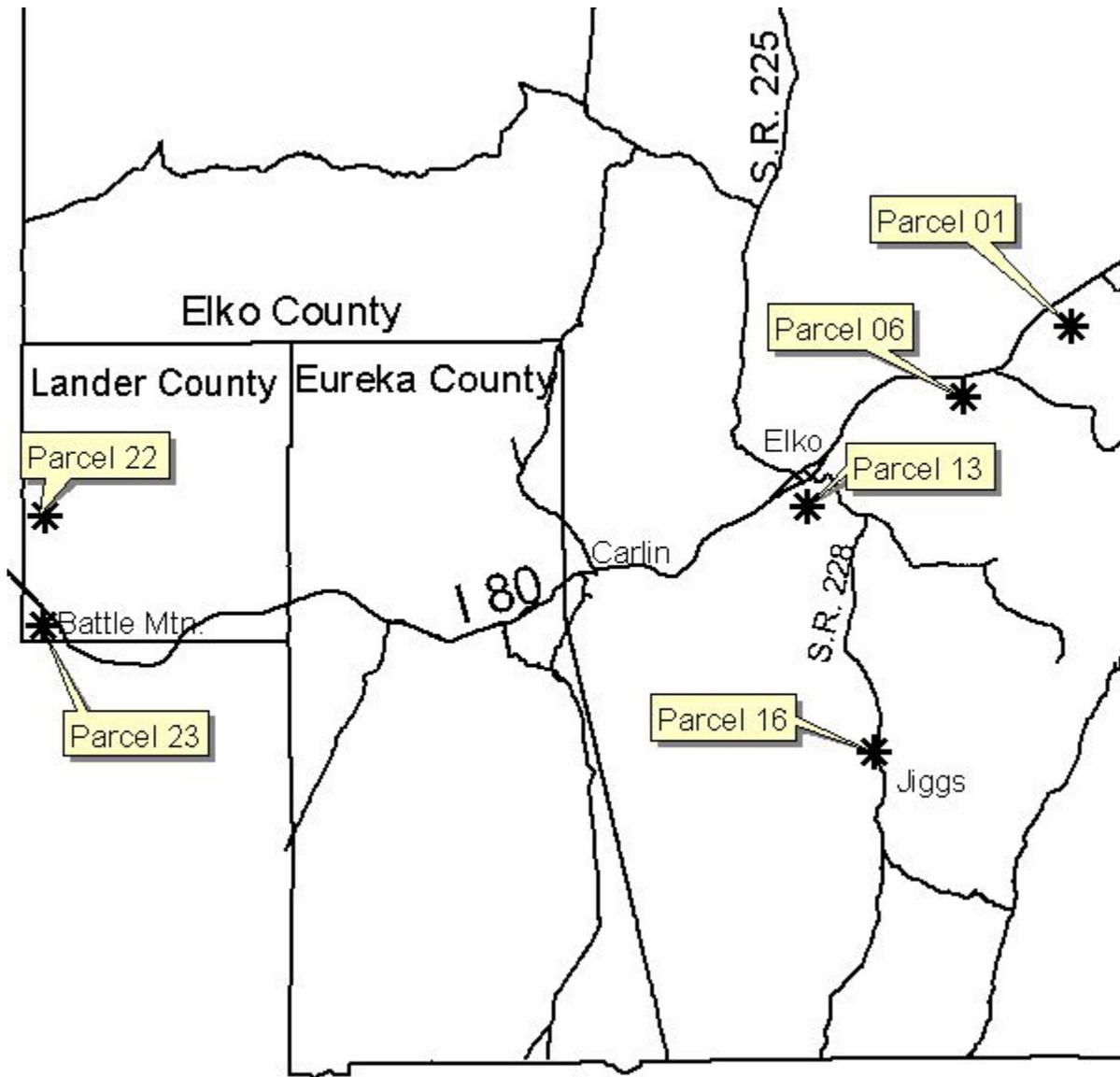
B. Persons, Agencies, or Groups Consulted

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William Spratling Tr.
Martha Sims
Edward Smiley
Steve Werner
Louis Soong
Robert Beemiller
Ronald Gebert
Quintin Marticorena
Allie Bear
Robert Penrod
Joe Cumming
George Gund Ranch
Zunino Ranches
Lattin Family Trust
City of Elko
CBM Services, Inc.
John Fields
Rex Steninger/Joseph McMullen
Zaga Ranches
Diamond X Bar Ranch
PHC-Elko Inc
KRL Partnership
Ellison Ranches
Bruce Miller
Rick Fiddler, 26 Ranch Inc.
Elko Land and Livestock
Scott Holmes, Newmont Mining Corp.
Lyle McQuery
Patricia Nicholl
Joe Sandberg
Dale Rees
Earl Enyart
Duane Erickson
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John Marvel
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Elko County Commissioners Division of State Lands, Land Use Planning
Eureka County Planning Commission
Western Watersheds Project
Lander County Commissioners
Nevada Department of Wildlife
Natural Resources Conserv. Service
Public Land Use Planning Commission
Marshall Ashcraft
Willy Whitaker
Nevada State Clearinghouse
U.S. Fish and Wildlife
WL Gilliland Family Trst
Wells Rural Electric
NV Dept. of Transportation
Nevada Bell
BIA
Williams Communications Inc.
AT&T GRE Lease Admin.
Citizens Communications
Forest Service
Sierra Pacific Power Co.
Southwest Gas Corp.
Beehive Telephone Co. Inc.
Agri-Beef Co. – IL Ranch
 John Phillips
Evan L. Ausman, Jr.
Wild Balance Corp.
Willy Whitaker
Kathy Angove
Zeta Inc. c/o Mike Griswold
Donald K. Woo
Elko Co. Advisory Board to Manage Wildlife, Jim Maple
Fermina Stevens - Chair

Elko Band Council
Terry Gibson - Chair
Duck Valley Sho-Pai Tribe
Daina Buckner - Chair
Ely Shoshone Council
Stanford Knight - Chair
Battle Mountain Band Council
Larson Bill - Chair
South Fork Band Council
Willie Johnny - Chair
Wells Band Council
Felix Ike - Chair
Temoak Tribal Council
Christopher Sewall
Western Shoshone Defense Project
Dallas Smales
South Fork Band Council
Alfreda Jake
Elko Band Council
Cindy Marques
Ely Shoshone Council
Mike Price – Vice Chair
Battle Mountain Band Council
Ted Howard
Duck Valley Sho-Pai Tribe
Jennifer Bell
Temoak Tribal Council
Aurora Aboite
Wells Band Council

APPENDIX A
LOCATION AND PARCEL MAPS



Parcel #	Township	Range	Section	Aliquot Part	Acres
03-01	37	60	30	SE $\frac{1}{4}$ NE $\frac{1}{4}$	40
03-06	35	57	4	Lots 2, 3 and 4, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$	249.4
03-13	34	55	24	W $\frac{1}{2}$ NE $\frac{1}{4}$	80
03-16	29	56	12	NW $\frac{1}{4}$	160
03-22	34	44	36	NE $\frac{1}{4}$	160
03-23	32	44	2	Lots 3 and 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$	119.16
Total					808.56

