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United States
Department of
Agriculture

Forest Service

Project # 38545

December 17, 2013

DECISION NOTICE and FINDING OF NO SIGNIFICANT IMPACT

La Madre Mountain Wilderness and Rainbow Mountain Wilderness Wilderness Management Plan

Clark and Nye Counties, Nevada



**Bureau of Land Management, Southern Nevada District
Las Vegas Field Office
and
U. S. Forest Service, Humboldt-Toiyabe National Forest Service
Spring Mountains National Recreation Area**

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I. Introduction

Background

The United States Department of Agriculture, Forest Service (FS), Humboldt-Toiyabe National Forest, Spring Mountains National Recreation Area, in cooperation with the United States Department of the Interior Bureau of Land Management (BLM), Southern Nevada District, Las Vegas Field Office, have prepared an Environmental Assessment (EA) in compliance with the National Environmental Policy Act (NEPA) and other relevant federal and state laws and regulations to assess the environmental consequences of one Wilderness Management Plan (WMP) for two Wildernesses—the La Madre Mountain Wilderness and the Rainbow Mountain Wilderness. The FS has identified the entirety of the La Madre Mountain and Rainbow Mountain Wildernesses as one management area, based on geography and the proximity of both Wilderness areas; therefore, the plan components outlined in the WMP address the entirety of the two Wilderness areas as one management area. Each agency has jurisdictional authority for separate portions of each Wilderness. The BLM is the lead agency for this project; however, the agencies have prepared separate decisions on the project. This Decision Notice and Finding of No Significant Impact (DN/FONSI) establishes the FS decision on the project.

Location

The La Madre Mountain Wilderness and Rainbow Mountain Wilderness were added to the National Wilderness Preservation System by the Clark County Conservation of Public Land and Natural Resources Act (CCCPLNRA) of 2002 (Public Law 107-282; November 6, 2002). The La Madre Mountain Wilderness encompasses a total of approximately 47,225 acres (28,114 BLM; 19,111 FS), in two parcels that are separated by a decommissioned dirt road. Rainbow Mountain Wilderness is approximately 24,899 acres (20,225 BLM; 4,674 FS).

Existing Conditions

The existing conditions for both Wildernesses are more fully described in the Wilderness Overview section of the WMP, on pages 2-5.

No active mining claims or mineral leases are present in either Wilderness. All grazing allotments have been closed. While no private inholdings are present, several private parcels are either adjacent to or in proximity to each of the Wildernesses. No modern wildlife water developments exist within either Wilderness.

Visitor use levels are generally low throughout most of the Wilderness areas and are much lower about one-half mile inside the Wilderness boundaries. Horseback riding is limited due to the scarcity of water and rugged terrain throughout much of these areas. Human-caused disturbances in the form of vehicle routes, existing at the time of Wilderness designation, have been decommissioned and several of these on FS land have received initial rehabilitation in an effort to return decommissioned routes to a natural state.

The presence of non-native wildlife and non-native invasive plants, primarily annual grasses can be extensive in some areas, especially in lower elevations and burned areas.

Fire has historically been an extremely infrequent natural occurrence in the scrub-dominated desert and the lower elevation ecosystems are not fire adapted. The upper elevations of both Wilderness areas do support a fire adapted ecosystem. There have been multiple fires in the Wilderness areas since 2000 that have

burned at least 10,404 acres within both Wildernesses, including the Carpenter 1 fire in July 2013, which burned approximately 8,727 acres within the La Madre Mountain Wilderness.

Audible noise can be heard from nearby highway traffic and aircraft. The Rainbow Mountain Wilderness is frequently overflowed by passenger aircraft on approach to McCarran International Airport. In addition to audible noise, there is extensive light pollution in all portions of the Wilderness areas due to their proximity to the Las Vegas metropolitan area.

II. Need for Action and Purpose

There is a need for current management direction that responds to the need to preserve the area's Wilderness characteristics as identified by the Wilderness Act of 1964. The La Madre Mountain and Rainbow Mountain WMP will implement management direction that will maintain Wilderness characteristics cumulatively identified by the Wilderness Act of 1964 as areas that remain untrammelled (i.e., unrestrained, unhindered) by man, natural, undeveloped, and having outstanding opportunities for solitude or primitive and unconfined types of recreation, including supplementary values.

The purpose of this project is to provide specific, updated, and consistent management direction for the La Madre Mountain and Rainbow Mountain Wildernesses, situated on federal public land managed by the FS and the BLM.

III. Decision and Rationale

Decision

This Decision Notice (DN) and Finding of No Significant Impact (FONSI) document my authorization to implement the Proposed Action—La Madre Mountain and Rainbow Mountain Wilderness Management Plan (WMP), jointly managed by the BLM and FS. The EA evaluates the impacts of implementing the WMP on a variety of resources including fire management, fish and wildlife, invasive non-native plant species, migratory birds, recreation uses, special designations (other than Wilderness), special status animal and plant species, vegetation/soils/watershed resources, and Wilderness. The WMP establishes management direction for both the La Madre Mountain Wilderness and Rainbow Mountain Wilderness for a 10-year period. I concur with the findings of the Interdisciplinary Team for the project, that the Proposed Action (Alternative 2) will not result in any unnecessary environmental degradation, nor will it result in any unnecessary development within the Wildernesses.

The FS will adopt the WMP as an amendment and supplement to the forest-wide standards and guidelines in the 1986 Toiyabe National Forest Land and Resource Management Plan (LRMP) by adding a new management area entitled Management Area 13 - La Madre Mountain and Rainbow Mountain Wildernesses and a new management area to the GMP entitled Management Area 15 - La Madre Mountain and Rainbow Mountain Wildernesses. The WMP is a stand-alone document that contains direction amending the Toiyabe National Forest LRMP forest-wide management direction specific to the La Madre Mountain and Rainbow Mountain Wildernesses by adding direction for Management Area 13, but does not amend forest-wide direction relating to management of all Wildernesses on the Toiyabe National Forest. The WMP also revises SMNRA GMP district-wide management direction specific to Wilderness, which hereafter will be lodged in the GMP under Management Area 15—La Madre Mountain and Rainbow Mountain Wildernesses. The Amendment to the Toiyabe LRMP and the SMNRA GMP is attached hereto as Exhibit B to this decision.

The amendment to the Toiyabe National Forest LRMP is a non-significant Forest Plan amendment because the amendment only adds new direction specific to the La Madre Mountain and Rainbow Mountain Wildernesses. It does not change forest-wide direction (Forest Plan standards that apply to the entire Humboldt-Toiyabe National Forest). The WMP has also incorporated Forest Service and BLM policies

and regulations necessary for management of the La Madre Mountain and Rainbow Mountain Wildernesses.

Management direction in the entirety of the WMP is relevant to both agencies, except where specifically stated as being applicable to only one agency.

Deciding Official's Rationale for the Decision

Based on the analysis in the EA, I have determined the WMP (Proposed Action) will bring existing management direction contained in the Toiyabe National Forest LRMP and the SMNRA GMP current and will more thoroughly respond to conditions existing in the Wilderness. Recreation is expected to increase over time based on population increases in Las Vegas and other nearby communities. The new WMP will implement campsite condition standards and campsite density standards that had not previously been established in the LRMP or the GMP. Campsite densities will be monitored and managed to enhance the untrammelled appearance of the Wilderness and provide more opportunities for solitude and primitive, unconfined recreation. Campsite condition protocols will assess resource impacts, such as groundcover loss, damaged trees, the presence of structures and fire rings, to determine ways to enhance the natural character of the Wilderness. These standards will set thresholds for measurable impacts to the Wilderness resource. Other prohibitions on recreation activities, for example target shooting and geocaching, which were not addressed in the LRMP or the GMP, are defined in the new WMP.

Although the BLM proposes site-specific actions as part of the WMP, for the FS most management actions in Wilderness, other than administrative, will maintain Wilderness character by requiring subsequent site-specific NEPA analysis and possibly a Minimum Requirement Decision Guidelines analysis. The WMP contains direction for the protection of natural and cultural resources and includes direction on public outreach, and environmental education to assist resource protection efforts. The WMP contains measures to maintain naturalness by preventing the introduction and establishment of noxious and non-native invasive weeds. Scenic qualities and naturalness will be enhanced with management direction that minimizes negative impacts from small-scale surface disturbances.

The WMP will reduce impacts to Wilderness character by implementing prohibitions on new fixed anchor rock climbing routes, which will contribute to maintaining the undeveloped character of Wilderness. The installation of new permanent fixed anchors on existing climbing routes will be evaluated for their appropriateness in Wilderness through a special use permit process, considering the protection of human life and safety. I have determined that proliferation of additional fixed anchor climbing routes in the La Madre Mountain and Rainbow Mountain Wildernesses is not appropriate. The installation of fixed anchors for rock climbing does not align with The Wilderness Act's prohibitions on structures and installations within Wilderness. Fixed anchors are considered to be installations that enable activities not in keeping with Wilderness policies and/or regulations. Fixed anchors have an effect on Wilderness character because they are documented as "developments" and the net effect is they negatively affect solitude by putting humans in places they would not otherwise be able to go. The equipment used for fixed anchor climbing, or "sport" climbing, does not qualify as a primitive form of recreation.

The BLM is analyzing in a separate NEPA document a potential amendment to the Red Rock Canyon National Conservation Area Resource Management Plan relating to the installation of fixed anchors for rock climbing. The FS will review consider adopting, in the future, the BLM's decision on new policies that would go into effect on the BLM portion of both Wilderness areas.

In the WMP we have developed new monitoring protocols that set realistic targets for monitoring, taking into consideration budget and personnel necessary to accomplish monitoring requirements and protect Wilderness character. Monitoring specifications include assessments of how visitor use, demonstrated by actual use patterns such as campsite numbers and condition, visitor encounters, user-created trails, motor

vehicle incursions, trampling of sensitive and alpine species, and increases of non-native species, is impacting conditions and heritage resources within the Wilderness.

The WMP responds to the need to preserve the area's Wilderness characteristics, as identified by the Wilderness Act of 1964, by establishing standards and guidelines for managing resources and activities in Wilderness, and at access points immediately adjacent to Wilderness, that would bring existing conditions closer to meeting desired conditions. The WMP will ensure the following desired conditions are addressed: natural and cultural resource values are protected; the health, diversity, integrity and beauty of the ecosystem is preserved; Wilderness character is strengthened; natural process are allowed to function and determine the composition and distribution of native vegetation communities and other resource conditions; heritage resources and natural processes are protected to enhance backcountry/Wilderness recreational opportunities; recreation activities are managed to ensure protection of resources; and management tools are utilized only if natural process are not maintaining the desired conditions.

The WMP captures some of the existing management direction for Wilderness contained in the 1986 Toiyabe NF LRMP and all management direction for Wilderness in the 1996 SMNRA GMP, and sets out many other management standards and guidelines formulated to protect heritage and cultural resources and enhance Wilderness character.

IV. Public Involvement

A notice requesting public input was mailed to known interested parties in May 2006. Public scoping workshops were held at Mountain Springs, Blue Diamond, and Las Vegas on May 18, 23, and 30, 2006 respectively, and additional public comment was received through the mail or e-mail during a following 30-day input period. A public comment period for the WMP Preliminary Proposed Action was initiated in May 2007.

The WMP project was reinitiated in 2012. All issues and concerns identified during the 2006-2007 scoping and comment periods and the 2012-2013 scoping were considered during the development of the Proposed Action and range of alternatives described in the EA.

The proposal was listed in the Schedule of Proposed Actions in January 2013. The proposal was provided to the public and other agencies during a 45-day scoping comment period, commencing July 8, 2013, and ending on August 23, 2013. Open house meetings were conducted with both agencies in attendance on July 24th at 2:00 p.m. and 6:00 p.m. at the Red Rock Canyon National Conservation Area Visitor Center classroom.

Comments were received from the Nevada Department of Wildlife, American Mountain Guides Association, Access Fund, Las Vegas Climber's Liaison Council, and seven private citizens. Public comments and the agencies' responses are included in the EA. Minor editorial changes were made to the Proposed Action in response to comments received.

V. Government-to-Government Tribal Consultation

Through the BLM as the lead agency, the agencies conducted tribal consultation during the public comment period in 2013, wherein tribal representatives were notified of the availability of and opportunity to comment on the Draft WMP and EA. Despite the lack of recorded cultural resource sites within its boundaries, the planning area is considered by Southern Paiute and Chemehuevi tribes to be part of their traditional lands. As such the areas likely contain areas and sites of traditional and cultural significance, sacred sites, and cultural resource sites important to these tribes.

VI. Alternatives

In addition to the Proposed Action (Alternative 2), two additional alternatives were considered, a No Action alternative (Alternative 1) and an Alternative Actions alternative (Alternative 3).

No Action

Under the No Action alternative, current management plans, along with guidance contained in the enabling legislation, all existing laws, regulations, and policy, and the Wilderness Act of 1964, would continue to guide management of the La Madre Mountain and Rainbow Mountain Wildernesses. New management direction would not be implemented to provide more specific, updated direction for the two Wildernesses, situated on federal public land managed by the FS and the BLM.

The Proposed Action

The Proposed Action is the La Madre Mountain and Rainbow Mountain Wilderness Management Plan. A map of the two Wilderness areas is attached to this DN/FONSI as Exhibit A.

Alternative 3 (Alternative Actions)

All issues and concerns identified during the 2006-2007 scoping and comment periods and the 2012-2013 scoping were considered and led to the development of Alternative 3 (Alternative Actions). Alternative 3 presented the most development and management of the three alternatives, while still maintaining and enhancing resource conditions.

Other Alternatives Considered

Federal agencies are required by the NEPA to rigorously explore and objectively evaluate a range of reasonable alternatives, and to briefly discuss the reasons for eliminating any alternatives that were not considered in detail (40 CFR 1502.14). No other alternatives were considered and eliminated from detailed study.

VII. Climate Change

Although it is not possible to quantify or quality a cause-effect relationship between this programmatic document and global climate, it is expected that direction in the La Madre Mountain and Rainbow Mountain Wilderness Management Plan may improve the resilience or adaptive capacity of resources within the Wilderness over time. Improved forest health may contribute to Wilderness conditions more resilient to climate change stresses and also serve to enhance the untrammeled, natural, undeveloped, and solitude characteristics of Wilderness.

VIII. Finding of No Significant Impact

After considering the environmental effects described in the EA, I have determined that implementation of the La Madre Mountain and Rainbow Mountain WMP will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Consequently, an Environmental Impact Statement will not be prepared. I base my finding on the following Findings of No Significant Impact:

1. Impacts that may be both beneficial and adverse.

The EA identifies no direct, indirect, or cumulatively significant effects associated with the Proposed Action. My finding of no significant environmental effects is not biased by the beneficial effects of the selected action.

2. The degree to which the Proposed Action affects public health or safety.

The La Madre Mountain and Rainbow Mountain WMP is a programmatic document that addresses protection of resources and sets out restrictions on use and activities in Wilderness for the protection of Wilderness resources and Wilderness character. Visitors to Wilderness experience a primitive recreational encounter where time spent within the boundaries of Wilderness are unimpeded by outside influences such as signs, structures, and installations. The public health and safety of visitors to the Wilderness is addressed through management direction for signs with directional signing at system trail junctions. Although the WMP prohibits the installation of new permanent fixed anchor climbing routes except as permitted for safety purposes, the WMP allows for replacement of fixed climbing anchors on existing routes for the safety of recreational climbers, following review of the appropriateness of maintaining said route. There are no activities proposed through management direction that would have an adverse effect on public health and safety.

3. Unique characteristics of the geographic area.

There will be no significant effects to the unique characteristics of the La Madre Mountain and Rainbow Mountain Wildernesses geographic areas from implementation of the WMP. As set out in the Wilderness Act of 1964, the unique characteristics of Wilderness are described as an area where the Earth and its community of life are untrammelled by man; an area of undeveloped Federal land retaining its primeval character without permanent improvements or human habitation; an area affected primarily by the forces of nature; with opportunities for solitude or a primitive and unconfined type of recreation; and may contain other unique ecological, geological, or other features (The Wilderness Act of 1964, (amended October 21, 1978); Public Law 88-577; 16 U.S.C. 1131-1136).

Wetlands, riparian areas, streams, and cultural resources will be protected through management direction restricting camping within 300 feet of these resources. Other unique characteristics of the Wilderness are protected through management direction, for example, meadows are protected from recreational livestock grazing and alpine species will be monitored with management actions written in the WMP to prevent impacts if monitoring indicates the need. Although the Wilderness is not an ecologically critical area, there is habitat for species listed as endangered under the Endangered Species Act, FS sensitive species, and species of concern within the Wilderness. Management direction provides protection for these species and biologists have determined there will be no significant adverse impacts to any species from implementation of the WMP. There are no wild or scenic river corridors in the La Madre Mountain and Rainbow Mountain Wildernesses.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

Based on the involvement of forest resource specialists and members of the public, I do not expect the effects of the Proposed Action on the quality of the human environment to be highly controversial in a scientific context. The EA did not disclose any significant adverse effects on the quality of the human environment that would result from implementation of the WMP.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The effects on the human environment are not uncertain. Uncertainties relating to effects to threatened, endangered, proposed or sensitive species do not exist, based on determinations made by resource specialists in the Botanical and Wildlife Specialist Reports, and there will be no effects to cultural resources; therefore, there are no unique or unknown risks associated with the project.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The La Madre Mountain and Rainbow Mountain WMP is a programmatic document and, as such, establishes management direction for potential future actions. Site-specific management actions or projects proposed in the Wilderness would require separate analysis under the National Environmental Policy Act and possibly a Minimum Requirements Decision Guide analysis to be in conformance with the minimum requirement provisions of the Wilderness Act; therefore, future activities or projects in Wilderness are not likely to result in significant effects.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

Although the BLM proposes site-specific actions on BLM managed land as part of the WMP, on FS managed land the WMP does not propose projects or activities through management direction set out in the plan. The effects analysis in the EA discloses the direct, indirect and cumulative effects of the Proposed Action, as directed by FS NEPA procedures (36 CFR part 220). All impacts to resources analyzed in the EA result in either “no effect” or “may effect” or “beneficial effect” determinations, based on management direction in the WMP. The cumulative impacts of the WMP are expected to be minimal to non-existent because the WMP does not in itself propose activities. When site-specific projects are proposed in Wilderness, separate analysis under NEPA and potentially an MRDG analysis would be conducted, at which time a cumulative effects analysis would be demonstrable. The action is not related to other actions with individually insignificant but cumulatively significant impacts. There are no connected actions associated with this project.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or cause loss of destruction of significant scientific, cultural, or historic resources.

The Wilderness does not encompass districts, historic sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places. None of the actions proposed in the WMP are predicted to negatively impact cultural resources. Measures are proposed in the WMP to help reduce potential impacts to cultural resources such as requiring cultural clearances before implementing projects and positioning trails to help direct visitors away from cultural resources.

The Nevada State Historic Preservation Office (SHPO) had an opportunity to provide comment on the WMP and EA and had no comments; consequently, the BLM, as lead agency for this project, determined that formal consultation with the SHPO was not necessary.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

The BLM, as lead agency, obtained concurrence from the agency’s wildlife biologist and botanist, that new guidance in the WMP will provide stronger protection for species’ habitat and will minimize recreational impacts that might affect individuals.

10. Whether the action threatens a violation of federal, state, or local law or requirements imposed for the protection of the environment (40 CFR 1508.27).

As outlined in the Section IX of this Decision Notice, the La Madre Mountain and Rainbow Mountain WMP was written in accordance with federal, state, and local laws or requirements for the protection of the environment. The WMP is a stand-alone document that contains direction amending the Toiyabe National Forest LRMP forest-wide management direction specific to the La

Madre Mountain and Rainbow Mountain Wildernesses by adding direction for Management Area 13, but does not amend forest-wide direction relating to management of all Wildernesses on the Toiyabe National Forest. The WMP also revises SMNRA GMP district-wide management direction specific to Wilderness, which hereafter will be lodged in the GMP under Management Area 15—La Madre Mountain and Rainbow Mountain Wildernesses.

IX. Compliance with Executive Orders, Laws, Regulations, State Statutes, and Agency Policies

The Proposed Action is in compliance with the following:

- The Wilderness Act of 1964 (16 U.S.C. §§ 1131-1136, September 3, 1964, as amended 1978)
- National Forest Management Act of 1976 (16 U.S.C. §§ 1600-1614, August 17, 1974, as amended 1976, 1978, 1980, 1981, 1983, 1985, 1988, and 1990)
- The National Environmental Policy Act of 1969 (42 U.S.C. §§ 4321-4347, January 1, 1970, as amended 1975 and 1994)
- Southern Nevada Public Lands Management Act of 1998, "*As Amended*," (SNPLMA) (Public Law 105 263)
- Fiscal Year 2004 Appropriations Act amending the Southern Nevada Public Land Management Act of 1998, Public Law 105-263 H.R. 2691
- Clark County Conservation of Public Land and Natural Resources Act of 2002 (Public Law 107-282 H.R. 5200)
- Spring Mountains National Recreation Area Act (16 U.S.C. §460hhh; Public Law 103-63, Aug. 4, 1993, 107 Stat. 297)
- The Federal Land Policy and Management Act of 1976 (43 U.S.C. §§ 1701-1782, October 21, 1976, as amended 1978, 1984, 1986, 1988, 1990-1992, 1994 and 1996)
- Multiple-Use Sustained-Yield Act of 1960 (16 U.S.C. §§ 528-531, June 12, 1960, as amended 1996)
- Clean Air Act (42 U.S.C. §§ 7401-7602, December 31, 1970, as amended 1977, 1990, 2004)
- Clean Water Act (33 U.S.C. §1251 et seq., 1972)
- The Endangered Species Act of 1973 (16 U.S.C. §§ 1531-1544, December 28, 1973, as amended 1976-1982, 1984, and 1988)
- Bald and Golden Eagle Protection Act (16 U.S.C. §§ 668-668d, June 8, 1940, as amended 1959, 1962, 1972, and 1978)
- Migratory Bird Treaty Act (16 U.S.C. §§ 703-712, July 3, 1918, as amended 1936, 1960, 1968, 1969, 1974, 1978, 1986 and 1989)
- Executive Order 13186 — Responsibilities of Federal Agencies to Protect Migratory Birds (2001)
- Noxious Weed Act, as amended (7 USC. 2801, et seq.)
- Management of Designated Wilderness Areas (43 CFR Part 6300)
- Recreation Management Restrictions: Occupancy Stay Limitation (43 CFR 8365.1-2(a) and Federal Register Notice NV-930-4333-02)
- Unlawful Manner of Camping Near Water Hole (Nevada Revised Statute 503.660)
- Executive Order 13112: Invasive Species (1999)
- Executive Order 13443: Facilitation of Hunting Heritage and Wildlife Conservation (2007).
- National Historic Preservation Act (Public Law 89-665; 16 U.S.C. 470 as amended through 2000) and its parallel authority, Protection of Historic Properties (36 CFR 800)

- Executive Order 13007, Protection and Accommodation of Access to “Indian Sacred Sites”, (May 24, 1996).
- Federal Property and Administrative Services Act of 1949 (40 U.S.C. as amended through P.L. 106–580, Dec. 29, 2000)
- Archaeological Resources Protection Act of 1979, as amended (Public Law 96-95; 1 U.S.C. 470aa-mm)
- Wild Free-Roaming Horses and Burros Act of 1971 (Public Law 92-195)
- National Forest System Land Management Planning, New Plan Development or Revision (36 CFR 219.7)
- Wilderness – Primitive Areas (36 CFR 293)
- Prohibitions on Wilderness (36 CFR 261)
- Minerals Management in Wilderness (36 CFR 228)
- Specific laws designating Wilderness areas in the National Forest System

Other policies and guidance that were considered in the EA relating to the implementation of this project include:

- Management of Designated Wilderness Areas (BLM Manual 6340)
- Wilderness Management Plans (BLM Manual 8561)
- Recreation, Wilderness, and Related Resource Management - Wilderness Management (Forest Service Manual 2300, Chapter 2320)
- Wildlife Management Guidelines (House Report No. 101-405, Appendix B)
- BLM Emergency Stabilization and Rehabilitation Handbook (1742-1)
- FS Watershed Protection and Management Emergency Stabilization – Burned Area Emergency Response policies (FSM 2523)
- Forest Service Manuals and Handbooks for Affected Resources (FSM 2360)
- Resource Opportunities in Recreation Planning (FSM 2311)
- Recreation Opportunity Spectrum (FSM 2311.11)
- Toiyabe National Forest Land and Resource Management Plan (6/1986)
- General Management Plan for the Spring Mountains National Recreation Area (10/1996), an amendment to the Toiyabe National Forest Land and Resource Management Plan
- Conservation Agreement for the Spring Mountains National Recreation Area, 4/13/1998
- Clark County Multiple Species Habitat Conservation Plan

X. Environmental Justice

Implementation of the WMP is in compliance with Executive Order 12898, Environmental Justice (Feb. 11, 1994, 59 Fed. Reg. 7629). Wilderness, as a legislatively designated resource in the U.S., is available to all citizens. As a programmatic document designed for protection of Wilderness resources and character, there will be no disproportionately high or adverse human health or environmental effects that would fall disproportionately on low-income, minority populations, American Indian tribes, women, or affect the civil rights of any United States citizen.

XI. Administrative Review Process

This decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4 and Form 1842–1.

In an Amendment to the 2006 Project Agreement between the BLM and the FS, the FS agreed to waive the objection procedures set forth in 36 CFR 219 and, in accordance with FS planning regulation

36 CFR 219.59, adopt the IBLA administrative review and post-decision appeals process as set forth in 43 CFR Part 4 and Form 1842-1. This decision was made because the BLM is the lead agency in this planning process, and to ensure a timely and effective administrative review and appeal period.

If an appeal is taken, your notice of appeal must be filed in writing to Mr. Timothy Z. Smith, BLM Southern Nevada District Office; 4701 N. Torrey Pines Drive; Las Vegas, NV 89130, or by email to tsmith@blm.gov, within 30 days of the date of 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 2801.10 or 43 CFR 2881.10, for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the IBLA, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the IBLA and the appropriate office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof in demonstrating that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided for by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall 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 appellant's success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted, and;
4. Whether the public interest favors granting a stay.


Contact Information

Additional information regarding this action can be obtained from:

Sendi Kalcic, Wilderness Specialist
Bureau of Land Management
Southern Nevada District
Las Vegas Field Office
4701 North Torrey Pines Drive
Las Vegas, NV 89130
702.515.5297

Implementation Date

Implementation can commence following completion of the 30-day IBLA appeals process.



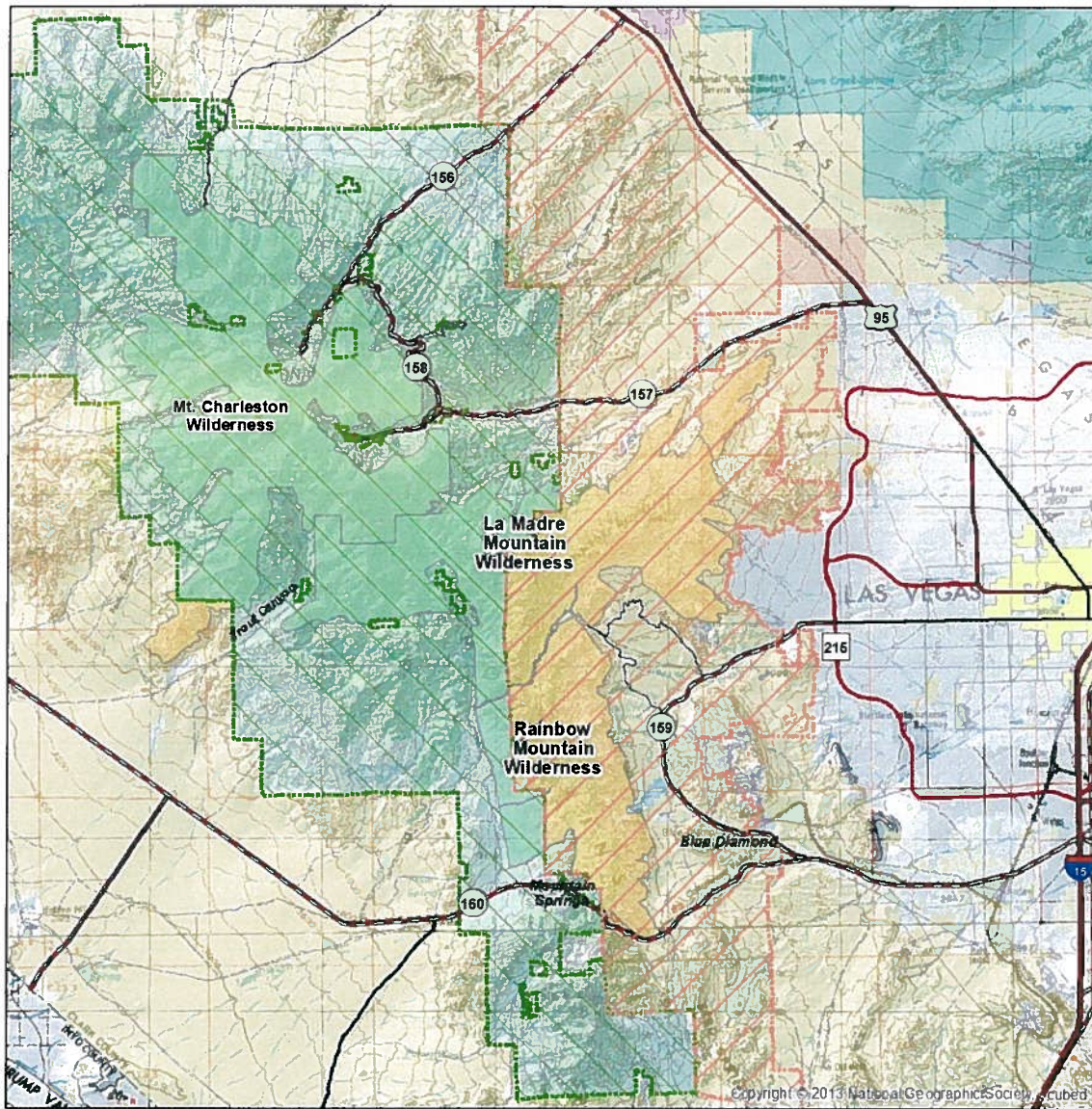
WILLIAM A. DUNKELBERGER
Forest Supervisor
Humboldt-Toiyabe National Forest



Date

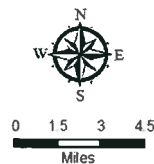
Exhibit A

Map of the La Madre Mountain and Rainbow Mountain Wilderness Areas



Legend

Red Rock NCA	Major Road	Land Status
Spring Mountains NRA	Interstate	Bureau of Indian Affairs
BLM Wilderness	US Highway	Bureau of Land Management
Forest Service Wilderness	State Highway	Department of Defense
	County Highway	Department of Energy
	Arterial	Forest Service
	Local	Fish and Wildlife Service
	Resource	Nevada State Lands
		Private



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Exhibit B

Amendment to the Toiyabe National Forest Land and Resource Management Plan

La Madre Mountain and Rainbow Mountain Wilderness Management Plan

Responsible Official:

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The Forest Service has amended the Toiyabe National Forest Land and Resource Management Plan (LRMP) to establish management direction for the La Madre Mountain and Rainbow Mountain Wilderness Areas (WMP) by developing one Wilderness Management Plan to establish management direction for both Wilderness areas. The WMP was written in cooperation with the Bureau of Land Management, which has jurisdictional authority for separate portions of both Wildernesses. Management direction in the WMP is relevant to both agencies, except where specifically stated as being applicable to only one agency.

Each agency has written a separate decision (available separately) authorizing the Proposed Action—the La Madre Mountain and Rainbow Mountain Wilderness Management Plan, as written, as the selected action. The Environmental Assessment considered the environmental effects of the Proposed Action, the No Action, and Alternative 3 (Alternative Actions). The alternatives and decisions were based on internal and public dialogue and consideration of public comments through several stages of public involvement outreach.

The WMP amends the Toiyabe National Forest LRMP as follows:

1. Amends Toiyabe National Forest LRMP forest-wide standards and guidelines specific to the La Madre Mountain and Rainbow Mountain Wildernesses, by adding Management Area 13; however, does not amend forest-wide direction relating to management of all Wildernesses on the Toiyabe National Forest.

Revises the Spring Mountain National Recreation Area (SMNRA) General Management Plan (GMP) (a 1996 amendment to the Toiyabe LRMP) as follows:

2. Replaces district-wide management direction for Wilderness on the district with management direction in the La Madre Mountain and Rainbow Mountain Wilderness Management Plan, hereafter identified as Management Area 15 – La Madre Mountain and Rainbow Mountain Wildernesses in the GMP.