



United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
Carson City District Office  
1535 Hot Springs Rd., Ste. 300  
Carson City, NV 89706-0638

M 10/4/91  
TAKE  
PRIDE IN  
AMERICA

IN REPLY REFER TO:

4130 CF  
(NV-03580)

Ms. Cathy Barcomb  
Commission for the Preservation  
of Wild Horses  
Stewart Facility  
Capitol Complex  
Carson City, NV 89710

OCT 04 1991

Dear Ms. Barcomb:

On August 7, 1991, you were sent a copy of the Proposed Decision relating to changes in livestock management in Gillis Mountain Allotment. This decision was not protested, consequently, it has become the Final Decision. Grazing on the Gillis Mountain Allotment will be in accordance with the Final Decision.

Due to a typographical error, the end of the two-year monitoring period was shown as 03/31/91. The correct date is 03/31/93. In order to correct your copy, please remove Page 2 of the Proposed Decision and replace it with the enclosed correction.

Sincerely yours,

John Matthiessen  
Area Manager  
Walker Resource Area

1 Enclosure:

1. Page 2, 8/2/91 Proposed Decision

Environmental Assessment (EA) NV-030-91010 was prepared to address these changes and then submitted to public review. On the basis of the Record of Decision for this EA and in accordance with the regulations for grazing administration, Title 43, Code of Federal Regulations (CFR), Subpart 4100, my proposed decision is as follows:

Approve:

1. Change in kind of livestock from sheep to cattle.
2. Change in season of use to 10/01 through 03/31.
3. Adjust the allotment boundary to reincorporate the bighorn sheep buffer zone removed from the allotment by Area Manager's Decision dated July 11, 1988. (Refer to Enclosure)

Reject:

1. Adjust preference to restore 476 AUMs.

These actions will be implemented with the issuance of a Grazing Permit for 1924 AUMs effective for the two year period beginning 10/1/91 and ending 3/31/93. After two years of use pattern monitoring, a decision on a long term permit will be rendered.

This decision is based on the following:

1. Changing the kind of livestock eliminates the possibility of disease transmittal between domestic sheep and bighorn sheep thereby enhancing the success of bighorn sheep reintroduction.
2. Since the proposed change in season of use does not fall into the critical growth period of key forage species,



File m 8/7/91  
United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
Carson City District Office  
1535 Hot Springs Rd., Ste. 300  
Carson City, NV 89706-0638



IN REPLY REFER TO:

4130 CF  
(NV-03580)

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Ms. Cathy Barcomb  
Commission for the Preservation  
of Wild Horses  
Stewart Facility  
Capitol Complex  
Carson City, NV 89710

AUG 07 1991

Dear Ms. Barcomb:

In November 1990, you received an Environmental Assessment (EA) and Draft Record of Decision (ROD) regarding proposed changes for the Gillis Mountain Allotment.

Enclosed is EA No. NV-030-91010 and the Final ROD. The following changes have been made in the EA:

1. The Public Involvement Section has been expanded to include results of the public review and comment.
2. The EA map has been corrected. There was a slight error in the portion of the Pilot Mountain Herd Management Area originally shown outside the Gillis Mountain Allotment.

Also enclosed is the Notice of Proposed Decision dated August 2, 1991. The protest and appeal information also applies to all affected interest.

In your letter dated November 29, 1990, you expressed concerns regarding the EA and selected alternative. These concerns along with our analysis follow:

- A. "Cattle being grazers are in direct competition with wild horses for forage. If the proper monitoring has not been completed how can you determine that you are not over obligating the range which is a direct violation of the Federal Range Code."

Response. Section 3 of the EA (Affected Environment) provides the grazing history for the past eight years. This history involves seven years of total nonuse by domestic livestock. With the initiation of grazing in 1989, use pattern mapping was also completed. Although monitoring efforts have been limited due primarily to the extended period of non-use, there is not a lack of "proper" monitoring in the allotment.

The point intended under Environment Consequences (Proposed Action) was that lacking sufficient monitoring to determine potential cattle distribution within the Gillis Mountain Allotment, a short term permit will be issued to provide the opportunity to monitor cattle movement in the allotment and make adjustments if necessary. After monitoring for two years, a decision on a long term permit would be made based on current data.

- B. "Are their [sic] any census maps available to determine the movements of wild horses?"

Response. Censuses were conducted in May 1987, November 1987, November 1988, and September 1989. Movements of these wild horses are based primarily on the professional judgement and knowledge of my staff.

- C. "We do not feel assured, according to this document, that monitoring has been properly established to assure sufficient allocation of winter and summer forage for wild horses."

Response. The majority of the Pilot Mountain HMA encompasses the Pilot Mountain Allotment. The HMA takes in less than seven percent of the Gillis Mountain Allotment. As stated in the Walker Rangeland Program Summary (RPS), the objective for the portion of the Gillis Mountain Allotment within the Gillis Mountain Allotment within the HMA is to provide forage for 20 wild horses (240 AUMs). As addressed in the response to Comment A, there is not a lack of proper monitoring in the Gillis Mountain Allotment and, based on the existing data, there is no evidence that the allotment cannot provide 1924 AUMs for livestock plus 240 AUMs for wild horses within appropriate utilization levels.

- D. "We believe placement [of water] is a major factor in whether you will be 'baiting' the horses out of their HMA. If they happen to leave their HMA for water and the permittee complains will the wild horses then be removed? We would suggest mitigating measures to insure that wild horses will not be removed because of this action. If the wild horses leave because of the 'bait' of water then the permittee should be required to fence to keep the horses in their HMA and remove the danger of the horses being rounded up."

Response. Water hauling will only occur during the winter when water is normally most plentiful throughout the Pilot Mountain HMA. In other allotments where watering occurs only in winter (eg., Garfield Flat), the wild horses have not been drawn away from their historic waters. When water hauling occurred in the Gillis Mountain Allotment during the 1989-1990 and 1990-1991 grazing seasons, the horses were not "baited" outside the herd management area.

It should also be realized that water hauling is used as a tool for the permittee to maintain proper distribution of his livestock. This will minimize the impacts of livestock grazing in an allotment shared by wild horses.



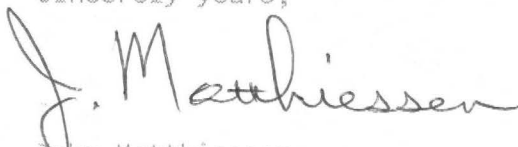
E. "Please provide me with a map showing the Pilot Mountain HMA as all I can find in the Draft Walker, RMP and EIS and related documents that I was provided is a map showing a HUA with completely different boundaries than the EA I am commenting on. This leaves me completely confused. What document was put out to the public explaining to the people commenting on the RMP, the difference between the HUA boundary and the HMA boundary."

Response. Enclosed is a current map showing the boundaries of the Pilot Mountain Herd Management Area. The following points may help clarify the confusion with the maps.

1. The Pilot Mountain and Gabbs Valley Range Herd Areas were shown as being separated in the Draft Walker RMP and EIS. These were combined in the Final RMP (Walker Management Decision Summary, Wild Horses and Burros, Decision 1).
2. The map in the Draft RMP / EIS and the Management Decision Summary are very small scale and represent an approximation of the boundary shown in relation to the boundaries of the Resource Area. The map in the EA is a larger scale (more detailed) map of the Gillis Mountain Allotment showing the portion of the HMA boundary addressed under the Affected Environment section.
3. There was a slight error in the EA map for the HMA boundary outside the Gillis Mountain Allotment. The portion within the allotment, however, is an accurate representation of the Herd Area boundary first delineated in 1973.

43 CFR §4700.0-5(d) defines "Herd Area" as "...the geographic area identified as having been used by a herd as its habitat in 1971". In the Draft Walker RMP / EIS, a map depicting herd "use" areas was used for analysis purposes only so the impacts to other resources could be identified and discussed. That map showed the areas that the wild horses were using in 1984. The HMA map depicted in the EA is the same as the boundary first delineated as the Herd Area.

Sincerely yours,



John Matthiessen  
Area Manager,  
Walker Resource Area

3 Enclosures

1. 08/02/91 Proposed Decision
2. EA No. NV-030-91010
3. Pilot Mountain HMA map

11/9/90



**United States Department of the Interior**  
**BUREAU OF LAND MANAGEMENT**  
**CARSON CITY DISTRICT OFFICE**  
1535 Hot Springs Rd., Ste. 300  
Carson City, NV 89708-0638



*no ds Att.*

IN REPLY REFER TO:  
  
4130  
(NV-03580)

NOV 09 1990

Dear Interested Party:

Enclosed for your review is an Environmental Assessment (EA) and Draft Record of Decision / Finding of No Significant Impacts. This EA was prepared to address a change in kind of livestock, change in season of use, and adjustment of the boundary in the Gillis Mountain Allotment. If you have any comments, please send them to this office prior to November 28, 1990.

Sincerely yours,

John Matthiessen  
Area Manager,  
Walker Resource Area

- 1 Enclosure
- 1. Environmental Assessment

DESC. of Salary for Acting ex Dir  
(IF <sup>ACT</sup>EX DIR. IS NOT APPOINTED)

Heretofore  
addressed along

call  
John Artel

ENVIRONMENTAL ASSESSMENT NO. NV-030-91 010  
Change in Kind of Livestock and Season of Use  
in Gillis Mountain Allotment

---

Name of Applicant: William A. Card  
Office and Location: Bureau of Land Management  
Carson City District Office  
1535 Hot Springs Road, Suite 300  
Carson City, Nevada 89706-0638  
Preparation Date: October 10, 1990

---

I. Need for Proposed Action

The Gillis Mountain Allotment has historically been grazed by sheep between December 1 to March 31, and was adjudicated at 2,400 AUMs in 1960. In 1988, the boundary of the allotment was changed, creating a "buffer zone" to prevent contact of domestic and bighorn sheep introduced in the adjacent Pilot Mountain Allotment. This reduced the sheep preference to 1,924 AUMs. The current permittee is I & M Sheep Company.

On September 21, 1990, William A. Card filed for the transfer of preference in Gillis Mountain Allotment from I & M Sheep Company. Mr. Card currently grazes cattle, consequently he has requested a change in kind of livestock from sheep to cattle. Since the problem of disease transmittal between domestic and big horn sheep would be eliminated, he has also requested that the original allotment boundary and preference of 2,400 AUMs be restored. Other requests include a change in season of use and the drilling of a well to aid in water hauling.

This Walker Resource Management Plan (RMP), issued in 1986, is the current land use plan that covers the Gillis Mountain Allotment. The only activity plan that covers the planning area is the Mina Habitat Management Plan (HMP).

II. Proposed Action and Alternatives

A. Proposed Action

The proposed action includes the following:

1. Change kind of livestock from sheep to cattle;
2. Change the season of use from 12/01 through 03/31 to 10/01 through 03/31;
3. Adjust the allotment boundary to include the buffer zone originally removed to prevent interaction between domestic sheep and bighorn sheep;
4. Adjust preference to restore the 476 AUMs eliminated due to the boundary adjustment;
5. Drill a well under a Range Improvement (Section 4) Permit to aid in water hauling. The well would be located in the northeastern portion of Buckley Flat at T. 11 N., R. 31 E., Section 35, NW $\frac{1}{4}$  of NE $\frac{1}{4}$ , which is adjacent to a road going through the allotment<sup>1</sup>.

*Private  
as  
public*

---

The well will need to be accessible to trucks used for hauling water.

Water hauling would be needed to maintain proper livestock distribution. The proposed action would result in the following grazing schedule:

401 Cattle from 10/01 to 03/31 @ 100% P.L.<sup>2</sup>

B. No Action Alternative

Under this alternative, Mr. Card's grazing application would be rejected and current management would continue. Sheep would be authorized to graze in the Gillis Mountain Allotment between 12/01 and 03/31. The current allotment boundary and preference will remain unchanged. The proposed well would not be drilled.

C. Only Change kind of Livestock and Approve Well

This would be similar to the previous alternative, except cattle would be allowed to graze instead of sheep and the well would be approved. This would result in the following grazing schedule:

484 Cattle from 12/01 to 03/31 @ 100% P.L.

D. Proposed Action with Current Preference

This would be similar to the proposed action, except the preference would be maintained at 1,924 AUMs. This would result in the following grazing schedule:

321 Cattle from 10/01 to 03/31 @ 100% P.L.

III. Affected Environment

The Gillis Mountain Allotment is located entirely within Mineral County, Nevada, approximately five miles north of Hawthorne. The allotment contains approximately 153,920 acres of which 153,680 acres are public land. It is classified as an "M" (Maintain) Allotment in the Walker RMP.

Vegetative types were most recently identified in 1975 as part of a watershed study. Results are as follows:

<u>Vegetative Type</u>	<u>Public Land Acres</u>	<u>Percent of Allotment</u>
Greasewood ( <i>Sarcobatus sp.</i> )	89,700	56
Big Sagebrush ( <i>Artemisia tridentata</i> )	16,600	10
Low Sagebrush ( <i>Artemisia arbuscula</i> )	26,800	17
Desert Shrub ( <i>Atriplex confertifolia</i> )	27,200	17
-----		
Total	160,300 <sup>3</sup>	100

<sup>2</sup>Public Land Use.

<sup>3</sup>This figure reflects the acreage prior to the boundary adjustment in 1988 (6,620 acres removed due to bighorn / domestic sheep buffer zone).

Other important overstory plant species include winterfat (*Eurotia lanata*) and *Ephedra*. The major grass species is Indian ricegrass (*Oryzopsis hymenoides*) with lesser amounts of galleta (*Hilaria jamesii*), bottlebrush squirreltail (*Sitanion hystrix*), and needle-and-thread (*Stipa comata*). Key species are Indian ricegrass and winterfat. The critical growth period for perennial grasses is mid-March to mid-July. The critical growth period for winterfat is mid-March to mid-September.

Trend is estimated as static. An ecological status survey has not been conducted in the allotment. Observations indicate that nearly all of the allotment is in late seral stage. The one exception is the extreme eastern portion of the allotment (in and around Win Wan Valley) which is grazed by wild horses from the Pilot Mountain Herd Management Area. This is estimated to be in mid-seral stage. The estimated wild horse population in the Gillis Mountain Allotment is 20 head (240 AUMs). Horses move freely between the Gillis Mountain and Pilot Mountain Allotments on a year-round basis.

No important riparian habitat has been identified in Gillis Mountain Allotment. Wildlife species include chukar partridge (*Alectoris chukar*), raptors, cottontails (*Sylvilagus nuttallii*), jack rabbits (*Lepus californicus*), and various small mammals and birds. 23 desert bighorn sheep (*Ovis canadensis nelsoni*) were introduced in Wildhorse Canyon on October 30, 1988. This population was augmented with 3 ewes on July 8, 1989. Although reproduction has been confirmed, no specific information is available as to the present population.

The currently recognized grazing preference is 1,924 AUMs for sheep. During the range adjudication of 1960, preference was established at 2,400 AUMs even though 5,500 AUMs were available for sheep grazing (3,212 AUMs calculated for cattle grazing). This survey capacity was computed on approximately 85,700 acres with the remaining 74,600 acres allotted no capacity primarily due to lack of water. The area removed from the allotment in 1988 contained 476 AUMs (sheep) and 314 AUMs (cattle).

2 The current permittee (I & M Sheep Co.) has been authorized for total non-use from 1983 to 1990 based on market factors, not resource conditions. During the 1989 to 1990 grazing season, Dearing Ranches was authorized temporary and non-renewable grazing in the allotment.

There are no reliable perennial water sources in the Gillis Mountain Allotment. When sheep did graze the allotment, snow was the primary source and was supplemented by water hauling. Water sources for wild horses are located in the adjoining Pilot Mountain Allotment.

A drift fence is located on a portion of the eastern allotment boundary across Win Wan Flat (between Gillis Mountain and Pilot Mountain Allotments). Two other drift fences are located in the vicinity of the northern boundary between Gillis Mountain Allotment and the Walker River Indian Reservation. The western boundary is the shore of Walker Lake. Topography may restrict cattle movement over a portion of the former eastern boundary, however the 1988 realignment has no restrictive barriers. There are no restrictive barriers along the southern boundary.

#### IV. Environmental Consequences

##### A. Proposed Action

Changing the kind of livestock would remove the possibility of disease transmittal between domestic and bighorn sheep, which was the original intention of the buffer zone imposed in the 1988 Decision. The former allotment boundary would be more practical for cattle grazing in that it would incorporate the steeper topography to restrict cattle drift into the adjacent allotment (the current allotment boundary is on the alluvial fans which would not restrict cattle drifting outside the Gillis Mountain Allotment).

Since the proposed change in season of use does not fall into the critical growth period of key forage species, there should be very little adverse impact to vegetation. The allotment

has been historically grazed by sheep whose movements were controlled by herders, consequently existing use pattern mapping data cannot be used to determine potential cattle distribution. However, Mr. Card thinks he can maintain proper distribution and prevent livestock drift outside the allotment through control of waters (ie, water hauling). The proposed well would aid in the water hauling efforts.

Some trampling of vegetation will occur near water troughs. The greatest impacts may be expected near the well, which will be a permanent water source. However the main well could be shut-off and used periodically for water hauling.

B. Alternatives

Under the no action alternative, there will still exist the possibility of disease transmittal between domestic and bighorn sheep (if the bighorn sheep drift out of the anticipated habitat area and buffer zone into the Gillis Mountain Allotment, they may come in direct contact with domestic sheep). Since Mr. Card is not in the sheep business, this alternative would not be feasible to the operator. The advantage of this alternative would be that sheep movements could be more directly controlled by herders, reducing the chance of livestock drift outside the allotment.

If the kind of livestock is changed, without changing the existing bighorn sheep buffer boundary, livestock control would not be practical near the eastern boundary.

Rejecting the Range Improvement Permit for the proposed well will result in the reduction of trampling effects at the project location. However, since Mr. Card would have to travel outside the allotment to get water, hauling efforts would become more difficult. Consequently, control of cattle distribution and drift would become more difficult.

The impacts of Alternative D will be similar to the proposed action, however 80 fewer head of cattle would be authorized to graze in the Gillis Mountain Allotment.

V. Public Involvement

The following people and organizations were contacted during the development of this Environmental Assessment:

William A. Card  
Bureau of Indian Affairs  
Nevada Department of Wildlife

VI. Preparation and Review

Prepared by:

*Ralph Benson*  
Range Conservationist, Walker Resource Area

11/7/90  
Date

Reviewed by:

*Sid Haupt*  
Supervisory Range Conservationist

11/7/90  
Date

*Randy Mujillo*  
Wildlife Biologist

11/7/90  
Date

*David Lewis*  
Environmental Coordinator

11/7/90  
Date



## DRAFT

### VI. Record of Decision / Finding of No Significant Impacts (FONSI)

#### A. Record of Decision

Based on the Environmental Assessment (EA), the proposed action should not result in any adverse impacts to the environment. However, due to the lack of monitoring data relating to cattle grazing in the Gillis Mountain Allotment, my decision is to issue a two year permit based on Alternative D (Proposed Action at Current Preference). At the end of two years, an analysis of monitoring data will be performed and a decision on a long term permit will be rendered.

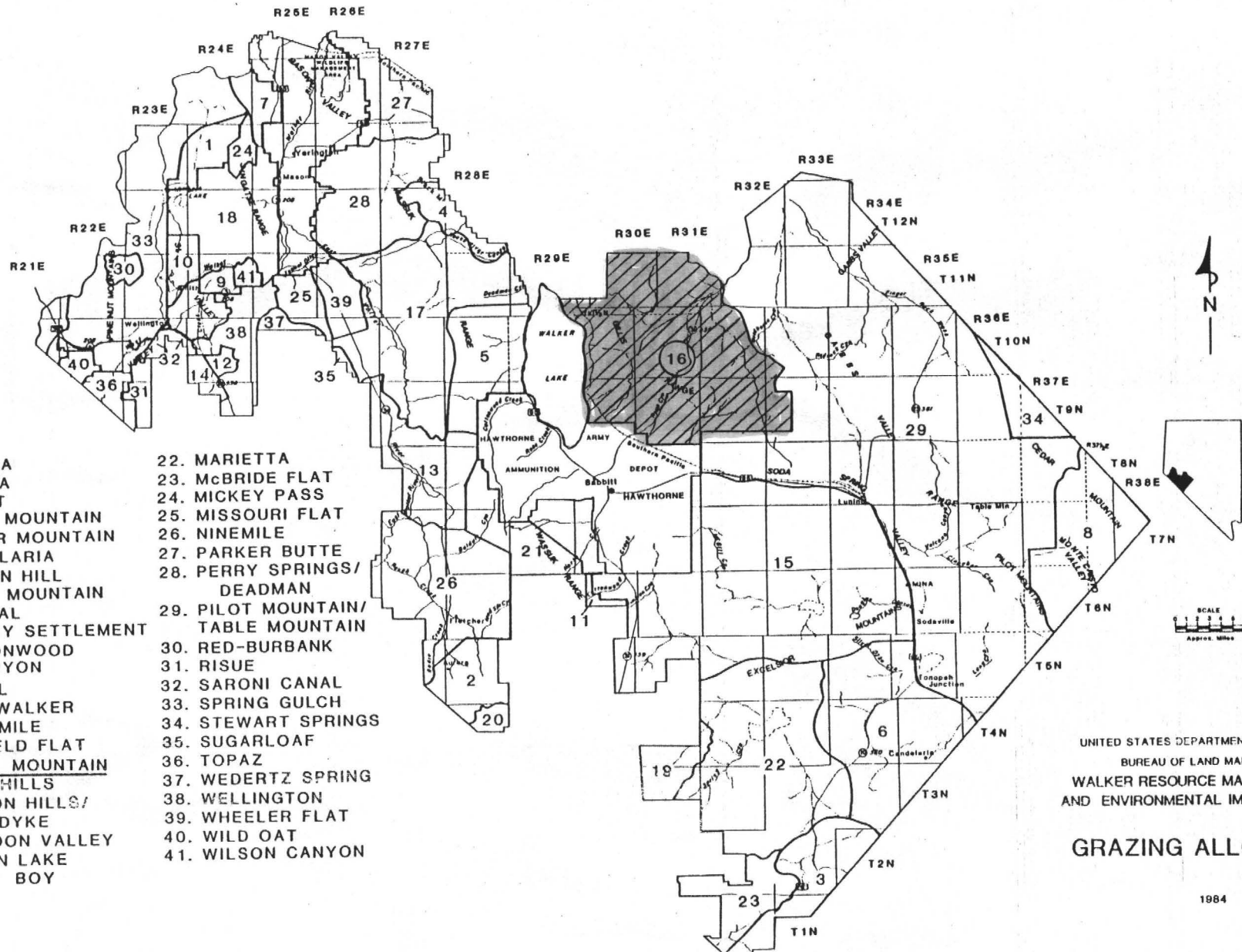
The proposed action is in compliance with the Walker Resource Management Plan.

#### B. FONSI

The EA adequately analyzes the environmental impacts of the proposed action. Since no significant impacts are expected as a result of implementing the decision, and EIS is not required.

\_\_\_\_\_  
Area Manager, Walker Resource Area

\_\_\_\_\_  
Date

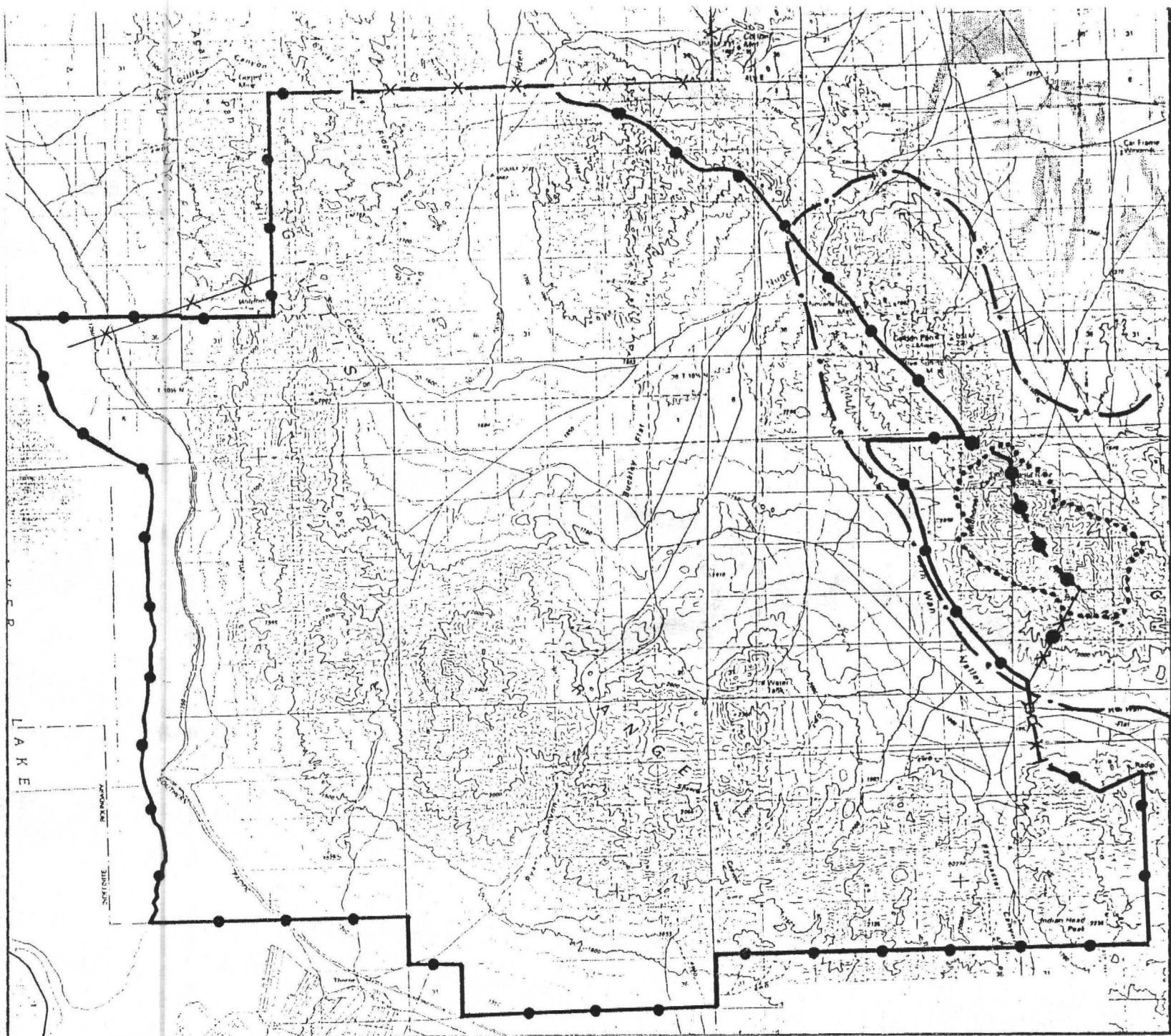


- 1. ARTESIA
- 2. AURORA
- 3. BASALT
- 4. BLACK MOUNTAIN
- 5. BUTLER MOUNTAIN
- 6. CANDELARIA
- 7. CARSON HILL
- 8. CEDAR MOUNTAIN
- 9. CENTRAL
- 10. COLONY SETTLEMENT
- 11. COTTONWOOD CANYON
- 12. DALZEL
- 13. EAST WALKER
- 14. FOUR MILE
- 15. GARFIELD FLAT
- 16. GILLIS MOUNTAIN
- 17. GRAY HILLS
- 18. HUDSON HILLS/ NORDYKE
- 19. HUNTOON VALLEY
- 20. LARKIN LAKE
- 21. LUCKY BOY
- 22. MARIETTA
- 23. McBRIDE FLAT
- 24. MICKEY PASS
- 25. MISSOURI FLAT
- 26. NINEMILE
- 27. PARKER BUTTE
- 28. PERRY SPRINGS/ DEADMAN
- 29. PILOT MOUNTAIN/ TABLE MOUNTAIN
- 30. RED-BURBANK
- 31. RISUE
- 32. SARONI CANAL
- 33. SPRING GULCH
- 34. STEWART SPRINGS
- 35. SUGARLOAF
- 36. TOPAZ
- 37. WEDERTZ SPRING
- 38. WELLINGTON
- 39. WHEELER FLAT
- 40. WILD OAT
- 41. WILSON CANYON

UNITED STATES DEPARTMENT OF THE INTERIOR  
 BUREAU OF LAND MANAGEMENT  
 WALKER RESOURCE MANAGEMENT PLAN  
 AND ENVIRONMENTAL IMPACT STATEMENT

**GRAZING ALLOTMENTS**

**Gillis Mountain Allotment**



- T. 11 N.
- Current Allotment Boundary
- - -●- - - Boundary prior to 1988 Decision
- - - - - Herd Management Area Boundary
- ..... Anticipated Bighorn Sheep Use Area

T. 10 N.

T. 9 N.

R. 30 E.

R. 31 E.

R. 32 E.



Census map?? Insuff. time to Comment??

- ① allocate forage for WH
- ② sufficient width for WH
- ③ est monit when cows go in & out.

Will water be made avail for WH?

- a placement of water
- b dependent - turned off
- c. will the permittee then want to fence.

④ Pull horses into Gellis?

insist do fence for horses not get to water

Is this a foregone conclusion

Browser suggests more computer w/ horse

titelget

nothing instead user to total perform regardless of sheep facts

over-obligation range violation of Federal Range codes  
sect 3 B of act

**Hidden Valley  
Wild Horse Rescue Fund  
Super  
Spaghetti Feed**

**November 30th, 1990**

**6:00 pm to 7:30 pm**

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at door )**

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COMMISSION FOR THE  
PRESERVATION OF WILD HORSES

Stewart Facility  
Capitol Complex  
Carson City, Nevada 89710  
(702) 687-5589

COMMISSIONERS

Dan Keiserman, *Chairman*  
Las Vegas, Nevada  
Michael Kirk, D.V.M., *Vice Chairman*  
Reno, Nevada  
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Carson City, Nevada  
Steven Fulstone  
Smith Valley, Nevada  
Dawn Lappin  
Reno, Nevada

November 29, 1990

John Matthiessen, Area Manager  
Walker Resource Area  
BLM - Carson City District Office  
1535 Hot Springs Road, Ste. 300  
Carson City, Nevada 89706-0638

Dear Mr. Matthiessen,

Thank you for the opportunity to comment on document #4130(NV-03580), for the Gillis Mountain Allotment.

We do have some concerns with this application and possible proposed action. According to your records "an ecological status survey has not been conducted" and "trend is estimated as static."

According to your EA No. NV-030-91010, information is lacking so that we cannot properly make a determination if all of the factors concerning the needs of the wild horses for the portion of the allotment that overlaps the Pilot Mountain Herd Management Area have been properly accounted for.

Sheep are browsers and in the past have been controlled by herders to prevent overgrazing. Cattle being grazers are in direct competition with the wild horses for forage. If the proper monitoring has not been completed how can you determine that you are not over obligating the range which is a direct violation of the Federal Range Codes. Are there any census maps available to determine the movements of the wild horses? We do not feel assured, according to this document, that monitoring has been properly established to assure sufficient allocation of winter and summer forage for wild horses.

Placement of the water that is to be hauled in has not been identified. We believe placement is a major factor in whether you will be "baiting" the horses out of their HMA. If they happen to leave their HMA for water and the permittee complains will the wild horses then be removed? We would suggest mitigating measures to insure that wild horses will not be removed because of this action. If wild horses leave their HMA because of the "bait" of water then the permittee should be required to fence to keep the horses in their HMA and remove the danger of the horses being rounded up.

Please provide me with a map showing the Pilot Mountain HMA as all I can find in the Draft Walker, RMP and EIS and related documents that I was provided is a map showing a HUA with completely different boundaries than the EA I am commenting on. This leaves me completely confused. What document was put out to

John Matthiessen  
November 29, 1990  
Page 2

the public explaining to the people commenting on the RMP, the difference between the HUA boundary and the HMA boundary.

Since this is a Draft ROD please be sure to apprise us of the final decision so that we may file a timely appeal, if necessary, within the 30 days allowed for filing appeals.

Sincerely,

CATHERINE BARCOMB  
Acting Executive Director

# WHOA

WILD HORSE ORGANIZED ASSISTANCE  
P.O. BOX 555  
RENO, NEVADA 89504



... a note from

Dawn Y. Lappin

November 29, 1990

John Matthiessen, Area Manager  
Walker Resource Area  
BLM - Carson City District Office  
1535 Hot Springs Road, Ste. 300  
Carson City, Nevada 89706-0638

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Sincerely,

*Dawn Lappin*



# United States Department of the Interior

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1535 Hot Springs Rd., Ste. 300  
Carson City, NV 89706-0638



IN REPLY REFER TO:

4130 CF  
(NV-03580)

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

## NOTICE OF PROPOSED DECISION

William A. Card  
6000 Wildes Road  
Fallon, NV 89406

AUG 02 1991

Dear Mr. Card:

On September 21, 1990, you submitted a Grazing Application/Preference Summary (Form 4130-1a) requesting a transfer of grazing preference from the I & M Sheep Company. Based on a letter dated October 2, 1990, and a Grazing Application dated October 5, 1990, you requested the following changes in the grazing schedule established for the Gillis Mountain Allotment:

1. Change kind of livestock from sheep to cattle.
2. Change season of use from 12/01 through 03/31 to 10/01 through 03/31.
3. Adjust the allotment boundary to include the buffer zone originally removed to prevent interaction between domestic sheep and bighorn sheep.
4. Adjust preference to restore the 476 AUMs eliminated due to the boundary adjustment (ie, increase preference from 1,924 AUMs to 2,400 AUMs).

Environmental Assessment (EA) NV-030-91010 was prepared to address these changes and them submitted to public review. On the basis of the Record of Decision for this EA and in accordance with the regulations for grazing administration, Title 43, Code of Federal Regulations (CFR), Subpart 4100, my proposed decision is as follows:

Approve:

1. Change in kind of livestock from sheep to cattle.
2. Change in season of use to 10/01 through 03/31.
3. Adjust the allotment boundary to reincorporate the bighorn sheep buffer zone removed from the allotment by Area Manager's Decision dated July 11, 1988. (Refer to Enclosure)

Reject:

1. Adjust preference to restore 476 AUMs.

These actions will be implemented with the issuance of a Grazing Permit for 1924 AUMs effective for the two year period beginning 10/1/91 and ending 3/31/91. After two years of use pattern monitoring, a decision on a long-term permit will be rendered.

This decision is based on the following:

1. Changing the kind of livestock eliminates the possibility of disease transmittal between domestic sheep and bighorn sheep thereby enhancing the success of bighorn sheep reintroduction.
2. Since the proposed change in season of use does not fall into the critical growth period of key forage species,

there should be little or no adverse impact to vegetation if grazing begins in October vice December.

3. The former (pre-1988) allotment boundary would be more practical for cattle grazing in that it incorporates the steeper topography which tends to restrict cattle drift into the adjacent allotment. Furthermore, the original purpose of the boundary adjustment has been eliminated by the change in kind of livestock from domestic sheep to cattle.
4. The allotment has been historically grazed by sheep whose movements were controlled by herders, consequently existing use pattern mapping data cannot be used to determine potential cattle distribution. Without monitoring data relating to cattle distribution in the allotment, it is unknown whether utilization levels will be maintained at acceptable levels throughout the allotment, therefore, there is no basis for increasing active preference from 1924 AUMs to 2400 AUMs.

Authority for these actions is as follows:

1. "The authorized officer shall specify the kind and number of livestock, the period(s) of use, the allotment(s) to be used, and the amount of use, in animal unit months, for every grazing permit or lease. (Title 43 CFR 4130.6-1(a))
2. "The authorized officer shall periodically review the grazing preference specified in a grazing permit or grazing lease and may make changes in the grazing preference status. These changes shall be supported by

monitoring, as evidenced by rangeland studies conducted over time, unless then change is either specified in an applicable land use plan or necessary to manage, maintain or improve rangeland productivity." (Title 43 CFR 4110.3)

3. "After consultation, cooperation, and coordination with permittees or lessees, the authorized officer may designate and adjust allotment boundaries." (43 CFR 4110.2-4)

In accordance with 43 CFR 4160.2, if you wish to protest this proposed decision, you are allowed 15 days from the receipt of this decision to file such protest with the Area Manager at the above Bureau office address. A protest may be made either in person or in writing and should specify the reasons why you think the proposed decision is in error. If the protest is filed timely, the protest statement of reasons and other pertinent information will be considered and a final decision will be issued with a right to appeal (43 CFR 4160.3(b) and 4160.4).

In the absence of a protest within the time allowed, the above decision shall constitute the final decision without further notice. If this becomes the final decision and you wish to appeal this decision for the purpose of a hearing before an Administrative Law Judge, in accordance with 43 CFR 4160.4 and 4.470, you are allowed 30 days from receipt of this decision to file

such appeal with the District Manager at the above Bureau office address. The appeal shall state clearly and concisely why you think the decision is in error.

Sincerely,

A handwritten signature in cursive script that reads "J. Matthiessen". The signature is written in black ink and is positioned above the typed name.

John Matthiessen  
Area Manager  
Walker Resource Area

1 Enclosure

1. Allotment Map

cc:

Nevada Department of Wildlife  
Commission for the Preservation of Wild Horses  
Wild Horse Organized Assistance

ENVIRONMENTAL ASSESSMENT NO. NV-030-91010  
Change in Kind of Livestock and Season of Use  
in Gillis Mountain Allotment

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Name of Applicant: William A. Card

Office and Location: Bureau of Land Management  
Carson City District Office  
1535 Hot Springs Road, Suite 300  
Carson City, Nevada 89706-0638

Preparation Date: October 10, 1990 (Amended January 14, 1991)

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I. Need for Proposed Action

The Gillis Mountain Allotment has historically been grazed by sheep between December 1 to March 31, and was adjudicated at 2,400 AUMs in 1960. In 1988, the boundary of the allotment was changed, creating a "buffer zone" to prevent contact of domestic and bighorn sheep introduced in the adjacent Pilot Mountain Allotment. This reduced the sheep preference to 1,924 AUMs. The current permittee is I & M Sheep Company.

On September 21, 1990, William A. Card filed for the transfer of preference in Gillis Mountain Allotment from I & M Sheep Company. Mr. Card currently grazes cattle, consequently he has requested a change in kind of livestock from sheep to cattle. Since the problem of disease transmittal between domestic and big horn sheep would be eliminated, he has also requested that the original allotment boundary and preference of 2,400 AUMs be restored. Other requests include a change in season of use and the drilling of a well to aid in water hauling.

This Walker Resource Management Plan (RMP), issued in 1986, is the current land use plan that covers the Gillis Mountain Allotment. The only activity plan that covers the planning area is the Mina Habitat Management Plan (HMP).

II. Proposed Action and Alternatives

A. Proposed Action

The proposed action includes the following:

1. Change kind of livestock from sheep to cattle;
2. Change the season of use from 12/01 through 03/31 to 10/01 through 03/31;
3. Adjust the allotment boundary to include the buffer zone originally removed to prevent interaction between domestic sheep and bighorn sheep;
4. Adjust preference to restore the 476 AUMs eliminated due to the boundary adjustment;
5. Drill a well under a Range Improvement (Section 4) Permit to aid in water hauling. The well would be located in the northeastern portion of Buckley Flat at T. 11 N., R. 31 E., Section 35, NW $\frac{1}{4}$  of NE $\frac{1}{4}$ , which is adjacent to a road going through the allotment<sup>1</sup>.

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<sup>1</sup>The well will need to be accessible to trucks used for hauling water.

Water hauling would be needed to maintain proper livestock distribution. The proposed action would result in the following grazing schedule:

401 Cattle from 10/01 to 03/31 @ 100% P.L.<sup>2</sup>

B. No Action Alternative

Under this alternative, Mr. Card's grazing application would be rejected and current management would continue. Sheep would be authorized to graze in the Gillis Mountain Allotment between 12/01 and 03/31. The current allotment boundary and preference will remain unchanged. The proposed well would not be drilled.

C. Only Change kind of Livestock and Approve Well

This would be similar to the previous alternative, except cattle would be allowed to graze instead of sheep and the well would be approved. This would result in the following grazing schedule:

484 Cattle from 12/01 to 03/31 @ 100% P.L.

D. Proposed Action with Current Preference

This would be similar to the proposed action, except the preference would be maintained at 1,924 AUMs. This would result in the following grazing schedule:

321 Cattle from 10/01 to 03/31 @ 100% P.L.

III. Affected Environment

The Gillis Mountain Allotment is located entirely within Mineral County, Nevada, approximately five miles north of Hawthorne. The allotment contains approximately 153,920 acres of which 153,680 acres are public land. It is classified as an "M" (Maintain) Allotment in the Walker RMP.

Vegetative types were most recently identified in 1975 as part of a watershed study. Results are as follows:

<u>Vegetative Type</u>	<u>Public Land Acres</u>	<u>Percent of Allotment</u>
Greasewood ( <i>Sarcobatus sp.</i> )	89,700	56
Big Sagebrush ( <i>Artemisia tridentata</i> )	16,600	10
Low Sagebrush ( <i>Artemisia arbuscula</i> )	26,800	17
Desert Shrub ( <i>Atriplex confertifolia</i> )	27,200	17
Total	160,300 <sup>3</sup>	100

<sup>2</sup>Public Land Use.

<sup>3</sup>This figure reflects the acreage prior to the boundary adjustment in 1988 (6,620 acres removed due to bighorn / domestic sheep buffer zone).



Other important overstory plant species include winterfat (*Eurotia lanata*) and *Ephedra*. The major grass species is Indian ricegrass (*Oryzopsis hymenoides*) with lesser amounts of galleta (*Hilaria jamesii*), bottlebrush squirreltail (*Sitanion hystrix*), and needle-and-thread (*Stipa comata*). Key species are Indian ricegrass and winterfat. The critical growth period for perennial grasses is mid-March to mid-July. The critical growth period for winterfat is mid-March to mid-September.

Trend is estimated as static. An ecological status survey has not been conducted in the allotment. Observations indicate that nearly all of the allotment is in late seral stage. The one exception is the extreme eastern portion of the allotment (in and around Win Wan Valley) which is grazed by wild horses from the Pilot Mountain Herd Management Area. This is estimated to be in mid-seral stage. The estimated wild horse population in the Gillis Mountain Allotment is 20 head (240 AUMs). Horses move freely between the Gillis Mountain and Pilot Mountain Allotments on a year-round basis.

No important riparian habitat has been identified in Gillis Mountain Allotment. Wildlife species include chukar partridge (*Alectoris chukar*), raptors, cottontails (*Sylvilagus nuttalli*), jack rabbits (*Lepus californicus*), and various small mammals and birds. 23 desert bighorn sheep (*Ovis canadensis nelsoni*) were introduced in Wildhorse Canyon on October 30, 1988. This population was augmented with 3 ewes on July 8, 1989. Although reproduction has been confirmed, no specific information is available as to the present population.

The currently recognized grazing preference is 1,924 AUMs for sheep. During the range adjudication of 1960, preference was established at 2,400 AUMs even though 5,500 AUMs were available for sheep grazing (3,212 AUMs calculated for cattle grazing). This survey capacity was computed on approximately 85,700 acres with the remaining 74,600 acres allotted no capacity primarily due to lack of water. The area removed from the allotment in 1988 contained 476 AUMs (sheep) and 314 AUMs (cattle).

The current permittee (I & M Sheep Co.) has been authorized for total non-use from 1983 to 1990 based on market factors, not resource conditions. During the 1989 to 1990 grazing season, Dearing Ranches was authorized temporary and non-renewable grazing in the allotment.

There are no reliable perennial water sources in the Gillis Mountain Allotment. When sheep did graze the allotment, snow was the primary source and was supplemented by water hauling. Water sources for wild horses are located in the adjoining Pilot Mountain Allotment.

A drift fence is located on a portion of the eastern allotment boundary across Win Wan Flat (between Gillis Mountain and Pilot Mountain Allotments). Two other drift fences are located in the vicinity of the northern boundary between Gillis Mountain Allotment and the Walker River Indian Reservation. The western boundary is the shore of Walker Lake. Topography may restrict cattle movement over a portion of the former eastern boundary, however the 1988 realignment has no restrictive barriers. There are no restrictive barriers along the southern boundary.

#### IV. Environmental Consequences

##### A. Proposed Action

Changing the kind of livestock would remove the possibility of disease transmittal between domestic and bighorn sheep, which was the original intention of the buffer zone imposed in the 1988 Decision. The former allotment boundary would be more practical for cattle grazing in that it would incorporate the steeper topography to restrict cattle drift into the adjacent allotment (the current allotment boundary is on the alluvial fans which would not restrict cattle drifting outside the Gillis Mountain Allotment).

Since the proposed change in season of use does not fall into the critical growth period of key forage species, there should be very little adverse impact to vegetation. The allotment

has been historically grazed by sheep whose movements were controlled by herders, consequently existing use pattern mapping data cannot be used to determine potential cattle distribution. However, Mr. Card thinks he can maintain proper distribution and prevent livestock drift outside the allotment through control of waters (ie, water hauling). The proposed well would aid in the water hauling efforts.

Some trampling of vegetation will occur near water troughs. The greatest impacts may be expected near the well, which will be a permanent water source. However the main well could be shut-off and used periodically for water hauling.

B. Alternatives

Under the no action alternative, there will still exist the possibility of disease transmittal between domestic and bighorn sheep (if the bighorn sheep drift out of the anticipated habitat area and buffer zone into the Gillis Mountain Allotment, they may come in direct contact with domestic sheep). Since Mr. Card is not in the sheep business, this alternative would not be feasible to the operator. The advantage of this alternative would be that sheep movements could be more directly controlled by herders, reducing the chance of livestock drift outside the allotment.

If the kind of livestock is changed, without changing the existing bighorn sheep buffer boundary, livestock control would not be practical near the eastern boundary.

Rejecting the Range Improvement Permit for the proposed well will result in the reduction of trampling effects at the project location. However, since Mr. Card would have to travel outside the allotment to get water, hauling efforts would become more difficult. Consequently, control of cattle distribution and drift would become more difficult.

The impacts of Alternative D will be similar to the proposed action, however 80 fewer head of cattle would be authorized to graze in the Gillis Mountain Allotment.

V. Public Involvement

The following people and organizations were initially consulted during the development of this Environmental Assessment (EA):

William A. Card  
Bureau of Indian Affairs  
Nevada Department of Wildlife

On November 9, 1990, the EA and draft Record of Decision (ROD) were submitted for public review (refer to Attachment 1). Favorable comments were received from the Nevada Department of Wildlife and William Card. Letters from the Wild Horse Organized Assistance (WHOA) and the Nevada Commission for the Preservation of Wild Horses expressed many concerns related to wild horse management.

VI. Preparation and Review

Prepared by:

*Ralph Benson*  
Range Conservationist, Walker Resource Area

11/7/90  
Date

Reviewed by:

*Lid Haupt*  
Supervisory Range Conservationist

11/7/90  
Date

*Randy M. Mujillo*  
Wildlife Biologist

11/7/90  
Date

*David Lewis*  
Environmental Coordinator

11/7/90  
Date

VI. Record of Decision / Finding of No Significant Impacts (FONSI)

A. Record of Decision

Based on the Environmental Assessment (EA), the proposed action should not result in any adverse impacts to the environment. However, due to the lack of monitoring data relating to cattle distribution in the Gillis Mountain Allotment, my decision is to approve the grazing transfer from I & M Sheep Company to William A. Card and issue a two-year permit based on Alternative D (Proposed Action at Current Preference). At the end of two years, an analysis of monitoring data will be performed and a decision on a long term permit will be rendered.

The proposed action is in compliance with the Walker Resource Management Plan.

B. FONSI

The EA adequately analyzes the environmental impacts of the proposed action. Since no significant impacts are expected as a result of implementing the decision, an EIS is not required.

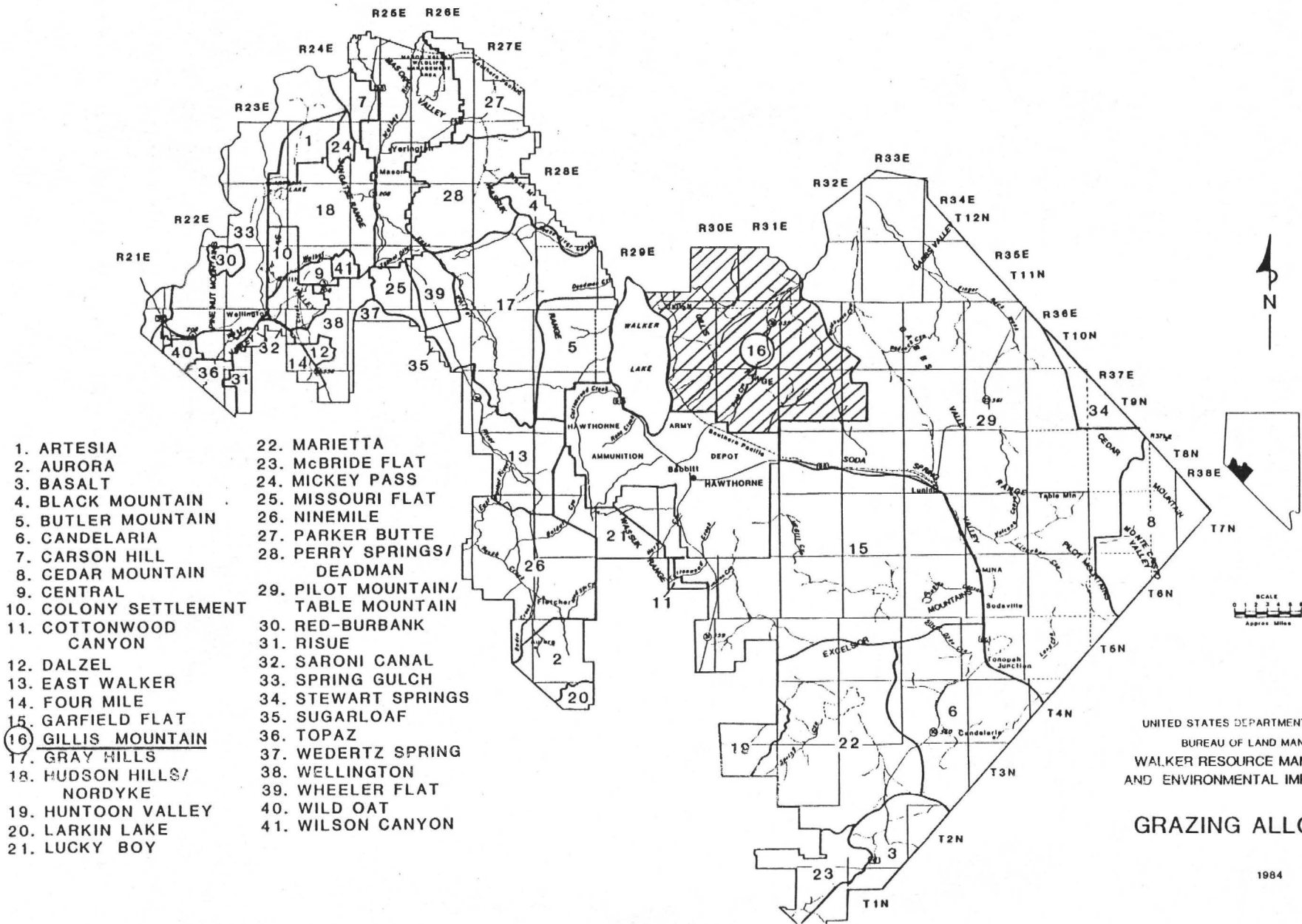
  
Area Manager, Walker Resource Area

AUG. 01 1991  
Date

ATTACHMENT NO. 1

The following people / organizations were sent copies of EA No. NV-030-91010 on November 9, 1990.

<u>Person / Organization</u>	<u>Comments Received?</u>
William Card	Yes
Natural Resources Defense Council	No
Sierra Club - Toiyabe Chapter	No
Regional Manager, Region I, Nevada Department of Wildlife	Yes
The Nature Conservancy, Nevada Public Lands Program	No
Nevada Cattlemen's Association	No
The Wildlife Society - Nevada Chapter	No
Nevada Land Action Association	No
Commission for the Preservation of Wild Horses	Yes
Wild Horse Organized Assistance	Yes
Animal Protection Institute	No
International Society for the Preservation of Mustangs and Burros	No
Fred Wright (Chairman), Nevada Wildlife Federation	No

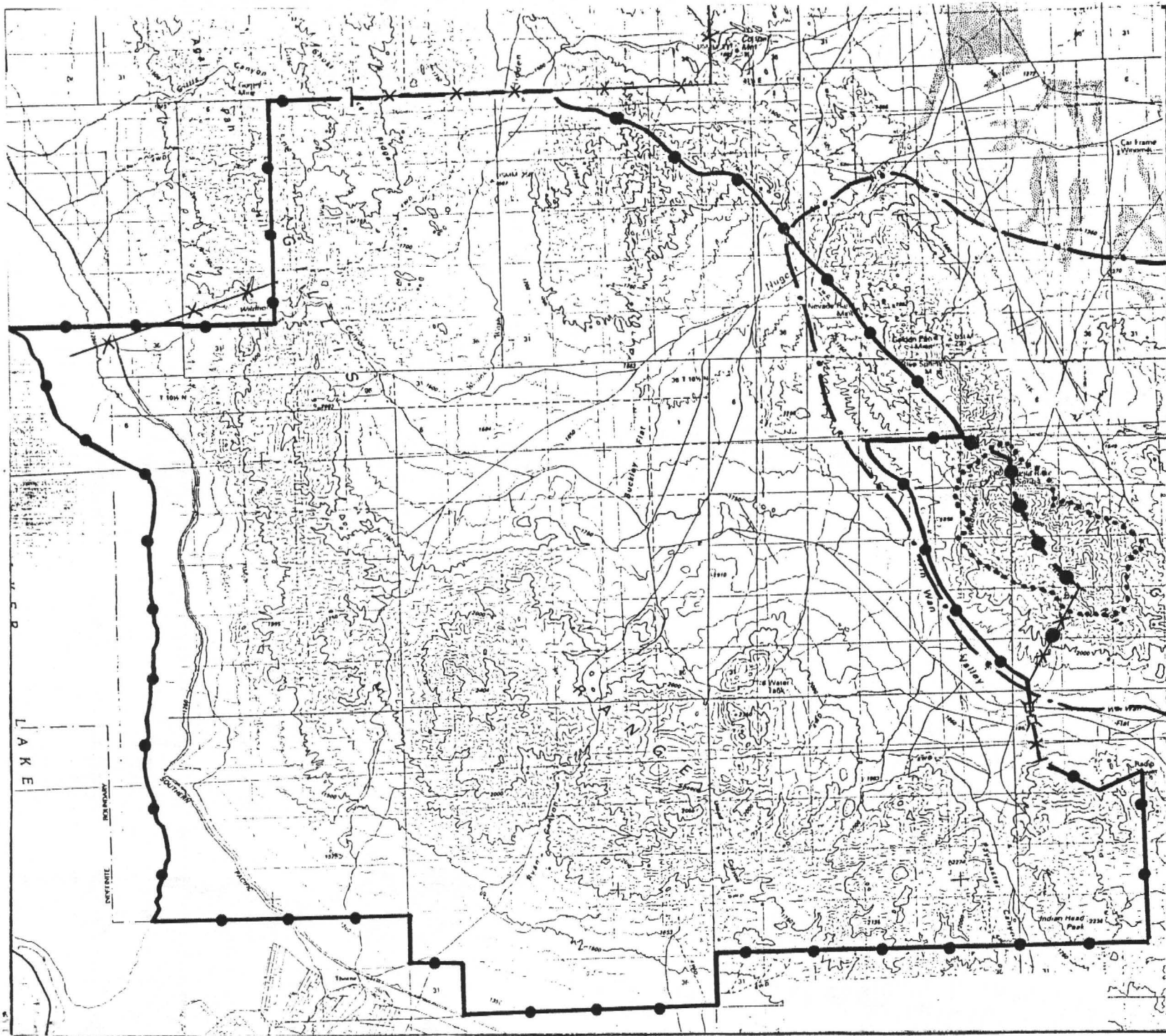


- |                              |                                       |
|------------------------------|---------------------------------------|
| 1. ARTESIA                   | 22. MARIETTA                          |
| 2. AURORA                    | 23. McBRIDE FLAT                      |
| 3. BASALT                    | 24. MICKEY PASS                       |
| 4. BLACK MOUNTAIN            | 25. MISSOURI FLAT                     |
| 5. BUTLER MOUNTAIN           | 26. NINEMILE                          |
| 6. CANDELARIA                | 27. PARKER BUTTE                      |
| 7. CARSON HILL               | 28. PERRY SPRINGS/<br>DEADMAN         |
| 8. CEDAR MOUNTAIN            | 29. PILOT MOUNTAIN/<br>TABLE MOUNTAIN |
| 9. CENTRAL                   | 30. RED-BURBANK                       |
| 10. COLONY SETTLEMENT        | 31. RISUE                             |
| 11. COTTONWOOD<br>CANYON     | 32. SARONI CANAL                      |
| 12. DALZEL                   | 33. SPRING GULCH                      |
| 13. EAST WALKER              | 34. STEWART SPRINGS                   |
| 14. FOUR MILE                | 35. SUGARLOAF                         |
| 15. GARFIELD FLAT            | 36. TOPAZ                             |
| 16. <u>GILLIS MOUNTAIN</u>   | 37. WEDERTZ SPRING                    |
| 17. GRAY HILLS               | 38. WELLINGTON                        |
| 18. HUDSON HILLS/<br>NORDYKE | 39. WHEELER FLAT                      |
| 19. HUNTOON VALLEY           | 40. WILD OAT                          |
| 20. LARKIN LAKE              | 41. WILSON CANYON                     |
| 21. LUCKY BOY                |                                       |

UNITED STATES DEPARTMENT OF THE INTERIOR  
 BUREAU OF LAND MANAGEMENT  
 WALKER RESOURCE MANAGEMENT PLAN  
 AND ENVIRONMENTAL IMPACT STATEMENT

### GRAZING ALLOTMENTS





**Gillis Mountain Allotment**

- T. 11 N.
- Current Allotment Boundary
- Boundary prior to 1988 Decision
- Herd Management Area Boundary
- ⋯ Anticipated Bighorn Sheep Use Area

T. 10 N.

T. 9 N.

R. 30 E.

R. 31 E.

R. 32 E.

