



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Caliente Resource Area

P.O. Box 237

Caliente, Nevada 89008



IN REPLY REFER TO:

In Reply Refer To:
4160
Lewis, Bob
Grazing Case File
(NV-055.10)

OCT 15 1993

CERTIFIED MAIL NUMBER P998558371
RETURN RECEIPT REQUESTED

FULL FORCE & EFFECT DECISION

Bob Lewis
P. O. Box 520
Moapa, NV 89025

Dear Mr. Lewis;

Between July 28 and August 7, 1993, the Meadow and Pass wildland fires burned a total of 27,186 acres of public land in the Meadow Valley Mountains and adjacent areas. Of this total acreage burned, 20,760 acres of public land were burned within the Henrie Complex allotment.

In accordance with the Notice of Closure signed by the Las Vegas District Manager on October 5, 1993 the burn area within the Henrie Complex allotment is closed to all livestock grazing for a minimum period of two years and/or until the natural rehabilitation objectives have been met. The closure area for the Henrie Complex allotment is delineated in Attachment 1.

The Caliente Resource Area initiated a Fire Rehabilitation team immediately following containment of the July 28, 1993 Meadow fire. This team conducted on site investigations to determine the significance of the two fires in relation to the vegetative and soil resources. The team developed management recommendations for protection of the natural resources and analyzed the impacts of these recommendations in Environmental Assessment (EA) (#NV-055-93-29). On September 29, 1993 I signed a *Finding of No Significant Impact and Record of Decision* to implement Alternative #1 - Natural Revegetation with Controlled Livestock Grazing.

On September 8, 1993 my staff and I discussed with you implications of these wildland fires and what livestock management options were available to assure the natural revegetation of the burned areas in the Henrie Complex allotment. Consideration was given all reasonable options and discussed in EA #NV-055-93-29.

The Notice of Closure to all livestock grazing use in the Meadow and Pass Fire Closure Area was signed by the Last Vegas District Manager and issued as a Final Decision in Full Force and Effect pursuant to Title 43, Code of Federal Regulations (CFR), Sections 4110.3-3 (c) and 4160.3 (c) on October 5, 1993. This Notice of Closure was mailed to you on October 7, 1993. The purpose of this closure is to protect the soil resources and allow rehabilitation of vegetative resources to occur within the burn area.

A portion of the burn closure area (20,742 acres) falls within the Meadow Valley Herd Management Area (HMA). An Environmental Assessment (EA #NV-055-93-31) and Emergency Gather Plan for the Meadow Valley Mountain HMA were written to analyze

MULTIPLE CLOSURES
HENRIE Complex
MORMON Mtn.

10-15-93

the impacts of these fires on the Meadow Valley Mountain wild horse herds habitat. These documents were approved by the Acting District Manager on September 28, 1993. A Full Force and Effect decision to conduct the Meadow Valley HMA Emergency Removal was also issued on September 28, 1993. Two hundred sixty-nine (269) wild horses, burros, and mules were removed from the herd management area and adjacent horse free areas to provide for the natural revegetation of the burn area during the two year closure period.

Therefore, based upon the analysis in EA #NV-055-93-29, Record of Decision dated September 28, 1993, the opportunities for you to provide comments on livestock grazing management in the burn area, and Notice of Closure signed by the Las Vegas District Manager, my Final Decision is to modify your existing Federal Grazing Permit dated 11/25/92 and issue a new Federal Grazing Permit with terms and conditions listed below effective October 15, 1993 and expiring 02/28/2002. The term of the modified Federal Grazing Permit corresponds to the expiration date of your current 10 year Federal Grazing Permit. This Final Decision is to be placed in Full Force and Effect and will take effect commencing on October 15, 1993 due to the conditions created by the fires and to prevent any resource deterioration.

*Re Issue
Grazing
Permit
"MODIFIED"*

Your ten year Federal Grazing Permit for the Henrie Complex allotment will be modified,

FROM:

EXISTING FEDERAL GRAZING PERMIT

03/01/92 - 02/28/2002

ALLOTMENT NAME	NUMBER OF LIVESTOCK	KIND OF LIVESTOCK	SEASON OF USE		PERCENT FEDERAL LAND	ACTIVE PREFERENCE
			BEGIN DATE	END DATE		
HENRIE COMPLEX	81	CATTLE	03/01	02/28	100	975

The specific Terms and Conditions identified in my decision dated January 31, 1992 for the Henrie Complex allotment and attached to your Federal Grazing Permit for signature after approval of the Henry Rice/Robert Lewis grazing privilege transfer remain unchanged (Attachment 2).

TO:

MODIFIED FEDERAL GRAZING PERMIT

10/15/93 - 02/28/2002

ALLOTMENT NAME	NUMBER OF LIVESTOCK	KIND OF LIVESTOCK	SEASON OF USE		PERCENT FEDERAL LAND	ACTIVE PREFERENCE	TEMPORARY SUSPENDED PREFERENCE
			BEGIN DATE	END DATE			
HENRIE COMPLEX	74	CATTLE	03/01	02/28	100	877	-
HENRIE COMPLEX	-	CATTLE	03/01	02/28	100	-	98

The additional Specific Terms and Conditions and temporary reduction in active preference AUMs, relating to the closure of the Meadow and Pass fire burn areas to livestock grazing within the Henrie Complex allotment are as follows:

**SPECIFIC TERMS AND CONDITIONS
FOR THE MEADOW AND PASS FIRE CLOSURE AREA**

1. These Meadow and Pass Fire Closure Area Specific Terms and Conditions shall remain in effect for a minimum of two years, beginning October 15, 1993 and continue until monitoring indicates resource objectives for the burn area have been attained.
2. 98 AUMs shall be held in temporary suspended preference for the duration of the closure period.
3. Monitoring data (ie. frequency, utilization, plant cover, density and or Community Structure information) will be collected to determine if the closure resource objectives have been met. Attachment 3 explains the methodologies to be employed in collecting the respective monitoring data.

Resource objectives established for the burn area in the Henrie Complex allotment for Key Areas 1 and 2 are identified below:

The frequency of occurrence of key perennial species, identified in Table 1., shall be equal to or greater than the 1993 pre-burn frequency values. The age class of key perennial species sampled shall be mature plants, 2 years or older, in order to insure plant establishment and improved rehabilitative conditions.

Table 1. Frequency of Occurrence Values, 1993 Pre-Burn and Desired Percent Frequency.

Key Area Number	Key Perennial Species	1993 Pre-Burn Percent Frequency Values	Desired Percent Frequency
1	HIRI	29.5	≥ 29.5
	EPNE	6.5	≥ 6.5
2	ARPU9	57.0	≥ 57.0
	EPNE	1.0	≥ 1.0

4. You shall continuously herd and manage your livestock away from the burn closure area by riding and controlling access to water at Averett Reservoir and Hidden Spring as identified in Attachment 1.
5. Any livestock found within the burn closure area (Attachment 1) shall be removed immediately from the burn area by you. You are to notify the Caliente Resource Area office within 24 hours of such actions.
6. Should these practices fail to keep livestock from the area of closure, livestock shall be removed from the allotment immediately. The total closure of the Henrie Complex Allotment to grazing in order to insure protection of the burn area will be implemented by the Bureau of Land Management under the authority of this decision.

The authority for this decision is contained in Title 43 of the Code of Federal Regulations (CFR), which states in pertinent parts:

4110.3-2 (a): "Active use may be suspended in whole or part on a temporary basis due to drought, fire, other natural causes, or to facilitate installation, maintenance, or modification of range improvements.

4130.6-2: "The authorized officer may specify in grazing permits or leases other terms and conditions which will assist in achieving management objectives, provide for proper range management or assist

in the orderly administration of the public rangelands."

In addition, authority for this full force and effect decision is also contained in Title 43 CFR, which states in pertinent parts:


4110.3-3 (c) "When the authorized officer determines that the soil, vegetation, or other resources on the public lands require temporary protection because of conditions such as drought, fire, flood, or insect infestation, after consultation with affected permittees or lessees and other affected interests, action shall be taken to close allotments or portions of allotments to grazing by any kind of livestock or to modify authorized grazing use. Notices of closure and decisions requiring modification of authorized grazing use shall be issued as final decisions which are placed in full force and effect under 4160.3 (c) of this title.

4160.3 (c): "The authorized officer may place the final decision in full force and effect in an emergency to stop resource deterioration. Full force and effect decisions shall take effect on the date specified, regardless of an appeal".

If you wish to appeal this decision for the purpose of a hearing before a Administrative Law Judge, in accordance with 43 CFR 4160.3 (c), 4160.4, and 4.470, you are allowed thirty (30) days from receipt of this notice within which to file an appeal with the Caliente Resource Area Manager at the following address: Caliente Resource Area, Attn. Area Manager, P. O. Box 237, Caliente, NV 89008.

The appeal shall state the reasons, clearly and concisely, as to why you think this Final Decision is in error.

Sincerely,


Curtis G. Tucker
Area Manager

Attachments:

- #1 - Henrie Complex Allotment Burn Closure Area and Water Access Control Locations (1 pp)
- #2 - Terms and Conditions of Decision issued January 31, 1992 (5 pp)
- #3 - Monitoring Data Collection Methodologies (10 pp)

cc:

Resource Concepts, Inc.
Commission for the Preservation of WildHorses
Wild Horse Organized Assistance, Inc.
Animal Protection Institute of America
Natural Resources Defense Council
Sierra Club
The Wilderness Society
U.S. Fish and Wildlife Service
N-5 Board
Desert Tortoise Council

Certified Mail Number P998558356
Certified Mail Number P998558357
Certified Mail Number P998558358
Certified Mail Number P998558359
Certified Mail Number P998558360
Certified Mail Number P998558361
Certified Mail Number P998558362
Certified Mail Number P998558363
Certified Mail Number P998558364
Certified Mail Number P998558365

Nevada Department of Wildlife
Silver State Pleasure Riders
National Wildhorse Association
Las Vegas District Grazing Advisory Board
International Society for the Protection of
Mustangs and Burros

Certified Mail Number P998558366

Certified Mail Number P998558367

Certified Mail Number P998558368

Certified Mail Number P998558369

Certified Mail Number P998558375

10-15-93



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Caliente Resource Area
P.O. Box 237
Caliente, Nevada 89008



IN REPLY REFER TO:

In Reply Refer To:
4160
Olson, Kevin
Grazing Case File
(NV-055.10)

OCT 15 1993

CERTIFIED MAIL NUMBER P998558372
RETURN RECEIPT REQUESTED

FULL FORCE & EFFECT DECISION

Kevin Olson
P. O. Box 97
Panaca, NV 89042

Dear Mr. Olson;

Between July 28 and August 7, 1993, the **Meadow and Pass** wildland fires burned a total of 27,186 acres of public land in the Meadow Valley Mountains and adjacent areas. Of this total acreage burned, 20,760 acres of public land were burned within the Henrie Complex allotment.

In accordance with the **Notice of Closure** signed by the Las Vegas District Manager on October 5, 1993 the burn area within the Henrie Complex allotment is closed to all livestock grazing for a minimum period of two years and/or until the natural rehabilitation objectives have been met. The closure area for the Henrie Complex allotment is delineated in **Attachment 1**.

The Caliente Resource Area initiated a Fire Rehabilitation team immediately following containment of the July 28, 1993 Meadow fire. This team conducted on site investigations to determine the significance of the two fires in relation to the vegetative and soil resources. The team developed management recommendations for protection of the natural resources and analyzed the impacts of these recommendations in Environmental Assessment (EA) (#NV-055-93-29). On September 29, 1993 I signed a **Finding of No Significant Impact and Record of Decision** to implement Alternative #1 - **Natural Revegetation with Controlled Livestock Grazing**.

On September 3, 1993 my staff and I met with you to discuss implications of these wildland fires and what livestock management options were available to assure natural revegetation of the burned areas in the Henrie Complex allotment. Consideration was given all reasonable options and discussed in EA #NV-055-93-29.

The **Notice of Closure** to all livestock grazing use in the **Meadow and Pass Fire Closure Area** was signed by the Las Vegas District Manager and issued as a Final Decision in Full Force and Effect pursuant to Title 43, Code of Federal Regulations (CFR), Sections 4110.3-3 (c) and 4160.3 (c) on October 5, 1993. This **Notice of Closure** was mailed to you on October 7, 1993. The purpose of this closure is to protect the soil resources and allow rehabilitation of vegetative resources to occur within the burn area.

A portion of the burn closure area (20,742 acres) falls within the Meadow Valley Herd Management Area (HMA). An Environmental Assessment (EA #NV-055-93-31) and Emergency Gather Plan for the Meadow Valley Mountain HMA were written to analyze

the impacts of these fires on the Meadow Valley Mountain wild horse herds habitat. These documents were approved by the Acting District Manager on September 28, 1993. A Full Force and Effect decision to conduct the Meadow Valley HMA Emergency Removal was also issued on September 28, 1993. Two hundred sixty-nine (269) wild horses, burros, and mules were removed from the herd management area and adjacent horse free areas to provide for the natural revegetation of the burn area during the two year closure period.

Therefore, based upon the analysis in EA #NV-055-93-29, Record of Decision dated September 28, 1993, the opportunities for you to provide comments on livestock grazing management in the burn area, and Notice of Closure signed by the Las Vegas District Manager, my Final Decision is to modify your existing Federal Grazing Permit dated 2/19/92 and issue a new Federal Grazing Permit with terms and conditions listed below effective October 15, 1993 and expiring 02/28/2002. The term of the modified Federal Grazing Permit corresponds to the expiration date of your current 10 year Federal Grazing Permit. This Final Decision is to be placed in Full Force and Effect and will take effect commencing on October 15, 1993 due to the conditions created by the fires and to prevent any resource deterioration.

Your ten year Federal Grazing Permit for the Henrie Complex allotment will be modified,

FROM:

EXISTING FEDERAL GRAZING PERMIT

03/01/92 - 02/28/2002

ALLOTMENT NAME	NUMBER OF LIVESTOCK	KIND OF LIVESTOCK	SEASON OF USE		PERCENT FEDERAL LAND	ACTIVE PREFERENCE
			BEGIN DATE	END DATE		
HENRIE COMPLEX	313	CATTLE	03/01	02/28	85	3185

The specific Terms and Conditions identified in my decision to you dated January 31, 1992 for your existing ten year Federal Grazing Permit remain unchanged (Attachment 2).

TO:

MODIFIED FEDERAL GRAZING PERMIT

10/15/93 - 02/28/2002

ALLOTMENT NAME	NUMBER OF LIVESTOCK	KIND OF LIVESTOCK	SEASON OF USE		PERCENT FEDERAL LAND	ACTIVE PREFERENCE	TEMPORARY SUSPENDED PREFERENCE
			BEGIN DATE	END DATE			
HENRIE COMPLEX	281	CATTLE	03/01	02/28	85	2866	-
HENRIE COMPLEX	-	CATTLE	03/01	02/28	85	-	319

The additional Specific Terms and Conditions and temporary reduction in active preference AUMs, relating to the closure of the Meadow and Pass fire burn areas to livestock grazing within the Henrie Complex allotment are as follows:

**SPECIFIC TERMS AND CONDITIONS
FOR THE MEADOW AND PASS FIRE CLOSURE AREA**

1. These Meadow and Pass Fire Closure Area Specific Terms and Conditions shall remain in effect for a minimum of two years, beginning October 15, 1993 and continue until monitoring indicates resource objectives for the burn area have been attained.
2. 319 AUMs shall be held in temporary suspended preference for the duration of the closure period.
3. Monitoring data (ie. frequency, utilization, plant cover, density and or Community Structure information) will be collected to determine if the closure resource objectives have been met. Attachment 3 explains the methodologies to be employed in collecting the respective monitoring data.

Resource objectives established for the burn area in the Henrie Complex allotment for Key Areas 1 and 2 are identified below:

The frequency of occurrence of key perennial species, identified in Table 1., shall be equal to or greater than the 1993 pre-burn frequency values. The age class of key perennial species sampled shall be mature plants, 2 years or older, in order to insure plant establishment and improved rehabilitative conditions.

Table 1. Frequency of Occurrence Values, 1993 Pre-Burn and Desired Percent Frequency.

Key Area Number	Key Perennial Species	1993 Pre-Burn Percent Frequency Values	Desired Percent Frequency
1	HIRI	29.5	≥ 29.5
	EPNE	6.5	≥ 6.5
2	ARPU9	57.0	≥ 57.0
	EPNE	1.0	≥ 1.0

4. You shall continuously herd and manage your livestock away from the burn closure area by riding and controlling access to water at Averett Reservoir and Hidden Spring as identified in Attachment 1.
5. Any livestock found to be within the burn closure area (Attachment 1) shall be removed immediately from the burn area by you. You are to notify the Caliente Resource Area office within 24 hours of such actions.
6. Should these practices fail to keep livestock from the area of closure, livestock shall be removed from the allotment immediately. The total closure of the Henrie Complex Allotment to grazing in order to insure protection of the burn area will be implemented by the Bureau of Land Management under the authority of this decision.

The authority for this decision is contained in Title 43 of the Code of Federal Regulations (CFR), which states in pertinent parts:

4110.3-2 (a): "Active use may be suspended in whole or part on a temporary basis due to drought, fire, other natural causes, or to facilitate installation, maintenance, or modification of range improvements.

4130.6-2: "The authorized officer may specify in grazing permits or leases other terms and conditions which will assist in achieving management objectives, provide for proper range management or assist

in the orderly administration of the public rangelands."

In addition, authority for this full force and effect decision is also contained in Title 43 CFR, which states in pertinent parts:

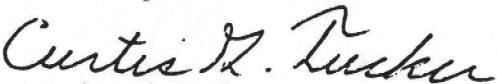
4110.3-3 (c) "When the authorized officer determines that the soil, vegetation, or other resources on the public lands require temporary protection because of conditions such as drought, fire, flood, or insect infestation, after consultation with affected permittees or lessees and other affected interests, action shall be taken to close allotments or portions of allotments to grazing by any kind of livestock or to modify authorized grazing use. Notices of closure and decisions requiring modification of authorized grazing use shall be issued as final decisions which are placed in full force and effect under 4160.3 (c) of this title.

4160.3 (c): "The authorized officer may place the final decision in full force and effect in an emergency to stop resource deterioration. Full force and effect decisions shall take effect on the date specified, regardless of an appeal".

If you wish to appeal this decision for the purpose of a hearing before a Administrative Law Judge, in accordance with 43 CFR 4160.3 (c), 4160.4, and 4.470, you are allowed thirty (30) days from receipt of this notice within which to file an appeal with the Caliente Resource Area Manager at the following address: Caliente Resource Area, Attn. Area Manager, P. O. Box 237, Caliente, NV 89008.

The appeal shall state the reasons, clearly and concisely, as to why you think this Final Decision is in error.

Sincerely,


Curtis G. Tucker
Area Manager

Attachments:

- #1 - Henrie Complex Allotment Burn Closure Area and Water Access Control Locations (1 pp)
- #2 - Terms and Conditions of Decision issued January 31, 1992 (5 pp)
- #3 - Monitoring Data Collection Methodologies (10 pp)

cc:

Resource Concepts, Inc.
Commission for the Preservation of WildHorses
Wild Horse Organized Assistance, Inc.
Animal Protection Institute of America
Natural Resources Defense Council
Sierra Club
The Wilderness Society
U.S. Fish and Wildlife Service
N-5 Board
Desert Tortoise Council
Nevada Department of Wildlife
Silver State Pleasure Riders

Certified Mail Number P998558356
Certified Mail Number P998558357
Certified Mail Number P998558358
Certified Mail Number P998558359
Certified Mail Number P998558360
Certified Mail Number P998558361
Certified Mail Number P998558362
Certified Mail Number P998558363
Certified Mail Number P998558364
Certified Mail Number P998558365
Certified Mail Number P998558366
Certified Mail Number P998558367

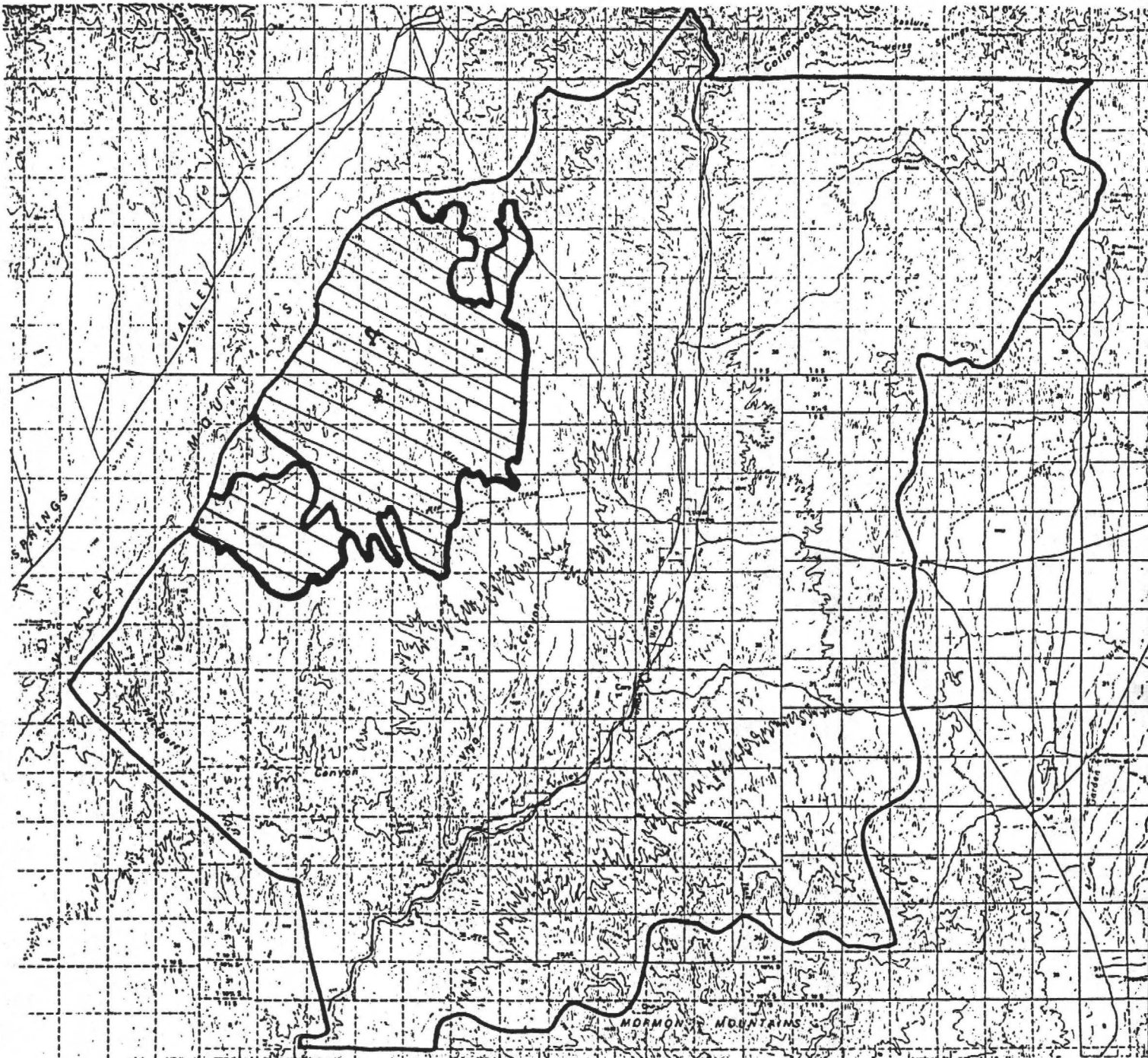
National Wildhorse Association
Las Vegas District Grazing Advisory Board
International Society for the Protection of
Mustangs and Burros

Certified Mail Number P998558368


Certified Mail Number P998558369


Certified Mail Number P998558375


ATTACHMENT #1
Henrie Complex Allotment Burn Closure
Area and Water Access Control Locations




LEGEND

Allotment Boundary: 

Burn Closure: 

Averett Reservoir: 

Hidden Spring: 

ATTACHMENT #2

SPECIFIC TERMS AND CONDITIONS FOR THE NEW FEDERAL GRAZING PERMIT

Henrie Complex Allotment

1. Grazing will be permitted in accordance with grazing Prescriptions 1 and 2 identified in the Opinion as amended.
2. Grazing prescription areas within your allotment are delineated on Attachment 2, titled **Henrie Complex Allotment Map**.
3. Livestock grazing use shall be authorized in the Henrie Complex allotment 06/15 through 02/28 in Prescription 1 and 03/01 through 02/28 in the Prescription 2 area and Non-Prescription area as identified in the following table and Attachment 2.

SPECIFIC USE AREAS AND
IDENTIFIED PERIODS OF USE

PRESCRIPTION AREAS ^{1/}	SEASON OF USE	
	BEGIN DATE	END DATE
Prescription 1 ^{2/}	06/15	02/28
Prescription 2 ^{3/}	03/01	02/28
Non-Prescription	03/01	02/28

^{1/} Refer to Attachment 2.

^{2/} Prescription 1, Tortoise Habitat Categories I, II, and Intensive III.

^{3/} Prescription 2, Tortoise Habitat Category III non-intensive.

4. All vehicle use in desert tortoise habitat within the Henrie Complex allotment shall be restricted to existing roads and trails.
5. Trash and garbage shall be removed from each camp site that is associated with livestock grazing operations (branding, sheep herding, roundup, etc.) and disposed of off site in a designated facility. No trash or garbage shall be buried at camp sites.
6. Use of hay or grains as a feeding supplemental shall be prohibited in desert tortoise habitat to avoid the introduction of non-native plant species. Mineral, protein and salt blocks are authorized subject to 43 CFR section 4130.6-2(c).
7. The allotment shall include at a minimum the following key species for monitoring purposes where appropriate based upon density and availability: galleta grass (*Hilaria jamesii*) and (*H. rigida*), bush muhly (*Muhlenbergia porteri*), sand dropseed (*Sporobolus cryptandrus*), Indian ricegrass (*Oryzopsis hymenoides*), black grama (*Bouteloua eriopoda*), desert needlegrass (*Stipa speciosa*), range ratany (*Krameria parvifolia*),

ephedra (*Ephedra spp.*), white burrobrush (*Hymenoclea salsola*) and winterfat (*Eurotia lanata*).

8. The following table identifies key areas, species and the maximum allowable use levels for specified periods of livestock grazing use, which shall be used at a minimum for monitoring purposes within Prescription 1 and 2 areas in the Henrie Complex allotment. As additional key species and or key areas are determined necessary for monitoring purposes, maximum allowable use levels will be established based upon the conditions as set forth in the Opinion for Prescription 1 and/or 2 areas.

EXISTING KEY AREAS, SPECIES AND ALLOWABLE USE LEVELS

KEY AREA & LEGAL DESCRIPTION	KEY SPECIES	PRESCRIPTION 2	
		10/15 TO 02/28	03/01 TO 10/14
1 T.10S., R.66E., Sec.6 (M-W)	Big galleta grass Nevada ephedra	≤50% ≤45%	≤40% ≤40%

9. The following table identifies the maximum allowable use levels for specified periods of livestock grazing use, which shall be used at a minimum for monitoring purposes within Prescription 1 and/or 2 areas.

ALLOTMENT NAME	PRESCRIPTION	ALLOWABLE USE LEVELS AND USE PERIODS PER GRAZING PRESCRIPTION		
HENRIE COMPLEX	PRESCRIPTION 1	06/15 - 10/14	10/15 - 02/28	03/01 - 06/14
		All Perennial Species - ≤40%	Key Perennial Grasses - ≤50% Key Perennial Shrubs and Forbs - <40%	No livestock use will be allowed during this period.
	PRESCRIPTION 2	06/15 - 10/14	10/15 - 02/28	03/01 - 06/14
		All Perennial Species - ≤40%	Key perennial grasses - ≤ 50% Key perennial shrubs & forbs - < 45%	All Perennial Species - ≤40%

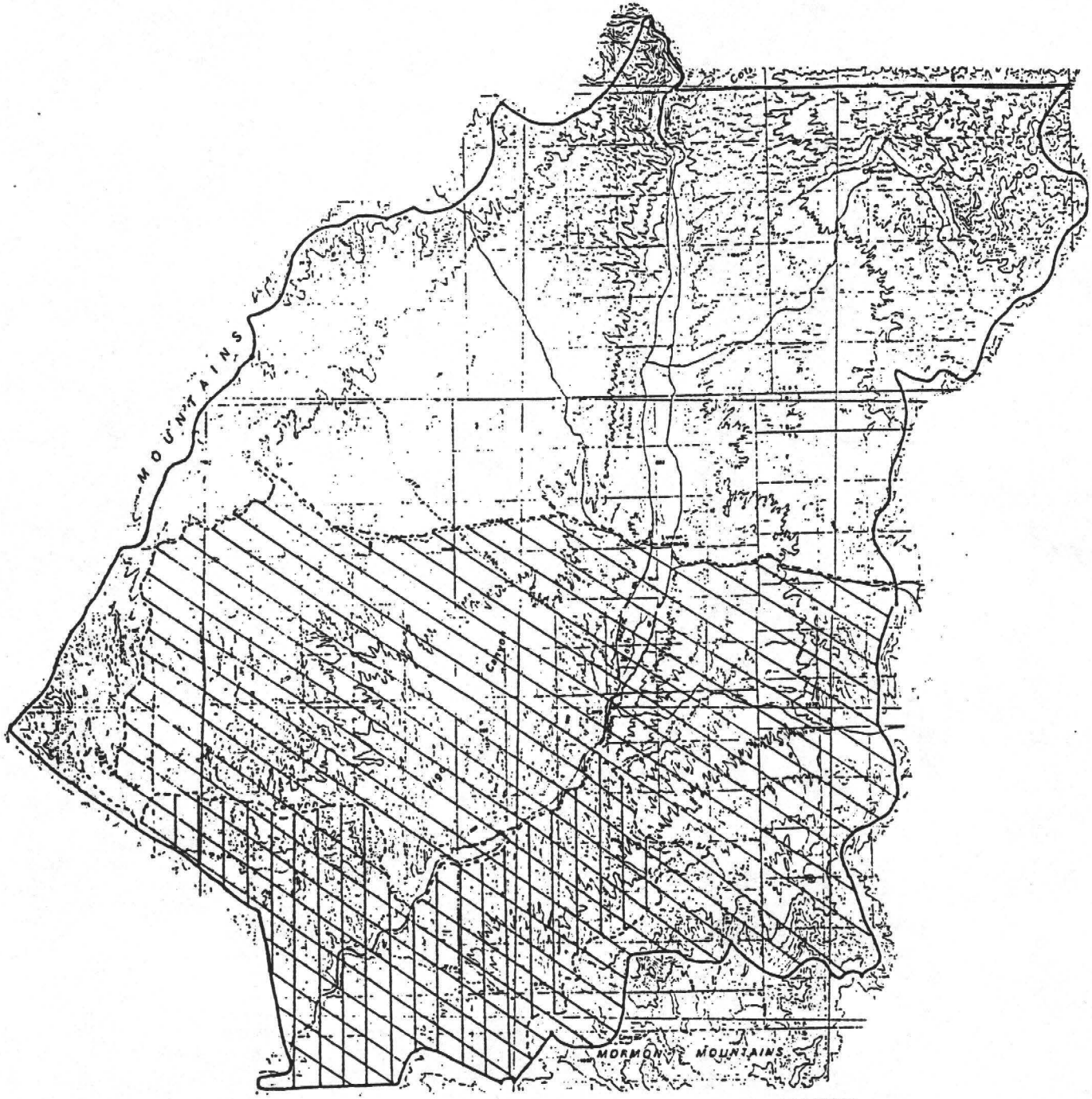
10. When the allowable use levels are reached for the Prescription 1 and/or 2 areas, the livestock must be removed from the allotment unless other management alternatives are authorized by the Caliente Resource Area Manager that are consistent with the Opinion and this decision.
11. Adequate livestock control must be provided by existing range improvements within the Henrie Complex allotment to prevent livestock from continually migrating into the Prescription 1 area during the period 03/01 through 06/14. If livestock continually migrate into the Prescription 1 area, the entire allotment will be required to be managed under Prescription 1 until range improvements become available to stop such action.

12. By March 1, 1993 all cattle (six months of age or older at turn out) will be required to be ear tagged by you with BLM issued ear tags. Additionally, you are required to submit a list of ear tag numbered cattle turned out/authorized on the Henrie Complex allotment. The list must be submitted to the Caliente Resource Area office within seven (7) days of turn out. At the end of the authorized grazing period, any ear tag numbers not accounted for, shall be reported to the Caliente Resource Area office within 15 days.
 - a. Since your operation is of a year round nature and it would be difficult to ear tag all cattle prior to the March 1, 1992 date, I have extended the date to ear tag all your cattle to March 1, 1993. In order to assure adequate cattle control is provided to prevent cattle from continually migrating into the Prescription 1 area, all cattle found in the Prescription 1 area during the period 03/01/92 through 06/14/92 shall be ear tagged by you with a BLM ear tag. Terms and Conditions number 15 and 16 will then be followed.
13. You are required to remove and return to the Caliente Resource Area office all BLM issued ear tags of cattle shipped/sold. This must be done prior to being issued replacement tags.
14. Replacement tags for brush loss, unfound death loss, or other unexplained losses will be issued on a case by case basis at the determination of the Caliente Resource Area Manager.
15. Any livestock found in the Prescription 1 area during the period of 03/01 through 06/14 shall be relocated to the Prescription 2 and/or Non-Prescription area within 72 hours. The ear tag numbers of any cattle found in the Prescription 1 area during the period 03/01 through 06/14 shall be recorded and submitted in writing to the Caliente Resource Area office within five (5) days of being observed.
16. Any livestock found in the Prescription 1 area during the period of 03/01 through 06/14 and which were previously recorded and relocated to the Prescription 2 and/or Non-Prescription area shall be removed from the Henrie Complex allotment within 72 hours of being observed.
17. Applications for changes in grazing use must be in written form and be received by the Caliente Resource Area office no later than 15 days prior to the desired date of change.
18. Applications for changes in grazing use filed after a billing notice has been issued, and which require the issuance of a replacement bill or supplemental bill shall be subject to a ten (10) dollar service charge.
19. Grazing Applications will be issued on a yearly basis showing all grazing use as active by Prescription 1, 2 and/or Non-Prescription areas. If you desire to take all or partial non-use for the grazing year, you must indicate this in writing on your Grazing Application, along with your reason(s).

20. A statement of Actual Grazing Use made on the Henrie Complex allotment by grazing Prescription area, 1, 2 and/or Non-Prescription areas must be received in the Caliente Resource Area office no later than 15 days after the last day of authorized grazing use. In the case of year round grazing, this Actual Grazing Use statement must be received in the Caliente Resource Area office no later than March 15th of each year.

ATTACHMENT 2

HENRIE COMPLEX ALLOTMENT



LEGEND	
Prescription 1 (Drawing 02/14-02/21)	
Prescription 2 (Drawing 02/21-02/29)	
Non-Prescription (Drawing 02/21-02/29)	
Prescription Boundary	
Allotment Boundary	

Ely

HENRIE

11-30-93

*/*4160
Grazing Case Files
Olson, Lewis
(NV-055.01)

(702) 726-8100

*T. Smith
11/30/93*

CERTIFIED MAIL #
RETURN RECEIPT REQUESTED

NOV 30 1993

Dear Affected Interest:

Between July 28 and August 7, 1993, two wildland fires, the Meadow and Pass fires, burned in the Meadow Valley Mountains and adjacent areas of the Las Vegas District, Caliente Resource Area. 27,186 acres of public land were consumed by the fire affecting the short term livestock management in the Henrie Complex, Boulder Spring and Lower Riggs allotments.

It was determined through Environmental Assessment (NV-055-93-29) that the condition of the area was adversely affected and that a temporary closure of the area to domestic livestock was necessary. A Full Force and Effect Grazing Decision was issued October 5, 1993 to five livestock permittees implementing closure of the burn areas through controlled grazing. Since that time a determination was made to rescind those October 5, 1993 decisions that pertain to the Henrie Complex allotment (Kevin Olson and Robert Lewis). A new decision is being issued to Kevin Olson and Robert Lewis implementing closure of the burn areas through fencing.

These new grazing decisions are provided for your information. Please note, only one copy of the Attachment 3 is included with these two decisions in order to reduce paper. Attachment 3 is identical for the two decisions. If you have any questions regarding this action, please contact this office.

Sincerely,
CURTIS G. TUCKER

FIRE.INT
TSHASKAN/wm 11/30/93

Curtis G. Tucker
Area Manager

Enclosures: Grazing Decisions

Kevin Olson
Bob Lewis

Attachment

BOB MILLER
Governor

STATE OF NEVADA

12-28-93
CATHERINE BARCOMB
Executive Director



**COMMISSION FOR THE
PRESERVATION OF WILD HORSES**

50 Freeport Boulevard, No. 2

Sparks, Nevada 89431

(702) 359-8768

COMMISSIONERS

Paula S. Askew, *Chairperson*
Carson City, Nevada

Steven Fulstone, *Vice Chairman*
Smith Valley, Nevada

Michael Jackson
Las Vegas, Nevada

Dan Keiserman
Las Vegas, Nevada

Dawn Lappin
Reno, Nevada

December 28, 1993

Curtis G. Tucker, Area Manager
BLM-Caliente Resource Area
Box 237
Caliente, Nevada 89008

RE: Grazing Decisions for Henrie Complex, Boulder Spring, and
Lower Riggs Allotments

Dear Mr. Tucker,

Thank you for the opportunity to review and comment on the new grazing decisions for the Henrie Complex, Boulder Spring, and Lower Riggs Allotments.

On page two of your Full Force and Effect Decision for livestock to Mr. Robert Lewis, you mention your desire to "implement impartial management consistent for both livestock and wild horses within that portion of the Henrie Complex Allotment and Meadow Valley Mountain HMA where the two fires occurred." Obviously your desire to implement impartial management has come too late for the wild horses that have already been eliminated.

We point out that this alternative of constructing fencing to keep livestock out of the burn area was also available as an alternative to keep horses out of the burn area. How convenient that this option was neglected for consideration until after the gross removal of the entire Meadow Valley Mountain HMA wild horse population excepting for a token 15 animals. We do not understand why this option wasn't considered prior to the removal of the horses. It would appear by your previous decisions and the thorough removal of the horses that the goals, objectives, and main concerns were for maintaining the livestock preference at all costs without any consideration for the viability, management, and preservation of that wild horse population which is the responsibility of the Bureau of Land Management.

Curtis G. Tucker, Area Manager
December 28, 1993
Page 2

Please advise us after January 1, 1994, if the fence was repaired and maintained and if livestock are actually permitted in the area.

Sincerely,

CATHERINE BARCOMB
Executive Director

W H O A

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

12-28-93



a note from

Dawn Y. Lappin

December 28, 1993

Curtis G. Tucker, Area Manager
BLM-Caliente Resource Area
Box 237
Caliente, Nevada 89008

RE: Grazing Decisions for Henrie Complex, Boulder Spring, and
Lower Riggs Allotments

Dear Mr. Tucker,

Thank you for the opportunity to review and comment on the new grazing decisions for the Henrie Complex, Boulder Spring, and Lower Riggs Allotments.

On page two of your Full Force and Effect Decision for livestock to Mr. Robert Lewis, you mention your desire to "implement impartial management consistent for both livestock and wild horses within that portion of the Henrie Complex Allotment and Meadow Valley Mountain HMA where the two fires occurred." Obviously your desire to implement impartial management has come too late for the wild horses that have already been eliminated.

We point out that this alternative of constructing fencing to keep livestock out of the burn area was also available as an alternative to keep horses out of the burn area. How convenient for you and the permittees that this option was neglected for consideration until after the gross removal of the entire Meadow Valley Mountain HMA wild horse population excepting for a token 15 animals. We do not understand why this option wasn't considered for the horses. It would appear by your previous decisions and the thorough removal of the horses that the goals, objectives, and main concerns were for maintaining the livestock preference at all costs without any consideration for the viability, management, and preservation of that wild horse population which is the responsibility of the Bureau of Land Management.

Curtis G. Tucker, Area Manager
December 28, 1993
Page 2

Please advise us after January 1, 1994, if the fence was repaired and maintained and if livestock are actually permitted in the area.

Sincerely,

DAWN Y. LAPPIN
Director