

7/17/92



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Ely District Office

HC 33 Box 33500

Ely, Nevada 89301-9408

IN REPLY REFER TO:

1791 (NV-046)

JUL 17 1992

Wild Horse Organized Assistance
Mrs. Dawn Luppin
P. O. Box 555
Reno, NV 89505

Dear Mrs. Luppin:

On September 12, 1991, a consultation meeting was held at the BLM State Office in Reno, Nevada to discuss the out of court settlement proposal for the appellants of the Final Multiple Use Decision for the Chin Creek Allotment. The permittee and several affected interest groups attended this meeting. During the meeting we discussed the fence projects identified in the settlement proposal to improve livestock management practices. In addition, we sent out a letter after the meeting addressing general comments and concerns received and more specifically on the fence projects discussed during the meeting. As per out of court stipulation number 9, I have enclosed the Environmental Assessments (EA's) addressing those fence projects for your comment and input.

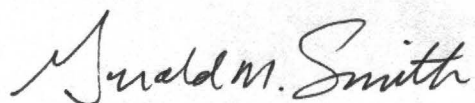
Enclosed is a copy of the Draft Environmental Assessment (EA) for the Chin Creek/Becky Springs Fence and the Middle/Sharp Creek Fence. In addition, you will find copies of the following environmental documents for the original and proposed extension for the Antelope-Chin Creek fenceline project:

1. The original Antelope-Chin Creek Fence Amendment EA to the Ely District Programmatic Fenceline EA (this covered the original fence construction).
2. The draft Plan Conformance/National Environmental Policy Act (NEPA) Compliance Record for the proposed extension of the original Antelope-Chin Creek fence.

Please provide written comments only on the draft EA and Plan Conformance/NEPA Compliance Record documents to the above address by August 20, 1992.

If you have any questions, please call Sheree Kahle (Wild Horse Specialist) or Brett Covlin (Range Conservationist) of my staff at (702-289-4865).

Sincerely,



Gerald M. Smith, Manager
Schell Resource Area

3 Enclosures

1. Draft Environmental Assessment (EA) for the Chin Creek/Becky Springs Fence and the Middle/Sharp Creeks Fence
2. Draft Plan Conformance/NEPA Compliance Record for the Extension of the Antelope-Chin Creek Fence
3. Antelope-Chin Creek Division Fence and Cattle Guards Amendment No. A287 to the Programmatic Fenceline Environmental Assessment No. NV-040-5-27

DRAFT

Supplement (No. NV-040-2-14) to Programmatic Fenceline
EA Number NV-040-5-27
for the

Chin Creek/Becky Springs Boundary Fence and Cattle Guard Complex
Middle/Sharp Creek Fence and Cattle Guard Complex
(Schell Resource Area)

INTRODUCTION

These projects have been approved in concept in the resource activity plans which were analyzed in the Environmental Assessment (EA No. NV-040-4-40), for the Antelope Range Coordinated Management Plan (ARCOMP). The DR/FONSI for the ARCOMP EA was approved on March 9, 1987. The projects were considered in relationship to the grazing systems for livestock, the Antelope Range Habitat Management Plan (HMP) for wildlife, and the Antelope Wild Horse Herd Management Area Plan (HMAP) for wild horses. Site specific analysis of range improvements was deferred. This supplement to the Programmatic Fenceline EA serves as the site specific analysis. The Programmatic Fenceline EA (NV-040-5-27) and the EA for the ARCOMP (NV-040-4-40) are hereby incorporated by reference.

Purpose and Need/Major Issues

The fences are needed to achieve better utilization of the forage resource through control of livestock movements and use in the Chin Creek Allotment. The Middle/Sharp Creek fence will decrease the incidence of livestock poisoning due to larkspur in the Antelope Range. The fences will prevent unauthorized use by livestock and are necessary to attain objectives set in the Land Use Plan and the subsequent Final Multiple Use Decision (FMUD) for the Chin Creek Allotment.

The major issues are uncontrolled livestock use and potential impacts to wild horse movements.

Reference to the Land Use Plan

Both fences are in conformance with the Schell Resource Area Land Use Plan. The FMUD for the Chin Creek Allotment was issued on July 16, 1990. The decision was appealed by the permittee and a subsequent out-of-court settlement stipulated that the Middle/Sharp Creek Fence Complex be constructed.

Proposed Action

The proposed action is to build two fences, (the top three strands will be barbed wire and bottom strand will be smooth wire) in the Chin Creek Allotment as follows:

Middle/Sharp Creek Fence Complex (4½ miles of fence and two cattle guards - Figure 1).

Chin Creek/Becky Springs Allotment Boundary Fence Complex (15 miles of fence and two cattle guards - Figure 2).

Fence construction specifications and standard operating procedures (SOPs) are as outlined in the programmatic Environmental Assessment (EA). The following SOPs will be adhered to minimize impacts:

1. Gates will be left open when livestock are not confined and controlled, except in areas which are being protected (eg. riparian areas). This will allow for free movement by wild horses and wildlife.
2. Fences will be maintained properly to prevent loose wires which are more likely to entangle animals.
3. Consideration will be given to normal daily and seasonal movements of wild horses during the fence survey and design phase. Fences will be located to minimize disturbance to known routes of travel for wild horses.
4. The fences will be flagged for greater visibility by wildlife and wild horses which will minimize entanglements.

Alternatives

None applicable.

Description of Affected Environment

A general description of the environment can be found in the Schell Resource Area Unit Resource Analysis (URA). Vegetation and wildlife in the proposed project areas are typical of the Great Basin. Livestock grazing constitutes the only significant economic pursuit in the area. Both proposed projects are in the Antelope Wild Horse Herd Management Area (HMA). The latest wild horse census (6/92) showed 741 wild horses in the HMA and a considerable number of horses use the project areas. The Chin Creek Allotment FMUD set the wild horse appropriate management level (AML) at 152 horses and 500 were censused in 6/92. Subject lands are in the Visual Resource Management (VRM) Class IV.

Anticipated Impacts

General impacts are described in the Programmatic EA. There would be no impacts to threatened or endangered species and the proposed projects are not within wilderness or wilderness study areas. The fences would not result in significant impacts to visual resources in the region due to the presence of other fences in the general area. Impacts to cultural resources would be insignificant, however, an intensive cultural survey will be conducted and fences location will be modified to avoid prehistoric and historic sites. There would be no impacts to Native American religious concerns, floodplains or wetlands, ACECs (Areas of Critical Ecological Concern), prime or unique farmlands or hazardous materials.

Riparian areas will be positively impacted through better livestock control.

Middle/Sharp Creek Fence Complex.

Wildlife and wild horses may be minimally impacted. The Middle/Sharp Creek fence will tie into the North Creek Riparian Enclosure and will run south across Middle and Sharp Creeks. Wild horses use the drainages when they move east and west. However, the south end of the fence will be open ended and horses will be able to move freely around it once they become accustomed to it. The entire length of the fence will be flagged heavily for greater visibility by horses and wildlife. There may be a few animals that get tangled in the wire but the fence will be monitored after installation to ensure that the problem is minimal. Wild horses and wildlife could benefit from improved distribution of livestock by decreasing and controlling competition for forage.

Chin Creek/Becky Springs boundary fence.

Wildlife and wild horses may be minimally impacted. The Chin/Becky Springs Fence will be open ended on both ends which will allow for free movement of horses and wildlife once they become accustomed to the fence. The entire length of the fence will be heavily flagged for better visibility by wildlife and horses. There may be a few animals that get tangled in the fence but it will be monitored.

Some wild horse movement does occur in a north-south direction in the area but amount of movement is minimal. Most of the north-south movement occurs to the east in Antelope Valley. The fence should cause minimal disturbance to normal movement patterns because both ends are open ended.

The overall impacts to the environment will be positive because of the improved control of livestock movements. Better distribution of livestock will cause more uniform utilization and better conditions for wild horses and wildlife.

There will be no significant cumulative impacts due to the construction or presence of the fences.

Irreversible and/or Irretrievable Commitment of Resources

Residual impacts, irreversible and/or irretrievable commitment of resources and intensity of public interest are adequately analyzed in EA-NV-040-5-27, Programmatic Fenceline EA.

Suggested Monitoring

After installation of the fences, fencelines will be monitored to ensure that no major problems are being caused to wildlife or wild horses.

Consultation and Coordination

External

Natural Resource Defense Council
U.S. Fish and Wildlife Service
Resource Concepts, Inc.
Nevada Cattlemen's Association
Nevada State Grazing Board, N-4
Nevada Outdoor Recreation Association
Animal Protection Institute of America
Marvel and Hansen, Attorneys at Law
Nevada Department of Agriculture
Sierra Club, Toiyabe Chapter
Metta Richins - Permittee
Warren Robison - Permittee
Reed Robison - Permittee
Ralph Vance - Permittee
Commission for the Preservation of Wild Horses and Burros
Nevada Department of Wildlife - Region II
Wild Horse Organized Assistance
Humane Equine Rescue & Development Society

DRAFT

Internal Review

- Mark Barber - T&E Animals
- Bob Brown - Wild Horses
- Hal Bybee - Operations
- Bill Coulloudon - Rangeland Resources
- Fred Fisher - Operations/Range
- Mark Henderson - Cultural Resources
- Martin Hudson - Recreation/VRM
- Chris Mayer - T&E Plants
- Jack Norman - Soil/Air
- Paul Podborny - Wildlife/Riparian
- Jake Rajala - Environmental Coordinator
- Tim Reuwsaat - ADM Resources
- Harry Rhea - Forestry
- Loran Robison - Watershed
- Darrell Winter - Lands

Signatures

Prepared by: _____ Date _____
Sheree Kahle
Wild Horse Specialist

J. Brett Covlin
Range Conservationist

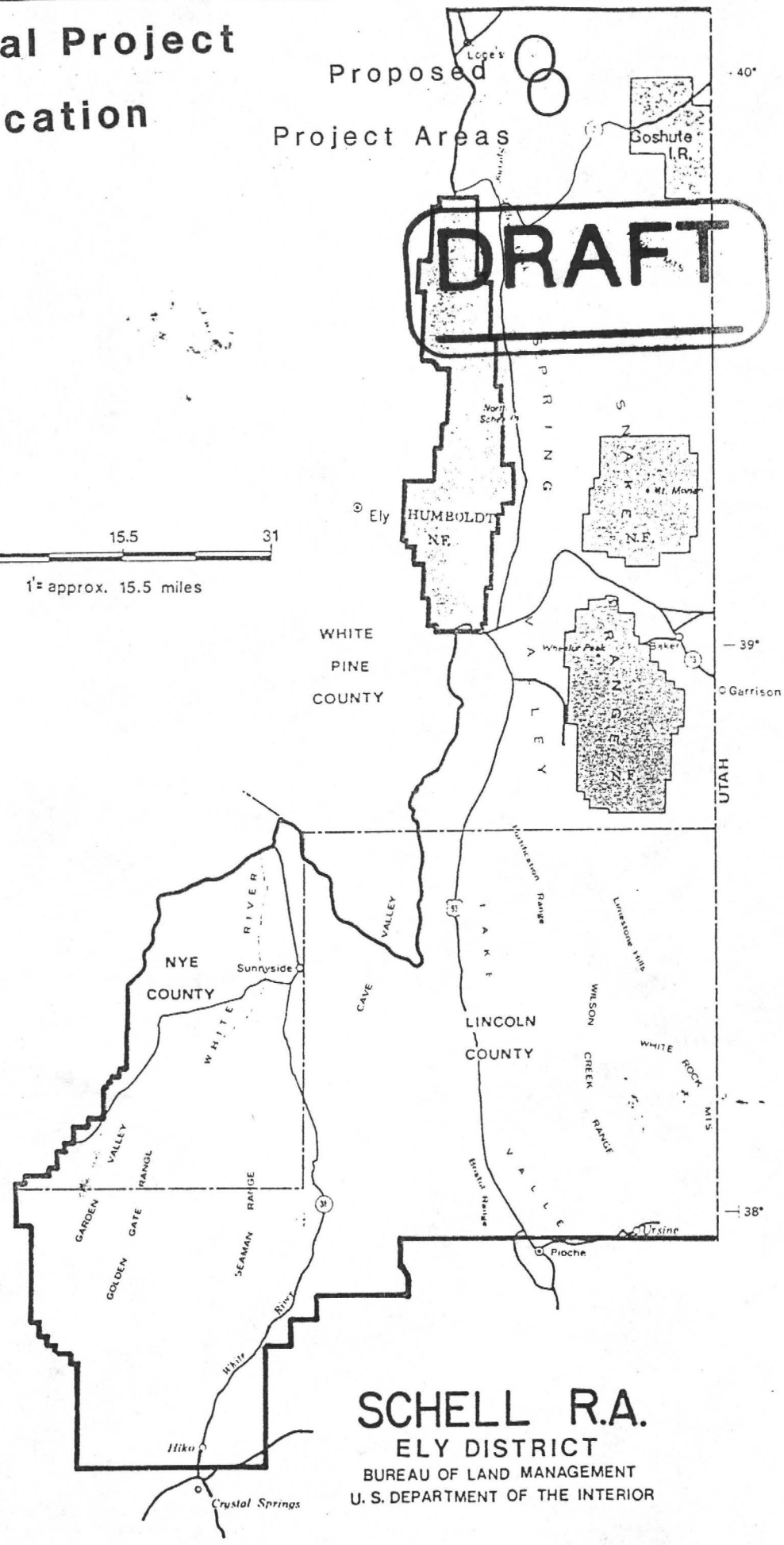
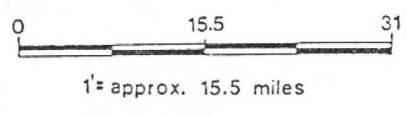
Reviewed by: _____ Date _____
Jake A. Rajala
Environmental Coordinator

Gerald M. Smith
Schell Resource Area Manager

General Project Location

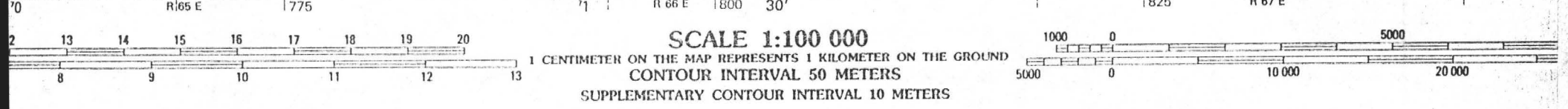
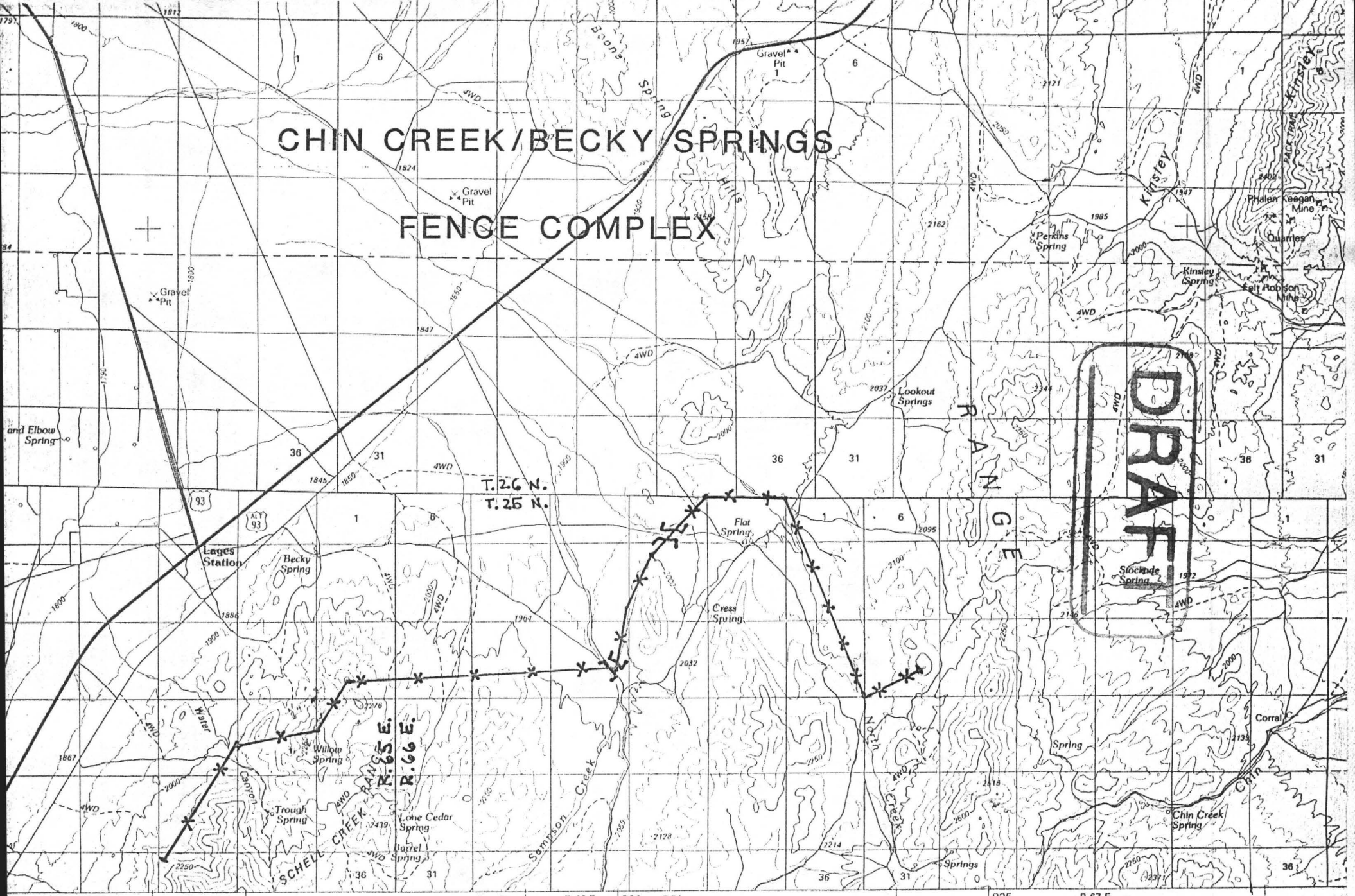
Proposed
Project Areas

DRAFT



SHELL R.A.
ELY DISTRICT
BUREAU OF LAND MANAGEMENT
U. S. DEPARTMENT OF THE INTERIOR

CHIN CREEK/BECKY SPRINGS FENCE COMPLEX



SCALE 1:100 000

1 CENTIMETER ON THE MAP REPRESENTS 1 KILOMETER ON THE GROUND

CONTOUR INTERVAL 50 METERS

SUPPLEMENTARY CONTOUR INTERVAL 10 METERS

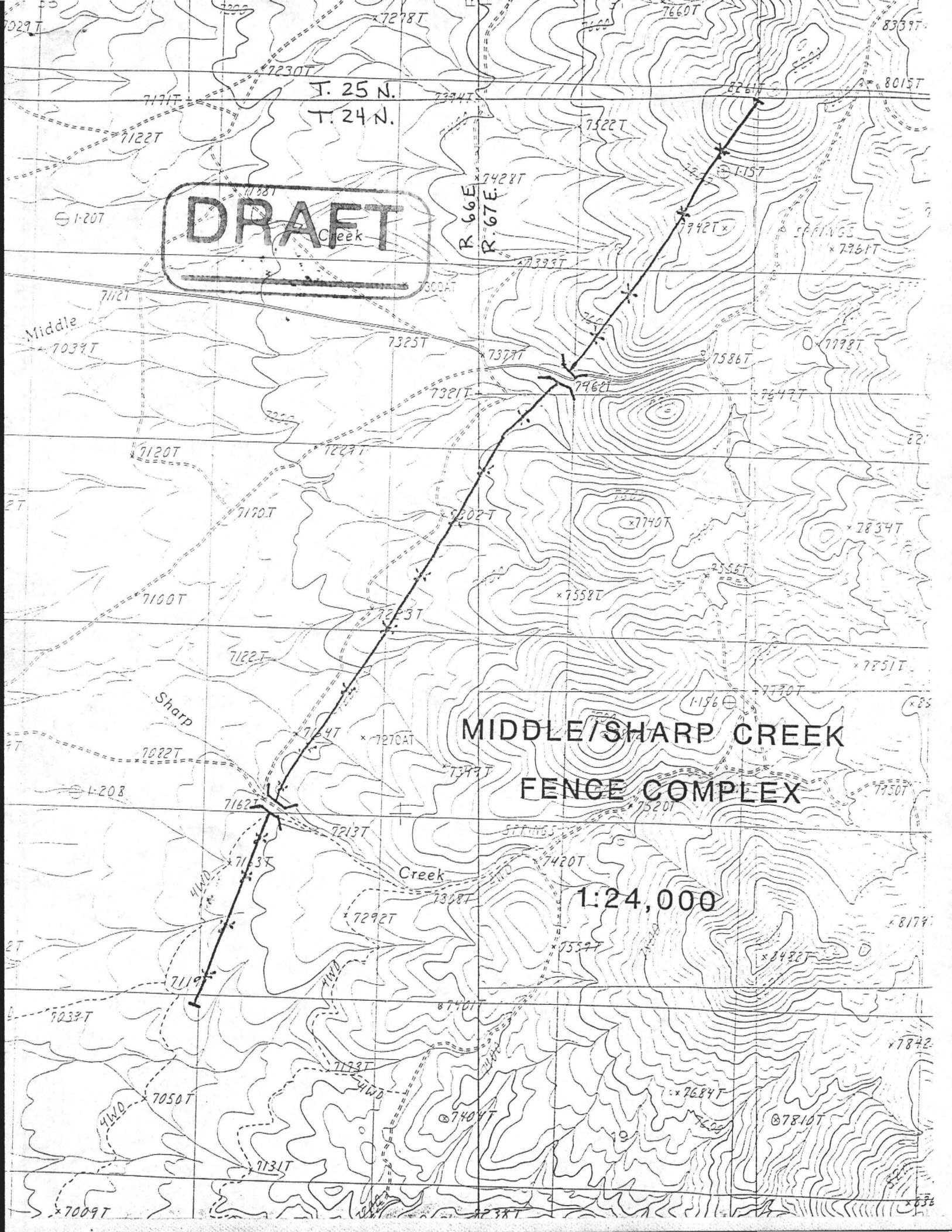
DRAFT

T. 25 N.
T. 24 N.

R. 66 E.
R. 67 E.

**MIDDLE/SHARP CREEK
FENCE COMPLEX**

1:24,000



DRAFT

PLAN CONFORMANCE/NEPA COMPLIANCE RECORD

BLM Office: NV-040

Proposed Action Title: Extension of the Antelope-Chin Creek Fence, JDR#4522.

Location of the Proposed Action: T. 25 N., R. 68 E., Sec. 23, NE $\frac{1}{4}$ to Sec.24; NW $\frac{1}{4}$, totaling .8 of a mile.

Description of Proposed Action: The proposed action is to extend the Antelope-Chin Creek Fence from the east end approximately eight tenths of a mile. The fence extension will prevent identified livestock drift between the north and south Chin Creek pastures and continue to allow wild horse access throughout the area by remaining open ended. In addition to controlling livestock drift the proposed extension fence will help to implement a three pasture, spring deferred, rotation grazing system for the Antelope Valley use area.

PART 1: PLAN CONFORMANCE REVIEW.

Name of Plan: Schell Resource Area Management Framework Plan (MFP)

Date Approved: April 1983

Remarks: Schell MFP-III RM-4 decision is to "Install livestock management facilities to enhance range management". The White Pine County Plan states for the Federal Government to "preserve agricultural land and promote the continuation of agricultural pursuits in Nevada". In addition the plan states "acceleration of range improvements should be encouraged". The Chin Creek Allotment Evaluation and Final Multiple Use Decision was issued on July 16, 1990. The decision was appealed (NV-04-90-5) by the permittee and the subsequent out-of-court settlement stipulated that an extension of the Antelope Chin-Creek Fence (JDR #4522) would be built.

PART 2: NEPA REVIEW/ADMINISTRATIVE DETERMINATION

Existing EA review.

The proposed action is addressed in the following existing BLM EA: Antelope-Chin Creek Division Fence and Cattle Guards Amendment No. A287 to the Programmatic Fenceline Environmental Assessment No. NV-040-5-27
Date Approved: May 22, 1987

This EA has been reviewed against the following criteria to determine if it covers the proposed action:

DRAFT

1. The proposed action is essentially the same as the alternative selected and analyzed in the existing document.
2. A reasonable range of alternatives was not analyzed in the existing document. Alternatives were not needed to address resource conflicts nor explore management options.
3. There has been no significant change in circumstances or significant new information germane to the proposed action.
4. The methodology/analytical approach previously used is appropriate for the proposed action.
5. The direct and indirect impacts of the proposed action are not significantly different than those identified in the existing document. To comply with current guidance, it is documented that there would be no impacts to flood plains, wetlands, riparian areas, water (drinking/ground/quality), ACECs, prime or unique farmlands, archeological, or paleontological resources.
6. The cumulative impacts expected from the proposed action would not be significant.
7. Public involvement in the previous analysis provides appropriate environmental coverage for the proposed action. However, as part of the out of court settlement on appeal NV-04-90-05 this document and EA-NV-040-5-27 will be sent to identified public interests.

Remarks: none

Signatures:

Prepared by:

Sheree Kahle, Wild Horse and Burro Specialist

J. Brett Covlin, Range Conservationist

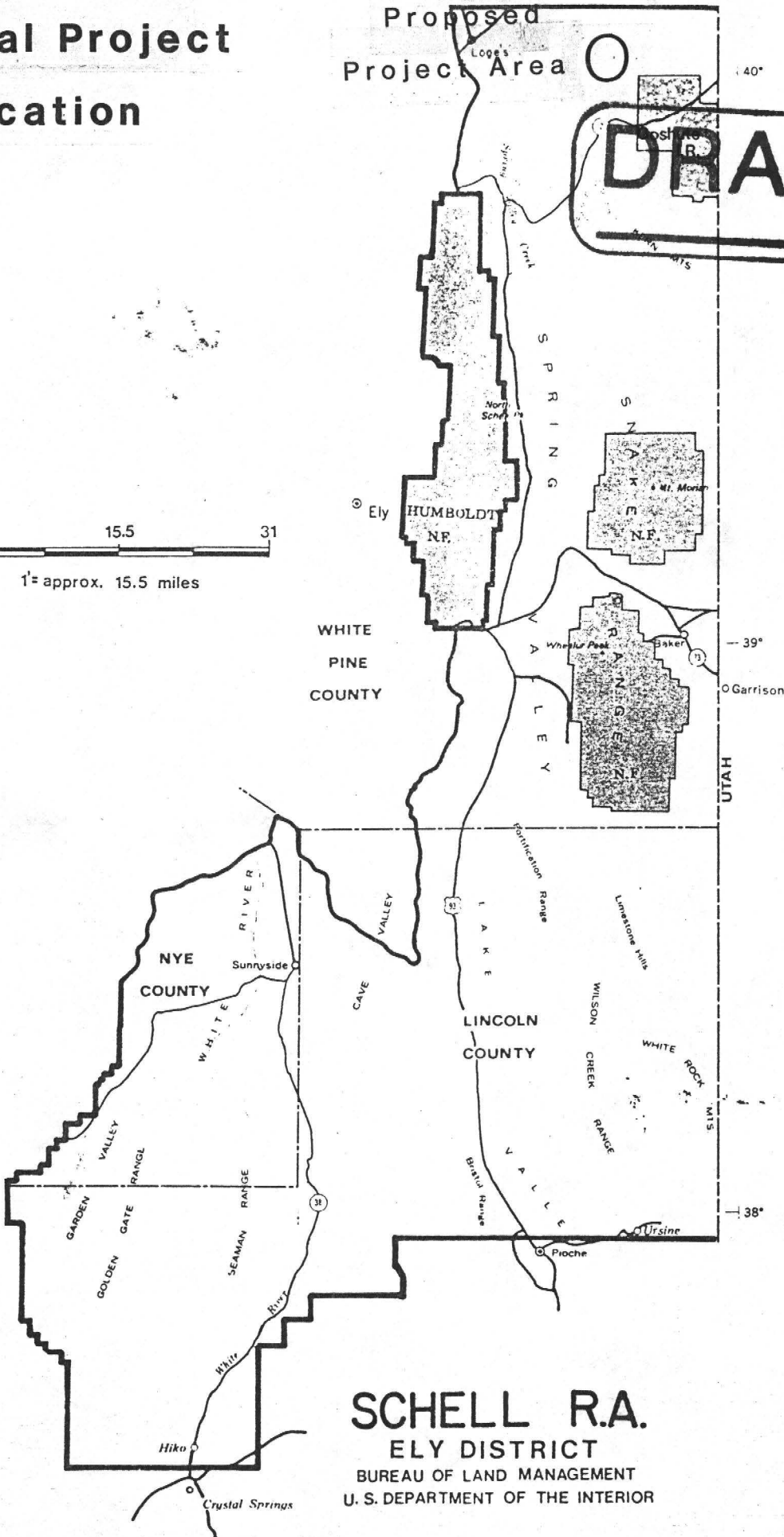
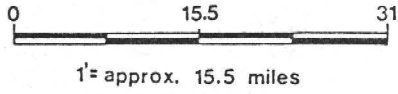
Reviewed by:

Jake Rajala, Environmental Coordinator

General Project Location

Proposed Project Area

DRAFT



SHELL R.A.
ELY DISTRICT
BUREAU OF LAND MANAGEMENT
U. S. DEPARTMENT OF THE INTERIOR

PROJECT LOCATION

ANTELOPE VALLEY

T. 25 N.

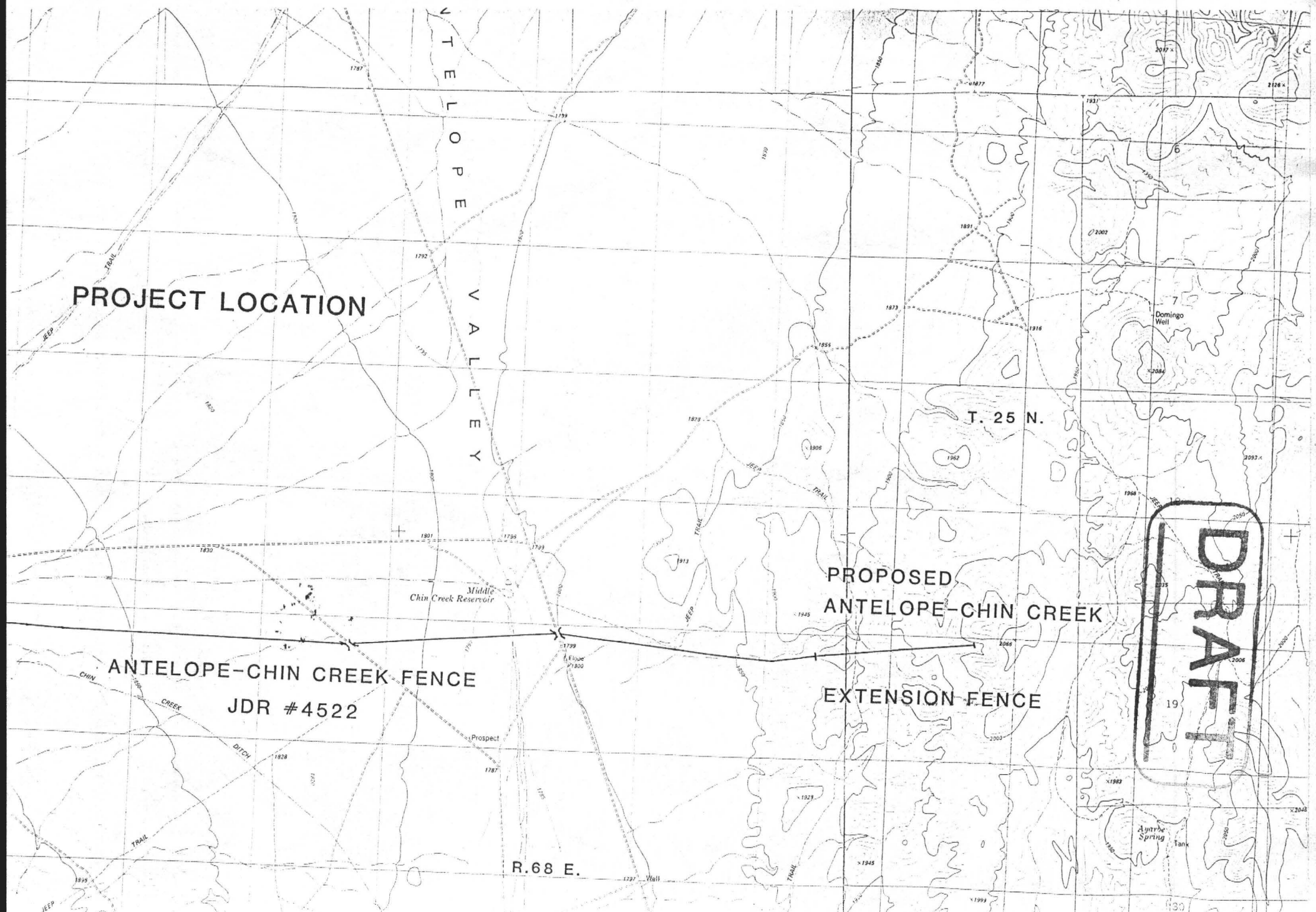
ANTELOPE-CHIN CREEK FENCE
JDR #4522

PROPOSED
ANTELOPE-CHIN CREEK

EXTENSION FENCE

R. 68 E.

DRAFT



DR/FONSI
for the Antelope-Chin Creek Fence and Cattle Guards
Amendment No. A287 to the Programmatic Fenceline
Environmental Assessment No. NV-040-5-27

Decision: I have reviewed the amendment for the Antelope-Chin Creek fence and cattle guards. It is technically adequate as used in conjunction with the programmatic EA for fences (NV-040-5-27) and consideration has been given to all site specific resource values. I approve of the project with the mitigating measures as identified.

Rationale: The project as proposed will enhance the proper administration of the range by controlling cattle drift to allow the subject allotment to be utilized according to sound range management principles. The standard operating procedures will negate the majority of any detrimental fence construction activities and the fence and cattle guards themselves.

FONSI: There will be no significant impact to the quality of the human environment from approval of this environmental assessment. An environmental impact statement is not required.

acting
for John M. Bybee
Kenneth G. Walker
District Manager

22 May 87
Date

Amendment No. A287 to Programmatic Fenceline EA
No. NV-040-5-27 for the
Antelope-Chin Creek Division Fence and Cattle Guards
(Schell Resource Area)

Proposed Action

The proposed action is to build a 5.7 mile east-west barbed wire fence and install two cattle guards in the Antelope Valley portion of the Chin Creek Allotment. The fence is needed to control utilization, improve distribution, and create deferred rotation pastures as listed in the proposed allotment management plan (AMP) in this Category I allotment. Construction is planned for FY 1987. The proposed action is in conformance with current Bureau of Land Management (BLM) land use plans and is consistent with non-Bureau plans.

Fence construction specifications are as outlined in the programmatic Environmental Assessment (EA). There are two cattle guards proposed for the fence. Gates will be installed on the access roads crossed by the fence. The applicable standard operating procedures from the programmatic EA are numbers 1,4,10,11,16,17,19.

Alternatives

None applicable.

Description of Affected Environment (Site Specific)

Vegetation and wildlife in the project area are typical of the Great Basin. The project is within the Antelope Wild Horse Herd Management Area. The fenceline area receives considerable use by horses yearlong, but most movement is in an east-west direction from the mountains to valley bottoms. Livestock grazing constitutes the only significant economic pursuit in the proposed project area. Subject lands are in the VRM Class IV. There are no known threatened or endangered (T&E) plants or animals in the project area.

Anticipated Impacts

General impacts are as described in the programmatic EA. There would be no impacts to wilderness or to T&E plants and animals. The fence would not be visually impairing due to extent of other such fences throughout the valley. Impacts to cultural resources would be insignificant. Cattle distribution and utilization will be enhanced. The overall impacts to the environment will be positive because of the improved control and management of livestock and the resource. Antelope and wild horse movements may be minimally affected.

Wild horses could benefit from improved distribution of livestock through use of fences if there is a subsequent improvement in forage. Part of the improved forage could be available to wild horses.

The wild and free roaming characteristic of wild horses could be adversely affected. Fences could pose a barrier to normal daily and seasonal movements of wild horses. Even though all new fences will be flagged to be visible to wild horses, it is inevitable that some wild horses will eventually become entangled in the barbed wire and be injured or killed.

Wildlife and/or wild horses may get tangled in new fences in spite of their being built to deer and/or antelope specifications and flagging them for greater visibility by horses and wildlife.

Mitigating Measures

1. Gates should be left open when livestock are not being confined or controlled, except on areas which are being protected. This will allow for freedom of movement by wild horses and other large ungulates.
2. Fences will be maintained properly -- a "loose" fence would entrap more wildlife, livestock, and wild horses.
3. Consideration should be given to the normal daily and seasonal movements of wild horses during the fenceline survey and design phase.
4. This fence should be flagged its entire length.

Irreversible and/or Irretrievable Commitment of Resources

Residual impacts, irreversible and/or irretrievable commitment of resources and intensity of public interest are adequately analyzed in EA-NV-040-5-27, Programmatic Fenceline EA.

Monitoring

None proposed.

Signatures

Prepared by:

Fred E. Fisher
Fred E. Fisher
Range Conservationist

5-22-87

Date

Reviewed by:

Jake A. Rajala
+ Jake A. Rajala
Environmental Coordinator

5-22-87

Date

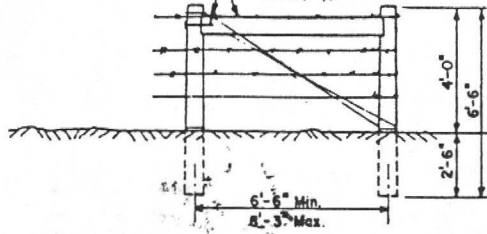
Gerald M. Smith
Gerald M. Smith, Manager
Schell Resource Area

5/22/87

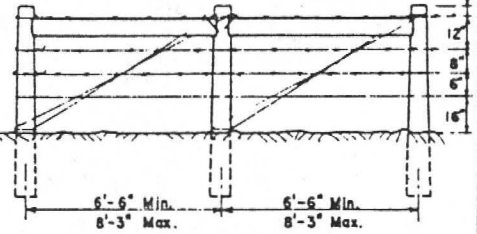
Date

60d Ring-Shank Nail, Typ.

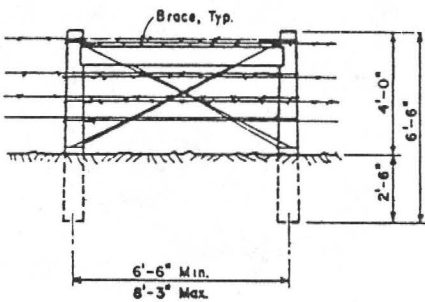
Brace, Typ.



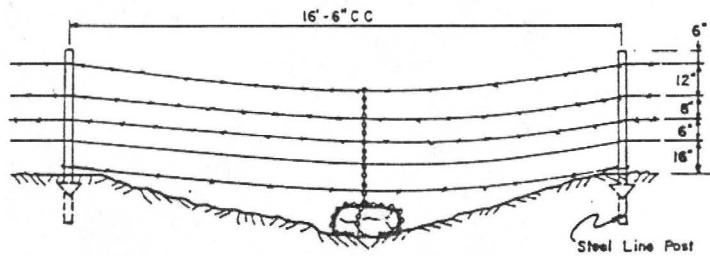
TWO-POST END PANEL



THREE-POST END PANEL

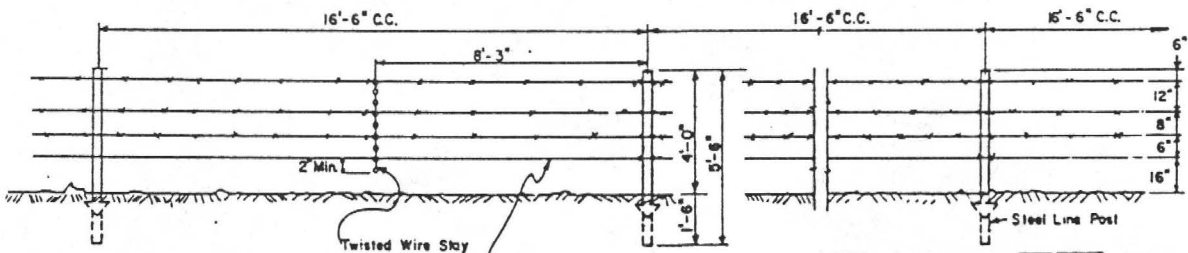


STRESS PANEL



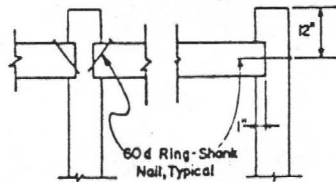
Add Additional Strands Of Barbed Wire And/Or
A Rock Deadman (Min. Weight 50 Lb.) When
Space Between Bottom Wire And Ground
Exceeds 20 in.

PANEL AT MINOR DEPRESSION



LINE PANELS

Use Barbless Wire For
Bottom Strands



MORTISE DETAIL

NOTES:

- I. See Specifications For The Following:
 1. Type of End Panel to be used.
 2. Type of Gate(s) to be used.
 3. Type of Corner Panel(s) to be used.

- II. Wires to be tied off at stretch points; wrap and splice to self w/at least 4 turns; at opposite end of Panels.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Branch of Engineering Nevada State Office

BARBED WIRE FENCE
NV (4-Wire X 16 1/2')

DESIGNED BY OTHERS

REVIEWED

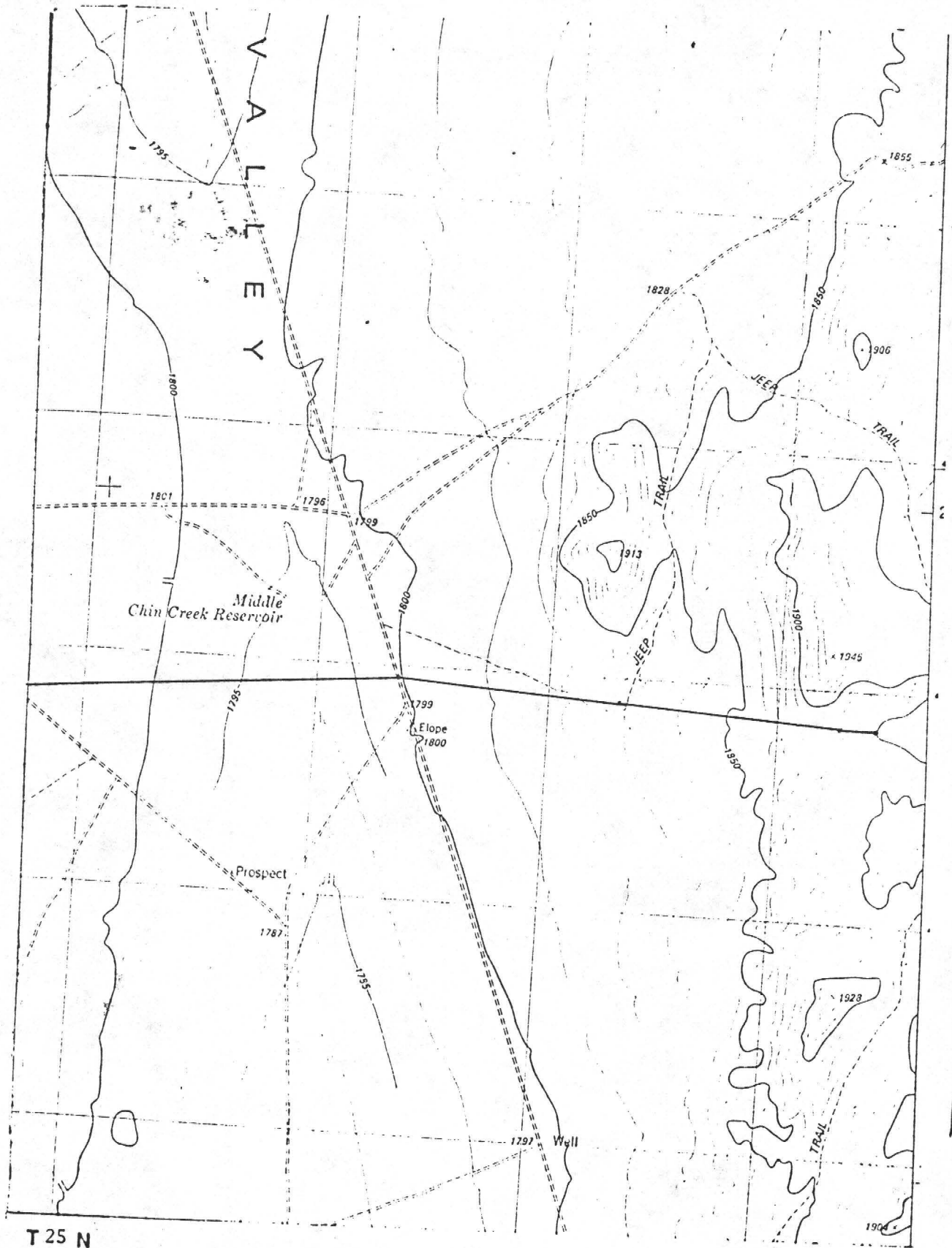
APPROVED *George A. Clarke*

DRAWN by others SCALE NONE

DATE: Nov. 1996 SHEET 1 OF 1

DRAWING NO. NV 02833 (56)

PROJECT LOCATION MAP



T 25 N

R 68 E

Map # 13

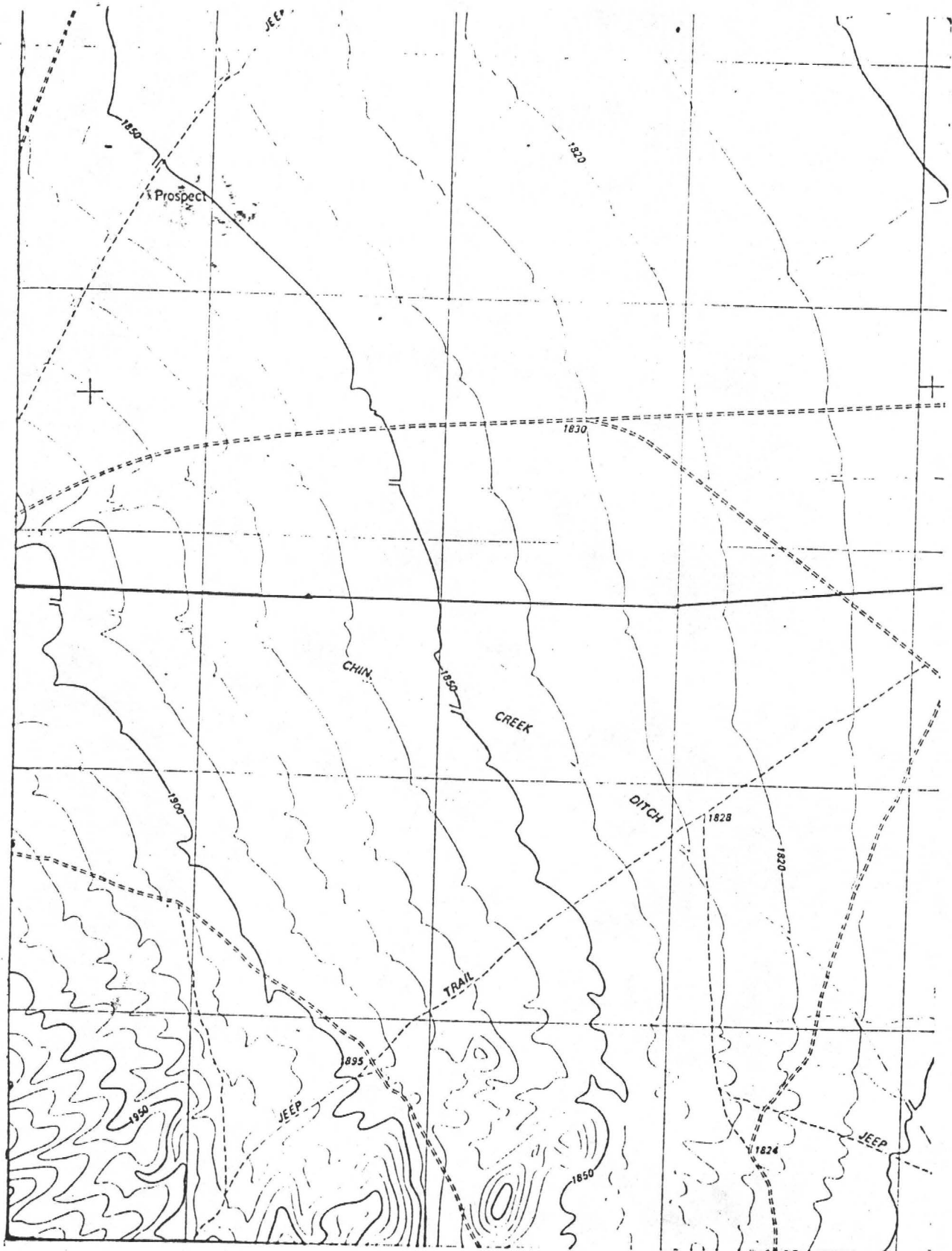
Antelope Valley Deferment Fence

Chin Creek Reservoir, Nev.

1:24000

fenceline route.

PROJECT LOCATION MAP



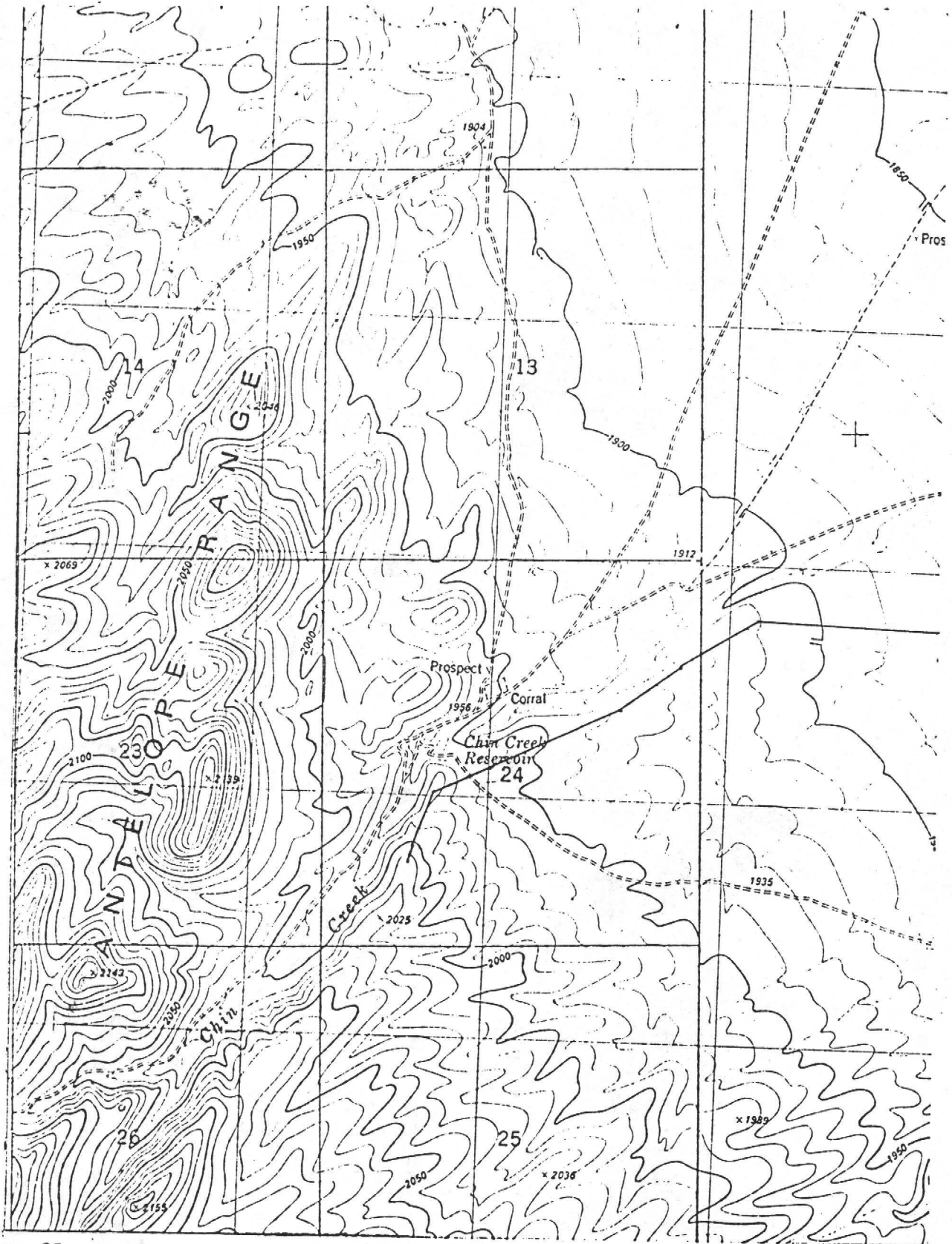
T 25 N
R 68 E
Map # 12

Antelope Valley Deferment Fence
Chin Creek Reservoir, Nev.

1:24000

fenceline route

PROJECT LOCATION MAP



T 25 N
R 67 E

Antelope Valley Deferment Fence

1:24000

Map # 11

Chin Creek Reservoir, Nev.

Fenceline route

certain standard operating procedures are by definition part of the proposed action or any alternative. These are listed below.

- 1) Gates with opening devices and/or cattle guards will be installed on all usable roads. Cattle guards will be used on all maintained roads and gates put on secondary roads.
- 2) Gates with opening devices will also be installed where appropriate for management and access; but not to exceed a distance of one mile between gates or cattle guards.
- 3) Gates with opening devices will be installed adjacent to all cattle guards.
- 4) Fences will be built to deer and/or antelope specifications.
- 5) Environmental assessments in the form of amendments to this EA will be done before project development to evaluate impacts on a site-specific basis.
- 6) Time of day and/or time of year restrictions will be utilized in those areas where construction activities are in the immediate vicinity or would cross sage grouse strutting, nesting and wintering grounds; critical wild sheep areas, critical mule deer and pronghorn antelope winter range; antelope kidding areas, or active ferruginous hawk nest sites. The restrictions are listed below. The level of restriction necessary will be specified in the site specific amendments.

Restrictions -

- a. Sage grouse strutting grounds: Do not disturb strutting birds from March 1 to May 15 -- 2 hours before dawn until 10 a.m.
- b. Sage grouse nesting grounds: Do not disturb nesting birds from late May to Mid-June.
- c. Sage grouse wintering grounds: Avoid disturbance from November 1 to March 31.
- d. Wild sheep wintering grounds: Avoid disturbing activity from November 1 to March 31.
- e. Critical mule deer and antelope winter range: Avoid activities which would stress animals between November 1 to March 31.

- f. Active ferruginous hawk nest sites: Avoid activities which might flush nesting birds between April 1 to mid-June-within 1/2 mile of the nests.
 - g. Critical pronghorn antelope kidding areas: Avoid activities which would disturb females/young from May 1 to June 30.
- 7) No surface disturbance is to take place within the 1/2 mile buffer zone on either side of the Pony Express Route. The only exceptions allowed will be for the exploration of oil, gas, and geothermal and for the exploration and development of locatable mineral resources under the 1872 Mining law. Specific stipulations for minimizing adverse visual and physical effects including rehabilitation will be required. These stipulations will be developed through the environmental review process for each action.
 - 8) Prior to the approval of a project which may harm or destroy any known Native American religious or cultural sites, the affected Native American tribes or organizations will be contacted for further consultation.
 - 9) Threatened or endangered plant or animal species clearance is required before implementation of any project. Consultation with the Fish and Wildlife Service per Section 7 of the Endangered Species Act is necessary if a threatened or endangered species or their habitat (especially proposed or designated critical habitat) may be impacted. If there is deemed to be an adverse impact, either special design, relocation or abandonment of the project will follow.
 - 10) Cultural resource protection requires compliance with Section 106 of the National Historic Preservation Act of 1966, Section 2(b) of Executive Order 11593, and Section 101(b)(4) of the National Environmental Policy Act (NEPA) of 1969. Prior to project approval, intensive field (Class III) inventories will be conducted as appropriate to identify potentially impacted sites. If cultural or paleontological sites are found, every effort will be made to avoid impacts. Data recovery plans will be developed and BLM will consult with the State Historic Preservation Officer and the Advisory Council on Historic Preservation, in accordance with the Programmatic Memorandum of Agreement by and between the BLM and the Council dated January 14, 1980. This agreement sets forth a procedure for developing appropriate mitigative measures to lessen the impact of adverse effects.

- 11) Fence construction will comply with Nevada State Office fence engineering specifications (Drawing No. NV-02833 (53). Lay-down fences will be constructed in wildlife and wild horse areas if necessary and feasible. Fences in wild horse areas will contrast enough with surrounding so as to be visible to horses and will have gates installed at least once every mile and at all corners. Fences in wild horse herd use areas will be located to minimize interference with the normal distribution and movement of wild horses. Selected portions of new fences constructed in these areas will be flagged or otherwise marked for one year after construction to make them more visible to horses.
- 12) Maintenance of fences will be accomplished by operator(s) through cooperative agreements with the BLM, or through range improvement permits.
- 13) Areas which are disturbed by development of facilities be seeded with non exotic species to prevent erosion and replace ground cover. In most instances, reseeding to prevent erosion and replace ground cover will not be necessary with normal fence construction. The necessity of reseeding will be handled on a case by case basis.
- 14) Project area cleanup will be accomplished by removing all refuse to an approved sanitary landfill.
- 15) Visual resource management requires all actions to be in compliance with BLM Visual Resource Management Design Procedures in BLM Manual 8400. On any project which has a visual contrast rating that exceeds the recommended maximum for the visual class zone in which it is proposed, mitigating measures must be examined. The ultimate decision as to whether mitigating measures must be implemented or not rest with the District Manager and will be made on a project-by-project basis.
- 16) Access will be via existing roads and trails whenever possible. Where existing routes are not available, off road travel will be kept to the minimum necessary for construction. Traffic along the fenceline should be limited to one side of the fence, if possible.
- 17) Removal of vegetation will be held to the minimum necessary for construction, access, and to provide for safety.

- 18) The operator shall make every effort to prevent causing any fire. The operator shall make effort, within their expertise, to contain and control any fire they cause. All wild fires within the operating area must be reported immediately to the Ely District.
- 19) All activities will be restricted to those areas and those activities for which all appropriate resource surveys have been conducted and District Manager approval obtained. Any substantial change in activities or work area must be approved by the District Manager.
- 20) All survey monuments, witness corners, and reference monuments must be protected against destruction, obliteration or damage. Any damaged or obliterated markers must be reestablished in accordance with accepted survey practices at the expense of the responsible party.
- 21) If road maintenance is necessary, it will be conducted by methods approved by the BLM (road and ditch, maintenance specifications drawing NV-0409110-441).
- 22) Operations will be conducted in such a manner as to prevent degradation or destruction of any existing development such as other fences, wells or other range improvements. The responsible party for this action will be accountable for any damage to existing development on public land or any damage to private land or developments resulting from this action.
- 23) This authorization allows access to public land only. Approval to gain access to private land must be obtained from the land owner.