



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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Ely, Nevada 89301-9408



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NOTICE OF FINAL MULTIPLE USE DECISION
FOR THE COTTONWOOD ALLOTMENT

BACKGROUND INFORMATION:

The Management Framework Plan and the Record of Decision for the Schell Grazing Environmental Impact Statement were issued in June and July of 1983, respectively. These documents guide the management of public lands within the Cottonwood Allotment. The Schell Resource Area Record of Decision dated July 1983 states in pertinent part:

"When adequate monitoring data becomes available adjustments to the grazing capacity will be made that are compatible with the multiple use objectives...

Implementation of the range management program will take place through monitoring and consultation and coordination with all interests concerned with the management of resources in a given local area; landowners, land management agencies, wildlife groups, wild horse groups, conservation organizations, etc. Grazing adjustments, if required, will be based upon reliable vegetation monitoring studies, consultation and coordination, baseline inventory, or a combination of these...

Prior to initiating grazing adjustments, the Bureau, within the guidance of the Management Framework Plan and consultation and coordination, will consider the specific management objectives for an allotment and other resource values (i.e., riparian habitat, water quality, wildlife, recreation, wild horses and livestock) to be evaluated in determining progress in meeting these objectives. Changes in the resource values may warrant a modification of the scheduled adjustments and thus indicate the intensity and types of monitoring that will be required in each allotment..."

Monitoring studies were initially established in 1983 and have been conducted since that time. In accordance with Bureau policy and regulations, this data has been analyzed and evaluated in order to determine progress in meeting management objectives for the Cottonwood Allotment. Input was received from the permittee and two regional wildlife agency offices. See Appendices I, II and III for the multiple use objectives.

Appendices I, II and III show the management objectives for wildlife, and livestock, on the allotment. These objectives are in conformance with and formulated to accomplish the Schell Land Use Plan multiple use objectives as they relate to all grazing use on the Cottonwood Allotment.

According to CFR 4710.4 management of wild horses and burros shall be undertaken with the objective of limiting animal's distribution to herd areas. The Cottonwood Allotment is not within a Horse Herd Management Area, therefore, no management objectives are necessary.

No protests were received from the permittee and affected interests in response to the proposed multiple use decision issued on 09/02/93.

THEREFORE, BASED UPON THE EVALUATION OF MONITORING DATA FOR THE COTTONWOOD ALLOTMENT, RECOMMENDATIONS FROM DISTRICT STAFF, INPUT RECEIVED THROUGH CONSULTATION, COOPERATION, AND COORDINATION WITH THE PERMITTEE, NDOW AND PUBLIC INTEREST GROUPS, MY FINAL DECISION IS AS FOLLOWS:

The analysis of monitoring data has revealed that one of the three multiple use objectives for the Cottonwood Allotment are not being met under the existing management practices; therefore, implementation of management actions and adjustments to livestock are necessary to meet these objectives. Allowable use levels for the key species selected for specific use areas on the allotment have been exceeded; use pattern data indicates poor distribution of livestock, and long term studies data show a static trend of range sites. Livestock grazing contributed to the high use levels recorded on the Cottonwood Allotment. Grazing use is adjusted to allow for short-term (allowable use level) objectives and associated long-term objectives to be met. These adjustments would initiate the required improvement of rangeland conditions. Wildlife use is not contributing to the non attainment of multiple use objectives.

LIVESTOCK MANAGEMENT DECISION

In accordance with 43 CFR 4110.3 and 4110.3-2(b) and (c) and 4130.6-1(a), the current authorized livestock active use shall be reduced by 1,839 AUMs.

Reduce active preference a total of 1,839 AUMs from 3,016 AUMs to 1,177 AUMs. This reduction is based on evaluation of monitoring data towards the accomplishment of multiple use objectives. The difference between active preference and the recommended stocking rate for the Cottonwood Allotment will be held in suspension in accordance with 43 CFR 4110.3-2(b) and (c), and 4110.3-3(a) and (b) and will be implemented as follows:

Adjustment in Year 1 - 613 AUMs
 Adjustment in Year 3 - 613 AUMs
 Adjustment in Year 5 - 613 AUMs

Future monitoring data will be evaluated to determine if livestock management practices as specified in this decision for the Cottonwood Allotment are meeting the allotment specific objectives. A decision by the Bureau will then be made to either increase, maintain or reduce the active use as identified for these use areas and/or modify the terms and conditions of the grazing permits.

Active preference will be adjusted as follows:

From:	<u>Total</u>	<u>Suspended</u>	<u>Active Preference</u>
	3,016	0	3,016

To:	<u>Total</u>	<u>Suspended</u>	<u>Active Preference</u>
	3,016	1,839	1,177

Year One	<u>Total</u>	<u>Suspended</u>	<u>Active Preference</u>
	3,016	613	2,403

Year Three	<u>Total</u>	<u>Suspended</u>	<u>Active Preference</u>
	3,016	1,226	1,790

Year Five	<u>Total</u>	<u>Suspended</u>	<u>Active Preference</u>
	3,016	1,839	1,177

Authorized livestock use effective in Year 1 (March 1, 1994) will be as follows:

<u>Cottonwood Allotment</u>	<u>No.</u>	<u>Kind</u>	<u>Period of Use</u>	<u>%PL</u>	<u>Active</u>
	397	Cattle	03/01 to 05/31	100	1,201
	397	Cattle	10/01 to 12/31	100	1,201
					<u>Total 2,402</u>

Authorized livestock use effective in Year 3 (March 1, 1997) will be as follows:

<u>Cottonwood Allotment</u>	<u>No.</u>	<u>Kind</u>	<u>Period of Use</u>	<u>%PL</u>	<u>Active</u>
	295	Cattle	03/01 to 05/31	100	893
	295	Cattle	10/01 to 12/31	100	893
					<u>Total 1,786</u>

Authorized livestock use effective in Year 5 (March 1, 1999) will be as follows:

<u>Cottonwood Allotment</u>	<u>No.</u>	<u>Kind</u>	<u>Period of Use</u>	<u>%PL</u>	<u>Active</u>
	194	Cattle	03/01 to 03/31	100	587
	194	Cattle	10/01 to 12/31	100	587
					<u>Total 1,174</u>

In accordance with 43 CFR 4130.6-2, the following terms and conditions are hereby made a part of the grazing permit, for the Cottonwood Allotment effective March 1, 1994:

1. The following spring/fall deferred rotation grazing system will be implemented once the division fences are completed.

TREATMENTS

A. 03/01-03/31	E. 11/26-12/31	H. 04/25-05/31
B. 04/01-05/31	F. 03/01-05/31	I. 10/01-12/31
C. 10/01-11/25	G. 10/01-11/25	J. 03/01-04/24
D. 11/06-12/31		

<u>YEAR</u>	<u>WEST</u>	<u>VALLEY</u>	<u>EAST</u>
1	A	B and C	D
2	E	F	G
3	H	I	J

ON YEAR 4 THE SYSTEM IS REPEATED STARTING WITH YEAR ONE.

2. Water will be hauled to a location off the road running North\South, at least 1.5 miles from the north allotment boundary fence. But water should not be more than 2 miles from the said fenceline. This water haul site is located in T. 1 N., R. 58 E., Sec. 11.

3. Salt will be placed at least 1/2 of a mile away from all water sources, including water haul sites, throughout the allotment.
4. Actual use information for each pasture will be submitted within 15 days of completing grazing use as specified on the grazing permit and grazing licenses.

Prior to the phased in adjustments, existing and future monitoring data will be evaluated to determine if modifications of the planned adjustments are necessary.

RATIONALE: The analysis and evaluation of available monitoring data indicates that the current stocking rate, season of use, and management practices must be modified to meet the multiple use management objectives for the Cottonwood Allotment as identified in Appendices I, II and III. The data indicates that 1,177 AUMs are available for livestock, and that active preference is 1,839 AUMs in excess of the livestock carrying capacity. Since livestock are contributing to the non attainment of multiple use objectives on the allotment, livestock are being reduced. To mitigate economic hardship to the permittee, reductions on the allotment will be phased in over five years. The difference between active preference and the recommended stocking rate for the Cottonwood Allotment will be held in suspension in accordance with 43 CFR 4110.3-2(b) and (c), and 4110.3-3(a) and (b). The prescribed adjustments in stocking rates, grazing practices and increased intensity of management will initiate the accomplishment of the multiple use objectives. These actions are necessary to improve the natural ecological balance of the area's vegetative resources for all users by improving plant diversity in plant communities. In addition these actions will increase desirable plant species in the area.

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

4100.0-8: "The authorized officer shall manage livestock grazing on public lands under the principle of multiple use and sustained yield, and in accordance with applicable land use plans. Land use plans shall establish allowable resource uses (either singly or in combination), related levels of production or use to be maintained, areas of use, and resource condition goals and objectives to be obtained. The plans also set forth program constraints and general management practices needed to achieve management objectives. Livestock grazing activities and management actions approved by the authorized officer shall be in conformance with the land use plan as defined at 43 CFR 1601.0-5(b)."

4110.3: "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 the change is either specified in an applicable land use plan or necessary to manage, maintain or improve rangeland productivity."

4110.3-2(b): "When monitoring shows active use is causing an unacceptable level or pattern of utilization or exceeds the livestock carrying capacity as determined through monitoring, the authorized officer shall reduce active use if necessary to maintain or improve rangeland productivity..."

4110.3-2(c): "Where active use is reduced it shall be held in suspension or in nonuse for conservation/protection purposes, until the authorized officer determines that active use may resume."

4110.3-3(a): "Changes in active use in excess of 10 percent shall be implemented over a 5-year period, unless after consultation with the affected permittee or lessees and other affected interests, an agreement is reached to implement the increase or decrease in less than 5 years."

4110.3-3(b): "After consultation, coordination and cooperation, suspensions of preference shall be implemented through a documented agreement or by decision..."

4130.6: "Livestock grazing permits and leases shall contain terms and conditions necessary to achieve the management objectives for the public lands and other lands under Bureau of Land Management administration."

4130.6-1(a): "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. The authorized livestock grazing use shall not exceed the livestock carrying capacity as determined through monitoring and adjusted as necessary under Sections 4110.3, 4110.3-1 and 4110.3-2."

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..."

APPEAL: If you wish to appeal this decision for the purpose of a hearing before an Administrative Law Judge, in accordance with 43 CFR 4.470, you are allowed thirty (30) days from receipt of the notice to file such an appeal with the Schell Resource Area Manager, Bureau of Land Management, HC 33 Box 33500, Ely, NV 89301. The appeal should state the reasons, clearly and concisely, why you think the final decision is in error.

Alfred W. Coulberson, Acting for

Gerald M. Smith, Manager
Schell Resource Area

(CERTIFIED MAIL NO.)

cc: Nevada Department of Wildlife, Region II	(P 910 149 132)
Nevada Department of Wildlife, Region III	(P 910 149 133)
Resource Concepts, Inc.	(P 910 149 134)
U.S. Fish and Wildlife Service	(P 910 149 135)
Nevada State Grazing Board, N-4	(P 910 149 136)
Natural Resources Defense Council	(P 910 149 137)
Nevada Outdoor Recreation Association	(P 910 149 138)
Animal Protection Institute of America	(P 910 149 139)
Sierra Club, Toiyabe Chapter	(P 910 149 140)
Nevada Cattlemen's Association	(P 910 149 141)
Nevada Department of Agriculture	(P 910 149 142)
Commission for the Preservation of Wild Horses	(P 910 149 336)
Nevada Farm Bureau Federation	(P 910 149 337)
Marvel & Hansen	(P 910 149 342)
Nevada Outdoor Recreation Assoc.	(P 910 149 343)
Kay & Connie Wright	(P 910 149 338)

APPENDIX I: Land Use Plan/Activity Plan Objectives

A. Land Use Plan/Rangeland Program Summary Objectives

The allotment objectives under which grazing use, as stated above will be monitored and evaluated are as follows:

1. Allotment Specific Objectives

a. Livestock

1. The short-term objective will be accomplished through managing the allowable use level (AUL) by season of use to improve or maintain the desired vegetation community (see Appendix II).
2. The long-term objective is to improve those acres in poor or fair livestock forage condition and maintain all acres presently in good livestock forage condition by managing for those seral stages which optimize livestock forage production (see Appendix II).

b. Mule Deer

1. The short-term objective is to limit use on key browse species listed for mule deer to 45 percent yearlong.
2. The long-term objective is to maintain mule deer range in at least fair habitat condition by providing diversity of forage species.

c. Pronghorn Antelope

1. The short-term objective is to limit yearlong use on key forb species listed for pronghorn antelope to 55 percent for perennial grasses, grass-like plants, and forbs and to 45 percent for key browse species.
2. The long-term objective is to maintain pronghorn antelope range in at least fair habitat condition by providing appropriate vegetation quantity and quality.

d. Riparian Areas

1. The short-term objective is to limit yearlong use along stream riparian areas to 50 percent for grass and grass-like species and to 45 percent for shrubs and trees. (Appendix III).
2. The long-term objective is to maintain the off-bank stream riparian area along Cottonwood Creek in good or excellent condition.

e. Wilderness Areas

1. Since the portion of the WSA is so small, and the fact that monitoring studies will not be established, no objectives have been identified.

APPENDIX II
KEY MANAGEMENT AREA OBJECTIVES

ALLOTMENT: (Livestock)

Study No.	Key Area Location	Ecological site No. 1/	Key Species	PRESENT SITUATION		LONG TERM OBJECTIVE		SHORT TERM OBJECTIVE		
				Key Spp. % Comp. By Weight ^{2/}	Livestock Forage Condition	Maintain or Improve	Key Spp. % Comp. By Weight	Serial Stage (% of PNC) ^{3/}	Allowable Use Level ^{4/}	Season of Use
CWR1	T1N, R57E, Sec.14, NESW	0288Y013NV	ORHY EULA5 Grasses Forbs Shrubs	1% 98% 1% 1% 99%	MID 52%	Maintain	1-5% >90% 1-5% 1-2% >90%	MID >52%	55% 45% 45% 35% 55%	Fall, Spring
CWR2	T1N, R58E, Sec.5, SESW	029XY046NV	ORHY EULA5 Grasses Forbs Shrubs	6% 7% 14% 1% 86%	EARLY MID 27%	Improve	6-10% 7-11% 14-20% 1-2% <85%	EARLY MID	45% 35% 35% 40% 40%	Fall, Spring

1/ Ecological sites listed here can be referenced to SCS Ecological Site Descriptions.

2/ This is determined using the SCS double-sampling production and composition method.

3/ This is the seral stage that would have the greatest value for all resource users (livestock and wildlife).

4/ Allowable use levels are the objectives established for utilization.

APPENDIX III
RIPARIAN OBJECTIVES

ALLOTMENT: Cottonwood Allotment

STUDY NO.	KEY AREA LOCATION	ECOLOGICAL SITE NO.	KEY SPECIES	PRESENT SITUATION	LONG TERM OBJECTIVE	SHORT TERM OBJECTIVE		
				RIPARIAN CONDITION (Cover of Rip. Species and Rock)	MAINTAIN OR IMPROVE	RIPARIAN CONDITION (% Cover of Rip. Species and Rock)	ALLOWABLE USE LEVEL	SEASON OF USE*
Cottonwood Creek	T.2N., R.56E.	N/A	Willow	Good Condition >40%	Maintain	Good Condition >40%	45%	Year-Long

* For all users - livestock and wildlife.