



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Ely Field Office
HC 33 Box 33500 (702 No. Industrial Way)
Ely, Nevada 89301-9408
<http://www.nv.blm.gov>

In Reply Refer To:
4120 (NV 04200)
MAR 08 2002

El Tejon Cattle Company
C/O Melchor Gragirena
34741 Seventh Standard Road
Bakersfield, California 93308

Dear Mr. Gragirena,

Your grazing permit/lease No. 274442, previously issued for the period from 03/01/01 to 02/28/02, will be replaced by a new term grazing permit for a five year period from 03/01/02 to 02/28/07. The term grazing permit was issued for one year because standards were identified as not being met. Changes in grazing management are being implemented to meet those standards. These changes were implemented through an Agreement for Implementation of Changes In Livestock Grazing Use on the Majors and South Spring Valley Allotments. This is the third year of implementation of these changes. The Bureau of Land Management is currently taking actions required to process the renewal of your permit/lease. I propose to offer you a new term permit for the Wilson Creek, Majors and South Spring Valley Allotments (Selective Management Categories I, M and M respectively) and the Shoshone Unit Trail.

A temporary grazing permit has been issued in accordance with "The Grazing Rider" portions of Section 114, PL 107-67 which states in part "A grazing permit or lease that expires (or is transferred) during fiscal year 2002 shall be renewed under section 402 of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1752)...". This term permit was issued for the period 03/01/02 to 02/28/03.

The new grazing regulations require the authorized officer to consult, cooperate, and coordinate (CCC) with affected permittees, the State agencies responsible for managing resources within the area, and the interested public prior to the issuance of grazing permits (43 CFR 4130.2(b)). Therefore, a copy of this letter and a copy of the acceptance form will be sent to individuals, groups or organizations that have expressed an interest in the management of livestock grazing on the Wilson Creek, Majors and South Spring Valley Allotments and the Shoshone Unit Trail.

You meet all of the qualifications for a grazing permittee outlined in 43 CFR 4110.1, and this offering and issuance of a permit complies with the regulations governing issuance of permits outlined in 43 CFR 4110.2-1 and 4110.2-2.

The terms and conditions outlined in the enclosed acceptance form reflect past and current changes in livestock grazing use on the Majors and South Spring Valley Allotments. The proposed action would include a change to the season of use for cattle in the South Spring Valley Allotment from

12/09 - 03/10 and 06/01 - 06/15 to 02/01 - 06/15. The season of use in Majors Allotment will remain 05/01 to 10/31 for sheep and 03/01 to 05/31 for cattle. The agreement and acceptance offer signed in February 2002 reflect the period of use 02/01 to 06/10 for cattle. The grazing period of use will be evaluated in a subsequent EA. The season of use in Wilson Creek Allotment will remain 10/25 to 06/04 for sheep. The season of use on Shoshone Unit Trail will remain 05/01 to 05/05 and 05/31 to 06/04 and 10/25 to 10/29. The terms and conditions outlined are also consistent with the Schell Resource Area Management Framework Plan (MFP), the Schell Grazing Environmental Impact Statement and the subsequent Record of Decision. The terms and conditions outlined for Wilson Creek, Majors and South Spring Valley Allotments also includes those terms and conditions developed through consultation, cooperation and coordination with the interested public during the allotment evaluation process.

An Environmental Assessment has been completed for issuance of this proposed term permit. The Decision Record and Finding of No Significant Impact for EA-NV-040-02-025 was sent to the interested public's March 8, 2002. The proposed grazing use is within the array of options identified for the alternatives and proposed action as analyzed in the Schell Grazing Environmental Impact Statement.

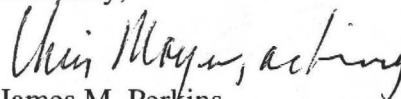
Majors and South Spring Valley Allotments are not located within the a Wild Horse Herd Management Area. Wilson Creek Allotment is located within the Wilson Creek, Seaman and Dry Lake Herd Management Areas. A portion of the Shoshone Unit Trail is located within the Dry Lake Herd Management Area.

If we propose to change the terms and conditions of this grazing permit, following the comment period we will keep you and other interested parties informed. If we determine that it is necessary to offer you this permit via proposed decision, it will be sent to the interested public and will include a 15-day period for protest and a 30-day period for appeal.

The interested public is being asked to provide comments by March 27, 2002. Any comments in writing should be sent to James M. Perkins, Assistant Field Manager-Renewable Resources at the above address.

If you have any questions please contact Brett Covlin, of my staff, at (775) 289-1800. If you would prefer to discuss this matter in person, please call to set up an appointment with us so that we may respond to any questions you may have.

Sincerely,



James M. Perkins
Assistant Field Manager
Renewable Resources

1 Enclosure

1. Acceptance of Terms and Conditions Offer

CC: Nevada State Clearinghouse, Wild Horse Commission
Mr. Bill Wilson, White Pine County Public Land Users Advisory Committee

Mr. David Provost, White Pine County Commission
Mr. Steve Foree, Nevada Division of Wildlife
Mr. Jerry Millett, Tribal Manager Duckwater Shoshone Tribe
Mr. Paul Clifford
Dr. Tom Sanders, DMV, White Pine Conservation District
Nevada Cattlemen's Association
Mr. John McLain, Resource Concepts, Inc.
US Fish and Wildlife Service
Ms. Catherine Barcomb, Commission for the Preservation of Wild Horses
Mr. Lee R. Tilman
Lincoln County Public Lands Commission
Shaaron Netherton, Friends of Nevada Wilderness
Committee for Idaho's High Desert
Western Watersheds Project
Great Basin National Park
El Tejon Cattle Company

ACCEPTANCE OF TERMS AND CONDITIONS
and
REQUEST FOR GRAZING PERMIT

I, El Tejon Cattle Co., agree to accept the terms & conditions listed below and request that I be offered a grazing permit to graze the allotments in which I have a grazing preference.

ALLOTMENT	LIVESTOCK No. & Kind	PERIOD of USE	% Public Land	PERMITTED USE
South Spring Valley	800 Sheep	05/01 to 06/15	100	242 AUMs
	800 Sheep	09/01 to 09/30		158 AUMs
	13,971 Sheep	05/01 to 06/15		4,226 AUMs*
	383 Cattle	02/01 to 06/15		1,703 AUMs
Majors	835 Sheep	05/01 to 06/30	100	335 AUMs
	835 Sheep	09/01 to 09/30		165 AUMs
	7,708 Sheep	05/01 to 10/31		9,326 AUMs*
	633 Cattle	02/01 to 06/10		2,709 AUMs
Wilson Creek Mulshoe Use Area Dry Lake Use Area White River Use Area Atlanta Use Area Atlanta Use Area Pioche Bench Use Area S Lake Valley Use Area Spring Trail Fall Trail	1,531 Sheep	11/01-05/01	100	1,833 AUMs
	4,319 Sheep	11/01-05/01		5,169 AUMs
	879 Sheep	12/01-02/15		445 AUMs
	1,233 Sheep	11/01-01/31		746 AUMs
	1,494 Sheep	11/01-01/31		904 AUMs**
	1,945 Sheep	04/15-05/31		601 AUMs
	1,712 Sheep	04/15-05/31		529 AUMs
	4,197 Sheep	05/01-05/05		138 AUMs
	4,197 Sheep	05/31-06/04		138 AUMs
2,650 Sheep	10/25-11/01	139 AUMs		
Shoshone Unit Trail	897 Sheep	05/01-06/10	100	242 AUMs
	895 Sheep	09/05-10/15		241 AUMs

* AUMs held in voluntary nonuse for the conservation and protection of natural resources.

** AUMs held in mandatory nonuse as identified in the Wilson Creek Final Multiple Use Decision dated 11-05-92.

Terms and Conditions:

In accordance with 43 CFR 4130.3-2, the following terms and conditions will be included in the grazing permit for El Tejon.

For all allotments:

1. Livestock numbers identified in the term grazing permit are a function of seasons of use and permitted use for each allotment. Deviations from those livestock numbers and seasons of use may be authorized on an annual basis where such deviations would not prevent attainment of the Multiple-Use Objectives for the above allotment(s).
2. Deviations from specified grazing use dates will be allowed when consistent with Multiple-Use Objectives. Such deviations will require an application and written authorization from the authorized officer prior to grazing.
3. Sheep will continually be moved, sheep will be moved a minimum of five miles a day when trailing, and not be allowed to bed within a 1/4 mile of live water.
4. Pursuant to 43 CFR 10.4(G) the holder of this authorization must notify the authorized officer by telephone, with written confirmation, immediately upon discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (as defined at 43 CFR 10.2). Further, pursuant to 43 CFR 10.4 (C) and (D), you must stop activities for 30 days or until notified to proceed by the authorized officer.
5. The authorized officer is requiring that an actual use report (form 4130-5) be submitted within 15 days after completing your annual grazing use.
6. The payment of your grazing fees is due on or before the date specified in the grazing bill. This date is generally the opening date of your allotment. If payment is not received within 15 days of the due date, you will be charged a late fee assessment of \$25.00 or 10 percent of the grazing bill, whichever is greater, not to exceed \$250.00. Payment with VISA, Mastercard or American Express is accepted. Failure to make payment within 30 days of the due date may result in trespass action.
7. Grazing will be in accordance with the Northeastern Great Basin Area Standards and Guidelines for grazing administration for the Majors Allotment and the South Spring Valley and Shoshone Unit Trail Allotments which portions are within White Pine County, Nevada and 43 CFR subpart 4180. Grazing will be in accordance with the Mojave-Southern Great Basin Area Standards and Guidelines for the Wilson Creek Allotment and the South Spring Valley and Shoshone Unit Trail Allotments which portions are within Lincoln County and/or Nye County, Nevada and 43 CFR subpart 4180. The grazing management practices identified in the terms and conditions are designed to ensure significant progress towards the fulfillment of the Northeastern Great Basin Area, Mojave-Southern Great Basin Area Standards and toward conformance with the guidelines. The management actions implement the guidelines to meet multiple use objectives and standards.
8. Sheep trailing and use in all allotments between the periods of March 15th through June 15th will be permitted after consultation with the Bureau of Land Management to avoid conflicts with sage grouse areas.

Wilson Creek Allotment:

1. All sheep use on the Wilson Creek Allotment will be in accordance with the Final Multiple Use Decision dated 11/5/92. 904 sheep AUMs are in mandatory nonuse in the Atlanta Use Area of the Wilson Creek Allotment.
2. To improve livestock distribution the placement of mineral block and or salt blocks will be a minimum distance of 1/4 mile from water, unless deep snow is on the ground.

South Spring Valley and Majors Allotments (applicable to both):

1. Authorized grazing use in South Spring Valley and Majors during February and March will be in accordance with the following allowable use levels;

Winterfat utilization will not exceed 50% of current year growth during winter use. Utilization levels on grasses will not exceed 55% of current year growth.

Authorized grazing use in South Spring Valley and Majors during April and May will be in accordance with the following allowable use levels;

Winterfat utilization will not exceed 30% of current year growth during spring use. Utilization levels on grasses will not exceed 40% of current year growth.

2. If utilization levels are reached, cattle will be moved to areas where utilization levels have not reached the above levels or cattle will be removed from the allotment. Failure to meet utilization levels will result in changes to period-of-use and stocking levels the following year.

3. Water will continue to be hauled to temporary sites along existing roads while livestock are authorized in the use areas. Additional water haul sites may be identified through coordinated, cooperation and consultation with the BLM and the permittee.

4. Cattle AUMs not activated will be held in voluntary nonuse for the conservation and protection of natural resources.

5. Locate salt and/or mineral supplements for cattle at locations no closer than one mile from water sources.

South Spring Valley Allotment:

1. Cattle use will not exceed 1,703 AUMS in South Spring Valley Allotment.
2. Cattle will be authorized annually on the allotment from 02/01 through 05/31 pending evaluation of previous years grazing plan and monitoring data. Cattle will be

distributed evenly through out the allotment using herding and placement of salt and/or mineral supplements. Cattle will be authorized in the northeastern portion of the allotment from 06/01 through 06/15. The primary forage utilized at this time will be saltgrasses.

3. 4,226 sheep AUMs will be held in voluntary nonuse for the conservation and protection of natural resources.

Majors Allotment:

1. Cattle use will not exceed 2,709 AUMS in Majors Allotment.

2. Cattle will be authorized annually on the allotment pending evaluation of previous years grazing plan and monitoring data.

3. 9,326 sheep AUMs will be held in voluntary nonuse for the conservation and protection of natural resources.

Abelha Gregirena
Signature of Permittee

Feb. 8, 2002
Date