



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Winnemucca District Office
705 East 4th Street
Winnemucca, Nevada 89445

3/26/93
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IN REPLY REFER TO:
4110.3
(NV-026.12)

MAR 26 1993

CERTIFIED MAIL NO. P111845556
RETURN RECEIPT REQUESTED

John and Vella Torvick
455 N. Harmon Road
Fallon, NV 89406

PROPOSED FULL FORCE AND EFFECT DECISION POLE CANYON ALLOTMENT

Dear Mr. and Mrs. Torvick:

It has been determined through our monitoring of the Pole Canyon Allotment that the forage production for 1992 was far below what was noted in previous years monitoring studies. This was due to the lack of spring moisture in 1992 as well as the accumulative impacts of the six previous years of drought. As a result the level of utilization found showed larger areas of heavy use on grass species and more extensive heavy to severe use on shrub species than what had been observed in previous years. The Bureau of Land Management recognizes that you have taken non-use since you acquired the permit for the Pole Canyon Allotment in May of 1986 due to poor range conditions, drought, and over population of wild horses. An emergency gather was conducted on the Fox and Lake HMA (92% falls within the Rodeo Creek Allotment and the remaining 8% lies within the Pole Canyon Allotment) during January and February of 1993. 324 wild horses and 1 burro were gathered from the Rodeo Creek Allotment to prevent major death losses due to starvation. No horses were removed from the Pole Canyon Allotment because of the limited access to the allotment and the wild horses move onto the Pyramid Lake Indian Reservation during the winter. Even though you have taken non-use for the past six years, the fall monitoring shows an average weighted utilization of heavy use (61-80%) for the allotment. Consequently, the grazing by wild horses alone has been in excess of the allowable use. Exceeding the allowable use does not allow for adequate plant growth to satisfy vegetative requirements of the perennial plants. Therefore, in order to protect the longterm health and productivity of the range, a conservative grazing use prescription needs to be established.

Based on this, my Proposed Full Force and Effect Decision is to temporarily close the Pole Canyon Allotment to livestock grazing to maintain or restore the vegetative condition and to prevent further deterioration of the vegetative resource in order to provide a sustained yield of forage while maintaining a thriving natural ecological balance for livestock, wild horses, and wildlife for the future.

Changes in authorized livestock use are as identified below:

FROM:

1. Grazing Preference (AUMs)
 - a. Total Preference 2048
 - b. Suspended Preference 1508
 - c. Active Preference 540

2. Season of Use 5/1 to 9/30
3. Number and Class of Livestock 108, cow/calf

TO:

Temporary Closure of livestock grazing in the Pole Canyon Allotment until the following criteria is met. This decision will be in effect until the Multiple Use Decision based upon the Pole Canyon Allotment Evaluation is issued. The Multiple Use Decision will include an interim grazing system designed to improve and restore the vegetative condition on the allotment.

- 1) close livestock grazing until seedripeness (approximately July 15).

RATIONALE: No residual forage exists and the vigor and overall vegetative production in 1992 was substantially below an average year.

- 2) AND close livestock grazing until the growth requirements are met on the primary forage species. The growth requirements for cool season grasses, which includes: needlegrass, bottlebrush squirreltail, Idaho fescue, and Indian ricegrass, is a minimum of three inches of leaf growth. Bluegrass should have the seedhead emerging from the boot.

RATIONALE: To insure that there is adequate plant growth to satisfy vegetative requirements of the perennial plants.

- 3) AND adjust livestock numbers according to the amount of use that has already occurred by wild horses and wildlife, so that the estimated use will not exceed 50% before livestock are removed from the Pole Canyon Allotment.

RATIONALE: In order to protect the long term health and productivity of the range. Studies show that 50% use on grasses during the growing season does not hinder the plant physiologically and by waiting until seedripeness in conjunction with limiting the total use to 50%, plant vigor should increase. Furthermore, a grass plant produces twice the volume of leaves that it needs to complete its growth functions and remain productive (vigor along with carbohydrates reserves are not depleted). Increased plant vigor means better protection to the soil surface and assures greater root volume.

METHODS: Primary forage species will be analyzed for range readiness and utilization levels at the existing utilization cages. Utilization data collected at these sites in previous years is available for comparison. Protected plants within existing utilization cages will provide a direct comparison of

grazed and ungrazed plants to more accurately determine utilization levels and current year's growth. The primary forage species analyzed will depend on which are present at the utilization cages.

These key species growth requirements represent the earliest that use can begin on ranges with continuous use. Leaf height is the average of all leaves, except the few longest or the few shortest, when held upright and measured from the center bunch.

I propose to issue that final decision Full Force and Effect in accordance with:

43 CFR 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."

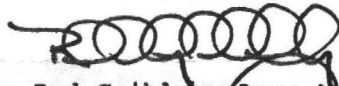
The rationale to implement this decision as Full Force and Effect is to restore the vegetative health and to prevent further deterioration of the vegetation and to improve the condition of the wild horses.

If you wish to protest this Proposed Full Force and Effect Decision in accordance with 43 CFR 4160.2, you are allowed fifteen (15) days from receipt of this notice within which to file such protest in person or in writing with the Area Manager. Protests should be sent to:

Area Manager
Sonoma Gerlach Resource Area
Bureau of Land Management, Winnemucca District
705 E. 4th Street
Winnemucca, NV, 89445

In the absence of a protest within the time allowed, the above proposed decision shall constitute my final decision. Should this notice become the final decision and 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 and 4160.3 you are allowed thirty (30) days from receipt of this notice within which to file such appeal with the Area Manager, Bureau of Land Management, at the above address. The appeal should specify the reasons, clearly and concisely, as to why you think this decision is in error.

Sincerely yours,



Bud Cribley, Area Manager
Sonoma Gerlach Resource Area

certified cc:

Cathy Barcomb, Commission for the Preservation of Wild Horses P111845557
Stan Ceresola P111845558
Department of Wildlife, State of Nevada (Fallon) P111845559
Trout Unlimited P111845560