



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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

m 1/27/94
IN REPLY REFER TO:

4160.1
(NV-0241.5)

CERTIFIED MAIL NO. P877068568
RETURN RECEIPT REQUESTED

Ms. Cathy Barcomb
Commission for the Preservation
of Wild Horses and Burros
Stewart Facility
Capitol Complex
Carson City, NV 89710

Dear Ms. Barcomb:

Please find enclosed the Final Multiple Use Decision for the Alder Creek Allotment. No protests were received on the proposed decision date December 7, 1993.

If you have any questions, please contact Richard Barry of my staff at (702) 623-1500.

Sincerely yours,

Bob Hopper

Acting Area Manager
Paradise-Denio Resource Area

Enclosure: Final Alder Creek Multiple Use Decision

1-27-94



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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

IN REPLY REFER TO:

4160
(NV-0241.5)

January 27, 1994

CERTIFIED MAIL NO. P877068577
RETURN RECEIPT REQUESTED

Mr. Manual Elias
Alder Creek Ranch
Denio, NV 89404

FINAL MULTIPLE USE DECISION ALDER CREEK ALLOTMENT

Dear Mr. Elias:

The Record of Decision for the Paradise-Denio Environmental Impact Statement and the Paradise-Denio Management Framework Plan (Land Use Plan) were issued on July 09, 1982. These documents established the multiple use goals and objectives which guide management of public lands in the Alder Creek allotment. Monitoring data has been collected on this allotment and in accordance with Bureau policy and regulations, this data has been evaluated in order to determine progress in meeting management objectives for the Alder Creek allotment and to determine if management adjustments may be necessary to meet the management objectives.

On August 05, 1988, a draft allotment evaluation was sent to the previous owner for his review and comment. On July 24, 1993, a second draft evaluation of this allotment was sent to you for your review and comment.

During the preparation of the final allotment evaluation, you purchased the Alder Creek Ranch and the base properties associated with the Alder Creek grazing allotment. The transfer of the grazing preference for the Alder Creek allotment is now being completed.

On December 7, 1993, a proposed Multiple-Use Decision and the Final Alder Creek Allotment was issued to you. No protests were received on that proposed decision.

During the preparation of the Final Alder Creek Allotment Multiple-Use Decision, the Grazing Preference Status (AUMS) and Grazing Section of the Description of Changes was modified from the December 7, 1993 Proposed Multiple-Use Decision to further clarify the selected management action. The Proposed Decision states the Active Preference is 5,113 AUMs. An additional 800 AUMs shall be held as Not Scheduled (Non-Use). The Final Decision states the active preference is 5,913 AUMs. Of the active preference, 800 AUMs will be held in Non-Use. On a yearly basis, 5,113 AUMs shall be authorized as per the authorized grazing schedule and treatments as stated on pages 8 - 10 of this document.

The following are multiple use objectives under which livestock grazing management on the Alder Creek Allotment will be monitored and evaluated.

Short Term Objectives:

Utilization of key plant species (STTH, AGSP, FEID, ORHY, POA, ELCI, SIHY, ATCO, EULA) in upland habitats is 50%. Utilization data will be collected at the end of the grazing period.

Utilization of key streambank riparian plant species (CAREX, JUNCUS, POA) is 30% on Big, N. Fork Big, Alder, Little Alder, Wood Canyon, and Alta Creeks. Utilization data will be collected at the end of the grazing period.

Utilization of key upland wet meadow plant species (CAREX, JUNCUS, POA) is 50%. Utilization data will be collected at the mid-point during the late summer treatment and the end of the grazing period(s).

Utilization of current years growth on woody riparian species (SALIX, ASPEN) is 30%. Utilization data will be collected at the end of the grazing period.

Utilization of key upland browse species (MAHOGANY, CEANOTHUS, SNOWBERRY, BITTERBRUSH, SERVICEBERRY) is 50%. Utilization data will be collected at the end of the grazing period.

Utilization of crested wheatgrass in the seeded pastures is 50%. Utilization data will be gathered at the end of the grazing period.

Rationale:

Utilization objectives of 30% on woody riparian plant species such as aspens and willows will promote successful recruitment of suckers and saplings within stream-side riparian and upland riparian meadows habitats.

Utilization objectives of 30% on stream-side riparian habitats and 50% on key upland wet meadow habitat plant species will ensure adequate stubble height and species diversity on spring pastures for sage grouse cover, and to minimize headcutting and erosion; on summer pastures to maximize plant vigor and encourage regrowth; and on fall and winter pastures to minimize the threat of spring runoff events leading to headcutting and erosion in meadows.

Utilization of 50% on annual leader growth of snowberry, bitterbrush and serviceberry will ensure successful reproduction and recruitment within the stand and to maximize annual leader production. Fifty percent utilization on mahogany and ceanothus will ensure adequate reproduction and recruitment of young plants in the stand.

Long Term Objectives:

Manage, maintain, and improve public rangeland conditions to provide forage on a sustained yield basis for big game, with a forage demand of 1,328 AUMs for mule deer, 247 AUMs for pronghorn, and 207 AUMs for bighorn sheep by:

1. Improve to and maintain 27,925 acres in McGee Mtn. DW-8, 25,000 acres in Pine Forest DW-7, and 25,841 acres in Pine Forest DS-5 in good or excellent mule deer habitat condition
2. Improve to and maintain 56,609 acres in Denio PY-1, 12,866 acres in McGee Mtn. PW-1, 11,540 acres in Alta Creek PW-2, and 4,176 acres in Big Creek PY-4, 14,203 acres in Alta Creek PS-1 and 260 acres in Leonard Creek PS-3 in fair or good pronghorn habitat condition.
3. Improve to and maintain 56,975 acres in Pine Forest BY-7 and BY-8 in good or excellent bighorn sheep habitat condition.

Manage, maintain, and improve public rangeland conditions to provide forage on a sustained yield basis for livestock, with a stocking level of 11,784 AUMs.

Improve range condition from poor to fair on 9,651 acres and from fair to good on 1,776 acres.

Improve or maintain upland riparian and meadow habitat to ensure species diversity and quality, and maximize reproduction and recruitment of woody riparian species.

Improve or maintain aspen stands to ensure good reproduction and maximize recruitment within the stand.

Improve or maintain mahogany stands to ensure good reproduction and maximize recruitment within the stand.

Improve or maintain Ceanothus with good age class distribution.

Improve or maintain snowberry, bitterbrush and serviceberry with good reproduction and maximize recruitment within the stand.

Maximize condition and quantity of pine, pine/mahogany, and pine/aspen associations.

Provide forage for 41 burros (492 AUMs).

Improve 37.6 miles of riparian/stream habitat (see below) to a condition of good (60%, from baseline data) within the short term period (five year period) and to good or excellent condition (60% of habitat optimum or more) within the long-term (20 year period):

1. BIG CREEK (includes North Fork)

In the short-term (over a 5 year period) maintain or improve stream and riparian habitat conditions on 12 miles of Big Creek by 10% (or to a rating of good).

In the long-term (over a 20 year period) maintain or improve stream and riparian habitat conditions on 12 miles of Big Creek to a rating of good or excellent.

2. ALDER CREEK

In the short-term (over a 5 year period) improve stream and riparian habitat conditions on 6.6 miles of Alder Creek by 5 to 10% (or to a rating of good).

In the long-term (over a 20 year period) improve stream and riparian habitat conditions on 6.6 miles of Alder Creek to a rating of good or excellent.

3. LITTLE ALDER CREEK

In the short-term (over a 5 year period) improve stream and riparian habitat conditions on 3.7 miles of Little Alder Creek by 5 to 10% (or to a rating of good).

In the long-term (over a 20 year period) improve stream and riparian habitat conditions on 3.7 miles of Little Alder Creek to a rating of good or excellent.

4. WOOD CANYON CREEK

In the short-term (over a 5 year period) improve stream and riparian habitat condition on 3.4 miles of Wood Canyon Creek by 5 to 10% (or to a rating of good).

In the long-term (over a 20 year period) improve stream and riparian habitat condition on 3.4 miles of Wood Canyon Creek to a rating of good or excellent.

5. ALTA CREEK

In the short-term (over a 5 year period) improve stream and riparian habitat conditions on 4.2 miles of Alta Creek by 5 to 10% (or to a rating of good).

In the long-term (over a 20 year period) improve stream and riparian habitat conditions on 4.2 miles of Alta Creek to a rating of good or excellent.

Protect sage grouse strutting grounds and brooding areas. Maintain a minimum of 30% cover of sagebrush for nesting and winter use.

Improve to and maintain the state water quality criteria for Alder, Big, Alta and Wood Canyon Creeks.

Analysis and evaluation of monitoring data indicates that short and long term objectives are not being met on the Alder Creek allotment under current management. Monitoring data shows that by shortening the season of use in the in the spring and summer pastures and reducing livestock numbers, a significant recovery period to complete yearly vegetative growth cycles will be provided. Analysis of wildlife monitoring data does not indicate a need for a change in existing management of wildlife.

LIVESTOCK MANAGEMENT DECISION

Based upon the evaluation of monitoring data for the Alder Creek Allotment, consultation with the permittee and other affected interests, and recommendations from my staff, and the final Alder Creek Allotment evaluation dated December 3, 1993, it is my final decision for livestock grazing management to change the management and transfer the following grazing privileges:

CHANGES IN LIVESTOCK USE

From: (Description of existing use)

1. Grazing Preference

a.	Total Preference	12,445
b.	Suspended Preference	661
c.*	Active Preference	11,784

* Revised as per Craig Moore Land Sale Completion October, 1989.

2. Season of Use: 04/01 to 09/15; 11/01 to 02/28

3. Kind and Class of Livestock: Cattle (Cow/Calf)

4. Percent Federal Range - 97%

5. Grazing System

The following system are approximates to what the permittee ran from 1987 to present. The use periods, livestock numbers, and AUMs fluctuated yearly and could not accurately be reflected in this document. This is due in part to factors such as the phenological stages of the plants, weather conditions, and the range readiness of the summer pastures. However, the permittee stayed within the grazing system as documented above during this time period and took considerable nonuse. From 1987 to 1991, actual use records indicated AUMs varied from 6,177 AUMs to 5,192 AUMs.

Bog Hot/Gridley Lake

Treatment "A" 11/01 to 02/28
 Treatment "B" 04/15 to 06/15

Pasture Schedule

Year	<u>Bog Hot</u>	<u>Gridley Lake</u>
1	A	B
2	B	A

East Side

Treatment "A" 04/15 to 05/15
 Treatment "B" 05/16 to 06/15
 Treatment "C" 04/15 to 06/15
 Treatment "D" Rest

Pasture Schedule

Year	South Rattlesnake Highway	Big Creek Winter
1	A	C
2	D	D
3	B	C
4	D	D

Year	North Rattlesnake	Maintenance	Lower Ashdown
1	D	D	D
2	A	B	C
3	D	D	D
4	B	A	C

Big Creek Seeding

Treatment "D" Rest
Treatment "E" 05/01 to 06/15

Year Treatment
1 E
2 D

Summer Pastures

Treatment "A" 06/16 - 07/31
Treatment "B" 08/01 - 09/15
Treatment "C" Rest

Pasture Schedule

Year	Big Creek	Stone Cabin	Upper Ashdown
1	A	B	C
2	C	A	B
3	B	C	A

Terms and Conditions:

Salt and/or mineral blocks shall not be placed within 1/4 mile of springs, meadows, streams, riparian habitat or aspen stands.

A certified actual use report is due 15 days after end of the authorized grazing period.

To: (Description of Changes)

Livestock management on the Alder Creek allotment will be as follows:

a. Grazing Preference Status (AUMs)

1.	Total Preference	12,445
2.	Suspended Preference	6,532
3.	Active Preference	5,913
a.	Authorized Use	5,113
b.	Non Use	800*

* See Non-Use AUMs Section (page 11) of this document for activation of AUMs held in nonuse.

- b. Season of Use: 04/01 to 08/15; 10/01 to 02/28
- c. Kind and Class of Livestock: Cattle (Cow/Calf)
- d. Percent Federal Range - 97%

e. Grazing System

During the preparation of the final allotment evaluation, the Alder Creek Ranch and the base properties associated with the Alder Creek grazing allotment were sold. The transfer of grazing preference from the previous landowner to the new landowner is now being completed.

Through the transfer process, the grazing permit may be modified to meet Land Use Plan and allotment specific objectives for the Alder Creek allotment. To meet these objectives, the following actions shall be implemented through the multiple-use decision and transfer process:

1. Years 1 (1994) and 3 (1996) of the reduction schedule as stated in the technical recommendation section of the Final Alder Creek Allotment Evaluation will not be implemented.
2. Year five (1998) of the reduction schedule as stated in the technical recommendation section of the Final Alder Creek Allotment Evaluation shall be implemented in 1994. The active preference will be reduced from 11,784 AUMs to 5,913 AUMs. Of the active preference, 800 AUMs shall be held in nonuse.

From:	<u>Total Preference</u>	<u>Suspended Preference</u>	<u>Active Preference</u>
	12,445	661	11,784

To:	<u>Total Preference</u>	<u>Suspended Preference</u>	<u>Active Preference</u>	<u>Author-ized Use</u>	<u>Nonuse</u>
	12,445	6,532	5,913	5,113	800

3. Year 5 of the reduction schedule shall be implemented as follows:

Authorized Use (AUMs):

AUMs listed as Authorized Use shall be authorized as per the following Grazing Schedule and Treatments:

Grazing Schedule:

Bog Hot	318 C	10/01 to 02/28	1,531
Fenced Federal Land		04/01 to 02/28	104
Gridley Lake	356 C	04/01 to 05/31	693
Big Cr. Wtr/L. Ashdown/ South Rattle. Seeding	232 C	04/01 to 05/31	451
Seedings	212 C	04/01 to 05/31	414
Summer	800 C	06/01 to 07/08	960
	800 C	07/09 to 08/15	960
		Total	5,113

Grazing Treatments:

Bog Hot/Gridley Lake

Treatment "A" 318 C 10/01 to 02/28 1531 AUMs
Treatment "B" 356 C 04/01 to 05/31 693 AUMs

Pasture Schedule:

<u>Year</u>	<u>Bog Hot</u>	<u>Gridley Lake</u>
1	A	B
2	B	A

Spring Grazing:

Highway/Maintenance/North Rattlesnake/Big Creek Seeding

Treatment "C" 211 C 04/01 to 04/30 205 AUMs
Treatment "D" 211 C 05/01 to 05/31 209 AUMs
Treatment "E" Rest

Pasture Schedule:

<u>Year</u>	<u>Highway</u>	<u>Maintenance</u>	<u>North Rattlesnake</u>	<u>Big Creek Seeding</u>
1	C	D	E	E
2	E	C	D	E
3	E	E	C	D
4	D	E	E	C

Big Creek Winter/Lower Ashdown/South Rattlesnake Seeding

Treatment "F" 232 C 04/01 to 04/30 222 AUMs
Treatment "G" 232 C 05/01 to 05/31 228 AUMs
Treatment "H" REST

Pasture Schedule:

<u>Year</u>	<u>Big Creek Winter</u>	<u>Lower Ashdown</u>	<u>South Rattlesnake</u>
1	F	G	H
2	H	F	G
3	G	H	F

Summer Grazing:

Big Creek/Stone Cabin/Upper Ashdown

Treatment "I" 800 C 06/01 to 07/08 960 AUMs
Treatment "J" 800 C 07/09 to 08/15 960 AUMs
Treatment "K" Rest

Pasture Schedule:

<u>Year</u>	<u>Stone Cabin</u>	<u>Upper Ashdown</u>	<u>Big Creek</u>
1	I	J	K
2	K	I	J
3	J	K	I

Rationale:

The stocking rates selected were based on monitoring and actual use data and determined using the desired stocking rate formula as specified by BLM Manual Rangeland Monitoring Analysis, Interpretation, and Evaluation, Technical Reference 4400-7.

Maintain spring/winter grazing in the Bog Hot/Gridley Lake use area. Use pattern maps and actual use data indicates that current livestock management practices are meeting upland utilization objectives in the Bog Hot/Gridley Lake use area. Monitoring data indicates that current stocking levels for both spring and winter use in the Bog Hot/Gridley Lake use area are meeting upland objectives.

Spring use for the native pastures and seedings will be as per the following grazing systems: The Highway/ Maintenance/North Rattlesnake/ Big Creek seedings will be utilized under a rest rotation system with two pasture being rested each year. The Big Creek Winter/South Rattlesnake Seeding/Lower Ashdown pastures will be used in a three pasture rest-rotation system with one pasture being rested each year. Season of use for both systems would be from 04/01 to 05/31.

The recommended grazing system implements a rest rotation prescription for the Highway/North Rattlesnake/ Maintenance/Big Creek Seedings. This will provide for a significant recovery and regrowth period to complete yearly growth cycles. The season of use has been reduced 15 to 30 days. A three pasture rest rotation system will be implemented in the Big Creek Winter/Lower Ashdown/South Rattlesnake Seeding pastures. The system provides an early removal date and lower stocking levels which will provide for a recovery period to complete yearly vegetative growth cycles. The stocking rates selected were based on monitoring data and actual use data which indicates a lower desired stocking rate and a shorter period of use will result in the achievement of short and long term management objectives.

Maintain the three pasture - rest rotation system in the summer pastures. The season of use and AUMs will be reduced to protect riparian/meadow resources. Analysis of monitoring data collected from 1983 to 1992 indicates that utilization of forage in riparian areas and meadows in the summer pastures are consistently above acceptable use levels due to livestock management practices and poor distribution patterns during the late season. Data indicates that

short term utilization objectives are being met during the early summer grazing period. By reducing livestock stocking rates and the grazing period by 30 days, a period of regrowth will be provided for riparian and meadow habitats with short-term riparian utilization objectives being met.

Non-Use AUMs:

AUMs held in Non-Use may be activated by application from the permittee as follows:

McGee Mountain:

Water availability is the limiting factor for use on McGee Mountain. When water is available in existing reservoirs, up to 700 AUMs is available for livestock use. These AUMs will be held in non-use when water is not available. Use will be based on available water with the stipulation that a specific area will not be utilized more than two consecutive years. McGee Mountain will be available for late spring - early summer use.

Upper Ashdown Pasture:

Livestock use during the fall may be considered in the Upper Ashdown pasture in lower elevational areas adjacent to and south of the Alder Creek ranch. Use will be considered when the Upper Ashdown Field is scheduled for early use in the recommended summer pastures three - pasture rotation system and if utilization levels along the Alder Creek riparian habitat are below 20% and associated upland and wet meadow habitats are below 40% during the growing season. The Bureau will conduct monitoring studies prior to authorization. No fall use will occur when the Upper Ashdown pasture is scheduled for rest or for use during the late summer grazing period. The following indicates livestock numbers, the use period and AUMs:

105 C - 10/1 to 10/31 - 100 AUMs

Rationale:

Monitoring data indicates approximately 700 AUMs are available for livestock use in McGee Mountain when water is available. When water is not available in existing waters (i.e. reservoirs, catchments, etc.), these AUMs will be held in non-use.

Monitoring data indicates the lower elevational areas of the Upper Ashdown pasture south of the Alder Creek Ranch traditionally receives slight use during the early summer use period. This area is traditionally used for trailing from the ranch to the upper elevational areas of the summer pastures. These AUMs will be held in nonuse when the Upper Ashdown pasture is scheduled for rest, the late summer treatment, or use levels are above 20% and 40%, as identified above.

Late Summer Use:

The following actions will be employed to manage livestock use within the pasture scheduled for the late summer use period (Treatment J):

The short-term utilization objective for upland wet meadow habitats is 50%. When 50% utilization is reached on upland wet meadows during the late summer treatment, livestock will be removed from the pasture. To determine removal dates from the pasture scheduled for late summer use, mid-point utilization studies will be conducted by BLM specialists. Additional studies may be required after the mid-point inspection if utilization levels is approaching 45% in these habitats. When utilization levels reach 45% in wet meadow habitats, the livestock operator will be given a seven (7) day notice in which to remove livestock from the pasture.

Livestock will not be authorized in the pasture scheduled for the late summer treatment after 08/15 if utilization levels do not reach 50% in wet meadow habitats.

Rationale:

Monitoring data indicates the majority of unacceptable use levels in riparian/meadow habitats located in summer pastures occurs during the late summer use period. Removal of livestock when 50% utilization are reached in upland wet meadow habitats will allow for short term utilization objectives to be met during the late summer use period. These actions, along with reducing the season of use and livestock numbers will allow for regrowth of both woody and herbaceous species at the end of the grazing period.

Terms and Conditions:

The livestock operator will be given a seven (7) day notice in which to remove livestock from the pasture scheduled for the late summer use period when utilization levels reach 45% in upland wet meadow habitats. Livestock will not be authorized in the pasture scheduled for the late summer treatment after 08/15.

Salt and/or mineral blocks shall not be placed within 1/4 mile of springs, meadows, streams, riparian habitat or aspen stands.

A certified actual use report is due 15 days after end of the authorized grazing period.

The grazing authorization with the schedule of use outlined in the Multiple Use Decision will be the only approved use and all other schedules, flexibilities and terms and conditions addressed in the 1971 Allotment Management Plan are suspended until the plan is revised.

A re-evaluation will be conducted prior to the 1998 grazing season.

Structural Projects:

Determine the feasibility of gap fencing portions of the natural barrier between the Stone Cabin and Big Creek pastures.

As per MFP III decision R2.12, fence the Blue Lakes area.

Construction of the above mentioned projects will be dependent on funding, manpower and project priorities.

The preferred alternative identified construction of riparian pasture fences on the Big Creek drainage and several upland meadow habitats. Monitoring data indicates that short term utilization objectives for stream side riparian vegetation and upland meadow habitats are being met during the early summer use period and not met during the late summer use period. The Grazing System section identified removal of livestock when 50% utilization levels are reached in upland meadow habitats during the late summer use period. Based upon the recommended changes of livestock management for the summer pastures, short term utilization objectives for riparian and meadow habitats will be met without the proposed riparian pasture fences. Therefore, the proposals for fencing these habitats will not be carried forth as technical recommendations in the multiple use decision. However, the Bureau may re-initiate the Big Creek Riparian Pasture proposal during the upcoming evaluation period (1993 to 1998) should monitoring data indicate it is required to meet short term objectives for the area.

Rationale:

The construction of gap fences on the natural barrier between the Stone Cabin and Big Creek pastures will reduce instances of livestock drift between the two pastures. This area is already partially fenced.

The Blue Lakes area is a high profile - high recreational use area. In order to reduce conflicts between livestock and outdoor recreationists in the lake area, MFP III Decision R2.12 recommended closing Blue Lakes to livestock grazing by fencing.

AUTHORITY

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

§ 4100.08 "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 evidence 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."

§ 4110.2-3(a)(3) "The transferee shall accept the terms and conditions of the terminating grazing permit or lease (see § 4130.2) with such modifications as he may request which are approved by the authorized officer or with such modifications as may be required by the authorized officer."

§ 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, unless the authorized officer determines a change in management practices would achieve the management objectives."

§ 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."

§ 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 periods(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 4110.3, 4110.3-1 and 4110.3-2."

§ 4130.6-2 "The authorized officer may specify in grazing permits and 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..."

§ 4130.6-3 "Following careful and considered consultation, cooperation and coordination with the lessees, permittees, and other affected interests, the authorized officer may modify terms and conditions of the permit or lease if monitoring data show that present grazing use is not meeting the land use plan or management objectives."

§ 4160.3(c) "A period of 30 days after receipt of the final decision is provided for filing an appeal. Decisions that are appealed shall be suspended pending final action except as otherwise provided in this section. Except where grazing use the preceding year was authorized on a temporary basis under § 4110.3-1(a)

of this title, an applicant who is granted grazing use in the preceding year may continue at that level of authorized active use pending final action on the appeal. 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."

§ 4160.4 "Any person whose interest is adversely affected by a final decision of the authorized officer may appeal the decision for the purposes of a hearing before an administrative law judge under § 4.470 of this title by filing his notice in the office of the authorized officer within 30 days after the receipt of the decision."

If you wish to appeal this decision for the purpose of a hearing of an Administrative Law Judge, in accordance with 43 CFR 4160.4 and 4.470, you are allowed thirty (30) days from receipt of this notice within which to file such appeal with the Paradise-Denio Resource Area Manager, Bureau of Land Management, Winnemucca District, 705 E. 4th Street, Winnemucca, NV 89445. An appeal shall state the reasons, clearly and concisely, as to why you think the decision is in error.

FUTURE MONITORING AND GRAZING ADJUSTMENTS

The Paradise-Denio Resource Area will continue to monitor the Alder Creek Allotment. This monitoring data will continue to be collected in the future to provide the necessary information for subsequent evaluations. These evaluations are necessary to determine if the allotment specific objectives are being met under the new grazing management strategy. In addition, these subsequent evaluations will determine if adjustments are required to meet the established allotment specific objectives.

WILDLIFE MANAGEMENT DECISION

Based upon the evaluation of monitoring data for the Alder Creek allotment, the permittee and other affected interests and recommendations from my staff, it is my final decision for wildlife to:

1. Continue with the management of wildlife as outlined in the Land Use Plan.
2. Manage Big Creek for the introduction of Lahontan cutthroat trout.

RATIONAL:

The analysis of monitoring data indicates that multiple-use objectives for the Alder Creek allotment are not being met. The analysis of utilization data and use pattern mapping has determined the livestock season of use and distribution were the primary factors in non-achievement of the multiple-use objectives. Analysis of the existing management of wildlife indicates that wildlife populations in the Alder Creek allotment are not contributing to the failure in meeting the multiple-use objectives. Therefore, a change in the existing wildlife populations or the existing wildlife management of the Alder Creek allotment is not warranted. Reasonable numbers for wildlife will remain as follows:

Mule Deer
1,328 AUMs

Pronghorn Antelope
247 AUMs

Bighorn Sheep
207 AUMs

Big Creek has been identified by the Winnemucca District of the Bureau of Land Management as potential Lahontan cutthroat trout habitat. The "Draft" U.S. Fish and Wildlife Service Lahontan cutthroat trout Recovery Plan lists Big Creek as a "Potential" LCT recovery stream.

Authority

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

§ 1725.3-3(b) "Management of public lands for fish and wildlife development and utilization involves the protection, regulated use, and development of habitat on public lands and waters to obtain a sustained yield of fish and wildlife and provision and maintenance of public access to fish and wildlife resources."

Within 30 days of receipt of this decision, you have the right of appeal to the Board of Land Appeals, Office of the Secretary, in accordance with regulations at 43 CFR 4.4. If an appeal is taken, you must follow the procedures outlined in the enclosed Form 1842-1, Information on Taking Appeals to the Board of Land Appeals. Within 30 Days after you appeal, you are required to provide a statement of Reasons to the Board of Land Appeals and a copy of your appeal to the Regional Solicitor's Office listed in Item 3 on the form. Please provide a copy of your appeal and Statement of Reasons to the Paradise-Denio Resource Area Manager, Bureau of Land Management, Winnemucca District, 705 E. 4th Street, Winnemucca, NV 89445. Copies of your appeal and the Statement of Reasons must also be served upon parties adversely affected by this decision. The appellant has the burden of showing that the decision appealed from is in error.

In addition, within 30 days of receipt of this decision, you have the right to file a petition for a stay (suspension) of the decision together with your appeal in accordance with the regulations at 43 CFR 4.21. The petition must be served upon the parties specified above. The appellant has the burden of proof to demonstrate that a stay should be granted.

WILD BURROS MANAGEMENT DECISION

Based upon the final evaluation of monitoring data for the Alder Creek allotment, the permittee and other affected interests and recommendations from my staff, it is my final decision for wild burros to:

Adjust the HMA boundary during the Resource Management Plan (RMP) Process to include Bog Hot and Gridley Lake pastures within the Alder Creek Allotment. Delete those portions of the HMA within the Wilder-Quinn and Knott Creek allotments. Set the initial AML at 41 burros as per the Paradise-Denio Resource Area Management Framework Plan.

Rationale:

The McGee Mountain area has not been a year long area for burros to reside in due to lack of water and the topography of the area. The west side of McGee Mountain is unfenced which allows the burros to use the Sheldon Refuge, the Bog Hot/Gridley Lake area and springs in the lower elevations of McGee Mountain. Census data and personal observations gathered since the 1970's indicates that the majority of burros are in the Sheldon Refuge and Bog Hot/Gridley Lake area with very little burros use occurring in the McGee Mountain HMA. A 1989 census indicated there were 37 burros in the Bog Hot/Gridley Lake area and a 1980 aerial census indicated 41 burros, most of which were out of the HMA. Current census data and general observations indicates 20 to 30 head in the Bog Hot/Gridley Lake use areas.

Studies such as burro herd movement have not been conducted inside and outside of the HMA. However, use pattern mapping in the Bog Hot/Gridley Lake use areas indicates current livestock stocking levels and burros numbers are not having detrimental impacts on upland habitats.

Authority

The authority for this decision is contained in Sec. 3(a) and (b) of the Wild-Free-Roaming Horse and Burro Act (P.L. 92-195) as amended and in Title 43 of the Code of Federal Regulations, which states in pertinent parts:

§ 4700.0-6(a) "Wild horses and burros shall be managed a self-sustaining populations of healthy animals in balance with other uses and the productive capacity of their habitat."

§ 4710.4 "Management of wild horses and burros shall be undertaken with the objective of limiting the animals distribution to herd areas. Management shall be at the minimum level necessary to attain the objective identified in approved land use plans and herd management plans."

§ 4720.1 "Upon examination of current information and a determination by the authorized officer that an excess of wild horses or burros exist, the authorized officer shall remove excess animals immediately..."

Within 30 days of receipt of this decision, you have the right of appeal to the Board of Land of Appeals, Office of the Secretary, in accordance with regulations at 43 CFR 4.4. If an appeal is taken, you must follow the procedures outlined in the enclosed Form 1842-1, Information on Taking Appeals to the Board of Land Appeals. Within 30 Days after you appeal, you are required to provide a statement of Reasons to the Board of Land Appeals and a copy of your appeal to the Regional Solicitor's Office listed in Item 3 on the form. Please provide a copy of your appeal and Statement of Reasons to the Paradise-Denio Resource Area Manager, Bureau of Land Management, Winnemucca District, 705 E. 4th Street, Winnemucca, NV 89445. Copies of your appeal and the Statement of Reasons must also be served upon parties adversely affected by this decision. The appellant has the burden of showing that the decision appealed from is in error.