



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Winnemucca Field Office
5100 East Winnemucca Boulevard
Winnemucca, Nevada 89445
702-623-1500

*Jackson 9/18/98
Mtn
HMA*

In Reply Refer To:
(NV-22.11)
4160.1-1

September 18, 1998

Dear Interested Public:

Please find enclosed the Final Allotment Evaluation and Proposed Multiple Use Decision for the Deer Creek Allotment.

If you have any questions, feel free to contact Richard Barry at (702) 623-1500.

Sincerely yours,

Colin Christensen
AFM, Renewable Resources

Enclosures

CERTIFIED MAIL NO. Z551 571 351
RETURN RECEIPT REQUESTED

Robert and Delia Nuffer
Star Route Box 395
Winnemucca, NV 89445

PROPOSED MULTIPLE USE DECISION
DEER CREEK ALLOTMENT

September 21, 1998

Dear Mr. and Mrs. Nuffer:

The record of Decision of the Paradise-Denio Environmental Impact Statement was issued on 09/18/81. The Paradise-Denio Management Framework Plan was issued on 07/09/82. These documents guide the management of public lands within the Paradise-Denio Resource Area and more specifically within the Deer 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 Deer Creek Allotment and to determine if management adjustments may be necessary to meet the management objectives.

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

Short Term Objectives:

1. The objective for utilization of key upland plant species (SIHY, ELCI, STTH2, AGSP) is 50%.
2. The objective for utilization of key wetland/streambank riparian plant species (CAREX, JUNCUS, PONE3, SALIX, ROSE, Dogwood) is 50%.

Long Term Objectives:

1. Maintain and improve public rangeland conditions to provide forage on a sustained yield basis for big game, with a forage demand of 112 AUMs for mule deer and 58 AUMs for bighorn sheep.
 - a. Improve to and maintain 10,043 acres in good to excellent mule deer habitat condition.

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- b. Improve to and maintain 3,812 acres in good to excellent bighorn sheep habitat condition.
2. Manage, maintain, and improve public rangeland conditions to provide forage on a sustained yield basis for livestock, with an initial stocking level of 754 AUMs.
3. Improve range condition from poor to fair on 3,039 acres.
4. Manage, maintain and improve public rangeland conditions to provide forage for a viable population of horses.
5. Improve to and maintain the state water quality criteria for Deer Creek.

The following are the Standards of Rangeland Health as developed in consultation with the Sierra Front-Northwest Great Basin Resource Advisory Council, other interested publics, and approved by the Secretary of the Interior on February 12, 1997. The terms and conditions of this livestock grazing permit must be in conformance with these approved Standards and Guidelines.

1. Soil processes will be appropriate to soil type, climate, and land form.
2. Riparian/wetland systems are in properly functioning condition.
3. Water quality criteria in Nevada or California State law shall be achieved or maintained.
4. Populations and communities of native plant species and habitats for native animal species are healthy, productive and diverse.
5. Habitat conditions meet the life cycle requirements of special status species.

The following will be removed as a multiple use objective for the Deer Creek Allotment:

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

Rationale:

No sage grouse habitat has been identified within the Deer Creek Allotment in the Winnemucca District Unit Resource Analysis. No sage grouse strutting grounds, brooding areas or winter use area are known to exist within the allotment. Other allotments within the Jackson Mountains provide sage grouse habitat support populations of the birds. Because of vegetation potential, topography and elevations, sage grouse habitats are not suitable or marginal at best in the Deer Creek Allotment.

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WILDLIFE MANAGEMENT

Analysis of existing management of wildlife habitat does not indicate that current wildlife populations are significantly contributing to the failure in meeting multiple use objectives. Therefore, no change in wildlife use will be implemented at this time.

WILD HORSE MANAGEMENT

Based upon the evaluation of the monitoring data for the Deer Creek Allotment, consultation with the permittee and affected interests and recommendations of my staff, there is no indication the existing AML is significantly contributing to the failure to meet multiple use objectives and it is helping to maintain a "thriving ecological balance". Therefore, no change in wild horse use will be implemented at this time.

LIVESTOCK DECISION

Based upon the evaluation of monitoring data for the Deer Creek Allotment, consultation with the permittee and other interested publics and recommendations from my staff, it is my proposed decision for livestock to change the management:

FROM: (DESCRIPTION OF EXISTING USE)

1. The total number of animal unit months of specified livestock grazing 754 AUMs
2. Historical Suspended 1,089 AUMs
3. Season of Use: 03/01 to 04/30,
10/01 to 11/30

Kind and Class of Livestock: Cattle (cow/calf)
Percent Federal Land: 100%

Grazing System:

200 C 03/01 to 04/30 401 AUMs
176 C 10/01 to 11/30 353 AUMs
Total 754 AUMs

The winter range will be used from 10/01 to 11/30 and 03/01 to 03/31. The spring/summer range will be used from 04/01 to 04/30.

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Grazing Permit 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: GRAZING SYSTEM TO BE IMPLEMENTED

Livestock Management

Grazing Preference

1. The total number of animal unit months of specified livestock grazing 754 AUMs
2. Historical Suspended 1,089 AUMs
3. Season of Use 03/01 to 07/31*
10/01 to 01/02

* The permittee may request to extend livestock use in the summer use area past 07/31 (see term and condition below).

Kind and Class of Livestock: Cattle (Cow/Calf)
Percent Federal Land: 100%

Grazing System:

94 C	03/01 to 03/31	93 AUMs
94 C	04/01 to 07/31	377 AUMs
94 C	10/01 to 12/31	<u>284 AUMs</u>
	Total	754 AUMs

A fence which parallels the Jackson Mountain Road divides the winter/early spring grounds from the late spring/summer use area. The use area west of the fence is the fall/winter/early spring grounds. This area will be grazed from 10/01 to 12/31 and 03/01 to 03/31 each year. In addition, the permittee may request to keep livestock in the winter use area from 03/01 to 04/30. The use area east of the fence leading into the Jackson Mountains is the late spring/summer use area. This area will be grazed from 04/01 to 07/31 each year, or beyond if an extension is authorized. In years which livestock are in the winter use area until 04/30, the summer use area will be available from 05/01 to 07/31, or beyond if extensions are authorized.

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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.

You are required to perform normal maintenance on range improvements as per the signed cooperative agreements/section 4 permits prior to turning out in a pasture or use area scheduled for livestock use.

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

The terms and conditions of this grazing permit must be in conformance with the Standards and Guidelines for the Sierra Front-Northwest Great Basin Resource Advisory Council Area, approved by the Secretary of the Interior on February 12, 1997.

Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the 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 in the immediate vicinity of the discovery and protect it from your activities for 30 days or until notified to proceed by the authorized officer.

The livestock operator may request an extension(s) of livestock use in the summer use area after 07/31 as long as utilization levels on Deer Creek and Pass Creek are below 40%. If utilization levels are above 40%, an extension shall not be authorized. Based on the operators request for an extension, the BLM, livestock operator, and interested publics shall inspect Deer Creek and Pass Creek on or before 07/31 to determine utilization levels, if an extension can be authorized based on utilization levels, and the length of the extension, if any. An extension may not exceed two weeks.

Rationale:

Monitoring data indicates that short term utilization objectives for upland and riparian habitats in the fall/winter/early spring grounds will be met with this grazing system. This area will be used from 03/01 to 04/30 and 10/01 to 12/31 each year.

Monitoring data indicates that short term utilization objectives and standard and guidelines will be met with this alternative in the spring/summer use area. Utilization data gathered in 1996 and 1997 indicates that livestock use up to 07/31 will not cause unacceptable utilization levels in riparian habitats and associated uplands in the Deer Creek and Pass Creek drainages. In 1996 and 1997, livestock use was extended to 08/23 and 09/15, respectively, and in both years short term

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utilization objectives for riparian areas and uplands were met. However, extended use will require riding and herding by the permittee throughout the spring/summer use period. This alternative will allow for regrowth of herbaceous riparian species following livestock removal and reduce hot season grazing impacts to woody riparian species in both drainages. The term and condition stated above allows the permittee flexibility in extending livestock use in the spring/summer use area past 07/31 as long as utilization levels in the Deer Creek and Pass Creek drainages are below 50%.

AUTHORITY:

The authority of this 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 principles of multiple use and sustained yield, and in accordance with applicable land use plans. Land use plans shall establish allowable resources 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 permitted use specified in a grazing permit or grazing lease and shall make changes in the permitted use as needed to manage, maintain or improve rangeland productivity, to assist in restoring ecosystems to properly functioning condition, to conform with land use plans or activity plans, or to comply with the provisions of subpart 4180 of this part. These changes must be supported by monitoring, field observations, ecological site inventory or other data acceptable to the authorized officer."

4130.3-1(a) "The authorized officer shall specify the kind and number of livestock, the period(s) of use, the allotments(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 of the allotment."

4130.3-3 "Following consultation, cooperation, and coordination with the affected lessees or permittees, the State having lands or responsible for managing resources within the area, and the interested public, the authorized officer may modify terms and conditions of the permit or lease when the active grazing use or related management practices are not meeting the land use plan, allotment management plan or other activity plan, or management objectives, or is not in conformance with the provisions of subpart 4180 of this part. To the extent practical, the authorized officer shall provide to affected permittees or lessees, States having lands or responsibility for managing resources within the affected area, and the interested public an

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opportunity to review, comment and give input during the preparation of reports that evaluate monitoring and other data that are used as a basis for making decisions to increase or decrease grazing use, or to change the terms and conditions of a permit or lease."

4160.1(a) "Proposed decisions shall be served on any affected applicant, permittee or lessee, and any agent and lien holder of record, who is affected by the proposed actions, terms or conditions, or modification relating to applications, permits and agreements (including range improvement permits) or leases, by certified mail or personal delivery. Copies of proposed decisions shall also be sent certified to the interested public."

4160.2 "Any applicant, permittee, lessee or other interested public may protest the proposed decision under 4160.1 of this title in person or in writing to the authorized officer within 15 days after receipt of such decision.

Protest:

Any applicant, permittee, lessee or other interested public may protest the livestock grazing portion of this proposed multiple use decision under Sec 43 CFR 4160.2, in person or in writing to:

Colin P. Christensen
AFM Renewable Resources
Bureau of Land Management
Winnemucca District Office
5100 E. Winnemucca Blvd.
Winnemucca, NV 89445

The protest must be filed within 15 days of receipt of this decision. The protest, if filed, should clearly and concisely state the reason(s) as to why the proposed decision is in error.

Subsequent to the protest period, a final multiple use decision will be issued specifying the appeal procedures.

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FUTURE MONITORING AND GRAZING ADJUSTMENTS

The Winnemucca District will continue to monitor the Deer Creek Allotment. The 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.

The Deer Creek Allotment is scheduled to be re-evaluated in FY 2008 unless monitoring data indicates another re-evaluation is required sooner.

Sincerely yours,



Colin P. Christensen
Assistant Field Manager
Division of Renewable Resources
Winnemucca District

certified cc:

Robert and Delia Nuffer	Z 551 571 351
U.S. Fish and Wildlife Service	Z 551 571 352
Resource Concepts Incorporated	Z 551 571 353
Mrs. Dawn Lappin	Z 551 571 354
Commission for the Preservation of Wild Horses	Z 551 571 355
Natural Resources Defense Council	Z 551 571 360
Sierra Club-Toiyabe Chapter	Z 551 571 361
The Wilderness Society	Z 551 571 363
Desert Bighorn Council	Z 551 571 364
Department of Wildlife, Fallon	Z 551 571 365
Mr. John Marvel	Z 551 571 366
Nevada Cattlemen's Association	Z 551 571 367
Nevada Farm Bureau Federation	Z 551 571 368
Nevada Department of Wildlife, Winnemucca	Z 551 571 369
Humboldt County Commissioners	Z 551 571 370
State Clearinghouse	Z 551 571 371

Deer Creek Final
Allotment Re-evaluation (2nd Draft)

September 21, 1998

I. Introduction

This re-evaluation supplements the original Deer Creek Allotment Evaluation dated January 21, 1994. The Deer Creek Allotment Final Multiple Use Decision (FMUD) was issued on February 23, 1994. The decision recommended the existing permit be maintained at 754 AUMs with seasons of use from 03/01 to 04/30 and 10/01 to 11/30. Livestock management as established by the 1994 FMUD is as follows:

1. Livestock Management

A. Grazing Preference

1. The total number of animal unit months of specified livestock grazing 754 AUMs
2. Historical Suspended 1,089 AUMs
3. Season of Use: 03/01 to 04/30,
10/01 to 11/30

Kind and Class of Livestock: Cattle (cow/calf)
Percent Federal Land: 100%

Grazing System:

200 C 03/01 to 04/30	401 AUMs
176 C 10/01 to 11/30	<u>353 AUMs</u>
Total	754 AUMs

The winter range will be used from 10/01 to 11/30 and 03/01 to 03/31.
The spring/summer range from 04/01 to 04/30.

The FMUD established the following 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.

B. Other Information

On February 15, 1996, the permittee submitted a grazing application with the following request for the 1996 grazing year:

80 C	03/01 to 04/30	160 AUMs
75 C	05/01 to 09/30	377 AUMs
70 C	10/01 to 12/31	<u>211 AUMs</u>
	Total	749 AUMs

The Bureau initiated a consultation process with the permittee and interested publics due to the time periods of 05/01 to 09/30 and 12/01 to 12/31 being outside the season of use established in the February 23, 1994 Final Multiple Use Decision. The allotment has two creeks, Deer Creek and Pass Creek, which have intermittent to ephemeral water flows and little potential for supporting a fishery. Both creeks support fairly extensive riparian zones which consist mainly of woody riparian species such as willows and dogwood and small islands of herbaceous riparian species. The herbaceous species can be found at springs located along the creeks and are small components of the riparian community in both creeks. In order to ensure the short-term objective of 50% utilization for riparian habitats was met, and to reduce the impacts of hot season grazing to both riparian areas, the following term and condition was included on the grazing authorization for the 1996 summer grazing season:

"An allowable use level of 50% on herbaceous and/or woody riparian species along Deer Creek and Pass Creek will be enforced. This allowable use level will dictate livestock removal from the summer use area. To determine a removal date, the Bureau, in coordination and cooperation with the permittee and affected interests, shall inspect on or near July 15. Additional inspections may be required after the initial inspection date.

When the utilization level of riparian vegetation reaches 45%, the livestock operator will be given a five day notice in which to remove livestock from the summer use area."

Deer Creek and Pass Creek was inspected for utilization levels on July 17 and August 22, 1996. An end of season inspection was conducted on October 31, 1996. The summaries for both these inspections can be found in the Summary of Data, Utilization Section of this document. During the

August 22 inspection, it was found that utilization levels on both creeks were at or above the threshold of 45% utilization at which the permittee would be required to remove livestock from the summer use area. On August 23, the permittee was informed that utilization levels on both creeks were at the allowable use level and was given a five day notice in which to remove livestock. The cattle were removed by August 28, 1996.

In addition, the permittee requested the same use for the 1997 grazing season. Livestock were removed on 09/15 and both upland and riparian short term utilization objectives were met.

2. Wildlife (Estimated Numbers)

Mule Deer	112 AUMs
Bighorn Sheep	58 AUMs

3. Wild Horses and Burros

The 1994 FMUD established an appropriate management level for that portion of the Jackson Mountain Herd Management within the Deer Creek Allotment at 10 horses and 120 AUMs.

II. Management Re-evaluation

A. Purpose

The purpose of this re-evaluation is to update the changes in grazing use on the Deer Creek Allotment which was implemented as a result of the Final Multiple Use Decision dated February 23, 1994. This re-evaluation is necessary to determine if the allotment objectives are being met under the change in livestock management.

B. Summary of Data

1. Livestock AUMs

<u>Year</u>	<u>AUMs</u>
1994	163
1995	161
1996	668
1997	720

2. Wildlife (Existing Numbers)

Table 1. Percentage of Reasonable Numbers for Mule Deer on Winter/Spring (11/01 to 04/30) and Summer/Fall (05/01 to 10/31) Habitats in the Deer Creek Allotment as compared to the whole hunt unit in NDOW Hunt Unit 035

<u>Species</u>	<u>Unit</u>	<u>Winter/Spring</u>	<u>Summer/Fall</u>
Mule			
Deer	035	2.3	1.1

Using this information, estimates of mule deer were derived by multiplying the above percentages for winter/spring (11/01 to 04/30) and summer/fall (05/01 to 10/31) habitat by the hunt unit estimate for mule deer populations. Next, the number of animals was multiplied by the number of months the animals were expected to be present to arrive at an estimated annual forage demand for the allotment (Table 2).

Table 2. Estimated Existing Numbers and Forage Demand for Mule Deer in the Deer Creek Allotment for Years 1989* Through 1995 - HU035.

Mule Deer

<u>Year</u>	<u>Est. Numbers</u>		<u>AUMS</u>		<u>Total AUMS</u>
	<u>Winter/Spring</u>	<u>Summer/Fall</u>	<u>Winter/Spring</u>	<u>Summer/Fall</u>	
1989	114	57	172	85	257
1990	109	55	165	82	247
1991	115	57	172	85	257
1992	87	43	130	65	195
1993	83	41	124	61	185
1994	117	58	176	87	263
1995	106	52	159	79	238
1996	NA				
1997	NA				

* Evaluation methods used by NDOW beginning in 1989 differed from methods employed prior to that, therefore, estimates prior to 1989 were not included.

Mule deer populations did not experience the large decline in numbers over the winter of 1992-93 that occurred in other parts of Northern Nevada. The significant change noted between 1993 and 1994 is due, in part, to a modification by NDOW, to previous estimates of 1992/93 winter kill rates. It is now believed, that winter death rates were not as widespread.

These allotment population estimates are not intended to be used as indicators of habitat condition or actual use in an allotment due to the fact that several factors annually influence the actual distribution of mule deer throughout their range. These same factors effect the accuracy of the population estimates calculated by NDOW. This information is, however, adequate to make determinations of long term trend for the area or the hunt unit. By extrapolating the hunt unit population estimates to allotment sized units some accuracy is lost, however, the basic utility of these numbers in determining general trends is retained. Monitoring data is reserved for determination of specific allotment based trends.

Mule deer numbers have stayed within acceptable fluctuations in populations with no great increases or decreases that could show gross improvement or degradation of their habitat.

Estimates of bighorn sheep numbers were not provided by the Nevada Division of Wildlife.

The Paradise-Denio Resource Area Grazing EIS and conversations with the Nevada Division of Wildlife indicates little to no sage grouse or sage grouse habitat is known to be present in the Deer Creek Allotment. The allotment is considered to be marginal or poor habitat due to topography, elevation, and vegetation potential.

3. Wild Horses and Burros

Wild Horse Use

<u>Year</u>	<u>Numbers</u>	<u>AUMs</u>
1994	18	216
1995	21	252
1996	30	360

In 1997, approximately 48 horses were observed in the Deer Creek allotment. Forty-seven of the horses were captured during a gather with

one remaining free. Seven of the horses captured were turned free so eight horses remain in the allotment.

4. NOAA Precipitation Data collected from 1994 to 1997 at the Leonard Creek Ranch.

<u>Year</u>	<u>Growing Season</u>	<u>Yearly</u>	<u>Departure from Normal</u>
1994	2.14	8.31M	NA
1995	NA	NA	NA
1996	NA	NA	NA
1997	NA	NA	NA

NA - Not Available

Growing Season - March through August

M - partial data

5. Utilization

Monitoring data was collected conducting utilization transacts using the Key Forage Plant Method and use pattern mapping.

The utilization classes are as follows:

No Use	0%
Slight	1-20%
Light	21-40%
Moderate	41-60%
Heavy	61-80%
Severe	81-100%

UPMs were completed in 1995 and 1996. Utilization transacts were conducted on the Deer Creek and Pass Creek riparian areas in 1996. The following is a summary of this data.

The UPMs are summarized below on a pasture by pasture or use area basis. Actual use was utilized for AUM computations.

1995

Spring Use

Data Collected 10/31/95

80 C 03/01 to 04/30 160 AUMs

One hundred percent of the spring/summer use area was mapped. Approximately 97% of the area had slight use while light use was found on a spring north of Deer Creek.

1996

Spring Use:

Data collected 04/01/96

80 C 03/01 to 03/30 79 AUMs

Approximately 50% of the winter/spring use area was use pattern mapped. Slight use was found in 100% of the area use pattern mapped.

Summer Use:

80 C 04/01 to 04/30 79 AUMs

75 C 05/01 to 08/28 303 AUMs
382 AUMs

On July 17, 1996, a mid-point utilization inspection was conducted on Deer Creek and Pass Creek. Utilization levels in both creeks were slight: Pass Creek - $\leq 5\%$ on both woody and herbaceous riparian species which are available to livestock use, Deer Creek - 10% on willows and dogwood which were available to livestock use.

On August 22, 1996, a mid-point utilization inspection was conducted on Deer Creek and Pass Creek. Utilization levels on woody riparian species were as follows:

Lower Deer Creek
SAEX 60%
ROSA 52%
COST 44%

N.F. of Deer Creek
SAEX 40%
ROSA 38%
AMAL 42%

S.F. of Deer Creek
SAEX 44%
ROSA 40%
COST 40%

Small meadows and spring areas along Deer Creek and its forks received heavy utilization levels on herbaceous riparian species with less than 2" stubble height remaining. Use levels on the lower portion of Deer Creek was attributed to wild horse use.

Utilization in Pass Creek on woodies such as willows were moderate and herbaceous riparian was estimated to be heavy. A utilization transect was not conducted.

On October 31, 1996, 100% of the Deer Creek allotment summer use area was use pattern mapped. Of the area mapped, 50% received slight use, 35% light and 15% moderate. Slight use was found in the flats adjacent to the Jackson Creek road with light use being found in upland habitats leading into Pass Creek, Deer Creek, and upland habitats surrounding the Pass Creek riparian zone. Moderate use was noted in both the Deer Creek and Pass Creek riparian zones with moderate use in surrounding upland habitats in both drainages. Herbaceous riparian species such as Juncus and Carex had 3 to 4 inches of regrowth in both drainages in comparison to conditions observed during the August 22, 1996 mid-point inspection.

1997

Summer Use:

85 C	04/01 to 04/30	84 AUMs
75 C	05/01 to 07/31	227 AUMs
75 C	08/01 to 09/15	<u>113 AUMs</u>
		424 AUMs

On July 30, 1997, Deer Creek and Pass Creek were inspected to determine if a two week extension could be given. Utilization levels on willows and dogwood in Deer Creek were slight. An utilization transect was conducted with the following levels:

Salix	14%
Dogwood	6%

Utilization of woody and herbaceous riparian species in Pass Creek were also slight. The majority of use on Pass Creek was from horses.

On August 15, 1997, Deer Creek and Pass Creek were inspected to determine if a two week extension could be given. Utilization levels on willows and dogwood in Deer Creek were slight. Utilization woody and herbaceous riparian species in Pass Creek were also slight. The majority of use on Pass Creek was from horses.

On August 28, 1997, the Deer Creek and Pass Creek drainages were inspected. Utilization levels were as follows:

Deer Creek	Carex	1%
	Salix	2%

Pass Creek	Juncus	8%
	Carex	8%
	Salix	8%

On October 16, 1997, end of season monitoring occurred in the summer use area. Approximately 35% of the area received moderate and the remaining 65% - light. Light use was found in the Deer Creek and Pass Creek drainages. The majority of use along Pass Creek was from horses. An utilization transect was conducted in Deer Creek with the following results:

Salix	23%
Dogwood	26%
Juncus	35%
Carex	28%

Moderate use was found in uplands in the southern part of the use area and in the vicinity of the spring near Pass Creek. This was from both horse and livestock use. Light use was observed in remaining upland sites

6. Trend

Trend data was not collected during the re-evaluation period.

7. Wildlife; Riparian Inventory

a. Wildlife Inventory:

Wildlife inventory data has not been collected during the re-evaluation period.

b. Riparian Inventory:

Riparian Functionality Summary:

Lodic riparian functionality was determined in accordance with BLM Technical Reference 1737-9 (1993) Process for Assessing Proper Functioning Condition.

1. Lodic Functionality

Lodic functionality was conducted on Deer Creek on May 28, 1997. Deer Creek was separated into three reaches. Reach 1 is considered the upper portion of Deer Creek and is 1.19 miles in length. This portion of the creek is considered at Proper Functioning Condition (PFC). The creek has a diverse composition of woody riparian species such as cottonwood, chokecherry, dogwood and willow. The riparian zone is considered at its maximum and there are few point bars due to the confinement of the channel.

Reach 2 is the mid reach of the creek and is a lower gradient than reach 1. The length of reach 2 is .31 miles.

This area is considered functional at risk with an upward trend. Limiting factors are as follows: the riparian zone is widening, however, it is not at its full extent. There is a lack of age structure and composition of vegetation. Vegetation appears to be even aged and trees are lacking. Streambank vegetation does not have the root mass and vegetative cover does not have the cover to prevent bank damage and dissipate water energy during high water events. A side spring has the potential to headcut. Woody vegetation is lacking to dissipate energy, however, rocks are available.

Reach 3 is the lower reach above the diversion dam and is .79 miles in length. This area is at proper functioning condition. This portion of the creek has a diverse age structure and composition of woody riparian vegetation but has a very low herbaceous component. The riparian zone is probably at its maximum and the system is vertically stable due to its being on bedrock.

Lotic functionality was not conducted on Pass Creek. In addition, lentic functionality has not been conducted in the allotment.

See Appendix 3, Map 2 for location of reaches along Deer Creek.

8. Threatened/Endangered/Candidate/Sensitive species

There are no known threatened, endangered, or sensitive plant or animal species occurring in the Deer Creek Allotment. The spotted frog, a candidate species, may occur in the area.

The following U.S. Fish and Wildlife Service candidate species and BLM species of concern may occur within the region:

Pygmy rabbit
Burrowing owl
Small footed myotis
Long eared myotis
Fringed myotis
Long legged myotis

California bighorn sheep
Pacific Townsend's big eared bat
Pale Townsend's big eared bat
Northern Goshawk
Black tern
Least bittern
white faced ibis
windloving buckwheat
cordelia beardtongue

III. Conclusions

A. Short Term Objectives

1. Utilization of key plant species in wetland riparian habitats (Salix, ROWA, Juncus, Carex) is 50%. Utilization data will be collected at the end of the grazing period.

No data was gathered on spring/summer and winter use areas in 1994. The objective was met in the spring/summer ranges in 1995, 1996 and 1997. However, mid-point utilization data collected during August in 1996 in the Deer Creek and Pass Creek riparian indicated moderate utilization levels on woody riparian species with heavy use on herbaceous species. Both of these creeks are dominated by woody riparian vegetation with a small herbaceous component so overall utilization on the creeks at the time of the mid-point check was moderate. The lower end of Deer Creek received utilization levels above 50% on willows and rose. This was attributed to wild horse use. End of season monitoring in 1996 indicated overall use in the drainages was moderate and herbaceous riparian species had 3 to 4 inches of regrowth.

The objective was met on the winter/spring range in 1996.

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

No data was gathered on spring/summer and winter use areas in 1994. The objective was met on spring/summer ranges in 1995, 1997 and on winter/spring range and summer/fall range in 1996.

B. Long Term Objectives

1. Maintain and improve public rangeland conditions to provide forage on a sustained yield basis for big game, with a forage demand of 112 AUMs for mule deer and 58 AUMs for bighorn sheep.
 - a. Improve to and maintain 10,043 acres in good to excellent mule deer habitat condition.
 - b. Improve to and maintain 3,812 acres in good to excellent bighorn sheep habitat condition.

Monitoring data is not available to determine if this objective has been met.

2. Manage, maintain, and improve public rangeland conditions to provide forage on a sustained yield basis for livestock, with an initial stocking level of 754 AUMs.

Baseline and current trend data has not been collected to evaluate the achievement of this objective. Monitoring data indicates short term utilization objectives are being met which indicates this objective is being met under the current grazing season. This objective will be redefined/quantified with ecological status condition as information becomes available.

3. Improve range condition from poor to fair on 3,039 acres.

Baseline and current trend data has not been collected to evaluate the achievement of this objective. Monitoring data indicates short term utilization objectives are being met which indicates this objective is being met under the current grazing system. This objective will be redefined/quantified with ecological status condition as information becomes available.

4. Manage, maintain and improve public rangeland conditions to provide forage for a viable population of horses.

Although an AML of 10 horses is not considered a "viable" population, these horses are managed in conjunction with the rest of the wild horses

on the north end of the Jackson Mountains. Movement of horses between Deer Creek Allotment and Happy Creek Allotment has been documented. Gene shuffling resulting from contact with Happy Creek horses should result in a genetically viable population. When these horses are gathered, a blood sample will be collected for genetic analysis and compared with the Happy Creek horses and other herds of horses to assure that genetic isolation is not a problem.

In 1997, approximately 40 horses were removed during a gather with 8 horses remaining. This brings horse numbers to the AML established by the 1994 Deer Creek Final Multiple Use Decision.

5. Improve to and maintain the state water quality criteria for Deer Creek.

Water quality data for Deer Creek has not been collected during the re-evaluation period.

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

No specific sage grouse or sage brush data were collected during this evaluation period. However, little to no sage grouse numbers or habitat are known to exist within the Deer Creek allotment. The allotment is considered poor or marginal habitat due to topography, elevation, and vegetative potential.

- C. The following are the Standards of Rangeland Health as developed in consultation with the Sierra Front-Northwest Great Basin Resource Advisory Council, other interested publics, and approved by the Secretary of the Interior on February 12, 1997. The terms and conditions of this livestock grazing permit must be in conformance with these approved Standards and Guidelines.

1. Soil processes will be appropriate to soil types, climate and land form.

Utilization objectives for uplands are being met. These objectives provide for maintenance of soil processes.

2. Riparian/wetland systems are in properly functioning condition.

Lentic data has not been collected, therefore, it is unknown whether this objective has been achieved.

Lodic functionality data has been collected on Deer Creek and has not been collected on Pass Creek. Two reaches of Deer Creek are at proper functioning condition while a third is considered functioning at risk with an upward trend. This standard was met on two reaches and progress is being made towards meeting it on the third reach.

3. Water quality criteria in Nevada and California State Law shall be achieved or maintained.

Water quality data has not been collected, therefore, it is unknown whether or not this standard is achieved.

4. Populations and communities of native plant species and habitats for native animal species are healthy, productive and diverse.

Numerous ecological sites exist with varying plant communities within this allotment. Utilization objectives indicate that this standard is being met.

5. Habitat conditions meet the life cycle requirements of special species.

The allotment provides the environment necessary for special status species, therefore meeting this standard.

VI. Technical Recommendations

A. Wild Horses

The AML in the Deer Creek Allotment will remain at 10 head or 120 AUM's.

Rationale:

Wild horses in the Deer Creek Allotment will be managed in conjunction with wild horses in Happy Creek, Bottle Creek, Wilder-Quinn, and the north Jackson Mountains Allotment. When AML's are established on all allotments, this total AML will be the management level for the North Jackson Mountain wild horses. When numbers reach the top end of this pre-determined range, a gather will be conducted to reduce them to the lower limit of the established range regardless of the allotment they occupy.

The Final Multiple Use Decision issued in 1994 established an AML of 10 in the Deer Creek Allotment. Data has not been collected which indicates this decision

was in error.

B. Desired Stocking Rate Calculations

Desired stocking rate calculations were determined in accordance with BLM Manual Rangeland Monitoring Analysis, Interpretation, and Evaluation, Technical Reference 4400-7. Appendix I shows the calculations of the stocking rates by use area and year.

Desired stocking rates were calculated for the summer use areas using riparian and/or meadow habitats as key management areas. The desired stocking rates calculated are the stocking rate at which both riparian and upland short-term utilization objectives are expected to be met under present management. The desired stocking rates for remaining areas are the stocking rates at which upland short-term utilization objectives are expected to be met under present management.

AUMs Available:

Livestock:

Spring/Summer/Fall	403 AUMs
Fall/Winter/Spring	<u>351 AUMs</u>
	754 AUMs

Monitoring data collected indicates that objectives will be met with present livestock and wildhorse numbers, therefore, no adjustments of AUMs is required. 754 AUMs will be allocated to livestock and 120 AUMs to wildhorses.

C. Livestock Grazing Management

1. The following terms and conditions will be in all alternatives:

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

You are required to perform normal maintenance on range improvements as per the signed cooperative agreements/section 4 permits prior to turning out in a pasture or use area scheduled for livestock use.

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

The terms and conditions of this grazing permit must be in conformance with the Standards and Guidelines for the Sierra Front-Northwest Great Basin Resource Advisory Council Area, approved by the Secretary of the Interior on February 12, 1997.

Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the 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 in the immediate vicinity of the discovery and protect it from your activities for 30 days or until notified to proceed by the authorized officer.

2. Grazing Alternatives

Alternative 1 (current grazing system):

Continue with the current grazing system as implemented in the 1994 Final Multiple Use Decision.

Rationale:

Monitoring data indicates that short term utilization objectives will be met with this alternative. Little impact will occur to the Deer Creek and Pass Creek riparian areas due to livestock removal by 04/30. The early removal date provides a significant regrowth period for upland species in both the winter and summer use areas. This alternative will meet standards and guideline established by the Sierra Front-Northwest Great Basin Resource Advisory Council.

Alternative 2:

On February 20, 1996, the permittee submitted the following proposal:

Grazing Preference

- | | | |
|----|---|-----------------------------|
| 1. | The total number of animal unit months of specified livestock grazing | 754 AUMs |
| 2. | Historical Suspended | 1,089 AUMs |
| 3. | Season of Use | 03/01 to 12/31 ^a |

Kind and Class of Livestock: Cattle (Cow/Calf)
 Percent Federal Land: 100%

Grazing System:

82 C	03/01 to 04/30	165 AUMs
75 C	05/01 to 09/30	377 AUMs
70 C	10/01 to 12/31	<u>212 AUMs</u>
	Total	754 AUMs

A fence which parallels the Jackson Mountain Road divides the winter/early spring grounds from the late spring/summer use area. The use area west of the fence is the winter/early spring grounds. This area will be grazed from 10/01 to 12/31 and 03/01 to 03/31 each year. The use area east of the fence leading into the Jackson Mountains is the late spring/summer use area. This area will be grazed from 04/01 to 09/30 each year.

Rationale:

The permittee proposes to keep a base herd of approximately 70 - 82 head on the allotment from 03/01 to 12/31. This represents the grazing system prior to 1994. Monitoring data indicates that short term utilization objectives will be met in the spring/winter use area during the periods of 03/01 to 03/31 and 10/01 to 12/31.

Authorizing livestock for the period of 04/01 to 09/30 in the summer use area is not compatible with meeting allotment specific objectives and standards and guidelines established by the Sierra Front-Northwest Great Basin Resource Advisory Council. Livestock use during this period will allow for hot season grazing to occur on the Deer Creek and Pass Creek riparian areas and will not allow for regrowth of herbaceous riparian species at the end of the grazing season. During the months of August and September, livestock grazing impacts to woody riparian species increases because livestock stay in riparian areas during the hottest times of the year.

In 1996 and 1997, the permittee was authorized to keep livestock in the summer use area until 08/23 and 09/15, respectively. However, in both years an allowable use level of 41-50% was enforced on the Pass Creek and Deer Creek riparian zones and the permittee herded livestock frequently throughout the summer. In order for this alternative to work, an allowable use level for uplands and riparian areas will need to be enforced

and the permittee will be required to ride and herd as was the case in 1997.

Alternative 3:

Grazing Preference

- 1. The total number of animal unit months of specified livestock grazing 754 AUMs
- 2. Historical Suspended 1,089 AUMs
- 3. Season of Use 03/01 to 07/31*
10/01 to 01/02

* The permittee may request to extend livestock use in the summer use area past 07/31 (see term and condition below).

Kind and Class of Livestock: Cattle (Cow/Calf)
 Percent Federal Land: 100%

Grazing System:

94 C	03/01 to 03/31	93 AUMs
94 C	04/01 to 07/31	377 AUMs
94 C	10/01 to 12/31	<u>284 AUMs</u>
	Total	754 AUMs

A fence which parallels the Jackson Mountain Road divides the winter/early spring grounds from the late spring/summer use area. The use area west of the fence is the fall/winter/early spring grounds. This area will be grazed from 10/01 to 12/31 and 03/01 to 03/31 each year. In addition, the permittee may request to keep livestock in the winter use area from 03/01 to 04/30. The use area east of the fence leading into the Jackson Mountains is the late spring/summer use area. This area will be grazed from 04/01 to 07/31 each year, or beyond if an extension is authorized. In years which livestock are in the winter use area until 04/30, the summer use area will be available from 05/01 to 07/31, or beyond if extensions are authorized.

The following will be implemented as a term and condition on the grazing permit:

"The livestock operator may request an extension(s) of livestock use in the summer use area after 07/31 as long as utilization levels on Deer Creek and Pass Creek are below 40%. If utilization levels are above 40%, an extension shall not be authorized. Based on the operators request for an extension, the BLM, livestock operator, and interested publics shall inspect Deer Creek and Pass Creek on or before 07/31 to determine utilization levels, if an extension can be authorized based on utilization levels, and the length of the extension, if any. An extension may not exceed two weeks."

Rationale:

Monitoring data indicates that short term utilization objectives for upland and riparian habitats in the fall/winter/early spring grounds will be met with this grazing system. This area will be used from 03/01 to 04/30 and 10/01 to 12/31 each year.

Monitoring data indicates that short term utilization objectives and standard and guidelines will be met with this alternative in the spring/summer use area. Utilization data gathered in 1996 and 1997 indicates that livestock use up to 07/31 will not cause unacceptable utilization levels in riparian habitats and associated uplands in the Deer Creek and Pass Creek drainages. In 1996 and 1997, livestock use was extended to 08/23 and 09/15, respectively, and in both years short term utilization objectives for riparian areas and uplands were met. However, extended use will require riding and herding by the permittee throughout the spring/summer use period. This alternative will allow for regrowth of herbaceous riparian species following livestock removal and reduce hot season grazing impacts to woody riparian species in both drainages. The term and condition stated above allows the permittee flexibility in extending livestock use in the spring/summer use area past 07/31 as long as utilization levels in the Deer Creek and Pass Creek drainages are below 50%.

Alternative 4:

Grazing Preference

1. The total number of animal unit months of specified livestock grazing 754 AUMs
2. Historical Suspended 1,089 AUMs
3. Season of Use 03/01 to 08/22
10/01 to 01/02

Kind and Class of Livestock: Cattle (Cow/Calf)
Percent Federal Land: 100%

Grazing System:

85 C	03/01 to 04/30	171 AUMs
85 C	05/01 to 08/22	319 AUMs
85 C	10/01 to 01/02	<u>264 AUMs</u>
	Total	754 AUMs

A fence which parallels the Jackson Mountain Road divides the winter/early spring grounds from the late spring/summer use area. The use area west of the fence is the fall/winter/early spring grounds. This area will be grazed from 10/01 to 12/31 and 03/01 to 03/31 each year. In addition, the permittee may request to keep livestock in the winter use area from 03/01 to 04/30. The use area east of the fence leading into the Jackson Mountains is the late spring/summer use area. This area will be grazed from 04/01 to 08/22 each year. The summer use area will be available for use from 05/01 to 08/22 in years which the permittee requests to keep livestock in the winter use area

The following will be implemented as a term and condition on the grazing permit:

"An allowable use level of 50% on Deer Creek and Pass Creek will be enforced. This allowable use level will dictate livestock removal from the summer area. To determine a removal date, the Deer Creek and Pass Creek riparian areas will be inspected by BLM, permittee and interested publics by 07/31. Additional studies may be required after the initial inspection. When utilization levels of herbaceous and/or woody riparian vegetation

along Pass Creek and Deer Creek reaches 45%, the livestock operator will be given a five (5) day notice in which to remove livestock from the summer use area."

Rationale:

The stocking rates selected were based on using the desired stocking rate formula as specified by BLM Manual Rangeland Monitoring Analysis, Interpretation, and Evaluation, Technical Reference 4400-7. Short term utilization objectives have been met during the reevaluation period, therefore, no adjustment to AUMs are required. Desired stocking rate calculations determined 403 AUMs are available for late spring/summer use (04/01 to 08/22) and 351 AUMs are available for fall/winter/early spring use (10/01 to 01/02 and 03/01 to 03/31).

Removal of livestock when 50% utilization is reached along Deer Creek and Pass Creek will allow for the short term utilization objectives and the standard and guidelines to be met and/or maintained during the late summer use period. This action will allow for regrowth of riparian vegetation and reduce the impacts of hot season grazing in these areas which will improve the existing condition of these habitats. In addition, an allowable use level will ensure forage is available for wildlife and wildhorses during the fall and winter months.

Monitoring data indicates that short term utilization objectives for upland and riparian habitats in the fall/winter/early spring grounds will be met with this grazing system. This area will be used from 03/01 to 04/30 and 10/01 to 12/31 each year.

3. Objectives

a. Revise the short term objectives to the following:

The objective for utilization of key upland plant species (SIHY, ELCI, STTH2, AGSP) is 50%.

The objective for utilization of key wetland/streambank riparian plant species (CAREX, JUNCUS, PONE3, SALIX, ROSE, Dogwood) is 50%.

- b. The following will be removed as a multiple use objective for the Deer Creek Allotment:

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

Rationale:

No sage grouse habitat has been identified within the Deer Creek Allotment in the Winnemucca District Unit Resource Analysis. No sage grouse strutting grounds, brooding areas or winter use area are known to exist within the allotment. Other allotments within the Jackson Mountains provide sage grouse habitat support populations of the birds. Because of vegetation potential, topography and elevations, sage grouse habitats are not suitable or marginal at best in the Deer Creek Allotment.

C. Monitoring

The following types of monitoring data are needed to make a determination of allotment objectives.

1. Utilization
2. Actual Use
3. Climate
4. Wildlife habitat evaluation/condition
5. Trend
6. Ecological Status
7. Wild Horse Census
8. Water quality
9. Lodic and Lentic Riparian Functionality

The next evaluation is scheduled for 2006 unless monitoring data indicates another re-evaluation is required sooner.

VII. Consultation

A. Consultation of the re-evaluation is listed chronologically as follows:

- 05/06/97 First draft re-evaluation sent to permittee and interested public for review and comment.
- 05/28/97 Written comments on draft re-evaluation received from the Commission for the Preservation of Wild Horses.
- 06/09/97 Written comments on draft re-evaluation received from the Nevada Division of Wildlife.
- 08/11/98 Second draft re-evaluation sent to permittee and interested public for review and comment.
- 09/10/98 Written comments on the draft re-evaluation received from the Nevada Division of Wildlife.
- 09/16/98 Written comments on the draft re-evaluation received from the Nevada State Clearinghouse/SPOC

B. Summary of Comments

Comments and Responses from the first draft of the Deer Creek Allotment Re-evaluation.

Commission for the Preservation of Wild Horses:

Comment 1

Temporary authorization for summer cattle use did not meet the riparian objectives for the allotment. Since the District adequately monitored this use, it should not be difficult to determine the proper season of use for livestock.

Response

Mid-point monitoring conducted on August 22, 1996 indicated that moderate utilization levels occurred on woody riparian species and heavy use on herbaceous riparian species in both Pass and Deer Creeks. Both creeks are dominated by woody riparian species with herbaceous species being found on associated springs and are small components of the vegetative community along the creeks so overall

use at this point was in the moderate range (41-60%). End of the growing year monitoring indicates the herbaceous riparian species had 3 to 4 inches of regrowth and overall utilization on both riparian areas were moderate, which meets the short term utilization objective. Temporary authorization of summer cattle use met riparian objectives in 1996 and 1997.

Desired stocking rate calculations can be found in Appendix I and the Technical recommendation section. Grazing Alternative 4 is based on the desired stocking rate calculations.

Comment 2

No specific data were presented to validate or adjust the appropriate management level for this portion of the herd.

Response

Wild horses in the Deer Creek Allotment will be managed in conjunction with wild horses in Happy Creek, Bottle Creek, Wilder-Quinn, and the north Jackson Mountains Allotment. When AML's are established on all allotments, this total AML will be the management level for the North Jackson Mountain wild horses. When numbers reach the top end of this pre-determined range, a gather will be conducted to reduce them to the lower limit of the established range regardless of the allotment they occupy.

The Final Multiple Use Decision issued in 1994 established an AML of 10 in the Deer Creek Allotment. Data has not been collected which indicates this decision was in error.

Comment 3

We would suggest the rangeland monitoring data collected on the lower end of Deer Creek be applied to determining an appropriate management level for wild horses. It may be necessary to establish a key management area and allowable use level for forage allocation to wild horses.

Response

Alternative 3 and 4 has an allowable use level of 50% for summer use along both Deer Creek and Pass Creek. This will provide adequate forage for horses during the fall, winter and early spring months. In addition, a key management area to monitor both livestock and wildhorse use in the summer use area can be

established this fall or before grazing occurs in the summer use area in 1999.

Nevada Division of Wildlife:

Comment 1

It would be appropriate to assess the allotment's conformance to the new Standards and Guidelines in this evaluation process.

Response

You are correct. An assessment of the standard and guidelines can be found in the conclusion section.

Comment 2

It would be appropriate to list the criteria for any adjustment or temporary non-renewable authorizations in the interim period between multiple use decisions.

Response

The following term and condition was on the 1997 grazing authorization for the summer use period and will be on other authorizations prior to the final multiple use decision:

"The livestock operator may request an extension(s) of livestock use in the summer use area after 07/31 as long as utilization levels on Deer Creek and Pass Creek are below 40%. If utilization levels are above 40%, an extension shall not be authorized. Based on the operators request for an extension, the BLM, livestock operator, and interested publics shall inspect Deer Creek and Pass Creek on or before 07/31 to determine utilization levels, if an extension can be authorized based on utilization levels, and the length of the extension, if any. An extension may not exceed two weeks."

This term and condition will be on all authorizations on an interim basis prior to issuing the Final Decision.

The following are comments and responses for the second Draft Deer Creek Allotment Re-evaluation.

Nevada State Clearinghouse/SPOCComment 1

Please evaluate the effects of the technical recommendations and alternatives on the introduction and/or further spread of noxious and invasive weed species. The evaluation should address direct animal transport on coats and in digestive tracts, and also the creation of habitats suitable for weed invasion via soil disruption or disturbance.

Response

The purpose of an evaluation is to determine if current management practices allotment specific objectives are being met by evaluating monitoring data collected during the evaluation period and to make technical recommendations which will meet the objectives. The short term objectives for utilization on both uplands and riparian habitats is 50%. By meeting these allotment specific objectives, forage for both wildlife and wild horses will be provided during the winter months, residual native vegetation will be maintained to prevent creeks from blowing out during high water events by dispersing the energy of the water and erosion and gullying of the creeks and watersheds.

Maintaining native species will hinder the establishment of noxious weeds such as salt cedar and whitetop along the creeks. With Alternative 1, livestock will be removed from the spring/summer use area by 04/30 with return use on 10/01 to 12/31. Utilization levels will be within the slight to light range and both upland and riparian species will have an extensive regrowth period.

Alternatives 3 and 4 authorizes use into the summer in the spring/summer use area. However, both alternatives will have an allowable use level of 50%. Once this utilization level is reached, the livestock will be removed. All three of these alternatives will aid in the hinderance of the establishment of weeds by maintaining the vigor of the native plants, allowing a period of regrowth prior to the winter and not allowing these plants to be over utilized.

Alternative 2 allows livestock use until 09/30. This alternative will not be the selected action due to its exceeding desired stocking rate calculations and the possibility of the utilization objectives being exceeded. It is possible this alternative would allow for salt cedar to become established along the creeks. Under alternatives 2, 3, and 4 the winter use area will be used from 10/01 to 12/31. It is anticipated that noxious weeds will not establish in this area beyond the county maintained roads, private agriculture fields, and public lands in the

vicinity of the fields due to livestock using the area when the plants are dormant and utilization objectives being met during the evaluation period.

The majority of noxious weeds occurring is on a county maintained road, private alfalfa fields, and on public lands adjacent to these private fields. This represents a relatively small area in the allotment, less than one percent. There is no indication that livestock are spreading the weeds or providing conditions conducive to their establishment.

There is no evidence to suggest that livestock have spread weeds in this allotment by direct animal transport on coats and digestive tracts

Comment 2

The grazing system alternatives that permit hot-season grazing address effects on regrowth only of riparian vegetation, but not on successful reproduction of riparian species. We are concerned that hot-season grazing will not permit completion of the reproduction cycles (seed set) of desirable riparian species, leading to long-term declines.

Response

The alternatives that permit hot-season grazing have an allowable use levels of 50% on stream side riparian vegetation. In other words, once 50% utilization is achieved on the Deer Creek and Pass Creek stream side vegetation, livestock are removed from the summer use area. The purpose of these allowable use levels is to reduce the impacts of grazing on species such as willows, rushes and sedges and allow for a period of regrowth and reproduction prior to winter and allow for allotment specific objectives to be met. In addition, livestock are on the flats and not in the riparian areas until late June - early July. Reproduction of these riparian species will occur by enforcing the allowable use level and meeting objectives.

VIII. Management Action

Selected Action:A. Livestock Management

Grazing Preference

- | | | |
|----|---|-----------------------------------|
| 1. | The total number of animal unit months of specified livestock grazing | 754 AUMs |
| 2. | Historical Suspended | 1,089 AUMs |
| 3. | Season of Use | 03/01 to 07/31*
10/01 to 01/02 |

* The permittee may request to extend livestock use in the summer use area past 07/31 (see term and condition below).

Kind and Class of Livestock:	Cattle (Cow/Calf)
Percent Federal Land:	100%

Grazing System:

94 C	03/01 to 03/31	93 AUMs
94 C	04/01 to 07/31	377 AUMs
94 C	10/01 to 12/31	<u>284 AUMs</u>
	Total	754 AUMs

A fence which parallels the Jackson Mountain Road divides the winter/early spring grounds from the late spring/summer use area. The use area west of the fence is the fall/winter/early spring grounds. This area will be grazed from 10/01 to 12/31 and 03/01 to 03/31 each year. In addition, the permittee may request to keep livestock in the winter use area from 03/01 to 04/30. The use area east of the fence leading into the Jackson Mountains is the late spring/summer use area. This area will be grazed from 04/01 to 07/31 each year, or beyond if an extension is authorized. In years which livestock are in the winter use area until 04/30, the summer use area will be available from 05/01 to 07/31, or beyond if extensions are authorized.

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.

You are required to perform normal maintenance on range improvements as per the signed cooperative agreements/section 4 permits prior to turning out in a pasture or use area scheduled for livestock use.

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

The terms and conditions of this grazing permit must be in conformance with the Standards and Guidelines for the Sierra Front-Northwest Great Basin Resource Advisory Council Area, approved by the Secretary of the Interior on February 12, 1997.

Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the 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 in the immediate vicinity of the discovery and protect it from your activities for 30 days or until notified to proceed by the authorized officer.

The livestock operator may may request an extension(s) of livestock use in the summer use area after 07/31 as long as utilization levels on Deer Creek and Pass Creek are below 40%. If utilization levels are above 40%, an extension shall not be authorized. Based on the operators request for an extension, the BLM, livestock operator, and interested publics shall inspect Deer Creek and Pass Creek on or before 07/31 to determine utilization levels, if an extension can be authorized based on utilization levels, and the length of the extension, if any. An extension may not exceed two weeks.

Rationale:

Monitoring data indicates that short term utilization objectives for upland and riparian habitats in the fall/winter/early spring grounds will be met with this grazing system. This area will be used from 03/01 to 04/30 and 10/01 to 12/31 each year.

Monitoring data indicates that short term utilization objectives and standard and guidelines will be met with this alternative in the spring/summer use area. Utilization data gathered in 1996 and 1997 indicates that livestock use up to 07/31 will not cause unacceptable utilization levels in riparian habitats and associated uplands in the Deer Creek and Pass Creek drainages. In 1996 and 1997, livestock use was extended to 08/23 and 09/15, respectively, and in both years short term utilization objectives for riparian areas and uplands were met. However, extended use will require riding and herding by the permittee throughout the spring/summer use period. This alternative will allow for regrowth of herbaceous riparian species following livestock removal and reduce hot season grazing impacts to woody riparian species in both drainages. The term and condition stated above allows the permittee flexibility in extending livestock use in the spring/summer use area past 07/31 as long as utilization levels in the Deer Creek and Pass Creek drainages are below 50%.

B. Wildlife

Analysis of existing management of wildlife habitat does not indicate that current wildlife populations are significantly contributing to the failure in meeting multiple use objectives. Therefore, no change in wildlife use will be implemented at this time.

C. Wild Horses

The AML in the Deer Creek Allotment will remain at 10 head or 120 AUM's.

D. Objectives

Short Term Objectives:

1. The objective for utilization of key upland plant species (SIHY, ELCI, STTH2, AGSP) is 50%.
2. The objective for utilization of key wetland/streambank riparian plant species (CAREX, JUNCUS, PONE3, SALIX, ROSE, Dogwood) is 50%.

Long Term Objectives:

1. Maintain and improve public rangeland conditions to provide forage on a sustained yield basis for big game, with a forage demand of 112 AUMs for mule deer and 58 AUMs for bighorn sheep.

- a. Improve to and maintain 10,043 acres in good to excellent mule deer habitat condition.
- b. Improve to and maintain 3,812 acres in good to excellent bighorn sheep habitat condition.
2. Manage, maintain, and improve public rangeland conditions to provide forage on a sustained yield basis for livestock, with an initial stocking level of 754 AUMs.
3. Improve range condition from poor to fair on 3,039 acres.
4. Manage, maintain and improve public rangeland conditions to provide forage for a viable population of horses.
5. Improve to and maintain the state water quality criteria for Deer Creek.

The following will be removed as a multiple use objective for the Deer Creek Allotment:

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

Rationale:

No sage grouse habitat has been identified within the Deer Creek Allotment in the Winnemucca District Unit Resource Analysis. No sage grouse strutting grounds, brooding areas or winter use area are known to exist within the allotment. Other allotments within the Jackson Mountains provide sage grouse habitat support populations of the birds. Because of vegetation potential, topography and elevations, sage grouse habitats are not suitable or marginal at best in the Deer Creek Allotment.

E. Monitoring

The following types of monitoring data are needed to make a determination of allotment objectives.

1. Utilization
2. Actual Use
3. Climate
4. Wildlife habitat evaluation/condition

5. Trend
6. Ecological Status
7. Wild Horse Census
8. Water quality
9. Lodic and Lentic Riparian Functionality

The next evaluation is scheduled for 2006 unless monitoring data indicates another re-evaluation is required sooner.

IX. Future Monitoring and Grazing Adjustments

The Winnemucca District will continue to monitor existing studies and establish additional studies as identified above. This monitoring data will continue to be collected in the future to provide the necessary information for subsequent evaluation. These evaluations are necessary to determine if allotment specific objectives are being met under the existing and/or new grazing management strategies. In addition, these subsequent evaluations will determine if adjustments are required to meet the established allotment specific objectives.

- X. The selected management action for grazing on the Deer Creek Allotment conforms with environmental analysis of grazing impacts described in the Final Paradise-Denio Environmental Impact Statement dated September 18, 1981.

The EIS and NEPA Compliance Record are on file in the Winnemucca District Office, located at 1500 E. Winnemucca BLVD, Winnemucca, NV 89445.

Appendix 1

Desired Stocking Rate Calculations

Desired stocking rate calculations were determined in accordance with BLM Manual Rangeland Monitoring Analysis, Interpretation, and Evaluation, Technical Reference 4400-7. Desired stocking rates were calculated for the spring/summer use area using riparian areas as key management areas. The desired stocking rates calculated are the stocking rate at which both riparian and upland short-term utilization objectives are expected to be met under present management.

The desired stocking rates for the winter use area are the stocking rates at which upland and seeding short-term utilization objectives are expected to be met under present management.

Desired Stocking Rate Formula:

$$\frac{\text{Actual Use (AUMs/Pasture)}}{\text{KMA Utilization (\%)}} = \frac{\text{Desired Actual Use (AUMs)}}{\text{Desired KMA Utilization}}$$

KMA = Key Management Area - Riparian/Meadow Habitat

Spring/Summer/Fall

1997:

$$x = (424 / .5) * .5 = 424 \text{ AUMs}$$

1996:

$$x = (382 / .5) * .5 = 382 \text{ AUMs}$$

$$\text{Average Desire Stocking Rate: } (424 + 382)/2 = 403 \text{ AUMs}$$

Fall/Winter/Spring

Objectives have been met in the fall/winter/spring use area, therefore, 351 AUMs will be the stocking rate.