



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-026.11)

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SEP 23 1994

Sep 23, 94

NOTICE OF PROPOSED FULL FORCE AND EFFECT MULTIPLE USE DECISION FOR THE BLUE WING/SEVEN TROUGHS ALLOTMENTS

C-Punch Ranch, Inc.
900 Industrial Way
Sparks, NV 89431

Dear Mr. Irvin:

The Record of Decision for the Sonoma/Gerlach Environmental Impact Statement and the Management Framework Plan - Land Use Plan - was issued on September 9, 1982. These documents established the multiple use goals and objectives which guide management of the public lands in the Blue Wing/Seven Troughs Allotments.

In 1988, the Blue Wing/Seven Troughs Allotments were evaluated using monitoring data to determine whether or not the Land Use Plan's (LUP) objectives were being met. As a result of the evaluations, agreements were negotiated with the permittees which identified site specific objectives.

Monitoring has been conducted to determine if livestock grazing, wild horse and burro use, and wildlife use are within the objective parameters established in the LUP. These objectives were carried forward into the Blue Wing/Seven Troughs Allotment Agreements. Since the 1988 evaluation, additional monitoring data has been collected and analyzed to determine whether or not progress is being made in meeting the multiple use allotment objectives. In addition, this information will direct changes, if any are required, in management actions to meet those objectives.

Through the allotment re-evaluation process the Bureau of Land Management determined that changes in existing management is required to achieve the multiple use objectives for the allotment. Analysis of the monitoring data indicates that the existing numbers of wild horses/burros, and the numbers and management of livestock by C-Punch Corporation is contributing to the failure in meeting parameters of the LUP and the 1988 Allotment Agreements multiple use objectives. Monitoring data did not indicate changes were needed for the sheep operators or the other cattle operation on the east side of Seven Troughs. Analysis of wildlife data does not indicate a need for change in the existing management. Therefore, this proposed decision changes C-Punch livestock management and numbers, the grazing system, establishes new or modifies objectives, and establishes an Appropriate Management Level (AML) for wild horses and burros (WH&B) resulting in a thriving natural ecological balance.

BLUE WING/SEVEN TROUGHS
PROPOSED MUD, September 23, 1994

*M**
got 1980
court decision
9/23/94
In Fed court
preliminary
hearings

The draft re-evaluation was sent to interested parties which initiated the consultation, coordination, and cooperation process. Individual or group comments that were submitted have been incorporated into the development of the document.

As a result of this process my proposed decisions are:

ALLOTMENT WIDE MULTIPLE USE OBJECTIVES

UTILIZATION OBJECTIVES (SHORT TERM)

Riparian/Wet Meadows

1. Utilization on key riparian plant species (such as willow, aspen, rushes, sedge, and Nevada bluegrass) shall not exceed thirty percent (30%). Maintain a satisfactory age class, form class, and be self perpetuating in the following areas: [except where adjusted by an approved activity plan]

Blue Wing

Jenny Creek.

Unnamed Canyon at T. 29 N., R. 24 E., Sections 2 and 3.

Unnamed Canyon at T. 32 N., R. 26 E., Sections 25 and 36

Unnamed Canyon at T. 32 N., R. 27 E., Section 31.

Seven Troughs

Cow Creek.

Egbert Canyon.

Stonehouse Canyon.

2. Total utilization of plant species such as willow, aspen, sedge, bulrush, cattails, and Nevada bluegrass in approximately 358 acres of riparian, wetland, and meadow habitat (addition to the above sites) shall not exceed 50% utilization. These sites are adjacent to wetlands and pools like Sulphur wetlands and meadows such as Rabbithole and Last Chance Spring.

Upland Browse/Grasses/Dry Meadows

1. Total utilization shall not exceed the allowable use on the following wildlife key species: (F 1.1, F 1.3, RM 1, WL 1.1, WL 1.7, and WL 1.9).

Antelope bitterbrush (PUTR2)	50%
Serviceberry (AMAL)	40%
Snowberry (SYMPH)	40%
Winterfat (EULA5)	50%
Cinquefoil (POTEN)	20%
Sandberg bluegrass	30%
Buffaloberry (SHEPH)	50%
Ephedra (EPHED)	50%

2. Utilization of key plant species on upland rangeland habitat shall not exceed 50% during the growing season and 60% yearlong - the key plants are specified at the specific key areas. (WL 1.7, WL 1.9, and RM 1).

VEGETATION OBJECTIVES

THE 1988 ALLOTMENT OBJECTIVES SHORT TERM (4) AND LONG TERM (1,2,4,5,6,7,8,&9), WILL BE REQUANTIFIED UPON CULMINATION OF THE ECOLOGICAL SITE INVENTORY (ESI) DATA COMPILATION. THE ESI DATA WILL BE USED TO DEVELOP DESIRED PLANT COMMUNITY OBJECTIVES (DPC) ON WETLAND RIPARIANS AND UPLAND SITES USED BY LIVESTOCK, WILD HORSES AND BURROS, AND WILDLIFE.

THE FOLLOWING OBJECTIVES WILL BE USED TO GUIDE MANAGEMENT ON THE ALLOTMENTS IN THE INTERIM BETWEEN COMPLETION OF THIS EVALUATION AND DEVELOPMENT OF THE DPC OBJECTIVES.

1. Improve or maintain the condition on 358 acres of wetland, riparian, and meadow habitats to good condition or higher. (WL 1.10, RM-1) - Change to DPC Objective
2. Improve or maintain 24 acres of streambank riparian habitat to good condition from poor condition. (WLA 1.3, WL 1.9, RM-1) - Change to DPC Objective
3. Protect sage grouse strutting grounds and brooding habitat and improve nesting and wintering habitat by (refer to Appendix 1 of the Final Re-evaluation for the lek locations): (WL - 1.11)
 - a. Following NDOW guidelines for Vegetal Control Programs in Sage Grouse Habitat in Nevada.
 - b. Use the following criteria to identify and maintain sites that would sustain the highest level of use and success by sage grouse (The optimal sagebrush canopy coverage of 30% does not appear to be obtainable on any of these sites; based on professional observations. Similar range sites sampled within the Winnemucca District were not capable of obtaining the 30% sagebrush canopy coverage. This is why I opted to measure the below criteria):

Strutting Habitat

1. Low sagebrush or brush free areas for strutting, and nearby areas of sagebrush having 20-50% canopy cover for loafing.

Nesting Habitat

1. Areas within 2 miles of strutting grounds.
2. Sagebrush between 7 and 31 inches in height (optimum = 16 inches).
3. Sagebrush canopy coverage 15-30% (optimum = 27%).

Brood Rearing Habitat

1. Sagebrush canopy cover 10-21% (optimum = 14%).
2. High composition of forb species.
3. Vigorous-available meadow vegetation in late summer and fall.

Winter Habitat

1. Greater than 20% Sagebrush canopy cover.
 2. Areas do not maintain high winter snow depth as a function of elevation or topography.
4. Improve and/or maintain 40 acres of aspen woodland, located in the Jenny Creek watershed, to an acceptable woodland suitability index that would maintain self perpetuating uneven aged stands of seedlings, saplings, pole and mature sized trees. (RM 1, WLA 1.13, WL 1, WL 1.9, WL 1.10, and WL 1.12) - Change to DPC Objective
 5. Maintain the Sulphur Wetlands to provide migratory waterfowl habitat in the following locations:

T. 35 N., R. 29 E.	Section 26 SW $\frac{1}{4}$
	Section 27 SE $\frac{1}{4}$
	Section 34 NE $\frac{1}{4}$
	Section 35 NW $\frac{1}{4}$

(R 1.4, W 1, W 1.1, W 2.1, WHB 1.7, WLA 1, WLA 1.6, WLA 1.9, WLA 1.13, WL 1, WL 1.7, WL 1.10, WL 1.13, WL 1.26, and W1 1.27) - Change to DPC Objective
 6. Manage, maintain or improve public rangeland habitat condition to provide forage on a sustained yield basis with an initial forage demand for big game of 1,196 AUMs for mule deer, 75 AUMs for pronghorn and 106 AUMs for bighorn sheep by: - Change to DPC Objectives
 - a. Improving overall mule deer habitat as follows:
 - 1) From fair to good 113,719 acres: Lava Beds DY-4; Selenite Range DY-1; Seven Troughs DS-2; Seven Troughs DY-5.

- 2) From poor to fair 22,107 acres: Nightingale Mtns. DY-2 and Shawave Mtns. DY-3.
- b. Improving potential pronghorn habitat 308,900 acres from fair to good condition.
- c. Improving 9,485 acres of potential bighorn sheep habitat (Selenite Range BY-1) to 90% of optimum.
- 7. Manage, maintain and improve rangeland conditions on a sustained yield basis. - Change to DPC Objective
- 8. Manage domestic livestock grazing to increase 136,318 acres from poor and fair to good, and 3,505 acres from good to excellent ecological condition; improve range condition and forage availability. - Change to DPC Objective

WATER QUALITY OBJECTIVE

- 1. Improve or maintain the water quality of Jenny Creek to the state criteria for livestock drinking and wildlife propagation.

State Water Quality Criteria

<u>Constituent/use</u>	<u>Livestock drinking</u>	<u>Wildlife Propagation</u>
¹ TDS	< 3000 mg/1	-
NO ₃ (N)	< 100 mg/1	<100 mg/1
Fecal coliform	<1000/100 ml.	<1000/100 ml.
pH	5.0-9.0	5.0-9.2
² D.O.	aerobic	aerobic
Alkalinity	-	30-130 mg/1

- ¹ = Total Dissolved Solids
- ² = Dissolved oxygen

COMBINED LIVESTOCK AND WILD HORSE/BURRO CARRYING CAPACITY

The combined carrying capacity for livestock and wild horses/burros to achieve these objectives are:

Livestock	13,980 AUMs
Wild Horses and Burros	<u>5,040 AUMs</u>
	19,020 AUMs

The carrying capacity between livestock and wild horse/burros is based on the LUP ratios in accordance with MFP Decision - Range 1.1 and Wild Horse and Burro 1.1.

The re-evaluation data indicated a need to make adjustments in the numbers of wild horses/burros and the C-Punch livestock operation, the effects of the other livestock operations were so minimal they could not be detected, therefore, the other livestock operations are not included in the reduction schedule. The livestock (C-Punch) suspension of preference and reduction of wild horses/burros will be implemented concurrently over a six year period with reductions scheduled for FY 1995, 1997, and 2000. The recommended combined carrying capacity (BLM AUMs) and implementation schedule for livestock and wild horses/burros to achieve these objectives are listed below:

INITIAL REDUCTIONS March 1, 1995

Livestock (C-Punch)	10,066 AUMs
Wild Horse and Burros	<u>12,240 AUMs</u>
Total	22,306 AUMs

INTERMEDIATE REDUCTIONS March 1, 1997

Livestock (C-Punch)	7,976 AUMs
Wild Horse and Burros	<u>8,640 AUMs</u>
Total	16,616 AUMs

FINAL REDUCTIONS March 1, 2000

Livestock (C-Punch)	5,886 AUMs
Wild Horse and Burros	<u>5,040 AUMs</u>
Total	10,926 AUMs

We realize that it is possible that the allotment objectives could be obtained prior to reaching 5,886 AUMs for livestock (C-Punch) and 5,040 AUMs for wild horses/burros identified in the Carrying Capacity Calculations. Monitoring will be conducted to determine the appropriate stocking level that will achieve the allotment objectives, and no further reductions will be implemented.

LIVESTOCK MANAGEMENT DECISION

Based upon the evaluation of monitoring data for the Blue Wing/Seven Troughs Allotments, consultation with the permittees, and other affected interests it is my proposed decision to change the livestock management as follows:

C-PUNCH

FROM:

- | | | | |
|----|----------------------------|------------------|----------------------|
| 1. | Grazing Preference (AUMs) | | |
| | | <u>BLUE WING</u> | <u>SEVEN TROUGHS</u> |
| a. | Total Preference | 21,460 | 4,404 |
| b. | Suspended Preference | 0 | 0 |
| c. | Active Preference | 21,460 | 4,404 |
| d. | Exchange of Use | 5,349 | 399 |
| 2. | Season of Use | 3/01 - 2/28 | 3/01 - 2/28 |
| 3. | Number, Class of Livestock | 2,235 cow/calf | 399 cow/calf |
| 4. | Percent Federal Range | Blue Wing = 80% | Seven Troughs = 92% |

TO:

The revised grazing system will divide the Blue Wing and Seven Troughs Allotments into two use areas, a northern and southern portion, therefore, the AUMs and livestock numbers will include both allotments.

INITIAL REDUCTIONS March 1, 1995

- | | | | |
|----|----------------------------|----------------|--|
| 1. | Grazing Preference (AUMs) | | |
| | | 25,864 | |
| a. | Total Preference | 25,864 | |
| b. | Suspended Preference | 15,798 | |
| c. | Active Preference | 10,066 | |
| d. | Exchange of Use | 2,242 | |
| 2. | Season of Use | 3/01 - 2/28 | |
| 3. | Number, Class of Livestock | 1,026 cow/calf | |
| 4. | Percent Federal Range | 82% | |

*approx 14,000
10,000 preferred
4,000 actual*

INTERMEDIATE REDUCTIONS March 1, 1997

1. Grazing Preference (AUMs)
 - a. Total Preference 25,864
 - b. Suspended Preference 17,888
 - c. Active Preference 7,976
 - d. Exchange of Use 1,782
2. Season of Use 3/01 - 2/28
3. Number, Class of Livestock 813 cow/calf
4. Percent Federal Range 82%

FINAL REDUCTIONS March 1, 2000

1. Grazing Preference (AUMs)
 - a. Total Preference 25,864
 - b. Suspended Preference 19,978
 - c. Active Preference 5,886
 - d. Exchange of Use 1,322
2. Season of Use 3/01 - 2/28
3. Number, Class of Livestock 601 cow/calf
4. Percent Federal Range 82%

GRAZING SYSTEM

FROM:

Existing Grazing System - C-Punch

Graze 150-200 head of livestock in the Slough House area above Nixon during the winter season-of-use (11/1-3/31). At the beginning of plant growth of the key species, cattle will be moved north and held on the west side of the Selenite Range from 4/1-10/31.

Livestock management techniques will be the principal tool for resource management. Water control and riding will be the method of controlling livestock distribution and drift, season-of-use, and intensity of grazing.

Waters that will be shut down in the Slough House area after livestock have been moved are:

Existing: Little Valley Well
Proposed: Nixon Flat Well

Mineral supplements may also be used to control livestock distribution and prevent drift out of units. In the Selenite unit, the Highway 34 fence and the Selenite Range provide control to the east and west. In the Slough House area, the Desert Queen fence and Highway 34 fence provide control to the south. Livestock will be trailed between management units. Water will be hauled to a point along the reservation fence approximately half way down the west side of Winnemucca Lake where cattle will be held overnight. In the Slough House unit Nixon Flat and Little Valley Wells will be shut down upon movement north. Trailing of cattle between units will take about three days.

Graze 550-600 head of livestock in the Granite Springs Valley during the winter season-of-use (11/1-3/31) during the start of growth of the key species, the livestock will be moved to the Nightingale and Shawave Mountains from 4/1-10/31.

Water control and riding will be the methods of controlling livestock distribution and drift, season-of-use, and intensity of grazing. At the end of each season-of-use, waters will be shutdown and cattle will then drift into the other adjacent unit. West Ragged Top Well #1 and Telephone Well are the major watering sources in the Granite Springs Valley and they will be shut down after the livestock leave. Once Hard to Find Well and Lowry Well are constructed, they will also be shut off. The depth of the snow in the Nightingales and Shawaves is sufficient to force the livestock into Granite Springs Valley.

Mineral supplements may also be used to control livestock distribution and to prevent drift into other units. Control of livestock will also be accomplished by riding.

Graze 250-300 head of livestock on the flats between the Selenites and the Lava Beds during the winter season-of-use (11/1-3/31). When growth of the key species begins, cattle will be moved west and held on the east side of the Selenite Range from 4/1-10/31.

Water control, riding, and salting will be the methods of controlling livestock distribution and drift, season-of-use, and intensity of grazing. Livestock will be rotated and distributed by shutting down waters for distribution both within and out of each grazing unit.

Waters in the area which may be shutdown are:

- Limbo Well
- Lower end of Betty Creek
- C-Punch Pipelines
- Desert Well
- Twin Buttes Well

Graze 350-400 head of livestock in the Kamma Mountains and Antelope Range during the winter season-of-use (11/1-3/31). At the start of growth cattle will be moved into the Seven Troughs Range and held from 4/1-10/31.

Water control, riding, and salting will be the methods of controlling livestock distribution and drift, season-of-use, and intensity of grazing. Livestock will be rotated and distributed primarily by shutting down waters for distribution both within grazing units and controlled drift out of grazing units.

Waters (once constructed) to be controlled are:

- Antelope Siding Well
- Toll Rock Canyon Well
- Rocky Canyon Well
- Long Walk Well (existing)

Graze 350-400 head of livestock in the Lava Beds, Blue Wing Mountains, and western slopes of the Seven Troughs Range on a rotating basis throughout the year depending on weather and forage conditions.

Water control, riding, and salting will be the methods of controlling livestock distribution and drift, season-of-use, and intensity of grazing.

Waters (once constructed) in the area are:

- Trail Canyon Well
- Twin Butte Well (existing)

TO:

Alternative 5 (Modified Version):

Amend the existing year round grazing system within the Blue Wing/Seven Troughs Allotments as follows:

- * Combine the Blue Wing/Seven Troughs Allotments. Divide the Blue Wing/Seven Troughs Allotment into two use areas; a northern and southern portion, without a fence (see attached map).
- * Graze livestock within each use area yearlong 3/1 - 2/28 for one year then rotate into the next area, resulting in one year of use and one year of cattle rest.
- * Livestock would be moved from one use area into the other on 3/1 which would allow grazing on the carryover forage during the critical spring growth period.
- * Implement grazing system March 1, 1995 by grazing the north use area and resting the southern use area.

RATIONALE

1. Provides one complete year of rest from cattle grazing for the allotments during a two year cycle.
2. Providing one complete year of rest from cattle grazing will allow the long term vegetative objectives to be more quickly obtained.
3. Allows early season rest and eliminates hot season use on vegetation by livestock one out of two years resulting in increased plant vigor.
4. Reduces the combined yearlong competition by WH&B and cattle for limited forage and water.
5. Lessens the competition by livestock in wildlife use areas and reduces the chance of displacing sage grouse and chukar during nesting and brooding periods.
6. Reduces the potential conflicts with casual recreational uses such as camping, hunting and hiking as well as organized events such as off road racing.
7. Divides the allotments into more manageable units requiring less labor and expenses.

8. Provides the opportunity to monitor utilization levels by WH/B during years that cows are not using the area.

While in the allotment, compliance checks will be conducted to determine if the north/south rotational grazing system is being followed or working. In the event that livestock are not being moved or there is substantial drift between the use areas the grazing system will be changed to winter use only as identified in Alt 8 below. Any action to change to winter use would be implemented prior to the third year reduction of preference in 1997.

Alternative 8:

C-Punch (Cows): Amend the existing year round grazing system within the Blue Wing/Seven Troughs Allotment as follows:

- * Convert the existing yearlong grazing system to winter use throughout the allotment.
- * Change the existing yearlong 3/1 - 2/28 season of use to a 10/1 - 3/31 season of use throughout the allotment.

TIM DELONG FAMILY TRUST

FROM:

1. Grazing Preference (AUMs)
 - a. Total Preference 746
 - b. Suspended Preference 0
 - c. Active Preference 746
 - d. Exchange of Use 1,494
2. Season of Use 11/1 - 6/30
3. Number, Class of Livestock 284 cow/calf
4. Percent Federal Range 33%

Livestock grazing use will occur in the former Tharalson and Duncan area for exchange-of-use within the Seven Troughs Allotment. Southern Pacific Grazing Lease SPL-6431 is offered for exchange-of-use. Grazing use will continue each year for the period (11/1 - 6/30).

Benefits: Cattle will be moved out of the allotment after seed dissemination of the majority of the plants. This will allow for trampling and covering of the seed, and also provide fall growth prior to late fall grazing.

TO:

There will be no change in the authorized use for Tim DeLong Family Trust.

The evaluation identified the need to realign the boundary between the Seven Troughs and the Majuba Allotments. My decision is to carry forward with this realignment. The approximate location of the new boundary is shown on the attached map. The exact location will be determined based on ease of fencing. As soon as the necessary fencing is completed, all of Tim DeLong's privileges and exchange of use will be moved to the Majuba allotment.

Management will continue as presently authorized until the construction of the new allotment boundary fence.

DUFURRENA SHEEP CO.

There will be no adjustment of livestock numbers or management.

1. Grazing Preference (AUMs)
 - a. Total Preference 746
 - b. Suspended Preference 0
 - c. Active Preference 746
 - d. Exchange of Use 373
2. Season of Use 11/01 - 3/31
3. Number, Class of Livestock 1,125 sheep
4. Percent Federal Range 67%

The sheep operation will be managed as in the past in accordance with the adjudicated area and season-of-use. Sheep grazing will continue during the winter season (11/1-3/31) in the northern portion of the Seven Troughs Allotment occurring in the Kamma Mountains, Seven Troughs, and Antelope Range. Once the Majuba Boundary fence discussed on page 13 is in place, Dufurrena will use his exchange of use in the area east of this fence. During the start of growth of the key species sheep will be trailed out of the allotment.

Rationale: This will allow for rest during the critical growing period for winter grazing species, improved vigor, production and storage of nutrients, and seed production. This should provide for the best utilization of the perennial vegetation and should improve the overall ecological condition in the allotment.

JOHN ESPIL

There will be no adjustment of livestock numbers or management.

1. Grazing Preference (AUMs)
 - a. Total Preference 3,627
 - b. Suspended Preference 0
 - c. Active Preference 3,627
 - d. Exchange of Use 0
2. Season of Use 12/1 - 3/15
3. Number, Class of Livestock 5,255 sheep
4. Percent Federal Range 100%

The grazing management system will not change from past use, continuing as winter season-of-use and an active preference of 3,627 AUMs. The area-of-use shall continue as adjudicated in the south half of the Seven Troughs area. The permittee grazes 2,000 head of sheep. This treatment allows for grazing during the dormancy period when plants are least susceptible to the impacts of grazing; sheep will be removed prior to the critical growth period.

Sheep are trailed from Lovelock in the fall, to the Seven Troughs area, and in the spring are trailed to the CalNeva unit of the Susanville District. Refer to the grazing license for a detailed trailing description.

Benefits: This allows for rest during the critical growth period providing plant growth, improved vigor, production and storage of nutrients, and seed production. This grazing system should provide for the best utilization of the perennial vegetation and should improve the overall ecological condition in the allotment.

WESLEY COOK

There will be no adjustment of livestock numbers or management.

1. Grazing Preference (AUMs)
 - a. Total Preference 2,975
 - b. Suspended Preference 106
 - c. Active Preference 2,869
 - d. Exchange of Use 0
2. Season of Use 12/7 - 3/17
3. Number, Class of Livestock 4,320 sheep
4. Percent Federal Range 100%

Wes Cooks adjudicated area-of-use will expand to includes the old Holland sheep use area that was once shared in part with B. G. Bunyard. The permittee grazes 4,000 head of sheep in the two areas-of-use. This allows for grazing during the dormancy period when plants are least susceptible to the impacts of grazing. During the start of growth of the key species the livestock will be trailed out of the area. This will allow for rest during the critical growing period.

Sheep will be trailed from the Susanville District to the area-of-use during December and trailed from the area-of-use back to the Susanville District during March. Refer to each grazing license for a detailed description of designated trail area.

Benefits: This treatment provides growing season rest for forage plants allowing plant growth, improved vigor, production and storage of food for next year's growth, and seed production. The expanded area-of-use will alleviate repeated concentrated grazing use on the smaller original adjudicated area-of-use. This action will also provide the permittee an opportunity to be more flexible in his operation by allowing him to follow the localized snowstorms thus reducing the dependence of hauling water. This will help to improve the overall ecological condition in the northern Selenite Range.

LIVESTOCK DECISION ACTIONS

- 1) Require C-Punch to move cattle between use areas starting approximately two weeks prior to the 3/1 move date and complete the movement of cattle by no later than two weeks after the 3/1 date. (This should allow adequate time to move and redistribute the cattle into a use area as well as leaving an area prior to vegetation green up providing, a complete growing season of rest from cattle grazing every other year. This system will also allow cattle to move into a use area and utilize the residual forage after a year of rest from livestock grazing. Aerial and ground compliance checks will be conducted to insure cattle are maintained in the appropriate use area.)

To be included in Terms and Conditions of C-Punch's Grazing Authorization.

- 2) Do not exceed 30% utilization of current years growth on key riparian species (such as willow, aspen, rushes, sedge and Nevada bluegrass) when the cattle leave the use area.
- 3) Combined wild horse/burro and livestock utilization on upland grass and grass-like species is not to exceed 50% during the growing season and 60% yearlong.

(If monitoring indicates that utilization cannot be kept at the recommended levels additional reductions of livestock and wild horses/burros will be initiated as indicated in the third and sixth year of the schedule).

TERMS AND CONDITIONS

The below mentioned terms and conditions will be incorporated into the term permits and the annual authorization via the grazing bills of all the permittees:

Grazing use will be in accordance with the Final Multiple Use Decision.

Salt and/or mineral blocks shall not be placed within one quarter (1/4) mile of springs, streams, meadows, riparian zones, or aspen stands.

The permittees are required to perform normal maintenance on the range projects which they have been assigned maintenance responsibility.

AUTHORITY

The authority for this decision is contained in Title 43 of the Code of Federal Regulations; pertinent citations are cited:

- 4100.0-8 **Land use plans** - 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 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 **Changes in grazing preference status** - The authorized officer shall periodically review the grazing preference specified in a grazing permit or grazing lease and may make changes in the grazing preference status. these changes shall be supported by monitoring, as evidenced by rangeland studies conducted over time, unless the change is either specified in an applicable land use plan or necessary to manage, maintain or improve rangeland productivity.
- 4120.3-1(a) **Conditions for range improvements** - Range improvements shall be installed, use, maintained, and/or modified on the public lands, or removed from these lands, in a manner consistent with multiple-use management.
- 4130.6-1(a) **Mandatory terms and conditions** - The authorized officer shall specify the kind and number of livestock, the period(s) of use, the allotment(s) to be used, and the amount of use, in animal unit months, for every grazing permit or lease. The authorized shall not exceed the livestock carrying capacity as determined through monitoring and adjusted as necessary.
- 4130.6-2 **Other terms and conditions** - The authorized officer may specify in grazing permits or leases other terms and conditions which will assist in achieving management objectives, provide for proper range management or assist in the orderly administration of the public rangelands
- 4130.6-3 **Modification** - 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 lease or permit if monitoring data show that present grazing use is not meeting the land use plan or management objectives.

4160.3(c) **Final decisions -** 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.

WILD HORSE/BURRO MANAGEMENT DECISION

Based on the evaluation of the monitoring data for the Blue Wing/Seven Troughs Allotments, consultations with the permittees, and affected interests my proposed decision for wild horses and burros is:

WILD HORSE/BURRO APPROPRIATE MANAGEMENT LEVELS

The following is the Wild Horse/Burro reduction implementation schedule that will establish the AMLs. The initial reduction will be to approximately the Herd Management Area Plan (HMAP) level of 12,240 AUMs with the balance to be taken in the third and sixth years. These reduction are scheduled to coincide with proportional reductions of livestock.

<u>YEAR</u>	<u>NUMBERS WH&B</u>	<u>AUMS</u>	<u>SEASON OF USE</u>
1995	1020	12,240	03/1 - 02/28
1997	720*	8,640	03/1 - 02/28
2000	420**	5,040	03/1 - 02/28

* This number (720) is the halfway between 1020 and 420.

** This total does not include 50 hd/600 AUMs in the Kamma Mtns. HMA

The following wild horse and burro AMLs are based on monitoring and should result in a thriving natural ecological balance for the Herd Management Areas (HMAs):

<u>HERD MANAGEMENT AREAS</u>	<u>WILD HORSES/BURROS</u>	<u>AUMs</u>
Lava Beds	110/12	1320/144
Seven Troughs	103/31	1236/372
Kamma Mountains*	-	-
Shawave-Nightingale	112/ 0	1344/ 0
Blue Wing	29/23	348/276
TOTALS	354/66	4248/792

* Wild horse and burro numbers are not included in the Carrying Capacity Calculations number. Monitoring data was not collected in the Kamma Mtns HMA, therefore, the AML could not be established. When adequate data is collected an AML would be established using the CCC process.

Once AML is reached the wild horse and burro populations will be maintained within the following ranges in order to ensure that the carrying capacity is not exceeded. These ranges are based on gathering horses every three years. If gathering schedules change, these ranges may change.

WILD HORSE/BURRO NUMBERS

<u>HERD MANAGEMENT AREAS</u>	<u>75% OF AML TO AML</u>	<u>AUMS</u>
Lava Beds		
Wild Horses	83 to 110	1020 to 1356
Burros	9 to 12	108 to 144
Seven Troughs		
Wild Horses	77 to 103	924 to 1236
Burros	23 to 31	276 to 372
Kamma Mountains	-	-
Shawave-Nightingale		
Wild Horses	84 to 112	1008 to 1344
Burros	0	0
Blue Wing		
Wild Horses	22 to 29	264 to 348
<u>Burros</u>	<u>17 to 23</u>	<u>204 to 276</u>
Totals		
Wild Horses	266 to 354	3216 to 4284
Burros	49 to 66	588 to 792

Wild horses and burros will not be managed in the Selenite Mountain Range. Any animals found in this range will be removed.

We realize that it is possible the allotment objectives could be obtained prior to reaching 5,040 AUMs for wild horses and burros identified in the Carrying Capacity Calculations. Monitoring will be conducted to determine the AMLs that will achieve the allotment objectives and then no further reductions are required.

WILD HORSE AND BURRO OBJECTIVES

Re-evaluation Objective

1. Maintain and improve the free-roaming behavior of wild horses by:
 - (a) protecting their home range
 - (b) assuring free access to water

HMAP Objectives Brought Forward

1. Maintain or improve the rangeland ecological status within the HA utilizing the criteria and time frames established in the Blue Wing-Seven Troughs Monitoring Plan, 1985. - Change to DPC Objective
2. Maintain a healthy herd of animals within the established AML.
3. Establish forage use levels for the wild horse/burro population (i.e. refine the AML) through monitoring of habitat in the Kamma Mountains.
4. Preserve and perpetuate the unique spotted and pinto burro population.
5. Acquire data on the demographic characteristics of the wild horse/burro populations to include information on sex ratio, age structure, young/adult ratio, and actual use. These parameters will be analyzed to determine natality, mortality, and rate of increase.
6. Determine the dietary preferences of wild horses/burros within the HMAs.

WILD HORSE DECISION ACTIONS

- 1) The utilization level on upland vegetation key species by wild horses and burros, once AML is reached, is limited to 20% by July 15 on cattle rest years. If utilization levels are not being met, then the AML will be adjusted.
- 2) Maintain the wild horse and burro population within the recommended range to prevent numbers from exceeding AML. This should keep utilization levels on key species at acceptable levels, thereby, achieve a Thriving Natural Ecological Balance and provide for a healthy and thriving wild horse/burro population.

Rationale: During the evaluation period wild horse and burro numbers have exceeded the initial stocking levels. Wild horses and burros have made disproportionate use of the forage resource during the evaluation period as identified in the monitoring data and have adversely impacted the riparian areas such as springs and dry meadows by overgrazing and trampling the vegetation.

AUTHORITY

The authority for this decision is contained in Sec. 3(a), 3(b)(1), and 3(b)(2) 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:

- 4700.0-6(a) **Policy** - Wild horses and burros shall be managed as self-sustaining populations of healthy animals in balance with other uses and the productive capacity of their habitat.
- 4710.4 **Constraints on Management** - 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 objectives identified in approved land use plans and herd management areas plans.
- 4720.1 **Removal of Excess Animals from Public Lands** - Upon examination of current information and a determination by the authorized officer that an excess of wild horses or burros exists, the authorized officer shall remove the excess animals immediately...4770.3(c)
- 4770.3(c) **Administrative remedies** - The authorized officer may place in full force and effect decisions to remove wild horses or burros from public or private lands if removal is required by applicable law or to preserve or maintain a thriving ecological balance and multiple use relationship. Full force and effect decisions shall take effect on the date specified, regardless of an appeal. Appeals and petitions for stay of decisions shall be filed with the Interior Board of Land Appeals as specified in this part.

WILDLIFE MANAGEMENT

Based on the interpretation and analysis of the monitoring data, consultation with affected interests, and staff technical recommendations, no adjustment in wildlife use or numbers is necessary. Wildlife habitat will be managed as outlined in the Land Use Plan.

FUTURE MONITORING AND GRAZING ADJUSTMENTS

The Sonoma-Gerlach Resource Area will continue to monitor the Blue Wing/Seven Troughs Allotment. This data will provide the necessary information to determine if the allotment specific objectives are being met after implementing the new grazing management strategy and establishing the AML. Subsequent evaluations will determine if adjustments are required to meet the established allotment specific objectives.

PROTEST RIGHTS

If you wish to protest the Proposed Multiple Use Decision in accordance with 43 CFR 4160.2, you are allowed fifteen (15) days from receipt of this notice within which to file such protest in person or in writing with the Area Manager. The protest should state clearly and concisely why you think the proposed decision is in error. Protests should be sent to:

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

At the end of the protest period, I will issue a final full force and effect decision based on the following criteria:

- Livestock carrying capacity is less than 25% of active preference and less than 50% of average actual use.
- Use of full preference or even a continuation of the average actual use constitutes a serious threat to the wild horse herds should we experience a severe winter.
- Heavy use has been occurring on the allotment since 1988. Riparian areas throughout the allotment are receiving particularly heavy use.

Sincerely Yours,



Bud Cribley, Area Manager
Sonoma-Gerlach Resource Area

certified cc:

Tim DeLong Family Trust 2773762832
Dufurrena Sheep Co. 2773762833
Mr. John Espil 2773762834
Mr. Wesley Cook 2773762835
NV Commission for the Preservation
of Wild Horses 2773762836
Wild Horse Organ. Assist. 2773762837
President, Pershing County Concerned Citizens 2773762838
Division of Wildlife - Fallon 2773762839
Sierra Club-Toiyabe Chapter 2773762840
Natural Resources Defense Council 2773762841
The Wilderness Society 2773762842
Humane Society of U.S. 2773762843

certified cc continued:

International Society for the Protection
of Mustangs and Burros Z773762844
Pershing County Sportsmen's Assoc. Z773762845
Catellus Corp Z773762846
Myron J. Goldsworthy Z773762847
NDOW - Lovelock Z773762848
Mr. Joe Dahl Z773762849
Mr. Keith Guenther Z773762850
Federal Land Bank of Sacramento Z773762851
Lassen Production Credit Association Z773762852
Bob Irvin Z773762853

cc:

SCS - Winnemucca
Honorable Harry Reid
Mayor Hugh Montrose
Chairman Pershing County Commissioners
SCS - Lovelock
NDOW - Reno



**COMMISSION FOR THE
PRESERVATION OF WILD HORSES**

255 W. Moana Lane

Suite 207A

Reno, Nevada 89509

(702) 688-2626

October 3, 1994

Bud Cribley, Area Manager
Sonoma Gerlach Resource Area
BLM-Winnemucca District Office
705 East 4th Street
Winnemucca, Nevada 89445

RE: Protest - Notice of Proposed Full Force and Effect Multiple
Use Decision for the Blue Wing/Sever Troughs Allotments

Dear Mr. Cribley,

Thank you for taking the time and driving to Fallon to personally meet with the Nevada Division of Wildlife and myself to explain and answer some of our concerns on the allotment.

The Commission appreciates the opportunity to review and comment on the Blue Wing/Seven Troughs proposed decision. We have reviewed the documents and found the following errors in determining the appropriate management levels and stocking rate levels. Please consider the following prior to issuing the final.

Allotment Evaluation - Appendix 12, Carrying Capacity Calculations

Weight Averaging of actual utilization data discredits the heavy and severe utilization damage of riparian habitats.

The addition of domestic sheep actual use data is not consistent with the proposed multiple use decision. These additional AUM's in the computations inflate the allotment carrying capacity. The proposed decision showed no correlation with domestic sheep actual use to the overuse or heavy utilization on the allotment.

Actual use for wild horses was determined assuming foals as adults. Recruitment was determined by the July foal crop. The HMAP identified recruitment rates to be determined by the January survey which would measure survivability of six month and older foals. AUM's would be synonymous to livestock.

Bud Cribley, Area Manager
October 3, 1994
Page 2

Livestock Alternative 8, converts the allotment to a strictly winter range. Monitoring data can be used to calculate a stocking level for winter use.

Please consider our suggestions in the final decision. If you have any questions, please feel free to call.

Sincerely,

A handwritten signature in cursive script that reads "Catherine Barcomb". The signature is written in dark ink and is positioned above the typed name.

CATHERINE BARCOMB
Executive Director