



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Elko Field Office  
3900 East Idaho Street  
Elko, Nevada 89801-4611

M 9/15/00  
Diamond Hills N.  
HMA

In Reply Refer to 4130 (NV-012)

Rother Farms, Inc.  
c/o Leo Mousel  
HC 30, Box 343  
Spring Creek, NV 89815

SEP 15 2000

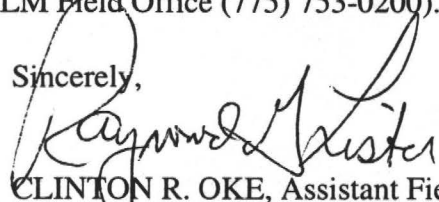
Dear Mr. Mousel:

Attached is a copy of a draft **Agreement for Fire Closure and Management on the Browne Allotment**. Please review these draft agreements and provide any comments no later than September 30, 2000.

A copy of this draft agreement will be sent to those who have specifically requested more detailed information regarding proposed closures and changes in management as a result of the 1999 and 2000 wildfires. The interested public is also requested to provide any comments no later than September 30, 2000. Comments can be sent to the Elko Field Office at the above address or by FAX (775-753-0255).

If you have any questions please contact Jason Spence, Range Technician, or Doug Furtado, Rangeland Management Specialist, at the Elko BLM Field Office (775) 753-0200).

Sincerely,

*for*  *Acrony*  
CLINTON R. OKE, Assistant Field Manager  
Renewable Resources

Enclosures: As stated above

cc: Commission for the Preservation of Wild Horses  
Wild Horse Organized Assistance  
Resource Concepts, Inc.  
HTT Resource Advisors  
Nevada Cattlemen's Association/Nevada Land Action Association  
U.S. Fish and Wildlife Service  
Nevada Division of Wildlife  
Elko Board of County Commissioners  
M. Jeanne Hermann, Landfinder County Properties  
Varlin Higbee



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Elko Field Office  
3900 East Idaho Street  
Elko, Nevada 89801-4611  
<http://www.nv.blm.gov>

In Reply Refer To: 4130 (NV-012)

### **AGREEMENT FOR FIRE CLOSURE AND MANAGEMENT ON THE BROWNE ALLOTMENT**

This agreement is made between the Bureau of Land Management and Rother Farms and is entered into in accordance with 43 CFR § 4110.3-3. The areas which will be closed are also included in the attached Notice of Closure.

#### **Background**

During August, 1999, the Sadler Complex wildfire burned approximately 6,400 acres of public lands within the Browne Allotment. In July 2000, The Basin and Railroad fires burned an additional 4,495 acres within the Browne Allotment. In order for seeded plant species to germinate, become established and restore vigor and the oust treatment to be effective, it is necessary that the Browne Allotment be rested from livestock grazing.

The Sadler fire burned primarily in annual grass (cheatgrass) and sagebrush/bunchgrass sites within the Browne Allotment. With a significant portion of the burned area previously dominated by cheatgrass, a need was identified for aggressive post fire treatment that would ensure the best possibility of success in competing with cheatgrass reestablishment.

The Basin Fire burned on the forested (Juniper) ridge between Sadler Basin and Huntington Creek. Although most of the area is dominated by Juniper, there are significant pockets of a shrub/bunchgrass plant communities within the burn. Cheatgrass dominated much of the lower elevations within the burn and can be expected to have a significant release.

The Railroad Fire burned along the southern portion of the Main Field of the Browne Allotment. This burned area was a sagebrush/bunchgrass association which was dominated by cheatgrass.

See the attached map for location of the fires within the Browne Allotment.

## Rehabilitation

### Sadler 1999 project

Drill Seeding - 3,411 acres of public land were drill seeded in the west side of the Main Field of Browne Allotment with a low elevation seed mix (LESM) consisting of Nordan crested wheatgrass and Siberian wheatgrass in December, 1999 and January, 2000.

### Basin 2000 project

Herbicide Treatment - 2,957 acres will be aerial sprayed with Oust (sulfometuron methyl) in the fall of 2000 to reduce the amount of viable cheatgrass within the burned area.

Wildlife Aerial Seeding - 687 acres will be aerial seeded with bluebunch wheatgrass, Indian ricegrass, and basin big sagebrush late October through December one year after the oust treatment. If possible, the seed would be applied with 1-2 inches of snow on the ground to reduce seed consumption by rodents and birds.

Greenstrip - 483 acres will be plowed then seeded with Nordan crested wheatgrass, Siberian wheatgrass, and Hycrest crested wheatgrass one year after the oust treatment. The same 483 acres will then be aerial seeded with Immigrant forage kochia and western yarrow. Application time would be consistent with other seeding projects.

### Railroad 2000 project

Herbicide Treatment - 827 acres, the entire Railroad Fire, will be aerial sprayed with Oust (sulfometuron methyl) in the fall of 2000 to reduce the amount of viable cheatgrass within the burned area. The Elko and Ely Field Offices will be involved in the post burn rehabilitation efforts.

Wildlife Aerial Seeding - One year after the oust treatment, 827 acres will be aerial seeded with Secar Snake River wheatgrass, Great Basin wildrye, basin big sagebrush, western yarrow, and forage kochia. Seed would be applied with 1-2 inches of snow on the ground to reduce consumption by rodents and birds.

See the attached map for treatment areas and other related information.

Objectives for the oust treatment and seeding within the Browne Allotment are: to reduce the amount of viable cheatgrass seed, reduce competition by cheatgrass for faster reestablishment of perennial vegetation, watershed stabilization, soil erosion protection and use as a firebreak.

## Closure and Suspension of Active Permitted Use

In order for seeded vegetation to successfully germinate, establish, and restore vigor, it is necessary that the Browne Allotment be rested from livestock grazing until rehabilitation criteria have been met. It is also necessary to provide adequate rest from livestock grazing on untreated burned areas to allow for successful reestablishment of existing perennial vegetation and to restore plant vigor and seed production.

The entire Browne Allotment will be closed to grazing from August 2000 until the end of the growing season 2002 (approximately August 15, 2002) or until the criteria, outlined below, for vegetation reestablishment, is met.

During the period of closure, Rother Farms' active permitted grazing use within the Browne Allotment will be placed in temporary suspension as outlined in Table 1 below.

Table 1 - Summary of Closure Information for the Browne Allotment

Fire	Allotment	Total Acres Burned	AUMs to be Suspended for Period of Closure
Sadler, Basin and Railroad	Browne	10,900	1,307 <sup>1</sup>

1. This figure represents the entire active grazing privilege for the Browne Allotment.

## Monitoring and Resumption of Grazing

Following the 2002 growing season, the public land within the Browne Allotment, will be monitored to determine if the vegetation treatments have met the reestablishment criteria outlined below.

### Drill/Aerial Seeding

The establishment criterion for the seeded area within the Browne Allotment is: *A minimum of three seeded plants per square meter rooted firmly in the soil with consideration to monitoring site selection factors such as soils, topography, and potential for seedling establishment.*

The period of time for the above criteria for seeded areas to be met is usually two (2) growing seasons and primarily depends on seasonal precipitation amounts. However, the period of closure is not based on a preestablished time frame, rather a vegetative response that serves to meet the aerial seeding establishment criterion above.

If establishment criteria for the seeding has been met at the end of the second growing season (August 15, 2002), and the vegetation reestablishment criteria below is met, late summer/fall use (after August 15) may be authorized for livestock grazing in the Browne Allotment.

If the establishment criteria for the seeding is not met by the end of the second growing season (August 15, 2002) of the closure, the seeded area will be evaluated for its potential to meet the seed establishment criteria above. Some of the factors to be considered in this evaluation will be: amount of total precipitation for the year, amount of growing season precipitation (approximately March 1 to August 1), how close to meeting the establishment criteria the seeding is at the end of the first and second growing seasons, and what benefits, if any, an additional growing season of rest might provide.

In addition to meeting the above seeded vegetation establishment criteria, portions of the Browne Allotment boundary and pasture fences that were damaged by the Sadler, Basin and Railroad Fires will need to be repaired to their original state prior to opening the allotment to livestock grazing.

#### Unseeded Burned Areas

The vegetation reestablishment criteria for the unseeded burned areas within the Browne Allotment is: *Native perennial herbaceous production within the burned area equals or exceeds native perennial herbaceous production outside of the burned area on comparable, adjacent range sites.*

Monitoring of resource conditions on the Browne Allotment in connection with the 1999 Sadler and 2000 Basin and Railroad Fires will be conducted on an annual basis and analyzed against the objectives and criteria for the closure areas. The term of this closure agreement will be for no more than two growing seasons. If further rest from livestock grazing is determined to be needed, this agreement could be mutually extended in time by all parties until reestablishment criteria is met.

Rother Farms will be notified when the closure of Browne Allotment will be lifted and the pasture reopened to livestock grazing.

The closure provisions outlined for the Browne Allotment above will be binding on any successor interest or future transferees as defined in the Notice of Closure with such modifications as approved or required by the authorized officer.

Enclosed is a copy of the public Notice of Closure and a map displaying the Sadler, Basin and Railroad Fire boundaries, and the rehabilitation treatment areas within the Browne Allotment. This closure will be effective immediately and continue in effect until conditions outlined above are met.

---

Leo Mousel, Rother Farms  
Livestock Grazing Permittee

---

Date

---

Clinton R. Oke, Assistant Field Manager  
Renewable Resources, Elko Field Office

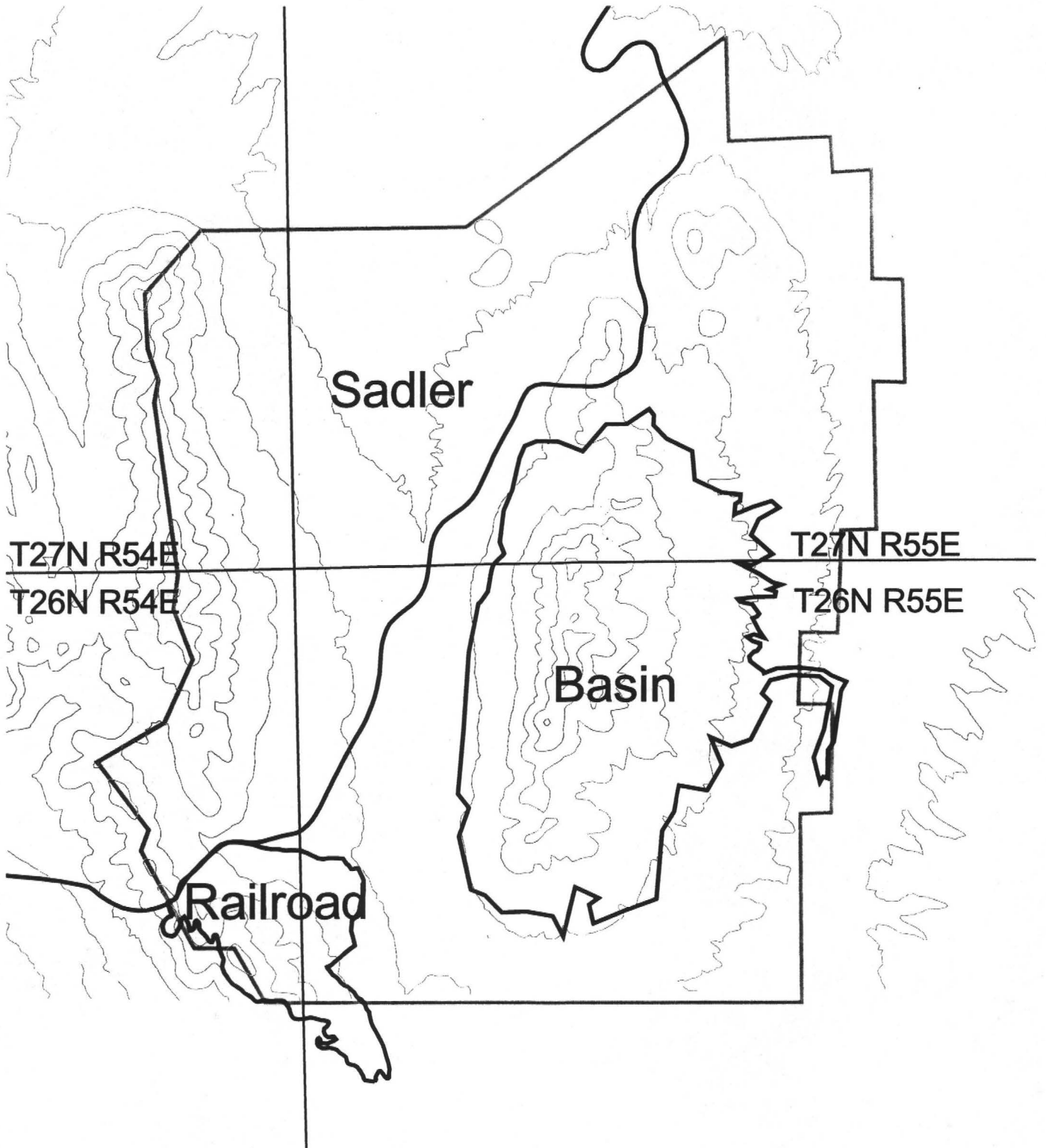
---

Date



# Browne Allotment

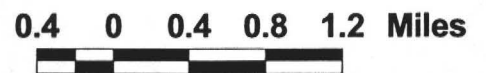
UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT



Fire Perimeter  
 Landownership  
   Public (Administered by BLM)  
   Private



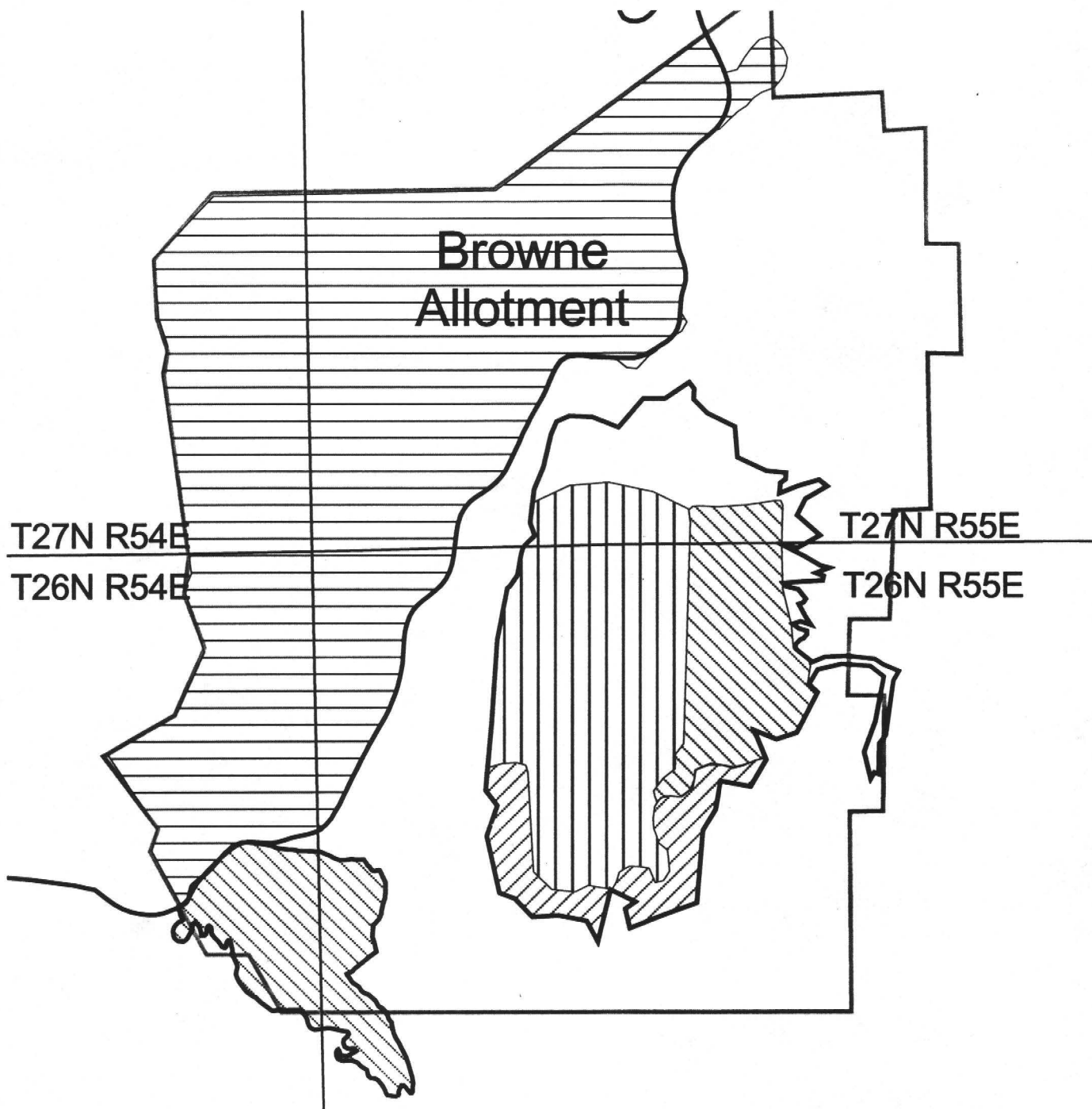
1:63500











# Browne Allotment Treatments

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT



-  Fire Perimeter
-  Oust with no seeding
-  Oust and greenstrip seeding
-  Sadler seeding
-  Oust and Basin wildlife seeding
-  Oust and Railroad wildlife seeding

**Landownership**

- Public (Administered by BLM)
- Private



1:63500





## NOTICE OF CLOSURE TO LIVESTOCK GRAZING USE

For protection of the soil and the establishment of seeded areas on public land in the Browne Allotment, I hereby exclude grazing by any kind of livestock within the Browne Allotment effective immediately until the end of the 2002 growing season (approximately August 15, 2002) or until the seeding establishment and vegetation reestablishment criteria, as outlined in the "Agreement for Fire Closure and Management for the Browne Allotment", is met. The Browne Allotment is located in Elko County, within the Bureau of Land Management's Elko Field Office area of administration and is delineated on the attached map.

Monitoring of resource conditions within the Browne Allotment in connection with the 1999 Sadler and the 2000 Basin and Railroad Fires, will be conducted on an annual basis and analyzed against the rehabilitation criteria for closure areas. The term of the attached closure agreement will be for no more than two growing seasons. If further rest from livestock grazing is determined to be needed this agreement could be mutually extended in time by all parties until reestablishment criteria is met.

The seeding establishment criteria as outlined in the attached "Agreement for Fire Closure and Management for the Browne Allotment" is as follows: *A minimum of three drill seeded plants per square meter rooted firmly in the soil with consideration to monitoring site selection factors such as soils, topography, and potential for seedling establishment.* The vegetation reestablishment criteria for the unseeded burned areas within the Browne Allotment is: *Native perennial herbaceous production within the burned area equals or exceeds native perennial herbaceous production outside of the burned area on comparable, adjacent range sites.*

This public Notice of Closure is issued as a final decision, in full force and effect pursuant to Title 43, Code of Federal Regulations (CFR) § 4110.3-3(b) and 4160.3(f). Rother Farms will be notified of the date that the Browne Allotment will be open for grazing.

All owners of livestock affected by this closure will refrain from grazing livestock on the affected lands and will continue to keep all livestock off these lands during the designated time period. During this time period the Assistant Field Manager, Renewable Resources, Bureau of Land Management, Elko District, or his authorized representative, may without further notice proceed to impound, remove and dispose of any livestock found in violation of this notice pursuant to 43 CFR § 4150.4.

---

CLINTON R. OKE, Assistant Field Manager  
Renewable Resources

---

Date