

2-19-93

February 19, 1993

Planned Action and Analysis Summary  
Twin Peaks Allotment Grazing Use - 1993  
As of February 19, 1993

The following is based on discussions held with John and Brent Espil and Ron Laver related to applications received from the Espil Sheep Company. This is the current plan for cattle for this year. Changes will occur during the year depending on allotment inspections and monitoring. Sheep use routes and bedding grounds have not been solidified to date. Sheep do not enter the allotment until about April 1. Flexibility in sheep use patterns are weather dependant. General lambing grounds are known, but exact locations will depend on actual forage conditions.

Espil Cattle Application

Generally, the plan is to follow the grazing use outlined in the AMP as supplemented by the Agreement implemented by Decision on March 6, 1992 (Addendum), except that 200 cows would not be turned into the Lower Smoke Creek Area from 3/1 to 4/30. *This riparian area would be rested.* In the alternative the Espil's suggested and applied to turn-out 180 dry cows and 200 yearlings into the Skedaddle Creek drainage area (see Map, #1). These livestock will scatter north to the Dry Valley Rim area and to the southeast flanks of the Skedaddle Mountain. The yearlings would graze this area until August 15 when they would be removed from the allotment. The dry cows also would be expected to use this area until August 15, at which time the decision would be made to move them elsewhere within the South Pasture or up into the North Pasture. It is expected that the dry cows and yearlings would scatter and provide for better distribution relative to cows with calves. All utilization levels called for in the addendum will be followed.

Analysis Summary of Turn-out Areas

South Turn-out Area

The soils of the turnout area are sandy and/or rocky all are generally well drained. Despite the extraordinary moisture received to date, they should not be damaged by compaction at this late winter turn-out date (3/1). However, an inspection of the area to examine soil moisture will be done prior to authorizing turn-out. Residual forage in the area is abundant. This area is largely reservoir dependent and these reservoirs have not had significant water in them for several years. Monitoring has shown that little use has been made by livestock in this area for several years. Slight use by wild horses has been observed during recent years when the reservoirs have been dry. Other ungulates known to use the area (but not recently observed during flights on February 9 and 11) are wild horses, pronghorn, and possibly mule deer, if they have

not migrated north out of this part of their winter range.

### North Turn-out Areas

The remainder of the grazing application comports with the use outlined in their term grazing permit and AMP as modified by the decision of March 6, 1992.

Please refer to the map for planned turn-out areas:

<u>Turn-out Area</u>	<u>No. Cattle</u>	<u>Date-On</u>	<u>Expected Use Period</u>
2	150	3/15	In area until early May.
3	70	4/1	In area until mid-May.
4	140	4/15	In area through May.
5	200	5/7	In area until mid-July.
6	170	5/15	In area as long as utilization levels are not exceeded.

Use pattern/utilization mapping for 1992 indicated light use on grasses outside of unprotected riparian areas and in severe use areas by horses. Most of this use was deferred under the provisions of the AMP until after July 1.

Cattle did not use turn-out areas 2, 3, and 4 in 1992. Heavy use by wild horse in some of the drainages did occur. The soils in these areas are well-drained with a coarse surface and should withstand hoof action with little significant compaction. The dominant vegetation in these areas are big sagebrush, little sagebrush, squirreltail and cheatgrass. It is expected that cheatgrass and squirreltail will put on early growth simultaneously with receding snow and the warming temperatures associated with early spring. Wild horses and mule deer were observed in these areas from the air last week and appeared to be healthy.

During May, it is expected that some of the livestock turned into areas 2, 3, and 4 will be moved north into the Stone Corral and Norton Place, and some will be moved west into the Mixie Flat area. After June, the existing management plan allows for, but does not require, that cattle be moved into the south pasture. In practice since 1987, movement into the South Pasture has rarely occurred due to the relative absence of natural waters in this pasture and the fact that reservoirs had been dry in the summer months. Forage in the north pasture has been sufficient to sustain the livestock throughout the grazing period. The option to move to the South Pasture will be evaluated in late June.

With the exception of up to 15 strays and Casey trespass cattle, livestock did not use the West of Rowland Mountain area (Area 5 on Map) in 1992 in accordance with the

## Notes

**WILD HORSES AND LIVESTOCK MUST BE TREATED EQUALLY.**

The Decision Record (December 18, 1992) - FY 93 Removal and Initial Structuring of the Twin Peaks North Home Range of the Twin Peaks Herd Management Area, justifies removal of 56 percent of the wild horses and burros by use of carrying capacity computations identical to the Livestock Decision Record. The wild horse/burro carrying capacity computations are based upon use pattern mapping data collected on Twin Peaks Allotment in 1992. These same data were discounted for livestock, by the Bureau's statement: "annual adjustments per the formula cannot be made." (October 30, 1992).

According to the Wild Horse Decision Record, carrying capacities would be 2,029 AUMs for wild horse/burros and 2,261 AUMs for livestock. It is difficult to find how a minimum of 730 cattle and 4,000 sheep are going to use the Twin Peaks Allotment from March 1 through December 31 and not exceed the carrying capacity. The Bureau has decided that its data and methodology is applicable to wild horse/burros and not livestock.

Recommendation: Apply the data and carrying capacity computations of the Livestock Decision Record fair and equitable to wild horses/burros and livestock.

**OPINION**

The Susanville District does not recognize its Final Decision, Decision Record or Environmental Assessment for the Twin Peaks Allotment as binding. The Bureau does not apply its land use plan, laws, regulations or policies fairly to users of our public land. And above all, these decisions are not being based upon the welfare of the natural resources that must support our fish and wildlife species.

It is near impossible to convince the Susanville District that their mission is to protect the watershed, vegetation and wildlife habitat of public lands. All decisions being made by Susanville District are based upon the misconception that livestock privileges are rights.

March 6 decision. This year, they will use it until mid-July when it is expected that they will move to the Painter Flat area.

The livestock turned out into Area 6 (Wagontire/Horn Springs Area) are expected to scatter to the north, south and east, or south along the flats and foothills adjacent to Upper Smoke Creek and towards the Al Shinn Canyon. They may also move east towards Mixie Flat and north towards Painter Flat.

#### Laver Application

We have not yet received an application from Laver Ranches. Verbally, Ron Laver has indicated that he will defer livestock turn-out on the Twin Peaks allotment until after 7/1 this year, when he plans to turn out into the South Pasture.

Current expectations are that we will have significantly better forage growth this year than has been experienced in the recent past. We recognize that in some cases, heavy use on riparian areas may likely occur this season, despite our and the permittees best efforts to alleviate this use. Currently, we plan to reduce the wild horse and burro population on the North Pasture to 82 and 22 animals, respectively, and then allow them to build to 169 and 42 animals, respectively, over the next four years. We also plan to continue with the East Lassen effort, completing umbrella guidance this spring and initiating integrated activity plan development. Dovetailed with Integrated Activity Plan development is the formal Analysis, Interpretation and Evaluation of all applicable multi-resource monitoring collected to date (an integrated management evaluation). This evaluation would be completed with appropriate coordination and consultation of all parties, and provide the basis and rationale for recommendations for the long-term management of this allotment. Recommendations for livestock numbers and use-periods by area, and projects to enable realistic application of these use parameters would be a part of this process.

## TWIN PEAKS ALLOTMENT - 1993

## Notes:

The Nevada Department of Wildlife appealed the Notice of Final Decision March 6, 1992. The Final Decision was a result of an environmental assessment and Decision Record for the Twin Peaks Allotment. Our arguments are that livestock carrying capacities were not established, the environmental assessment is inadequate, the Final Decision was not analyzed in the EA, Bureau policies were not adhered to, it is inconsistent with the land use plan and the Final Decision did not conform to the Decision Record. Due to its Full Force Effect status, livestock use was authorized during 1992 in accordance to the Final Decision.

Livestock use and rangeland monitoring efforts of the Eagle Lake Resource Area were assessed in the "Internal Review of Twin Peaks and Tuledad Allotments 1992 Grazing Implementation and Drought Conditions July 21 & 22, 1992 (October 30, 1992)". Also, as a result of the 1992 rangeland monitoring studies, the District proposed two fencing projects to protect Smoke Creek and issued a Final Decision to remove wild horses and burros from the allotment. The Bureau's Decision Record and proposed management actions are to specifically direct the Resource Area Manager's authorization of livestock use on the Twin Peaks Allotment for 1993.

Despite the controversy, grazing terms/conditions of the Final Decision/Record of Decision, commitments to consult affected interests and impacts of the drought, the affected interests are now asked to attend a meeting Tuesday, March 9, 1993 in Susanville to discuss pre-arranged agreements made with the permittee.

## Compliance to the Decision Record

The Record of Decision (March 6, 1992) Page 3, authorizes the 1993 cattle use only in the North Pasture. The North Pasture is comprised of Rowland Mountain, Stony Clay Basin, Buffalo Creek, Painters Flat, Mixie Flat, Big Springs Burn/Black Mtn., Buffalo Hills and Critical Deer Winter Range Sub-Units.

The Manager's proposal is for 380 cattle in the South Pasture from March 1 to August 15 in 1993. South Pasture Sub-units Skeddale Mountain and Dry Valley Rim will be used contrary to the Decision Record.

Monitoring data collected by the Bureau in 1992 indicated livestock drift problems occurred season long in the South Pasture. Fences are needed and are not completed. Monitoring studies were not properly established. Livestock were not removed in accordance to the Decision Record.

## Notes:

The Manger's proposal includes that "all utilization levels called for in the addendum will be followed". As stated by the Bureau, necessary fences are not completed, livestock movements were not complied with and monitoring studies as described in the Decision Record.

Recommendation: No use in the South Pasture, in accordance to the Decision Record (March 6, 1992).

The Manager's Proposal for cattle use of the North Pasture calls for staggered turn out of 730 head from March 15 until May 15 into five different Sub-Units. These early turn-out dates and undetermined periods for Rowland Mountain, Black Mountain/Big Springs Burn, Buffalo Creek, Buffalo Hills and Critical Mule Deer Winter Range do not take into account specific objectives found in the Attachment 2 of the Decision Record.

Recommendation: Authorize use in the North Pasture in accordance to the carrying capacity adjustments found the Decision Record. Seasons of use must in accordance to the specific objectives of each Sub-unit.

#### BUREAU'S ABILITY TO ADMINISTER LIVESTOCK GRAZING

Critical wildlife habitat suffered damage during the 1992 grazing season. Riparian and upland studies were not monitored or established by the Bureau. Actual livestock use and distribution of livestock were not adequately mapped or documented. Necessary fencing projects are not completed. Wild horses have not been captured or removed from the Twin Peaks North Home Range Wild Horse and Burro Herd.

Adjustment in livestock numbers and seasons of use are not supported by the Decision Record. During 1992, when livestock were found outside of authorized Sub-Units, the stock were not removed with 7 to 10 days as described in the Decision Record. Failure to collect adequate monitoring data to properly establish carrying capacities in 1993 does not meet the expectations of the Decision Record.

Recommendation: Exhibit the necessary man time and funding to implement the Decision Record.