



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130
www.ca.blm.gov/eaglelake

6/30/09
FORT
SAGE
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In Reply Refer To:
4100 P
CA 350

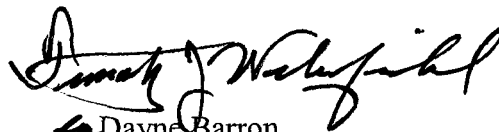
Dear Interested Party,

The Eagle Lake Field Office has fully processed two grazing permits associated with grazing allotments within the field office boundary in the Honey Lake Beckwourth Planning Unit. A scoping letter was sent to you on March 2008, providing a description of the proposed actions with a request for comments and issues. Comments received during scoping were used in determining the issues needing analysis.

A Environmental Assessment (EA) was written evaluating the issuance of one grazing permit for the North Fort Sage allotments. Enclosed is a copy of the Proposed Grazing Decisions, NEPA Documents, Evaluation and Determination of Land Health Standard for each allotment and Finding of No Significant Impact (FONSI).

Thank you for participating in the grazing permit issuance process. Please call Rangeland Management Specialist Patrick Farris at (530) 252-5319 if you have questions.

Sincerely,


Dayne Barron
Field Manager

Enclosures – 8

1. Proposed Grazing Decision Grazing Permit Issuance for the North Fort Sage Allotment.
2. EA # CA-350-2008-007 North Fort Sage
3. Evaluation and Determination of Range Land Health for the North Fort Sage Allotment
4. Appendix A (Standard Terms and Conditions)
5. Finding of No Significant Impact (FONSI) for the North Fort Sage Allotment



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130
www.ca.blm.gov/eaglelake

In Reply Refer To:
4160P
(CA-350) P

June 30, 2009

Bench Creek Ranch
Attention: Paul Plouviez
43333 Austin Highway
Fallen, NV 89406

Certified No. 7007 2560 0001 9164 2792
Return Receipt Requested

NOTICE OF PROPOSED DECISION

GRAZING LEASE ISSUANCE FOR THE NORTH FORT SAGE ALLOTMENT

Dear Mr. Plouviez:

INTRODUCTION

This proposed decision authorizes the issuance of a 10 year grazing lease to Bench Creek Ranch authorizing use on the North Fort Sage Allotment (00510). The allotment encompasses approximately 3,500 acres of public land. The allotment is located off county road 327 approximately six miles northeast of Doyle, California. The authorization will also include the addition of 4,000 acres of BLM land into the North Fort Sage Allotment boundary. This will increase the allotment to 7,500 acres and allow the permittee to graze these lands legally.

BACKGROUND

I considered the following information as it affects my proposed decision:

A. Grazing permit & preference:

Bench Creek Ranch gained preference for a permit on the North Fort Sage Allotment as a result of the base property lease they have through the owners of Fish Spring Ranch, V&B Liability LLC. Bench Creek Ranch submitted application to transfer grazing preference and submitted application for a grazing permit in 2007. The grazing application requested no changes to active use or mandatory terms and conditions associated with the previous permit. The BLM accepted the application and transferred the permit under the BLM Appropriations Act, but added a term and condition to not graze until the 2010 grazing season due to the Honey 1 Wildfire in 2007.

Bench Creek continues to hold the grazing permit for the North Fort Sage Allotment which will expire 2009. A current Environmental Assessment (EA # CA-350-2008-10) was initiated and impacts were analyzed prior to authorizing grazing on the North Fort Sage Allotment (#00510) for the next 10 years. The BLM has also analyzed the impacts of the addition of 4,000 acres of adjacent

BLM lands to the allotment, lands which were acquired in 1996 from California Department of Fish₂ and Game in a land swap between the two departments.

However, no changes were made to the current management or authorized livestock numbers, season of use, or active animal unit months (AUMs). The current mandatory terms and conditions shall remain the same as they have in the past (Table 1).

Table 1: Current Authorized Livestock Use

Allotment		Livestock		Grazing Period		% P.L. Use	Type Use	AUM's		
Number	Name	Number	Class	Begin	End			Active	Suspended	Total
00510	North Fort Sage	27	Cattle	04/01	10/31	100	Active	189	0	189

Additional Terms and Conditions:

- Although the BLM has increased the size of the allotment, all terms and conditions from the previous grazing permit shall remain in-tact. AUMs and season of use will remain unchanged.
- If water needs to be hauled for cattle use within BLM lands for any reason, the proposed site will have to be cleared with the BLM resource staff along with the proper NEPA document.

North Fort Sage Allotment Boundary

The Allotment boundary will now encompass the BLM acquired lands from 1996. This will increase the allotment size from 3,500 acres to 7,500 acres, although 1,800 acres will not be accessible for grazing due to an existing fence line.

B. National Environmental Policy Act (NEPA) Compliance

An external scoping was sent to interested publics/groups and cooperative agencies/governments in March 2008. One comment letter was received from an interested group expressing concerns. Based on review and analysis of the received comments/concerns, a BLM interdisciplinary team determined that the concerns were not issues needing further examination in an Environmental Analysis. These concerns are addressed in (EA) (CA-350-2008-07) under the Exceptions Review Table in question #3.

An Environmental Assessment (EA) (CA-350-2008-07) was completed in June 2009, which analyzed issuing a 10 year grazing permit for the North Fort Sage Allotment (see proposed action in the EA). It was determined that proposed action (issuing a grazing permit) was the proper NEPA document for this permit renewal due to the addition of 4,000 acres of public land acquired in 1996, which were never assessed for land health until this document was written.

Renewal of the North Fort Sage Allotment grazing permit was not categorically excluded (CX) from detailed analysis under the National Environmental Policy Act as identified in 516 DM 11.9(D) (11). This was the decision due to the addition of public land to the allotment which had never been assessed for upland health standards.

C. Land Health Standards

The Upland Health Evaluation and Determination was completed in June 2009. Based on the

evaluation a determination was made that all the standards are being met on the allotment. For a detailed discussion, see the Evaluation and Determination for the North Fort Sage Allotment. 3

Field Managers Proposed Decision

Therefore, it is my proposed decision to authorize you a 10 year grazing permit for the North Fort Sage Allotment under the following grazing preference and terms and conditions:

Mandatory Terms and Conditions:

Allotment		Livestock		Grazing Period		% P.L. Use	Type Use	AUM's		
Number	Name	Number	Class	Begin	End			Active	Suspended	Total
00510	North Fort Sage	27	Cattle	04/01	10/31	100	Active	189	0	189

Additional Terms and Conditions:

- Although the BLM has increased the size of the allotment, all terms and conditions from the previous grazing permit shall remain in-tact. AUMs and season of use will remain unchanged.
- If water needs to be hauled for cattle use within BLM lands for any reason, the proposed site will have to be cleared with the BLM resource staff along with the proper NEPA document.
- Standard Terms and Conditions (Appendix A).

Rationale

My decision to issue a 10-year grazing permit to Bench Creek Ranch is based upon:

- The action qualifies as a EA as documented in EA (CA-350-2008-07)
- The action is in compliance with the existing Eagle Lake Field Office RMP, April 2008.
- You currently hold grazing preference for a grazing permit on the North Fort Sage Allotment, based on a transfer completed in 2007.

Authority

The authority for this decision is contained in Title 43 of the Code of Federal Regulations, Part 4100, which states in pertinent part:

§4110.2-2(b): “The permitted use specified shall attach to the base property supporting the grazing permit or grazing lease”.

§4110.2-3(b): “If base property is sold or leased, the transferee shall within 90 days of the date of sale or lease file with the authorized officer a properly executed transfer application showing the base property and the amount of permitted use being transferred in animal unit months”.

§4130.3: “Livestock grazing permits and leases shall contain terms and conditions determined by the authorized officer to be appropriate to achieve the management and resource condition objectives for the public lands and other lands administered by the Bureau of Land Management, and ensure conformance with the provisions of subpart §4180 of this part.”

§4130.3-1(a): “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 livestock grazing use shall not exceed the livestock carrying capacity of the allotment.”

§4130.3-2: “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.”

§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 modifications 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 to the interested public.”

Rights of Protest and/or Appeal

You may protest this proposed grazing decision within 15 days of receipt. The BLM will not consider any protests filed after 15 days of receipt. Your protest may be in person or in writing and filed with the Eagle Lake Field Office, 2950 Riverside Drive, Susanville, CA 96130. Your protest should specify clearly and concisely why you think this proposed decision is in error.

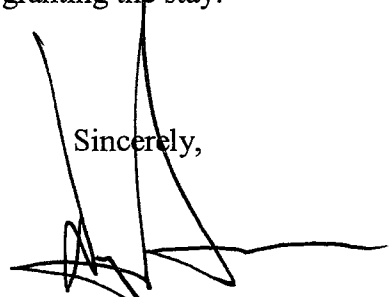
In the absence of a protest within the time allowed, the above proposed decision shall constitute my final decision without further notice. If you, or other individuals, believe you are adversely affected by this final decision, you may file an appeal of this grazing decision for the purpose of a hearing before an administrative law judge in accordance with 43 CFR Part 4.21, 4.470, and subpart 4160.4. You may also petition for a stay of the decision in accordance with 43 CFR Part 4.21, pending final determination on appeal. The appeal and petition for stay must be filed within 30 days following receipt of the final decision.

The appeal shall state the reasons, clearly and concisely, why you think the final decision is in error. All reasons for error not stated in the appeal shall be considered as waived and may not be presented at the hearing. Any failure to meet this thirty (30) day appeal deadline will bar you from challenging this decision. If you wish to petition for stay you must include the stay petition with your appeal to the above BLM office. You have the burden of proof to demonstrate why a stay should be granted.

Standards for Obtaining a Stay: In accordance with 43 CFR 4.21(b) (1), a petition for stay, if filed, must show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied.
- (2) The likelihood of the appellant's success on the merits.
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

Sincerely,



Dayne Barron
Eagle Lake Field Manager

Standard Terms and Conditions

1. Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with the provisions of the grazing regulations now or hereafter approved by the Secretary of the Interior.
2. They are subject to cancellation, in whole or in part, at any time because of:
 - a. Noncompliance by the permittee/lessee with rules and regulations.
 - b. Loss of control by the permittee/lessee of all or a part of the property upon which it is based
 - c. A transfer of grazing preference by the permittee/lessee to another party.
 - d. a decrease in the lands administered by the Bureau of Land Management within the allotment(s) described.
 - e. Repeated willful unauthorized grazing use.
3. They are subject to the terms and conditions of allotment management plans if such plans have been prepared. Allotment management plans MUST be incorporated in permits or leases when completed.
4. Those holding permits or leases MUST own or control and be responsible for the management of livestock authorized to graze.
5. The authorized officer may require counting and/or additional or special marking or tagging of the livestock authorized to graze.
6. The permittee's/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.
7. Grazing permits or leases are subject to the nondiscrimination clauses set forth in Executive Order 11246 of September 24, 1964, as amended. A copy of this order may be obtained from the authorized officer.
8. Livestock grazing use that is different from that authorized by a permit or lease MUST be applied for prior to the grazing period and MUST be filed with and approved by the authorized officer before grazing use can be made.
9. Billing notices are issued which specify fees due. Billing notices, when paid, become a part of the grazing permit or lease. Grazing use cannot be authorized during any period of delinquency in the payment of amounts due, including settlement for unauthorized use.
10. Grazing fee payments are due on the date specified on the billing notice and MUST be paid in full within 15 days of the due date, except as otherwise provided in the grazing permit or lease. If payment is not made within that time frame, a late fee (the greater of \$25 or 10 percent of the amount owed but not more than \$250) will be assessed.
11. No Member of, or Delegate to, Congress or Resident Commissioner, after his/her election of appointment, or either before or after he/she has qualified, and during his/her continuance in office, and no officer, agent, or employee of the Department of the Interior, other than members of Advisory committees appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. App.1) and Sections 309 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) shall be admitted to any share or part in a permit or lease, or derive any benefit to arise there from; and the provision of Section 3741 Revised Statute (41 U.S.C. 22), 18 U.S.C. Sections 431-433, and 43 CFR Part 7, enter into and form a part of a grazing permit or lease, so far as the same may be applicable.

CC:

Certified No. 7160 3901 9846 1688 8652
 Nick Alosi
 288 Bartmess Blvd
 Sparks, NV 89436

Certified No. 7007 2560 0001 9164 3034
 Commission for the Preservation of Wild Horses
 C/O Catherine Barcomb
 885 Eastlake Boulevard
 Carson City, Nevada 89704

Certified No. 7007 2560 0001 9164 3010
 Nevada Cattlemen's Association
 C/O Meghan Wereley
 P.O. Box 310
 Elko, Nevada 89803-0310

Certified No. 7007 2560 0001 9164 2938
 Donald J Armentrout, CWB
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 Susanville, CA 96130-1764

Certified No. 7007 2560 0001 9164 2952
 Western Watersheds Project
 C/O Dr. Michael J. Connor
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 Lassen County Farm Advisor
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 Susanville, CA 96130

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 Wayne Jambois
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Certified No. 7007 2560 0001 9164 3003
 Brian Ehler
 California Department of Fish and Game
 728-600 Fish and Game Road
 Wendel, CA 96136

Certified No. 7007 2560 0001 9164 3027
 American Mustang and Burro Association
 C/O George Berrier
 1151 Pacific Avenue
 Rio Oslo, CA 95674

Certified No. 7007 2560 0001 9164 2945
 Center for Biological Diversity
 Attention: Greta Anderson
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 Tucson, AZ 85702

Certified No. 7007 2560 0001 9164 2815
 Greenville Rancheria
 Chairperson
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 P.O. Box 279
 Greenville, CA 95947

CC: Greenville Rancheria
 Michael DeSpain, Environmental Director
 410 Main St.
 P.O. Box 279
 Greenville, CA 95947

Certified No. 7007 2560 0001 9164 2891
 Pit River Tribal Council
 Jessica Jim, Chairperson
 37118 Main Street
 Burney, CA 96013

CC: Pit River Tribal Administrator
 Robert Boyce
 37118 Main Street
 Burney, CA 96013

CC: Pit River Tribe
 Chris Pirosko
 37118 Main Street
 Burney, CA 96013

Certified No. 7007 2560 0001 9164 2914
 Pyramid Lake Paiute Tribal Council
 Mervin Wright, Chairman
 P.O. Box 256
 Nixon, NV 89424

CC: Pyramid Lake Paiute Tribe
 Ben Aleck – Museum Curator, NAGPRA Coordinator,
 Cultural Resources
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 Nixon, NV 89424-7401

Certified No. 7007 2560 0001 9164 2877
 Reno-Sparks Indian Colony
 Arlan Melendez, Chairman
 98 Colony Rd.
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Certified No. 7007 2560 0001 2822
Michon Eben
Cultural Resources Coordinator
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Reno, NV 89502

Certified No. 7007 2560 0001 9164 2921
Susanville Indian Rancheria
Mr. Stacy Dixon, Chairman
745 Joaquin St.
Susanville, CA 96130

CC: Susanville Indian Rancheria
Tim Keeseey
Environmental Department
745 Joaquin St.
Susanville, CA 96130

Certified No. 7007 2560 0001 9164 2907
Washoe Tribe of Nevada and California
Waldo Walker, Chairman
919 Highway 395 South
Gardnerville, NV 89410

CC: Washoe Tribe of Nevada and California
Jorge Lopez, Executive Director
919 Highway 395 South
Gardnerville, NV 89410

Certified No. 7007 2560 0001 9164 2808
Cindy McDonald
3605 Silver Sand Court
North Las Vegas, NV 89032



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Eagle Lake Field Office
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Susanville, CA 96130
www.ca.blm.gov/eaglelake

In Reply Refer to:
4100 (CA350) P

07/01/2009

Finding of No Significant Impact (FONSI) For EA # CA-350-2008-07 North Fort Sage Allotment (00510) 10 Year Grazing Authorization

INTRODUCTION

The Bureau of Land Management (BLM) has conducted an environmental assessment (EA No. CA-350-2008-07) analyzing the impacts of authorizing grazing on the North Fort Sage Allotment (#00510) and lands adjacent to the allotment (which are to be added to the North Fort Sage Allotment) from the 1996 land exchange between BLM and California Department of Fish and Game (CDFG) for a period of 10 years.

Based upon review of the EA and its associated administrative record, I have selected Alternative A (Proposed Action): Authorize Grazing on the North Fort Sage Allotment, Including the 1996 BLM Acquired Lands. The selected alternative would most effectively meet the purpose and need of the action, as compared to the other two alternatives analyzed.

PROPOSED ACTION

Alternative A is described in Section 2.1.1 of the attached EA, page 12, and consists of authorizing grazing on the North Fort Sage Allotment for the next 10 years. Grazing would be authorized on the allotment under the current Mandatory Terms and Conditions:

Table 1. Mandatory Terms and Conditions of the North Fort Sage Allotment

Allotment		Livestock		Grazing Period		% P.L. Use	Type Use	AUMs		
Number	Name	Number	Class	Begin	End			Active	Suspended	Total
00510	North Fort Sage	27	Cattle	04/01	10/31	100	Active	189	0	189

Additional Terms and Conditions:

1. The authorized officer is requiring that an Actual Use Report (Form 4130-5) be submitted within 15 days after completing your annual grazing use.
2. Livestock numbers identified in the term grazing permit are a function of seasons of use and permitted use for each allotment. Deviations from those livestock numbers and seasons of use may be authorized on an annual basis, where such deviations would not prevent attainment of the multiple-use objectives for the allotment. Changes in permitted use must be documented in the annual grazing application or modification of the annual application.
3. The authorized officer is requesting the permittee to not graze the allotment for the 2009 grazing season, due to wildfire rehabilitation seeding projects within the 1996 BLM acquired lands.
4. The BLM will add the 1996 BLM acquired lands from CDFG to the North Fort Sage Allotment, in conformance with the Eagle Lake Resource Management Plan and Record of Decision (2008), and the Secretary Approved Rangeland Health Standards.
5. The season of use, livestock numbers, and AUMs shall remain unchanged from the current permitted use.
6. Current permitted use shall remain unchanged until a BLM decision is made to increase or decrease AUMs. This may be done after grazing utilization studies for the allotment can be completed and approved.
7. If water needs to be hauled for cattle use within BLM lands for any reason, the proposed site will have to be cleared with the BLM resource staff along with the proper NEPA document.

PLAN CONFORMANCE AND CONSISTENCY:

The proposed action is in conformance with the Northeastern California and Northwestern Nevada Rangeland Health Standards and Guidelines for Livestock Grazing signed July 2000, and further amended by the Eagle Field Office Resource Management Plan Record of Decision, April 2008.

The proposed action would occur in an area identified as available for livestock grazing in the RMP. Although it is not specifically provided it is clearly consistent with the following LUP decisions (objectives, terms, and conditions) and, if applicable, implementation plan decisions:

1. "Authorize 52,250 AUMs of livestock use annually."
2. "Maintain livestock grazing within 54 allotments."
3. Grazing use on the North Fort Sage Allotment is specified in Appendix J on page A-103 Volume 2 of The Eagle Lake Resource Management Plan and Record of Decision, April 2008.

4. It is stated in the Eagle Lake RMP page 2-40 Ch.2.8.5 that; “a few scattered and isolated parcels of public land are not currently identified for livestock grazing: however, some may be allocated in future if they meet criteria (using site-specific environmental assessments) to determine whether short or long term grazing would be compatible with achieving land health standards in a reasonable period of time.”

The status of the standards was documented in the “Evaluation and Determination of Rangeland Health for the North Fort Sage Allotment (00510) and 1996 BLM Acquired Lands in spring of 2009. It was determined that the Upland Soils Standard is being met for the allotment. The Biodiversity Standard, overall, is also being met for the allotment. Upland Health Assessment #125 was assessed in 2002 and was rated as “moderate to extreme” departure from what is expected. This was due to past wildfire in the area. Recent photos have also shown that this site has improved with the emergence of basin wild rye and basin big sagebrush. Out of the four assessments completed in 2008 on the 1996 acquired lands, site #4 rated out as “slight to moderate” departure from meeting, but with concerns due to the lack of perennial grasses. The site is located on the west side of the existing fence line where grazing will not occur. It was my determination that livestock grazing is not a causal factor in failing to achieve the Biodiversity Standard and that a change in livestock management would not affect the current or future status of the standard.

ALTERNATIVES

In addition to the selected alternative, the EA considered two other alternatives. Alternative B is the "No Action" alternative, and would Authorize Grazing on the North Fort Sage Allotment, Excluding the 1996 BLM Acquired Lands. Alternative C (No Grazing) would not authorize this grazing permit, or any livestock grazing on the North Fort Sage Allotment or on the 1996 BLM Acquired Lands.

FINDING OF NO SIGNIFICANT IMPACT DETERMINATION:

Based upon a review of the attached EA and the supporting documents, I have determined that Alternative A (Proposed Action), which I have selected, is not a major federal action and will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. For this reason no environmental impact statement needs to be prepared. This finding is based on the following rationale and discussion of context and intensity of the action.

Rationale

Following is the rationale for why the identified issues discussed in the EA will not be significantly affected or affect the action.

Upland Soil Standard: It has been determined that the Upland Soil Standard is being met on the allotment under current livestock grazing. The proposed action does not change the current allowable use on the allotment.

Biodiversity Standard: It has been determined that the Biodiversity Standard is being met within the allotment overall. The 2008 Land Health Determination for the allotment found that livestock grazing was not a causal factor. The cause of non-attainment of the standard within UH Site #125 was associated with the effects of past wildfires, and the increase of invasive annual plants within the burned areas. The vegetative composition of the allotment has likely passed an ecological threshold from which the natural vegetative composition will not return naturally. Livestock use on the perennial vegetation is expected to be minimal due to low stocking rates. Based on the current rating of standards, and the amount of livestock use authorized, there would not be a significant impact on Biodiversity under proposed livestock use.

Monitoring, including utilization studies, will be implemented within the allotment. There has not been enough utilization from cattle in the recent past to warrant any type of grazing evaluation. With new permittees in the area, along with wild horse use and any unknown use which may occur, monitoring will aid in understanding how livestock and horses tend to graze the allotment.

Cultural Resources: Two sites have been documented as having been impacted by grazing. The allotment has been considered open range and grazing authorization has been minimal (7 years out the past 18) by the BLM. The area has seen some infrequent use by cattle from adjacent ranches and from wild horses in the area. Both of these sites will be monitored for further impacts due to grazing, as the new acres added to the allotment. If the impacts increase, additional measures will be implemented to reduce or eliminate the damage being done by livestock or wild horses. At the same time, additional monitoring and inventory will be conducted in accordance with the 2007 Protocol Agreement and the National Historic Preservation (NHPA) Section 106 compliance requirements for range improvement procedures.

Context: The project area is an action involving one grazing allotments with approximately 3,500 acres of BLM administered land and 3,950 acres of BLM land acquired from the CDFG through a land exchange in 1996. These lands do not have international, national, regional, or state-wide importance, but on a local level they are important to the local economy and public land health.

Intensity: (*Intensity refers to the severity of the impact.*) The following discussion is based on the relevant factors that should be considered in evaluating intensity as described in 40 CFR 1508.27:

1. Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.

There are no expected significant impacts from implementation of the proposed action. Livestock grazing will continue as it has in the past with an emphasis on pasture rotation and managing grazing to improve land health. Livestock numbers and AUMs will remain the same despite the addition of 3,950 acres (2,200 which can be grazed due to existing fencing) to the allotment. With low livestock numbers compared to acres, plant

vigor, the ability to produce seeds or seedlings, and plant production are expected to continue to improve. Upland vegetation improvement will help to reduce the spread of invasive annuals from the current amounts.

I have determined that none of the direct, indirect or cumulative impacts associated with Alternative A, are significant individually or combined.

2. The degree to which the selected alternative will affect public health or safety.

The proposed action is located within a rural setting. Grazing at similar levels as described in alternative A have occurred in the same location for over 100 years. Since grazing has been authorized within the affected area there have been no instances where public health or safety has been affected.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farm lands, wetlands, wilderness, wild and scenic rivers, or ecologically critical areas.

A discussion of these unique geographic areas and anticipated environmental issues can be found in section 1.6.2 page 10-11 of the attached EA. This area is known for its cultural resources, wildlife habitat, and recreational use. Current activities are maintaining and improving unique areas.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

The proposed action was scoped with all known interested and affected parties as well as cooperating agencies and governments. After review of the comments received from scoping and throughout the NEPA process, I have determined that the effects described in the EA are not highly controversial.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

Grazing is a common action authorized by the BLM, the effects from which have been thoroughly analyzed in NEPA documents and scientific publications. The analysis provided in the attached EA does not indicate that this action would involve any unique or unknown risks.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The authorization of grazing through the issuance of a grazing lease is not precedent setting. Grazing has been authorized on the allotment under the same active use as provided for in the selected alternative for over 20 years.

The addition of 3,950 acres of BLM land which are unfenced lands adjacent to the allotment will have little effect, if any toward any future decisions. Livestock numbers and AUMs shall remain the same.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts – which include connected actions regardless of land ownership.

There are no related or connected actions associated with the selected Alternative A which were not analyzed or considered cumulative impacts.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

Portions of the North Fort Sage Allotment were inventoried (SU2-2008-44) on May 27, 2008 in accordance with the procedures outlined in the 2007 *Supplemental Procedures for Livestock Grazing Permit/Lease Renewals: A Cultural Resources Amendment to the State Protocol Agreement between California Bureau of Land Management and the California State Historic Preservation Officer*. Additional survey within the allotment occurred on August 18, 19, 25, and 26, 2008 (SU2-2008-49). A contracted survey that crosses through the allotment occurred September 5 to October 5, 2007 and from February 15 to March 5, 2008 (SU2-2007-20).

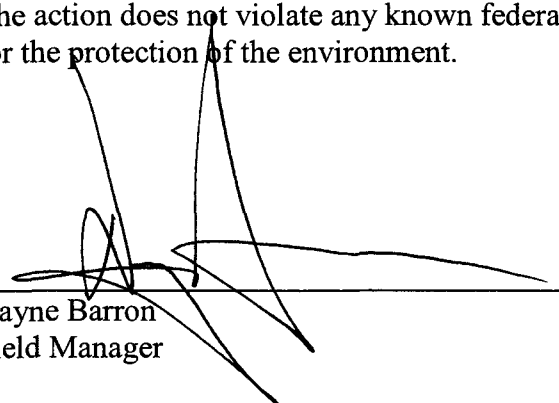
There are 15 previously identified cultural resource sites located within the North Fort Sage Allotment. All 15 of the sites are within the 4,000 acres of land acquired since 1996 that are proposed to be added to the allotment boundary (see Table 3). Two sites have been documented as having been impacted by grazing. The area has been considered open range and grazing authorization has been minimal (7 years out the past 18) by the BLM. The area has seen some infrequent use by cattle from adjacent ranches and from wild horses in the area. Both of these sites will be monitored for further impacts due to grazing, as the new acres added to the allotment. If the impacts increase, additional measures will be implemented to reduce or eliminate the damage being done by livestock or wild horses. At the same time, additional monitoring and inventory will be conducted in accordance with the 2007 Protocol Agreement and the National Historic Preservation (NHPA) Section 106 compliance requirements for range improvement procedures. I have determined that the effects described in the EA are not highly controversial but further inventory will continue to occur. If sites which have previously been impacted by livestock and wild horses continue to be impacted, action will be administered to protect the sites.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

There are no threatened or endangered plants or animals known to occur within the project or the surrounding area.

10. Whether the action threatens a violation of a federal, state, local regulation or policy imposed for the protection of the environment, where nonfederal requirements are consistent with federal requirements.

The action does not violate any known federal, state, or local law or requirement imposed for the protection of the environment.



Dayne Barron
Field Manager

Date

7/6/9

Bureau of Land Management
Eagle Lake Field Office



Evaluation and Determination
of Rangeland Health
For the North Fort Sage Allotment (00510)
Including the 1996 Acquired Lands

EA No. CA-350-2008-07
October 22, 2008



Evaluation and Determination of Rangeland Health for the North Fort Sage Allotment (00510)

I. EVALUATION

Allotment Information

The Eagle Lake Field Office currently manages approximately 3,500 acres of public lands within the North Fort Sage Allotment (#00510) approximately six miles northeast of Doyle, California (see Figure 1). The BLM also owns 3,950 acres to the north, adjacent to the allotment. These lands (referred to as the 1996 Acquired Lands) are being added to the current allotment under the proposed action. Livestock grazing is authorized on the North Fort Sage Allotment under Section 15 of the Taylor Grazing Act, and therefore is authorized under a grazing permit and not a lease. Currently, there is one permit for the allotment with the following mandatory terms and conditions:

Table 1 Mandatory Terms and Conditions of the North Fort Sage Allotment

Allotment		Livestock		Grazing Period		% P.L. Use	Type Use	AUMs		
Number	Name	Number	Class	Begin	End			Active	Suspended	Total
00510	North Fort Sage	27	Cattle	04/01	10/31	100	Active	189	0	189

The current North Fort Sage Allotment consists of approximately 3,500 acres of public land (see Figure 2). The majority of the allotment (3,100 acres) is located along the northeastern slopes of the Fort Sage Mountains, on the south side of County Road 327. There is another 400 acre parcel north of the Widomaker Trailhead on the north side of the road. The elevation between the two parcels varies from 6,500 ft. up the toe slopes down to 3,900 ft. toward the Honey Lake Valley floor. Precipitation within the allotment boundary varies with topography, ranging from 10-16 inches in upper elevations to 6-12 inches on the valley floors. The allotment is unfenced from all other surrounding lands to the west of the only existing fence, which runs south to north from County Road 327 to Union Pacific railroad tracks.

BLM and CDFG Land Exchange of 1996

The BLM also owns 3,950 acres to the north, adjacent to the allotment. These lands were acquired from California Department of Fish and Game (CDFG) in 1996 as part of a land exchange between the two departments (see Figure 3). The BLM received a total of 3,950.49 acres and CDFG received 3,949.82 acres. The BLM describes the use for the land in an Environmental Assessment, EA#-CA-350-97-27. This EA amended pieces of the prior EA completed in 1987. The EA added newly acquired lands to the Fort Sage Special Recreation Management Area (Fort Sage SRMA) under BLM management in 1997. The Fort Sage SRMA had generally been considered a mix of BLM, CDFG, and private land prior to the land exchange. The 1997 EA identifies the Fort Sage SRMA and establishes the acreage of this area. The acquisition of the CDFG lands allows for OHV users to remain on BLM land throughout the

OHV Area. Therefore, CDFG lands have been eliminated from the project area, as well as all private lands that are not in-holdings or surrounded by BLM lands (EA#-CA-350-97-27).

Although it was discussed in the EA that livestock grazing would also be managed, the 3,950 acres were not added to the North Fort Sage Allotment boundary at this time. There are no written records showing why this was not done. Internal discussions with BLM specialists who were part of the acquisition in 1996 revealed that grazing was not an issue at the time the EA was written, due to lack of information from "actual use reports." The allotment had only been grazed two times in the previous 10 years. It was decided by the BLM to wait until the new Resource Management Plan was completed to decide what to do with grazing portion of the new lands.

Existing Uses, Resources & Management

Grazing Management:

Grazing on the North Fort Sage Allotment is used in conjunction with permittees private lands to the east, due to lack of water on BLM lands. This includes the 3,950 acres of BLM land to be added to the allotment. There is only one water source on the allotment called Dry Lake Springs. Cattle use is minimal as the spring is located at high elevation and cannot be found by cattle unless they are trailed up to it.

Although the 1996 lands have never been added to the allotment, they have been grazed by cattle, as they are unfenced lands. Prior to the 1996 land acquisition, CDFG managed the unfenced lands for wildlife habitat. Cattle management for CDFG was not an issue as cattle use was minimal within the area. Authorized grazing use within the whole North Fort Sage area is minimal due to lack of water.

The allotment has not been grazed by cattle in 10 years, and experienced minimal use 10 years prior to 1997 (Table 2). The majority of forage use was by infrequent unauthorized cattle use from adjacent ranches, and from wild horses in the area, as they are unfenced lands. Unauthorized cattle use has not occurred in recent years. There have been changes in property ownership around the allotted area; current neighboring landowners either have their property up for sale or no longer own livestock. The area has been considered open range and grazing authorization has been minimal by the BLM.

Table 2 History of Actual Use

Year	Total AUMS	AUMS Used	Season Of Use	Comments
1997	189	0	4/01 – 10/31	No livestock utilization
1998	189	0	4/01 – 10/31	No livestock utilization
1999	189	0	4/01 – 10/31	Non-use for Resource Conservation Reasons
2000	189	0	4/01 – 10/31	Non-Use
2001- 2003	189	0	4/01 – 10/31	Closed due to fire rehabilitation
2004, 2005	189	0	4/01 – 10/31	No livestock utilization
2006	189	0	4/01 – 10/31	Lack of water
2007	189	0	4/01 – 10/31	Lack of water and fence repair needed
2008	189	0	4/01 – 10/31	Closed due to fire rehabilitation

The existing fence (see Figure 3) excludes approximately 1,800 acres of the 1996 Acquired Lands from livestock grazing. The fence was built in the 1980's by CDFG and remains functional. These lands will still be added into the allotment boundary, but the fence will remain intact. The fence will be repaired and maintained where needed, as it serves as a boundary for livestock and wild horses, reducing the risk of livestock entering private and state lands to the west, as well as the town of Doyle.

Upland Vegetation

North Fort Sage Allotment

The dominant aspect of upland vegetation is big and low sagebrush with an understory of native perennial and exotic annual grasses and forbs. A secondary aspect is bitterbrush mixed with sage, grasses, and juniper, which primarily occur in upper elevations (i.e. near Dry Lake Spring). Mountain Mahogany occurs in the higher elevations of the Fort Sage Mountains above 6,000 feet. Perennial grass species such as Great Great Basin wildrye and bottlebrush squirreltail are dominant grasses throughout the allotment. Cheatgrass is the dominant annual grass species. This dominance/ invasion is very evident in wildfire burned areas.

Wildfire activity has had a negative impact on vegetative community, due to the fact that fire has burned all but 15% of the allotment. Additionally, the northeast slope of Turtle Mountain had burned three times in three years during the early 1980s and thus changing the vegetative community within that area to a cheatgrass/annual forb dominated site. Moving south along the center of the allotment along the slopes, more perennial grasses occur in form of Great Great Basin wildrye, bottlebrush squirreltail, Indian ricegrass, and Sandberg's bluegrass. A more detailed description can be found in Soil Survey of Susanville Area, parts of Lassen and Plumas Counties, California.

1996 Acquired Lands

There are 11 different soil types within the 3,950 acres of BLM acquired land. The overall landscape is a Lake Plain-Alluvial Plain site, 0 to 2 percent slope, and well-drained soils. Overall soil composition varies from sandy loam to fine sandy loam soils (mapping units 108, 252, 396). Based on the soil survey of the overall land the dominant vegetation is Great Basin wildrye, Indian ricegrass, needle-and-thread, bottlebrush squirreltail, Great Basin big sagebrush, and black greasewood. These vegetation features are present throughout the area.

The 1996 Acquired Lands have not been affected by wildfire compared to the existing lands within the North Fort Sage Allotment. There has been one recorded wildfire which burned in 2007, the Honey 1 Fire. This fire was lightning-caused and burned approximately 124 acres of public and 110 acres of private land. The BLM burned area was seeded in the spring of 2007 with Great Basin wildrye and Indian ricegrass. Photos of the burned area (Photos 1, 2, 3) show that Great Basin wildrye has naturally come back in some areas, while cheatgrass has invaded the remainder of the site. If this area receives some good spring rain in 2009 it may start to show some success. Therefore, livestock grazing was cancelled throughout the 2009 grazing season to allow for vegetative rehabilitation.

Photo 1: 1996 Acquired Lands, April 23, 2008 – Honey 1 Wildfire Seeding



Photo 2: 1996 Acquired Lands, May 27, 2008 Great Basin wildrye regrowth within lowland area

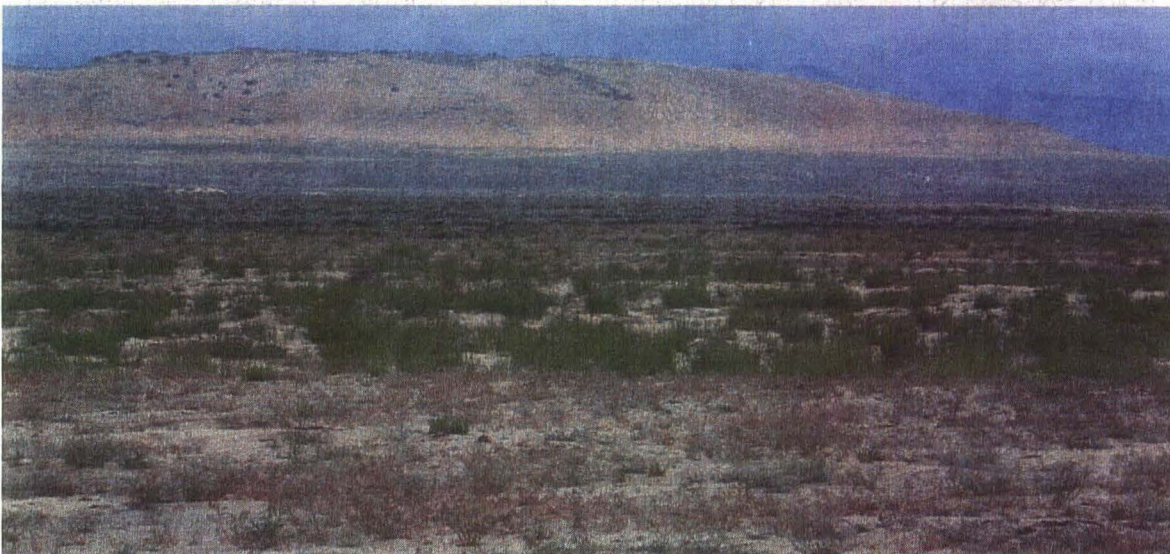
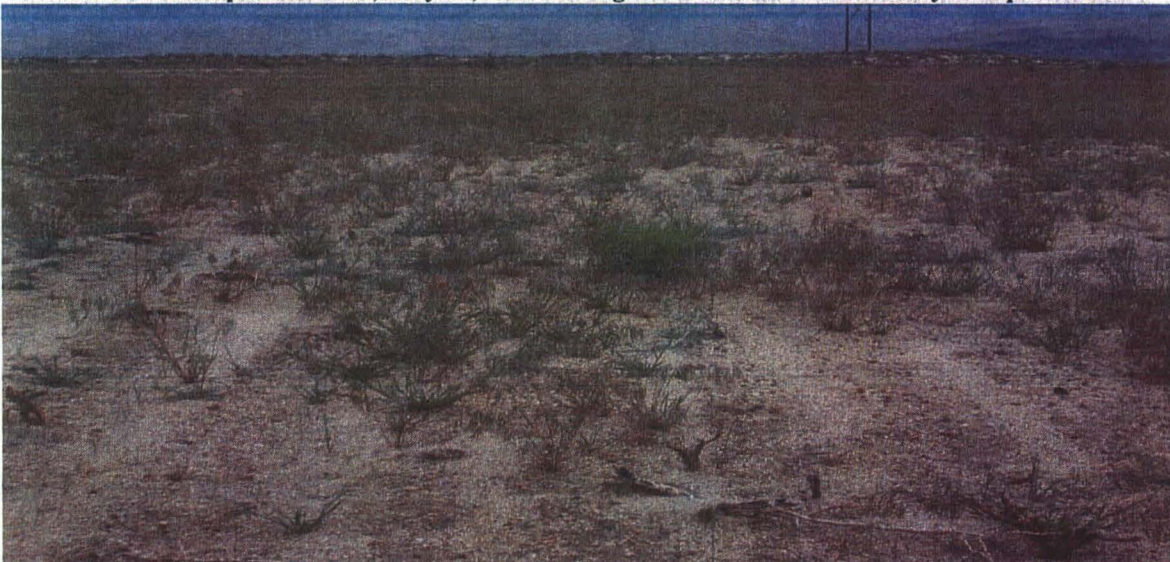


Photo 3: 1996 Acquired Lands, May 27, 2008 Cheatgrass dominated site in sandy soils post-wildfire



Invasive/Noxious/T&E Plant Species

Cheatgrass is the only dominant invasive plant species to occur on the allotment. The annual grass has invaded all areas where wildfires have occurred, but is not dominant throughout the allotment except for within one area on the northeast slope of the Turtle Mountain. Turtle Mountain has burned four times in 25 years, and has become dominated by cheatgrass and rabbitbrush. Areas where the BLM has seeded post-wildfire (i.e., near the Widowmaker trailhead) with Great Basin wildrye and antelope bitterbrush, show healthy vegetation growth.

T&E Plant Species

There are no known federally-listed threatened or endangered plant species within the original North Fort Sage Grazing Allotment. The California Native Plant Society (CNPS) and BLM Eagle Lake Field Office site records of Geyer's milkvetch (*Astragalus geyeri* var. *geyeri*); CNPS list 2, within the North Fort Sage Mountains, T 26 N, R 17 E. This species is found in sandy soil where precipitation is low. Known populations have been monitored annually and the area has been extensively surveyed. This species is dependent on spring rains and it has shown no signs of grazing pressure.

The 1996 Acquired Lands have four known Special Status Plant sites. *Astragalus geyeri* and sagebrush loefiligia (*Loeflingia squarrosa*) are both annual shrubs found in sandy soils and flower from May to June. There is no evidence that livestock grazing affects these species. BLM Botanist Carolyn Gibbs, surveyed areas of this allotment on 5/29/08, 6/07/08, 6/14/08/ and 5/15/08. No additional populations of Threatened or Endangered or BLM-Special Status Plants were found. The BLM will continue to monitor existing SSP as well as monitor any new sites discovered in the future.

Riparian and Wetland Sites

There is one spring called Dry Lake Spring located on upper elevations between the North and West Fort Sage Allotments. The spring is on 80 acres of privately-owned land surrounded by BLM lands. The spring fills a small lake bed area every year and in good precipitation years can hold water through the summer. But the spring is very secluded and difficult to access. Cattle need to be trailed up to the spring by permittees, as they may have difficulties discovering it on their own.

An enclosure fence was built in 1999 around the spring in cooperation between the BLM, the private landowner, and two local hunting groups (Mule Deer Foundation and Lassen County Sportsmen's Club). The landowner granted the BLM an easement to build the enclosure fence in order to protect the spring for public investment. This spring has been used extensively by wild horses over the years, causing a need for the enclosure fence to be built. The spring is now healthy and still provides water for the lake bed.

Wildlife

There are no federally-listed threatened or endangered wildlife species known to occur within the allotment or within the lands acquired by BLM in 1996. There is potentially suitable habitat within the field office area for the Carson wandering skipper (*Pseudocopaeodes eunus obscurus*), a federally endangered species of butterfly; however, none is located within the North Fort Sage

Allotment. If this species were found within the allotment, consultation with the U.S. Fish and Wildlife Service would occur, and modifications to the grazing permit might be necessary.

The North Fort Sage Allotment and the lands proposed to be added to the allotment are outside of the Buffalo-Skedaddle Sage-Grouse Population Management Unit, and sage-grouse (*Centrocercus urophasianus*) are not known to utilize this area. Currently, the California Department of Fish and Game (CDFG) are conducting a telemetry study of local sage-grouse and their movements. BLM will coordinate with CDFG to obtain current telemetry information regarding sage-grouse and their potential use of habitat within this allotment.

An inventory for pygmy rabbits (*Brachylagus idahoensis*) was conducted on the Eagle Lake Field Office (ELFO) from May through September of 2004. Areas in the ELFO supporting appropriate habitat were identified with Geographic Information System (GIS) soil and vegetation layers; this information was combined in Arcview and overlaid on maps of the field office. Areas having a combination of big sagebrush and friable soils were identified (Séquin 2004). No sites considered to be appropriate habitat were located within the North Fort Sage area, thus no sites within the allotment were surveyed. Overall, the survey failed to find any evidence of current or old pygmy rabbit activity within the field office area.

The last specimens of pygmy rabbits collected on lands managed by the BLM ELFO were from the Madeline Plains in the 1930s. Since then there have been no confirmed pygmy rabbit sightings in the area (Séquin 2004). Lassen County, CA is on the edge of the historic distribution of the pygmy rabbit. Currently the closest known active pygmy rabbit populations to the ELFO area are located in Nevada just west of the Sheldon National Wildlife Refuge (~120 km) (Séquin 2004, pers. obs.).

Burrowing owls (*Athene cunicularia*), which are a BLM Sensitive species, and also a California Species of Concern, were found nesting within the northeast-facing bajadas of Turtle Mountain in the soft, sandy soils. Two adults were found at an active burrow complex in June of 2007; their status in 2008 is unknown. The location is in the northwest portion of the BLM lands proposed to be added to the allotment, adjacent to Doyle State Wildlife Area land. The existing fence line, which occurs approximately one-half mile east, will prevent cattle from grazing in this area.

Mule deer are the primary large game species that occurs within the southern portion of the allotment area. Deer use the Fort Sage Mountains as primary habitat during the winter, and occasionally year-long, depending on weather conditions. The extreme western, northern, and eastern edges of the allotment lands proposed to be added lie adjacent to lands of the Doyle State Wildlife Area. An existing fence line, which occurs through the middle and western portion of these lands, will prevent cattle from grazing approximately 1,800 acres of lands directly adjacent to the wildlife area. Wildfires have changed the vegetative composition and biodiversity in some areas of the allotment, causing a decline in habitat conditions in some of these areas.

Wildfire

The entire North Fort Sage Allotment has been affected by wildfire (see Figure 4). Approximately 85% of the allotment has burned over the past 25 years. The Turtle Mountain area burned three separate times between 1983 and 1984 and again in 2003. The remainder of

the allotment was burned by the Fish Fire in 2001. The latest fire burned a small area of the 1996 Acquired Lands in 2007, named the Honey 1 wildfire.

Wildfires have impacted the vegetation threshold within the allotment. This is very evident on the northeast slopes of Turtle Mountain, where four wildfires have occurred in last 25 years. Despite these wildfires, including the 2001 Fish Fire, the allotment has slowly recovered. The North Fort Sage Allotment is located on the north facing slopes of the Fort Sage Mountains, meaning that snowpack lasts longer, and slopes receive less sunlight, aiding in soil moisture content, keeping cheatgrass from invading the slopes.

BLM Seeding Projects

There were three seeding projects established after wildfires in the 1980's, three for the Fish Fire and one for the Honey 1 Fire. Some sites responded well to the seedings and other areas did not. The Mottsville and Widowmaker seeding that were done post-Fish Fire were successful, with antelope bitterbrush and Great Basin wildrye growth. Antelope bitterbrush can be seen very well within satellite map images (see Figure 5). The latest seeding project took place in 2007 after the Honey 1 Fire; it was seeded with Great Basin wildrye and Indian ricegrass. The results of this seeding are yet to be determined.

Wild Horses and Burros

Approximately 3,500 acres of the allotment fall within the Fort Sage Wild Horse and Burro Herd Management Area (HMA) #CA-241, which consists of 15,759 total acres (see Figure 6). This HMA is also an inter-district management herd between the Carson City, Nevada BLM Field Office and Eagle Lake Field Office. The Appropriate Management Level (AML) ranges from 55 to 65 horses and 0 burros. There is not a fence line keeping the horses off of the 1996 Acquired Lands, but records show that horses have used the valley floor during the early spring months for grazing. Human activity, including OHV use, traffic on County Road 327, and scattered homesteads may keep horses up on the mountains and off of the valley floors. Wild horses spend most of their time on the Nevada side of the HMA. A horse census of the Fort Sage HMA was completed on September 25, 2008 which observed a total of 19 horses; 14 were located within the Fort Sage HMA and five were found on east slopes of the Fort Sage Mountains in Nevada.

Recreation

The North Fort Sage Allotment is part of the Fort Sage Special Recreation Management Area (SRMA), as described in the Eagle Lake Resource Management Plan Record, April 2008, Sec. 2.9.6.3. The most prevalent activities are recreation motorcycle and ATV riding, horseback riding, and hiking. More distant visitors typically drive from two to eight hours (one-way), camp at the Fort Sage OHV area, and spend at least two days and nights driving, riding, or hiking. There are four recreational management zones for public use: Fort Sage Trailhead, Fort Sage Road and Trail Systems (on public land), Fort Sage Mountains, and the Widowmaker Trailhead.

All recreation four zones are attached to the allotment in way or another. The main attraction is the Widowmaker Trailhead, located on the north facing slopes of the allotment, which is the designated staging area for motorcycle events. The Lassen Motor Cycle Club is authorized to hold one open range motorcycle race per year. These events take place in either the Fort Sage

SRMA or Dry Valley SRMA. The proper clearances are completed by the BLM staff before each race. The race may, in some years, coincide with cattle grazing, but there have not been any conflicts between the two.

The 1996 Acquired Lands are currently part of the Fort Sage SRMA. Recreation use was the driving force for acquiring these lands in 1996. The BLM describes the use for the land in an Environmental Assessment, EA#-CA-350-97-27. This EA amended pieces of the prior EA completed in 1987. The EA added newly acquired lands to the Fort Sage SRMA under BLM management in 1997. The Fort Sage SRMA had generally been considered a mix of BLM, CDFG, and private land. The 1997 EA identifies the Fort Sage SRMA and establishes the acreage of this area. The 1997 acquisition of the CDFG lands in the Fort Sage OHV Area allows for OHV users to remain on BLM land throughout most of the OHV Area. Therefore, CDFG lands have been eliminated from the project area, as have been all private lands that are not in-holdings or surrounded by BLM lands (EA#-CA-350-97-27).

Cultural Resources

Portions of the North Fort Sage Allotment were inventoried (SU2-2008-44) on May 27, 2008 in accordance with the procedures outlined in the 2007 *Supplemental Procedures for Livestock Grazing Permit/Lease Renewals: A Cultural Resources Amendment to the State Protocol Agreement between California Bureau of Land Management and the California State Historic Preservation Officer*. Additional surveys within the allotment occurred on August 18, 19, 25, and 26, 2008 (SU2-2008-49). A contracted survey that crosses through the allotment occurred September 5 to October 5, 2007 and from February 15 to March 5, 2008 (SU2-2007-20). There are 15 previously identified cultural resource sites located within the North Fort Sage Allotment. All 15 of the sites are within the 3,950 acres of land acquired since 1996 that are proposed to be added to the allotment boundary (see Table 3). Two sites have been documented as having been impacted by grazing. The area has been considered open range and grazing authorization has been minimal (7 years out the past 18) by the BLM. The area has seen some infrequent use by cattle from adjacent ranches and from wild horses in the area. Both of these sites will be monitored for further impacts due to grazing, as the new acres added to the allotment. If the impacts increase, additional measures will be implemented to reduce or eliminate the damage being done by livestock or wild horses. At the same time, additional monitoring and inventory will be conducted in accordance with the 2007 Protocol Agreement and the National Historic Preservation (NHPA) Section 106 compliance requirements for range improvement procedures.

Table 3 Cultural Resources Sites within the North Fort Sage Allotment and 1996 Acquired Lands

Type of Site	Number of Sites	Site No.	Evaluated ¹ Yes (Y), No (N)	Grazing ² Impacts Yes (Y), No (N)
Historic Debris	4	26.17.03.02	N	N
		26.17.09.00	N	N
		26.17.16.25	Y	N
		26.17.23.27	Y	N
Sparse Lithic Scatter	2	26.17.22.25	Y	N
		26.17.22.26	Y	N

Sparse Lithic Scatters with an Historic Debris Scatter Component	4	26.17.08.25	Y	N
		26.17.16.00	Y	N
		26.17.17.25	Y	N
		26.17.16.26	Y	N
Lithic Scatter with Ground Stone	1	26.17.03.00	N	N
Lithic Scatter with Ground Stone and Historic Debris Scatter	1	26.17.23.26	N	Y
Multi-component Site with Lithic Scatters/Grind Stones/Fire-cracked Rock	1	26.17.16.28	N	Y
Multi-component site that include Lithic Scatters/Ground Stone/ Fire-cracked Rock/Thermal Feature/Historic Debris Scatter	1	26.17.16.27	N	N
Multi-component Site that includes Lithic Scatter with Fire-cracked Rock/Remains of Historic Homestead or Small Ranch	1	26.17.23.25	N	N
Recommended Eligible	3	26.17.16.28		
		26.17.16.27		
		26.17.23.25		
Recommended Not Eligible	9	N/A		

¹ Evaluated as eligible for the National Register of Historic Places.

² Documentation of grazing impacts to site.

Determination

Upland Health Assessments, Monitoring Data, and Allotment Information

North Fort Sage Allotment

Land health field assessments were conducted by the Eagle Lake Field Office from 1999 to 2004. The evaluation included upland health field assessments; riparian functional assessments, existing allotment information, and professional judgment that were used to make the standards determination for the allotment. There were two Upland Health Assessments (UHA) conducted within the North Fort Sage Allotment in April 2001 (UH# 124 and 125). Information from the assessments, as well as other collected data, is contained and summarized within the Eagle lake RMP, Sec. 3.12.2, *Susan River/Honey Lake Valley Watershed Evaluation*. The following summary identifies whether the allotment is meeting, not meeting, and/or making progress toward meeting land health standards.

Site #124 is located on the border between the North and West Fort Sage Allotments at the top of the Widowmaker Trailhead. This site is also located within a burn area from the 2001 Fish Fire. The site was rated as meeting all of the standards for rangeland health.

Site #125 was also observed in a burn area (from the 1984 Turtle Mountain wildfire) but the site was rated as "not meeting" the Biotic Integrity standard due a lack of perennial grasses. Recent observations show this site has recovered, with viable vegetation in the form of perennial and annual grasses, with a mixture of forbs and shrubs. The sagebrush community has also recovered post-fire, and Great Basin big sagebrush and Great Basin wildrye have reestablished within the upland health site (Photos 4 and 5).

Photo 4: Upland Health Assessment #125, April 2001

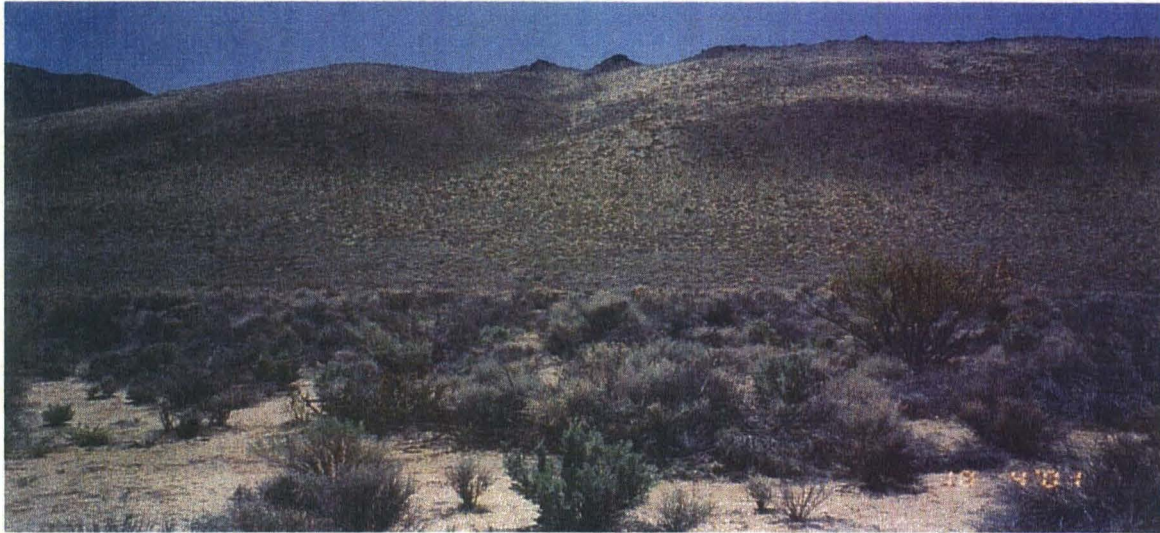


Photo 5: Upland Health Assessment #125, 2008 Great Basin Big Sagebrush and Great Basin wildrye Establishment



1996 Acquired Lands

Upland health assessments were conducted within these lands on October 10, 2008. Four sites were randomly selected within the 3,950 acres. Three sites were selected east of the existing fenceline within three main soil types where cattle will graze, and one on the west side of the fence within the main soil type where cattle will not be grazing (see Figure 3). Sites 1-3 (east side of existing fence) rated as meeting all of the standards and guidelines for rangeland health. Site 4 was observed within the proposed allotment area, but on the west side of the existing fence where cattle will not be grazing. This site also rated as meeting all of the standards and guidelines for rangeland health. There were some concerns with Biotic Integrity within the site due to a lack of perennial grass component. Site 4 is a shrub-dominated site with live and dead shrubs.

Photo 6: Upland Health Assessment Site #1



Photo 7: Upland Health Assessment Site #2

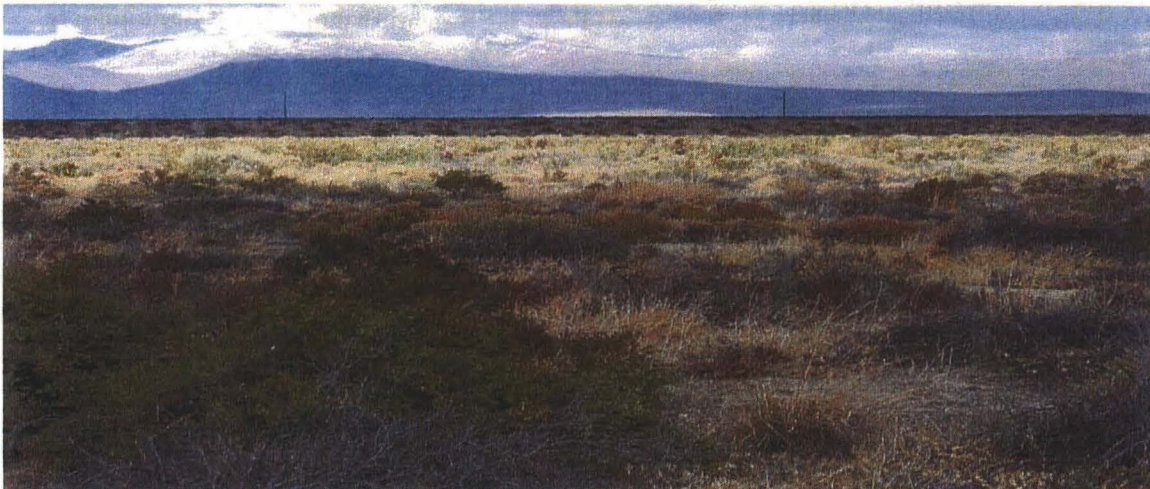
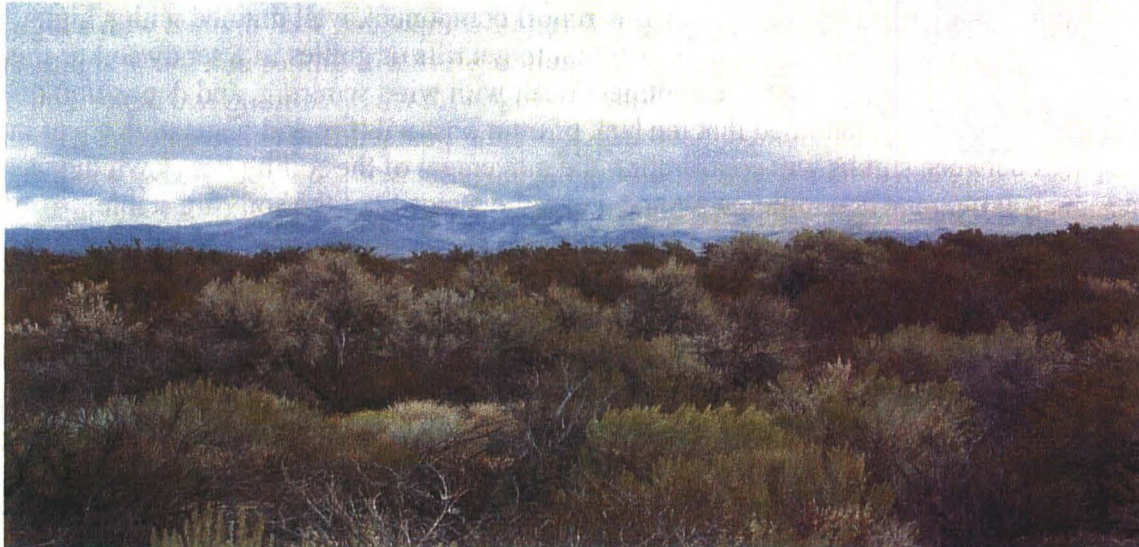


Photo 8: Upland Health Assessment Site #3



Photo 9: Upland Health Assessment Site #4



Summary of Grazing Determination

Land Health Evaluations of the 2001 and 2008 assessments indicate that the overall land health is meeting the standards and guidelines within the current North Fort Sage Allotment and the 1996 Acquired Lands to be added to the allotment. As discussed earlier, cheatgrass has invaded areas post-wildfires, but current plant production and vigor are healthy, with new seedlings decreasing the amount of bare soil in the inner spaces, especially in the upper elevations. We can almost always expect cheatgrass to take over an area post fire (Eagle Lake RMP, April 2008, Sec. 3.18.2.3 *Annual Grassland Communities*). Additionally, these areas have experienced minimal cattle use over the last 20 years, and authorized cattle use has not occurred during the last 10 years.

The Record of Decision (ROD) for the Rangeland Health Standards and Guidelines for California and Northwestern Nevada Final EIS (2000) adopted five Standards for Public Land Health. These are: (1) Upland Soils, (2) Streams (3) Water Quality, (4) Riparian and Wetland Sites and (5) Biodiversity.

Descriptors such as: None to Slight, Slight to Moderate, Moderate, Moderate to Extreme, and Extreme describe a range of departure from what is expected at this site or area. The descriptors give the reader a gauge of how the indicators of land health compare to the natural plant community expected for the site as identified from the site assessments.

(1) Upland Soils: Meeting Standard, ___ Not Meeting, ___ or Not Meeting but Making Progress toward Meeting Standards.

North Fort Sage Allotment – Upland Soils Standard

Upland soils exhibit infiltration and permeability rates that are appropriate to soil type, climate and landform, and exhibit functional biological, chemical and physical characteristics (see Figure 7). A more detailed description can be found in Soil Survey of Susanville Area, parts of Lassen and Plumas Counties, California.

Approximately 75% of the allotment consists of Mottsville gravelly loamy coarse sand soil (soil mapping unit #229). This soil type has very low runoff component, well drained with a high permeability rate. Furthermore; it would be difficult to get rills or gullies in a sandy soil as this. The concern with the upland soils in the allotment dealt with wind scouring, and deposition of soil under shrubs. It was determined that the lack of litter post wildfire and vegetative cover in the interspaces between shrubs was contributing the movement of the soil by heavy wind. Despite some soil movement within the burned areas, the majority of the soils are stable.

1996 Acquired Lands – Upland Soils Standard

There are 11 different soil types and all are similar within the 3,950 acres to be added. The overall description of the landscape is a Lake Plain-Alluvial Plain site, 0 to 2 percent slopes, with well-drained soils. Soil composition varies from sandy loam to fine sandy loam soils. Three soils (Map Units 108, 252, and 396) encompass approximately 65% of the area. These three soils range from a very fine sandy soil to sandy loam soil, and landscapes also range from alluvial to lake plains. Precipitation runoff and permeability rates also range from very rapid to very slow. This is due to the different soil layers associated with lake plain and alluvial plain components.

(The North Fort Sage “flat” is located in the southeast portion of the Honey Lake Valley and once acted as a gateway connecting Honey Lake and Pyramid Lake, which were once part of ancient Lake Lahontan). The sandy soil areas can erode easily during high winds or with heavy rain fall. This is very evident post wildfires when plant structure is removed. Therefore, ground cover is important to protect from accelerated erosion. When wildfires occur, wind erosion becomes a problem with these soils; dust storms can move soil very easily post wildfire and during dry/drought years.

Influencing Causal Factors on the Soils Standard

The soil in the allotment and lands to be added both meet the criteria for the soil standard, based on the perennial vegetation within the lands. In some areas it was noted that several perennial grass species were not as common as expected. However, perennial grasses have accrued in the form of different species which may not be expected for the site. This tells us that a vegetation threshold has been crossed within some sites where wildfires have occurred.

These soils also demonstrate a healthy microbiotic crust component (Photos 10 and 11). Biological soil crusts are usually composed of multiple, unrelated organisms that occur together on the soil surface. The various types of organisms that comprise the crust share some interesting physiological traits. They are all capable of drying out and temporarily suspending respiration without negative effects, unlike vascular plants that either die or must regrow new tissue (Technical Reference 1730-2 2001 Biological Soil Crusts: Ecology and Management). Biological crust aid in soil stabilization, soil moisture, seed germination, plant establishment and cover, and contain healthier more vigorous plants compared to plants outside the crust.

Photo 10: Microbiotic Crusts

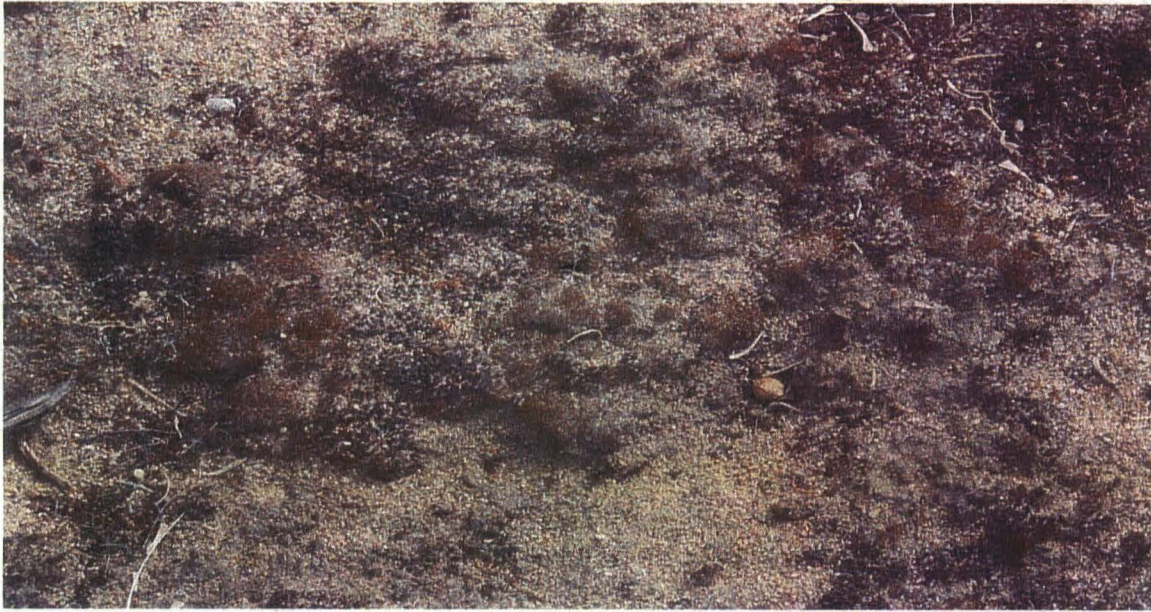


Photo 11: Microbiotic Crusts



(2) Streams: N/A (For both North Fort Sage Allotment and 1996 Acquired Lands).

(3) Water Quality: N/A (For both North Fort Sage Allotment and 1996 Acquired Lands).

(4) Riparian and Wetland Sites: X Meeting Standard, ___ Not Meeting, ___ or Not Meeting but Making Progress toward Meeting Standards.

Dry Lake Spring is the only spring within the North Fort Sage Allotment, although it occurs on private lands. The BLM does have an easement to the spring for public investment. The entire spring is fenced off from cattle and wild horses.

(5) Biodiversity: X Meeting Standard, ___ Not Meeting, _____ or Not Meeting but Making Progress toward Meeting Standards.

North Fort Sage Allotment – Biodiversity Standard

Overall, the allotment is meeting the Biodiversity Standards: Cheatgrass has moved in some areas post wildfires, especially on the northeast slopes of Turtle Mountain where three wildfires burned the same area within two years. This area is dominated by cheatgrass and annual forbs. Cheatgrass is also present throughout the remainder of the allotment. The upper slopes consist of Great Basin wildrye, bottlebrush squirrel tail, Thurbers needlegrass, mountain big sagebrush, antelope bitterbrush and other perennial grasses and forbs. These species are viable, healthy, productive and diverse populations of native and desired plant and animal species are maintained in the allotment. Native and other desirable plant and animal populations are diverse, vigorous, and able to reproduce, and support nutrient cycles and energy flows.

Upland Health Assessment #124 was rated at “slight to moderate” departure from Biotic Integrity with some annual grasses present within the area. Assessment #125 rated as “moderate to extreme” departure from Biotic Integrity. This site is located within a portion of the burn area from 1984 Turtle Wildfire and has started showing signs of full recovery. Recent photos of this assessment site show that although it is rated as “not meeting”, but it is making progress towards meeting the biodiversity standard (Photos 4 and 5).

1996 Acquired Lands – Biodiversity Standard

Overall, these lands are meeting the biodiversity standard and guidelines for rangeland health.

Influencing Causal Factors on the Biodiversity Standard

Based upon land health assessments and acquired knowledge of these lands, the 1996 Acquired Lands are meeting the biodiversity standard. This is due to the condition and diversity of native perennial vegetation expected for the area. The invasion of cheatgrass post-wildfire is in the amount that is expected for the site.

Current livestock management has been minimal for more than 20 years on these lands. Past permittees had not grazed the area on a continuous basis. Vegetation within the sites is diverse, viable, and healthy. There are three dominate types of perennial grasses; Great Basin wildrye, bottlebrush squirreltail, Indian ricegrass, plus various other species of native perennial grasses. Upland vegetation such as Great Basin big sagebrush, antelope bitterbrush, desert peach, and rabbitbrush are also present

Meaning that: Native and other desirable plant and animal populations are diverse, vigorous, and able to reproduce, and support nutrient cycles and energy flows.

Additional Information: There were 41 soil sites assessed in the Susan River/Honey Lake Watershed in the early 2000’s, finding only four sites which deviated more than moderately from expectations. These were on the sandy soil sites in the Fort Sage Mountains (Eagle Lake RMP Sec. 3.12.2, pg. 3-69). The Fort Sage area has experienced several wildfires in the past two decades, with marginal success recovery. Livestock are very limited throughout the Fort Sage grazing allotments and were not a contributing factor to this condition. Most of the ‘Functioning

at Risk' sites are also on sandy soils. Once disturbed, these droughty soils can take a comparatively long time to recover.

Special soil stabilization efforts have been made by the BLM on sandy soils within the Fort Sage Mountains, and across the valley near the town of Wendel. These efforts have shown little success.

The North Fort Sage Allotment has been heavily affected by wildfire. Some sites may never recover, while other sites show signs of recovery. Wildfires have not affected the 3,950 acres of the 1996 Acquired Lands nearly as much. There was one recorded small wildfire in 2007.

Grazing Determination

- 1) Is it more likely than not that existing grazing management practices or levels of use are significant factors in failing to achieve Standards or conformance with Guidelines?

Yes No

Livestock grazing has been minimal the past 20 years for various reasons stated in this document, leaving little grazing data to prove existing livestock numbers are inappropriate for the allotment. Adding the (unfenced) 1996 BLM acquired lands will allow the permittee to graze without the fear of being in trespass and will allow BLM to manage the lands for authorized livestock use, decreasing the chance possibility of unauthorized livestock use.

- 2) Is it more likely than not that existing grazing management needs to be modified to ensure the fundamentals of land health are met, or making significant progress toward being met?

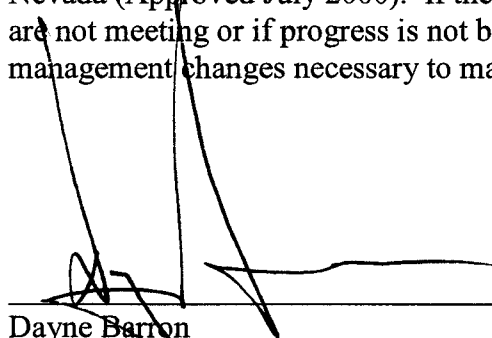
Yes No

Existing grazing management will not be modified at this time, despite the addition of 3,950 acres to the existing allotment area. There is not enough utilization data at this time to justify any change in grazing management. The BLM will monitor the allotment for utilization trends for the first three years of authorized grazing beginning in 2010 and decide if AUMs will be increased or remain the same.

Statement of Conformance or Non-Conformance with Grazing Guidelines

 X Yes, The North Fort Sage Allotment and 1996 Acquired Lands are generally within the Guidelines for Livestock Grazing as identified in the Standards and Guidelines for Rangeland Health in NE California and NW Nevada (Approved July 2000).

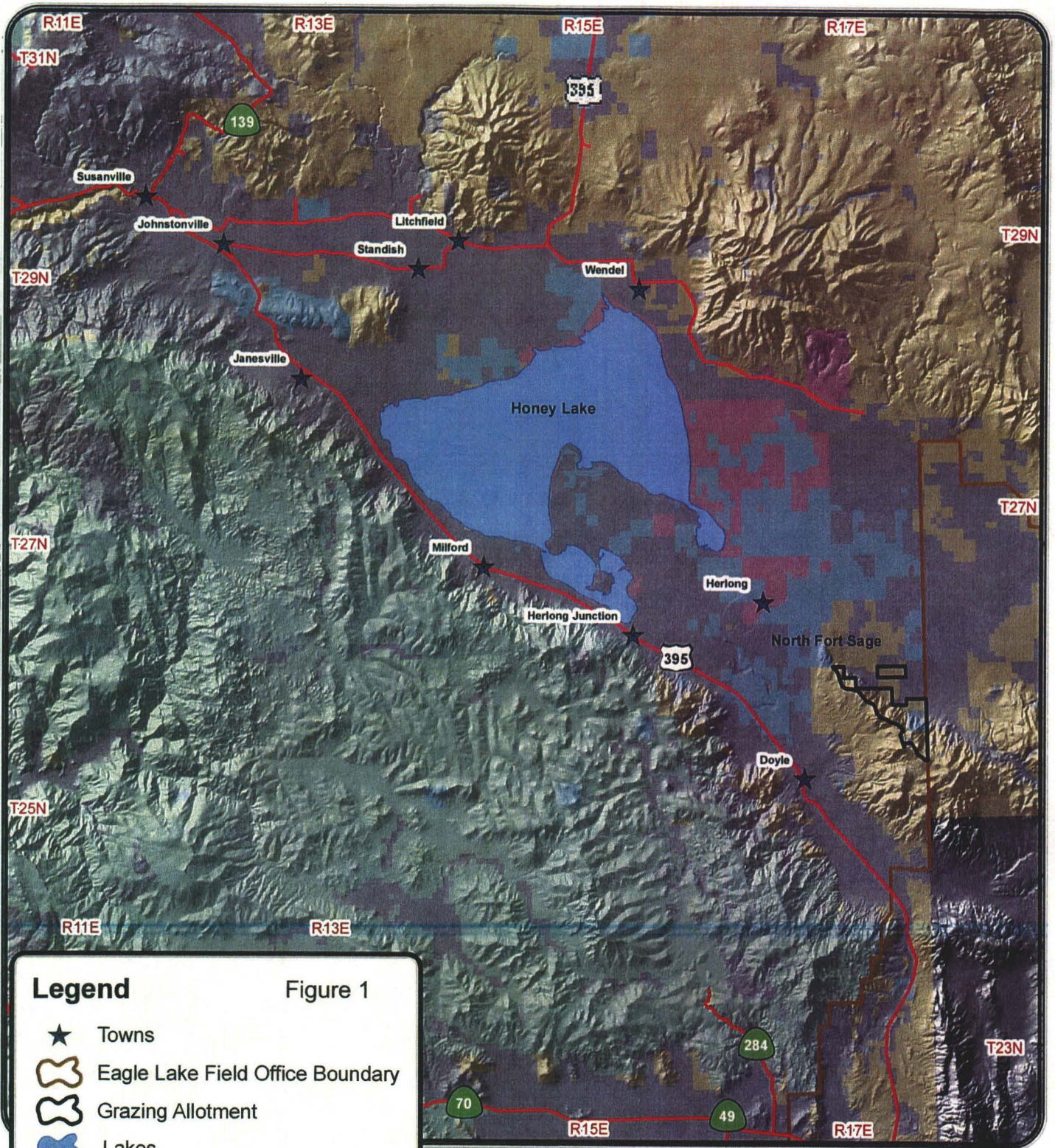
_____ No, the allotment is generally not within the Guidelines for Livestock Grazing as identified in the Standards and Guidelines for Rangeland Health in NE California and NW Nevada (Approved July 2000). If the guidelines and the standard which they are meant to apply are not meeting or if progress is not being made identify the casual factor and identify any management changes necessary to make progress.



Dayne Barron
Field Manager



Date

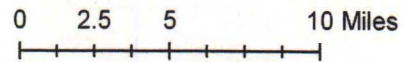


Legend

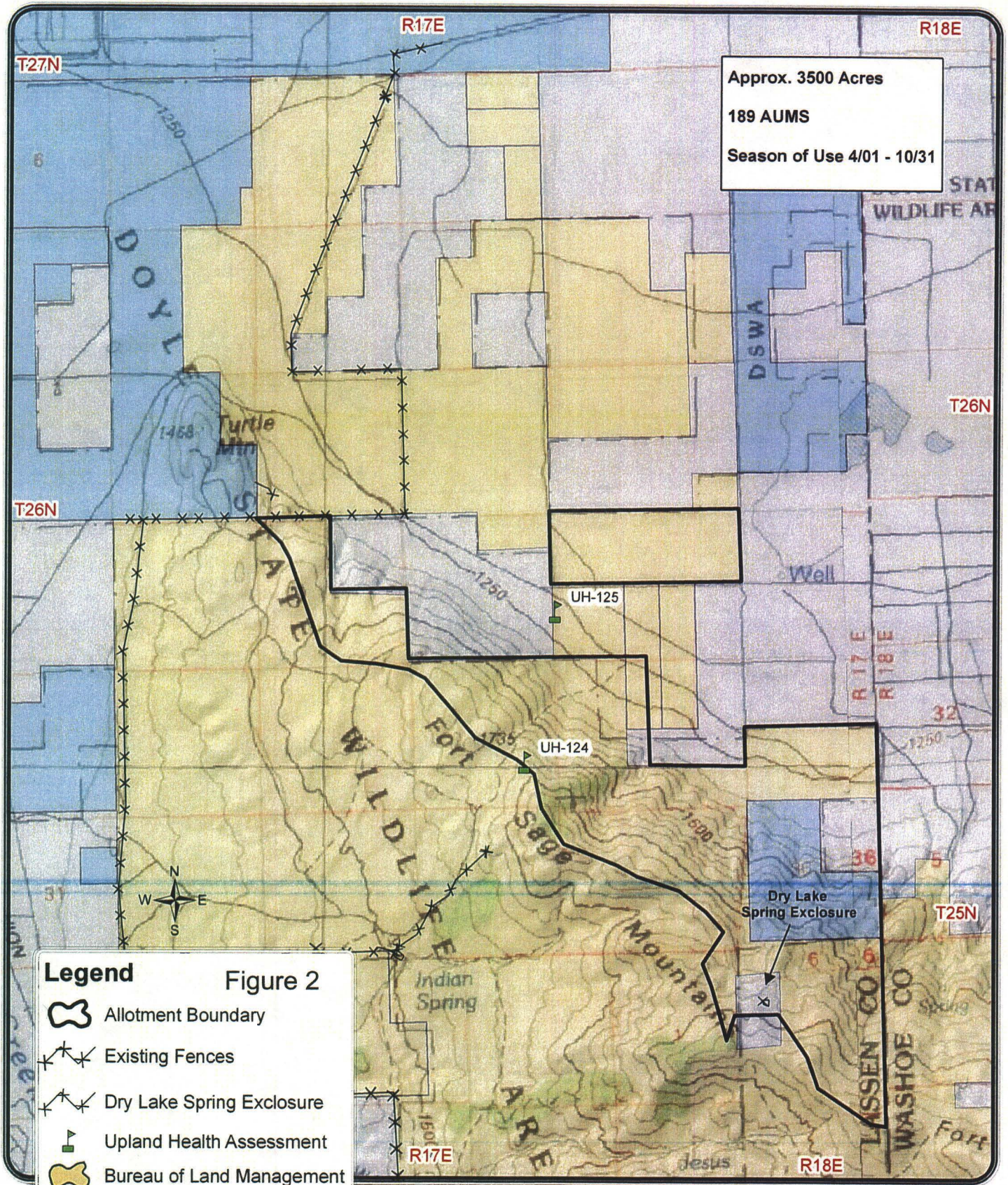
Figure 1

- ★ Towns
- Eagle Lake Field Office Boundary
- Grazing Allotment
- Lakes
- Bureau of Land Management
- Forest Service
- Military
- State Lands
- Unclassified/Private

**North Fort Sage
Allotment Location Map**



No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregated use with other data. Original data was compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notice.

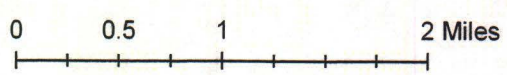


Approx. 3500 Acres
 189 AUMS
 Season of Use 4/01 - 10/31

Legend **Figure 2**

- Allotment Boundary
- Existing Fences
- Dry Lake Spring Enclosure
- Upland Health Assessment
- Bureau of Land Management
- Forest Service
- State Lands
- Unclassified/Private

North Fort Sage Allotment Map



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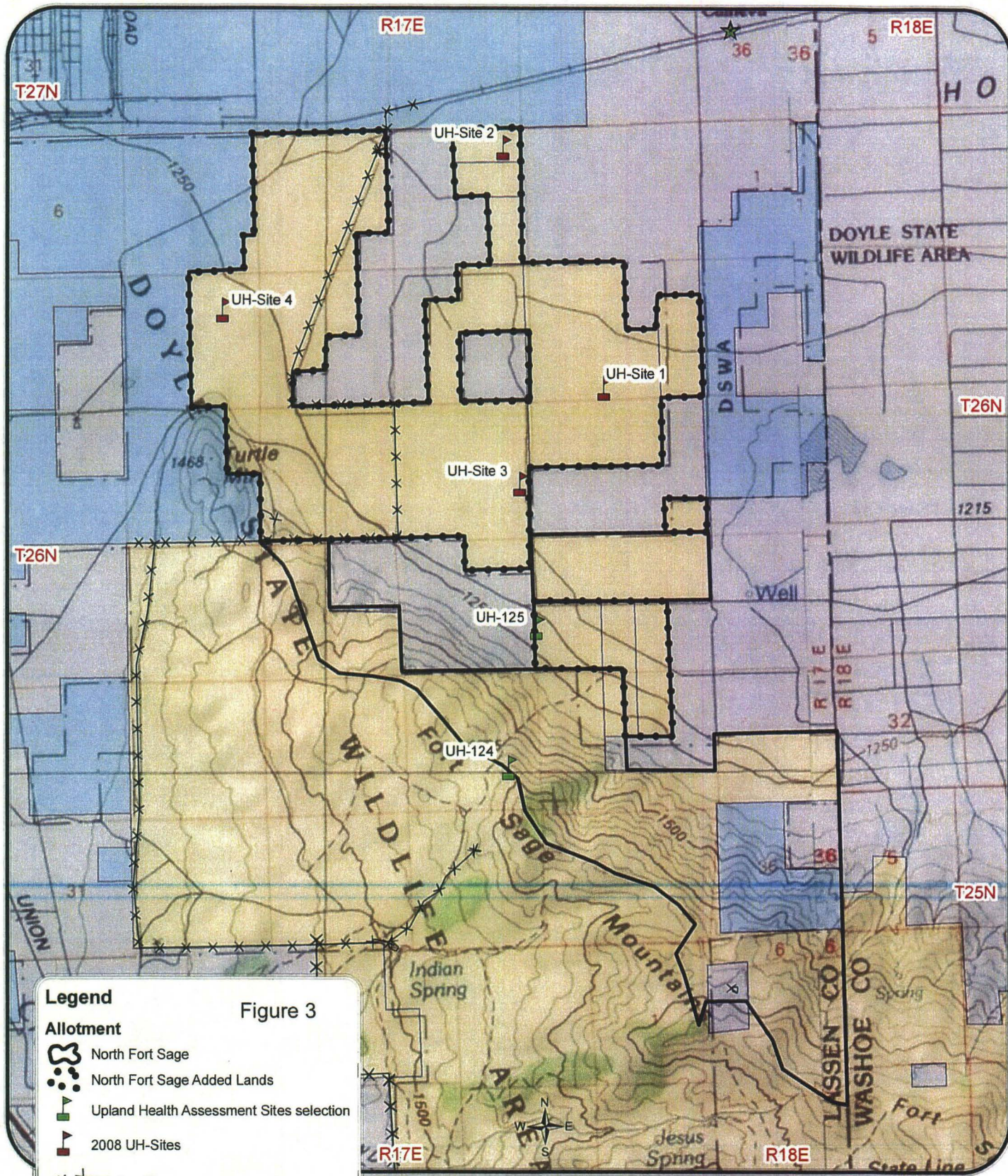


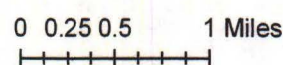
Figure 3

Legend

Allotment

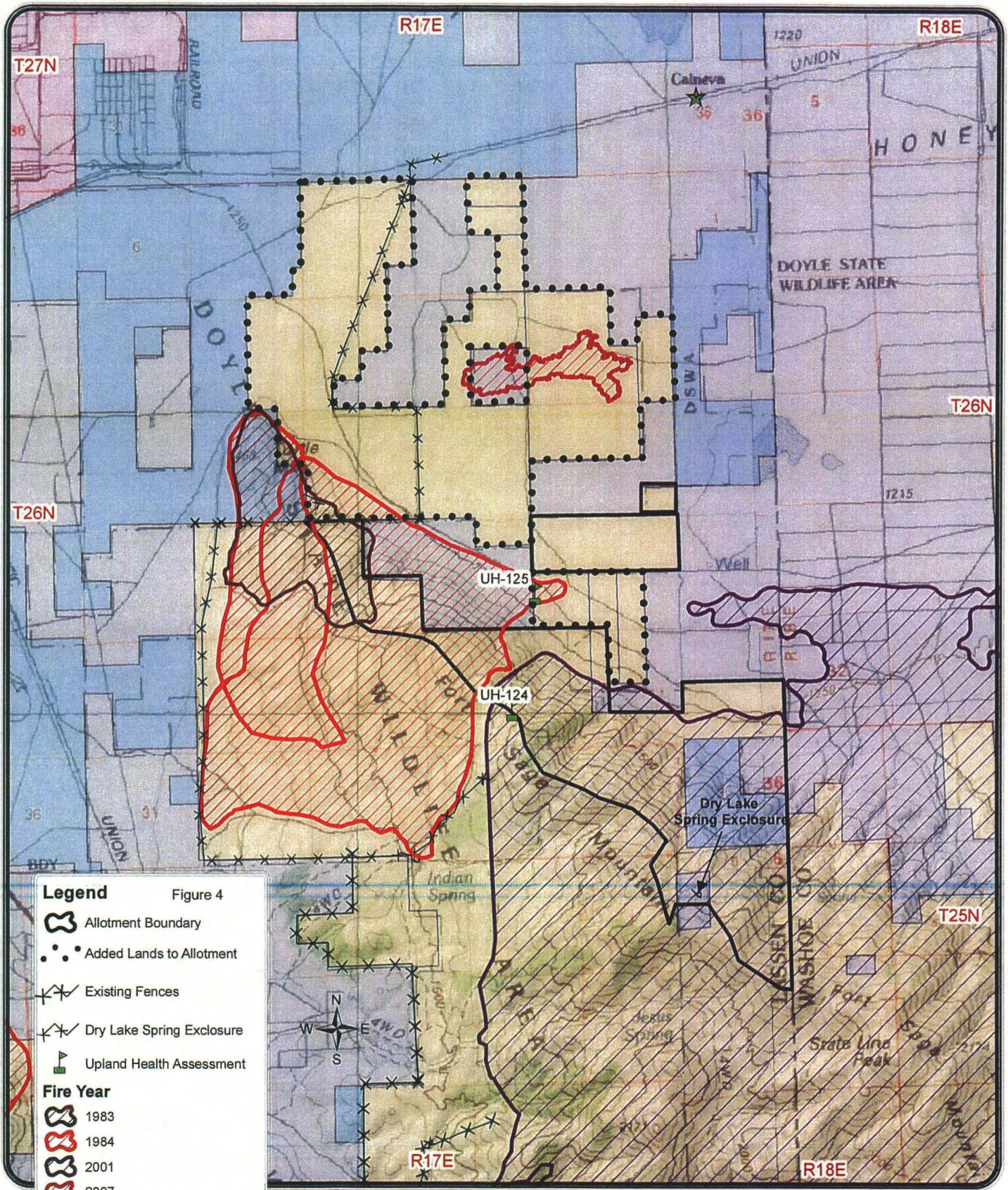
- North Fort Sage
- North Fort Sage Added Lands
- Upland Health Assessment Sites selection
- 2008 UH-Sites
- Existing Fences
- Bureau of Land Management
- Military
- State Lands
- Unclassified

Added Lands to North Fort Sage Allotment



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- Legend** Figure 4
- Allotment Boundary
 - Added Lands to Allotment
 - Existing Fences
 - Dry Lake Spring Enclosure
 - Upland Health Assessment

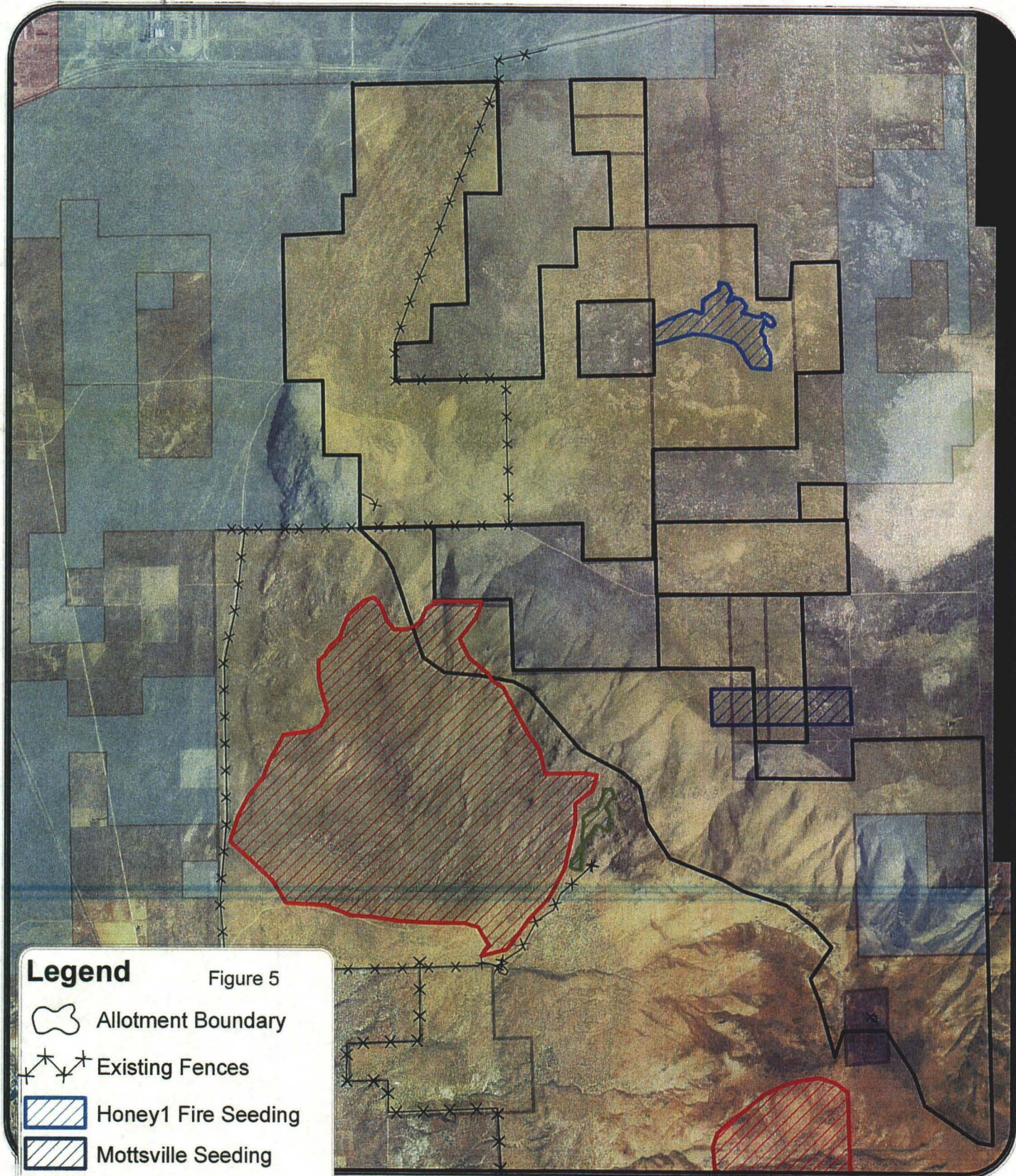
- Fire Year**
- 1983
 - 1984
 - 2001
 - 2007
- Land Ownership**
- Bureau of Land Management
 - Forest Service
 - Military
 - State Lands
 - Unclassified

North Fort Sage Fire History Map








0 0.250.5 1 Miles

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Legend Figure 5

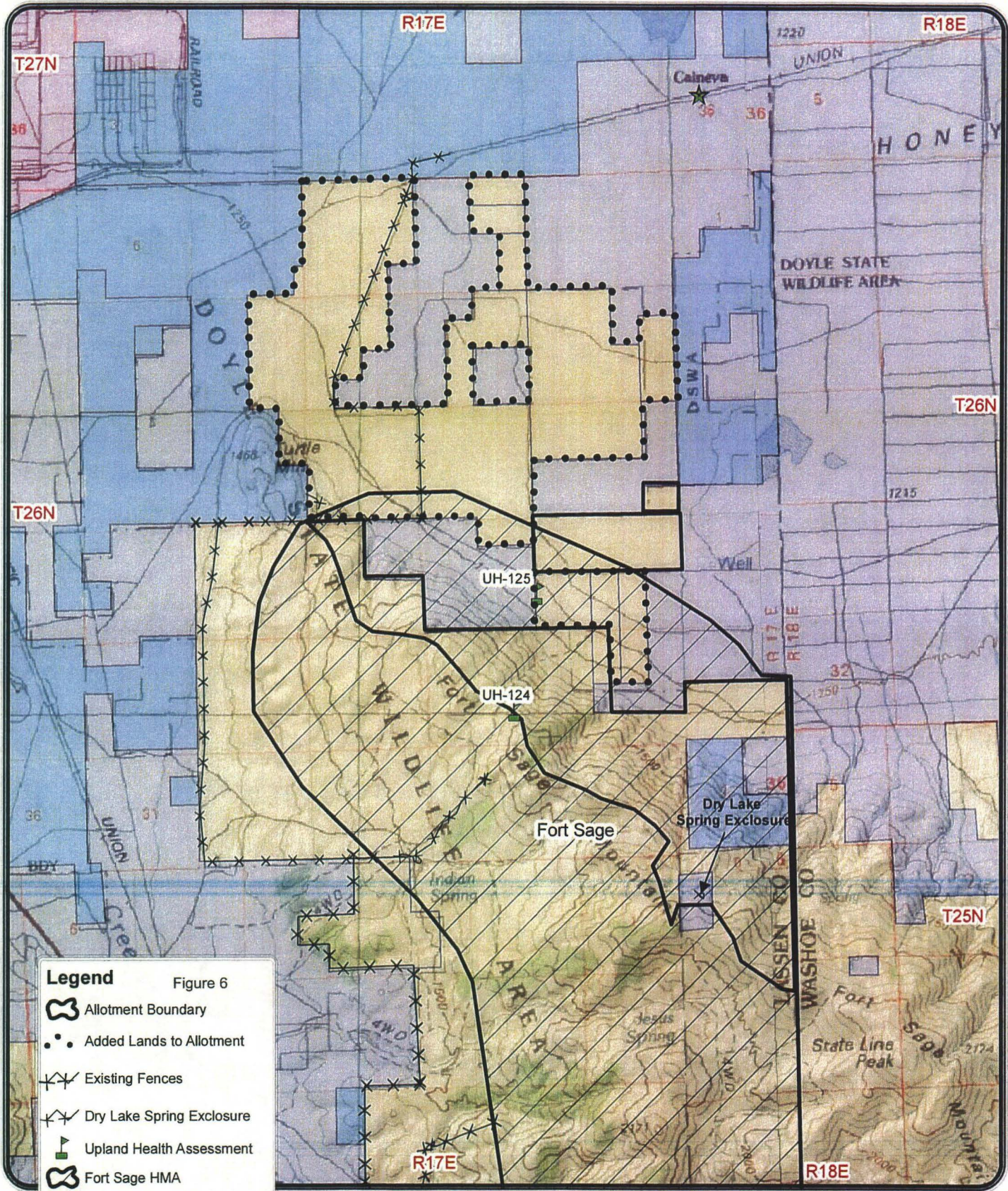
-  Allotment Boundary
-  Existing Fences
-  Honey1 Fire Seeding
-  Mottsville Seeding
-  Widowmaker Seeding
-  Turtle Mt. Seeding
-  Fish Fire Aerial Seeding

North Fort Sage Seedings

0 0.25 0.5 1 Miles



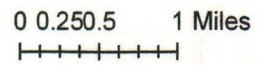

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Legend Figure 6

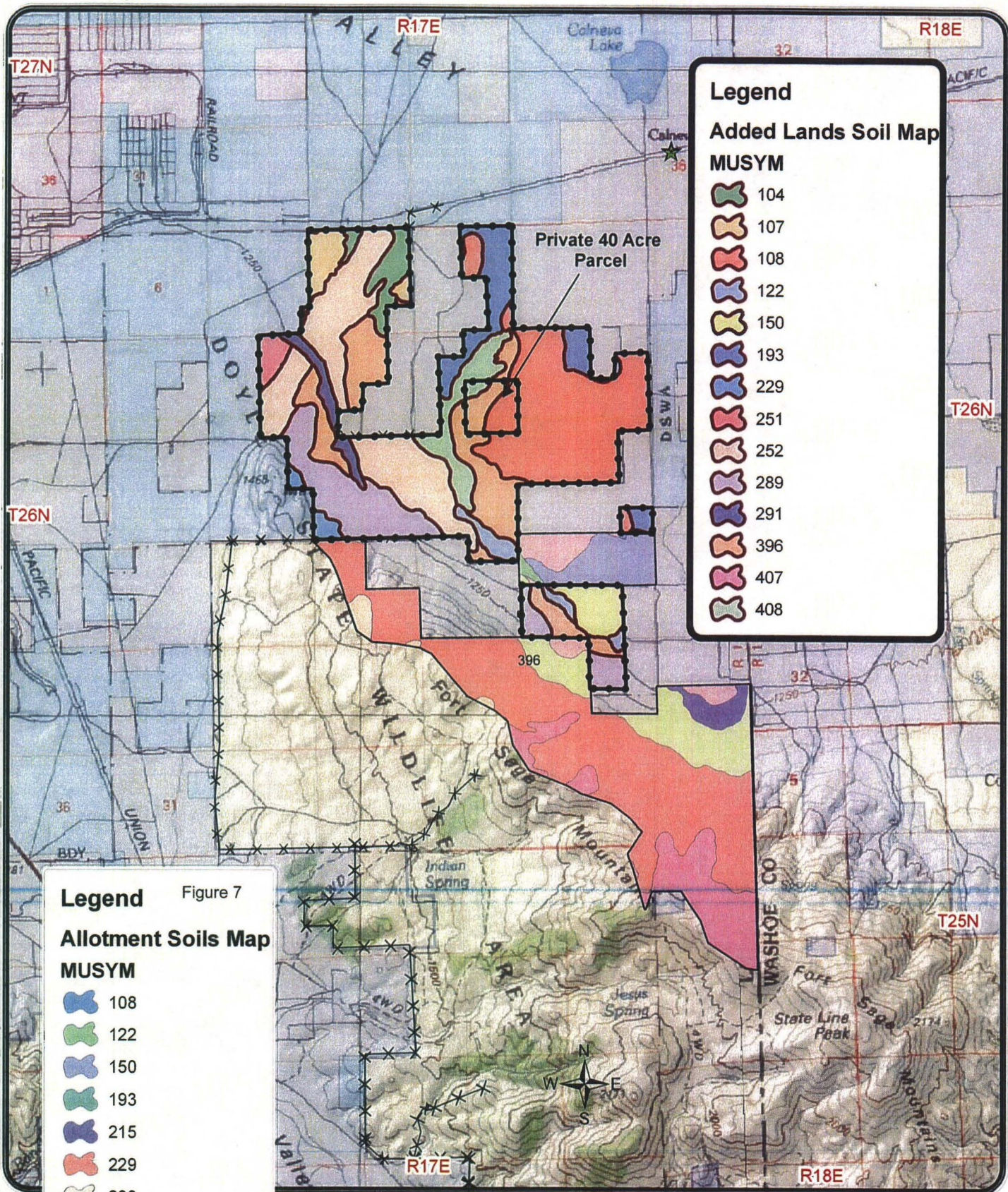
- Allotment Boundary
- Added Lands to Allotment
- Existing Fences
- Dry Lake Spring Enclosure
- Upland Health Assessment
- Fort Sage HMA
- Bureau of Land Management
- Forest Service
- Military
- State Lands
- Unclassified

North Fort Sage HMA



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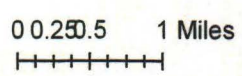
Legend
Added Lands Soil Map
MUSYM

	104
	107
	108
	122
	150
	193
	229
	251
	252
	289
	291
	396
	407
	408

Legend Figure 7
Allotment Soils Map
MUSYM

	108
	122
	150
	193
	215
	229
	230
	289
	370
	396

North Fort Sage Soils Map



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United States
Department of
the Interior



Bureau of Land
Management

**Eagle Lake
Field Office**

**Susanville,
CA 96130**

September 2008

Environmental Assessment

CA-350-2008-07

North Fort Sage Allotment

10 Year Grazing Permit Issuance



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1.0 PURPOSE AND NEED FOR THE ACTION

1.1 Introduction

This environmental assessment (EA) is prepared to disclose and analyze the environmental consequences of re-authorizing a livestock grazing lease on the North Fort Sage Allotment (#00510) for 10 years. The EA is a site-specific analysis of potential impacts that could result with the implementation of one the alternatives. The EA assists the BLM in project planning and ensures compliance with the National Environmental Policy Act (NEPA), and with other laws and policies affecting the alternatives. If the decision maker determines that this project has “significant” impacts following the analysis in the EA, then an EIS would be prepared for the project. If not, a grazing decision will be issued along with a Finding of No Significant Impact (FONSI), which documents the reasons why implementation of the selected alternative would not result in “significant” environmental impacts.

1.2 Background

There is currently one grazing permit consisting of approximately 3,500 acres of public land associated with the North Fort Sage Allotment. The allotment is located off of County Road 327, approximately six miles northeast of Doyle, California (see Figure 1).

Livestock grazing is authorized on the North Fort Sage Allotment under Section 3 of the Taylor Grazing Act, and therefore is authorized under a grazing permit and not a lease. The current permit for the allotment has the following mandatory terms and conditions:

Table 1.2 Mandatory Terms and Conditions of the North Fort Sage Allotment

Allotment		Livestock		Grazing Period		% P.L. Use	Type Use	AUMs		
Number	Name	Number	Class	Begin	End			Active	Suspended	Total
00510	North Fort Sage	27	Cattle	04/01	10/31	100	Active	189	0	189

The North Fort Sage Allotment currently consists of approximately 3,500 acres of public land (see Figure 2). The majority of the allotment (3,100 acres) is located along the northeastern slopes of the Fort Sage Mountains, on the south side of County Road 327. The other 400 acres is located north of the BLM Widomaker Trailhead on the north side of County Road 327. In 1996 the BLM received a total of 3,950 acres from CDFG. The proposed action would add these lands into the allotment (see Figure 3). This would increase the allotment from 3,500 acres to approximately 7,500 acres.

The elevation between the two parcels varies from 6,500 ft. in the toe slopes, down to 4,000 ft. in the Honey Lake Valley basin. Precipitation within the allotment varies with topography, ranging from 10-16 inches in the upper elevations, to 6-12 inches on the valley floor. The allotment boundary is unfenced from all other surrounding lands. The only fence within the allotment runs south to north, from County Road 327 to the Union Pacific railroad tracks.

1.2.1 Land Exchange between BLM and California Department of Fish and Game (CDFG)

In 1996 the BLM received a total of 3,950.49 acres from CDFG. Managing the increased amount of recreation use on these lands created a problem for CDFG. Therefore it was decided between BLM and CDFG to make the land exchange for BLM lands further south. The BLM has the ability to manage for recreation use, where it was very difficult for CDFG to manage for without a recreation program.

The BLM described the proposed uses of this land in Environmental Assessment CA-350-97-27, 1997. The EA amended portions of the prior EA document, written in 1987. These newly acquired lands were added to the Fort Sage Special Recreation Management Area (SRMA) under BLM management, but they were not added to the North Fort Sage Allotment at this time. All other uses associated with BLM public land use were also discussed in the 1997 EA.

Livestock grazing was not affected by the 1996 land exchange, despite the lands not being added to the allotment, as livestock numbers and AUMs on the North Fort Sage Allotment remained the same as described in the EA. The EA provided a summary description of livestock use for the 10 years prior:

“During the previous 10 years, in order to minimize vegetative stress associated with drought conditions, and to allow for improvement in range conditions, or because the ranchers preferred not to graze in the area, forage removal by cattle was significantly less than the maximum that could be permitted.”

It was determined by the BLM that since cattle use was minimal at the time, that adding the 3,950 acres to the allotment was not needed, and was considered a non-issue.

Per discussion with BLM employees, it was discussed in the early 2000s to hold off adding the CDFG acquired lands until the Eagle Lake Resource Management Plan could be completed in April 2008. Subsequently it was decided to wait to add them into the allotment when the permit renewal was developed.

It is stated in the Eagle Lake RMP, page 2-40, Ch.2.8.5 that; “a few scattered and isolated parcels of public land are not currently identified for livestock grazing: however, some may be allocated in future if they meet criteria (using site-specific environmental assessments) to determine whether short or long term grazing would be compatible with achieving land health standards in a reasonable period of time.”

1.2.3 Current Grazing Management

Authorized livestock use on the allotment for the past 20 years has been minimal. Current grazing by cattle has been very limited over the last 10 years as well, for the same reasons as discussed above. Additionally, the North Fort Sage Allotment and the BLM acquired lands are unfenced from all surrounding lands. Forage use of these lands has been primarily from wild horses and from some unauthorized trespass cattle use (neighboring ranches) in the past.

However, these trespass issues do not presently occur on the allotment. Any future trespass use would be closely monitored by the BLM, and steps would be taken to stop any unauthorized grazing use of these lands.

The current permittee has shown recent interest in using the allotment, and has mailed in a grazing application to continue grazing the North Fort Sage area. The permittee would have been authorized to graze in 2008, had there not been a wildfire in 2007. The BLM has since seeded the area and has asked the permittee not to graze until the 2010 grazing season.

1.3 Purpose and Need for the Action

1.3.1 Purpose

The purpose of the proposed action is to authorize livestock grazing on public lands within the North Fort Sage Allotment in conformance with the Eagle Lake Resource Management Plan and Record of Decision, April 2008, and the Secretary Approved Rangeland Health Standards. Additionally, 3,950 acres will be added to the North Fort Sage Allotment from the 1996 BLM land acquisition.

Objectives are to:

1. Provide a sustainable level of livestock forage that is consistent with achieving BLM land health standards, objectives for other resources, and multiple-use management of public lands.
2. Maintain and improve rangeland productivity by continuing to implement a grazing strategy which will allow the permittee to graze in early spring or late fall from year to year.
3. Improve vegetation communities to meet or make progress towards meeting the biodiversity land health standard.
4. Maximize use of annual invasive grasses by livestock, and reduce the extent of invasive annual grasses in the allotments.
5. Add the 3,950 acres of BLM acquired land from the 1996 BLM and CDFG land exchange. These lands border the current North Fort Sage Allotment, and are already part of the Fort Sage Special Recreation Management Area.

1.3.2 Need

The grazing preference associated with the grazing permit for the North Fort Sage Allotment was applied for on January 8, 2008. The application for a grazing permit was approved on February 8, 2008. Action is needed to address the grazing application and issue a grazing permit in accordance with 43 CFR 4100, and consistent with the provisions of the Taylor Grazing Act, Public Rangelands Improvement Act, and Federal Land Policy and Management Act.

The BLM will add the 3,950 acres of acquired land to the North Fort Sage Allotment, and this will enable the BLM to manage all of these lands under one grazing management system, in conjunction with recreation and other resources. This will decrease the chance of trespass grazing from unauthorized sources on these unfenced lands. It is hoped that this may also reduce the risk of any future issues of trespass cattle on BLM land. The new lands will receive more attention from BLM staff as they are managed under a grazing system to promote healthy and productive rangelands.

1.3.3 Proposed Action

Authorize a 10-year livestock grazing permit in accordance with 43 CFR §4130.3-1 *Mandatory Terms and Conditions* (see Table 1.3) on public land within the North Fort Sage Allotment (see Figure 2). Management will be in conformance with the Eagle Lake Resource Management Plan and Record of Decision (2008) and the Secretary Approved Rangeland Health Standards.

Table 1.3 Mandatory Terms and Conditions of the North Fort Sage Allotment

Allotment		Livestock		Grazing Period		% P.L. Use	Type Use	AUMs		
Number	Name	Number	Class	Begin	End			Active	Suspended	Total
00510	North Fort Sage	27	Cattle	04/01	10/31	100	Active	189	0	189

Additional Terms and Conditions

1. The authorized officer is requiring that an Actual Use Report (Form 4130-5) be submitted within 15 days after completing your annual grazing use.
2. Livestock numbers identified in the term grazing permit are a function of seasons of use and permitted use for each allotment. Deviations from those livestock numbers and seasons of use may be authorized on an annual basis, where such deviations would not prevent attainment of the multiple-use objectives for the allotment. Changes in permitted use must be documented in the annual grazing application or modification of the annual application.
3. The authorized officer is requesting the permittee to not graze the allotment for the 2009 grazing season; due to wildfire rehabilitation seeding projects within the 1996 BLM acquired lands.
4. The BLM will add the 1996 BLM acquired lands from CDFG to the North Fort Sage Allotment, in conformance with the Eagle Lake Resource Management Plan and Record of Decision (2008), and the Secretary Approved Rangeland Health Standards.
5. The season of use, livestock numbers, and AUMs shall remain unchanged from the current permitted use.
6. Current permitted use shall remain unchanged until a BLM decision is made to increase or decrease AUMs. This may be done after grazing utilization studies for the allotment can be completed and approved.

7. If water needs to be hauled for cattle use within BLM lands for any reason, the proposed site will have to be cleared with the BLM resource staff along with the proper NEPA document.

1.4 Land Use Plan Conformance

The proposed action is in conformance with the Eagle Lake Resource Management Plan and Record of Decision, April 2008. The proposed action would occur in an area identified as available for livestock grazing in the RMP, as specified in Appendix J, page A-103. The RMP further states:

- “Authorize 52,250 AUMs of livestock use annually (on the entire field office).”
- “Maintain livestock grazing within 54 allotments.”
- “A few scattered and isolated parcels of public land are not currently identified for livestock grazing; however, some may be allocated in future if they meet criteria (using site-specific environmental assessments) to determine whether short- or long-term grazing would be compatible with achieving land health standards in a reasonable period of time.

1.4.1 Rangeland Health Determination for North Fort Sage Allotment and 1996 BLM Land Acquisition Lands

A detailed analysis on rangeland health for the North Fort Sage Allotment and 1996 BLM acquired lands are attached in Appendix B. *Evaluation and Determination of Rangeland Health for the North Fort Sage Allotment*. The following summary provides a brief overview of the results and important features of the land health determination.

The following reference from Technical Reference 1734-6, Version 4-2005, and Interpreting Indicators of Rangeland Health, present the reader with the foundation the BLM uses when determining land health: “...qualitative assessments of rangeland health provide the land managers and technical specialists with a good communication tool for use with the public. This technique, in association with quantitative monitoring and inventory information, can be used to provide early warnings of resource problems on upland rangelands....”

Land health assessments are not intended or used as a sole source for making independent grazing and other management decisions. Nor is it used to monitor or determine trend without other supporting monitoring studies and allotment information including but not limited to utilization, use patterns, trend, ecological site assessment, riparian/stream studies, and long-term photo studies.

1.4.2 Rangeland Health Determination Summary for the North Fort Sage Allotment

Upland Health Assessments completed in April 2002 indicate that land health within the North Fort Sage Allotment is not fully meeting the Biodiversity standard, but is making progress towards meeting (Appendix B. *Evaluation and Determination of Rangeland Health for the North Fort Sage Allotment*). In 2002 there were two assessments compiled on the

North Fort Sage Allotment (Sites #124, 125).

Land health descriptors such as: None to Slight, Slight to Moderate, Moderate, Moderate to Extreme, and Extreme describe a range of departure from what is expected at this site or area. The descriptors give the reader a gauge of how the indicators of land health compare to the natural plant community expected for the site as identified from the site assessments.

The departure from the expected plant community in Site #125 was rated as “moderate to extreme” due to a lack of perennial grasses, and the encroachment of cheatgrass. This was determined to be a result of previous wildfires within the allotment. The original assessment notes indicate that the site was examined outside of the burned area from the 1984 Turtle Fire, however, it has been determined that the site was assessed within the burned area. Photos from the 2002 assessment, and photos from observations in 2008 of Site #125 were compared, and the results show that the site has improved, and is making progress towards meeting the standard. The emergence of basin wildrye and mountain big sagebrush has improved the biotic integrity of the site.

Site #124 is located at the top of Widowmaker Trailhead, and rated as meeting all of the standards and guidelines for rangeland health.

The Record of Decision (ROD) for the Rangeland Health Standards and Guidelines for Northeastern California and Northwestern Nevada Final EIS (2000) adopted five Standards for Public Land Health. These are: (1) Upland Soils, (2) Streams (3) Water Quality, (4) Riparian and Wetland Sites and (5) Biodiversity. The approved standards and their rating are outlined in Table 1.4.2.

Areas of the allotment do meet the Secretary of the Interior Approved Rangeland Health Standards as follows:

Table 1.4.2 Rangeland Health Standards for the North Fort Sage Allotment

Rangeland Health Standard	Meets Standard	Does Not Meet Standard	Not Meeting but Making Progress	Remarks
Upland Soils	X			Even with the presence of invasive annuals, soil cover and productivity are still functioning, and show signs of improvement, as evidenced by abundant residual plant material.
Streams	N/A (Not Applicable)			No streams are present.
Water Quality	N/A			There are no known impaired water bodies within the proposed action.
Riparian/ Wetlands	N/A			See water quality.

Rangeland Health Standard	Meets Standard	Does Not Meet Standard	Not Meeting but Making Progress	Remarks
Biodiversity	X			Invasive annuals dominate some areas of the allotment, which limits or reduces biodiversity. However, there are desirable perennial plants present and abundant in the uplands, and these are in a vigorous and productive condition. Site #125 has improved, but shows signs it may not be meeting biodiversity. No livestock grazing takes place in this part of the allotment.

The status of the land health standards was documented in the “Determination of Rangeland Health for the North Fort Sage Allotment (00510)” dated July 18, 2008, and 1996 BLM Acquired Lands dated October 10, 2008. It was determined in 2002 that a history of wildfires was a causal factor in failing to achieve the biodiversity standard.

1.4.3 Rangeland Health Determination Summary for the 1996 BLM Acquired Lands

There were four upland health assessments completed in October 2008, identified as Site 1, Site 2, Site 3, and Site 4 (see Figure 3). Sites 1-3 were examined within the east side of the existing fenceline where cattle will be grazing. Site 4 was examined on the west side of the existing fence, where cattle will not be grazing. There are 11 different soil types within the 3,950 acres of BLM acquired lands. A BLM ID team assessed plant communities and soils from sandy to sandy loam soils, with lake plain/lake terrace/alluvial plain land forms. The BLM chose one random site within each of the main soil types to assess.

Table 1.4.3 Rangeland Health Standards for Acquired Lands within the North Fort Sage Allotment

Rangeland Health Standard	Meets Standard	Does Not Meet Standard	Not Meeting but Making Progress	Remarks
Upland Soils	X			Even with the presence of invasive annuals, soil cover and productivity are still functioning, and show some signs of improvement, as seen in an abundance of residual plant material.
Streams	N/A (Not Applicable)			No streams are present.
Water Quality	N/A			There are no known impaired water bodies in the area.
Riparian/ Wetlands	N/A			See water quality.

Rangeland Health Standard	Meets Standard	Does Not Meet Standard	Not Meeting but Making Progress	Remarks
Biodiversity	X			Annuals are not dominant within most areas. The perennial grass and shrub component show signs of healthy plant vigor, seed production, and residual plant material.

The assessments found that Sites 1-3 were representative of the native plant community, and exhibited a “none to slight” or “slight to moderate” departure from the expected plant community for Upland Soils and Biodiversity standards. Site 4 also exhibited “none to slight” and “slight to moderate” departure from that expected for the site. However, there was some concern regarding the biotic integrity of Site 4. All plant communities within the site are healthy and show signs of reproduction, but there is a lack of perennial grasses within the site. The shrub component is the dominant feature, with cheatgrass dominating the understory. There are some perennial grasses that are vigorous, but there are not as many as expected for the site. However, this site is mostly used by wildlife, as it has been, and currently is fenced off from cattle use.

1.5 Prevention of Unnecessary or Undue Degradation

In addition to the management prescriptions discussed in this EA, including all terms and conditions, the BLM may use its authority to close an area of the allotment to grazing use, or take other measures to protect resources at any time, if needed. Therefore, issuance of a grazing permit with appropriate terms and conditions is consistent with the BLM’s responsibility to manage the public’s use, occupancy, and development of the public lands, and prevent unnecessary or undue degradation of the lands (43 USC 1732(b)).

1.5.1 Relationship to Statutes, Regulations, and Plans

- Taylor Grazing Act of 1934
- Federal Land Policy and Management Act of 1976 (FLPMA)
- Public Rangelands Improvement Act of 1978 (PRIA)
- Code of Federal Regulations Title 43, part 4100 through 4180

1.5.2 Agreement between State Director and State Historic Preservation Officer Protocol Amendment for Renewal of Grazing Leases

In August 2004, the State Director, California Bureau of Land Management, and the California State Historic Preservation Officer (SHPO) addressed the issue of the National Historic Preservation Act (NHPA) Section 106 compliance procedures for processing grazing permit lease renewals for livestock, as defined in 43 CFR 4100.0-5. The State Director and the SHPO amended the 2004 State Protocol Agreement between California Bureau of Land Management and The California State Historic Preservation Officer with the 2004 Grazing

Amendment, Supplemental Procedures for Livestock Grazing Permit/Lease Renewal. This amendment allows for the renewal of existing grazing permits prior to completing all NHPA compliance needs, as long as the 2004 State Protocol direction, the BLM 8100 Series Manual Guidelines, and specific amendment direction for planning, inventory methodology, tribal and interested party consultation, evaluation, effect, treatment, and monitoring stipulations are followed.

1.6 Scope of This Environmental Assessment/Identification of issues:

1.6.1 History of the Planning and Scoping Process

1. January 2008, application of the grazing lease was received.
2. January 2008, consultation with permittee.
3. March 2008, scoping letter was sent to interested/affected interests, and cooperating governments and agencies.
4. Only one scoping response was received, from the Western Watershed Project and is summarized below:
 - The BLM received a scoping comment letter from Western Watersheds on 4/12/08. The letter addresses environmental impacts to several resources that are recommended to be evaluated in the EA. The scoping letter addresses impacts to several wildlife species and their habitat. These species have been specifically addressed in this EA; however some of them are not present within the allotment.
 - The scoping letter addresses the inclusion of an additional 3,950 acres into the allotment, and requests that a site-specific capability and suitability study be performed to determine the suitability of these lands for livestock grazing.
 - The scoping letter addresses habitat within the allotment for several special status plants that need to be addressed.
 - The scoping letter addresses the unauthorized grazing that has occurred on the allotment, and asks the BLM to address the impacts from this use, and how this concern will be handled.
 - The scoping letter also addresses that a reasonable full range of alternatives be evaluated in the EA, including 1) current management, 2) a no grazing alternative, 3) a reduced stocking-rate alternative, and 4) an alternative that modifies allotment boundaries to close any conservation areas, cultural resources and sensitive and listed-species habitat to livestock grazing.

These concerns are analyzed in the *Evaluation and Determination of the North Fort Sage Allotment and 1996 BLM Land Acquisition*, and are incorporated within this EA in Section 1.6.2 (below). The BLM has discussed all of the issues mentioned above, and has either incorporated and analyzed them within this EA, or provided an explanation of why they were not analyzed in detail.

1.6.2 Critical Elements of the Human Environment

The following elements of the human environment are subject to requirements specified in statute, regulation, or executive order and must be considered in this EA. Elements that may be affected are further described in this EA. Rationales for those elements that will not be affected are listed in the table.

Table 1.6.2 Critical Elements of the Human Environment

Critical Element	No Impact	May Impact	Not Present	Rationale ^{1/}
Air Quality	X			Livestock grazing within the area affected by the proposed action would not affect the current conformance with federal and state air quality standards.
Areas of Critical Environmental Concern			X	No ACECs occur within or adjacent to the area affected by the proposed action.
Cultural Resources		X		See Section 3.4.
Environmental Justice	X			There are no minorities or low income groups within the area affected by the proposed action, and it has been determined that the action will not affect such groups.
Farmlands, Prime or Unique			X	None occur within the area affected by the proposed action.
Floodplains			X	None occur within or adjacent to the area affected by the proposed action.
Invasive, Non-native Weed Species	X			There are no known noxious weeds occurring on the allotment.
Native American Religious Concerns			X	A scoping letter was sent to tribal governments for comments. There were no religious concerns expressed.
T&E Fauna/Flora	X			See notes below.
Waste-Hazardous/Solid			X	There would be no hazardous or solid waste produced as a result of the proposed action.
Water Quality: Surface/Ground			X	There is no surface water within the area affected by the proposed action. Water quality of offsite water would not be affected by the alternatives. The only surface water is on a private spring, Dry Lake Spring. This area would not be affected by the proposed action.
Wetlands/Riparian			X	None occur within the area affected by the proposed action.
Wild & Scenic Rivers			X	None occur within or adjacent to the area affected by the proposed action.
Wilderness/Wilderness Study Areas			X	None occur within or adjacent to the area affected by the proposed action.

^{1/}For a more detailed description see Appendix B. *Evaluation and Determination of the North Fort Sage Allotment.*

T&E Fauna/Flora

There are several special status plant species sites known to occur within or adjacent to the area affected by the proposed action. An inventory of Special Status Plants was surveyed areas of this allotment on 5/29/08, 6/07/08, 6/14/08/ and 5/15/08 by the BLM Botanist. There is no evidence that grazing affects these species. See Section 1.6.3.1.

1.6.2.1 Issues Identified Needing Further Study

The following topics were identified during internal and external scoping as issues, and it has been determined by the BLM that they warrant further review to analyze potential impacts.

Table 1.6.2.1 Issues Identified Needing Further Study

Other Issues/Resource	Rationale
Upland Vegetation and Invasive Annual Grasses	The North Fort Sage Allotment and adjacent 1996 BLM acquired lands contain a mixture of native perennial grasses, forbs, shrubs, a few juniper, and approximately 20 to 40% invasive annuals. Cheatgrass is the dominant annual grass species interspersed throughout the valley floor, and parts of the north end of the Fort Sage Mountains.
Cultural Resources	Two sites have been documented as having been impacted by grazing. The area has been considered open range and grazing authorization has been minimal (7 years out the past 18) by the BLM. The area has seen some infrequent use by cattle from adjacent ranches and from wild horses in the area.

1.6.3 Resources/Concerns discussed but Eliminated as an Issue

The following topics were identified during internal and external scoping as possible issues, but have been determined by the BLM not to be significant issues concerning the proposed action.

1.6.3.1 Threatened and Endangered Plant Species/Special Status Plants

There are six known locations of special status plants (SSP) located within the 7,500 acres of public land in the North Fort Sage Allotment. These are: Geyer's milkvetch (*Astragalus geyeri* var. *garyeri*) and sagebrush loefilingia (*Loeflingia squarrosa*). These sites were surveyed by BLM Botanist Carolyn Gibbs in the months of May and June 2008, finding no significant impact from cattle grazing. Once cattle grazing resumes in 2010, these sites will continue to be monitored for any affects cattle may have on both species. There have also been some concerns with SSP 1B.2 Schoolcraft's wild buckwheat (*Eriogonum microthecum* var. *schoolcraftii*) within the Doyle quad. However, this species has not been discovered within the proposed 7,500 acres in the North Fort Sage Allotment. Gibbs contacted Mr. Schoolcraft regarding this species. Per their discussion, Schoolcraft mentions that if this species was found in the area, cattle grazing would typically have little to no impact on its productivity.

1.6.3.2 Threatened and Endangered Wildlife Species

The BLM has conducted inventories of several big game species which include the bighorn sheep and elk, but neither occurs on the allotment. California bighorn sheep (*Ovis canadensis californiana*) have not had a significant presence in the ELFO management area since the early twentieth century.

The North Fort Sage Allotment and the lands proposed to be added to the allotment are outside of the Buffalo-Skedaddle Sage-Grouse Population Management Unit, and sage-grouse (*Centrocercus urophasianus*) are not known to utilize this area. Currently, the California Department of Fish and Game (CDFG) are conducting a telemetry study of local sage-grouse and their movements. The BLM will coordinate with CDFG to obtain current telemetry information regarding sage-grouse and their potential use of habitat within this allotment.

An inventory for pygmy rabbits (*Brachylagus idahoensis*) was conducted on the Eagle Lake Field Office (ELFO) from May through September of 2004. No sites considered to be appropriate habitat were located within the North Fort Sage area, thus no sites within the allotment were surveyed. Overall, the survey failed to find any evidence of current or old pygmy rabbit activity within the field office area. Currently the closest known active pygmy rabbit populations to the ELFO area are located in Nevada just west of the Sheldon National Wildlife Refuge (~120 km) (Séquin 2004, pers. obs.).

Burrowing owls (*Athene cunicularia*), which are a BLM Sensitive species, and also a California Species of Concern, were found nesting within the northeast-facing bajadas of Turtle Mountain in the soft, sandy soils. Two adults were found at an active burrow complex in June of 2007; their status in 2008 is unknown. The location is in the northwest portion of the BLM lands proposed to be added to the allotment, adjacent to Doyle State Wildlife Area land. The existing fence line, which occurs approximately one-half mile east, will prevent cattle from grazing in this area.

Wildlife activity within the North Fort Sage area consists of mainly mule deer and small rodents. The 1996 BLM acquired lands was once owned by California Department of Fish and Game whom managed it as a mule deer winter habitat. Mule deer use the Fort Sage Mountains as primary habitat during the winter, and occasionally year-long, depending on weather conditions. The extreme western, northern, and eastern edges of the allotment and lands proposed to be added lie adjacent to lands of the Doyle State Wildlife Area. An existing fence line, which occurs through the middle and western portion of these lands, will prevent cattle from grazing approximately 1,800 acres of lands directly adjacent to the wildlife area.

1.6.3.3 Unauthorized Grazing Use

The North Fort Sage Allotment and the BLM acquired lands are unfenced from all surrounding lands. Authorized livestock use on the allotment for the past 20 years has been minimal. Forage use has been from wild horses and from some unauthorized trespass cattle use (neighboring ranches) in the past. However, these trespass issues do not presently occur on the allotment. Any future trespass use would be closely monitored

by the BLM, and steps would be taken to stop any unauthorized grazing use of these lands.

1.6.3.4 Capability and Suitability of BLM Acquired Lands for Livestock Grazing

The BLM has no evidence to indicate that the 1996 acquired lands (3,950 acres) are unsuitable for livestock grazing. The BLM completed four Upland Health Assessments on these lands in October of 2008, and determined that all sites are meeting all standards for rangeland health. Livestock numbers and AUMs would not be increased in the permit, until utilization studies are completed over the next three authorized grazing seasons, and it is determined that this is the correct action to take. In addition to vegetation conditions, the BLM has no evidence that these lands are unsuitable for grazing due to any impacts to cultural resources, wildlife habitat, or other resource values from livestock grazing.

1.6.3.5 Reduced Stocking Rate

The BLM has no evidence to indicate that the current stocking levels or allocated AUMs are above the carrying capacity of the range in this allotment. This is indicated by the land health assessments and results, as described in Section 1.4.3, and in Appendix B. In fact, the proposed action would add 3,950 acres of grazing lands to the allotment, with no increase in AUMs. For these reasons, the BLM did not develop and analyze an alternative that would reduce stocking rates in the allotment.

1.6.3.6 Fencing Sensitive Resources from Grazing Use

The BLM has no evidence to indicate that there are sensitive resources within the North Fort Sage Allotment that require to be fenced off from livestock grazing in order to maintain their resource condition. See Sections 1.6.3.1 and 1.6.3.2 for a discussion of sensitive plant and wildlife resources. Cultural resources will be monitored for impacts due to grazing, as the new acres are added to the allotment. If impacts are found, measures will be implemented to reduce or eliminate the damage being done by livestock or wild horses, as discussed in Section 2.1.1.4.

2.0 ALTERNATIVES INCLUDING THE PROPOSED ACTION

2.1 Description of Alternatives

2.1.1 Alternative A: Authorize Grazing on the North Fort Sage Allotment, Including the 1996 BLM Acquired Lands (Proposed Action)

This alternative would authorize livestock grazing in the North Fort Sage Allotment, and would add the lands from the 1996 BLM Land Acquisition into the North Fort Sage Allotment. This would increase the allotment from 3,500 acres to approximately 7,500 acres. There would be no changes to the current management of livestock, other than annual adjustments for drought, forage production, and available water for wildlife and livestock. Additional terms and conditions may be added if the situation is warranted to correct some adverse condition. The proposed action would allow authorized grazing on the North Fort Sage Allotment for the next ten years under the following mandatory Terms and Conditions:

Table 2.1 Mandatory Terms and Conditions of the North Fort Sage Allotment

Allotment		Livestock		Grazing Period		% P.L. Use	Type Use	AUMs		
Number	Name	Number	Class	Begin	End			Active	Suspended	Total
00510	North Fort Sage	27	Cattle	04/01	10/31	100	Active	189	0	189

Standard Terms and Conditions

See Appendix A.

Additional Terms and Conditions

1. The authorized officer is requiring that an Actual Use Report (Form 4130-5) be submitted within 15 days after completing your annual grazing use.
2. Livestock numbers identified in the term grazing permit are a function of seasons of use and permitted use for each allotment. Deviations from those livestock numbers and seasons of use may be authorized on an annual basis, where such deviations would not prevent attainment of the multiple-use objectives for the allotment. Changes in permitted use must be documented in the annual grazing application or modification of the annual application.
3. The authorized officer is requesting the permittee to not graze the allotment for the 2009 grazing season due to wildfire rehabilitation seeding projects within the 1996 BLM acquired lands.
4. The BLM will add the 1996 BLM acquired lands from CDFG to the North Fort Sage Allotment, in conformance with the Eagle Lake Resource Management Plan and Record of Decision (2008), and the Secretary Approved Rangeland Health Standards.
5. The season of use, livestock numbers, and AUMs shall remain unchanged from the current permitted use.

6. Current permitted use shall remain unchanged until a BLM decision is made to increase or decrease AUMs. This may be done after grazing utilization studies for the allotment can be completed and approved.

2.1.1.2 Grazing Management

Cattle grazing within the North Fort Sage Allotment and BLM acquired lands would be managed under the current terms and conditions. There is not a sufficient amount of grazing data for the North Fort Sage area to justify making any changes to the current grazing strategy. This is due to the fact that there has been minimal authorized cattle use over the last 20 years in the allotment.

Under Alternative (A) livestock numbers, season of use, and AUMs would remain unchanged from the current permit. The addition of 3,950 acres to the allotment (1,800 of which is fenced from cattle grazing) would not increase the AUMs at this time. The number of AUMs would remain the same until the BLM can determine the amount of annual forage production that the 3,950 acres provide.

Planned livestock numbers are considered moderate related to the size of the allotment. With the addition of 3,950 acres, and 189 AUMs allocated for the area, grazing impacts should be very low. The season of use is from April through October, which allows the permittee to use the area in early spring or late fall. Actual use reports from the early 1990's note that cattle use took place in early spring, and cattle were removed by July. This approach may work to reduce the amount of cheatgrass in certain areas of the allotment. A more specific grazing plan may be developed once the allotment is used annually and not just once every five years.

The permittees have used their private lands in the past for watering sites, as there is a lack of water in the North Fort Sage area. It will be recommended that permittees continue to haul water to their private troughs. Dry Lake Spring (on private land) is available for livestock watering, but it is difficult to access. There is a need for livestock water availability on the valley floor of the allotment.

2.1.1.3 Monitoring

Monitoring would be performed to ensure continued attainment of land health standards in accordance with BLM policy, following protocols from BLM approved manuals and technical references.

2.1.1.4 Cultural Resources

There are 15 previously identified cultural resource sites located within the North Fort Sage Allotment. Two cultural resource sites have been documented as having been impacted by grazing in the past. Both of these sites will be monitored for further impacts due to grazing, as the new acres are added to the allotment. If the impacts increase, additional measures will be implemented to reduce or eliminate the damage being done

by livestock or wild horses. Additional monitoring and inventory will be conducted in accordance with the 2007 Protocol Agreement and the National Historic Preservation (NHPA) Section 106 compliance requirements for range improvement procedures.

2.1.1.5 Future Management

The BLM will consider new ideas for improving management of the allotment. There have been some suggestions regarding the current location of the fence that excludes 1,800 acres from livestock grazing. Moving the fence further west along the BLM boundary may benefit the area. This would keep OHV use within BLM land and off of the Doyle Wildlife area. There has also been some recent disposal of old cars and appliances within the wildlife area. A new fence may keep the public from disposing their trash onto BLM land. This would also give the permittee more land to graze.

There has also been discussion about building a small reservoir within the lake plain/alluvial soils, which once held water many years ago. This would benefit cattle, wild horses, and wildlife. Currently there is not a good water source on the valley floor within the allotment boundary or on public land. A reservoir would solve any water problems during dry years. If the BLM were to pursue either of these ideas the required NEPA documents would be completed prior to implementation.

2.1.2 Alternative B: Authorize Grazing on the North Fort Sage Allotment, Excluding the 1996 BLM Acquired Lands (No Action Alternative)

Alternative B is the “No Action” alternative. Under this alternative the BLM would authorize grazing on the North Fort Sage Allotment under the current terms and conditions (described in Alternative A), but would not add the 3,950 acres of adjacent BLM land. The BLM would continue to manage the 3,950 acres for wildlife and recreational use, and not for authorized cattle use.

2.1.3 Alternative C: No Grazing

Under this alternative the current permit would not be issued on the North Fort Sage Allotment or on the 1996 BLM Acquired Lands. The permit would be cancelled, and grazing would not be authorized. Under this alternative, BLM would initiate the process in accordance with the 43 CFR parts 4100 and 1600 to eliminate grazing on the allotment and amend the Eagle Lake Resource Management Plan. The North Fort Sage Allotment and the 1996 BLM Acquired Lands would be managed for wildlife habitat, cultural resources, and recreation.

2.2 Comparison of Predicted Achievement of Objectives by Alternative

Table 2.2 below predicts how each of the alternatives will achieve the objectives for the proposed action, as listed in Section 1.3.1.

Table 2.2 Predicted Achievement of Objectives by Alternative

Objectives	Alternative A: Proposed Action	Alternative B: No Action	Alternative C: No Grazing
Provide a sustainable level of livestock forage that is consistent with achieving BLM land health standards, objectives for other resources, and multiple-use management of public lands.	X	X	
Maintain and improve rangeland productivity by continuing to implement a grazing strategy which will allow the permittee to graze in early spring or late fall from year to year.	X	X	X
Improve vegetation communities to meet or make progress towards meeting the biodiversity land health standard.	X	X	X
Maximize use of annual invasive grasses by livestock, and reduce the extent of invasive annual grasses in the allotments.	X	X	
Add the 3,950 acres of BLM acquired land from the 1996 BLM and CDFG land exchange. These lands border the current North Fort Sage Allotment, and are already part of the Fort Sage Special Recreation Management Area.	X		

3.0 AFFECTED ENVIRONMENT

3.1 Upland Soils

Upland soils are the first Rangeland Health standard identified in the Northeastern California and Northwestern Nevada Standards for Rangeland Health and Guidelines for Livestock Grazing Management approved July 2000. Meeting the upland soils standard means that precipitation is able to enter the soil surface and move through the soil profile at a rate appropriate to soil type, climate, and landform; the soil is adequately protected against human-caused wind or water erosion; and the soil fertility is maintained at, or improved to, the appropriate level. For further discussion on the standard and the criteria used to determine the status of the standard, see Appendix B.

A determination of rangeland health for the North Fort Sage Allotment and 1996 BLM Land Acquisition lands found that the Upland Soil Standard was being met for both areas. There is concern with the vegetative composition and its relation to the criteria to meet the standard, due to the allotment having been effected by several wildfires. Despite the change in vegetative composition (increase in invasive annual dominance) within the allotment, the soil within the allotment is stable, productive and hydrologically functioning.

3.2 Upland Vegetation

Vegetation communities within the North Fort Sage Allotment and BLM Acquired Lands consist of native perennial grasses, forbs, shrubs, a few western juniper, and approximately 20 to 40% invasive annual species. Native perennial bunchgrasses occur throughout the 7,500 acres of the allotment. Basin wildrye and bottlebrush squirreltail are the dominant perennial grasses throughout the allotment. Perennial grass production is higher in the upper elevations near Dry Lake Springs. The north facing slopes consist of abundant, diverse and vigorous perennial grasses, even though these slopes are on steep terrain.

Cheatgrass is the dominant annual grass species interspersed throughout the valley floor, and parts of the north end of the Forts Sage Mountains. Cheatgrass is the dominant species in a small area on the northeast slope of Turtle Mountain. This area has been burned by wildfire several times, and may never fully recover to its original potential site condition, as it is now dominated by annual grass and forbs.

One Land Health Assessment site (UH #125) was rated below what was expected for the site in Biotic Integrity. However, this site is making progress towards meeting the standard. Consumption of forage over the past 20 years has been primarily from wild horse use and unauthorized use from trespass cattle. Due to the fact that there has been very little authorized livestock grazing over the last 20 years in this area, the BLM has very little monitoring data for this area. Once authorized cattle use begins in 2010, additional monitoring information will be collected on the allotment. This information will be used to assess the grazing strategy and to ensure that all land health standards are being met in all areas of the allotment.

3.3 Invasive Annuals

Cheatgrass is the only dominant annual grass species within the 7,500 acres of BLM land in the North Fort Sage area. Cheatgrass dominates approximately 600 acres on the west side of the existing fence line on the northeast slope of Turtle Mountain. This site would not be grazed by cattle, due to the existing fence.

3.4 Cultural Resources

Portions of the North Fort Sage Allotment were inventoried (SU2-2008-44) on May 27, 2008 in accordance with the procedures outlined in the 2007 *Supplemental Procedures for Livestock Grazing Permit/Lease Renewals: A Cultural Resources Amendment to the State Protocol Agreement between California Bureau of Land Management and the California State Historic Preservation Officer*. Additional surveys within the allotment occurred on August 18, 19, 25, and 26, 2008 (SU2-2008-49). A contracted survey that crosses through the allotment occurred September 5 to October 5, 2007 and from February 15 to March 5, 2008 (SU2-2007-20).

There are 15 previously identified cultural resource sites located within the North Fort Sage Allotment. All 15 of the sites are within the 4,000 acres of land acquired since 1996 that are proposed to be added to the allotment boundary (see Table 3 within Appendix B). Two sites have been documented as having been impacted by grazing in the past. This area has been considered open range and grazing authorization has been minimal (7 years out the past 18) by the BLM. This area has experienced some infrequent use by cattle from adjacent ranches, and from wild horses in the area. See Table 3 within Appendix B. for a list of cultural resource site descriptions.

3.5 Wild Horses and Burros

Approximately 3,500 acres, which is the entire allotment boundary, fall within the Fort Sage Wild Horse and Burro Herd Management Area (HMA) #CA-241, which consists of 15,759 total acres (see Figure 6). This HMA is also managed as an inter-district management herd between the Carson City, Nevada BLM Field Office and Eagle Lake Field Office. The Appropriate Management Level (AML) ranges from 55 to 65 horses and 0 burros. There is not a fenceline keeping the horses off of the 1996 BLM acquired lands. This herd tends to stay up in the mountain slopes, but annual census counts over the years show that horses have grazed the valley floor during the early spring months.

A horse census of the Fort Sage HMA was completed September 25, 2008 which observed a total of 19 horses; 14 were located within the Fort Sage HMA and five were found on east slopes of the Fort Sage Mountains in Nevada. These horses are rarely seen on the valley floor due to an increase in human activity such as OHV use, homesteads, more traffic on county road 327, and hunters. These activities do not directly affect the herd, but it may be a reason they are found in different areas throughout the year.

4.0 ENVIRONMENTAL CONSEQUENCES

4.1 Predicted Effects on Relevant Affected Resources (Issues) of All Alternatives

4.1.1 Predicted Effects on Upland Vegetation and Invasive Annual Grasses

4.1.1.1 Effects of Alternative A: Authorize Grazing on the North Fort Sage Allotment, Including the 1996 BLM Acquired Lands (Proposed Action)

Direct & Indirect Effects

Under Alternative A livestock grazing will continue with the same management strategy that has been practiced over the last 20 years, which has not caused significant impacts to vegetation. Under the proposed action cattle numbers, season of use, and AUMs will remain the same. The permittee will continue to provide water on their private land as cattle drift onto the allotment for grazing.

While some surface disturbance is expected from cattle during grazing activities (foraging, watering, and resting) this typically does not disturb more than the immediate soil surface, and the effects are considered temporary. However, there may be more surface disturbance around traditional salt and water locations. This disturbance may have short term (5-10 years) adverse affects such as loss of individual plants, and soil disturbance in the immediate area. However, these are small areas within the total allotment, and salt would be moved to different locations if impacts become apparent.

There is no current grazing data (last 10 years) to indicate any decrease of soil stability due to cattle grazing. At this time there is not enough data to determine how current stocking rates will affect the allotment; including the 1996 BLM acquired lands. Since the stocking rate is considered to be relatively low compared to the large number of acres available for grazing, it is assumed that impacts to vegetation will be minor. With the addition of 4,000 acres it is easy to assume that stocking rates may be too low, and the argument can be made that AUMs should be increased. However, this will not occur until the BLM has data and a valid reason to do so, such as an application from the permittee requesting an AUM increase. If this occurs the BLM would follow guidelines from 43 CFR §4110.3-1.

Land health assessments for the allotment and acquired lands indicate that standards are being met, or progress is being made toward meeting the standard. The allotment is healthy and diverse enough to support cattle grazing, plus wild horse and wildlife needs. Grass and forb production provide cattle and wildlife forage in the spring through fall, and winter habitat for wildlife.

Areas affected by annual grasses (cheatgrass) are located on the west side of the existing fence, where grazing will not take place, therefore cattle will not have any impact on these areas.

Cumulative Effects

Past, Present, and Foreseeable Future Actions Not Part of the Proposed Action:

Past Relevant Actions: Past wildfires have affected the entire allotment with several areas burned repeatedly (northeast slope of Turtle Mountain). These fires have led to a change in the vegetative community within those areas. It has been determined that the majority of the allotment has likely crossed an ecological threshold from which the potential vegetation and composition may not recover naturally. BLM has seeded some areas in an attempt to restore the perennial grass and forb community. There are signs of these sites being successful with other areas coming back naturally.

Wildfires have not had the same affect on the 1996 BLM acquired lands since there has only been one wildfire, which burned a little over 100 acres of BLM land in 2007. This area was seeded with basin wildrye and bottlebrush squirreltail, with results pending.

There is not enough monitoring data, grazing data, or land health data to discuss any type of past effects due to lack of grazing. Wildfires have affected the vegetation in this area more than livestock or wild horses have.

Prior to the BLM acquiring the lands from CDFG in 1996, the CDFG managed the lands for wildlife habitat. Although, these lands were not managed for livestock grazing, they were being grazed by cattle. This was not an issue for CDFG due to the light use made by livestock operators.

Present Relevant Actions Not Part of the Proposed Action: Currently no new projects are proposed other than repair and maintenance of exiting projects.

Reasonably Foreseeable Relevant Actions Not Part of the Proposed Action: Relocation of the existing fence may someday take place. This would increase the amount of acres the permittee can graze. This would also give BLM range managers a chance to use early spring grazing to control the cheatgrass population near Turtle Mountain. Recreation activities may also benefit from a new fence.

An increase in AUMs may occur if monitoring data over the next few years shows that cattle numbers should be increased or decreased.

Cumulative Effects: There are no expected significant cumulative impacts from the implementation of the proposed action. Livestock grazing will be authorized as it has in the past with an emphasis on grazing management to improve land health. There are no additional improvements planned at this time. Soil surface disturbance would be temporary and short-term due to low stocking numbers. Land health is expected to remain the same or continue to improve. With a low stocking rate, 189 AUMs and 7,000 acres, we can predict a minor impact on the soil. Plant vigor, the ability to produce seeds or seedlings, and plant production are expected to continue to improve. Upland vegetation improvement with the ability of early spring turnout may help to reduce the spread of invasive annuals.

4.1.1.2 Effects of Alternative B: Authorize Grazing on North Fort Sage Allotment, Excluding the Addition of the 1996 BLM Acquired Lands to the North Fort Sage Allotment (No Action)

Direct & Indirect Effects

This alternative would allow grazing on the current North Fort Sage Allotment, but would exclude the 1996 BLM Acquired lands from cattle grazing. The direct and indirect effects will still remain due to the fact there is not a fence separating the allotment from the acquired lands, therefore the acquired lands will still be accessible to unauthorized use from cattle. This could then put the rancher in a trespass situation. Additionally, management levels would decrease. The land would technically be open to a non-permitted livestock operator to use the land for weeks at a time with an unknown number of livestock. Although, this problem has subsided in recent years, if the 3,950 acres were to remain vacant, the probably of unauthorized use would increase.

There is little difference between the effects of this alternative and the proposed action. Soil disturbance from hoof action may be reduced from the current amount and limited to wildlife. Residual vegetative litter would slightly increase across the allotment due to reduced grazing pressure. It is expected that the soil standard would continue to be met, however the presence of invasive annuals resulting from wildfires would continue to be a concern across the allotment.

This alternative would exclude the 1996 BLM Acquired lands from authorized cattle grazing. Disturbance to cultural resources from hoof action and trampling may be reduced slightly from the current amount in this area, and limited to wildlife. However, effects will most likely remain unchanged due to the fact there is not a fence separating the allotment from the acquired lands, therefore the acquired lands may still be accessible to unauthorized use from cattle.

Cumulative Effects

Past, Present, and Foreseeable Future Actions Not Part of the Proposed Action:

Past Relevant Actions: One wildfire burned a little over 100 acres of BLM land in 2007 on the acquired lands.

Motorcycle and OHV use has occurred in this area. Historically OHV use was allowed to occur both on and off the trails. The BLM now restricts all OHV use to designated trails. Several permitted motorcycle races have occurred within the allotment.

Present and Reasonably Foreseeable Relevant Actions Not Part of the Proposed Action: Motorcycle races are expected to occur in the future. Currently no new projects are proposed other than the repair and maintenance of existing projects.

Cumulative Effects: There would be no cumulative impacts to vegetation under Alternative B. Livestock would continue to graze on the allotment as they have in the past, with an emphasis grazing management to improve land health. The existing fence

will still need to be repaired in order to keep cattle from escaping towards the town of Doyle. Watering sites will also remain on private lands. Plant vigor, the ability to produce seed, and plant production are expected to continue to improve. Upland vegetation improvement will help to reduce the spread of invasive annuals from the current amounts.

Vegetation condition may decrease slightly in the future as the risk of non-authorized livestock use on the 1996 acquired lands may increase, without proper livestock management in place.

4.1.1.3 Effects of Alternative C: No Grazing

Direct & Indirect Effects

Under this alternative the current permits issued for grazing on the allotments would be canceled and no grazing would be authorized. The allotment would be managed for wildlife habitat, cultural resources, and recreational use. Grazing pressure on vegetation within the allotment would be almost eliminated, except that which occurs from wildlife. The vast majority of the vegetation would be able to complete its annual growth cycle without stress, leading to a healthier plant. It is anticipated that the perennial grasses across the allotment would become more vigorous, and there would be an increase in the number of perennial grasses reaching seed set. However, the areas that are currently dominated by invasive annual grasses would continue to be dominated by these species. As there would be minimal grazing use of invasive annual grasses, other than by wildlife, these areas may in fact expand due to increased seed production. This may also increase fuel for wildfires.

The conversion of annual grasses to perennial species would not occur just by eliminating livestock, without also implementing treatments such as herbicide spraying, prescribed burning, and reseeding. However, rehabilitation of annual grasslands through widespread herbicide spraying and reseeding is extremely difficult, extraordinarily expensive on a large scale, and thought by many land managers as unattainable with current technology (Young, 1999).

Cumulative Effects

Past, Present, Foreseeable Future Actions Not Part of the Proposed Action:

Past Relevant Actions: Past wildfires have affected the entire allotment with several areas burned repeatedly (northeast slope of Turtle Mountain). These fires have led to a change in the vegetative community within those areas. It has been determined that the majority of the allotment has likely crossed an ecological threshold from which the potential vegetation and composition may not recover naturally. BLM has seeded some areas in an attempt to restore the perennial grass and forb community. There are signs of these sites being successful with other areas coming back naturally.

Motorcycle and OHV use has occurred in this area. Historically OHV use was allowed to occur both on and off the trails. The BLM now restricts all OHV use to designated trails.

Several permitted motorcycle races have occurred within the allotment.

Present and Reasonably Foreseeable Relevant Actions Not Part of the Proposed Action: Motorcycle races are expected to occur in the future. Currently no new projects are proposed other than the repair and maintenance of existing projects.

There are no expected significant cumulative impacts from the implementation of Alternative C. Livestock grazing would not continue. Soil surface disturbance would be negligible or minor from wildlife and recreational uses. Land health is expected to remain the same, or continue to improve, as perennial species are rested, and plant vigor, the ability to produce seeds or seedlings, and plant production continue to improve. The lack of livestock grazing may encourage the spread of some undesirable species that livestock currently graze. As there would be minimal use of invasive annual grasses, other than by wildlife, these areas may in fact expand due to increased annual seed production. The increased production and litter from perennial and annual grasses may increase the risk of large wildfires within the allotment.

There would also be more opportunity for unauthorized cattle use due to lack of fences separating BLM from private and state lands. Without grazing management, there will be fewer BLM staff in the field to keep unauthorized use off of BLM land. The impact to vegetation may be significant if cattle graze these lands with no management in place.

4.1.2 Predicted Effects on Cultural Resources

4.1.2.1 Effects of Alternative A: Authorize Grazing on the North Fort Sage Allotment, Including the 1996 BLM Acquired Lands (Proposed Action)

Direct & Indirect Effects

All 15 identified cultural resource sites within the allotment are located within the BLM Acquired lands (see Table 3 within Appendix B. and Figure 3). Potential impacts to lithic scatters would include trampling and displacement by hoof action. Livestock and horses impact cultural resources through soil compaction and subsurface soil disturbance by trampling and pawing, that mixes depositional associations and accelerates erosional processes.

There is no current grazing data (last 10 years) to indicate any decrease of soil stability due to grazing. At this time there is not enough data to determine how current stocking rates will affect the allotment and 1996 BLM acquired lands. However, with such a low stocking rate compared to acres available for grazing, it is assumed that impacts to cultural resources from soil damage will be low.

Two sites have been documented as having been impacted by grazing in the past. Both of these sites will be monitored for further impacts due to grazing, as the new acres are added to the allotment. If the impacts increase, additional measures will be implemented to reduce or eliminate the damage being done by livestock or wild horses. At the same time, additional monitoring and inventory will be conducted in accordance with the 2007

Protocol Agreement and the National Historic Preservation (NHPA) Section 106 compliance requirements for range improvement procedures.

Cumulative Effects

Past, Present, and Foreseeable Future Actions Not Part of the Proposed Action:

Past Relevant Actions: Livestock grazing has been very light on the allotment over the past 20 years. Past wildfires have affected the entire allotment with several areas burned repeatedly (northeast slope of Turtle Mountain). These fires have led to a change in the vegetative community within those areas, and have most likely affected some cultural resources. BLM has seeded some areas in an attempt to restore the perennial grass and forb community. Wildfires have not had the same affect on the 1996 BLM acquired lands since there has only been one wildfire, which burned a little over 100 acres of BLM land in 2007.

Motorcycle and OHV use has occurred throughout the allotment, and there are currently several miles of trail and roads designated for OHV use. Historically OHV use was allowed to occur both on and off the trails. The BLM now restricts all OHV use to designated trails. Several permitted motorcycle races have occurred within the allotment.

Present and Reasonably Foreseeable Relevant Actions Not Part of the Proposed Action: Motorcycle races are expected to occur in the future.

Cumulative Effects: The proposed action would result in no cumulative impacts to cultural resources. Cultural sites will be monitored for further impacts due to grazing, and additional measures will be implemented to reduce or eliminate the damage being done by livestock or wild horses. Future cultural resource surveys may identify areas needing protection and action would be taken under the current protocol with the CA SHPO. OHV use on designated trails would result in no cumulative effects to cultural resources.

4.1.2.2 Effects of Alternative B: Current Livestock Management (Authorize Grazing on North Fort Sage Allotment, Excluding the Addition of the 1996 BLM Acquired Lands to the North Fort Sage Allotment)

Direct & Indirect Effects

This alternative would exclude the 1996 BLM Acquired lands from authorized cattle grazing. Disturbance to cultural resources from hoof action and trampling may be reduced slightly from the current amount in this area, and limited to wildlife. However, effects will most likely remain unchanged due to the fact there is not a fence separating the allotment from the acquired lands, therefore the acquired lands will still be accessible to unauthorized use from cattle.

Cumulative Effects

Past, Present, Foreseeable Future Actions Not Part of the Proposed Action:

Past Relevant Actions: One wildfire burned a little over 100 acres of BLM land in 2007 on the acquired lands. Motorcycle and OHV use has occurred in this area. Historically OHV use was allowed to occur both on and off the trails. The BLM now restricts all OHV use to designated trails. Several permitted motorcycle races have occurred within the allotment.

Present and Reasonably Foreseeable Relevant Actions Not Part of the Proposed Action: Motorcycle races are expected to occur in the future.

Cumulative Effects: Alternative B would result in no cumulative impacts to cultural resources. Cultural sites will be monitored for further impacts due to grazing, and additional measures will be implemented to reduce or eliminate the damage being done by livestock or wild horses. Future cultural resource surveys may identify areas needing protection and action would be taken under the current protocol with the CA SHPO. OHV use on designated trails would result in no cumulative effects to cultural resources.

4.1.2.3 Effects of Alternative C: No Grazing

Direct & Indirect Effects

Under this alternative the current permits issued for grazing on the allotments would be canceled and no grazing would be authorized. Grazing pressure on vegetation within the allotment would be almost eliminated, except that which occurs from wildlife. The vast majority of the vegetation would be able to complete its annual growth cycle without stress, leading to a healthier plant. This may increase fuel loading for wildfires.

However, portions of the allotment may still be accessible to unauthorized use from cattle. Without grazing management, there will be fewer BLM eyes in the field to keep unauthorized use in check. The impact may be significant to cultural resources if cattle graze these lands unnoticed and unmanaged.

Cumulative Effects

Past, Present, and Foreseeable Future Actions not Part of the Proposed Action:

Past Relevant Actions: Past wildfires have affected the entire allotment with several areas burned repeatedly (northeast slope of Turtle Mountain). These fires have led to a change in the vegetative community within those areas, and have most likely affected some cultural resources. BLM has seeded some areas in an attempt to restore the perennial grass and forb community. Wildfires have not had the same affect on the BLM Acquired Lands since there has only been one wildfire, which burned a little over 100 acres of BLM land in 2007.

Motorcycle and OHV use has occurred throughout the allotment, and there are currently

several miles of trail and roads designated for OHV use. Historically OHV use was allowed to occur both on and off the trails. The BLM now restricts all OHV use to designated trails. Several permitted motorcycle races have occurred within the allotment.

Present and Reasonably Foreseeable Relevant Actions Not Part of the Proposed Action: Motorcycle races are expected to occur in the future.

Cumulative Effects: Alternative C would result in no cumulative impacts to cultural resources.

5.0 CONSULTATION & COORDINATION

5.1 Persons, Groups and Agencies Consulted

Name	Title/Organization
Bench Creek Ranch	Grazing Permittee
Dr. Michael J. Connor	Western Watersheds Project
Brian Ehler	CA. Department of Fish and Game
Donald J. Armentrout	Certified Wildlife Biologist
Meghan Wereley	Nevada Cattlemen's Association
Cindy McDonald	Interest in Wild Horse and Burro HMAs
David Lile	Lassen County Farm Advisor
Wayne Jambois	Interested Party
Catherine Barcomb	Commission for the Preservation of Wild Horses
George Berrier	American Mustang and Burro Association
Greta Anderson	Center for Biological Diversity
Michon Eben	Cultural Resources Coordinator
Nick Alosi	President of Lassen Motor Cycle Club
Ben Aleck	Museum Coordinator, NAGPRA Coordinator, Cultural Resources
Tim Keeseey	Environmental Department, Susanville Indian Rancheria
Mr. Stacy Dixon	Chairman, Susanville Indian Rancheria
Arlan Melendez	Chairman, Reno-Sparks Indian Colony
Waldo Walker	Chairman, Washoe Tribe of Nevada and California
Jorge Lopez	Executive Director-Washoe Tribe of Nevada and California
Erica Kellison	Chairperson, Greenville Rancheria
Michael DeSpain	Environmental Director, Greenville Rancheria
Mervin Wright	Chairperson, Pyramid Lake Paiute Tribe Council
Jessica Jim	Chairperson, Pit River Tribal Council
Robert Boyce	Pit River Tribal Administrator
Chris Pirosko	Pit River Tribe

5.2 List of Preparers and Specialists Consulted

Name	Resource/Activities	Project Role
Patrick Farris	Range Management Specialist	Project Lead Interdisciplinary Team
Sharynn Blood	Cultural/Paleo	EA Preparer Interdisciplinary Team
Mike Kuyper	Range Management Specialist	Interdisciplinary Team
Carolyn Gibbs	Veg. T&E/Sensitive	Interdisciplinary Team
Josh Gibbs	Noxious Weeds	Interdisciplinary Team
Stanley Bales	Recreation	Interdisciplinary Team
Missi Nelson	Wildlife	EA Preparer Interdisciplinary Team
Jennifer Mata	Ecologist	Interdisciplinary Team
Sue Noggles	NEPA Coordinator	Interdisciplinary Team

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APPENDIX A.**Standard Terms and Conditions for the North Fort Sage Allotment**

1. Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with the provisions of the grazing regulations now or hereafter approved by the Secretary of the Interior.
2. They are subject to cancellation, in whole or in part, at any time because of:
 - a. Noncompliance by the permittee/lessee with rules and regulations.
 - b. Loss of control by the permittee/lessee of all or a part of the property upon which it is based.
 - c. A transfer of grazing preference by the permittee/lessee to another party.
 - d. A decrease in the lands administered by the Bureau of Land Management within the allotment(s) described.
 - e. Repeated willful unauthorized grazing use.
3. They are subject to the terms and conditions of allotment management plans if such plans have been prepared. Allotment management plans **MUST** be incorporated in permits or leases when completed.
4. Those holding permits or leases **MUST** own or control and be responsible for the management of livestock authorized to graze.
5. The authorized officer may require counting and/or additional or special marking or tagging of the livestock authorized to graze.
6. The permittee's/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.
7. Grazing permits or leases are subject to the nondiscrimination clauses set forth in Executive Order 11246 of September 24, 1964, as amended. A copy of this order may be obtained from the authorized officer.
8. Livestock grazing use that is different from that authorized by a permit or lease **MUST** be applied for prior to the grazing period and **MUST** be filed with and approved by the authorized officer before grazing use can be made.
9. Billing notices are issued which specify fees due. Billing notices, when paid, become a part of the grazing permit or lease. Grazing use cannot be authorized during any period of delinquency in the payment of amounts due, including settlement for unauthorized use.
10. Grazing fee payments are due on the date specified on the billing notice and **MUST** be paid in full within 15 days of the due date, except as otherwise provided in the grazing permit or lease. If payment is not made within that time frame, a late fee (the greater of \$25 or 10 percent of the amount owed but not more than \$250) will be assessed.

11. No Member of, or Delegate to, Congress or Resident Commissioner, after his/her election of appointment, or either before or after he/she has qualified, and during his/her continuance in office, and no officer, agent, or employee of the Department of the Interior, other than members of Advisory committees appointed in accordance with the Federal Advisory Committee Act (5 U.S.C.. App.1) and Sections 309 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) shall be admitted to any share or part in a permit or lease, or derive any benefit to arise there from; and the provision of Section 3741 Revised Statute (41 U.S.C. 22), 18 U.S.C. Sections 431-433, and 43 CFR Part 7, enter into and form a part of a grazing permit or lease, so far as the same may be applicable.