



## United States Department of the Interior

### BUREAU OF LAND MANAGEMENT

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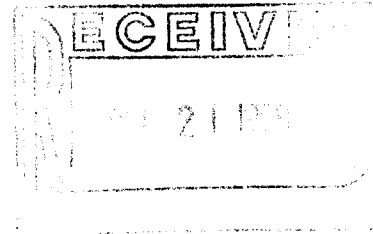
12-17-98  
"I" allotment  
10yr Permit

December 17, 1998

In Reply Refer To:  
4100 (CA-370) P  
GR#042640

CERTIFIED MAIL #P 954 727 118  
RETURN RECEIPT REQUESTED

Cathy Barcomb  
Nevada Commission for the  
Preservation of Wild Horses  
123 West Nye Lane, Suite 248  
Carson City, NV 89706-0818



30day

Dear Cathy:

### PROPOSED DECISION

#### BACKGROUND

The grazing permit for John Laxague for grazing use on the **Nut Mountain Allotment**, No. #01010 expires on 02/28/99. On 11/04/98, Stu Brown has submitted an application for transfer of the Nut Mountain Permit from John Laxague.

The **Cowhead/Massacre Final Environmental Impact Statement** was issued in 1989. This document established multiple use goals and objectives which provide management guidance for the public lands in the Nut Mountain Allotment. This document designated the Nut Mountain Allotment as available for grazing.

43 CFR 4130.2 requires the authorized officer to issue grazing permits or leases to qualified applicants to authorize use on the public lands that are designated as available for livestock grazing through land use plans.

Grazing use on the Nut Mountain Allotment was analyzed in Plan Conformance/NEPA Compliance Record No. CA-370-99-06 and found to be in conformance with the applicable land use plan. In addition, a Rangeland Health Assessment was completed on 12/16/98, which indicates 3 of the 4 Standards are currently being met and the fourth "is not met but progressing towards" in the Nut Mountain Allotment under the current livestock stocking levels and season of use.

## **PROPOSED DECISION**

Based on all information available to me, it is my decision to renew/issue a permit for Stu Brown to authorize grazing use in the Nut Mountain Allotment, No. #01010. The permit shall be issued as follows:

Permittee Name: **Stu Brown**

Allotment Name: **Nut Mountain**

Livestock Number: **815**

Season-of-Use: **04/16 to 10/15**

Type Use: **Active**

Allotment Number: **#01010**

Class of Livestock: **Cattle**

Percent Public Land: **100%**

Active Preference: **4,893 AUMs**

The term of the grazing permit shall be from **03/01/99 to 02/28/09**, unless to correspond with the term of the base property lease, or other reason).

The following terms and conditions shall be incorporated in the permit:

1. "The terms and condition of your permit or lease may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180 (Rangeland Health Standards and Guidelines)".

## **AUTHORITY**

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

4100.0-8: "The authorized officer shall manage livestock grazing on public lands under the principles of multiple use and sustained yield and in accordance with applicable land use plans. Land use plans shall establish allowable resource uses (either singly or in combination), related levels of production or use to be maintained, areas of use and resource condition goals and objectives to be obtained. The plans also set forth program constraints and general management practices needed to achieve management objectives. Livestock grazing activities and management actions approved by the authorized officer shall be in conformance with the land use plan as defined at 43 CFR 1601.0-5(b).

4110.3: "The authorized officer shall periodically review the [specified livestock grazing use] in a grazing permit or grazing lease and shall make changes in the specified livestock grazing use as needed to manage, maintain or improve rangeland productivity, to assist in restoring ecosystems to properly functioning condition, to conform with land use plans or activity plans, or to comply with the provision of sub part 4180 of this part. These changes must be supported by monitoring, field observations, ecological site inventory or other data acceptable to the authorized officer."

4130.2(a): "Grazing permits or leases shall be issued to qualified applicants to authorize use on the public lands and other lands under the administration of the Bureau of Land Management that are designated as available for livestock grazing through land use plans..."

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 to ensure conformance with the provisions of subpart 4180 of this part."

4130.3-1: "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..."

### **PROTEST AND PROCEDURES**

In accordance with 43 CFR 4160.2, any applicant, permittee, lessee or other affected interest may protest this proposed decision under 43 CFR Sec. 4150., in person or in writing to the Authorized Officer at the following address: Susan T. Stokke, Field Manager, Surprise Field Office, P.O. Box 460, Cedarville, CA 96104. Any protest must be filed within 15 days after receipt of the decision. The protest, if filed, should clearly and concisely state the reason(s) as to why the proposed decision is in error.

In accordance with 43 CFR 4160.3(a), "In the absence of a protest, the proposed decision will become the final decision of the authorized officer without further notice unless otherwise provided in the proposed decision".

Any person whose interest is adversely affected by the final decision may file an appeal and petition for stay of the decision pending final determination of appeal. The appeal and petition for stay must be filed in the office of the Authorized Officer at the address stated above within 30 days following receipt of the final decision, or 30 days after the date the proposed decision becomes final.

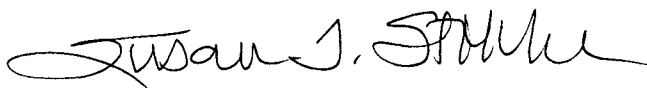
The appeal shall state the reasons, clearly and concisely, why the appellant thinks the final decision is in error.

Should you wish to file a motion for a stay, the appellant shall show sufficient justification based on the following standards, as required by 43 CFR 4.21(b)(1):

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.

As noted above, the petition for stay must be filed in the office of the authorized officer.

Sincerely,



Susan T. Stokke  
Surprise Field Manager

SURPRISE FIELD OFFICE  
Plan Conformance/NEPA Compliance Record for Grazing Permit Renewal

NEPA Control No.: CA-370-99-06

Lease/Serial/Case File No.: #042640

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Proposed Action Title/Type: **Grazing Permit Renewal/Transfer**  
Location of Proposed Action: **Nut Mountain Allotment # 01010**  
Description of Proposed Action: **Transfer Grazing Permit to Stu Brown from John Laxague on the Nut Mountain Allotment #01010. This permit/lease will be renewed for a period of 10 years (1999 - 2009).**  
Applicant (if any): **Stu Brown**

Remarks: **On February 28, 1999, John Laxague Grazing Permit for the Nut Mountain Allotment #01010 will expire. On November 4, 1998 Stu Brown submitted an application for the Nut Mountain Permit.**

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**PART I: PLAN CONFORMANCE REVIEW**

The Proposed Action is subject to the:

- Tuledad/Home Camp Management Framework Plan
- Cowhead/Massacre Management Framework Plan
- Nut Mountain Herd Management Area Plan
- North Massacre Lake Basin Cultural Resources Management Plan

The Proposed Action has been reviewed for conformance with the checked plan (43 CFR 1610.5, BLM MS 1617.3).

Alan M. Uchida      12/16/98      Hugh Bunters      12/16/98  
Surname(s) of Reviewer(s)      Date      Surname(s) of Reviewer(s)      Date

Remarks: **No significant changes from the existing situation would occur. Livestock grazing would continue to be managed as prescribed in the Cowhead/Massacre MFP EIS/Record of Decision.**

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**PART II NEPA REVIEW**

- A. Existing EA/EIS Review. This proposed action is addressed in the following existing BLM EA/EIS: **Cowhead/Massacre Grazing EIS**      Date: **1980**
- B. Rangeland Health Assessment. **A Rangeland Health Determination has been completed for the Nut Mountain Allotment #01010, and 3 of the 4 standards are currently being met and the fourth "is not met but progressing towards" in the Nut Mountain Allotment under the current livestock stocking levels and season of use. (See Attachment - 2)**

Alan M. Uchida      12/16/98  
Surname(s) of Reviewer(s)      Date

This EA/EIS has been reviewed against the following criteria to determine if it covers the proposed actions:

1. The proposed action is a feature of, or essentially the same as, the alternative selected and analyzed in the existing document.
2. A reasonable range of alternatives was analyzed in the existing document.
3. There has been no significant change in circumstances or significant new information germane to the proposed action.
4. The methodology/analytical approach previously used is appropriate for the proposed action.
5. The direct and indirect impacts of the proposed action are not significantly different than those identified in the existing document.
6. The proposed action would not change the previous analysis of cumulative impacts.
7. Public involvement in the previous analysis provides appropriate coverage for the proposed action.
8. The season of use, livestock numbers, class of livestock, grazing system are appropriate to provide for a balance of competing resources uses.

Alan M. Rehder      12/16/98  
Surname(s) of Reviewer(s)      Date:

Remarks: **Response to each of the above criteria is in Attachment - 1**

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*PART III DECISION*

**It is my decision to issue a ten year grazing permit to Stu Brown for use in the Nut Mountain Allotment #01010. I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed grazing permit is in conformance with the land use. I have also determined that the issuance of the permit has been adequately assessed in the referenced NEPA document and that no further environmental analysis is required.**

Page Jansch  
Environmental Coordinator:

12/17/98  
Date:

Susan J. Stelle  
Authorized Official:

12/17/98  
Date:

**ATTACHMENT - 1  
PLAN CONFORMANCE/NEPA COMPLIANCE RECORD**

Information in this review is based on the review outlined in the attached Form from BLM Manual Release 1-1547 dated 10/25/88.

**Part 1: PLAN CONFORMANCE REVIEW**

<u>Allotment</u>	<u>Application</u>	<u>Land Use Plan</u>
<b>Nut Mountain #01010</b>	<b>815 Cattle</b>	(See Below)
	<b>04/16 to 10/15</b>	
	<b>@100% P.L.</b>	
	<b>4,893 Active AUMs</b>	

In 1996, a Decision was made to amend three decisions in the ~~Cowhead/Massacre Management Framework~~ Plan, changing the class of livestock from domestic sheep and cattle to cattle in the Massacre Mountain allotment and indirectly favoring the reintroduction of bighorn sheep in the High Rock area. The amendment is anticipated to be placed into effect on or about March 10, 1996.

Specifically, the following changes would be made. (Listed Below are the changes that pertain to this Plan Conformance Review).

Modify MN 003 from:

“Allocate forage among both consumptive and non-consumptive resources, as shown in Table B (reproduced below):

**Consumptive Uses**

Deer	1,350 AUMs
Antelope	770 AUMs
Livestock	<del>24,850 AUMs</del>

~~Sheep~~  
05/01 - 06/30  
11/08 - 11/30

~~Sheep~~  
04/15 - 10/15

~~Wild Horses~~ ~~1,200 AUMs~~

**Sub-Total** 28,170 AUMs

**Non Consumptive Uses** 22,597 AUMs  
(Watershed Cover, Wildlife Habitat, Soil Stabilization)

**Total: 50,767 AUMs**

“As additional forage becomes available as determined by monitoring, increased allocations will be made to wildlife, wild horses, and livestock based on needs, response to management, policy, etc.”

*100 h/d*

To read:

“Provide forage for both consumptive and non-consumptive resources, including mule deer, pronghorn antelope, wild horses, cattle, and bighorn sheep in those portions of the Massacre Mountain Allotment that are adjacent to High Rock Canyon. As additional forage becomes available as determined by monitoring, increased allocations will be made to wildlife, wild horses, and cattle based on needs, response to management , policy, etc.”

## PART 2: NEPA REVIEW

### B. Existing EA/EIS Review

1. **Yes. Proposed stocking levels, season-of-use, kind of livestock are all in conformance with the Record of Decision (ROD) for the 1980 Cowhead/Massacre Grazing EIS and the Cowhead/Massacre MFP Amendment Decision of 1996.**
2. **Yes. A reasonable range of alternatives was analyzed in the Cowhead/Massacre Grazing EIS. Alternatives include: 1) No Action (Continue Present Management), 2) Eliminate Livestock Grazing, 3) Proposed Action with Economic Adjustments, 4) Livestock Operator Management Plan, 5) Extensive Cultural Treatments, 6) Grazing Systems, 7) Alternative Method for Determining Stocking Levels, 8) Optimized Non-Consumptive Uses.**
3. **Yes. There has been no significant change in circumstances or significant new information germane to the proposed action.**
4. **Yes. The methodology and analytical approach used in the Cowhead/Massacre Grazing EIS is appropriate. A proposed action and alternatives were developed, the affected environment was described and the environmental consequences of each alternative was analyzed.**
5. **Yes. The application is for the same use analyzed in the Cowhead/Massacre Grazing EIS.**
6. **The application does not introduce any new issues or actions not analyzed in the Cowhead/Massacre Grazing EIS.**
7. **Yes. There is no new action proposed, and the Cowhead/Massacre Grazing EIS was completed using appropriate public involvement. The draft EIS was sent for review to 9 Federal Agencies, 7 State Agencies in California, 5 State Agencies in Nevada, 7 Local Agencies in California, 5 Local Agencies in Nevada, all grazing permittees, and 22 Other Organizations. Copies were made available at other public locations, several open house meetings were held and the public was notified of availability of the EIS through the media.**
8. **The season of use, livestock numbers, class of livestock and grazing system are appropriate to provide for a balance of resource uses that occur within the Nut Mountain Allotment.**

**BLM - SURPRISE FIELD OFFICE  
Nut Mountain Allotment #01010**

DOCUMENTATION FORM FOR DETERMINATIONS:  
ACHIEVEMENT OF FALLBACK RANGELAND HEALTH STANDARDS,  
CONTRIBUTING FACTORS AND APPROPRIATE ACTION PRIORITIES

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THIS FORM DOCUMENTS, FOR THE INDICATED AREA: (1) DETERMINATIONS AND SUPPORTING RATIONALE REGARDING IF FUNDAMENTAL RANGELAND HEALTH CONDITIONS CITED IN 43 CFR 4180.1 EXIST IN THESE AREAS; (2) DETERMINATIONS, IN CASES WHERE ONE OR MORE CONDITIONS OF FUNDAMENTAL RANGELAND HEALTH DO NOT EXIST, REGARDING THE STANDARD(S) THAT IS (ARE) NOT ACHIEVED; (3) DETERMINATIONS, IN THOSE CASES WHERE ONE OR MORE STANDARDS ARE NOT ACHIEVED, REGARDING THE CONTRIBUTING FACTOR(S) THAT IS (ARE) PREVENTING STANDARD(S) ACHIEVEMENT OR IS (ARE) PREVENTING SIGNIFICANT PROGRESS TOWARDS ITS (THEIR) ACHIEVEMENT; AND, (4) THE INFORMATION THAT WAS EXAMINED THAT SUPPORT THESE DETERMINATIONS.

■■■■■■■■■■

Indicate the date(s) or period the information review occurred: **1989 - 1998 Grazing Season**

**PART I - IDENTIFICATION OF RELEVANT AREA**

A. Indicate area where these determinations and rationale apply:

- 1.          Site:
  
- 2.          Management Unit: Nut Mountain Allotment #01010  
Approximate size in acres: **Total: 80,916 acres, BLM - 74,721 acres, Private - 6,195 acres.**
  
- 3.          Landscape
  
- 4.          Other Stratification:

**PART II - IDENTIFICATION OF INFORMATION REVIEWED**

The following information (e.g. monitoring, literature, personal communication, etc.) was considered to determine standards attainment and, if applicable, contributing factor(s) to their non-achievement and failure to make significant progress towards their achievement. (if more room is needed to document the type of information reviewed, label and attach sheets as needed)

A.     Information relevant to the Fallback SOILS HEALTH STANDARD:  
FALLBACK (43 CFR 4180.2(f)(1)(i)):

Upland soils exhibit infiltration and permeability rates that are appropriate to soil type, climate and landform.

Indicator(s) Observed

Information Reference (i.e. identify the information source used by type and date)

**Utilization**

The 5 pasture grazing system is designed to provide each of the 5 pastures at least 1 growing seasons rest every other year. Under this grazing system, utilization over the past 10 years were observed as slight/light on the majority of the native range. Utilization in the Cavalry Camp Seeding averaged light/moderate and is rested every other year or used as a gathering pasture. Areas near water sources such as springs, seeps, pit reservoirs and intermittent drainages received moderate/heavy use but was restricted to 1/2 - 1 mile radius of the sources. During the last 9 years, non-use for the allotment ranged from 0 to 45 % with an average of 15% non-use. This grazing system has resulted in vigorous perennial bunchgrasses and more residual forage being left on the native range and seeding after the grazing season.

**Condition**

Professional judgement concludes the Nut Mountain Allotment both the native range and the seeding is in an upward trend.



Comments / Remarks: **Answers to the following were based on professional judgement along with 10 years of management and observations on the Nut Mountain Allotment.**

**Criteria**

1. IS ground cover (vegetation, litter, and other types of ground cover, such as rock fragments) sufficient to protect sites from accelerated erosion? **Yes, the grazing system allows sufficient rest resulting in vigorous perennial bunchgrasses and shrubs and more residual forage being left after the grazing season on the uplands.**
2. IS evidence of wind and water erosion, such as rills and gullies, pedestalling, scour, or sheet erosion, and deposition of dunes either absent or, if present, does not exceed what is natural for the site? **Yes, very little surface erosion on the uplands is evident on the allotment.**
3. IS vegetation vigorous and diverse in species composition and age class, and does it reflect the PNC or DPC for the site? **Yes, the native rangelands contain vigorous and diverse species but does not reflect PNC. The allotment is in an upward trend.**

B. Information relevant to the Fallback STREAM HEALTH STANDARDS:

FALLBACK (43 CFR 4180.2(f)(1)(iii)):

Stream channel morphology (including but not limited to gradient, width/depth ratio, channel roughness and sinuosity) and functions are appropriate for the climate and landform.

Comments / Remarks:

**This standard is not applicable to the Nut Mountain Allotment. The only perennial stream (Hanging Rock Creek) is mostly private. The rest of the surface water in the allotment is associated with shallow alkali lakebeds, intermittent and ephemeral drainage systems, spring/seeps and stringer meadows that are classified as lotic systems.**

C. Information relevant to the Fallback RIPARIAN AND WETLAND SITES STANDARD:

FALLBACK (43 CFR 4180.2(f)(1)(ii) and SUSANVILLE RAC (Standard 4)):

Riparian and Wetland areas are in properly functioning condition.

Comments / Remarks: **Answers to the following were based on professional judgement along with 10 years of management and observations on the Nut Mountain Allotment.**

**Criteria**

1. IS riparian vegetation sufficiently vigorous, mostly perennial, and sufficiently diverse in species composition, age class and life form to stabilize stream banks and shorelines? **Yes, the shorelines of shallow alkali lakes are well vegetated and provide sufficient cover. No, the springs/seeps and associated stringer meadows receive moderate/heavy utilization seasonally by livestock and year long by wild horses.**
2. IS riparian vegetation and large woody debris well anchored and capable of withstanding high streamflow events? **N/A**
3. IS accelerated erosion (as a result of human related activities) evident? **Yes, accelerated erosion is evident on springs/seeps and associated stringer meadows as a result of hot season grazing from livestock and year long grazing from wild horses.**

4. ARE age class and structure of woody riparian and wetland vegetation appropriate for the site? **N/A, The riparian areas are herbaceous wetland vegetation on lotic sites with very little potential for woody vegetation. The only area with woody vegetation potential is in Upper Hanging Rock Canyon which is privately owned.**

D. Information relevant to the Fallback **BIODIVERSITY STANDARDS:**

FALLBACK (43 CFR 4180.2(f)(1)(iv)):

Healthy, productive and diverse populations of native species exist and are maintained.

<u>Indicator(s) Observed</u>	<u>Information Reference (i.e. identify the information source used by type and date)</u>
<input checked="" type="checkbox"/> community diversity	<b>NRCS North Washoe Soil Survey, 1997</b>
<input type="checkbox"/> community structure (layers)	
<input checked="" type="checkbox"/> exotic plants (or invaders)	<b>BLM, Nevada Division of Agriculture Noxious Weed Inventory and Eradication Program 1997-1998.</b>
<input checked="" type="checkbox"/> plant vigor (production, mortality, decadence)	<b>Field Observations</b>
<input type="checkbox"/> diversity of age classes	
<input type="checkbox"/> recruitment	
<input type="checkbox"/> wildlife life forms present (obligate)	
<input type="checkbox"/> special status species	<b>BLM inventories since 1970's</b>

Comments / Remarks:

Criteria

1. DO wildlife habitats include seral stages, vegetation structure, and patch size to promote diverse and viable wildlife populations? **Yes, the landscape and soils combined with a grazing system providing deferment and rest periods contribute to promote diversity and viable wildlife populations.**
2. ARE a variety of age classes present for most species? **Partly, herbaceous species have a better range of age classes than the brush species. Brush fields are generally dominated by mature and older age classes.**
3. IS vigor adequate to maintain desirable levels of plant and animal species to ensure reproduction and recruitment of plants and animals when favorable events occur? **Generally vigor of the plants is observed to be high.**
4. DOES the distribution of plant species and their habitats allow for reproduction and recovery from localized catastrophic events? **Yes, the landscape and soils distribution create a mosaic of vegetation communities that prevent large scale catastrophic events and provide protected sites for recolonization following fires.**
5. ARE natural disturbances, such as fire, evident, but not catastrophic? **No, past fire suppression and grazing practices eliminated all but the smallest fires.**
6. ARE non-native plant and animal species present at acceptable levels? **Yes, a small portion of the allotment was seeded to introduced perennial grasses in the 1980s. These plants are an important part of the grazing system and have not spread from where they were seeded. There are a few isolated areas of noxious weeds in the allotment that have been inventoried and mapped.**
7. ARE habitat areas sufficient to support diverse, viable, and desired populations, AND are they adequately connected with other similar habitat areas? **Yes, see #1 above.**

8. IS adequate organic matter (litter and standing dead plant material) present for site protection and decomposition to replenish soil nutrients and maintain soil health? **Yes, the grazing system and current stocking provide adequate residual vegetation for incorporation into the soil.**

**PART III - SUMMARY OF STANDARDS ACHIEVEMENT DETERMINATION AND RATIONALE**

**A. DETERMINATION ON STANDARDS ACHIEVEMENT**

As of the date of the completion of this form, an examination of the information listed in Part II and recent field visits, if applicable, indicate the following with regard to standards achievement for the area identified in Part I:

<u>Standard</u>	<u>Determination on Standard Achievement</u> (check appropriate box for each standard)
<b>Soils Health</b>	<input checked="" type="checkbox"/> Met / <input type="checkbox"/> Not met but progressing towards / <input type="checkbox"/> Not met and not progressing towards / <input type="checkbox"/> N/A
<b>Stream Health</b>	<input type="checkbox"/> Met / <input type="checkbox"/> Not met but progressing towards / <input type="checkbox"/> Not met and not progressing towards / <input checked="" type="checkbox"/> N/A
<b>Riparian/Wetland</b>	<input type="checkbox"/> Met / <input checked="" type="checkbox"/> Not met but progressing towards / <input type="checkbox"/> Not met and not progressing towards / <input type="checkbox"/> N/A
<b>Biodiversity</b>	<input checked="" type="checkbox"/> Met / <input type="checkbox"/> Not met but progressing towards / <input type="checkbox"/> Not met and not progressing towards / <input type="checkbox"/> N/A

**B. RATIONALE SUPPORTING STANDARDS ACHIEVEMENT DETERMINATION (if additional room is needed, attach and label additional sheets):**

**Professional judgement along with 10 years of management and observations on the Nut Mountain Allotment was used in the determination on the above "Standards Achievement".**

**PART IV - FOR THOSE STANDARDS NOT ACHIEVED, SUMMARY OF CONTRIBUTING FACTOR(S) DETERMINATION AND SUPPORTING RATIONALE**

**A. DETERMINATION ON CONTRIBUTING FACTORS**

As of the date of the completion of this form, an examination of the information listed in Part II and recent field visits, if applicable, indicate that the following are contributing factors for failing to achieve the standards as indicated in Part III for the area identified in Part I:

Non-achieved Standard (s) (from Part III): **Riparian/Wetland**

<u>FLPMA Principal or Major Uses</u>	<u>Information Reference (what data was reviewed - type and information date)</u>
<input checked="" type="checkbox"/> Domestic Livestock Grazing	<input checked="" type="checkbox"/> actual grazing use <input type="checkbox"/> grazing "licenses" <input checked="" type="checkbox"/> utilization records <input checked="" type="checkbox"/> field notes / photographs <input checked="" type="checkbox"/> other <hr/> <hr/> <hr/>
<input type="checkbox"/> Fish and Wildlife Development and Utilization	<input type="checkbox"/> utilization <hr/>
<input type="checkbox"/> Mineral Exploration and Development	<input type="checkbox"/> road building <hr/>
<input type="checkbox"/> Rights-of-way	<input type="checkbox"/> _____ <hr/>
<input checked="" type="checkbox"/> Outdoor Recreation	<input checked="" type="checkbox"/> road building <b>Existing hunting roads in riparian areas.</b> <hr/>
<input type="checkbox"/> Timber Production	<input type="checkbox"/> _____ <hr/>

Other Events or Circumstances Considered Information Reference (what data was reviewed - type and information date)

- Wild horse and Burro use       census/distribution data: **AML 30-59, current estimated numbers as of 10/98 - 89 horses. Field tour with permittee and consultant 11/5/98.**
- exotic plant presence       other
- insect impacts
- abnormal fire frequency or lack of fire
- abnormal climatic events
- other

CONTRIBUTING FACTOR(S) (LIST):

**Grazing: Livestock hot season grazing on riparian areas.**  
**Outdoor Recreation: Roads in riparian areas.**  
**Wild horses: Wild horse year long grazing on riparian areas.**

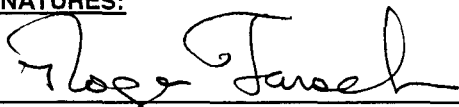
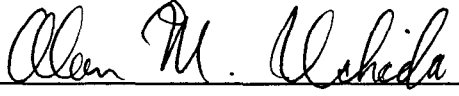

PART V - BLM STAFF WHO REVIEWED THE INFORMATION AND RECOMMENDED PRIORITY FOR DEVELOPMENT AND IMPLEMENTATION OF APPROPRIATE ACTION TO MAKE SIGNIFICANT PROGRESS TOWARDS ACHIEVING THE STANDARD(S)

The following staff have participating in examining the information listed in Part II and in making the standard(s) achievement and contributing factor determination(s).

Roger Farschon, Ecologist  
 Alan Uchida, Watershed Specialist  
 Rob Jeffers, Sup. Natural Resource Specialist/Wild Horse Specialist

SIGNATURES:

TITLES:

  
 \_\_\_\_\_  
  
 \_\_\_\_\_  
  
 \_\_\_\_\_

Ecologist  
 Watershed Specialist  
 Sup. Natural Resource Specialist/Wild Horse Specialist

PART VI - DOCUMENTATION OF THE INVOLVEMENT OF PERMITTEES, STATE AGENCIES AND THE INTERESTED PUBLIC IN MAKING STANDARDS CONFORMANCE DETERMINATION AND CONTRIBUTING FACTORS DETERMINATION

Indicate the occurrence of public participation (e.g. permittee, interested public, other Federal or State /local agency), or opportunities for public participation that pertains to the review of standards achievement and contributing factors (who, when, and conversation or meeting summary): **This documentation form was completed by BLM staff because we are only renewing the 10 year grazing permits for the allotment. Riparian issues have already been discussed with the new permittee and he is willing to make a change in riparian management. Minor management changes and project implementation would occur to improve riparian conditions on the allotment within the next few years. We will still operate under the existing AMP and MFP.**

**PART VII - AUTHORIZED OFFICER'S DETERMINATION AND PRIORITY FOR APPROPRIATE ACTION DEVELOPMENT AND IMPLEMENTATION**

I have reviewed and concur with the determinations and supporting rationale regarding the achievement or lack thereof of rangeland health standards documented herein and, in the cases where standards are not achieved, the determination and rationale regarding the contributing factor(s) for failure to achieve the standards. I have determined that the priority for developing and implementing appropriate action to achieve significant progress to achieve standards for the area identified in Part I is (check one)

high    medium    low .

Susan J. Stelle  
SURPRISE FIELD MANAGER

12/17/98  
DATE

**COMMENTS:**

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

GRAZING PERMIT

STATE CA  
OFFICE 370  
OPERATOR NUMBER 042640  
PREFERENCE CODE 03  
DATE PRINTED 12/16/98  
TERM 03/01/1999 TO 02/28/2009

DOUBLE HORSESHOE  
RANCH, LLC  
STUART L. BROWN  
106 E. ADAMS, STE 212  
CARSON CITY, NV 89701

BUREAU OF LAND MANAGEMENT  
SURPRISE R.A.  
BOX 460  
CEDARVILLE, CA 96104

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THIS GRAZING PERMIT IS OFFERED TO YOU BASED ON YOUR RECOGNIZED GRAZING PREFERENCE ON THE PUBLIC LANDS AND/OR OTHER LANDS ADMINISTERED BY THE BLM. YOU ARE AUTHORIZED TO MAKE GRAZING USE TO THE EXTENT OF YOUR ACTIVE GRAZING PREFERENCE AS SHOWN BELOW UPON YOUR ACCEPTANCE OF THE TERMS AND CONDITIONS INCORPORATED HEREIN AND YOUR PAYMENT OF GRAZING FEES.  
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ALLOT ----- PASTURE -----	LIVESTOCK		GRAZING PERIOD		%PL	TYPE ----- USE -----	AUM"S -----
	NUMBER	KIND	BEGIN	END			
01010 NUT MOUNTAIN	809	CATTLE	04/15	10/15	100	ACTIVE	4894
01012 SAND CREEK	216	CATTLE	04/16	07/15	100	ACTIVE	646
	50	CATTLE	07/16	09/15	100	ACTIVE	102

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TERMS AND CONDITIONS:

ALL GRAZING USE WILL BE IN ACCORDANCE WITH THE NUT MT. AND SAND CREEK AMPS. BILLING WILL BE BASED ON ACTUAL USE REPORTS SUBMITTED 15 DAYS FOLLOWING THE LAST AUTHORIZED TAKE OFF DATE FOR YOUR PERMIT. YOUR ACTUAL USE REPORT WILL BE SUBMITTED NO LATER THAN 09-30 FOR THE SAND CREEK ALLOTMENT AND 10-30 FOR THE NUT MOUNTAIN ALLOTMENT. ANY INCREASES OR EXTENSIONS IN GRAZING USE MUST RECEIVE PRIOR APPROVAL FROM THE AUTHORIZED OFFICER. THE TERMS AND CONDITIONS OF YOUR PERMIT MAY BE MODIFIED IF ADDITIONAL INFORMATION INDICATES THAT REVISION NECESSARY TO CONFORM WITH 43 CFR 4180.

OPERATOR NUMBER: 042640

ALLOTMENT SUMMARY (AUM'S)

ALLOT -----	P R E F E R E N C E		
	ACTIVE	SUSP	TOTAL
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01010 NUT MOUNTAIN	4893	1223	6116
01012 SAND CREEK	749	187	936

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THIS PERMIT ; 1. CONVEYS NO RIGHT, TITLE OR INTEREST HELD BY THE UNITED STATES IN ANY LANDS OR RESOURCES AND 2. IS SUBJECT TO (A) MODIFICATION, SUSPENSION OR CANCELLATION AS REQUIRED BY LAND PLANS AND APPLICABLE LAW; (B) ANNUAL REVIEW AND TO MODIFICATION OF TERMS AND CONDITIONS AS APPROPRIATE; AND (C) THE TAYLOR GRAZING ACT, AS AMENDED, THE FEDERAL LAND POLICY AND MANAGEMENT ACT, AS AMENDED, THE PUBLIC RANGELANDS IMPROVEMENT ACT, AND THE RULES AND REGULATIONS NOW OR HEREAFTER PROMULGATED THEREUNDER BY THE SECRETARY OF THE INTERIOR.

ACCEPTED:

SIGNATURE OF PERMITTEE: \_\_\_\_\_ DATE \_\_\_\_\_

AREA MANAGER: \_\_\_\_\_ DATE \_\_\_\_\_

2-5-99

February 5, 1999

Ms. Susan T. Stokke  
Surprise Field Office  
Bureau of Land Management  
P.O. Box 460  
Cedarville, California 96104-0460

Subject: 10 Year Permit Nut Mountain

Dear Ms. Stoke:

The Commission for the Preservation of Wild Horses has received the notice for the long term grazing authorization for the Nut Mountain Allotment. An appropriate management level was established for the Nut Mountain Wild Horse Herd in 1993. Our agency protested this action based on a lack of comprehensive analysis of range monitoring data.

Issue of this permit should require an environmental assessment that establishes a carrying capacity and allocation of forage to livestock, wildlife and wild horses.

We encourage the District to balance the uses of this allotment within the capacity of natural resources important to all users.

Sincerely,

Catherine Barcomb  
Administer