m 10/22/94

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
ELKO DISTRICT OFFICE
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Reed B. Robison
HCR 33, Box 33940
Ely, Nevada 89301

PROPOSED MULTIPLE USE DECISION
FOR THE ANTELOPE VALLEY ALLOTMENT

The Record of Decision for the Wells Environmental Impact Statement and Resource Management Plan (RMP) was issued on July 16, 1985. These documents established the multiple use goals and objectives which guide management of the public lands on the Antelope Valley Allotment. The Rangeland Program Summary (RPS) was issued on September 15, 1986, which further identified the allotment specific objectives for the Antelope Valley Allotment.

As identified in the Wells RMP and the RPS, monitoring was established on the Antelope Valley Allotment to determine if existing multiple uses for the allotment were consistent with attainment of the objectives established by the RMP. Since 1989, monitoring data has been collected, and during the years 1993/1994, this data was analyzed through the allotment evaluation process to determine progress in meeting multiple use objectives for the Antelope Valley Allotment, and to determine what changes in existing management are required in order to meet specific multiple use objectives for this allotment.

Through the consultation, coordination and cooperation process (CCC), your input as well as input from other affected interests have been considered in the allotment evaluation process. As a result of evaluation conclusions and after consideration of input received through the CCC process, it has been determined that: 1) some of the multiple use objectives for the Antelope Valley Allotment are not being met; 2) changes in current livestock grazing management and wild horse management are required; 3) existing management of wildlife has not contributed to non-attainment of multiple use objectives; and 4) deletions and modifications of some allotment specific multiple use objectives are required as follows:

1. The following RPS Objectives will no longer be evaluated:

   a. Coordinate season of use with the Ely District BLM.

   Rationale: This objective was accomplished during the consultation on the September 19, 1991 "Stipulation to Withdraw Appeals" (SWA) on the Final Multiple Use Decision for the Chin Creek Allotment in the Ely District dated July 16, 1990. The Antelope Valley Allotment was incorporated in a deferred rotation system which established seasons of use.

   b. Manage livestock to maintain present ecological status and trend.

Rationale: This objective is covered under number 3 Changes to Key Area Objectives located below.

2. Revise the utilization objectives for key areas 1011 and 1012, and establish utilization objectives for 1013 and 1014 as follows:

   a. Manage for a maximum use of current years growth at 35 percent on key grass species and 25 percent on white sage by the end of the spring use period for livestock (i.e., at the end of grazing).

   b. In areas grazed in common by wild horses and livestock, manage for an average of 10 percent use on key forage species by wild horses prior to entry by livestock on winter range.

   Note: Future evaluations will determine if this utilization objective is still appropriate, especially during those years when livestock graze during the spring use period.

   c. Manage for a maximum average combined utilization by livestock and wild horses on previous years growth at 55 percent on key grass species and 35 percent on white sage by the end of winter dormancy. Combined use not to exceed 60 percent on key grass species and 50 percent on key shrub species in any one year.

   Rationale: The livestock grazing system includes periodic use during the winter and spring use periods. Wild horses graze the allotment for approximately 9 months out of the year. Adding utilization objectives for spring use is important because vegetation can be most adversely affected by grazing during the growing season. The Wells Resource Area Wild Horse Amendment approved August 13, 1993, established the objective of 10 percent average use by wild horses on key forage species prior to entry by livestock on winter range so that grazing by both wild horses and livestock will not exceed the utilization objective established for the end of winter dormancy. The "Stipulation to Withdraw Appeals" of September 1991, included a light utilization prescription (35 percent) on white sage which applies to grazing through the end of winter dormancy. The revised utilization levels, coupled with the rotation cycle described in the grazing system, is expected to improve ecological conditions and wildlife habitat conditions.

3. Combine and modify the objectives for wildlife habitat and ecological status for key areas 1011 and 1012 to the following: The wildlife habitat objectives and ecological status objectives for key area 1012 will be combined and modified to be a desired plant community objective. The ecological status objective on key area 1011 will also be modified to be a desired plant community objective. The desired plant community objectives for each key area are expected to be achieved by 2005 (term of the Wells Resource Area RMP) and are outlined below:

Desired Plant Community Objectives	
Key Area	**Desired Plant Community**
KA-1011	Increase perennial grass composition from 1% to 3% or more** Maintain or increase perennial forb composition from 3% or more** Maintain or increase white sage composition at 53% or more.**
KA-1012	Increase perennial grass composition from 11% to 15% or more** Maintain or increase perennial forb composition at 4% or more** Maintain the percent composition of black sage at 55%**
** As measured by percent composition of dry weight	

Rationale: Halogeton, an undesirable invader species, currently makes up 41 percent of the plant community at key area 1011. There is sufficient desirable grasses to produce seed for new plant establishment and compete with halogeton. Grazing management actions described below should allow a modest increase in grass composition by 2005.

The plant community at key area 1012 also has openings for new plant establishment. Grazing management actions described below should allow desirable grasses to increase by 2005.

The Wells Resource Area will continue to monitor the allotment. The monitoring data will be reevaluated according to the Wells Resource Area allotment evaluation schedule.

Appendix A outlines the multiple use objectives to be used in the next allotment evaluation.

In addition to the above described actions, it is my proposed decision to implement the management actions identified below for livestock management in the Antelope Valley Allotment. The management actions identified for livestock will be effective upon issuance of the Final Multiple Use Decision and subsequent appeal period.

LIVESTOCK GRAZING MANAGEMENT DECISION

1. **LIVESTOCK GRAZING SYSTEM:**

Continue to implement the interim livestock grazing system and associated stipulations outlined in the September 19, 1991 "Stipulation to Withdraw Appeals" (SWA) which includes use on the Antelope Valley Allotment within the Elko District in conjunction with the Chin Creek Allotment within the Ely District. The SWA includes a light prescription level of use (35 percent) on white sage, and water hauling as interim practices. The livestock grazing system and associated stipulations are described as follows:

ANTELOPE VALLEY USE AREAS			
Grazing Fee Year*	SOUTH PASTURE Ely District	NORTH PASTURE Ely District	ANTELOPE VALLEY Elko District
1994	3/1-3/31 11/1-1/15	4/1-5/31 1/16-2/28	*REST*
1995	*REST*	3/1-3/31 11/1-1/15	4/1-5/31 1/16-2/28
1996	4/1-5/31 1/16-2/28	*REST*	3/1-3/31 11/1-1/15
Repeat 3 year grazing cycle.			
* Fee year is March of one year through the end of February of the next year. Example is 3/1/94 - 2/28/95			

* The above grazing system results in each pasture receiving a complete rest during one out of three fee years (3/01 - 2/28) and grazing use during the critical growth period (i.e., after 4/1 is the critical growing period) one out of three years. This is due to the timing of the grazing fee year. For example, when a pasture is grazed from 11/1/94 - 1/15/95, the period of use for that same pasture is 4/1-5/31/96, therefore no use is scheduled during the 1995 fee year (3/1/95 - 2/28/96).

Cattle #'s	FEE YEAR	AUMs
718	1994	-0-
718	1995	2,517
718	1996	2,512

Deviations in the grazing system and livestock numbers, etc. will be allowed by the BLM to meet the needs of the resources and the permittee as long as these deviations are consistent with attainment of the multiple use objectives. Deviations will require a written application and written authorization/license from the Wells Resource Area Manager prior to grazing use. The request must be applied for in writing, at least five working days prior to the proposed implementation date. The BLM will respond to such an application within five working days of receipt.

Rationale: Livestock grazing during the critical growth period of key forage plants will be limited to one year during the three year grazing cycle. Grazing during the other two years will end by March 31 which is the beginning of significant critical growth. This change to less frequent livestock grazing during the critical growth period of key forage plants and a light grazing use prescription should provide more opportunities for the establishment of new plants towards a more diverse plant community, as well as increase production of existing plants. Poor forage diversity is the most limiting factor on antelope seasonal range within the Antelope Valley Allotment. An improvement of the overall average percent forb and grass composition will significantly improve habitat conditions and facilitate attainment of big game habitat objectives.

2. **LIVESTOCK GRAZING PREFERENCE:**

Adjust active use (AUMs) to the maximum level that will be authorized during the grazing fee year (3/01 - 2/28) based on the grazing system described above as follows:

Permittee	No.	Kind	%PL	Active	Suspend	Nonuse
Reed Robison	718	C	100	2,517	130	2,555(CP)
(CP) Nonuse for Conservation and Protection of Federal Range						

Rationale: Adjusting active preference to this level will be consistent with the grazing system outlined in the "Stipulation to Withdraw Appeals". In addition, adjusting active use to this level appears to be consistent with the best available studies data. However, a conclusion about carrying capacity based on utilization and actual use requires additional information. Therefore, the livestock grazing levels outlined in the September 1991 "Stipulation to Withdraw Appeals", will establish the level of authorized livestock use until additional monitoring information is available to support further adjustments of the carrying capacity. Active preference is based on the number of AUMs that will be licensed during the fee year. However, the AUMs that are scheduled for any one pasture during the grazing season (11/1 - 5/31) will be 1,794 AUMs for winter use and 1,440 AUMs for spring use.

3. **TERMS AND CONDITIONS WILL BE AS FOLLOWS:**

(a) Supplemental feeding is limited to salt, mineral and/or protein supplements in block, granular or liquid form. Such supplements will be placed at least 1/4 mile from live waters (springs, streams, and troughs).

Rationale: Placement of salt and other supplements should be used to encourage more even distribution of livestock.

(b) The livestock actual use report (form 4130-5) will be turned in within 15 days after completing annual grazing use.

Rationale: The prompt submission of the permittee's actual use is important to determine carrying capacity in the future and whether suspended AUMs and/or AUMs placed in non-use for conservation and protection of Federal Range can be activated.

(c) All range improvements will be maintained/repaired prior to livestock turn out.

Rationale: Maintaining and repairing range improvements will facilitate livestock management and distribution in the Antelope Valley Allotment.

4. **THE PERMITTEE WILL BE REQUIRED TO HAUL WATER DURING THE CRITICAL GROWING PERIOD AND DURING ESPECIALLY DRY PERIODS AS OUTLINED IN THE SWA OF SEPTEMBER 19, 1991, FOR THE ANTELOPE VALLEY ALLOTMENT AT BUREAU DESIGNATED HAUL SITES ON THE UPPER VALLEY BENCHES UNTIL PERMANENT WATER SOURCES ARE DEVELOPED.**

Rationale: Livestock grazing in Antelope Valley is often dependent on the presence of snow to facilitate better livestock distribution. Hauling water, during dry periods, will allow the grazing system to be followed more consistently. It will also draw livestock away from the heavily used existing water sources and valley bottoms, and promote more even grazing of the allotment.

5. **ADMINISTRATION AND MANAGEMENT OF THE ANTELOPE VALLEY ALLOTMENT: Enter into an inter-district agreement which will permit the Ely District to license livestock use in the Antelope Valley Allotment, and cooperate on the development of an AMP which will include this allotment. The Ely District will provide copies of licenses and actual use reports to the Elko District. The Ely District will consult with the Elko District if changes to the established management are proposed. The Elko District, Wells Resource Area will continue to administer all other aspects of livestock administration and other resources.**

Rationale: The current livestock permittee also licenses with the Ely District and has requested that one district be responsible for all of his licensing. It will be more efficient for the permittee to license in one district only.

6. **DEVELOP ADDITIONAL PERMANENT WATER RESOURCES WITHIN THE EASTERN HALF OF THE ALLOTMENT WHERE NECESSARY AND FEASIBLE. WATER WELLS WILL BE THE PREFERRED METHOD.**

Rationale: Developing permanent water within the eastern half of the allotment will improve livestock distribution by encouraging cattle use away from the bottoms of the valley. This water will also be available for wildlife and wild horses while livestock are in the allotment. Water will be left in troughs/storage tanks when cattle are removed from the allotment. Water wells are preferred because they provide a higher degree of control over the availability of water and localized grazing pressure.

7. **EXTEND THE FENCE, LOCATED ON THE ELKO/WHITE PINE COUNTY LINE, TO THE WEST. THIS WILL BE A LET-DOWN FENCE.**

Rationale: The fence extension will stop any cattle drift from White Pine County into the southern part of the allotment. No fence will be built until permanent water is developed in the Antelope Valley Allotment. The let-down type of fence will be used to reduce obstacles to wild horse movements when livestock are not present. The BLM will be responsible for placing the fence up prior to livestock turnout and taking down the fence after livestock removal.

8. **EXTEND THE FENCE AT KINGSLEY POINT. THIS WILL BE A LET-DOWN FENCE.**

Rationale: This fence will stop cattle drift in the northern part of the allotment. The let-down type of fence will be used to reduce obstacles to wild horse movements when livestock are not present. The BLM will be responsible for placing the fence up prior to livestock turnout and taking down the fence after livestock removal.

9. **RECONSTRUCT THE EXISTING WHITEHORSE PIPELINE.**

Rationale: Upgrading the Whitehorse pipeline will provide permanent water in the northern part of the Antelope Valley Allotment for livestock, wild horses, and wildlife. Water availability will be limited in the summer, due to the fact that the Whitehorse Pipeline would be the only source of water in the Antelope Valley Allotment.

10. **FENCE MODIFICATIONS.**
Identify and prioritize needed fence modifications through development of the Spruce/Goshute Habitat Management Plan (HMP) scheduled for completion in 1995/1996, or sooner if the need or opportunity arises. Fence modifications will also be identified in the Chin Creek AMP.

Rationale: Completion of these projects will help achieve the multiple use objectives identified for the Antelope Valley Allotment.

11. **ANTELOPE KIDDING AREAS**
Ensure that the impacts of proposed management actions on antelope kidding areas are considered prior to their implementation.

Rationale: Successful kidding is necessary for a healthy, productive herd. Disturbing antelope on the kidding areas may result in a lower recruitment rate.

12. **CONSTRUCT AN EXCLOSURE TO HELP DETERMINE IF THE WHITE SAGE COMMUNITIES REPRESENTED BY KEY AREA 1011 HAVE THE CAPABILITY TO ACHIEVE DPC OBJECTIVES**

Rationale: A fenced area which excludes livestock and wild horse grazing will serve as a comparison area to determine the range site potential for attainment of the DPC objectives under proposed grazing management.

Authority for the actions described in this proposed decision is found in 43 CFR 4100.0-8, 4120.3-1, 4130.1-1(b), 4130.6, 4130.6-1, 4130.6-2, 4130.6-3, and 4160.1-1.

If you wish to protest this proposed decision in accordance with 43 CFR 4160.2, you are allowed 15 days from receipt of this notice within which to file such a protest with the Wells Area Manager, Elko District, Bureau of Land Management, P.O. Box 831, Elko, Nevada 89803.

A protest may be made either in person or in writing to the Wells Area Manager, and shall specify the reasons why you think the proposed decision is in error.

WILD HORSE AND BURRO MANAGEMENT DECISION

It has been determined through monitoring that in order to maintain a thriving ecological balance for that portion of the Antelope Valley Herd Management Area (HMA) which occurs in the Antelope Valley Allotment, it is necessary to implement the following actions:

1. **Reduce wild horses in the Antelope Valley HMA to initial herd size of 240 head as per the RMP amendment.**

Rationale: The only way to achieve initial AML within the allotment is to reduce horses in the HMA.

2. **Establish a wild horse Appropriate Management Level (AML). Establish an AML of 10 wild horses for an average of 9 months in the Antelope Valley Allotment.**

Rationale: Wild horses use the Antelope Valley Allotment for approximately 9 months per year. They are in the allotment as long as there is water available and this seems to be the limiting factor. There can be as many as 35 horses in the allotment in the spring and as few as zero in mid summer. All available data indicates that when there are between 5-10 horses in the allotment, utilization levels are at or below the objective levels of 10 percent prior to livestock entry. The entire Antelope Valley Allotment, with the exception of the east side of the Kingsley Mountains, is considered winter use by horses.

All available data indicates that only 4.1 percent of the Antelope Valley HMA herd utilize the Antelope Valley Allotment throughout the year. When the herd size in the HMA is reduced to initial herd size of 240, then approximately 10 horses may be using the allotment at any given time (4.1 percent of 240), and this amounts to 90 AUMs (10 horses x 9 months).

3. **Establish new key areas/continue to gather data on wild horse use. Establish key areas on the upland sites such as the south end of White Horse Mountain and the east side of Antelope Valley.**

Continue to gather wild horse distribution and utilization data on the existing key areas in the Antelope Valley Allotment, to assist in the next allotment evaluation to determine attainment of multiple use objectives.

Rationale: The current key areas are confined to the valley bottom and may not be representative of all the sites used by wild horses.

Data is limited on wild horse use in the Antelope Valley Allotment. Utilization needs to be read prior to livestock turnout and after livestock come off each year to determine if a thriving natural ecological balance is being maintained between wild horses and other resource users.

4. **Construct the Antelope Water Catchment for wild horses**

Rationale: Construction of the water catchment will be evaluated after other water sources are developed.

Authority for the actions described in this proposed decision is found in Section 3 (a) and (b) of the Wild Free-Roaming Horse and Burro Act, as amended, and 43 CFR Parts 4700.0-6(a), (c), and (d), 4710.4, and 4720.1.

In accordance with 43 CFR 4770.3(a) which states in part:

> "Any person who is adversely affected by a decision of the authorized officer in the administration of these regulations may file an appeal. Appeals must be filed within 30 days of receipt of the decision in accordance with 43 CFR Part 4, subpart E."

Although these regulations do not provide for a protest, for the purpose of consistency, this Multiple Use Decision is issued as a Proposed Decision. Subsequent to the protest period (15 days from receipt of the proposed decision), a Final Decision will be issued. Therefore, should you wish to protest this decision, you are allowed fifteen (15) days, from receipt, to file your reasons as to why the proposed decision is in error with the Wells Resource Area Manager, Bureau of Land Management, P.O. Box 831, Elko, Nevada, 89803.

Sincerely yours,

BILL BAKER, Manager
Wells Resource Area

Enclosure: Appendix A

cc: Nevada Division of Wildlife
Humane Society-US
Animal Protection Institute
Natural Resources Defense Council
Kenneth Jones
Ely District Schell Resource Area
Commission for the Preservation of Wildhorses
Von Sorenson
Kathryn Cushman
HTT Resources
U.S. Fish and Wildlife Service
Federal Land Bank
Metta Richins
Holtz Inc.
Rose Strickland
Nevada Department of Agriculture
The Nature Conservancy
Wild Horse Organized Assistance
Wells Resource Area Grazing Association
Rutgers Law School
American Horse Protection

APPENDIX A

The following objectives will be used in the next allotment evaluation:

Allotment Management Objectives

1. **General Allotment Objectives Listed in the Wells Rangeland Program Summary:**

   A. Provide forage to sustain 5,072 AUMs for livestock grazing.

   B. Periodically evaluate the monitoring data for the allotment to reinstate 130 AUMs of suspended non-use when they become available.

   C. Improve or maintain all seasonal big game habitat in the Antelope Valley Allotment to good or excellent condition to provide forage and habitat capable of supporting the following reasonable numbers:

      51 mule deer; 64 AUMs
      22 pronghorn antelope; 53 AUMs

   D. Facilitate big game movements by modifying 2.6 miles of existing fences in the Antelope Valley Allotment to Bureau standards.

   E. Manage for a wild horse herd size which will maintain a thriving natural ecological balance consistent with other multiple uses while remaining within the wild horse herd boundary.

   F. Construct the "Antelope Water Catchment" for wild horses.

2. **Activity Plan Objectives**

   An interim grazing system has been developed for the allotment via the "Stipulation to Withdraw Appeals". An AMP or Habitat Management Plan has not yet been developed for the allotment. A Wild Horse Herd Management Area Plan has been developed for the Antelope Valley Herd Management Area.

   A. **AMP - None**

   B. **Herd Management Area Plan Objectives**

      1. Multiple Use: The objective in the Antelope Valley HMA is to maintain a healthy, viable population of wild horses in a thriving natural ecological balance with all other resources and users.

      2. Appropriate Management Level (AML): When the allotment evaluations are complete (prior to 1994), a total AML for the HMA will be determined. The number of horses will be maintained within $\pm$ 15 percent of AML.

         AML will be maintained using one or more of the following options: periodic removals with no selectivity, selective removals targeting specific age groups, or fertility control. The objective of the selective removals and fertility control is to decrease the reproductive rate in the wild horse population so removals are not necessary more than once every four years.

The reproductive rate is now at 18 percent annually; the objective is to reduce the rate by 10 percent.

3. Free-Roaming Characteristics: The wild horses within the Antelope Valley HMA will be managed in a manner to maintain their wild and free-roaming characteristics.

4. Coloration and Conformation: The wild horses within the Antelope Valley HMA which exhibit the "Spanish Barb" characteristics will be maintained within the population. Fertility control treatments and or removals in the future will exclude those horses that obviously exhibit those traits. No other characteristics or conformations will be selected. Only those animals with gross deformities or disease will be eliminated from the herd.

3. Key Area Objectives

The wildlife habitat objectives and ecological status objectives for KA-1012 will be combined and modified to be a desired plant community objective. The ecological status objective on KA-1011 will also be modified to be a desired plant community objective. The desired plant community objectives for each key area are expected to be achieved by 2005 and are outlined below:

Desired Plant Community Objectives	
Key Area	**Desired Plant Community**
KA-1011	Increase perennial grass composition from 1% to 3% or more** Maintain or increase perennial forb composition from 3% or more** Maintain or increase white sage composition at 53% or more.**
KA-1012	Increase perennial grass composition from 11% to 15% or more** Maintain or increase perennial forb composition at 4% or more** Maintain the percent composition of black sage at 55%**
** As measured by percent composition of dry weight	

Key Area Objectives			
Key Area	**Key Species**	**Utilization[1]**	**Utilization[2]**
KA-1011	Indian Ricegrass (ORHY) White Sage (EULA5)	55%* 35%*	35%* 25%*
KA-1012	Indian Ricegrass (ORHY) Bluegrass (POA++) White Sage (EULA5)	55%* 55%* 35%*	35%* 35%* 25%*

1. Manage for a maximum average combined utilization by livestock and wild horses on previous years growth at 55 percent on key grass species and 35 percent on white sage by the end of winter dormancy. Combined use not to exceed 60 percent on key grass species and 50 percent on key shrub species in any one year.

2. Manage for a maximum use of current years growth at 35 percent on key grass species and 25 percent on white sage by the end of the spring use period for livestock (i.e. at the end of grazing).

(*) In areas grazed in common by wild horses and livestock, manage for an average of 10 percent use on key forage species by wild horses prior to entry by livestock on winter range.