



Elko L 2/10/10

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Elko District Office

3900 Idaho Street

Elko, Nevada 89801-4211

http://www.blm.gov/nv/st/en/fo/elko_field_office.html



FEB 10 2010

In Reply Refer To:
4130 (LLNVE0300)

Dear Interested Public:

The Wells Field Office (F.O.) BLM has received an application to transfer grazing privileges on the Utah/Nevada North Allotment. A new applicant has purchased the base property associated with the grazing privileges on the Utah/Nevada North Allotment and has applied for a permit based on that preference.

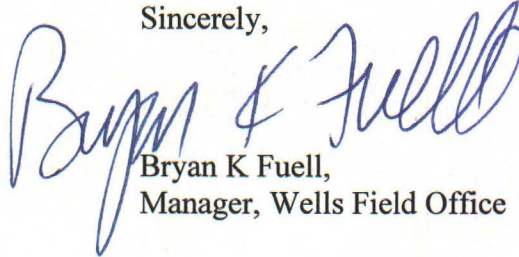
The Utah/Nevada North Allotment is a medium sized sheep grazing allotment located south of Wendover, Nevada. Livestock use on the Utah/Nevada North Allotment is governed by the Final Grazing Management Decision and Record of Decision for the Sheep Complex, Owyhee, and Big Springs Allotments dated 30 October 2006. The Allotment is grazed by sheep from November 1 to April 30 annually.

Based on the application, BLM proposes to offer the applicant a term grazing permit. The full permitted use of 3,704 AUMs, which includes 1,589 suspended AUMs, would be transferred (see enclosed map for allotment location) The expiration date of April 30, 2017 for this permit and the terms and conditions would be the same as the previous permit. The terms and conditions can be found on the enclosed "Acceptance of Terms and Conditions and Request for Grazing Permit" form.

The grazing regulations require the authorized officer to consult, cooperate, and coordinate (CCC) with affected permittees, the State agencies responsible for managing resources within the area, and the interested public prior to the issuance of grazing permits (43 CFR 4130.2(b)). Therefore, a copy of this letter is being sent to anyone who has expressed an interest in the Utah/Nevada North Allotment. **The interested public is being asked to provide comment, if any, by February 26, 2010.**

If you have any questions about this matter, please contact Bruce Thompson, at (775) 753-0200. If you would prefer to discuss this matter in person, please call to set up an appointment with us so that we may respond to any questions you may have.

Sincerely,



Bryan K Fuell,
Manager, Wells Field Office

Enclosures: as stated above

cc:

American Horse Protection Assoc.
Anna Charlton-Animal Rights Law
Center
Andrea Lococo
Animal Welfare Institute
Animal Protection Institute of
America
Animal Welfare Institute
Barbara Warner
Kyle Bateman
Bobbi Royle
Wesley Bowlen
Wilde Brough
Citizens Against Recreation
Eviction, USA
Chournos, Inc.
Ms. Sharon Crook
Kathryn Cushman
Defense for Animals
Craig Downer
Elnoma Reeves
Elko Board of County
Commissioners
Friends of Nevada Wildlife
Friends of Nevada Wilderness
(Reno)
Steve Fulton
Hawkwatch International, Inc.
Martah Hoots
Darynne Jessler
Karen Klitz
Donald Molde
RC McClymonds

Tina Nappe
National Wild Horse Association
National Mustang Assoc. Inc.
Natural Resources Defense Council
John Neff
Nevada Cattlemen's Assoc.
Nevada Commission for the
Nevada High Country Tours
Nevada Outdoor Recreation
Association
Preservation of Wild Horses
Nevada Department of Wildlife
Nevada Department of Agriculture
Nevada Farm Bureau Federation
Nevada State Clearinghouse
Patricia and Lana Paul
Red Rock Audubon Society
Resource Concepts Inc.
Public Lands Foundation
Jeffrey O. Roche
Roger Scholl
Sierra Club (Washington D.C.)
Sierra Club (Toiyabe Chapter Atten:
Rose Strickland)
Sierra Club (Toiyabe Chapter Atten:
Marjorie Sill)
Karen A Sussman
Sustainable Grazing Coalition
The Fund for Animals, Inc
U.S. Fish and Wildlife Service
Nora and Charles Watson
Western Watersheds Project
Wild Horse Observers Assoc

Wild Horse Organized Assistance
Wild Horse Preservation League
Wild Horse Sanctuary
Wild Horse Spirit

Wilderness Impact Research
Foundation
Kenny Merkley

ACCEPTANCE OF TERMS & CONDITIONS and
REQUEST FOR GRAZING PERMIT

I, _____, agree to accept the Terms & Conditions listed below and request that we be offered a Grazing Permit to graze the allotment in which we have a grazing preference.

Proposed Terms & Conditions

<i>Allotment</i>	<i>Livestock Number & Kind</i>	<i>Begin Period</i>	<i>End Period</i>	<i>% PL</i>	<i>Type Use</i>	<i>AUMs</i>
Utah/Nevada North	1,777 Sheep	11/1	2/28	100	Active	1,591
Utah/Nevada North	1,777 Sheep	3/1	3/31	100	Active	362
Utah/Nevada North	1,777 Sheep	4/1	4/30	100	Active	351

Terms and Conditions:

AUTHORIZED GRAZING USE WILL BE IN ACCORDANCE WITH THE ASSISTANT FIELD MANAGER'S FINAL MULTIPLE USE DECISION (FMUD) DATED OCTOBER 25, 2001 AS MODIFIED BY THE FINAL GRAZING MANAGEMENT DECISION AND RECORD OF DECISION FOR THE SHEEP COMPLEX, BIG SPRINGS, AND OWYHEE GRAZING ALLOTMENTS DATED OCTOBER 30, 2006.

1,589 AUMS WILL HELD IN SUSPENSION UNTIL SHORT TERM OBJECTIVES ARE MET AND MONITORING SHOWS THE ABILITY OF THE VEGETATIVE RESOURCES TO SUSTAIN ADDITIONAL GRAZING USE (E.G. DURING DROUGHT), AS THESE APPLY TO EACH ALLOTMENT.

THE SHORT TERM OBJECTIVES WILL ALSO BE USED TO DETERMINE THE SUSTAINABILITY OF EXISTING USE AND NON-ATTAINMENT OF THESE OBJECTIVES WILL RESULT IN ADJUSTMENT OF AUTHORIZED USE DOWNWARD WITH REDUCED AUMS GOING INTO SUSPENSION. THE AUMS IN SUSPENSION WILL BE RESTORED WHEN SHORT-TERM OBJECTIVES ARE ACHIEVED IN ALL YEARS OF A GRAZING ROTATION CYCLE (I.E., ONE TO FOUR YEARS, DEPENDING ON THE ALLOTMENT). THE AUMS WILL BE RESTORED AT A RATE TO BE DETERMINED BY UTILIZATION GOALS AND OBJECTIVES, BUT NOT BEYOND THE INCREASES SUGGESTED BY THE FMUD CARRYING CAPACITY CALCULATIONS.

IF, FOLLOWING, THE INCREASE IN AUMS, THE SHORT-TERM OBJECTIVES ARE AGAIN EXCEEDED, OR IF SHORT-TERM OBJECTIVES ARE NOT ACHIEVED DURING THE INITIAL CYCLE AND LIVESTOCK ARE DETERMINED TO BE THE CAUSAL FACTOR USE WILL BE REDUCED EQUIVALENT TO THE CHANGE SUGGESTED BY THE CARRYING CAPACITY CALCULATIONS FOR THE SPECIFIC KEY AREA WHERE THE OBJECTIVES ARE NOT BEING MET (I.E., THE KEY AREA UTILIZATION VALUES WILL NOT BE AVERAGED OVER THE ENTIRE USE AREA OR PASTURE, BUT WILL BE BASED ON THE KEY AREA OBJECTIVE(S) WHERE THE OBJECTIVES ARE NOT BEING ACHIEVED). THIS CALCULATION WILL BE USED TO SET THE ALLOWABLE AUMS FOR THE ENTIRE PASTURE OR USE AREA.

AUTHORIZED USE WILL BE FROM 11/1 TO 4/30, WITH THE EXCEPTION OF THE MORGAN BASIN USE AREA. UNLESS SPECIFICALLY AUTHORIZED IN WRITING, NO GRAZING WILL BE ALLOWED IN THE MORGAN BASIN USE AREA.

USE FROM 4/1 TO 4/30 WILL ROTATE BETWEEN USE AREA A AND USE AREA B AS INDICATED BELOW.

YEAR 1 - USE AREA B

YEAR 2 - USE AREA A

YEAR 3 - REPEAT

GRAZING MANAGEMENT IN THE UTAH/NEVADA NORTH ALLOTMENT SHALL BE GOVERNED BY THE FOLLOWING SHORT TERM OBJECTIVES:

- MAXIMUM UTILIZATION OF 60% OF PREVIOUS YEAR'S GROWTH ON KEY HERBACEOUS SPECIES BY THE END OF THE GRAZING SEASON.
- MAXIMUM UTILIZATION OF 50% OF PREVIOUS YEAR'S GROWTH ON KEY SHRUB SPECIES (SUCH AS BLACK SAGEBRUSH), BY THE END OF THE GRAZING SEASON.
- MAXIMUM UTILIZATION OF 30% OF CURRENT YEAR'S GROWTH ON SALT DESERT SHRUB AND OTHER KEY SHRUBS (SUCH AS BLACK SAGEBRUSH) AND 50% ON KEY HERBACEOUS SPECIES IN SPRING USE AREAS, BASED ON CURRENT YEAR'S GROWTH AT THE END OF SPRING USE.

THE LIVESTOCK PERMITTEE IS EXPECTED TO MOVE THEIR LIVESTOCK SO AS TO NOT EXCEED ESTABLISHED UTILIZATION OBJECTIVES FOR PREVIOUS YEAR'S GROWTH ON FALL AND WINTER USE AREAS, AND ESTABLISHED UTILIZATION OBJECTIVES FOR CURRENT YEAR'S GROWTH IN SPRING USE AREAS. THIS TERM AND CONDITION MODIFIES PERTINENT PORTIONS OF THE FMUD UNDER #3 TO CLARIFY THAT IT IS THE PERMITTEE'S RESPONSIBILITY TO MOVE LIVESTOCK.

IF BLM DETERMINES THAT OBJECTIVES ARE BEING APPROACHED AND WILL BE EXCEEDED BEFORE THE SCHEDULED LIVESTOCK REMOVAL DATE, THE PERMITTEE WILL BE NOTIFIED AND WILL HAVE 5 CALENDAR DAYS TO REMOVE LIVESTOCK TO OTHER AREAS NOT HAVING APPROACHED OBJECTIVE LEVELS, OR REMOVE LIVESTOCK FROM THE ALLOTMENT.

IF OBJECTIVE USE LEVELS ARE EXCEEDED, SCHEDULED OFF DATES WILL BE ADJUSTED THE FOLLOWING YEAR TO MARCH 31, AND REMAIN IN EFFECT UNTIL MONITORING FOR ONE COMPLETE GRAZING ROTATION CYCLE INDICATES INCREMENTAL EXTENSIONS OR FURTHER REDUCTIONS IN PERIOD OF USE ARE WARRANTED. THIS MODIFIES THE PERTINENT PORTION OF DECISION #4 AND THIS TERM AND CONDITION TO DECISION #5 FOUND ON PAGES 27-28 OF THE SHEEP ALLOTMENT COMPLEX FMUD.

DROUGHT CLOSURES DECISIONS WERE ISSUED IN 2003. ALLOTMENTS OR

PORTIONS OF ALLOTMENTS THAT CONTINUED TO BE CLOSED AS OF THE DATE OF THIS DECISION DUE TO DROUGHT WILL BE MANAGED WITH THE FOLLOWING CRITERIA UPON REOPENING AND THE FIRST 5 YEARS AFTER REOPENING: IF THE UTILIZATION OBJECTIVES ARE EXCEEDED BY ONE OR MORE UTILIZATION CLASS IN AN USE AREA OR PASTURE, THAT USE AREA OR PASTURE WILL BE RESTED THE FOLLOWING YEAR.

NO LIVESTOCK GRAZING WILL BE PERMITTED WITHIN 1/4 MILE OF SEEP OR SPRINGS OR ALONG RIPARIAN AREAS UNTIL RIPARIAN PROJECTS ARE CONSTRUCTED OR UNTIL PROPER FUNCTIONING CONDITION (PFC) OF THE RIPARIAN AREAS IS ATTAINED.

SHEEP CAMPS WILL ONLY BE LOCATED IN AREAS APPROVED BY THE AUTHORIZED OFFICER.

SHEEP BEDDING AREAS WILL ONLY BE LOCATED IN AREAS APPROVED BY THE AUTHORIZED OFFICER. SHEEP MAY NOT BE BEDDED IN THE SAME LOCATION MORE THAN 7 CONSECUTIVE DAYS BEFORE BEING MOVED. ONCE MOVED, THE NEXT BEDDING AREA MAY NOT BE WITHIN 1/4 MILE OF THE LAST BEDDING AREA.

THE PERMITTEE WILL SUBMIT A GRAZING APPLICATION TO THE ELKO FIELD OFFICE PRIOR TO THE START OF EACH GRAZING YEAR DESCRIBING PLANNED USE WITHIN EACH USE AREA. PLANNED USE WILL BE REVIEWED IN RELATION TO ACTIVE PREFERENCE.

ACTUAL USE REPORTS WILL BE SPECIFIC TO SHEEP CAMP/BEDDING AREAS WITHIN USE AREAS.

ACTUAL USE REPORT WILL BE SUBMITTED TO THE ELKO FIELD OFFICE WITHIN 15 DAYS AFTER COMPLETING ANNUAL USE.

PAYMENT OF GRAZING FEES WILL BE MADE PRIOR TO LIVESTOCK TURNOUT.

NO SHEEP CAMPS WILL BE LOCATED IN WILDERNESS STUDY AREAS (WSA'S) OR AREA OF CRITICAL ENVIRONMENTAL CONCERN (ACEC).

NO WATER HAULING OR PLACEMENT OF TROUGHS IS ALLOWED INSIDE THE BOUNDARIES OF THE BLUEBELL AND GOSHUTE PEAK WSA'S.

ALL RANGE IMPROVEMENTS WILL BE MAINTAINED/REPAIRED BY THE PERMITTEE PRIOR TO LIVESTOCK TURNOUT AND THROUGHOUT THE GRAZING SEASON IN ACCORDANCE WITH RANGE IMPROVEMENT AUTHORIZATION PERMITS.

THE NUMBERS OF LIVESTOCK TO BE GRAZED WILL REMAIN FLEXIBLE ACCORDING THE NEEDS OF THE PERMITTEE. THE GRAZING SYSTEM IS BASED ON THE NUMBER NUMBER OF AUMS THAT MAY BE REMOVED FROM EACH PASTURE/USE AREA. LIVESTOCK NUMBERS AND PERIODS OF USE WILL BE APPLIED FOR ON AN ANNUAL BASIS. DEVIATIONS BEYOND THE FLEXIBILITY DESCRIBED ABOVE MAY BE ALLOWED TO MEET THE NEEDS OF THE RESOURCES AND THE PERMITTEES AS LONG AS THESE DEVIATIONS ARE CONSISTENT WITH MULTIPLE USE OBJECTIVES.

DEVIATIONS BEYOND THE LIMITS OF THE FLEXIBILITY OUTLINED ABOVE, INCLUDING DEVIATIONS IN THE TURNOUT DATE, INCREASES IN LIVESTOCK NUMBERS AND DEVIATION FROM THE GRAZING SYSTEM, WILL REQUIRE AN APPLICATION, AND WRITTEN AUTHORIZATION FROM THE ASSISTANT FIELD MANAGER FOR RENEWABLE RESOURCES PRIOR TO GRAZING USE.

ALL HAY FOR THE USE IN AND AROUND SHEEP CAMPS MUST BE CERTIFIED WEED FREE PRIOR TO LIVESTOCK TURNOUT.

PURSUANT 43 CFR 10.4(g) THE HOLDER OF THIS AUTHORIZATION MUST NOTIFY THE AUTHORIZED OFFICER, BY TELEPHONE, WITH WRITTEN CONFIRMATION IMMEDIATELY UPON THE DISCOVERY OF HUMAN REMAINS, FUNERARY ITEMS, SACRED OBJECTS, OR OBJECTS OF CULTURAL PATRIMONY. FURTHER, PURSUANT TO 43 CFR 10.4(c) AND (d), YOU MUST STOP ACTIVITIES IN THE IMMEDIATE VICINITY OF THE DISCOVERY AND PROTECT IT FROM YOUR ACTIVITIES FOR 30 DAYS OR UNTIL NOTIFIED TO PROCEED BY THE AUTHORIZED OFFICER.

THE TERMS AND CONDITIONS OF YOUR PERMIT MAY BE MODIFIED IF ADDITIONAL INFORMATION INDICATES THAT REVISION IS NECESSARY TO CONFORM TO 43 CFR 4180.

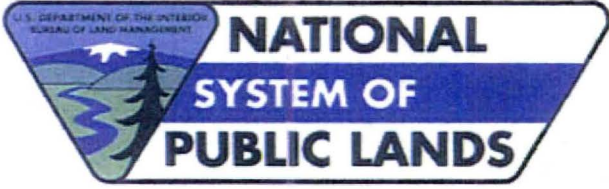
SUPPLEMENTAL FEEDING IS LIMITED TO SALT, MINERAL, AND/OR PROTEIN SUPPLEMENTS IN BLOCK, GRANULAR OR LIQUID FORM. SUCH SUPPLEMENTS MUST BE PLACED AT LEAST 1/4 MILE FROM LIVE WATERS (SPRINGS, STREAMS), TROUGHS, WET OR DRY MEADOWS, AND ASPEN STANDS.

ALL RIPARIAN ENCLOSURES, INCLUDING SPRING DEVELOPMENT ENCLOSURES, ARE CLOSED TO LIVESTOCK USE UNLESS SPECIFICALLY AUTHORIZED IN WRITING. PAYMENT OF GRAZING FEES IS DUE ON OR BEFORE THE DUE DATE SPECIFIED ON THE GRAZING BILL. FAILURE TO PAY THE GRAZING BILL WITHIN 15 DAYS OF THE DUE DATE SPECIFIED ON THE BILL SHALL RESULT IN A LATE FEE ASSESSMENT OF \$25.00 OR 10 PERCENT OF THE GRAZING BILL, WHICHEVER IS GREATER, BUT NOT TO EXCEED \$250.00.

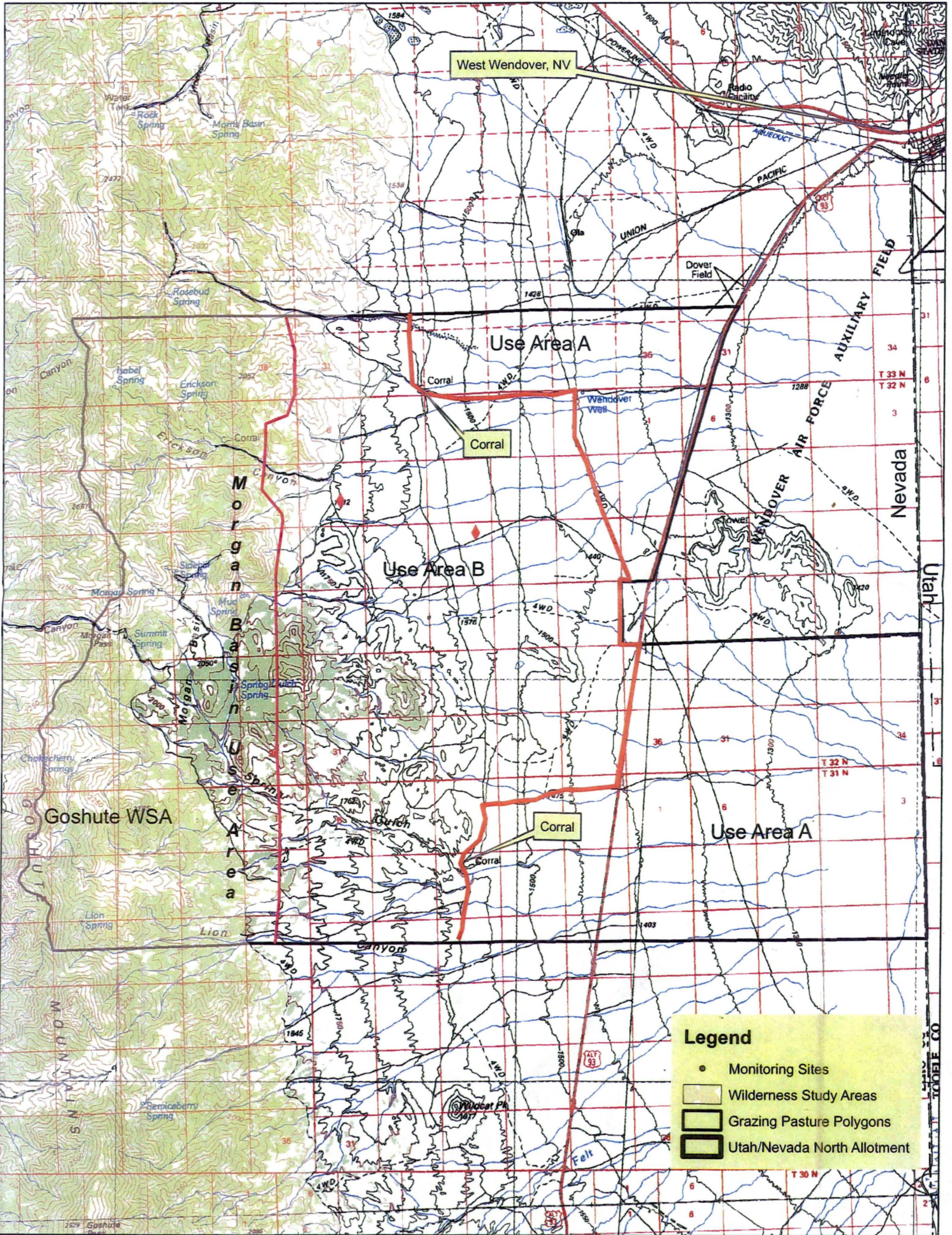
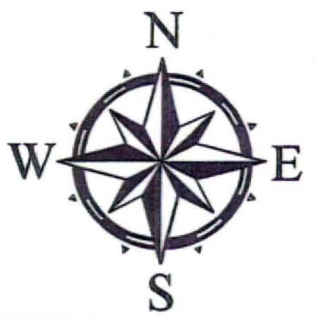
The term of this permit would be from March 1, 2010 to April 30, 2017.

Signed: _____

Date: _____

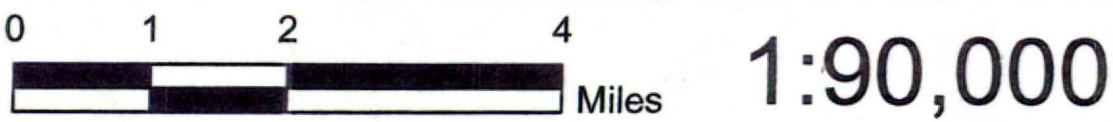


Utah/Nevada North Allotment



Legend

- Monitoring Sites
- Wilderness Study Areas
- Grazing Pasture Polygons
- Utah/Nevada North Allotment



Data published in:
North American Datum 1983 (NAD83)
UTM coordinates, Zone 11, meters

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