

**U.S. Department of the Interior  
Bureau of Land Management**

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**Proposed Decision**

(DOI-BLM-NV-045-2009-0012-EA)

July 13, 2009

James L. Wadsworth Term Permit Renewal  
on the  
Warm Springs Allotment

*Lincoln County, Nevada*

U.S. Department of the Interior  
Bureau of Land Management  
Caliente Field Office  
Phone: (775) 726-8100  
Fax: (775) 726-8111

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# United States Department of the Interior



## BUREAU OF LAND MANAGEMENT

Caliente Field Office

P.O. Box 237 (1400 South Front St.)

Caliente, Nevada 89008 - 0237

[http://www.blm.gov/nv/st/en/fo/ely\\_field\\_office.html](http://www.blm.gov/nv/st/en/fo/ely_field_office.html)

In Reply Refer to:  
4110 (NVL0300)

## PROPOSED DECISION

James L. Wadsworth Term Permit Renewal  
on the Warm Springs Allotment

### Background Information

On June 23, 2009 the Finding of No Significant Impact (FONSI) for the James L. Wadsworth term permit renewal on the Warm Springs Allotment was signed. The Environmental Assessment (DOI-BLM-NV-045-2009-0012-EA), Finding of No Significant Impact (FONSI) and Standards Determination Documents are contained herein. This proposed decision is issued in accordance with 43 CFR § 4160.1.

This decision complies with BLM Nevada Instruction Memorandum (IM) No. NV-2006-034 which provides guidance to facilitate the preparation of grazing permit renewal Environmental Assessments (EAs) as per the requirement set forth in BLM Washington Office IMs WO 2003-071 and WO 2004-126.

The proposed action is in conformance with the Ely District Record of Decision and Approved Resource Management Plan dated August 20, 2008. The proposed action is specifically provided for in the following Management Decisions: “LG-1: Make approximately 11,246,900 acres and 545,267 animal unit months available for livestock grazing on a long-term basis. LG-5: Maintain the current preference, season-of-use, and kind of livestock until the allotments that have not been evaluated for meeting or making progress toward meeting the standards or are in conformance with the policies are evaluated. Depending on the results of the standards assessment, maintain or modify grazing preference, seasons-of-use, kind of livestock, and grazing management practices to achieve the standards for rangeland health. Changes, such as improved livestock management, new range improvement projects, and changes in the amount and kinds of forage permanently available for livestock use, can lead to changes in preference, authorized season-of-use, or kind of livestock. Ensure changes continue to meet the RMP goals and objectives, including the standards for rangeland health.”

The proposed action, associated with EA DOI-BLM-NV-045-2009-0012-EA (EA), is to fully process and issue a new term grazing permit to James L. Wadsworth (#2703202) on the Warm Springs Allotment (#01080).

The current Term Grazing Permit for James L. Wadsworth has been issued for the period 03/01/08 – 02/28/2014. The Warm Springs Allotment encompasses approximately 1,401 acres of BLM managed lands. The new grazing permit will reflect terms and conditions in accordance with the EA.

Fully processing and renewing the term permit for James L. Wadsworth - to authorize grazing on the Warm Springs Allotment - provides for a legitimate multiple use of the public lands. The permit includes terms and conditions for grazing use that conform to Guidelines and will continue to achieve, or make progress toward achieving, the Standards for Nevada's Mojave-Southern Great Basin Area in accordance with all applicable laws, regulations, and policies; and in accordance with Title 43 CFR § 4130.2(a) which states in part, "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". This decision specifically identifies management actions and terms and conditions to be appropriate to achieve management and resource condition objectives. The proposed actions that were developed under this proposed decision execute management actions that would ensure that Standards for Rangeland Health and multiple use objectives continue to be met.

The Standards were assessed for the Warm Springs Allotment by a BLM interdisciplinary team consisting of rangeland management specialists, wildlife biologist, weeds specialist, and watershed specialist. Publications used in assessing and determining achievement of the Standards include: Ely Record of Decision and Approved Resource Management Plan (RMP); Sampling Vegetation Attributes; National Range and Pasture Handbook published by the Natural Resources Conservation Service (NRCS); Nevada Rangeland Monitoring Handbook; Utilization Studies and Residual Measurements; Nevada Plant List; Major Land Resource Area (MLRA 29) Rangeland Ecological Site Descriptions; Soil Survey of Meadow Valley Area, Nevada and Utah. These documents are available for public review at the Caliente Field Office during business hours.

Current monitoring data was reviewed and an assessment of the rangeland health was completed during the permit renewal process and a Standards Determination document was prepared (Appendix II of EA). These data are available for public review at the Caliente Field Office during business hours.

## Conclusions of the Standards Determination Document

The results of the findings, regarding the achievement or non-achievement of the Mojave-Southern Great Basin Area Standards for Rangeland Health for the aforementioned allotment are summarized in the following table.

ALLOTMENT	STANDARD	STATUS
Warm Springs	1. Soils	The standard is achieved.
	2. Ecosystem Components	The standard is achieved.
	3. Habitat and Biota Standard	The standard is achieved.

The data indicate that grazing is in conformance with all applicable Guidelines. As a result, no changes in the Terms and Conditions, related directly to grazing management, have been identified.

### Consultation and Coordination

A hard copy of the Preliminary EA was mailed to those interested publics who - for the 2009 calendar year - had requested it and who had expressed an interest in range management actions on the Warm Springs Allotment. Comments were received from James L. Wadsworth. Changes to the Preliminary EA were made as appropriate and were based upon relevant public input.

### LIVESTOCK MANAGEMENT DECISION

In accordance with 43 CFR §§ 4110.3 active use for the James L. Wadsworth Term Permit Renewal on the Warm Springs Allotment will remain unchanged according to the following:

ALLOTMENT		LIVESTOCK		GRAZING PERIOD		** % Public Land	AUMs		
Name	Number	* Number	Kind	Begin	End		Active Use	Hist. Susp. Use	Total Use
Warm Springs	01080	15	C	11/16	4/30	100	75	0	75

\* These numbers are approximate

\*\* This is for billing purposes only

The renewal of the term grazing permit will be for a period of up to 10 years. This decision will be effective upon the decision becoming final or pending final determination on appeal. If an associated base property is transferred during this ten year period - with no changes to the terms and conditions of the permit - the new term permit would be issued for the remaining period of the term permit. If a term permit is renewed during this ten year period - with no changes to the terms and conditions - the new term permit would be issued for the remaining period of the term permit.

The new term permit will include terms and conditions which further assist in achieving/maintaining the Standards and Guidelines for Grazing Administration and the other pertinent land use objectives for livestock use.

In accordance with 43 CFR §§ 4130.3, 4130.3-1 and 4130.3-2, the following will be included as terms and conditions in the term grazing permit for James L. Wadsworth on the Warm Springs Allotment.

**Standard Operating Terms and Conditions (Common to All Allotments):**

1. 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.
2. Deviations from specified grazing use dates will be allowed when consistent with multiple-use objectives. Such deviations will require an application and written authorization from the authorized officer prior to grazing use.
3. The authorized officer is requiring that an actual use report (form 4130-5) be submitted within 15 days after completing your annual grazing use.
4. The payment of your grazing fees is due on or before the date specified in the grazing bill. This date is generally the opening date of your allotment. If payment is not received within 15 days of the due date, you will be charged a late fee assessment of \$25 or 10 percent of the grazing bill, whichever is greater, not to exceed \$250. Payment with Visa, MasterCard or American Express is accepted. Failure to make payment within 30 days of the due date may result in trespass action.
5. Pursuant to 43 CFR 10.4 (G) the holder of this authorization must notify the authorized officer by telephone, with written confirmation, immediately upon discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (as defined at 43 CFR 10.2). 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.
6. Grazing use will be in accordance with the great basin area standards and guidelines for grazing administration. The Standards and Guidelines have been developed by the respective Resource Advisory Council and approved by the Secretary Of The Interior on February 12, 1997. Grazing use will also be in accordance with 43 CFR Subpart 4180 - Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration.
7. If future monitoring data indicates that Standards and Guidelines for Grazing Administration are not being met, the permit will be re-issued subject to revised terms and conditions.

8. The permittee must notify the authorized officer by telephone, with written confirmation, immediately upon discovery of any hazardous or solid wastes as defined in 40 CFR Part 261.
9. The permittee is responsible for all maintenance of assigned range improvements including wildlife escape ramps for both permanent and temporary water troughs.
10. When necessary, control or restrict the timing of livestock movement to minimize the transport of livestock-borne noxious weed seeds, roots, or rhizomes between weed-infested and weed-free areas.

The following Best Management Practices will also be included, as Other Terms and Conditions, in the term grazing permit for the James L. Wadsworth on the Warm Springs Allotment. Utilization objectives (allowable use levels or AULs), which are a quantification of the land use plan objectives, will be included as part of these Other Terms and Conditions.

### **Other Terms and Conditions**

1. Allowable Use Levels on current year's growth of upland vegetation (grasses, forbs and shrubs) within the Warm Springs Allotment – during the authorized grazing use period – will not exceed 45%.
2. Livestock will either be moved to another authorized pasture or removed from the allotment, whichever is applicable, before utilization objectives are met; or no later than 5 days after meeting the utilization objectives. Any deviation in livestock movement will require authorization from the authorized officer.
3. Salt and/or mineral supplements for livestock will be located no closer than 3/4 mile from existing water sources.
4. Water troughs
  - Place troughs connected with spring developments outside of riparian and wetland habitats to reduce livestock trampling damage to wet areas.
  - Control trough overflow at springs with float valves or deliver the overflow back into the native channel.

In relation to grazing, there would be no additional terms and conditions needed for management practices to conform to guidelines and achieve standards.

### **Rationale:**

A Summary of the Assessment of the Mojave-Southern Great Basin Area Standards for the Warm Springs Allotment is displayed in Table 1.1-1 of the Environmental Assessment.

On the Warm Springs Allotment, standards 1,2 and 3 are being met indicating that current grazing practices are acceptable.

**AUTHORITY:** The authority for this decision is contained in Title 43 of the Code of Federal Regulations (2004), which states in pertinent part(s):

§ 4110.3 Changes in Permitted Use

“The authorized officer shall periodically review the permitted use specified in a grazing permit or lease and shall make changes in the permitted 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 provisions of subpart 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 Grazing Permits and Leases

(a) States in part: “Grazing permits or leases shall be issued to qualified applicants to authorize use on the public lands and other lands administered by 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 ensure conformance with the provisions of subpart 4180 of this part.”

§ 4130.3-1 Mandatory terms and conditions.

(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.

(b) All permits and leases shall be made subject to cancellation, suspension, or modification for any violation of these regulations or of any term or condition of the permit or lease.

(c) Permits and leases shall incorporate terms and conditions that ensure conformance with subpart 4180 of this part.”

§ 4130.3-2 Other Terms and Conditions

“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 Proposed Decisions

- (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.
- (b) Proposed decisions shall state the reasons for the action and shall reference the pertinent terms, conditions and the provisions of applicable regulations. As appropriate, decisions shall state the alleged violations of specific terms and conditions and provisions of these regulations alleged to have been violated, and shall state the amount due under §§ 4130.8 and 4150.3 and the action to be taken under § 4170.1.
- (c) The authorized officer may elect not to issue a proposed decision prior to a final decision where the authorized officer has made a determination in accordance with § 4110.3-3(b) or § 4150.2(d).”

§ 4180.1 Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration.

“The authorized officer shall take appropriate action under subparts 4110, 4120, 4130, and 4160 of this part as soon as practicable but not later than the start of the next grazing year upon determining that existing grazing management needs to be modified to ensure that the following conditions exist.

- (a) Watersheds are in, or are making significant progress toward, properly functioning physical condition, including their upland, riparian-wetland, and aquatic components; soil and plant conditions support infiltration, soil moisture storage, and the release of water that are in balance with climate and landform and maintain or improve water quality, water quantity, and timing and duration of flow.
- (b) Ecological processes, including the hydrologic cycle, nutrient cycle, and energy flow, are maintained, or there is significant progress toward their attainment, in order to support healthy biotic populations and communities.
- (c) Water quality complies with State water quality standards and achieves, or is making significant progress toward achieving, established BLM management objectives such as meeting wildlife needs.
- (d) Habitats are, or are making significant progress toward being, restored or maintained for Federal threatened and endangered species, Federal Proposed, Category 1 and 2 Federal candidate and other special status species.



## **Protest and Appeal**

### **Protest**

In accordance with 43 CFR § 4160.2, any applicant, permittee, lessee or other interested public may protest the proposed decision under § 4160.1 of this title, in person or in writing within 15 days after receipt of such decision to:

Victoria Barr  
Field Manager  
Caliente Field Office  
1400 S. Front Street  
Box 237  
Caliente, NV 89008

The protest, if filed, must clearly and concisely state the reason(s) why the protestant thinks 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.

In accordance with 43 CFR § 4160.3 (b), should a timely protest be filed with the authorized officer, the authorized officer will reconsider the proposed decision and shall serve the final decision on the protestant and the interested public.

### **Appeal**

In accordance with 43 CFR §§ 4.470 and 4160.4, any person who wishes to appeal or seek a stay of a BLM grazing decision must follow the requirements set forth in 4.470 through 4.480 of this title. The appeal or petition for stay must be filed with the BLM office that issued the decision within 30 days after its receipt or within 30 days after the proposed decision becomes final as provided in § 4160.3 (a).

The appeal and any petition for stay must be filed at the office of the authorized officer:

Victoria Barr  
Field Manager  
Caliente Field Office  
1400 S. Front Street  
Box 237  
Caliente, NV 89008

Within 15 days of filing the appeal and any petition for stay, the appellant also must serve a copy of the appeal and any petition for stay on any person named in the decision and listed at the end of the decision, and on the Office of the Solicitor, Regional Solicitor, Pacific Southwest Region,

U.S. Department of the Interior, 2800 Cottage Way, Room E-1712, Sacramento, California 95825-1890.

Pursuant to 43 CFR 4.471(c), 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.

43 CFR 4.471(d) provides that the appellant requesting a stay bears the burden of proof to demonstrate that a stay should be granted.

Any person named in the decision from which an appeal is taken (other than the appellant) who wishes to file a response to the petition for a stay may file with the Hearings Division in Salt Lake City, Utah, a motion to intervene in the appeal, together with the response, within 10 days after receiving the petition. Within 15 days after filing the motion to intervene and response, the person must serve copies on the appellant, the Office of the Solicitor and any other person named in the decision (43 CFR 4.472(b)).

At the conclusion of any document that a party must serve, the party or its representative must sign a written statement certifying that service has been or will be made in accordance with the applicable rules and specifying the date and manner of such service (43 CFR 4.422(c)(2)).

Sincerely,

/s/ Victoria Barr

Victoria Barr  
Field Manager  
Caliente Field Office

Enclosures

cc:

# FINDING OF NO SIGNIFICANT IMPACT

James L. Wadsworth Term Permit Renewal  
Warm Springs Allotment

DOI-BLM-NV-045-2009-0012-EA

I have reviewed Environmental Assessment (EA) (DOI-BLM-NV-045-2009-0012-EA). After consideration of the environmental effects as described in the EA, and incorporated herein, I have determined that the proposed action associated with fully processing the term permit renewal identified in the EA will not significantly affect the quality of the human environment and that an Environmental Impact Statement (EIS) is not required to be prepared. Environmental Assessment DOI-BLM-NV-045-2009-0012-EA has been reviewed through the interdisciplinary team process.

I have determined the proposed action is in conformance with the Ely District Record of Decision and Approved Resource Management Plan (RMP) signed August 20, 2008. This finding and conclusion is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and the intensity of impacts described in the EA.

Context: The Warm Springs Allotment is a land based allotment which are located within Lincoln County in the central portion of the Ely District BLM, approximately 15 miles north of Caliente, Nevada. The Warm Springs Allotment encompass approximately 1,401 acres of BLM managed lands. The Warm Springs Allotment is not located within any Wild Horse Herd Management Areas (HMA). There is no desert tortoise habitat within the allotment.

Lincoln County is sparsely populated, with approximately 4,300 people living mostly within five towns. Although the acreage involved is extensive, impacts from livestock grazing are dispersed, and compatible with the rural, agricultural setting throughout most of the County.

## **Intensity:**

### **1) *Impacts that may be both beneficial and adverse.***

The Environmental Assessment considered both, beneficial and adverse impacts of the proposed action. None of the impacts disclosed in the EA approach the threshold of significance (i.e., exceeding air or drinking water quality standards, contributing a decline in the population of a listed species, etc.)

**2) *The degree to which the proposed action affects public health or safety.***

The Proposed Action will not result in substantial, adverse impacts to public health and safety.

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

There are no parks, wetlands, wild and scenic rivers, Prime and unique farmland or ecologically critical areas (ACECs) within the area of analysis.

Historic and cultural resources identified in the project area were reviewed and analyzed in a *Cultural Resources Inventory Needs Assessment*. The BLM recognizes the potential for grazing to affect historic properties through: (1) the concentration of livestock on cultural resources; (2) construction and maintenance of grazing facilities; and (3) other grazing operations in the immediate vicinity of historic properties.

Consequently, the *Needs Assessment* outlined stipulations regarding: (1) the Issuance of Grazing Permits with respect to cultural impacts; (2) Cultural Permit Stipulations with respect to range improvements, and; (3) Paleontological Resource Stipulations with respect to human activities per se.

Through the *Needs Assessment*, no effects to unique characteristics of the geographic area, such as proximity to historic or cultural resources, were identified. There are currently no known documented paleontological resources within the allotment. There are no identified Traditional Cultural Properties within the area of potential effect of this project in any of the four allotment.

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

The effects of livestock grazing on public lands have become more controversial in the past several years. However, most effects were disclosed in the Ely District Record of Decision and Approved RMP. Public input was solicited for the proposed action. No comments were received regarding effects analyzed in the attached EA.

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

The effects of livestock grazing are well known and documented. Management practices are employed to meet resource objectives. The effects analysis demonstrates the effects are not uncertain, and do not involve unique or unknown risk.

**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 Proposed Action will not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration. Renewing the grazing permits does not establish a precedent for other Rangeland Health Assessments and Decisions. Any future projects within the proposed action area or in surrounding areas will be fully analyzed as a separate action and independently of the proposed action.

**7) *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.***

No significant cumulative impacts have been identified in the EA. Past, present, and reasonably foreseeable future actions on-going in the cumulative impact assessment area would not result in cumulatively significant impacts. For any actions that may be propose in the future, further environmental analysis, including the assessment of cumulative impacts, will be required.

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

Historic properties are known to be present within the proposed area. Based on a detailed analysis, this proposal will not adversely affect districts, sites, highways, structures, or other objects listed or eligible for listing. Nor will the proposed project cause loss or destruction of significant scientific, cultural, or historical resources. All proposed undertakings associated with the issuance of this permit, which could adversely impact an archaeological or historic resource, will be subject to full compliance with Section 106 of the National Historic Preservation Act.

**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 ESA of 1973.***

There are no known Threatened or Endangered Species located within the Warm Springs Allotment boundary

**10) *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.***

The proposed action will not violate or threaten to violate any Federal, State, or local law or requirement imposed for the protection of the environment.

/s/ Victoria Barr

7/13/2009

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Victoria Barr  
Field Manager  
Caliente Field Office

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Date

**U.S. Department of the Interior  
Bureau of Land Management**

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**Final Environmental Assessment**

**DOI-BLM-NV-045-2009-0012-EA**

**July 14, 2009**

Grazing Permit Renewal for James L. Wadsworth on the Warm Springs Allotment

*Lincoln County, Nevada*

U.S. Department of the Interior  
Bureau of Land Management  
Caliente Field Office  
Phone: (775) 726-8100  
Fax: (775) 726-8111

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## **1.0 Introduction: Need for Action**

This document identifies issues, analyzes alternatives, and discloses the potential environmental impacts associated with the proposed term grazing permit renewal for James L. Wadsworth on the Warm Springs Allotment (#01080).

This land based allotment is located within Lincoln County in the south-central portion of the Ely District BLM, immediately east of the town of Panaca, Nevada (Appendix I, Map #1).

The Warm Springs Allotment encompasses approximately 1,448 acres of public land. It is located in the Panaca Valley (#210) watershed.

The legal location of the allotment are as follows:

### **Warm Springs Allotment**

T.2 S., R.68 E., MDBM, many sections

#### **1.0.1 Background**

Current management practices are a reflection of Best Management Practices as coordinated between the permittees and appropriate Range Management Specialist.

#### **1.1 Introduction of the Proposed Action.**

The Bureau of Land Management (BLM) Caliente Field Office proposes to fully process and issue term grazing permit for James L. Wadsworth. The permit would authorize grazing for James L. Wadsworth on the Warm Springs Allotment.

No changes to the existing permits are proposed.

Monitoring data were collected and analyzed and an assessment of the rangeland health of the allotment was completed in 2008, during the permit renewal process, through a Standards Determination Document (SDD) (Appendix II).

A summary of this information follows:

**Table 1.1-1. Summary of the Assessment of the Warm Springs Allotment.**

ALLOTMENT	STANDARD	STATUS
Warm Springs	1. Soils	Achieved
	2. Riparian and Wetland Sites Standard	Achieved
	3. Habitat and Biota Standard	Achieved

**1.2 Need for the Proposed Action.**

The need for the proposal is to provide for legitimate multiple uses of the public lands by renewing the term grazing permit for James L. Wadsworth with terms and conditions for grazing use that are consistent with the guidelines and help achieve the standards of the Mojave-Southern Great Basin Regional Advisory Council in accordance with all applicable laws, regulations, and policies; and in accordance with Title 43 CFR 4130.2(a) which states, “Grazing permits or leases authorize use on the public lands and other BLM-administered lands that are designated in land use plans as available for livestock grazing.”

**1.3 Objectives for the Proposed Action.**

**1.3.1.** To renew the grazing term permit for James L. Wadsworth and authorize grazing in accordance with applicable laws, regulations, and land use plans (LUP) on approximately 1,448 acres of public land.

**1.3.2.** To improve vegetative health and growth conditions on the allotment and continue to achieve the Standards and Guidelines for rangeland health as approved and published by the Mojave-Southern Great Basin RAC.

**1.4 Relationship to Planning**

The Proposed Action is in conformance with the Ely District Record of Decision and Approved Resource Management Plan (RMP) signed August 20, 2008, which states, “Manage livestock grazing on public lands to provide for a level of livestock grazing consistent with multiple use, sustained yield, and watershed function and health.” In addition, “To allow livestock grazing to occur in a manner and at levels consistent with multiple use, sustained yield, and the standards for rangeland health (p. 85-86).”

Management Action LG-1 states, “Make approximately 11,246,900 acres and 545,267 animal unit months available for livestock grazing on a long-term basis.”

Management Action LG-5 states, “Maintain the current grazing preference, season-of-use, and kind of livestock until the allotment that have not been evaluated for meeting or making progress toward meeting the standards or are in conformance with the policies are evaluated. Depending on the results of the standards assessment, maintain or modify grazing preference, seasons-of-

use, kind of livestock and grazing management practices to achieve the standards for rangeland health. Changes, such as improved livestock management, new range improvement projects, and changes in the amount and kinds of forage permanently available for livestock use, can lead to changes in preference, authorized season-of-use, or kind of livestock. Ensure changes continue to meet the RMP goals and objectives, including the standards for rangeland health.”

#### **1.4.1 Relationship to Other Plans**

The Proposed Action is consistent with the following Federal, State, and local plans to the maximum extent possible.

- State Protocol Agreement between the Bureau of Land Management (BLM), Nevada and the Nevada State Historic Preservation Office (1999).
- Mojave-Southern Great Basin Resource Advisory Council (RAC) Standards and Guidelines (12 February 1997).
- Lincoln County Elk Management Plan (approved July, 1999) – Revised 2006
- Endangered Species Act – 1973.
- Wilderness Act – 1964.
- Migratory Bird Treaty Act (1918 as amended) and Executive Order 13186 (1/11/01).

#### **1.4.2 Tiering**

This document is tiered to the Ely Proposed Resource Management Plan/Final Environmental Impact Statement (EIS) (November 2007).

### **1.5 Relevant Issues and Internal Scoping**

On November 19, 2008, a letter was sent to local Indian tribes requesting comments, regarding the permit renewal proposals, by December 22, 2008.

On November 20, 2008, the Ely BLM annual Consultation, Cooperation, and Coordination (CCC) letter was mailed which notified interested publics of the livestock grazing term permit renewals scheduled for 2009; this included the James L. Wadsworth term grazing permit renewal. No public scoping comments were received related to the 2009 scheduled permit renewals associated with the Warm Springs Allotment.

However, the following individuals and organizations who were sent the annual CCC letter on November 20, 2008 have requested additional information regarding rangeland related actions within the aforementioned allotment:

Matt and Jule Wadsworth  
James L. Wadsworth, Permittee  
Nevada State Clearinghouse (electronic copy only)  
Western Watersheds Project, Katie Fite  
Steven Carter

Sustainable Grazing Coalition, Richard Orr  
 Eastern Nevada Landscape Coalition, Betsy Macfarlan  
 Assistant Field Supervisor USFWS, NFO  
 Craig C. Downer

On December 16, 2008, in an internal meeting held at the Ely BLM District Office, the James L. Wadsworth term permit renewal proposal was presented and scoped by resource specialists to identify any relevant issues. Potential issues identified were related to noxious weeds.

On January 6, 2009, the permittees were sent a letter informing them of the proposed term permit renewal process scheduled for their allotment during 2009. No comments were received.

In early May 2009, the proposal to fully process the term permit was posted on the Ely BLM internet site ([http://www.blm.gov/nv/st/en/fo/ely\\_field\\_office.html](http://www.blm.gov/nv/st/en/fo/ely_field_office.html)).

A hard copy of the Preliminary EA was mailed to those interested publics who - for the 2009 calendar year - had requested it and who had expressed an interest in range management actions on the Warm Springs Allotment. Comments were received from James L. Wadsworth. Changes to the Preliminary EA were made as appropriate and were based upon relevant public input.

## **2.0 Alternatives Including the Proposed Action**

### **2.1 Proposed Action**

The Bureau of Land Management (BLM) Caliente Field Office proposes to fully process and issue a new term grazing permit for James L. Wadsworth to authorize grazing on the Warm Springs Allotment. The renewal of the term grazing permit would be for a period of up to 10 years.

#### **2.1.1 Current Permit**

The current Term Grazing Permit for the James L. Wadsworth has been issued for the period 3/1/08 – 2/28/2014.

**Table 3.** Current Term Grazing Permit for James L. Wadsworth on the Warm Springs Allotment

ALLOTMENT		LIVESTOCK		GRAZING PERIOD		** % Public Land	AUMs		
Name	Number	* Number	Kind	Begin	End		Active Use	Hist. Susp. Use	Total Use
Warm Springs	01080	15	C	11/16	4/30	100	75	0	75

\* These numbers are approximate

\*\* This is for billing purposes only.

### **2.1.2 Proposed Term Permit**

There are no proposed changes to the terms and conditions of the permit.

However, the following Best Management Practices would be included, as Other Terms and Conditions, in the term grazing permits. Standard Terms and Conditions (Appendix III) apply to this permit. Utilization objectives for the allotment are quantified in these Best Management Practices.

#### Best Management Practices

1. Allowable Use Levels on current year's growth of upland vegetation (grasses, forbs and shrubs) will not exceed 50%.
2. Livestock will be moved to another authorized pasture or removed from the allotment before utilization objectives are met; or no later than 5 days after meeting the utilization or bank trampling objectives. Any deviation in livestock movement will require authorization from the authorized officer.
5. Salt and/or mineral supplements for livestock would be located no closer than 3/4 mile from existing water sources.

In relation to grazing, there are no additional terms and conditions needed for management practices to conform to guidelines and achieve standards.

### **2.1.3 Invasive, Non-Native Species and Noxious Weeds**

A Weed Risk Assessment (Appendix IV) was completed on December 17, 2008 for the James L. Wadsworth term grazing permit renewal. The following stipulations listed in the Weed Risk Assessment will be followed when grazing occurs on the allotment to minimize the effects on weeds:

- Prior to entering public lands, the BLM will provide information regarding noxious weed management and identification to the permit holders affiliated with the project. The importance of preventing the spread of weeds to uninfested areas and importance of controlling existing populations of weeds will be explained.
- The range specialist for the allotment will include weed detection into project compliance inspection activities. If the spread of noxious weeds is noted, appropriated weed control procedures will be determined in consultation with BLM personnel and will be in compliance with the appropriate BLM handbook sections and applicable laws and regulations.
- To eliminate the introduction of noxious weed seeds, roots, or rhizomes all interim and final seed mixes, hay, straw, hay/straw, or other organic products used for feed or bedding will be certified free of plant species listed on the Nevada noxious weed list or specifically identified by the BLM Ely District Office.

- Grazing will be conducted in compliance with the Ely District BLM noxious weed schedules. The scheduled procedures can significantly and effectively reduce noxious weed spread or introduction into the project area.
- Any newly established populations of noxious/invasive weeds discovered will be communicated to the Ely District Noxious and Invasive Weeds Coordinator for treatment.

#### **2.1.4 Monitoring**

The Ely District Approved Resource Management Plan (August 2008) identifies monitoring to include, “Monitoring to assess rangeland health standards will include records of actual livestock use, measurements of forage utilization, ecological site inventory data, cover data, soil mapping, and allotment evaluations or rangeland health assessments. Conditions and trends of resources affected by livestock grazing will be monitored to support periodic analysis/evaluation, site-specific adjustments of livestock management actions, and term permit renewals” (pg. 88).

#### **2.2 No Action Alternative**

The No Action Alternative is the same as the Proposed Action alternative and will not be further addressed in accordance with IM NV-2006-0034.

#### **2.3 Alternatives Considered but Eliminated from Further Analysis**

The Ely Proposed Resource Management Plan/Final Environmental Impact Statement (November, 2007) analyzes five alternatives of livestock grazing (p.4.16-1 to 4.16-15.), including a no-grazing alternative (D). No further analysis is necessary in this document.

- The Proposed RMP
- Alternative B, the maintenance and restoration of healthy ecological systems
- Alternative C, commodity production
- Alternative D, conservation alternative (no-grazing alternative)

### **3.0 Description of the Affected Environment and Associated Environmental Consequences**

#### **3.1 Allotment Information**

This land based allotment is located within Lincoln County in the south-central portion of the Ely District BLM, immediately east of the town of Panaca, Nevada (Appendix I).

The Warm Springs Allotment encompasses approximately 1,401 acres. It is located in the Panaca Valley (#210) watershed. The allotment does not contain any desert tortoise habitat or wilderness, and it does not occur within an established Wild Horse Herd Management Area (HMA).

### 3.2 Resources/Concerns Considered for Analysis - Proposed Action

The following items have been evaluated for the potential for significant impacts to occur, either directly, indirectly, or cumulatively, due to implementation of the Proposed Action.

Consideration of some of these items is to ensure compliance with laws, statutes or Executive Orders that impose certain requirements upon all Federal actions. Other items are relevant to the management of public lands in general and to the Ely BLM in particular.

Resource/Concern Considered	Issue(s) Analyzed	Rationale for Dismissal from Analysis or Issue(s) Requiring Detailed Analysis
Air Quality	No	Air quality in the affected area is generally good except for occasional dust storms. The Proposed Action would contribute to ambient dust in the air due to trailing, but the impact would be temporary and would not approach a level that would exceed any air quality standards. Detailed analysis is not required.
Cultural Resources	No	<p>According to the Ely District Approved Resource Management Plan, August 2008, (RMP) it is the goal of the Ely District to identify, preserve, and protect significant cultural resources and ensure that they are available for appropriate uses by present and future generations. They are to protect and maintain these cultural resources on BLM-administered land in stable condition. To accomplish this they are to seek to reduce imminent threats and resolve potential conflicts from natural or human-caused deterioration or potential conflict with other resource uses by ensuring that all authorizations for land use and resource use will comply with the National Historic Preservation Act, Section 106. In accordance with this act, "any material remains of past human life or activities which are of archaeological interest" shall be assessed and secured "for the present and future benefits of the American People". Therefore, all ground disturbing activities related to livestock grazing (such as fence construction, road construction, water developments, etc.) within the allotment(s) covered by this Term Permit will be subject to Section 106 review and, if needed, SHPO consultation as per BLM Nevada's implementation of the Protocol for cultural resources.</p> <p>Livestock grazing has been an historic use of federal lands, now managed by the Caliente Field Office, since the mid-19th century. The extent of effects from livestock grazing on archeological sites is difficult to determine, since extensive livestock grazing has occurred in this region for over 150 years. Though, it is likely that the majority of the livestock-related impacts on cultural resources occurred prior to the passage of the Taylor Grazing Act in 1934.</p> <p>The BLM conducts field investigations and maintains files of archeological sites on public lands. Analyses of existing documentation indicates that concentrated livestock activities near water sources, along fences, and in areas where livestock seek shelter, could adversely affect cultural resources.</p> <p>The cultural staff will identify cultural properties being impacted by grazing activities to be monitored in order to determine condition, impacts, deterioration, and use of these properties. Site monitoring is conducted by BLM archeologists, law enforcement rangers, and trained site stewards, to identify impacts and evaluate site conditions. As necessary, strategies are developed and implemented in order to reduce threats and resolve conflicts to the property.</p>
Paleontological Resources	No	No currently identified paleontological resources are present in the project area.
Native American Religious Concerns and other concerns	No	<p>Tribal Coordination Letters were sent our November 19, 2008 for a 30 day comment period. No concerns were identified.</p> <p>Direct impacts and cumulative impacts would not occur because there were no identified concerns through coordination.</p>
Noxious and Invasive Weed Management	Yes	Any livestock grazing could cause impacts to noxious and invasive weeds.
Vegetative Resources	No	Impacts from livestock grazing on Vegetation Resources were analyzed on page 4.5-9 in the Ely Proposed Resource Management Plan/Environmental Impact Statement (November

Resource/Concern Considered	Issue(s) Analyzed	Rationale for Dismissal from Analysis or Issue(s) Requiring Detailed Analysis
		2007). Beneficial impacts to vegetative resources are consistent with the need and objectives for the Proposed Action. No further analysis is needed.
Rangeland Standards and Health	No	Impacts from livestock grazing on Rangeland Standards and Health are analyzed on pages 4.16-3 through 4.16-4 of the Ely Proposed Resource Management Plan/Environmental Impact Statement (November 2007). Beneficial impacts to rangeland standards and health are consistent with the need and objectives for the Proposed Action. An assessment and evaluation of livestock grazing managements achievement of the standards and conformance to the guidelines (Standards Determination Document) was completed in conjunction with this project (Appendix II). No further analysis is needed.
Forest Health	No	There are no clearly defined pinyon-juniper woodlands or other forest types on the allotment.
Wastes, Hazardous or Solid	No	No hazardous or solid wastes exist on the permit renewal area, nor would any be introduced by the Proposed Action.
Wilderness	No	There is no wilderness on the Warm Springs allotment.
Special Designations other than Designated Wilderness	No	There are no special designations within the allotment boundaries.
Wetlands/Riparian Zones	No	There are no riparian areas or wetlands in the area. There are also no perennial natural springs found on the allotment.
Water Quality, Drinking/Ground	No	Impacts from livestock grazing on Water Resources were analyzed on page 4.3-5 in the Ely Proposed Resource Management Plan/Final Environmental Impact Statement (November 2007).  The Proposed Action does not pose any impact to ground water in the project area. No surface water in the project area is used as human drinking water sources and no impaired water of the State are present in the project area.
Water Resources (Water Rights)	No	The Proposed Action will have no effect on water rights.
Floodplains	No	No floodplains have been identified by HUD or FEMA within the allotment. Floodplains, as defined in Executive Order 11988, may exist in the area, but would not be affected by the Proposed Action.
Watershed Management	No	Impacts from livestock grazing on Watershed Management are analyzed on page 4.19-8 of the Ely Proposed Resource Management Plan/Final Environmental Impact Statement (November 2007). Further changes to livestock management may be recommended by the watershed analysis process, however no concerns have been identified at this time.
Migratory Birds	No	The migratory bird species that occur in or near the project area are listed in Appendix V. Terms and Conditions in conjunction with Best Management Practices that include Allowable Use Levels, on all allotment will aid in continuing to achieve upland and riparian Mojave-Southern Great Basin Standards. This in turn should help to improve habitat condition for all migratory birds.  The potential exists for livestock to trample nests of migratory birds; however, the likelihood of this happening and the potential for a population-level effect due to livestock grazing is minimal.
U.S. Fish and Wildlife Service (USFWS) Listed or proposed for listing Threatened or Endangered Species or critical habitat.*	No	Prior to the completion of the Big Springs fence near the Panaca warm springs, the Ute ladies' tresses ( <i>Spiranthes diluvialis</i> ) – a threatened species (USFWS) of orchid – had the potential to be affected. By building the Big Springs fence, cattle can no longer access the water on private land or the Ute ladies' tresses found near the water. There will be no effect to any T & E species.
Special Status Plant Species, other than those listed or proposed by the UFWS as Threatened or Endangered	No	There are no known Special Status plant species within the allotment.



Resource/Concern Considered	Issue(s) Analyzed	Rationale for Dismissal from Analysis or Issue(s) Requiring Detailed Analysis
Special Status Animal Species, other than those listed or proposed by the UFWS as Threatened or Endangered	No	There are no known Special Status animal species within the allotment.
Fish and Wildlife	No	Impacts from livestock grazing on Fish and Wildlife are analyzed on pages 4.6-10 through 4.6-11 in the Ely Proposed Resource Management Plan/Final Environmental Impact Statement (November 2007).  Mule deer general habitat ( <i>Odocoileus hemionus</i> ) is known to exist within the allotment. Many other small mammals and reptiles likely exist within the allotment, however site specific examination of the allotment did not reveal any concerns above those addressed in the EIS.
Wild Horses	No	This allotment does not occur within an HMA. Nonetheless, impacts from livestock grazing on Wild Horses are analyzed on page 4.8-6 of the Proposed Resource Management Plan/Final Environmental Impact Statement (November 2007). Site specific examination of the allotment did not reveal any concerns above those addressed in the EIS.
Soil Resources	No	Impacts from livestock grazing on Soil Resources were analyzed on page 4.4-4 in the Ely Proposed resource Management Plan/Final Environmental Impact Statement (November 2007). Soils were also analyzed in the Standard Determination Document. There are no anticipated impacts as a result of the Proposed Action.
Mineral Resources	No	There would be no modifications to mineral resources through the Proposed Action, therefore no direct or cumulative impacts would occur to minerals.
VRM	No	The Proposed Action is consistent with the VRM classifications of 3 and 4 for the area, therefore no direct or cumulative impacts to visual resources would occur.
Recreation Uses	No	Design features identified in the Proposed Action would result in negligible impacts to recreational activities.
Grazing Uses	No	The Proposed Action would continue to assist the BLM in meeting the RMP goals and objectives, including maintaining achievement or progressing toward achieving the Standards for Rangeland Health. The Proposed Action is consistent with the need for the action, no further analysis is necessary.
Land Uses	No	There would be no modifications to land use authorizations through the Proposed Action, therefore no impacts would occur. No direct or cumulative impacts would occur to access and land use.
Environmental Justice	No	No environmental justice issues are present at or near the project area. No minority or low income populations would be unduly affected by the Proposed Action

\*Consultation required unless a “not present” or “no effect” finding is made.

The resources/concerns that are not present in the Proposed Action allotment or are affected negligibly by the Proposed Action and do not require a detailed analysis include Air Quality, Paleontological Resources, Native American Religious Concerns, Forest Health, Wastes-Hazardous or Solid, Wilderness, Water Quality-Drinking/Ground, Water Resources (Wetlands/Riparian), Water Resources (Water Rights), Floodplains, Watershed Management, U.S. Fish and Wildlife Service (USFWS) Listed or proposed for listing Threatened or Endangered species or critical habitat (page 4.7-29), Special Status Plant Species- other than those listed or proposed by the FWS as Threatened or Endangered (page 4.7-28 through 4.7-30), Special Status Animal Species-other than those listed or proposed by the FWS as Threatened or Endangered (page 4.7-28 through 4.7-30), Fish and Wildlife (pages 4.6-10 through 4.6-11), Wild

Horses, Soil Resources, Mineral Resources, VRM, Recreation Uses, Grazing Uses, Land Uses, and Environmental Justice.

The resources that have impacts from livestock grazing are disclosed in the Ely Proposed Resource Management Plan/Final Environmental Impact Statement (November 2007) and include Cultural Resources (page 4.9-5), Noxious and Invasive Weed Management (page 4.21-5), Vegetation Resources (page 4.5-9), Rangeland Standards and Health (pages 4.16-3 through 4.16-4), Special Designations other than Designated Wilderness (page 4.22-19), (page 4.3-5), Migratory Birds (page 4.6-1), Soil Resources (page 4.4-4). Only noxious and invasive weeds will be further analyzed.

### 3.2.1 Noxious and Non-native, Invasive Weeds

#### Affected Environment

No field weed surveys were completed for this project. Instead the Ely District weed inventory data was consulted. The following species are found within the boundaries of the Warm Springs Allotment:

<i>Tamarix spp.</i>	Salt cedar
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The following species are found along roads and drainages leading to the allotment:

<i>Carduus nutans</i>	Musk thistle
<i>Centaurea stoebe</i>	Spotted knapweed
<i>Cirsium vulgare</i>	Bull thistle
<i>Lepidium draba</i>	Hoary cress
<i>Lepidium latifolium</i>	Tall whitetop
<i>Linaria dalmatica</i>	Dalmatian toadflax
<i>Onopordum acanthium</i>	Scotch thistle
<i>Tamarix spp.</i>	Salt cedar

This allotment was last inventoried for noxious weeds in 2003. While not officially documented the following non-native invasive weeds probably occur in or around the allotment: cheatgrass (*Bromus tectorum*), Russian olive (*Elaeagnus angustifolia*), halogeton (*Halogeton glomeratus*), horehound (*Marrubium vulgare*), Russian thistle (*Salsola kali*), and puncturevine (*Tribulus terrestris*).

#### Environmental Consequences

A Noxious and Invasive Weed Risk Assessment was completed for this project (Appendix IV). The Proposed Action could increase the populations of the noxious and invasive weeds already within the allotment and could aid in the introduction of weeds from surrounding areas. Within the allotment, watering and salt block sites are of particular concern of new weed infestations due to the concentration of livestock around those sites and the amount of ground disturbance associated with that use. If new weed infestations become established within the allotment, this could have an adverse impact to those native plant communities; however, since there are many weed infestations currently within the allotment, those impacts would be limited. Also, any

increase of cheatgrass could alter the fire regime in the area. These impacts would be less than the No-Action Alternative due to the change in the season of use. This change would reduce grazing during the critical growing season, allowing for more vigorous native plant communities which could better compete against non-native invasive plant invasion.

#### **4.0 Cumulative Impacts**

According to the 1997 BLM publication *Guidelines for Assessing and Documenting Cumulative Impacts*, the cumulative analysis should be focused on those issues and resource values where the incremental impact of the Proposed Action results in a meaningful change in the cumulative effect from other past, present and reasonably foreseeable future actions within the Cumulative Effects Study Area (CESA). The CESA is defined as the Panaca Valley (#210) watershed for Noxious and Invasive weeds.

Additionally, the guidance provided in The National BLM NEPA Handbook H-1790-1 (2008), for analyzing cumulative effects issues states, “determine which of the issues identified for analysis may involve a cumulative effect with other past, present, or reasonably foreseeable future actions. If the Proposed Action and alternatives would have no direct or indirect effects on a resource, you do not need a cumulative effects analysis on that resource” (p.57).

A comprehensive cumulative impacts analysis can be found on pages 4.28-1 through 4.36-1 of the Ely Proposed Resource Management Plan/Final Environmental Impact Statement (November 2007).

The following projects were not considered in the EPRMP/FEIS since its issuance in November 2007:

- The designation of commercial wood cutting areas
- Gateway and Transwest 500kV transmission lines
- Uvada fuels treatment

All ground disturbing activities have the potential to introduce and spread noxious and invasive weeds. However, most past and all present and reasonably foreseeable future actions, as identified in the Ely Proposed Resource Management Plan/FEIS, have noxious and invasive weed prevention stipulations and weed treatment requirements associated with each project. This in combination with the active BLM Ely District Weed Management Program would minimize the spread of weeds throughout the watersheds.

The Proposed Action in conjunction with the past, present and reasonable foreseeable future actions would result in no noticeable overall changes to the affected environment. Grazing under the proposed permit renewal would aid in continuing to achieve the rangeland health Standards, with the understanding that adjustments to grazing management would occur when any of the Standards are not being achieved.

## **5.0 Proposed Mitigation and Monitoring**

### **5.1 Proposed Mitigation**

Outlined design features incorporated into the Proposed Action are sufficient. No additional mitigation is proposed based on the analysis of environmental consequences.

### **5.2 Proposed Monitoring**

Appropriate monitoring has been included as part of the Proposed Action. No additional monitoring is proposed as a result of the impact analysis.

## **6.0 Consultation and Coordination**

### **6.1 List of Preparers - BLM Resource Specialists**

Rick Baxter	Wildlife, Special Status Species, Migratory Birds /Project Lead
Joseph David	Planning and Environmental Coordinator
Bonnie Million	Noxious and Invasive, Non-native Species
Alicia Styles	Wildlife, Special Status Species, Migratory Birds
Chris Linehan	Recreation, Visual Resources
Lynn Wulf	Cultural Resources
Alan Kunze	Soil, Water, Wetlands and Riparian, Floodplains
Benjamin Noyes	Wild Horse and Burro Resources
Elvis Wall	Native American Cultural Concerns
Dave Jacobson	Wilderness
Melanie Peterson	Wastes, Hazardous and Solid
Chris Mayer	Supervisory Rangeland Management Specialist

### **6.2 Persons, Groups or Agencies Consulted**

Matt and Jule Wadsworth  
James Wadsworth, Permittee  
Nevada State Clearinghouse (electronic copy only)  
Western Watersheds Project, Katie Fite  
Steven Carter  
Sustainable Grazing Coalition, Richard Orr  
Eastern Nevada Landscape Coalition, Betsy Macfarlan  
Assistant Field Supervisor USFWS, NFO  
Craig C. Downer

### **Public Notice of Availability**

On November 19, 2008, a letter was sent to local Indian tribes requesting comments, regarding the permit renewal proposals, by December 22, 2008.

On November 20, 2008, the Ely BLM annual Consultation, Cooperation, and Coordination (CCC) letter was mailed which notified interested publics of the livestock grazing term permit renewals scheduled for 2009; this included the James L. Wadsworth term grazing permit renewal. No public scoping comments were received related to the 2009 scheduled permit renewals associated with the Warm Springs Allotment.

In early May 2009, the proposal to fully process the term permit was posted on the Ely BLM internet site ([http://www.blm.gov/nv/st/en/fo/ely\\_field\\_office.html](http://www.blm.gov/nv/st/en/fo/ely_field_office.html)).

## References

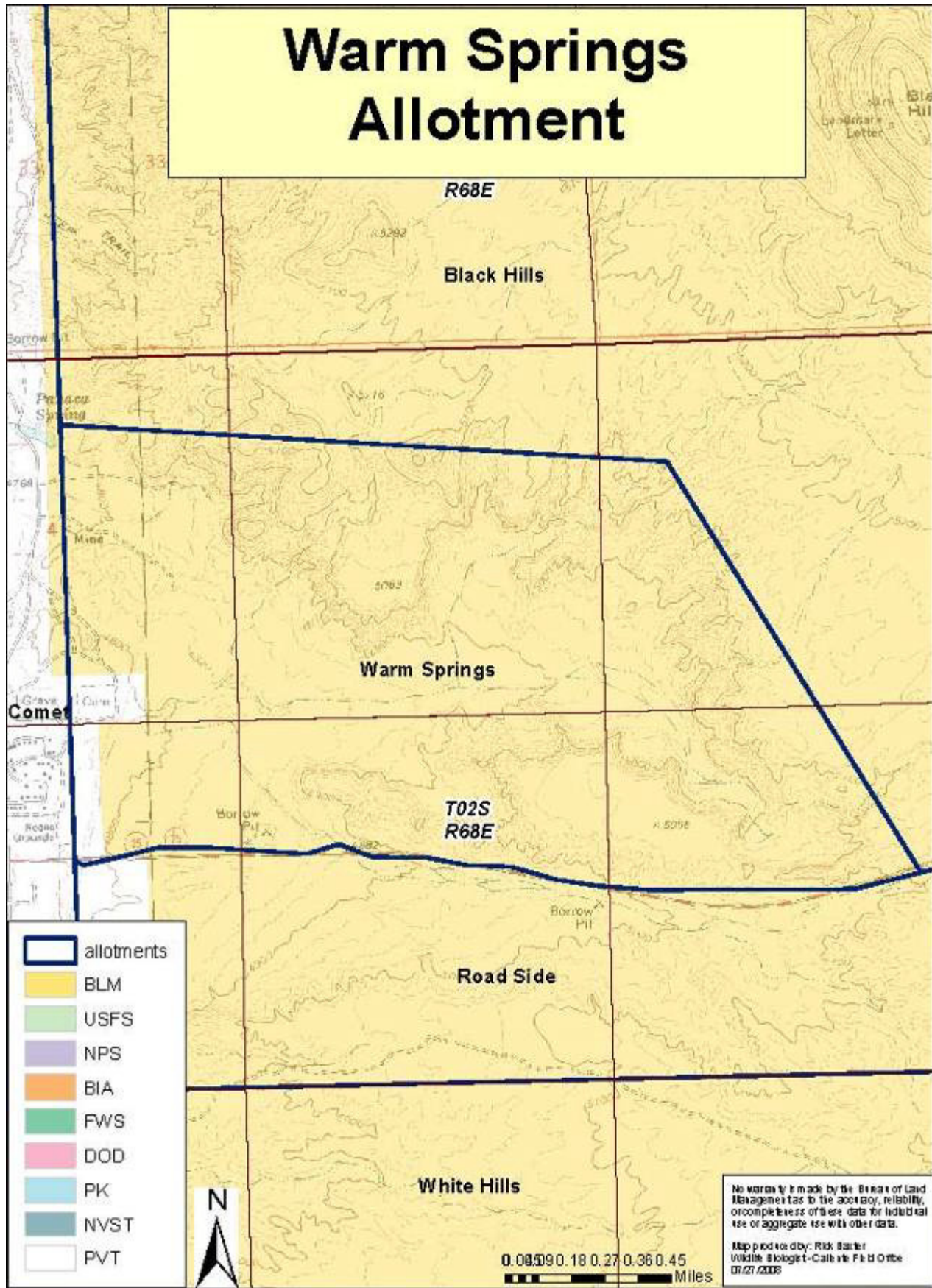
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**APPENDIX I**  
(EA)

MAP

# Warm Springs Allotment

BLM



Ely District Office



**APPENDIX II**  
(EA)

STANDARDS DETERMINATION DOCUMENT

**U.S. Department of the Interior  
Bureau of Land Management**

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***STANDARDS DETERMINATION DOCUMENT***

***Warm Springs Allotment (#01080)***

U.S. Department of the Interior  
Bureau of Land Management  
Ely District Office  
Caliente Field Office  
Phone: (775) 726-8100  
Fax: (775) 726-8111



# ***STANDARDS DETERMINATION DOCUMENT***

## ***Warm Springs Allotment (#1080)***

### **Standards and Guidelines Assessment**

The Standards and Guidelines for Nevada's Mojave-Southern Great Basin Area were developed and approved by the Mojave-Southern Great Basin Resource Advisory Council (RAC) in 1997. Standards and guidelines are likened to objectives for healthy watersheds, healthy native plant communities, and healthy rangelands. Standards are expressions of physical and biological conditions required for sustaining rangelands for multiple uses. Guidelines point to management actions related to livestock grazing for achieving the standards.

This Standards Determination Document evaluates and assesses livestock grazing management achievement of the Standards and conformance with the Guidelines for the Warm Springs Allotment in the Ely District BLM. This document does not evaluate or assess achievement of the wild horse and burro or Off Highway Vehicle Standards or conformance to the respective Guidelines.

The standards were assessed for the Warm Springs Allotment by a BLM interdisciplinary team. Documents and publications used in the assessment process include the Soil Survey of Lincoln County Nevada, Meadow Valley, Ecological Site Descriptions for Major Land Resource Area 29, Interpreting Indicators of Rangeland Health (USDI-BLM et al. 2000), Sampling Vegetation Attributes (USDI-BLM et al. 1996) and the National Range and Pasture Handbook (USDA-NRCS 1997). A complete list of references is included at the end of this document. All are available for public review in the Caliente BLM Field Office. The interdisciplinary team used rangeland monitoring data, professional observations, and photographs to assess achievement of the Standards and conformance with the Guidelines.

### **The Warm Springs Allotment**

The Warm Springs Allotment occurs mostly east and partly north of the city of Panaca, Nevada in Lincoln County. The vegetative characteristic of the area is the expansive black sagebrush (*Artemisia nova*) community, interspersed with small pockets of Wyoming big sagebrush (*Artemisia tridentata* var. *wyomingensis*) which occurs throughout most of the allotment (Appendix A).

There is one grazing permit that has 75 Animal Unit Months<sup>1</sup> (AUMs), and it is used for cattle grazing on the Warm Springs Allotment. The season of use is November 16 to April 15. The newly constructed Warm Springs fence on the northwest side of the allotment prevents cattle and wild horses from accessing Panaca Spring. Because there is no surface water for livestock to drink, the permittee must haul water during the season of use.

In addition to grazing, the allotment is used and/or has been used for mining, municipal water storage, dumps, and all-terrain vehicle use. The east side of the allotment, closest to the city of Panaca, has received the highest amount of use by resident recreationists.

One key area was selected in 1978, and its Ecological Site Description (ESD), identified by the key area locator form, is a Loamy 8-10" p.z. (029XY006NV)-Wyoming big sagebrush/Indian Ricegrass-Needleandthread. As one of the largest soil mapping units in the Warm Springs Allotment, the area is dominated by Wyoming big sagebrush (*Artemisia tridentata var. wyomingensis (ARTRW)*). According to the soil survey, the most common ecological site description in association with the key area is the Saline Meadow (029XY002NV).

Another key area established in 1977 is described by the key area locator form as consisting of the plant communities associated with Shallow Calcareous Loam 8-12" p.z.-029XY008NV –as predominately black sagebrush/Indian ricegrass. As one of the smallest soil map units in the Warm Springs Allotment, black sagebrush (*Artemisia nova*) and Indian ricegrass (*Achnatherum hymenoides*) communities also occur in association with the commonly occurring Loamy 8-10" p.z. (029XY006NV) principal site.

The precipitation data (Appendix B) collected at Bennett Spring indicates rain/snow are moderately variable in the area. Data collected by the BLM from 2000 to 2008 indicates an average of 8.75 inches per year. But precipitation varied from 2.17 inches to a high of 13.58 inches during the eight year period.

All monitoring data and reports are available for public inspection at the Caliente Field Office during business hours. A map of the allotment is located in Appendix A of this document.

## **PART 1. STANDARD CONFORMANCE REVIEW**

### ***Standard 1. Soils***

*“Watershed soils and stream banks should have adequate stability to resist accelerated erosion, maintain soil productivity, and sustain the hydrologic cycle.”*

#### Soil Indicators:

- Ground Cover (vegetation, litter, rock, bare ground).
- Surfaces (e.g., biological crust, pavement).
- Compaction/infiltration.

#### Riparian Soil Indicators:

- Stream bank stability.

#### ***Determination:***

#### **X Achieving the Standard**

- Not Achieving the Standard, but making significant progress towards achieving
- Not Achieving the Standard, and not making significant progress toward standard

#### ***Causal Factors N/A***

- Livestock are a contributing factor to not achieving the standard.

- Livestock are not a contributing factor to not achieving the standard
- Failure to meet the standard is related to other issues or conditions

***Guidelines Conformance:***

**X In conformance with the Guidelines**

- Not in conformance with the Guidelines**

Conclusion: *Standard Achieved*

**UPLANDS**

**Soil Indicators**

Ground cover:

Vegetative cover was determined by using the line intercept method at 3 different areas (WS-01, WS-02, and WS-03) deemed representative of major soil types within the allotment. Cover data by species and key soil type information can be found in Table 1 in Appendix B.

The ESD suggests that approximate ground cover (basal and crown) at WS-01 (Figure 1) should be between 15-25%. Actual cover was 14.64%. Wyoming big sagebrush made up 3.58% of the cover, while vegetative litter made up the other 10.54%. Although Wyoming big sagebrush was the main source of cover, there were many additional species noted. They weren't found in abundance, but species diversity was fairly high. Species observed include fourwing saltbush (*Artiplex canescens*), Douglas' rabbit brush (*Chrysothamnus viscidiflorus*), cheatgrass (*Bromus tectorum*), bottlebrush squirreltail (*Elymus elymoides*), eriogonum (*Eriogonum sp.*), poverty sumpweed (*Iva acillaris*), western sticktight (*Lappula occidentalis*), galleta grass (*Pleuraphis jamesii*), Stanbury's cliffrose (*Purshia stansburiana*), globe mallow (*Sphaeralcea sp.*), and sand dropseed (*Sporobolus cryptandrus*). The Wyoming big sagebrush was vigorous and appeared to assist in stabilizing soil at the site.



Figure 1. Transect WS-01

The ESD suggests that approximate ground cover at WS-02 (Figure 2) should be between 20-30%. Percent ground cover at the site totaled 20.42%. Black sagebrush was the most common plant in the area, and it provided 10.83% cover. Nevada ephedra (*Ephedra nevadensis*) was less abundant, but added an estimated 0.17% cover. In addition, an estimated 9.28% cover came from vegetative litter. Litter is important in soil protection throughout the area. Black sagebrush in this site show signs of being in a mature to decadent state with few seedlings or young plants. Other species noted include galleta (*Pleuraphis jamesii*), bottlebrush squirreltail (*Elymus elymoides*), Nevada ephedra, Stanbury's cliffrose (*Purshia stansburiana*), cholla (*Opuntia sp.*), and other species of unidentified forbs.



Figure 2. Transect WS-02

The ESD suggests that approximate ground cover at WS-03 should be between 15-25%. Actual cover was 17.58%. Wyoming big sagebrush made up 7.8% of the cover, while Douglas' rabbit brush and fourwing saltbush both contributed 1.75% cover each. Horsebrush contributed 1.0% cover and vegetative litter made up the remaining 5.28%. Although Wyoming big sagebrush was the main source of cover, additional species were present. Additional species observed included Indian ricegrass (*Oryzopsis hymenoides*), fluff grass (*Erioneuron pulchellum*), cheatgrass (*Bromus tectorum*), eriogonum (*Eriogonum sp.*), globe mallow (*Sphaeralcea sp.*), and Russian thistle (*Salsola spp.*).

#### **Surfaces and Compaction/Infiltration:**

Transect WS-01 occurs in the Heist Gravelly Sandy Loam Soil Mapping Unit. The Ecological Site Description describes the soil as a Loamy 8-10" p.z. (029XY006NV). Figure 3 shows the soil type and biological crusts on transect WS-01. Biological crusts are indicative of a relatively undisturbed and/or stable soil surface. In addition, litter was accumulating under the shrubs and to some degree in the inner spaces between shrubs, indicating that utilization was not at unacceptable levels and that plants are able to live, die, and deposit litter on the soil surface. In addition the abundance of gravel helps stabilize the soil and facilitate infiltration.





Figure 3. Soil and Soil Crusts WS-01

Transect WS-02 occurs in the Acana-Ursine Association Soil Mapping Unit according to the Meadow Valley Soil Survey. The Ecological Site Description identifies the site as a Shallow Calcareous Loam 8-12" p.z.-029XY008NV. Figure 4 shows the soil type on transect WS-02. Black soil crusts are prominent interspersed with rocks on the soil surface and under the canopy of black sagebrush and other shrubs. The presence of crusts indicates a productive soil system.





Figure 4. Soil type WS-02

Transect WS-03 occurs in the Heist Gravelly Sandy Loam Soil Mapping Unit. The Ecological Site Description describes the soil as a Loamy 8-10" p.z. (029XY006NV). The soil surface contains variable sizes of gravel that help stabilize the soil. In addition, the nitrification process is occurring, which is adding nutrients to the soil surface as well as increasing water infiltration.

## RIPARIAN

### Soil Indicators

There are no spring sources, nor lotic systems located on the allotment. Therefore this Standard is not applicable.

Based on the data analysis, field observations, photographs, and potential for the ecological sites for vegetative cover, it is determined that the standard for soils is being achieved on the allotment. Cryptobiotic crusts occur throughout the allotment, which are indicators that the soil surface is stable. These crusts easily disappear under constant trampling. Surface rills of a few centimeters or less were observed forming shortly after a major rainfall event along the North, East, and Southern slopes bordering the allotment. As a result of the regional topography the sediment load accumulates in the drainage basin formed in the center of the allotment. Acting like a catchment, the deposition of soil in the drainage inhibits the loss of soil as water flows infiltrate or leave the allotment. Healthy sagebrush communities were observed in the drainage area, stabilizing the soils. The soils within this allotment will likely never have high amounts of organic matter due to the relatively new age of the soils, the precipitation regime which precludes large amounts of above ground biomass, and the geologic site potential.

## ***Standard 2. Ecosystem Components***

*Watersheds should possess the necessary ecological components to achieve State water quality criteria, maintain ecological processes, and sustain appropriate uses.*

*Riparian and wetlands vegetation should have structural and species diversity characteristic of the stage of stream channel succession in order to provide forage and cover, capture sediment, and capture, retain, and safely release water (watershed function).*

### Upland Indicators:

- Canopy and ground cover, including litter, live vegetation, biological crust, and rock appropriate to potential of the ecological site.
- Ecological processes are adequate for the vegetative communities.

### Riparian Indicators:

- Stream side riparian areas are functioning properly when adequate vegetation, large woody debris, or rock is present to dissipate stream energy associated with high water flows.
- Elements indicating proper functioning condition such as avoiding acceleration erosion, capturing sediment, and providing for groundwater recharge and release are determined by the following measurements as appropriate to the site characteristics:
  - Width/Depth ratio.
  - Channel roughness.
  - Sinuosity of stream channel.
  - Bank stability.
  - Vegetative cover (amount, spacing, life form).
  - Other covers (large woody debris, rock).
  - Natural springs, seeps and marsh areas are functioning properly when adequate vegetation is present to facilitate water retention, filtering, and release as indicated by plant species and cover appropriate to the site characteristics.

### Water Quality Indicators:

- Chemical, physical and biological constituents do not exceed the State water quality Standards.

The above indicators shall be applied to the potential of the ecological site.

### ***Determination:***

#### **X Achieving the Standard**

- Not Achieving the Standard, but making significant progress towards achieving
- Not Achieving the Standard, and not making significant progress toward standard

#### ***Causal Factors N/A***

- Livestock are a contributing factor to not achieving the standard.
- Livestock are not a contributing factor to not achieving the standard
- Failure to meet the standard is related to other issues or conditions

***Guidelines Conformance:***

**X In conformance with the Guidelines**

Not in conformance with the Guidelines

Conclusion: *Standard Achieved*

**UPLAND INDICATORS AND ECOLOGICAL PROCESSES**

The dominant communities in the allotment are Wyoming sagebrush/Indian ricegrass-Neadleandthread and black sagebrush/Indian ricegrass. The regional topography of the allotment is composed of a drainage basin bordered by rising piedmont slopes and rock pediments on the north, east, and south sides. The topography leads to the development of washes and flood plains drawing rain run-off in a westerly direction. The overall topography of the allotment aids in the deposition of soils encouraging healthy sagebrush, grass communities, and stable soils.

The soils in the Warm Springs Allotment are effectively protected by vegetative and ground cover in the form of woody debris and rock. In places, understory vegetation consisted of biological crusts, small galleta grass, bottlebrush squirreltail, and Indian ricegrass as well as a diverse forb component. Soil factors such as gravels and cobbles influence the water uptake rates throughout the soil profile, reducing the water capacity and aiding in draining. Understory vegetation also adds to the porosity of the soil surface and aids in drainage.

There is a low amount of cheatgrass in most the allotment. We did not record any while reading our vegetation transects. The only place there are higher concentrations of this grass are the areas closest to the city of Panaca. This is due to the high levels of disturbance from OHV activity. Cheatgrass is a known invasive species that prefers disturbed areas and is easily established in the aforementioned areas. In addition, no noxious weed species were observed. The Wyoming sagebrush/Indian ricegrass-Neadleandthread and the black sagebrush/Indian ricegrass communities have shown a resiliency to noxious weed invaders.

Biological crusts and mosses were observed in desirable amounts throughout the allotment. These living organisms play a key role in the fixation of nitrogen while protecting the soils from erosion particularly where gravels do not occur on the surface.

**RIPARIAN INDICATORS AND WATER QUALITY INDICATORS**

There are no springs or riparian sources in the Warm Springs Allotment, therefore this Standard is not applicable.

Based on the analysis of data, recent field observations, and the apparent resiliency of the vegetative community, Standard 2 - Ecosystem Components is determined to be achieved on the allotment. Vegetative conditions are acceptable and desirable. The range represented on the allotment is not at high risk for catastrophic wildfire, nor for invasion of non-native, undesirable weed species. The sagebrush communities appear to be healthy and relatively vigorous with a good diversity of understory perennial grasses and native annual forbs.

### ***Standard 3. Habitat and Biota:***

#### Habitat Indicators:

- Vegetation composition (relative abundance of species);
- Vegetation structure (life forms, cover, height, or age class);
- Vegetation distribution (patchiness, corridors);
- Vegetation productivity; and
- Vegetation nutritional value.

#### Wildlife Indicators:

- Escape terrain
- Relative abundance
- Composition
- Distribution
- Nutritional value
- Edge-patch snags

#### ***Determination:***

##### **X Achieving the Standard**

- Not Achieving the Standard, but making significant progress towards achieving
- Not Achieving the Standard, and not making significant progress toward standard

#### ***Causal Factors N/A***

- Livestock are a contributing factor to not achieving the standard.
- Livestock are not a contributing factor to not achieving the standard
- Failure to meet the standard is related to other issues or conditions

#### ***Guidelines Conformance:***

##### **X In conformance with the Guidelines**

- Not in conformance with the Guidelines

#### **Conclusion: *Standard Achieved***

The indicators for the Standard refer to vegetative composition, structure, distribution, productivity, and nutritional value. Vegetative conditions on the Warm Spring allotment suitably reflect these attributes. Conditions are suitable based on the present canopy and ground cover in the Wyoming big sagebrush and black sagebrush communities. A fairly diverse herbaceous understory and interspatial vegetative components over a majority of the allotment serves to provide a variable forage base with suitable structure and distribution to support diverse biota. Numerous forb species were identified on the allotment including, *Eriogonum sp.*, *Iva acillaris*, *Sphaeralcea spp.* and *Phlox spp.*, to name the notable species. The abundant presence of these species indicates a productive and functional understory especially when looking at the site potential. The plant community as a whole is providing adequate forage to wildlife species.

The allotment provides habitat for mule deer. The western portion of the allotment is used as a travel corridor for mule deer. Evidence of mule deer use and occupation was seen throughout the allotment and in the neighboring areas, including the city of Panaca. The sagebrush areas provide year round forage and cover. The nearby trees and topography provide important escape cover, as well as thermal protection in the summer and winter for deer and other wildlife species.

The sage grouse is not known to occur on the allotment, but the allotment is included in the Lincoln PMU. According to the Lincoln County Sage Grouse Conservation Plan (LCCP-2007), birds are found in “open areas at high elevations”. Higher occurrences of forbs and perennial bunchgrasses would be desirable to support sage grouse on the allotment.

Junipers and pinyons (*Pinus monophylla*) are increasing on the allotment which eventually could degrade the quality of the habitat for sage grouse as site-appropriate vegetation decreases due to competition with juniper and pinyon for sunlight, nutrients, and water. Their eventual dominance on the allotment could impact the sagebrush ecosystem and the species that are dependent on it. With reduced presence of grasses and forbs available to sage grouse or any other wildlife or insect species, the biodiversity could decrease based on available suitable habitat. This risk is still several decades away for most of the allotment but is a consideration at present time.

The advent of cheatgrass as a major ecological problem in the western states has prompted BLM to become aware and improve management of it in the sagebrush ecosystem. Very little cheatgrass was observed on the allotment, with the exception of the area nearest the city of Panaca. This area is of concern due to the large amount of OHV recreation. If the areas of use expand throughout the allotment, cheatgrass may become more dominant in the interspaces and open areas.

Generally speaking, the habitats, within the allotment, of the species mentioned, are appropriate and suitable based on the vegetative structure, composition, distribution, and productivity of the site given the site potential. Other features such as escape terrain, thermal cover and perching/nesting habitat from both short and tall statured woody species are all desirable. The allotment offers habitat for small mammals, and assorted numerous songbirds and raptors. Lizards and snakes comprise the reptilian population and are abundant based on the number of burrows observed.

Based on the existing conditions as described, the standard for Habitat and Biota is determined to be achieved on the allotment.

## **PART 2. ARE LIVESTOCK A CONTRIBUTING FACTOR TO NOT MEETING THE STANDARDS? SUMMARY REVIEW:**

### Standard #1: Soils

N/A. The standard is achieved.

Standard #2: Ecosystem Components

N/A. The standard is achieved.

Standard #3: Habitat and Biota

N/A. The standard is achieved.

**PART 3. GUIDELINE CONFORMANCE REVIEW AND SUMMARY**

Conformance to the guidelines pertaining to wild horses and burros are not determined in this document. Wherever the guidelines pertain to management practices those guidelines are assessed.

1. Soils:

1.2 states, “Riparian-wetland management practices should maintain or promote sufficient residual vegetation to maintain, improve, or restore functions such as stream flow energy dissipation, sediment capture, groundwater recharge, and streambank stability.”

Warm Spring Allotment does not have a water source; therefore this Standard is not applicable.

2. Ecosystem Components:

2.6 states, “Subject to all valid existing rights, the design of spring and seep developments shall include provisions to maintain or promote ecological functions and processes.”

Warm Spring Allotment does not have a water source; therefore this Standard is not applicable.

3. Habitat and Biota:

Management of the Warm Spring Allotment is in conformance with the Guidelines for the Standard.

**PART 4. MANAGEMENT PRACTICES TO CONFORM WITH GUIDELINES AND ACHIEVE STANDARDS**

Discussion:

Grazing management on the Warm Spring Allotment already conforms to the Guidelines. All three of the Standards are achieved for the allotment. In order to ensure grazing continues to achieve the Standards, the following terms and conditions are recommended to be added to the grazing permit as best management practices.

## Recommendations for Grazing Management:

1. Salt and/or mineral supplements for livestock will be located no closer than ¼ mile from water sources. Use of nutritional supplements (not forage) is encouraged to improve the ability of cattle to utilize forage in the winter months and to improve livestock distribution across the allotment.

2. Maximum allowable use levels would be established as follows:

- Perennial grasses: 40% current year's growth.
- Perennial shrubs, half-shrubs and forbs: 40% use on current annual production.

*Justification for this use limit is based on the possibility of present or future use by sage grouse, a Nevada BLM Sensitive Species and because of habitat for mule deer. A conservative use limit also helps to provide forage even during periodic drought events for wildlife, livestock and wild horses until conditions improve.*

3. Wildlife escape ramps are required to be installed and maintained by the permittee at each trough used on the allotment.

*Presently, there are no troughs used on the allotment, however this stipulation would apply if they are utilized in the future.*

4. Livestock will be moved to another authorized pasture or removed from the allotment before utilization objectives are met or no later than 5 days after meeting the utilization objectives. Any deviation in livestock movement will require authorization from the authorized officer.

**Interdisciplinary Team Review**

Alan Kunze, Soil Scientist /S/ 6/30/2009  
Date

Bonnie Million, Weeds Specialist /S/ 6/30/2009  
Date

Lynn Wulf, Cultural Specialist /S/ 6/23/2009  
Date

Ben Noyes, Wild Horse and Burro Specialist /S/ 6/23/2009  
Date

Rick Baxter, Wildlife Biologist /S/ 7/02/2009  
Date

Melanie Peterson, Environmental Protection Specialist /S/ 6/23/2009  
Date

Elvis Wall, Tribal Coordinator /S/ 6/23/2009  
Date

**Prepared by:**

Rick Baxter, Wildlife Biologist /S/ 6/30/2009  
Date

**Reviewed by:**

Chris Mayer, Lead Rangeland Management Specialist /S/ 6/23/2009  
Date

**I concur:**

/s/ Victoria Barr 6/23/2009  
Victoria Barr, Field Manager Date



## REFERENCES

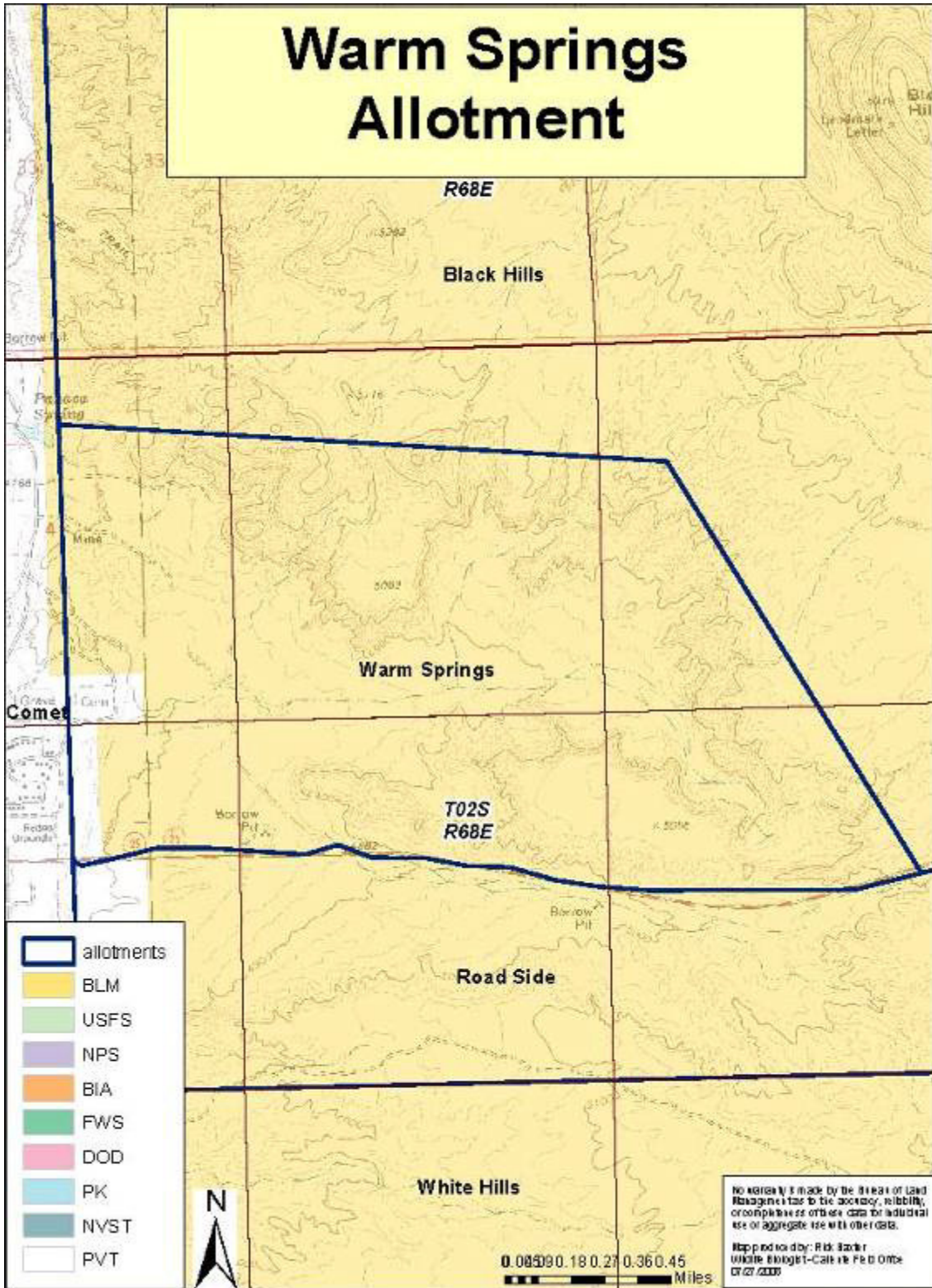
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**APPENDIX A**  
(Standards Determination Document)

MAP

# Warm Springs Allotment

BLM



Ely District Office

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data.  
 Map produced by: Rick Smith  
 U.S. Office of Biological Services  
 03/27/2003

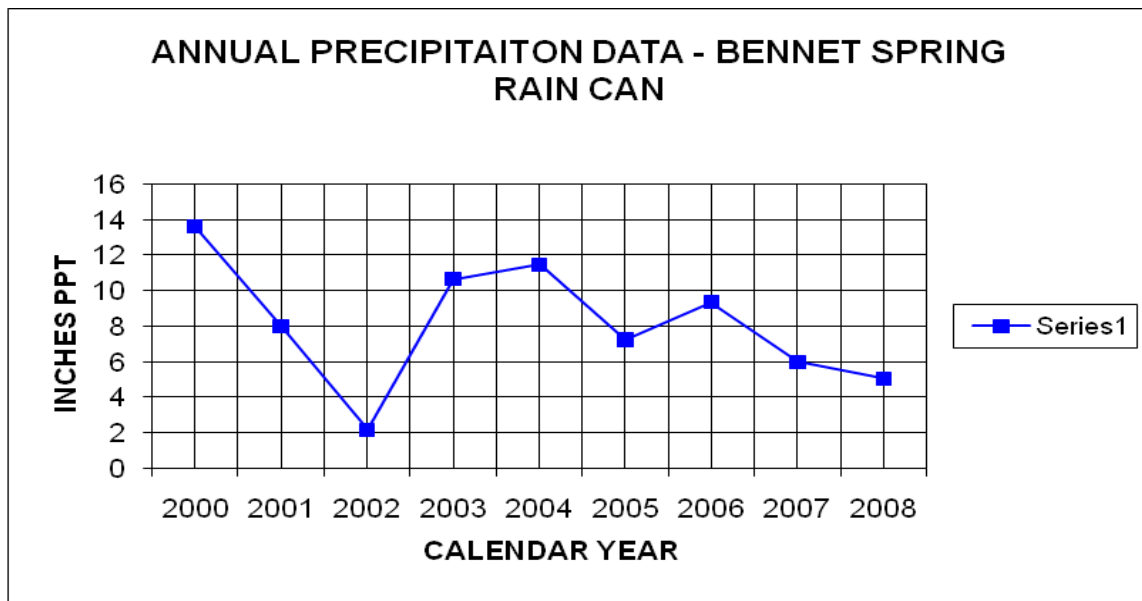
# APPENDIX B

(Standards Determination Document)

## TABLES – DATA ANALYSIS

### 1. Precipitation Data

The Bennett Spring rain can is located approximately 9 miles west of Warm Spring Allotment and is similar in topography and elevation. Precipitation was recorded over the past 8 years on Bennett Spring Allotment and the 8-year average based on rain can collection data was 8.75 inches from 2000-2008. The precipitation was variable however, with an annual low of 2.17 inches in 2002 and a high of nearly 13.58 inches in 2000.



### 2. Line Intercept Cover

The method used to estimate cover is called Line Intercept. This method measures the dominant canopy cover and ground cover but does not measure vegetation which occurs underneath a canopy of another plant. Due to this constraint, not all species on site are represented in the table below as many grow in the shade of larger, more dominant species.

Cover data was read in 1978 and 1977 for the two key areas on the allotment. Transects WS-01 and WS-02 were selected as representative sites of the major soil mapping units and their characteristic plant communities. Transect WS-02 is located on the largest soil mapping unit in the allotment dominated by Wyoming big sagebrush and an Indian Ricegrass-Needleandthread grass co-dominated understory. WS-02 is located on the smallest mapping unit with a Black Sagebrush dominated canopy and Indian Ricegrass understory. Data is summarized in Table 2.

Table 1:

KEY AREA INFORMATION		SPECIES	COMPOSITION BY SPECIES BASED ON COVER
WS-01: WARM SPRING		STICK	0.07%
Range site: Shallow Calcareous Loam 8-12" P.Z. (R029XY008NV)		Wyoming sagebrush	2.66%
Desirable Cover For Site: 20-30%		Fourwing saltbush	0.58%
Percent Cover Measured 2008: 14.12%		SATR	0.27%
Elevation:		LITTER	10.54%
COMPOSITION BY GROUPS			
SHRUBS	98.04469%		
GRASSES	0.0%		
FORBS/MOSS	1.955307%		
WS-02: WARM SPRING		PWA	0.13%
Range site: Shallow Calcareous Loam 8-12" P.Z. (R029XY008NV)		Black sagebrush	10.83%
Desirable Cover For Site: 20-30%		Ephedra	0.17%
Percent Cover Measured 2008: 20.42%		LITTER	9.29%
Elevation:			
COMPOSITION BY GROUPS			
SHRUBS	98.83199%		
GRASSES	1.168014%		
FORBS/MOSS	0.0%		

## APPENDIX III

(EA)

### STANDARD TERMS AND CONDITIONS

1. 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.
2. Deviations from specified grazing use dates will be allowed when consistent with multiple-use objectives. Such deviations will require an application and written authorization from the authorized officer prior to grazing use.
3. The authorized officer is requiring that an actual use report (form 4130-5) be submitted within 15 days after completing your annual grazing use.
4. The payment of your grazing fees is due on or before the date specified in the grazing bill. This date is generally the opening date of your allotment. If payment is not received within 15 days of the due date, you will be charged a late fee assessment of \$25 or 10 percent of the grazing bill, whichever is greater, not to exceed \$250. Payment with Visa, MasterCard or American Express is accepted. Failure to make payment within 30 days of the due date may result in trespass action.
5. Pursuant to 43 CFR 10.4 (G) the holder of this authorization must notify the authorized officer by telephone, with written confirmation, immediately upon discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (as defined at 43 CFR 10.2). 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.
6. Grazing use will be in accordance with the great basin area standards and guidelines for grazing administration. The Standards and Guidelines have been developed by the respective Resource Advisory Council and approved by the Secretary Of The Interior on February 12, 1997. Grazing use will also be in accordance with 43 CFR Subpart 4180 - Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration.
7. If future monitoring data indicates that Standards and Guidelines for Grazing Administration are not being met, the permit will be re-issued subject to revised terms and conditions.
8. The permittee must notify the authorized officer by telephone, with written confirmation, immediately upon discovery of any hazardous or solid wastes as defined in 40 CFR Part 261.
9. The permittee is responsible for all maintenance of assigned range improvements including wildlife escape ramps for both permanent and temporary water troughs.
10. When necessary, control or restrict the timing of livestock movement to minimize the transport of livestock-borne noxious weed seeds, roots, or rhizomes between weed-infested and weed-free areas.

**APPENDIX IV**  
(EA)

WEED RISK ASSESSMENT

**RISK ASSESSMENT FOR NOXIOUS & INVASIVE WEEDS**  
**Term Grazing Permit Renewals for Wadsworth Ranching Co.**  
**Warm Springs Allotment**  
**Lincoln County, Nevada**

On December 15, 2008 a Noxious & Invasive Weed Risk Assessment was completed for the term grazing permit renewal for the Wadsworth Ranching Company on the Warm Springs Allotment in Lincoln County, NV. The BLM proposes to fully process and renew the grazing term permit for the Wadsworth Ranching Company on the Warm Springs Allotment. The current term permit for Wadsworth Ranching Company is issued for the period 03/01/2005 to 02/28/2015. This is a cattle permit with an active use of 75 AUMs. The issuance of the new term grazing permits could be for a period of up to ten years. An evaluation of range monitoring data and professional observations of rangeland health will be conducted for both allotment. These data will be summarized in a Standards Determination Document that will be provided for internal and public review. Total grazing use for the Warm Springs Allotment is as follows:

ALLOTMENT		LIVESTOCK		GRAZING PERIOD		AUMs
Name	Number	* Number	Kind	Begin	End	
Warm Springs	01080	15	C	11/16	04/30	75

The grazing permit area occurs within Lincoln County, Nevada and is situated in the northeastern portion of the Caliente Field Office, immediately adjacent to the city of Panaca. The permit area occurs within the Panaca Valley (210) watershed. The Warm Springs Allotment encompasses 1,448 public land acres. All permitted AUMs are not currently active. The Wadsworth Ranching Company has not reported any use in the Warm Springs Allotment since the 2005 grazing year.

No field weed surveys were completed for this project. Instead the Ely District weed inventory data was consulted. The following species are found within the boundaries of the Warm Springs Allotment:

*Tamarix spp.*                      Salt cedar

The following species are found along roads and drainages leading to the allotment:

*Carduus nutans*                      Musk thistle  
*Centaurea stoebe*                      Spotted knapweed

<i>Cirsium vulgare</i>	Bull thistle
<i>Lepidium draba</i>	Hoary cress
<i>Lepidium latifolium</i>	Tall whitetop
<i>Linaria dalmatica</i>	Dalmatian toadflax
<i>Onopordum acanthium</i>	Scotch thistle
<i>Tamarix spp.</i>	Salt cedar

This allotment was last inventoried for noxious weeds in 2003. While not officially documented the following non-native invasive weeds probably occur in or around the allotment: cheatgrass (*Bromus tectorum*), Russian olive (*Elaeagnus angustifolia*), halogeton (*Halogeton glomeratus*), horehound (*Marrubium vulgare*), Russian thistle (*Salsola kali*), and puncturevine (*Tribulus terrestris*).

**Factor 1 assesses the likelihood of noxious/invasive weed species spreading to the project area.**

None (0)	Noxious/invasive weed species are not located within or adjacent to the project area. Project activity is not likely to result in the establishment of noxious/invasive weed species in the project area.
Low (1-3)	Noxious/invasive weed species are present in the areas adjacent to but not within the project area. Project activities can be implemented and prevent the spread of noxious/invasive weeds into the project area.
Moderate (4-7)	Noxious/invasive weed species located immediately adjacent to or within the project area. Project activities are likely to result in some areas becoming infested with noxious/invasive weed species even when preventative management actions are followed. Control measures are essential to prevent the spread of noxious/invasive weeds within the project area.
High (8-10)	Heavy infestations of noxious/invasive weeds are located within or immediately adjacent to the project area. Project activities, even with preventative management actions, are likely to result in the establishment and spread of noxious/invasive weeds on disturbed sites throughout much of the project area.

For this project, the factor rates as Moderate (4) at the present time. The Proposed Action could increase the populations of the noxious and invasive weeds already within the allotment and could aid in the introduction of weeds from surrounding areas. Within the allotment, watering and salt block sites are of particular concern of new weed infestations due to the concentration of livestock around those sites and the amount of ground disturbance associated with that.

**Factor 2 assesses the consequences of noxious/invasive weed establishment in the project area.**

Low to Nonexistent (1-3)	None. No cumulative effects expected.
Moderate (4-7)	Possible adverse effects on site and possible expansion of infestation within the project area. Cumulative effects on native plant communities are likely but limited.
High (8-10)	Obvious adverse effects within the project area and probable expansion of noxious/invasive weed infestations to areas outside the project area. Adverse cumulative effects on native plant communities are probable.

This project rates as High (8) at the present time. If new weed infestations establish within the allotment this could have an adverse impact those native plant communities especially since most of this allotment is currently considered to be weed-free. Also, any increase of cheatgrass could alter the fire regime in the area.



**The Risk Rating is obtained by multiplying Factor 1 by Factor 2.**

None (0)	Proceed as planned.
Low (1-10)	Proceed as planned. Initiate control treatment on noxious/invasive weed populations that get established in the area.
Moderate (11-49)	Develop preventative management measures for the proposed project to reduce the risk of introduction of spread of noxious/invasive weeds into the area. Preventative management measures should include modifying the project to include seeding the area to occupy disturbed sites with desirable species. Monitor the area for at least 3 consecutive years and provide for control of newly established populations of noxious/invasive weeds and follow-up treatment for previously treated infestations.
High (50-100)	Project must be modified to reduce risk level through preventative management measures, including seeding with desirable species to occupy disturbed site and controlling existing infestations of noxious/invasive weeds prior to project activity. Project must provide at least 5 consecutive years of monitoring. Projects must also provide for control of newly established populations of noxious/invasive weeds and follow-up treatment for previously treated infestations.

For this project, the Risk Rating is Moderate (32). This indicates that the project can proceed as planned as long as the following measures are followed:

- Prior to entering public lands, the BLM will provide information regarding noxious weed management and identification to the permit holders affiliated with the project. The importance of preventing the spread of weeds to uninfested areas and importance of controlling existing populations of weeds will be explained.
- The range specialist for the allotment will include weed detection into project compliance inspection activities. If the spread of noxious weeds is noted, appropriated weed control procedures will be determined in consultation with BLM personnel and will be in compliance with the appropriate BLM handbook sections and applicable laws and regulations.
- To eliminate the introduction of noxious weed seeds, roots, or rhizomes all interim and final seed mixes, hay, straw, hay/straw, or other organic products used for feed or bedding will be certified free of plant species listed on the Nevada noxious weed list or specifically identified by the BLM Ely District Office.
- Grazing will be conducted in compliance with the Ely District BLM noxious weed schedules. The scheduled procedures can significantly and effectively reduce noxious weed spread or introduction into the project area.
- Any newly established populations of noxious/invasive weeds discovered will be communicated to the Ely District Noxious and Invasive Weeds Coordinator for treatment.

Reviewed by: \_\_\_\_\_  
 Bonnie Million  
 Ely District Noxious & Invasive Weeds Coordinator

12/17/2008  
 Date

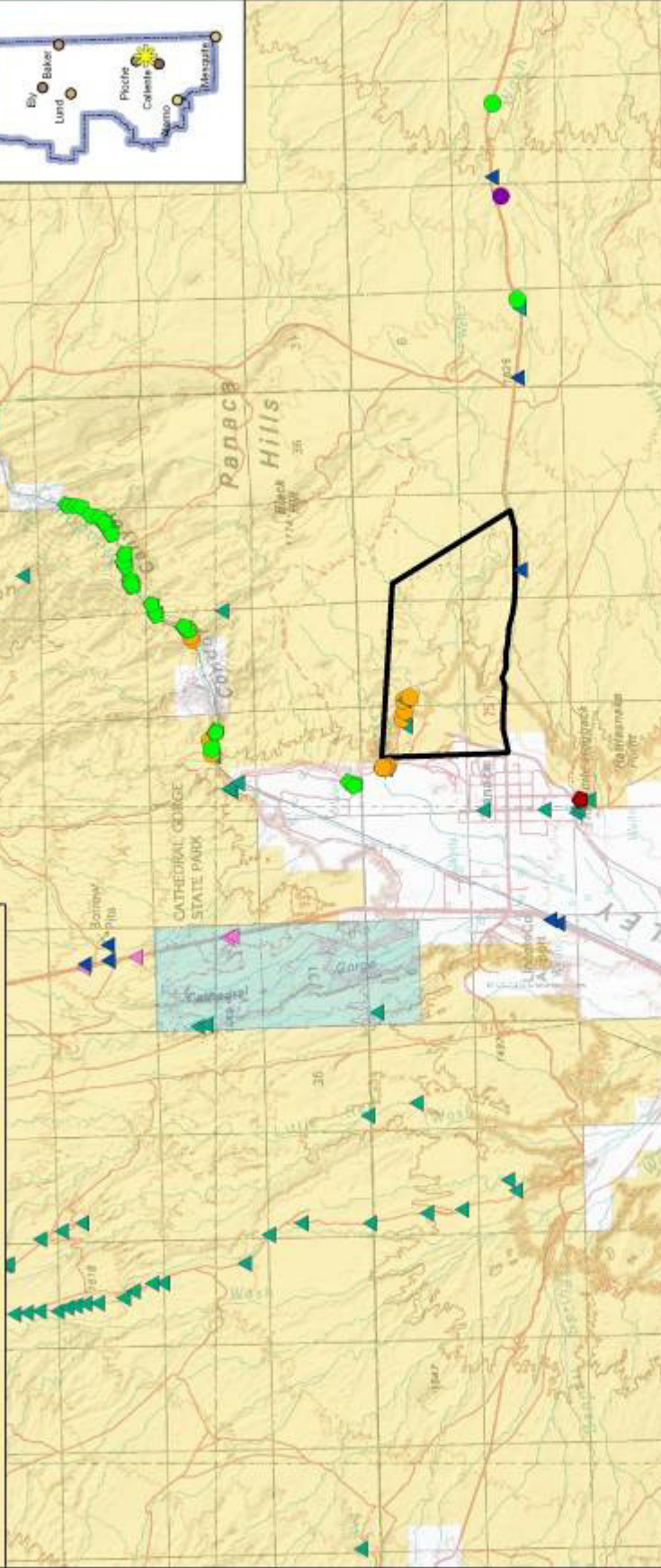
Location within the Ely District boundary



No warranty is made by the Bureau of Land Management as to the accuracy, reliability or completeness of these data for individual use or aggregate use with other data.

Map Produced by Bureau of Indian Affairs  
 12/05/2008

**Warm Springs Allotment Term Permit Renewal**  
 Documented Noxious & Invasive Weed Infestations



**Legend**

Warm Springs Allotment	BULL THISTLE	SCOTCH THISTLE
BLM	DALMATIAN TOADFLAX	SPOTTED KNAPWEED
State Park	MUSK THISTLE	TALL WHITETOP
Private	SALT CEDAR	WHITETOP/HOARY CRESS

0 1 2 4 6 8 Miles

## APPENDIX V (EA)

### MIGRATORY BIRDS

The following data reflect survey blocks and/or incidental sightings of bird species found on or near the allotment from the Atlas of the Breeding Birds of Nevada (Floyd et al. 2007).

These data represent birds that were confirmed, probably, or possibly breeding within the area. These data are not comprehensive, and additional species not listed here may be present within the allotment boundary.

**Bolded** species names are birds considered BLM Sensitive

#### **Works Cited**

Floyd T, Elphick CS, Chisholm G, Mack K, Elston RG, Ammon EM, and Boone JD. 2007. Atlas of the Breeding Birds of Nevada. Reno: University of Nevada Press.

#### **Warm Springs**

Mallard (*Anas platyrhynchos*)  
Northern Pintail (*Anas acuta*)  
Cinnamon Teal (*Anas cyanoptera*)  
Northern Harrier (*Circus cyaneus*)  
Gambel's Quail (*Callipepla gambelii*)  
Mourning Dove (*Zenaida macroura*)  
Barn Swallow (*Hirundo rustica*)  
Common Raven (*Corvus corax*)  
Sage Thrasher (*Oreoscoptes montanus*)  
Yellow Warbler (*Dendroica petechia*)  
Common Yellowthroat (*Geothlypis trichas*)  
Wilson's Warbler (*Wilsonia pusilla*)  
Blue Grosbeak (*Passerina caerulea*)  
Chipping Sparrow (*Spizella passerina*)  
Brewer's Sparrow (*Spizella breweri*)  
Black-throated Sparrow (*Amphispiza bilineata*)  
Red-winged Blackbird (*Agelaius phoeniceus*)  
Western Meadowlark (*Sturnella neglecta*)  
Yellow-headed Blackbird (*Xanthocephalus xanthocephalus*)  
Brewer's Blackbird (*Euphagus cyanocephalus*)  
Brown-headed Cowbird (*Molothrus ater*)  
Turkey Vulture (*Cathartes aura*)  
Red-tailed Hawk (*Buteo jamaicensis*)  
Long-billed Curlew (*Numenius americanus*)  
Wilson's Snipe (*Gallinago delicata*)  
Northern Rough-winged Swallow (*Stelgidopteryx serripennis*)  
Northern Mockingbird (*Mimus polyglottos*)