United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Egan Field Office
HC33 Box 33500 (702 N. Industrial Way)
Ely, Nevada 89301-9408
http://www.blm.gov/nv/st/en/fo/ely_field_office.html

In Reply Refer to:
4130 (NVL0100)

Dear Interested Public:

The Bureau of Land Management (BLM) Egan Field Office has completed a Preliminary Environmental Assessment (EA) for the Pete Goicoechea (2704555/2704520) term grazing permit renewal on the Railroad Pass and Newark Allotments and Warren Scoppettone (2700101) term grazing permit renewal on the Newark Allotment. The Standards Determination Document (SDD) for the Pete Goicoechea (2704520), Warren Scoppettone (2700101), and Paris Livestock (2704538) term grazing permit renewals on the Newark Allotment (00608) is also ready for public review and is attached to the EA. This EA and SDD are being sent to you for solicitation of your comments and input. The EA with the SDD is being posted on the Ely BLM District web page at **http://www.blm.gov/nv/st/en/fo/ely_field_office.html** for a 15 day public comment period. You are receiving this letter because you expressed interest in grazing management actions on one or more of these allotments in your reply to the Ely BLM District 2009 Annual Consultation, Cooperation, and Coordination letter.

The proposed action of the EA is to fully process and renew the grazing permits for Pete Goicoechea and Warren Scoppettone on the Newark and Railroad Pass Allotments and authorize livestock grazing on these allotments. No changes to livestock management on the Railroad Pass Allotment will be made. Some changes to livestock grazing management will be made on the Newark Allotment to improve range conditions.

The SDD is an assessment of the Northeastern Great Basin Area Standards for Rangeland Health conducted for the Newark Allotment in 2009 during the term permit renewal process. The SDD evaluates and assesses livestock grazing management's achievement of the Standards and conformance with the Guidelines for the term permit renewal for Pete Goicoechea, Warren Scoppettone, and Paris Livestock for the Newark Allotment in the Ely BLM District.

The issuance of new permits could be for a period up to ten years. The Railroad Pass Allotment encompasses approximately 27,025 public land acres. The grazing permit area occurs entirely within White Pine County, and is situated approximately 75 miles northwest of Ely, Nevada. The Newark Allotment encompasses approximately 218,105 public land acres. The grazing allotment occurs entirely within White Pine County, and is situated approximately 45 miles west of Ely, Nevada.

Please review the EA and Newark SDD and provide written comments **by March 15, 2009.** Please address all comments to:

Amanda Anderson, Rangeland Management Specialist
Bureau of Land Management
HC 33, Box 33500
Ely, Nevada 89301

Please note, before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment including your personal identifying information may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Thank you for your cooperation. If you have any questions about this project, please contact Amanda Anderson, Rangeland Management Specialist at (775) 289-1855.

Sincerely,

Jeffrey A. Weeks
Field Manager
Egan Field Office

cc: Interested Publics Mailing List (Name Only)

Steve Foree, Nevada Department of Wildlife
Eureka County Department of Natural Resources
Western Watersheds Project, Katie Fite
Steven Carter
Sustainable Grazing Coalition, Richard Orr
Betsy Macfarlan, Eastern Nevada Landscape Coalition
Refuge Manager, Ruby Lake National Wildlife Refuge
Karen Rajala
Craig C. Downer
Robert Dickenson
Nevada State Clearinghouse (electronic copy only)

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

DOI-BLM-NV-L010-2009-0003-EA
February 20, 2009

Pete Goicoechea Term Grazing Permit Renewal On the Railroad Pass and Newark Allotments And Warren Scoppettone Term Grazing Permit Renewal On the Newark Allotment

Location: White Pine County, NV

U.S. Department of the Interior
Bureau of Land Management
Ely District Office
Phone: (775) 289-4505
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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 renewals for Pete Goicoechea (2704520/2704555) on the Railroad Pass (00601) and Newark (00608) Allotments and Warren Scoppettone (2700101) on the Newark Allotment. The Railroad Pass Allotment is situated approximately 75 miles northwest of Ely, Nevada and the Newark Allotment is situated approximately 45 miles west of Ely, Nevada. Both allotments are found entirely in White Pine County (see Figure 1, Appendix I).

The legal location of the Newark Allotment is as follows:

T16N R55E, various sections;
T17N R54E, various sections;
T17N R55E, various sections;
T17N R56E, various sections;
T17N R57E, various sections;
T17N R58E, various sections;
T18N R54E, various sections;
T18N R55E, various sections;
T18N R56E, various sections;
T18N R57E, all sections;
T18N R58E, various sections;
T19N R54E, various sections;
T19N R55E, various sections;
T19N R56E, all sections;
T19N R57E, various sections;
T19N R58E, various sections;
T20N R54E, various sections;
T20N R55E, various sections;
T20N R56E, all sections;
T20N R57E, various sections;
T21N R55E, various sections;
T21N R56E, various sections; and
T21N R57E, various sections

The legal location of the Railroad Pass Allotment is as follows:

T24N R54E, portion of Section 1
T24N R55E, several sections
T25N R54E, portions of several sections
T25N R55E, several sections
T26N R54E, portions of three sections
T26N R55E, several sections

1.0.1 Background

Current management practices have been implemented since the Final Multiple Use Decisions were issued for the Railroad Pass Allotment on November 9, 1995 and for the Newark Allotment on April 13, 1992.

1.1 Introduction of the Proposed Action.

The Bureau of Land Management (BLM), Egan Field Office proposes to issue and fully process term grazing permits for Pete Goicoechea (2704520/2704555) and Warren Scoppettone (2700101) and authorize grazing on the Railroad Pass and Newark Allotments. Changes to the existing permits are recommended to achieve the Standards and Guidelines for Nevada's Northeastern Great Basin Area as established by the Nevada Northeastern Great Basin Resource Advisory Council (RAC), approved 1997.

Monitoring data were reviewed and assessments of the rangeland health of each allotment were completed in 2008-2009 during the term permit renewal process through Standards Determination Documents (SDD; see Appendix II and III).

The following is a summary of the SDD by allotment for achievement of the standards.

ALLOTMENT	STANDARD 1 Upland Sites	STANDARD 2 Riparian and Wetland Sites	STANDARD 3 Habitat
Railroad Pass (00601)	Standard achieved	Not achieving the Standard	Not achieving the Standard
Newark (00608)	Standard achieved	Not achieving the Standard	Not achieving the Standard

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 Pete Goicoechea and Warren Scoppettone with new terms and conditions for grazing use that conform to guidelines and achieve standards for Nevada's Northeastern Great Basin Area 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 Pete Goicoechea and Warren Scoppettone and authorize grazing in accordance with applicable laws, regulations, and land use plans (LUP) on approximately 245,000 acres of public land.

1.3.2. To improve vegetative health and growth conditions on the allotments and continue to meet or make progress towards achieving the Standards and Guidelines for rangeland health as approved and published by Nevada's Northeastern 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 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 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."

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.

- White Pine County Portion (Lincoln/White Pine Planning Area) Sage Grouse Conservation Plan (2004).
- State Protocol Agreement between the Bureau of Land Management, Nevada and the Nevada Historic Preservation Office (1999).
- Northeastern Great Basin Resource Advisory Council (RAC) Standards and Guidelines (February 12, 1997).
- White Pine County Land Use Plan (2007).
- White Pine County Elk Management Plan (2007 revision)

1.4.2 Tiering

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

1.5 Relevant Issues and Internal Scoping/Public Scoping.

The Warren Scoppettone term permit renewal proposal was scoped by resource specialists during a meeting held March 25, 2008 at the Ely BLM Field Office. The Pete Goicoechea term permit renewal proposal was internally scoped by the Egan Field Office ID Team/Resource Specialists on November 3, 2008 to identify any relevant issues.

A letter notifying Warren Scoppettone of the term permit renewal was sent on March 14, 2008. A letter notifying Pete Goicoechea of the term permit renewal was sent on October 20, 2008.

The Warren Scoppettone proposal was posted on the Ely District Grazing Permit Renewal website on March 28, 2008. A letter notifying interested public of this term permit renewal was sent on February 4, 2008. No public scoping comments were received.

The Pete Goicoechea proposal was posted on the Ely District Grazing Permit Renewal website on November 10, 2008. A letter notifying interested public of this term permit renewal was sent on November 20, 2008. Public scoping comments were received from Katie Fite, Western Watersheds Project. These comments were reviewed and considered.

The Railroad Pass Allotment Standards Determination Document (SDD) was posted to the Ely District Grazing Permit Renewal website for a two week external review/public comment period, December 8, 2008 through December 28, 2008. Comments were received on December 15, 2008 from Katie Fite and Kenneth Cole, Western Watersheds Project. These comments were reviewed and no changes to the document were made.

The Newark Allotment SDD is provided for public comment with this environmental assessment (EA; see Appendix III).

Potential issues identified with this proposal were sage grouse habitat (summer, winter, nesting, and breeding) on both allotments, pygmy rabbit habitat on the Railroad Pass Allotment, the Newark Valley tui chub on the Newark Allotment, mule deer critical summer and winter ranges and migration routes, migratory birds, noxious and invasive species, and wetland/riparian zones.

2.0 Alternatives Including the Proposed Action

2.1 Proposed Action

The BLM proposes to issue and fully process new **term grazing permits for Pete Goicoechea** (2704520/2704555) **and Warren Scoppettone** (2700101) and authorize grazing on the Railroad Pass and Newark Allotments (Figure 1, Appendix I).

Currently Pete Goicoechea has two separate authorizations, one for each allotment, because they were acquired at different times. Through this process they will be combined into one authorization which will allow BLM to streamline its administration for this permittee.

No changes to the Railroad Pass Allotment will be made because the allotment is meeting or progressing towards the Standards and Guidelines for Nevada's Northeastern Great Basin Area and livestock were not identified as a causal factor in not meeting Standards.

On the Newark Allotment, changes to the permit are recommended to achieve the Standards and Guidelines for Nevada's Northeastern Great Basin Area. No changes in the kind of livestock grazed or the number of active AUMs are proposed. The season of use of the proposed grazing permit on the Newark Allotment involves a shift of 15 days later on the winter range before moving to summer range. This will reduce early growing season pressure on the summer range while allowing late growing season rest to the winter range which will improve overall range condition and help to achieve Standard 3. During the assessment of the Standards, it was determined that Standard 3 was not being met, however livestock grazing was not identified as a significant contributing factor. This change is being made to benefit the range resources even through the SDD did not show it was a necessary change.

2.1.1 Current permits

Table 1. Current Term Permit for Pete Goicoechea (2704555) on Railroad Pass Allotment

Allotment Name and Number	Livestock Number/Kind	Grazing Period Begin End	% Public Land*	Type Use	AUMs**
Railroad Pass 00601	75 Cattle	06/01 to 09/30	100	Active	301

*% Public Land is the percent of public land for billing purposes.
**AUMs may differ from Active Permitted Use due to a rounding difference with the number of livestock and the period of use.

Allotment AUMs Summary

Allotment Name	ACTIVE AUMS	VOLUNTARY NON-USE	SUSPENDED AUMS	GRAZING PERMITTED USE
Railroad Pass	300	211	0	511

Table 2. Current Term Permit for Pete Goicoechea (2704520) on Newark Allotment

Allotment Name, Number, & Pasture	Livestock Number/Kind	Grazing Period Begin End	% Public Land*	Type Use	AUMs**
Newark 00608 18 Mile House	116 Cattle	11/01 to 04/02	100	Active	583
Newark 00608 18 Mile House	367 Sheep	11/01 to 04/02	100	Active	369
Newark 00608 Newark Winter	490 Cattle	11/01 to 04/02	100	Active	2465
Newark 00608 Newark Winter	1542 Sheep	11/01 to 04/02	100	Active	1551
Newark 00608 South Newark	85 Cattle	11/01 to 04/02	100	Active	428
Newark 00608 North Diamonds	459 Cattle	04/01 to 05/15	100	Active	679
Newark 00608 North Diamonds	303 Sheep	04/01 to 10/31	100	Active	426
Newark 00608 South Diamonds	27 Cattle	04/01 to 10/31	100	Active	190
Newark 00608 South Diamonds	142 Sheep	04/01 to 10/31	100	Active	200
Newark 00608 North	29 Cattle	09/10 to 10/31	100	Active	50
Newark 00608 Middle	28 Cattle	07/05 to 09/09	100	Active	62
Newark 00608 South	29 Cattle	04/16 to 07/04	100	Active	76

*% Public Land is the percent of public land for billing purposes.
**AUMs may differ from Active Permitted Use due to a rounding difference with the number of livestock and the period of use.

Allotment AUMs Summary

Allotment Name	ACTIVE AUMS	SUSPENDED AUMS	GRAZING PERMITTED USE
Newark	7101	2608	9709

Table 3. Current Term Permit for Warren Scoppettone (2700101) on Newark Allotment

Allotment Name, Number, & Pasture	Livestock Number/Kind	Grazing Period Begin End	% Public Land*	Type Use	AUMs**
Newark 00608 18 Mile House	32 Cattle	11/01 to 04/01	100	Active	160
Newark 00608 18 Mile House	103 Sheep	11/01 to 04/01	100	Active	103
Newark 00608 Newark Winter	133 Cattle	11/01 to 04/01	100	Active	665
Newark 00608 Newark Winter	433 Sheep	11/01 to 04/01	100	Active	433
Newark 00608 South Newark	24 Cattle	11/01 to 04/01	100	Active	120
Newark 00608 North Diamonds	129 Cattle	04/01 to 05/15	100	Active	191
Newark 00608 North Diamonds	85 Sheep	04/01 to 10/31	100	Active	120
Newark 00608 South Diamonds	7 Cattle	04/01 to 10/31	100	Active	49
Newark 00608 South Diamonds	40 Sheep	04/01 to 10/31	100	Active	56
Newark 00608 North	8 Cattle	09/10 to 10/31	100	Active	14
Newark 00608 Middle	8 Cattle	07/05 to 09/09	100	Active	18
Newark 00608 South	8 Cattle	04/16 to 07/04	100	Active	21

*% Public Land is the percent of public land for billing purposes.
**AUMs may differ from Active Permitted Use due to a rounding difference with the number of livestock and the period of use.

Allotment AUMs Summary

Allotment Name	ACTIVE AUMS	SUSPENDED AUMS	GRAZING PERMITTED USE
Newark	1960	735	2695

2.1.2 Proposed term permits

The renewal of the term grazing permits will be for a period of up to 10 years. If base property is transferred during this ten year period with no changes to the terms and conditions the new term permit would be issued for the remaining term of this term permit. If this 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 term of this term permit.

The **proposed term permit for Pete Goicoechea** and terms and conditions are as follows:

Table 4. Proposed Term Permit for Pete Goicoechea (2704520/2704555).

Allotment Name, Number, & Pasture	Livestock Number/Kind	Grazing Period Begin End	% Public Land*	Type Use	AUMs**
Railroad Pass 00601	75 Cattle	06/01 to 09/30	100	Active	301
Newark 00608 18 Mile House	106 Cattle	11/01 to 04/15	100	Active	583
Newark 00608 18 Mile House	335 Sheep	11/01 to 04/15	100	Active	369
Newark 00608 Newark Winter	448 Cattle	11/01 to 04/15	100	Active	2465
Newark 00608 Newark Winter	1410 Sheep	11/01 to 04/15	100	Active	1551
Newark 00608 South Newark	77 Cattle	11/01 to 04/15	100	Active	428
Newark 00608 North Diamonds	459 Cattle	04/16 to 06/01	100	Active	679
Newark 00608 North Diamonds	327 Sheep	04/16 to 10/31	100	Active	426
Newark 00608 South Diamonds	29 Cattle	04/16 to 10/31	100	Active	190
Newark 00608 South Diamonds	153 Sheep	04/16 to 10/31	100	Active	200
Newark 00608 North	29 Cattle	09/10 to 10/31	100	Active	50
Newark 00608 Middle	28 Cattle	07/05 to 09/09	100	Active	62
Newark 00608 South	29 Cattle	04/16 to 07/04	100	Active	76

*% Public Land is the percent of public land for billing purposes.
**AUMs may differ from Active Permitted Use due to a rounding difference with the number of livestock and the period of use.

Allotment AUMs Summary

ALLOTMENT NAME	ACTIVE AUMS	VOLUNTARY NON-USE	SUSPENDED AUMS	GRAZING PERMITTED USE
Railroad Pass	300	211	0	511
Newark	7101	0	2608	9709

Terms and Conditions

Railroad Pass Allotment (00601):

1. A rest rotation system will be continued for cattle grazing on the Railroad Pass Allotment as outlined below:
    a. Year 1 (2009, 2011, 2013, 2015, 2017) – North of drift fence
    b. Year 2 (2010, 2012, 2014, 2016, 2018) – South of drift fence
    c. This rotation will be repeated, alternating pasture use. Deviation from this schedule will be allowed as associated with proposed burn or vegetative treatments to allow for re-establishment of the vegetation.
2. Maximum allowable use levels on the Railroad Pass Allotment will be established as follows:
    a. Perennial native grasses: 50% current year's growth
    b. Perennial shrubs and half-shrubs: 50% use on current annual production
    c. Perennial non-native seedings: 65% current year's growth
    d. 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.
3. To improve livestock distribution, the placement of mineral or salt supplements will be a minimum distance of ½ mile from water sources. These supplements will also be placed no closer than ½ mile from riparian areas, sensitive sites, and cultural resource sites. Use of nutritional supplements (not forage) is encouraged to improve the ability of livestock to utilize forage and to improve livestock distribution across the allotment.
4. Grazing will also be in accordance with the Livestock Grazing Agreement for Railroad Pass Allotment dated April 2001. The permittee agrees to take voluntary non-use of 211 AUMs of the 511 AUMs of permitted use for the period of March 1, 2006 to February 28, 2011. Therefore only 300 AUMs of livestock grazing will be authorized for the annual grazing period of 06/01 to 09/30 for the term of this permit. In 2011, this Livestock Grazing Agreement will be reviewed and changes may or may not be made to this permit. If no changes are made, this agreement will carry through to the end of the 10-year term of this permit without reissuing a new permit. If changes are needed, this permit may need to be reissued to reflect those changes.
5. Grazing in the Railroad Pass Allotment will be in accordance with the Northeastern Great Basin Area Standards and Guidelines and the Final Decision resulting from this assessment.

Newark Allotment (00608):

1. Maximum utilization levels on the Newark Allotment will be established as follows:
    - Perennial native grasses: 50% current year's growth by weight
    - Perennial shrubs and half-shrubs: 50% use on current annual production by weight
    - Perennial non-native seedings: 55% current year's growth by weight
    - 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.
2. Full use of sheep AUMs will be dependent on water hauling and/or availability of snow.

3. Sheep use in the North Diamond and South Diamond Use Areas will be used in the higher country in the Diamond Range that is not utilized by cattle.
4. In the Pinto Creek Seeding, the North, Middle, and South Pastures will be grazed in a deferred rotation system, as follows:

Pasture	Cattle AUMs	Year 1	Year 2	Year 3
North	64	09/10 to 10/31	06/21 to 08/13	04/16 to 06/07
Middle	80	07/05 to 09/09	04/16 to 06/20	08/26 to 10/31
South	97	04/16 to 07/04	08/14 to 10/31	06/08 to 0/25

5. In the South Newark Use Area, the permittee will provide a full time rider and utilize water haul sites to distribute cattle grazing. Water haul sites are as follows:
   - T18N R57E Sec. 27 SWSW
   - T18N R57E Sec. 35,36
   - T18N R58E Sec. 31
6. Grazing in Water Canyon and Tollhouse Canyon will be grazed annually at the discretion of the Authorized Officer. Livestock utilization is not to exceed 40% of the current year's growth by weight for these areas.
7. The Beck Pass Well (Yellow Tank) will be pumped on alternating years to allow cattle use to rotate between the northern side and the south side of the Newark Winter Use Area. The well can also be used as an emergency measure or to provide water for trailing sheep on a short term basis.
8. To protect riparian values and Newark tui chub habitat, the fenced pond located at T20N R55E Sec. 22 SE1/4 (Stinton Spring) will be grazed seasonally at the discretion of the Authorized Officer. To protect tui chub habitat, grazing should be restricted during the summer breeding season and be limited to a short time period to reduce bank trampling by livestock.
9. To protect riparian values at Rock Spring, the area will be rested from livestock grazing for two years. After which, the area will be grazed only on alternating years and the maximum utilization level for the area will be established at 40% of the current year's growth by weight.
10. Sheep will not be trailed or bedded in winterfat bottoms. Sheep camps will be a minimum of ½ mile from winterfat bottoms.
11. To improve livestock distribution, the placement of mineral or salt supplements will be a minimum distance of ½ mile from water sources, riparian areas, sensitive sites, populations of special status species, cultural resource sites, and winterfat bottoms. Use of nutritional supplements (not forage) is encouraged to improve the ability of livestock to utilize forage and to improve livestock distribution across the allotment.
12. Grazing in the Railroad Pass Allotment will be in accordance with the Northeastern Great Basin Area Standards and Guidelines and the Final Decision resulting from this assessment.

The **proposed term permit for Warren Scoppettone** and terms and conditions are as follows:

Table 5. Proposed Term Permit for Warren Scoppettone (2700101).

Allotment Name, Number, & Pasture	Livestock Number/Kind	Grazing Period Begin End	% Public Land*	Type Use	AUMs**
Newark 00608 18 Mile House	29 Cattle	11/01 to 04/15	100	Active	160
Newark 00608 18 Mile House	93 Sheep	11/01 to 04/15	100	Active	103
Newark 00608 Newark Winter	120 Cattle	11/01 to 04/15	100	Active	665
Newark 00608 Newark Winter	393 Sheep	11/01 to 04/15	100	Active	433
Newark 00608 South Newark	21 Cattle	11/01 to 04/15	100	Active	120
Newark 00608 North Diamonds	129 Cattle	04/16 to 06/01	100	Active	191
Newark 00608 North Diamonds	92 Sheep	04/16 to 10/31	100	Active	120
Newark 00608 South Diamonds	7 Cattle	04/16 to 10/31	100	Active	49
Newark 00608 South Diamonds	43 Sheep	04/16 to 10/31	100	Active	56
Newark 00608 North	8 Cattle	09/10 to 10/31	100	Active	14
Newark 00608 Middle	8 Cattle	07/05 to 09/09	100	Active	18
Newark 00608 South	8 Cattle	04/16 to 07/04	100	Active	21

*% Public Land is the percent of public land for billing purposes.
**AUMs may differ from Active Permitted Use due to a rounding difference with the number of livestock and the period of use.

Allotment AUMs Summary

Allotment Name	ACTIVE AUMS	SUSPENDED AUMS	GRAZING PERMITTED USE
Newark	1960	735	2695

Terms and Conditions

Newark Allotment (00608):

1. Maximum utilization levels on the Newark Allotment will be established as follows:
   - Perennial native grasses: 50% current year's growth by weight
   - Perennial shrubs and half-shrubs: 50% use on current annual production by weight

- Perennial non-native seedings: 55% current year's growth by weight
- 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.

2. Full use of sheep AUMs will be dependent on water hauling and/or availability of snow.
3. Sheep use in the North Diamond and South Diamond Use Areas will be used in the higher country in the Diamond Range that is not utilized by cattle.
4. In the Pinto Creek Seeding, the North, Middle, and South Pastures will be grazed in a deferred rotation system, as follows:

Pasture	Cattle AUMs	Year 1	Year 2	Year 3
North	64	09/10 to 10/31	06/21 to 08/13	04/16 to 06/07
Middle	80	07/05 to 09/09	04/16 to 06/20	08/26 to 10/31
South	97	04/16 to 07/04	08/14 to 10/31	06/08 to 0/25

5. In the South Newark Use Area, the permittee will provide a full time rider and utilize water haul sites to distribute cattle grazing. Water haul sites are as follows:
   - T18N R57E Sec. 27 SWSW
   - T18N R57E Sec. 35,36
   - T18N R58E Sec. 31
6. Grazing in Water Canyon and Tollhouse Canyon will be grazed annually at the discretion of the Authorized Officer. Livestock utilization is not to exceed 40% of the current year's growth by weight for these areas.
7. The Beck Pass Well (Yellow Tank) will be pumped on alternating years to allow cattle use to rotate between the northern side and the south side of the Newark Winter Use Area. The well can also be used as an emergency measure or to provide water for trailing sheep on a short term basis.
8. To protect riparian values and Newark tui chub habitat, the fenced pond located at T20N R55E Sec. 22 SE1/4 (Stinton Spring) will be grazed seasonally at the discretion of the Authorized Officer. To protect tui chub habitat, grazing should be restricted during the summer breeding season and be limited to a short time period to reduce bank trampling by livestock.
9. To protect riparian values at Rock Spring, the area will be rested from livestock grazing for two years. After which, the area will be grazed only on alternating years and the maximum utilization level for the area will be established at 40% of the current year's growth by weight.
10. Sheep will not be trailed or bedded in winterfat bottoms. Sheep camps will be a minimum of ½ mile from winterfat bottoms.
11. To improve livestock distribution, the placement of mineral or salt supplements will be a minimum distance of ½ mile from water sources, riparian areas, sensitive sites, populations of special status species, cultural resource sites, and winterfat bottoms. Use of nutritional supplements (not forage) is encouraged to improve the ability of livestock to utilize forage and to improve livestock distribution across the allotment.
12. Grazing in the Railroad Pass Allotment will be in accordance with the Northeastern Great Basin Area Standards and Guidelines and the Final Decision resulting from this assessment.

Additional Stipulations Common to All Grazing Allotments and Permits:

1. Livestock numbers identified in the Term Grazing Permit are a function of seasons of use and permitted use. 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 in White Pine County will be in accordance with the Northeastern 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 reissued subject to revised terms and conditions.
8. The permittee is responsible for all maintenance of assigned range improvements including wildlife escape ramps for both permanent and temporary water troughs.
9. 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.

2.1.3 Invasive, Non-Native Species and Noxious Weeds

A Weed Risk Assessment (See in SDD Appendix II and III) was completed on March 14, 2008 for the Warren Scoppettone 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 allotments will include weed detection into project compliance inspection activities. If the spread of noxious weeds is noted, appropriate 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 Field 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.

A Weed Risk Assessment (See in SDD Appendix II and III) was completed on October 21, 2008 for the Pete Goicoechea term grazing permit renewal. The following stipulations listed in the Weed Risk Assessment will be followed when grazing occurs on the allotments to minimize the effects on weeds:

- 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.
- 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 allotments will include weed detection into project compliance inspection activities. If the spread of noxious weeds is noted, appropriate 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.
- 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.
- 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.
- 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 represents the status quo – the permit would be renewed without changes to grazing management or modifications to the permit terms and conditions and without combining the two authorizations into one.

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 A, The Continuation of Current Existing (No Action alternative)
- 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

The Railroad Pass Allotment encompasses approximately 27,025 public land acres. The grazing permit area occurs entirely within White Pine County, and is situated approximately 75 miles northwest of Ely, Nevada. The western portion of this allotment borders the Battle Mountain BLM District and the northern portion borders the Elko BLM District. The majority of the Railroad Pass Allotment is within the Diamond Hills South Wild Horse Herd Management Area. This allotment is located within sage grouse, deer, elk, and antelope habitat. No wilderness occurs within or adjacent to the permitted area.

The Newark Allotment encompasses approximately 218,105 public land acres. The grazing allotment occurs entirely within White Pine County, and is situated approximately 45 miles west of Ely, Nevada. The western portion of this allotment borders the Battle Mountain BLM District. The permit area occurs within Newark Valley. The northeastern portion of the Newark Allotment is within the Triple B Wild Horse Herd Management Area and the southern portion of the allotment is within the Pancake Wild Horse Herd Management Area. No wilderness occurs within the Newark Allotment. The nearest wilderness is the Shellback Wilderness, which is approximately ten miles away.

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	Impacts from livestock grazing on Cultural Resources are analyzed on page 4.9-5 of the Ely Proposed Resource Management Plan/Environmental Impact Statement (November 2007). Both allotments contain sites that are potentially eligible to the National Register of Historic Places. The allotments as a whole have not been adequately inventoried and recorded. All eligible historic resources need to be continuously monitored for impacts. Mitigation and treatment will be applied as concerns are identified.
Forest Health	No	Unique or sensitive forests existing in the Diamond Mountains are inaccessible to livestock.
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 was completed in conjunction with this project (SDDs, Appendix II and III) No further analysis is needed.
Migratory Birds	No	The migratory bird species that occur in or near the project area are listed in Appendix IV. Changes to critical growing season livestock management on the Newark Allotment and resulting progress towards the RAC standards will aid in the future desired condition of habitat for migratory bird species of concern. There is potential of livestock trampling of migratory bird nests, however the likelihood of this happening is minimal because of the acreage of the grazing allotments, the reduction in permitted number of livestock over the past years, and the continuation of the voluntary non-use agreement with the permitees on the Railroad Pass Allotment. No impacts to migratory bird populations as a whole would occur.

Resource/Concern Considered	Issue(s) Analyzed	Rationale for Dismissal from Analysis or Issue(s) Requiring Detailed Analysis
Native American Religious Concerns and other concerns	No	The Warren Scoppettone term permit renewal was presented at the February 12, 2008 Tribal Coordination Meeting in Ely. No concerns were identified. Tribal Coordination Letters were sent our November 19, 2008 for the Pete Goicoechea term permit renewal notifying the tribes of a 30 day comment period. No concerns were identified. Direct impacts and cumulative impacts would not occur because there were no identified concerns through coordination.
FWS Listed or proposed for listing Threatened or Endangered Species or critical habitat.*	No	Threatened, Endangered, or Proposed species are not known to be present in the project area.
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.
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.
Wilderness	No	No Wilderness occurs within or adjacent to the project area.
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
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.

Resource/Concern Considered	Issue(s) Analyzed	Rationale for Dismissal from Analysis or Issue(s) Requiring Detailed Analysis
Wetlands/Riparian Zones	No	Impacts from livestock grazing on riparian areas are analyzed on pp 4.5-9 of the Ely Proposed Resource management Plan/Final Environmental Impact Statement (November 2007). Three springs on the Railroad Pass Allotment and six springs on the Newark Allotment were assessed for proper functioning condition (PFC) in 2008. Additionally, three other springs were determined to be inappropriate for PFC assessment due to development. These springs are considered to be representative of livestock use of riparian areas across the allotments (SDDs in Appendix II and III). Design features, such as resting Rock Spring from grazing for two years from the decision becoming final and limiting livestock utilization thereafter, in the proposed action are included to minimize impacts to riparian systems on the allotments. Hydrology/riparian report found in project file provides affected environment and expected resource effects from proposed action.
Noxious and Invasive Weed Management	Yes	Changes in the season of use of the permit will result in changes in the impacts to noxious and invasive weeds.
Special Status Plant Species, other than those listed or proposed by the FWS as Threatened or Endangered	No	No Special Status Plant species are known to occur within the project area.
Wild Horses	No	The majority of the Railroad Pass Allotment is within the Diamond Hills South Wild Horse Herd Management Area (HMA). The northeastern portion of the Newark Allotment is within the Triple B HMA and the southern portion of the allotment is within the Pancake HMA. 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.

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 FWS as Threatened or Endangered	No	Impacts from livestock grazing on Special Status Species are analyzed on page 4.7-28 thorugh 4.7-30 of the Ely Proposed Resource Management Plan/Final Envoronmental Impact Statement (November 2007). The project area contains summer, winter, nesting, and breeding habitat for **greater sage grouse** (*Centrocercus urophasianus*). During the breeding and nesting season, understory grasses and forbs are important to sage grouse. Changes in grazing season will maintain or improve the understory therefore have no adverse impacts to sage grouse. During the winter season, sage grouse need sagebrush for cover and feed. Cattle grazing rarely browse upon sagebrush so there will not be any conflicts during this season. There is potential of livestock trampling of sage grouse nests, however the likelihood of this happening is minimal because of the acreage of the grazing allotments, the reduction in permitted number of livestock over the past years, and the continuation of the voluntary non-use agreement with the permitees on the Railroad Pass Allotment. There is a single documented occurrence of **pygmy rabbit** (*Brachylagus idahoensis*) within the Railroad Pass Allotment, and there are likely additional populations throughout suitable habitat within the project area. The grazing management practices outlined in the proposed action work to maintain or move the vegetative conditions toward the cover and habitat standards outlined by the Standards and Guidelines for Nevada's Northeastern Great Basin Area (1997). These changes will benefit extant populations of pygmy rabbit within the allotment. **Newark Valley tui chub** (*Gila bicolor newarkensis*) is known to be distributed in one public pond (at Stinton Spring) and three private ponds on the Newark Allotment. Effects of the proposed action on the tui chub and its habitat will be minimal. The number of populations found and numbers in populations has determined that the species is secure within its native range (NDOW 2005). Also design feature in the proposed action, such as restricted grazing at Stinton Spring, will further reduce impacts from livestock grazing to the tui chub.
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 crucial summer and winter range and migration corridors are present in the allotments. The eastern slope of the Diamond Range has been identified as crucial summer habitat. Much of this area is too steep for cattle grazing. General habitat will be maintained or improved by the changes to grazing season in the proposed action.

Resource/Concern Considered	Issue(s) Analyzed	Rationale for Dismissal from Analysis or Issue(s) Requiring Detailed Analysis
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 analyzed in the SDDs (Appendix II and III). This key area analysis did not reveal any soil resource concerns.
Special Designations other than Designated Wilderness	No	No Special Designations occur within the project area.
VRM	No	The proposed action is consistent with the VRM classification 3 and 4 for the area therefore no direct or cumulative impacts to visual resources would occur.
Grazing Uses	No	The proposed action and the changes to the Newark Allotment will continue to meet the RMP goals and objectives, including progressing toward meeting 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.
Recreation Uses	No	Design features identified in the proposed action would result in negligible impacts to recreational activities
Paleontological Resources	No	No currently identified paleontological resources are present in the project area.
Water Resources	No	Potential impacts to water quality are discussed above. There would be no changes from current uses of water from 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.
Vegetative Resources	No	Impacts from livestock grazing on Vegetation (including Riparian) Resources were analyzed on page 4.5-9 in the Ely Proposed Resource Management Plan/Environmental Impact Statement (November 2007). Beneficial impacts to vegetative resources are consistent with the need and objectives for the proposed action. No further analysis is needed.

*Consultation required unless a ~~"n~~ot present" or ~~"n~~o effect" finding is made

The resources/concerns that are not present in the proposed action allotments or are affected negligibly by the proposed action and do not require a detailed analysis include air quality, forest health, migratory birds, native American religious concerns, FWS listed or proposed for listing threatened or endangered species or critical habitat, wastes, hazardous or solid, wilderness, environmental justice, floodplains, special status plant species, special designations other than designated wilderness, VRM, grazing uses, land uses, recreation uses, paleontological resources, and mineral resources.

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 Water Resources (page 4.3-5), Soil Resources (page 4.4-4), Vegetation (including Riparian) Resources (page 4.5-9), Fish and Wildlife (pages 4.6-10 through 4.6-11), Wild Horses (page 4.8-6), Cultural Resources (page 4.9-5), Rangeland Standards and Health (pages 4.16-3 through 4.16-4), Watershed Management (page 4.19-8), and Special Status Species (page 4.7-28 through 4.7-30). These resources do not require a further detailed analysis.

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 Newark allotment:

Acroptilon repens	Russian knapweed
Carduus nutans	Musk thistle
Centaurea stoebe	Spotted knapweed
Cirsium vulgare	Bull thistle
Conium maculatum	Poison hemlock
Lepidium draba	Hoary cress
Onopordum acanthium	Scotch thistle
Tamarix spp.	Salt cedar

The following species are found within the boundaries of the Railroad Pass allotment:

Acroptilon repens	Russian knapweed
Carduus nutans	Musk thistle
Centaurea stoebe	Spotted knapweed
Cicuta maculata	Water hemlock
Cirsium arvense	Canada thistle
Cirsium vulgare	Bull thistle
Euphorbia esula	Leafy spurge
Lepidium draba	Hoary cress
Onopordum acanthium	Scotch thistle
Tamarix spp.	Salt cedar

The following species are found along roads and drainages leading to both allotments:

Acroptilon repens	Russian knapweed
Carduus nutans	Musk thistle
Centaurea stoebe	Spotted knapweed
Cirsium arvense	Canada thistle
Cirsium vulgare	Bull thistle
Conium maculatum	Poison hemlock
Hyoscyamus niger	Black henbane
Lepidium draba	Hoary cress

Lepidium latifolium	Tall whitetop
Onopordum acanthium	Scotch thistle
Tamarix spp.	Salt cedar

Both allotments were last inventoried for noxious weeds in 2002. It should be noted that these allotments border the BLM Battle Mountain and/or Elko Districts and no weed inventory data for these Districts is currently available. While not officially documented the following non-native invasive weeds probably occur in or around both allotments: cheatgrass (*Bromus tectorum*), field bindweed (*Convolvulus arvensis*), Russian olive (*Elaeagnus angustifolia*), halogeton (*Halogeton glomeratus*), horehound (*Marrubium vulgare*), and Russian thistle (*Salsola kali*).

Environmental Consequences

A Noxious and Invasive Weed Risk Assessment was completed for this project and can be found in Appendix IV of the attached Standards and Determination Documents. The proposed action could increase the populations of the noxious and invasive weeds already within the allotments and could aid in the introduction of weeds from surrounding areas. Within the allotments, 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. If new weed infestations become established within the allotments, this could have an adverse impact to those native plant communities however, since there are many weed infestations currently within the allotments, 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.

3.3 Resources/Concerns Considered for Analysis - No Action Alternative

Impacts to resources/concerns from renewing the permit under the no action alternative are described as follows:

Impacts to air quality, cultural resources, forest resources, migratory birds, Native American Religious concerns, Threatened and Endangered species, hazardous/solid waste, water quality, wilderness, environmental justice, floodplains, watersheds, special status plant species, wild horses, soil resources, special designations, Visual Resource Management (VRM), land uses, recreation uses, paleontological resources, water resources, grazing uses, and mineral resources have the same effects as those described under the proposed action.

Impacts to rangeland standards and health would progress at a reduced rate. Impacts to wetlands/riparian zones would continue to be unacceptable at Rock Spring. Impacts to special status animal species, including sage grouse, pygmy rabbit, Newark Valley tui chub, and fish/wildlife resource would not improve as described under the proposed action. Impacts to vegetative resources would not improve as described under the proposed action.

4.0 Cumulative Impacts

According to page 36 of the 1994 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 Huntington and Newark watersheds.

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).

Most past and all present and reasonably foreseeable future actions have noxious and invasive weed prevention stipulations and required weed treatment requirements associated with each project. This in combination with the active BLM Ely District Weed Management Program will minimize the spread of weeds throughout the watersheds.

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 Egan Field Office Resource Specialists

Amanda Anderson	Rangeland Resources/Project Lead
Gina Jones	Ecology/Planning and Environmental Coordinator
Bonnie Million	Noxious and Invasive, Non-native Species
Marian Lichtler	Wildlife, Special Status Species, Migratory Birds
Kalem Lenard	Recreation, Visual Resources
Lisa Gilbert	Cultural Resources
Mark D'Aversa	Soil, Water, Wetlands and Riparian, Floodplains
Ruth Thompson	Wild Horse and Burro Resources
Elvis Wall	Native American Cultural Concerns
Dave Jacobson	Wilderness
Zach Peterson	Forestry
Chris Mayer	Supervisory Rangeland Management Specialist

6.2 Persons, Groups or Agencies Consulted

Pete Goicoechea	Permittee
Warren Scoppettone	Permittee
Steve Foree	Nevada Department of Wildlife
Jerry Millett	Duckwater Shoshone Tribe
Dianna Buckner	Ely Shoshone Tribe
Rupert Steele	Confederated Tribes of the Goshute Indian Reservation
Lora Tom	Paiute Indian Tribe of Utah
Jeannine Borchardth	Indian Peaks Band
Glenn Rogers	Shivwits Band of Paiutes
Ranae Pete	Cedar City Band of Paiutes
Ona Sequndo	Kaibab Band of Paiutes Indians
Alfeda Mitre	Las Vegas Paiute Tribe
Lawrence Bear	Skull Valley Band of Goshute Indians
Philbert Swain	Moapa Band of Paiutes
David Gonzales	Te-Moak Tribe of the Western Shoshone Indians of Nevada

Public Notice of Availability

On February 4, 2008 letters were sent to interested persons and organizations informing them of the Warren Scoppettone term grazing permit renewal. On March 28, 2008, this grazing permit renewal summary was posted on the BLM Ely District Grazing Permit Renewal website http://www.blm.gov/nv/st/en/fo/ely_field_office.html.

On November 20, 2008 letters were sent to interested persons and organizations informing them of the Pete Goicoechea term grazing permit renewal. On November 11, 2008, this grazing permit renewal summary was posted on the BLM Ely District Grazing Permit Renewal website http://www.blm.gov/nv/st/en/fo/ely_field_office.html.

An external review period of the preliminary EA will be issued.

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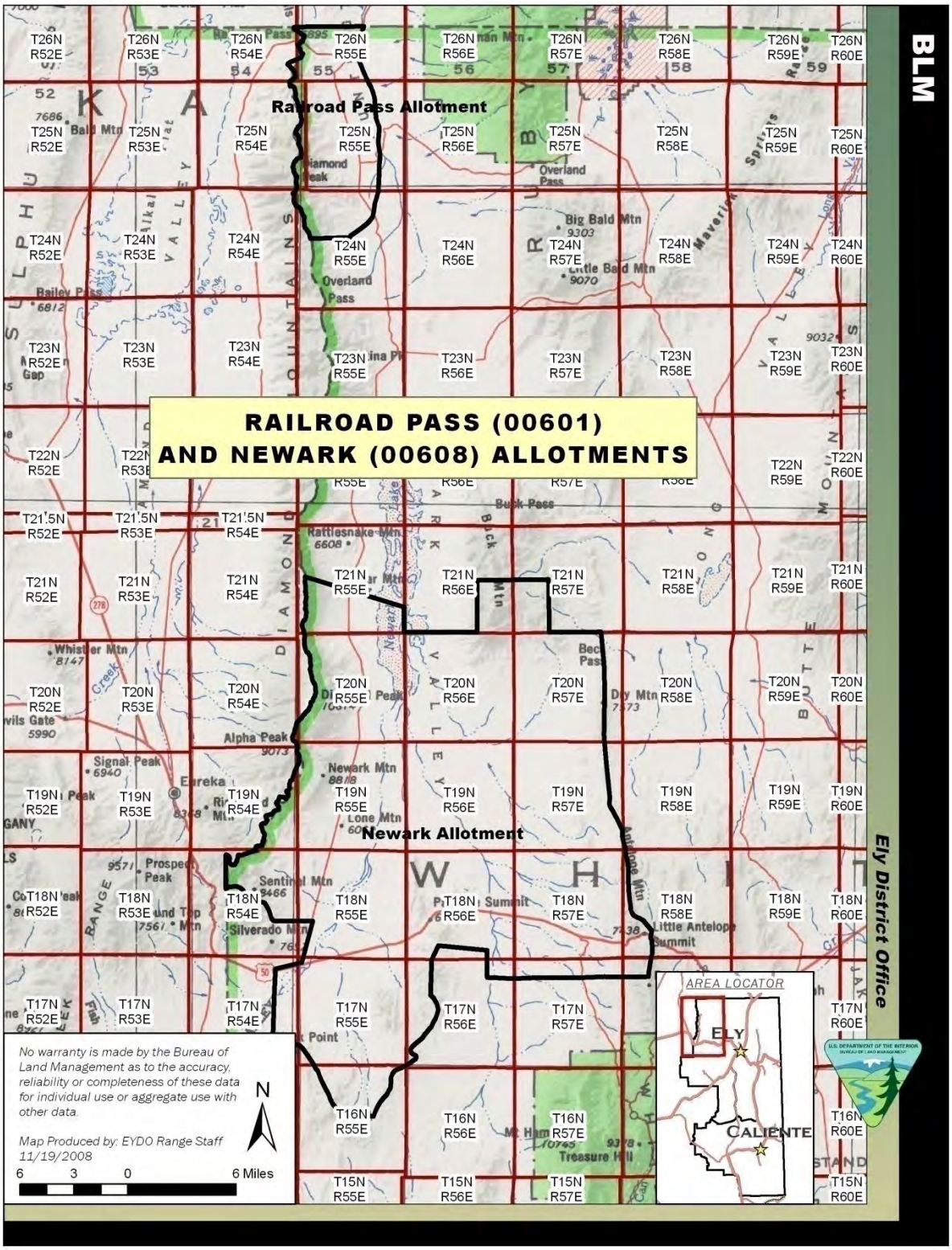
APPENDIX I

Figure 1. Project Area Map



APPENDIX II

STANDARDS DETERMINATION DOCUMENT
Harold Rother Farms, Inc. (2704502), Pete Goicoechea (2704555), and Paris Livestock (2704538) Term Grazing Permit Renewals on the Railroad Pass Allotment (00601)

Standards and Guidelines Assessment

The Standards and Guidelines for Nevada's Northeastern Great Basin Area were developed by the Northeastern Great Basin Area Resource Advisory Council (RAC) and approved 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 Railroad Pass Allotment in the Ely BLM District. This document does not evaluate or assess achievement of the Wild Horse and Burro or the Off Highway Vehicle Standards or conformance to their respective Guidelines.

The Standards were assessed for the Railroad Pass Allotment by a BLM interdisciplinary team. Documents and publications used in the assessment process include the Soil Survey of Western White Pine Area, Nevada, Parts of White Pine County and Eureka Counties (USDA-NRCS 1997); Ecological Site Descriptions for Major Land Resource Area 28B (USDA-NRCS 2003); 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 Ely BLM District Office. The interdisciplinary team used rangeland monitoring data, professional observations, and photographs to assess achievement of the Standards and conformance with the Guidelines.

The Railroad Pass Allotment encompasses approximately 27,025 public land acres. The grazing permit area occurs entirely within White Pine County, and is situated approximately 75 miles northwest of Ely, Nevada. The western portion of this allotment borders the Battle Mountain BLM District and the northern portion borders the Elko BLM District. The majority of the Railroad Pass Allotment is within the Diamond Hills South Wild Horse Herd Management Area. This allotment is located within sage grouse, deer, elk, and antelope habitat. No wilderness occurs within or adjacent to the permitted area.

For Harold Rother Farms, Inc., the current term permit is issued for the period 03/01/2006 to 02/28/2011. This is a cattle permit with a total grazing preference of 1,800 animal unit months (AUMs). Of these, 1,800 AUMs are active, 0 AUMs are suspended nonuse, and 736 AUMs are voluntary non-use. The current term permit authorizes approximately 265 head of cattle on the native rangelands of the Railroad Pass Allotment with a season of use from 06/01 to 09/30.

For Pete Goicoechea, the current term permit is issued for the period of 03/01/2006 to 02/28/2011. This is a cattle permit with a total grazing preference of 511 AUMs. Of these, 511

AUMs are active, 0 AUMs are suspended nonuse, and 211 AUMs are voluntary non-use. The current term permit authorizes approximately 75 head of cattle on the native rangelands of the Railroad Pass Allotment with a season of use from 06/01 to 09/30.

For Paris Livestock, the current term permit is issued for the period of 10/15/2006 to 10/14/2016. This is a sheep permit with a total grazing preference of 1,231 AUMs on the Railroad Pass Allotment. Of these, 1,231 AUMs are active and 0 AUMs are suspended nonuse. The current term permit authorizes approximately 467 head of sheep on the native rangelands of the Railroad Pass Allotment with a season of use from 04/15 to 11/15 and approximately 365 head of sheep on the Corta Seeding of the Railroad Pass Allotment with a season of use from 04/05 to 11/15. The 540 AUMs in the Corta Seeding may also be used for cattle in lieu of sheep from 04/05 to 11/15.

The primary vegetation types on the Railroad Pass Allotment are big sagebrush (*Artemesia tridentata*) with Thurber's needlegrass (*Achnatherum thurberianum*) and bluebunch wheatgrass (*Pseudoroegneria spicata)* and Wyoming big sagebrush (*Artemisia tridentata* ssp. *wyomingensis)* with Indian ricegrass (*Achnatherum hymenoides*) and needleandthread (*Hesperostipa comata*) plant communities. The primary ecological sites associated with these vegetation types are a Loamy site (028BY007NV) and a Shallow Loam site (028BY080NV). The Corta Seeding within the Railroad Pass Allotment is a crested wheatgrass (*Agropyron cristatum*) seeding. There are also a couple of old burns that were rehabilitated with crested wheatgrass, Russian wildrye (*Psathyrostachys juncea)*, and basin wildrye (*Leymus cinereus*).

Seven key areas have been established and monitored over the past twenty years on the allotment based on accessibility and general use by livestock, vegetation, and ecological range sites. Key area RR-1 occurs in the Big Burn area and was seeded during fire rehabilitation making Russian wildrye and crested wheatgrass with Wyoming big sagebrush dominate species on site. Key area RR-2 was unable to be located in 2006 and 2007 therefore was put out of service. Key area RR-3 occurs in the Small Burn area and was seeded during fire rehabilitation making crested wheatgrass and basin wildrye dominate species on site. Key area RR-4 and RR-6 both occur in the South Pasture with key forage species include big sagebrush, bluegrass (*Poa sp.*) and bottlebrush squirreltail (*Elymus elymoides*). These areas are associated with a Loamy 10-12" P.Z. (028BY007NV) ecological site. Key areas RR-5 and RR-7 occur within the Corta Seeding with crested wheatgrass dominating. In 2007, a study site (SS-1) was setup and monitoring data was collected in the North Pasture of the Railroad Pass Allotment. Key species on this site are big sagebrush, bluegrass, and bottlebrush squirreltail. The associated ecological site is a Shallow Loam 8-10" P.Z. (028BY080NV). A summary of monitoring data is located in Appendix I of this document.

PART 1. STANDARD CONFORMANCE REVIEW

Standard 1. Upland Sites

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

As indicated by:

- Indicators are canopy and ground cover, including litter, live vegetation and rock, appropriate to potential of the 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
□ 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

Rangeland monitoring data and professional observation indicates that overall soil condition is currently being maintained on the Railroad Pass Allotment. Soils are stable and productive and the topsoil is holding in place with the exception of some minor pedestaling. No rills or gullies were noted. Line intercept cover data collected on the allotment shows that the allotment is meeting the standard. Vegetative cover registered within or close to the appropriate or expected ground cover percentage for all of the key areas where data was collected (See Appendix I, Table 4-1 and Table 4-2).

Key area RR-1 occurs on a Cassiro-Belmill association (414; NRCS 1997). These soils typically have moderate to moderately slow permeability. Monitoring data indicate that this key area has a vegetative cover of 16.3 percent. Slight pedestaling was noted along with no signs of compaction, rills, or gullies. This is as expected for the site based on professional observations.

Key area RR-3 occurs on a Palinor-Shabliss soil association (286; NRCS 1997). These soils typically have moderate permeability. Monitoring data indicate that this key area has a vegetative cover of 7.8 percent. This is lower than expected for the site, however is not negatively affecting permeability based on professional observations. No pedestaling, compaction, rills, or gullies were noted.

Key area RR-4 occurs on a Fax-Hunnton-Cassiro soil association (1090; NRCS 1997) with a Loamy 10-12" P.Z. ecological site (028BY007NV). These soils typically have a moderately slow to slow permeability. The approximate ground cover (basal and ground) for a Loamy site is 20-30 percent. Monitoring data indicate that this key area has a vegetative cover of 14.1 percent. This is lower than the potential for the site, however is not negatively affecting infiltration and permeability. Slight pedestaling was noted but no signs of compaction, rills, or gullies were noted.

Key area RR-5 occurs on a Cassiro-Belmill association (414; NRCS 1997). These soils typically have moderate to moderately slow permeability. Monitoring data indicate that this key area has a vegetative cover of 14.9 percent. This is as expected for the site based on professional observations. No pedestaling, compaction, rills, or gullies were noted.

Key area RR-6 occurs on a Fax-Hunnton-Cassiro soil association (1090; NRCS 1997) with a Loamy 10-12" P.Z. ecological site (028BY007NV). These soils typically have a moderately slow to slow permeability. The approximate ground cover (basal and ground) for a Loamy site is 20-30 percent. Monitoring data indicate that this key area has a vegetative cover of 32.5 percent. The site is maintaining cover higher than the potential for the site, however is not negatively affecting infiltration and permeability. No sign of compaction were noted and no pedestaling, rills, or gullies were noted.

Key area RR-7 occurs on a Cassiro-Belmill association (414; NRCS 1997). These soils typically have moderate to moderately slow permeability. Monitoring data indicate that this key area has a vegetative cover of 7.2 percent. This is slightly lower than expected for the site, however is not negatively affecting permeability based on profession observations. No pedestaling, compaction, rills, or gullies were noted.

Study site SS-1 occurs on a Palinor-Shabliss soil association (286; NRCS 1997) with a Shallow Loam 8-10" P.Z. ecological site (028BY080NV). These soils typically have moderate permeability. The approximate ground cover (basal and ground) for a Shallow Loam site is 10-20 percent. Monitoring data indicate that this key area has a vegetative cover of 23.4 percent. The site is maintaining cover higher than the potential for the site, however is not negatively affecting infiltration and permeability. No pedestaling, compaction, rills, or gullies were noted.

Standard 2. Riparian and Wetland Sites
Riparian and wetland areas exhibit a properly functioning condition and achieve state water quality criteria.

As indicated by:

- 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 accelerating 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); and other cover (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.
    - Chemical, physical and biological water constituents are not exceeding the state water

quality standards.

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

Determination:
□ Achieving the Standard
□ Not Achieving the Standard, but making significant progress towards
X Not Achieving the Standard, and not making significant progress toward standard

Causal Factors
□ Livestock are a contributing factor to not achieving the standard.
X Livestock are not a contributing factor to not achieving the standard
X 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: Not achieving the Standard, and not making significant progress towards. Livestock are not a contributing factor to not achieving the Standard, failure to meet the standard is related to other issues or conditions.

Three springs on the Railroad Pass Allotment were assessed for proper functioning condition (PFC) in 2008. Little Joe Spring and Burn Spring were determined to be inappropriate for PFC assessment due to development. These springs are considered to be representative of livestock use of riparian areas across the allotment. Also see Appendix I, Table 7-1 for monitoring data.

The unnamed spring in T24N R55E Sec. 8 E1/2 was assessed in 2008 by an interdisciplinary team and found to be in proper functioning condition.

Dora Spring was assessed in 2008 by an interdisciplinary team and found to be functioning at risk with a downward trend. It was noted that this reduced functionality was due to drought, low flows, water development, and upland pinyon-juniper encroachment. Grazing use by deer, wild horses, and cattle was also noted during the PFC assessment however, utilization data collected at Dora Spring indicate that utilization in 2008 was at a moderate level.

Portuguese Spring was assessed in 2008 by an interdisciplinary team and found to be nonfunctional or unknown. It was noted that this reduced functionality was due to the fact that it was a dry source with no water.

Standard 3. Habitat:
Habitats exhibit a healthy, productive, and diverse population of native and/or desirable plant species, appropriate to the site characteristics, to provide suitable feed, water, cover and living space for animal species and maintain ecological processes. Habitat conditions meet the life cycle requirements of threatened and endangered species.

As indicated by:

- 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.

Determination:
□ Achieving the Standard
X Not Achieving the Standard, but making significant progress towards
□ Not Achieving the Standard, not making significant progress toward standard

Causal Factors
□ Livestock are a contributing factor to not achieving the standard.
X Livestock are not a contributing factor to not achieving the standard
X 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: Not achieving the Standard, but making significant progress towards. Livestock are not a contributing factor to not achieving the Standard, failure to meet the standard is also related to other issues or conditions.

Rangeland monitoring data and professional observations show that vegetation structure and distribution on the Railroad Pass Allotment are consistent with the Rangeland Ecological Site Descriptions (ESD) and/or expected plant community for the area. Vegetative structure is composed of varying age classes and heights of plants. Vegetation is distributed across the landscape as expected for both ecological sites and seeded areas. These are indicators that the Railroad Pass Allotment is close to meeting the standard for habitat.

On the seeded portions of the Railroad Pass Allotment, composition and production data was also collected (See Appendix I, Table 6-1). Current production (air-dry) on RR-1 is 150 pounds per acre, RR-3 is 60 pounds per acre, RR-5 is 448 pounds per acre, and RR-7 is 809 pounds per acre. Production on RR-1 and RR-3 is somewhat lower than expected while RR-5 and RR-7 are as expected for the sites based on professional observations. Composition of these sites is dominated by seeded species with some native species returning. This is as expected for these sites based on professional observation.

However on the Railroad Pass Allotment native vegetation composition and productivity differ somewhat from the ESD (See Appendix I, Table 5-1). Monitoring data indicate that total annual production (air-dry) is 216 pounds per acre for RR-4 and 416 pounds per acre for RR-6. The ESD indicates that during unfavorable years total annual production (air-dry) should be approximately 600 pounds per acre. Percent vegetation composition by weight shows that shrubs are higher than what is expected while grasses are lower when compared to the historic

climax plant community (HCPC) in the ESD. However dominate species on the ground are the same as the dominate species in the ESD. This is further expressed by the similarity index for the area which is 42 percent (RR-4) and 38 percent (RR-6). This shows that the vegetative components are present however differ in percent composition.

A review of past documents and professional observations indicate that while the Railroad Pass Allotment is not achieving the standards, it is making progress towards the standard.

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

Standard #1: Upland Sites
The Standard is being achieved.

Standard #2: Riparian and Wetlands
The Standard is not being achieved. During PFC assessments livestock were not identified as a causal factor in reduced functionality of riparian areas on the Railroad Pass Allotment. Grazing by deer, wild horses, and cattle was a suspected contributor at Dora Spring, however actual utilization was moderate. Not meeting this standard is due to drought, low water flows, water development and/or upland encroachment at Dora Spring and Portuguese Spring.

Standard #3: Habitat
The Standard is not being achieved. Livestock are not a contributing factor to not achieving the Standard. Failure to meet the standard is related to other issues or conditions. Heavy wild horse use in the Railroad Pass Allotment is a continuing problem. Also, this area is prone to frequent low precipitation and drought which is also considered a contributing factor (See Appendix I, Table 8-1 and Graph 8-1).

On the Railroad Pass Allotment, utilization has been slight to moderate which is within proper use levels over the majority of the allotment. Higher utilization has occurred, generally on crested wheatgrass which persists during higher use levels. Actual livestock use levels have been much lower than allowable use levels over the past ten years due largely to voluntary non-use for resource protection by the cattle permittees (See Appendix I, Table 2-1, Table 2-2, and Table 2-3).

PART 3. GUIDELINE CONFORMANCE REVIEW AND SUMMARY

Grazing is in conformance with all applicable Guidelines as provided in the Northeastern Great Basin Standards and Guidelines.

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

Recommendations:

1. Continue rangeland monitoring of this allotment for livestock in compliance with proper allowable use levels for the Railroad Pass Allotment

2. On the Railroad Pass Allotment, the seasons of use are recommended to remain:
   - 06/01 to 09/30 for cattle use on native range
   - 04/05 to 11/15 for sheep use on native range
   - 04/05 to 11/15 for sheep or cattle use on Corta Seeding

3. On the Railroad Pass Allotment, the Active AUMs are recommended to remain:
   - 1,800 Active AUMs for Harold Rother Farms, Inc.
   - 511 Active AUMs for Pete Goicoechea
   - 1,231 Active AUMs for Paris Livestock

4. Continue the rest-rotation system for cattle grazing that is in place on the Railroad Pass Allotment as follows:
   - Year 1 (2009, 2011, 2013, 2015, 2017) – North of drift fence
   - Year 2 (2010, 2012, 2014, 2016, 2018) – South of drift fence
   - This rotation will be repeated, alternating pasture use. Deviation from this schedule will be allowed as associated with proposed burn or vegetative treatments to allow for re-establishment of the vegetation.

5. Salt and/or mineral supplements for livestock shall be located no closer than ½ mile from water sources, riparian areas, sensitive sites, and cultural resource sites.

6. Maximum utilization levels on the Railroad Pass Allotment will be established as follows:
   - Perennial native grasses: 50% current year's growth
     This use level is necessary to allow desirable key herbaceous species to 1) develop above ground biomass for protection of soils, 2) to contribute to litter cover, and 3) develop roots to improve carbohydrate storage for vigor, reproduction, and improve/increase desirable perennial cover.
   - Perennial shrubs and half-shrubs: 50% use on current annual production.
     This use level is necessary to allow desirable perennial key browse species to develop branchlets and woody stature able to withstand the pressure of grazing use. Use would be read in April or prior to the spring re-growth. Use during spring contributes to following season's use level.

- Perennial non-native seedings: 65% current year's growth
  This use level is necessary to allow desirable key herbaceous species to 1) develop above ground biomass for protection of soils, 2) to contribute to litter cover, and 3) develop roots to improve carbohydrate storage for vigor, reproduction, and improve/increase desirable perennial cover.
- 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.

7. Use in the Railroad Pass Allotment will be in accordance with the Final Multiple Use Decision (FMUD) issued November 9, 1995. There will be no sheep use on native range identified in Map 1 of the FMUD from June 1 to October 31 (See Appendix II).

8. Cattle grazing on native range will also be in accordance with the Livestock Grazing Agreement for Railroad Pass Allotment dated April 2001. The permittees agree to take voluntary non-use of 947 AUMs of the permitted use for the period of March 1, 2006 to February 28, 2011. Therefore only 1364 AUMs will be authorized for cattle use on native rangelands for the annual grazing period from 06/01 to 09/30 for the term of this permit.

9. The permittee has proposed a change in the grazing system by installing a new fence and splitting cattle use areas to prevent the mixing of livestock between the two cattle permittees. This would allow them to better manage their cattle. This proposal will remain on the table and be address as time and workload allow.

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Bonnie Million Noxious and invasive non-native species	Date
/s/ Ruth Thompson	1/9/2009
Ruth Thompson Wild horses and burros	Date
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Cameron Collins Wildlife/migratory birds/special status animals/plants	Date
/s/ Chris Mayer *for*	JAN 12, 2009
Gina Jones Ecology	Date

I concur:

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APPENDIX I
DATA SUMMARY
Railroad Pass Allotment

1. Key Areas and Ecological Sites

A key area is a relatively small portion of a pasture or allotment selected because of its location, use, or grazing value as a monitoring point for grazing use. It is assumed that key areas, if properly selected, will reflect the current grazing management over the pasture or allotment as a whole (NRCS 1997). Key areas represent range conditions, trends, seasonal degrees of use, and resource production and values. Table 1-1 depicts key areas and their location within the Railroad Pass Allotment as well as the ecological site associated with the key area in native rangeland and dominate soils of each site.

An ecological site is distinctive kind of land with specific physical characteristics that differs from other kinds of land in its ability to produce a distinctive kind and amount of vegetation (NRCS 1997). Ecological Site Descriptions (ESD) are used for inventory, evaluation, and management of native vegetation communities. The ecological site of a key area is determined based on several factors including soils, topography, and plant community.

Table 1-1.Railroad Pass Allotment Key Areas

Key Area	Pasture	Location	Ecological Site	Dominate Species of HCPC	Soil Mapping Unit
RR-1	North (Big Burn)	T26N R55E S32 SE1/4 SW1/4	---	---	414--Cassiro-Belmill association
RR-3	North (Small Burn)	T25N R55E S9 SW1/4 SW1/4	---	----	286--Palinor-Shabliss association
RR-4	South	T24N R55E S3 SW1/4 SE1/4	Loamy 10-12” P.Z. (028BY007NV)	big sagebrush, needlegrass, and bluebunch wheatgrass	1090--Fax-Hunnton-Cassiro association
RR-5	Corta Seeding	T25N R55E S21 NW1/4 SE1/4	---	---	414--Cassiro-Belmill association
RR-6	South	T24N R55E S5 SW1/4 SW1/4	Loamy 10-12” P.Z. (028BY007NV)	big sagebrush, needlegrass, and bluebunch wheatgrass	1090--Fax-Hunnton-Cassiro association
RR-7	Corta Seeding	T25N R55E S21 SE1/4	---	---	414--Cassiro-Belmill association
SS-1	North	T25N R55E S8 NE1/4 NE1/4	Shallow Loam 8-10” P.Z. (028BY080NV)	Wyoming big sagebrush, Indian ricegrass, and needleandthread	286--Palinor-Shabliss association

2. Licensed Livestock Use

Over the grazing seasons from 1999 to 2008, livestock permitted use on the Railroad Pass Allotment for Harold Rother Farms was 1,800 AUMs in a cattle only operation. During this same time period, livestock actual use ranged from a high of 1,063 AUMs in 2001 to a low of 124 AUMs in 2000. Livestock use has varied dependent on available forage due to growing conditions and voluntary non-use agreements. Table 2-1 summarizes the licensed actual use data for this time period.

Table 2-1.Railroad Pass Allotment Actual Use by Harold Rother Farms, Inc.

Grazing Year	Actual Use (AUMs)	% Actual Use of Permitted Use (AUMs)	Grazing Year	Actual Use (AUMs)	% Actual Use of Permitted Use (AUMs)
1999	221	12%	2004	679	38%
2000	124	7%	2005	217	12%
2001	1063	59%	2006	900	50%
2002	473	26%	2007	662	37%
2003	408	23%	2008	523	29%

Over the grazing seasons from 1999 to 2008, livestock permitted use on the Railroad Pass Allotment for Pete Goicoechea was 511 AUMs in a cattle only operation. During this same time period, livestock actual use ranged from a high of 409 AUMs in 2001 to a low of 0 AUMs in 2004-2006 and 2008. Livestock use has varied dependent on available forage due to growing conditions and voluntary non-use agreements. Table 2-2 summarizes the licensed actual use data for this time period.

Table 2-2.Railroad Pass Allotment Actual Use by Pete Goicoechea

Grazing Year	Actual Use (AUMs)	% Actual Use of Permitted Use (AUMs)	Grazing Year	Actual Use (AUMs)	% Actual Use of Permitted Use (AUMs)
1999	311	61%	2004	0	0%
2000	229	45%	2005	0	0%
2001	409	80%	2006	0	0%
2002	321	63%	2007	154	30%
2003	214	42%	2008	0	0%

Over the grazing seasons from 1999 to 2008, livestock permitted use on the Railroad Pass Allotment for Paris Livestock was 1,231 AUMs in a sheep and cattle operation. During this same time period, livestock actual use ranged from a high of 992 AUMs in 2006 to a low of 449 AUMs in 2003. Livestock use has varied dependent on available forage due to growing conditions. Table 2-3 summarizes the licensed actual use data for this time period.

Table 2-3.Railroad Pass Allotment Actual Use by Paris Livestock.

Grazing Year	Cattle Actual Use (AUMs)	Sheep Actual Use (AUMs)	Total Actual Use (AUMs)	% Actual Use of Permitted Use (AUMs)
1999	286	664	950	77%
2000	299	601	900	73%
2001	329	647	976	79%
2002	269	447	679	55%
2003	126	470	449	36%
2004	0	530	530	43%
2005	0	558	558	45%
2006	354	638	992	81%
2007	0	615	615	50%
2008	0	757	757	61%

3. Utilization

Utilization is the estimation of the proportion of annual production consumed or destroyed by animals (Swanson 2006). The general utilization objective for all allotments in the Ely BLM District according to the Ely District Record of Decision and Approved Resource Management Plan (ROD/RMP – August, 2008) is to ~~"~~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" (Ely RMP, p. 85). The Nevada Rangeland Monitoring Handbook gives guidelines to determine the proper use levels by plant category (grasses, forbs, and shrubs) and by grazing season (spring, summer, fall, winter, yearlong). Proper use levels for all allotments are also implied by the Standards and Guidelines for Rangeland Health and Grazing Administration (February 1997).

Key forage plant utilization method was used to collect utilization data at the key areas as well as 12 other areas. Utilization for the allotment is summarized in Table 3-1.

Table 3-1.Railroad Pass Allotment Utilization

Key Area	Key Species	Grazing Year	Utilization	Total
RR-01	crested wheatgrass	2002	moderate	46%
		2007	severe	86%
		2007*	heavy	68%
		2008	moderate	42%
	Russian wildrye	2008	light	28%
RR-03	crested wheatgrass	2006	severe	86%
RR-04	Russian wildrye	2007	light	29%
		2008	light	35%
	bottlebrush squirreltail	2008	slight	2%
	needleandthread	2007	light	27%
	bluegrass	2007	light	21%
RR-05	crested wheatgrass	2006	heavy	72%
		2007	light	26%
RR-06	bluebunch wheatgrass	2006	light	40%
		2007	light	22%
		2007*	slight	14%
		2008	slight	16%
	antelope bitterbrush	2007	slight	11%
		2008	light	27%
	bluegrass	2006	heavy	64%
		2007	slight	12%
	bottlebrush squirreltail	2006*	heavy	72%
		2008	slight	2%
	Russian wildrye	2006	light	36%
		2006*	light	35%
		2007*	slight	20%
		2008	light	38%
RR-07	crested wheatgrass	2007	moderate	48%
		2007*	light	24%
		2006	heavy	64%
Corta Seeding	crested wheatgrass	2002	heavy	78%
below Dora Spring	combined riparian grasses	2008	moderate	44%
above Dora Spring	combined riparian grasses	2008	light	22%
Portuguese Spring	sedges	2006	severe	84%
near Burn	crested wheatgrass	2006	severe	84%

Spring	Russian wildrye	2006	light	29%
	ryegrass	2008	light	15%
1	Russian wildrye	2006	slight	16%
2	Indian ricegrass	2007	moderate	59%
	Russian wildrye	2007	light	29%
3	Indian ricegrass	2007	moderate	54%
	Russian wildrye	2007	moderate	42%
4	crested wheatgrass	2007	severe	81%
5	Indian ricegrass	2006	moderate	50%
6	crested wheatgrass	2006	heavy	78%
7	Russian wildrye	2006	moderate	46%
	bottlebrush squirreltail	2006	severe	84%
8	bluegrass	2007	moderate	54%
	Russian wildrye	2007	slight	20%
* measured near key area				

4. Line Intercept Cover Studies

Canopy cover is the percent of ground covered by a vertical projection of the outermost perimeter of the natural spread of foliage, including small openings (Swanson 2006). The Line Intercept Method is a commonly used method of determining the relative percent live foliar or canopy cover of a range site by plant class (tree, shrub, grass, forb, or annual). The method also estimates the percent live foliar cover by plant species. The results are then compared to the appropriate cover for each ecological site as indicated by the Natural Resources Conservation Service (NRCS) Rangeland Ecological Site Descriptions. Results are also compared to general known healthy rangelands.

Line intercept cover studies have been conducted at the six key areas and one study site on the Railroad Pass Allotment in 2008. Table 4-1 summarizes the cover data collected at key areas on native rangeland. Table 4-2 presents the cover data collected at key areas in seedings.

Table 4-1.Railroad Pass Allotment Vegetation Cover on Native Rangeland.

Key Area	Range Site	Existing Cover (%)	ESD Approx. Cover (%)
RR-4	Loamy 10-12	14.1%	20-30%
RR-6	Loamy 10-12	32.5%	20-30%
SS-1	Shallow Loamy 8-10	23.4%	10-20%

Table 4-2.Railroad Pass Allotment Vegetation Cover on Seedings.

Key Area	Existing Cover (%)
RR-1	16.3%
RR-3	7.8%
RR-5	14.9%
RR-7	7.2%

5. Similarity Index of Ecological Site Inventory

A similarity index is the percentage of a specific vegetation state plant community that is presently on the site (NRCS 1997). Similarity index is usually computed in reference to the historic climax plant community (HCPC) and is an expression of how similar the existing plant community is to HCPC. Also note that HCPC is not always the most desirable plant community to manage for.

When the similarity index is computed, a seral stage can be derived. Seral stages are the developmental stages of an ecological succession (NRCS 1997). A similarity index of 0 to 25 percent represents an early seral plant community, 26 to 50 percent represents a mid-seral plant community, 51 to 75 percent represents a late seral plant community, and 76 to 100 percent represents a climax plant community.

Similarity index is calculated as a percent composition by air dry weight. The site is inventoried to determine the current percent composition by weight on an air dry basis. These numbers are then compared to the percent composition by weight on an air dry basis of the HCPC in the Rangeland Ecological Site Description for the site. To calculate the similarity index, current composition cannot exceed that of HCPC. This yields percent allowable. The sum of all allowable percentages equals the similarity index.

Table 5-1 summarizes data used to calculate similarity index for the Railroad Pass Allotment.

Table 5-1.Total Annual Yield and Composition of Railroad Pass Allotment Key Areas

Key Area: RR-4
Date: 07/14/2008
Range Site: Loamy 10-12" P.Z. (028BY007NV)

Plant Common Name	Plant symbol	Current % Composition by Weight (air dry)	HCPC % Composition by Weight (air dry)*	% Allowable
Indian ricegrass	ACHY	1%	2-5%	1%
bluegrass	POA	13%	2-8%	8%
basin wildrye	LECI4	4%	3%	3%
bottlebrush squirreltail	ELEL5	12%	3%	3%
phlox	PHLOX	3%	2%	2%
big sagebrush	ARTR2	66%	15-25%	25%

Similarity Index: 42% (mid seral stage)
Overall Production: 261 pounds per acre (air dry wt.)
Plant community dynamics: Where management results in abusive livestock use, big sagebrush, rabbitbrush, bottlebrush squirreltail, and Sandberg's bluegrass increase, while Thurber needlegrass, bluebunch wheatgrass and other desirable forage species decrease. Cheatgrass readily invades this site following disturbances. Singleleaf pinyon and Utah juniper invade this site where it occurs adjacent to pinyon-juniper woodlands. When pinyon and juniper occupy this site they compete with other species for available light, moisture, and nutrients. If pinyon-juniper canopies are allowed to close, they can eliminate all understory vegetation.

Key Area: RR-6
Date: 07/14/2008
Range Site: Loamy 10-12" P.Z. (028BY007NV)

Plant Common Name	Plant symbol	Current % Composition by Weight (air dry)	HCPC % Composition by Weight (air dry)*	% Allowable
bluebunch wheatgrass	PSSP	trace	15-30%	---
bluegrass	POA	5%	2-8%	5%
basin wildrye	LECI4	1%	3%	1%
bottlebrush squirreltail	ELEL5	8%	3%	3%`
big sagebrush	ARTR2	76%	15-25%	25%
Douglas' rabbitbrush	CHVI8	10%	3%	3%
common snowberry	SYAL	1%	3%	1%

Similarity Index: 38% (mid seral stage)
Overall Production: 416 pounds per acre (air dry wt.)
Plant community dynamics: Where management results in abusive livestock use, big sagebrush, rabbitbrush, bottlebrush squirreltail, and Sandberg's bluegrass increase, while Thurber needlegrass, bluebunch wheatgrass and other desirable forage species decrease. Cheatgrass readily invades this site following disturbances. Singleleaf pinyon and Utah juniper invade this site where it occurs adjacent to pinyon-juniper woodlands. When pinyon and juniper occupy this site they compete with other species for available light, moisture, and nutrients. If pinyon-juniper canopies are allowed to close, they can eliminate all understory vegetation.

*from Ecological Site Description

6. Current Composition and Production of Seeded Areas

Key areas within the seeded portions of the Railroad Pass Allotment were inventoried to determine the current percent composition by weight on an air dry basis. This was completed using a double sampling technique. Current composition and production data collected in 2008 is summarized in Table 6-1.

Table 6-1.Current Composition and Production of Seeded Areas on Railroad Pass Allotment

Key Area	Plant Common Name	Plant symbol	Current Production (lbs./ac.; air dry wt.)	Current % Composition by Weight (air dry)
RR-1	crested wheatgrass	AGCR	7	5%
	wildrye	ELYLE	69	46%
	bluegrass	POA	10	7%
	Indian ricegrass	ACHY	11	7%
	bottlebrush squirreltail	ELEL5	3	2%
	phlox	PHLOX	16	11%
	annual mustard	BRASS	14	9%
	Wyoming big sagebrush	ARTRW	20	13%
		Total:	**150**	
RR-3	crested wheatgrass	AGCR	49	82%
	basin wildrye	LECI4	11	18%
	cheatgrass	BRTE	trace	---
	bluegrass	POA	trace	---
		Total:	**60**	
RR-5	crested wheatgrass	AGCR	338	75%
	western wheatgrass	PASM	28	6%
	bluegrass	POA	12	3%
	lupine	LUPIN	66	15%
	phlox	PHLOX	3	1%
	cheatgrass	BRTE	trace	---
	milkvetch	ASTRA	trace	---
	false dandelion	NOTHO5	trace	---
		Total:	**448**	
RR-7	crested wheatgrass	AGCR	795	98%
	western wheatgrass	PASM	14	2%
	cheatgrass	BRTE	trace	---
	phlox	PHLOX	trace	---
	bluegrass	POA	trace	---
		Total:	**809**	

7. Proper Functioning Condition of Riparian Areas

Proper Functioning Condition (PFC) is the method used by the BLM to assess riparian health and functionality. The process is completed by an interdisciplinary (ID) team. The team looks at hydrology, vegetation, and erosion/deposition characteristics of the site in order to determine if the riparian area is in proper functioning condition, functioning at risk, or nonfunctional.

PFC was completed on three springs on the Railroad Pass Allotment in 2008. Table 7-1 summarizes the findings of the ID teams. Two addition springs were visited and determined inappropriate for PFC assessment.

Table 7-1.PFC on the Railroad Pass Allotment

Riparian Area	Date	Functionality (notes)
Portuguese Spring	8/19/2008	Non-functional (dry source)
Dora Spring	8/19/2008	Functioning at Risk (drought; low flows; water development; and grazing use by deer, wild horses, and cattle)
unnamed spring (T24N R55E S8 E1/2)	8/19/2008	Proper Functioning Condition
Little Joe Spring	7/30/2008	Developed source, no riparian area
Burn Spring	7/30/2008	Developed source, no riparian area

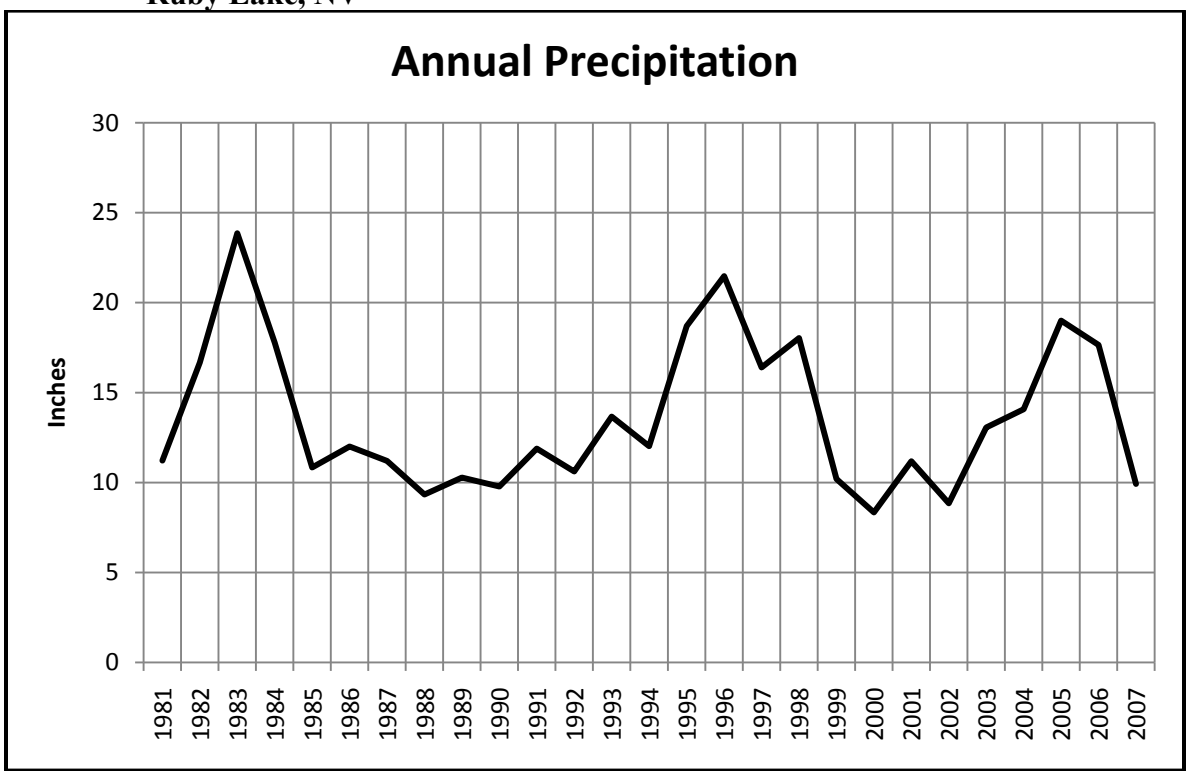
8. Precipitation Data

Annual precipitation greatly influences growing condition of forage species and is often correlated to available forage. Historical climate data from the Western Regional Climate Center at the Ruby Lake, Nevada weather station provides an accurate representation of the annual precipitation on the Railroad Pass Allotment. Table 8-1 and Graph 8-1 summary annual precipitation data collected since 1981.

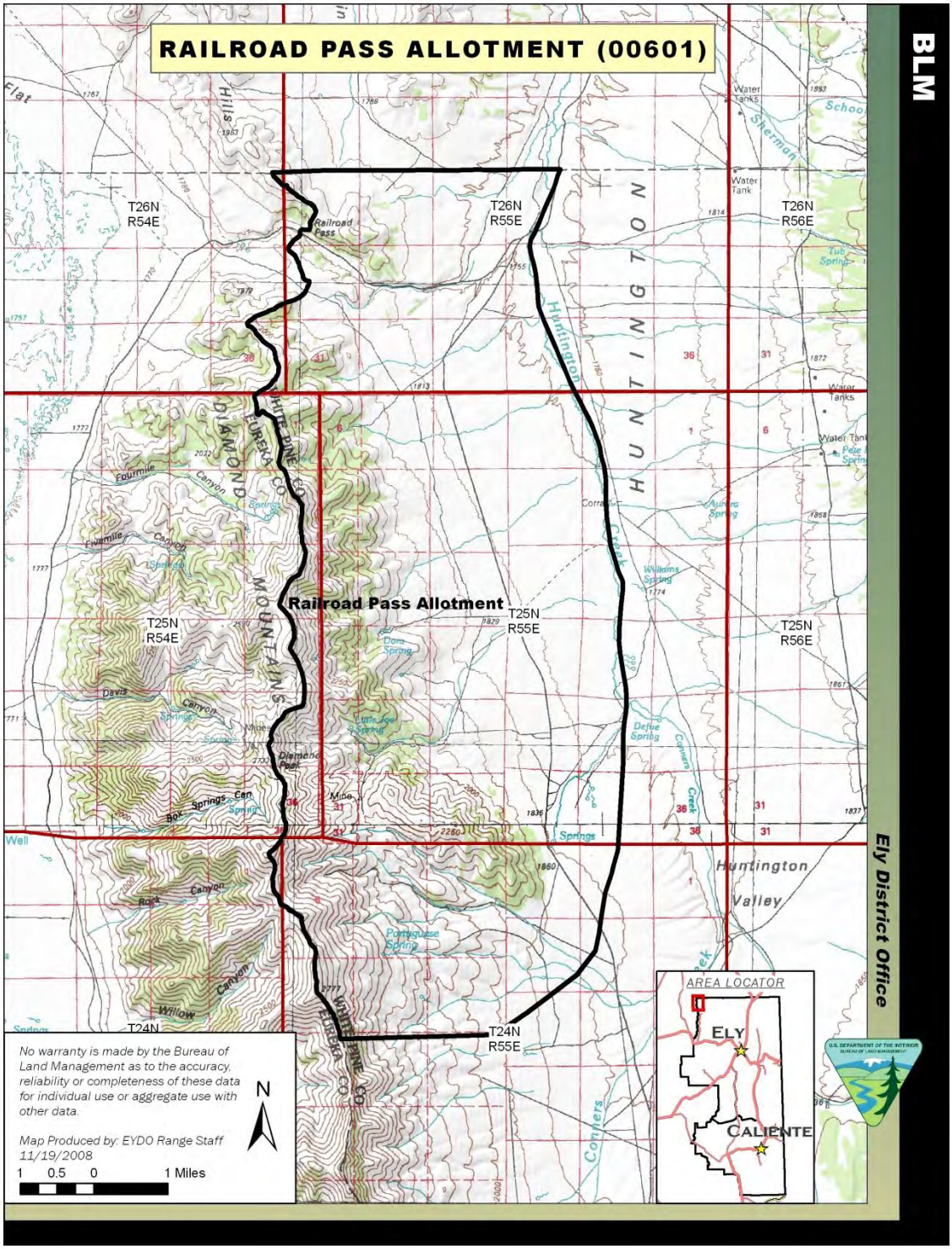
Table 8-1.Western Regional Climate Center Precipitation Data from Ruby Lake, NV

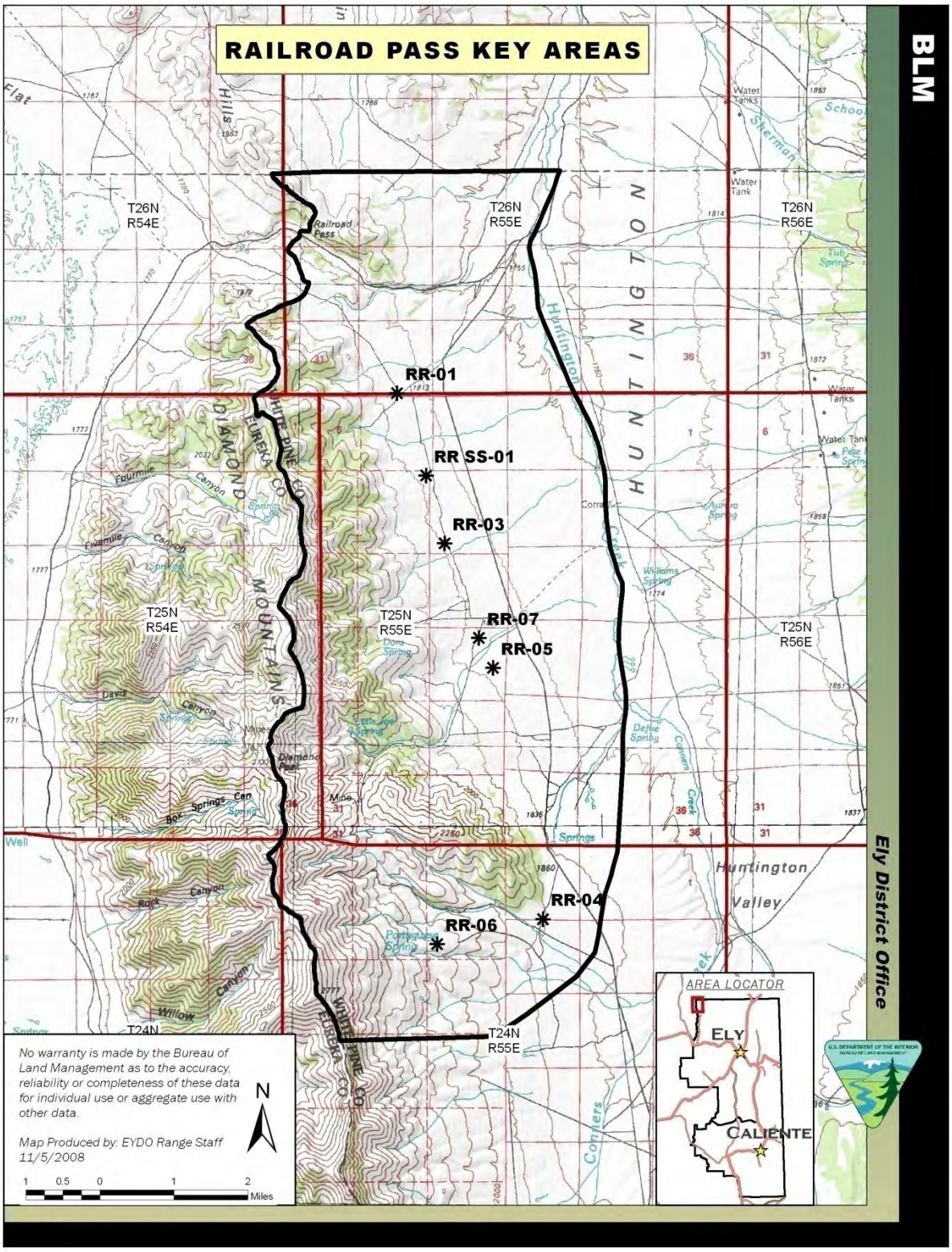
YEAR	ANNUAL PRECIP. (inches)	YEAR	ANNUAL PRECIP. (inches)	YEAR	ANNUAL PRECIP. (inches)
1981	11.22	1990	9.78	1999	10.20
1982	16.67	1991	11.89	2000	8.34
1983	23.86	1992	10.62	2001	11.19
1984	17.78	1993	13.67	2002	8.85
1985	10.84	1994	12.02	2003	13.06
1986	12.00	1995	18.70	2004	14.08
1987	11.20	1996	21.48	2005	19.00
1988	9.34	1997	16.40	2006	17.65
1989	10.28	1998	18.03	2007	9.92

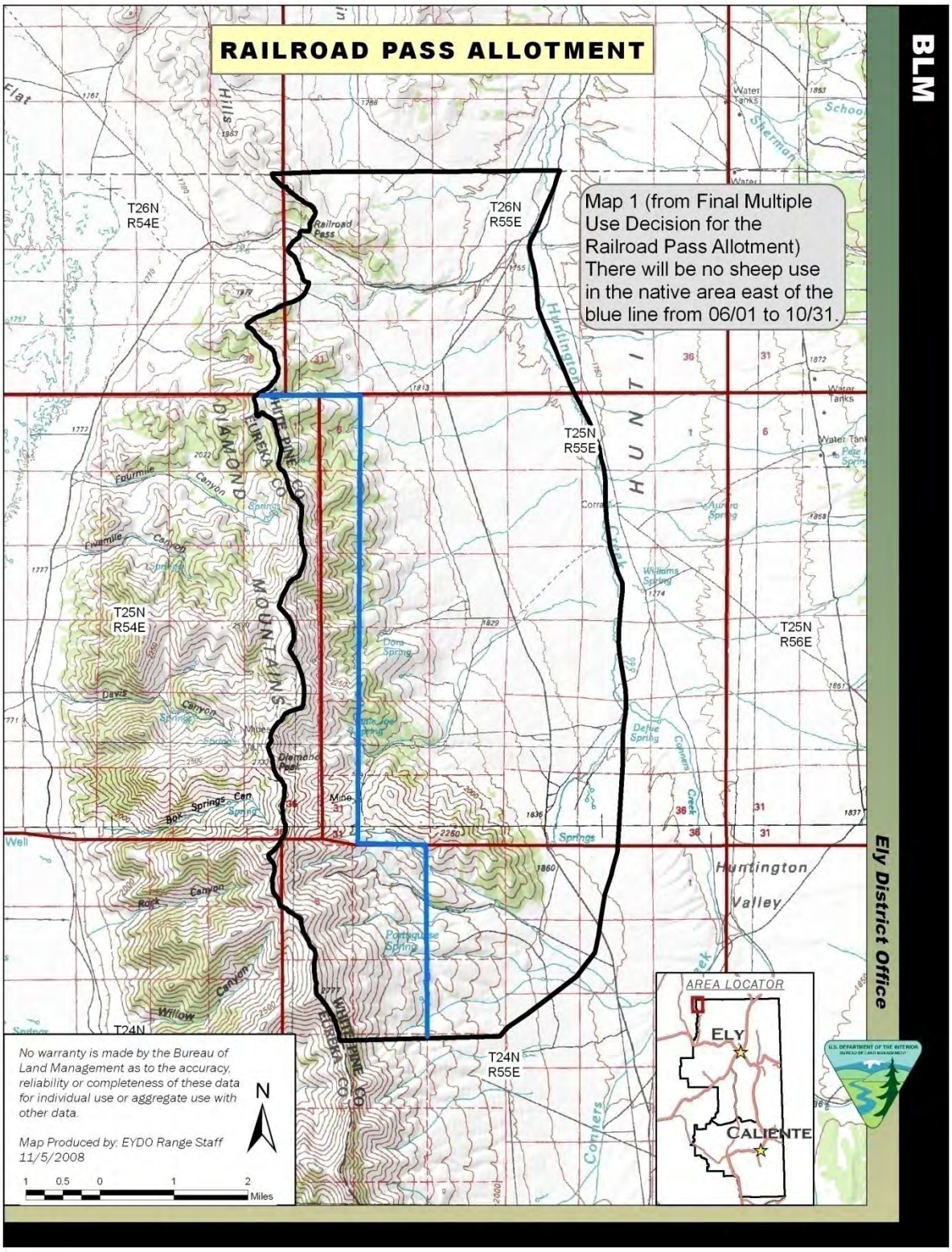
Graph 8-1.Precipitation Data (1981-2007) from Western Regional Climate Center from Ruby Lake, NV



APPENDIX II
MAPS
Railroad Pass Allotment




RAILROAD PASS KEY AREAS
BLM
Ely District Office
T26N R54E
T26N R55E
T26N R56E
T25N R54E
T25N R55E
T25N R56E
T24N
T24N R55E
RR-01
RR SS-01
RR-03
RR-07
RR-05
RR-04
RR-06
HUNTINGTON
DIAMOND
MOUNTAINS
EUREKA CO
WHITE PINE CO
Railroad Pass
Huntington Valley
AREA LOCATOR
ELY
CALIENTE
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: EYDO Range Staff
11/5/2008
N
1 0.5 0 1 2
Miles


RAILROAD PASS ALLOTMENT
BLM
Ely District Office
Map 1 (from Final Multiple Use Decision for the Railroad Pass Allotment) There will be no sheep use in the native area east of the blue line from 06/01 to 10/31.
T26N R54E
T26N R55E
T25N R55E
T25N R54E
T25N R56E
T24N R55E
T24N
Railroad Pass
HUNTINGTON MOUNTAINS
DIAMOND MOUNTAINS
HITE LINE CO
EUREKA CO
WHITE PINE CO
Huntington Valley
Conners
Fourmile Canyon Springs
Davis Canyon Springs
Diamond Peak
Mine
Can Springs
Rock Canyon
Willow Canyon
Portuguese Spring
Dana Spring
Williams Spring
Aurora Spring
Water Tanks
Well
AREA LOCATOR
ELY
CALIENTE
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: EYDO Range Staff
11/5/2008
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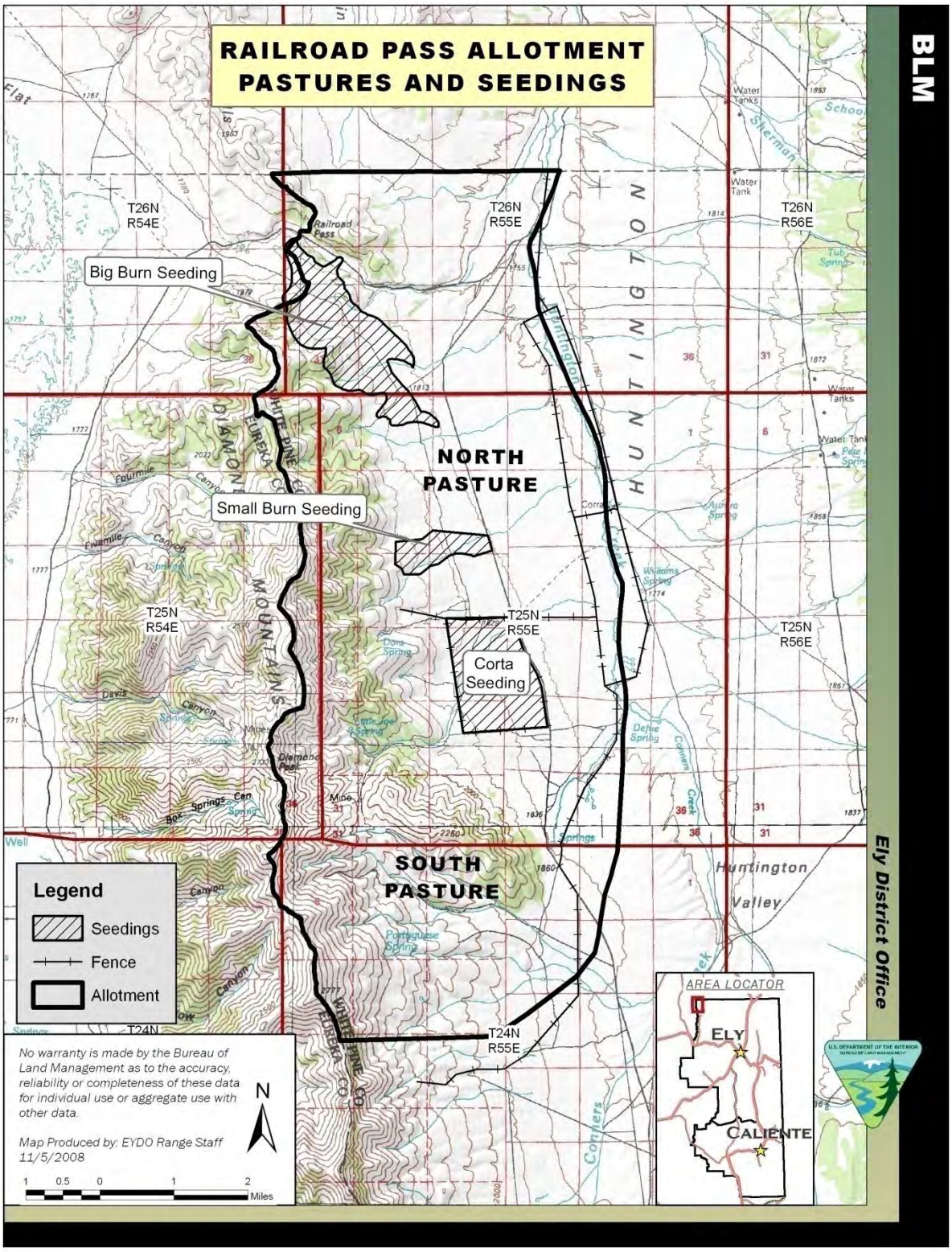
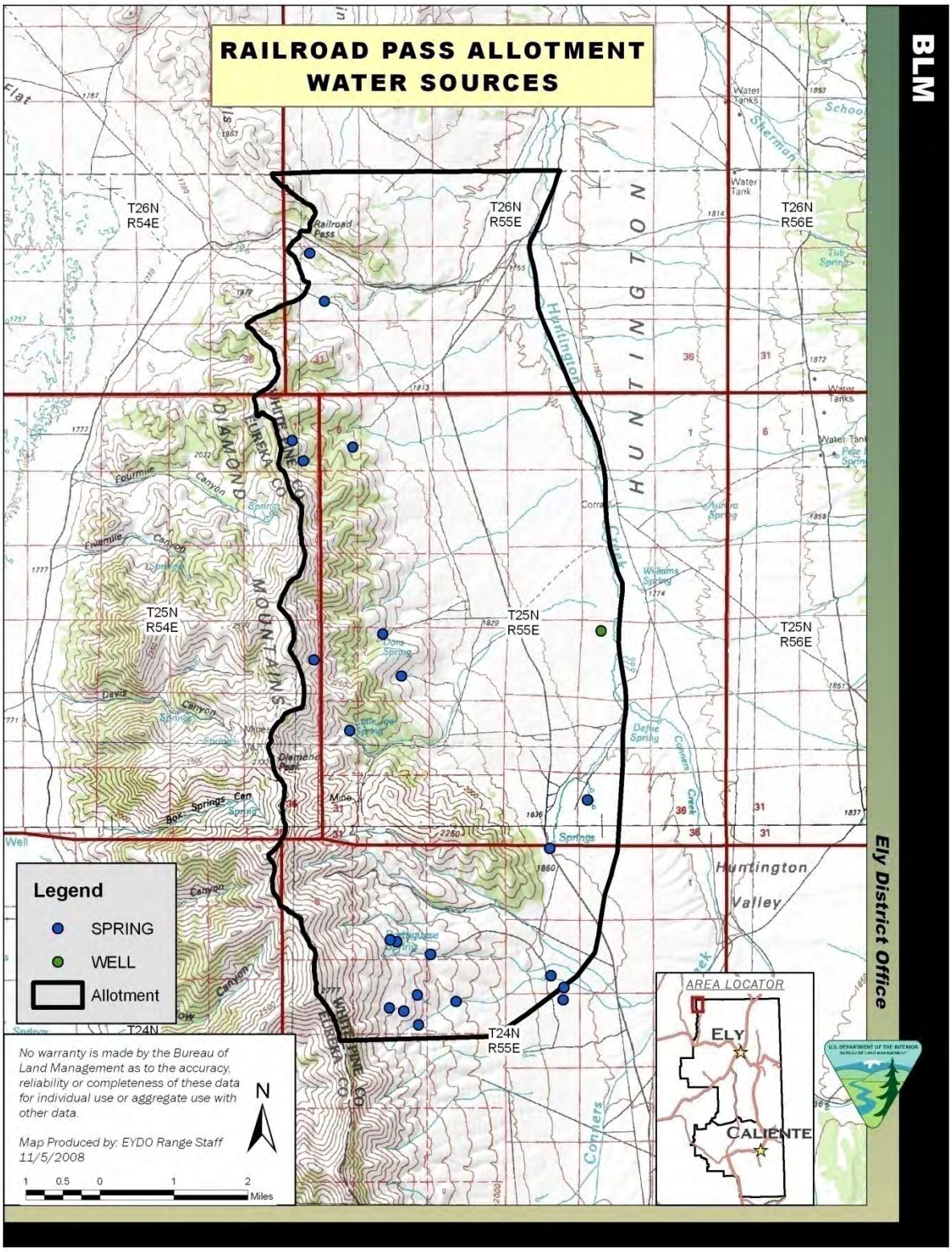

RAILROAD PASS ALLOTMENT
PASTURES AND SEEDINGS
BLM
Ely District Office
T26N
R54E
T26N
R55E
T26N
R56E
Big Burn Seeding
Small Burn Seeding
NORTH
PASTURE
SOUTH
PASTURE
Corta
Seeding
T25N
R54E
T25N
R55E
T25N
R56E
T24N
R55E
HUNTINGTON
MOUNTAINS
Huntington
Valley
Legend
Seedings
Fence
Allotment
No warranty 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: EYDO Range Staff
11/5/2008
N
1 0.5 0 1 2
Miles
AREA LOCATOR
ELY
CALIENTE


RAILROAD PASS ALLOTMENT
WATER SOURCES
BLM
Ely District Office
T26N
R54E
T26N
R55E
T26N
R56E
T25N
R54E
T25N
R55E
T25N
R56E
T24N
R55E
HUNTINGTON
DIAMOND
MOUNTAINS
EUREKA CO
WHITE PINE CO
Huntington
Valley
Legend
SPRING
WELL
Allotment
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: EYDO Range Staff
11/5/2008
N
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Miles
AREA LOCATOR
ELY
CALIENTE

APPENDIX III
TERMS AND CONDITIONS
Railroad Pass Allotment

Harold Rother Farms:

Allotment Name and Number	Livestock Number/Kind	Grazing Period Begin End	% Public Land*	Type Use	AUMs**
Railroad Pass 00601	265 Cattle	06/01 to 09/30	100	Active	1063

*% Public Land is the percent of public land for billing purposes.
**AUMs may differ from Active Permitted Use due to a rounding difference with the number of livestock and the period of use.

Allotment AUMs Summary

Allotment Name	ACTIVE AUMS	SUSPENDED AUMS	GRAZING PERMITTED USE
Railroad Pass	1800	0	1800

Livestock Management Practices - Terms and Conditions
In accordance with 43 CFR §4130.3 and §4130.3-2 the following terms and conditions shall be included in the term grazing permit for Harold Rother Farms, Inc. for the Railroad Pass Allotment:

Railroad Pass Allotment (00601):

1. A rest rotation system will be continued for cattle grazing on the Railroad Pass Allotment as outlined below:
    a. Year 1 (2009, 2011, 2013, 2015, 2017) – North of drift fence
    b. Year 2 (2010, 2012, 2014, 2016, 2018) – South of drift fence
    c. This rotation will be repeated, alternating pasture use. Deviation from this schedule will be allowed as associated with proposed burn or vegetative treatments to allow for re-establishment of the vegetation.
2. To improve livestock distribution, the placement of mineral or salt supplements will be a minimum distance of ½ mile from water sources. These supplements will also be placed no closer than ½ mile from riparian areas, sensitive sites, and cultural resource sites. Use of nutritional supplements (not forage) is encouraged to improve the ability of livestock to utilize forage and to improve livestock distribution across the allotment.
3. Grazing in the Railroad Pass Allotment will be in accordance with the Northeastern Great Basin Area Standards and Guidelines and the Final Multiple Use Decision dated November, 9, 1995.
4. Grazing will also be in accordance with the Livestock Grazing Agreement for Railroad Pass Allotment dated April 2001. The permittee agrees to take voluntary non-use of 736 AUMs of the 1800 AUMs of permitted use for the period of March 1, 2006 to February 28, 2011. Therefore only 1064 AUMs of livestock grazing will be authorized for the annual grazing period of 06/01 to 09/30 for the term of this permit.

5. Maximum allowable use levels will be established as follows:
    a. Perennial native grasses: 50% current year's growth
    b. Perennial shrubs and half-shrubs: 50% use on current annual production.
    c. Perennial non-native seedings: 65% current year's growth
    d. 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.

Pete Goicoechea:

Allotment Name and Number	Livestock Number/Kind	Grazing Period Begin End	% Public Land*	Type Use	AUMs**
Railroad Pass 00601	75 Cattle	06/01 to 09/30	100	Active	301

*% Public Land is the percent of public land for billing purposes.
**AUMs may differ from Active Permitted Use due to a rounding difference with the number of livestock and the period of use.

Allotment AUMs Summary

Allotment Name	ACTIVE AUMS	SUSPENDED AUMS	GRAZING PERMITTED USE
Railroad Pass	511	0	511

Livestock Management Practices - Terms and Conditions
In accordance with 43 CFR §4130.3 and §4130.3-2 the following terms and conditions shall be included in the term grazing permit for Pete Goicoechea for the Railroad Pass Allotment:

Railroad Pass Allotment (00601):

6. A rest rotation system will be continued for cattle grazing on the Railroad Pass Allotment as outlined below:
    a. Year 1 (2009, 2011, 2013, 2015, 2017) – North of drift fence
    b. Year 2 (2010, 2012, 2014, 2016, 2018) – South of drift fence
    c. This rotation will be repeated, alternating pasture use. Deviation from this schedule will be allowed as associated with proposed burn or vegetative treatments to allow for re-establishment of the vegetation.
7. To improve livestock distribution, the placement of mineral or salt supplements will be a minimum distance of ½ mile from water sources. These supplements will also be placed no closer than ½ mile from riparian areas, sensitive sites, and cultural resource sites. Use of nutritional supplements (not forage) is encouraged to improve the ability of livestock to utilize forage and to improve livestock distribution across the allotment.
8. Grazing in the Railroad Pass Allotment will be in accordance with the Northeastern Great Basin Area Standards and Guidelines and the Final Multiple Use Decision dated November, 9, 1995.
9. Grazing will also be in accordance with the Livestock Grazing Agreement for Railroad Pass Allotment dated April 2001. The permittee agrees to take voluntary non-use of 211

AUMs of the 511 AUMs of permitted use for the period of March 1, 2006 to February 28, 2011. Therefore only 300 AUMs of livestock grazing will be authorized for the annual grazing period of 06/01 to 09/30 for the term of this permit.

10. Maximum allowable use levels will be established as follows:
    a. Perennial native grasses: 50% current year's growth
    b. Perennial shrubs and half-shrubs: 50% use on current annual production.
    c. Perennial non-native seedings: 65% current year's growth
    d. 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.

Paris Livestock:

Allotment Name and Number	Livestock Number/Kind	Grazing Period Begin End	% Public Land*	Type Use	AUMs**
Railroad Pass 00601	467 Sheep	04/05 to 11/15	100	Active	691
Railroad Pass 00601—Corta Seeding	365 Sheep	04/05 to 11/15	100	Active	540

*% Public Land is the percent of public land for billing purposes.
**AUMs may differ from Active Permitted Use due to a rounding difference with the number of livestock and the period of use.

Allotment AUMs Summary

Allotment Name	ACTIVE AUMS	SUSPENDED AUMS	GRAZING PERMITTED USE
Railroad Pass	1231	0	1231

Livestock Management Practices - Terms and Conditions
In accordance with 43 CFR §4130.3 and §4130.3-2 the following terms and conditions shall be included in the term grazing permit for Paris Livestock for the Railroad Pass Allotment:

Railroad Pass Allotment (00601):

1. Grazing in the Railroad Pass Allotment will be in accordance with the Northeastern Great Basin Area Standards and Guidelines, and the Final Multiple Use Decision dated November, 9, 1995.
2. Livestock grazing capacity for the Corta Seeding within the Railroad Pass Allotment is established at 540 AUMs to be used exclusively within the seeding and may be either sheep or cattle use from 04/05 to 11/15
3. There will be no sheep grazing in native range identified in Map 1 of the Final Multiple Use Decision from 06/01 to 10/31 (also see Appendix II).
4. To improve livestock distribution, the placement of mineral or salt supplements will be a minimum distance of ½ mile from water sources. These supplements will also be placed no closer than ½ mile from riparian areas, sensitive sites, and cultural resource sites. Use

of nutritional supplements (not forage) is encouraged to improve the ability of livestock to utilize forage and to improve livestock distribution across the allotment.

5. Maximum allowable use levels will be established as follows:
    a. Perennial native grasses: 50% current year's growth
    b. Perennial shrubs and half-shrubs: 50% use on current annual production.
    c. Perennial non-native seedings: 65% current year's growth
    d. 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.

Additional Stipulations Common to All Grazing Allotments:

10. Livestock numbers identified in the Term Grazing Permit are a function of seasons of use and permitted use. 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.
11. 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.
12. The authorized officer is requiring that an actual use report (form 4130-5) be submitted within 15 days after completing your annual grazing use.
13. 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.
14. 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.
15. Grazing use in White Pine County will be in accordance with the Northeastern 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.
16. If future monitoring data indicates that Standards and Guidelines for Grazing Administration are not being met, the permit will be reissued subject to revised terms and conditions.
17. The permittee is responsible for all maintenance of assigned range improvements including wildlife escape ramps for both permanent and temporary water troughs.

18. 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.

APPENDIX IV

RISK ASSESSMENT FOR NOXIOUS & INVASIVE WEEDS

Term Grazing Permit Renewal for Harold Rother Farms, Inc.
Railroad Pass Allotment
White Pine County, Nevada

On October 21st, 2008 a Noxious & Invasive Weed Risk Assessment was completed for the term grazing permit renewal for Harold Rother Farms, Inc. on the Railroad Pass Allotment in White Pine County, NV. The Railroad Pass Allotment encompasses approximately 27,025 public land acres. The grazing permit area occurs entirely within White Pine County, and is situated approximately 75 miles northwest of Ely, Nevada. The western portion of this allotment borders the Battle Mountain BLM District and the northern portion borders the Elko BLM District. This is a cattle permit with a total grazing preference of 1,800 animal unit months (AUMs). Of these, 1,800 AUMs are active and 0 AUMs are suspended nonuse. The current term permit authorizes approximately 265 head of cattle with a season of use from 06/01 to 09/30. The issuance of the new term grazing permit could be for a period up to ten years.

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 Railroad Pass allotment:

Acroptilon repens	Russian knapweed
Carduus nutans	Musk thistle
Centaurea stoebe	Spotted knapweed
Cicuta maculata	Water hemlock
Cirsium arvense	Canada thistle
Cirsium vulgare	Bull thistle
Euphorbia esula	Leafy spurge
Lepidium draba	Hoary cress
Onopordum acanthium	Scotch thistle
Tamarix spp.	Salt cedar

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

Acroptilon repens	Russian knapweed
Carduus nutans	Musk thistle
Cirsium vulgare	Bull thistle
Hyoscyamus niger	Black henbane
Lepidium draba	Hoary cress
Lepidium latifolium	Tall whitetop
Onopordum acanthium	Scotch thistle
Tamarix spp.	Salt cedar

The Railroad Pass Allotment was last inventoried for noxious weeds in 2002. It should be noted that this allotment borders the BLM Battle Mountain and Elko Districts and no weed inventory data for these Districts is currently available. While not officially documented the following

non-native invasive weeds probably occur in or around the allotment: cheatgrass (*Bromus tectorum*), field bindweed (*Convolvulus arvensis*), Russian olive (*Elaeagnus angustifolia*), halogeton (*Halogeton glomeratus*), horehound (*Marrubium vulgare*), and Russian thistle (*Salsola kali*).

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 Moderate (7) at the present time. If new weed infestations establish within the allotment this could have an adverse impact 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.

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.

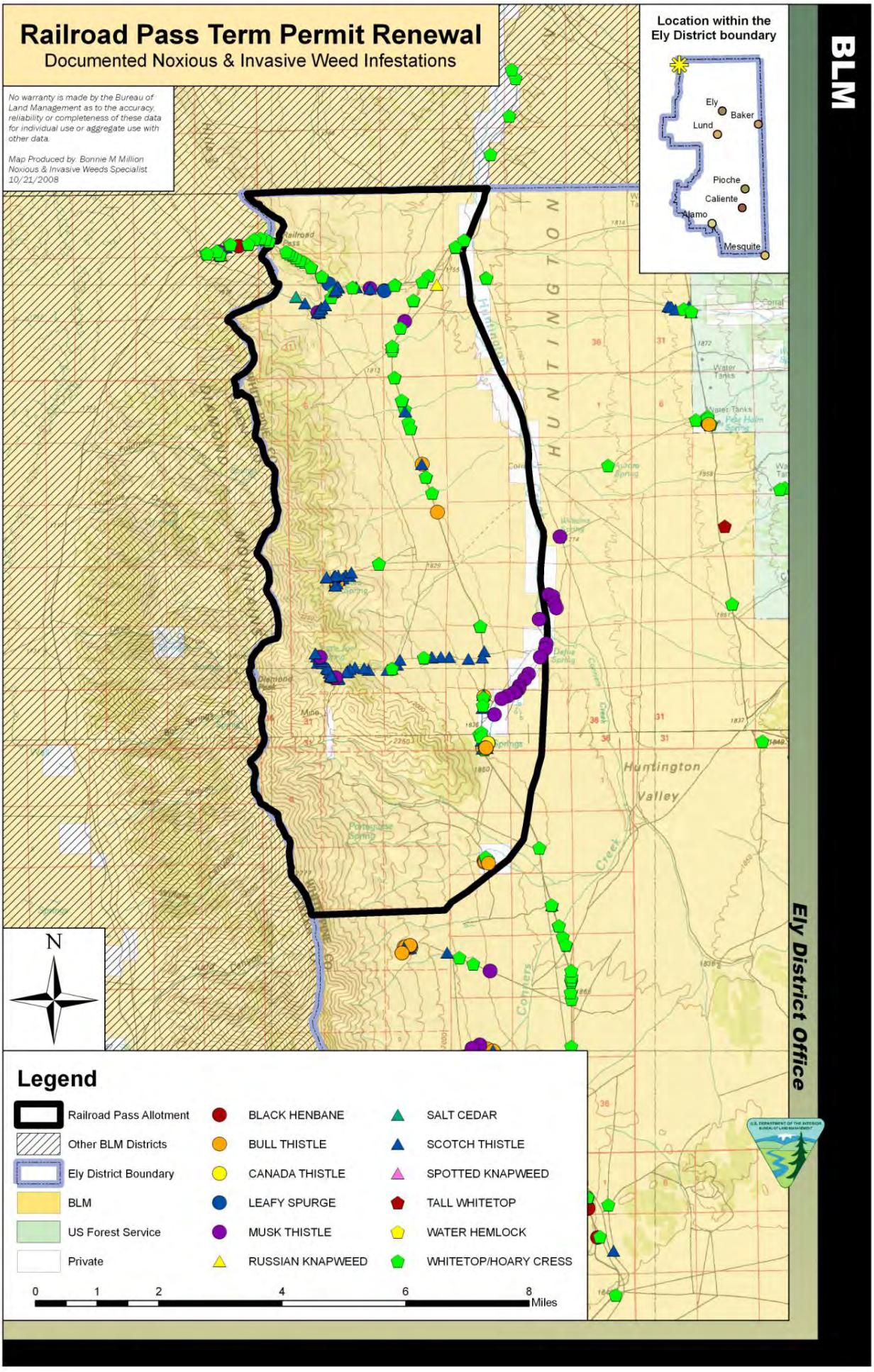
For this project, the Risk Rating is Moderate (32). This indicates that the project can proceed as planned as long as the following measures are followed:

- 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.
- 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 allotments 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.
- 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.
- 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.
- 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: /s/ Bonnie M. Million 10/21/2008

Bonnie M. Million Date

Ely District Noxious & Invasive Weeds Coordinator


Railroad Pass Term Permit Renewal
Documented Noxious & Invasive Weed Infestations
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: Bonnie M Million
Noxious & Invasive Weeds Specialist
10/21/2008
Location within the Ely District boundary
Ely
Baker
Lund
Pioche
Caliente
Alamo
Mesquite
BLM
Ely District Office
HUNTINGTON
DIAMOND
Huntington Valley
Railroad Pass
N
Legend
Railroad Pass Allotment
Other BLM Districts
Ely District Boundary
BLM
US Forest Service
Private
BLACK HENBANE
BULL THISTLE
CANADA THISTLE
LEAFY SPURGE
MUSK THISTLE
RUSSIAN KNAPWEED
SALT CEDAR
SCOTCH THISTLE
SPOTTED KNAPWEED
TALL WHITETOP
WATER HEMLOCK
WHITETOP/HOARY CRESS
0 1 2 4 6 8 Miles

RISK ASSESSMENT FOR NOXIOUS & INVASIVE WEEDS

Term Grazing Permit Renewal for Pete Goicoechea
Newark & Railroad Pass Allotments
White Pine County, Nevada

On October 21st, 2008 a Noxious & Invasive Weed Risk Assessment was completed for the term grazing permit renewal for Pete Goicoechea on the Newark and Railroad Pass Allotments in White Pine County, NV. The Newark Allotment encompasses approximately 218,105 public land acres. The grazing allotment is situated approximately 45 miles west of Ely, Nevada. The Railroad Pass Allotment encompasses approximately 27,025 public land acres. The grazing allotment is situated approximately 75 miles northwest of Ely, Nevada. Currently this is two separate grazing permits with separate authorizations that will be combined into one. The Newark Allotment is a cattle and sheep allotment with a total grazing preference of 9,709 animal unit months (AUMs). Of these, 7,101 AUMs are active and 2,608 AUMs are suspended nonuse. The Railroad Pass Allotment is a cattle permit with a total grazing preference of 511 animal unit months (AUMs). Of these, 511 AUMs are active and 0 AUMs are suspended nonuse. The current term permit authorizes approximately 75 head of cattle with a season of use from 06/01 to 09/30.

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 Newark allotment:

Acroptilon repens	Russian knapweed
Carduus nutans	Musk thistle
Centaurea stoebe	Spotted knapweed
Cirsium vulgare	Bull thistle
Conium maculatum	Poison hemlock
Lepidium draba	Hoary cress
Onopordum acanthium	Scotch thistle
Tamarix spp.	Salt cedar

The following species are found within the boundaries of the Railroad Pass allotment:

Acroptilon repens	Russian knapweed
Carduus nutans	Musk thistle
Centaurea stoebe	Spotted knapweed
Cicuta maculata	Water hemlock
Cirsium arvense	Canada thistle
Cirsium vulgare	Bull thistle
Euphorbia esula	Leafy spurge
Lepidium draba	Hoary cress
Onopordum acanthium	Scotch thistle
Tamarix spp.	Salt cedar

The following species are found along roads and drainages leading to both allotments:

Acroptilon repens	Russian knapweed
Carduus nutans	Musk thistle
Centaurea stoebe	Spotted knapweed
Cirsium arvense	Canada thistle
Cirsium vulgare	Bull thistle
Conium maculatum	Poison hemlock
Hyoscyamus niger	Black henbane
Lepidium draba	Hoary cress
Lepidium latifolium	Tall whitetop
Onopordum acanthium	Scotch thistle
Tamarix spp.	Salt cedar

Both allotments were last inventoried for noxious weeds in 2002. It should be noted that these allotments border the BLM Battle Mountain and/or Elko Districts and no weed inventory data for these Districts is currently available. While not officially documented the following non-native invasive weeds probably occur in or around both allotments: cheatgrass (*Bromus tectorum*), field bindweed (*Convolvulus arvensis*), Russian olive (*Elaeagnus angustifolia*), halogeton (*Halogeton glomeratus*), horehound (*Marrubium vulgare*), and Russian thistle (*Salsola kali*).

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 allotments and could aid in the introduction of weeds from surrounding areas. Within the allotments, 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 Moderate (7) at the present time. If new weed infestations establish within the allotments this could have an adverse impact those native plant communities however, since there are many weed infestations currently within the allotments, those impacts would be limited. 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:

- 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.
- 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 allotments 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.
- 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.
- 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.

- 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: /s/ Bonnie M. Million 10/21/2008

Bonnie M. Million Date
Ely District Noxious & Invasive Weeds Coordinator

Railroad Pass Term Permit Renewal

Documented Noxious & Invasive Weed Infestations

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: Bonnie M Million
Noxious & Invasive Weeds Specialist
10/21/2008

Location within the Ely District boundary

BLM

Ely District Office

N

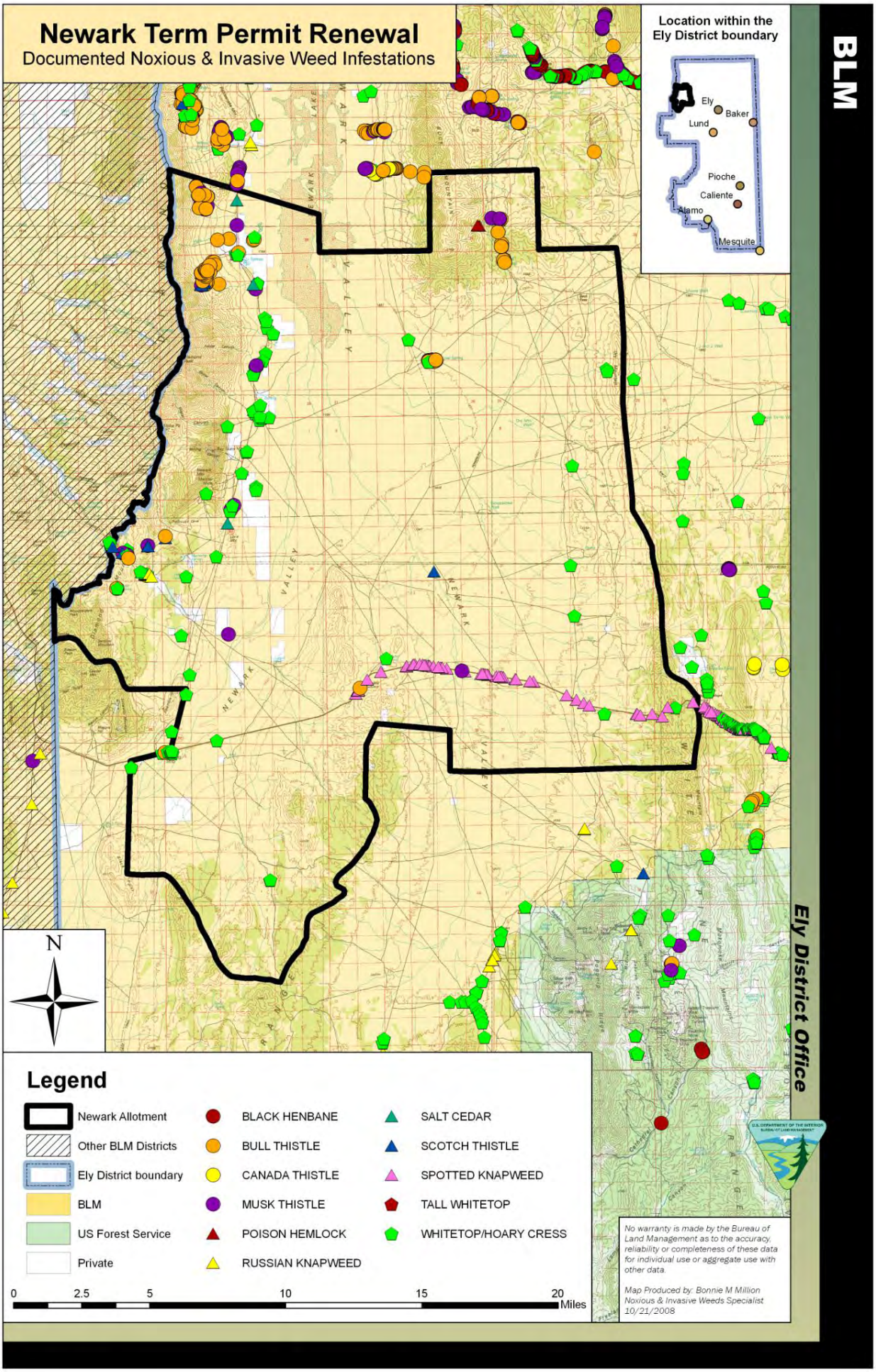
Legend

- Railroad Pass Allotment
- Other BLM Districts
- Ely District Boundary
- BLM
- US Forest Service
- Private

- BLACK HENBANE
- BULL THISTLE
- CANADA THISTLE
- LEAFY SPURGE
- MUSK THISTLE
- RUSSIAN KNAPWEED

- SALT CEDAR
- SCOTCH THISTLE
- SPOTTED KNAPWEED
- TALL WHITETOP
- WATER HEMLOCK
- WHITETOP/HOARY CRESS

0 1 2 4 6 8 Miles


Newark Term Permit Renewal
Documented Noxious & Invasive Weed Infestations
Location within the Ely District boundary
Ely
Baker
Lund
Pioche
Caliente
Alamo
Mesquite
BLM
Ely District Office
N
Legend
Newark Allotment
Other BLM Districts
Ely District boundary
BLM
US Forest Service
Private
BLACK HENBANE
BULL THISTLE
CANADA THISTLE
MUSK THISTLE
POISON HEMLOCK
RUSSIAN KNAPWEED
SALT CEDAR
SCOTCH THISTLE
SPOTTED KNAPWEED
TALL WHITETOP
WHITETOP/HOARY CRESS
0 2.5 5 10 15 20 Miles
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: Bonnie M Million
Noxious & Invasive Weeds Specialist
10/21/2008

RISK ASSESSMENT FOR NOXIOUS & INVASIVE WEEDS

Term Grazing Permit Renewal for Paris Livestock
Cold Creek, Corta, Duckwater, Newark, Railroad Pass, Sand Springs, South Pancake, & Warm Springs Trail Allotments
Nye & White Pine County, Nevada

On November 6th, 2008 a Noxious & Invasive Weed Risk Assessment was completed for the term grazing permit renewal for Paris Livestock for the Cold Creek, Corta, Duckwater, Newark, Railroad Pass, Sand Springs, South Pancake, and Warm Springs Trail Allotments in Nye and White Pine Counties, NV. The current term permit is issued for the period 10/15/2006 to 10/14/2016. The following table outlines what the current term permit authorizes.

Allotment/Pasture	Number & Kind of Livestock	Use Period	AUMS
Sand Springs	934 Sheep	11/01 to 03/31	927
	1198 Sheep	11/01 to 03/31	1190
Railroad Pass	467 Sheep	04/05 to 11/15	691
Cold Creek	1182 Sheep	04/15 to 4/30	124
	1200 Sheep	11/01 to 11/15	118
Newark	1642 Sheep	04/01 to 04/30	324
	1642 Sheep	11/01 to 11/30	324
South Pancake	2268 Sheep	03/15 to 04/30	701
	1114 Sheep	11/15 to 01/15	454
Warm Springs Trail	2750 Sheep	04/15 to 05/01	307
	2754 Sheep	11/15 to 12/01	308
Duckwater	1572 Sheep	12/15 to 03/31	1106
	1122 Sheep	01/01 to 03/31	664
Corta	4850 Sheep	05/01 to 05/04	128
Railroad Pass/Corta Seeding	365 Sheep	04/05 to 11/15	540

Within the Duckwater Allotment the following use areas would be used: Bull Corner/Poison Patch, Little Smokey Valley, North Sand Springs Valley, Pancake East Bench/Duckwater Valley, Pogues Station, and South Sand Springs Valley. The issuance of the new term grazing permit could be for a period up to ten years. An evaluation of the range monitoring data and rangeland health will be conducted for the Cold Creek, Corta, Duckwater, Newark, Railroad Pass, Sand Springs, South Pancake, and Warm Springs Trail Allotments.

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 Cold Creek Allotment:

Carduus nutans	Musk thistle
Cirsium vulgare	Bull thistle
Hyoscyamus niger	Black henbane
Lepidium draba	Hoary cress
Lepidium latifolium	Tall whitetop
Onopordum acanthium	Scotch thistle

The following species are found within the boundaries of the use areas for this permit in the Duckwater Allotment:

Acroptilon repens	Russian knapweed
Carduus nutans	Musk thistle
Cirsium vulgare	Bull thistle
Lepidium draba	Hoary cress
Lepidium latifolium	Tall whitetop
Onopordum acanthium	Scotch thistle
Tamarix spp.	Salt cedar

The following species are found within the boundaries of the Newark Allotment:

Acroptilon repens	Russian knapweed
Carduus nutans	Musk thistle
Centaurea stoebe	Spotted knapweed
Cirsium vulgare	Bull thistle
Conium maculatum	Poison hemlock
Lepidium draba	Hoary cress
Onopordum acanthium	Scotch thistle
Tamarix spp.	Salt cedar

The following species are found within the boundaries of the Railroad Pass Allotment:

Acroptilon repens	Russian knapweed
Carduus nutans	Musk thistle
Centaurea stoebe	Spotted knapweed
Cicuta maculata	Water hemlock
Cirsium arvense	Canada thistle
Cirsium vulgare	Bull thistle
Euphorbia esula	Leafy spurge
Lepidium draba	Hoary cress
Onopordum acanthium	Scotch thistle
Tamarix spp.	Salt cedar

The following species is found within the boundaries of the South Pancake Allotment:

Lepidium draba	Hoary cress

The following species are found along the Warm Springs Trail Allotment:

Acroptilon repens	Russian knapweed
Carduus nutans	Musk thistle
Centaurea stoebe	Spotted knapweed
Cirsium arvense	Canada thistle
Cirsium vulgare	Bull thistle
Hyoscyamus niger	Black henbane
Lepidium draba	Hoary cress

The following species are found along roads and drainages leading to all allotments:

Acroptilon repens	Russian knapweed
Carduus nutans	Musk thistle
Centaurea stoebe	Spotted knapweed
Cicuta maculate	Water hemlock
Cirsium arvense	Canada thistle
Cirsium vulgare	Bull thistle
Conium maculatum	Poison hemlock
Euphorbia esula	Leafy spurge
Hyoscyamus niger	Black henbane
Lepidium draba	Hoary cress
Lepidium latifolium	Tall whitetop
Onopordum acanthium	Scotch thistle
Tamarix spp.	Salt cedar

These areas were last inventoried for noxious weeds in 2002, 2003 and 2005. It should be noted that these allotments border the BLM Battle Mountain or Elko Districts or, in the case of the Corta and Sand Springs Allotments, are entirely within them. No weed inventory data for these Districts is currently available. While not officially documented the following non-native invasive weeds probably occur in or around both allotments: cheatgrass (*Bromus tectorum*), field bindweed (*Convolvulus arvensis*), Russian olive (*Elaeagnus angustifolia*), halogeton (*Halogeton glomeratus*), horehound (*Marrubium vulgare*), and Russian thistle (*Salsola kali*).

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 allotments and could aid in the introduction of weeds from surrounding areas. Within the allotments, 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 Moderate (7) at the present time. If new weed infestations establish within the allotments this could have an adverse impact those native plant communities however, since there are many weed infestations currently within the allotments, those impacts would be limited. 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:

- 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.
- 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 allotments 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.
- 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.
- 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.

- 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: /s/ Bonnie M. Million 11/6/2008

Bonnie M. Million Date
Ely District Noxious & Invasive Weeds Coordinator

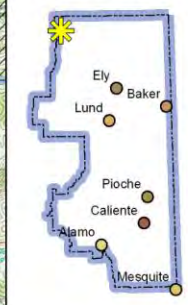
Cold Creek Allotment Term Permit Renewal

Documented Noxious & Invasive Weed Infestations

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: Bonnie M Million
Noxious & Invasive Weeds Specialist
11/06/2008

Location within the Ely District boundary



BLM

Ely District Office

N

Legend

- Cold Creek Allotment
- Other BLM Districts
- Ely District boundary
- BLM
- US Forest Service
- Private

- BLACK HENBANE
- BULL THISTLE
- CANADA THISTLE
- LEAFY SPURGE
- MUSK THISTLE
- RUSSIAN KNAPWEED

- SALT CEDAR
- SCOTCH THISTLE
- SPOTTED KNAPWEED
- TALL WHITETOP
- WATER HEMLOCK
- WHITETOP/HOARY CRESS

0 1.5 3 6 9 12 Miles

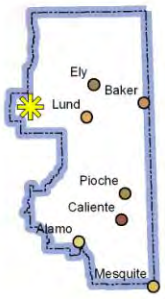
Duckwater Allotment Term Permit Renewal

Documented Noxious & Invasive Weed Infestations

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: Bonnie M Million
Noxious & Invasive Weeds Specialist
11/06/2008

Location within the Ely District boundary



Pogues Station

Bull Corner/Poison Patch

Little Smokey Valley

Pancake East Bench/Duckwater Valley

North Sand Springs Valley

South Sand Springs Valley

N

BLM

Ely District Office

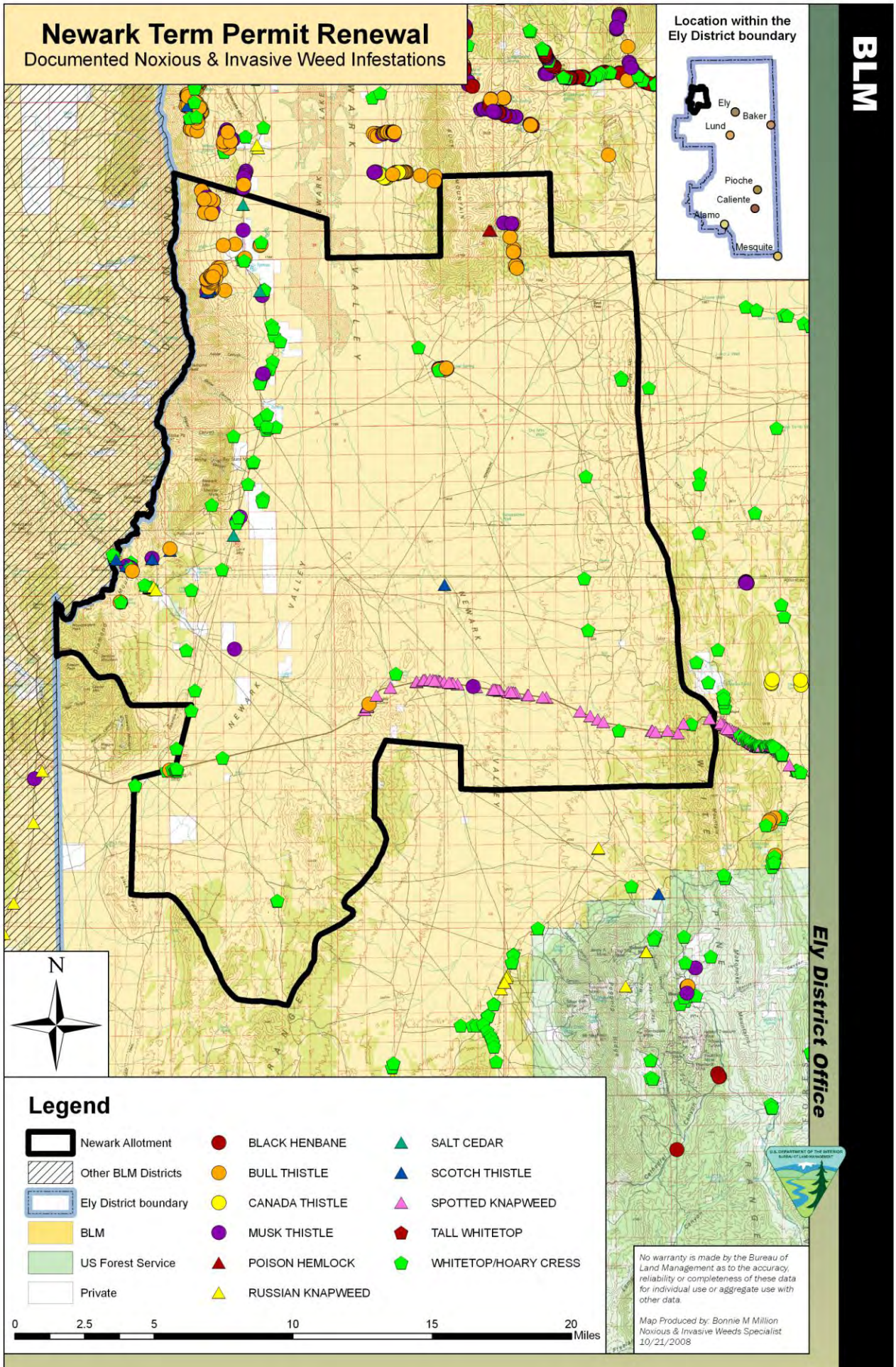
Legend

- Duckwater Use Areas
- Duckwater Allotment
- Other BLM Districts
- Ely District boundary
- BLM
- US Forest Service
- Duckwater Shoshone Tribe
- Private
- BLACK HENBANE
- BULL THISTLE
- CANADA THISTLE
- MUSK THISTLE
- RUSSIAN KNAPWEED
- SALT CEDAR
- SCOTCH THISTLE
- SPOTTED KNAPWEED
- TALL WHITETOP
- WHITETOP/HOARY CRESS

0 5 10 20 30 40 Miles

Newark Term Permit Renewal

Documented Noxious & Invasive Weed Infestations



Railroad Pass Term Permit Renewal

Documented Noxious & Invasive Weed Infestations

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: Bonnie M Million
Noxious & Invasive Weeds Specialist
10/21/2008

Location within the Ely District boundary

BLM

Ely District Office

N

Legend

- Railroad Pass Allotment
- Other BLM Districts
- Ely District Boundary
- BLM
- US Forest Service
- Private

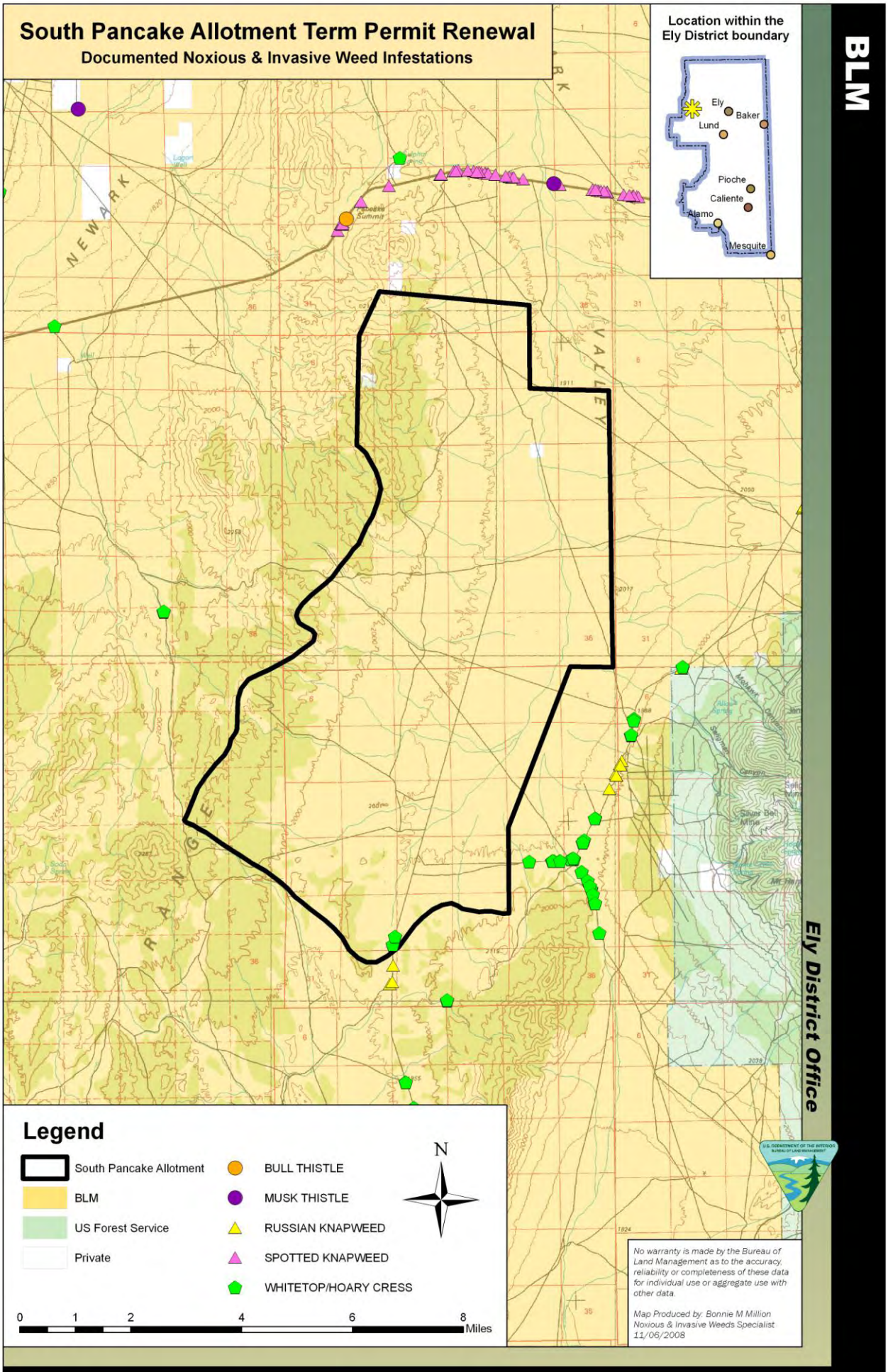
- BLACK HENBANE
- BULL THISTLE
- CANADA THISTLE
- LEAFY SPURGE
- MUSK THISTLE
- RUSSIAN KNAPWEED

- SALT CEDAR
- SCOTCH THISTLE
- SPOTTED KNAPWEED
- TALL WHITETOP
- WATER HEMLOCK
- WHITETOP/HOARY CRESS

0 1 2 4 6 8 Miles

South Pancake Allotment Term Permit Renewal

Documented Noxious & Invasive Weed Infestations



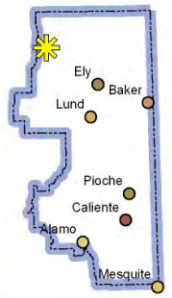
Warm Springs Trail Term Permit Renewal

Documented Noxious & Invasive Weed Infestations

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: Bonnie M Million
Noxious & Invasive Weeds Specialist
11/06/2008

Location within the Ely District boundary



BLM

Ely District Office

N

Legend

- Warm Springs Trail Allotment
- Other BLM Districts
- Ely District boundary
- BLM
- US Forest Service
- US Fish & Wildlife Service
- Private

- BLACK HENBANE
- BULL THISTLE
- CANADA THISTLE
- LEAFY SPURGE
- MUSK THISTLE
- POISON HEMLOCK
- RUSSIAN KNAPWEED

- SALT CEDAR
- SCOTCH THISTLE
- SPOTTED KNAPWEED
- TALL WHITETOP
- WATER HEMLOCK
- WHITETOP/HOARY CRESS

0 4 8 16 24 32 Miles

APPENDIX III

STANDARDS DETERMINATION DOCUMENT

Pete Goicoechea (2704520), Warren Scoppetton (2700101), and Paris Livestock (2704538) Term Grazing Permit Renewals on the Newark Allotment (00608)

Standards and Guidelines Assessment

The Standards and Guidelines for Nevada's Northeastern Great Basin Area were developed by the Northeastern Great Basin Area Resource Advisory Council (RAC) and approved 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 Newark Allotment in the Ely BLM District. This document does not evaluate or assess achievement of the Wild Horse and Burro or the Off Highway Vehicle Standards or conformance to their respective Guidelines.

The Standards were assessed for the Newark Allotment by a BLM interdisciplinary team. Documents and publications used in the assessment process include the Soil Survey of Western White Pine Area, Nevada, Parts of White Pine County and Eureka Counties (USDA-NRCS 1997); Ecological Site Descriptions for Major Land Resource Area 28B (USDA-NRCS 2003); 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 Ely BLM District Office. The interdisciplinary team used rangeland monitoring data, professional observations, and photographs to assess achievement of the Standards and conformance with the Guidelines.

The Newark Allotment encompasses approximately 218,105 public land acres. The grazing allotment occurs entirely within White Pine County, and is situated approximately 45 miles west of Ely, Nevada. The western portion of this allotment borders the Battle Mountain BLM District. The permit area occurs within Newark Valley. The northeastern portion of the Newark Allotment is within the Triple B Wild Horse Herd Management Area and the southern portion of the allotment is within the Pancake Wild Horse Herd Management Area. No wilderness occurs within the Newark Allotment. The nearest wilderness is the Shellback Wilderness, which is approximately ten miles away.

For Pete Goicoechea, the current term permit is issued for the period of 03/01/2005 to 02/28/2015. This is a cattle and sheep permit with a total grazing preference of 9,709 AUMs. Of these, 7,101 AUMs are active and 2,608 AUMs are suspended nonuse. Table 1 outlines what the current term permit authorizes.

Table 1—Pete Goicoechea Grazing Schedule

Use Area	Number & Kind of Livestock	Use Period	AUMS
Eighteen Mile House	116 Cattle	11/01 to 04/02	583
Eighteen Mile House	367 Sheep	11/01 to 04/02	369
Newark Winter	490 Cattle	11/01 to 04/02	2,465
Newark Winter	1,542 Sheep	11/01 to 04/02	1,551
South Newark	85 Cattle	11/01 to 04/02	428
North Diamond	459 Cattle	04/01 to 05/15	679
North Diamond	303 Sheep	04/01 to 10/31	426
South Diamond	27 Cattle	04/01 to 10/31	190
South Diamond	142 Sheep	04/01 to 10/31	200
North	29 Cattle	09/10 to 10/31	50
Middle	28 Cattle	07/05 to 09/09	62
South	29 Cattle	04/16 to 07/04	76

For Warren Scoppettone, the current term permit is issued for the period of 03/01/2005 to 02/28/2015. This is a cattle and sheep permit with a total grazing preference of 2,695 AUMs. Of these, 1,960 AUMs are active and 735 AUMs are suspended nonuse. Table 2 outlines what the current term permit authorizes.

Table 2—Warren Scoppettone Grazing Schedule

Use Area	Number & Kind of Livestock	Use Period	AUMS
Eighteen Mile House	32 Cattle	11/01 to 04/01	160
Eighteen Mile House	103 Sheep	11/01 to 04/01	103
Newark Winter	133 Cattle	11/01 to 04/01	665
Newark Winter	433 Sheep	11/01 to 04/01	433
South Newark	24 Cattle	11/01 to 04/01	120
North Diamond	129 Cattle	04/01 to 05/15	191
North Diamond	85 Sheep	04/01 to 10/31	120
South Diamond	7 Cattle	04/01 to 10/31	49
South Diamond	40 Sheep	04/01 to 10/31	56
North	8 Cattle	09/10 to 10/31	14
Middle	8 Cattle	07/05 to 09/09	18
South	8 Cattle	04/16 to 07/04	21

For Paris Livestock, the current term permit is issued for the period of 10/15/2006 to 10/14/2016. This is a sheep permit with a total grazing preference of 648 AUMs on the Newark Allotment. Of these, 648 AUMs are active and 0 AUMs are suspended nonuse. The current term permit authorizes approximately 1642 head of sheep on the Newark Allotment with a season of use from 04/01 to 04/30 and from 11/01 to 11/30.

The primary vegetation types on the Newark Allotment are salt desert scrub, sagebrush steppe, and winterfat bottoms. There is also approximately 15,000 acres of playa that is unsuitable to grazing in the north central portion of the allotment. The primary ecological sites found here include, a loamy site (028BY017NV) dominated by a shadescale (*Atriplex confertifolia*) with Indian ricegrass (*Achnatherum hymenoides*) and bud sagebrush (*Picrothamnus desertorum*) plant

community, a coarse silty site (028BY084NV) dominated by a winterfat (*Krascheninnikovia lanata*) and Indian ricegrass plant community, a shallow calcareous loam site (028BY011NV) dominated by a black sagebrush (*Artemisia nova*) and Indian ricegrass plant community, and a silty site (028BY013NV) dominated by a winterfat with Indian ricegrass plant community.

Nine key areas have been established and monitored over the past twenty years on the allotment based on accessibility and general use by livestock, vegetation, and ecological range sites. Key area N-1 occurs in the Newark Winter use area with key forage species including Indian ricegrass and winterfat. This area is associated with a Loamy 5-8" P.Z. (028BY017NV) ecological site. Key area N-2 and N-6 occur in the Newark Winter use area with key forage species including Indian ricegrass, winterfat, and black sagebrush. These areas are associated with a Shallow Calcareous Loam 8-10" P.Z. (028BY011NV) ecological site. Key area N-3 occurs in the Newark Winter use area with key forage species including Indian ricegrass and winterfat. This area is associated with a Coarse Silty 6-8" P.Z. (028BY084NV) ecological site. Key area N-4 occurs in the Newark Winter use area with key forage species including Indian ricegrass and winterfat. This area is associated with a Silty 8-10" P.Z. (028BY013NV) ecological site. Key area N-5 occurs in the Newark Winter use area with key forage species including Indian ricegrass, bitterbrush, and serviceberry and was not monitored in 2008. Key area N-7 occurs in the 18 Mile House use area with key forage species including Indian ricegrass and winterfat. This area is associated with a Silty 8-10" P.Z. (028BY013NV) ecological site. Key areas N-8 and N-9 occur in the South Newark use area with key forage species including Indian ricegrass and winterfat. These areas are associated with a Silty 8-10" P.Z. (028BY013NV) ecological site. A summary of monitoring data is located in Appendix I of this document.

PART 1. STANDARD CONFORMANCE REVIEW

Standard 1. Upland Sites

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

As indicated by:

- Indicators are canopy and ground cover, including litter, live vegetation and rock, appropriate to potential of the 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

□ 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

Rangeland monitoring data and professional observation indicates that overall soil condition is currently being maintained on the Newark Allotment. Soils are stable and the topsoil is holding in place. No evidence of rills, gullies, compaction, or pedestaling were noted. Line intercept cover data collected on the allotment indicate that the vegetative cover is not as expected for the entire allotment since it registered below the appropriate or expected ground cover percentage at three of the eight key areas were data was collected (See Appendix I, Table 2.4-1). However, utilization across the allotment was measured at the slight to moderate level. This level of utilization allows for plant maintenance and provides adequate litter which will further protect the soil surface and promote infiltration and permeability across the Newark Allotment as well as provide stability to the watershed. Furthermore, cryoptobiotic crusts are also present on the soil surface. Therefore, the allotment is achieving this standard by providing appropriate stability to the soil surface through canopy and ground cover, including live vegetation, litter, and biotic soil surface features.

Key area N-1 occurs on a Hessing-Zerk association (440; NRCS 1997) with a Loamy 5-8" P.Z. ecological site (028BY017NV). These soils typically have moderate to moderately rapid permeability. The approximate vegetative cover (basal and ground) for a Loamy site is 5-15 percent. Monitoring data indicate that this key area has a vegetative cover of 8 percent and a litter cover of 10 percent.

Key area N-2 occurs on a Palinor very gravelly loam soil (282; NRCS 1997) with a Shallow Calcareous Loam 8-10" P.Z. ecological site (028BY011NV). This soil typically has moderate permeability. The approximate vegetative cover (basal and ground) for a Shallow Calcareous Loam site is 15-20 percent. Monitoring data indicate that this key area has a vegetative cover of 20 percent and a litter cover of 8 percent.

Key area N-3 occurs on a Heist-Tulase soil association (351; NRCS 1997) with a Coarse Silty 8-10" P.Z. ecological site (028BY084NV). These soils typically have a moderate to moderately rapid permeability. The approximate vegetative cover (basal and ground) for a Coarse Silty site is 10-20 percent. Monitoring data indicate that this key area has a vegetative cover of 5 percent and a litter cover of 5 percent.

Key area N-4 occurs on a Linoyer-Heist-Tulase soil association (232; NRCS 1997) with a Silty 8-10" P.Z. ecological site (028BY013NV). These soils typically have moderate to moderately rapid permeability. The approximate vegetative cover (basal and ground) for a Silty site is 10-20 percent. Monitoring data indicate that this key area has a vegetative cover of 12 percent and a litter cover of 8 percent.

Key area N-6 occurs on a Palinor very gravelly loam soil (282; NRCS 1997) with a Shallow Calcareous Loam 8-10" P.Z. ecological site (028BY011NV). This soil typically has moderate

permeability. The approximate vegetative cover (basal and ground) for a Shallow Calcareous Loam site is 15-20 percent. Monitoring data indicate that this key area has a vegetative cover of 21 percent and a litter cover of 7 percent. The site is maintaining cover greater than the potential for the site which is not negatively affecting infiltration and permeability.

Key area N-7 occurs on a Linoyer-Heist-Tulase soil association (232; NRCS 1997) with a Silty 8-10" P.Z. ecological site (028BY013NV). These soils typically have moderate to moderately rapid permeability. The approximate vegetative cover (basal and ground) for a Silty site is 10-20 percent. Monitoring data indicate that this key area has a vegetative cover of 15 percent and a litter cover of 5 percent.

Key area N-8 occurs on a Linoyer-Heist-Tulase soil association (232; NRCS 1997) with a Silty 8-10" P.Z. ecological site (028BY013NV). These soils typically have moderate to moderately rapid permeability. The approximate vegetative cover (basal and ground) for a Silty site is 10-20 percent. Monitoring data indicate that this key area has a vegetative cover of 5 percent and a litter cover of 4 percent.

Key area N-9 occurs on a Linoyer-Heist-Tulase soil association (232; NRCS 1997) with a Silty 8-10" P.Z. ecological site (028BY013NV). These soils typically have moderate to moderately rapid permeability. The approximate vegetative cover (basal and ground) for a Silty site is 10-20 percent. Monitoring data indicate that this key area has a vegetative cover of 7 percent and a litter cover of 3 percent.

Standard 2. Riparian and Wetland Sites
Riparian and wetland areas exhibit a properly functioning condition and achieve state water quality criteria.

As indicated by:

- 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 accelerating 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); and other cover (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.
- Chemical, physical and biological water constituents are not exceeding the state water quality standards.

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

Determination:
□ Achieving the Standard
□ Not Achieving the Standard, but making significant progress towards
X Not Achieving the Standard, and not making significant progress toward standard

Causal Factors
X Livestock are a contributing factor to not achieving the standard.
□ Livestock are not a contributing factor to not achieving the standard
X Failure to meet the standard is related to other issues or conditions

Guidelines Conformance:
□ In conformance with the Guidelines
X Not in conformance with the Guidelines

Conclusion: Not achieving the Standard, and not making significant progress towards. Livestock are a contributing factor to not achieving the Standard, failure to meet the standard is also related to other issues or conditions.

Six springs on the Newark Allotment have been assessed for proper functioning condition (PFC). Additionally, Sulfur Spring was determined to be inappropriate for PFC assessment due to development. These springs are considered to be representative of livestock use of riparian areas across the allotment. Also see Appendix I, Table 6-1 for Monitoring Data.

Sadler Canyon was assessed in 2007 and 2008 by an interdisciplinary team and found to be in proper functioning condition both years.

Mau Creek was assessed in 2007 by an interdisciplinary team and found to be in proper functioning condition.

Water Canyon was assessed in 2007 by an interdisciplinary team and found to be in proper functioning condition.

Robinson Springs were assessed in 2007 and 2008 by an interdisciplinary team. In 2007, it was found to be in proper functioning condition. In 2008, it was found to be functioning at risk with an upward trend. It was noted that this reduced functionality was due to grazing of bank vegetation by cattle and wild horses.

Stinton Spring was assessed in 2008 by an interdisciplinary team and found to be functioning at risk with a downward trend. It was noted that this reduced functionality was due to livestock grazing of bank vegetation and some bank trampling.

Rock Spring was assessed in 2007 and 2008 by an interdisciplinary team and found to be nonfunctional. It was noted that this reduced functionality was due to severe trampling by cattle and wild horses, low flows, and lack of vegetation.

Standard 3. Habitat:
Habitats exhibit a healthy, productive, and diverse population of native and/or desirable plant species, appropriate to the site characteristics, to provide suitable feed, water, cover and living space for animal species and maintain ecological processes. Habitat conditions meet the life cycle requirements of threatened and endangered species.

As indicated by:

- 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.

Determination:
□ Achieving the Standard
X Not Achieving the Standard, but making significant progress towards
□ Not Achieving the Standard, not making significant progress toward standard

Causal Factors
□ Livestock are a contributing factor to not achieving the standard.
X Livestock are not a contributing factor to not achieving the standard
X 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: Not achieving the Standard, but making significant progress towards. Livestock are not a contributing factor to not achieving the Standard, failure to meet the standard is related to other issues or conditions.

Rangeland monitoring data (See Appendix I) and professional observations indicate that vegetation structure and distribution on the Newark Allotment are consistent with the Rangeland Ecological Site Descriptions (ESD) and/or expected plant community for the area. Vegetative structure is composed of varying age classes and heights of plants. Vegetation is distributed across the landscape as expected for both ecological sites and seeded areas. These are indicators that the Newark Allotment is close to meeting the Habitat Standard.

However on the Newark Allotment vegetation composition and productivity differ somewhat from the ESD. Total annual production (air-dry) data is summarized in Table 1. Generally production is somewhat lower than approximated by the corresponding ESD. This could be a result of very low precipitation in 2008 when the data was collected (Appendix I, Table 7-1 and Graph 7-1).

Table 1.Total Annual Production (air-dry) on the Newark Allotment (in pounds per acre)

Key Area	Measured Production	Estimated Production from ESD
N-1	112	200
N-2	380	250
N-3	293	400
N-4	223	350
N-6	280	250
N-7	224	350
N-8	64	350
N-9	319	350

Percent vegetation composition by weight shows that shrubs are higher than what is expected while grasses are lower when compared to the historic climax plant community (HCPC) in the ESD. Key area N-1-1 composition is 2 percent grasses and 98 percent shrubs. Key area N-2 composition is 11 percent grasses, 4 percent forbs, and 84 percent shrubs. Key area N-3 composition is 1 percent grasses, 1 percent forbs, and 98 percent shrubs. Key area N-4 composition is trace grasses and 100 percent shrubs. Key area N-6 composition is 2 percent grasses, trace forbs, and 98 percent shrubs. Key area N-7 composition is trace forbs, and 100 percent shrubs. Key area N-8 composition is 100 percent shrubs. Key area N-9 composition is trace grasses and 100 percent shrubs.

However dominate species on the ground are the same as the dominate species in the ESD. This is further expressed by the similarity index for the areas which are 56 percent at N-1; 51 percent at N-2; 31 percent at N-3; 50 percent at N-4, N-7, N-8, and N-9; and 40 percent at N-6 (based on 2008 data). This shows that the vegetative components are present however differ in percent composition.

Halogeton (*Halogeton glomeratus*), an invasive non-native species, was also found at N-1, N-2, N-3, and N-7. The area immediately surrounding Beck Pass Well (northeastern area of the Newark Winter Use Area) is also dominated by halogeton. This well has not been pumped for several years to reduce grazing pressure in this area that was historically a winterfat bottom. Removal of grazing has not improved the vegetative conditions in the vicinity of the well, however this action has increased grazing pressure in the southern end of the Newark Winter Use Area.

Utilization levels have been slight to moderate across the allotment for all herbivores (see Appendix I, Table 4-1) and livestock licensed use has been lower than allowable use levels (see Appendix I, Table 2-1 to 2-3). This indicates that livestock are not a causal factor and not meeting the standard is related to other issues or conditions.

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

According to the Standards and Guidelines for Nevada's Northeastern Great Basin Area, it must be determined if livestock grazing is a significant factor in the non-attainment of the Standards and Guidelines (BLM 1997).

Standard #1: Upland Sites
The Standard is being achieved.

Standard #2: Riparian and Wetlands
The Standard is not being achieved. During PFC assessments, livestock were identified as a causal factor in reduced functionality of riparian areas of Stinton Spring, Rock Spring, and Robinson Springs on the Newark Allotment. In addition to livestock grazing, wild horse and wildlife use, variable precipitation, and altered natural disturbance regimes occur on the Newark Allotment.

Standard #3: Habitat
The Standard is not being achieved. Livestock are not a significant factor to not achieving the Standard; failure to meet the standard is related to other issues or conditions. In addition to livestock grazing, wild horse and wildlife use, variable precipitation, and altered natural disturbance regimes occur on the Newark Allotment.

Utilization has been slight to moderate which is within proper use levels across the allotment. Licensed livestock use levels have been lower than allowable use levels over the past ten years.

At this time, it has not been determined what has caused the loss of herbaceous understory and low production.

PART 3. GUIDELINE CONFORMANCE REVIEW AND SUMMARY

Grazing is in conformance with all applicable Guidelines as provided in the Northeastern Great Basin Standards and Guidelines except 2.1 and 2.4.

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

Recommendations:

1. Continue rangeland monitoring of this allotment for livestock in compliance with proper allowable use levels for the Newark Allotment and establish more key areas for monitoring across the allotment.

2. On the Newark Allotment, the seasons of use are recommended as follows for Pete Goicoechea and Warren Scoppettone. This involves a shift of 15 days later on the winter range before moving to summer range. This will reduce early growing season pressure

on the summer range which will improve overall range condition and help to achieve Standard 3.

Use Area	Kind of Livestock	Use Period
Eighteen Mile House	Cattle	11/01 to 04/15
Eighteen Mile House	Sheep	11/01 to 04/15
Newark Winter	Cattle	11/01 to 04/15
Newark Winter	Sheep	11/01 to 04/15
South Newark	Cattle	11/01 to 04/15
North Diamond	Cattle	04/16 to 06/01
North Diamond	Sheep	04/16 to 10/31
South Diamond	Cattle	04/16 to 10/31
South Diamond	Sheep	04/16 to 10/31
North	Cattle	09/10 to 10/31*
Middle	Cattle	07/05 to 09/09*
South	Cattle	04/16 to 07/04*
* The use period North, Middle, & South Pastures of the Pinto Creek Seeding will be rotated (see rotation below)		

3. On the Newark Allotment, the seasons of use are recommended to remain 04/01 to 04/30 and 11/01 to 11/30 for Paris Livestock.

4. On the Newark Allotment, the active AUMs are recommended to remain:
   - 7,101 Active AUMs for Pete Goicoechea
   - 1,960 Active AUMs for Warren Scoppettone
   - 648 Active AUMs for Paris Livestock

5. In the Pinto Creek Seeding, the North, Middle, and South Pastures will be grazed in a deferred rotation system, as follow:

Pasture	Cattle AUMs	Year 1	Year 2	Year 3
North	64	09/10 to 10/31	06/21 to 08/13	04/16 to 06/07
Middle	80	07/05 to 09/09	04/16 to 06/20	08/26 to 10/31
South	97	04/16 to 07/04	08/14 to 10/31	06/08 to 8/25

6. For Paris Livestock, use is authorized from Beck Pass, west to Barrel Springs, south along the Barrel Springs Road to Highway 50, and east to the Newark Allotment boundary. The east face of the Pancake Range, east of Sulfur Springs, is also authorized (see map).

7. Maximum utilization levels on the Newark Allotment will be established as follows:
   - Perennial native grasses: 50% current year's growth by weight
     This use level is necessary to allow desirable key herbaceous species to 1) develop above ground biomass for protection of soils, 2) to contribute to litter cover, and 3)

develop roots to improve carbohydrate storage for vigor, reproduction, and improve/increase desirable perennial cover.

- Perennial shrubs and half-shrubs: 50% use on current annual production by weight
  This use level is necessary to allow desirable perennial key browse species to develop branchlets and woody stature able to withstand the pressure of grazing use. Use would be read in April or prior to the spring re-growth. Use during spring contributes to following season's use level.
- Perennial non-native seedings: 55% current year's growth by weight
  This use level is necessary to allow desirable key herbaceous species to 1) develop above ground biomass for protection of soils, 2) to contribute to litter cover, and 3) develop roots to improve carbohydrate storage for vigor, reproduction, and improve/increase desirable perennial cover.
- 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.

8. For Paris Livestock, sheep will not be held in the winterfat bottom south of Carter (Smith) Well.

9. Full use of sheep AUMs will be dependent on water hauling and/or availability of snow.

10. Sheep use in the North Diamond and South Diamond Use Areas will be used in the higher country in the Diamond Range that is not utilized by cattle.

11. In the South Newark Use Area, the permittee will provide a full time rider and utilize water haul sites to distribute cattle grazing. Water haul sites are as follows:
    - T18N R57E Sec. 27 SWSW
    - T18N R57E Sec. 35,36
    - T18N R58E Sec. 31

12. Grazing in Water Canyon and Tollhouse Canyon will be grazed annually at the discretion of the Authorized Officer. Livestock utilization is not to exceed 40% of the current year's growth by weight for these areas. These areas have not been grazed for several years which has allowed for fine fuels to build up and the plant communities to become overgrown. Light grazing will help to control fine fuels reducing the risk of catastrophic fire and prevent areas from becoming overgrown.

13. The Beck Pass Well (Yellow Tank) will be pumped on alternating years to allow cattle use to rotate between the northern side and the south side of the Newark Winter Use Area. The well can also be used as an emergency measure or to provide water for trailing sheep on a short term basis. This will distribute grazing use across the whole Newark Winter Use Area reducing the continuous grazing pressure on the southern side of the use area and allow for year to year variability in timing of grazing use. This well has not been pumped for many years and has shifted most of the grazing use to the southern end of the use area.

14. To protect riparian values and Newark Tui Chub habitat, the fenced springs located at T20N R55E Sec. 22 SE1/4 (Stinton Spring) will be grazed seasonally at the discretion of the Authorized Officer.

15. To protect riparian values at Rock Spring, the area will be rested from livestock grazing for two years. After which, the area will be grazed only on alternating years and the maximum utilization level for the area will be established at 40% of the current year's growth by weight.

16. Sheep will not be trailed or bedded in winterfat bottoms. Sheep camps will be a minimum of ½ mile from winterfat bottoms.

17. To improve livestock distribution, the placement of mineral or salt supplements will be a minimum distance of ½ mile from water sources. These supplements will also be placed no closer than ½ mile from riparian areas, sensitive sites, populations of special status species, and cultural resource sites. Use of nutritional supplements (not forage) is encouraged to improve the ability of livestock to utilize forage and to improve livestock distribution across the allotment.

18. Grazing in the Newark Allotment will be in accordance with the Northeastern Great Basin Area Standards and Guidelines, and the Final Multiple Use Decision (FMUD) issued April 13, 1992.

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Bonnie Million Noxious and invasive non-native species	Date
Ruth Thompson Wild horses and burros	Date
Marian Lichtler Wildlife/migratory birds/special status animals/plants	Date
Gina Jones Ecology	Date

I concur:

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APPENDIX I
NEWARK ALLOTMENT DATA SUMMARY

1. Key Areas and Ecological Sites

A key area is a relatively small portion of a pasture or allotment selected because of its location, use, or grazing value as a monitoring point for grazing use. It is assumed that key areas, if properly selected, will reflect the current grazing management over the pasture or allotment as a whole (NRCS 1997). Key areas represent range conditions, trends, seasonal degrees of use, and resource production and values. Table 1-1 depicts key areas and their location within the Newark Allotment as well as the ecological site associated with the key area in native rangeland and dominate soils of each site.

An ecological site is a distinctive kind of land with specific physical characteristics that differs from other kinds of land in its ability to produce a distinctive kind and amount of vegetation (NRCS 1997). Ecological Site Descriptions (ESD) are used for inventory, evaluation, and management of native vegetation communities. The ecological site of a key area is determined based on several factors including soils, topography, and plant community.

Table 1-1.Newark Allotment Key Areas

Key Area	Use Area	Location	Ecological Site	Dominate Species of HCPC	Soil Mapping Unit
N-1	Newark Winter	T19N R56E S25 NE1/4	Loamy 5-8" P.Z. (028BY017NV)	shadescale, Indian ricegrass, and bottlebrush squirreltail	440--Hessing-Zerk association
N-2	Newark Winter	T20N R57E S27 W1/2	Shallow Calcareous Loam 8-10" P.Z. (028BY011NV)	black sagebrush, Indian ricegrass, and needleandthread	282--Palinor very gravelly loam
N-3	Newark Winter	T19N R57E S31 SE1/4 NW1/4	Coarse Silty 6-8" P.Z. (028BY084NV)	winterfat and Indian ricegrass	351--Heist-Tulase association
N-4	Newark Winter	T18N R55E S27 SE1/4 NE1/4	Silty 8-10" P.Z. (028BY013NV)	winterfat and Indian ricegrass	232--Linoyer-Heist-Tulase association
N-6	Newark Winter	T19N R57E S33 NE1/4 SE1/4	Shallow Calcareous Loam 8-10" P.Z. (028BY011NV)	black sagebrush, Indian ricegrass, and needleandthread	282--Palinor very gravelly loam
N-7	18 Mile House	T17N R55E S8 NW1/4 NW1/4	Silty 8-10" P.Z. (028BY013NV)	winterfat and Indian ricegrass	232--Linoyer-Heist-Tulase association
N-8	South Newark	T18N R56E S26 NE1/4 SE1/4	Silty 8-10" P.Z. (028BY013NV)	winterfat and Indian ricegrass	232--Linoyer-Heist-Tulase association
N-9	South Newark	T18N R57E S34 SW1/4 NW1/4	Silty 8-10" P.Z. (028BY013NV)	winterfat and Indian ricegrass	232--Linoyer-Heist-Tulase association

2. Licensed Livestock Use

Over the grazing seasons from 1999 to 2008, livestock permitted use on the Newark Allotment for Pete Goicoechea was 7,101 AUMs in a cattle and sheep operation. During this same time period, livestock licensed use ranged from a high of 3,726 AUMs in 2005 to a low of 2,063 AUMs in 2003. Livestock use has varied dependent on available forage due to growing conditions. Table 2-1 summarizes the licensed use data for this time period.

Table 2-1.Newark Allotment Licensed Use by Pete Goicoechea

Grazing Year	Licensed Use (AUMs)	% Licensed Use of Permitted Use (AUMs)	Grazing Year	Licensed Use (AUMs)	% Licensed Use of Permitted Use (AUMs)
1999	3104	44%	2004	3334	47%
2000	2897	41%	2005	3726	52%
2001	3099	44%	2006	2726	38%
2002	2939	41%	2007	2346	33%
2003	2063	29%	2008*	1209	17%
*2008 only includes use through May 2008; the remainder of the year has not been licensed yet.					

Over the grazing seasons from 1999 to 2008, livestock permitted use on the Newark Allotment for Paris Livestock was 648 AUMs in a sheep only operation. During this same time period, livestock licensed use ranged from a high of 764 AUMs in 1999 to a low of 437 AUMs in 2002. Livestock use has varied dependent on available forage due to growing conditions. Table 2-2 summarizes the licensed use data for this time period.

Table 2-2.Newark Allotment Licensed Use by Paris Livestock.

Grazing Year	Licensed Use (AUMs)	% Licensed Use of Permitted Use (AUMs)	Grazing Year	Licensed Use (AUMs)	% Licensed Use of Permitted Use (AUMs)
1999	764	118%	2004	592	91%
2000	730	113%	2005	578	89%
2001	628	97%	2006	607	94%
2002	437	67%	2007	565	87%
2003	492	76%	2008*		0%
*2008 use has not been licensed yet.					

Over the grazing seasons from 1999 to 2008, livestock permitted use on the Newark Allotment for Warren Scoppettone was 1,960 AUMs in a cattle and sheep operation. During this same time period, livestock licensed use ranged from a high of 435 AUMs in 2006 to a low of 0 AUMs in 1999-2003 and 2007. Livestock use has varied dependent on available forage due to growing conditions. Table 2-3 summarizes the licensed use data for this time period.

Table 2-3.Newark Allotment Licensed Use by Warren Scoppettone

Grazing Year	Licensed Use (AUMs)	% Licensed Use of Permitted Use (AUMs)	Grazing Year	Licensed Use (AUMs)	% Licensed Use of Permitted Use (AUMs)
1999	0	0%	2004	126	6%
2000	0	0%	2005	83	4%
2001	0	0%	2006	435	22%
2002	0	0%	2007	0	0%
2003	0	0%	2008	15	1%

3. Utilization

Utilization is the estimation of the proportion of annual production consumed or destroyed by animals (Swanson 2006). The general utilization objective for all allotments in the Ely BLM District according to the Ely District Record of Decision and Approved Resource Management Plan (ROD/RMP – August, 2008) is to ~~–~~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" (Ely RMP, p. 85). The Nevada Rangeland Monitoring Handbook gives guidelines to determine the proper use levels by plant category (grasses, forbs, and shrubs) and by grazing season (spring, summer, fall, winter, yearlong). Proper use levels for all allotments are also implied by the Standards and Guidelines for Rangeland Health and Grazing Administration (February 1997).

Key forage plant utilization method was used to collect utilization data at the key areas. There were nine key areas established on the Newark Allotment. However, one key area (N-5) did not have data collected in 2008. Utilization for the allotment is summarized in Table 3-1. Utilization on the Newark Allotment has generally been slight to moderate.

Table 3-1.Newark Allotment Utilization

Key Area/Location	Key Species	Grazing Year	Utilization	Total
N-1	winterfat	2008	slight	9%
	Indian ricegrass	2008	slight	8%
N-2	winterfat	2008	light	24%
	Indian ricegrass	2008	light	29%
N-3	winterfat	2008	light	21%
	Indian ricegrass	2008	slight	6%
N-4	winterfat	2007	moderate	53%
		2008	slight	3%
N-5	antelope bitterbrush	2007	light	25%
	serviceberry	2007	slight	11%
	Indian ricegrass	2007	light	38%
N-6	winterfat	2007	light	27%
		2008	slight	5%
	Indian ricegrass	2007	slight	17%
		2008	slight	9%
N-7	winterfat	2007	light	40%
		2008	slight	7%
N-8	winterfat	2007	moderate	53%
		2008	moderate	56%
N-9	Indian ricegrass	2008	slight	5%
	bluegrass	2008	slight	12%
North Pinto Creek Seeding	crested wheatgrass	2008	light	21%
North Diamonds	bottlebrush squirreltail	2008	light	23%
South Diamonds	bottlebrush squirreltail	2008	slight	14%
	Thurber's needlegrass	2008	moderate	48%

4. Line Intercept Cover Studies

Canopy cover is the percent of ground covered by a vertical projection of the outermost perimeter of the natural spread of foliage, including small openings (Swanson 2006). The Line Intercept Method is a commonly used method of determining the relative percent live foliar or canopy cover of a range site by plant class (tree, shrub, grass, forb, or annual). The method also estimates the percent live foliar cover by plant species. The results are then compared to the appropriate cover for each ecological site as indicated by the Natural Resources Conservation Service (NRCS) Rangeland Ecological Site Descriptions. Results are also compared to general known healthy rangelands.

Line intercept cover studies have been conducted at eight of the nine key areas on the Newark Allotment. Table 4-1 summarizes the cover data collected at these key areas in 2008.

Table 4-1.Newark Allotment Vegetative Cover.

Key Area	Range Site	Vegetative Cover (%)	ESD Approx. Cover (%)	Litter Cover (%)
N-1	Loamy 5-8" P.Z. (028BY017NV)	8%	5-15%	10%
N-2	Shallow Calcareous Loam 8-10" P.Z. (028BY011NV)	20%	15-20%	8%
N-3	Coarse Silty 6-8" P.Z. (028BY084NV)	5%	10-20%	5%
N-4	Silty 8-10" P.Z. (028BY013NV)	12%	10-20%	8%
N-6	Shallow Calcareous Loam 8-10" P.Z. (028BY011NV)	21%	15-20%	7%
N-7	Silty 8-10" P.Z. (028BY013NV)	15%	10-20%	5%
N-8	Silty 8-10" P.Z. (028BY013NV)	5%	10-20%	4%
N-9	Silty 8-10" P.Z. (028BY013NV)	7%	10-20%	3%

5. Similarity Index of Ecological Site Inventory

A similarity index is the percentage of a specific vegetation state plant community that is presently on the site (NRCS 1997). Similarity index is usually computed in reference to the historic climax plant community (HCPC) and is an expression of how similar the existing plant community is to HCPC. Also note that HCPC is not always the most desirable plant community to manage for.

When the similarity index is computed, a seral stage can be derived. Seral stages are the developmental stages of an ecological succession (NRCS 1997). A similarity index of 0 to 25 percent represents an early seral plant community, 26 to 50 percent represents a mid-seral plant community, 51 to 75 percent represents a late seral plant community, and 76 to 100 percent represents a climax plant community.

Similarity index is calculated as a percent composition by air dry weight. The site is inventoried to determine the current percent composition by weight on an air dry basis. These numbers are then compared to the percent composition by weight on an air dry basis of the HCPC in the Rangeland Ecological Site Description for the site. To calculate the similarity index, current composition cannot exceed that of HCPC. This yields percent allowable. The sum of all allowable percentages equals the similarity index.

Table 5-1 summarizes data used to calculate similarity index for the Newark Allotment.

Table 5-1.Total Annual Yield and Composition of Newark Allotment Key Areas

Key Area: N-1
Date: 07/11/2008
Range Site: Loamy 5-8" P.Z. (028BY017NV)

Plant Common Name	Plant symbol	Current % Composition by Weight (air dry)	HCPC % Composition by Weight (air dry)*	% Allowable
bottlebrush squirreltail	ELEL5	2%	5-15%	2%
halogeton	HAGL	trace	---	---
shadescale	ATCO	94%	40-50%	50%
bud sagebrush	PIDE4	4%	10-25%	4%

Similarity Index: 56% (late seral stage)
Overall Production: 112 pounds per acre (air dry wt.)
Plant community dynamics: As ecological condition declines, shadscale increases in density, while Indian ricegrass, bottlebrush squirreltail and bud sagebrush compositions are reduced. With further site degradation, shadscale may become dominant to the extent of a nearly pure stand. Cheatgrass, halogeton and tansymustard are species likely to invade this site.

Key Area: N-2
Date: 07/10/2008
Range Site: Shallow Calcareous Loam 8-10" P.Z. (028BY011NV)

Plant Common Name	Plant symbol	Current % Composition by Weight (air dry)	HCPC % Composition by Weight (air dry)*	% Allowable
Indian ricegrass	ACHY	11%	20-35%	11%
Sandberg's bluegrass	POSE	trace	2-8%	---
bottlebrush squirreltail	ELEL5	trace	2-5%	---
phlox	PHLOX	4%	2%	2%
halogeton	HAGL	trace	---	---
black sagebrush	ARNO4	55%	25-35%	35%
winterfat	KRLA2	29%	3%	3%`

Similarity Index: 51%; late seral stage (2007: 63%; late seral stage)
Overall Production: 380 pounds per acre (air dry wt.) (2007: 211 pounds per acre)
Plant community dynamics: As ecological condition declines, black sagebrush, rabbitbrush and shadscale increase, while perennial grass, palatable shrubs and forbs decrease. Cheatgrass and halogeton are species likely to invade on this site. Rodent activity is typically evidenced by small patches dominated by spiny hopsage. Utah juniper readily invades this site where it occurs adjacent to these woodlands. When Utah juniper occupies this site, it competes with other species for available light, moisture and nutrients. If tree canopies are allowed to close, they can eliminate all understory vegetation.

Table 5-1.Total Annual Yield and Composition of Newark Allotment Key Areas (con't)

Key Area: N-3
Date: 07/11/2008
Range Site: Coarse Silty 6-8" P.Z. (028BY084NV)

Plant Common Name	Plant symbol	Current % Composition by Weight (air dry)	HCPC % Composition by Weight (air dry)*	% Allowable
Indian ricegrass	ACHY	1%	40-50%	1%
halogeton	HAGL	1%	---	---
winterfat	KRLA2	98%	20-30%	30%

Similarity Index: 31%; mid seral stage (2007: 31%; mid seral stage)
Overall Production: 293 pounds per acre (air dry wt.) (2007: 225 pounds per acre)
Plant community dynamics: As ecological condition declines, Douglas' rabbitbrush and shadscale increase, while winterfat and Indian ricegrass decrease. With further site degradation, cheatgrass, halogeton and annual mustards invade the interspace areas between shrub species. On heavily disturbed sites, annual species, particularly halogeton, become dominant. Following wildfire, particularly through communities in lower ecological condition, snakeweed often becomes the dominant plant.

Key Area: N-4
Date: 07/11/2008
Range Site: Silty 8-10" P.Z. (028BY013NV)

Plant Common Name	Plant symbol	Current % Composition by Weight (air dry)	HCPC % Composition by Weight (air dry)*	% Allowable
bottlebrush squirreltail	ELEL5	trace	5-10	---
winterfat	KRLA2	100%	40-50%	50%

Similarity Index: 50%; mid seral stage (2007: 61% late seral stage)
Overall Production: 223 pounds per acre (air dry wt.) (2007: 293 pounds per acre)
Plant community dynamics: As ecological condition declines, bottlebrush squirreltail and shadscale increase as winterfat and Indian ricegrass decrease. With further site deterioration, cheatgrass, halogeton and annual mustards invade the interspace areas between shrub species. On heavily disturbed sites, these annual species, particularly halogeton, become dominant. Soils of this site are easily eroded and gullies often form, interrupting the overland flow patterns. As gullies begin to form, this site grades into the Silty Plain (028BY054NV) or Loamy Fan 8-12" PZ (028BY045NV) site.

Table 5-1.Total Annual Yield and Composition of Newark Allotment Key Areas (con't)

Key Area: N-6
Date: 07/11/2008
Range Site: Shallow Calcareous Loam 8-10" P.Z. (028BY011NV)

Plant Common Name	Plant symbol	Current % Composition by Weight (air dry)	HCPC % Composition by Weight (air dry)*	% Allowable
Indian ricegrass	ACHY	1%	20-35%	1%
bottlebrush squirretail	ELEL5	1%	2-5%	1%
phlox	PHLOX	trace	2%	---
black sagebrush	ARNO4	93%	25-35%	35%
Douglas' rabbitbrush	CHVI8	5%	3%	3%
winterfat	KRLA	trace	3%	---

Similarity Index: 40%; mid seral stage (2007: 53%; late seral stage)
Overall Production: 280 pounds per acre (air dry wt.) (2007: 256 pounds per acre)
Plant community dynamics: As ecological condition declines, black sagebrush, rabbitbrush and shadscale increase, while perennial grass, palatable shrubs and forbs decrease. Cheatgrass and halogeton are species likely to invade on this site. Rodent activity is typically evidenced by small patches dominated by spiny hopsage. Utah juniper readily invades this site where it occurs adjacent to these woodlands. When Utah juniper occupies this site, it competes with other species for available light, moisture and nutrients. If tree canopies are allowed to close, they can eliminate all understory vegetation.

Key Area: N-7
Date: 07/11/2008
Range Site: Silty 8-10" P.Z. (028BY013NV)

Plant Common Name	Plant symbol	Current % Composition by Weight (air dry)	HCPC % Composition by Weight (air dry)*	% Allowable
halgeton	HAGL	trace	---	---
winterfat	KRLA2	100%	40-50%	50%

Similarity Index: 50%; mid seral stage (2007: 50%; mid seral stage)
Overall Production: 224 pounds per acre (air dry wt.) (2007: 119 pounds per acre)
Plant community dynamics: As ecological condition declines, bottlebrush squirreltail and shadscale increase as winterfat and Indian ricegrass decrease. With further site deterioration, cheatgrass, halogeton and annual mustards invade the interspace areas between shrub species. On heavily disturbed sites, these annual species, particularly halogeton, become dominant. Soils of this site are easily eroded and gullies often form, interrupting the overland flow patterns. As gullies begin to form, this site grades into the Silty Plain (028BY054NV) or Loamy Fan 8-12" PZ (028BY045NV) site.

Table 5-1.Total Annual Yield and Composition of Newark Allotment Key Areas (con't)

Key Area: N-8
Date: 07/17/2008
Range Site: Silty 8-10" P.Z. (028BY013NV)

Plant Common Name	Plant symbol	Current % Composition by Weight (air dry)	HCPC % Composition by Weight (air dry)*	% Allowable
winterfat	KRLA2	100%	40-50%	50%

Similarity Index: 50%; mid seral stage (2007: 51%; late seral stage)
Overall Production: 64 pounds per acre (air dry wt.) (2007: 121 pounds per acre)
Plant community dynamics: As ecological condition declines, bottlebrush squirreltail and shadscale increase as winterfat and Indian ricegrass decrease. With further site deterioration, cheatgrass, halogeton and annual mustards invade the interspace areas between shrub species. On heavily disturbed sites, these annual species, particularly halogeton, become dominant. Soils of this site are easily eroded and gullies often form, interrupting the overland flow patterns. As gullies begin to form, this site grades into the Silty Plain (028BY054NV) or Loamy Fan 8-12" PZ (028BY045NV) site.

Key Area: N-9
Date: 07/10/2008
Range Site: Silty 8-10" P.Z. (028BY013NV)

Plant Common Name	Plant symbol	Current % Composition by Weight (air dry)	HCPC % Composition by Weight (air dry)*	% Allowable
Indian ricegrass	ACHY	trace	15-25%	---
bottlebrush squirreltail	ELEL5	trace	5-10%	---
Sandberg's bluegrass	POSE	trace	2%	---
winterfat	KRLA2	100%	40-50%	50%

Similarity Index: 50% (mid seral stage)
Overall Production: 319 pounds per acre (air dry wt.)
Plant community dynamics: As ecological condition declines, bottlebrush squirreltail and shadscale increase as winterfat and Indian ricegrass decrease. With further site deterioration, cheatgrass, halogeton and annual mustards invade the interspace areas between shrub species. On heavily disturbed sites, these annual species, particularly halogeton, become dominant. Soils of this site are easily eroded and gullies often form, interrupting the overland flow patterns. As gullies begin to form, this site grades into the Silty Plain (028BY054NV) or Loamy Fan 8-12" PZ (028BY045NV) site.

*from Ecological Site Description

6. Proper Functioning Condition of Riparian Areas

Proper Functioning Condition (PFC) is the method used by the BLM to assess riparian health and functionality. The process is completed by an interdisciplinary (ID) team. The team looks at hydrology, vegetation, and erosion/deposition characteristics of the site in order to determine if the riparian area is in proper functioning condition, functioning at risk, or nonfunctional.

PFC was completed on various springs on the Newark Allotment. Table 6-1 summarizes the findings of the ID teams.

Table 6-1.PFC on the Newark Allotment

Riparian Area	Date	Functionality (notes)
Sadler Canyon	07/10/2007	Proper Functioning Condition
	12/12/2008	Proper Functioning Condition
Mau Creek	07/10/2007	Proper Functioning Condition
Water Canyon	07/10/2007	Proper Functioning Condition
Robinson Springs	07/09/2007	Proper Functioning Condition
	12/12/2008	Functioning at Risk with a upward trend (grazing of bank vegetation)
Stinton Spring (lentic)	12/12/2008	Functioning at Risk with a downward trend (grazing of bank vegetation and some bank trampling)
Rock Spring	07/10/2007	Non-functional (severe trampling and use by livestock and wild horses)
	06/24/2008	Non-functional (low flows and lack of vegetation)
	12/12/2008	Non-functional (severe trampling)
Sulfur Spring	12/12/2008	Developed source, no riparian area

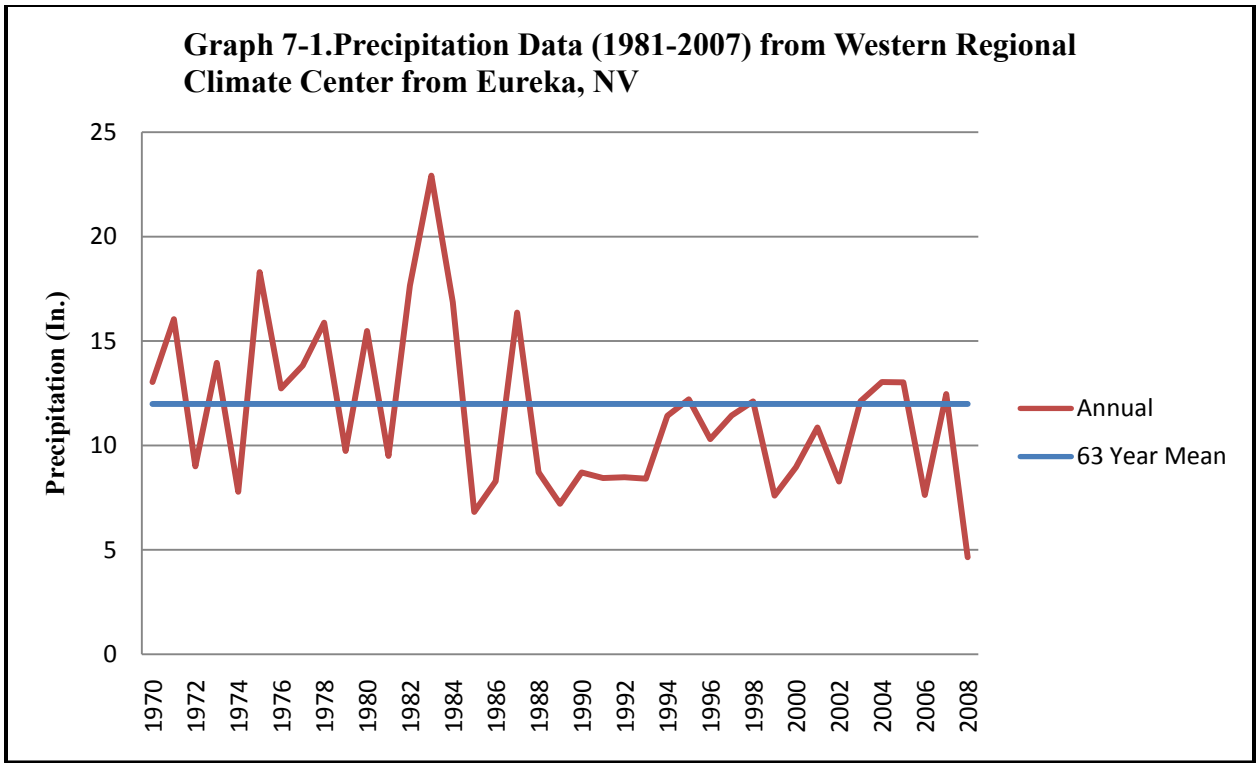
7. Precipitation Data

Annual precipitation greatly influences growing condition of forage species and is often correlated to available forage. Historical climate data from the Western Regional Climate Center at the Eureka, Nevada weather station is being used as to represent the annual precipitation on the Newark Allotment. Table 7-1 and Graph 7-1 summarize annual precipitation data collected since 1970. The 63 year mean precipitation for this station is 11.99 inches.

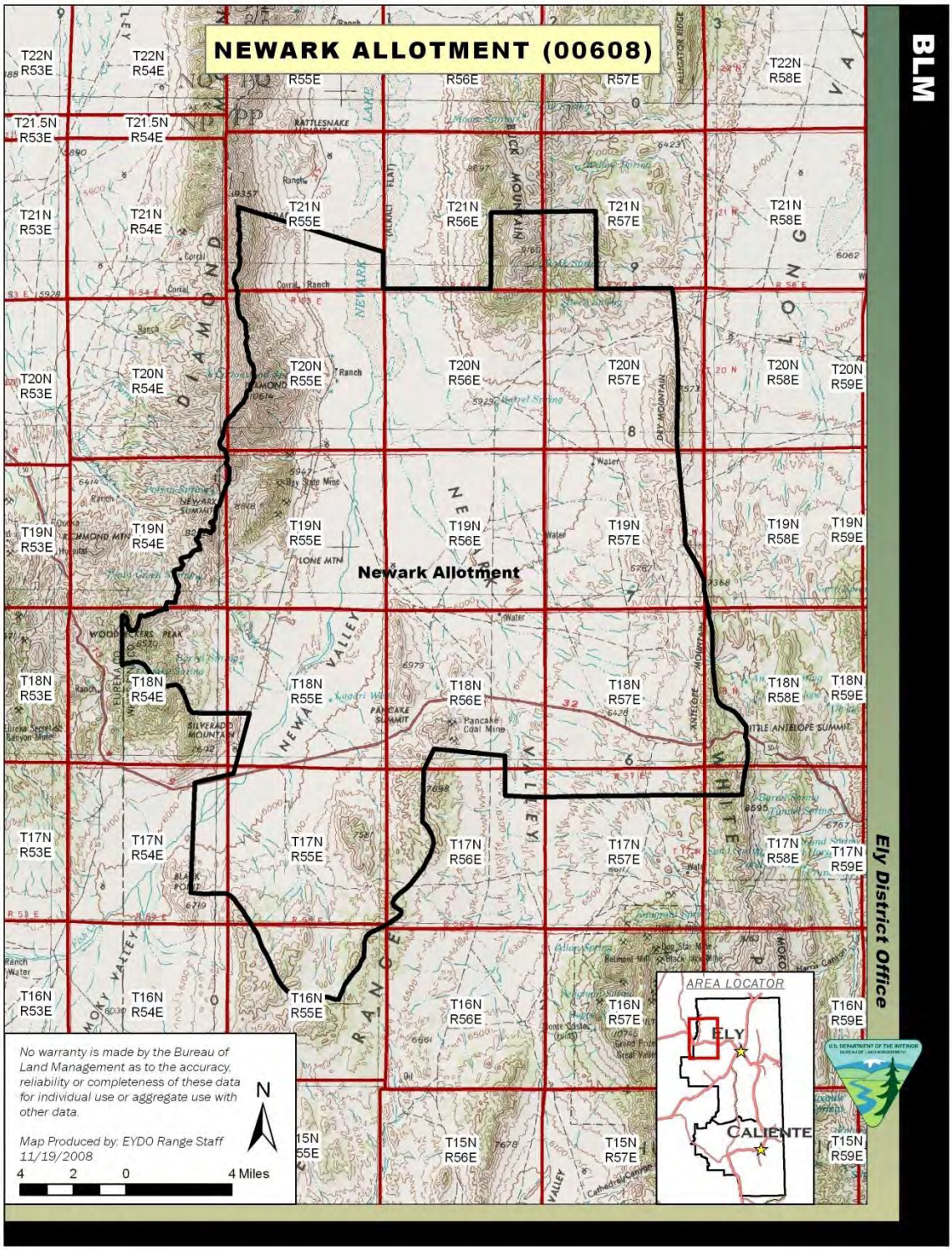
Table 7-1.Western Regional Climate Center Precipitation Data from Eureka, NV

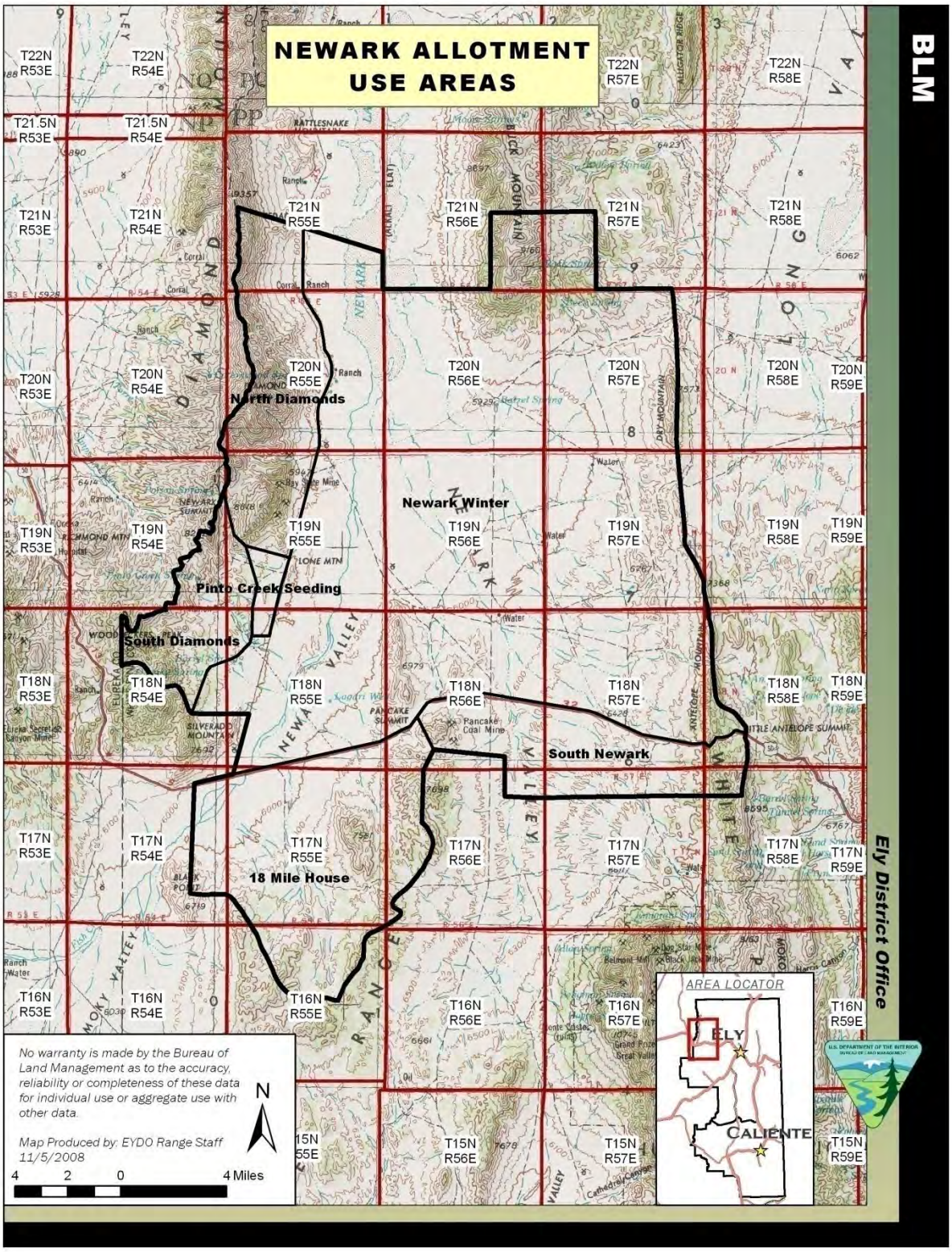
YEAR	ANNUAL PRECIP. (inches)	YEAR	ANNUAL PRECIP. (inches)	YEAR	ANNUAL PRECIP. (inches)
1970	13.04	1983	22.92	1996	10.30
1971	16.05	1984	16.86	1997	11.44
1972	9.00	1985	6.82	1998	12.11
1973	13.96	1986	8.29	1999	7.60
1974	7.78	1987	16.36	2000	8.96
1975	18.30	1988	8.72	2001	10.86
1976	12.73	1989	7.21	2002	8.27
1977	13.83	1990	8.71	2003	12.12
1978	15.88	1991	8.44	2004	13.04
1979	9.74	1992	8.48	2005	13.02
1980	15.48	1993	8.41	2006	7.63
1981	9.50	1994	11.42	2007	12.46
1982	17.66	1995	12.21	2008	4.65

Graph 7-1.Precipitation Data (1981-2007) from Western Regional Climate Center from Eureka, NV



APPENDIX II
MAPS
Newark Allotment




NEWARK ALLOTMENT
USE AREAS
BLM
Ely District Office
North Diamonds
Newark Winter
Pinto Creek Seeding
South Diamonds
South Newark
18 Mile House
AREA LOCATOR
ELY
CALIENTE
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: EYDO Range Staff
11/5/2008
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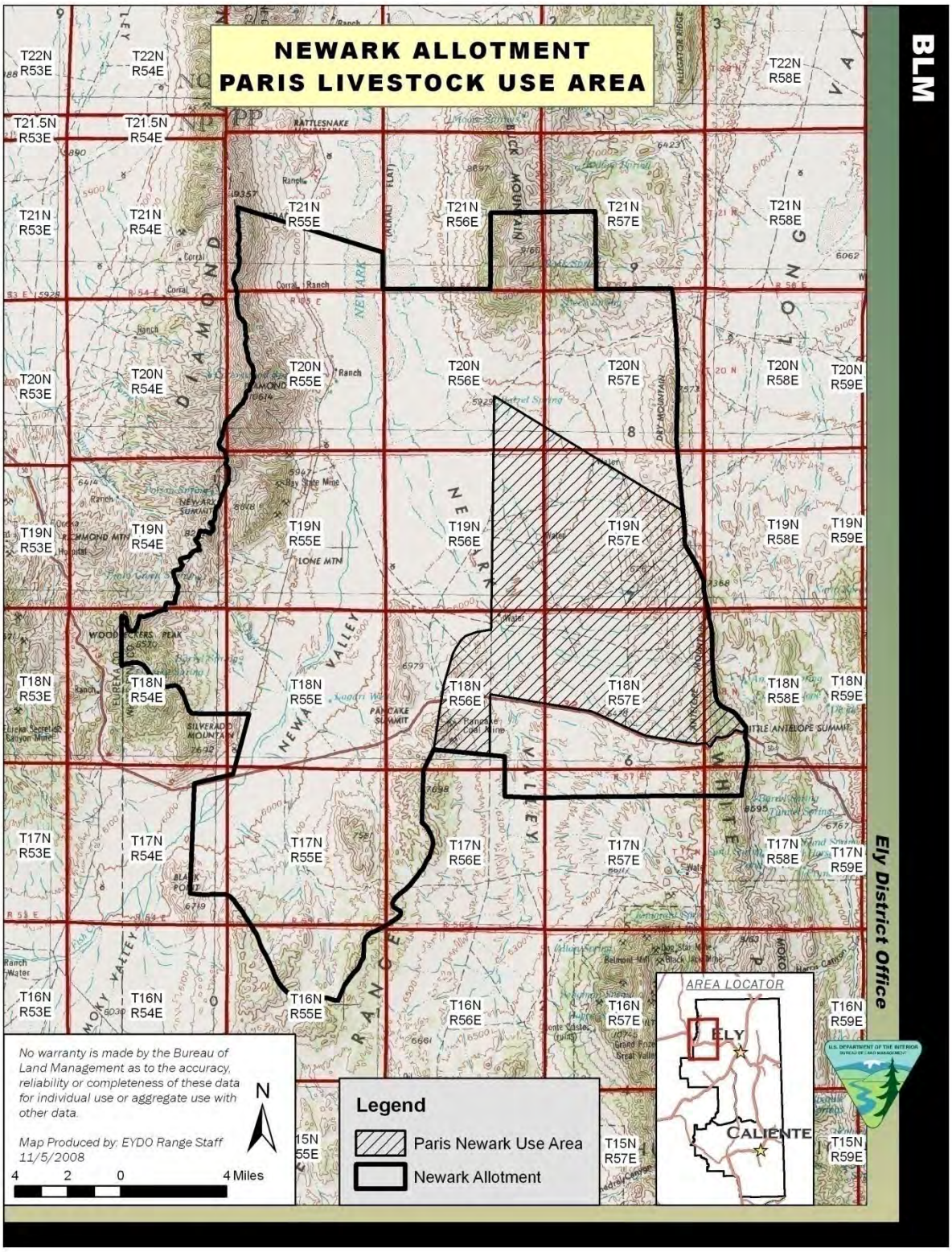
NEWARK ALLOTMENT
PARIS LIVESTOCK USE AREA
BLM
Ely District Office
T22N R53E
T22N R54E
T22N R58E
T21.5N R53E
T21.5N R54E
T21N R53E
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NEWARK VALLEY
DIAMOND
GOSHUTE
DRY MOUNTAIN
WHITE RIVER VALLEY
PANCAKE SUMMIT
LITTLE ANTELOPE SUMMIT
SILVERADO MOUNTAIN
LONE MTN
AREA LOCATOR
ELY
CALIENTE
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: EYDO Range Staff
11/5/2008
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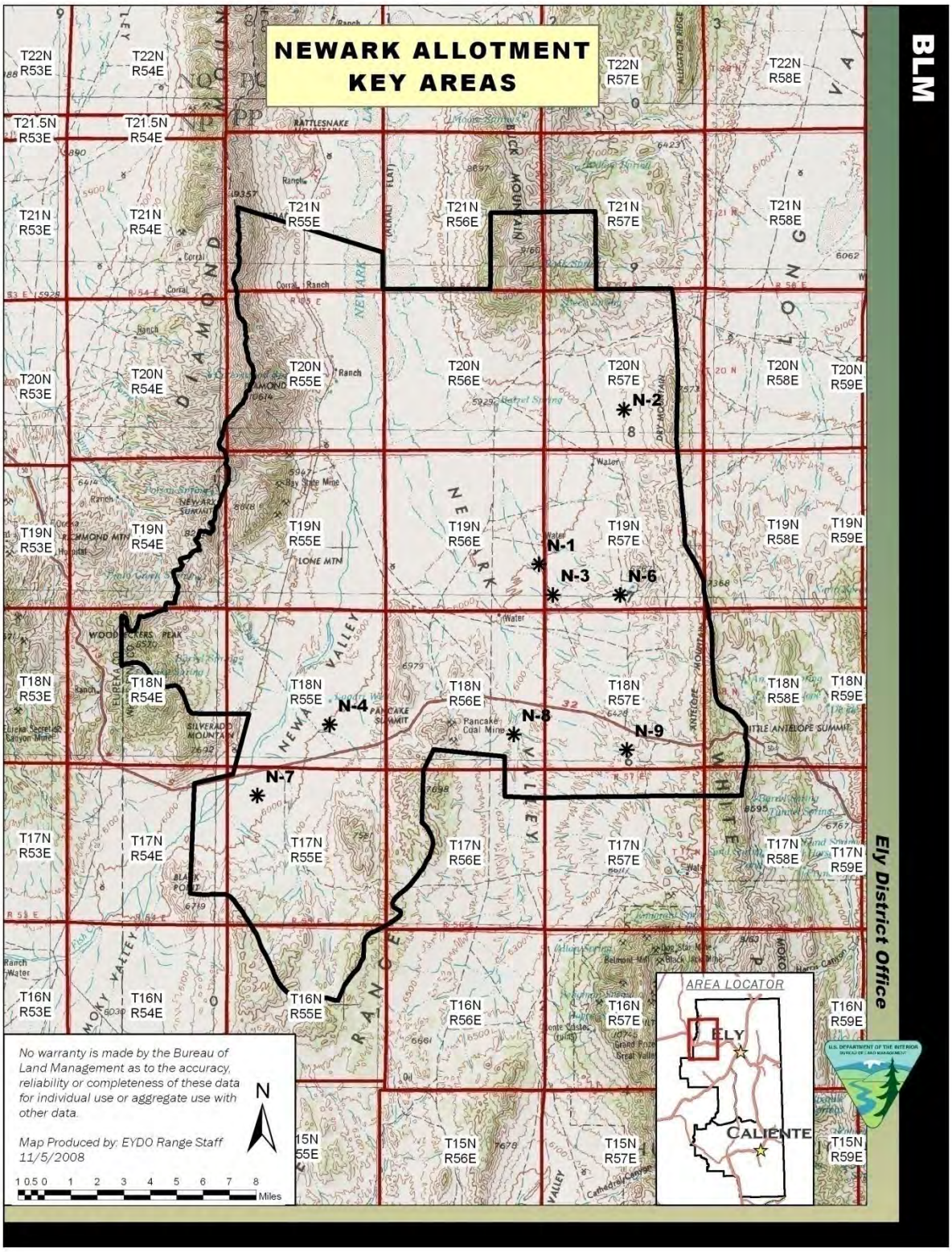
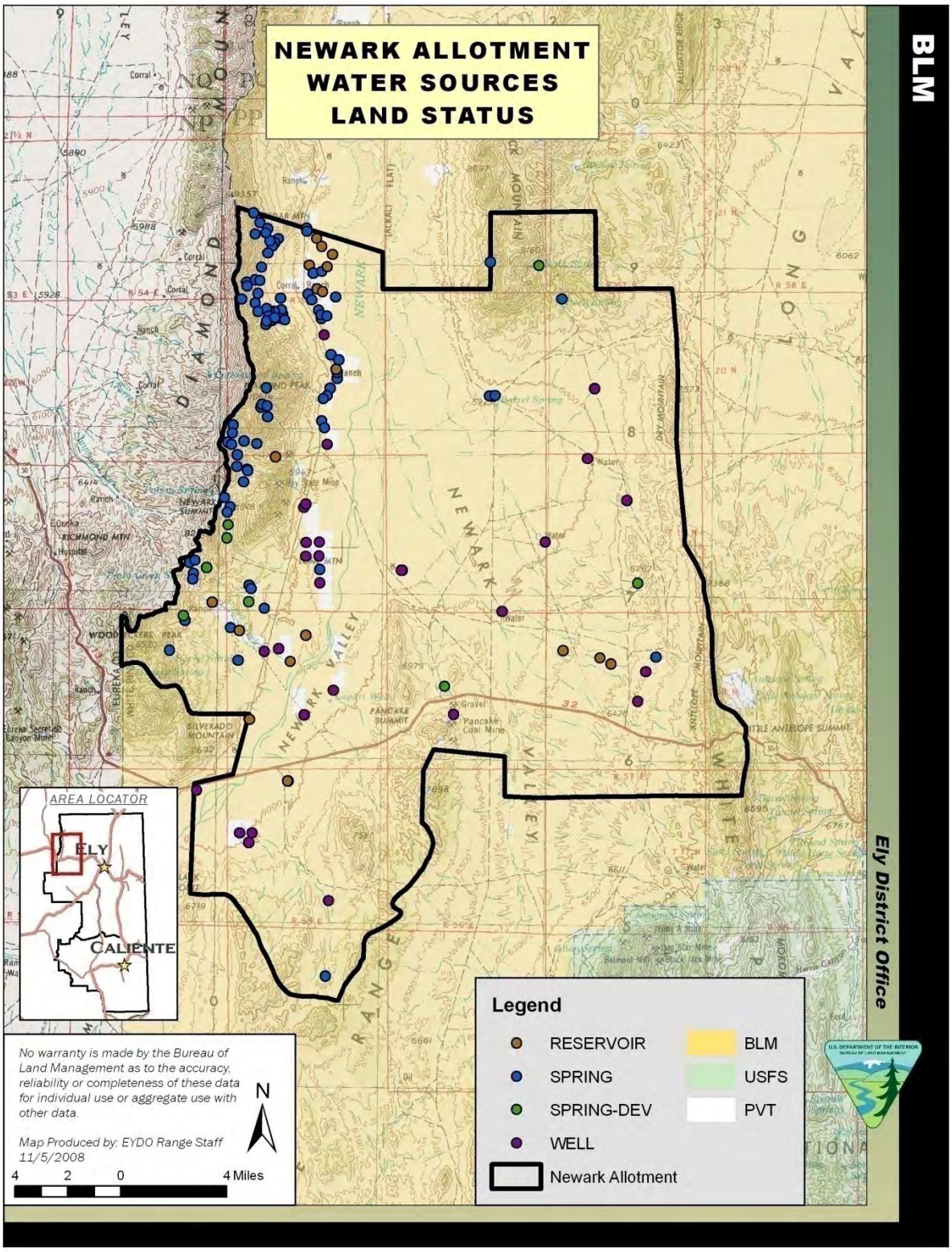
4 2 0 4 Miles
Legend
Paris Newark Use Area
Newark Allotment


NEWARK ALLOTMENT
KEY AREAS
BLM
Ely District Office
N-1
N-2
N-3
N-4
N-6
N-7
N-8
N-9
AREA LOCATOR
ELY
CALIENTE
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: EYDO Range Staff
11/5/2008
N
Miles


NEWARK ALLOTMENT
WATER SOURCES
LAND STATUS
BLM
Ely District Office
AREA LOCATOR
ELY
CALIENTE
Legend
RESERVOIR
SPRING
SPRING-DEV
WELL
Newark Allotment
BLM
USFS
PVT
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: EYDO Range Staff
11/5/2008
N
4 2 0 4 Miles
DIAMOND
NEWARK
NEWARK VALLEY
LONG
WHITE
RANGE
PANCAKE SUMMIT
LITTLE ANTELOPE SUMMIT
Pancake Coal Mine
Gravel
Water
Corral
Ranch

APPENDIX III
TERMS AND CONDITIONS
Newark Allotment

Pete Goicoechea:

Allotment Name, Number, & Pasture	Livestock Number/Kind	Grazing Period Begin End	% Public Land*	Type Use	AUMs**
Newark 00608 18 Mile House	106 Cattle	11/01 to 04/015	100	Active	583
Newark 00608 18 Mile House	335 Sheep	11/01 to 04/15	100	Active	369
Newark 00608 Newark Winter	448 Cattle	11/01 to 04/15	100	Active	2465
Newark 00608 Newark Winter	1410 Sheep	11/01 to 04/15	100	Active	1551
Newark 00608 South Newark	77 Cattle	11/01 to 04/15	100	Active	428
Newark 00608 North Diamonds	459 Cattle	04/16 to 06/01	100	Active	679
Newark 00608 North Diamonds	327 Sheep	04/16 to 10/31	100	Active	426
Newark 00608 South Diamonds	29 Cattle	04/16 to 10/31	100	Active	190
Newark 00608 South Diamonds	153 Sheep	04/16 to 10/31	100	Active	200
Newark 00608 North	29 Cattle	09/10 to 10/31	100	Active	50
Newark 00608 Middle	28 Cattle	07/05 to 09/09	100	Active	62
Newark 00608 South	29 Cattle	04/16 to 07/04	100	Active	76

*% Public Land is the percent of public land for billing purposes.
**AUMs may differ from Active Permitted Use due to a rounding difference with the number of livestock and the period of use.

Allotment AUMs Summary

Allotment Name	ACTIVE AUMS	SUSPENDED AUMS	GRAZING PERMITTED USE
Newark	7101	2608	9709

Livestock Management Practices - Terms and Conditions

In accordance with 43 CFR §4130.3 and §4130.3-2 the following terms and conditions shall be included in the term grazing permit for Pete Goicoechea for the Newark Allotment:

Newark Allotment (00608):

13. Maximum utilization levels on the Newark Allotment will be established as follows:
    - Perennial native grasses: 50% current year's growth by weight
    - Perennial shrubs and half-shrubs: 50% use on current annual production by weight
    - Perennial non-native seedings: 55% current year's growth by weight
    - 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.
14. Full use of sheep AUMs will be dependent on water hauling and/or availability of snow.
15. Sheep use in the North Diamond and South Diamond Use Areas will be used in the higher country in the Diamond Range that is not utilized by cattle.
16. In the Pinto Creek Seeding, the North, Middle, and South Pastures will be grazed in a deferred rotation system, as follows:

Pasture	Cattle AUMs	Year 1	Year 2	Year 3
North	64	09/10 to 10/31	06/21 to 08/13	04/16 to 06/07
Middle	80	07/05 to 09/09	04/16 to 06/20	08/26 to 10/31
South	97	04/16 to 07/04	08/14 to 10/31	06/08 to 0/25

17. In the South Newark Use Area, the permittee will provide a full time rider and utilize water haul sites to distribute cattle grazing. Water haul sites are as follows:
    - T18N R57E Sec. 27 SWSW
    - T18N R57E Sec. 35,36
    - T18N R58E Sec. 31
18. Grazing in Water Canyon and Tollhouse Canyon will be grazed annually at the discretion of the Authorized Officer. Livestock utilization is not to exceed 40% of the current year's growth by weight for these areas.
19. The Beck Pass Well (Yellow Tank) will be pumped on alternating years to allow cattle use to rotate between the northern side and the south side of the Newark Winter Use Area. The well can also be used as an emergency measure or to provide water for trailing sheep on a short term basis.
20. To protect riparian values and Newark Tui Chub habitat, the fenced springs located at T20N R55E Sec. 22 SE1/4 (Stinton Spring) will be grazed seasonally at the discretion of the Authorized Officer.
21. To protect riparian values at Rock Spring, the area will be rested from livestock grazing for two years. After which, the area will be grazed only on alternating years and the maximum utilization level for the area will be established at 40% of the current year's growth by weight.
22. Sheep will not be trailed or bedded in winterfat bottoms. Sheep camps will be a minimum of ½ mile from winterfat bottoms.
23. To improve livestock distribution, the placement of mineral or salt supplements will be a minimum distance of ½ mile from water sources, riparian areas, sensitive sites, populations of special status species, cultural resource sites, and winterfat bottoms. Use

of nutritional supplements (not forage) is encouraged to improve the ability of livestock to utilize forage and to improve livestock distribution across the allotment.

24. Use in the Newark Allotment will be in accordance with the Final Multiple Use Decision (FMUD) issued April 13, 1992.

Warren Scoppettone:

Allotment Name, Number, & Pasture	Livestock Number/Kind	Grazing Period Begin End	% Public Land*	Type Use	AUMs**
Newark 00608 18 Mile House	29 Cattle	11/01 to 04/15	100	Active	160
Newark 00608 18 Mile House	93 Sheep	11/01 to 04/15	100	Active	103
Newark 00608 Newark Winter	120 Cattle	11/01 to 04/15	100	Active	665
Newark 00608 Newark Winter	393 Sheep	11/01 to 04/15	100	Active	433
Newark 00608 South Newark	21 Cattle	11/01 to 04/15	100	Active	120
Newark 00608 North Diamonds	129 Cattle	04/16 to 06/01	100	Active	191
Newark 00608 North Diamonds	92 Sheep	04/16 to 10/31	100	Active	120
Newark 00608 South Diamonds	7 Cattle	04/16 to 10/31	100	Active	49
Newark 00608 South Diamonds	43 Sheep	04/16 to 10/31	100	Active	56
Newark 00608 North	8 Cattle	09/10 to 10/31	100	Active	14
Newark 00608 Middle	8 Cattle	07/05 to 09/09	100	Active	18
Newark 00608 South	8 Cattle	04/16 to 07/04	100	Active	21

*% Public Land is the percent of public land for billing purposes.
**AUMs may differ from Active Permitted Use due to a rounding difference with the number of livestock and the period of use.

Allotment AUMs Summary

Allotment Name	ACTIVE AUMS	SUSPENDED AUMS	GRAZING PERMITTED USE
Newark	1960	735	2695

Livestock Management Practices - Terms and Conditions

In accordance with 43 CFR §4130.3 and §4130.3-2 the following terms and conditions shall be included in the term grazing permit for Warren Scoppettone for the Newark Allotment:

Newark Allotment (00608):

13. Maximum utilization levels on the Newark Allotment will be established as follows:
    - Perennial native grasses: 50% current year's growth by weight
    - Perennial shrubs and half-shrubs: 50% use on current annual production by weight
    - Perennial non-native seedings: 55% current year's growth by weight
    - 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.
14. Full use of sheep AUMs will be dependent on water hauling and/or availability of snow.
15. Sheep use in the North Diamond and South Diamond Use Areas will be used in the higher country in the Diamond Range that is not utilized by cattle.
16. In the Pinto Creek Seeding, the North, Middle, and South Pastures will be grazed in a deferred rotation system, as follows:

Pasture	Cattle AUMs	Year 1	Year 2	Year 3
North	64	09/10 to 10/31	06/21 to 08/13	04/16 to 06/07
Middle	80	07/05 to 09/09	04/16 to 06/20	08/26 to 10/31
South	97	04/16 to 07/04	08/14 to 10/31	06/08 to 0/25

17. In the South Newark Use Area, the permittee will provide a full time rider and utilize water haul sites to distribute cattle grazing. Water haul sites are as follows:
    - T18N R57E Sec. 27 SWSW
    - T18N R57E Sec. 35,36
    - T18N R58E Sec. 31
18. Grazing in Water Canyon and Tollhouse Canyon will be grazed annually at the discretion of the Authorized Officer. Livestock utilization is not to exceed 40% of the current year's growth by weight for these areas.
19. The Beck Pass Well (Yellow Tank) will be pumped on alternating years to allow cattle use to rotate between the northern side and the south side of the Newark Winter Use Area. The well can also be used as an emergency measure or to provide water for trailing sheep on a short term basis.
20. To protect riparian values and Newark Tui Chub habitat, the fenced springs located at T20N R55E Sec. 22 SE1/4 (Stinton Spring) will be grazed seasonally at the discretion of the Authorized Officer.
21. To protect riparian values at Rock Spring, the area will be rested from livestock grazing for two years. After which, the area will be grazed only on alternating years and the maximum utilization level for the area will be established at 40% of the current year's growth by weight.
22. Sheep will not be trailed or bedded in winterfat bottoms. Sheep camps will be a minimum of ½ mile from winterfat bottoms.
23. To improve livestock distribution, the placement of mineral or salt supplements will be a minimum distance of ½ mile from water sources, riparian areas, sensitive sites, populations of special status species, cultural resource sites, and winterfat bottoms. Use

of nutritional supplements (not forage) is encouraged to improve the ability of livestock to utilize forage and to improve livestock distribution across the allotment.

24. Use in the Newark Allotment will be in accordance with the Final Multiple Use Decision (FMUD) issued April 13, 1992.

Paris Livestock:

Allotment Name and Number	Livestock Number/Kind	Grazing Period Begin End	% Public Land*	Type Use	AUMs**
Newark 00608	1642 Sheep	04/01 to 04/30	100	Active	324
Newark 00608	1642 Sheep	11/01 to 11/30	100	Active	324

*% Public Land is the percent of public land for billing purposes.
**AUMs may differ from Active Permitted Use due to a rounding difference with the number of livestock and the period of use.

Allotment AUMs Summary

Allotment Name	ACTIVE AUMS	SUSPENDED AUMS	GRAZING PERMITTED USE
Newark	648	0	648

Livestock Management Practices - Terms and Conditions
In accordance with 43 CFR §4130.3 and §4130.3-2 the following terms and conditions shall be included in the term grazing permit for Paris Livestock for the Newark Allotment:

Newark Allotment (00608):

1. Use is authorized from Beck Pass, west to Barrel Springs, south along the Barrel Springs Road to Highway 50, and east to the Newark Allotment boundary. The east face of the Pancake Range, east of Sulfur Springs, is also authorized.
2. Maximum utilization levels on the Newark Allotment will be established as follows:
   - Perennial native grasses: 50% current year's growth by weight
   - Perennial shrubs and half-shrubs: 50% use on current annual production by weight
   - 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.
3. Sheep will not be held in the winterfat bottom south of Carter (Smith) Well.
4. Sheep will not be trailed or bedded in winterfat bottoms. Sheep camps will be a minimum of ½ mile from winterfat bottoms.
5. To improve livestock distribution, the placement of mineral or salt supplements will be a minimum distance of ½ mile from water sources, riparian areas, sensitive sites, cultural resource sites, and winterfat bottoms. Use of nutritional supplements (not forage) is encouraged to improve the ability of livestock to utilize forage and to improve livestock distribution across the allotment.

6. Use in the Newark Allotment will be in accordance with the Final Multiple Use Decision (FMUD) issued April 13, 1992.

Additional Stipulations Common to All Grazing Allotments:

19. Livestock numbers identified in the Term Grazing Permit are a function of seasons of use and permitted use. 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.
20. 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.
21. The authorized officer is requiring that an actual use report (form 4130-5) be submitted within 15 days after completing your annual grazing use.
22. 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.
23. 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.
24. Grazing use in White Pine County will be in accordance with the Northeastern 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.
25. If future monitoring data indicates that Standards and Guidelines for Grazing Administration are not being met, the permit will be reissued subject to revised terms and conditions.
26. The permittee is responsible for all maintenance of assigned range improvements including wildlife escape ramps for both permanent and temporary water troughs.
27. 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.

APPENDIX IV

RISK ASSESSMENT FOR NOXIOUS & INVASIVE WEEDS

Term Grazing Permit Renewal for Paris Livestock
Cold Creek, Corta, Duckwater, Newark, Railroad Pass, Sand Springs, South Pancake, & Warm Springs Trail Allotments
Nye & White Pine County, Nevada

On November 6th, 2008 a Noxious & Invasive Weed Risk Assessment was completed for the term grazing permit renewal for Paris Livestock for the Cold Creek, Corta, Duckwater, Newark, Railroad Pass, Sand Springs, South Pancake, and Warm Springs Trail Allotments in Nye and White Pine Counties, NV. The current term permit is issued for the period 10/15/2006 to 10/14/2016. The following table outlines what the current term permit authorizes.

Allotment/Pasture	Number & Kind of Livestock	Use Period	AUMS
Sand Springs	934 Sheep	11/01 to 03/31	927
	1198 Sheep	11/01 to 03/31	1190
Railroad Pass	467 Sheep	04/05 to 11/15	691
Cold Creek	1182 Sheep	04/15 to 4/30	124
	1200 Sheep	11/01 to 11/15	118
Newark	1642 Sheep	04/01 to 04/30	324
	1642 Sheep	11/01 to 11/30	324
South Pancake	2268 Sheep	03/15 to 04/30	701
	1114 Sheep	11/15 to 01/15	454
Warm Springs Trail	2750 Sheep	04/15 to 05/01	307
	2754 Sheep	11/15 to 12/01	308
Duckwater	1572 Sheep	12/15 to 03/31	1106
	1122 Sheep	01/01 to 03/31	664
Corta	4850 Sheep	05/01 to 05/04	128
Railroad Pass/Corta Seeding	365 Sheep	04/05 to 11/15	540

Within the Duckwater Allotment the following use areas would be used: Bull Corner/Poison Patch, Little Smokey Valley, North Sand Springs Valley, Pancake East Bench/Duckwater Valley, Pogues Station, and South Sand Springs Valley. The issuance of the new term grazing permit could be for a period up to ten years. An evaluation of the range monitoring data and rangeland health will be conducted for the Cold Creek, Corta, Duckwater, Newark, Railroad Pass, Sand Springs, South Pancake, and Warm Springs Trail Allotments.

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 Cold Creek Allotment:

Carduus nutans	Musk thistle
Cirsium vulgare	Bull thistle
Hyoscyamus niger	Black henbane
Lepidium draba	Hoary cress
Lepidium latifolium	Tall whitetop
Onopordum acanthium	Scotch thistle

The following species are found within the boundaries of the use areas for this permit in the Duckwater Allotment:

Acroptilon repens	Russian knapweed
Carduus nutans	Musk thistle
Cirsium vulgare	Bull thistle
Lepidium draba	Hoary cress
Lepidium latifolium	Tall whitetop
Onopordum acanthium	Scotch thistle
Tamarix spp.	Salt cedar

The following species are found within the boundaries of the Newark Allotment:

Acroptilon repens	Russian knapweed
Carduus nutans	Musk thistle
Centaurea stoebe	Spotted knapweed
Cirsium vulgare	Bull thistle
Conium maculatum	Poison hemlock
Lepidium draba	Hoary cress
Onopordum acanthium	Scotch thistle
Tamarix spp.	Salt cedar

The following species are found within the boundaries of the Railroad Pass Allotment:

Acroptilon repens	Russian knapweed
Carduus nutans	Musk thistle
Centaurea stoebe	Spotted knapweed
Cicuta maculata	Water hemlock
Cirsium arvense	Canada thistle
Cirsium vulgare	Bull thistle
Euphorbia esula	Leafy spurge
Lepidium draba	Hoary cress
Onopordum acanthium	Scotch thistle
Tamarix spp.	Salt cedar

The following species is found within the boundaries of the South Pancake Allotment:

Lepidium draba	Hoary cress

The following species are found along the Warm Springs Trail Allotment:

Acroptilon repens	Russian knapweed
Carduus nutans	Musk thistle
Centaurea stoebe	Spotted knapweed
Cirsium arvense	Canada thistle
Cirsium vulgare	Bull thistle
Hyoscyamus niger	Black henbane
Lepidium draba	Hoary cress

The following species are found along roads and drainages leading to all allotments:

Acroptilon repens	Russian knapweed
Carduus nutans	Musk thistle
Centaurea stoebe	Spotted knapweed
Cicuta maculate	Water hemlock
Cirsium arvense	Canada thistle
Cirsium vulgare	Bull thistle
Conium maculatum	Poison hemlock
Euphorbia esula	Leafy spurge
Hyoscyamus niger	Black henbane
Lepidium draba	Hoary cress
Lepidium latifolium	Tall whitetop
Onopordum acanthium	Scotch thistle
Tamarix spp.	Salt cedar

These areas were last inventoried for noxious weeds in 2002, 2003 and 2005. It should be noted that these allotments border the BLM Battle Mountain or Elko Districts or, in the case of the Corta and Sand Springs Allotments, are entirely within them. No weed inventory data for these Districts is currently available. While not officially documented the following non-native invasive weeds probably occur in or around both allotments: cheatgrass (*Bromus tectorum*), field bindweed (*Convolvulus arvensis*), Russian olive (*Elaeagnus angustifolia*), halogeton (*Halogeton glomeratus*), horehound (*Marrubium vulgare*), and Russian thistle (*Salsola kali*).

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 allotments and could aid in the introduction of weeds from surrounding areas. Within the allotments, 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 Moderate (7) at the present time. If new weed infestations establish within the allotments this could have an adverse impact those native plant communities however, since there are many weed infestations currently within the allotments, those impacts would be limited. 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:

- 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.
- 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 allotments 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.
- 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.
- 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.

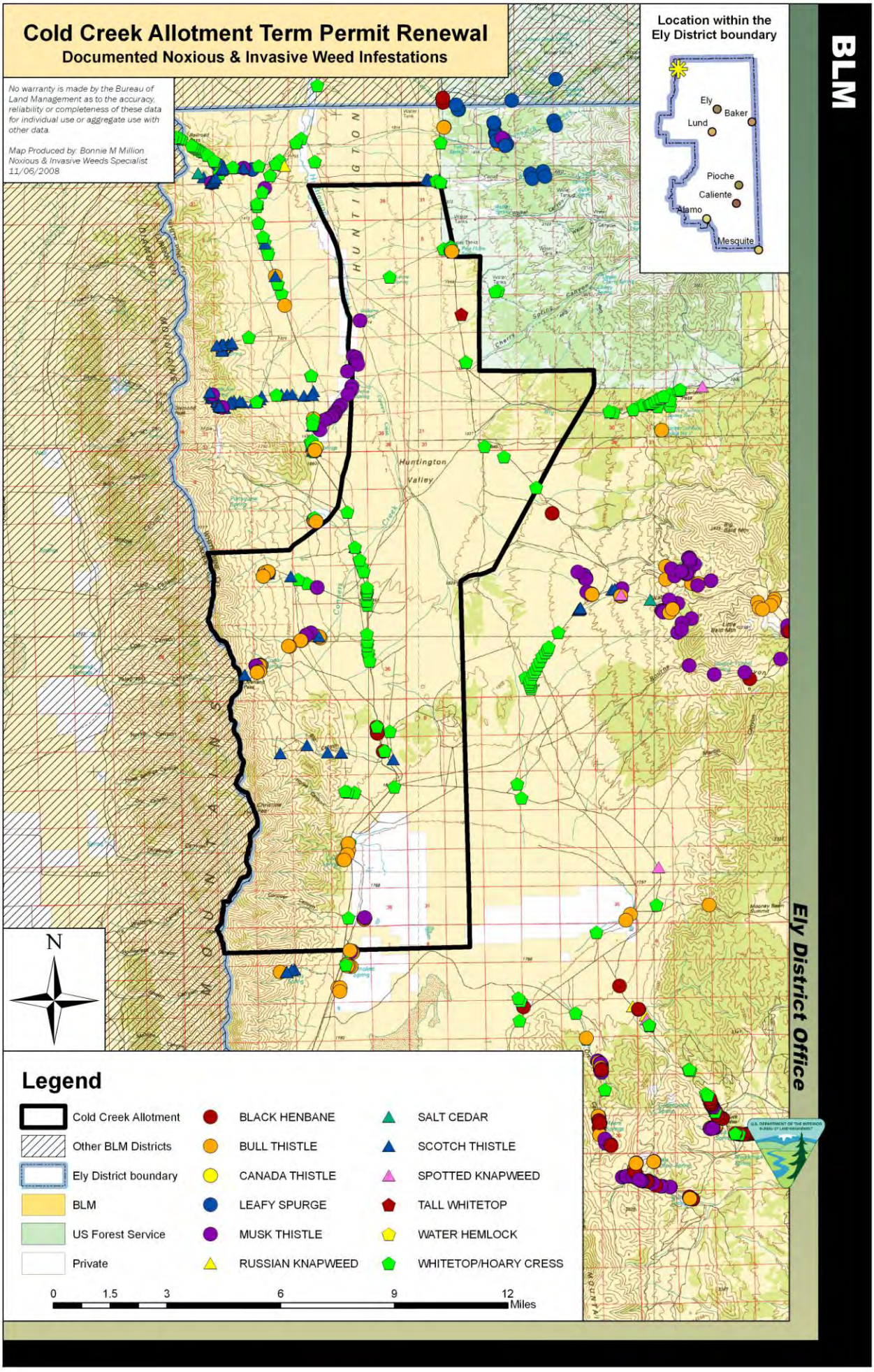
- Any newly established populations of noxious/invasive weeds discovered will be communicated to the Ely District Noxious and Invasive Weeds Coordinator for treatment.

Reviewed by: /s/ Bonnie M. Million 11/6/2008

Bonnie M. Million Date
Ely District Noxious & Invasive Weeds Coordinator

Cold Creek Allotment Term Permit Renewal

Documented Noxious & Invasive Weed Infestations



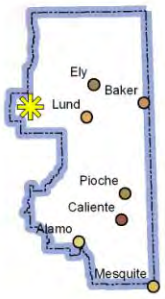
Duckwater Allotment Term Permit Renewal

Documented Noxious & Invasive Weed Infestations

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: Bonnie M Million
Noxious & Invasive Weeds Specialist
11/06/2008

Location within the Ely District boundary



Pogues Station

Bull Corner/Poison Patch

Little Smokey Valley

Pancake East Bench/Duckwater Valley

North Sand Springs Valley

South Sand Springs Valley

N

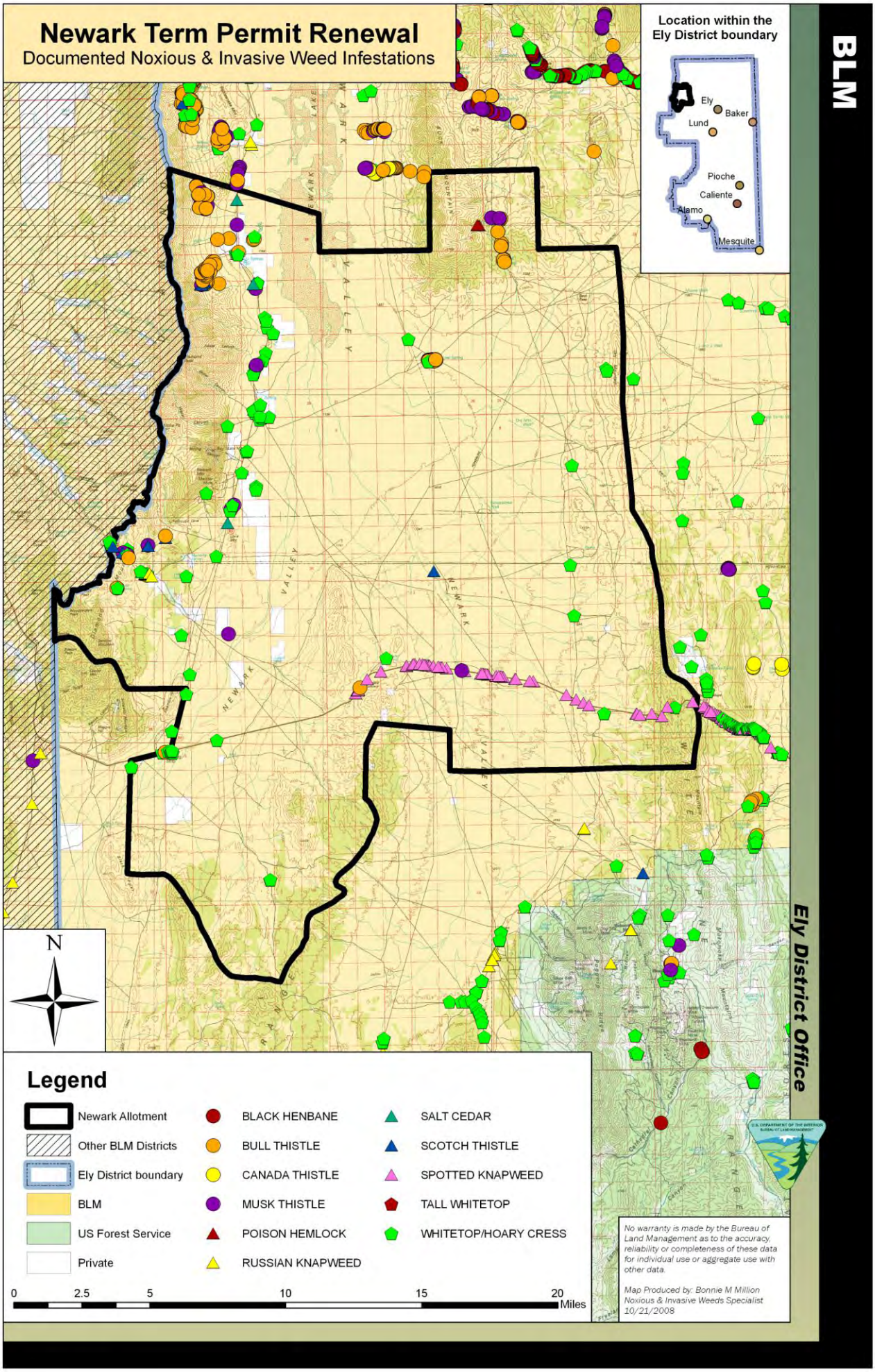
BLM

Ely District Office

Legend

- Duckwater Use Areas
- Duckwater Allotment
- Other BLM Districts
- Ely District boundary
- BLM
- US Forest Service
- Duckwater Shoshone Tribe
- Private
- BLACK HENBANE
- BULL THISTLE
- CANADA THISTLE
- MUSK THISTLE
- RUSSIAN KNAPWEED
- SALT CEDAR
- SCOTCH THISTLE
- SPOTTED KNAPWEED
- TALL WHITETOP
- WHITETOP/HOARY CRESS

0 5 10 20 30 40 Miles


Newark Term Permit Renewal
Documented Noxious & Invasive Weed Infestations
Location within the Ely District boundary
Ely
Baker
Lund
Pioche
Caliente
Alamo
Mesquite
BLM
Ely District Office
N
Legend
Newark Allotment
Other BLM Districts
Ely District boundary
BLM
US Forest Service
Private
BLACK HENBANE
BULL THISTLE
CANADA THISTLE
MUSK THISTLE
POISON HEMLOCK
RUSSIAN KNAPWEED
SALT CEDAR
SCOTCH THISTLE
SPOTTED KNAPWEED
TALL WHITETOP
WHITETOP/HOARY CRESS
0 2.5 5 10 15 20 Miles
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: Bonnie M Million
Noxious & Invasive Weeds Specialist
10/21/2008

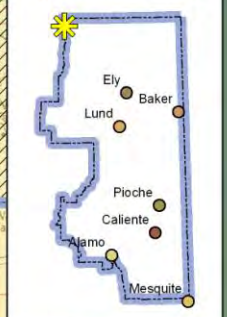
Railroad Pass Term Permit Renewal

Documented Noxious & Invasive Weed Infestations

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: Bonnie M Million
Noxious & Invasive Weeds Specialist
10/21/2008

Location within the Ely District boundary



BLM

Ely District Office

N

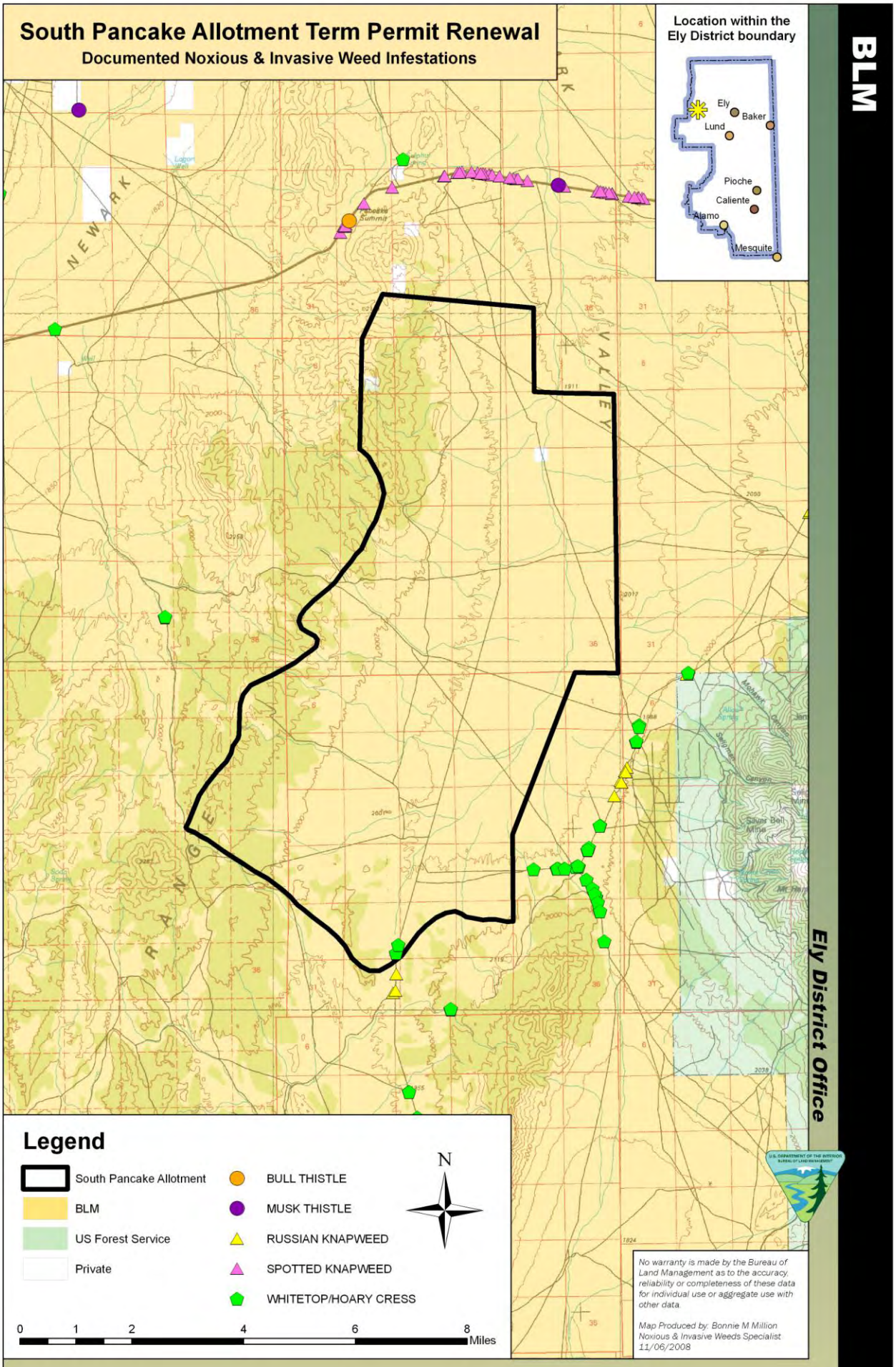
Legend

Railroad Pass Allotment	BLACK HENBANE	SALT CEDAR
Other BLM Districts	BULL THISTLE	SCOTCH THISTLE
Ely District Boundary	CANADA THISTLE	SPOTTED KNAPWEED
BLM	LEAFY SPURGE	TALL WHITETOP
US Forest Service	MUSK THISTLE	WATER HEMLOCK
Private	RUSSIAN KNAPWEED	WHITETOP/HOARY CRESS

0 1 2 4 6 8 Miles

South Pancake Allotment Term Permit Renewal

Documented Noxious & Invasive Weed Infestations



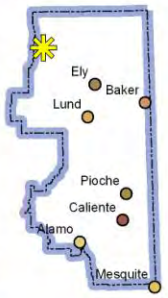
Warm Springs Trail Term Permit Renewal

Documented Noxious & Invasive Weed Infestations

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: Bonnie M Million
Noxious & Invasive Weeds Specialist
11/06/2008

Location within the Ely District boundary



BLM

Ely District Office

N

Legend

- Warm Springs Trail Allotment
- Other BLM Districts
- Ely District boundary
- BLM
- US Forest Service
- US Fish & Wildlife Service
- Private

- BLACK HENBANE
- BULL THISTLE
- CANADA THISTLE
- LEAFY SPURGE
- MUSK THISTLE
- POISON HEMLOCK
- RUSSIAN KNAPWEED

- SALT CEDAR
- SCOTCH THISTLE
- SPOTTED KNAPWEED
- TALL WHITETOP
- WATER HEMLOCK
- WHITETOP/HOARY CRESS

0 4 8 16 24 32 Miles

RISK ASSESSMENT FOR NOXIOUS & INVASIVE WEEDS

Term Grazing Permit Renewal for Warren Scoppetone
Newark Allotment
White Pine County, Nevada

On March 14th, 2008 a Noxious & Invasive Weed Risk Assessment was completed for the term grazing permit renewal for Warren Scoppetone on the Newark allotment in White Pine County, NV approximately 70 miles west of Ely, Nevada. The proposal is to fully process the renewal of the term grazing permit for a period of ten years. The current term permit currently authorizes up to 1960 AUMs of cattle grazing from 04/01 to 11/01. The Newark allotment encompasses approximately 218,105 acres of public land.

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 Newark allotment:

Acroptilon repens	Russian knapweed
Carduus nutans	Musk thistle
Centaurea stoebe	Spotted knapweed
Cirsium vulgare	Bull thistle
Conium maculatum	Poison hemlock
Lepidium draba	Hoary cress
Onopordum acanthium	Scotch thistle
Tamarix spp.	Salt cedar

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

Acroptilon repens	Russian knapweed
Carduus nutans	Musk thistle
Centaurea stoebe	Spotted knapweed
Cirsium arvense	Canada thistle
Cirsium vulgare	Bull thistle
Conium maculatum	Poison hemlock
Hyoscyamus niger	Black henbane
Lepidium draba	Hoary cress
Lepidium latifolium	Tall whitetop
Onopordum acanthium	Scotch thistle
Tamarix spp.	Salt cedar

The Newark allotment was last inventoried for noxious weeds in 2002. It should be noted that this allotment borders the BLM Battle Mountain Field Office and no weed inventory data for the BLM Battle Mountain Field Office is available. While not officially inventoried the following non-native invasive weeds probably occur in or around the allotment: cheatgrass (*Bromus tectorum*), halogeton (*Halogeton glomeratus*), horehound (*Marrubium vulgare*), and Russian thistle (*Salsola kali*).

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 Newark allotment this could have an adverse impact those native plant communities since the 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.

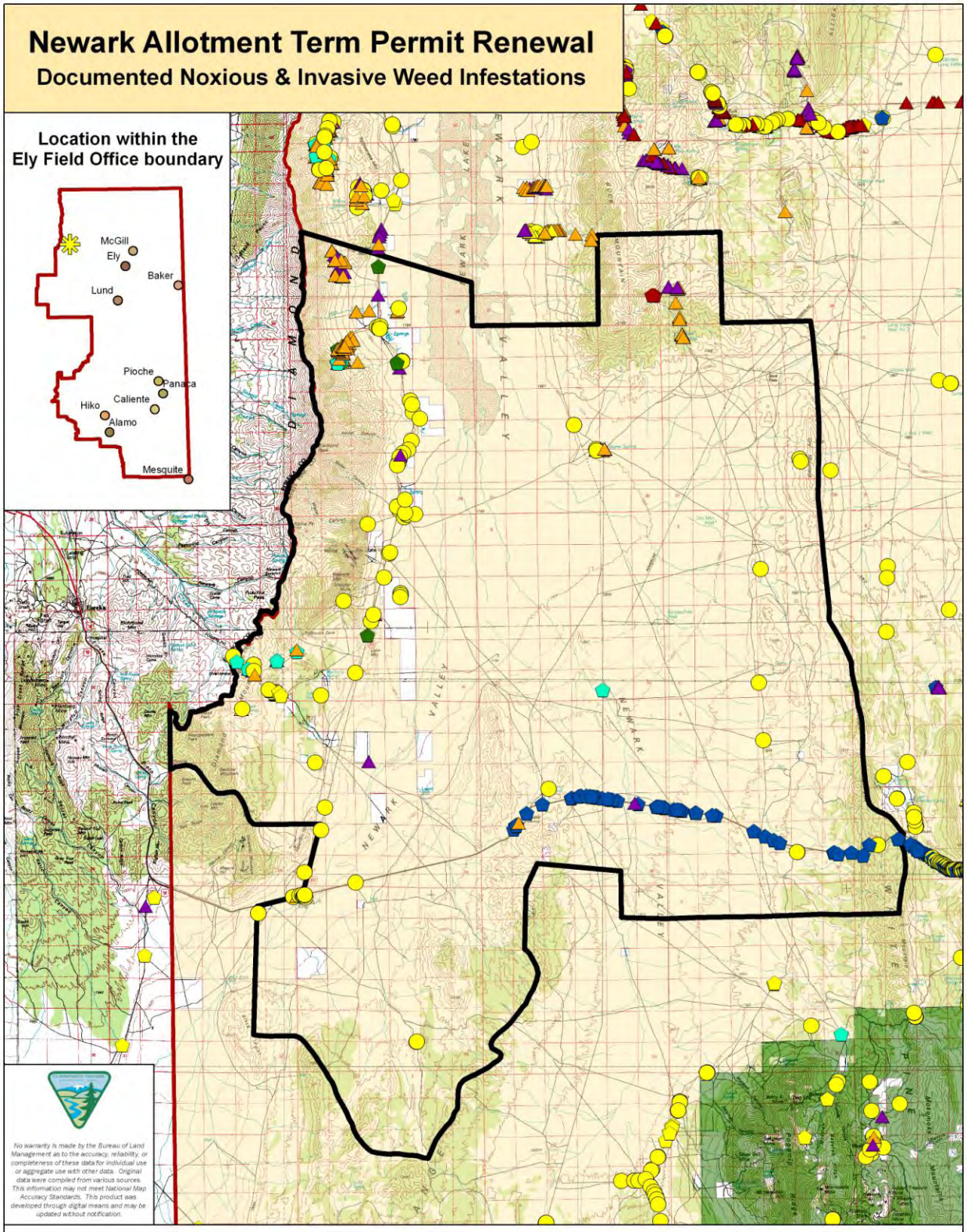
- The range specialist for the allotments will include weed detection into project compliance inspection activities. If the spread of noxious weeds is noted, appropriated weed control procedures will be determined in consultation with BLM personnel and will be in compliance with the appropriate BLM handbook 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 Field 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: /s/ Bonnie Waggoner 3/14/2008

Bonnie Waggoner Date
Ely District Noxious & Invasive Weeds Coordinator

Newark Allotment Term Permit Renewal

Documented Noxious & Invasive Weed Infestations



Legend

- BLACK HENBANE
- BULL THISTLE
- CANADA THISTLE
- MUSK THISTLE
- POISON HEMLOCK
- RUSSIAN KNAPWEED
- SALT CEDAR
- SCOTCH THISTLE
- SPOTTED KNAPWEED
- TALL WHITETOP
- WHITETOP/HOARY CRESS
- Newark allotment
- Ely District Boundary
- BLM
- FOREST SERVICE
- PRIVATE

N

0 3.5 7 14 21 28 Miles

1:184,891

Produced on 3/14/2008 by Bonnie M. Waggoner, Noxious & Invasive Weeds Coordinator for the Ely Field Office

Coordinate System: NAD 1983 UTM ZONE 11N

RISK ASSESSMENT FOR NOXIOUS & INVASIVE WEEDS

Term Grazing Permit Renewal for Pete Goicoechea
Newark & Railroad Pass Allotments
White Pine County, Nevada

On October 21st, 2008 a Noxious & Invasive Weed Risk Assessment was completed for the term grazing permit renewal for Pete Goicoechea on the Newark and Railroad Pass Allotments in White Pine County, NV. The Newark Allotment encompasses approximately 218,105 public land acres. The grazing allotment is situated approximately 45 miles west of Ely, Nevada. The Railroad Pass Allotment encompasses approximately 27,025 public land acres. The grazing allotment is situated approximately 75 miles northwest of Ely, Nevada. Currently this is two separate grazing permits with separate authorizations that will be combined into one. The Newark Allotment is a cattle and sheep allotment with a total grazing preference of 9,709 animal unit months (AUMs). Of these, 7,101 AUMs are active and 2,608 AUMs are suspended nonuse. The Railroad Pass Allotment is a cattle permit with a total grazing preference of 511 animal unit months (AUMs). Of these, 511 AUMs are active and 0 AUMs are suspended nonuse. The current term permit authorizes approximately 75 head of cattle with a season of use from 06/01 to 09/30.

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 Newark allotment:

Acroptilon repens	Russian knapweed
Carduus nutans	Musk thistle
Centaurea stoebe	Spotted knapweed
Cirsium vulgare	Bull thistle
Conium maculatum	Poison hemlock
Lepidium draba	Hoary cress
Onopordum acanthium	Scotch thistle
Tamarix spp.	Salt cedar

The following species are found within the boundaries of the Railroad Pass allotment:

Acroptilon repens	Russian knapweed
Carduus nutans	Musk thistle
Centaurea stoebe	Spotted knapweed
Cicuta maculata	Water hemlock
Cirsium arvense	Canada thistle
Cirsium vulgare	Bull thistle
Euphorbia esula	Leafy spurge
Lepidium draba	Hoary cress
Onopordum acanthium	Scotch thistle
Tamarix spp.	Salt cedar

The following species are found along roads and drainages leading to both allotments:

Acroptilon repens	Russian knapweed
Carduus nutans	Musk thistle
Centaurea stoebe	Spotted knapweed
Cirsium arvense	Canada thistle
Cirsium vulgare	Bull thistle
Conium maculatum	Poison hemlock
Hyoscyamus niger	Black henbane
Lepidium draba	Hoary cress
Lepidium latifolium	Tall whitetop
Onopordum acanthium	Scotch thistle
Tamarix spp.	Salt cedar

Both allotments were last inventoried for noxious weeds in 2002. It should be noted that these allotments border the BLM Battle Mountain and/or Elko Districts and no weed inventory data for these Districts is currently available. While not officially documented the following non-native invasive weeds probably occur in or around both allotments: cheatgrass (*Bromus tectorum*), field bindweed (*Convolvulus arvensis*), Russian olive (*Elaeagnus angustifolia*), halogeton (*Halogeton glomeratus*), horehound (*Marrubium vulgare*), and Russian thistle (*Salsola kali*).

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 allotments and could aid in the introduction of weeds from surrounding areas. Within the allotments, 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 Moderate (7) at the present time. If new weed infestations establish within the allotments this could have an adverse impact those native plant communities however, since there are many weed infestations currently within the allotments, those impacts would be limited. 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:

- 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.
- 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 allotments 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.
- 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.
- 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.

- 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: /s/ Bonnie M. Million 10/21/2008

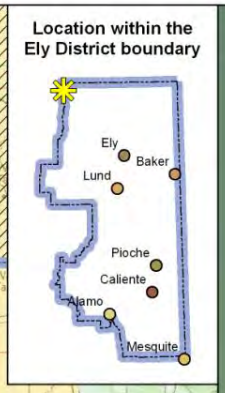
Bonnie M. Million Date
Ely District Noxious & Invasive Weeds Coordinator

Railroad Pass Term Permit Renewal

Documented Noxious & Invasive Weed Infestations

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: Bonnie M Million
Noxious & Invasive Weeds Specialist
10/21/2008



BLM

Ely District Office

N

Legend

- Railroad Pass Allotment
- Other BLM Districts
- Ely District Boundary
- BLM
- US Forest Service
- Private

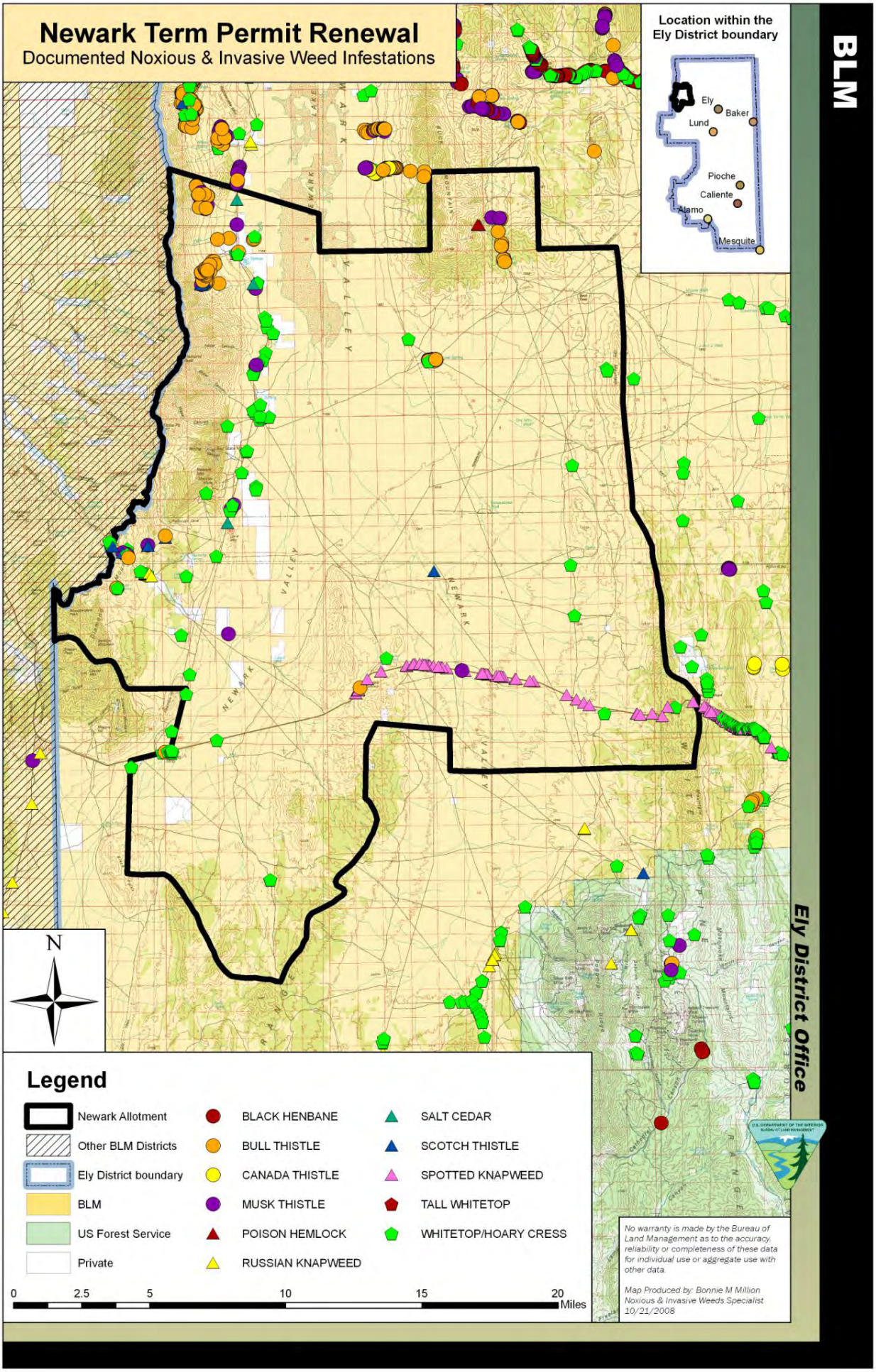
- BLACK HENBANE
- BULL THISTLE
- CANADA THISTLE
- LEAFY SPURGE
- MUSK THISTLE
- RUSSIAN KNAPWEED

- SALT CEDAR
- SCOTCH THISTLE
- SPOTTED KNAPWEED
- TALL WHITETOP
- WATER HEMLOCK
- WHITETOP/HOARY CRESS

0 1 2 4 6 8 Miles

Newark Term Permit Renewal

Documented Noxious & Invasive Weed Infestations



APPENDIX IV
Migratory Birds Species

The following data reflect survey blocks and/or incidental sightings of bird species within the allotment boundaries 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 or near the allotment boundaries. These data are not comprehensive, and additional species not listed here may be present within the allotment boundary.

Railroad Pass Allotment

No survey blocks or incidental sightings occur within in this allotment. Survey blocks with similar vegetation as this allotment contained the following bird species:

American robin *(Turdus migratorius)*
Audubon's warbler *(Dendroica c. auduboni)*
black-billed magpie *(Pica hudsonia)*
blue-gray gnatcatcher *(Polioptila caerulea)*
brown-headed cowbird *(Molothrus ater)*
Brewer's sparrow *(Spizella breweri)*
black-throated sparrow *(Amphispiza bilineata)*
chipping sparrow *(Spizella passerine)*
common nighthawk *(Chordeiles minor)*
common raven *(Corvus corax)*
greater sage-grouse *(Centrocercus urophasianus)*
green-tailed towhee *(Pipilo chlorurus)*
house finch *(Carpodacus mexicanus)*
horned lark *(Eremophila alpestris)*
house wren *(Troglodytes aedon)*
lazuli bunting *(Passerina amoena)*
loggerhead shrike *(Lanius ludovicianus)*
mountain bluebird *(Sialia currucoides)*
mountain chickadee *(Poecile gambeli)*
mourning dove *(Zenaida macroura)*
northern flicker *(Colaptes auratus)*
northern harrier *(Circus cyaneus)*
peregrine falcon *(Falco peregrines)*
rock wren *(Salpinctes obsoletus)*
red-tailed hawk *(Buteo jamaicensis)*
sage sparrow *(Amphispiza belli)*
sage thrasher *(Oreoscoptes montanus)*
spotted towhee *(Pipilo maculates)*
vesper sparrow *(Pooecetes gramineus)*
violet-green swallow *(Tachycineta thalassina)*
white-breasted nuthatch *(Sitta carolinensis)*
western meadowlark *(Sturnella neglecta)*
western scrub jay *(Aphelocoma californica)*
western tanager *(Piranga ludoviciana)*

Newark Allotment

American kestrel (*Falco sparverius)*
ash-throated flycatcher *(Myiarchus cinerascens)*
blue-gray gnatcatcher *(Polioptila caerulea)*
Brewer's sparrow *(Spizella breweri)*
black-throated sparrow *(Amphispiza bilineata)*
chipping sparrow *(Spizella passerine)*
common nighthawk *(Chordeiles minor)*
common poorwill *(Phalaenoptilus nuttallii)*
common raven *(Corvus corax)*
gray flycatcher *(Empidonax wrightii)*
horned lark *(Eremophila alpestris)*
juniper titmouse *(Baeolophus ridgwayi)*
loggerhead shrike *(Lanius ludovicianus)*
mountain bluebird *(Sialia currucoides)*
mourning dove *(Zenaida macroura)*
northern flicker *(Colaptes auratus)*
northern mockingbird *(Mimus polyglottos)*
rock wren *(Salpinctes obsoletus)*
sage sparrow *(Amphispiza belli)*
sage thrasher *(Oreoscoptes montanus)*
western meadowlark *(Sturnella neglecta)*
western scrub jay *(Aphelocoma californica*