United States Department of the Interior

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

TAKE PRIDE IN AMERICA

November 30, 2007

In Reply Refer to:
4160 (NV-042)

RWD Currant Creek, LLC
c/o Richard Dieleman
HCR 34 Box 34187
Ely, Nevada 89301

CERTIFIED MAIL NO: 7006 0810 0005 7113 6667
RETURN RECEIPT REQUESTED

FINAL DECISION

R.W.D. Currant Creek, LLC Permit Renewal for the Duckwater and Currant Ranch Allotments

On October 29, 2007 the Finding of No Significant Impact (FONSI) for the Grazing Permit Renewal for RWD Currant Creek, LLC (Duckwater and Currant Ranch Allotments) Term Permit Renewal (EA No. NV-040-06-046) was signed. The Environmental Assessment (EA) and the FONSI are attached. This final decision is issued in accordance with 43 CFR 4160.3. The proposed decision was issued on October 29, 2007.

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

The proposed action associated with EA No. NV-040-06-046 is to renew a term grazing permit to RWD Currant Creek, LLC (RWD). The term grazing permit under consideration is for the Duckwater (0701) and Currant Ranch (0513) Allotments. The grazing permit will be renewed on the Duckwater Allotment for active permitted use of 2,356 Animal Unit Months (AUMs). The permit will be renewed on the Currant Ranch Allotment for active permitted use of 282 AUMs (see page 5 of this decision for cattle numbers and grazing season dates). The Duckwater Allotment has been designated as management category "improve" or (I) by land use planning documents. The Currant Ranch Allotment has not been categorized. Together the two allotments encompass approximately 1152,000 acres of BLM managed lands. The new grazing permit will reflect terms and conditions in accordance with the EA.

Fully processing and renewing the term permit for RWD for the Duckwater and Currant Ranch Allotments provides for a legitimate multiple use of the public lands and includes terms and conditions for grazing use that conform to Guidelines and will achieve or make significant progress towards achieving the Standards for Nevada's Mojave Southern Great Basin Area in accordance with all applicable laws, regulations, and policies and in accordance with Title 43 CFR 4130.2(a) which states

"Grazing permits or leases shall be issued to qualified applicants to authorize use on the public lands and other lands under the administration of the Bureau of Land Management that are designated as available for livestock grazing through land use plans." This decision specifically identifies management actions and terms and conditions to be appropriate to achieve management and resource condition objectives. The proposed action that was developed under the proposed and final decisions executes livestock management practices that would ensure that Standards for Rangeland Health and multiple use objectives continue to be achieved and that significant progress is made towards those that are currently not achieved.

The Standards were assessed for the Duckwater and Currant Ranch Allotments by a BLM interdisciplinary team consisting of rangeland management specialists, wildlife biologist, weeds specialist, watershed specialist, archaeologist, recreation specialist, soil/water/air specialist, and others. The team utilized several scientifically based documents and official publications to complete the assessment. These documents include the Nye County Soil Survey (USDA-SCS) Range Site Descriptions (USDA-SCS 1994), Interpreting Indicators of Rangeland Health (USDI-BLM et al. 2000), Sampling Vegetation Attributes (USDI-BLM et al. 1996), the Nevada Rangeland Monitoring Handbook (USDA-SCS et al. 1984), Riparian Area Management (USDI-BLM et al. 1998), and the National Range and Pasture Handbook (USDA NRCS 2003). For a complete list of references, see Appendix IV to the Environmental Assessment. All documents are available for public review in the Ely BLM Field Station. The interdisciplinary team also used rangeland monitoring data, professional observations, and photographs to assess achievement of the Standards and conformance with the Guidelines. The "Standard Riparian Functioning Condition Checklist" (USDI-BLM 2000) was completed for riparian systems in the Willard Creek Allotment.

The assessment of rangeland health for the term permit renewal area was conducted on April 25, 2007. A review and analysis of the rangeland monitoring data was conducted. Rangeland monitoring data for the Duckwater and Currant Ranch Allotments is summarized in the Standards Determination Document that is associated with this Term Permit Renewal EA (Appendix I). As a result of the I.D. Team assessment and monitoring data review, it has been determined that rangeland health and the quality of the plant communities is adequate to authorize the grazing permit renewal.

One of three Standards for Rangeland Health is being achieved for the term permit renewal area. Two Standards are not achieved, but significant progress is being made towards achievement.

A summary of the achievement or non-achievement of the Standards and conformance with the Guidelines for Rangeland Health follows:

1. Soils Standard	(Achieved)
2. Ecosystem Components Standard	(Not Achieved, but making significant progress towards)
3. Habitat and Biota Standard	(Not Achieved, but making significant progress towards)

Conclusions of the Standard Determination:

Standard # 1. Soils

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

Conclusion - Standard achieved. Vegetation cover studies, utilization studies, ecological condition studies, photographs, and professional observations indicate that key areas of the term permit renewal area are achieving the Soils Standard. Canopy and ground cover, including litter, live vegetation, and rock, are appropriate to ecological site potential. Biological crusts are generally present and there is no indication of excess compaction or trampling of soils. Soils are generally stable and not prone to wind or water erosion. Key forage plant method utilization studies accomplished at key areas in salt desert shrub range (029XY087NV and 029XY017NV) has been generally light or less during the assessment period. Licensed use has been far below active permitted use the last few years in the term permit renewal area. This promotes vegetation production, the reproductive capability of perennial plants, and litter to stabilize upland sites. Production is below unfavorable year levels at one key area and above unfavorable year levels at a second key area. The key areas in the term permit renewal area are on landform slopes less than 5%. Mild slopes are contributing to stable soil conditions.

Duckwater Creek has been found to be in proper functioning condition, with a stable stream bank composed of plants that have root masses capable of withstanding high stream flow events. All vegetative attributes for the stream channel rate positive according to the proper functioning condition study accomplished on July 26, 2006.

Standard #2. Ecosystem components

Watersheds should possess the necessary ecological components to achieve state water quality criteria, maintain ecological processes, and sustain appropriate uses. Riparian and wetlands vegetation should have structural and species diversity characteristic of the stage of stream channel succession in order to provide forage and cover, capture sediment, and capture, retain, and safely release water (watershed function).

Conclusion - Standard not achieved. Ecological condition studies, photographs, and professional observations indicate that key areas of the term permit renewal area are not achieving the Ecosystem Components Standard. Although canopy and ground cover, including litter, live vegetation, and rock, are appropriate to ecological site potential, plant composition is generally characterized by too many shrubs. The renewal area has crossed a threshold to shrub dominance. The plant communities have lost resilience and some ability to resist invasive species spread or to resist severe weather events. The herbaceous understory of native grasses and forbs is below ecological site potential. Production is below unfavorable year levels at one key area and above unfavorable year levels at a second key area. Professional observation indicates ecological processes are adequate for the vegetative communities, however a marginal situation is present. Drought conditions have persisted in this area nine of the last eleven years. Two of the riparian spring areas in the renewal area, Albert Spring and Andrew Spring, are functional at risk. Adequate vegetation is not present to protect the spring sources.

Significant progress is being made towards achieving this Standard. The grazing permittee has a good working relationship with BLM. The permittee has licensed livestock use the past three years at far less than active permitted use, has rested pastures, and has distributed livestock use. Complete voluntary

non-use was taken for the 2004 grazing year. The permittee has recently reconstructed and operated the Silver Springs Pipeline. Wild horses are the cause of the problems at Albert and Andrew Springs.

Standard #3. Habitat and Biota

Habitats and watersheds should sustain a level of biodiversity appropriate for the area and conducive to appropriate uses. Habitats of special status species should be able to sustain viable populations of those species.

Conclusion - Standard not achieved. Ecological condition studies, photographs, and professional observations indicate that key areas of the term permit renewal area are not achieving the Habitat and Biota Standard. Although canopy and ground cover, including litter, live vegetation, and rock, are appropriate to ecological site potential, plant composition is characterized by too many shrubs. The renewal area has crossed a threshold to shrub dominance. The plant communities have lost resilience and some ability to resist invasive species spread. Production is below unfavorable year levels at one key area and above unfavorable year levels at a second key area. Two of the riparian spring areas in the renewal area are functional at risk. Significant progress is being made towards achieving this Standard. The permittee has licensed livestock use the past three years at far less than active permitted use, has rested pastures, and has distributed livestock use. Complete voluntary non-use was taken for the 2004 grazing year. The permittee has recently reconstructed and operated the Silver Springs Pipeline.

Consultation and Coordination

The project proposal was posted on the Ely Field Office web site in November 2006 at http://www.nv.blm.gov/ely/nepa/ea_list.htm. No comments were received regarding this posting. The preliminary EA was posted on the Ely external webpage on or about September 14, 2007 for a thirty day comment period. A hard copy of the preliminary EA was mailed on September 13, 2007 to the permittee and those publics who requested one and who have expressed an interest in range management actions on the Duckwater and Currant Ranch Allotments. No comments or input were received in response to the electronic posting or hard copy mailing of the preliminary EA. Additional information on public consultation and coordination is presented in Section VII of the EA on page 23.

A protest to the proposed decision to renew a grazing permit for RWD Currant Creek, LLC on the Duckwater and Currant Ranch Allotments was received from Western Watersheds Project on November 19, 2007. A written response to the substantial protest points was prepared on November 29, 2007 and will be placed in the BLM administrative record for this permit renewal. Based upon the substantial protest points and a range team review of the protest points, this final decision has not been changed from the proposed decision.

LIVESTOCK MANAGEMENT DECISION

In accordance with 43 CFR 4110.3, 4110.3-2(b) and 4130.3-1 permitted use for R.W.D. Currant Creek, LLC on the Duckwater and Currant Ranch Allotments will be as follows:

Terms and Conditions of Authorized Use - RWD Currant Creek, LLC Permit

The active permitted use associated with this term permit renewal authorizes 2,356 AUMs of cattle grazing in the Duckwater Allotment and 282 AUMs of cattle grazing in the Currant Ranch Allotment with seasons of use as indicated in the table below. The proposed action would authorize cattle grazing on the Broom Canyon and Red Mountain Use Areas of the Duckwater Allotment. The term permit renewal and allotment information follows:

Allotment Number Name	Livestock Number/Kind	Grazing Period Begin End	% Public* Land (Billing)	Type Use	Active AUMs**
0153 Currant Ranch	44 Cattle	11/01 – 02/28	100	Active	174
	15 Cattle	03/01 – 05/31	100	Active	45
	15 Cattle	11/01 – 02/28	100	Active	59
0701 Duckwater					
Broom Canyon Use Area	125 Cattle	03/01 – 06/15	100	Active	440
	112 Cattle	11/01 – 02/28	100	Active	442
Red Mountain Use Area	177 Cattle	03/01 – 06/15	100	Active	623
	158 Cattle	11/01 – 02/28	100	Active	623
	50 Cattle	03/01 – 04/30	100	Active	174
	42 Cattle	12/01 – 02/28	100	Active	170

* The allotment would be billed at 100% public land through the Rangeland Administrative Billing System (RAS).
** The active permitted use for the Currant Ranch Allotment totals 282 AUMs. The active permitted use for the Duckwater Allotment totals 2,356 AUMs. The numbers presented in the AUMs column are rounded figures based on the numbers of cattle and the grazing periods.

The allotment summary as it would appear on the new term permit is as follows:

Allotment	Active AUMs	Suspended AUMs	Permitted Use
0701 Duckwater	2356	1932	4288
0153 Currant Ranch	282	33	315

The issuance of the term grazing permit for RWD will be effective upon this proposed decision becoming final or pending final determination on appeal. The permit will be issued for a period of ten years. Allowable use levels for key forage species will be included in the new permit. Allowable use levels are a quantification of Land Use Plan vegetative objectives.

Terms and Conditions:

In accordance with 43 CFR 4130.3-2, the following terms and conditions will be included in the grazing permit for RWD on the Duckwater and Currant Ranch Allotments:

Stipulations common to all allotments:

1. Livestock numbers identified in the term grazing permit are a function of seasons of use and permitted use for each allotment. Deviations from those livestock numbers and seasons of use may be authorized on an annual basis where such deviations would not prevent attainment of the multiple-use objectives for the above allotment(s).

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.

3. Pursuant to 43 CFR 10.4(G) the holder of this authorization must notify the authorized officer by telephone, with written conformation, immediately upon discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (as defined at 43 CRF 10.2). Further, pursuant to 43 CFR 10.4 (C) and (D), you must stop activities for 30 days or until notified to proceed by the authorized officer.

4. The authorized officer is requiring that an actual use report (form 4130-5) be submitted within 15 days after completing your annual grazing use.

5. 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 $25.00 or 10 percent of the grazing bill, whichever is greater, not to exceed $250.00. 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.

6. Grazing use in the Broom Canyon and red Mountain Use Areas of the Duckwater Allotment and in the Currant Ranch Allotment, located in Nye County, will be in accordance with the Mojave Southern Great Basin Area Standards and Guidelines for Grazing Administration, as developed by the resource Advisory Council (RAC) and approved by the Secretary of the interior on February 12, 1997. Grazing use will also be in accordance with 43 CFR sub-part 4180 – Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration. The grazing management practices identified in the terms and conditions are designed to ensure significant progress towards the fulfillment of the Northeastern Great Basin Area Standards and toward conformance with the guidelines. The management actions implement the guidelines to meet multiple use objectives and standards.

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.

Other Terms and Conditions:

1. Active permitted use (active preference) for the Duckwater Allotment is 2356 AUMs. Active permitted use (active preference) for the Currant Ranch Allotment is 282 AUMs.

2. The Currant Ranch Allotment will receive spring rest every third year from 3/1 to 5/31.

3. An allowable use level will be established as 45% of the current year's growth by weight for the key native species Indian ricegrass and whitesage in the term permit renewal area during the spring grazing period and 60% for the same key species year-long (following the fall/winter grazing period ending February 28. Utilization will be measured at established key grazing areas or other sites representative of the dominant vegetation in the use area.

4. Salt blocks and nutritional supplements will be located at least ¼ mile away from riparian/wetland areas, water ditches, or other permanently located or natural water sources. Supplement locations should be moved every year.

5. Coordinate with the grazing permittee on an annual basis to implement grazing management practices that (a) maintain sufficient residual vegetation and litter, (b) promote attainment or maintenance of proper functioning

6. Adjustments to livestock management practices may be made annually as needed in consideration of forage availability, climatic conditions, drought, wildfire, and/or other disturbances such as wild horse use, flooding, and insects.

7. Water haul sites will be determined annually by the authorized officer.

8. 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.

9. The permittee is required to perform normal maintenance on the range improvements that have been or will be issued through approved cooperative agreements or section 4 permits.
10. Wildlife escape ramps would be required to be installed and maintained by the permittee at each permanent or temporary trough on the allotments.

Duckwater stipulations:

1. Grazing use will be made in the Broom Canyon (pasture 1) and Red Mountain (pasture 11) use areas of the Duckwater Allotment.

2. Grazing use in the Duckwater Allotment will be in accordance with the Final Multiple Use Decision of June 9, 1995. Spring cattle turnout will be deferred in the Broom Canyon Use Area (pasture 1) the first year following issuance of the grazing decision and every third year thereafter from 03/01 to 04/30. Spring cattle turnout will be deferred in the Red Mountain Use Area (pasture 11) the second year following issuance of the grazing decision and every third year thereafter from 03/01 to 04/30.

3. Cattle grazing in the Red Mountain Use Area will be dependent on continued water hauling and rotating seasons of use between spring and fall. Cattle grazing will not be concentrated in the bottoms around Callaway Well, to allow proper rest for severely degraded rangelands.

4. BLM and RWD will work together on an annual basis to identify livestock management practices to be implemented for each year in the Duckwater and Currant Ranch Allotments. Annual grazing may be modified from the terms and conditions listed above in consideration of climatic conditions such as drought, forage availability, wildfire locations, and/or other factors, as long as vegetative objectives are met. Grazing use will be in accordance with Standards and Guidelines for Rangeland Health.

During the ten year period of this term permit renewal, the BLM and RWD will monitor the Duckwater and Currant Ranch Allotments for resource conditions in order to determine the effectiveness of the term permit renewal in achieving or making progress towards achieving the Standards and conforming to the Guidelines for Rangeland Health. RWD will be encouraged to participate in the monitoring. Rangeland monitoring may be conducted both prior to and following annual use. Monitoring conducted prior to annual use will determine areas of forage availability and cattle stocking levels. Monitoring conducted following grazing use will determine utilization levels and use patterns. Specific rangeland monitoring studies could include vegetation cover studies, ecological condition studies, key forage plant method utilization transects (KFPM), use pattern mapping (UPM), frequency trend, observed apparent trend, professional observation, and photographs.

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

> 4100.0-8: "The authorized officer shall manage livestock grazing on public lands under the principle of multiple-use and sustained yield and in accordance with applicable land use plans. Land use plans shall establish allowable resource uses (either singly or in combination), related levels of production or use to be maintained, areas of use, and resource condition goals and objectives to be obtained. The plans also set forth program constraints and general management practices needed to achieve management objectives. Livestock grazing activities and management actions approved by the authorized officer shall be in conformance with the land use plan as defined at CFR 601.0-5(b)."
>
> 4110.3: "The authorized officer shall periodically review the permitted use specified in a grazing permit or lease and shall make changes in the permitted use as needed to manage, maintain or improve rangeland productivity, to assist in restoring ecosystems to properly functioning condition, to conform with land use plans or activity plans, or to comply with the provisions of subpart 4180 of this part. These changes must be supported by monitoring, field observations, ecological site inventory or other data acceptable to the authorized officer."
>
> 4110.3-2 (b): "When monitoring or field observations show grazing use or patterns of use are not consistent with the provisions of subpart 4180, or grazing use is otherwise causing an unacceptable level or pattern of utilization, or when use exceeds the livestock carrying capacity as determined through monitoring, ecological site inventory or other acceptable methods, the authorized officer shall reduce permitted grazing use or otherwise modify management practices."

4130.3: "Livestock grazing permits and leases shall contain terms and conditions determined by the authorized officer to be appropriate to achieve the management and resource condition objectives for the public lands and other lands administered by the Bureau of Land Management, and ensure conformance with the provisions of subpart 4180 of this part."

4130.3-1(a): "The authorized officer shall specify the kind and number of livestock, the period(s) of use, the allotment(s) to be used, and the amount of use, in animal unit months, for every grazing permit or lease. The authorized livestock grazing use shall not exceed the livestock carrying capacity of the allotment."

4130.3-2: "The authorized officer may specify in grazing permits or leases other terms and conditions which will assist in achieving management objectives, provide for proper range management or assist in the orderly administration of the public rangelands."

4160.3 (a) "In the absence of a protest, the proposed decision will become the final decision of the authorized officer without further notice unless otherwise provided in the proposed decision.
(b) Upon the timely filing of a protest, the authorized officer shall reconsider her/his proposed decision in light of the protestant's statement of reasons for protest and in light of other information pertinent to the case. At the conclusion to her/his review of the protest, the authorized officer shall serve her/his final decision on the protestant or her/his agent, or both, and the interested public.
(c) A period of 30 days following receipt of the final decision, or 30 days after the date the proposed decision becomes final as provided in paragraph (a) of this section, is provided for filing an appeal and petition for stay of the decision pending final determination on appeal. A decision will not be effective during the 30-day appeal period, except as provided in paragraph (f) of this section. See Sec. Sec. 4.21 and 4.470 of this title for general provisions of the appeal and stay processes."

4180.1: "The authorized officer shall take appropriate action under subparts 4110, 4120, 4130, and 4160 of this part as soon as practicable but not later than the start of the next grazing year upon determining that existing grazing management needs to be modified to ensure that the following conditions exist.

(a) Watersheds are in, or are making significant progress toward, properly functioning physical condition, including their upland, riparian-wetland, and aquatic components; soil and plant conditions support infiltration, soil moisture storage, and the release of water that are in balance with climate and landform and maintain or improve water quality, water quantity, and timing and duration of flow.

(b) Ecological processes, including the hydrologic cycle, nutrient cycle, and energy flow, are maintained, or there is significant progress toward their attainment, in order to support healthy biotic populations and communities.

(c) Water quality complies with State water quality standards and achieves, or is making significant progress toward achieving, established BLM management objectives such as meeting wildlife needs.

(d) Habitats are, or are making significant progress toward being, restored or maintained for Federal threatened and endangered species, Federal Proposed, Category 1 and 2 Federal candidate and other special status species."

Appeal

Appeal

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

The appeal and any petition for stay must be filed at the office of the authorized officer Kyle V. Hansen, Assistant Field Manager for Renewable Resources, Ely Field Office Box 33500 702 North Industrial Way HC33 Ely, Nevada 89301. Within 15 days of filing the appeal and any petition for stay, the appellant also must serve a copy of the appeal and any petition for stay on any person named in the decision and listed at the end of the decision, and on the Office of the Solicitor, Regional Solicitor, Pacific Southwest Region, U.S. Department of the Interior, 2800 Cottage Way, Room E-1712, Sacramento, California 95825-1890.

Pursuant to 43 CFR 4.471(c), a petition for stay, if filed, must show sufficient justification based on the following standards:

(1) The relative harm to the parties if the stay is granted or denied;
(2) The likelihood of the appellant's success on the merits;
(3) The likelihood of immediate and irreparable harm if the stay is not granted; and,
(4) Whether the public interest favors granting the stay.

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

Any person named in the decision from which an appeal is taken (other than the appellant) who wishes to file a response to the petition for a stay may file with the Hearings Division in Salt Lake City, Utah, a motion to intervene in the appeal, together with the response, within 10 days after receiving the petition. Within 15 days after filing the motion to intervene and response, the person must serve copies on the appellant, the Office of the Solicitor and any other person named in the decision (43 CFR 4.472(b)). At the conclusion of any document that a party must serve, the party or its representative must sign a written statement certifying that service has been or will be made in accordance with the applicable rules and specifying the date and manner of such service (43 CFR 4.422(c)(2)).

Sincerely,

Kyle V. Hansen
Acting Assistant Field Manager
Renewable Resources

Enclosures:

1. Finding of No Significant Impact (FONSI)
2. EA NV-040-06-046 (including the standards determination document)
3. Allotment Map(s) with the EA

cc:

Animal Welfare Institute	7006 0810 0005 7113 6674
D.J. Schubert 3121-D Fire Road, PMB 327 Egg Harbor Township, NJ 08234	
Curtis A. Baughman NDOW 1218 N. Alpha Street Ely, NV 89301	7006 0810 0005 7113 6681
Steven Carter P.O. Box 27 Lund, Nevada 89317	7006 0810 0005 7113 6698
Eureka County Dept. of Natural Resources P.O. Box 682 Eureka, Nevada 89316	7006 0810 0005 7111 9219
Steve Foree NDOW 60 Youth Center Road Elko, Nevada 89801	7006 0810 0005 7111 9226
Patricia N. Irwin Ely Ranger District 825 Avenue E Ely, Nevada 89301	7006 0810 0005 7111 9233
Curt Leet NRCS HC 32 Box 32120 Ely, NV 89301	7006 0810 0005 7111 9240
Lincoln Co. Commissioners P.O. Box 90 Pioche, NV 89043	7006 0810 0005 7111 9257

Cindy MacDonald 3605 N. Silver Sand Ct. N. Las Vegas, NV 89032	7006 0810 0005 7111 9264
Betsy Macfarlan ENLC P.O. Box 150266 Ely, Nevada 89315	7006 0810 0005 7111 9271
John McLain Resource Concepts, Inc 340 N. Minnesota St. Carson City, NV 89703-4152	7006 0810 0005 7111 9288
Nevada Cattlemen's Association Meghan Wereley P.O. Box 310 Elko, Nevada 89803-0310	7006 0810 0005 7111 9295
Nevada State Clearinghouse 209 E. Musser St. Room 200 Carson City, NV 89701-4298	7006 0810 0005 7111 9301
Richard Orr USDA-NRCS 1555 West Silver Street, Suite 1 Elko, NV 89801	7006 0810 0005 7111 9318
Jerry Reynoldson P.O. Box 995 Logandale, NV 89021	7006 0810 0005 7111 9325
U.S. Fish and Wildlife Service Nevada Fish & Wildlife Office 1340 Financial Blvd., Suite 234 Reno, NV 89502	7006 0810 0005 7111 9338
Katie Fite, Western Watershed Project P.O. Box 2863 Boise, ID 83701	7006 0810 0005 7111 9349

FINDING OF NO SIGNIFICANT IMPACT (FONSI)
FOR
R.W.D. Currant Creek, L.L.C. Term Permit Renewal EA # NV-040-06-046

Finding of No Significant Impact (FONSI)

I have reviewed the Final Environmental Assessment (EA) NV-040-06-046, dated October 29, 2007. After consideration of the environmental effects as described in the EA, and incorporated herein, I have determined that the proposed action associated with fully processing the term permit renewal identified in the EA will not significantly affect the quality of the human environment and that an Environmental Impact Statement (EIS) is not required to be prepared. Environmental Assessment (EA) NV-040-06-046 has been reviewed through the interdisciplinary team process.

Rationale:

I have determined the proposed action is in conformance with the approved Proposed Egan Resource Management Plan and Final Environmental Impact Statement (RMP/FEIS), dated December 24, 1983, and Egan Resource Area Record of Decision (ROD) signed February 3, 1987. This proposed term permit renewal would be effective in restoring rangeland health and watershed condition on public lands in the Duckwater Allotment. Through sound livestock management practices, progression will be made towards achievement of Standards and conformance to the Guidelines for Grazing Administration.

This finding and conclusion of no significant impact is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and the intensity of impacts described in the EA.

Context:

The proposed term permit renewal is located within the Railroad Valley and White river Central Watersheds. The grazing permit is for the Broom Canyon and Red Mountain Use Areas within the Duckwater Allotment and the Currant Ranch Allotment. The Broom Canyon and Red Mountain Use Areas of the Duckwater Allotment together encompass approximately 142,000 acres of BLM managed public lands. The Currant Ranch Allotment encompasses approximately 10,000 acres of public lands. The term permit renewal area occurs entirely within Nye County, Nevada. Nye County is sparsely populated. Although the acreage involved is somewhat extensive, impacts from livestock grazing are dispersed and distributed across the landscape, and compatible with the rural, agricultural setting throughout most of the area.

Intensity:

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

The Environmental Assessment has considered both beneficial and adverse impacts of the proposed action. None of the impacts considered in the EA approach the threshold of significance, i.e. exceeding air or drinking water quality standards, contributing to a decline in the population of a listed species, etc. In other words, none of the resource impacts are intensely adverse or beneficial.

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

The Proposed Action would not result in potentially substantial or adverse impacts to public health and safety.

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

There are no substantial unique cultural or environmental characteristics in the geographic area. Cultural and historic resources typical of the general area may occur on the allotment, but there are no known sites of particular importance or interest. There are no parks, prime or unique farmlands, wetlands, wild and scenic rivers, or ecologically critical areas (ACECs) within the area of analysis. The "Red Rock Scenic Area", an area of colored sandstone of about 100 acres near the El Padre Quarry, is present in the Red Mountain Use Area of the Duckwater Allotment. This area is seldom visited by recreationists, is seldom grazed by cattle, and would not be affected by the proposed action.

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

The effects of livestock grazing on public lands have become more controversial in the past several years. However, most effects were disclosed in the Schell Grazing Environmental Impact Statement. Although public input has been sought for the proposed action, there has been little public interest and only a few comments on effects analyzed in the attached EA.

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

The effects of livestock grazing are well known and documented. Management practices are employed to meet resource objectives and maintain or achieve rangeland health. The effects analysis demonstrates the effects on the human environment are not highly uncertain, and do not involve unique or unknown risk

6) ***The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.***

The Proposed Action will not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration. Renewing the grazing permit does not establish a precedent for other Rangeland Health Assessments and Decisions. Any future actions or projects within the area or in surrounding areas will be analyzed and evaluated on their own merits and would be implemented or not, independent of the actions currently selected.

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

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

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

No districts, sites, highways, structures or objects listed in or eligible for listing in the National Register of Historic Places (NRHP) were identified in the project area and EA. The proposed action will not cause the loss or destruction of significant scientific, cultural or historical resources.

9) *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the ESA of 1973.*

The BLM is required by the Endangered Species Act of 1973, as amended, to ensure that no action on the public lands jeopardizes a threatened, endangered, or proposed species. The proposed action complies with the Endangered Species Act, in that potential effects of this decision on listed species have been analyzed and documented (EA Section IV). The action will not adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species act of 1973, as amended.

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

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

/s/ William E. Dunn 10/29/2007

William E. Dunn — Date
Assistant Field Manager Renewable Resources
Ely Field Office

FINAL ENVIRONMENTAL ASSESSMENT

NV-040-06-046

GRAZING PERMIT RENEWAL FOR R.W.D. CURRANT CREEK, L.L.C.
DUCKWATER AND CURRANT RANCH ALLOTMENTS

United States Department of the Interior
Bureau of Land Management
Ely Field Office

Prepared By: Mark Lowrie
October 29, 2007

I. INTRODUCTION

Background Information

This Environmental Assessment (EA) addresses the impacts to public land resources from a proposal to renew the term grazing permit for R.W.D. Currant Creek, L.L.C (RWD) on the Duckwater (0701) and Currant Ranch (0153) Allotments. This EA fulfills the National Environmental Policy Act (NEPA) requirement for site-specific analysis of resource impacts. Both the proposed action and alternatives to the proposed action are considered.

This EA is tiered to and incorporates by reference the Proposed Egan Resource Management Plan and Final Environmental Impact Statement (RMP/FEIS), dated December 24, 1983, and Egan Resource Area Record of Decision (ROD) signed February 3, 1987. Both of these broad, long term land use planning documents implemented decisions regarding rangeland management in the Ely District. The ROD designated the Duckwater Allotment as management category "improve" or (I). The Currant Ranch Allotment has not been categorized.

Standards and Guidelines for Grazing Administration were developed by the Mojave - Southern Resource Advisory Council (RAC) and approved by the Secretary of the Interior on February 12, 1997. The RAC intends that the Standards and Guidelines will result in a balance of sustainable development and multiple use along with progress, over time, toward attaining desired rangeland conditions. 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. A thorough discussion of Standards and Guidelines is presented in BLM Handbook H-4180-1 (Rangeland Health Standards). The Northeast Great Basin RAC Standards and Guidelines are available for public review in the Ely BLM Field Office.

This EA also summarizes information from the associated Standards Determination Document (SDD – Appendix I) that evaluates whether current livestock management practices are conforming to the approved Standards and Guidelines for Rangeland Health on the term permit renewal area.

The grazing permit renewal under consideration authorizes grazing use within the Duckwater and Currant Ranch Allotments. The permit renewal would occur within two of twelve identified grazing use areas within the Duckwater Allotment; the Broom Canyon/South Railroad Valley (Broom Canyon) and Red Mountain Use Areas. Cattle are the authorized kind of livestock. The permit would be for a period of ten years. The base property for the permit would be the Currant Ranch, entirely within Nye County. The grazing permit area (both allotments) also occurs entirely within Nye County, and is situated in the western portion of the Ely District BLM, approximately 60 miles southwest of Ely, Nevada (Figures 1 & 2). The permit area occurs within the Railroad Valley #156 and White River Central #160B Watersheds. The current term permit for RWD on the Duckwater and Currant Ranch Allotments has been issued for the period 3/01/2003 to 02/28/2013.

A Grazing and Wild Horse Final Multiple Use Decision (FMUD) was issued for the Duckwater Allotment in June, 1995. A grazing decision is essentially a document that determines whether changes in livestock management practices are necessary for a defined administrative area. The current forage allocation for the Duckwater Allotment portion of the R.W.D. permit was authorized by the 1995

decision. A summary of this FMUD is provided in the affected environment portion of this EA. A Plan Conformance and NEPA Compliance Record was completed for the Duckwater Decision in November, 1995. A Grazing Decision has not been issued for the Currant Ranch Allotment.

An evaluation and determination of the rangeland health has been conducted during the permit renewal process. Standards for Rangeland Health were evaluated by a BLM interdisciplinary team on April 25, 2007 on the term permit renewal area. The interdisciplinary team (consisting of Rangeland Management Specialists, Wildlife Biologist, Weeds Specialist, Archaeologist, Watershed Specialist, Soils Specialist, Wilderness Specialist, and others) utilized several scientifically based documents and official publications to complete the assessment. These documents include the Nye County Soil Survey (USDA-SCS), Ecological Site Descriptions (USDA-SCS 1994), Interpreting Indicators of Rangeland Health (USDI-BLM et al. 2000), Sampling Vegetation Attributes (USDI-BLM et al.), the Nevada Rangeland Monitoring Handbook (USDA-SCS et al. 1984), and Riparian Area Management (USDI-BLM et al. 1998), and the National Range and Pasture Handbook (USDA NRCS 2003). For a complete list of references, see Appendix IV.

The interdisciplinary team also used rangeland monitoring data, professional observations, and photographs to evaluate achievement of the Standards and conformance with the Guidelines. "Standard Riparian Functioning Condition Checklists" (USDI-BLM 2000) have been completed for the riparian systems of the term permit renewal area. Monitoring data has been gathered periodically for the term permit renewal area since the 1960s.

All scientifically based documents and rangeland monitoring data are available for public inspection at the Ely Field Office during business hours.

Standards Achievement

Rangeland monitoring data for the term permit renewal area is summarized in the Standards Determination Document (SDD) that is associated with this Term Permit Renewal EA (Appendix I). As a result of the I.D. Team assessment and monitoring data review, it has been determined that rangeland health and the quality of the plant communities is adequate to authorize a grazing permit renewal. One of three Standards for Rangeland Health is being achieved for the term permit renewal area. Two Standards are not achieved, but significant progress is being made towards achievement.

A summary of the achievement or non-achievement of the Standards and conformance with the Guidelines for Rangeland Health follows:

1. Soils Standard	(Achieved)
2. Ecosystem Components Standard	(Not Achieved, but making significant progress towards)
3. Habitat and Biota Standard	(Not Achieved, but making significant progress towards)

Guidelines Conformance (See Part 3. Guidelines Conformance Review in the SDD)

As a result of the assessment and monitoring data review, it has been determined that current livestock grazing management practices conform with the Guidelines.

Current livestock grazing management practices conform with Guidelines 1.1, 1.2, and 1.4. Guideline 1.3 is not applicable to the assessment area at this time. Current livestock grazing management practices conform with Guidelines 2.1, 2.2, 2.3, and 2.4. Guideline 2.5 is not applicable to the assessment area at this time. No new livestock facilities are proposed at this time. Current livestock grazing management practices conform with Guidelines 3.1, 3.3, 3.4, and 3.9. Guidelines 3.2, 3.5, 3.6, 3.7, and 3.8 are not applicable to the assessment area at this time.

Are livestock a contributing factor to not achieving the Standards?

Existing grazing management practices and levels of grazing use on public lands within the Duckwater and Currant Ranch Allotments are not significant causal factors or contributing factors in failing to achieve the Ecosystem Components and Habitat and Biota Standards. The non-achievement of these Standards is directly caused by other factors or conditions. This finding is summarized as follows:

Causal Factors – Ecosystem Components Standard. A discussion of causal factors (or contributing factors) is covered in the SDD, Part 2.

☐ 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 achieve the Standard is related to other issues or conditions

Causal Factors – Habitat and Biota Standard

☐ 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 achieve the Standard is related to other issues or conditions

Need for the Proposal

The need for the proposal is to fully process the renewal of the term grazing permit for RWD on the Duckwater and Currant Ranch Allotments in accordance with all applicable laws, regulations, and policies with terms and conditions of grazing use that conform to the Standards and Guidelines for Grazing Administration and the other pertinent land use objectives for livestock use. The grazing permit would be renewed for a period of ten years. Title 43 of the Code of Federal Regulations (CFR) Section 4130.2(a), effective March 24, 1995, states "Grazing permits or leases shall be issued to qualified applicants to authorize use on the public lands and other lands under the administration of the Bureau of Land Management that are designated as available for livestock grazing through land use plans." RWD Currant Creek, LLC meets all of the qualifications to graze livestock on public lands administered by the BLM according to Chapter 1 of BLM Handbook H-4110, "Qualifications, Permitted Use, and Allotment Transfers."

Relationship to Planning

The proposed action is consistent with the Federal, State, and local plans to the maximum extent possible. The proposed action would be in accordance with the Proposed Egan Resource Management Plan and Final Environmental Impact Statement (RMP/FEIS), dated December 24, 1983 and Egan

Resource Area Record of Decision (ROD) signed February 3, 1987. The proposed action would implement the livestock management decisions from this approved Land Use Plan regarding rangeland monitoring studies and vegetation management (ROD - p. 3). The proposed action would also be in conformance with the long range general objectives of the grazing management program as listed on page 2 of the Rangeland Program Summary (RPS, May 1988). The proposed action would also be in conformance with the Interim Management Policy and Guidelines for Lands under Wilderness Review (H-8550-01) 1983. The proposed action would also be consistent with the objectives of the President's Healthy Forests Initiative for Wildfire Prevention and Stronger Communities (August 22, 2002). The project is also consistent with the Nye County Policy Plan for Public Lands (1985) which states the following:

- "Recognize that agricultural production in Nevada will be necessary to help meet the requirements of future national populations and is important to Nye County. Preserve agricultural land and promote the continuation of agricultural pursuits in Nevada." (page NY-9)

- "The federal government should continue to make the public rangelands economically and realistically available for livestock grazing, where compatible with other multiple use objectives." (page NY-9)

The proposed action has been analyzed within the scope and intent of the following agreements, and is in compliance with the acts, regulations, plans, and executive orders listed below:

- State Protocol Agreement between the Bureau of Land Management, Nevada and the Nevada State Historic Preservation Office (1999).
- Migratory Bird treaty Act (1918 as amended) and Executive Order 13186 (1/11/01).
- 1973 Endangered Species Act
- Greater Sage Grouse Conservation Plan for Nevada and eastern California (June 30, 2004).

Relationship to Bureau of Land Management Guidance

The Proposed Action also complies with Nevada BLM Instruction Memorandum (IM) No. NV-2006-0034, which provides guidance to facilitate the preparation of grazing permit renewal Environmental Assessments (EAs) as per the requirement set forth in IMs WO 2003-071 and WO 2004-126. It also complies with the requirements outlined in the following policies, handbooks, and manuals:

- Ely District Policy: Management Actions for the Conservation of Migratory Birds (5/01/01).
- BLM Manual 8400 – Visual Resources Management.
- BLM Handbook 4180-1 (Rangeland Health Standards).

Identification of Issues (Scoping)

In order to identify potential issues, internal scoping was conducted for this permit renewal proposal by resource specialists during a meeting held April 25, 2007 at the Ely BLM Field Office. At that time, no resource value issues were identified. Meeting participants identified that external consultation would include general public notification via the Ely BLM web page, plus hard copies of the EA mailed directly to interested publics who have requested one. Also, it was determined that Native American

Coordination would need to occur. Additionally, the public has been invited to provide input concerning this action and will continue to be afforded the opportunity to provide comments throughout the review of this document. Thus far, no issues have been identified as a result of public scoping.

II. DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

Proposed Action

In order to meet the need for the proposal, the BLM would fully process and issue a new term grazing permit for RWD (operator # 2700067) and authorize livestock grazing on the Duckwater and Currant Ranch Allotments. The proposed action would authorize cattle grazing on the Broom Canyon and Red Mountain Use Areas of the Duckwater Allotment and the Currant Ranch Allotment. The current term permit renewal and allotment information follows:

Allotment Number Name	Livestock Number/Kind	Grazing Period Begin End	% Public* Land (Billing)	Type Use	Active AUMs**
0153 Currant Ranch	44 Cattle	11/01 – 02/28	100	Active	174
	15 Cattle	03/01 – 05/31	100	Active	45
	15 Cattle	11/01 – 02/28	100	Active	59
0701 Duckwater					
Broom Canyon Use Area	125 Cattle	03/01 – 06/15	100	Active	440
	112 Cattle	11/01 – 02/28	100	Active	442
Red Mountain Use Area	177 Cattle	03/01 – 06/15	100	Active	623
	158 Cattle	11/01 – 02/28	100	Active	623
	50 Cattle	03/01 – 04/30	100	Active	174
	42 Cattle	12/01 – 02/28	100	Active	170

* The allotment would be billed at 100% public land through the Rangeland Administrative Billing System (RAS).

** The active permitted use for the Currant Ranch Allotment totals 282 AUMs. The active permitted use for the Duckwater Allotment totals 2,356 AUMs. The numbers presented in the AUMs column are rounded figures based on the numbers of cattle and the grazing periods.

The allotment summary as it would appear on the new term permit is as follows:

Allotment	Active AUMs	Suspended AUMs	Permitted Use
0701 Duckwater	2356	1932	4288
0153 Currant Ranch	282	33	315

The proposed action is to renew the grazing permit without any fundamental changes to the terms and conditions of the permit (status quo). The cattle numbers, season of use, and areas of use would remain the same. Appendix II lists the specific terms and conditions that will be included as part of the grazing permit. Allowable use levels for key forage species will be included in the new permit. Allowable use levels are a quantification of Land Use Plan vegetative objectives. The issuance of the term grazing permit would be for a period of ten years.

Proposed Action – Monitoring

Rangeland monitoring data would continue to be collected for the Duckwater and Currant Ranch Allotments over the long term to determine if the livestock management practices as authorized by the permit renewal are in conformance with the Standards for Rangeland Health and other vegetative and multiple use objectives for the allotments. Monitoring and data collection would continue in the form of proper functioning condition riparian studies (PFC), establishing key areas, measuring utilization levels(KFPM), frequency trend, ecological condition, vegetation cover, observed apparent trend, actual use reports, climate studies, compliance checks, professional observations, and photographs. Monitoring may also continue according to broad watershed assessment of the Railroad Valley and White River Central Watersheds.

The term permit renewal area would also be monitored on a regular basis by both BLM and the grazing permittee for noxious weeds or non-native invasive species. Further mitigation measures for weeds are identified in the Noxious Weed Risk Assessment in Appendix III.

Prior to authorizing annual grazing use, monitoring may be conducted to determine forage availability, grazing use areas and grazing management practices. Following the grazing period, monitoring will be conducted to determine overall utilization levels and grazing use patterns.

If a future monitoring evaluation results in a determination that additional changes in grazing management practices are necessary for compliance with the Standards for Rangeland Health, the grazing permit or lease would be reissued subject to revised terms and conditions.

Other Alternatives

Since the proposed action is to renew the grazing permit without any changes (status quo), the proposed action and the "no action alternative" are one in the same. Thus the "no action alternative" will not be further addressed.

No Grazing Alternative

The No Grazing alternative was addressed in the Egan RMP-FEIS. The EIS analyzed the impacts of grazing through a proposed action and alternatives. Not issuing term grazing permits was considered as an alternative but eliminated from detailed analysis. Since the alternative of no livestock grazing was fully described and analyzed in the Egan RMP-FEIS, the effects of not renewing the term grazing permit are not analyzed in this document. The decision in the RMP-FEIS was that the lands within the Duckwater Allotment would be available for grazing, in which case 43 CFR 4130.2(a) and 4130.2(e)(3) requires the issuance of grazing permits to qualified applicants that accept the proposed terms and

conditions of the permit or lease. No additional site specific alternatives are necessary for analysis since there are no unresolved conflicts concerning alternative uses of available resources.

III. DESCRIPTION OF THE AFFECTED ENVIRONMENT

In addition to the description of the affected environment presented below, the affected environment is also described in Chapter 3 of the Egan RMP/FEIS.

General Environmental Setting

The Broom Canyon/South Railroad Valley (Broom Canyon) and Red Mountain Use Areas of the Duckwater Allotment together encompass approximately 142,000 public land acres. Approximately 2,880 acres of private ground occur in the Broom Canyon Use Area, primarily near Currant, Nevada. The entire Duckwater Allotment includes approximately 810,000 public land acres. The Currant Ranch Allotment encompasses approximately 10,000 acres, with no private land within the allotment. The entire permit renewal area is situated in Railroad Valley, in Nye County, Nevada (Figure 1). The Duckwater portion of the renewal area occurs in the west portion of the Ely BLM District from 50 to 60 miles west of Ely, Nevada. The town of Currant is an important landmark in the area. The Currant Ranch Allotment portion of the renewal area occurs geographically within the Battle Mountain BLM District boundary (Tonopah Field Office). Primary access to the entire renewal area is from major State Highway 6. Elevations range from about 4,900 feet at valley bottom to 8,000 feet in the Grant Mountain Range. Average annual precipitation is 6 – 12 inches. Salt desert shrub and sagebrush/perennial grass plant communities are the primary vegetative types (ecological sites) in the permit renewal area. Some pinyon-juniper woodlands occur on the benches and higher elevation sites. Duckwater Creek flows southerly through the valley bottom and forms the western boundary of the Broom Canyon Use Area. Currant Creek flows intermittently through the Broom Canyon and Red Mountain Use Areas. The term permit renewal area occurs within the Railroad Valley (# 156) and White River Central (# 160B) Watersheds. The area occurs within the Southern Nevada Basin and Range (029) Major Land Resource Area (MLRA).

A. Critical Elements of the Human Environment and Mandatory Items:

The critical elements of the human environment, as identified in BLM Manual 1790-1 and Washington Office IM 99-178 are listed in Table 1. Other mandatory items for consideration, as identified in the 2001 Ely BLM NEPA Handbook, are also listed. Elements or mandatory items that may be affected by the proposed action are further described in this Environmental Assessment (EA). Those critical elements or mandatory items that are not present or would not be adversely affected are also listed in Table 1. These resource values may or may not be considered further in this document.

Table 1. Critical Elements of the Human Environment, Mandatory Items, and Rationale for Detailed Analysis for the Proposed Action or Elimination from Further Consideration

Critical Elements	No or Negligible Effect beyond those disclosed in the RMP/Grazing EIS	May Effect	Not Present	Rationale
Air Quality	X			Normal livestock behavior and grazing associated motor vehicle traffic can cause transient dust to become airborne and release combustion exhaust. The effects are transient and contribute negligibly to air quality degradation. Livestock are known to emit air pollutants such as methane, and manure may produce NO_x. However, cattle and manure on the range are so dispersed that this also has a negligible effect on air quality.
Areas of Critical Environmental Concern (ACEC)			X	Resource not present
Cultural Resources	X			Site Specific review of known Cultural Resources within the allotment did not reveal any sites of particular concern for impacts from livestock grazing. Typical impacts to Cultural Resources were disclosed in the Egan RMP/FEIS
Environmental Justice	X			No minority or low-income groups would be affected by disproportionately high and adverse health or environmental effects identified in the Proposed Action Area.
Floodplains and Wetlands			X	Resource not present
Migratory Birds	X			Several species of migratory birds are known to have a distribution that overlaps with the proposed action area. However, the potential for the

				proposed livestock grazing to negatively affect migratory birds is discounted because of low density of livestock and dispersed grazing within the allotments.
Native American Religious Concerns	X			No concerns have been identified through Consultation & coordination
Noxious Weeds & Invasive Non-Native Species		X		Weeds specialist has identified "could affect"
Prime or Unique Farmlands	X			These farmlands are present but grazing would not affect classification
Riparian Areas		X		Livestock use could impact riparian areas
Federally listed and proposed Threatened and Endangered Species	X			There are no Threatened or Endangered animal species known to occur within the term permit renewal area
FWS Candidate, State listed Threatened and Endangered and BLM Sensitive Animal Species	X			Although FWS Candidate, State listed T & E, or BLM listed sensitive species may be present within the term permit renewal area, it is highly unlikely that individuals would be impacted by the livestock grazing as proposed in this EA due to the low density of livestock within the area. In addition, the livestock practices as proposed may result in habitat improvement for these species. The species' populations would not be expected to be negatively impacted by the proposed grazing
FWS Candidate, State listed Threatened and Endangered and BLM Sensitive Plant Species	X			BLM Sensitive plant species occur in the Duckwater Allotment, however cattle do not typically graze the area where the plants occur
Wastes (Hazardous or Solid)			X	No known wastes present
Water Quality (Surface or Ground Water)	X			No surface water within the area is used for domestic drinking water. Domestic wells are not present. Ground water in a deep aquifer would not be impacted. The allotment does not overlap any municipal or private

				drinking water watersheds
Wild Horses and Burros		X		Wild horses are present in the renewal area
Wild & Scenic Rivers			X	Resource not present
Wilderness/WSA	X			WSAs are present but no or negligible impacts expected

In addition to the Critical Elements of the Human Environment and Mandatory Items, the BLM considers other resource values and uses that occur on public lands, or issues that may result from the implementation of the proposed action. The potential resource values and uses, or non-critical elements that may be affected are listed in Table 2. A brief rationale for either considering or not considering the non-critical element further is provided. The non-critical elements that are considered in the EA are described in the Affected Environment (Section 3) and are analyzed in the Environmental Consequences (Section 4).

Table 2. Other Resource Values and Issues, and Rationale for Detailed Analysis for the Proposed Action

Resource or Issue	No or Negligible Effect beyond those disclosed in the RMP/Grazing EIS	Potentially Affected	Rationale
Range/Livestock Grazing/Standards and Guidelines		X	Range and livestock grazing would certainly be affected. Two Standards are not achieved
Vegetation		X	Would certainly be affected
Soils	X		Livestock use in the allotment is deferred, dispersed, and distributed. The intermittent nature of grazing disturbance and the regenerative capacity of biotic crusts would result in an overall negligible impact to soils and crusts.
Wildlife		X	The proposed permit renewal should continue to provide the current level of habitat or improve habitat for the species presently occurring there
Recreation		X	May be affected. Wildlife related recreation could be enhanced
Visual Resources	X		The proposed term permit renewal is consistent with the Visual Resource Management (VRM) Class 1,2,3, and 4 objectives for this area.
Social & Economic Values		X	The proposed action would provide stability to the livestock operator and would effect the county
Water Quantity		X	Would maintain water quantity for livestock, wildlife, wild horses

Based on the above two tables, the following resource values have been identified by the BLM interdisciplinary team as resources in the affected environment that need a site specific discussion:

Critical Elements of the Human Environment & Mandatory Items - *Cultural Resources, Migratory Birds, Noxious Weeds and Invasive Non-Native Species, Riparian Areas, Special Status Species, Wilderness Study Areas, and Wild Horses and Burros.*

Other Resource Values - *Range/Livestock Grazing/Standards and Guidelines, Vegetation, Soils, Wildlife, Recreation, Social and Economic Values, Visual Resources, and Water Quantity.*

A discussion of both classes of values follows:

Critical Elements of the Human Environment & Mandatory Items

Cultural Resources

A Cultural Resources Inventory Needs Assessment has been prepared and signed for this permit renewal. A cultural resources sensitivity map has been generated for the Duckwater and Currant Ranch Allotments showing that cultural resource sensitivity varies from low to high. Prehistoric cultural resources (habitation/non habitation sites; lithic scatters, projectile points; isolates; camp areas) may be found in areas adjacent to spring sites, ridge tops and nearby hills throughout the Ely District.

All ground disturbing activities that may occur within the term permit renewal area would be subject to the Archaeological Resources Protection Act of 1979 review, Section 106 review, and if needed, State Historic Preservation Office (SHPO) consultation as per BLM Nevada's implementation of the protocol for cultural resources. No ground disturbing activities are currently planned by BLM for the term permit renewal area.

Migratory Birds

Federal agencies are required to protect migratory birds and their habitat. This is according to the Migratory Bird Treaty Act of 1918 and subsequent amendments (16 U.S.C. 703-711) and Executive Order 13186 issued January 11, 2001. A number of migratory bird species are known to have a distribution that overlaps with the proposed action area. Migratory bird nesting and foraging habitat may be located throughout the term permit renewal area. Based on known habitat associations, species composition may be somewhat anticipated. Sagebrush obligates are most likely to use the area. Outside the breeding season, any number of species have the potential to use the area during the winter or migration.

Noxious Weeds and Invasive, Non-Native Species

The Ely weeds inventory (Weedpoints_012607) indicates the presence of noxious weeds on public and private lands in the term permit renewal area. Noxious weeds present on private ground include tall whitetop (Lepidium latifolium) and Russian knapweed (Acroptilon repens). Noxious weeds present on public land include tall whitetop, small whitetop (Cardaria draba) Russian knapweed, and salt cedar (Tamarix spp.). The BLM and the University of Nevada Cooperative County Agricultural Extension

Service have together identified Duckwater and Currant Creeks as priority areas to monitor for noxious weed species. The invasive non-native grass cheatgrass (Bromus tectorum) is present in both salt desert shrub and sagebrush range. The invasive species halogeton (Halogeton glomeratus) is present in the renewal area, as are the invasive species Russian thistle (Salsola kali) and various mustards. A noxious weed risk assessment is included as Appendix III to this document. The risk assessment indicates a moderate risk (49) for the spread of noxious weeds with continued livestock grazing.

Riparian Areas

Four riparian systems are discussed in this EA. The first is Duckwater Creek, a lotic (stream) riparian system that forms the western boundary of the Broom Canyon Use Area. Duckwater Creek is ephemeral in that it does not flow through Railroad Valley every year, due to drought and upstream water rights associated with private ranches. The other riparian systems include Tunnel, Albert, and Andrew Springs, which are lentic (spring or seep) systems.

Special Status Species (Federally listed, proposed or candidate Threatened or Endangered Species, and Nevada BLM Sensitive Species)

The bald eagle may use the Duckwater Allotment in winter. The bald eagle was officially delisted throughout its range as Threatened when a notice was published on August 8 in the Federal Register. The peregrine falcon, a BLM listed State Sensitive Species, may use the allotment also. No sightings have been reported to BLM. There are no raptor nesting areas identified according to Ely BLM Geographic Information System (GIS) data in the term permit renewal area. Nevada BLM Sensitive Species that are expected to use the permit renewal area include the golden eagle, burrowing owl, prairie falcon, and loggerhead shrike. There is no known pygmy rabbit habitat on the allotments. There are no ferruginous hawk nest sites. Although State or BLM listed sensitive species may be present within the allotment, it is highly unlikely that individuals would be impacted by the livestock grazing as proposed in this EA due to the relative low density of livestock within the allotment. In addition, the current livestock management practices may result in the improvement of habitat for these species. The species' populations would not be expected to be negatively impacted by the proposed livestock grazing.

There are no threatened or endangered fish in the area. There are no fisheries present. There are no sage grouse leks present in or near the term permit renewal area. The amount of Wyoming sage habitat is very limited in the renewal area. GIS shape files indicate no sage grouse nesting, brooding, or winter habitat in the area. No bighorn sheep habitat is identified by shape files in the term permit renewal area, however bighorn sheep have been identified using the Broom Canyon Use Area and do inhabit the White Pine Range east of the permit renewal area.

BLM State Sensitive Plants

According to BLM information, two species of BLM State Sensitive plants occur in the permit renewal area. These are as follows:

1. Railroad Valley Globemallow (Sphaeralcea caespitosa var. williamsiae). Occurrence (2). First observed in 1979. Near Highway 6 right-of-way in Broom Canyon Use Area.

2. Currant milkvetch (Astragalus uncialis). Occurrence (9). First observed 1941. Last observed 1983. Near Currant (2) in the Broom Canyon Use Area and near Callaway Well (7) in the Red Mountain Use Area.

There are no Threatened, Endangered, or Candidate Plants known to occur in the term permit renewal area.

Wilderness Values/WSA

The Currant Mountain Wilderness occurs from 1 to several miles east of the Broom Canyon Use Area. Access to the wilderness through the use area is very limited, due to rough topography and the absence of attractive wilderness destinations. The Currant Mountain Wilderness is managed by the National Forest Service. Portions of the Red Mountain Use Area occur within both the Blue Eagle and Riordan's Well Wilderness Study Areas (WSA). Portions of the Currant Ranch Allotment occur within the Blue Eagle WSA. The Riordan's Well WSA is managed by the Ely District BLM. The Blue eagle WSA is managed by the Tonopah Field Office BLM. No areas of critical environmental concern (ACEC) have been identified within the term permit renewal area.

Wild Horses and Burros

The permit renewal area is within the Monte Cristo and White River Wild Horse Herd Management Areas (HMA). An appropriate management level (AML – numbers of wild horses) has been set at 157 wild horses (1,884 AUMs) for the Monte Cristo Herd and 90 wild horses for the White River Herd. Historically the term permit renewal area has received moderate to heavy wild horse use. Use by wild horses in the uplands of the Red Mountain Use Area of Duckwater and in the Currant Ranch Allotment continues to be heavy. Use by wild horses in the uplands of the Broom Canyon Use Area of Duckwater has lightened up over the past several years due to regular wild horse gathers. Based on aerial census flown in March of 2005 and again following a wild horse gather in January of 2006, the current population estimate for the Monte Cristo HMA is 145 wild horses. The wild horse gather of January 2006 removed 220 wild horses from the Monte Cristo HMA. The last wild horse gather of the White River Herd occurred in February of 2005. During this gather 120 wild horses were removed from the herd area. The current population estimate for the White River Herd is 80 wild horses. Population estimates are prior to the 2007 spring foaling season.

Other Resource Values

Range/Livestock/Standards and Guidelines

Historically, grazing has been a common activity in eastern Nevada since the late 1800s. The term permit renewal area is currently permitted for cattle grazing and sheep trailing use. Historically the use area has been permitted for both cattle and sheep grazing. Historically, cattle use occurred year-round. Sheep use occurred during winter. Licensed use records, adjudication records, scientific and popular literature all indicate the area had been grazed heavily since the late 1800s. The current grazing permit for cattle use in the area is listed in Appendix II. Sheep have not trailed through the area in approximately 8 years. Sheep trailing would be licensed in the area on an as needed basis.

A Final Grazing Decision (FMUD) was issued for the Duckwater Allotment in June, 1995. The FMUD implemented changes in livestock grazing management practices and established appropriate numbers of wild horses in three herd management areas (HMAs). The FMUD broke out the allotment into 12 use areas, set seasons of use by use area, established deferred and rest rotation grazing schedules, reduced livestock permitted use, required water hauling to distribute livestock use, and established other terms and conditions of livestock use. In the Broom Canyon and Red Mountain Use Areas, cattle active permitted use was reduced by 13%. Cattle and sheep permits within the renewal area were previously reduced by 40% in 1967 according to a BLM grazing decision.

Livestock licensed use for the term permit renewal area is summarized in the Standards Determination Document (Appendix I).

The Ecosystem Components and Habitat and Biota Standards are not being achieved on the term permit renewal area, however current livestock grazing is in conformance with the Guidelines. Current livestock grazing practices are not a causal factor in failing to achieve these Standards (see the Standards Determination Document Appendix I).

Vegetation

The term permit renewal area occurs within Major Land Resource Area (MLRA) 029 – Southern Nevada Basin and Range. The two main vegetation types within the term permit renewal area are salt desert shrub and northern desert shrub (sagebrush) types. The soils and ecological sites (range sites) within the allotments have been described, classified, and studied by the Natural Resource Conservation Service (NRCS). One of the most prevalent ecological sites in the term permit renewal area is a Loamy 5-8" P. Z. (029XY017NV). This plant community is dominated by shadscale saltbush, Indian ricegrass, and bud sagebrush. Normal year production is about 350 lbs. per acre. Potential vegetation composition is about 45% grass, 5% forbs, and 50% shrubs. Many other range sites occur in the area. Other important native upland range plant species in the term permit renewal area include winterfat, black sagebrush, Wyoming sagebrush, needleandthread grass, Bailey's greasewood, fourwing saltbush, galleta grass, globemallow, prince's plume, and basin wild rye. Important riparian shrubs, grasses and grass – likes, and forbs occur on riparian areas. The invasive annual grass cheatgrass is present in the term permit renewal area in low densities. Other non-native invasive plants including halogeton, Russian thistle, and mustards are present in the area.

Soils

Soils consist of material weathered and eroded from the White Pine Mountain Range. In the term permit renewal area, the soils in the valley bottoms are primarily silty clays and silty loams that are lacustrine sediments. These soils are fragile and somewhat susceptible to wind or water erosion. The soils on the mountain benches (fan piedmonts) and higher elevation areas are primarily gravelly loams, silt loams, and sandy loams that are alluviums derived from limestone, dolomite, andesite, loess, and ash. The soils on the benches and higher elevation sites are less susceptible to erosion than the fragile silts on the valley bottom. Soils in the Duckwater Allotment vary in depth, percolation rates, and erosion potential. The three main Soil Mapping Units (SMU) in the area are 3644, 3880, and 3881. Several other SMUs occur in the area.

Wildlife

The term permit renewal area is within Nevada Division of Wildlife Big Game Management Areas 13 and 16, Units 131, 132, and 164. The area provides habitat for mule deer and pronghorn antelope. Very limited elk use occurs in the area. Due to limited perennial water sources in this area, numbers of big game and trophy game species are limited. The renewal area receives year-long antelope use and provides year-long, summer, migratory, and winter range for mule deer.

The area also provides habitat for coyotes (Canus latrans), rabbits (Lepus spp. And Sylvilagus spp.), badgers, bobcats, fox, chukar partridge, sagebrush obligate birds, and other small mammals and reptiles.

There are no identified key or critical management areas for wildlife on the term permit renewal area. No fisheries occur in the area of the proposed action. There are no wildlife water guzzlers in the term permit renewal area. Although big horn sheep use the White Pine Range, no big horn sheep habitat occurs in the White Pine Mountain Range to the east of the Broom Canyon Use Area according to BLM G.I.S. data.

Recreation

The term permit renewal area is generally isolated and undeveloped with no modern recreational facilities. Recreation in this area includes minimal large and small game hunting, horseback riding, primitive camping, hiking, wildlife observation and photography, wild horse observation, cultural resource exploration or rock & fossil collecting, antler collecting, and off highway vehicle (OHV) exploration.

Social and Economic Values

The farming and ranching life style has been and continues to be important in Nye County and the State of Nevada. The local economy of Nye County has been dependent on farming and ranching activity. Taxes generated from agricultural activity benefit the county.

Visual Resources

The Visual Resource Management (VRM) System provides a way to identify and evaluate scenic values to determine the appropriate levels of management. It also provides a way to analyze potential visual impacts and apply visual design techniques to ensure that surface disturbing activities are in harmony with their surroundings. The allotment occurs in a scenic area typical of the intermountain great basin landforms. The Red Mountain Use Area contains what was once designated as the "Ragged Ridge Scenic Area." This is a unique area of colored sandstone near the El Padre Quarry and Red Mountain. The Duckwater and Currant Ranch Allotments occur within Visual Resource Management (VRM) Class 1,2,3, and 4 Zones.

Water Quantity

Water quantity for livestock grazing varies annually according to climatic conditions. In addition to the four riparian areas already mentioned, water is available in the term permit renewal area at the Silver

Spring Pipeline Water Development, a cooperative project that has established four sets of troughs (2 troughs each location) in the Broom Canyon Use Area. The grazing permittee maintains this important water source for livestock, wildlife, and wild horses. In addition, temporary water haul sites may be authorized on an annual basis to distribute livestock use. The location and number of water haul sites would vary annually.

Temporary water is available from the ephemeral spring source Crystal Spring in the Broom Canyon Use Area, from Currant Creek in the Broom Canyon or Red Mountain Use Areas, or from private land at the Currant Creek Ranch or private land west of Currant.

IV. ENVIRONMENTAL CONSEQUENCES

The environmental consequences of grazing were analyzed in the Proposed Egan Resource Management Plan and Final Environmental Impact Statement (RMP/FEIS), dated December 24, 1983. The proposed action is within the array of options identified for the alternatives and proposed action as analyzed in the EIS. There have been no major changes made associated with the proposed term permit issuance from the rangeland management actions presented in the EISs. The proposed action is not substantially different than the actions analyzed in the EIS. The following site specific analysis discusses the environmental consequences (impacts) associated with the proposed action.

Since the proposed action is to renew the grazing permit without any changes, the proposed action and the "no action alternative" (status quo) are one in the same. Thus there is no need to present the impacts of a "no action alternative." Cumulative impacts are discussed at the end of this section.

The environmental consequences of the following resources, which have been identified as "critical elements of the human environment" or "mandatory items" have been identified by resource specialists as either potentially affected by the proposed action or not affected but merit a discussion of no or negligible impact:

Anticipated Impacts of the Proposed Action - Critical Elements of the Human Environment & Mandatory Items

1) Migratory Birds

Impacts to migratory birds would be minor and largely undetectable. Migratory bird nesting and brooding habitat should not be affected. Overall management of habitat would improve. Long term population trends of migratory birds should not be affected. Cattle grazing would be dispersed across the Duckwater or Currant Ranch Allotments during the grazing period. It is reasonable to assume that the number of individual nests disrupted would be small, resulting in a negligible impact to migratory birds.

2) Noxious Weeds and Invasive, Non-Native Species

The grazing permit renewal and the resulting livestock management practices could result in an increase in noxious weeds to the area of the permit renewal. The Risk Factor for spread of noxious weeds is moderate at the present time (See Appendix III for the Noxious Weed Risk Assessment). Localized

areas of livestock concentration or disturbance could increase the risk for spread of noxious weeds. Grazing use by livestock or wild horses could cause an increase in invasive plants such as cheatgrass, halogeton, Russian thistle, or mustard, depending on climate, stocking level, timing of grazing, presence or absence of fire, and other factors. The permit renewal area would be monitored on a regular basis by both BLM and the grazing permittee for noxious weeds or invasive nonnative species. Control treatments would be initiated on noxious weed populations that become established in the project area.

3) Riparian Areas

The two riparian systems in the Duckwater Allotment that have been monitored as in proper functioning condition (PFC) would be maintained in PFC, since a grazing system is in place for this allotment. Cattle are not expected to concentrate at native riparian areas. A majority of the livestock watering activity in the Duckwater Allotment occurs at the troughs associated with the Silver Springs Pipeline Development, where no riparian systems are located. Combined grazing by cattle, wild horses, and wildlife should be within the allowable use levels established for key riparian grasses and shrubs (see terms and conditions of the grazing permit, Appendix II). Stream bank stability would be expected to remain good with a continuous cover of diverse native vegetation capable of withstanding high stream flow events. The riparian areas would continue to be monitored and the grazing permittee would be required to prevent cattle from concentrating on the riparian systems. Water hauling may be required to distribute cattle should heavy use be identified at any riparian system.

The two riparian systems in the Red Mountain Use Area and in the Currant Ranch Allotment that have been identified as functioning at risk would continue to be used almost exclusively by wild horses. The permit renewal would not impact these riparian areas. The condition of these riparian systems would continue to be influenced by wild horse population levels, wild horse selectivity, and gather schedules.

4) Special Status Species (Federally listed, proposed or candidate Threatened or Endangered Species, and Nevada BLM sensitive species)

The proposed permit renewal is expected to have no affect on habitat values for the bald eagle, which is considered a transitory migrant in the permit renewal area. The proposed permit renewal is also expected to have no affect on habitat values for the ferruginous hawk, peregrine falcon, golden eagle, burrowing owl, prairie falcon, or loggerhead shrike. The proposed action would not contribute to the need to list any sensitive species as threatened or endangered. With limited spring use, deferred spring use, and good livestock distribution, light grazing pressure in the term permit renewal area would benefit any sage grouse that may be present in the area by increasing herbaceous vegetative production and nesting cover. Improved vegetation production and cover has also been shown to increase chick forage and insect production. The proposed action would be in accordance with the Nevada Governor's Plan for the Greater Sage Grouse which lists vegetation cover objectives for grouse.

Cattle grazing generally does not occur in the area near Currant where special status plants have been observed.

5) Wilderness Values/WSA

The Riordan's Well and Blue Eagle WSAs are visited infrequently except during hunting season due to

limited access. There are no designated hiking trails in the area and limited road access. Water sources are limited. Thick juniper and pinyon trees in the area make access very difficult. Individuals or groups occasionally hike or camp within the WSAs to experience solitude. As indicated by licensed use records, very little livestock grazing takes place in the WSAs. No impacts to WSAs are anticipated as a result of the proposed action.

6) Wild Horses and Burros

Implementing the proposed action would have minimal impacts upon wild horses in the Monte Cristo and White River HMAs. Wild horses should benefit directly from the water available from the Silver Springs Pipeline or from water haul locations. Wild horses would also benefit from an improved forage resource. Because water would not be provided year-long at some temporary water haul locations, some wild horses could become stressed when the water is shut off. Additional natural waters are nearby, to provide year-long water.

Anticipated Impacts of the Proposed Action - Other Resource Values

The following resource values have also been identified by resource specialists as potentially affected by the proposed action:

1. Range/Livestock/Standards and Guidelines

According to the proposed action, grazing would continue as it has in the past. Sheep trailing use would be licensed on an as needed basis. Cattle grazing would continue in accordance with the Duckwater Multiple Use Grazing Decision of June, 1995. It is expected that R.W.D. would continue to license use as in the past, and would continue to take voluntary non-use on a large portion of their grazing permit. R.W.D. would continue to rotate grazing locations and would defer grazing use periodically. Authorizing the permit would allow the continued operation of the Silver Springs Water Pipeline, making water available for wild horses and wildlife, thus distributing wild horse and wildlife use as well as livestock use, which generally results in improved range conditions. Temporary water haul sites associated with authorizing the permit would also make water available for wildlife and wild horses. The grazing of cheatgrass which would result from authorizing the permit would help prevent catastrophic wildfire, and could result in less grazing of native plants. Wildfire in this area would lead to a loss of native plants, an increase in cheatgrass, and a return to a frequent cheatgrass fire cycle that destroys wildlife habitat. Allowing the targeted use of cheatgrass early in the grazing year would provide flexibility for the livestock operator. Progress would be made in achieving or making progress towards achieving the Standards and conforming with the Guidelines for Grazing Administration.

2. Vegetation

The term permit renewal would be expected to lead to beneficial vegetation impacts such as proper, moderate utilization of key forage plants, improved composition, cover, and vigor, increased production and forage availability, and an improved rangeland condition and trend. Watershed conditions would be maintained or improved. Deferring cattle use until after the critical growing period would allow native plants to produce more seed. During many recent drought years native plants have not produced much seed. It is possible that local areas of over-utilization of key forage plants could result from combined

use by cattle and wild horses. This possibility would be monitored and actions taken to correct the problem. Grazing cheatgrass would help prevent wildfire and could result in less grazing of native plants.

General impacts to vegetation have also been addressed in the Egan RMP/FEIS.

3. Soils

The impacts to soils would be very minimal from implementing the proposed action. Grazing would not be concentrated in any one location, but would be dispersed and distributed throughout the pastures. By deferring cattle use, there would be less soil disturbance and compaction to the sensitive desert soils during the critical growing period. This would lead to less wind or water erosion. The more stable soils on the piedmont benches (gravelly loams) are less susceptible than the valley bottom silts and would not be compacted, eroded, or trampled. Soils would maintain structure, water holding capacity, and percolation characteristics. Increased forage production and an improved ground cover would result in less soil erosion and better soil/water relations. Biotic crusts would remain in place to stabilize the ecological sites.

4. Wildlife

It is expected that wildlife habitat would be enhanced by improved native vegetation ground cover and a better quantity and availability of forage resulting from deferred grazing and distribution of livestock. To the extent that moderate livestock grazing stimulates new plant growth, that growth will be available for wildlife. Wildlife have been shown to prefer the regrowth of grazed plants. Water availability would be maintained for wildlife by providing water for livestock in the Silver Springs pipeline and temporary water haul sites that may be authorized. Some stress may result to localized wildlife populations when the water is shut off. Some wildlife drownings could occur even though wildlife escape ramps would be placed in the troughs.

General impacts to wildlife have also been addressed in the Egan RMP/FEIS.

5. Recreation

There would be minimal impacts to existing recreational activities as a result of the term permit renewal. To the extent that wildlife populations benefit, wildlife-related recreation such as hunting, wildlife viewing, antler collection, and photography would be slightly enhanced. The permit renewal is not expected to lead to increased off-highway vehicle (OHV) use in the area.

6. Social and Economic Values

Lifestyles of local residents would not be impacted. The farming and ranching life style would continue in Nye County. Taxes generated from the agricultural activity associated with the proposed action would continue to benefit the county. The proposed term permit renewal would provide economic benefits for the livestock permittee in this area by maintaining the grazing permit and by maintaining the economic stability and efficiency of their overall operation. The proposed permit renewal would facilitate livestock management.

General impacts to social and economic values have also been addressed in the Egan RMP/FEIS.

7. Visual Resource Management (VRM)

The proposed term permit renewal is consistent with the Visual Resource Management (VRM) Class 1,2,3, and 4 objectives for this area.

8. Water Quantity

Implementing the term permit renewal action would maintain or increase water availability for livestock, wildlife, wild horses, or any other resource value in the allotment. Currently the grazing permittee operates and maintains the Silver Spring Pipeline Water Development, a cooperative project with BLM that has established four sets of troughs (2 troughs each location) in the Broom Canyon Use Area. This is an important water source for livestock, wildlife, and wild horses. The grazing permittee maintains water in this development for wildlife and wild horses both prior to and following the livestock grazing use. In addition, temporary water haul sites may be authorized on an annual basis to distribute livestock use, particularly during drought years. The location and number of water haul sites would vary annually. Temporary water hauls increase water availability and distribute grazing pressure.

Cumulative Impacts

The purpose of the cumulative analysis in the EA is to evaluate the significance of the Proposed Action's contributions to cumulative impacts. A cumulative impact is defined under federal regulations as follows:

Cumulative impacts are impacts to the environment or resource values that result from the incremental or combined impact of the Proposed Action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency (federal or non federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively important actions taking place over a period of time (40 CFR 1508.7).

According to the 1994 BLM publication (attached to WO-IB-94-310) "Guidelines for Assessing and Documenting Cumulative Impacts," the cumulative analysis can be focused on those issues and resource values identified during scoping that are of major importance. No issues or resource values of major importance were identified during the EA scoping period, thus no specific resource value is addressed below. A general discussion of past, present, and reasonably foreseeable future actions follows:

Past Actions

There have been limited previous actions occurring in the project area. Historical mineral mining has been common near Mt. Hamilton, which is located approximately twenty miles north of the Broom Canyon Use Area. Very limited mineral mining has also occurred around the town of Currant. A 5 acre State gravel pit and other small 0.25 acre public gravel pits have been established in the permit area. The El Padre Quarry (about 5 acres) southeast of Currant has been mined for sandstone rock. Woodcutting, pinyon nut gathering, and trapping have been minimal. Hunting, wildlife viewing, and other recreational activities including OHV use have been minimal. Small two track roads associated

with these activities are not extensive and have not altered the landscape. Wildfires have not been frequent or catastrophic. Wildlife use has not been intensive in the area and has not fundamentally altered the plant communities. Wild horse use has been common in this area, and wild horse gathers have occurred regularly. The last wild horse gather in the permit area occurred in January, 2006.

There has been historical oil exploration in the Broom Canyon Use Area. The exploration has been associated with other oil activity in Railroad Valley. Most exploration pad locations have been reclaimed and released from bond. There has been historical agricultural activity in the Broom Canyon Use Area west of Currant associated with three 320 acre Desert Land Entries (DLE). Livestock grazing has been intensive historically, and along with wild horse use, drought, agricultural withdrawals, oil exploration, road establishment, mining, and gravel pits, may be a contributing factor to declining native range and the presence of invasive plant species. One pasture division fence, four water wells, and four spring developments have been authorized and constructed over the years. The boundary between the Ely and Battle Mountain District BLM is unfenced. Rangeland monitoring has been a common activity in the area.

Present Actions

Current activities or projects occurring in the project area are very limited. There is no current mineral mining. The Mt. Hamilton Mine to the north has been reclaimed. There is currently one active oil exploration pad in the Broom Canyon Use Area. The El Padre Quarry is currently dormant. Woodcutting, pinyon nut gathering, and trapping are minimal. Recreational activities including OHV use are currently minimal, due to the remote location and relative lack of water sources. There is only occasional use of the small two track roads in the area. There have been no recent wildfires. Livestock use is currently far less than permitted active use. Wild horse use has been limited by recent gather operations. Wildlife use is very minimal in the area, due to a lack of perennial, year-long water sources. Occasional gravel acquisition occurs. The area continues to be monitored to determine if plant communities are meeting Rangeland Health Standards and other vegetative objectives for the allotment.

Reasonably Foreseeable Future Actions

It is reasonable to expect that the grazing permit as proposed by this EA would become approved and cattle would be permitted to graze the Duckwater and Currant Ranch Allotments. Rangeland monitoring is expected to continue in about the same manner and scope as it has in the past. Monitoring would continue to evaluate the ecological sites to determine if Rangeland Health Standards and other vegetative objectives are being achieved. Dozens of grazing term permit renewals are expected to be completed each year through 2009 and during subsequent years.

No other significant public lands actions are planned for the project area in the near future. BLM could receive one or more applications for permit to drill (APDs) each two years in the area for oil exploration. No additional public lands are anticipated to be identified for disposal. The El Padre Quarry has been proposed as "community pit" area, and could become active if an environmental clearance is approved. Future wild horse gathers would continue to occur within the Wild Horse Herd Management Area. Small game guzzlers have been suggested for the area, however no resource planning has yet occurred for the guzzlers. There are no anticipated increases in mining, woodcutting, pinyon nut gathering, trapping, or OHV use in the area in the reasonably foreseeable future. Minimal gravel acquisition is

expected. No other range improvements such as wells, fences, or spring developments are anticipated.

A new resource management plan and environmental impact statement (RMP/EIS) is currently being developed for the Ely Field Office BLM area. According to the new RMP/EIS, resource management would occur on a watershed basis. The area of the proposed action occurs within the Railroad Valley and Duckwater Watersheds. Broad watershed assessment of this watershed is expected to be accomplished by BLM within the next ten years. The assessment will determine if further changes in grazing management practices are needed to conform with the Standards and Guidelines for Rangeland Health. The assessment may also recommend sagebrush restoration treatments or other vegetative treatments designed to maintain or improve ecological health.

Cumulative Impacts Summary

The proposed permit renewal, in combination with historical range improvements, would maintain or improve rangeland health and watershed conditions. By deferring grazing use, distributing and dispersing grazing use, and rotating water haul locations, the salt desert shrub and sagebrush ecological sites would maintain or improve. Cheatgrass areas would be grazed, which could prevent catastrophic wildfire. The proposed action would improve grazing management and the overall agricultural enterprise associated with the Currant Creek Ranch. No cumulative impacts of major concern are anticipated as a result of the proposed project.

V. PROPOSED MITIGATING MEASURES

The terms and conditions (Appendix II) of the term grazing permit would mitigate anticipated impacts. No additional mitigating measures are proposed based on this environmental analysis.

VI. SUGGESTED MONITORING

Appropriate monitoring has been included in the proposed action. No additional monitoring has been suggested by the BLM interdisciplinary team at this time.

VII. CONSULTATION AND COORDINATION

Public Interest and Record of Contacts

There is a general public interest in the proper grazing management of public lands. RWD has a strong interest in this term permit renewal.

On July 20, 2006 the R.W.D. Currant Creek, L.L.C. Term Permit Renewal proposal was presented to a Tribal coordination meeting at the Ely BLM Field Office. No concerns were identified during this meeting. There were no questions or comments regarding the proposal from the Tribal participants. On June 19, 2006 the project was presented to the Ely BLM internal interdisciplinary team and no issues were identified.

Scoping letters were mailed to interested publics and the grazing permittee regarding the permit renewal action in September of 2006, requesting comments by October 11. No comments have been received to

date concerning this letter. A project summary of this term permit renewal was posted on the BLM external website in November, 2006. No comments have been received to date regarding the posting. Another coordination letter was mailed to R.W.D. Currant Creek dated February 14, 2007 requesting participation in the range monitoring and the permit renewal process.

The preliminary EA was posted for a thirty day public review and comment period on the Ely BLM external website on or about September 14, 2007. A hard copy of the preliminary EA was also mailed on September 13, 2007 to those interested publics who have requested it, and who have expressed an interest in range management actions on the Duckwater and Currant Ranch Allotments. No comments or input has been received to date in response to the electronic posting or hard copy mailing.

Interested publics are again being notified by mail as this final EA is completed and the Proposed Decision and Finding of No Significant Impact (FONSI) are signed. These signed documents initiate a 15 day protest period and a 30 day appeal period.

Before including addresses, phone numbers, e-mail addresses, or other personal identifying information in comments, you should be aware that the entire comment – including 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.

The Ely Field Office mails an annual Consultation, Cooperation, and Coordination (CCC) Letter to individuals and organizations that have expressed an interest in rangeland management related actions. Those receiving the annual CCC Letter have the opportunity to request from the Field Office more information regarding specific actions. Those requesting notification of range improvement actions are requested to respond if they want to receive a copy of the final EA and signed Decision Record/Finding of No Significant Impact. The following individuals and organizations, who were sent the annual CCC letter in January, 2006 or January 2007, have requested additional information regarding rangeland related actions or programs within the Duckwater and Currant Ranch Grazing Allotments:

Animal Welfare Institute
Curtis A. Baughman, Nevada Division of Wildlife
Steven Carter
Eureka County Department of Natural Resources
Steve Foree, Nevada Division of Wildlife
Brad Hardenbrook
Patricia N. Irwin
Curt Leet
Lincoln County Commissioners
Cindy MacDonald
Betsy Macfarlan, ENLC
John McLain, Resource Concepts, Inc.
Nevada Cattlemen's Association
Nevada State Clearinghouse
Richard Orr – NRCS
Jerry Reynoldson
U.S. Fish and Wildlife Service (Reno Office)

Western Watersheds Project, Katie Fite

Record of Personal Consultation and Coordination

Wayne and Jana McElroy, RWD
Bob Wilson, County Agricultural Extension Agent

B. Internal District Review

Jared Bybee/Ben Noyes	Wild Horses
Steve Leslie/Dave Jacobson	Wilderness
David Jeppesen	Recreation/Visual Resources
Mark Lowrie	Rangeland Resources, Environmental Coordination, Noxious Weeds/Wildlife
Bonnie Waggoner	Noxious Weeds & Invasive, Non-Native Species
Elvis Wall	Native American Religious Concerns
Susan Howle/Sheri Wysong	Environmental Coordination
Steve Abele/Alicia Styles/Deb Koziol/Marian Lichtler	Wildlife/T&E Species/Riparian/Migratory Birds
Joshua Hopper	Cultural Resources
Kari Harrison	Soil/Water/Air
Chris Mayer	Rangeland Resources/Environmental Coordination
Kyle Hansen	Environmental Coordination
Gary Medlyn	Watershed Assessment

Appendix I
STANDARDS DETERMINATION DOCUMENT
Grazing Permit Renewal for R.W.D. Currant Creek, L.L.C.
EA NV-040-06-046

Standards and Guidelines Assessment

Standards and Guidelines for Grazing Administration were developed by the Mojave - Southern Resource Advisory Council (RAC) and approved by the Secretary of the Interior on February 12, 1997. The RAC intends that the Standards and Guidelines will result in a balance of sustainable development and multiple use along with progress, over time, toward attaining desired rangeland conditions. 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 achievement of the Standards and conformance with the Guidelines for the Broom Canyon/South Railroad Valley (Broom Canyon) and Red Mountain Use Areas of the Duckwater Allotment and the Currant Ranch Allotment, in the Ely District BLM. This is the permitted grazing area for R.W.D. Currant Creek, L.L.C. (RWD). The Broom Canyon and Red Mountain Use Areas together encompass approximately 142,000 acres while the Currant Ranch Allotment encompasses approximately 10,000 acres. This document does not evaluate or assess achievement of the Wild Horse and Burro or Off Highway Vehicle Standards or conformance to the respective Guidelines.

Standards for Rangeland Health were assessed by a BLM interdisciplinary team on January 31, 2007 on the above mentioned term permit renewal area. The interdisciplinary team (consisting of Rangeland Management Specialists, Wildlife Biologist, Weeds Specialist, Wild Horse and Burro Specialist, Archaeologist, Watershed Specialist, and others) utilized several scientifically based documents and official publications to complete the assessment. These documents include the Nye County Soil Survey (USDA-SCS), Range Site Descriptions (USDA-SCS 1994), Interpreting Indicators of Rangeland Health (USDI-BLM et al. 2000), Riparian Area Management (USDI-BLM et al. 1998), Sampling Vegetation Attributes (USDA Forest Service et al. 1996), the Nevada Rangeland Monitoring Handbook (USDA SCS et al. 1984), and the National Range and Pasture Handbook (USDA NRCS). For a complete list of references, see Appendix IV to the Environmental Assessment (EA).

The interdisciplinary team also used rangeland monitoring data, professional observations, and photographs to assess achievement of the Standards and conformance with the Guidelines. "Standard Riparian Functioning Condition Checklists" (USDI-BLM 2000) have been completed for the riparian systems of the term permit renewal area.

All scientifically based documents and rangeland monitoring data are available for public inspection at the Ely Field Office during business hours.

The following Rangeland Health Standards information has been incorporated into Environmental Assessment NV-040-06-046.

PART 1. STANDARD CONFORMANCE REVIEW

Standard # 1. Soils

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

Soil indicators:

- ❖ Ground cover (vegetation, litter, rock, bare ground)
- ❖ Surfaces (e.g., biological crusts, pavement); and
- ❖ Compaction/infiltration

Riparian Soil Indicators:

- ❖ Stream bank stability

All of the above indicators are appropriate to the potential of the ecological site

Determination:

X Achieving the Standard
☐ Not achieving the Standard, but making significant progress towards
☐ Not achieving the Standard, not making significant progress towards

Guidelines Conformance:

X In conformance with the Guidelines (See Part 3. Guideline Conformance Review, p.27)
☐ Not in conformance with the Guidelines

Conclusion - Standard achieved. Vegetation cover studies, utilization studies, ecological condition studies, photographs, and professional observations indicate that key areas of the term permit renewal area are achieving the Soils Standard. Canopy and ground cover, including litter, live vegetation, and rock, are appropriate to ecological site potential. Biological crusts are generally present and there is no indication of excess compaction or trampling of soils. Soils are generally stable and not prone to wind or water erosion. Key forage plant method utilization studies accomplished at key areas in salt desert shrub range (029XY087NV and 029XY017NV) has been generally light or less during the assessment period. Licensed use has been far below active permitted use the last few years in the term permit renewal area. This promotes vegetation production, the reproductive capability of perennial plants, and litter to stabilize upland sites. Production is below unfavorable year levels at one key area and above unfavorable year levels at a second key area. The key areas in the term permit renewal area are on landform slopes less than 5%. Mild slopes are contributing to stable soil conditions.

Duckwater Creek has been found to be in proper functioning condition, with a stable stream bank composed of plants that have root masses capable of withstanding high stream flow events. All vegetative attributes for the stream channel rate positive according to the proper functioning condition study accomplished on July 26, 2006.

Standard #2. Ecosystem components

Watersheds should possess the necessary ecological components to achieve state water quality criteria, maintain ecological processes, and sustain appropriate uses. Riparian and wetlands vegetation should have structural and species diversity characteristic of the stage of stream channel succession in order to provide forage and cover, capture sediment, and capture, retain, and safely release water (watershed function).

Upland indicators:

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

Riparian indicators:

- ❖ Stream side riparian areas are functioning properly when adequate vegetation, large woody debris, or rock is present to dissipate stream energy associated with high water flows.
- ❖ Elements indicating proper functioning condition such as avoiding 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.

Water quality indicators:

- ❖ Chemical, physical, and biological constituents do not exceed the state water quality standards.

Determination:

☐ Achieving the Standard
X Not achieving the Standard, but making significant progress towards
☐ Not achieving the Standard, not making significant progress towards

Guidelines Conformance:

X In conformance with the Guidelines (See Part 3. Guideline Conformance Review, p. 27)
☐ Not in conformance with the Guidelines

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 Achieve the Standard is related to other issues or conditions

Conclusion - Standard not achieved. Ecological condition studies, photographs, and professional observations indicate that key areas of the term permit renewal area are not achieving the Ecosystem Components Standard. Although canopy and ground cover, including litter, live vegetation, and rock, are appropriate to ecological site potential, plant composition is generally characterized by too many shrubs. The renewal area has crossed a threshold to shrub dominance. The plant communities have lost resilience and some ability to resist invasive species spread or to resist severe weather events. The herbaceous understory of native grasses and forbs is below ecological site potential. Production is below unfavorable year levels at one key area and above unfavorable year levels at a second key area. Professional observation indicates ecological processes are adequate for the vegetative communities, however a marginal situation is present. Drought conditions have persisted in this area nine of the last eleven years. Two of the riparian spring areas in the renewal area, Albert Spring and Andrew Spring, are functional at risk. Adequate vegetation is not present to protect the spring sources.

Significant progress is being made towards achieving this Standard. The grazing permittee has a good working relationship with BLM. The permittee has licensed livestock use the past three years at far less than active permitted use, has rested pastures, and has distributed livestock use. Complete voluntary non-use was taken for the 2004 grazing year. The permittee has recently reconstructed and operated the Silver Springs Pipeline. Wild horses are the cause of the problems at Albert and Andrew Springs.

Standard #3. Habitat and Biota

Habitats and watersheds should sustain a level of biodiversity appropriate for the area and conducive to appropriate uses. Habitats of special status species should be able to sustain viable populations of those species.

Habitat indicators:

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

Wildlife indicators:

- Escape terrain; relative abundance; composition; distribution; nutritional value; and edge-patch snags.

Determination:

☐ Achieving the Standard
X Not achieving the Standard, but making significant progress towards
☐ Not achieving the Standard, not making significant progress towards

Guidelines Conformance:

X In conformance with the Guidelines (See Part 3. Guideline Conformance Review, p. 27)

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 Achieve the Standard is related to other issues or conditions

Conclusion - Standard not achieved. Ecological condition studies, photographs, and professional observations indicate that key areas of the term permit renewal area are not achieving the Habitat and Biota Standard. Although canopy and ground cover, including litter, live vegetation, and rock, are appropriate to ecological site potential, plant composition is characterized by too many shrubs. The renewal area has crossed a threshold to shrub dominance. The plant communities have lost resilience and some ability to resist invasive species spread. Production is below unfavorable year levels at one key area and above unfavorable year levels at a second key area. Two of the riparian spring areas in the renewal area are functional at risk. Significant progress is being made towards achieving this Standard. The permittee has licensed livestock use the past three years at far less than active permitted use, has rested pastures, and has distributed livestock use. Complete voluntary non-use was taken for the 2004 grazing year. The permittee has recently reconstructed and operated the Silver Springs Pipeline.

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

Standard # 1. Soils.

No. The Standard for stable soils and hydrologic function is being achieved. There is a positive correlation between vegetative attributes and the soils indicators for this Standard. The livestock licensed use in the Term Permit Renewal Area has been well below the permitted active use over the last few years. Duckwater Creek is not on Nevada's 303(d) List of Impaired Waters (2000).

Standard # 2. Ecosystem Components.

No. This Standard is not achieved regarding the upland and water quality indicators. However current livestock management practices are not the cause of the non – achievement. This Standard is not achieved due to historical livestock use, historical wild horse use, drought, lack of wildfire, fire suppression, flooding, insects, or other disturbances. This Standard is also not achieved regarding the riparian function of Albert Spring and Andrew Spring. However, wild horses are the cause of the problems on these two springs. Cattle have made very little use in these spring areas over the last few years. State of Nevada water quality standards are being achieved on Duckwater Creek. Duckwater Creek is not on Nevada's 303(d) List of Impaired Waters (2000).

Standard # 3. Habitat and Biota.

No. The Standard is not achieved regarding the habitat and wildlife indicators. However current livestock management practices are not the cause of the non – achievement. This Standard is not achieved due to historical livestock use, historical wild horse use, drought, lack of wildfire, or other disturbances. No special status species or their habitats occur in the project area

PART 3. GUIDELINE CONFORMANCE REVIEW

GUIDELINES:

1.1 Upland management practices should maintain or promote adequate vegetative ground cover to achieve the standard.

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

1.3 When proper grazing practices alone are not likely to restore areas, land management practices may be designed and implemented where appropriate.

1.4 Rangeland management practices should address improvement beyond this standard, significant progress toward achieving standards, time necessary for recovery, and time necessary for predicting trends.

Current livestock grazing management practices conform with Guidelines 1.1, 1.2, and 1.4. Guideline 1.3 is not applicable to the assessment area at this time.

GUIDELINES:

2.1 Management practices should maintain or promote appropriate stream channel morphology and structure consistent with the watershed.

2.2 Watershed management practices should maintain, restore, or enhance water quality and flow rate to support desired ecological conditions.

2.3 Management practices should maintain or promote the physical and biological conditions necessary for achieving surface characteristics and desired natural plant community.

2.4 Grazing management practices will consider both the economic and physical environment, and will address all multiple uses including, but not limited to, (i) recreation, (ii) minerals, (iii) cultural resources and values, and (iv) designated wilderness and wilderness study areas.

2.5 New livestock facilities will be located away from riparian and wetland areas if they conflict with achieving or maintaining riparian and wetland functions. Existing facilities will be used in a way that does not conflict with achieving or maintaining riparian and wetland functions, or they will be relocated or modified when necessary to mitigate adverse impacts on riparian and wetland functions. The location, relocation, design and use of livestock facilities will consider economic feasibility and benefits to be gained for management of lands outside the riparian area along with the effects on riparian functions.

Current livestock grazing management practices conform with Guidelines 2.1, 2.2, 2.3, and 2.4.

Guideline 2.5 is not applicable to the assessment area at this time. No new livestock facilities are proposed at this time.

GUIDELINES:

3.1 Mosaics of plant and animal communities that foster diverse and productive ecosystems should be maintained or achieved.

3.2 Management practices should emphasize native species except when other would serve better, for attaining desired communities.

3.3 Intensity, frequency, season of use and distribution of grazing use should provide for growth, reproduction, and, when environmental conditions permit, seedling establishment of those plant species needed to reach long-term land use plan objectives. Measurements of ecological condition, trend, and utilization will be in accordance with techniques identified in the Nevada Rangeland Handbook.

3.4 Grazing management practices should be planned and implemented to provide for integrated use by domestic livestock and wildlife, as well as wild horses and burros inside herd management areas.

3.5 Management practices will promote the conservation, restoration, and maintenance of habitat for special status species.

3.6 Livestock grazing practices will be designed to protect fragile ecosystems of limited distribution and size that support unique sensitive/endemic species or communities. Where these practices are not successful, grazing will be excluded from these areas.

3.7 Where grazing practices alone are not likely to achieve habitat objectives, land management practices may be designed and implemented as appropriate.

3.8 Vegetation manipulation treatments may be implemented to improve native plant communities, consistent with appropriate land use plans, in areas where identified Standards cannot be achieved through proper grazing management practices alone. Fire is the preferred vegetation manipulation practice on areas historically adapted to fire; treatment of native vegetation with herbicides or through mechanical means will be used only when other management techniques are not effective.

3.9 Rangeland management practices should address improvement beyond this standard, significant progress toward achieving standards, time necessary for recovery, and time necessary for predicting trends.

Current livestock grazing management practices conform with Guidelines 3.1, 3.3, 3.4, and 3.9. Guidelines 3.2, 3.5, 3.6, 3.7, and 3.8 are not applicable to the assessment area at this time.

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

1. Grazing use in the Duckwater Allotment will be in accordance with the Final Multiple Use Decision of June 9, 1995. Grazing use will be deferred in the Broom Canyon and Red Mountain Use Areas from 3/01 - 4/30 every third year. The Currant Ranch Allotment will receive spring rest every third year from 3/1 to 5/31.

2. An allowable use level will be established as 45% of the current year's growth by weight for the key native species Indian ricegrass and whitesage in the term permit renewal area during the spring grazing period and 60% for the same key species year-long (following the fall/winter grazing period ending February 28. Utilization will be measured at established key grazing areas or other sites representative of the dominant vegetation in the use area.

3. Salt blocks and nutritional supplements will be located at least ¼ mile away from riparian/wetland areas, water ditches, or other permanently located or natural water sources. Supplement locations should be moved every year.

4. Coordinate with the grazing permittee on an annual basis to implement grazing management practices that (a) maintain sufficient residual vegetation and litter, (b) promote attainment or maintenance of proper functioning and condition, and (c) meet desired plant physiological and reproductive requirements.

5. Adjustments to livestock management practices may be made annually as needed in consideration of forage availability, climatic conditions, drought, wildfire, and/or other disturbances such as wild horse use, flooding, and insects.

Standards Determination Document
Appendix I
Monitoring Data for the Duckwater and Currant Ranch Allotments

Standard # 1. Soils

Findings: Monitoring data results describing current resource conditions for Key Areas and study sites within the Duckwater and Currant Ranch Allotments as they relate to the Soils Standard are presented below. The information includes soils information, vegetation cover, utilization, licensed use, and riparian area proper functioning condition studies. This data was collected on June 12, 15, and 21, 2006.

Soils Information and Location of Key Areas

The Broom Canyon and Red Mountain Use Areas of the Duckwater Allotment and the Currant Ranch Allotment occur within Major Land Resource Area (MLRA) 029XY, the Southern Nevada Basin and Range Area. The major Soil Mapping Units (SMU) in the area that are readily accessible to livestock grazing include 3880, a Hardhat-Candelaria Association; 3881, a Hardhat-Stargo-Yomba Association; 3644, a Armespan-Cliffdown-Candelaria Association; 3730, a Penelas-Kyler-Rock outcrop Association; 3655, a Candelaria-Armespan Association;and 3970, a Linoyer-Rebel Association. Key Areas DW-12, DW-23, and DW-28 occur within the 3880 SMU. Key Area DW-68 occurs within the 3730 SMU. Many other SMUs occur in the term permit renewal area. Several other key areas have been established and monitored in the renewal area through the years including Key Areas DW-09, DW-11, DW-27, DW-66, DW-67, DW-69, DW-70, and DW-71. The term permit renewal area has been monitored for vegetation condition periodically since the 1970s. The key areas have been selected based on accessibility, representative range sites, livestock use patterns, and permittee input.

Vegetation Cover

Vegetation cover studies were accomplished at four key areas in the Broom Canyon and Red Mountain Use Areas on June 12, 15, and 21, 2006. Photographs were taken and professional observations noted. Vegetation cover measures the foliar (canopy) cover of shrubs and forbs and the basal crown cover of native grasses. Vegetation cover is a linear measure, expressed in feet, along a 100 foot tapeline. The results of the studies are presented below:

Table 1 - Broom Canyon/Red Mountain - Cover Data Summary – Format #1

Study Site	Date	Pasture	Linear Cover In Feet	Percent Shrubs	Percent Grass	Percent Forbs	Potential Cover
DW-12 (B)	6/12/06	Native	16.18 feet	95.5%	0.4%	1.4%	15-25%
DW-23 (RM)	6/15/06	Native	13.80 feet	96.3%	1.6%	0.0%	15-25%
DW-28 (B)	6/12/06	Native	18.68 feet	98.0%	0.0%	1.7%	15-25%
DW-68 (RM)	6/15/06	Native	12.96 feet	90.3%	8.3%	1.5 %	15-25%

(B) = Broom Canyon (RM) = Red Mountain

DW-12: No excess trampling or compaction by herbivores. Fairly stable, gravelly silt soil. Few biotic crusts present. Very dry ecological site. Halogeton, cheatgrass, and mustard present primarily along the road. BRTE < 1% of current year's growth of plant community by weight. Photos taken. 15.8% of the vegetation cover was white sage.

DW-23 No excess trampling or compaction. Black & white biotic crusts are abundant in the shrub interspaces. Other than a little hagl in the two track, few invasive species present other than a little mustard. White sage productive, vigorous. Would rate fair ecological condition (early seral stage). 18.4% of the vegetation cover was white sage.

DW-28 No excess trampling or compaction by herbivores. Transect runs north to south from east of the utilization cage. Photo taken. Cryptogamic crust (black) is common in the shrub interspaces. 17.2% of the vegetation cover was white sage.

DW-68 No professional observations noted. 7.1% of the vegetation cover was Indian ricegrass.

Table 2 - Broom Canyon/Red Mountain - Cover Data Summary – Format #2

Key Area	Ground Cover/ Litter	Biological Surfaces	Compaction/Infiltration
DW-12 Broom	16.18 ft./ 0.67 ft.	Present	No compaction
DW-23 Red Mtn.	13.80 ft./ 2.78 ft.	Abundant	No compaction
DW-28 Broom	18.68 ft./ 4.22 ft.	Common	No compaction
DW-68 Red Mtn.	12.96 ft./ 1.88 ft.	Not recorded	Not recorded

The canopy and ground cover at DW-12 in the Broom Canyon Use Area was found to be similar to the potential of the ecological site. DW-12 is located within the Loamy 5-8" P.Z. Ecological Site (029XY017NV). Shadscale, bud sagebrush, and Indian ricegrass dominate the plant community. Approximate ground cover (basal and crown) is 15 to 25 percent.

The canopy and ground cover at Key Areas DW-23 and DW-28 was found to be similar to the potential of the ecological site. DW-23 and 28 are located within the Gravelly Loam 5-8" P.Z. Ecological Site (029XY087NV). Bailey greasewood, shadscale, and Indian ricegrass dominate the plant community. Approximate ground cover (basal and crown) is 15 to 25 percent.

The canopy and ground cover at DW-68 in the Red Mountain Use Area was found to be similar to the potential of the ecological site. DW-68 is located within the Shallow Calcareous Slope 8-12" P.Z.

Ecological Site (029XY014NV). Black sagebrush, Indian ricegrass, and needleandthread dominate the plant community. Approximate ground cover (basal and crown) is 15 to 25 percent.

Utilization – Key Forage Plant Method Transects (KFPM) to go with Cover Data

Utilization of winterfat at Key Area DW-12 was found to be 36% of the current annual growth. Cheatgrass was observed to consist of < 1% of the current year's growth by weight. A fairly stable, gravelly silt soil was present. A fairly dry ecological site.

Utilization of winterfat at Key Area DW-23 was found to be 13% of the current annual growth. Use of galleta grass was also 13%. Winterfat inside the utilization cage was observed to be of good vigor, to 14" tall. Few invasive species were present other than a little mustard.

Utilization of Indian ricegrass at Key Area DW-28 was found to be 30% of the current annual growth. Use of winterfat was 20%.

Utilization of Indian ricegrass at Key Area DW-68 was found to be 1% of the current annual growth. Ricegrass in the utilization cage was of good vigor to 16" tall. Cows had made little to no grazing use in the area this spring or last fall.

Forage Utilization – Duckwater Allotment

A summary of Key Forage Plant Method Utilization Transects (KFPM) conducted in the Broom Canyon and Red Mountain Use Areas in June, 2006 for grazing use by herbivores up to that point in the grazing year follows:

Broom Canyon Use Area

On June 21, 2006 a KFPM transect read at Key Area DW-12 indicated 36% use of white sage and 5% use of Indian ricegrass.

On June 12, 2006, seven KFPM transects were conducted at key grazing areas in the Broom Canyon Use Area of the allotment following spring grazing. Use of white sage was found to be slight at three areas and light at the fourth area. Use of Indian ricegrass was found to be light. Use of galleta grass was found to be slight. Photographs were taken of the key areas.

In March of 2004, four KFPM utilization transects were read in the Broom Canyon Use Area for cattle use during the winter of 2004. Transects were read at Key Areas DW-12 and DW-12b and at two other representative sites. Use of the key forage species Indian ricegrass was found to be light or moderate for the grazing period. Use of the key forage species white sage was also found to be light or moderate. Use of galleta grass was found to be light. A range memorandum written for the March field trip indicated that most of the salt desert shrub range in the area was observed to be in fair ecological condition with fair plant diversity and production. Many invasive plants were common throughout the area including halogeton, Russian thistle, mustard, and some cheatgrass.

Red Mountain Use Area

On June 15, 2006, seven KFPM transects were conducted at key grazing areas in the Red Mountain Use Area of the allotment following spring grazing. Use of white sage was found to be slight at four areas and light at the fifth area. Use of native perennial grasses was generally found to be slight. Photographs were taken of the key areas. White sage was observed to be in good condition at all areas. Invasive plant species were observed to be abundant near Key Area DW-67 near Callaway Well.

On December 5, 2003 two KFPM transects were read for utilization during the 2003 grazing year to that point in time. Use on white sage was found to be heavy at one key area and severe at another key area. Use was by wild horses. Use on basin wild rye towards Albert Spring was found to be heavy, by wild horses.

In November of 2003, a tour was taken by the wild horse and range specialists to investigate wild horse use of the Red Mountain Use Area. Use of basin wild rye was found to be heavy at two areas. Winterfat was also found to be used heavily at two other areas. Photographs were taken of the areas.

On March 21, 2002, utilization transects were conducted and photographs taken at three key areas in the Red Mountain Use Area, following year-long use by herbivores. Photographs show heavy use of white sage in the Callaway Well area.

Forage Utilization and Observed Apparent Trend – Currant Ranch Allotment

On December 5, 2003 use of key combined riparian grasses on the 0.25 acre meadow at Andrew Spring in the Currant Ranch Allotment was found to be severe.

An observed apparent trend study was conducted at Key Area DW-23 on 8/25/2000. Observed apparent trend was recorded to be static. Cattle utilization of winterfat was observed to be less than 10% to that point in the grazing year. The range was observed to be very dry. Photographs were taken of the key area.

Licensed Use- Duckwater Allotment

Current active permitted use on the Duckwater Allotment for RWD is 2,356 AUMs. This is broken down into 882 AUMs authorized in the Broom Canyon Use Area and 1,470 AUMs authorized in the Red Mountain Use Area. From 2000 through 2006 (seven years), licensed livestock use by RWD or the predecessors, the Manzonie permits, averaged 489 AUMs each year for both use areas of the allotment, the six years the allotment was grazed. Use averaged 345 AUMs in the Broom Canyon Use Area (6 year average) and use averaged 172 AUMs in the Red Mountain Use Area (5 year average). Licensed use ranged from a high of 875 AUMs for both use areas in 2000 to a low of 71 AUMs in 2002 (drought year). Complete voluntary non – use was taken on the allotment during the 2004 grazing year. The Broom Canyon pasture was also rested during the fall of 2002, the spring of 2003, and the fall of 2006. The Red Mountain pasture was also rested during the fall of 2000, fall of 2002, the entire 2003 grazing year, and fall 2005. These figures indicate that RWD has grazed far below the active preference during the evaluation period.

Licensed Use- Currant Ranch Allotment

Current active permitted use on the Currant Ranch Allotment for RWD is 282 AUMs. Since 2000, the best available licensed use records indicate the Currant Ranch Allotment was only grazed one year out of the last seven. The remoteness of the area and lack of access roads and water sources prevents livestock grazing to a large degree. In 2006, 37 AUMs of cattle use were licensed.

Duckwater Creek – Proper Functioning Condition Study

Monitoring data results for Duckwater Creek within the use area as they relate to the riparian soil indicator are as follows:

The stream bank of Duckwater Creek (ephemeral channel) was found to be stable and productive on July 26, 2006. The streambank vegetation was comprised of those plants that have root masses capable of withstanding high-streamflow events. Duckwater Creek was found to in proper functioning condition.

Standard # 2. Ecosystem Components

Findings: Monitoring data results describing current resource conditions for Key Areas and study sites within the Ike Springs/Ike Bench Use Area as they relate to the Ecosystem Components Standard # 2 and upland indicators are indicated in the Cover Data Tables above, are indicated by utilization data, and are also as follows:

The canopy and ground cover at the four upland key grazing areas in the term permit renewal area were found to be similar to the potential of the ecological site. DW-12 is located within the Loamy 5-8" P.Z. Ecological Site (029XY017NV). Shadscale, bud sagebrush, and Indian ricegrass dominate the plant community. Potential approximate ground cover (basal and crown) is 15 to 25 percent. This compares to 16.18% at key Area DW-12. DW-23 and 28 are located within the Gravelly Loam 5-8" P.Z. Ecological Site (029XY087NV). Bailey greasewood, shadscale, and Indian ricegrass dominate the plant community. Potential approximate ground cover (basal and crown) is 15 to 25 percent. This compares to 13.80% at Key Area DW-23 and 18.68% at Key Area DW-28. DW-68 is located within the Shallow Calcareous Slope 8-12" P.Z. Ecological Site (029XY014NV). Black sagebrush, Indian ricegrass, and needleandthread dominate the plant community. Potential approximate ground cover (basal and crown) is 15 to 25 percent. This compares to 12.96% at Key Area DW-68.

Ecological Processes

Direct measures of the status of ecological processes are difficult or expensive to measure due to the complexity of the processes and their interrelationships. Therefore, biological and physical attributes are often used as indicators of the functional status of ecological processes and site integrity. Based on the positive physical vegetative attributes of the allotment as presented by monitoring data, the hydrologic cycle, nutrient cycle, and energy flow are being maintained. In addition to range monitoring data, qualitative observations and professional judgment indicate ecological processes are adequate for the vegetative communities.

The range sites within this use area have transitioned or crossed a threshold to plant communities dominated by shrubs. The plant communities are not considered to be that resilient or resistant to invasion by non-native invasive plant species or by native "increasers" such as small rabbitbrush. Monitoring data indicates the shrub composition to be consistently above the appropriate shrub composition for the range site.

Findings: Monitoring data results describing current resource conditions for riparian systems within the term permit renewal area as they relate to the Ecosystem Components Standard and riparian indicators are as follows: This data was collected on June 21 and July 26, 2006.

Duckwater Creek, Tunnel Spring, Albert Spring, and Andrew Spring

Riparian systems were monitored during the summer of 2006 for the Broom Canyon and Red Mountain Use Areas of the Duckwater Allotment and for the Currant Ranch Allotment. "Standard Riparian Functioning Condition Checklists" (USDI-BLM 2000) were completed for Duckwater Creek, Tunnel Spring, Albert Spring, and Andrew Spring within the term permit renewal.

Duckwater Creek

Monitoring data results for Duckwater Creek on the west boundary of the Broom Canyon Use Area as they relate to the riparian soil indicator for the soils standard and the riparian indicators for the ecosystem components standard are as follows:

Proper functioning condition studies accomplished on Duckwater Creek on July 26, 2006 indicate two reaches of the riparian system to be in proper functioning condition. The stream bank of Duckwater Creek (ephemeral channel) was found to be stable and productive on July 26, 2006. The streambank vegetation is comprised of those plants that have root masses capable of withstanding high-streamflow events. Adequate vegetation, debris, and rock are present to dissipate stream energy during high water flows. The ephemeral channel is naturally sinuous. Bank stability is good. Vegetative cover is appropriate for the riparian channel. Water quality was observed to be good. PFC studies were conducted in two locations; Reach A and Reach B. The results are summarized as follows:

Stream	PFC Rating
Duckwater Creek July 26, 2006	Reach A – Proper Functioning Condition Reach B – Proper Functioning Condition

Tunnel Spring – Broom Canyon Use Area – Approximately 0.25 acres.

Monitoring data results for Tunnel Spring within the Broom Canyon Use Area are as follows:

Date of survey	06/21/06
Location of survey	Tunnel Spring - T. 11N., R. 58E., Sec. 30, SW ¼ NE1/4.
Final riparian rating	Proper Functioning Condition – lower end of PFC.

Adequate vegetation, debris, and rock is present to dissipate stream energy during high water flows. Vegetative cover is appropriate for the riparian channel. The springbank vegetation is comprised of those plants or plant communities that have root masses capable of withstanding wind events, wave flow events, or overland flows. There is a diverse composition of riparian-wetland vegetation. Flow approximately 2 gallons per minute. Some livestock use near the source. Use of the key species carex (sedge) is 40%, by wild horses & cattle, to this point in the grazing year. Photos taken.

Albert Spring – Red Mountain Use Area – Approximately 0.10 acres.

Monitoring data results for Albert Spring within the Red Mountain Use Area are as follows:

Date of survey	07/26/06
Location of survey	Albert Spring - N: 4270145 E: 0642637
Final riparian rating	Functional at risk with trend not apparent to downward.

Bare ground and poverty weed are present near the small 10 foot X 14 foot oval pond at the spring source. Damage is due to wild horse use. Source should be protected and developed and water piped out for wild horse use. Several vegetation attributes are rated negative. Vegetation cover is not adequate to protect the site.

Adequate vegetation, debris, and rock is present to dissipate stream energy during high water flows. Vegetative cover is appropriate for the riparian channel. The springbank vegetation is comprised of those plants or plant communities that have root masses capable of withstanding wind events, wave flow events, or overland flows. There is a diverse composition of riparian-wetland vegetation. Flow approximately 2 gallons per minute. Some livestock use near the source. Use of the key species carex (sedge) is 40%, by wild horses & cattle, to this point in the grazing year. Photos taken.

Andrew Spring - Currant Ranch Allotment – Approximately 1.0 acres.

Monitoring data results for Andrew Spring within the Currant Ranch Allotment are as follows:

Date of survey	07/26/06
Location of survey	Andrew Spring - N: 4271780 E: 638709
Final riparian rating	Functional at risk with a downward trend.

The riparian area is shrinking due to encroachment from big sagebrush and poverty weed. Natural surface flow patterns are altered by the disturbance of wild horse use. All vegetation attributes rated positive. The spring bank vegetation is comprised of those plants or plant communities that have root masses capable of withstanding wind events, wave flow events, or overland flows. There is a diverse composition of riparian-wetland vegetation.

Monitoring data results for the riparian systems that were monitored in the term permit renewal area as they relate to the water quality indicator are as follows:

Proper functioning condition studies accomplished on Duckwater Creek on July 26, 2006 indicate the riparian area to be in proper functioning condition. Vegetative cover was appropriate for the riparian channel. Desired plants were establishing. Areas of sedges were present. Floodplain characteristics were present that dissipate energy. No excess algae was present in the Creek. No problems with water quality were identified at Tunnel Spring, Albert Spring, or Andrew Spring.

Standard # 3. Habitat and Biota

Findings: Monitoring data results describing current resource conditions for Key Areas and study sites

within the term permit renewal are as they relate to the Habitat and Biota Standard # 3 and Habitat and Wildlife indicators are as follows:

The ecological condition table on page 37 and Table 4 on page 38 indicate that a generally healthy composition and diversity of native shrubs, grasses, and forbs is present at each key area and throughout the allotment. However, the shrub composition is high relative to the potential natural community and shrubs are overly dominant at Key Areas DW-12 and DW-23. The native vegetation is mixed with the invasive annual grass cheatgrass. The presence of cheatgrass in native ecological sites has become a common condition through many allotments and watersheds in the Ely District and will continue to be monitored.

The canopy and ground cover at the four upland Key Grazing Areas in the Broom Canyon and Red Mountain Use Areas were found to be similar to the potential of the ecological site. This indicates a healthy vegetation cover and structure. Variation in the height and age class of native plants was noted. Plant community production at the four Key Areas compares favorably with site potential.

Ecological Condition

Ecological condition data for the Broom Canyon and Red Mountain Use Areas of the Duckwater Allotment was gathered and reviewed for key areas on June 12 and 15, 2006. The data is summarized on the next page.

Professional observation indicates vegetation distribution (patchiness, corridors) to be appropriate in this area. The vegetation composition changes along the elevation gradient and plant communities are separated by washes or rolling hills in the Broom Canyon Use Area and are separated by many hills in the Red Mountain Use Area. There is a mosaic and "mix" of plant communities and ecological sites, including sites dominated by shadscale, Bailey greasewood, black greasewood, black sagebrush, Wyoming big sagebrush, rabbitbrush, and pinyon and juniper trees. There are many travel corridors present for grazing animals between the hills. Escape cover is present for grazing animals in these areas. Little information is available on the nutritional value of the available forage in the area, however it is assumed that the native plant diversity is adequate to sustain animal needs, even in the winter period.

Wildlife indicators:

The primary ungulate wildlife species in this area are pronghorn antelope. Escape terrain for antelope is plentiful in the use area. The ecological condition summary on page 9 indicates that the relative abundance and composition of plant species compares favorably with ecological site descriptions. Plant communities are distributed in mosaics across the landscape. It is assumed that the native plant nutritional value is adequate to sustain wildlife needs. No monitoring data is available on the occurrence or frequency of dead trees (snags) in this area.

Table 3 - Broom Canyon–Red Mountain - Ecological Condition Summary
June 12 and 15, 2006

Study Site	Ecological Site	Location	Dominant Vegetation	Percent Shrubs	Percent Native Grass	Percent Forbs	Trend	Similarity* Index	Production** Lbs./acre
DW-12	029XY017NV	N: 4295713 E: 625364	Shadscale Indian ricegrass	98.2%	0.0%	1.8%	Not Apparent	98%	112
DW-23	029XY087NV	N: 4283894 E: 632366	Greasewood Indian ricegrass	98.9%	1.1%	0.0%	Not Recorded	70%	267

* The similarity index is a numerical value given to the resemblance between current vegetative composition & production and the ecological site potential composition & production. The closer the numerical value is towards 100, the more the current vegetative condition resembles site potential.

** Production in lbs. per acre is a measure of the production of all native species recorded at the Key Area within the ecological site. Normal year production for the Loamy 5-8"site (029XY017NV) is 350 lbs. per acre. Unfavorable year production is 150 lbs. per acre. Normal year production for the Gravelly Loamy 5-8"site (029XY087NV) is also 350 lbs. per acre. Unfavorable year production is 200 lbs. per acre.

(B) = Broom Canyon (RM) = Red Mountain

The rangeland monitoring data summarized above indicates that the existing vegetative conditions compare unfavorably with the ecological site descriptions. The shrub composition is high relative to the potential natural community (PNC), although 15.8% of the vegetation cover was white sage (shrub) at DW-12 and
18.4% of the vegetation cover was white sage at DW-23. The grass and forb compositions are low relative to PNC. This composition condition has become typical throughout the Ely District and will continue to be monitored.

Habitat indicators:

The ecological condition summary on page 36 indicates that shrubs are overly dominant in the renewal area. The cover data, ecological condition data, and Native Plant Species Table 3 suggest a diversity of native species is present, and that vegetation production compares favorably with ecological site potential. Vegetation structure would rate good were it not for the data that shows a lack of perennial grass cover and composition at 3 of 4 key areas.

A combination of all of the range monitoring studies accomplished in the Duckwater and Currant Ranch Allotments over the last few years indicate a diversity of native upland vegetation is present. The following table lists the native upland plant species that have been observed in these allotments. This table does not include native riparian species.

Table 3. Native Plant Species - RWD Permit Renewal Area – Grasses, Forbs, and Shrubs

Common Name	Symbol	Common Name	Symbol
Indian ricegrass	Achy	Indian paintbrush	Casti2
Needleandthread	Heco26	Prince's plume	Stanl
Galleta grass	Plja		
Squirreltail grass	Elel5		
Sandberg's bluegr.	Pose	Big sagebrush	Artr2
Sand dropseed	Sper	Winterfat	Eula5
Threeawn grass	Arist	Bud sagebrush	Arsp5
Western wheatgr.	Pasm	Greasewood	Save4
Basin wildrye	Elci	Mormon Tea	Epne
		Douglas rabbitbrush	Chvi8
		Fourwing saltbush	Atca2
		Broom Snakeweed	Gusa2
Pinyon groundsm.	Gara2	Horsebrush	Tetra3
Aster	Aster	Spiny hosage	Grsp
Globemallow	Sphae	Black sagebrush	Arno4
Penstemon	Penst	Shadscale	Atco
Buckwheat	Eriog	Rubber rabbitbrush	Chna
Phlox	Phlox	Bailey greasewood	SaveB
Loco (milkvetch)	Astra	Stansbury cliffrose	Come
Purple aster	Maca	Singleleaf pinyon	Pimo

Goldenweed	Haplo		Utah juniper	Juos
Miner's candle	Crypt		Wyoming sagebrush	ArtrWy

The following precipitation data by year is presented for the Ely Weather Station (Yelland Field) as summarized by the National Oceanic and Atmospheric Administration. The precipitation totals are for **crop year precipitation**, or that moisture (including snow) measured from September through June. This is effective moisture for plant growth. The average crop year precipitation for the Ely Station for the thirty year period 1977 – 2006 is 8.44 inches. Nine of the eleven years listed below are below this average. This represents drought conditions.

Year	Crop Year Precipitation
1997	7.83
1998	10.00
1999	7.18
2000	6.70
2001	5.26
2002	4.42
2003	6.88
2004	5.45
2005	12.20
2006	8.32
2007	5.62

Wildlife indicators:

The primary ungulate wildlife species in this area are pronghorn antelope and mule deer. Escape terrain for both of these species is plentiful in the use area. The ecological condition and cover data summaries indicate that the relative abundance and composition of plant species somewhat lacks native perennial grasses and forbs compared to ecological site potential. Plant communities are distributed in mosaics across the landscape. It is assumed that the native plant nutritional value is adequate to sustain wildlife needs. No monitoring data is available on the occurrence or frequency of dead trees (snags) in this area.

- Prepared by:

RMS /s/ Mark Lowrie 10/29/07
Title Date

Lead RMS /s/ Chris Mayer 10/29/07
Title Date

I concur:

/s/ William E. Dunn 10/29/07
Authorized Officer Date

Appendix II
Grazing Permit Terms and Conditions
R.W.D. Currant Creek, L.L.C.

Terms and Conditions of Authorized Use

In accordance with 43 CFR 4130.3-1, cattle grazing use will be authorized as follows. These terms and conditions will be included in the term grazing permit for R.W.D. Currant Creek, L.L.C. or any lessee during the ten year period.

The number and kind of livestock, season-of-use and permitted use will be as follows on the Duckwater and Currant Ranch Allotments. This represents no change from the current permit:

Allotment Number	Name	Livestock Number/Kind	Grazing Period Begin End	% Public Land	Type Use	Active Preference AUMs
00153	Currant Ranch	15 Cattle	03/01 - 05/31	100	Active	45*
		15 Cattle	11/01 - 02/28	100	Active	59*
		44 Cattle	11/01 – 02/28	100	Active	174*
0701	Duckwater	50 Cattle	03/01 - 04/30	100	Active	100
	Red Mountain	42 Cattle	12/01 - 02/28	100	Active	126
	Use Area	177 Cattle	03/01 – 06/15	100	Active	623
		158 Cattle	11/01 – 02/28	100	Active	623
	Broom Canyon					
	Use Area	125 Cattle	03/01 – 02/28	100	Active	440
		112 Cattle	11/01 – 02/28	100	Active	442**

* Total active permitted use (active preference) following the transfer of 105 active AUMs from Denny Manzonie to R.W.D. Currant Creek, L.L.C. for the Currant Ranch Allotment is 282 AUMs.

** Total active permitted use (active preference) for the Duckwater Allotment following the transfer is now 2,356 AUMs.

The allotment summary is as follows:

Allotment	Active AUMs	Suspended AUMs	Total Permitted Use
Duckwater	2356	1932	4228
Currant Ranch	282	33	315

Terms and Conditions:

In accordance with 43 CFR 4130.3-2, the following terms and conditions will be included in the grazing permit for R.W.D. Currant Creek, L.L.C. in the Currant Ranch and Duckwater Allotments:

Stipulations common to all allotments:

1. Livestock numbers identified in the term grazing permit are a function of seasons of use and permitted use for each allotment. Deviations from those livestock numbers and seasons of use may be authorized on an annual basis where such deviations would not prevent attainment of the multiple-use objectives for the above allotment(s).

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.

3. Pursuant to 43 CFR 10.4(G) the holder of this authorization must notify the authorized officer by telephone, with written conformation, immediately upon discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (as defined at 43 CRF 10.2). Further, pursuant to 43 CFR 10.4 (C) and (D), you must stop activities for 30 days or until notified to proceed by the authorized officer.

4. The authorized officer is requiring that an actual use report (form 4130-5) be submitted within 15 days after completing your annual grazing use.

5. 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 $25.00 or 10 percent of the grazing bill, whichever is greater, not to exceed $250.00. 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.

6. Grazing use in the Broom Canyon and Red Mountain Use Areas of the Duckwater Allotment, and grazing use in the Currant Ranch Allotment, located in Nye County, will be in accordance with the Mojave-Southern Great Basin Area Standards and Guidelines for Grazing Administration, as developed by the resource Advisory Council (RAC) and approved by the Secretary of the interior on February 12, 1997. Grazing use will also be in accordance with 43 CFR sub-part 4180 – Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration. The grazing management practices identified in the terms and conditions are designed to ensure significant progress towards the fulfillment of the Mojave-Southern Great Basin Area Standards and toward conformance with the guidelines. The management actions implement the guidelines to meet multiple use objectives and standards.

7. Adjustments to livestock management practices may be made annually as needed in consideration of forage availability, climatic conditions, drought, wildfire, and/or other disturbances such as wild horse use, flooding, and insects.

Other stipulations:

1. Active permitted use (active preference) for the Duckwater Allotment is 2356 AUMs. Active permitted use (active preference) for the Currant Ranch Allotment is 282 AUMs.

2. The Currant Ranch Allotment will receive spring rest every third year from 3/1 to 5/31.

3. An allowable use level will be established as 45% of the current year's growth by weight for the key native species Indian ricegrass and whitesage in the term permit renewal area during the spring grazing period and 60% for the same key species year-long (following the fall/winter grazing period ending February 28. Utilization will be measured at established key grazing areas or other sites representative of the dominant vegetation in the use area.

4. Salt blocks and nutritional supplements will be located at least ¼ mile away from riparian/wetland areas, water ditches, or other permanently located or natural water sources. Supplement locations should be moved every year.

5. Coordinate with the grazing permittee on an annual basis to implement grazing management practices that (a) maintain sufficient residual vegetation and litter, (b) promote attainment or maintenance of proper functioning condition, and (c) meet desired plant physiological and reproductive requirements.

6. Adjustments to livestock management practices may be made annually as needed in consideration of forage availability, climatic conditions, drought, wildfire, and/or other disturbances such as wild horse use, flooding, and insects.

7. Water haul sites will be determined annually by the authorized officer.

8. 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.

9. The permittee is required to perform normal maintenance on the range improvements that have been or will be issued through approved cooperative agreements or section 4 permits.

10. Wildlife escape ramps would be required to be installed and maintained by the permittee at each permanent or temporary trough on the allotments.

Duckwater stipulations:

1. Grazing use will be made in the Broom Canyon (pasture 1) and Red Mountain (pasture 11) use areas of the Duckwater Allotment.

2. Grazing use in the Duckwater Allotment will be in accordance with the Final Multiple Use Decision of June 9, 1995. Spring cattle turnout will be deferred in the Broom Canyon Use Area (pasture 1) the first year following issuance of the grazing decision and every third year thereafter from 03/01 to 04/30. Spring cattle turnout will be deferred in the Red Mountain Use Area (pasture 11) the second year following issuance of the grazing decision and every third year thereafter from 03/01 to 04/30.

3. Cattle grazing in the Red Mountain Use Area will be dependent on continued water hauling and rotating seasons of use between spring and fall. Cattle grazing will not be concentrated in the bottoms around Callaway Well, to allow proper rest for severely degraded rangelands.

4. BLM and RWD will work together on an annual basis to identify livestock management practices to be implemented for each year in the Duckwater and Currant Ranch Allotments. Annual grazing may be modified from the terms and conditions listed above in consideration of climatic conditions such as drought, forage availability, wildfire locations, and/or other factors, as long as vegetative objectives are met. Grazing use will be in accordance with Standards and Guidelines for Rangeland Health.

During the ten year period of this term permit renewal, the BLM and RWD will monitor the Duckwater and Currant Ranch Allotments for resource conditions in order to determine the effectiveness of the term permit renewal in achieving or making progress towards achieving the Standards and conforming to the Guidelines for Rangeland Health. RWD will be encouraged to participate in the monitoring. Rangeland monitoring may be conducted both prior to and following annual use. Monitoring conducted prior to annual use will determine areas of forage availability and cattle stocking levels. Monitoring conducted following grazing use will determine utilization levels and use patterns. Specific rangeland monitoring studies could include vegetation cover studies, ecological condition studies, key forage plant method utilization transects (KFPM), use pattern mapping (UPM), frequency trend, observed apparent trend, professional observation, and photographs.

Appendix III
Noxious Weed Risk Assessment
RWD Term Permit Renewal

On July 27, 2006 a Noxious Weed Risk Assessment was completed for a proposed grazing term permit renewal, located on public lands in Nye County, within the Ely Field Office Area of the Ely District Bureau of Land Management. The proposed term permit renewal occurs in Railroad Valley within the Broom Canyon and red Mountain Use Areas of the Duckwater Allotment and the Currant Ranch Allotment. The permit renewal covers approximately 152,000 acres of public land. The legal location of the term permit renewal area is as follows:

T. 11N., R. 56E., T. 10N., R. 56E., T. 11N., R. 57E., T. 10N., R. 57E., many sections of the townships and ranges.

The three main vegetation types within the permit renewal area are salt desert shrub, northern desert shrub (big sagebrush), and pinyon-juniper woodlands.

A tour and field inspection for noxious weeds and invasive species was conducted on July 27, 2006. Photographs of the term permit renewal area were taken during the field inspection.

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

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

For this project, the factor rates as moderate (7) at the present time. Noxious weed species are located within the project area, as verified by field inspection and the Ely Field Office Weeds Inventory. The Ely Weeds Inventory (Weedpoints_012607) indicates that tall whitetop (Lepidium latifolium) is common along the Duckwater Creek channel along the western boundary of the Broom Canyon Use Area, in the ephemeral Currant Creek channel, and in a 400 acre area in the valley bottom in the extreme south of the permit area. These areas have been identified and monitored by the Tri-County Weed Program. Small areas of tall whitetop have been inventoried in other locations of the grazing permit area. Other noxious species inventoried on public lands in the permit area include small populations of salt cedar (Tamarix spp.) and Russian knapweed (Acroptilon repens). One small population of little whitetop (Lepidium draba) also occurs in the permit area. Noxious weeds that have been inventoried on private ground near the permit area include tall whitetop and Russian knapweed. No noxious weeds have been inventoried or identified in the Currant Ranch Allotment. The invasive

species cheatgrass (Bromus tectorum), halogeton (Halogeton glomeratus), Russian thistle (Salsola kali), and mustard are present in the term permit renewal area, primarily along access roads.

The proposed term permit renewal is likely to result in the establishment of noxious weeds in the permit area even though preventive management actions are followed. The proposed term permit renewal could also result in the spread and establishment of cheatgrass, halogeton, mustard, or Russian thistle.

Factor 2 assesses the consequences of noxious 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 (7-10)	Obvious adverse effects within the project area and probable expansion of noxious wee infestations to areas outside the project area. Adverse cumulative effects on native plant communities are probable.

For this term permit renewal, the factor rates as moderate (7) at the present time. This means that there are possible adverse effects of noxious weeds becoming established in the native plant community in the term permit renewal area. Cumulative effects on the native plant communities are likely but limited.

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 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 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 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 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 weeds and follow-up treatment for previously treated infestations.

For this term permit renewal, the Risk Rating is moderate (49) at the present time. Preventive management measures for noxious weeds need to be developed to reduce the risk of introduction or spread of noxious weeds into the permit renewal area. These measures (mitigation) are as follows:

1. RWD and BLM will watch for and report or eradicate any small noxious weed patches in the project area.

3. The range specialist for the Duckwater and Currant Ranch Allotments will include weed detection into normal rangeland monitoring activities.
4. The term permit renewal area will be monitored for noxious weeds for at least three consecutive years following renewal of the permit.
4. Trucks and other heavy equipment used in water hauling activity will be washed prior to entering the permit renewal area.

The term permit renewal can proceed as planned. Control treatments would be initiated on noxious weed populations that establish in the area.

Reviewed by: /s/ Bonnie Waggoner Date: 10/29/07

Appendix IV - List of References to EA and SDD

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Figure 1

Grazing Term Permit Renewal Area Within Ely District

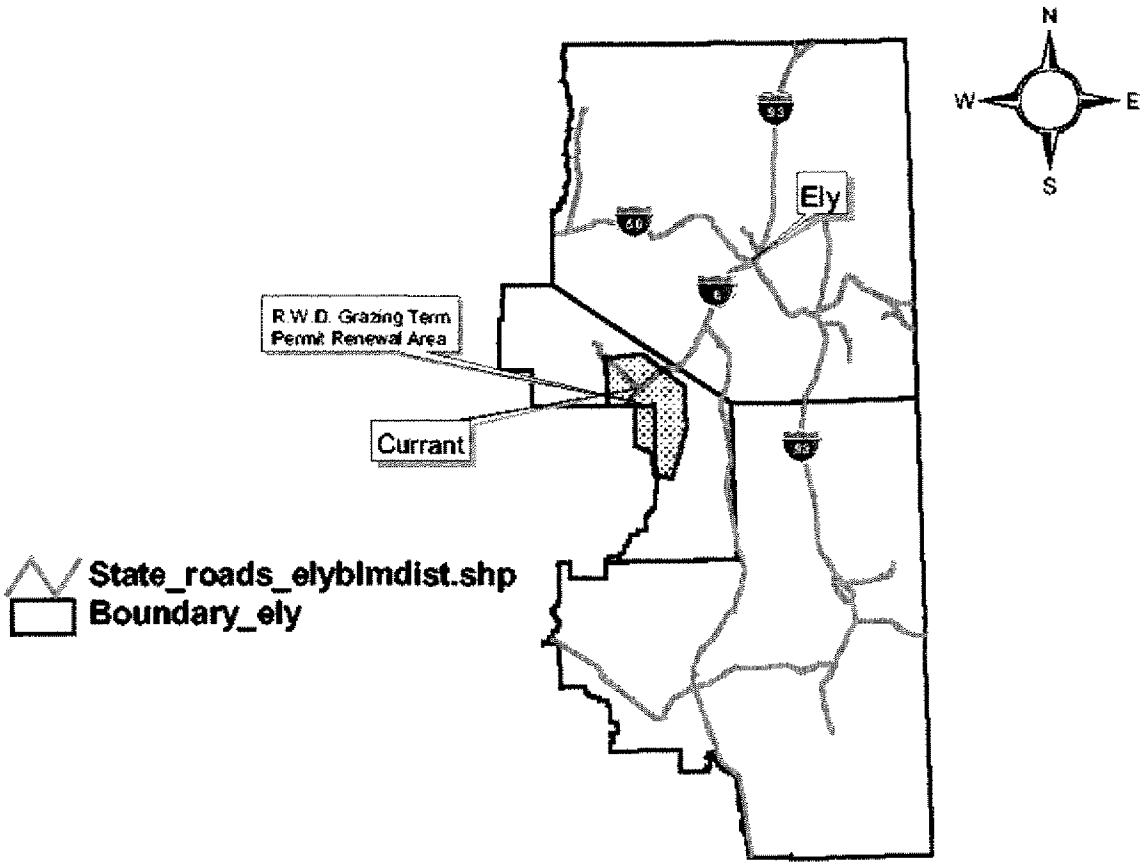

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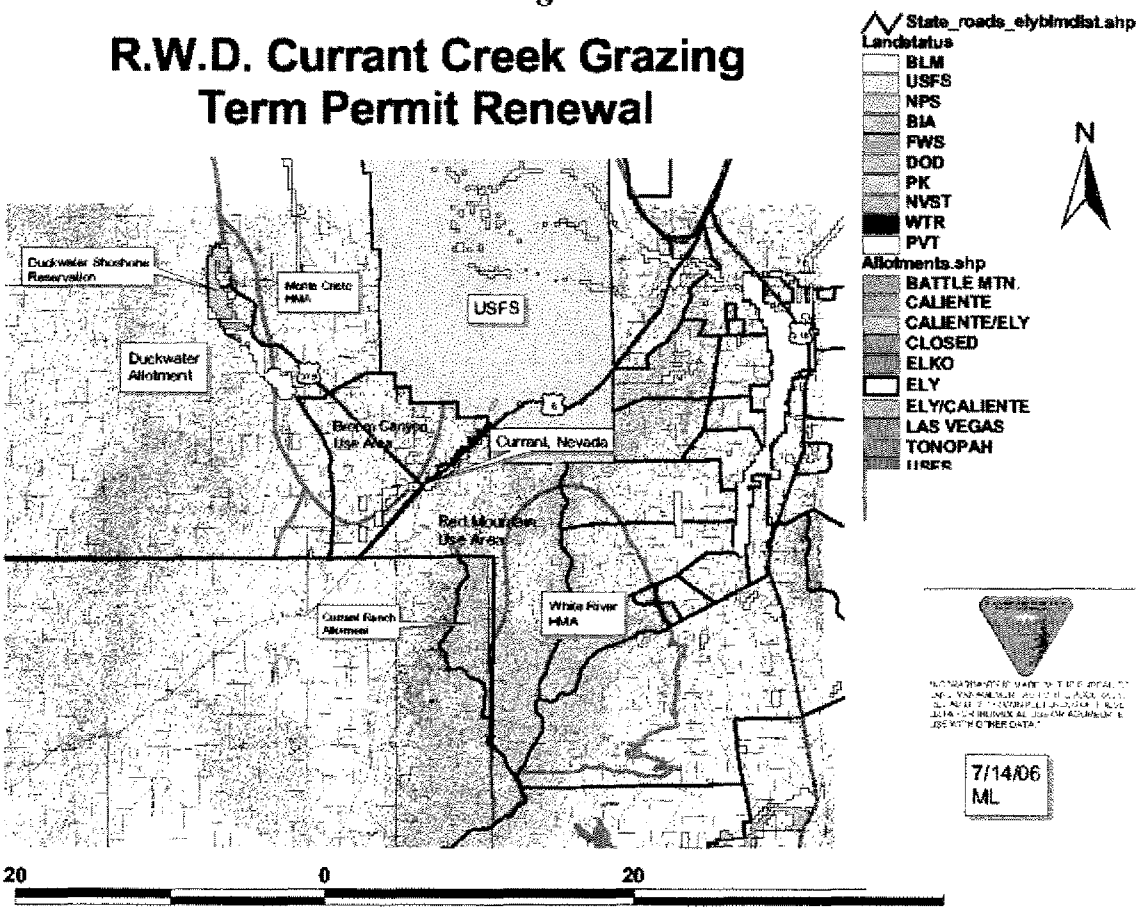
Figure 2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NPS
BIA
FWS
DOD
PK
NVST
WTR
PVT
N
Allotments.shp
BATTLE MTN.
CALIENTE
CALIENTE/ELY
CLOSED
ELKO
ELY
ELY/CALIENTE
LAS VEGAS
TONOPAH
Duckwater Shoshone Reservation
Monte Cristo HMA
USFS
Duckwater Allotment
Currant, Nevada
Red Mountain Use Area
White River HMA
Currant Ranch Allotment
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