

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

Proposed Decision

CX NV-040-08-059

September 15, 2008

Grazing Permit Renewal for Carry and Elizabeth Baker
on
Six Mile Ranch Allotment

U.S. Department of the Interior
Bureau of Land Management
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United States Department of the Interior
BUREAU OF LAND MANAGEMENT

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In Reply Refer to:
4160 (NV-045)

PROPOSED DECISION

Carry and Elizabeth Baker Term Permit Renewal for the Six Mile Ranch Allotment

Background Information

On October 1, 2008 the Categorical Exclusion (CX) for Carry and Elizabeth Baker (Six Mile Ranch Allotment) term permit renewal (CX No. NV-040-08-059) was signed. The CX and Standards Determination Document are attached. This proposed decision is issued in accordance with 43 CFR 4160.1.

This decision complies with BLM Nevada Instruction Memorandum (IM) No. NV-2008-019 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 term grazing permit under consideration is for the Six Mile Ranch Allotments (#00814). The Six Mile Ranch Allotment is a cattle allotment with a permitted use of 238 Animal Unit Months (AUMs). Of these, 162 AUMs are active and 76 AUMs are suspended nonuse. The current permitted season of use is April 1 to April 30 and September 15 to February 28. The allotment is ranked as an "M" (Maintain Condition) category in Land Use Documents. The current term permit for the Six Mile Ranch Allotment has been issued for the period of 3/1/2005 to 2/28/2015. The allotment encompasses 2232 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 Carry and Elizabeth Baker for the Six Mile Ranch Allotment provides for a legitimate multiple use of the public lands. The term permit will include terms and conditions for grazing use that conform to Guidelines and will achieve significant progress toward the Standards for Nevada's Northern Great Basin Area. The term permit is issued 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 actions that were developed under this proposed decision execute management actions that will ensure that Standards for Rangeland Health and multiple use objectives continue to be met and that significant progress is made towards those that are currently not met.

The standards were assessed for the Six Mile Ranch Allotment by a BLM interdisciplinary team consisting of rangeland management specialists, wildlife biologist, weeds specialist, and watershed specialist. Documents and publications used in the assessment process include the Soil Survey of Central Nevada Basin and Range Ecological Site Descriptions for Major Land Resource Area 28B, Interpreting Indicators of Rangeland Health (USDI-BLM et al. 2000), Sampling Vegetation Attributes (USDI-BLM et al. 1996) and the National Range and Pasture Handbook (USDA-NRCS 1997). All are available for public review in the Ely BLM District Office. The interdisciplinary team used rangeland monitoring data, professional observations, and photographs to assess achievement of the Standards and conformance with the Guidelines. The "Standard Riparian Functioning Condition Checklist" (USDI-BLM 2000) was not completed for the Six Mile Ranch Allotment as no riparian spring sources exist on the allotment.

The assessment of rangeland health for the Six Mile Ranch Allotment was conducted in the summer, 2008. It was determined that the Standards were not being achieved nor was grazing management in complete conformance with the Guidelines. A review and analysis of the monitoring data was conducted. As a result of this review, changes to the management of livestock were proposed to improve the vegetative conditions of the allotment. The complete standards determination is located in Appendix I of the CX (CX-NV-040-08-059). A summary of the findings for the allotment are as follows:

1. Soils Standard: Achieving the Standard.
2. Ecosystem Components: Not Applicable.
3. Habitat and Biota: Not achieving the Standard and not making significant progress toward achieving.

Conclusions of the Standard Determination:

Standard 1. Soils: Standard achieved. Vegetation cover studies, utilization studies, photographs, and professional observations indicate the majority of the allotment is achieving the Upland Sites Standard. Canopy and ground cover, including litter, live vegetation, and rock are appropriate to ecological site potential.

Standard 2. Ecosystem Components: No Proper functioning condition (PFC) monitoring studies have been conducted as there are no springs and/or stream sites located within the Six Mile Ranch Allotment. This standard is not applicable to the allotment.

Standard 3. Habitat and Biota: Standard not achieved. The ecological sites within this allotment have transitioned into plant communities dominated solely by black sagebrush. The sagebrush plant communities are in a transitioned static stable state. An over abundance of invasive, non-native plant species such as cheatgrass is currently an issue of concern within the 2001 burn area. A very small trace herbaceous component is present on the allotment. Monitoring data indicates the black sage brush composition to be much greater than the appropriate composition level for the range site.

Conclusion:

The over dominance of shrubs and lack of herbaceous component on the allotment may be attributed in part to a combination of past drought and historical overgrazing.

The project proposal was posted on the Ely Field Office web site, March 28, 2008, at http://www.nv.blm.gov/ely/nepa/CX_list.htm and no comments were received.

The CX(Categorical Exclusion) was posted on the Ely external webpage on August 4, 2008 for a fifteen day comment period. A hard copy of the CX and Standards and Determination (SDD) Document was mailed to the permittee and those publics who have specifically requested one and who have expressed an interest in range management actions on the Six Mile Ranch Allotment. Comments were not received to the CX or SDD.

LIVESTOCK MANAGEMENT DECISION

In accordance with 43 CFR 4110.3, 4110.3-2(b) and 4130.3-1 permitted use for Carry and Elizabeth Baker on the Six Mile Ranch Allotment, will be as follows:

Table 1. Term Permit for Carry and Elizabeth Baker (#2704601)

Allotment Name and Number	Livestock Number/Kind	Grazing Period		% Public Land*	Type Use	AUMs**
		Begin	End			
Six mile Ranch (#00814)	30 Cattle	04/01	04/30	100	Active	30
	24 Cattle	09/15	02/28		Active	132
*% Public Land is the percent of public land for billing purposes.						
**AUMs may differ from Active Use due to a rounding difference with the number of livestock and the period of use.						
Allotment AUMs Summary						
ACTIVE AUMS		SUSPENDED AUMS		PERMITTED AUMS		
162		76		238		

The proposed term permit and allotment information is as follows:

The renewal of the term grazing permit will be for a period of ten years from approximately 9/30/2008 to 09/29/2018. This decision will be effective upon the decision becoming final or pending final determination on appeal. Proposed changes to the permit terms and conditions will affect the overall management of livestock based on timing and duration of grazing, and allowable use levels on perennial native plants.

Terms and conditions for grazing use which will become pertinent to the Carry and Elizabeth Baker permit are proposed as follows:

1. An allowable use level will be established as 50% of the current year's growth by weight for the key native species Indian ricegrass, and crested wheat grass within the seeding on the Six Mile Ranch Allotment.

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 will not prevent attainment of the multiple-use objectives for the allotment.
2. Deviations from specified grazing use dates will be allowed when consistent with multiple-use objectives. Such deviations will require an application and written authorization from the authorized officer prior to grazing use.
3. The authorized officer is requiring that an actual use report (form 4130-5) be submitted within 15 days after completing your annual grazing use.
4. The payment of your grazing fees is due on or before the date specified in the grazing bill. This date is generally the opening date of your allotment. If payment is not received within 15 days of the due date, you will be charged a late fee assessment of \$25 or 10 percent of the grazing bill, whichever is greater, not to exceed \$250. Payment with Visa, MasterCard or American Express is accepted. Failure to make payment within 30 days of the due date may result in trespass action.
5. Pursuant to 43 CFR 10.4(G) the holder of this authorization must notify the authorized officer by telephone, with written confirmation, immediately upon discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (as defined at 43 CFR 10.2). Further, pursuant to 43 CFR 10.4 (C) and (D), you must stop activities in the immediate vicinity of the discovery and protect it from your activities for 30 days or until notified to proceed by the authorized officer.
6. Grazing use will be in accordance with the Northern Great Basin Standards and Guidelines for grazing administration as developed by the respective resource advisory council and were approved by the Secretary of the Interior on February 12, 1997 with subsequent revisions. Grazing use will also be in accordance with 43 CFR Subpart 4180 – Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration.
7. If future monitoring data indicates that Standards and Guidelines for Grazing Administration are not being met, the permit will be reissued subject to revised terms and conditions.
8. The permittee is responsible for all maintenance of assigned range improvements including wildlife escape ramps for both permanent and temporary water troughs.
9. The permittee must notify the authorized officer by telephone, with written confirmation, immediately upon discovery of any hazardous or solid wastes as defined in 40 CFR Part 261.'

Rationale For No Changes in Grazing Use

Current livestock grazing is not a contributing factor to not achieving the Standard. The primary reason for not meeting the Standard 3 cited is inadequate soil protection through inappropriate

vegetation community. The primary causal factor is the past drought and historical overgrazing. The average active use on the allotment in the past six years has been a little more than one-third of the permitted AUMs. As a result of this review, no changes to the current management of livestock on the Six Mile Ranch were proposed. The current livestock management practices would expect to improve the vegetative conditions of the allotment.

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.”

4130.3-1 (c) “Permits and leases shall incorporate terms and conditions that ensure conformance with subpart 4180 of this part.”

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....”

4130.3-3: “Following consultation, cooperation, and coordination with the affected lessees or permittees, the State having lands or responsible for managing resources within the area, and the interested public, the authorized officer may modify terms and conditions of the permit or lease when the active use or related management practices are not meeting the land use plan, allotment management plan or other activity plan, or management objectives, or is not in conformance with the provisions of subpart 4180 of this part...”

4160.1 (a) “Proposed decisions shall be served on any affected applicant, permittee or lessee, and any agent and lien holder of record, who is affected by the proposed actions, terms or conditions, or modifications relating to applications, permits and agreements (including range improvement permits) or leases, by certified mail or personal delivery. Copies of proposed decisions shall also be sent to the interested public.”

4160.1 (b) “Proposed decisions shall state the reasons for the action and shall reference the pertinent terms, conditions and the provisions of applicable regulations. As appropriate, decisions shall state the alleged violations of specific terms and conditions and provisions of these regulations alleged to have been violated, and shall state the amount due under §§ 4130.8 and 4150.3 and the action to be taken under § 4170.1.”

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.”

Protest and Appeal

Protest

In accordance with 43 CFR 4160.2, any applicant, permittee, lessee or other interested public may protest the proposed decision under 4160.1 of this title, in person or in writing to Jane Peterson, Field Manager for the Schell Field Office, Ely District ,Office Box 33500, 702 North Industrial Way HC33 Ely, Nevada 89301 within 15 days after receipt of such decision. The protest, if filed, must clearly and concisely state the reason(s) why the protestant thinks the proposed decision is in error.

In accordance with 43 CFR 4160.3 (a), in the absence of a protest, the proposed decision will become the final decision of the authorized officer without further notice unless otherwise provided in the proposed decision.

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

Appeal

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

The appeal and any petition for stay must be filed at the office of the authorized officer Jane Peterson, Field Manager for the Schell Field Office, Ely District ,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,

/s/Kyle Hansen for 10/08/2008

Jane Peterson
Field Manager Schell Field Office
Ely District Office BLM

Enclosures:

1. CXNV-040-08-059 (including the standards determination document)
2. Allotment Map(s)

**FINDING OF NO SIGNIFICANT IMPACT
FOR
Carry and Elizabeth Baker Permit Renewal (Six mile Ranch Allotment)
CX # NV-040-08-059**

I have reviewed Categorical Exclusion (CX) NV-040-08-059, dated **September 15, 2008**. 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 (CX) NV-040-08-059 has been reviewed through the interdisciplinary team process

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

Context: The Six Mile Ranch Allotment is located in White Pine County approximately 60 miles southwest of Ely, Nevada within the Great Basin physiographic region. The Six Mile Ranch Allotment is located at T.10N. and T.11N. R.62E. Sections: multiple sections. The Six Mile Ranch Allotment consists of 2232 acres under Bureau of Land Management administration and 105 acres of private land. White Pine County, Nevada. White Pine County is sparsely populated, with less than one person per square mile. Although the acreage involved is extensive, impacts from livestock grazing are dispersed, and compatible with the rural, agricultural setting throughout most of the County.

Intensity:

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

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

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

The Proposed Action will not result in 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 parks, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas (ACECs) within the area of analysis. 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.

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

The effects of livestock grazing on public lands have become more controversial in the past several years. However, most effects were disclosed in the Ely District Record of Decision and Approved Resource Management Plan approved August 20, 2008. 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. The effects analysis demonstrates the effects are not uncertain, and do not involve unique or unknown risk

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

The Proposed Action will not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration. Renewing the grazing permit does not establish a precedent for other Rangeland Health Assessments and Decisions. Any future projects within the area or in surrounding areas will be analyzed on their own merits and 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 propose in the future, further environmental analysis, including the assessment of cumulative impacts, will be required.

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

No districts, sites, highways, structures or objects listed in or eligible for listing in the National Register of Historic Places (NRHP) would be affected by the proposed action were identified in the project area and EA. Evaluations of any known eligible sites within the allotment determined that the proposed action will not cause their loss or destruction, nor of any 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 action complies with the Endangered Species Act, in that potential effects of this decision on listed species have been analyzed and documented (EA Chapter 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.

Jane Peterson
Field Manager Schell Field Office
Ely District BLM

Date

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

**Categorical Exclusion (CX) Document for Carry and Elizabeth Baker Term Grazing
Permit Renewal**

July 29, 2008

Prepared By: Craig Hoover



Categorical Exclusion Documentation

Ely District

A. Background

BLM Office: Ely District Office Lease/Serial/Case File No.: **CX NV-040-08-059**

Proposed Action Title/Type: Carry and Elizabeth Baker Permit Renewal for the Six Mile Ranch Allotment

Location of Proposed Action: Six Mile Ranch Allotment

Description of Proposed Action: The BLM would issue and fully process a new term grazing permit for Carry and Elizabeth Baker, and authorize grazing on the Six Mile Ranch Allotment.

There are no proposed changes to the terms and conditions. The permit will be issued for a period of ten years. The issuance of the term grazing permit will be effective upon the proposed decision becoming final or pending final determination on appeal. The number and kind of livestock, season-of-use and permitted use will remain as follows on the Six Mile Ranch Allotment:

Allotment/ Pasture	Livestock Number & Kind	Period of Use	Permitted Use (AUMs)	Type Use
Six Mile Ranch (#00814)	30 Cattle	04/01 to 04/30	30	Active
	24 Cattle	09/15 to 02/28	132	Active

An assessment of the Northeastern Great Basin Area Standards for Rangeland Health was conducted for the Six Mile Ranch in 2008 during the permit renewal process. During the assessment, a review and analysis of the monitoring data was conducted. The Soils Standard is being achieved. The Habitat and Biota Standard is not being achieved, but livestock are not a contributing factor. There are no public land riparian areas on the Six Mile Ranch Allotment therefore the standard assessment was not conducted for the Riparian and Wetland Sites Standard.

B. Land Use Plan Conformance

Land Use Plan Name: Ely District Record of Decision and Approved Resource Management Plan Date Approved: August 20, 2008.

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following Management Decisions: **2.5.16 Livestock Grazing** “Authorized active use would fluctuate above and below the total active use or level of use authorized in the grazing permit. Authorized active use above the total active use is temporary nonrenewable. Active use not activated is nonuse. Authorized active use would fluctuate based on annual forage production”.

“ Allotments would continue to be monitored and evaluated to determine if they are continuing to meet or are making significant progress towards meeting the standards for rangeland health.”

“ Domestic sheep and goats would continue to be managed in accordance with current BLM policies for management of domestic sheep and goats in bighorn sheep habitat when proposed changes to BLM grazing permits are being considered. This would apply to both Rocky Mountain bighorn and desert bighorn sheep.”

C: Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.96, D

D. Rangeland Management 11. Issuance of livestock grazing permits/leases where: a. The new grazing permit/lease is consistent with the use specified on the previous permit/lease, such that (i) the same kind of livestock is grazed (ii) the active use previously authorized is not exceeded, and (iii) grazing does not occur more than 14 days earlier or later than as specified on the pervious permit/lease, and b. The grazing allotment(s) has been assessed and evaluated and the Responsible Official has documented in a determination that the allotment (s) is (i) meeting land health standards, or (ii) not meeting land health standards due to factors that do not include existing livestock grazing.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM2 apply.

D: Signature

Jane Peterson
Field Manager Schell Field Office
Ely District BLM

Date: _____

Contact Person

For additional information concerning this CX review, contact Chris Mayer, Supervisory Rangeland Management Specialist, Egan Field Office, Ely District, HC33 Box 33500 Ely, Nevada, 89301-9408, 775-289-1800.

Categorical Exclusions: Extraordinary Circumstances

If any of these extraordinary circumstances apply a CX cannot be used.

Extraordinary circumstances exist for individual actions within CXs which may:

2.1: Have significant impacts on public health or safety.

Review: The Livestock grazing does not result in impacts to public health or safety.

2.2: Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.

Review: The Ely RMP EIS has evaluated the impacts of livestock grazing on natural resources and unique geographic characteristics found on the public lands throughout the district, and decisions were made to eliminate grazing in areas where the impacts could cause unacceptable degradation to natural resources and unique geographic characteristics.

2.3: Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].

Review: Whereas it may be controversial to continue to permit livestock grazing on public land in spite of the effects, there is little controversy as to what they are. The Ely RMP EIS analyzed several alternatives with various effects to conflicting uses of natural resources and disclosed the effects and decisions were made to continue livestock grazing in areas deemed appropriate.

2.4: Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

Review: The effects of livestock grazing are well known and documented. The Ely RMP EIS analyzed the effects of livestock grazing throughout the district and has eliminated grazing in areas where unique environmental risks occur.

2.5: Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.

Review: Issuing the permit for livestock grazing on public lands does not set precedence for any future decisions on public land management. Whereas other actions such as range developments may occur, the decisions to do so are not required as a result of issuing the permit. Should future rangeland health assessments indicate a change in the permit is warranted, the terms of the permit can be altered to protect the public lands.

2.6: Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

Review: A rangeland health assessment was conducted and it was determined that livestock grazing on the allotment is not resulting to the decline in any land health standards. It is not contributing to any potential cumulative significant environmental effects.

2.7: Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.

Review: No properties exist in the allotment.

2.8: Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.

Review: The allotment does not provide habitat for any threatened or endangered species. Refer to the attached NEPA Documentation and Review for Range Projects.

2.9: No Federal law, or a State, local, or tribal laws would be violated by the proposed action.”

Review: The proposed action does not violate any environmental laws.

2.10: Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

Review: The proposed action would not effect any low income or minority populations.

2.11: Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).

Review: Local tribes have not identified any Traditional Cultural Properties within the Ely District.

2.12: Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

Review: A Weed Risk Assessment was conducted in conjunction with the permit renewal process for the Six Mile ranch Allotment. Although noxious and invasive species are not problematic on the allotment, a moderate risk rating was assigned anyway due to the presence of two species within the allotment and in the vicinity on roads and drainages leading to the allotment. The assessment incorporates mitigation measures to diminish the threat of invasive and noxious weed introduction and spread as follows:

- Prior to entering public lands, the BLM will provide information regarding noxious weed management and identification to the permit holders affiliated with the project. The

importance of preventing the spread of weeds to uninfested areas and importance of controlling existing populations of weeds will be explained.

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

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

Standards and Determination Document for Carry and Elizabeth Baker Term Grazing Permit Renewal

July 29, 2008

Prepared By: Craig Hoover



STANDARDS DETERMINATION DOCUMENT
Carry and Elizabeth Baker Term Permit Renewal (Operator # 2704601)
CX NV-040-08-059

Standards and Guidelines Assessment

Standards and Guidelines for Grazing Administration were developed by the Northeastern Great Basin Area Resource Advisory Council (RAC) and approved by the Secretary of the Interior on February 12, 1997. Standards and Guidelines are likened to objectives for healthy watersheds, healthy native plant communities, and healthy rangelands. Standards are expressions of physical and biological conditions required for sustaining rangelands for multiple uses. Guidelines point to management actions related to livestock grazing for achieving the Standards.

This Standards Determination Document evaluates and assesses conformance and achievement of the Standards and Guidelines for Six Mile Ranch Allotment, in the Ely District BLM. The Six Mile Ranch Allotment is located in White Pine County approximately 60 miles southwest of Ely, Nevada within the Great Basin physiographic region. The Six Mile Ranch Allotment is located at T.10N. and T.11N. R.62E. Sections: multiple sections. The Six Mile Ranch Allotment consists of 2232 acres under Bureau of Land Management administration and 105 acres of private land. The current permit allows Carry and Elizabeth Baker to graze 30 Cattle from 04/01 to 04/30 and 24 cattle from 09/15 to 02/28. A total of 162 active AUMs are currently permitted. All are the permitted grazing allotments for the Carry and Elizabeth Term Permit Renewal. The Six Mile Ranch Allotment has been classified by Land Use Planning Documents as a category “M” (Maintain) allotment.

Standards for Rangeland Health were assessed by a BLM interdisciplinary team on February 27, 2008 on the Six Mile Ranch Allotment. The interdisciplinary team (consisting of Rangeland Management Specialists, Wildlife Biologists, Natural Resource Specialists, Archaeologists, and others) utilized several scientifically based documents and official publications to complete the assessment. These documents include the White Pine County Soil Survey (USDA-SCS 1982), 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), and The National Range and Pasture Handbook (USDA NRCS 2003). A complete list of references is included as an appendix to this Standards Determination Document. The interdisciplinary team also used rangeland monitoring data, professional observations, and photographs to assess achievement of the Standards and conformance with the Guidelines.

One study site area on native range within the Six Mile Ranch Allotments was monitored during the summer of 2008. The study site area has been selected based on accessibility and livestock use patterns. Vegetation cover studies and livestock utilization studies were completed at the study site during the summer of 2008. Photographs were taken and professional observations noted. Standard Riparian Functioning Condition Checklists (USDI-BLM 2000) have not been completed for the Allotment as there are no riparian areas within the allotment.

In 2001 a wildfire burning approx. 80% of the native plant community occurred and is now dominated by the invasive annual cheatgrass. The primary source of livestock forage is provided

by a seeding located south of the private property within the Six Mile Ranch Allotment and outside of the burn area.

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

PART 1. STANDARD CONFORMANCE REVIEW

Standard # 1. Upland Sites

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

Soils indicators:

- ❖ Canopy and ground cover, including litter, live vegetation and rock, appropriate to the potential of the 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

Findings: Monitoring data results describing current resource conditions for the Key study site within the Six Mile Ranch Allotment as they relate to the above Upland Sites Standard and soils indicators are as follows:

Line intercept cover and utilization studies were conducted at one Study site on the Six Mile Allotment in 2008. The MLRA 28B ecological site descriptions for the Six Mile Ranch Allotment state the appropriate ground cover for the areas where the key area is located is fifteen to twenty percent. The ecological range site for the key study site is R028BY011NV, a Shallow Calcareous Loam 8-10". The soils in this site are typically shallow and well drained. They usually have a hardpan or restrictive layer within the main rooting depth. Most of these soils are high in calcium carbonates, especially in the subsoil. Soil textures are generally loams to gravelly loams. The available water holding capacity is very low to low, water intake rates are slow to moderate and runoff is slow to medium. Cryptogammic crusts were present extensively across the native plant community portion of the allotment.

Appropriate cover levels exist at the key study site on the allotment as recommended in the ecological site description guides. There were no measurable levels of utilization at the study site location at the time data was collected.

Livestock licensed use on the Six Mile Ranch Allotment for cattle has ranged from 24 AUMs (2002 and 2003) to 176 AUMs (2006) during the six year period 2002 - 2007. During the last six

grazing seasons, from 2002 to 2007, the average actual use by livestock has been 91 AUMs (see Tables 5 in Appendix 1). This is approximately fifty–six percent respectively of the active AUMs permitted on the allotment. Licensed use normally has occurred during early spring solely on a seeding within the allotment and early fall and winter on the native upland vegetation communities.

Conclusion:

Standard achieved. Vegetation cover studies, utilization studies, photographs, and professional observations indicate the majority of the allotment is achieving the Upland Sites Standard. Canopy and ground cover, including litter, live vegetation, and rock are appropriate to ecological site potential. (see Table 1).

Standard # 2. Riparian and Wetland Sites

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

Soils indicators:

- ❖ Canopy and ground cover, including litter, live vegetation and rock, appropriate to the potential of the site.

Determination:

X Not Applicable

- 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

Findings: No Proper functioning condition (PFC) monitoring studies have been conducted as there are no springs and/or stream sites located within the Six Mile Ranch Allotment.

Conclusion:

This standard is not applicable to the allotment.

Standard #3. Habitat

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

Habitat indicators:

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

Determination:

- Achieving the Standard
- Not achieving the Standard, but making significant progress towards

X Not achieving the Standard, not making significant progress towards

Causal Factors:

Livestock are a contributing factor to not achieving the Standard

X Livestock are not a contributing factor to not achieving the Standard

Failure to achieve the Standard is related to other issues or conditions

X In conformance with the Guidelines

Findings: Monitoring data results describing current resource conditions for the key study site in the Six Mile Ranch Allotment as they relate to the above Habitat Standard and habitat indicators are as follows:

The “Soil Survey of White Pine County, Nevada, West Part” information, field observations, and professional judgment were used in this assessment to describe and compare the dominant potential vegetation in the Six Mile Ranch Allotment with the current existing vegetation communities.

A. Potential Natural Community characteristics of Upland Vegetation Communities

The vegetation within the Six mile Ranch Allotment should be diverse with sagebrush/shrub/grass plant communities dominating. The major plant components within the allotment are black sagebrush, Indian ricegrass and Needleandthread.. Together, they should be the dominant vegetative species on more than 75% of the total area of native plant communities within the grazable portions of the allotment.

C. Current Community characteristics of Upland Vegetation Communities in the Six Mile Ranch Allotment

The 2008 cover by species data for all the key areas and key study sites show the present dominant vegetation consists almost totally of black sagebrush. Black sage brush comprises from over 90%, by composition, of the present vegetation community with respect to the specific key area site location. Other forb and shrub species exist in only trace amounts. Ideally, these vegetation communities should contain a black sage shrub cover component much less than what currently exists, between twenty-five and thirty-five percent, and a grass/forb cover component much greater than what currently exists, twenty to forty-five percent as stated in the “Soil Survey of White Pine County, Nevada, East Part” information. There is a concern over the disproportionate amount of black sage brush and the lack of perennial grass and forb species on the allotment. Professional observations suggest the vegetation composition changes along the elevation gradient and plant communities are separated by small hills and gullies on the lower

mountain benches and there should be a mosaic and a “mix” of plant communities and ecological sites, including sites dominated by black sagebrush, and Indian ricegrass. There are many travel corridors present for grazing animals in the washes and drainage bottoms. The current existing mix of native and seeding plant communities are adequate to sustain animal needs, even in the winter period. The native vegetation communities consist of very small quantities of native grasses mixed with trace amounts of the invasive annual grass cheatgrass. The majority of the allotment native plant community has been dramatically reduced as a result of a 2005 wildfire burning approx. 70% of the native plant community and is now dominated by the invasive annual cheatgrass. The primary source of livestock forage is provided by a seeding located south of the private property within the Six Mile Ranch Allotment and outside of the burn area.

Ecological Processes

The ecological sites within this allotment have transitioned into plant communities dominated solely by black sagebrush. The sagebrush plant communities are in a transitioned static stable state. An over abundance of invasive, non-native plant species such as cheatgrass is currently an issue of concern within the 2005 burn area. A very small trace herbaceous component is present on the allotment. Monitoring data indicates the black sage brush composition to be much greater than the appropriate composition level for the range site. The over dominance of shrubs and lack of herbaceous component on the allotment may be attributed in part to a combination of drought (see Table 3) and historical overgrazing.

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

Standard # 1. Soils.

No. The Upland Sites Standard for stable soils and hydrologic function are being achieved as the measured ground cover is at the appropriate levels with regards to the ecological site guides.

Standard # 2. Riparian and Wetland Sites

Not applicable. There are no existing riparian areas on BLM administered public lands within any of the allotments.

Standard # 3. Habitat

No. The Standard is not being achieved regarding the habitat indicators due to a combination of past drought (see Crop Year Precipitation Table), wildfire suppression and perhaps historic overgrazing.

PART 3. GUIDELINE CONFORMANCE REVIEW GUIDELINES:

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

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

The new term permit would include terms and conditions for grazing use that achieve, or make significant progress towards achieving the Standards and Guidelines for Grazing Administration and the other pertinent land use objectives for livestock use. (See Appendix 2). The BLM, Carry and Elizabeth Baker will work together on an annual basis to identify livestock management practices to be implemented for each year in the Six Mile Ranch Allotment. Annual grazing may be modified within 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. The permittee will be required to perform normal maintenance on the range improvements that have been or will be issued through approved cooperative agreements or section 4 permits. During the ten year period of this term permit renewal, the BLM, Carry and Elizabeth Baker will monitor the Six Mile Ranch Allotment for resource conditions in order to determine the effectiveness of the term permit renewal in achieving or making progress towards achieving the Standards for Rangeland Health. Carry and Elizabeth Baker 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 cover studies, ecological condition studies, key forage plant method utilization transects, use pattern mapping, frequency trend, observed apparent trend, professional observation, and photographs.

1. Utilization will be measured at established key grazing areas or other sites representative of the dominant vegetation in the use area. When an average of 50% use is reached at these sites, the cattle will be removed from the seeding and/or native range.
2. Maintain the current stocking level at 238 permitted AUMs on the Six Mile Ranch Allotment, 162 active AUMs and 76 suspended.
3. An allowable use level will be established as 50% of the current year's growth by weight for the key native species Indian ricegrass, and crested wheat grass within the seeding on the Six Mile Ranch Allotment.

Terms and Conditions:

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 confirmation, immediately upon discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (as defined at 43 CFR 10.2). Further, pursuant to 43 CFR 10.4 (C) and (D), you must stop activities 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. 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.
7. If future monitoring data indicates that Standards and Guidelines for Grazing Administration are not being met, the permit will be reissued subject to revised terms and conditions.
8. The permittee is responsible for all maintenance of assigned range improvements including wildlife escape ramps for both permanent and temporary water troughs.
9. The permittee must notify the authorized officer by telephone, with written confirmation, immediately upon discovery of any hazardous or solid wastes as defined in 40 CFR Part 261.'

Other Terms and Conditions:

1. BLM, Carry and Elizabeth Baker will work together on an annual basis to identify livestock management practices to be implemented for each year in the Six Mile Ranch Allotment. 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.
2. 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. During the ten year period of this term permit renewal, the BLM, Carry and Elizabeth Baker will monitor the Six Mile Ranch Allotment for resource conditions in order to determine the effectiveness of the term permit renewal in achieving or making progress towards achieving the Standards for Rangeland Health. Carry and Elizabeth Baker 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 cover studies, ecological condition studies, key forage plant method utilization transects, use pattern mapping, frequency trend, observed apparent trend, professional observation, and photographs.

3. Supplement locations should be moved every year and 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.

Reviewed by:

<u>/s/Gary Medlyn</u>	<u>10/07/2008</u>
Gary Medlyn	Date
Soil/water/air/floodplains/riparian/wetlands	

<u>/s/Bonnie Million</u>	<u>10/07/2008</u>
Bonnie Million	Date
Noxious and invasive non-native species	

<u>/s/Kyle Hansen for Deborah Koziol</u>	<u>10/08/2008</u>
Deborah Koziol	Date
Wildlife Biologist/T&E Species/Riparian	

<u>/s/Lorie Leshner</u>	<u>10/01/2008</u>
Lorie Leshner	Date
Cultural resources	

<u>/s/Benjamin Noyes</u>	<u>10/09/2008</u>
Benjamin Noyes	Date
Wild horses and burros	

<u>/s/Elvis Wall</u>	<u>10/08/2008</u>
Elvis Wall	Date
Native American religious concerns	

<u>/s/Gina Jones</u>	<u>10/07/2008</u>
Gina Jones	Date
Ecology/environmental coordination	

<u>/s/Gary Medlyn</u>	<u>10/07/2008</u>
Gary Medlyn	Date
Watershed assessment	

I concur:

<u>/s/Kyle Hansen for</u>	<u>10/08/2008</u>
Jane Peterson	Date
Field Manager Schell Field Office	
Ely District BLM	

Prepared by:

<u>Craig Hoover</u>	<u>RMS</u>	<u>10/07/2008</u>
	Title	Date
<u>Chris Maye</u>	<u>Lead RMS</u>	<u>10/08/2008</u>
	Title	Date

REFERENCES

USDA- NRCS. 2005. Soil Survey of White Pine County, Nevada, East Part. CD Disk.

USDA-NRCS. 2003. MLRA 28B Central Nevada Basin and Range Nevada Ecological Site Descriptions

USDI-BLM. 2000. Interpreting Indicators of Rangeland Health. Version 4. Technical Reference 1734-6. BLM/WO/ST-00/001+1734. National Science and Technology Center Information and Communications Group, Denver, Colorado.

USDA – SCS, USDA Forest Service, DOI BLM, UNR Reno, USDA ARS and Range Consultants. 1984. Nevada Rangeland Monitoring Handbook.

USDA Forest Service, USDA NRCS, DOI BLM, Cooperative Extension Service. 1996. Sampling Vegetation Attributes.

USDI-BLM. 2000. Rangeland Health Assessment Worksheets. Ely Field Office. Unpublished field data.

USDA-NRCS. Revised 2003. National Range and Pasture Handbook.

Appendix I

Table 1

Ground Cover on Six Mile Ranch Allotment

Key study site, & Date	Range Site	Measured Ground Cover Intercept (%)	Site Guide Appropriate Ground Cover	Species Observed (*Plant Symbol)
Key Area-1 UTM N 4292460, E 673562 06/24/08	028BY011NV	17.33%	15-20%	ARTR, BRTE(T), HIJA(T), ATCO(T), POSE(T)

* USDA Natural Resources conservation Service, 1998. Nevada Plant List.

Table 2

USE LEVELS ON SIX MILE RANCH ALLOTMENT

KEY AREA	Key Area-1	DC-01
Grazing Year	2008	2006
Utilization	0%	Was not Recorded

Table 3

LIVESTOCK ACTUAL USE AUMs: SIX MILE RANCH

Grazing Year	Actual Use AUMs
2002	33
2003	24
2004	24
2005	155
2006	176
2007	133
6 Year Average	91

Table 4

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

The above 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.

Appendix 2

Grazing Permit Terms and Conditions

Terms and Conditions of Authorized Use –Carry and Elizabeth Baker Permit

Allotment Name Number	Livestock Number/Kind	Grazing Period		% Public* Land	Type Use	AUMs**
		Begin	End			
Six Mile Ranch (#00814)	30 Cattle	04/01	04/30	100	Active	30
	24 Cattle	09/15	02/28	100	Active	132

The allotment summary is as follows:

<u>Allotment</u>	<u>Active</u>	<u>Suspended</u>	<u>Permitted Use</u>
Six Mile Ranch	162	76	238

Terms and Conditions:

In accordance with 43 CFR 4130.3-2, the following terms and conditions will be included in the grazing permit for Carry and Elizabeth Baker on the Six Mile Ranch Allotment.

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 allotment.
2. Deviations from specified grazing use dates will be allowed when consistent with Multiple-Use Objectives. Such deviations will require an application and written authorization from the authorized officer prior to grazing use.
3. Pursuant to 43 CFR 10.4 (G) the holder of this authorization must notify the authorized officer by telephone, with written confirmation, immediately upon discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (as defined at 43 CFR 10.2). Further, pursuant to 43 CFR 10.4 (C) and (D), you must stop activities in the immediate vicinity of the discovery and protect it from your activities for 30 days or until notified to proceed by the authorized officer.
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 or 10 percent of the grazing bill, whichever is greater, not to exceed \$250. Payment with Visa, MasterCard or American Express is accepted. Failure to make payment within 30 days of the due date may result in trespass action.
6. Grazing use will be in accordance with the Northeastern Great Basin Area Standards and Guidelines for grazing administration as developed by the Northeastern Great Basin Resource Advisory Council and approved by the Secretary of the Interior on February 12, 1997. Grazing use will also be in accordance with 43 CFR Sub-part 4180 - Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration.
7. If future monitoring data indicates that Standards and Guidelines for Grazing Administration are not being met, the permit will be reissued subject to revised terms and conditions.
8. The permittee is responsible for all maintenance of assigned range improvements including wildlife escape ramps for both permanent and temporary water troughs.
9. The permittee must notify the authorized officer by telephone, with written confirmation, immediately upon discovery of any hazardous or solid wastes as defined in 40 CFR Part 261.'

Other Terms and Conditions:

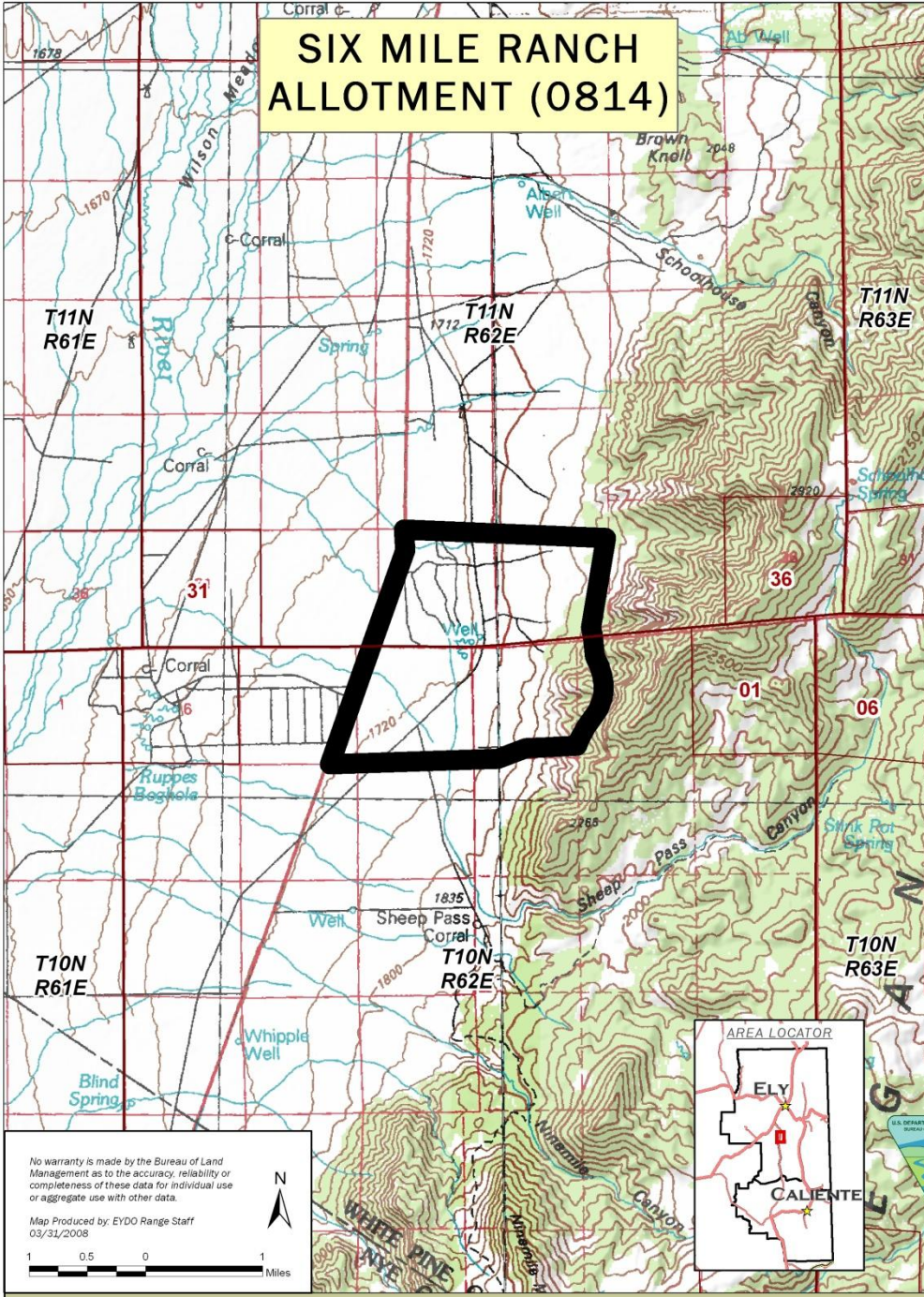
1. BLM, Carry and Elizabeth Baker will work together on an annual basis to identify livestock management practices to be implemented for each year in the Six Mile Ranch Allotment. Annual grazing may be modified from the terms and conditions listed above in consideration of climatic conditions such as 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.

2. 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. During the ten year period of this term permit renewal, the BLM, Carry and Elizabeth Baker will monitor the Six Mile Ranch Allotment for resource conditions in order to determine the effectiveness of the term permit renewal in achieving or making progress towards achieving the Standards for Rangeland Health. Carry and Elizabeth Baker 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 cover studies, ecological condition studies, key forage plant method utilization transects, use pattern mapping, frequency trend, observed apparent trend, professional observation, and photographs.

3. An allowable use level will be established as 50% of the current year's growth by weight for the key native species Indian ricegrass and non-native crested wheat grass. Utilization will be measured at established key grazing areas or other sites representative of the dominant vegetation in the use area. When an average of 50% use is reached at these sites, the cattle will be removed from the Native range and pasture.

4. Supplement locations should be moved every year and 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.

SIX MILE RANCH ALLOTMENT (0814)



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

Map Produced by: EYDO Range Staff
03/31/2008

1 0.5 0 1 Miles

BLM

Ely District Office



RISK ASSESSMENT FOR NOXIOUS & INVASIVE WEEDS

Term Grazing Permit Renewal for Carry & Elizabeth Baker

Six Mile Ranch Allotment

White Pine County, Nevada

On March 7th, 2008 a Noxious & Invasive Weed Risk Assessment was completed for the term grazing permit renewal for Carry & Elizabeth Baker on the Six Mile Ranch allotment in White Pine County, NV approximately 60 miles southwest of Ely, Nevada. The proposal is to fully process the renewal of the term grazing permit for a period of ten years. The current term permit currently authorizes up to 162 AUMs of cattle grazing, annually, with 30 cattle from 04/01 to 04/30 and 24 cattle from 09/15 to 02/28. The Six Mile Ranch allotment encompasses approximately 2,232 acres of public land within the White River Central watershed. Approximately 105 acres of private land are located within the northwest part of the allotment.

No field weed surveys were completed for this project. Instead the Ely District weed inventory data was consulted. The following species are found within the boundaries of the Six Mile Ranch allotment:

Tamarix spp. Salt cedar

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

Cirsium vulgare Bull thistle
Lepidium latifolium Tall whitetop
Tamarix spp. Salt cedar

The Six Mile Ranch allotment was last inventoried for noxious weeds in 2002. While not officially inventoried the following non-native invasive weeds probably occur in or around the allotment: cheatgrass (*Bromus tectorum*), halogeton (*Halogeton glomeratus*), horehound (*Marrubium vulgare*), and Russian thistle (*Salsola kali*).

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

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

For this project, the factor rates as Moderate (4) at the present time. The proposed action could increase the populations of the noxious and invasive weeds already within the allotment and

could aid in the introduction of weeds from surrounding areas. Within the allotment, watering and salt block sites are of particular concern of new weed infestations due to the concentration of livestock around those sites and the amount of ground disturbance associated with that.

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

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

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

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

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

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

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

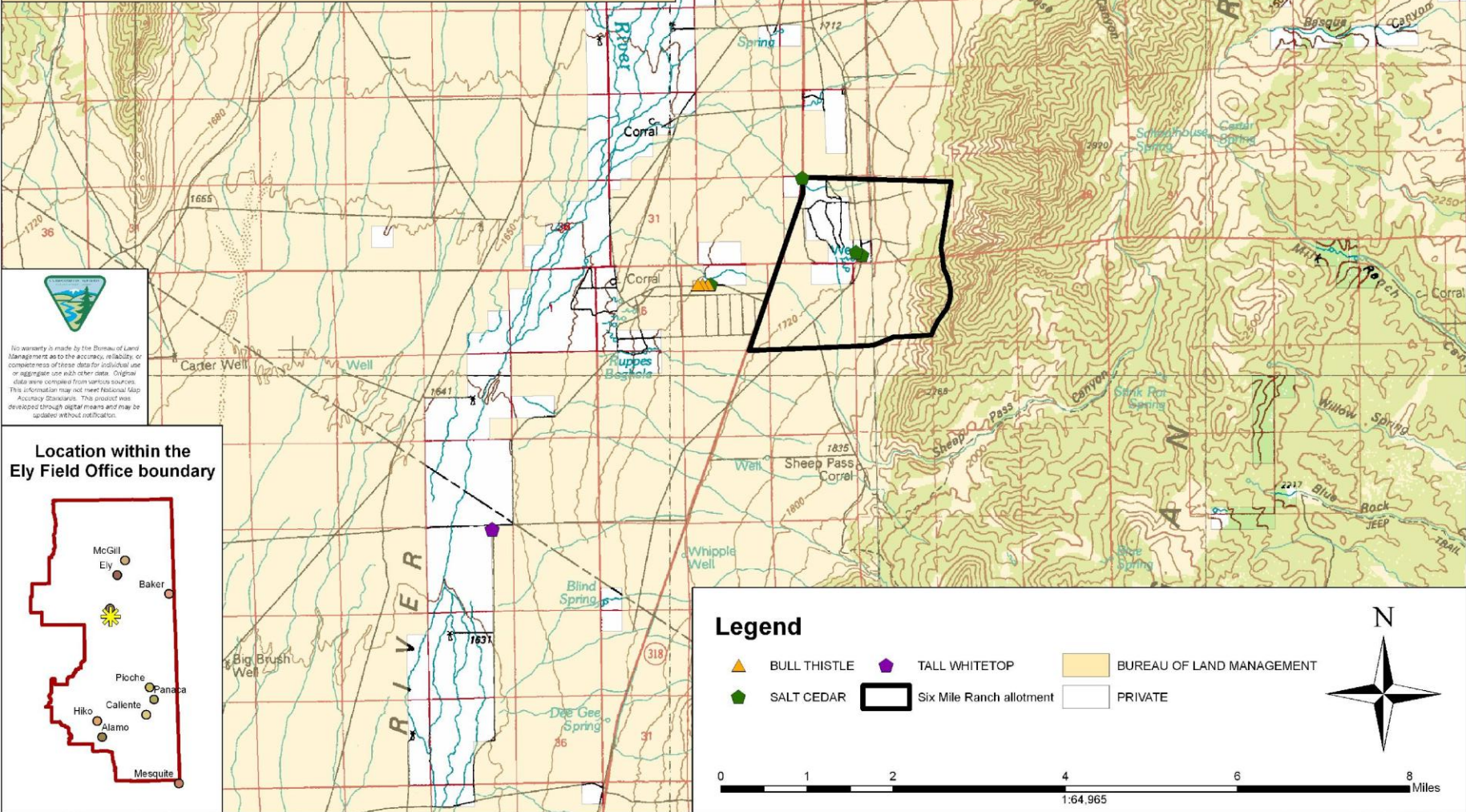
- Grazing will be conducted in compliance with the Ely District BLM noxious weed schedules. The scheduled procedures can significantly and effectively reduce noxious weed spread or introduction into the project area.
- Any newly established populations of noxious/invasive weeds discovered will be communicated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

Reviewed by: /s/Bonnie Million
Bonnie Million

03/07/2008
Date

Ely District Noxious & Invasive Weeds Coordinator

Six Mile Ranch Allotment Term Permit Renewal Documented Noxious & Invasive Weed Infestations



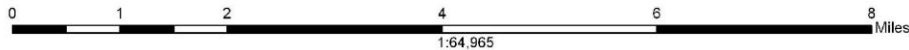
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Location within the Ely Field Office boundary



Legend

- ▲ BULL THISTLE
- ◆ TALL WHITETOP
- BUREAU OF LAND MANAGEMENT
- ◆ SALT CEDAR
- Six Mile Ranch allotment
- PRIVATE



Produced on 3/7/2008 by Bonnie M. Waggoner, Noxious & Invasive Weeds Coordinator for the Ely Field Office

Coordinate System: NAD 1983 UTM ZONE 11N