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BUREAU OF LAND MANAGEMENT

Battle Mountain Field Office
50 Bastian Road
Battle Mountain, Nevada 89820
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DEPARTMENT OF ADMINISTRATION
OFFICE OF THE DIRECTOR
BUDGET AND PLANNING DIVISION

In Reply Refer To:
4160
(NV062)

Dear Interested Public:

On July 22, 2005, we sent you and the permittees a copy of the Simpson Park Complex Rangeland Health Evaluation. This evaluation analyzed monitoring data to determine whether or not livestock grazing, wild horse use and wildlife use have resulted in the attainment of Shoshone Eureka Resource Management Plan objectives and the Northeastern Great Basin Resource Advisory Counsel Standards and Guidelines. The Battle Mountain Field Office has worked diligently with you and the permittees through this process to develop meaningful management actions that will ensure that significant progress is made towards the standards for rangeland health and conform to the guidelines.

Please find the attached Proposed Multiple Use Decision for the Simpson Park Complex. Also attached are the Conformance Determination and Environmental Assessment #NV062-EA05-069. The Environmental Assessment (EA) is being issued for your review prior to the issuance of the Final Multiple Use Decision (FMUD) and Finding of No Significant Impact (FONSI). Please review these documents and contact either myself or Michele McDaniel, Rangeland Management Specialist if you have any questions.

Enclosed also please find a list of all parties that received this information. Thank you for your involvement in this process and continued cooperation.

Sincerely,

Douglas Furtado
Assistant Field Manager
Renewable Resources

Enclosures:

Simpson Park Complex Proposed Multiple Use Decision
Conformance Determination
Environmental Assessment #NV062-EA05-069

SIMPSON PARK COMPLEX INTERESTED PUBLIC

Marie Jeanne Ansolabehere	Jerry Lancaster
Jim Baumann, Simpson Creek Ranch, Inc.	Lander County Commissioners, Lander County
Kenneth Buckingham	Laurel Marshall
Randy Buffington	Gary McCuin, Nevada Department of Agriculture
Steven Carter, Carter Cattle Co.	*Charles W. Parsons
Ken & Russell Conley, University of Nevada, Reno	Jeff and Leslie Perkins
Ken Conley	Mike Podborny, NDOW, Eureka Field Office
Tom and Volina Connolly	Charles N. Saulisberry, Certified Consultant
Peter J. Damele, Dry Creek Ranch	Ryan Shane, Resource Concepts Inc.
District Ranger, USFS Austin Ranger District	Carl Slagowske
Jim Etcheverry, Eureka Livestock Co.	Michael Stafford, Budget and Planning Div., Nevada State Clearing House
Eureka Co. Natural Resource Dept.	David Stine
Henry Filippini Jr., Filippini Ranching Co.	Jerry Todd
Katie Fite, Western Watersheds Project	Truckee River Ranch
Steve Foree, Nevada Division of Wildlife	U.S. Fish and Wildlife, Reno Fish and Wildlife Office
Art Gale	Barbara Warner
Jim & Ida Gallagher	Wild Horse Commission
William J. Gandolfo	Howard Wolf
Bill Hall, Ellison Ranching Co.	Ken & Karen Woodland
Mark Hyde, Truckee River Ranch, LLC	Ralph Young, Young Brothers
Paul Inchauspe, Silver Creek Ranch, Inc.	



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In Reply Refer To:
4160
(NV-062)

PROPOSED MULTIPLE USE DECISION KINGSTON AND SIMPSON PARK ALLOTMENTS

Introduction:

In order to renew grazing permits associated with the Kingston and Simpson Park Allotments and set Appropriate Management Levels (AML) for the herd management areas within these allotments, the Battle Mountain Field Office (BMFO) initiated the allotment assessment process in 1991 for the Simpson Park Allotment and 1993 for the Kingston Allotment. The Simpson Park Complex Evaluation and Rangeland Health Assessment (SPC Evaluation) analyzed monitoring data collected within the Kingston and Simpson Park Allotments. Monitoring data was collected to determine whether current livestock management practices and grazing systems and existing wild burro populations within the Hickison Herd Management Area (HMA) and wild horse populations within the Callaghan HMA are meeting the Shoshone-Eureka Resource Management Plan (SERA RMP) objectives, Standards for Rangeland Health, and multiple use objectives within the Kingston and Simpson Park Allotments. Proposed management actions for livestock, wild horses and burros, and wildlife habitat are identified as an outcome of the assessment and evaluation process. Permittees within the Simpson Park Complex include Dry Creek Ranch, Silver Creek Ranch, Truckee River Ranch, Howard & Barbara Wolf, Ken & Karen Woodland, and Young Brothers. The proposed actions that were developed under this proposed decision execute management actions that would ensure that Standards for Rangeland Health and multiple use objectives continue to be met and that significant progress is made towards those that are currently not met.

Upon completion of the Proposed Multiple Use Decision (PMUD) process, the Final Multiple Use Decision (FUMD) and Finding of No Significant Impact (FONSI) will be issued and serve as the Decision Record (DR) for Environmental Assessment #NV062-EA05-069.

Background:

The Kingston and Simpson Park permittees and members of the interested public have been notified by the BLM regarding data collection and the evaluation process for the Kingston and Simpson Park Allotments. The collection of monitoring data for the evaluation of the Kingston and Simpson Park Allotments was initiated in 1993 and 1991 respectively. Discussions with permittees have focused on permittee livestock grazing operations and resource management issues within the Kingston and Simpson Park Allotments. In 2004, allotment evaluation meetings between permittees and the BMFO occurred to discuss the evaluation process. Meetings continued in 2005 as the BMFO worked to complete the draft evaluation to further

discuss the findings of the data analysis, management proposals, and any management alternatives that could be provided by the permittees. The proposed management plans and alternatives were discussed in a number of meetings in an effort to ensure the attainment of the Standards for Rangeland Health and conform to guidelines while also maintaining the viability of the permittee's livestock operation. During these meetings, various permittees stated that they were in verbal acceptance of the management actions that were going to be proposed by the BMFO.

In addition, consultation with the interest group Western Watersheds Project (WWP) occurred throughout the evaluation process. These meetings and discussions focused on the findings of the Simpson Park Complex Evaluation and Rangeland Health Assessment and possible proposed management actions regarding livestock, wild horses and burros, and wildlife that would result in the attainment of the Standards for Rangeland Health within the allotments. Permittee and interested public coordination meetings will continue throughout the evaluation process until a Final Multiple Use Decision (FMUD) is issued in September 2005.

Following the analysis, interpretation, and evaluation of monitoring data, it was determined that SERA RMP objectives, Standards for Rangeland Health, and multiple use objectives were not being fully attained for both allotments. The evaluation also concluded that significant progress towards the attainment of the Standards for Rangeland Health and multiple use objectives were not occurring throughout the allotments.

It was determined that historic livestock management was the causal factors for non-attainment of the SERA RMP objectives, Standards for Rangeland Health (Standard 3), and multiple use objectives for the Kingston Allotment. It was determined that historic and current livestock management was the causal factor for the non-attainment of SERA RMP objectives, Standards for Rangeland Health (Standard 2 & 3), and multiple use objectives for the Simpson Park Allotment. Wild horse use was also found to be a causal factor for the non-attainment of Standard 2.

As a result of the evaluation of monitoring data, Proposed Management Actions were developed in consultation with the permittees and the interested public that would ensure the Standards for Rangeland Health and multiple use objectives where they are met continue to be met and that significant progress is made towards those that are currently not met. Through the Simpson Park Complex Rangeland Health Assessment process, the interdisciplinary team identified allotment specific objectives for the Kingston and Simpson Park Allotments that are consistent with the Standards for Rangeland Health and the SERA RMP. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069.

On July 22, 2005, the SPC Evaluation was sent to permittees and interested publics for review. A thirty-day comment period was provided for the interested public to voice concerns regarding the Evaluation. During the comment period, meetings were held with permittees to further discussions regarding the proposed management actions. As a result of these meetings, modifications to various proposed management actions were requested. Through discussion of these modifications, a number of permittees indicated that they were in acceptance of the proposed management actions.

Following the public comment period for the evaluation, the Battle Mountain Field Office carefully considered the comments received. These comments resulted in changes to the evaluation and proposed management actions. Upon incorporating these changes, the management actions to be implemented within the Kingston and Simpson Park Allotments were selected. The Conformance Determination is attached separately and addresses comments to the evaluation and identifies the management actions selected for the Kingston and Simpson Park Allotments. The selected management actions were analyzed in the Simpson Park Complex Rangeland Health Assessment Environmental Assessment (NV-062-EA05-069) and Finding of No Significant Impact (FONSI). The FONSI has determined that the proposed action that is specified in this decision will not have a significant impact on Air Quality, Cultural-Paleontological Resources, Invasive, Non-Native Species, Migratory Birds, Native American Religious Concerns, Threatened and/or Endangered Animals, Water Quality, Wetlands and Riparian Zones, Forest/Woodlands, Grazing Management, Minerals, Recreation, Socio-Economic Values, Soils, Special Status Species (plant and animal), Vegetation, Visual Resources, Wild Horses and Burros, and Wildlife. These documents are included for your review. A copy of the draft FONSI is presented below for your review.

**FINDING OF NO SIGNIFICANT IMPACT and DECISION RECORD
FOR
SIMPSON PARK COMPLEX EVALUATION AND RANGELAND HEALTH ASSESSMENT
ENVIRONMENTAL ASSESSMENT
#NV062-EA05-069**

Environmental Assessment (EA) NV-062-EA05-069, dated August 2005 has been reviewed through the interdisciplinary team process. After consideration of the environmental effects described in the EA and supporting documentation, it has been determined that the Proposed Action identified in the EA is not a major Federal Action and will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as described in 40 CFR 1508.27. Therefore, preparation of an Environmental Impact Statement (EIS) is not required as per Section 102 (2) © of the National Environmental Policy Act.

It has been determined that the Proposed Action is in conformance with the approved Shoshone-Eureka Resource Management Plan, and is consistent with the plans and policies of neighboring local, county, state, tribal and federal agencies and governments. This finding and conclusion is based the 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 Kingston Allotment is 12 miles south-east of Austin, NV situated within the northern end of the Big Smoky Valley. The allotment is bordered by the Toiyabe Range to the west and the Toquima Range to the east, both of which are managed by the USFS. Pete's Summit Road is the established northern boundary between the Kingston and Simpson Park Allotments and the Hay Ranch Fence serves as the southern boundary between the Kingston and Wildcat Canyon Allotments. The fence runs along a portion of the Lander-Nye County border. Twenty-five percent of the allotment is within the Hickison Burro Territory. The allotment consists of approximately 79,620 acres of public land and approximately 2,352 acres of private land.

The Simpson Park Allotment is 12 miles east/northeast of Austin, NV. The allotment encompasses a portion of Grass Valley and Big Smoky Valley. The allotment is bordered by the northern-most portion of the Toiyabe Range to the west, the Grass Valley Allotment to the north, and the Dry Creek Allotment to the east. The southern portion of the allotment is located within the Big Smoky Valley and is bordered by the northern-most portion of the Toquima Range and the Kingston Allotment. Highway 50 bi-sects the southern portion of the Simpson Park Allotment. The Toiyabe and Toquima Ranges are USFS managed lands while the Grass Valley, Dry Creek, and Kingston Allotments are public lands managed by the Battle Mountain Field Office (BMFO). The allotment consists of 97,192 acres of public land and 518 acres of private land.

The Simpson Park Complex Rangeland Health Assessment Evaluation was completed to summarize, analyze and interpret monitoring information that has been collected throughout the

evaluation period to determine if livestock, wild horses and burros, and wildlife use within the Kingston and Simpson Park Allotments are achieving Shoshone-Eureka Resource Area Land Use Plan Objectives and the Nevada Northeastern Great Basin Resource Advisory Council (RAC) Standards for Rangeland Health.

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 Simpson Park Complex Evaluation and Rangeland Health Assessment (SPC Evaluation) (Refer to pages 3 - 6 of the Environmental Assessment and pages 222 - 254 of the SPC Evaluation and the SPC Conformance Determination). The elimination of livestock grazing during the critical growth season for the vegetative communities that exist within the Kingston Allotment, proper use levels, and the management of wild burros at appropriate management levels will be beneficial. For the Simpson Park Allotment, the elimination of hot season grazing throughout the majority of the allotment, the deferment of livestock grazing during the critical growth season for the majority of the allotment, proper use levels, and the management of wild horses and burros at appropriate management levels will also be beneficial by reducing direct impacts that are adverse to rangeland health associated with livestock and wild horse and burro use.

No measurable impacts will occur to cultural resources, Native American Religious Concerns, lands, recreation, sensitive species, or ecosystem and biodiversity. None of the environmental impacts disclosed above and discussed in detail in the EA are considered significant.

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.*

The Kingston and Simpson Park Allotments are both under the jurisdictional boundary of the Battle Mountain Field Office of the Bureau of Land Management (BLM). The Kingston Allotment lies approximately 12 miles east of Austin, Nevada and is primarily located within Lander County. Approximately 222 acres of the allotment is within the boundary of Nye County. The allotment is surrounded by the Toiyabe Range to the west and the Toquima Range to the east. The Simpson Park Allotment is also approximately 12 miles east of Austin, Nevada and is located within Lander County in its entirety. In addition, portions of the Toiyabe Range and the Simpson Park Range occur within the allotment. There are no parks, prim farmlands, wetlands, wild and scenic rivers, or ecologically critical areas within the area of analysis. The EA did not identify any significant impacts to unique species or their habitats that occur on the allotment, or historical or cultural resources.

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

Public input is requested upon review of the EA prior to issuance of a final decision. All comments received in a timely manner will be addressed and incorporated as pertinent. The effects of livestock grazing management practices are well known and documented, are not highly controversial, and are employed to meet resource objectives. The proposed action would reduce permitted use, which may have a short term effect on ranching income. However, the expected improvements in rangeland health would provide for the long-term economic viability of the livestock operators (EA Chapter IV).

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

There are no known effects of the Proposed Action identified in the EA which are considered uncertain or involve unique or unknown risks. The effects analysis demonstrates the effects are not uncertain, and do not involve unique or unknown risk (EA Chapters IV & V).

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. Completion of the EA 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.*

Past and present activities within the Kingston and Simpson Park Allotments include livestock grazing, mining, hunting, wild horse and burro grazing, wild horse removal operations, wild burro reintroductions, invasive weed treatments, wildfire suppression activities, development of water sources, fence construction, construction of electrical transmission lines, construction of communication sites, road construction, and recreation.

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 (EA Chapter V).

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.*

The proposed action will limit the use of riparian areas by livestock, thereby reducing the negative effects to objects listed in or eligible for the listing in the NRHP. A fully qualified archaeologist will monitor the installation process of the projects under the proposed action to mitigate potential disturbance to buried cultural deposits that may exist within the location of the Willow Creek/Barton Pasture Fence and riparian exclosures. The action complies with the National Historic Preservation Act. Implementation will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places because the large size of the project area relative to the limited number of permitted livestock will ensure that grazing is dispersed (EA Chapter IV??). The action will also not cause loss or destruction of significant cultural, or historical resources (EA Chapter IV).

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. Only one federally listed, proposed, or candidate species, the bald eagle (threatened), occurs within the Kingston and Simpson Park Allotments. Special status species known to be associated with the habitat typical of the allotments are listed in the Simpson Park Complex Evaluation and Rangeland Health Assessment (pp. 21 - 29). The grazing management systems and the establishment of Appropriate Management Levels (AML) for wild horses and burros will lead to the protection of the riparian and upland resources. This will improve wildlife habitat throughout the allotment. 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 (Refer to Page 2 of the Environmental Assessment).

Douglas W. Furtado
Assistant Field Manager, Renewable Resources
Battle Mountain Field Office

Date

In order to ensure progress towards and achieve the Standard for Rangeland Health, SERA RMP objectives and allotment specific objectives for Kingston and Simpson Park that were identified in the Simpson Park Complex Rangeland Health Evaluation, changes in current livestock and wild horse and burro management are required.

Therefore, it is my decision to implement the management action identified below for livestock, wild horses and burros, and wildlife management in the Kingston and Simpson Park Allotments.

LIVESTOCK GRAZING MANAGEMENT DECISION

I. Kingston Allotment

Through the allotment evaluation process, it was determined that the following management actions are appropriate to ensure significant progress is made towards the attainment of SERA RMP objectives, Standards for Rangeland Health, and multiple use objectives within the Kingston Allotment.

- 1. Establish the total permitted use for the Kingston Allotment at 2,710 AUMs. Eight (8) AUMs would be removed from the total permitted use.**

Permittee	Permitted Use
Young Bros.	1510
Truckee River Ranch, LLC	1218
Total	2728

Rationale:

Use pattern mapping data collected in 1993 and 1994 in accordance with the Nevada Rangeland Monitoring Handbook. This data was used to analyze the carrying capacity of the allotment. The carrying capacity analysis was based on weighted average utilization. Refer to the SPC Evaluation Appendix 6. The carrying capacity was identified along with a grazing management plan to ensure that the season of use was appropriate for the vegetative communities that dominate the Kingston Allotment. The Kingston Allotment has been divided into east and west sections with the installation of the Highway 376 fence. The majority of the use within both sections of the allotment has been light and can be attributed to the vegetative conditions of the range and the limited occurrence of stock water resulting in poor distribution of livestock. The following table illustrates the average actual livestock use compared to the weighed average utilization and the total acres that exceeded the Rangeland Program Summary utilization objective of 60% by the end of the grazing year for the Kingston Allotment.

	1993	1994
61-100% Utilization	345	658
Average Actual Use (Livestock)	38%	39%

It was determined through the analysis of monitoring data that key management areas K-1 through K-6 and K-10 through K14 were failing to meet Resource Advisory Council (RAC) Standard 3: Habitat. Historic livestock grazing was identified as the causal factor for the non-attainment of this RAC Standard since the analysis of monitoring data revealed that existing use is resulting mainly in slight to moderate use of key species. The average weighted utilization for the use pattern maps was 38.5%. Current livestock grazing however, is not in conformance with the RAC vegetative guidelines. Due to the current condition of the vegetative community, a change in the season of use and implementation of proper utilization levels are required in order to meet SERA RMP objectives, Standards for Rangeland Health, multiple-use objectives, and allotment specific objectives. For a detailed analysis of monitoring data regarding these findings, refer to the Simpson Park Complex Rangeland Health Assessment Pages 41-97, 187-194, Appendix 6 and 8, and the Simpson Park Complex Conformance Determination.

Through the evaluation of monitoring data and the carrying capacity analysis, a range of AUMs was provided to the permittee and was dependent upon commitment to management. Carrying capacity was calculated allotment-wide as the result of the permittees throughout the allotment not submitting actual use reports by use area. The range of livestock AUMs for the Kingston Allotment was 2,085 desired carrying capacity, 3,282 potential carrying capacity, and 2,728 AUMs for *potential carrying. On July 11th, 2005 BLM, Ralph Young of Young Brothers and Mark Hyde of Truckee River Ranch had a meeting to discuss the range of AUMs and the operator's commitment to improve livestock management. Portions of the eastern bench that received light use were included in the carrying capacity calculation for * potential carrying capacity due to the potential to establish watering facilities on private land and the permittees' commitment to improve distribution of livestock and improve management with the change in season of use. In order to achieve the carrying capacity, terms and conditions will be identified that require permittees to provide water on private lands during the authorized use periods.

The RPS allocation of AUMs for livestock and wild burros is 99% to 1% respectively. However, the average actual use by wild burros was slightly over the allocation during the evaluation period with 1.5% of the AUMs utilized by wild burros. The current allocation for wild burros is of concern due to genetic viability of the herd. The proposed reallocation of the AUMs would allocate an additional 60 AUMs of forage to wild burros resulting in a revised allocation of 97% to livestock and 3% to wild burros for the Kingston Allotment and would aid in maintaining genetic viability in the future. Furthermore, wild burros are opportunistic feeders and are able to utilize more of the range on a year-long basis than cattle.

In 2003 a total of 214.88 acres within the Kingston Allotment were devoted as lands for an airport lease. The NEPA documentation (NV063-CX03-75) for the lease of these lands was signed on November 12, 2003. With the devotion of the lands for purposes other than grazing, AUMs associated with the acreage are to be removed from the affected permittee's permit. A total of 8 AUMs are associated with this acreage and are no longer available for use. Therefore, the total available AUMs for the Kingston Allotment would be modified to 2,710 AUMs. The removal of 8 AUMs would be proportionately split between the two permittees as indicated in the table above.

The slight modification of the permitted livestock AUMs and increasing the allocation of the AUMs to wild burros in addition to the implementation of management actions will ensure that significant progress would be made towards the attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives and allotment specific objectives provided that the Grazing Stipulations and the Terms and Conditions identified below are adhered to. Significant progress would be made when the annual monitoring standards for the Kingston Allotment are achieved. Monitoring data would continue to be collected to ensure that allotment specific objectives are being attained within the Kingston Allotment. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069 for the Simpson Park Complex annual monitoring standards and long-term objectives.

This management action is in conformance with Guidelines 1.1, 1.3, 2.1, 2.3, 3.1, 3.2, 3.3, 3.6, 4.1, 5.2, and Vegetative Guidelines for Salt-Desert Shrub Communities which have been developed for the Northeastern Great Basin Area of Nevada to establish significant progress toward conformance with the Standards for Rangeland Health for Upland Sites, Riparian and Wetland Sites, and Habitat.

2. Establish the following use areas within the Kingston Allotment. Refer to Appendix 1 for the Use Area designation map.

Use Areas
Birch Creek
Gilman Springs
North Kingston
South Kingston
North Smoky
South Smoky

Rationale:

Use areas will improve livestock actual use information on a yearly basis within the allotment. Submission of actual use by use area will provide for information regarding management of livestock and will aid in indicating future modifications in livestock management in relation to specific areas of the allotment. In addition, the establishment of use areas will provide for the orderly administration of the range and ensure that significant progress towards the attainment of the multiple use objectives, allotment specific objectives, and the Standards for Rangeland Health throughout the Kingston Allotment would occur.

The establishment of use areas will be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3, 2.4, 3.1, 3.2, 3.3, 3.6, and 4.1.

3. Implement the following grazing management system and Terms and Conditions for the Kingston Allotment.

Permittee	Season of Use	Kind of Livestock	Percent Public Land	Number of Livestock	AUMs
Young Brothers	09/01 - 03/15	Cattle	90%	191	1,108
	09/01 - 03/15	Cattle	100%	61	393
	09/01 - 09/30	Cattle	100%	5	5
Truckee River Ranch, LLC	09/01 - 03/15	Cattle	100%	188	1,211
	09/01 - 09/30	Cattle	100%	3	3
Total AUMs					2,710

Terms and Conditions

1. Permittees would be required to establish watering facilities on private land in order to promote better livestock dispersal throughout portions of the allotment prior to turn-out.
2. All enclosures, including riparian, within the Kingston Allotment would be closed to livestock grazing unless grazing use is applied for by the permittee and is authorized in writing by the authorized officer.
3. The permittee would be required to meet with the BLM prior to each grazing year in order to determine an annual grazing management plan that would ensure appropriate use throughout the area.
4. Utilization of “Key Upland Forage Species” will not exceed 50% by the end of the grazing year.
5. Utilization of key riparian-wetland herbaceous species will be limited to a minimum 4-inch stubble height by July 31st of each year. Utilization of key riparian-wetland herbaceous species will be limited to a 6-inch stubble height by the end of the growing season, if grazing starts or extends past July 31st.
6. Utilization of riparian woody or browse species will be limited to 30% of available stems by the end of the growing season.
7. Riparian bank shearing and trampling will be limited to 10% (10 feet in 100 feet of bank).
8. Utilization of key shrub browse species will be no greater than 25% during the critical growth period and no more than 40% following the end of the growing season.
9. Management actions and objectives conform with the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFAWA) *Guidelines for Sage*

Grouse Management, until augmented or superseded by the State of Nevada's South Central Nevada Sage Grouse Conservation Plan, which is now under development.

10. If annual monitoring standards reach specified objectives in any use area where measurable standards have been set, the permittee will be required to remove livestock from that area. The permittee will have 3-5 days upon notification to remove livestock.
11. The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.
12. The season of use for the Kingston Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Kingston Allotment would constitute temporary non-renewable use.
13. In accordance with 43 CFR 4130.3-3: 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 provision of subpart 4180 RAC Standards and Guidelines.

Rationale:

The analysis and interpretation of available monitoring data has indicated that the Standards for Rangeland Health are not being met for the Kingston Allotment. It was determined that less than desirable range conditions due to a lack of vegetative species diversity along with vegetative composition and production resulted in the non-attainment of the Northeastern Great Basin Area RAC Standard 3: Habitat. The causal factors for the non-attainment of the standards have been identified as historic livestock management and periods of past drought. Through the evaluation process it was determined that there is no indication that significant progress towards the attainment of the standards for rangeland health have been made due to the current conditions of the majority of the vegetative communities in the Kingston Allotment. Although it was determined that historic livestock grazing is the causal factor for failing to meet this standard, livestock grazing is the causal factor for failing to meet this standard. In implementing a change in season of use will ensure long-term improvement in the condition of upland native plant communities.

Livestock dispersal would be improved throughout the allotment in the short-term with the development of watering facilities on private lands. In order to implement the active AUM preference for the Kingston Allotment, the permittees will be required to provide water on private lands in the interim. The grazing stipulation associated with the grazing management plan would be implemented to promote improvements in livestock distribution within the Kingston Allotment. However, 8 AUMs will be removed from the permits associated with the Kingston Allotment based on 214.88 acres of land being designated for other purposes than grazing.

Future re-evaluation of the percent public land will need to be conducted to determine if the current percent public lands associated with Young Brother's permit is still in effect. If it is deemed that all private lands have been fenced from public lands, the percent public land will be modified.

The degree of functionality was determined by analyzing the three Rangeland Health attributes including soil site stability, hydrologic function, and the integrity of the biotic community. The current vegetative community throughout much of the Kingston Allotment was determined to be in a significant departure from the ecological site description and is failing to meet Standards and Guidelines for Rangeland Health. The grazing plan will ensure significant progress toward the attainment of the Standards for Rangeland Health by incorporating a change in the season of use and retaining the permitted AUMs as calculated in the carrying capacity analysis. The utilization levels used to determine the carrying capacity for the Kingston Allotment was based on the implementation of deferred grazing until the dormant season. Implementation of dormant season use that is appropriate for the salt-desert shrub communities that dominate the Kingston Allotment will enhance the conditions currently associated with the rangelands by allowing key perennial vegetative species to increase in vigor, productivity, and seedling establishment. Implementation of the utilization levels will further ensure that vegetative species do not encounter harmful effects from livestock grazing.

The management system would allow existing key perennial grass vegetation to increase vigor, productivity, cover and seedling establishment. A deferred livestock grazing system would limit use during the growing season, allowing perennial grasses and forbs to remain healthy and to provide seed to reproduce and reestablish the perennial grass composition in the long-term to provide adequate forage for livestock and habitat for wild burros and wildlife species, namely pronghorn antelope. The expected improvement in the vegetative community will enhance soil site stability, which will limit the redistribution of and loss of soil resources by wind and water. Hydrologic function will also be enhanced with improvements in the vegetative community. This will allow sites to adequately capture, store, and release water from rainfall and snowmelt events. Furthermore, improvement in the plant community will improve the integrity of the biotic community, which will allow for the allotment to resist loss of function and structure following disturbance, and therefore allowing for recovery. In addition to these changes in livestock management, attaining wild burro AML will also be required to ensure the attainment of the Standards for Rangeland Health.

In addition, the grazing management system and the Terms and Conditions will provide for the orderly administration of the range and ensure that significant progress towards the attainment of the multiple use objectives, allotment specific objectives and the Standards for Rangeland Health throughout the Cortez Joint Venture Use Area will occur. Management actions and objectives will conform to the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFAWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada's South Central Nevada Sage Grouse Conservation Plan, which is now under development.

The proposed management plan is in conformance with the following RAC Guidelines: 1.1, 1.2, 1.3, 2.1, 2.3, 2.4, 3.1, 3.2, 3.3, 3.6, 4.1, Vegetative Guidelines, and BLM/WAWFA sage grouse guidelines.

4. Permit grazing within the Kingston Wildland-Urban Interface (WUI) Project in accordance with EA and FONSI NV-064-EA02-63:

Permitted use within the Kingston WUI will be in conformance with the proposed grazing plan. The Decision Record and Finding of No Significant Impact dated August 6, 2003 for the Environmental Assessment number NV-064-EA02-63 prescribed high intensity/low frequency grazing livestock management to control fuel levels and therefore reducing and/or preventing the spread of wildfire. Grazing will be permitted to occur in this area from September 1 through March 15 in order to protect or enhance the viability of perennial grass species that occur within this area. Furthermore, utilization rates will not exceed 50% on key forage species within this area. Once annual monitoring standards are achieved, the permittee will be required to remove livestock from the Kingston WUI project. The season of use within the boundary of the Kingston WUI project may be temporarily modified on an annual basis in order to control cheatgrass as prescribed by the project and will be determined through annual monitoring standards. Any use that is in excess of the total permitted use for the Kingston Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable use would be subject to the requirements set forth in 43 CFR 4130.6-2.

Rationale:

Monitoring data indicated that the current condition of the rangeland is characterized by shrub-dominated landscapes with limited perennial herbaceous understory. Livestock grazing has historically and currently occurs throughout the active growth period for salt-desert shrub communities and has not allowed for adequate rest during the growing season. This season of use has limited the growth and reproduction of the key perennial species needed to reach long-term land use plan objectives. The proposed management action would provide for annual monitoring objectives that are appropriate to promote healthy range conditions and a season of use that would allow for adequate rest during the growing season and aid in increasing the vigor and reproductive success of the vegetative community associated with the Kingston WUI project area.

The season of use for the Kingston WUI project area is be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3., 2.4, 3.1, 3.2, 3.3, 3.6, 4.1, and Vegetative Guidelines.

5. Proposed Management Action

Issue the following ten-year permit to Young Brothers with the following Terms and Conditions:

Grazing use would be in accordance with the Kingston Allotment portion of the Simpson Park Complex Final Multiple Use Decision dated _____.

The permittee would be required to meet with BLM prior to each grazing year in order to determine an annual grazing plan that would ensure appropriate use throughout the allotment.

Livestock grazing would not be permitted to occur within comparison area exlosures at any time.

The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.

The season of use in the Kingston Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Kingston Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable use would be subject to the requirements set forth in 43 CFR 4130.6-2.

In accordance with 43 CFR 4130.8-1(F): Failure to pay grazing bills within 15 days of the due date specified in the bill shall result in a late fee assessment of \$25.00 or 10 percent of the grazing bill, whichever is greater, but not to exceed \$250.00. Payment made later than 15 days after the due date shall include the appropriate late fee assessment. Failure to make payment within 30 days may be a violation of 43 CFR Sec 4140.1(B)(1) and shall result in action by the authorized officer under 43 CFR Sections. 4150.1 and 4160.1-2.

In accordance with 43 CFR 4130.3-2(D): Actual use information, for each use area, will be submitted to the authorized officer within 15 days of completing grazing use as specified on the grazing permit and/or grazing licenses.

In accordance with 43 CFR 4120.3-1(A): All range improvement shall be installed, used, maintained, and/or modified on the public lands, or removed from these lands in a manner consistent with multiple use management.

In accordance with 43 CFR 4130.3-2(C): In order to improve livestock and rangeland management on the public lands, all salt and/or mineral supplements will not be placed within ¼ mile of any riparian area, wet meadow, or watering facility (either permanent or temporary) unless stipulated through a written agreement or decision.

In accordance with 41309.3-2(H): All grazing permittees shall provide reasonable access across private and/or leased lands to the Bureau of Land Management for the orderly management and protection of the public lands.

Pursuant to 43 CFR 10.4(G), the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary 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 by the authorized officer.

All permits and leases shall be made subject to cancellation, suspension, or modification for any violation of these regulations or of any Terms and Conditions of the permit or lease.

The Terms and Conditions of this permit may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.

Rationale:

Issuance of a new ten-year permit is based on the analysis of the management actions in the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069, the evaluation of monitoring data, and the evaluation of Land Use Plan objectives, Standards for Rangeland Health, and multiple use objectives. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Environmental Assessment NV-062-EA05-069 for the Kingston Allotment specific objectives and objectives common for the Complex. The terms and conditions for grazing in the Kingston Allotment would result in the attainment of multiple use objectives and is consistent with the Northeastern Great Basin RAC standards and is in conformance with the guidelines. At the completion of the Environmental Assessment and Finding of No Significant Impact (FONSI), a Final Multiple Use Decision will authorize the issuance of a new ten-year grazing permit and Terms and Conditions. These Terms and Conditions will ensure compliance with all applicable laws and regulations governing livestock grazing on public lands.

The proposed ten-year permit and Terms and Conditions will be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3., 2.4, 3.1, 3.2, 3.3, 3.6, and 4.1.

6. Proposed Management Action

Issue a ten-year permit to Truckee River Ranch, LLC with the following Terms and Conditions:

Grazing use would be in accordance with the Kingston Allotment portion of the Simpson Park Complex Final Multiple Use Decision dated _____.

Livestock grazing would not be permitted to occur within comparison area exlosures at any time.

The permittee would be required to meet with BLM prior to each grazing year in order to determine an annual grazing plan that would ensure appropriate use throughout the allotment.

The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.

The season of use in the Kingston Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Kingston Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable use would be subject to the requirements set forth in 43 CFR 4130.6-2.

In accordance with 43 CFR 4130.8-1(F): Failure to pay grazing bills within 15 days of the due date specified in the bill shall result in a late fee assessment of \$25.00 or 10 percent of the grazing bill, whichever is greater, but not to exceed \$250.00. Payment made later than 15 days after the due date shall include the appropriate late fee assessment. Failure to make payment within 30 days may be a violation of 43 CFR Sec 4140.1(B)(1) and shall result in action by the authorized officer under 43 CFR Sections. 4150.1 and 4160.1-2.

In accordance with 43 CFR 4130.3-2(D): Actual use information, for each use area, will be submitted to the authorized officer within 15 days of completing grazing use as specified on the grazing permit and/or grazing licenses.

In accordance with 43 CFR 4120.3-1(A): All range improvement shall be installed, used, maintained, and/or modified on the public lands, or removed from these lands in a manner consistent with multiple use management.

In accordance with 43 CFR 4130.3-2(C): In order to improve livestock and rangeland management on the public lands, all salt and/or mineral supplements will not be placed within ¼ mile of any riparian area, wet meadow, or watering facility (either permanent or temporary) unless stipulated through a written agreement or decision.

In accordance with 41309.3-2(H): All grazing permittees shall provide reasonable access across private and/or leased lands to the Bureau of Land Management for the orderly management and protection of the public lands.

Pursuant to 43 CFR 10.4(G), the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary 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 by the authorized officer.

All permits and leases shall be made subject to cancellation, suspension, or modification for any violation of these regulations or of any Terms and Conditions of the permit or lease.

The Terms and Conditions of this permit may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.

Rationale:

Issuance of a new ten-year permit is based on the analysis of the management actions in the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069, the evaluation of monitoring data, and the evaluation of Land Use Plan objectives, Standards for Rangeland Health, and multiple use objectives. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069 for the Kingston Allotment specific objectives and objectives common for the Complex. The terms and conditions for grazing in the Kingston Allotment would result in the attainment of multiple use objectives and is consistent with the Northeastern Great Basin RAC standards and is in conformance with the guidelines. At the completion of the Environmental Assessment and Finding of No Significant Impact (FONSI), a Final Multiple Use Decision will authorize the issuance of a new ten-year grazing permit and Terms and Conditions. These Terms and Conditions will ensure compliance with all applicable laws and regulations governing livestock grazing on public lands.

The proposed ten-year permit and Terms and Conditions will be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3., 2.4, 3.1, 3.2, 3.3, 3.6, and 4.1.

Through the allotment evaluation process, it was determined that the following management actions are appropriate to ensure significant progress towards the attainment of SERA RMP objectives, Standards for Rangeland Health, and multiple use objectives within the Simpson Park Allotment.

II. Simpson Park Allotment

1. Establish the total active permitted use from 6,042 AUMs to 3,446 AUMs for the Simpson Park Allotment. Place 2,596 AUMs in suspended use and retain the historic suspended use of 2,589 AUMs.

Rationale:

Use pattern mapping data collected in accordance with the Nevada Rangeland Monitoring Handbook in 1991, 1993, and 1994. This data was used to analyze the carrying capacity. The carrying capacity was based on weighted average utilization and actual use. Refer to the SPC Evaluation Appendix 6 and the Simpson Park Complex Conformance Determination. The carrying capacity was identified along with a grazing management plan to ensure that uniform distribution will be possible in the short-term. The following table illustrates the average actual livestock use compared to the weighted average utilization and the total acres that exceeded the Rangeland Program Summary utilization objective of 60% by the end of the grazing year for the Simpson Park Allotment.

	1991	1993	1994
61-100% Utilization	7,028 Acres	16,919 Acres	11,585 Acres
Average Actual Use (Livestock)	42%	41%	39%

Key Management Areas SP1 through SP14 failed to meet Resource Advisory Council (RAC) Standard 3: Habitat. Key Management Areas SP-3, SP-5, SP-7, SP-12, and SP-13 indicated that significant progress towards the attainment of the standard had been made. The majority of the riparian areas throughout the allotment did not meet the minimum requirement of properly functioning condition classification. Due to the conditions of the riparian areas, Standard 2: Riparian and Wetland Sites was not met for the allotment. Livestock were identified as a causal factor for the non-attainment of RAC Standard 2 and 3. The average weighted average utilization for the use pattern maps was 40.7%. A reduction in permitted use is required due to this level of livestock use being identified as a causal factor for failure to meet the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives. For a detailed analysis of monitoring data regarding these findings, refer to the Simpson Park Complex Rangeland Health Assessment Pages 102-195, Appendix 6 and 8, and the Simpson Park Complex Conformance Determination.

Through the evaluation of monitoring data and the carrying capacity analysis, a range of AUMs was provided to the permittees and was dependant upon commitment to livestock management. Carrying capacity was calculated allotment wide as the result of permittees throughout the allotment not submitting actual use reports by use area or pasture. The range of livestock AUMs for the Simpson Park Allotment was 2,510 AUMs desired carrying capacity and 3,446 AUMs potential carrying capacity. Meetings occurred from July 5th throughout the comment period for the evaluation with each individual operator on the Simpson Park Allotment to discuss the range of AUMs and their commitment to improve livestock management. The outcome of most of these discussions was that the operators could support the potential carrying capacity with their commitment to manage livestock.

The potential carrying capacity calculation was selected for this allotment due to changes in management of livestock operations to promote improved distribution of cattle within the allotment. The potential carrying capacity includes areas within the allotment that are suitable to grazing provided that livestock management practices are implemented that will improve distribution. The reduction in permitted use in addition to the implementation of the management actions being proposed will limit the use the allotment receives on a year-round basis, promote better distribution of livestock throughout the allotment, and allow for periods of deferment during the critical growing season within portions of the allotment. This would ensure that significant progress would be made towards the attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives and allotment specific objectives provided that the Grazing Stipulations and the Terms and Conditions identified below are adhered to. Significant progress will be made when the Annual Monitoring Objectives for the Simpson Park Allotment are attained within the Simpson Park Allotment. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069 for the Simpson Park Allotment annual monitoring standards and long-term objectives.

This management selection will implement Guidelines 1.1, 1.3, 2.1, 2.3, 3.1, 3.2, 3.3, 3.6, and 4.1 which have been developed for the Northeastern Great Basin Area of Nevada to establish significant progress toward conformance with the Standards for Rangeland Health for Upland Sites, Riparian and Wetland Sites, and Habitat.

2. Establish the following use areas for each operator within the Simpson Park Allotment. Refer to Appendix 1 for Use Area Maps.

Use Area	Operator
Willow-Barton Pasture	Silver Creek Ranch, Woodland
Lake Ranch	Silver Creek Ranch, Woodland
Indian Ranch	Silver Creek Ranch, Woodland
Bates Mountain	Damale, Silver Creek Ranch, Woodland
Rye Patch	Silver Creek Ranch, Wolf, Woodland
Ackerman	Damale, Wolf
Givens North	Wolf, Woodland
Givens South	Wolf, Woodland
Black Bird	Young Bros.
Common	Wolf, Young Bros.
Pete Summit	Damale, Wolf

Rationale:

The establishment of use areas within the Simpson Park Allotment would promote better distribution throughout the allotment and would provide jurisdictional boundaries for areas each permittee to operate in. By establishing the jurisdictional boundaries for the allotment, management of livestock between the number of permittees within the allotment would be enhanced. In addition, the establishment of use areas will provide for the orderly administration of the range and ensure that significant progress towards the attainment of the multiple use objectives, allotment specific objectives, and the Standards for Rangeland Health throughout the Simpson Park Allotment would occur.

Use areas would also improve livestock actual use information on a yearly basis within the allotment. Submission of actual use by use area would provide information regarding management of livestock and would aid in indicating future modifications in livestock management in relation to specific areas of the allotment.

The establishment of use areas will be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3, 2.4, 3.1, 3.2, 3.3, 3.6, and 4.1.

A. Dry Creek Ranch

1. Establish the total permitted use for Dry Creek Ranch at 390 AUMs. Place 294 AUMs in suspended use and retain the 294 historic suspended AUMs.

Rationale:

Use pattern mapping data collected in accordance with the Nevada Rangeland Monitoring Handbook in 1991, 1993, and 1994. This data was utilized to analyze the carrying capacity. The carrying capacity was based on weighted average utilization and actual use (Refer to the SPC Evaluation page 101 and Appendix 6 and the SPC Conformance Determination).

Through the evaluation of monitoring data and the carrying capacity analysis a range of AUMs was provided to the permittee and was dependant upon commitment to livestock management. Carrying capacity was calculated allotment wide as the result of permittees throughout the allotment not submitting actual use reports by use area or pasture. The range of AUMs for Dry Creek Ranch was 284 AUMs desired carrying capacity and 390 AUMs potential carrying capacity. The carrying capacity was identified along with a grazing management plan to ensure that uniform distribution will be possible in the short-term. The carrying capacity calculation was selected due to the permittees commitment to implement changes in management of livestock operations to implement grazing systems that eliminated hot season grazing in the Bates Mountain Use Area and deferred grazing in the Ackerman and Pete Summit Use areas. On July 17th, 2005 BLM met with Dry Creek Ranch to discuss the proposed management plan and were accepting to the proposed management plan.

The permitted use in addition to the implementation of the management actions will ensure that significant progress will be made towards the attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives and allotment specific objectives provided that the Grazing Stipulations and the Terms and Conditions identified below are adhered to. Significant progress would be made when the Annual Monitoring Objectives for the Simpson Park Allotment are achieved. Monitoring data will continue to be collected to ensure that allotment specific objectives are being attained within the Simpson Park Allotment. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069 for Simpson Park Allotment Annual monitoring standards and long-term objectives.

The management selection will implement Guidelines 1.1, 1.3, 2.1, 2.3, 3.1, 3.2, 3.3, 3.6, and 4.1 which have been developed for the Northeastern Great Basin Area of Nevada to establish significant progress toward conformance with the Standards for Rangeland Health for Upland Sites, Riparian and Wetland Sites, and Habitat.

2. Implement the following grazing management system with Grazing Stipulations for the Dry Creek Ranch:

Use Area	Season of Use	Livestock Type	Percent Public Land	Number of Livestock	AUMs
Bates Mountain	06/01 - 07/15	Cattle	100	69	102
Ackerman	08/01 - 09/30	Cattle	100	69	138
	08/01 - 09/30	Horses	100	6	12
Pete Summit	10/01 - 11/30	Cattle	100	69	138

Grazing Stipulations:

1. The permittee would be required to maintain all range improvement projects for which maintenance responsibility is assigned in accordance with 43 CRR 4140.
2. The permittee would be required to meet with the BLM prior to each grazing year in order to determine an annual grazing management plan that would ensure appropriate use throughout the use area.
3. Utilization of “Key Upland Forage Species” will not exceed 40% by the end of the grazing year.
4. Utilization of key riparian-wetland herbaceous species will be limited to a minimum 4-inch stubble height by July 31st of each year. Utilization of key riparian-wetland herbaceous species will be limited to a 6-inch stubble height by the end of the growing season, if grazing starts or extends past July 31st.
5. Utilization of riparian woody or browse species will be limited to 30% of available stems by the end of the growing season.
6. Riparian bank shearing and trampling will be limited to 10% (10 feet in 100 feet of bank).
7. Utilization of key shrub browse species will be no greater than 25% during the critical growth period and no more than 40% following the end of the growing season.
8. Management actions and objectives conform with the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFAWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada’s South Central Nevada Sage Grouse Conservation Plan, which is now under development.
9. If annual monitoring standards reach specified objectives in any use area where measurable standards have been set, the permittee will be required to remove livestock from that area. The permittee will have 3-5 days upon notification to remove livestock.

10. The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.
11. The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable would be subject to the requirements set forth in 43 CFR 4130.6-2.
12. In accordance with 43 CFR 4130.3-3: 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 provision of subpart 4180 RAC Standards and Guidelines.

Rationale:

The proposed grazing management system will establish a season of use that eliminates hot season grazing in the Bates Mountain Use Area and critical growth season grazing in the Ackerman and Pete Summit Use Area.

The proposed grazing plan will ensure progress towards the attainment of the Standards for Rangeland Health by allowing a period of rest during the completion of the growth period for riparian and wetland herbaceous species in order to meet stubble requirements to retain bank stability, filter sediment loads, and dissipate flood energy. The elimination of hot season grazing will allow for adequate residual cover of riparian herbaceous species, which will limit bank trampling where appropriate and hoof action along stream banks and springs to facilitate the establishment of riparian species. Furthermore, the elimination of hot season grazing within the use areas will improve water quality. These factors will ensure that significant progress is being made towards the attainment of Proper Functioning Condition (PFC) and enhancing habitats associated with riparian and wetland areas.

Aspen stands are also prevalent throughout the portion of Bates Mountain within the boundary of the Simpson Park Allotment. One remnant aspen stand also occurs within the Willow/Barton Pasture (Vigus Canyon). Eliminating hot season grazing in the areas where aspen occurs would allow for aspen saplings to continue to grow throughout the remainder of the growth season therefore allowing the stand to consist of diverse age classes of aspen. Diverse age classes of aspen would therefore allow the stand to proliferate and provide valuable habitat to wildlife species. Aspen stands would also be allowed to regenerate therefore providing diverse age classes within the stands Simpson Park Allotment portion of Bates Mountain.

Use by cattle and domestic horses would occur within the Ackerman Use Area after the critical growth period for upland vegetation; however, the use does occur during the hot season for riparian areas. However, the proposed permitted use would be reduced from the current

permitted use within this area and under the proposed terms and conditions, watering facilities would be required to be put into working condition prior to the start of the grazing year. By maintaining working order of these facilities, impacts from grazing by livestock would be reduced. Construction of riparian exclosures will also be required in the future to reduce the impacts to riparian areas due to grazing during the hot season and to make significant progress towards the attainment of the Standards for Rangeland Health.

Use would occur within the Pete Summit Use Area during the dormant season in order to allow for deferment during the period of active growth. Deferring grazing until the dormant season will improve the vegetative community by allowing for sufficient key herbaceous plant seedling and young plant recruitment. This will allow for improvement in the plant communities by enhancing key perennial species productivity, which will in turn provide seed to repopulate the plant communities. The expected improvement in the vegetative community will enhance soil site stability, which will limit the redistribution of and loss of soil resources by wind and water. Hydrologic function will also be enhanced with improvement in the vegetative community. This will allow the site to adequately capture, store and release water from rainfall or snowmelt events. Furthermore, improvement in the plant community will improve the integrity of the biotic community, which will permit the use area to resist loss of function and structure following disturbance allowing for recovery.

In addition, the grazing management system and the Terms and Conditions will provide for the orderly administration of the range and ensure that significant progress towards the attainment of the multiple use objectives, allotment specific objectives and the Standards for Rangeland Health throughout the Simpson Park Allotment will occur. Management actions and objectives will conform to the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada's South Central Nevada Sage Grouse Conservation Plan, which is now under development.

The proposed grazing plan will be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3, 2.4, 3.1, 3.2, 3.3, 3.6, 4.1, Vegetative Guidelines and BLM/WAFWA sage grouse guidelines.

3. Issue a ten-year permit to Dry Creek Ranch with the following Terms and Conditions:

Grazing use would be in accordance with the Simpson Park Allotment portion of the Simpson Park Complex Final Multiple Use Decision dated _____.

The permittee would be required to meet with BLM prior to each grazing year in order to determine an annual grazing plan that would ensure appropriate use throughout the allotment.

The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.

The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable use would be subject to the requirements set forth in 43 CFR 4130.6-2.

In accordance with 43 CFR 4130.8-1(F): Failure to pay grazing bills within 15 days of the due date specified in the bill shall result in a late fee assessment of \$25.00 or 10 percent of the grazing bill, whichever is greater, but not to exceed \$250.00. Payment made later than 15 days after the due date shall include the appropriate late fee assessment. Failure to make payment within 30 days may be a violation of 43 CFR Sec 4140.1(B)(1) and shall result in action by the authorized officer under 43 CFR Sections. 4150.1 and 4160.1-2.

In accordance with 43 CFR 4130.3-2(D): Actual use information, for each use area, will be submitted to the authorized officer within 15 days of completing grazing use as specified on the grazing permit and/or grazing licenses.

In accordance with 43 CFR 4120.3-1(A): All range improvement shall be installed, used, maintained, and/or modified on the public lands, or removed from these lands in a manner consistent with multiple use management.

In accordance with 43 CFR 4130.3-2(C): In order to improve livestock and rangeland management on the public lands, all salt and/or mineral supplements will not be placed within ¼ mile of any riparian area, wet meadow, or watering facility (either permanent or temporary) unless stipulated through a written agreement or decision.

In accordance with 41309.3-2(H): All grazing permittees shall provide reasonable access across private and/or leased lands to the Bureau of Land Management for the orderly management and protection of the public lands.

Pursuant to 43 CFR 10.4(G), the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary 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 by the authorized officer.

All permits and leases shall be made subject to cancellation, suspension, or modification for any violation of these regulations or of any Terms and Conditions of the permit or lease.

The Terms and Conditions of this permit may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.

Rationale:

Issuance of a new ten-year permit is based on the analysis of the management actions in the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069, the evaluation of monitoring data, and the evaluation of Land Use Plan objectives, Standards for Rangeland Health, and multiple use objectives. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069 for the Simpson Park Allotment specific objectives and objectives common for the Complex. The terms and conditions for grazing in the Simpson Park Allotment would result in the attainment of multiple use objectives and is consistent with the Northeastern Great Basin RAC standards and is in conformance with the guidelines. At the completion of the Environmental Assessment and Finding of No Significant Impact (FONSI), a Final Multiple Use Decision will authorize the issuance of a new ten-year grazing permit and Terms and Conditions. These Terms and Conditions will ensure compliance with all applicable laws and regulations governing livestock grazing on public lands.

The proposed ten-year permit and Terms and Conditions will be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3., 2.4, 3.1, 3.2, 3.3, 3.6, and 4.1.

B. Silver Creek Ranch, Inc.

1. Establish the total permitted use for Silver Creek Ranch, Inc. at 1,336 AUMs. Place 1,006 AUMs in suspended use and retain the 1,003 historic suspended AUMs. The transfer of cattle AUMs from Silver Creek Ranch, Inc. to Jerry & Janet Lancaster is pending.

Use pattern mapping data was collected in accordance with the Nevada Rangeland Monitoring Handbook in 1991, 1993, and 1994. This data was used to analyze the carrying capacity. The carrying capacity was based on weighted average utilization and actual use. (Refer to the SPC Evaluation page 101 and Appendix 6 and the SPC Conformance Determination).

Through the evaluation of monitoring data and the carrying capacity analysis a range of AUMs was provided to the permittee and was dependant upon commitment to livestock management. Carrying capacity was calculated allotment wide as the result of permittees throughout the allotment not submitting actual use reports by use area or pasture. The range of AUMs for Silver Creek Ranch was 973 AUMs desired carrying capacity and 1336 AUMs potential carrying capacity. The carrying capacity was identified along with a grazing management plan to ensure that uniform distribution will be possible in the short-term.

In preparing for evaluation meetings in June, the BMFO contacted Silver Creek Ranch to discuss the findings of the data analysis for the Simpson Park Allotment. During these discussions, the BMFO was notified that Silver Creek Ranch was in the process of selling a portion of their base property and AUMs to Jerry and Janet Lancaster. As a result, the BMFO discussed notifying the Lancasters' of the evaluation process and proposed management actions with Silver Creek

Ranch. Silver Creek Ranch has been notified of the proposed management actions and carrying capacity and has requested that discussions regarding the management proposals be discussed with the Lancasters'. The carrying capacity was selected due to the permittees commitment to implement changes in management of livestock operations to implement grazing systems that eliminate critical growth season and hot season grazing within the Willow/Barton use area, eliminate hot season grazing in the Indian and Bates Mountain Use Areas, and limit the use that would occur throughout remaining use areas during the critical growth season.

The permitted use in addition to the implementation of the management actions will ensure that significant progress will be made towards the attainment of the SERA RMP objectives, Standards for Rangeland Health and allotment specific objectives provided that the Grazing Stipulations and the Terms and Conditions identified below are adhered to. Significant progress will be made when Annual Monitoring Standards for the Carico Lake Allotment are achieved. Monitoring data will continue to be collected to ensure that allotment specific objectives are being attained within the Simpson Park Allotment. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069 for Simpson Park Allotment Annual monitoring standards and long-term objectives.

This management selection will implement Guidelines 1.1, 1.3, 2.1, 2.3, 2.4, 3.1, 3.2, 3.3, 3.6, and 4.1 which have been developed for the Northeastern Great Basin Area of Nevada to establish significant progress toward conformance with the Standards for Rangeland Health for Upland Sites, Riparian and Wetland Sites, and Habitat.

2. Implement the following grazing management system with Terms and Conditions for the Silver Creek Ranch, Inc.:

Use Area	Season of Use	Livestock Type	Percent Public Land	Number of Livestock	AUMs
Indian Ranch, Lake Ranch, Rye Patch	04/01 - 04/30	Cattle	100	249	246
Willow/Barton Pasture	05/01 - 06/30	Cattle	100	200	401
Rye Patch, Indian Ranch, Bates Mountain	05/01 - 07/15	Cattle	100	45	112
Lake Ranch	05/01 - 08/15	Cattle	100	35	123
Willow/Barton Pasture	06/01 - 06/30	Sheep	100	2300	454

Terms and Conditions

1. The permittee would be required to maintain all range improvement projects for which maintenance responsibility is assigned in accordance with 43 CRR 4140.
2. All exclosures, including riparian, within the Simpson Park Allotment would be closed to livestock grazing unless grazing use is applied for by the permittee and is authorized in writing by the authorized officer.
3. The permittee would be required to meet with the BLM prior to each grazing year in order to determine an annual grazing management plan that would ensure appropriate use throughout the use area.

4. Sheep camps will be moved every five days. No two (2) sheep camps will camp in the same area in a grazing season.
5. New bed grounds will be used every night. Sheep bedding grounds will be a minimum of one quarter (1/4) mile from permanent water, aspen stands, and previous bed grounds.
6. Utilization of “Key Upland Forage Species” will not exceed 40% by the end of the grazing year.
7. Utilization of key riparian-wetland herbaceous species will be limited to a minimum 4-inch stubble height by July 31st of each year. Utilization of key riparian-wetland herbaceous species will be limited to a 6-inch stubble height by the end of the growing season, if grazing starts or extends past July 31st.
8. Utilization of riparian woody or browse species will be limited to 30% of available stems by the end of the growing season.
9. Riparian bank shearing and trampling will be limited to 10% (10 feet in 100 feet of bank).
10. Utilization of key shrub browse species will be no greater than 25% during the critical growth period and no more than 40% following the end of the growing season.
11. The permittee will be required to herd sheep throughout their established use area to utilize areas that have received slight and/or light use. If it is determined that utilization objectives are being met in any area, the permittee will be required to move sheep immediately upon notification to other areas of the use area that have not been grazed.
12. If annual monitoring standards reach specified objectives in any use area where measurable standards have been set, the permittee will be required to remove livestock from that area. The permittee will have 3-5 days upon notification to remove livestock.
13. The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.
14. The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable would be subject to the requirements set forth in 43 CFR 4130.6-2.
15. Management actions and objectives conform with the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage*

Sage Grouse Populations and Their Habitats (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFAWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada's South Central Nevada Sage Grouse Conservation Plan, which is now under development.

16. In accordance with 43 CFR 4130.3-3: 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 provision of subpart 4180 RAC Standards and Guidelines.

Rationale:

The proposed grazing management system that would work toward the attainment of the Complex and allotment specific objectives as well as making progress towards the attainment of the Standards for Rangeland Health by modifying the season of use and implementing stocking rates appropriate for the allotment. The proposed grazing management system and ten-year grazing permit for Silver Creek Ranch, Inc. would incorporate intensive grazing management by herding livestock throughout the northern portion of the Simpson Park Allotment and would limit the majority of the use to the early-growth season of the key perennial vegetative species for each use area. By eliminating livestock grazing during the critical growth season, perennial vegetative species will be allowed to increase vigor, productivity, and seedling establishment. The elimination of grazing during the critical growing period will improve the vegetative community by allowing for sufficient key herbaceous plant seedling and young plant recruitment.

The season of use for the Willow/Barton Pasture would provide a period of growth and recovery of the riparian areas within these drainages. With the exception of a portion of Willow Creek that has been excluded from livestock grazing, all riparian areas within the Barton and Willow Creek drainages rated as Functional-At-Risk, Trend Not Apparent to Non-Functional. Again by eliminating hot season grazing within this pasture, livestock would be removed from the riparian areas before the growing season for riparian species was complete and therefore allowing for a period of growth and recovery. Livestock dispersal throughout this portion of the allotment would also be enhanced due to less dependence on the riparian areas during the months of May through June. During this time frame, weather conditions are cooler and upland vegetation is in a more desirable state, therefore promoting improved livestock distribution. Grazing would occur prior to the critical growth season for many of the key perennial species within this area. Key perennial grass species would be allowed to complete their reproductive cycle thereby enhancing the perennial grass composition in the future. Studies have indicated that the greatest impact to the vigor of bunchgrasses such as bluebunch wheatgrass, Thurber's needlegrass, and Idaho fescue have occurred when grazing occurred from the boot stage to the early flowering stage (Vallentine 2001).

Elimination of hot season grazing within the Bates Mountain and Indian Ranch Use Areas would ensure progress towards the attainment of the Standards for Rangeland Health by allowing a period of rest during the completion of the growth period for riparian and wetland herbaceous

species in order to meet stubble requirements to retain bank stability, filter sediment loads, and dissipate flood energy. The elimination of hot season grazing will allow for adequate residual cover of riparian herbaceous species, which will limit bank trampling where appropriate and hoof action along stream banks and springs to facilitate the establishment of riparian species. Furthermore, the elimination of hot season grazing within the use areas will improve water quality. These factors will ensure that significant progress is being made towards the attainment of Proper Functioning Condition (PFC) and enhancing habitats associated with riparian and wetland areas.

Aspen stands are also prevalent throughout the portion of Bates Mountain within the boundary of the Simpson Park Allotment. Eliminating hot season grazing in the areas where aspen occurs would allow for aspen saplings to continue to grow throughout the remainder of the growth season therefore allowing the stand to consist of diverse age classes of aspen. Diverse age classes of aspen would therefore allow the stand to proliferate and provide valuable habitat to wildlife species. Aspen stands would also be allowed to regenerate therefore providing diverse age classes within the stands Simpson Park Allotment portion of Bates Mountain.

Grazing of domestic sheep will be limited to the Willow/Barton use area. Although an overlap of use between cattle and sheep will occur within this use area from 06/01 through 06/30, use will occur prior to the on-set of the critical growth season and hot season for sensitive riparian areas. In addition to the modifications of stocking rates and season of use, Terms and Conditions will require livestock to be removed from the area once Grazing Stipulations are attained in order to make significant progress towards the attainment of SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV062-EA05-069.

Limited use would continue to occur through a portion of the critical growth season in the Lake Ranch, Indian Ranch, and Rye Patch use areas prior to livestock controlled by another operator (Ken and Karen Woodland) entering these use areas. Animal unit months and the season of use for these use areas would be limited in regard to the current permitted numbers and season of use. By limiting the use and modifying the season of use that would be occurring under the proposed action, perennial vegetative species are given a better opportunity to complete their reproductive cycle and gain in vigor. Livestock grazing (cattle) would also occur during a portion of the hot season with the Rye Patch Use Area. In order to make significant progress towards the Standards for Rangeland Health, exclosures would need to be constructed to protect these areas from grazing during the hot season. Water would be either piped off or water gaps would be created in order to provide surface water for livestock and wildlife. Terms and Conditions will require livestock to be removed from the area once Grazing Stipulations are attained in order to make significant progress towards the attainment of SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives.

The grazing management system and the Terms and Conditions will provide for the orderly administration of the range and ensure that significant progress towards the attainment of the multiple use objectives, allotment specific objectives and the Standards for Rangeland Health throughout the Simpson Park will occur. Management actions and objectives will also conform,

to the extent possible, to the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada's South Central Nevada Sage Grouse Conservation Plan, which is now under development.

On August 16th and 18th, 2005, BLM contacted Silver Creek Ranch to discuss the proposed grazing management systems. Silver Creek Ranch was supportive of the grazing management system identified for the sheep portion of the operation. BLM was advised to continue negotiations with the Lancasters' regarding the cattle operation.

The proposed grazing plan would be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3, 2.4, 3.1, 3.2, 3.3, 3.6, 4.1, Vegetative Guidelines and BLM/WAFWA sage grouse guidelines.

3. Issue a ten-year permit to Silver Creek Ranch with the following Terms and Conditions. A transfer of the cattle AUMs to Jerry & Janet Lancaster is pending.

Grazing use would be in accordance with the Simpson Park Allotment portion of the Simpson Park Complex Final Multiple Use Decision dated _____.

The permittee would be required to meet with BLM prior to each grazing year in order to determine an annual grazing plan that would ensure appropriate use throughout the allotment.

The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.

The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable use would be subject to the requirements set forth in 43 CFR 4130.6-2.

In accordance with 43 CFR 4130.8-1(F): Failure to pay grazing bills within 15 days of the due date specified in the bill shall result in a late fee assessment of \$25.00 or 10 percent of the grazing bill, whichever is greater, but not to exceed \$250.00. Payment made later than 15 days after the due date shall include the appropriate late fee assessment. Failure to make payment within 30 days may be a violation of 43 CFR Sec 4140.1(B)(1) and shall result in action by the authorized officer under 43 CFR Sections. 4150.1 and 4160.1-2.

In accordance with 43 CFR 4130.3-2(D): Actual use information, for each use area, will be submitted to the authorized officer within 15 days of completing grazing use as specified on the grazing permit and/or grazing licenses.

In accordance with 43 CFR 4120.3-1(A): All range improvement shall be installed, used, maintained, and/or modified on the public lands, or removed from these lands in a manner consistent with multiple use management.

In accordance with 43 CFR 4130.3-2(C): In order to improve livestock and rangeland management on the public lands, all salt and/or mineral supplements will not be placed within ¼ mile of any riparian area, wet meadow, or watering facility (either permanent or temporary) unless stipulated through a written agreement or decision.

In accordance with 41309.3-2(H): All grazing permittees shall provide reasonable access across private and/or leased lands to the Bureau of Land Management for the orderly management and protection of the public lands.

Pursuant to 43 CFR 10.4(G), the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary 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 by the authorized officer.

All permits and leases shall be made subject to cancellation, suspension, or modification for any violation of these regulations or of any Terms and Conditions of the permit or lease.

The Terms and Conditions of this permit may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.

Rationale:

Issuance of a new ten-year permit is based on the analysis of the management actions in the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069, the evaluation of monitoring data, and the evaluation of Land Use Plan objectives, Standards for Rangeland Health, and multiple use objectives. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069 for the Simpson Park Allotment specific objectives and objectives common for the Complex. The terms and conditions for grazing in the Simpson Park Allotment would result in the attainment of multiple use objectives and is consistent with the Northeastern Great Basin RAC standards and is in conformance with the guidelines. At the completion of the Environmental Assessment and Finding of No Significant Impact (FONSI), a Final Multiple Use Decision will authorize the issuance of a new ten-year grazing permit and Terms and Conditions. These Terms and Conditions will ensure compliance with all applicable laws and regulations governing livestock grazing on public lands.

The proposed ten-year permit and Terms and Conditions will be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3., 2.4, 3.1, 3.2, 3.3, 3.6, and 4.1.

C. Howard & Barbara Wolf

1. Establish the total permitted use for Howard & Barbara Wolf at 427 AUMs. Place 321 AUMs into suspended use and retain the 320 historic suspended AUMs.

Rationale:

Use pattern mapping data was collected in accordance with the Nevada Rangeland Monitoring Handbook in 1991, 1993, and 1994. This data was used to analyze the carrying capacity. The carrying capacity was based on weighted average utilization and actual use (Refer to the SPC Evaluation page 101 and Appendix 6 and the SPC Evaluation Conformance Determination).

Through the evaluation of monitoring data and the carrying capacity analysis a range of AUMs was provided to the permittee and was dependant upon commitment to livestock management. Carrying capacity was calculated allotment wide as the result of permittees throughout the allotment not submitting actual use reports by use area or pasture. The range of AUMs for Howard & Barbara Wolf was 311 AUMs desired carrying capacity and 427 AUMs potential carrying capacity. The carrying capacity was identified along with a grazing management plan to ensure that uniform distribution will be possible in the short-term. The carrying capacity calculation was selected due to the permittees commitment to implement changes in management of livestock operations to implement grazing systems that defers grazing until the dormant season for a portion of their use area and eliminates grazing during the critical growth season within other use areas.

The permitted use in addition to the implementation of the management actions will ensure that significant progress will be made towards the attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives and allotment specific objectives provided that the Grazing Stipulations and the Terms and Conditions identified below are adhered to. Significant progress would be made when the Annual Monitoring Objectives for the Simpson Park Allotment are achieved. Monitoring data will continue to be collected to ensure that allotment specific objectives are being attained within the Simpson Park Allotment. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069 for Simpson Park Allotment Annual monitoring standards and long-term objectives.

The management selection will implement Guidelines 1.1, 1.3, 2.1, 2.3, 3.1, 3.2, 3.3, 3.6, and 4.1 which have been developed for the Northeastern Great Basin Area of Nevada to establish significant progress toward conformance with the Standards for Rangeland Health for Upland Sites, Riparian and Wetland Sites, and Habitat.

2. Implement the following grazing management system with Grazing Stipulations for the Howard & Barbara Wolf:

Use Area	Season of Use	Livestock Type	Percent Public Land	Number of Livestock	AUMs
Pete Summit/Common	11/15 - 03/31	Cattle	100	70	315
Pete Summit/Common	11/15 - 12/15	Cattle	100	8	8
Ackerman/Givens	04/01 - 04/30	Cattle	100	70	69
Rye Patch	05/01 -05/15	Cattle	100	70	35

Grazing Stipulations

1. The permittee would be required to maintain all range improvement projects for which maintenance responsibility is assigned in accordance with 43 CRR 4140.
2. All exclosures, including riparian, within the Simpson Park Allotment would be closed to livestock grazing unless grazing use is applied for by the permittee and is authorized in writing by the authorized officer.
3. The permittee would be required to meet with the BLM prior to each grazing year in order to determine an annual grazing management plan that would ensure appropriate use throughout the use area.
4. Utilization of “Key Upland Forage Species” will not exceed 40% by the end of the grazing year.
5. Utilization of key riparian-wetland herbaceous species will be limited to a minimum 4-inch stubble height by July 31st of each year. Utilization of key riparian-wetland herbaceous species will be limited to a 6-inch stubble height by the end of the growing season, if grazing starts or extends past July 31st.
6. Utilization of riparian woody or browse species will be limited to 30% of available stems by the end of the growing season.
7. Riparian bank shearing and trampling will be limited to 10% (10 feet in 100 feet of bank).
8. Utilization of key shrub browse species will be no greater than 25% during the critical growth period and no more than 40% following the end of the growing season.
9. Management actions and objectives conform with the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connolly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFAWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada’s South Central Nevada Sage Grouse Conservation Plan, which is now under development.

10. If annual monitoring standards reach specified objectives in any use area where measurable standards have been set, the permittee will be required to remove livestock from that area. The permittee will have 3-5 days upon notification to remove livestock.
11. The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.
12. The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable would be subject to the requirements set forth in 43 CFR 4130.6-2.
13. In accordance with 43 CFR 4130.3-3: 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 provision of subpart 4180 RAC Standards and Guidelines.

Rationale:

The proposed grazing management plan would ensure that progress towards the attainment of the Standards for Rangeland Health by modifying the season of use and stocking rates associated with the proposed use areas. Grazing during the dormant season would occur within the Pete Summit and Common use areas, which are dominated by salt-desert shrub communities. Depending on the year, limited use may occur during the initial growth season for this area. However, Grazing Stipulations will be implemented that would require livestock to be removed from an area or from the allotment once the stipulations are attained. Use would occur in the Ackerman, Givens North & South, and Rye Patch use areas in the early season to allow for re-growth prior to the critical growth season for upland vegetation and the hot season for riparian and wetland vegetation.

The elimination of grazing during the critical growing period will improve the vegetative community by allowing for sufficient key herbaceous plant seedling and young plant recruitment. This will allow for improvement in the plant communities by enhancing key perennial species productivity, which will in turn provide seed to repopulate the plant communities. The expected improvement in the vegetative community will enhance soil site stability, which will limit the redistribution of and loss of soil resources by wind and water. Hydrologic function will also be enhanced with improvement in the vegetative community. This will allow the site to adequately capture, store and release water from rainfall or snowmelt events. Furthermore, improvement in the plant community will improve the integrity of the biotic community, which will permit the use area to resist loss of function and structure following disturbance allowing for recovery.

The Black Bird, Common, and Pete Summit use areas consists primarily of salt-desert shrub communities that are considered intolerant to grazing throughout their growing season. Key management areas within this section of the allotment did not meet the habitat standard and only two of the sites have indicated significant progress towards the attainment of the standard. By deferring grazing until the dormant season for this vegetative community, key perennial grasses are given an opportunity to gain in vigor, set seed, and reproduce.

In addition, the grazing management system and the Terms and Conditions will provide for the orderly administration of the range and ensure that significant progress towards the attainment of the multiple use objectives, allotment specific objectives and the Standards for Rangeland Health throughout the C-Ranches Use Area will occur. Management actions and objectives will conform to the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada's South Central Nevada Sage Grouse Conservation Plan, which is now under development.

The proposed grazing plan would be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3, 2.4, 3.1, 3.2, 3.3, 3.6, 4.1, Vegetative Guidelines and BLM/WAFWA sage grouse guidelines.

3. Issue a ten-year permit to Howard and Barbara Wolf with the following Terms and Conditions:

Grazing use would be in accordance with the Simpson Park Allotment portion of the Simpson Park Complex Final Multiple Use Decision dated _____.

The permittee would be required to meet with BLM prior to each grazing year in order to determine an annual grazing plan that would ensure appropriate use throughout the allotment.

The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.

The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable use would be subject to the requirements set forth in 43 CFR 4130.6-2.

In accordance with 43 CFR 4130.8-1(F): Failure to pay grazing bills within 15 days of the due date specified in the bill shall result in a late fee assessment of \$25.00 or 10 percent of the grazing bill, whichever is greater, but not to exceed \$250.00. Payment made later than 15 days after the due date shall include the appropriate late fee assessment. Failure to make payment

within 30 days may be a violation of 43 CFR Sec 4140.1(B)(1) and shall result in action by the authorized officer under 43 CFR Sections. 4150.1 and 4160.1-2.

In accordance with 43 CFR 4130.3-2(D): Actual use information, for each use area, will be submitted to the authorized officer within 15 days of completing grazing use as specified on the grazing permit and/or grazing licenses.

In accordance with 43 CFR 4120.3-1(A): All range improvement shall be installed, used, maintained, and/or modified on the public lands, or removed from these lands in a manner consistent with multiple use management.

In accordance with 43 CFR 4130.3-2(C): In order to improve livestock and rangeland management on the public lands, all salt and/or mineral supplements will not be placed within ¼ mile of any riparian area, wet meadow, or watering facility (either permanent or temporary) unless stipulated through a written agreement or decision.

In accordance with 41309.3-2(H): All grazing permittees shall provide reasonable access across private and/or leased lands to the Bureau of Land Management for the orderly management and protection of the public lands.

Pursuant to 43 CFR 10.4(G), the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary 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 by the authorized officer.

All permits and leases shall be made subject to cancellation, suspension, or modification for any violation of these regulations or of any Terms and Conditions of the permit or lease.

The Terms and Conditions of this permit may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.

Rationale:

Issuance of a new ten-year permit is based on the analysis of the management actions in the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069, the evaluation of monitoring data, and the evaluation of Land Use Plan objectives, Standards for Rangeland Health, and multiple use objectives. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA-05-069 for the Simpson Park Allotment specific objectives and objectives common for the Complex. The terms and conditions for grazing in the Simpson Park Allotment would result in the attainment of multiple use objectives and is consistent with the Northeastern Great Basin RAC standards and is in conformance with the guidelines. At the completion of the Environmental Assessment and Finding of No Significant Impact (FONSI), a Final Multiple Use Decision will authorize the issuance of a new ten-year grazing permit and Terms and Conditions.

These Terms and Conditions will ensure compliance with all applicable laws and regulations governing livestock grazing on public lands.

The proposed ten-year permit and Terms and Conditions will be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3., 2.4, 3.1, 3.2, 3.3, 3.6, and 4.1.

D. Ken & Karen Woodland

1. Establish the total permitted use for Ken & Karen Woodland at 1,104 AUMs. Place 832 AUMs into suspended use and retain the 830 historic suspended AUMs.

Rationale:

Use pattern mapping data was collected in accordance with the Nevada Rangeland Monitoring Handbook in 1991, 1993, and 1994. This data was used to analyze the carrying capacity. The carrying capacity was based on weighted average utilization and actual use (Refer to the SPC Evaluation page 101 and Appendix 6 and the SPC Evaluation Conformance Determination).

Through the evaluation of monitoring data and the carrying capacity analysis a range of AUMs was provided to the permittee and was dependant upon commitment to livestock management. Carrying capacity was calculated allotment wide as the result of permittees throughout the allotment not submitting actual use reports by use area or pasture. The range of AUMs for Ken & Karen Woodland was 804 AUMs desired carrying capacity and 1,104 AUMs potential carrying capacity. The carrying capacity was identified along with a grazing management plan to ensure that uniform distribution will be possible in the short-term. The carrying capacity calculation was selected due to the permittees commitment to implement changes in management of livestock operations that eliminate hot season grazing and reduce use throughout the critical growth season.

The permitted use in addition to the implementation of the management actions will ensure that significant progress will be made towards the attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives and allotment specific objectives provided that the Grazing Stipulations and the Terms and Conditions identified below are adhered to. Significant progress would be made when the Annual Monitoring Objectives for the Simpson Park Allotment are achieved. Monitoring data will continue to be collected to ensure that allotment specific objectives are being attained within the Simpson Park Allotment. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069 for Simpson Park Allotment Annual monitoring standards and long-term objectives.

The management selection will implement Guidelines 1.1, 1.3, 2.1, 2.3, 3.1, 3.2, 3.3, 3.6, and 4.1 which have been developed for the Northeastern Great Basin Area of Nevada to establish significant progress toward conformance with the Standards for Rangeland Health for Upland Sites, Riparian and Wetland Sites, and Habitat.

2. Implement the following grazing management system with Grazing Stipulations for the Ken & Karen Woodland:

Use Area	Season of Use	Livestock Type	Percent Public Land	Number of Livestock	AUMs
Parson's Pastures	04/01 - 04/30	Cattle	100	170	168
Willow/Barton Pasture	05/01 - 06/30	Cattle	100	170	341
Lake Ranch/Indian Ranch/Bates Mountain	07/01 - 07/15	Cattle	100	85	42
Lake Ranch/Rye Patch	07/01 - 07/15	Cattle	100	85	42
Rye Patch/Givens North	07/16 - 08/30	Cattle	100	169	261
Givens South	09/01 - 10/15	Cattle	100	169	250

Grazing Stipulations

1. The permittee would be required to maintain all range improvement projects for which maintenance responsibility is assigned in accordance with 43 CRR 4140.
2. Pastures utilized in "Parson's Pastures" during the spring will not be utilized during the following fall use in the Given's Use Area. The permittee will stipulate the pasture utilized during the spring.
3. All enclosures, including riparian, within the Simpson Park Allotment would be closed to livestock grazing unless grazing use is applied for by the permittee and is authorized in writing by the authorized officer.
4. The permittee would be required to meet with the BLM prior to each grazing year in order to determine an annual grazing management plan that would ensure appropriate use throughout the use area.
5. Utilization of "Key Upland Forage Species" will not exceed 40% by the end of the grazing year.
6. Utilization of key riparian-wetland herbaceous species will be limited to a minimum 4-inch stubble height by July 31st of each year. Utilization of key riparian-wetland herbaceous species will be limited to a 6-inch stubble height by the end of the growing season, if grazing starts or extends past July 31st.
7. Utilization of riparian woody or browse species will be limited to 30% of available stems by the end of the growing season.
8. Riparian bank shearing and trampling will be limited to 10% (10 feet in 100 feet of bank).
9. Utilization of key shrub browse species will be no greater than 25% during the critical growth period and no more than 40% following the end of the growing season.

10. Management actions and objectives conform with the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFAWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada's South Central Nevada Sage Grouse Conservation Plan, which is now under development.
11. If annual monitoring standards reach specified objectives in any use area where measurable standards have been set, the permittee will be required to remove livestock from that area. The permittee will have 3-5 days upon notification to remove livestock.
12. The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.
13. The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable would be subject to the requirements set forth in 43 CFR 4130.6-2.
14. In accordance with 43 CFR 4130.3-3: 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 provision of subpart 4180 RAC Standards and Guidelines.

Rationale:

The proposed action would work towards the attainment of the Standards for Rangeland health by eliminating hot season grazing in the Willow/Barton Pasture and in the Indian/Bates Mountain use areas. Furthermore, the majority of the use by livestock would occur prior to the critical growth season or during the dormant season. Parson's Pastures (within Givens Use Area) and the Willow/Barton pasture would be utilized prior to the critical growth season. Parson's Pastures consist of a two-pasture system that would be referred to as the East and West Pastures. Under the proposed action, pastures that are utilized in the spring will not be utilized the following fall (09/01 - 10/15). The Given's Seeding and the majority of the Givens Use area would be utilized during the dormant season.

Use during the initial stages of the critical growth season would be authorized in the Lake Ranch and Indian Ranch use areas. Use would occur throughout the critical growth season for the Rye Patch use area. However, under the proposed action, the grazing stipulations will be implemented that will require the permittee to remove his or her livestock from the area once annual monitoring standards have been met to ensure that progress towards the attainment of the Standards for Rangeland Health. In order to ensure significant progress towards the Standards

for Rangeland Health, riparian areas within the Rye Patch Canyon area would need to be fenced with water either being piped out from the source areas or water gaps would be created in order to allow livestock and wildlife accessibility to surface waters. Exclosing riparian areas that would be otherwise be subjected to hot season grazing would allow these areas to recover by re-establishing riparian herbaceous species and eliminating bank trampling and hoof action along portions of the riparian areas. The permittee would also be required to fix and/or maintain watering facilities within the use area to reduce the impacts to riparian areas.

In addition, the grazing management system and the Terms and Conditions will provide for the orderly administration of the range and ensure that significant progress towards the attainment of the multiple use objectives, allotment specific objectives and the Standards for Rangeland Health throughout the C-Ranches Use Area will occur. Management actions and objectives will conform to the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada's South Central Nevada Sage Grouse Conservation Plan, which is now under development.

The proposed grazing plan would be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3, 2.4, 3.1, 3.2, 3.3, 3.6, 4.1, Vegetative Guidelines and BLM/WAFWA sage grouse guidelines.

3. Issue a ten-year permit to Ken and Karen Woodland with the following Terms and Conditions:

Grazing use would be in accordance with the Simpson Park Allotment portion of the Simpson Park Complex Final Multiple Use Decision dated _____.

The permittee would be required to meet with BLM prior to each grazing year in order to determine an annual grazing plan that would ensure appropriate use throughout the allotment.

The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.

The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable use would be subject to the requirements set forth in 43 CFR 4130.6-2.

In accordance with 43 CFR 4130.8-1(F): Failure to pay grazing bills within 15 days of the due date specified in the bill shall result in a late fee assessment of \$25.00 or 10 percent of the grazing bill, whichever is greater, but not to exceed \$250.00. Payment made later than 15 days after the due date shall include the appropriate late fee assessment. Failure to make payment

within 30 days may be a violation of 43 CFR Sec 4140.1(B)(1) and shall result in action by the authorized officer under 43 CFR Sections. 4150.1 and 4160.1-2.

In accordance with 43 CFR 4130.3-2(D): Actual use information, for each use area, will be submitted to the authorized officer within 15 days of completing grazing use as specified on the grazing permit and/or grazing licenses.

In accordance with 43 CFR 4120.3-1(A): All range improvement shall be installed, used, maintained, and/or modified on the public lands, or removed from these lands in a manner consistent with multiple use management.

In accordance with 43 CFR 4130.3-2(C): In order to improve livestock and rangeland management on the public lands, all salt and/or mineral supplements will not be placed within ¼ mile of any riparian area, wet meadow, or watering facility (either permanent or temporary) unless stipulated through a written agreement or decision.

In accordance with 41309.3-2(H): All grazing permittees shall provide reasonable access across private and/or leased lands to the Bureau of Land Management for the orderly management and protection of the public lands.

Pursuant to 43 CFR 10.4(G), the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary 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 by the authorized officer.

All permits and leases shall be made subject to cancellation, suspension, or modification for any violation of these regulations or of any Terms and Conditions of the permit or lease.

The Terms and Conditions of this permit may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.

Rationale:

Issuance of a new ten-year permit is based on the analysis of the management actions in the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069, the evaluation of monitoring data, and the evaluation of Land Use Plan objectives, Standards for Rangeland Health, and multiple use objectives. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069 for the Simpson Park Allotment specific objectives and objectives common for the Complex. The terms and conditions for grazing in the Simpson Park Allotment would result in the attainment of multiple use objectives and is consistent with the Northeastern Great Basin RAC standards and is in conformance with the guidelines. At the completion of the Environmental Assessment and Finding of No Significant Impact (FONSI), a Final Multiple Use Decision will authorize the issuance of a new ten-year grazing permit and Terms and Conditions.

These Terms and Conditions will ensure compliance with all applicable laws and regulations governing livestock grazing on public lands.

The proposed ten-year permit and Terms and Conditions will be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3., 2.4, 3.1, 3.2, 3.3, 3.6, and 4.1.

E. Young Brothers

1. Establish the total permitted use for Young Brothers at 189 AUMs. Place 143 AUMs into suspended use and retain the 142 historic suspended AUMs.

Rationale:

Use pattern mapping data was collected in accordance with the Nevada Rangeland Monitoring Handbook in 1991, 1993, and 1994. This data was used to analyze the carrying capacity. The carrying capacity was based on weighted average utilization and actual use (Refer to the SPC Evaluation page 101 and Appendix 6 and the SPC Evaluation Conformance Determination).

Through the evaluation of monitoring data and the carrying capacity analysis a range of AUMs was provided to the permittee and was dependant upon commitment to livestock management. Carrying capacity was calculated allotment wide as the result of permittees throughout the allotment not submitting actual use reports by use area or pasture. The range of AUMs for Young Brothers was 138 AUMs desired carrying capacity and 189 AUMs potential carrying capacity. The carrying capacity was identified along with a grazing management plan to ensure that uniform distribution will be possible in the short-term. The carrying capacity calculation was selected due to the permittees commitment to implement changes in management of livestock operations that eliminate hot season grazing and reduce use throughout the critical growth season.

The permitted use in addition to the implementation of the management actions will ensure that significant progress will be made towards the attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives and allotment specific objectives provided that the Grazing Stipulations and the Terms and Conditions identified below are adhered to. Significant progress would be made when the Annual Monitoring Objectives for the Simpson Park Allotment are achieved. Monitoring data will continue to be collected to ensure that allotment specific objectives are being attained within the Simpson Park Allotment. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069 for Simpson Park Allotment Annual monitoring standards and long-term objectives.

The management selection will implement Guidelines 1.1, 1.3, 2.1, 2.3, 3.1, 3.2, 3.3, 3.6, and 4.1 which have been developed for the Northeastern Great Basin Area of Nevada to establish significant progress toward conformance with the Standards for Rangeland Health for Upland Sites, Riparian and Wetland Sites, and Habitat.

2. Implement the following grazing management system with Grazing Stipulations for Young Brothers:

Use Area	Season of Use	Livestock Type	Percent Public Land	Number of Livestock	AUMs
Black Bird/Common	09/01 - 03/31	Cattle	100	27	189

Grazing Stipulations

1. The permittee would be required to maintain all range improvement projects for which maintenance responsibility is assigned in accordance with 43 CRR 4140.
2. All exclosures, including riparian, within the Simpson Park Allotment would be closed to livestock grazing unless grazing use is applied for by the permittee and is authorized in writing by the authorized officer.
3. The permittee would be required to meet with the BLM prior to each grazing year in order to determine an annual grazing management plan that would ensure appropriate use throughout the use area.
4. Utilization of “Key Upland Forage Species” will not exceed 40% by the end of the grazing year.
5. Utilization of key riparian-wetland herbaceous species will be limited to a minimum 4-inch stubble height by July 31st of each year. Utilization of key riparian-wetland herbaceous species will be limited to a 6-inch stubble height by the end of the growing season, if grazing starts or extends past July 31st.
6. Utilization of riparian woody or browse species will be limited to 30% of available stems by the end of the growing season.
7. Riparian bank shearing and trampling will be limited to 10% (10 feet in 100 feet of bank).
8. Utilization of key shrub browse species will be no greater than 25% during the critical growth period and no more than 40% following the end of the growing season.
9. Management actions and objectives conform with the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFAWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada’s South Central Nevada Sage Grouse Conservation Plan, which is now under development.

10. If annual monitoring standards reach specified objectives in any use area where measurable standards have been set, the permittee will be required to remove livestock from that area. The permittee will have 3-5 days upon notification to remove livestock.
11. The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.
12. The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable would be subject to the requirements set forth in 43 CFR 4130.6-2.
13. In accordance with 43 CFR 4130.3-3: 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 provision of subpart 4180 RAC Standards and Guidelines.

Rationale:

The proposed grazing management plan will ensure that progress towards the attainment of the Standards for Rangeland Health by modifying the season of use and stocking rates associated with the proposed use areas. Grazing during the dormant season would occur within the Black Bird and Common use areas and are dominated by salt-desert shrub communities. Depending on the type of year (e.g. wet and warm winters), limited use may occur during the initial growth season for this area.

The Black Bird, Common, and Pete Summit use areas consists primarily of salt-desert shrub communities that are considered intolerant to grazing throughout their growing season. Key management areas within this section of the allotment did not meet the habitat standard and only two of the sites have indicated significant progress towards the attainment of the standard. By deferring grazing until the dormant season for this vegetative community, key perennial grasses are given an opportunity to gain in vigor, set seed, and reproduce. This will allow for improvement in the plant communities by enhancing key perennial species productivity, which will in turn provide seed to repopulate the plant communities. The expected improvement in the vegetative community will enhance soil site stability, which will limit the redistribution of and loss of soil resources by wind and water. Hydrologic function will also be enhanced with improvement in the vegetative community. This will allow the site to adequately capture, store and release water from rainfall or snowmelt events. Furthermore, improvement in the plant community will improve the integrity of the biotic community, which will permit the use area to resist loss of function and structure following disturbance allowing for recovery.

The proposed grazing plan would be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3, 2.4, 3.1, 3.2, 3.3, 3.6, 4.1, Vegetative Guidelines and BLM/WAFWA sage grouse guidelines.

3. Issue a ten-year permit to Young Brothers with the following Terms and Conditions:

Grazing use would be in accordance with the Simpson Park Allotment portion of the Simpson Park Complex Final Multiple Use Decision dated _____.

The permittee would be required to meet with BLM prior to each grazing year in order to determine an annual grazing plan that would ensure appropriate use throughout the allotment.

The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.

The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable use would be subject to the requirements set forth in 43 CFR 4130.6-2.

In accordance with 43 CFR 4130.8-1(F): Failure to pay grazing bills within 15 days of the due date specified in the bill shall result in a late fee assessment of \$25.00 or 10 percent of the grazing bill, whichever is greater, but not to exceed \$250.00. Payment made later than 15 days after the due date shall include the appropriate late fee assessment. Failure to make payment within 30 days may be a violation of 43 CFR Sec 4140.1(B)(1) and shall result in action by the authorized officer under 43 CFR Sections. 4150.1 and 4160.1-2.

In accordance with 43 CFR 4130.3-2(D): Actual use information, for each use area, will be submitted to the authorized officer within 15 days of completing grazing use as specified on the grazing permit and/or grazing licenses.

In accordance with 43 CFR 4120.3-1(A): All range improvement shall be installed, used, maintained, and/or modified on the public lands, or removed from these lands in a manner consistent with multiple use management.

In accordance with 43 CFR 4130.3-2(C): In order to improve livestock and rangeland management on the public lands, all salt and/or mineral supplements will not be placed within ¼ mile of any riparian area, wet meadow, or watering facility (either permanent or temporary) unless stipulated through a written agreement or decision.

In accordance with 43 CFR 4130.9-2(H): All grazing permittees shall provide reasonable access across private and/or leased lands to the Bureau of Land Management for the orderly management and protection of the public lands.

Pursuant to 43 CFR 10.4(G), the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary 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 by the authorized officer.

All permits and leases shall be made subject to cancellation, suspension, or modification for any violation of these regulations or of any Terms and Conditions of the permit or lease.

The Terms and Conditions of this permit may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.

Rationale:

Issuance of a new ten-year permit is based on the analysis of the management actions in the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069, the evaluation of monitoring data, and the evaluation of Land Use Plan objectives, Standards for Rangeland Health, and multiple use objectives. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069 for the Simpson Park Allotment specific objectives and objectives common for the Complex. The terms and conditions for grazing in the Simpson Park Allotment would result in the attainment of multiple use objectives and is consistent with the Northeastern Great Basin RAC standards and is in conformance with the guidelines. At the completion of the Environmental Assessment and Finding of No Significant Impact (FONSI), a Final Multiple Use Decision will authorize the issuance of a new ten-year grazing permit and Terms and Conditions. These Terms and Conditions will ensure compliance with all applicable laws and regulations governing livestock grazing on public lands.

In addition, the grazing management system and the Terms and Conditions will provide for the orderly administration of the range and ensure that significant progress towards the attainment of the multiple use objectives, allotment specific objectives and the Standards for Rangeland Health throughout the C-Ranches Use Area will occur. Management actions and objectives will conform to the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFAWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada's South Central Nevada Sage Grouse Conservation Plan, which is now under development.

The proposed ten-year permit and Terms and Conditions will be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3., 2.4, 3.1, 3.2, 3.3, 3.6, and 4.1.

DECISION AUTHORITY: The authority for this decision is contained in Title 43 of the Code of Federal Regulations (CFR) including, but not limited to the following:

§4100.0-8 Land use plans.

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 43 CFR 1601.0-5(b).

[53 FR 10233, Mar. 29, 1988]

§4110.3 Changes in permitted use.

The authorized officer shall periodically review the permitted use specified in a grazing permit or lease and shall make changes in the permitted use as needed to manage, maintain or improve rangeland productivity, to assist in restoring ecosystems to properly functioning condition, to conform with land use plans or activity plans, or to comply with the provisions of subpart 4180 of this part. These changes must be supported by monitoring, field observations, ecological site inventory or other data acceptable to the authorized officer.

[60 FR 9963, Feb. 22, 1995]

§4120.3-1 Conditions for range improvements.

- (a) Range improvements shall be installed, used, maintained, and/or modified on the public lands, or removed from these lands, in a manner consistent with multiple-use management.
- (b) Prior to installing, using, maintaining, and/or modifying range improvements on the public lands, permittees or lessees shall have entered into a cooperative range improvement agreement with the Bureau of Land Management or must have an approved range improvement permit.
- (c) The authorized officer may require a permittee or lessee to maintain and/or modify range improvements on the public lands under §4130.3-2 of this title.
- (d) The authorized officer may require a permittee or lessee to install range improvements on the public lands in an allotment with two or more permittees or lessees and/or to meet the terms and conditions of agreement.
- (e) A range improvement permit or cooperative range improvement agreement does not convey to the permittee or cooperator any right, title, or interest in any lands or resources held by the United States.
- (f) Proposed range improvement projects shall be reviewed in accordance with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4371 *et seq.*). The decision document following the environmental analysis shall be considered the proposed decision under subpart 4160 of this part.

[49 FR 6452, Feb. 21, 1984, as amended at 60 FR 9964, Feb. 22, 1995; 61 FR 4227, Feb. 5, 1996]

4130.3-1 Mandatory terms and conditions

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

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

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

[49 Fr 6453, Feb. 21, 1984, as amended at 53 FR 10234, Mar.29, 1988. Redesignated at 60 FR 9965, Feb. 22, 1995, and amended at 60 FR 9966, Feb. 22, 1995]

§4110.3-2 Decreasing permitted use.

(a) Permitted use may be suspended in whole or in part on a temporary basis due to drought, fire, or other natural causes, or to facilitate installation, maintenance, or modification of range improvements.

(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.

[53 FR 10234, Mar. 29, 1988, as amended at 60 FR 9963, Feb. 22, 1995]

§4110.3-3 Implementing reductions in permitted use.

(a) After consultation, cooperation, and coordination with the affected permittee or lessee, the State having lands or managing resources within the area, and the interested public, reductions of permitted use shall be implemented through a documented agreement or by decision of the authorized officer. Decisions implementing §4110.3-2 shall be issued as proposed decisions pursuant to §4160.1, except as provided in paragraph (b) of this section.

(b) When the authorized officer determines that the soil, vegetation, or other resources on the public lands require immediate protection because of conditions such as drought, fire, flood, insect infestation, or when continued grazing use poses an imminent likelihood of significant resource damage, after consultation with, or a reasonable attempt to consult with, affected permittees or lessees, the interested public, and the State having lands or responsible for managing resources within the area, the authorized officer shall close allotments or portions of allotments to grazing by any kind of livestock or modify authorized grazing use notwithstanding the provisions of paragraph (a) of this section. Notices of closure and decisions requiring modification of authorized grazing use may be issued as final decisions effective upon issuance or on the date specified in the decision. Such decisions shall remain in effect pending the decision on appeal unless a stay is granted by the Office of Hearings and Appeals in accordance with 43 CFR 4.21.

[60 FR 9963, Feb. 22, 1995]

§4130.3 Terms and conditions.

Livestock grazing permits and leases shall contain terms and conditions determined by the authorized officer to be appropriate to achieve management and resource condition objectives for the public lands and other lands administered by the Bureau of Land Management, and to ensure conformance with the provisions of subpart 4180 of this part. [60 FR 9966, Feb. 22, 1995]

§4130.3-1 Mandatory terms and conditions.

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

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

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

[49 FR 6453, Feb. 21, 1984, as amended at 53 FR 10234, Mar. 29, 1988. Redesignated at 60 FR 9965, Feb. 22, 1995, and amended at 60 FR 9966, Feb. 22, 1995]

§4130.3-2 Other terms and conditions.

The authorized officer may specify in grazing permits or leases other terms and conditions which will assist in achieving management objectives provide for proper range management or assist in the orderly administration of the public rangelands. These may include but are not limited to:

(a) The class of livestock that will graze on an allotment;

(b) The breed of livestock in allotments within which two or more permittees or lessees are authorized to graze;

(c) Authorization to use, and directions for placement of supplemental feed, including salt, for improved livestock and rangeland management on the public lands;

(d) A requirement that permittees or lessees operating under a grazing permit or lease submit within 15 days after completing their annual grazing use, or as otherwise specified in the permit or lease, the actual use made;

(e) The kinds of indigenous animals authorized to graze under specific terms and conditions;

(f) Provision for livestock grazing temporarily to be delayed, discontinued or modified to allow for the reproduction, establishment, or restoration of vigor of plants, provide for the improvement of riparian areas to achieve proper functioning condition or for the protection of other rangeland resources and values consistent with objectives of applicable land use plans, or to prevent compaction of wet soils, such as where delay of spring turnout is required because of weather conditions or lack of plant growth;

(g) The percentage of public land use determined by the proportion of livestock forage available on public lands within the allotment compared to the total amount available from both public lands and those owned or controlled by the permittee or lessee; and (h) A statement disclosing the requirement that permittees or lessees shall provide reasonable administrative access across private and leased lands to the Bureau of Land Management for the orderly management and protection of the public lands.

[49 FR 6453, Feb. 21, 1984; 49 FR 12704, Mar. 30, 1984. Redesignated at 60 FR 9965, Feb. 22, 1995, and amended at 60 FR 9966, Feb. 22, 1995]

§4130.3-3 Modification of permits or leases.

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. To the extent practical, the authorized officer shall provide to affected permittees or lessees, States having lands or responsibility for managing resources within the affected area, and the interested public an opportunity to review, comment and give input during the preparation of reports that evaluate monitoring and other data that are used as a basis for making decisions to increase or decrease grazing use, or to change the terms and conditions of a permit or lease.

[60 FR 9966, Feb. 22, 1995]

§4160.1 Proposed decisions.

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

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

(c) The authorized officer may elect not to issue a proposed decision prior to a final decision where the authorized officer has made a determination in accordance with §4110.3-3(b) or §4150.2(d).

[60 FR 9968, Feb. 22, 1995]

§4160.2 Protests.

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 the authorized officer within 15 days after receipt of such decision.

[47 FR 41713, Sept. 21, 1982, as amended at 49 FR 6455, Feb. 21, 1984; 61 FR 4227, Feb. 5, 1996]

§4180.1 Fundamentals of rangeland health.

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.

[60 FR 9969, Feb. 22, 1995]

§4180.2 Standards and guidelines for grazing administration.

(c) The authorized officer shall take appropriate action as soon as practicable but not later than the start of the next grazing year upon determining that existing grazing management practices or levels of grazing use on public lands are significant factors in failing to achieve the standards and conform with the guidelines that are made effective under this section. Appropriate action means implementing actions pursuant to subparts 4110, 4120, 4130, and 4160 of this part that will result in significant progress toward fulfillment of the standards and significant progress toward conformance with the guidelines. Practices and activities subject to standards and guidelines include the development of grazing-related portions of activity plans, establishment of terms and conditions of permits, leases and other grazing authorizations, and range improvement activities such as vegetation manipulation, fence construction and development of water.

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 the authorized officer (Douglas W. Furtado, Assistant Field Manager, Renewable Resources, 50 Bastian Road, Battle Mountain, Nevada 89820) within 15 days after receipt of such decision. The protest, if filed, must clearly and concisely state the reason(s) as to why the Proposed Decision is in error.

In accordance with 43 CFR 4160.3 (b), should a timely protest be filed with the authorized officer, the authorized officer, at the conclusion to his review of the protest shall serve his Final Decision on the protestant and the interested public.

WILD HORSE AND BURRO MANAGEMENT DECISION

1. Establish an Appropriate Management Level range for wild burros within the Kingston Allotment portion of the Hickison HMA. The AML range for the Kingston Allotment will be 11 to 30 wild burros (55-150 AUMs) for 5 months.

Rationale:

The RPS allocation of AUMs for livestock and wild burros is 99% to 1% respectively. However, the average actual use by wild burros was slightly over the allocation during the evaluation period with 1.5% of the AUMs utilized by wild burros. The current allocation for wild burros is of concern due to genetic viability of the herd. The proposed reallocation of the AUMs would allocate an additional 60 AUMs of forage to wild burros resulting in a revised allocation of 97% to livestock and 3% to wild burros for the Kingston Allotment and would aid in maintaining genetic viability in the future. Furthermore, wild burros are opportunistic feeders and are able to utilize more of the range on a year-long basis than cattle. Therefore, areas that are less suitable for cattle remain available for wild burros.

An initial stocking level for wild burros within the Hickison HMA was established through the Rangeland Program Summary at 5 wild burros (30 AUMs) for 6 months for the Kingston Allotment. However, analysis of census flight information indicates that wild burros spend approximately 40% or 5 months of the time on the Hickison HMA. The evaluation of monitoring data collected throughout the evaluation period indicates that the mid-range of 18 wild burros (90 AUMs) for Kingston Allotment for 5 months is the appropriate management level to maintain a thriving natural ecological balance within the means of the habitat. The AML range reflects the average use taking into account that wild burro populations fluctuate based on environmental conditions and movement patterns. The Kingston Allotment represents 25% of the HMA and adjacent U.S. Forest Service administered lands within the Hickison HMA/WHT are utilized to meet habitat requirements. The AML range would meet the habitat requirement for wild burros within the Hickison HMA.

Through this evaluation a determination has been made that RAC Standard 3 is not being met and that RAC Standard 5 for the Hickison HMA is being partially met. Until further data collection and analysis has occurred, the AML for this HMA would remain at the level established in this evaluation. In the future, existing studies within the Hickison HMA, Simpson Park and Kingston Allotments would continue to be conducted to evaluate rangeland health and trend. Adjustments to AML would be based on habitat condition, genetic health, and distribution of wild burros.

The proposed Appropriate Management Level for the Hickison HMA (Kingston and Simpson Park Allotments) has been established as a range of 16 to 45 wild burros, which would allow for minimal management which is in conformance with the Wild Free-Roaming Horse and Burro Act. Wild burros in the Hickison HMA increase at an annual rate of 17.5%. It is not cost effective to remove the annual increase in population each year, annual gathers would result in increased impacts to herd stability and band integrity, and frequent gathers render the animals

more difficult to capture and increases the chance for injury or death. Appropriate NEPA compliance for all management actions that would impact wild burros within the Hickison HMA would be completed prior to the implementation of the action.

2. Callaghan HMA

a. Establish an Appropriate Management Level range for wild horses within the Simpson Park Allotment portion of the Callaghan Herd Management Area of 14 to 39 wild horses (166-468 AUMs). The establishment of AML for the Simpson Park Allotment as proposed would set the Callaghan HMA AML as a range of 147 to 237 wild horses (1764-2844 AUMs).

Rationale:

The Rangeland Program Summary established an initial stocking level for wild horses at 41 wild horses (492 AUMs) year long. As indicated by the carrying capacity analysis, an AML of 23 wild horses (276 AUMs) year long is appropriate for the Simpson Park Allotment portion of Callaghan HMA. The carrying capacity analysis resulted in a reduction of 18 wild horses (213 AUMs) year long from the initial stocking levels established in the RPS. Wild horse use within this range is expected to result in the attainment of the allotment specific objectives for the Simpson Park Allotment. In addition, the level of use by wild horses would maintain the Land Use Plan objectives and Standards for Rangeland Health.

The evaluation of monitoring data collected throughout the evaluation period indicates that the mid-range 23 wild horses year-long is the appropriate management level to maintain a thriving natural ecological balance and a healthy wild horse population. The AML range reflects the average year-long use taking into account that wild horse populations fluctuate based on environmental conditions and movement patterns. The Simpson Park Allotment represents 7% of the Callaghan HMA which requires wild horses to utilize adjacent allotments within the HMA to meet habitat requirements. The AML range would meet the year-round habitat requirement for wild horses within the Callaghan HMA.

Through this evaluation a determination has been made that RAC Standard 5 for the Callaghan HMA have been met for the Simpson Park Allotment. However, RAC Standard 2 and Standard 3 are not being met for the allotment. Until further data collection and analysis has occurred, the AML for this allotment would remain at the level established in this evaluation. In the future, existing studies within the Callaghan HMA and Simpson Park Allotment would continue to be conducted to evaluate rangeland health and trend. Adjustments to AML would be based on this information.

The Appropriate Management Level has been established as a range of 14 to 38 wild horses, which would allow for minimal management which is in conformance with the Wild Free-Roaming Horse and Burro Act. Wild horses in the Callaghan HMA increase at an annual rate of 17.5%. It is not cost effective to remove the annual increase in population each year, annual gathers would result in increased impacts to herd stability and band integrity, and frequent gathers render the animals more difficult to capture and increases the chance for injury or death.

Appropriate NEPA compliance for all management actions that would impact wild horses within the Callaghan HMA would be completed prior to the implementation of the action.

3. Hickison HMA

a. Establish an Appropriate Management Level range for wild burros within the Simpson Park and Kingston Allotment portions of the Hickison HMA. The AML range for the Simpson Park Allotment will be 5 to 15 wild burros (25-75 AUMs) for 5 months.

Rationale:

An initial stocking level for wild burros within the Hickison HMA was established through the Rangeland Program Summary at 13 wild burros for a 6-month period (78 AUMs) for the Simpson Park Allotment. However, analysis of census flight information indicates that wild burros spend approximately 40% or 5 months of the time on the Hickison HMA. As indicated by the carrying capacity analysis, an AML of 9 wild burros (45 AUMs) is appropriate for the Simpson Park Allotment portion of the Hickison HMA. This resulted in a reduction of 4 wild burros (20 AUMs) for the Simpson Park Allotment from the initial stocking levels established in the RPS. Wild burro use within this range is expected to result in the attainment of the allotment specific objectives for the Simpson Park Allotment. In addition, the level of use by wild burros would maintain the Land Use Plan objectives and Standards for Rangeland Health.

The evaluation of monitoring data collected throughout the evaluation period indicates that the mid-range 9 wild burros (45 AUMs) for Simpson Park Allotment for 5 months is the appropriate management level to maintain a thriving natural ecological balance within the means of the habitat. The AML range reflects the average use taking into account that wild burro populations fluctuate based on environmental conditions and movement patterns. The Simpson Park Allotment represents 75% of the Hickison HMA and Kingston Allotment represents 25% of the HMA. Adjacent U.S. Forest Service administered lands within the Hickison HMA/WHT are utilized to meet habitat requirements. The AML range would meet the habitat requirement for wild burros within the Hickison HMA.

Through this evaluation a determination has been made that RAC Standard 2 and 3 are not being met for the Simpson Park Allotment. RAC Standard 5 for the Hickison HMA is being partially met. Until further data collection and analysis has occurred, the AML for this HMA would remain at the level established in this evaluation. In the future, existing studies within the Hickison HMA, Simpson Park and Kingston Allotments would continue to be conducted to evaluate rangeland health and trend. Adjustments to AML would be based on habitat condition, genetic health, and distribution of wild burros.

The Appropriate Management Level for the Hickison HMA has been established as a range of 16 to 45 wild burros, which would allow for minimal management which is in conformance with the Wild Free-Roaming Horse and Burro Act. Wild burros in the Hickison HMA increase at an annual rate of 17.5%. It is not cost effective to remove the annual increase in population each year, annual gathers would result in increased impacts to herd stability and band integrity, and frequent gathers render the animals more difficult to capture and increases the chance for injury

or death. Appropriate NEPA compliance for all management actions that would impact wild burros within the Hickison HMA would be completed prior to the implementation of the action.

AUTHORITY: The authority for this decision is contained in Sec. 3 (a), Wild Horse and Burro Act (P.L. 92-195) and Title 43 of the Code of Federal Regulations including, but not limited to the following:

§4700.0-6 Policy

(a) Wild horses and burros shall be managed as self-sustaining populations of healthy animals in balance with other uses and the productive capacity of their habitat.

(d) In administering these regulations, the authorized officer shall consult with Federal and State wildlife agencies and all other affected interest, to involve them in planning for and management of wild horses and burros on the public lands.

§4710.3-1 Herd Management Areas

In delineating each herd management area, the authorized officer shall consider the appropriate management level for the herd, the habitat requirements of the animals, the relationships with other users of the public and adjacent private lands, and the constraints contained in 4710.4. The authorized officer shall prepare a herd management area plan, which may cover one or more herd management areas.

§4710.4 Constraints on Management

Management of wild horses and burros shall be undertaken with the objective of limiting the animals' distribution to herd areas. Management shall be at the minimum level necessary to attain the objectives identified in approved land use plans and herd management area plans.

§4720.1 Removal of excess animals from public lands

Upon examination of current information and a determination by the authorized officer that an excess of wild horses or burros exists, the authorized officer shall remove the excess animals immediately in the following order.

(a) Old, sick, or lame animals shall be destroyed in accordance with subpart 4730 of this title;

(b) Additional excess animals for which an adoption demand by qualified individuals exists shall be humanely captured and made available for private maintenance in accordance with subpart 4750 of this title; and

(b) Remaining excess animals for which no adoption demand by qualified individuals exists shall be destroyed in accordance with subpart 4730 of this part. *However, the appropriation language has prohibited the use of government funds to destroy healthy excess wild horses.*

The 4700 regulations, concerning wild horse and burro management decisions, allow for an appeal of the “Final Decision,” with no mention of protest period of the “Proposed Decision.”

Comments concerning the wild horse and burro decisions are therefore welcome and will be considered in the Authorized Officer's "Final Decision."

WILDLIFE MANAGEMENT DECISION

1. Retain the short-term allocation of 490 AUMs for big game species in the Kingston Allotment.

Rationale:

Monitoring data indicates that Standard 3 of the Standards for Rangeland Health are not being attained at the majority of the key management areas within the Kingston Allotment; therefore, it short-term allocation will be retained until Standards for Rangeland Health are met throughout the allotment. Monitoring data would continue to be collected throughout the allotment to ensure that multiple use objectives are being attained.

2. Retain the short-term allocation of 354 AUMs for big game species in the Simpson Park Allotment.

Rationale:

Monitoring data indicates that Standard 2: Riparian and Wetland Sites and Standard 3: Habitat of the Standards for Rangeland Health are not met at a majority of the key management areas and riparian/wetland zones; therefore, it has been determined that short-term allocation would be retained until Standards for Rangeland Health are met throughout the allotment. Monitoring data would continue to be collected throughout the allotment to ensure that multiple use objectives are being attained.

AUTHORIZED OFFICER'S SIGNATURE:

If future monitoring indicates that SERA Land Use Plan objectives, RPS objectives, Kingston and Simpson Park Allotment specific objectives, Simpson Park Complex objectives, and RAC Standards are not being achieved, further adjustments will be made accordingly. Likewise, if future monitoring indicates that RAC Standards, LUP, and RPS objectives are being met, and that increase in the number of AUMs are warranted, this decision will be evaluated and amended as appropriate.

These decisions are consistent with 43 CFR 4180 and the Northeastern Great Basin RAC Standards and Guidelines for rangeland health and healthy wild horse and burro populations.

Douglas W. Furtado
Assistant Field Manager
Renewable Resources

Date

cc: Kingston and Simpson Park Allotments Interested Parties List



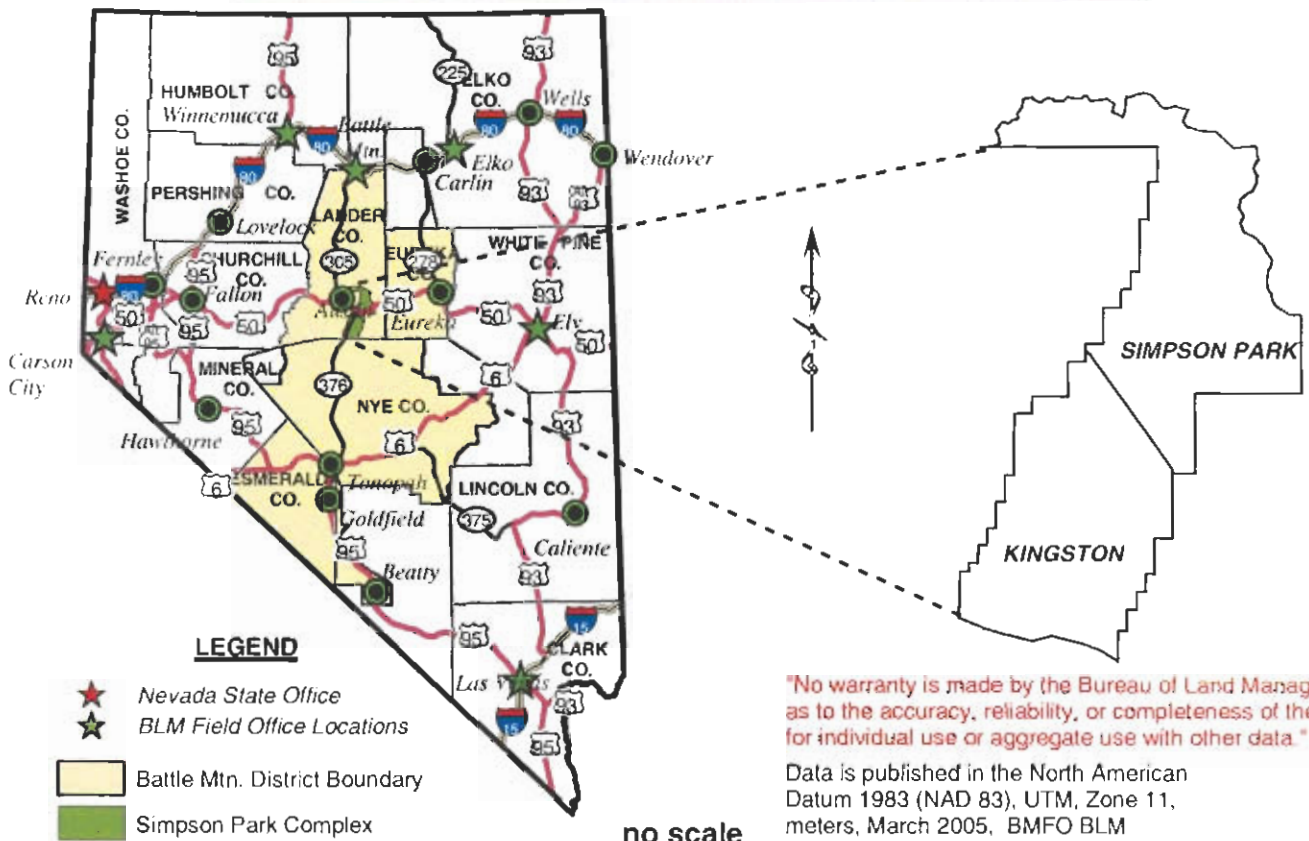
UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Battle Mountain District

August 2005



Battle Mountain Field Office
 50 Bastian Road
 Battle Mountain, Nevada 89820

SIMPSON PARK COMPLEX
EVALUATION and RANGELAND HEALTH ASSESSMENT
ENVIRONMENTAL ASSESSMENT NV062-EA05-069



**SIMPSON PARK COMPLEX EVALUATION and RANGELAND HEALTH
ASSESSMENT
ENVIRONMENTAL ASSESSMENT NV062-EA05-069**

I. INTRODUCTION

The Bureau of Land Management (BLM) Battle Mountain Field Office (BMFO) proposes to implement the actions identified in the Simpson Park Complex Evaluation and Rangeland Health Assessment (SPC Evaluation) and developed through consultation with the interested public. The SPC Evaluation was sent to the interested public on July 22, 2005 for review and comment.

The Simpson Park Complex (Complex) consists of the Kingston and Simpson Park Allotments which contain approximately 176,812 acres of public land. The majority of these lands occur within Lander County; however, approximately 222 acres of the Kingston Allotment occurs in Nye County. The minimal acreage, which is under the Mojave/Southern Great Basin Resource Advisory Council Standards and Objectives, will be analyzed in the future in the Wildcat Canyon Rangeland Health Assessment. There is one wild burro herd management area (HMA) and one wild horse HMA within the Complex. Refer to Maps 1, 2, and 3 located in the SPC Evaluation for an overview of the allotments and HMAs within the Complex. The SPC Evaluation and Appendices include data and maps referred to throughout this Environmental Assessment (EA).

A. Purpose and Need for the Proposed Action

The purpose of the proposed action is to:

1. Issue a ten-year grazing permit to the two (2) permittees on the Kingston Allotment and the five (5) permittees on the Simpson Park Allotment to administer grazing and implement grazing management practices within the allotments that would ensure compliance with the Standards and Guidelines for Rangeland Health and Grazing Management developed by the Northeastern Great Basin Resource Advisory Council (RAC) and be consistent with the attainment of objectives in the Shoshone-Eureka Resource Management Plan (SERA RMP) Record of Decision (1986) and the Shoshone-Eureka Rangeland Program Summary (RPS) (1988).
2. Establish an Appropriate Management Level (AML) for the Callaghan and Hickison Herd Management Areas (HMAs).
3. Enhance water quality and riparian issues throughout the allotment through the construction of riparian exclosures and a pasture fence for the Willow/Barton use area.
4. Construct upland reference area exclosures that have not been grazed by livestock to serve as comparison for similar range sites.

The need for the proposed action stems from BLM's mandate to conduct grazing activities in an ecologically sound manner. Grazing use of these allotments and guidelines are found in the provisions of the Taylor Grazing Act (TGA) of 1934 (as amended), the Federal Land Policy and Management Act (FLPMA) of 1975, the Public Rangelands Improvement Act (PRIA) of 1978, and the Standards and Guidelines for Rangeland Health as developed by the Northeastern Great Basin Resource Advisory Council (NGBRAC), that were approved by the Secretary of the Interior, on February 12, 1997, as well as various other federal laws and regulations.

The SPC Evaluation and Conformance Determination concluded that Allotment Objectives and Standards for Rangeland Health developed by the Northeastern Great Basin Area Resource Advisory Council were not being met in some cases. For example, Riparian and Wetland Sites and Habitat Standards were not met for the Kingston and Simpson Park Allotments. It was also determined that historic and existing livestock management practices were the primary contributing factors to the non-attainment of the Standards. There were also instances that wild horse management contributed to the non-attainment of the standards. Therefore, it has been determined that there is a need for adjustments in the management of livestock and wild horses and burros throughout the Complex.

B. Conformance with Land Use Plans and Other Plans

The proposed action is in conformance with the Shoshone-Eureka Resource Management Plan (RMP) Record of Decision (ROD) (1986), Shoshone-Eureka RMP Amendment ROD (1987), and the Shoshone-Eureka Rangeland Program Summary (RPS) (1988). Refer to the Simpson Park Complex Evaluation to review the RMP objectives and the allotment specific objectives identified within the RPS for management of wildlife, livestock, and wild horses and burros. The Selective Management Categories designated in the Shoshone-Eureka RMP Amendment are Custodial and Improve for the Kingston and Simpson Park Allotments respectively.

C. Additional Guidance

Guidance and requirements for grazing use of the allotments within the Simpson Park Complex as well as the requirements to conduct grazing activities in a manner consistent with the principles of multiple use and sustainable yield in an ecologically sound manner, are found in the provisions of the Taylor Grazing Act of 1934, the Federal Land Policy and Management Act of 1976 (FLPMA), the Wild Free-Roaming Horse and Burro Act of 1971 as amended (PL-92-195), Endangered Species Action (ESA) of 1973 as well as other federal laws and the Code of Federal Regulations. Specifically, 43 CFR 4180 -- Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration states that the authorized officer shall take appropriate action under subparts 4110, 4120, 4130, and 4160 the this part 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 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 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 progress towards achieving, established BLM management objectives such as meeting wildlife needs.

- (d) Habitats are, or are making 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.

The proposed action is consistent with the Standards and Guidelines for Rangeland Health as developed by the Northeastern Great Basin RAC, Management Guidelines for Sage Grouse and Sagebrush Ecosystems in Nevada (BLM 2000), Guidelines to Manage Sage Grouse Populations and Their Habitats (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFWA) Guidelines for Sage Grouse Management, the Wild Horse Strategy to Achieve Healthy Lands and Healthy Herds (BLM 2001), Wild Horse Revised Nevada Tactical Plan (BLM 2001), and the Strategic Plan for Management of Wild Horses and Burros on Public Lands (BLM 1992).

This EA analyzes the impacts of the proposed management actions identified following the issuance and public review of the SPC Evaluation and would incorporate relevant portions of the Evaluation by reference where applicable.

Following the issuance of this EA and the Proposed Multiple Use Decision (PMUD), the BMFO would issue the Final Multiple Use Decision (FMUD) and Finding of No Significant Impact (FONSI). Should any protest of the PMUD be received, the BMFO would consider the issues identified in the protest. Should this result in substantive changes to the proposed action, the modified EA and Decision Record would be issued with the FMUD.

II. DESCRIPTION OF THE PROPOSED ACTION and ALTERNATIVES

A. Proposed Action

The Battle Mountain Field Office proposes to implement management actions developed through the SPC Evaluation process and through consultation with the interested public. Following the comment period changes were made to the initial proposed management actions that were identified in the Rangeland Health Assessment/Evaluation. These changes were based on the comments that were received from permittees, county governments, and the interested public. The modifications and the selected management actions that comprise the proposed action being analyzed in this EA were documented in the Simpson Park Complex Conformance Determination. Implementation of the proposed action would ensure that grazing use in the Simpson Park Complex is in conformance with the RAC Guidelines and that progress towards or the continued maintenance of the RAC Standards occurs. Implementation of the proposed action would also result in attainment of annual monitoring objectives and long-term objectives identified in the Simpson Park Complex Management Objectives section of the SPC Evaluation (pp. 254 - 294).

Review and analysis of monitoring data, historical and current use pattern maps and carrying capacity analysis were completed by the BMFO staff in the development of the SPC Evaluation and the proposed action. Refer to the Simpson Park Complex Evaluation and Appendices to review data analysis, conclusions, and carrying capacity analyses.

The proposed livestock grazing management for each of the permittees within the Kingston and Simpson Park Allotments would consist of the following number of livestock, AUMs, season of use, use areas, and Terms and Conditions:

1. Kingston Allotment

Issue a ten-year permit to the permittees within the Kingston Allotment that would:

- Establish the active permitted use for the Kingston Allotment at 2,710 AUMs. The reduction of eight (8) AUMs would be implemented due to 214.88 acres of land being devoted to other purposes other than grazing through the Kingston Airport Lease (NV063-CX03-75) and the Kingston townsite boundary drift fences (NV062-EA01-14).
- Implement a change in season of use for the Kingston Allotment that would eliminate use during the growing season of perennial species.
- Use areas would be established to provide additional information regarding livestock distribution and indicating areas where livestock management may need to be modified in the future. Specific jurisdictional boundaries for each permittee and a season of use would not be designated for each use area. Refer to Appendix 1 for Use Area Designations.
- Authorize the following grazing management system and Terms and Conditions for the Kingston Allotment:

Permittee	Season of Use	Kind of Livestock	Percent Public Land	Number of Livestock	AUMs
Young Brothers	09/01 - 03/15	Cattle	90%	191	1,108
	09/01 - 03/15	Cattle	100%	61	393
	09/01 - 09/30	Cattle	100%	5	5
Truckee River Ranch, LLC	09/01 - 03/15	Cattle	100%	188	1,211
	09/01 - 09/30	Cattle	100%	3	3
Total AUMs					2,710

- Implement the following grazing stipulations for the Kingston Allotment:

Grazing Stipulations:

1. Permittees would be required to establish watering facilities on private land in order to promote better livestock dispersal throughout portions of the allotment prior to turn-out.
2. The permittee would be required to maintain all range improvement projects for which maintenance responsibility is assigned in accordance with 43 CRR 4140.
3. All exclosures on public land would be closed to livestock grazing unless grazing was applied for by the permittee and is authorized in writing by the authorized officer.
4. The permittee would be required to meet with the BLM prior to each grazing year in order to determine an annual grazing management plan that would ensure appropriate use throughout the area.

5. Utilization of “Key Upland Forage Species” will not exceed 50% by the end of the grazing year.
6. Utilization of key riparian-wetland herbaceous species shall be limited to a minimum 4-inch stubble height by July 31st of each year. Utilization of key riparian-wetland herbaceous species shall be limited to a 6-inch stubble height by the end of the growing season, if grazing starts or extends past July 31st.
7. Utilization of riparian woody or browse species shall be limited to 30% of available stems by the end of the growing season. (Aspen, elderberry, serviceberry)
8. Riparian bank shearing and trampling shall be limited to 10% (10 feet in 100 feet of bank).
9. Utilization of key shrub browse species shall be no greater than 25% during the critical growth period and no more than 40% following the end of the growing season.
10. Management actions and objectives conform with the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFAWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada’s South Central Nevada Sage Grouse Conservation Plan, which is now under development.
11. If annual monitoring standards reach specified objectives in any use area where measurable standards have been set, the permittee will be required to remove livestock from that area. The permit will have 3-5 days upon notification to remove livestock.
12. The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.
13. The season of use for the Kingston Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Kingston Allotment would constitute temporary non-renewable use.
14. In accordance with 43 CFR 4130.3-3: 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 provision of subpart 4180 RAC Standards and Guidelines.

The proposed action would set Appropriate Management Levels for wild burros within the Hickison HMA as follows:

- The proposed action would establish the allocation between livestock and wild burros as 97% and 3% respectively and set the AML for wild burros as a range of 11-30 burros on a 5-month basis (55-150 AUMs). Refer to the SPC Evaluation for detailed rationale regarding use on a 5-month basis rather than year-round (pp. 231 - 232) and SPC

Evaluation Appendix 6 for detailed carrying capacity analyses in regard to the Kingston Allotment.

The proposed action would retain the short-term reasonable numbers of 490 AUMs for big game use in the Kingston Allotment until habitat standards are met.

2. Simpson Park Allotment

A ten-year permit would be issued to the six permittees within the Simpson Park Allotment. In addition, the proposed action would establish a livestock grazing management plan with a season of use identified for each livestock operator. The livestock grazing management plan would eliminate hot season grazing (July 1st through October 15th) in sensitive riparian areas for the majority of the allotment. Riparian areas that would be subjected to hot season grazing by livestock would be fenced to exclude livestock use. Water would either be piped out or water gaps would be created in order to provide a reliable water source for wildlife, wild horses, and livestock.

Ten-year permit to the permittees within the Simpson Park Allotment that would:

- Establish the total active permitted use from 6,042 AUMs to 3,446 AUMs for the Simpson Park Allotment.
- Place 2,596 AUMs in suspended use and retain the historic suspended use of 2,589 AUMs.
- Implement the following active permitted use and suspended use for each of the following permittees:

Permittee	Active Permitted Use	Suspended Use	Historic Suspended Use
Dry Creek Ranch	390	294	294
Silver Creek Ranch, Inc.	1,336	1,006	1,003
Howard & Barbara Wolf	427	321	320
Ken & Karen Woodland	1,104	832	830
Young Brothers	189	143	142

- Implement the following active permitted AUMs for each grazing management system and Terms and Conditions for the Simpson Park Allotment. (Refer to Appendix 1 for Use Area Designations):

Permittee	Use Area	Season of Use	Livestock Type	Percent Public Land	Number of Livestock	AUMs
Dry Creek Ranch	Bates Mountain	06/01 - 07/15	Cattle	100	69	102
	Ackerman	08/01 - 09/30	Cattle	100	69	138
	Pete Summit	10/01 - 11/30	Cattle	100	69	138
	Ackerman	08/01 - 09/30	Horses	100	6	12
Silver Creek Ranch	Indian Ranch, Lake Ranch, Rye Patch	04/01 - 04/30	Cattle	100	249	246
	Willow/Barton	05/01 - 06/30	Cattle	100	200	401
	Rye Patch, Indian Ranch, Bates Mountain	05/01 - 07/15	Cattle	100	45	112
	Lake Ranch	05/01 - 08/15	Cattle	100	35	123
	Willow-Barton	06/01 - 06/30	Sheep	100	2300	454
Howard Wolf	Pete Summit/Common	11/15 - 03/31	Cattle	100	70	315
	Pete Summit/Common	11/15 - 12/15	Cattle	100	8	8
	Ackerman/Givens	04/01 - 04/30	Cattle	100	70	69
	Rye Patch	05/01 - 05/15	Cattle	100	70	35
Ken & Karen Woodland	Parson's Pastures	04/01 - 04/30	Cattle	100	170	168
	Willow-Barton	05/01 - 06/30	Cattle	100	170	341
	Lake Ranch/Indian Ranch/Bates Mountain	07/01 - 07/15	Cattle	100	85	42
	Lake Ranch/Rye Patch	07/01 - 07/15	Cattle	100	85	42
	Rye Patch/Givens North	07/16 - 08/30	Cattle	100	169	261
	Givens South	09/01 - 10/15	Cattle	100	169	250
Young Bros	Black Bird/Common	09/01 - 03/31	Cattle	100	27	189
Total						3,446

- Implement the following grazing stipulations for each permittee within the Simpson Park Allotment:

Grazing Stipulations:

1. The permittee would be required to maintain all range improvement projects for which maintenance responsibility is assigned in accordance with 43 CRR 4140.
2. All enclosures, including riparian, within the Simpson Park Allotment would be closed to livestock grazing unless grazing use is applied for by the permittee and is authorized in writing by the authorized officer.
3. The permittee would be required to meet with the BLM prior to each grazing year in order to determine an annual grazing management plan that would ensure appropriate use throughout the use area.
4. Utilization of "Key Upland Forage Species" will not exceed 40% by the end of the grazing year.
5. Utilization of key riparian-wetland herbaceous species shall be limited to a minimum 4-inch stubble height by July 31st of each year. Utilization of key riparian-wetland

herbaceous species shall be limited to a 6-inch stubble height by the end of the growing season, if grazing starts or extends past July 31st.

6. Utilization of riparian woody or browse species shall be limited to 30% of available stems by the end of the growing season. (Aspen, elderberry, serviceberry)
7. Riparian bank shearing and trampling shall be limited to 10% (10 feet in 100 feet of bank).
8. Utilization of key shrub browse species shall be no greater than 25% during the critical growth period and no more than 40% following the end of the growing season.
9. Management actions and objectives conforms with the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFAWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada's South Central Nevada Sage Grouse Conservation Plan, which is now under development.
10. If annual monitoring standards reach specified objectives in any use area where measurable standards have been set, the permittee will be required to remove livestock from that area. The permittee will have 3-5 days upon notification to remove livestock.
11. The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.
12. The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable would be subject to the requirements set forth in 43 CFR 4130.6-2.
13. In accordance with 43 CFR 4130.3-3: 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 provision of subpart 4180 RAC Standards and Guidelines.
 - Implement the following additional grazing stipulations for Ken & Karen Woodland:
 1. Pastures utilized in "Parson's Pastures" during the spring will not be utilized during the following fall use in the Given's Use Area. The permittee will stipulate the pasture utilized during the spring.
 - Implement the following additional grazing stipulations for Silver Creek Ranch:

1. Sheep camps will be moved every five days. No two (2) sheep camps will camp in the same area in a grazing season.
2. New bed grounds will be used every night. Sheep bedding grounds will be a minimum of one quarter (1/4) mile from permanent water, aspen stands, and previous bed grounds.
3. The permittee will be required to herd sheep throughout their established use area to utilize areas that have received slight and/or light use. If it is determined that utilization objectives are being met in any area, the permittee will be required to move sheep immediately upon notification to other areas of the use area that have not been grazed.

The proposed action would set AML for wild horses and burros within the Callaghan and Hickison HMAs as follows:

- Establish an Appropriate Management Level range of 14-39 wild horses for a 12-month period (166-468 AUMs) within the Simpson Park Allotment portion of the Callaghan HMA.
- Establish an Appropriate Management Level range of 5-15 wild burros on a five-month basis (25-75 AUMs) for the Simpson Park Allotment. Refer to the SPC Evaluation for detailed rationale regarding use on a 5-month basis rather than year-round (p. 251) and SPC Evaluation Appendix 6 for detailed carrying capacity analyses in regard to the Simpson Park Allotment.

The proposed action would retain the short-term allocation of 354 AUMs for big game use within the Simpson Park Allotment until habitat standards are met.

B. No Action Alternative (Existing Use)

The no action alternative would allow for current livestock management practices within the Kingston and Simpson Park Allotments to continue. Refer to the SPC Evaluation for a summary of the permitted use that currently exists for the Kingston and Simpson Park Allotments (pp. 14 - 15). Through the SPC Evaluation, it was determined that a number of the SERA RMP objectives, Standards for Rangeland Health and multiple use objectives are not being met throughout both allotment. Refer to pages 39-221 and Appendix 8 for a detailed discussion regarding the SERA RMP objectives and Standards for Rangeland Health.

The Appropriate Management Level for the Hickison and Callaghan HMAs would not be set under the No Action Alternative. Management levels would revert to the initial management levels established by the Rangeland Program Summary.

Under the No Action Alternative, wildlife reasonable numbers would continue to be managed under the short-term numbers set through the SERA RPS.

C. Alternatives Considered but Eliminated from Detailed Analysis

1. Further Decrease in Livestock Grazing Alternative

Following the analysis, interpretation, and evaluation of monitoring data, it was determined that SERA RMP objectives, Standards for Rangeland Health, and multiple-use objectives were not fully attained. The evaluation also concluded that progress towards the attainment of the Standards for Rangeland Health and multiple use objectives was not occurring throughout the allotments. Historic livestock grazing was determined to be a causal factor for the non-attainment of these standards for the Kingston Allotment. Historic and current livestock grazing was determined to be the causal factor for the Simpson Park Allotment.

The carrying capacity analysis indicated that reductions in permitted active use AUMs for both the Kingston and Simpson Park Allotments could be made. The carrying capacity analysis for the Kingston Allotment indicated that the permitted active use could be reduced from the current 2,278 AUMs to 2,106 AUMs or 24%. The carrying capacity analysis for the Simpson Park Allotment indicated that the permitted active use could be reduced from the current 6,042 AUMs to 2,510 AUMs or 58%. A grazing management plan was not identified for the Kingston and Simpson Park Allotments until the Rangeland Health Assessment and Conformance Determination documents determined that Standards and Guidelines set forth in the Northeastern Great Basin Resource Advisory Council (RAC) were not met. It has further been determined that data collected for the SPC Evaluation supports the proposed permitted livestock AUMs with the implementation of a grazing management plan. Through the carrying capacity analysis, a range of AUMs was identified for each permittee. The identified carrying capacity was based on each permittee's commitment to manage livestock within the allotment. A livestock grazing decrease for the Kingston Allotment and a further reduction of livestock AUMs for the Simpson Park Allotment may be authorized if it is determined through future monitoring that management is failing to conform to the Standards and Guidelines for Rangeland Health. The authorization of a grazing decrease would be dependent upon further monitoring, NEPA analysis, and issuance of a Decision.

2. Establishing Bates Mountain Use Area as a Livestock-Free Reference Area

Bates Mountain is the boundary for the Simpson Park, Grass Valley, and Dry Creek Allotments. Compliance would be an issue if the Bates Mountain Use Area was to be established as a livestock-free reference area. Construction of a fence that surrounds the entire use area would be required in order to address compliance issues and eliminate livestock grazing in its entirety. This would require the construction of approximately 12 miles of fence in steep terrain and is not considered to be feasible.

This area consists of critical summer habitat. Construction of the fence would impede mule deer movements to some slight degree and would impede pronghorn movements to a greater degree. Although wild horse use occurs in this area is outside the boundaries of an HMA, the construction of a fence would inhibit movement and gathering procedures of wild horses. A reference area within the Bates Mountain area has already been constructed. This reference area can be utilized to compare the vegetative and habitat characteristics common to the Bates Mountain area.

It is the intent of the proposed action to implement a season of use, stocking rate, and proper utilization levels that would allow for the attainment of allotment specific objectives, Standards for Rangeland Health, and provide habitat for wildlife and wild horses and burros. Furthermore,

under the proposed management actions, removal of livestock would be required from the use area if upland and riparian objectives are exceeded prior to July 15th.

The proposed actions are expected to improve upland and riparian conditions and enhance aspen stands by allowing a period of rest during the period of active growth, which would then increase age class distribution and the overall health of the stands within the Bates Mountain Use Area. These actions would lead to the attainment of SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives. Due to these factors, the establishment of a livestock-free reference area at the Bates Mountain Use Area level would not be considered further.

3. No Grazing Alternative

The Battle Mountain Field Office is required to manage public lands in conformance with the Shoshone-Eureka RMP and Amendments as approved in the Shoshone-Eureka Record of Decision (ROD). The RMP provides for livestock grazing use, and that livestock grazing use is to be managed so that resource management objectives would be achieved within the Kingston and Simpson Park Allotments.

It is the intent of the proposed action to implement a multiple use decision designed to establish and meet allotment specific objectives for livestock management, meet RAC Standards for Rangeland Health, and provide habitat for wildlife and wild horses and burros. The Shoshone-Eureka RMP/ROD, Shoshone-Eureka RMP Amendment ROD, and the Shoshone-Eureka RPS established objectives for livestock grazing and provides for the establishment of a rangeland monitoring program to determine if management objectives are being met and to adjust grazing management systems and livestock numbers as required. The “No Grazing Alternative” was considered, but eliminated from further analysis in the Land Use Planning process. The no grazing alternative is not analyzed in this EA due to this alternative being in conflict with the Shoshone-Eureka RMP and Bureau of Land Management’s principal of multiple use. No livestock grazing would reduce annual ranch income and employment. As existing laws (Taylor Grazing Act and FLPMA) recognize livestock grazing as a valid use of the public lands and given the impracticality of this alternative, the no grazing alternative would not be considered further.

4. Increase in Livestock Grazing Alternative

The potential carrying capacity analysis for the Kingston Allotment resulted in a possible increase of permitted active use AUMs from 2,728 AUMs to 3,249 AUMs or an increase of 19%. The Standards and Guidelines for Rangeland Health are not met for the Kingston Allotment as described in the SPC evaluation and Simpson Park Complex Conformance Determination. At this time, there is no indication that progress towards the attainment of the Standards for Rangeland Health is being achieved; therefore an increase in AUMs will not be further analyzed through this EA. A livestock grazing increase may be authorized in the future through a re-evaluation if it is determined through monitoring that additional forage has become available and that Standards and Guidelines for Rangeland Health are being met. The authorization of a grazing increase would be dependent upon further monitoring, NEPA analysis, and issuance of a Decision.

5. Reintroduction of Big Horn Sheep in the Simpson Park Range

Following the analysis, interpretation, and evaluation of monitoring data, it was determined that SERA RMP objectives, Standards for Rangeland Health, and multiple-use objectives were not fully attained. The evaluation also concluded that progress towards the attainment of the Standards for Rangeland Health and multiple use objectives was not occurring throughout the allotments. Historic livestock grazing was determined to be a causal factor for the non-attainment of these standards for the Kingston Allotment. Historic and current livestock grazing was determined to be the causal factor for the Simpson Park Allotment.

Bighorn sheep do not currently inhabit the Kingston or Simpson Park Allotments. The nearest bighorn population exists in the Toiyabe Mountains south of the Kingston Allotment's southern boundary. A map of estimated bighorn sheep distribution, in 1860 that appears in the Nevada Division of Wildlife Bighorn Sheep Management Plan (NDOW, 2001) depicts much of the Toiyabe Range as historic, as well as potential, bighorn sheep range. Those NDOW distribution estimates were based on historical and archeological records, as well as on judgments about the suitability of the habitat. Likewise, Pippin (1977) concludes widespread bighorn sheep distribution throughout Nevada mountain ranges based on abundant archeological evidence.

Bighorn and domestic sheep are essentially incompatible. Contact between domestic sheep and bighorn sheep inevitably results in catastrophic mortality in the latter. Deadly strains of *Pasturella* (bacterial pneumonia) carried by, and harmless to, domestic sheep, apparently cause catastrophic mortality in bighorn sheep (BLM, 1998 a., Foundation for North American Wild Sheep, 1998).

BLM guidelines (BLM, 1998 b.) advise that domestic sheep and wild sheep should be spatially separated by at least 13.5 kilometers (9 miles) to reduce the potential of interspecies contact. The guidelines also advise that unless a cooperative agreement has been reached to the contrary, native wild sheep should only be reintroduced into areas where domestic sheep grazing is not permitted.

The existence of domestic sheep within the Simpson Park Allotment and other neighboring allotments makes the possibility of reintroducing bighorn sheep to the allotment even more remote. Habitat quality for most other wildlife species is expected to improve markedly (especially given anticipated changes in season of use and grazing systems). This is the position of both BMFO and NDOW (Teske, 2005) wildlife biologists.

III. AFFECTED ENVIRONMENT

A. Scoping and Issue Identification

Refer to the SPC Evaluation pages 4 through 6 for the initial scoping process that had been made up to the time the SPC Evaluation had been issued for public comment. The SPC Evaluation was issued on July 22, 2005 for a 30-day review and comment period for all parties that had requested to be interested publics for the Kingston and Simpson Park Allotments. The 30-day comment period ended on August 22, 2005.

Refer to the SPC Evaluation pages 35 through 38 for the issues that are present for the Simpson Park Complex.

B. Proposed Action

General Setting

The Simpson Park Complex (Complex) consists of the Kingston and Simpson Park Allotments, which has approximately 176,812 acres of public land. The majority of these lands occur within Lander County; however, approximately 222 acres of the Kingston Allotment occurs in Nye County. Elevations of the Kingston Allotment range from 5,576 feet on the valley floor to 6,232 feet on the foothills of the US Forest Service (USFS) managed lands. Elevations for the Simpson Park Allotment range from 5,720 feet in the valley floor to 8,400 feet at Bates Mountain. Salt-desert shrub communities dominate the Kingston Allotment while the Simpson Park Allotment consists primarily of Wyoming big sagebrush communities and salt-desert shrub communities along with riparian areas and pinyon-pine woodlands. Refer to the SPC Evaluation for a more detailed description of each allotment and the Complex and the delineated geographical area subject to this analysis (pp. 14 - 35). In addition, refer to the Simpson Park Complex Map for an overview in Appendix 1.

Critical Elements of the Human Environment

To comply with the National Environmental Policy Act (NEPA), the Bureau of Land Management is required to address specific elements of the environment that are subject to requirements specified in statute or regulation or by executive order (BLM 1988, BLM 1997). The following table outlines the 15 critical elements that must be addressed in all environmental assessments, as well as other resources deemed appropriate for evaluation by the BLM, and denotes if the Proposed Action or No Action Alternative affects those elements.

Critical Element	Present Yes/No	Affected Yes/No	Rationale
Air Quality	Yes	No	Air quality would not be affected by the proposed action.
ACECs	No	No	There are no ACECs within the Simpson Park Complex.
Cultural-Paleontological Resources	Yes	Yes	Cultural resources are present within the Complex. All projects that may be tiered to this evaluation would be cleared prior to implementation by a fully qualified archaeologist.
Environmental Justice	No	No	Environmental justice would not be affected by the proposed action.
Flood Plains	No	No	Flood plains do not occur within the Simpson Park Complex.
Invasive, Non Native Species	Yes	Yes	See discussion below.
Migratory Birds	Yes	Yes	See discussion below.
Native American Religious Concerns	Yes	No	Although not affected, consultation is on-going.
Prime or Unique Farmlands	No	No	Not present within the Simpson Park Complex.
Threatened and/or Endangered Species (Plants)	No	No	Not present within the Simpson Park Complex.
Threatened and/or Endangered (Animals)	Yes	Yes	See discussion below.
Wastes, Hazardous or Solids	No	No	Not present within the Simpson Park Complex.
Water Quality	Yes	Yes	See discussion below.
Wetlands and Riparian Zones	Yes	Yes	See discussion below.
Wild and Scenic Rivers	No	No	Not present within the Simpson Park Complex.
Wilderness	No	No	Wildness areas are not present within the Simpson Park Complex.

The following critical elements of the human environment are not present or would not be affected by the proposed action or alternatives in this EA:

Air Quality	Prime or Unique Farmlands
ACECs	Threatened and/or Endangered Species (Plants)
Environmental Justice	Wastes, Hazardous or Solids
Flood Plains	Wild and Scenic Rivers
Native American Religious Concerns	Wilderness

Other Resources

Other resources of the human environment that have been considered for this environmental assessment (EA) are listed in the table below. Elements that may be affected are further described in the EA. Rationale for those elements that would not substantially or adversely be affected by the proposed action and alternative is listed in the table below.

Other Resources	Present Yes/No	Affected Yes/No	Rationale
Forestry	Yes	Yes	See discussion below.
Grazing Management	Yes	Yes	See discussion below.
Land Use Authorization	Yes	No	Land Use Authorizations will not be affected by the proposed action.
Minerals	Yes	No	Minerals will not be affected by the proposed action.
Recreation	Yes	Yes	See discussion below.
Socio-Economic Values	Yes	Yes	See discussion below.
Soils	Yes	Yes	See discussion below.
Special Status Species (plants and animals)	Yes	Yes	See discussion below regarding special status animal species.
Vegetation	Yes	Yes	See discussion below.
Visual Resources	Yes	No	Visual Resources will not be affected by the proposed action.
Wild Horses and Burros	Yes	Yes	See discussion below.
Wildlife	Yes	Yes	See discussion below.

Bureau specialists have further determined that the following resources, although present in the project area, are not affected by the proposed action:

Minerals
Visual Resources

Resources Present and Brought Forward for Analysis

The description of the affected environment for the no action alternative would be the same as that for the proposed action.

1. Grazing Management

There are currently two livestock permittees in the Kingston Allotment and five livestock permittees within the Simpson Park Allotment. The following table illustrates the current permitted use of each operator on the respected allotment. Refer to the SPC Evaluation for a more detailed description of the Kingston and Simpson Park Allotments (pp 14 - 15).

Kingston Allotment (10042):

Permittee	Total Historic Preference (AUMs)	Historic Suspended Use (AUMs)	Active Preference (AUMs)	Class of Livestock	Period of Use	% Public Land
Truckee River Ranch, LLC	1,218	0	1,218	Cattle	10/01 - 05/30	100
Young Bros.	1,510	0	1,510	Cattle	10/16 - 05/31	90 & 100

Simpson Park Allotment (10052):

Permittee	Total Historic Preference (AUMs)	Historic Suspended Use (AUMs)	Active Preference (AUMs)	Class of Livestock	Period of Use	% Public Land
Dry Creek Ranch (C/O Peter Damele)	978	294	663	Cattle	04/16 - 11/30	100
			21	Horses	03/01 - 08/31	75
Silver Creek Ranch, Inc. (C/O Paul Inchauspe)	3,345	1,003	1548	Cattle	04/16 - 11/15	100
			795	Sheep	05/01 - 09/30	
Young Bros.	474	142	332	Cattle	03/15 - 05/16 10/16 - 11/30	100
Howard & Barbara Wolf	1,068	320	748	Cattle	11/20 - 05/15	100
Ken & Karen Woodland	2,766	830	1,936	Cattle	05/01 - 12/30	100

2. Wild Horses and Burros

The Bureau of Land Management is responsible for the protection, management, and control of wild free-roaming horses and burros on public lands in accordance with the Wild Free-Roaming Horse and Burro Act of 1971 as amended (Public Law 92-195) stating that BLM “shall manage wild free-roaming horses and burros in a manner that is designed to achieve and maintain a thriving natural ecological balance on the public lands.”

Herd Management Areas (HMAs) within the Simpson Park Complex consist of the Hickison and Callaghan HMAs. The Hickison HMA occurs in both the Kingston and Simpson Park Allotments while the Callaghan HMA occurs within the Simpson Park Allotment. The Hickison HMA/WBT is managed for wild burros and does not have an AML established. This Environmental Assessment would establish the AML for the Hickison HMA, excluding the portion managed by the U.S. Forest Service. The Callaghan HMA is managed for wild horses. An Appropriate Management Level for the Simpson Park Allotment has not been established. The remainder of the Callaghan HMA (Austin and Grass Valley Allotments) has AMLs established through the Final Multiple-Use Decisions issued in 1995 and 2002. This Environmental Assessment would complete the establishment of the AML for the Callaghan HMA by setting an AML for the Simpson Park Allotment. In September 2004 a census flight was conducted in the Hickison HMA. A total of 66 wild burros were found of which, 4 were within the Kingston Allotment, 1 in Simpson Park Allotment, and 59 on U.S. Forest Service lands. In March 2005 a census was completed for the Callaghan HMA. A total of 454 wild horses were observed within the HMA, 14 of which were within the Simpson Park Allotment. Refer to the SPC Evaluation for a more detailed description of the HMAs, wild horse and burro distribution throughout the HMAs, and census information (pages 15-18 and 187-191).

3. Wildlife (including migratory birds and special status species)

Refer to the SPC evaluation for a complete list of wildlife species, including special status species associated with the Simpson Park Complex (pp. 18 - 30) and Section II of the Conformance Determination of the Simpson Park Complex. For a complete discussion regarding the conditions of the habitat for the Kingston and Simpson Park Allotments, refer to pages 213 and 217 for allotment specific conclusions and Appendix 8 of the SPC Evaluation Appendices for key management area conclusions. Refer to Maps 9 through 13 for locations of Nevada Department of Wildlife (NDOW) hunt units, Big Game Use Areas, and Raptor Nests and Sage Grouse leks for the Complex.

4. Soils/Range Sites

Soils within the Simpson Park Complex vary widely in their physical and organic characteristics. They are described in very broad taxonomic classifications as aridisols (lower elevations) or mollisols (higher elevations). Refer to the SPC Evaluation for a detailed discussion regarding the soil types, the presence of microbiotic crusts, and range types associated with the Kingston and Simpson Park Allotments (pp. 33-34, 41-93, and 102-155). Refer to pages 211 and 215 in the SPC Evaluation for a complete discussion on the RAC Standard determination for the Kingston and Simpson Park Allotments and Appendix 8 for the Upland RAC Standard discussion for each key management area.

Soils should be managed to maintain the natural habitat of the area and to minimize the potential for accelerated wind and water erosion. Soil site stability is an important rangeland health attribute in determining the functionality of a system. A healthy, productive, and diverse plant community is necessary in order to maintain soil processes and soil site stability.

5. Vegetation

The Simpson Park Complex supports salt-desert shrub, shrub-grass, and woodland vegetative communities. Soil type, elevation, exposure, and climatic extremes have an influence on the productive and reproductive capabilities of the vegetative communities. The vegetative communities and the plant species associated with these communities are described in detail in the SPC Evaluation. Refer to Appendix 2 of the SPC Evaluation Appendices for the ecological sites and related vegetation resources and Appendix 3 for the vegetative species list associated with the Simpson Park Complex.

6. Forestry and Woodland Resources

The most prevalent woodland resource for the Simpson Park Complex consists of Pinyon pine and Juniper communities. Quaking aspen stands occur within the Simpson Park Allotment only. Refer to the SPC Evaluation for a detailed discussion of forest and woodland resources within the Simpson Park Complex (pp. 32 - 33).

7. Invasive, Non-native Weeds

Noxious weeds are defined by the State of Nevada and are typically non-native invasive species. When noxious weeds are introduced into an area they can quickly dominate the landscape and are difficult to control. Invasive plants may proliferate, forming monocultures, which can crowd out desirable native plant species and reduce biodiversity of the native range that benefit wildlife,

wild horses and burros, and domestic livestock. Noxious weeds are very aggressive introduced plants that occupy disturbed sites along roads and burned areas. Noxious weeds are highly competitive and can compete with and replace native perennial plant species. Once noxious weeds become established, a monoculture of weeds can develop. The development of noxious weeds leads to declining resource values including the lack of plant diversity, declining wildlife habitat and forage for livestock and wild horses and burros. Wildlife forage, cover, nesting and brooding habitat can be reduced as invasive plants and noxious weeds increase. Noxious weed infestations can also negatively impact aesthetic values and reduce recreation enjoyment. The infestation and increase of invasive plants and noxious weeds on the public land of the Simpson Park Complex can be directly tied to human activity, including habitation, road maintenance, farming and ranching and indirectly tied to the grazing of livestock and wild horses and burros and have become identifiable factors in the decrease in the quantity and quality of desirable native vegetation and plant communities on portions of the allotments.

Known infestations of invasive, noxious, non-native plant species present throughout portions of the Simpson Park Complex include hoary cress (*Cardaria draba*), scotch thistle (*Onopordum acanthium*), musk thistle (*Carduus nutans*), perennial pepperweed (*Lepidium latifolium*), Russian knapweed (*Centaurea repens*), and salt cedar (*Tamarix ramosissima*). Other invasive, non-native species that occur on the Kingston Allotment include Russian olive and poverty weed. Halogeton and cheatgrass occur throughout portions of the Simpson Park Complex. Formal inventories throughout the allotments within the Complex have not been completed. However, the invasion of tamarisk, perennial pepperweed, and hoary cress within the southern portion of the Kingston Allotment is of particular concern due to the loss of valuable habitat and forage values associated with area. Treatment of the tamarisk invasion has been initiated within the southern portion of the allotment and funding has been requested by the BMFO to continue the treatments in the areas where the tamarisk occurs. Cheatgrass (*Bromus tectorum*), a non-native species, occurs throughout the Complex.

8. Riparian and Wetland Zones/Water Quality

Riparian and wetland zones occur throughout the Simpson Park Complex and are some of the most productive and valuable resources on public land. Riparian habitats play roles in restoring and maintaining the chemical, physical, and biological integrity of the nation's waters. Grazing impacts can alter the chemical, physical, and biological integrity of the water. Baseline water quality data was collected at a few of the riparian areas within the Complex and the findings are recorded on page 195 of the SPC Evaluation. However, there are no State Water Quality Standards for the Kingston and Simpson Park Allotments. The condition of wetland and riparian zones within the Simpson Park Complex are discussed in detail within the SPC Evaluation on pages 93 - 97 and 156 - 187. The locations of the riparian areas that were assessed are illustrated on Maps 21 and 22 of the SPC Evaluation. Rangeland Program Summary and LUP objectives for riparian and wetland areas are discussed in detail on pages 196 - 210 and the Northeastern Great Basin Area RAC conclusions for riparian and wetland habitats are discussed on pages 212 and 216 of the SPC Evaluation and in Appendix 8 of the SPC Evaluation Appendices.

9. Cultural/Paleontological Resources

Paleontological resources and cultural sites are distributed across both allotments and are located within a variety of physiographic zones (Refer to the SPC Evaluation for a detailed discussion regarding cultural resources that occur within the Complex on pages 34 - 35). The majority prehistoric sites contain cultural materials that are generally located on or just below the soil

surface. A few prehistoric sites in the Complex are comprised of standing structures and or features, but also contain subsurface materials. Historic sites generally follow the above pattern (located on or just below the soil surface). Remnants or complete historic structures, foundations and features associated with mining, ranching and transportation are common at historic sites within the analysis area.

Since their introduction over 100 years ago within the Simpson Park Complex, livestock, wild horses and burros have likely created some level of impact to cultural resources. Both prehistoric and historic surface and subsurface cultural deposits are susceptible to disturbance or destruction by natural processes (erosion and weathering). Above ground structures, foundations and features, whether historic or prehistoric, are also subject to similar natural degradation processes.

Erosion and weathering processes can occur naturally at sites if there is a reduction in vegetative cover and an increase in soil disturbance. The later natural degradation process affecting above ground cultural resources is exacerbated by livestock, wild horse and burros milling, rubbing and trampling on a particular cultural site. Both of the above processes occur most frequently in areas where livestock, wild horses and burros are or have been concentrated for long durations, such as around springs.

Common un-natural disturbance or destruction processes to cultural sites are spring developments. Since riparian areas are usually the main sources of water for livestock, wild horses and burros, developing a spring in areas containing a site can in some cases be considered an adverse affect or an un-natural degradation process affecting the integrity of a Historic Register eligible site. Prior to developing a spring, a Class III inventory will be conducted and mitigation measures will be taken if a determination of Adverse Affect is made.

In summary, riparian areas have the highest potential for cultural resource sites and thus sites located in these areas are the most susceptible to the highest amount of impact due to the increased numbers of livestock, wild horses and burros as compared to other non- riparian areas. Cultural resources located near and within riparian areas also have an increased probability of being affected by water developments.

10. Recreation

Recreation use in the area is widely dispersed and moderate, with the majority of use occurring during the fall hunting season. Recreation activities include: four-wheel driving, dirt bike riding, deer and upland game bird hunting, camping, sight seeing, wild horse and burro viewing and wildlife viewing. The Hickison Petroglyph Recreation Area is the only developed recreation facility within the Simpson Park Complex and is located within the Simpson Park Allotment. However, the recreation area is fenced off to exclude use by livestock. No commercial or competitive Special Recreation Permit (SRP) events occur within the immediate area. The Simpson Park Complex is located in an area designated as “open” to off-highway vehicle use.

11. Socio-economic Values

Background

Located in north central Nevada, Lander County encompasses 5,621 square miles. Over 85 percent of the County is currently public land managed by federal agencies. Interstate 80

traverses the County in an east-west fashion on the northern end, as does Highway 50 on the southern end. State Highway 305, which runs north and south, bisects the center of Lander County. This highway links the cities of Battle Mountain (the County Seat) and Austin. The town of Kingston is located in the southern part of Lander County on Highway 376.

The total population of Lander County in 2002 was estimated to be 5691, an approximate 115% increase from 1970. The population density is relatively .99 persons per square mile. Approximately 85 percent of Lander County residents live in the northern portion of the County; 65% of the residents live in an urban setting.

In recent years Lander County's economy has been dominated by mining. Agriculture also plays a role in the local economy. High quality alfalfa and alfalfa seed is produced. Although the mining industry has declined in Lander County in recent years, it is still the dominant sector of the local economy.

Socio-demographically, Lander County is 84 percent white, with the 50 – 54 year old age group growing the fastest. Sixty-seven percent of residents were born in the State. Housing in the county is affordable – according to national standards. Seventy-five percent of residents working in Lander County and almost 60 percent of residents worked in the town in which they lived, with 55% of residents commuting to work in less than 20 minutes.

Twenty-one percent of Lander County residents 25 and older have less than a high school degree; three percent have an advanced college degree.

Income, Earnings and Employment

Average earnings per job are about \$37,000 annually and the majority of job-related income is derived from the mining sector (30 percent). Net income from farming and ranching dropped from \$3 million in 1970 to \$1 million in 2000. Per Capita income in 1999 was \$16,998 and in real terms, average earnings per job have risen by 4 percent since 1970.

The unemployment rate for the County was 9.6 percent in 2001, higher than the State and the U.S. In contrast to the State, job growth in Lander County has declined over the past 10 years; most of the new jobs and new income were in the mining sector.

In terms of agricultural-based income, 52 percent of gross income was from livestock, while 32 percent was derived from crop sales. Total net income from farming and ranching in Lander County dropped from \$3.3 million in 1970 to \$1 million in 2000; realized net farm income was less than \$1 million.

Due to financial disclosure concerns on individual ranching operations, grazing allotment-specific financial information is unavailable.

IV. ENVIRONMENTAL CONSEQUENCES

A. Grazing Management

1. Proposed Action

Kingston Allotment

A ten-year permit would be issued to the livestock operators within the Kingston Allotment to reflect the current permitted cattle AUMs and the change in season of use to September 1 through March 15. The direct effects of the proposed action would allow for the completion of the growth cycle for key perennial vegetative species, increase in plant vigor, production, and reproduction. Additional effects would include maintenance or enhancement of soil site stability, maintenance or enhancement of hydrologic processes, enhanced forage values for livestock and habitat values for wildlife, meeting SERA RMP objectives, attainment of allotment specific and Complex Objectives, and making progress towards the Standards for Rangeland Health. Refer to Attachment 1 for a detailed discussion of annual monitoring objectives standards and long-term objectives throughout the Kingston Allotment.

Carrying capacity analyses determined that through proper management and implementation of watering developments on private land in the short-term would allow for retaining the current permitted AUMs. The proposed active permitted use derived through the carrying capacity analysis is 394 AUMs greater than the average actual use that occurred within the Kingston Allotment throughout the evaluation period. Although the permitted use would be greater than the average actual use that had occurred throughout the evaluation period, the change in season of use would allow key perennial vegetative species to complete their entire growth cycle prior to being utilized by domestic livestock. By allowing for the key perennial vegetation to complete its growth cycle, these species are able to gain in vigor and reproduce. With increased production, soil and water processes are allowed to be maintained or improved. Therefore, rangeland health in its entirety is improved.

By deferring grazing by livestock until the dormant season of salt-desert shrub communities, existing perennial vegetative species would be allowed to increase vigor, productivity, cover and seedling establishment. A deferred livestock grazing system would limit use during the growing season, allowing perennial grasses and forbs to remain healthy and to provide seed to reproduce and reestablish. In the long-term the perennial grass composition would provide adequate forage for livestock and habitat for wild burros and wildlife species, namely pronghorn antelope. Furthermore, the change of season of use would ensure progress as defined by the attainment of the annual monitoring standards for the Kingston Allotment. The proposed action would also implement grazing stipulations that would enhance livestock distribution throughout portions of the allotment in the short-term and therefore would aid in the attainment of the annual monitoring objectives. In addition, the grazing stipulations provide a mechanism to ensure that progress towards the attainment of the Standards for Rangeland Health. Refer to the Appendix A for annual monitoring objectives for each individual allotment and the Complex as a whole.

Implementation and maintenance of the proposed AML ranges for the Kingston Allotment portion of the Hickson HMA would result in a thriving natural ecological balance between wild burros, wildlife, livestock, and rangeland resource values. The proposed permitted season of use in conjunction with maintaining AML would result in the attainment of allotment specific objectives and the Standards for Rangeland Health.

Simpson Park Allotment

The proposed action would implement a grazing management system designed to work towards the attainment of allotment specific objectives and the Standards for Rangeland Health, along with being in conformance with CFR 4180 -- Fundamentals for Rangeland Health and Standards and Guidelines for Grazing Administration where it has been determined that existing management needs to be modified to work towards meeting the fundamentals for rangeland health. The direct effect of the proposed action would be improved rangeland health, improved forage for livestock and habitat for wildlife, improved riparian and wetland functioning conditions, the attainment of allotment specific and Complex Objectives, and making progress towards the attainment of the Standards for Rangeland Health. Refer to Attachment 1 for a detailed discussion of annual monitoring standards and long-term objectives for the Simpson Park Allotment.

The proposed action would adjust the active permitted livestock use from 6,042 AUMs to 3,446 AUMs, change the season of use for livestock, implement grazing systems, and implement grazing stipulations. The proposed active permitted use derived through the carrying capacity analysis is 535 AUMs above the average actual use for the evaluation period. Active grazing management by herding livestock throughout the allotment would also be required under the proposed action. Ten-year permits would be issued with the proposed terms and conditions and grazing stipulations to Dry Creek Ranch, Silver Creek Ranch, Inc., Wolf Ranches, Ken & Karen Woodland, and Young Brothers. The pending transfer of cattle AUMs from Silver Creek Ranch, Inc. to Jerry and Janet Lancaster would be approved.

The majority of the riparian areas within the Simpson Park Allotment did not rate in Properly Functioning Condition. It was determined that historic and current use by livestock, and in some cases use by wild horses, has had negative impacts to the riparian resources within the allotment. The proposed action would ensure progress by allowing a period of rest during the completion of the growth period for riparian and wetland herbaceous species in order to meet stubble requirements to retain bank stability, filter sediment loads, and dissipate flood energy. The Willow/Barton fence, which is approximately 1.75 miles in length would aid in the elimination of hot season grazing by livestock in this use area in its entirety. The season of use within the Bates Mountain use area would also eliminated hot season grazing in the upper elevations of the Simpson Park Allotment. The elimination of hot season grazing of mountain areas by livestock would protect riparian areas, wildlife browse species, and aspen stands. The proposed riparian enclosures would protect portions of the riparian areas in the lower elevations of the allotment that would be subjected to use by livestock during the hot season.

The proposed action includes grazing stipulations that would provide a mechanism that would aid in the attainment of allotment specific objectives and the Standards for Rangeland Health. If it is determined through annual monitoring that objectives are not being met and progress towards the attainment of the Standards for Rangeland Health is not being made then the BLM would take the appropriate actions to modify the grazing use. Refer to the SPC Evaluation for the Simpson Park Complex Management Objectives (pp. 254 - 294).

Implementing and maintaining the proposed AML ranges for the Simpson Park Allotment portion of the Callaghan HMA and Hickison HMA would result in a thriving natural ecological balance between wild horses and burros and other resource values. The proposed permitted

season of use in conjunction with maintaining AML would result in the attainment of allotment specific objectives and the Standards for Rangeland Health.

a. Dry Creek Ranch Grazing Management

A ten-year grazing permit would be issued for Dry Creek Ranch that would designate the Bates Mountain and Ackerman use areas as the jurisdictional boundaries for the Dry Creek Ranch. The total permitted active use for the Dry Creek Ranch would be 391 AUMs. The ten-year permit would place 257 AUMs into suspended use and would retain the 294 historic suspended AUMs. The season of use and permitted active use would be as follows:

Use Area	Season of Use	Livestock Type	Percent Public Land	AUMs
Bates Mountain	06/01 - 07/15	Cattle	100	102
Ackerman	08/01 - 09/30	Cattle	100	138
	08/01 - 09/30	Horses	100	12
Pete Summit	10/01 - 11/30	Cattle	100	138

The proposed grazing plan would ensure progress towards the attainment of the Standards for Rangeland Health by allowing a period of rest during the completion of the growth period for riparian and wetland herbaceous species in order to meet stubble requirements to retain bank stability, filter sediment loads, and dissipate flood energy. Furthermore, Bates Mountain consists of critical habitat for mule deer and sage grouse. Aspen stands are also prevalent throughout the portion of Bates Mountain within the boundary of the Simpson Park Allotment. One remnant aspen stand also occurs within the Willow/Barton Pasture (Vigus Canyon). Eliminating hot season grazing in the areas where aspen occurs would allow for aspen saplings to continue to grow throughout the remainder of the growth season therefore allowing the stand to develop a diverse age class. Diverse age classes of aspen would therefore allow the stand to proliferate and provide valuable habitat to wildlife species. Eliminating hot season grazing within the Bates Mountain area would provide for enhanced summer mule deer habitat and upland and riparian conditions for brood rearing habitat required by sage grouse. Aspen stands would also be allowed to regenerate therefore providing diverse age classes within the stands Simpson Park Allotment portion of Bates Mountain.

Use by cattle and domestic horses would occur within the Ackerman use area after the critical growth period for upland vegetation; however, the use does occur during the hot season for riparian areas. However, the proposed permitted use would be reduced from the current permitted use within this area and under the proposed grazing stipulations, watering facilities would be required to be put into working condition prior to the start of the grazing year. By maintaining working order of these facilities, impacts from grazing by livestock would be reduced. Furthermore, the removal of livestock after annual monitoring objectives have been obtained would ensure that progress towards the attainment of the Standards for Rangeland Health was being made and that long-term allotment and Complex Objectives are met. The removal of livestock from areas that have attained the annual monitoring objectives is a proposed grazing stipulation for the issuance of the ten-year permit.

b. Silver Creek Ranch, Inc. Grazing Management

A ten-year grazing permit would be issued that would establish the Bates Mountain/Indian Ranch, Lake Ranch, Rye Patch, and Willow/Barton Pasture as the jurisdictional boundaries for Silver Creek Ranch, Inc. The total permitted active use for Silver Creek Ranch, Inc. would be

1,336 AUMs. The ten-year permit would place 1,006 AUMs into suspended use and would retain the 1,003 historic suspended AUMs. The season of use and permitted active use would be as follows:

Use Area	Season of Use	Livestock Type	Percent Public Land	AUMs
Indian Ranch, Lake Ranch, Rye Patch	04/01 - 04/30	Cattle	100	246
Willow/Barton Pasture	05/01 - 06/30	Cattle	100	401
Rye Patch, Indian Ranch, Bates Mountain	05/01 - 07/15	Cattle	100	112
Lake Ranch	05/01 - 08/15	Cattle	100	123
Willow/Barton Pasture	06/01 - 06/30	Sheep	100	454

The proposed action would establish a grazing management system that would work toward the attainment of the Complex and allotment specific objectives as well as making progress towards the attainment of the Standards for Rangeland Health by modifying the season of use and reducing the permitted active use associated with the ten-year permit. The proposed grazing management system and ten-year grazing permit for Silver Creek Ranch, Inc. would incorporate intensive grazing management by herding livestock throughout the northern portion of the Simpson Park Allotment and would limit the majority of the use to the early-growth season of the key perennial vegetative species for each use area. Limited use would continue to occur through a portion of the critical growth season in the Lake Ranch and Rye Patch use areas prior to livestock controlled by another operator (Ken and Karen Woodland) enter these use areas. Animal unit months and the season of use for these use areas would be limited in regard to the current permitted numbers and season of use. By limiting the use and modifying the season of use that would be occurring under the proposed action, perennial vegetative species are given a better opportunity to complete their reproductive cycle and gain in vigor. Riparian areas would be fenced off to protect these areas from grazing during the hot season. Water would be either piped off or water gaps would be created in order to provide surface water for livestock and wildlife.

Under the proposed action, cattle and sheep use would overlap within the Willow/Barton pasture area. Sheep and cattle use would overlap for a period of a month (06/01 - 06/30); however, sheep are typically trailed to Forest Service managed lands through the Willow/Barton pasture area. A period of a month was proposed to allow for flexibility in the trailing dates. Under the proposed action, the season of use would eliminate grazing during the critical growth season for upland vegetative species. Furthermore, hot season grazing would be eliminated from sensitive riparian areas. Use in this area would occur prior to the critical growth season and riparian areas in this pasture area would be given a period of rest prior to the completion of the growth season for riparian vegetative species that would allow for re-growth of stubble heights that would aid in bank stability, sediment loading, and the dissipation of energy during run-off events. Therefore, the season of use and implementation of proper use levels would allow for upland and riparian conditions to improve.

Under the proposed action, the transfer of cattle AUMs to Jerry and Janet Lancaster would be authorized with the pending partial transfer of livestock grazing preferences from Silver Creek Ranch, Inc.

c. Howard & Barbara Wolf Grazing Management

A ten-year grazing permit would be issued that would establish the Pete Summit, Common, Ackerman, Givens, and Rye Patch use areas as the jurisdictional boundaries for Howard & Barbara Wolf. The total permitted active use for the Wolf’s would be 427 AUMs. The ten-year permit would place 321 AUMs into suspended use and would retain the 320 historic suspended AUMs. The season of use and permitted active use would be as follows:

Use Area	Season of Use	Livestock Type	Percent Public Land	AUMs
Pete Summit/Common	11/15 - 03/31	Cattle	100	315
Pete Summit/Common	11/15 - 12/15	Cattle	100	8
Ackerman/Givens	04/01 - 04/30	Cattle	100	69
Rye Patch	05/01 -05/15	Cattle	100	35

The proposed action would ensure that progress towards the attainment of the Standards for Rangeland Health by modifying the season of use and stocking rates associated with the proposed use areas. Grazing during the dormant season would occur within the Pete Summit and Common use areas, which are dominated by salt-desert shrub communities. Depending on the year, limited use may occur during the initial growth season for this area. However, the area would be subjected to annual monitoring standards and under the proposed action, grazing stipulations would require livestock to be removed from the area once specified objectives are attained. Use would occur in the Ackerman, Givens, and Rye Patch use areas in the early season to allow for re-growth prior to the critical growth season for upland vegetation and the hot season for riparian and wetland vegetation.

d. Ken & Karen Woodland Grazing Management

A ten-year grazing permit would be issued to Ken & Karen Woodland that would establish use areas and seasons of use in conjunction with modifications to the permitted active use. The use areas and seasons of use would provide for jurisdictional boundaries for livestock controlled by Ken & Karen Woodland. The total permitted active use for Ken & Karen Woodland would be 1,104 AUMs. The ten-year permit would place 832 AUMs into suspended use and would retain the 830 historic suspended AUMs. The season of use and permitted active use would be as follows:

Use Area	Season of Use	Livestock Type	Percent Public Land	AUMs
Parson’s Pastures	04/01 - 04/30	Cattle	100	168
Willow/Barton Pasture	05/01 - 06/30	Cattle	100	341
Lake Ranch/Indian Ranch/Bates Mountain	07/01 - 07/15	Cattle	100	42
Lake Ranch/Rye Patch	07/01 - 07/15	Cattle	100	42
Rye Patch/Givens North	07/16 - 08/30	Cattle	100	261
Givens South	09/01 - 10/15	Cattle	100	250

The proposed action would work towards the attainment of the Standards for Rangeland Health by eliminating hot season grazing in the Willow/Barton Pasture and in the Indian/Bates Mountain use areas. Furthermore, the majority of the use by livestock would occur prior to the critical growth season or during the dormant season. Parson’s Pastures (within Givens Use Area) and the Willow/Barton pasture would be utilized prior to the critical growth season. Parson’s Pastures (within Givens Use Area) and the Willow/Barton pasture would be utilized prior to the critical growth season. Parson’s Pastures consist of a two-pasture system that would

be referred to as the East and West Pastures. Under the proposed action, pastures that are utilized in the spring will not be utilized the following fall (09/01 - 10/15). The Given's Seeding and the majority of the Givens Use area would be utilized during the dormant season.

Use within the Willow/Barton pasture would overlap with sheep use during the month of June under the proposed action. However, sheep are typically trailed through this area. Livestock use within this area would occur prior to the critical growth season for the majority of the key upland vegetative species and would end prior to the hot season for sensitive riparian and wetland areas. The season of use coupled with the implementation of proper use levels would ensure that significant progress is made towards the attainment of the Standards for Rangeland Health.

Use during the initial stages of the critical growth season would be authorized in the Lake Ranch and Indian Ranch use areas. Use would occur throughout the critical growth season for the Rye Patch use area. However, under the proposed action, the grazing stipulations would be implemented that would require the permittee to remove his or her livestock from the area once annual monitoring standards had been met to ensure that progress towards the attainment of the Standards for Rangeland Health. Riparian areas within the Rye Patch Canyon area would be fenced with water either being piped out from the source areas or water gaps would be created in order to allow livestock and wildlife accessibility to surface waters. The permittee would also be required to fix and/or maintain watering facilities within the use area to reduce the impacts to riparian areas.

e. Young Brothers Grazing Management

A ten-year grazing permit would be issued that would establish the Black Bird and Common use areas as the jurisdictional boundaries for Young Brothers. The total permitted active use for Young Bros. would be 189 AUMs. The ten-year permit would place 143 AUMs into suspended use and would retain the 142 historic suspended AUMs. The season of use and permitted active use would be as follows:

Use Area	Season of Use	Livestock Type	Percent Public Land	AUMs
Black Bird/Common	09/01 - 03/31	Cattle	100	189

The proposed action would ensure that progress towards the attainment of the Standards for Rangeland Health by modifying the season of use and stocking rates associated with the proposed use areas. Grazing during the dormant season would occur within the Black Bird and Common use areas and are dominated by salt-desert shrub communities. Depending on the type of year (e.g. wet and warm winters), limited use may occur during the initial growth season for this area. However, the area would be subjected to annual monitoring standards and under the proposed action, grazing stipulations would require livestock to be removed from the area once specified objectives are attained.

2. No Action Alternative

Kingston Allotment

The direct impact to grazing management under the no action alternative would be that livestock use during the current season of use (Refer to Chapter 3 of this document for current permitted use) would continue to occur within the Kingston Allotment and grazing stipulations would not be implemented. Current grazing by livestock would continue to occur throughout the active or

critical growth season for salt-desert shrub communities and therefore would continue to not be in conformance with the Vegetative Guidelines determined by the Northeastern Nevada Great Basin Area RAC. Grazing during this time period has a direct impact on the ability of perennial vegetation by limiting the ability of the plants to gain in vigor, set seed, and reproduce. Therefore, future production of the key vegetative species, particularly perennial grasses would continue to be limited. Under the no action alternative, grazing stipulations identified under the proposed action would not be implemented for the allotment.

The AML would not be set for the Kingston Allotment portion of the Hickison HMA and management would continue to occur at the initial management levels established in the Rangeland Program Summary. Although the initial management levels would be expected to limit the use that occurs on the rangeland, the initial management levels did not consider genetic viability and would not allow for a healthy population of wild burros to exist within the Hickison HMA and are not in compliance Code of Federal Regulations at Title 43 CFR 4700.0-6 (a), or the Northeastern Great Basin RAC Standards and Guidelines for Rangeland Health and Healthy Wild Horse and Burro Populations.

Simpson Park Allotment

The direct impact of the no action alternative would allow for livestock use to occur at the existing permitted levels and seasons of use (Refer to Chapter 3 of this document for current permitted use). Livestock grazing systems, changes in season of use, and adjustments in permitted use would not occur. Key perennial vegetative species throughout the allotment would continue to be subjected to season-long use and hot-season grazing in the Willow/Barton Pasture and Bates Mountain use area would not be eliminated. Multiple operators would be within the area designated as the Rye Patch use area season long. Livestock use would continue to impact rangeland and riparian resources and progress towards the attainment of the Standards for Rangeland Health would not be made where it has been determined that existing livestock management is contributing to the non-attainment of allotment specific objectives and RAC Standards. Additionally, the grazing stipulations identified under the proposed action that provide a mechanism towards meeting SERA RMP objectives, meeting or making progress towards the attainment of the Standards for Rangeland Health, and meeting Complex and Allotment specific objectives would not be implemented.

Without the establishment of a burro and wild horse AML for the Hickison and Callaghan HMAs respectively, management for these animals would continue to occur at the initial management level described under the Rangeland Program Summary. A range would not be established for either HMA, which would have impacts on the herd itself, upland vegetation, riparian areas, and gather priorities. Under the no action alternative, the burro herd within the Hickison HMA could be subjected to genetically unviable populations. If AML is not established in this Environmental Assessment, wild burro gathers would be postponed until these levels could be determined through other relevant AML decisions. Wild burros would compete with wildlife and livestock for available resources leading to over utilization of riparian and upland habitat. As for the wild horse herd within the portion of the Callaghan HMA that exists within the Simpson Park Allotment, managing at existing levels without the ability to pursue removing excess wild horses, would allow populations to exceed the potential of the habitat to provide sufficient water and forage. Wild horses would compete with wildlife and livestock for available resources leading to over utilization of riparian and upland habitat. Furthermore, management at existing Initial Management Levels, which were not established based on the

ability of the resources to sustain this level of use, would lead to possible complications should wild horse populations cause resource degradation and decline in body condition.

B. *Wild Horse and Burros*

1. Proposed Action

Hickison HMA

The direct impact of the proposed action is the establishment of an AML for the Hickison HMA that would be consistent with the achievement of maintaining healthy rangelands in balance with wildlife and livestock utilization on range and riparian resources.

In order to implement and maintain the wild burro AML, periodic removals would be conducted when the population is in excess of the high range. In order to comply with the Wild Free-Roaming Horse and Burro Act of 1971, an AML range would allow for the population to grow at normal annual rates of increase in between gathers in order to maintain management at the minimum feasible level. Impacts related to implications of wild burro removals would be analyzed through the NEPA process prior to any removal actions to implement AML within the HMA.

The carrying capacity analysis determined that the wild burro AML would be consistent with utilization levels that would not degrade the rangeland. Wild burros are utilizing rangeland resources in conjunction with livestock and wildlife.

Dietary analysis for three seasons (winter, spring, and summer) would be conducted to determine preferred forage species specific to the Hickison HMA wild burros. Monitoring of wild burro utilization would continue in order to circumvent any concerns with the population's distribution.

Since the wild burros inhabiting the Hickison HMA are an isolated population, concerns about genetic health exist. A genetic baseline study would be conducted prior to any population management actions that would have the potential to negatively affect the genetic health of the wild burro herd in this area. All activities regarding wild burro population management within the Hickison HMA would be preceded by a level of analysis consistent with the National Environmental Policy Act (NEPA) to determine impacts associated with gathers.

The Proposed Action would establish an AML of zero for the portion of the Hickison HMA existing north of Highway 50. Historically, wild burros did not utilize this area prior to the installation of highway right-of-way fence. It would not be appropriate to establish an AML for wild burros in this area at this time. If a population were to be established in this area, it would be a small, genetically isolated population because there is no accessibility to the southern portion of the HMA. Overtime small, genetically isolated populations can become more susceptible to inbreeding depression and environmental extremes; and decreased resistance to disease epidemics.

Wild burros would be managed to maintain near natural sex ratios and age distribution, and to the extent possible without compromising genetic health, the historical uniqueness of the herd would be maintained.

The indirect impact of the proposed action would be the assurance that progress is made towards the attainment of the SERA RMP objectives, Standards for Rangeland Health, and multiple use objectives. Refer to Attachment 1 for a detailed discussion of annual monitoring standards and long-term objectives throughout the Kingston and Simpson Park Allotments.

Callaghan HMA

The implementation and maintenance of the AML range established for the Simpson Park Allotment portion of Callaghan HMA in the proposed action would directly impact the achievement of an ecological balance between wild horses, wildlife, and livestock. Furthermore, rangeland and riparian resources would be utilized in a manner that would avoid deterioration of the range. The Simpson Park Allotment comprises 11% of the total HMA and wild horse populations in this allotment have been low throughout the evaluation period, averaging about 7%.

Implementing and maintaining AML would be through periodic gathers within the Callaghan HMA. This would result in the removal of wild horses in excess of AML bringing population levels to the low range, which would allow wild horse populations to increase annually between removals to the high range of AML. Managing the wild horse population within the Simpson Park Allotment as a range of AML (low-high) would allow for reduced direct short-term impacts to the population associated with gathers, eliminating the need to conduct annual gathers in response to annual reproduction increases resulting in periodic removals every 3-5 years. This level of management is consistent with the Wild Free-Roaming Horse and Burro Act of 1971 which requires that "All management actions shall be at the minimum feasible level." All wild horse removals within the Callaghan HMA would be preceded by a level of analysis consistent with the National Environmental Policy Act (NEPA) to determine impacts associated with gathers.

Carrying capacity analysis determined that the wild horse AML for the Simpson Park Allotment would result in utilization levels consistent with multiple-use objectives. This would have direct impacts to vegetative resources by allowing key perennial vegetation to improve due to reduced concentrations of wild horses on a yearlong basis. Maintaining the AML within the Callaghan HMA would allow upland and riparian vegetation resources to improve, overall leading to the improvement of habitat available to wild horses and wildlife, as well as improving the types of forage available to livestock during the season of use. A healthy, genetically viable, and self-sustaining wild horse population would continue to exist within the HMA with the maintenance of the AML. Managing wild horse populations within the Callaghan HMA in balance with the forage and water resources available and the multiple-use concept would ensure that populations are less dramatically impacted by severe changes in climatic patterns such as drought.

Establishing the AML as a range for the Simpson Park Allotment portion of the Callaghan HMA would complete the establishment of AML for the entire HMA. The proposed AML would be consistent with all wild horse objectives established in the Shoshone-Eureka Record of Decision, Shoshone-Eureka Rangeland Program Summary, and Northeastern Great Basin Resource Area Council Standards and Guidelines leading to the attainment of other resource objectives and standards.

A baseline for genetic viability for the Austin and Grass Valley Allotment portions of the Callaghan HMA has been established during the 2002 gather. Genetic analysis of the Callaghan wild horse population would continue, in order to circumvent any potential problems that may

occur in the future due to reduced genetic viability as a result of management. Wild horses would be managed to maintain the historical uniqueness associated with the herd, maintain near natural age distributions and sex ratios; manage for historical traits contributed by the founding horses of the herd such as color, confirmation, and breed type; and provide highly adoptable wild horses to the public.

The indirect impact of the proposed action would ensure that progress is made towards the attainment of the SERA RMP objectives, Standards for Rangeland Health, and multiple use objectives. Refer to Attachment 1 for a detailed discussion of monitoring standards throughout the Kingston and Simpson Park Allotments.

2. No Action Alternative

Hickison HMA

The direct impact of the no action alternative would be that the appropriate management level would not be established for the Kingston and Simpson Park Allotments for the Hickison HMA. Initial Management Levels as established in the Shoshone-Eureka Rangeland Program Summary would continue to be used. Initial Management Levels were established based on administrative reasons and were not validated as a level of wild burro use that would preserve and maintain a thriving natural ecological balance in a multiple-use concept and preserve genetic viability of the herd. Through data analysis and carrying capacity calculations as determined in the SPC Evaluation (pages 41-194 and Appendix 6), the Appropriate Management Level would be consistent with the ability of the habitat to support this level of use by wild burros and would further the attainment of a genetically viable population.

If Appropriate Management Levels are not established in this Environmental Assessment, wild burro gathers would be postponed until Appropriate Management Levels could be determined through other relevant AML decisions. Wild burros would compete with wildlife and livestock for available resources leading to over utilization of riparian and upland habitat. Without the establishment of an AML range, wild burro populations would need to be gathered annually in order to maintain the initial Management Levels that do not account for annual population increases due to foaling. Annual population removals to maintain numbers at Initial Management Levels would not be consistent with the minimum level necessary to attain the objectives.

The existing management of wild burros did not consider the genetic viability of the wild burro herd. The genetic health of the wild burro herd would be compromised at existing levels.

Initial management levels would not allow for a healthy population of wild burros to exist within the Hickison HMA and are not in compliance with Code of Federal Regulations at Title 43 CFR 4700.0-6 (a), or the Northeastern Great Basin RAC Standards and Guidelines for Rangeland Health and Healthy Wild Horse and Burro Populations.

Callaghan HMA

The direct impact of the no action alternative would be that an AML range for wild horses within the Simpson Park Allotment for the Callaghan HMA would not be established. Initial Management Levels as established in the Shoshone-Eureka Rangeland Program Summary would continue to be used. However, the Initial Management Levels were established based on

administrative reasons and were not validated as a level of wild horse use that would preserve and maintain a thriving natural ecological balance in a multiple-use concept. This level of management would not be consistent with data analysis based on available water and forage resources and would not result in a thriving natural ecological balance nor would it prevent deterioration of the range. Management at existing Initial Management Levels, which were not established based on the ability of the resources to sustain this level of use, would lead to possible complications should wild horse populations cause resource degradation and decline in body condition.

The potential exists where wild horse gathers would be postponed until Appropriate Management Levels could be established through other relevant AML decisions. Managing at existing levels without the ability to pursue removing excess wild horses, would allow populations to exceed the potential of the habitat to provide sufficient water and forage. Wild horses would compete with wildlife and livestock for available resources leading to over utilization of riparian and upland habitat. The health of the wild horse population would be compromised due to the inability of the habitat to support a population at levels above the AML established through data analysis and carrying capacity calculations as determined in the Rangeland Health Assessment. Without the establishment of an AML range, wild horse populations would need to be gathered annually in order to maintain the Initial Management Levels with do not account for annual population increases due to foaling. Annual population removals to maintain numbers at Initial Management Levels would not be consistent with the minimum level necessary to attain the objectives.

The No Action Alternative would not comply with the Wild Free-Roaming Horse and Burro Act of 1971, Code of Federal Regulations at Title 43 CFR 4700.0-6 (a), or the Northeastern Great Basin RAC Standards and Guidelines for Rangeland Health and Healthy Wild Horse and Burro Populations.

C. Wildlife (including migratory birds and special status species)

1. Proposed Action

Simpson Park Complex

The proposed action would retain short-term AUMs for big game due to the non-attainment of RAC Standards and SERA RMP objectives for the Kingston and Simpson Park Allotments. Wildlife and wildlife habitat would be indirectly impacted by the proposed action as it results in improved resource health compared to current management. In addition to retaining the short-term AUMs for big game, under the proposed action grazing management systems would be implemented for livestock and AMLs would be established for the Hickison and Callaghan HMAs. The indirect impact of the proposed action would be the achievement of SERA RMP objectives, Complex and allotment specific multiple use objectives, and the Standards for Rangeland Health.

The proposed action would establish sustainable livestock, wild horse and burro, and wildlife stocking rates. The proposed action would eliminate grazing during the active growth season for the majority of the salt-desert shrub communities associated with the Complex. This would promote the re-establishment of perennial grasses and forbs in the long-term by allowing these species to gain in vigor, reproduce, and set seed prior to use by livestock. For other areas of the Complex, namely the majority of the Simpson Park Allotment, grazing by livestock would occur

prior to and/or after the critical growth season in order to give perennial vegetative species a period of rest when root reserves are at their lowest. Under the proposed action, grazing by livestock would allow for moderate to light grazing as established by the carrying capacity analysis for the Complex. Use that would be allowed during and after the critical growth season would be limited to livestock under the control of two permittees. By eliminating use during the critical growth season for the Kingston Allotment and the majority of the Simpson Park Allotment, improvement to the vegetative communities is expected by enhancing soil site stability through limiting the redistribution and loss of soil resources by wind and water. Hydrologic function would also be enhanced with improvement in the vegetative community. This would allow the site to adequately capture, store, and release water from rainfall and snowfall events. Furthermore, improvement in the plant community would improve the integrity of the biotic community by allowing the use areas to resist loss of function and structure following disturbance allowing for recovery.

The elimination of hot season grazing under the proposed action for the majority of the Simpson Park Allotment would help stabilize riparian systems, increase availability of key herbaceous vegetation (sedges, rushes, forbs, native grasses, will, and aspen), and protect key upland browse species (black sagebrush, serviceberry, snowberry, etc.). The construction of the Willow/Barton fence would aid in the making significant progress towards the attainment of the Standards for Rangeland Health by further eliminating any possibility of livestock being in the area during the hot season. Riparian exclosures would need to be constructed to protect riparian and wetland zones that would be subjected to hot-season grazing under the proposed action. Portions of these riparian areas would be excluded from use by livestock and would enhance the wildlife habitat associated with these areas. The proposed grazing stipulations would exclude livestock from all exclosures constructed within the Complex, unless authorized by the authorized officer.

Utilization objectives and grazing stipulations that would be adhered to in conjunction with the season of use would further limit the impacts to vegetative communities. The proposed grazing management plans and the implementation of terms and conditions regarding to utilization and bank shearing would allow for residual herbaceous cover of perennial species to provide for the needs of wildlife species, including sage grouse, pronghorn, and non-game wildlife species. Therefore, it is expected that wildlife habitat conditions, including that for migratory birds and sage-brush obligate species would be enhanced with the grazing management plans for the Complex, the attainment of AML for the HMAs, attainment of annual monitoring objectives, long-term objectives, and by making progress towards the attainment of the Standards for Rangeland Health. Refer to Attachment 1 for a detailed discussion of monitoring standards throughout the Kingston and Simpson Park Allotments.

As a result of these changes, habitat conditions in riparian areas as well as uplands are expected to improve, benefiting wildlife, migratory birds, and special status species. Management for healthy rangelands and achievement of RAC Standards would benefit sensitive species such as sage grouse and pygmy rabbits as well as most other wildlife species.

The implementation and conformance to the key management objectives for the Kingston and Simpson Park Allotments and the Riparian-Wetland, Wildlife Upland Browse Habitat, General Wildlife, and Sage Grouse/Sagebrush Obligates management objectives for the Simpson Park Complex as identified on pages 254 through 294 would ensure that wildlife habitat including habitat for sensitive species is maintained and improved within the Complex.

2. No Action Alternative

Simpson Park Complex

Under the no action alternative, short-term big game numbers of 490 AUMs for Kingston and 354 AUMs for Simpson Park would be retained and livestock use within the Complex would continue at existing permitted levels. Appropriate Management Levels would not be established for the Hickison HMA and for the portion of the Callaghan HMA that occurs in the Simpson Park Allotment. The current permitted use would directly impact wildlife and wildlife habitat. Grazing systems, modifications to season of use, and adjustments to permitted use would not occur. Grazing stipulations identified under the proposed action would not be implemented. Within the Complex, rangeland vegetation currently receiving heavy, critical growth season or repeated use would continue to be impacted and annual monitoring objectives would not be achieved. Therefore, improvements in the conditions of the uplands and riparian areas would not occur which would impact sage grouse and other sagebrush obligate species, mule deer, pronghorn, migratory birds, and other non-game species.

Riparian and wetland areas, aspen stands, and key browse species would continue to be impacted by hot season grazing. Therefore, progress towards the attainment of Properly Functioning Conditions for riparian areas and enhanced conditions of wildlife habitat would not be expected to occur.

Wild horse and burro AML would not be implemented and the Initial Management Levels for the Callaghan and Hickison HMAs as established in the Shoshone-Eureka Rangeland Program Summary would continue to be used. However, this level of management for the Callaghan HMA would not be consistent with data analysis based on available water and forage resources. Wild horse populations would be allowed to exceed the potential of the habitat to provide sufficient water and forage. Wild horses would compete with wildlife and livestock for available resources leading to over utilization of riparian and upland habitat. Furthermore, initial management levels would not allow for a healthy population of wild burros to exist within the Hickison HMA and are not in compliance Code of Federal Regulations at Title 43 CFR 4700.0-6 (a), or the Northeastern Great Basin RAC Standards and Guidelines for Rangeland Health and Healthy Wild Horse and Burro Populations.

It would be expected that progress toward the attainment of RAC Standards or meeting SERA RMP and allotment specific objectives would not occur where current livestock and/or wild horse management was deemed to be a causal factor for the non-attainment of RAC Standards and SERA RMP objectives. Conversely, where existing management is resulting in the attainment of Standards and objectives, it would be expected that attainment would continue to occur under the “No Action Alternative”. Refer to pages 41-195 of the SPC Evaluation for the assessment of the current conditions of the Kingston and Simpson Park Allotments.

D. Soils/Range Sites

1. Proposed Action

Simpson Park Complex

Implementing stocking rates and grazing rotation systems that are appropriate for the resources provided by the Complex would directly impact soils by reducing soil compaction and aiding in

proper permeability and infiltration rates. In addition, under the proposed grazing management plan, the majority of the early season use would be occurring in the upper elevations where soils are rocky and less susceptible to compaction. Reduced soil compaction would increase the production of the dominant and/or co-dominant native perennial grass and forb components on the range sites. Proper vegetative management also would maintain or improve the plant community, which in turn would protect soil and water resources.

Scientific literature reports that livestock grazing could have negative impacts to microbiotic crusts and that grazing should occur when crusts are less vulnerable to shearing and compaction. Therefore, season of use determines the degree of impact to the microbiotic crusts. Throughout the majority of the Complex, grazing use by livestock would occur during the periods when biological crusts are least vulnerable. The proposed action would primarily authorize grazing use during the summer, fall, and winter months when soil moisture is low or when the soil is frozen. Where grazing would occur during the spring or when soils are moist, the proposed action would result in light to moderate stocking of these areas. Spring use is being proposed in the Ackerman, Givens, Lake Ranch, Indian Ranch, Bates Mountain, Rye Patch, and Willow/Barton pasture use areas of the Simpson Park Allotment; however, distribution of livestock would be enhanced with the proposed action and stocking levels would be light to moderate during the spring months, it is expected that the frequency of livestock impacts to microbiotic crusts would be minimized.

Most grazing under the proposed action would occur prior to and/or after the critical growth season when root reserves of perennial vegetative species are at their lowest. Therefore, it is expected that under the proposed action, key perennial vegetative species would gain in vigor and be allowed to complete their reproductive cycles. Perennial grasses are expected to gain in frequency over the long-term with the attainment of annual monitoring and long-term objectives for the Complex. With an increase in frequency of perennial grasses and an increase in productivity of all perennial species as appropriate for each range site throughout the allotment, soil site stability and infiltration and permeability processes would be enhanced.

Deferring livestock grazing until the dormant season for the Kingston Allotment and the southern portions of the Simpson Park Allotment would promote the improvement of early and mid-seral vegetative communities over the long term by allowing perennial vegetative species to gain in vigor, complete their reproductive cycle, and set seed. Therefore, ecological condition would improve with an increase in productivity, litter, soil fertility, infiltration, permeability, and nutrient cycling. Soil site stability would therefore improve and the Upland RAC Standard for Rangeland Health would be enhanced with an increase in the efficiency of infiltration and permeability processes.

The grazing stipulations under the proposed action would provide a mechanism that would further protect the soils associated with the upland and riparian/wetland areas. Once annual monitoring objectives were attained, which includes utilization of vegetative species, bank shearing and trampling, the permittee would be required to remove livestock from the area.

Achievement of AML and management of wild horses and burros with the capacity of the habitat would further result in improvements to vegetative communities, reduced trailing, and concentrations around water sources to promote general improvements to the soils throughout areas utilized by wild horses and burros.

The proposed action to retain the short-term AUMs for big game due to the non-attainment of the RAC Standards for Rangeland Health would not have a direct or indirect impact on habitat condition and soil processes.

The indirect impact of the proposed action would allow for the attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives and allotment specific objectives. The attainment of the standards would allow improvement in upland and riparian areas and provide for livestock forage requirements and wildlife and wild horse and burro habitat requirements throughout the allotment. Refer to Attachment 1 of this document for annual monitoring standards and long-term objectives for the Kingston and Simpson Park Allotments.

2. No Action Alternative

Simpson Park Complex

The direct impact of the no action alternative would retain existing livestock, wild horse, and wild burro management which could result in compacted soils that reduce infiltration and increase soil erosion. Increase soil compaction could result in decreased production of dominant and/or co-dominant perennial grass and forb components and microbotic crusts on the range sites. Modifications to the season of use associated with the allotments within the Complex would not occur and would therefore limit the ability of perennial vegetative species to gain in vigor, reproduce, and set seed. Therefore, increase in root biomass and litter would not be expected to increase and soil site stability could be threatened by wind and water erosion or the invasion of non-native weeds. Infiltration and permeability rates would be expected to be maintained by the present vegetation; however, these processes could be enhanced with an increase in the perennial grass component.

The indirect impact of the no action alternative would result in the continuation of the non-attainment of SERA RMP objectives, Standards for Rangeland Health, multiple use objectives and allotment specific objectives. The non-attainment of the standards would not allow for improvements in upland and riparian areas, which provide valuable habitat for wildlife and wild horses and burros and forage for livestock.

E. Vegetation

1. Proposed Action

Kingston Allotment

The proposed action for livestock would retain the permitted numbers of livestock and change the season of use to September 1 to March 15. Salt-desert shrub communities that are sensitive to grazing during the active or critical growth season represent the majority of the Kingston Allotment. The current vegetative community throughout much of the Kingston Allotment was determined to be in departure from the ecological site description and is failing to meet Standards and Guidelines for Rangeland Health (Refer to Appendix 8 of the SPC Evaluation Appendices for complete key management area evaluations of the standards). The direct impact of the proposed action would eliminate grazing during the active growth season for key perennial vegetative species. During most years, this action would provide adequate rest for these species during the growing season. Grazing during the dormant season for the vegetative species associated with salt-desert shrub communities would allow existing key perennial grass

vegetation to increase in vigor, productivity, cover, and seedling establishment. A deferred livestock grazing system would limit use during the growing season, allowing perennial grasses and forbs to remain healthy and to provide seed to reproduce and reestablish the perennial grass composition in the long-term to provide adequate forage for livestock and habitat for wild burros and wildlife species, namely pronghorn antelope. The expected improvement in the vegetative community will enhance soil site stability, which will limit the redistribution of and loss of soil resources by wind and water. Hydrologic function will also be enhanced with improvements in the vegetative community. This will allow sites to adequately capture, store, and release water from rainfall and snowmelt events. Furthermore, improvement in the plant community will improve the integrity of the biotic community, which will allow for the allotment to resist loss of function and structure following disturbance, and therefore allowing for recovery. In addition to these changes in livestock management, attaining wild burro AML will also be required to ensure the attainment of the Standards for Rangeland Health. This would promote progress towards the attainment of the annual monitoring standards for the Kingston Allotment. Refer to pages 41-93 of the SPC Evaluation which summarizes and interprets the vegetation monitoring data for the Kingston Allotment.

Implementation of the proposed AML for the Kingston Allotment would allow wild burro levels to be managed in balance with other resources. With the implementation of the proposed grazing system, use during the critical growth season would be limited to use by wild burros and wildlife, therefore reducing the negative impacts associated with grazing during the critical growth season. The indirect impact of the proposed AML range would be making progress towards the attainment of the Standards for Rangeland Health and allotment specific objectives.

The short-term big game AUMs would be retained for the Kingston Allotment due to the non-attainment of the habitat standard of the Northeastern Great Basin Area RAC. The short-term big game AUMs would be retained until the Habitat Standards are met under the proposed action. The proposed action to retain short-term AUMs for big game would have no direct or indirect affect on habitat condition.

Simpson Park Allotment

The proposed action was designed to make progress towards the attainment of the Standards for Rangeland Health and allotment specific objectives. Under the proposed action, adjustments in stocking rates would occur, use areas and season of use would be established for each permittee, and hot season grazing would be reduced or eliminated from the majority of the upper elevations of the allotment. Portions of riparian areas that would be subjected to grazing during the hot season would need to be protected from degradation by the construction of riparian exclosures.

The direct impacts of the proposed action to vegetative resources include increased vigor, annual production, and reproductive capabilities. These beneficial effects occur by reducing and/or eliminating grazing by domestic livestock during the critical growth season for upland vegetation and the hot season for riparian and browse species. The indirect impacts of the proposed action would be maintaining or enhancing the protection of the soil surface for soil site stability, maintaining or enhancing infiltration and permeability, and would allow for the attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives. The attainment of the standards would allow improvement in upland and riparian areas. This would provide for improvements associated with forage for livestock and habitat for wildlife and wild horses and burros. Refer to Attachment 1 of this document for

annual monitoring standards, long-term objectives, and the monitoring plan for the Simpson Park Allotment.

The proposed use areas would limit the number of operators within certain areas of the allotment. The season of use for each use area would further limit the number of operators utilizing areas of the allotment throughout the critical growing season and hot season, which would provide an opportunity for key perennial vegetative species to gain in vigor, reproduce, and set seed in the uplands and riparian vegetation would be allowed a period of rest throughout the remainder of the season of growth to provide for maintenance of riparian systems. Portions of the allotment would defer grazing until the dormant season, which would further promote an increase in vigor, productivity, cover, and seedling establishment throughout the allotment. Under the proposed grazing management plan, vegetative communities are expected to improve by allowing for sufficient key herbaceous plant seedling and young plant recruitment. This will allow for improvement in the plant communities by enhancing key perennial species productivity, which will in turn provide seed to repopulate the plant communities. The expected improvement in the vegetative community will enhance soil site stability, which will limit the redistribution of and loss of soil resources by wind and water. Hydrologic function will also be enhanced with improvement in the vegetative community. This will allow the site to adequately capture, store and release water from rainfall or snowmelt events. Furthermore, improvement in the plant community will improve the integrity of the biotic community, which will permit the use area to resist loss of function and structure following disturbance allowing for recovery.

With the proposed action there would be some use during the critical growth season. Use during the critical growth season would primarily occur for approximately two weeks within the Lake Ranch and Indian Ranch use areas and approximately one and a half months in the Rye Patch use area by Ken and Karen Woodland. Use during the critical growth season can have harmful effects to the health of upland resources by reducing vigor and reproductive success. However, grazing stipulations that include utilization objectives for use during the critical growth period would be implemented in order to prevent or limit negative effects to perennial vegetation associated with grazing during the critical growth season. Furthermore, use would substantially be reduced throughout this period with the implementation of the proposed action and would promote progress towards the attainment of the Standards for Rangeland Health by meeting the annual monitoring objectives for the Simpson Park Allotment.

The majority of the riparian areas within the Simpson Park Allotment did not rate in Properly Functioning Condition. It was determined that historic and current use by livestock, and in some cases use by wild horses, has had negative impacts to the riparian resources within the allotment (Refer to pages 156-194, 198-200, 206-209, 215-218, and Appendix 8). The proposed action would ensure progress toward the attainment of the Standards for Rangeland Health by allowing a period of rest during the completion of the growth period for riparian and wetland herbaceous species in order to meet stubble requirements to retain bank stability, filter sediment loads, and dissipate flood energy. The Willow/Barton pasture fence would eliminate hot season grazing by livestock in this use area in its entirety. The season of use within the Bates Mountain use area would also be eliminated hot season grazing in the upper elevations of the Simpson Park Allotment. The elimination of hot season grazing of mountain areas by livestock would protect riparian areas, wildlife browse species, and aspen stands. The proposed riparian exclosures would protect riparian areas in the lower elevations of the allotment that would be subjected to use by livestock during the hot season.

2. No Action Alternative

Kingston Allotment

Under the No Action Alternative, livestock grazing would continue to occur during the active or critical growth season of salt-desert shrub communities. The season of use would continue to not be in conformance with the Vegetative Guidelines of the Northeastern Great Basin Area RAC. Use during this time frame for salt-desert shrub communities, which dominate the Kingston Allotment, limits the ability of key perennial vegetative species to gain in vigor, set seed, and reproduce. Therefore, production and species diversity as appropriate for the ecological site would continue to be limited and reduces the overall integrity of the system. Progress towards the attainment of the Standards for Rangeland Health and allotment specific objectives may not be achieved for the allotment without a change in season of use.

If AML for the portion of the Hicksion HMA that occurs within the Kinston allotment is not established in this EA, wild burro gathers would be postponed until Appropriate Management Levels could be determined through other relevant AML decisions. Wild burros would compete with wildlife and livestock for available resources leading to over utilization of riparian and upland habitat.

The implementation of grazing stipulations which provide a mechanism for the attainment of allotment specific objectives, Complex objectives, and the Standards for Rangeland Health would not occur under the No Action Alternative. Annual monitoring objectives described under the Rangeland Program Summary would continue to be enforced.

Simpson Park Allotment

Under the No Action Alternative, livestock grazing management would continue to occur at existing levels and season of use. Reductions in stocking rates and use during the critical growth season would not occur. Grazing at the current stocking rate coupled with the season of use that currently exists on the allotment would continue to limit the vigor and reproductive success of the key perennial vegetation that exists on the allotment. The functionality of rangeland health would continue to be put at risk as it relates to the attributes of rangeland health. The attributes of rangeland health include soil site stability, hydrologic functioning, and the integrity of the biotic community. Hot season grazing of the majority of the riparian areas and upland browse species would continue. Conditions that currently exist for the riparian and upland browse areas would continue to exist under the current grazing management and would be subjected to further degradation. Rangeland and riparian resources would continue to not meet the Standards for Rangeland Health where it was determined that current livestock management was the causal factor for the non-attainment of the standards.

If AML is not set for the portion of the Hicksion HMA that exists within the Simpson Park Allotment, the no action alternative would yield the same results as determined for the Kingston Allotment. Under the no action alternative, AML would not be set for the portion of the Callaghan HMA that exists within the Simpson Park Allotment. Wild horses would compete with wildlife and livestock for available resources leading to over utilization of riparian and upland habitat. The health of the wild horse population would be compromised due to the inability of the habitat to support a population at levels above the AML established through data analysis and carrying capacity calculations as determined in the Rangeland Health Assessment.

Riparian exclosures and the Willow/Barton pasture fence would not be constructed under the No Action Alternative. These projects were deemed necessary for making progress towards the attainment of the Standards for Rangeland Health. Therefore, progress toward the attainment of the Standards for Rangeland Health would not occur under the No Action Alternative due to riparian areas being subjected to continued use by livestock throughout the hot season and the conditions of these areas would continue to decline. Riparian vegetation would not be allowed to have a period of rest during a portion of the growing season and stubble heights of the vegetation would not be appropriate for capturing sediment and dissipating energy during high flow events, which contributing to the degradation of the systems.

F. Forestry and Woodland Resources

1. Proposed Action

Simpson Park Complex

In terms of the pinyon/juniper communities, the direct impact of the proposed action is to improve and/or maintain the woodland resources associated with the Complex. The achievement of annual and long-term objectives would result in diverse age classes and distribution of these trees as appropriate to the Natural Resource Conservation Service (NRCS) ecological site descriptions.

For the aspen stands that occur within the Simpson Park Allotment, the proposed action would benefit these communities by limiting the use that occurs in the areas where aspen are present and by eliminating hot season grazing. The direct impact of the elimination of hot-season grazing would provide a period of rest during the growth period to allow tillers and shoots to establish themselves, which would promote a healthy and diverse age class of aspen.

The indirect impact of the proposed action to Forestry and Woodland Resources would be the enhancement of wildlife habitat associated with woodland resources of the Complex over the long-term and the attainment of SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives.

2. No Action Alternative

Simpson Park Complex

Use by livestock would continue to occur at the present rates and seasons of use under the no action alternative. Livestock grazing during the hot season would not be eliminated and would have direct impacts on the condition of woodland resources. Utilization of aspen roots and sprouts would continue to occur throughout their growth season. Use of aspen during this season limits the ability of the stands to consist of diverse age classes of trees and increases the likelihood of the loss of the stand. Loss of valuable wildlife habitat would also be lost with the loss of the stands. Utilization of seedlings/saplings of other tree species would also continue to occur during the growth season and would limit the reproductive success of these species.

The indirect impact of the proposed action would be the non-attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives. The condition of upland and riparian resources would not be improved and the

associated habitat and/or forage values for wildlife, wild horses and burros, and livestock would not be adequate if the non-attainment of the standards is allowed to continue.

G. Invasive, Non-native Weeds

1. Proposed Action

Simpson Park Complex

The spread of invasive, non-native weeds within portions of the Simpson Park Complex cannot be attributed to grazing activities alone. Although livestock grazing has contributed to the spread of invasive weeds, it is expected that these species would continue to spread in areas that continually disturbed such as county roads with the implementation of the proposed action. The direct impact of the proposed action is through proper livestock and achievement of AML to improve vegetative communities. This would create favorable conditions that would reduce the spread of invasive species within the Kingston and Simpson Park Allotments and would have associated indirect impacts to the conditions of the native rangeland and riparian. Soil compaction would be reduced and infiltration and permeability rates would be enhanced. Reduced soil compaction would increase the production of the dominant and/or co-dominant native perennial grass and forb components of the range sites. With improved conditions of rangeland and riparian areas, the cover and production of native vegetation is expected to increase therefore limiting the niche for invasive and non-native species to proliferate. As a result, the risk of invasion by invasive species across the Simpson Park Complex would be reduced since these species are more likely to invade degraded rangeland and disturbed sites.

The season of use under the proposed for the Willow/Barton, Indian Ranch, and Bates Mountain use area would also be prior to seed ripe of certain noxious weeds. Therefore, the spread of these weeds in sensitive riparian areas would be reduced. Furthermore, sheep would be sheared in the spring, which would further minimize the spread of weeds in the Willow/Barton use area.

Implementation of the proposed action would provide grazing stipulations that would aid in the attainment of Complex and Allotment Specific Objectives and the Standards for Rangeland Health. The grazing stipulations would provide a mechanism to ensure that livestock are moved from areas once the objectives were attained, thereby enhancing the conditions associated with the native range.

The proposed action in the Simpson Park Complex would result in the implementation of wild horse and burro AML. The proposed AML for the Kingston and Simpson Park Allotments would result in utilization levels that would not degrade the rangeland or riparian areas throughout the Complex. Therefore, the proposed AML would improve rangeland conditions and limit areas that invasive, non-native species could occur.

The proposed action to construct the Willow/Barton pasture fence and riparian exclosures would benefit range and riparian conditions. By excluding the Willow/Barton area from use during the hot season, range and riparian conditions are expected to improve. The Complex and Allotment Specific Objectives are expected to be attained. Furthermore, progress towards the attainment of the Standards for Rangeland Health is expected to be made. Riparian exclosures would protect and improve portions of riparian areas (source areas, springs, streams) from livestock use where hot-season grazing would be permitted. Improved conditions would again reduce the ability for invasive, non-native species to inhabit and overtake native range and riparian areas.

The proposed action would retain short-term big game AUM allocations for both the Kingston and Simpson Park Allotments due to the non-attainment of the RAC Standards or LUP objectives. The proposed action to retain short-term AUMs for big game would have no direct or indirect affect on the establishment of invasive, non-native species.

2. No Action Alternative

Simpson Park Complex

The direct impact of the no action alternative would be the continuation of existing management. This would result in further upland and riparian degradation, which may result in the increase of invasion, non-native and/or noxious weeds within the Complex. Hot season grazing of sensitive riparian areas would continue to occur throughout the allotment. The riparian areas would be subjected to the continuance of congregated use, which would further facilitate the spread of invasive weed species. Grazing systems, grazing stipulations, and wild horse and burro AML that would promote improved native range and riparian conditions would not be implemented. Rangeland vegetative that is currently in low ecological status or is disturbed would be vulnerable to invasive weeds and further loss of desirable production.

The indirect impact of the no action alternative would allow for the continuation of the non-attainment of SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives. The non-attainment of the standards would not provide adequate habitat wildlife and wild horses and burros or adequate forage for livestock.

H. Riparian and Wetland Zones/Water Quality

1. Proposed Action

Kingston Allotment

Streams within the Kingston Allotment have been ditched for irrigation purposes under the Ditch and Canal Act of 1866 and the attainment of SERA RMP objectives and RAC Standards are not applicable. However, the direct impact of the proposed action would aid in maintaining and improving the conditions of these riparian areas given that areas are not manipulated further for irrigation purposes in the future. The proposed action would eliminate grazing during the growth season for riparian vegetative species, thereby allowing any riparian vegetation that exists in the area to obtain stubble heights necessary to aid in the capture of fine sediments and to dissipate energy from run-off events and improve water quality.

There are no riparian or wetland areas within the Kingston Allotment portion of the HMA. The proposed AML would not have a direct or indirect impact to the conditions of riparian and wetland zones or the water quality associated with these areas.

The proposed action to retain the short-term big game AUMs would not have a direct or indirect impact on the riparian and wetland zones within the Kingston Allotment and would not impact the water quality associated with these areas.

Simpson Park Allotment

The implementation of the proposed action would eliminate hot season grazing from the majority of the riparian and wetland zones associated with the Simpson Park Allotment. The direct impacts of the proposed action would be enhanced conditions of riparian areas and aspen stands along with the improvement of water quality in those areas. Improvement in the health and vigor of riparian vegetation would occur and would facilitate the ability of riparian-wetland vegetation to reproduce and maintain different age classes. In addition, improving the condition of riparian and wetland areas would result in enhancements in water quality for beneficial uses.

Livestock would not be authorized to utilize the Willow/Barton pasture after June 30. Due to the upper elevations associated with the Bates Mountain use area, livestock would be removed no later than July 15 in order to provide a period of rest during the remainder of the growth season for riparian and wetland vegetation. Stubble heights that attained the riparian objectives for the Complex would improve the vigor of vegetative and woody species, enhance infiltration rates, protect stream banks, filter sediment, and dissipate flood energy from run-off events. Additionally, the modification to the stocking rates for the Simpson Park Allotment would limit the number of livestock utilizing these areas and herding of livestock would improve distribution.

Herding of livestock to enhance distribution and the construction of riparian exclosures would be essential where hot-season grazing would be permitted to continue to occur. Herding livestock throughout the use areas where riparian and wetland zones are subjected to use during the hot season would be important in the attainment of annual monitoring objectives for riparian areas. The construction of riparian exclosures at the spring source or along a portion of the stream would protect the integrity of these riparian resources by allowing riparian vegetation to become more vigorous, gain in root reserves, and draw up the water table to improve the conditions associated with the riparian resources.

The indirect impact of the proposed action would allow for the attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives and allotment specific objectives. Achievement of annual and long-term objectives would result in progress towards Proper Functioning Condition for all riparian-wetland systems. Under the proposed action, grazing stipulations would be enforced that requires the permittee to move livestock to other areas once annual objectives are achieved. Refer to Attachment 1 of this document for annual monitoring standards and long-term objectives for the Simpson Park Allotment.

The proposed AML for the wild burros within the Simpson Park portion of the Hickison HMA would be appropriate for the limited riparian resources associated with this area. Spencer Hot Springs is the only riparian area within the Hickison HMA and has not been negatively impacted by wild burros or livestock. Therefore, the direct impact of the proposed action would be to maintain or enhance the riparian conditions associated with the hot springs.

The proposed action would retain the short-term big game AUMs due to the non-attainment of RAC Standards and SERA RMP objectives. The proposed action to retain the short-term AUMs would not have direct or indirect affects on riparian habitat conditions.

2. No Action Alternative

Kingston Allotment

The direct impact of the no action alternative would result in no change from the existing conditions due to the nature of the riparian areas associated with the Kingston Allotment. Under the existing conditions, livestock are removed from the allotment prior to the completion of the growth season for riparian species. However, vegetative riparian species are limited along the riparian areas of the Kingston Allotment due to these areas being canalled for irrigation purposes.

Simpson Park Allotment

The direct impact of the no action alternative would result in the continuation of livestock and wild horse numbers that are in excess of the resources provided by the allotment. In addition, the season of use would not be modified under the no action alternative and would have direct impacts to riparian vegetation. Hot-season grazing would continue to occur throughout the allotment which would not allow for a season of rest during the growth period. Utilization of riparian vegetation would not meet objectives for the allotment and would therefore not show progress towards the attainment of the Standards for Rangeland Health. Therefore, stubble heights would not be adequate at the end of the grazing season to protect banks from erosion, filter sediment, or dissipate energy during high flow events. The inability of these systems to properly function increases the likelihood of the loss of the system and the valuable resources that are related to riparian areas. Water quality would be expected to be maintained in the short-term but with continuing degradation under the current management of livestock and wild horses, it is expected that water quality would be reduced in the long-term. The Willow/Barton pasture fence and riparian exclosures listed under the proposed action would not be constructed and would be subjected to continued degradation throughout the grazing season.

The indirect impact of the no action alternative would be the continuation of the non-attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives. The non-attainment of the stands would not allow improvement in sensitive riparian areas and would therefore limit habitat requirements for wildlife. Resources for livestock and wild horses that are provided by riparian areas would also be limited under the no action alternative.

I. Cultural/Paleontological Resources

1. Proposed Action

Simpson Park Complex

Implementation of the livestock grazing management system would reduce negative impacts to riparian areas which generally contain cultural resources. It is expected that through the proposed action, including deferred grazing and the reduction of livestock, wild horses and burros, the direct impact to springs and other riparian/wetland areas would decrease. This would reduce the associated indirect impact cultural resources. Future range improvements such as fencing, water developments and strategically placed water haul sites, will also assist in decreasing and eliminating impacts. These range improvements would be subject to Class III cultural surveys and potential mitigation measures. Projects would be designed to either avoid impacts to cultural

resources, or measures would be taken to mitigate potential damage to Historic Register eligible sites.

Sites distributed in areas others than near or at spring developments will also benefit from the proposed action. Seasonal use across elevational zones will reduce the over all time livestock congregate at sites within these zones.

During future fence construction, spring development or installation of range improvements, if any materials are encountered they are not to be collected, moved, or modified until a qualified cultural resource specialist provides a determination of historic significant or effect. Cultural and archeological resources are protected under the Archaeological Resources Protection Act (16 U.S.C. 740ii) and the Federal Land Management Act (43 U.S.C. 1701).

The indirect impact of the proposed action would allow for the attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives and allotment specific objectives. The attainment of the standards would provide for improvements in riparian and upland conditions, which would protect cultural resources from disturbance.

2. No Action Alternative

Simpson Park Complex

Considering the no action alternative, it is expected that indirect impacts to cultural resources would continue at the same level as in the past. The continuation of current management, which includes hot season (July 1st through October 15th) grazing in riparian areas by livestock, would not improve upland or riparian conditions and thus erosion at cultural sites would continue. Not reducing the number of wild horses and burros would also continue to facilitate site erosion and site degradation.

The no action alternative would allow for the non-attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives. The non-attainment of the Standards would not provide improvements in riparian and upland conditions, which if implemented will assist in protecting cultural resources and reduce additional disturbances to cultural and palentological resources. Finally, under the no action alternative, riparian exclosures would not be constructed, and developments such as trough placement or piping water away from cultural resource areas would not take place.

J. Recreation

1. Proposed Action

Simpson Park Complex

Recreational experiences would be indirectly impacted by the implementation of the proposed action. The modification to stocking rates, season of use, improvements in grazing management systems, and implementing the proposed AML would improve upland vegetation and riparian areas. Wildlife habitat conditions are expected to improve with the attainment of annual monitoring objectives for both allotments. Improved habitat conditions would enhance the associated wildlife populations, and have a large influence on big game. The elimination of hot-season grazing on the majority of the riparian areas associated with the Simpson Park Allotment

would result in improvements in riparian habitat conditions and would enhance the recreationalist's overall camping, hunting, and sight-seeing experiences.

Implementation of the AML for the Callaghan and Hickison HMAs generally would in general lessen the number of wild horses and burros that a visitor may observe during a recreational experience within the complex. However, maintaining wild horse and burro AML would result in the continuance of healthy wild horse and burro populations. This, which may result in related improved recreational experiences by offering visitors the opportunity to view healthy wild horses and burros in contrast to viewing unhealthy animals that may be in distress as a result of shortages in forage or water.

The proposed action to construct the Willow/Barton pasture fence and riparian exclosures may affect the visitor's recreation experience by limiting the accessibility to these areas. However, the indirect impacts to recreation would continue to be enhanced with the improved vegetation and riparian conditions associated with these fences.

The proposed action would retain the short-term AUMs allocated for big game wildlife species due to the non-attainment of RAC Standards for Rangeland Health or LUP objectives. The proposed action to retain short-term AUMs for big game would have no direct or indirect impact in recreation in general.

2. No Action Alternative

Simpson Park Complex

Under the no action alternative, current indirect impacts to recreation would continue. The resulting condition of the rangeland and riparian resources would affect recreational experiences. The lack of AML would retain the initial management levels for the Hickison and Callaghan HMAs. This level did not consider genetic viability for the isolated burro herd within the Hickison HMA and is excessive for the resources associated with the Simpson Park portion of the Callaghan HMA. Wild burro populations may decrease due to loss of genetic viability without the establishment of the AML for the Hickison HMA which incorporates a low, mid, and high range for the purpose of genetic viability and for gather purposes. The initial management level for the Callaghan HMA could result in further degradation to rangeland and riparian resources which would impact the health of the wild horse herd. Therefore, visitors may observe populations of wild horses and burros that are not in good condition in the future if AML is not established.

Additional indirect impacts to recreation under the no action alternative would be the non-attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives. The non-attainment of the standards would not improve upland and riparian areas and may negatively impact recreation experiences.

K. Socio-Economic Values

1. Proposed Action

Simpson Park Complex

By implementing a grazing management system in the affected allotments, the proposed action may affect individual ranching operations that hold the grazing permits on those allotments. The direct impacts of the proposed action are that ranching revenues would continue based on the issuance of ten-year permits and individual livestock operators may incur expenses related to range improvements. Although ranching revenues would continue based on the issuance of ten-year permits, the proposed action would reduce livestock carrying capacities on the Simpson Park Allotment in order to attain Rangeland Health Standards. This would result in a direct financial impact to each individual permittee, at least temporarily. The indirect impact of the proposed action to socio-economic values is improved rangeland conditions through the implementation of grazing management systems and stocking rates that are appropriate to the resources provided by the Complex. With improved range conditions, there is the possibility that an increase in AUMs would be authorized through the re-evaluation and Multiple Use Decision process for the Kingston and Simpson Park Allotments.

The extent to which individual ranching operations will be economically impacted depends to a large degree on the ability of the operator to adjust to the changing conditions. If rangeland conditions were deteriorating, operations would necessarily have to adjust, regardless of any actions taken by this effort and the operator may have to voluntarily remove livestock or adjust carrying capacity to reflect the rangeland degradation. Long-term economic benefits may occur, once rangeland health is restored.

Slight long-term impacts to the regional economy may be realized, as individual ranch operators reduce livestock numbers and therefore, require fewer services and ranch equipment from local retail providers.

While there are social values associated with Nevada's wild horses and burros, overall impacts to Nevada's resident horse and burro population are expected to be minimal.

2. No Action Alternative (Existing System)

Simpson Park Complex

Under this alternative, BLM would not implement alternative grazing decisions. The direct impact to livestock operators would be that ranching revenues would continue to be based on the issuance of ten-year permits that retain the current permitted use and that some expense to the livestock operator would occur through maintenance of range improvement projects.

Livestock as well as wild horse and burro grazing on vegetative resources would continue. Key vegetative species would continue to degrade and therefore, livestock operators would likely realize economic losses over time and is considered to be an indirect impact of the no action alternative.

V. Cumulative Impacts

The Council of Environmental Quality (CEQ) regulation implementing NEPA defines cumulative impacts as: "...The impact on the environment which results from incremental impacts of the action when added to other past, present, or reasonably foreseeable future actions regardless of what agency (Federal or Non-Federal) or person undertakes such actions. Cumulative impacts can result from individually minor, but collectively significant actions taking place over a period of time (40 CFR 1508.7).

The Kingston and Simpson Park Allotments consists of the Big Smoky Valley Hydrologic Unit. This hydrologic unit has been determined to be the geographic boundary for the cumulative impacts associated with the proposed action and past, present, and reasonably foreseeable future actions.

A. *Past, Present, and Reasonably Foreseeable Actions*

All resource values have been evaluated for cumulative impacts. It has been determined that cumulative impacts would be negligible as a result of the proposed action or alternatives.

The Past, Present, and Reasonable and Foreseeable Future Actions applicable to the assessment area are the following:

- Issuance of multiple use decisions and grazing permits for ranching operations through the allotment evaluation process and re-assessment of the Kingston and Simpson Park Allotments
- Establishment of Appropriate Management Levels by the Austin US Forest Service for the Hickison Burro Wild Burro Territory
- Vegetation rehabilitation and seeding maintenance treatments in the Kingston and Simpson Park Allotments
- Invasive weed treatment
- Construction of exclosures around springs or other riparian resources
- Development of water sources in the Kingston and Simpson Park Allotments
- Construction of fence in certain locations within the Kingston and Simpson Park Allotments, which would include the second phase of the Willow/Barton Pasture Fence
- Sage grouse habitat improvement projects
- Establishment of wildlife guzzlers
- Reclamation of abandoned mine lands
- Mineral Exploration
- Geothermal leasing and exploration
- Wildfire Suppression
- Wildfire Rehabilitation
- Airport Lease of the Kingston Airstrip
- Recreation Activities including hunting
- Revision of the Hickison Recreation Area Plan and construction of trails for horseback riding, walking, and 80 acre expansion of recreation area enclosure.
- "Recreation for Public Purposes" Lease to Lander County for a portion of the Spencer Hot Spring located in the Simpson Park Allotment.

There are a number of range improvement projects that are pending within the Complex. Any future proposed projects within the Complex would be analyzed in an appropriate environmental document following site specific planning. Future project planning would also include public involvement.

The issuance of grazing permits is subject to the allotment evaluation process. Monitoring data would continue to be collected to assess rangeland resources within the allotments and to ensure that progress is made towards the attainment of the SERA RMP objectives, Standards for Rangeland Health, and multiple use objectives. Grazing management within the allotment would change to comply with the Multiple Use Decision, which is expected to make progress towards meeting the Standards and Guidelines. Wild horse and burro gathers would occur in order to ensure that Appropriate Management Levels (AML) are met. Attaining the AML for the Hickison and Callaghan HMAs would ensure that Allotment Specific Objectives, Complex Objectives, and the Standards for Rangeland Health are attained.

B. Effect of Past, Present, and Reasonably Foreseeable Future Actions of the proposed action and no action alternatives on the resources:

Grazing Management

Livestock grazing has been conducted within the Kingston and Simpson Park Allotments for over 100 years. Neither allotment has had a Rangeland Health Assessment conducted in their history.

Following the analysis, interpretation, and evaluation of monitoring data, it was determined that SERA RMP objectives, Standards for Rangeland Health, and multiple use objectives were not being fully attained. The evaluation also concluded that progress towards the attainment of the Standards for Rangeland Health and multiple use objectives were not occurring throughout the allotment. Refer to the SPC Evaluation pages 39-221, Appendix 4, and Appendix 8 for data analysis, RAC conclusions, and SERA RMP objectives.

It was determined through the SPC Evaluation that effects of historic livestock management and drought has been determined to be the causal factor for the non-attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives for the Kingston Allotment. However, current livestock use for the Kingston Allotment has been determined to not be in conformance with Vegetative Guidelines under the

Northeastern Great Basin Area RAC: Effects of current and historic livestock management and management of wild horses has been determined to be the causal factor for the non-attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives for the Simpson Park Allotment. Other past and present activities such as mining, fire suppression activities, and construction of range improvements have also resulted in effects to soils, vegetation, and riparian resources and the resulting alteration of the associated wildlife habitat, at least for the short-term. Past and present treatments of invasive, non-native weed species has aided in the protection of rangeland from reducing the native ranges that have been converted to non-native, undesirable species. Conversion of native ranges to invasive, non-native dominated rangelands limits soil site stability, production, and species diversity which adversely effects wildlife habitat and forage for livestock and wild horses and burros.

The livestock grazing management plan and setting of AML for the HMAs in both allotments would ensure that progress towards the attainment of SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives throughout both allotments. Proposed riparian exclosures would further ensure that progress is made towards the Standards for Rangeland Health. Under the proposed action, upland and riparian resources would be improved, and vegetative resources would be allowed to gain in vigor, set seed, and reproduce. Riparian vegetation would be given a period of rest during the remainder of the growth season to aid in maintenance of these systems in areas where hot season grazing is proposed to be eliminated. Therefore, improvements from the proposed action would have a beneficial affect for all effected resources present within the Kingston and Simpson Park Allotments.

Limited mining activity has occurred within the Kingston and Simpson Park Allotments. Mining and mill sites within the Kingston Allotment are in the reclamation process. Livestock AUMs were not removed from the grazing permit; therefore, there would be no increase in AUMs after the sites are reclaimed. Recent mining activity within the Simpson Park Allotment has involved exploration which has lead to the construction of new roads.

Although numerous wildfires have been documented within the Complex, large, widespread wildfires have not burned within any of the two allotments. From 1981 to 2000, five fires were recorded for the Kingston Allotment, totaling 95.4 acres burned. From 1984 to 2000, six fires were reported within the Simpson Park Allotment which burnt a total of 505 acres.

The effects of the reasonable and foreseeable future actions within the Complex are as follows: Invasive weed treatments, riparian exclosures, vegetation rehabilitation and seeding maintenance, fence construction, and development of water sources would benefit grazing management by improving rangeland resources such as upland vegetation, riparian and wetland zones. The second phase of the Willow/Barton pasture would completely eliminate the possibility of hot season grazing by livestock in the Willow/Barton pasture. These projects would provide for the long-term sustainability of the livestock operators due to increased forage production, ability to manage livestock, and the protection of riparian areas which would lead to the attainment of the Standards for Rangeland Health. Wildfire suppression would also be beneficial to livestock grazing management by providing a means of controlling the number of acres that are burned. However, short-term impacts may occur to the operator due to wildfire in that AUMs may be temporarily suspended and the area may be temporarily be closed to livestock grazing until rehabilitated. Fencing may be installed to exclude livestock from these areas.

Areas that have been burned may also convert native range to non-native species which effects soil infiltration and permeability processes, vegetative production, species diversity, and forage availability. Rehabilitation may also vary in degrees of success and may provide additional forage if successful. Invasive weed treatment has occurred in the past and continues to occur for the management of rangeland resources and the protection of these resources from further degradation. Future mining and geothermal exploration and surface disturbance may result in the loss of AUMs, depending on the size and the scope of the effected areas. During geothermal utilization stage operations, additional roads, wells, and surface facilities may be constructed that would result in the loss of vegetation. Again, AUMs may be reduced due to these operations. The "Recreation for Public Purposes" lease to Lander County for a portion of Spencer Hot Springs may affect livestock grazing by reducing available surface waters associated with the portion of the allotment where the hot springs occur.

Wild Horses and Burros

The effects of the past and present actions to wild horses and burros include the temporary displacement from wild horse removals, wildfire suppression activities, recreational activity, and construction of fences and water developments.

The Hickison Herd Management Area (HMA) and the Callaghan HMA were established in 1971 as part of the Wild Free-Roaming Horse and Burro Act of 1971. The SERA RMP established initial stocking levels for wild burros within the Hickison HMA and the Callaghan HMA.

To date, gathers of wild burros within the Hickison HMA have not occurred. The only management action on record affecting the wild burro population was the introduction of 8 burros from the Winnemucca Field Office's Blue Wing HMA to the herd in 1995. This management action was in response to a declination in the burro herd which may have been a result from illegal activities during the early 1990's in which investigators found 4 adult jennies and 1 foal shot within the HMA. The genetic health of the population was also of concern.

Since the passage of the Wild Free Roaming Horse and Burro Act, four wild horse gathers have been conducted by the BLM within the Callaghan HMA. All gathers affected the Grass Valley and Austin Allotments, which border the Simpson Park Allotment to the north. In 1993, the wild horse gather directly affected the Simpson Park Allotment.

The effects of the reasonable and foreseeable future actions within the Hickison HMA are as follows: Water developments would be beneficial to the burro herd within the Hickison HMA by increasing the distribution of these animals throughout areas of the BMFO managed portion of the HMA. Increased distribution would benefit the vegetative resources by limiting areas of concentrated use. Furthermore, it is expected that water developments would enhance distribution rates between the Simpson Park and Kingston Allotments (refer to page 194 of the SPC Evaluation for distribution rates determined through census information). Both water development and weed treatment projects would lead to the attainment of the Standards for Rangeland Health. Mineral exploration and geothermal exploration and utilization stage operations may indirectly affect the burro population within the area due to the removal of available vegetation and the possibility of temporary displacement with additional traffic during operational periods. The "Recreation for Public Purposes" lease to Lander County for a portion of Spencer Hot Springs may affect the wild burro population by reducing available surface waters associated with the portion of the HMA where the hot springs occur.

The effects of the reasonable and foreseeable future actions within the Callaghan HMA are as follows: Vegetation rehabilitation and construction of riparian exclosures may temporarily displace wild horses from traditional areas of use. The second phase of the Willow/Barton pasture fence may impact movement of wild horses into the portion of the Callaghan HMA that occurs in the Simpson Park Allotment. Gates would be required to remain open in order to facilitate movement of these animals. As a result of these projects, additional forage for wild horses may occur with future vegetation rehabilitation projects, the elimination of hot season grazing from the Willow/Barton pasture, and the improvement of riparian areas. With improved riparian condition, water quality and quantity is expected to improve. Enhanced upland vegetative and riparian conditions could increase recreational activity, which may impact wild horses. Mineral exploration may have negative impacts to wild horses by displacing the animals

or by limiting their free-roaming nature due to disturbances caused by human activity, at least temporarily.

The effects of the reasonable and foreseeable future actions common to the Hickison and Callaghan HMAs are as follows: Invasive weed treatments in the future would prevent native ranges from conversion to invasive, non-native species which limit soil site stability, production of desired native perennial vegetation, and species diversity. Therefore, invasive weed treatments would provide for the long-term sustainability and health of the wild burro populations due to increased forage production. Weed treatment projects would lead to the attainment of SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives. Wildfire suppression would benefit wild horses and burros by limiting the amount of acreage that is burned. Following a wildfire, emergency gathers may be conducted to remove animals from the area that was burned. Once rehabilitated, wild horses or burros would be reintroduced into the area. However, reintroduction of wild horses and burros into these areas may have temporary negative impacts to the populations. Wildfire may also convert native ranges into invasive, non-native species. Rehabilitation may vary in degrees of success and may provide additional forage if successful.

Wildlife

In addition to the effects discussed in Chapter IV, the effects of past and present actions include the temporary displacement of wildlife species due to the construction of range improvement projects, wildfire and the related suppression activities, mineral exploration and mining, wild horse gather activities for the Callaghan HMA, and construction of transmission lines and roads.

The effects of the reasonable and foreseeable future actions to the Complex are as follows: Establishment of wildlife guzzlers, riparian exclosures, the second phase of the Willow/Barton pasture fence, vegetation rehabilitation treatments, sage grouse habitat improvement projects, wildlife guzzlers, reclamation of abandoned mine lines, and invasive weed treatment would be beneficial to wildlife throughout the Kingston and Simpson Park Allotments. These projects would provide for the long-term sustainability and health of wildlife due to increased forage production and water availability, which would lead to the attainment of the Standards for Rangeland Health. Fences would be constructed with white-topped posts in order to make fences more conspicuous. Flagging may also be placed on fences in order to further increase the conspicuousness to wildlife, particularly sage grouse. Fences would be constructed to BLM specifications to facilitate the movement of mule deer and pronghorn. Wildfire suppression would be beneficial to wildlife by providing a means of controlling the number of acres that are burned and eliminating habitat fragmentation.

Following a wildfire, rehabilitation of the area would occur, which is expected to improve wildlife habitat by preventing or limiting the occurrence of cheatgrass and other invasive species in the burn area. Mineral and geothermal exploration may temporarily displace wildlife species and may result in the loss of accessibility to historical use areas in the allotment depending on the size and location of the exploration projects. Geothermal utilization stage operations may result in increased acreage of disturbance which would increase the number of acres disturbed from exploration activities. Wildlife may be displaced and habitat may be lost, at least temporarily, from these mining related activities. Future wild horse and burro gathers may also result in the temporary displacement of wildlife species.

Soils/Vegetation

Refer to discussion on the effects of the past and present actions to soils/range sites/vegetative resources in Chapter IV.

The effects of the reasonable and foreseeable actions for the Complex are as follows: Water developments, riparian exclosures, invasive weed treatments, fencing projects, wildfire rehabilitation, and vegetation rehabilitation treatments would be beneficial to the soils and vegetation associated with a particular range site. These projects would provide for protection of sensitive riparian areas, allow for improved livestock management and distribution, and enhance native vegetative conditions, which would aid in soil site stability and infiltration and permeability processes. Implementation of these projects would aid in the attainment of the Standards for Rangeland Health. Soils may be subjected to compaction in the immediate vicinity of the project area for the construction of water developments and fencing projects. Wildfire suppression would be beneficial to the protection of soil and vegetative communities by providing a means of controlling the number of acres that are burned. However, upland and riparian zones may be susceptible to erosion following wildfire in a watershed. Areas that have been burnt are also susceptible to invasion by non-native species. Coupled with the effects of a wildfire, invasion of non-native species may further reduce the stability of the soils, production of desirable species, and species diversity of the site. Depending on the success of the rehabilitation treatment, invasion by these species may be limited. Mineral and geothermal exploration may result in erosion and conversion of native communities to non-natives due to surface disturbance. However, invasion of non-natives in these areas would be isolated and therefore controllable.

Forestry/Woodland

Refer to discussion on the effects of the past and present actions to forestry/woodland resources in Chapter IV.

The effects of the reasonable and foreseeable actions for the Complex are as follows: Riparian exclosures, invasive weed treatments, fencing, wildfire rehabilitation, and vegetation rehabilitation treatments would be beneficial to forest and woodland communities in that these projects would provide for protection of sensitive riparian areas and allow for improved livestock management, etc., which would enhance the conditions of forest/woodland resources, namely aspen. These reasonably foreseeable actions would lead to the attainment of the Standards for Rangeland Health. Wildfire suppression would be beneficial for the protection of forest and woodland communities by providing a means for limiting the number of acres burned. However, upland and riparian zones are susceptible to erosion following a wildfire in a watershed, which could further affect forestry and woodland resources after a wildfire. Mining exploration may affect forestry and woodland resources by exposing them to erosion of soils and invasion of non-native species.

Invasive Weed Treatment

The Battle Mountain Field Office has initiated treatment of invasive species in portions of the Kingston and Simpson Park Allotments. Treatment of approximately 500 acres of tamarisk has been the most intensive treatment type for the Kingston Allotment. Spot treatments of Russian knapweed, perennial pepperweed, and hoary crest have occurred on both the Kingston and

Simpson Park Allotments. Refer to discussion on the effects of the past and present actions to invasive weed resources in Chapter IV.

The effects of the reasonable and foreseeable actions for the Complex are as follows: Invasive weed treatment, fencing, water developments, riparian exclosures, and vegetation rehabilitation treatment would be beneficial in the management of invasive species. These projects would provide for control of areas that are susceptible to the presence of invasive species, which would lead to the attainment of the Standards for Rangeland Health. Wildfire suppression would be beneficial for the control of invasive species by limiting the number of acreage that is burnt; however, burnt areas may be converted from native range to invasive species. Depending on the success of rehabilitation projects, the invasion of invasive species may be limited. Mining and geothermal exploration may result in the proliferation of invasive species due to the surface disturbance associated with these activities. However, these areas would be isolated and controllable.

Riparian-Wetland Areas/Water Quality

Refer to discussion on the effects of the past and present actions to riparian/water quality resources in Chapter IV.

The effects of the reasonable and foreseeable future actions for the Complex are as follows: Riparian exclosures, invasive weed treatments, fencing, wildfire rehabilitation, and vegetation treatments would be beneficial to Riparian-Wetland Areas and Water Quality. These projects would provide for protection of sensitive riparian areas and lead to the attainment of the Standards for Rangeland Health. Wildfire suppression would be beneficial for the protection of riparian areas by controlling the number of acres that are burned. Riparian areas may be susceptible to erosion following wildfire in a watershed. Areas may be rehabilitated; however, there are varying degrees of success associated with rehabilitation treatments. Wildfire may convert native range to non-native species, which could increase the susceptibility of these species to invade riparian areas. The proliferation of non-native species in riparian areas may have adverse effects to the riparian area by reducing the riparian vegetation associated with the site and therefore reducing the root-holding capabilities associated with riparian vegetation. Mining and geothermal exploration may negatively impact the availability of groundwater and some surface waters, depending on the area exposed to the exploration activity. Geothermal utilization stage operations may further limit the availability of surface waters associated with the Spencer Hot Springs area. The “Recreation for Public Purposes” lease to Lander County for a portion of Spencer Hot Springs may affect the wild burro population by reducing available surface waters associated with the portion of the HMA where the hot springs occur.

Cultural Resources

Refer to discussion on the effects of the past and present actions to cultural resources in Chapter IV.

The effects of the reasonable and foreseeable future actions for the Complex are as follows: Riparian exclosures, invasive weed treatments, fencing, wildfire rehabilitation, and vegetation treatments would be beneficial to Riparian-Wetland Areas and Water Quality. These projects would provide for protection of sensitive riparian areas and lead to the attainment of the Standards for Rangeland Health. Wildfire suppression would be beneficial for the protection of riparian areas by controlling the number of acres that are burned. Riparian areas may be

susceptible to erosion following wildfire in a watershed. Areas may be rehabilitated; however, there are varying degrees of success associated with rehabilitation treatments. Wildfire may convert native range to non-native species, which could increase the susceptibility of these species to invade riparian areas. The proliferation of non-native species in riparian areas may have adverse effects to the riparian area by reducing the riparian vegetation associated with the site and therefore reducing the root-holding capabilities associated with riparian vegetation. Mining and geothermal exploration may negatively impact the availability of groundwater and some surface waters, depending on the area exposed to the exploration activity. Geothermal utilization stage operations may further limit the availability of surface waters associated with the Spencer Hot Springs area. The “Recreation for Public Purposes” lease to Lander County for a portion of Spencer

Recreation

Refer to discussion on the effects of the past and present actions to recreation resources in Chapter IV.

The effects of the reasonable and foreseeable actions for the Complex are as follows: Riparian enclosures, invasive weed treatments, fencing, wildfire rehabilitation, vegetation rehabilitation, and sage grouse habitat improvement projects would be beneficial to recreation through the improvement of upland and riparian communities. These projects would provide protection to sensitive riparian areas, allow for improved livestock management, and enhance vegetative conditions, which would lead to the attainment of the Standards for Rangeland Health and an improved recreational experience. Wildfire suppression may also have beneficial effects to recreation by reducing the number of acres that are burned. However, native ranges may be converted to non-native species, which would have adverse affects to the recreation experience. Mineral and geothermal exploration may exclude areas that otherwise would have been made available for recreational purposes. The “Recreation for Public Purposes” lease to Lander County for a portion of Spencer Hot Springs would be beneficial to recreation by designating a portion of the hot springs as an area for recreational purposes only.

Socio-economic Values

Refer to discussion on the effects of the past and present actions to socio-economic resources in Chapter IV.

The effects of the reasonable and foreseeable actions for the Complex are as follows: Invasive weed treatments, water developments, riparian enclosures, construction of fences, wildfire rehabilitation, and sage grouse habitat improvement projects would be beneficial to soils, upland vegetation, browse species, and riparian conditions, which would enhance forage for livestock and habitat for wildlife and wild horses and burros. The projects would aid in the attainment of the Standards for Rangeland Health and is expected to aid in the long-term viability of the livestock operators. Wildfire suppression activities would aid in controlling the number of acres burned. However, upland and riparian areas may be subjected to increased erosion and invasion by non-natives due to the effects of the wildfire. Areas that have been burned may also be temporarily closed from livestock grazing and AUMs may be temporarily suspended from the operator’s permit. This may have temporary financial effects to the operator. Mineral and geothermal projects may result in erosion and the conversion of native communities resulting in the proliferation of invasive species; however, these areas would be isolated and controllable

No Action Alternative (Existing System)

The effects of past livestock management has been determined to be a causal factor for the non-attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives. The effects of past and present livestock management and wild horse use has been determined to be causal factors for the non-attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives for the Simpson Park Allotment. The effect of the no action alternative and past and present activities excluding the suppression of wildfire and treatment of invasive non-native species would have an adverse effect to soils, vegetative resources, and riparian/wetland areas within the Kingston and Simpson Park Allotments. Therefore, wildlife habitat and forage for livestock and wild horses and burros would continue to be adversely effected.

The no action alternative would not make progress towards the attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives. Past and present livestock grazing management includes grazing during and/or throughout the critical growth season for both allotments and also includes hot season grazing in sensitive riparian/wetland areas for the Simpson Park Allotment. This type of use has been detrimental to upland and riparian communities and has been determined to be a causal factor for the non-attainment of the Standards and Guidelines. In addition, under the no action alternative the Willow/Barton pasture fence and riparian exclosures would not be constructed and these areas would continue to be subjected to hot-season grazing. Therefore, the current conditions would be allowed to continue to occur in both allotments under the no action alternative.

If Appropriate Management Levels are not established in this Environmental Assessment, wild horse and burro gathers would be postponed until Appropriate Management Levels could be determined through other relevant AML decisions. Wild horses and burros would compete with wildlife and livestock for available resources leading to over utilization of riparian and upland habitat. Furthermore, initial management levels would not allow for a healthy population of wild burros to exist within the Hickison HMA and are not in compliance with Code of Federal Regulations at Title 43 CFR 4700.0-6 (a), or the Northeastern Great Basin RAC Standards and Guidelines for Rangeland Health and Healthy Wild Horse and Burro Populations.

C. Summary of Past, Present and Reasonably Foreseeable Actions for the Proposed Action and No Action Alternative

Proposed Action

The proposed action was developed to ensure that wildlife, riparian, wild horse and burro, and allotment specific annual and long-term objectives are met. Implementation of the proposed action would result in improved livestock distribution, reduced acreages of heavy utilization, and reduced impacts to riparian and wetland habitats. Furthermore, the establishment of AML for the Hickison and Callaghan HMAs would result in wild burro and horse numbers that are appropriate to maintain the balance between forage and water resources in conjunction with maintaining genetically viable herds. Implementation of the proposed action would result in the overall improvement of rangeland resources including native perennial vegetation, soil stability, riparian and wetland habitats, and wildlife habitat in general. Vegetation diversity and ground cover would continue to be stable in some cases and improve gradually in others. Increased riparian vegetation, species diversity, and age class distribution would enhance the dissipation of

energy from runoff events and to allow riparian systems to recover or maintain themselves. The proposed action would enhance or protect surface vegetation, reduce runoff and water erosion of exposed soil, and increase percolation of water into the ground for upland sites.

For riparian and wetland areas, the proposed action would enhance surface vegetation and root biomass, which would enable these systems to repair themselves by capturing sediment loads and reducing the potential of erosion. Attainment of annual and long-term objectives for each allotment and the Complex as a whole would ensure achievement or progress towards the achievement of the RAC Standards for Rangeland Health. Cumulative impacts to wildlife, migratory birds, and special status species from past, present, and foreseeable actions result primarily from impacts to vegetation and riparian resources and the resulting alteration of the associated habitat. Impacts to habitats within the Simpson Park Complex have accumulated primarily from the direct and indirect effects of livestock and wild horse and burro grazing. The implementation of the proposed action would reverse the cumulative impacts to most wildlife, migratory birds, and special status species caused by the direct and indirect effects of livestock and wild horse and burro grazing. The proposed action and a number of the other foreseeable actions would begin to reduce past negative trends in habitat condition by allowing for the attainment of rangeland health standards, allotment specific objectives, and objectives for the Complex as a whole.

Although some of the foreseeable actions, such as vegetation rehabilitation or seeding maintenance may affect certain wildlife species, at least temporarily, the overall effect would be beneficial. However, the foreseeable geothermal exploration and development within the Simpson Park Allotment could result in surface disturbance and the loss of vegetation associated with these areas. The Recreation for Public Purposes (RRP) Lease of Spencer Hot Springs could result in an indeterminate additional loss of vegetation. If the area under the RRP lease were fenced, then approximately 40 acres would become unavailable for use by livestock, wildlife, and wild burros. Fencing off the area would reduce the forage and surface waters available for these uses. Additional watering facilities would be required to provide water for livestock, wildlife, and wild burros.

Past, Present, and Reasonably Foreseeable Projects have been and continue to be widely spaced throughout the Complex and over a long period of time.

The adverse effects of past and present activities to the resources analyzed under the affected environment section of this EA would be reduced through the implementation of the proposed action and SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives would be attained. Beneficial effects of the past and present activities would be retained and further enhanced with the implementation of the proposed action for the Kingston and Simpson Park Allotments.

No Action Alternative

The effects of historic livestock grazing has been determined to be a causal factor for the non-attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives for the Kingston Allotment. The effects of historic and current livestock grazing and current wild horse use have been determined to be causal factors for the non-attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives for the Simpson Park Allotment. Analysis of monitoring data indicated that the current vegetative condition of the Kingston and

Simpson Park Allotments is in considerable departure from the ecological description. This is the result of the absence of key perennial grasses and dominance of shrubs throughout the vegetative communities within both allotments. Refer to the SPC Complex pages 39-221 and Appendix 4 and 8.

The no action alternative would continue historic and current livestock and wild horse and burro management throughout the Kingston and Simpson Park Allotments. This would result in the continued adverse effects to upland and riparian vegetative communities. Coupled with the adverse effects of past and present actions, these adverse effects would result in a further departure from the ecological description within the allotments. Adverse effects would be in the form of additional loss of key herbaceous species and further dominance of shrubs throughout both allotments. Beneficial effects of past and present activities such as invasive weed treatment and wildfire suppression would remain under the no action alternative.

Reasonable Foreseeable Actions including vegetation rehabilitation and seeding maintenance, invasive weed treatment, construction of exclosures to protect springs or other riparian resources, development of water sources, fence construction, sage grouse habitat improvement projects, wildlife guzzler construction, mine land reclamation, wildfire suppression, and wildfire rehabilitation would be expected to aid in the attainment of the Standards for Rangeland Health; However, the no action alternative would allow for the continuation of past and present livestock and wild horse and burro management. Without changes to the stocking rates, season of use, implementation of grazing management plans, or establishing AML for the Hickison and Callaghan HMAs, current rangeland resource conditions would not improve and reasonable foreseeable future actions would not consist of activities that alone would make considerable progress towards the attainment of SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives.

Reasonable Foreseeable Future Actions including mineral and geothermal exploration, Revision of the Hickison Recreation Plan and construction of trails, and the lease of a portion of Spencer Hot Springs for recreational purposes is not expected to aid in the attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives.

D. Monitoring

The BLM would continue to conduct the necessary monitoring to periodically evaluate the effects of livestock grazing and use by wild horses, burros, and wildlife. Analysis of monitoring data would continue to be utilized to determine if progress is being made in the attainment of multiple use objectives and the Standards for Rangeland Health. Monitoring would be in accordance with the BLM Technical Manuals and the Nevada Rangeland Monitoring Handbook.

The BLM would continue to collect monitoring data on both the Kingston and Simpson Park Allotments to determine the effectiveness of the management actions. At a minimum, the monitoring plan for the allotments would consist of the studies detailed in Attachment 1.

VI. CONSULTATION, COORDINATION, AND LIST OF PREPARERS

The Simpson Park Complex Evaluation and Rangeland Health Assessment was completed and sent to the interested public on July 22, 2005 for a 30-day review period. Western Watersheds Project and Wolf Ranches provided written comments to the SPC Evaluation and were considered in the formulation of this EA. Meetings were held with Ken & Karen Woodland, Dry Creek Ranch, and Jerry Lancaster to discuss the proposed management actions described in the SPC Evaluation.

Following is the Interested Public Mailing List for the Kingston and Simpson Park Allotments:

Marie Jeanne Ansolabehere	Jerry Lancaster
Jim Baumann, Simpson Creek Ranch, Inc.	Lander County Commissioners, Lander County
Kenneth Buckingham	Laurel Marshall
Randy Buffington	Gary McCuin, Nevada Department of Agriculture
Steven Carter, Carter Cattle Co.	*Charles W. Parsons
Ken & Russell Conley, University of Nevada, Reno	Jeff and Leslie Perkins
Ken Conley	Mike Podborny, NDOW, Eureka Field Office
Tom and Volina Connolly	Charles N. Saulisberry, Certified Consultant
Peter J. Damele, Dry Creek Ranch	Ryan Shane, Resource Concepts Inc.
District Ranger, USFS Austin Ranger District	Carl Slagowske
Jim Etcheverry, Eureka Livestock Co.	Michael Stafford, Budget and Planning Div., Nevada State Clearing House
Eureka Co. Natural Resource Dept.	David Stine
Henry Filippini Jr., Filippini Ranching Co.	Jerry Todd
Katie Fite, Western Watersheds Project	Truckee River Ranch
Steve Foree, Nevada Division of Wildlife	U.S. Fish and Wildlife, Reno Fish and Wildlife Office
Art Gale	Barbara Warner
Jim & Ida Gallagher	Wild Horse Commission
William J. Gandolfo	Howard Wolf
Bill Hall, Ellison Ranching Co.	Ken & Karen Woodland
Mark Hyde, Truckee River Ranch, LLC	Ralph Young, Young Brothers
Paul Inchauspe, Silver Creek Ranch, Inc.	

**Added to the mailing list since July 22, 2005.*

This environmental assessment will be sent along with the Proposed Multiple Use Decision (PMUD) to the same interested public mailing list as the SPC Evaluation. Following the 15-day comment/protest period for the PMUD, the Final Multiple Use Decision will be issued.

Following is the List of Preparers for the Simpson Park Complex Environmental Assessment:

Bureau of Land Management, Battle Mountain Field Office:

Doug Furtado	Assistant Field Manager, Renewable Resources
Duane Crimmins	Lead Natural Resource Specialist/Wildlife Biologist/ Riparian Specialist
Mike Stamm	Wildlife Biologist
Christine Pontarolo	Wild Horse and Burro Specialist/Wildlife Biologist

Joe Ratliff	Soil Scientist/Forester/Water Quality Specialist
Michele McDaniel	Rangeland Management Specialist
Rob Perrin	Recreation/Wilderness/VRM Specialist
Caleb Hiner	Geologist
Mike Peterson	Cultural Resource Specialist
Chris Worthington	Environmental Coordinator

Bureau of Land Management, Elko and Battle Mountain Field Office

Gerald Dixon	Native American Coordinator
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Bureau of Land Management, Carson City Field Office

Desna Young	Environmental Coordinator
Tom Crawford	Economist



UNITED STATES DEPARTMENT OF THE INTERIOR

Bureau of Land Management

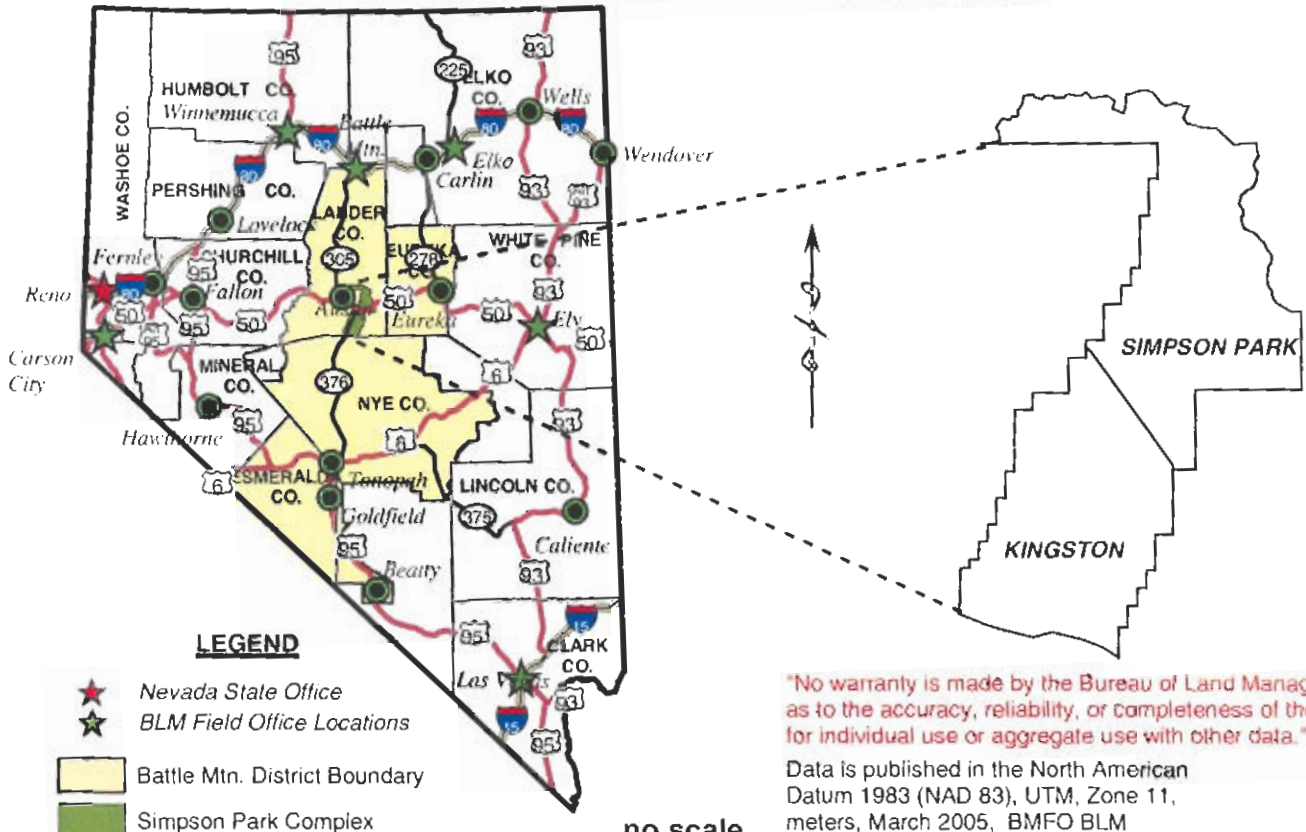
Battle Mountain District

August 2005



Battle Mountain Field Office
50 Bastian Road
Battle Mountain, Nevada 89820

SIMPSON PARK COMPLEX CONFORMANCE DETERMINATION



"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."

Data is published in the North American Datum 1983 (NAD 83), UTM, Zone 11, meters, March 2005, BMFO BLM

Simpson Park Complex Conformance Determination

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I. INTRODUCTION AND RESPONSES TO COMMENTS

This conformance Determination is completed in conformance with BLM H4180-1 Rangeland Health Standards and in accordance with 43 CFR 4180. This document responds to public comments and outlines the management actions selected for the Simpson Park Complex, which includes the Kingston and Simpson Park Allotments.

Monitoring information was collected from 1990 through 2004 and was analyzed in the Simpson Park Complex Evaluation and Rangeland Health Assessment (July 2005). The Evaluation and Rangeland Health Assessment for the Simpson Park Complex was completed to determine if management practices were meeting Standards for Rangeland Health, Shoshone-Eureka Resource Management Plan (SERA RMP) objectives, and key management area objectives.

After issuance of the Simpson Park Complex Evaluation and Rangeland Health Assessment, meetings were held with the following affected parties:

Ken & Karen Woodland, August 16, 2005: Simpson Park Allotment
Peter & Tom Damale, August 17, 2005: Simpson Park Allotment
Jerry Lancaster, August 18, 2005: Simpson Park Allotment

The following affected parties were either contacted by Battle Mountain Field Office (BMFO) employees or contacted BMFO personnel by telephone after the issuance of the Simpson Park Complex Rangeland Health Assessment to discuss the document:

Ralph Young
Wes Parsons
Ken Woodland
Jerry Lancaster
Gayle Hybarger, Wolf Ranches
Paulene Inchauspe, Silver Creek Ranches

The Simpson Park Complex Evaluation and Rangeland Health Assessment was issued in July 2005 and comments were received from the following affected parties:

Ken & Karen Woodland, August 16, 2005
Peter & Tom Damale, August 17, 2005
Jerry Lancaster, August 18, 2005
Katie Fite, Western Watersheds Project, August 18, 2005
Gayle Hybarger, Wolf Ranches, August 22, 2005
Katie Fite, Western Watersheds Project, August 22, 2005

Copies of the comment letters are located in Appendix 1 of this document. Comments pertinent to the issues presented and evaluated in the Evaluation and Rangeland Health Assessment are addressed below. Also included are the changes to the Simpson Park Complex Evaluation and Rangeland Health Assessment, proposed management action, and selected management action. After careful consideration

of the *pertinent* comments received, BMFO BLM determined that changes to the evaluation and modifications to the proposed management actions are appropriate.

Comments from Ken & Karen Woodland during the August 16, 2005 meeting

Comment 1: Proposed modifying the period of use to include 04/01 - 04/30 and retaining the proposed AUMs. Use during these dates would occur within the Parson's Pastures, located in the Givens Use Area.

Response 1: The proposed modification of the period of use is acceptable to the BLM. The permittees would be the only operators permitted to utilize this area. Although use would occur during the period of active growth for the vegetative communities associated with these pastures, use would not occur throughout the critical growth season. Furthermore, under the proposed action, the grazing stipulations would be implemented that would require the permittee to remove his or her livestock from the area once annual monitoring standards had been met to ensure that progress towards the attainment of the Standards for Rangeland Health.

Comment 2: Could a water haul site be established in the southern end of the Given's use area and pipelines be developed at Ackerman, Dry Creek, or Long Springs?

Response 2: The development of watering facilities has been proposed under the proposed management actions of the SPC Evaluation but will not be included in the proposed or final decisions for the Simpson Park Complex. Water haul sites may be authorized in the future through an authorized range improvement permit; however, authorization will be subject to cultural clearances and consultation with the interested public.

Comments from Peter & Tom Damele of Dry Creek Ranch during the August 17, 2005 meeting

Comment 1: Proposed changing the grazing management system to the following:

USE AREA	DATES
Bates Mountain	06/01 - 07/30
Ackerman	08/01 - 09/30
Pete's Summit	10/01 - 11/30

Response 1: The season of use for Bates Mountain would not provide for the attainment of riparian objectives. Under to proposed action, grazing in this use area was not to extend after 07/15 to eliminate hot season grazing. After discussion with Peter and Tom for the reasoning behind the 07/15 off date, they accepted the off date and felt that it would work for them during the August 17, 2005 meeting.

The changes in use periods for the Ackerman use area and including the Pete's Summit use area in the Dry Creek grazing management system is acceptable to the BLM. Use in these areas would be deferred until after the critical growth season. Furthermore, extending the dates of the permitted use reduces the number of livestock in an area at one time.

Comments from Jerry Lancaster during the August 18, 2005 meeting

Comment 1: Request that the season of use be extended until September 1st for the Rye Patch, Lake Ranch, Indian Ranch, and Bates Mountain use areas. What would the use be if 200 head went to Willow/Barton pasture for the proposed use period.

Response 1: Through the interdisciplinary process, it was determined that use would not be proposed to extend to September 1st in these use areas to limit hot season grazing. However, use would be proposed to occur through 8/15 as follows to limit the use in the Willow/Barton pasture area. Grazing stipulations would be included in the Terms and Conditions of the 10-year grazing permit that would require removal of livestock once annual monitoring objectives were attained in order to reduce negative impacts to vegetative species associated with grazing during the critical growth season:

Use Area	Season of Use	Livestock Type	Percent Public Land	AUMs
Indian Ranch, Lake Ranch, Rye Patch	04/01 - 04/30	Cattle	100	246
Willow/Barton Pasture	05/01 - 06/30	Cattle	100	401
Rye Patch, Indian Ranch, Bates Mountain	05/01 - 07/15	Cattle	100	112
Lake Ranch	05/01 - 08/15	Cattle	100	123

Comments from Katie Fite, Western Watersheds Project, received August 18, 2005

Comment 1: How are current and Proposed Use Areas separated (shown in RHA Maps 19 and 20)? What is the basis for determining each use area –vegetation resources, grazing suitability, topography? We request that there be large, non-grazed “reference areas” set up in the allotment, also, of a scale comparable to Use Areas shown on the RHA Maps.

Response 1: Official use areas are not currently designated within the Kingston Allotment or Simpson Park Allotments. The use areas proposed for the Kingston Allotment were determined by physical boundaries such as the Kingston townsite fence, roads, and private property boundaries. Boundaries were also determined through the availability of watering sites or facilities. Use areas proposed for the Simpson Park Allotment were determined by physical boundaries such as roads, the US Highway 50 fence, and topography. Availability of watering sites or facilities also played a part in the use area designations.

Construction of reference areas have been proposed under the proposed management actions of the SPC Evaluation to serve as a comparison to areas utilized by livestock.

Comment 2: Has BLM used only Use Pattern Mapping conducted by its own staff here? How has Use Pattern Mapping been used to calculate carrying capacity? We suggest that areas with greatest grazing use, as shown on the Use Pattern Maps, are really the only “suitable” grazing areas – not suitable as in appropriate from an ecological sense, but suitable as in able to be grazed by livestock due to lack of rocks or more gentle slopes - despite being depleted.

Response 2: Use Pattern Mapping was collected by the BMFO staff. Refer to the SPC Evaluation pages 7-8 for a detailed discussion regarding how utilization maps are utilized to determine carrying capacity and BLM Technical Reference 4400-7 Analysis, Interpretation and Evaluation for a detailed discussion of the methodology for calculating carrying capacity. In addition, refer to Appendix 6 of the SPC Evaluation for carrying capacity calculations.

Comment 3: We have a major concern that BLM may be using Soil Survey Information that was developed using as its baseline 1960s-1980s presence of vegetation, and which did not take into account removal of climax vegetation over time.

Response 3: Nevada Site Descriptions were developed by the Soil Conservation Service U.S. Department of Agriculture using ‘relic’ sites and are continually updated as new information becomes available.

Comment 4: We are concerned that dominant woody veg. on a site at the time that soil surveys were conducted in the 60s or 70s formed the basis for determining the dominant woody plant species on a site. This interjects considerable bias into the claims – that are especially important later to understand the validity of the Fuels and other portions of the Assessment – that pinyon-juniper are not supposed to be the dominant plant species on sites in these allotments. Please describe the basis for site selection and description that may exist in soil surveys, and that now is being carried forward as the basis for making claims and large-scale decisions about vegetation management here.

Response 4: Nevada Ecological Site Descriptions were developed by the Soil Conservation Service (now NRCS), U.S. Department of Agriculture, and are based on site potential. Relic sites, were, and still are, used to determine the potential vegetation by soil type. Range site descriptions are continually updated by NRDC. The Soil Survey for Northern Lander County describes the lack of information to determine PJ woodland site potential or potential natural communities. These areas describe the existing vegetation by placing an X for the unknown percent composition by weight at PNC. Research is being conducted by this office and UNR in an attempt to determine PJ Woodland’s ecological status.

Refer to page 6 of the SPC Evaluation for a basis on Key Management Area site selection along with the Key Management Areas (KMA) Assessment sections of the document (pages 41-93 and 102-155). Site descriptions that exist in the USDA-SCS Technical Range Site Descriptions are also listed under the KMA Assessment sections of the SPC Evaluation. The soil surveys also contain information regarding the percent composition of vegetative species and relate this information to range sites and the potential production that may occur.

Comment 5: We understand that in the past BLM has used Utilization Classes based on the Nevada Rangeland Monitoring Handbook. These are outdated, as your own references to Holechek utilization levels demonstrate. The names and use of Classes in the NV handbook mask the severity and destructiveness of the impact of livestock use under the levels described in “light”, “moderate”, “heavy”, etc.

Response 5: The BLM in conjunction with its cooperators are currently reviewing the Nevada Rangeland Monitoring Handbook with the goal of revising it to more accurately reflect the most recent information available to us as land managers. Although the Nevada Rangeland Monitoring Handbook

as well as existing BLM technical references categorize moderate use as being within 41-60 percent utilization, no where does it require field offices to establish utilization objectives at this level provided the selected objective is in accordance with the existing land use plan, BLM policy, and accompanied by rationale. We agree that heavy utilization is harmful to plants. If trend data indicates that any level of use whether the use is described as “light” or “heavy” is causing a downward trend, BLM is required to modify grazing management to reverse the downward trend. Changes in utilization objectives and the subsequent stocking rate must be supported by monitoring data. The proposed management actions identified in the evaluation are designed to minimize or eliminate growing season use through appropriate stocking levels, implementation of grazing systems and through specific terms and conditions for grazing.

Comment 6: “Potential weighted average utilization” is inapplicable to the Simpson Park and Kingston allotments, and nearly every BLM wild land allotment, as it relates to: “the level of use that could be achieved on a management unit given uniform distribution patterns”. You then state that “topography, distance from water, diverse composition and condition of the vegetation across the landscape and other factors that [sic?] influence grazing suitability”, and that “these factors in many cases prevent incorporation of the potential carrying capacity in the short term”. Well, they prevent incorporation at ANY time – unless you flatten the hills, undertake widespread restoration of the vast shrubless exotic weedlands that have resulted from livestock grazing in many of the mid-lower elevation areas of the allotment, etc.

Response 6: BLM has provided a range of AUMs to each permittee. The potential weighted average takes into account the permittees commitment to improved livestock management. In addition, BLM has identified season of use for use areas and pastures, elimination of hot season grazing, conversion of cattle to sheep for a significant amount of AUMs, etc...

Comment 7: How are exotics or invasive species factored into the various monitoring, condition class and techniques described here? How have these changed over time in the sites across the allotments? It is critical to emphasize that BLM’s monitoring sites may be the LEAST likely to show many of the worst invasive species problems – as they are typically located a considerable distance from water, or areas of intense livestock use. More intense livestock use areas are often the initial colonization and early expansion sites for invasives, before they explode across the landscape. Thus, it is critical to fully consider and examine such sites of disturbance, and incorporate them into the RHA analysis.

Response 7: Perennial herbaceous species are used to determine condition classes. Refer to pages 41-155 of the SPC Evaluation for a detailed analysis. In addition, refer to BLM Technical Reference 1734-6.

Comment 8: We are very interested in any analysis for your existing data that may show changes in exotic or invasive species presence over time. What additional techniques could be used to extract, display or obtain this information?

Response 8: Monitoring data will continue to be collected to determine changes regarding the presence of exotic or invasive species over time. Inventory of noxious weeds on allotment wide basis will continue to occur.

Comment 9: p. 11. Stubble height discussion. We are concerned that BLM is portraying stubble heights as “restrictive”. Use of mandatory measurable stubble heights are protective for a wide variety of resources. It is the duty of the public lands livestock industry to comply with such minimal protection for lands – especially lands as sorely damaged as those across these allotments, and neighboring lands.

Response 9: BMFO recognizes that stubble heights are protective. Refer to pages 284-285 for riparian stubble height, riparian browse utilization, and stream bank shear rationale.

Comment 10: Your assessment depicts very well the extreme degradation of riparian areas, so we urge you to adopt the maximum possible protective standards for streams, springs, seeps, springbrooks and wet meadows. These include removal of livestock from pastures until riparian area attains PFC, and if any grazing is allowed, strict standards as triggers for livestock removal should be applied. These include 6” stubble height, 5% or less trampling of accessible streambank areas, and less than 10% browse use on current year willow/birch/rose/currant (any riparian tree/shrub growth) accessible to livestock. These standards should also be applied to any mesic or meadow areas, as well as intermittent or ephemeral drainages – in order to hasten recovery of damaged watersheds.

Response 10: Under the proposed action, hot season grazing would be eliminated from the majority of the riparian areas associated with the Simpson Park Allotment. Annual monitoring objectives have been proposed for the management of riparian and wetland areas that would allow for Significant progress towards the attainment of the Standards for Rangeland Health, and the attainment of SERA RMP objectives, multiple use objectives, and allotment specific objectives. Refer to pages 283-285 for the riparian-wetland objectives and rationale.

Comment 11: Constructing a small series of band-aid type exclosures will not suffice – especially as fences are hazards for sage grouse and other wildlife. Closure of pastures or watersheds until a minimum of PFC is obtained is critical.

Response 11: Riparian exclosures would be examined on a case by case basis. The majority of riparian areas throughout the allotment will not be grazed in the hot season; however, riparian areas that would be grazed in the hot season would be excluded from grazing to attain at the minimum PFC. Fence specifications will be designed to mitigate the potential negative effects to sage grouse and other wildlife species.

Comment 12: Please provide an estimate of how much the perennial wetted area of springs, seeps and streams has been reduced in areal extent over time, due to the impacts of livestock. Please provide a similar estimate for wet meadows.

Response 12: No quantitative data is available at this time. There is no doubt that a substantial loss of lentic hydric soils and lotic flood plains has occurred throughout the Great Basin in the last 150+ years. In order to quantify the loss, detailed soil sampling and mapping would be necessary. The process would be expensive and while it could be completed on a few sites, it would be impractical and cost prohibitive to quantify the loss at all sites. PFC was completed on both allotments which assessed whether riparian zones are increasing or decreasing in size. Refer to pages 93-97 and 156-187 of the SPC Evaluation.

Comment 13: Cages: We request that two cages be placed at monitoring sites across the allotments. One or more cages should be permanently placed at each monitoring area. A second cage should be moved on an annual basis.

Response 13: Agreed

Comment 14: For more reference areas, we request that large livestock-free areas or watersheds across representative plant communities of the allotments be put in place as an outcome of this decisionmaking process. This is especially critical. With sheep grazing, and overlapping grazing by multiple classes of livestock, BLM may be further de-stabilizing hillslopes of watersheds that are sorely degraded by combined cattle, sheep and horse or burro grazing over the years.

Response 14: Refer to Response 1.

Comment 15: How were microbiotic crusts examined and measured in the rangeland health evaluation? How great is the degree of departure in crusts from reference conditions at all sites? Please include the extensive literature on livestock trampling or other soil disturbance impacts to crusts. This includes BLM's Technical Bulletin.

Response 15: The evaluation analyzed interpreted and evaluated available monitoring data and information to determine the estimated carrying capacity and whether or not the RAC Standards and Guidelines have been met. The rationale provided for the conclusions include vegetation, soils, and other attributes that are currently indicative of the range conditions within the allotment. Refer to Appendix 8 of the SPC Evaluation. Field observations noted presence of microbiotic crusts within the vicinity of key management areas (Refer to pages 41-93 and 102-155 of the SPC Evaluation).

Comment 16: p. 18-20. We note that you state that studies examining winter mortality in Nevada conclude that deer wintering in pj woodlands suffer **less mortality**. Yet, you go on to claim that woodlands become too dense, so deer have nothing to eat. An extensive study of mule deer winter diets in Owyhee County Idaho in the 1970s demonstrated that on DEGRADED ranges, (the whole Carico Lake allotment), western juniper comprised around 50% of mule deer winter diets.

Response 16: The section discussing mule deer use of PJ Woodlands is referenced to a NDOW publication. The author was referring to the use of PJ as thermal cover. PJ woodlands with no overstory do not provide adequate forage for wintering mule deer. Juniper is utilized, but constitutes a minor component of mule deer's winter diet. Browse species (black sagebrush, Wyoming big sagebrush, bitterbrush, or other mountain brush species) located within, on the perimeter, and/or in islands within PJ woodlands provide forage. The Owyhee Co. range you mentioned must have truly been DEGRADED or snow was so deep that mule deer could not dig down to existing browse. This is a fairly common occurrence on higher elevation ranges, where no alternative lower elevation winter range is available during hard winters, as is available in most of Central Nevada. In addition, juniper in the SPC is *Juniperus osteosperma* not western cedar which is *Juniperus occidentalis* or Utah Juniper. Use of Utah juniper as a primary winter forage by mule deer normally results in aborted fetuses.

Comment 17: We also take serious issue with the claim that competition between livestock and mule deer is slight. What do you mean by competition? Behavioral displacement of mule deer from summer

habitats has been well-documented. Deer seek areas without livestock. This behavioral interference or displacement applies to many other species of wildlife, too. Sheep consume many of the same plants that deer do. This is competition – on such degraded ranges. Plus, on degraded ranges, cattle consume and break sagebrush, bitterbrush and other shrubs that are important to deer in winter periods, and are used at other times, too. Plus, shrubs are important to antelope for food, and as cover for protection of fawns for the elements and predators.

Response 17: We acknowledge (page 19) that drought and/or over-utilization by livestock can cause increased dietary competition (in addition to generalized habitat degradation). Competition is largely dependent upon stocking rate, which is excessive in (as documented in the SPC Evaluation) with respect to livestock on the Simpson Park Allotment.

Comment 18: What are the impacts to nesting sage grouse, loggerhead shrike, vesper sparrows, etc. of herding sheep or cattle through a nest site, or turning livestock out into a pasture during nesting season - with the very high use levels that you allow – and having these livestock subsequently devour necessary nest screening cover? Or a sage grouse early brood rearing site? What type of mortality or displacement of special status species may result? What are the impacts to prey species such as prey of prairie falcon, western burrowing owl, etc.

Response 18: Existing use is season long (March – February). Use levels will be lower in most, if not all, pastures for a shorter period of time. This is achieved with the 42% reduction in livestock AUMs and the removal of approximately 80 head of wild horse that are located in the Simpson Park Allotment, outside of established HMAs (tentatively scheduled for November of 2005). The proposed actions will have a beneficial affect on riparian and upland range sites by reducing the number of livestock; changing the season-of-use to provide for plant vigor and reproduction; improved riparian habitat by removing or restricting livestock use; and establishing lower utilization triggers.

Comment 19: Is there potential bighorn sheep habitat here – if the domestic sheep grazing were ended? If so, this should be evaluated as part of all alternatives in the EA/EIS.

Response 19: Yes, there is potential bighorn sheep habitat in the Simpson Park Range. No wild sheep currently inhabit the Simpson Park or Kingston Allotments. The nearest bighorn population exists in the Toiyabe Mountains south of the Kingston Allotment's southern boundary. A map of estimated bighorn sheep distribution, in 1860 that appears in the Nevada Division of Wildlife Bighorn Sheep Management Plan (NDOW, 2001) depicts much of the Toiyabe Range as historic, as well as potential, bighorn sheep range. Those NDOW distribution estimates were based on historical and archeological records, as well as on judgments about the suitability of the habitat. Likewise, Pippin (1977) concludes widespread bighorn sheep distribution throughout Nevada mountain ranges based on abundant archeological evidence.

Comment 20: We are very concerned about the terrible quality of surface waters, and the pollution of waters needed by wildlife with copious quantities of livestock waste likely harboring all manner of pathogens. Photos and descriptions of riparian areas (such as those of the Indian Ranch, Willow Creek, Barton Creek, Rye Patch Spring and other watersheds), demonstrate how terrible conditions on these allotments are.

Response 20: BMFO is also concerned about the quality of water for wildlife, wild horses and livestock. The proposed management actions identified in the SPC Evaluation on pages 222-254 have identified grazing management systems that would eliminate hot season grazing in the majority of riparian areas. This would undoubtedly have a very positive impact on the quality of water throughout the allotment. On the lower elevation waters, where the elimination of hot-season use cannot be achieved, water sources will be fenced on a case-by-case basis.

The proposed management actions will rapidly improve upland and riparian conditions, which will result in improving water quality throughout the allotment. Monitoring data will be collected within the allotment to assess the grazing management plan to determine if further adjustments to permitted use are needed within the allotment.

Comment 21: We are concerned that your description of pinyon-jay and juniper titmouse does not emphasize the importance of Nevada pinyon pine to populations of these species. Nevada's importance is heightened by the large-scale die-off of pinyon in the Southwest and Colorado. Protection of mature and old growth pinyon should be emphasized, as well as retention of pinyon-juniper on sites where it was present at the time of settlement. This is NOT accurately shown by Soil Mapping – which is based on vegetation presence in the latter part of the 20th century.

Response 21: The pinyon jay and juniper titmouse are described as PJ obligates in the RHE. No management actions are proposed in the RHE that will directly affect PJ woodlands. Management actions for fuels reduction and habitat improvement in the Eagle Butte to Cape Horn area may be proposed in the future, but would be a low priority at this time. Habitat improvement projects will not be undertaken in this area until ongoing research concerning PJ ecological sites, age class distribution, extent of the die-off, densities (stem and cover), and encroachment.

Comment 22: What is the current mortality of pinyon pine and juniper across the allotments and this part of the Battle Mountain Field office? Across the region? What HFI, HFRA or other projects are planned – in this or other allotments in the FO? How about on the contiguous Humboldt-Toiyabe Forest lands?

Response 22: Currently, the BMFO has no objective data on P/J mortality for the allotment or the district. We have, however, contracted with UNR to inventory and analyze P/J woodlands within the district. A preliminary report should be available this winter. Field observations indicate that P/J mortality has occurred with concurrent increase in mistletoe, bark beetle, and boring insect infestations. These causative factors are most likely related to long-term drought conditions and associated environmental conditions.

Comment 23: Where are pine nut harvest areas in or near these allotments – as identified in the 2004 Battle Mountain EA?

Response 23: A commercial pine nut harvest areas is located between Eagle Butte and Cape Horn in the Simpson Park Range in the Simpson Park Allotment. The Toiyabe Harvest Area is located just a few miles northwest of the Simpson Park Allotment in the Austin Allotment and the Roberts Harvest Area is located in the Roberts Mtn/3-Bars allotments. Maps of the units are available in the copy of the document sent to you separately a few weeks ago.

Comment 24: What role has or does livestock browsing pressure play in introducing fungal pathogens to aspen clones?

Response 24: Unknown, but livestock introduction of fungal pathogens is doubtful. In his aspen study for the district, Dr. Charles Kay found no evidence of a relationship between livestock browsing pressure and fungi on aspen clones. The general good health of existing clones, and their persistent attempts to regenerate through re-sprouting, even where badly over-browed, suggest that fungal pathogens are much less a factor in aspen decline than excessive herbivory.

Comment 25: How does livestock degradation of understories affect the health of aspen clones?

Response 25: Dr. Kay's study did not refer to understory effect on the health of aspen clones. His findings proved that aspen decline in the district was a direct result of uncontrolled livestock browsing on young aspen sprouts and saplings.

Comment 26: We are also very concerned about many sheep-borne pathogens such Q-fever. Have you ever tested the existing sheep-grazed lands of the allotment for Q fever, or other pathogens?

Response 26: No. Livestock pathogens, particularly Q fever, are the responsibility of the State of Nevada Department of Agriculture. Any occurrence of Q fever is required by law to be reported to the State for appropriate action.

Comment 27: Sage grouse (26-29).How have, and are, livestock altering the composition, function and structure of sagebrush communities in these allotments? How is physical damage by livestock altering shrub structure? How is sheep or cattle browsing use altering structure? How is grazing affecting presence of desirable forbs? How is trampling altering microbiotic crusts?

Response 27: Refer to Appendix 8 of the SPC Evaluation for a comparison and discussion of potential and existing plant communities and causal factors.

Comment 28: Limited and careful mechanical removal of pinyon-juniper in the vicinity of leks and nesting areas should be conducted by hand. Typically, leks are lower elevation and burning trees in such sites will lead to proliferation of cheatgrass and weeds. There is no need for any widespread treatment" of pj or sagebrush in this allotment.

Response 28: No proposed project will be implemented without a thorough site specific NEPA analysis, including public review. The NEPA document will screen the proposals for compliance with all LUPs, pertinent laws, regulations, and bureau policies. The SPC Evaluation does not authorize proposed projects or management actions, but is a vehicle to identify a number of possible solutions to improve existing resource conditions. The next step in the overall Evaluation process is for Management to determine if the data shows conformance with RAC Standards (CFR §4180) and to select those solutions that will achieve RAC Standards. The selected solutions go forward as the proposed actions in the Environmental Analysis (EA). The EA will only carry those actions, which are necessary to achieve RH objectives. In most cases, this includes changes in stocking rate, use periods (seasons-of-use), utilization levels, and vegetative and other monitoring objectives. Very seldom will an EA for a

multiple use decision (MUD) include proposed projects, if it does, it would include only those proposed projects essential for system function (e.g. riparian exclosures). Including all the necessary site specific information for large projects into the MUD EA would further bloat an already large document and more importantly, the BLM cannot guarantee that projects identified in a MUD will ever be implemented due to the uncertainty of funding.

Comment 29: We note that to even begin to resemble something that could be called restoration may require complete removal of livestock for 5-10 years, to allow natives to become fully established. And following that, only the most conservative stocking rates should be applied, if grazing resumes at all. A critical failure in past success of low elevation native seedings has been livestock grazing resumption before native vegetation is established.

Response 29: Comment noted. Any future restoration projects are beyond the scope of the multiple use decision and will be evaluated in the future. Any range improvement or restoration projects that were identified in the evaluation as proposed management actions would be analyzed in a separate NEPA document and potentially authorized in a separate decision.

Comment 30: Any “excessive” presence of ravens or predator problems may be largely related to dead cattle and sheep carcasses on the allotment, or habitat imbalances caused by livestock.

Response 30: Ravens are extremely adaptable and populations, particularly along heavily traveled highways and near communities or ranches, have noticeably increased over the last 20 years. Road-kill and human garbage is providing an additional and reliable food source. Granted dead livestock, wild horses, and wildlife are present on the range, but in most areas, provide only an occasional, but ample source of food. Dead livestock on the range are not as prevalent as they were in the distant past.

Comment 31: Plus, if ravens or predators are impacting sage grouse nesting significantly, nesting habitat is not adequate, as shown by the very poor conditions of native vegetation communities, and the extensive weedlands. Plus, livestock-related roads, fences water haul sites, etc. fragment habitats, provide travel corridors or elevated perches for predators, etc.

Response 31: See page 27 of the RHA, paragraph 3, last sentence, where it states “Understory cover and density are probably more important to nesting success than overstory canopy cover.”

As supported by the rationale for specific proposed management actions, we believe that these proposed management actions will improve the condition of upland and riparian habitat, which will provide for the needs of wildlife species, especially residual herbaceous.

Comment 32: Please describe where 7”-9” residual grass stubble height (required by sage grouse for successful nesting) may have been present in spring across the allotments?

Response 32: As described in the key management monitoring sites, the taller, more productive, perennial grass species are found at low frequency or absent from most of the nesting habitat in Simpson Park Allotment. There are small areas of suitable sage grouse nesting habitat within the allotment.

Comment 33: Map 13 shows sage grouse leks. How has the numbers of leks, active leks, bird attendance at leks, etc. changed over time? How has brood rearing habitat changed over time? Where is the wintering habitat? What can be done to improve it? Where is the current nesting habitat located across the allotment? What grasses dominate the plant understories?

Response 33: Too little information is available to assess sage grouse population trends over time on Simpson Park or Kingston allotments. Only two of the known leks (Givens Ranch and Cape Horn) have been monitored for trend, and the data are limited and inconclusive. Likewise, little is known about sage grouse habitat and season use on these allotments and this is unlikely to change in the near future due to staffing shortages and the focus on sage grouse in higher priority PMUs. In general, sage grouse populations in the Toiyabe and Monitor PMUs, which include most of the two subject allotments, are thought to be stable and at relatively low risk. In the meanwhile, proposed changes in grazing management should contribute substantially to habitat improvement.

Comment 34: We are concerned that your discussion of sage grouse (under conservation planning) does not describe more of the significant problems associated with livestock grazing and sage grouse that were contained in Connelly et al. 2004. Not only are there widespread impacts associated with livestock grazing and trampling to soils and vegetation, there are also many harmful impacts of livestock facilities and livestock management activities on sage grouse habitats and populations. These range from fence mortality, fences providing perches for predators, roads that serve as travel corridors for predators or infiltration of weeds into wild land areas - roads grow outward across the landscape with livestock facility construction and maintenance, and livestock management activities.

Response 34: We are well aware of the multitude of threats to sage grouse and their habitats. We are deeply involved, for example, in requiring and designing anti-perching devices for transmission lines (both new and existing) and in initiating research designed to quantify the effects of such lines on sage grouse populations and raven/raptor distribution. We have also been active in documenting and disseminating information about sage grouse collisions with livestock fences and transmission lines.

Comment 35: We are extremely concerned that BLM is relying on the Sage Grouse Planning Group to rate factors threatening sage grouse in the allotments. Local groups are often dominated by ranchers, and ignore livestock impacts at all costs. Their primary focus in Nevada in many areas seems to still be on killing – everything from pinyon-juniper to sagebrush to predators. This all serves as a kind of displacement activity and an excuse to ignore the profound impacts of livestock on altering vegetation and landscapes to the detriment of sage grouse.

Response 35: The Population Management Unit (PMU) risk factor matrix shown in Table A. page 29 of the SPC Evaluation was assembled by NDOW biologists, who have little interest in functioning as apologists for the livestock industry. They believe, as do we, that P-J encroachment is a serious threat to sage grouse habitats on the Simpson Park Allotment. Moreover, the sage grouse conservation assessment, which you cite above (Connelly et al. 2004) also, identifies increases in both densities and range of P-J as significant threats to sage grouse habitats in the Great Basin.

Comment 36: Please describe how shifts in vegetative species composition (as shown in much of the information on Key Areas) affects quality and quantity of nesting habitat for sage grouse and all other special status species. For example, how does loss of larger-sized native bunchgrasses for a site/Key

Area, and their replacement by weeds or small-sized “increaser” species, affect site suitability for nesting?

Response 36: Key perennial grass species were found at low frequency or missing from most, but not all, Wyoming big sage Key Management Area sites monitored. Sage grouse nesting habitat has been affected by the loss of the key species, which are the tall, higher-producing, native perennial bunchgrasses. The native bunchgrasses niche has been occupied by an increase in Wyoming big sagebrush density (both cover and stem) with bluegrass, bottlebrush squirreltail, and weed species (cheatgrass, tansy mustard, etc) filling in the interspace. Bluegrass and bottlebrush squirreltail are normally short plants (4 – 10 inches) and have very short reproductive cycles (often less than one month) depending on available moisture. The short perennial grasses, cheatgrass, and most annual weeds provide little if any lateral nesting cover. In addition, as the Wyoming big sagebrush sites increase in density and age, its growth form becomes increasingly upright, losing the lower branches that hang to the ground, which often provides nest cover in lieu of key perennial grasses.

The proposed management actions, which include reduced stocking rate and utilization objects or eliminating livestock use during the critical growing season on all use areas in the Simpson Park Complex.

Comment 37: Please provide a detailed account of fire rehab projects, past veg. rehab/manipulation and failed projects, in the allotments. How much have taxpayers spent on post-fire seeding, fencing, etc., and what has been the success of all seeding efforts?

Response 37: There have not been any fire rehabilitation projects within the Kingston or Simpson Park Allotments.

Comment 38: We note monitoring information in the assessment shows failed and depleted created wheatgrass seeding. As part of this assessment process, please de-classify this as a seeding, and do not propose to alter the sagebrush now present in it. You will only be opening the door fir weed invasion with disturbance of the sagebrush.

Response 38: BMFO recognizes the current conditions of crested wheatgrass seedings within the allotment. However, these areas would not be declassified as seedings under the proposed management actions of this document and will continue to be managed to enhance perennial grass species.

Comment 39: Pygmy rabbit. BLM must identify all the many impacts of livestock on pygmy rabbits and their habitats. Such impacts span: Trampling and collapse of burrows, including shallow natal burrows; great structural alteration of shrubs due to physical breakage from rubbing and movement as well as significant browse impacts; the alteration and thinning of dense canopy cover sagebrush required by pygmies; the lack of pygmy occurrence in lands with cheatgrass in understories, as documented by Weiss and Verts (1984). In addition, pygmy rabbit diet in summer consists of 50% grasses, and research has shown that livestock razing removal of grass may result in lowered nutrient content of native grasses. Plus, like sage grouse the many impacts of livestock facilities and management activities that serve to fragment habitats.

Response 39: Proposed changes in livestock management should substantially improve habitat for pygmy rabbits and other wildlife.

Comment 40: We urge BLM to adopt browse/breakage standards for sagebrush, and not just bitterbrush. This is critical, as you plan to graze more sheep here. Sheep or cattle on degraded ranges may consume significant amounts of shrubs. It is also critical as livestock have eliminated ALL shrubs from large areas of the lower elevation salt desert and Wyoming big sagebrush communities on the allotments. We suggest requiring a 10% annual breakage or browsing standard for sagebrush and all other native shrubs as a Term and Condition of the permit – along with other measurable use standards for riparian and upland areas. This should be put in place for a decade before you contemplate ANY manipulation of sagebrush.

Response 40: Shrub breakage by livestock will be recorded as utilization. See EA for revised Terms and Conditions for sheep permits for shrub/browse utilization limits.

Comment 41: We are very concerned that no baseline studies for special status plant and animal species have been conducted across the allotment, and believe these must be conducted as part of this assessment process if BLM is to understand impacts of its actions or management outcomes on these important species.

Response 41: Inventories and monitoring of various types have been conducted over the years by BLM and NDOW biologists and others for various plant and animal species, particularly sage grouse, breeding birds, pygmy rabbits, mule deer and raptors. We also have access to, and regularly make use of, the Nevada Natural Heritage database.

Comment 42: How much Wyoming big sagebrush habitat has been converted to weedlands, or exotic seedings, in the allotments?

Response 42: The Birch Creek Seeding consists of approximately 640 acres within the Kingston Allotment. The Given's Seeding consists of approximately 430 acres within the Simpson Park Allotment. Weed inventories continue to be collected for both allotments.

Comment 43: Where are all vegetation manipulation (herbicide, chaining, disking, cutting, burning, plow and seed, etc.) located in the allotment? When were they conducted? What is their condition, and current productivity?

Response 43: Birch Creek Seeding is located north of Birch Creek in the Kingston Allotment. The Given's Seeding is located in the vicinity of Reeder Springs in the Simpson Park Allotment. Refer to pages 46-49 and 124-127 of the SPC Evaluation for the approximate dates when these seedings were implemented and their current condition and productivity.

Comment 44: Where are lands in or near the allotments that contain important pinyon pine nut harvest areas? Are there any areas of maturing trees that may become important?

Response 44: A commercial pine nut harvest area is located in the Simpson Park Range between Eagle Butte and Cape Horn in the Dry Creek (evaluation scheduled for 2008) and Simpson Park Allotments.

Other PJ sites are located 15 miles north in the Simpson Park Range in the Grass Valley Allotment and on USFS lands located to the west of Simpson Park and to the east and west of Kingston.

Comment 45: Please describe the full array of livestock grazing impacts to cultural sites, such as – soil erosion and surface exposure or loss, displacement of artifacts, disruption of site stratigraphy, rubbing on petroglyphs or pictographs, etc. Additionally, livestock facilities often irreversibly alter cultural sites. Nearly every spring development in the West is placed in a cultural site – yet BLM merely allows development to proceed – irreversibly altering sites. How can such altered sites on these allotments be restored to a more natural, and intact setting?

Response 45: The impacts to cultural artifacts are primarily found around riparian areas. The proposed grazing management plan would eliminate the majority of hot season grazing, which is expected to drastically reduce soil erosion. Furthermore, prior to the implementation of any proposed projects a cultural inventory will be completed and if necessary mitigated. Before vegetation manipulations would occur site specific NEPA analysis and coordination with the Native American tribes would occur.

Comment 46: We commend Battle Mountain BLM for having the foresight to contract with Dr. Charles Kay to study aspen condition and trend across BM lands. We are very concerned that exclosures will be trespassed, and believe significant reductions in livestock and aspen browse use standards of less than 10% as triggers for removal of livestock from pastures should be applied as Terms and Conditions of the grazing permit.

Response 46: Under the proposed grazing stipulations, grazing would not be authorized in any exclosures within the allotments. See revised Grazing Stipulations for both allotments in this document.

Comment 47: Range improvements are invariably in need of maintenance and clean-up. BLM should inventory all projects, and study of their harmful impacts to soils, vegetation, watersheds, water tables, water sources and flows, important wildlife habitats, special status species habitats, link to roading, as epicenters of weed infestations, etc. Following evaluation of impacts, we ask that BLM prioritize removal of facilities that are having significant harmful impacts – particularly to native vegetation communities or special status species habitats. The poor maintenance and care taken in the past demonstrated that BLM can not put its faith in structural projects to limit livestock use. I also recall the purposeful livestock trespass of the new aspen country livestock exclosures in the Carico Lake allotment two years ago. Dr. Kay's report also documented livestock trespass of some exclosures in the BFO. Please include a review of all non-compliance that has occurred in these allotments over the past decade.

Response 47: BLM continues to assess the condition of range improvements throughout the allotment. If projects are identified that are not allowing for attainment of multiple use objectives they will be removed. Currently, a portion of the Willow Creek drainage (Willow Creek Mountain Meadow Restoration Project) has been closed to livestock grazing and there is no record of non-compliance for this area. Currently, there are no other exclosures that occur within the allotments.

Comment 48: Predators: Does APHIS kill predators in these allotments to support sheep or cattle grazing? If so, how does this affect predator-prey interactions? For example, stable coyote pairs may have LESS impact on prey than a constantly altered predator population where young animals may predominate. APHIS activity may also disturb wildlife, spook wild horses, etc.

Response 48: The Wildlife Services/APHIS is authorized to conduct predator and pest control on public land by an act of congress. The BLM provides recommendations regarding the public safety and resource values at risk aspects of predator control on public lands, but otherwise has little involvement with, or influence over, Wildlife Services/APHIS actions. High recreational use areas, wildlife management areas, SSS raptor nest, and wild horse foaling areas are a few of the resource conflicts identified by the BLM.

Comment 49: Wild Horses: We understand that wild horses or burros may impact large areas of the allotments. However, in Nevada Decision after Decision, horses get blamed for damage to riparian and upland areas where cattle and/or sheep are the PRIMARY causes of ecological degradation. Often, BLM has no way separate the impacts of horses from cattle or sheep, and always ends up fulfilling permittee wishes to set low horse numbers, and does not reduce livestock by any level approaching the cuts in horses.

Response 49: The Battle Mountain Field Office as evidenced in the Simpson Park Complex Evaluation and Rangeland Health Assessment has not directly blamed wild horses or burros for degraded riparian and upland areas except in the horse-free portions of the Simpson Park Allotment which did not have any impact on establishing wild horse or burro AMLs within the HMAs.

Only 11% of the Simpson Park Allotment is within the Callaghan HMA. Wild horses were not a significant contributing factor to riparian degradation within the watersheds associated with Barton Creek, Willow Creek, and Vigus Canyon (page 157 through 165 of the evaluation). Barton Creek, Willow Creek, and Vigus Canyon are within the Callaghan HMA boundaries. However, wild horses were contributing to riparian degradation within the Indian Creek watershed as well as Rye Patch Canyon (page 166 through 178) which are outside the boundaries of any designated HMA and are considered horse-free. Wild burros within the Simpson Park and Kingston Allotments were not contributing to riparian degradation.

Upland vegetation degradation as a direct result of wild horse or wild burro use was not identified in the evaluation.

The wild horse AML for the portion of the Simpson Park Allotment within the Callaghan HMA is appropriate based on the movement throughout the HMA, historical census data, and available water and vegetation resources; and allocations in the Rangeland Program Summary. The AML range for the Simpson Park Allotment portion of the Callaghan HMA is proposed at 14-39 wild horses for 12 months which will allow for population fluctuations and movement. The entire AML for the Callaghan HMA if the proposed AML for the Simpson Park Allotment is adopted would be a range of 147-237 wild horses which is a healthy, viable population.

Wild burros on the Kingston Allotment would receive an increase in the Rangeland Program Summary allocation if the proposed AML is adopted. The increased allocation would allow for a more genetically viable wild burro herd. The total AML range for the Hickison HMA is 16-45 wild burros. The Initial Management Levels only allowed for a total population of 18 wild burros within the Hickison HMA (5 on Kingston and 13 on Simpson Park). The proposed AML range for both allotments (5-15 wild burros for Simpson Park and 11-30 wild burros for Kingston) allows for natural population increases and would

provide more opportunity to address genetic viability concerns. The AML range set in this evaluation does not include the portion administered by the U.S. Forest Service.

The Battle Mountain Field Office Wild Horse and Burro Specialists have based decisions for wild horse and burro AML on a variety of factors (past census, distribution, vegetation, riparian, land area within the HMA, genetic viability) and support the Proposed Management Actions as identified as being in the best interest in maintaining a healthy population of wild horses and burros within the capability of the HMAs.

Comment 50: Are there an unusually large number of dead horses in these allotments – like in Carico?

Response 50: No, there has been no documentation during field observations and aerial census flights of unusually large numbers of dead wild horses or wild burros within the Simpson Park and Kingston Allotments. Illegal activities during the early 1990's in the Hickison HMA resulted in a loss of 4 adult jennies and 1 foal, after which the population was augmented by introducing 8 wild burros from the Blue Wing HMA into the Hickison HMA wild burro population. Since then, the wild burro population has steadily increased at normal rates.

Comment 51: In this decisionmaking process - you can adopt changes in the AML or HMAs, can't you?

Response 51: In this process, we are establishing Appropriate Management Levels for the Callaghan and Hickison HMAs. The Initial Management Levels were arbitrarily based on 1981 census data and did not consider the ability of the vegetation and riparian resources to meet the demands of wild horses/wild burros in a multiple-use concept. The Initial Management Levels were simply the population that existed within the Herd Management Area boundaries at the time of the census. In the Proposed Management Actions, we are proposing to adopt changes in these Initial Management Levels by establishing Appropriate Management Levels for wild horses and burros.

Herd Management Area boundaries are restricted to those areas that were identified as Herd Areas which was defined as the habitat used by wild horses and burros at the time of the passage of the WH&B Act of 1971. Herd area boundaries may only be adjusted if it can be shown, based on historical information, that the boundaries were incorrectly identified. Boundaries for the Hickison HMA/WBT and Callaghan HMA portray the original Herd Area boundary. However, if a portion of an HMA is not appropriate to sustain a population of wild horses or burros as is the case with the portion of the Hickison HMA north of Highway 50, we can propose an AML of zero for that area. However, changes to HMA boundaries such as eliminating that portion of the Hickison HMA north of Highway 50 can not be accomplished through this process, a Land Use Plan revision would be required. In these decisions, we are evaluating AML and the capability of the HMA to support and provide all necessary components to ensure a healthy wild horse and burro population exists. Additional objectives for Herd Management and Population Management within the Callaghan and Hickison HMAs would be established through other decisions.

Comment 52: The pie charts on p. 31 show a gross imbalance between livestock forage allocation and EVERYTHING else. We urge BLM to rectify this imbalance by allocating a large, or at least an EQUAL

amount of forage now given to livestock to wildlife. If you did this, what would the livestock numbers/stocking rate be here?

Response 52: Drastic reallocation of forage is not realistic without a land use plan amendment or revision. However, proposed changes in livestock management will effectively increase available forage (and other desirable habitat attributes) for wildlife.

Comment 53: You describe overlapping seasons of use – but what about overlapping kinds of use - either on the very same land area, or in the same watershed, or affecting the same sage grouse populations?

Response 53: Overlapping kinds of use currently occur within the Willow/Barton watershed between cattle, sheep, wild horses, and various wildlife species and would continue to occur under the proposed action. Overlapping use between cattle, wild horses, and various wildlife occur within Rye Patch Canyon, Indian Ranch, and Bates Mountain. However, wild horse use within these areas is outside the boundaries of the Callaghan HMA. Overlapping use between cattle, wild burros, and various wildlife species occurs within the boundaries of the Hickison HMA. Carrying capacity analysis and proposed management actions have been proposed to limit the effects of overlapping kinds of use (Refer to Appendix 6 and pages 222-294 of the SPC Evaluation).

Comment 54: While you describe the presence of white top, scotch thistle and other weeds, is there a map where you show infestation areas, or assess how widespread they are, or are the problems they are causing? How do livestock transport weeds across the landscape here? Of as great, of even greater concern than “noxious weeds” are invasives - due to the widespread nature of these – are mustards, cheatgrass, halogeton etc.

Response 54: Weed inventory data that is or has been collected is completed using a Global Positioning System (GPS) and is projected into the ARC-MAP Global Information System (GIS) program. BMFO will continue to monitor noxious weeds throughout the district to ascertain if management changes should be made.

Comment 55: We are very concerned that BLM’s main method of treatment of invasives/weeds is simply to spray them, and not deal with the deep-seated problem of livestock disturbance creating ideal sites for weed infestation, and also spread by livestock.

Response 55: The proposed management actions are expected to improve upland and riparian conditions. By improving conditions in these areas, niches for weeds to establish and proliferate in are then reduced. Refer to pages 222-294 for proposed management actions for the Kingston and Simpson Park Allotments.

Comment 56: p. 37. Wildfire potential. We, too are concerned about wildfire. But – BLM has never adequately assessed or taken measures to address the role of livestock grazing in causing fuels problems, and aggravating tree densities, removal of understories and weed/fine fuel invasion, etc. In addition, recent research in the southwest is showing that pinyon-juniper may fail to return to sites post-treatment....

Response 56: BMFO has assessed the role of livestock grazing in causing fuels problems in the data analysis section of the Simpson Park Evaluation pages 41-97 and 102-187 and Appendix 4. BMFO response for improvement in vegetative communities to enhance these communities can be found in the proposed management action section pages 222-294. The proposed management plan would ensure that vegetative communities improve throughout the Kingston and Simpson Park Allotments and that these communities can resist the loss of function and structure due to disturbance and are able to recover following a disturbance.

Comment 57: Are there OHV concerns here? What about mining or mining exploration, or other energy activities? All of these may open the door to rapid weed spread into areas that are not yet weeded, harassment of wildlife, including special status species already suffering from habitat problems, and many other conflicts.

Response 57: OHV use is common throughout the district; however, there are no immediate plans of developing trails specifically for OHV users within these allotments. Mining has historically occurred within the allotments and mineral exploration currently occurs within the allotments. Geothermal exploration will also occur within the vicinity of Spencer Hot Springs in the Kingston and Simpson Park Allotments. Weed inventories will continue to occur throughout the allotments.

Comment 58: The Key Area data (pages 41-156) information paints a bleak picture of livestock-caused ecological devastation at a landscape level in these allotments. Doesn't this also widespread violations of the Taylor Grazing Act mandates BLM to protect soils and vegetation, and SUSTAINABLE use of resources? An essential part of suitability and capability of the land relates to forage production. A cow drinks 15 gallons of water a day, right, and consumes about 34 pounds per day of forage. Across many of the lands of the allotment, a grazing animal has to spend a large amount of its roaming to find food, and thus trampling impacts are much greater on degraded ranges. Animals likely have poor weight gain, abort calves, etc. Plus, the Key Area descriptions contain site after site where annual weeds (an unreliable and unsustainable forage source) are abundant to extreme in composition, and includes plants that are poisonous to livestock. In fact, in some sites, halogeton that is poisonous to sheep at certain times of year, dominates Key Areas. This lack of edible vegetation also means that ranchers who sentence livestock to roaming these depauperate lands is likely losing money on the whole operation. Are ranchers losing money grazing these damaged lands?

Response 58: The BMFO recognizes the conditions associated with the Kingston and Simpson Park Allotments. The BMFO will continue to monitor these key areas for the increase or decrease of these species. Refer to the proposed management action section of the SPC Evaluation pages 222-294. This plan proposes a change in season of use that provides rest throughout the entire growth season for the salt-desert shrub communities that dominate the Kingston Allotment. This season of use coupled with setting proper utilization levels, and the identified carrying capacity is expected to improve the conditions of the vegetative communities, but is anticipated to be long-term in nature. The BMFO has proposed an intensive livestock management system for the Simpson Park Allotment, which is expected to improve uplands and riparian conditions throughout the allotment. The management system for the Simpson Park Allotment includes use by livestock prior to the onset of the critical growth season or deferment of livestock grazing until after the critical growth season throughout the majority of the allotment, the elimination of hot season grazing within the majority of the riparian areas, setting proper utilization levels, and the identified carrying capacity. The management actions would ensure that

significant progress is made towards the attainment of the SERA RMP objectives, Standards for Rangeland Health, and multiple use objectives throughout the Kingston and Simpson Park Allotments.

Annual weeds occurred in four of the fourteen key management areas within the Kingston Allotment. One key management area contained perennial weeds. Three key management areas within the Simpson Park Allotment contained annual weeds. The composition of annual weeds at the key management areas within the Kingston and Simpson Park Allotments were as little as less than 1% to as much as 2%.

Comment 59: BLM should set a threshold for grazing suitability, based on sustainable production of native perennial vegetation. This threshold should be 200 lbs/acre sustainable allowable production, and all lands with less than 200 lbs/acre should not be grazed, and no AUMs allocated to these lands. As part of this process, BLM should provide the public with a map showing all areas of all pastures with less than this amount of production, and these areas should not be used in calculating the forage base, and should be “closed” to livestock use. Many Key Areas have levels below 30 lbs./acre ALLOWABLE production, which BLM brackets as being the total production minus the invaders. How much weight does a cow or sheep lose wandering from weed patch to weed patch out there??? And how much soil trampling disturbance to microbiotic crusts, soil compaction, etc. is occurring in the ever-broader quest to find forage?

Response 59: Refer to pages 222-294 and Appendix 6 of the SPC Evaluation.

Comment 60: We also are concerned that BLM, by continuing stocking lands where it considers shrubs to provide a forage base, is seriously impacting habitat for special status species, and is greatly increasing the likelihood of weed domination of the landscape, dooming chances for native vegetation to become established. Plus, what happens if shrub die-off occurs – such as sagebrush or shadscale die-off that is known to occur in Nevada? Suddenly, your stocking rate – based on livestock eating shrubs – is grossly inflated....

Response 60: Refer to the proposed management section of the SPC Evaluation pages 222-294. Under the proposed management actions, it is expected that the conditions of the vegetative communities will be enhanced. The management actions would ensure that significant progress is made towards the attainment of the SERA RMP objectives, Standards for Rangeland Health, and multiple use objectives throughout the Kingston and Simpson Park Allotments. Furthermore, the Kingston and Simpson Park Allotments will continue to be monitored and stocking rates will be adjusted through the evaluation process if deemed necessary to meet SERA RMP objectives, Standards for Rangeland Health, and multiple use objectives.

Comment 61: We are very concerned at the lack of microbiotic crusts across many of the Key Areas – this further demonstrates the poor shape the entire watershed is in, and how vulnerable lands are to weed invasion – as crusts help keep weeds from invading.

Response 61: BMFO is very concerned about this as well. Refer to the proposed management actions section on pages 222-294 of the SPC Evaluation.

Comment 62: BLM should use Federal Fire funds on the allotments to rehab. cheatgrass and weed-dominated sites, and not use them for projects like prescribed fire in the Nine Mile and Red Hills that will only result in more disturbance and opening the door for weeds.

Response 62: Projects including Seven Mile and Red Hills are funded under the Hazardous Fuel Reduction Operations Subactivity (2823). This states that funds are to be used to implement prescribed fire, mechanical, and chemical treatments to reduce hazardous fuels and to restore fire into its natural role in ecosystems.

Comment 63: Riparian/Wetland. p. 156. Please see our comments in a separate letter concerning necessary information on springs, seeps, springbrooks. We understand that Nevada BLM collected information on flow rates of springs in the 1970s or 1980s. How have flows changed? This is critical to present such information in an agency document, as impacts of both grazing, development, and mine dewatering may have radically altered spring flows, or may do so over the course of the permit.

Response 63: We are in the process of converting spring locations from allocate-parts (T. R. Sec) to point locations (UTMs) in GIS. In addition, no real comparison can be made using point in time data. Spring flows in Nevada vary considerably and are often different from month to month or year to year depending on the timing and amount of precipitation and the underground system involved.

Comment 64: What can be done to restore springs, seeps and springbrooks damaged by livestock water developments? BLM's Technical Bulletin (Sada et al. 2001) describes impacts of development, as well as grazing.

Response 64: There are very few authorized natural water developments in the SPC. The majority of the waters are open to grazing without development. In addition, most of these waters have some form of private water rights or claim. BLM policy requires that we follow State water law, which prohibits a landowner from denying access to water held under a water right or vested-right by another party.

The management actions proposed would eliminate most hot-season use, provide stipulations for limited sheep use in riparian areas, and in those cases where hot-season use cannot be eliminated (lower elevations), fencing of riparian areas. These actions along with a reduced stocking rate and reduced wild horse numbers will go a long ways toward improving springs, streams, and meadows on the SPC. BLM policy requires that improvements including water developments on public lands be constructed, in such a manner as to ensure that water is available at the source and is to be maintained on a regular basis. This policy will be enforced and is one of the objectives of this evaluation.

Comment 65: Which of these important watersheds may serve as a livestock-free reference area to advance understanding of the impacts of sheep and/or cattle on these arid lands?

Response 65: Under this decision, livestock-free reference areas on a watershed level have not been proposed. However, refer to Response 1 regarding reference areas.

Comment 66: Are endemic snails present? Have inventories occurred? How does inter-related public and private land grazing affect riparian resources and associated plant and animal communities?

Response 66: Springsnails are not known to exist in the SPC.

Comment 67: Are all springs on private fenced separately from BLM? Are they wholly, or partly, de-watered or diverted for livestock using BLM lands?

Response 67: No. Not all springs on private land are fenced separately from BLM. Simpson Park Allotment does not contain any private springs diverted to public lands. Kingston has private and springs/streams located on USFS lands that are diverted for irrigation purposes under the D&C Act before they enter public lands.

Comment 68: Water quality. 195. We are concerned that water quality data was only gathered at 3 isolated areas, and no systematic collection of water quality data was undertaken. What time of year were samples collected/ What was livestock use at that time? Were cattle or sheep present?

Response 68: Natural springs and/or diverted water on public lands in the Kingston Allotment are beyond the BLM's control to manage, due to water rights status and the D&C Act. In the Simpson Park Allotment, it was obvious that improvement of water quality would follow riparian habitat condition in the process of making significant progress toward attainment of PFC and therefore little water quality sampling was conducted. In addition, in order to meet State requirements for water quality sampling the process and logistics becomes expensive and very time consuming.

Comment 69: As the preceding photos and text show terribly degraded conditions and polluted waters, it is impossible to believe that there are no "abnormalities". BLM simply did not sample thoroughly and systematically – isn't that correct? You have not conducted a valid S&G assessment without investigating water temp, sediment, turbidity, algal growth, coliform bacteria, etc. in the scarce and important waters of these allotments. Samples must be taken, at a minimum, in August or September, or other periods of most intense livestock use. This is the time of year when coliform bacteria levels may be the worst, as water sources become progressively more limited, and even greater livestock concentration occurs at wetted sites. Thus, water quality violations are certainly much more widespread than shown in the Table. West Nile virus may also be spread and much-increased in any area as a result of livestock-trampling hoofprints in wetted areas, or livestock ponds, which are ideal sites for mosquito larvae. This impacts the health of recreational users of public lands, and is a major concern for songbirds, sage grouse and other wildlife.

Response 69: Water quality sampling is not required to determine the management actions necessary to improve overall water quality. The decision not to conduct a full water quality analysis was made primarily because of the very limited water quality criteria that are presently set for beneficial uses on these types of waters. In addition, sample custody and delivery to a certified lab within the allotted time is extremely expensive and time consuming in this part of the world.

Comment 70: Where are gullying, arroyo formation active rilling, and other erosional processes occurring across the allotments? Poor conditions of the watersheds caused by livestock are major causes of past downcutting.

Response 70: Refer to pages 41-97 and 102-187 of the SPC Evaluation.

Comment 71: Please note that PFC is a MINIMUM for which riparian areas should be managed, and often PFC does not result in adequate habitat for aquatic species. The pictures of degraded springs and seeps are astonishing. They support for complete closure of the Simpson Park allotment until PFC is achieved in all areas. This should be one of the alternatives considered in the EIS. The photos vividly depict livestock-caused desertification processes in action.

Response 71: The proposed management actions will be analyzed in detail to determine if additional measures need to be taken. It is expected that the elimination of hot season grazing within the majority of riparian areas in addition to constructing exclosures in areas where hot season grazing will continue to occur will dramatically improve riparian areas throughout the allotment.

Comment 72: The RPS Objectives (196-222) are based on standards of use that are now known to be out-dated, and harmful.

Response 72: Refer to the proposed management objectives section of the SPC Evaluation on pages 254-294 for proposed changes to management objectives.

Comment 73: In the Kingston allotment, Use Pattern mapping was most recently conducted in 1993 and 1994. How can you make any claims about use levels if you measured livestock use when the cows had not yet been turned out into an area (p. 196)?

Response 73: As stated in the rationale for this objective, livestock use had not occurred in portions of the allotment due to the initiation of a rest-rotation grazing system that deferred use during the spring on portions of the allotment. Use was measured throughout the allotment regardless of the initiation of the rest-rotation system to determine the percent utilization occurring at the key management areas through trailing of livestock or incidental use that may have occurred in these portions of the allotment. Although one of the permittees on the allotment had initiated a rest-rotation type of grazing plan, this plan had not been formalized and was not part of the grazing permit. Therefore, the BLM could not require or enforce that this rotation take place on a yearly basis.

Comment 74: What has occurred to extirpate the 3 historic leks in the Kingston allotment? We are very concerned that you are blaming “decadent” sagebrush – we bet it is not, and actually contains substantial diversity – for livestock-caused problems here. The “decadent” sagebrush is likely very good loggerhead shrike and other species habitat.

Response 74: The three historic leks on public lands have not been extirpated. The Kingston allotment lies primarily within the very large Monitor Population Management Unit (PMU), although the western edge of the allotment falls within the Reese River PMU. The latest population estimate (April 2004) for the Monitor PMU is between 7,840 and 13,720 sage grouse. The population estimate for the Reese River PMU is between 3,420 and 6,850. Three leks (strutting grounds) have been recorded from the western side of the allotment, and a fourth lek lies on Forest Service administered lands just west of the allotment boundary. Of these leks, one is listed as inactive while the status of the other three is unknown. No attendance data over time is available for these leks and as a result, no inference can be drawn with respect to sage grouse population trends on the allotment.

Comment 75: Under even 2,594 AUMs of Actual Use, significant problems and habitat degradation are occurring in the Simpson Park allotment. The disconnect between the RPS/grazing permit level of 6,042 AUMs, and the actual use that has occurred here and that has still resulted in significant failures in attaining rangeland health illustrates the lack of scientific basis for carrying capacity, suitability, production estimates upon which BLM based the RPS and EIS and associated stocking rates. Unfortunately, these same flawed calculations are still carried forward in current meaningless “carrying capacity” and stocking rate calculations under BLM’s same old tired formulas. If we have misunderstood what is going on here, please explain how we are incorrect. It is time for BLM to stop artificially inflating the value of public lands ranches through failure to cut fantastical/unachievable AUMs.

Response 75: Refer to BLM Technical Reference 4400-7 Analysis, Interpretation and Evaluation for a detailed discussion of the methodology for calculating carrying capacity. Furthermore, the Simpson Park Allotment has been grazed during the critical growth season for upland range sites and throughout the hot season for sensitive riparian areas since the inception of the Battle Mountain District. There has not been the formal establishment of grazing management systems and appropriate utilization objectives. Under the proposed management system, use during the critical growth season will be eliminated throughout the majority of the allotment and where it would continue to occur, strict utilization levels would be enforced. Hot season grazing would also be eliminated throughout the majority of the allotment. With the establishment of the proposed carrying capacity in conjunction with grazing management systems and proper utilization levels, significant progress towards the attainment of SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives is expected to be made.

Comment 76: Is there additional Wildlife Habitat Data or analysis for the allotments? How do levels of browse use, shrub loss, herbaceous species loss, occurring across the allotments, and other factors, affect habitats for important and special status species?

Comment 76: All useful and applicable range and wildlife information was utilized in the Simpson Park Complex Evaluation and Rangeland Health Assessment. See Appendix 8 of the Simpson Park Complex Evaluation and Rangeland Health Assessment (SPC Evaluation) for a comparison and discussion of potential and existing plant communities, causal factors, and implications for wildlife.

Comment 77: The degree of loss of aspen communities across the allotment is staggering. Here, too, we request watershed-level livestock-free reference areas to allow some degree of recovery of a functioning system. Given that livestock have extirpated aspen clones - and many are permanently gone across the allotment, and other Battle Mountain lands – that is the least that the public can expect. Do you have an estimate of the number of clones that have been extirpated, and the areal extent of loss of aspen communities in the allotment? Across Nevada?

Response 77: There was only evidence of two aspen stands, Vigus Canyon, and an old burn at the top of Indian Springs Ranch Canyon, in danger of being lost. No remnants of old extirpated stands were found in either the Kingston or Simpson Park Allotments. Information on the number or acreage of clones lost is not available for the SPC or across Nevada.

Comment 78: What are the levels of livestock use, and relative severity of livestock impacts, in lands favored by horses or burros in or near the HMAs? Why are these lands primary horse use areas? Has mining activity cut into any horse use areas? Will new mining, facilities, developments, de-watering, etc. impact horses and their wild and free roaming nature?

Response 78: Refer to the SPC Evaluation pages 86-89, 110-111, 121-124, 135-138, and 179 for conditions of the rangelands and riparian areas associated with the HMAs. Actual use information was not submitted by use area for all permittees within the allotments; however, use pattern mapping and key management area utilization indicate use levels within these areas of the allotments. Herd Management Area boundaries are restricted to those areas that were identified as Herd Areas which was defined as the habitat used by wild horses and burros at the time of the passage of the WH&B Act of 1971. Historic mining activity and current exploration occurs within the boundaries of the Callaghan and Hickison HMAs. There are no new mining facilities proposed to be developed within the boundaries of the HMAs in the relatively foreseeable future. Geothermal leasing and exploration has been proposed within portions of the Hickison HMA through the Environmental Assessment Number NV063-EA04-59; however, as you are aware, this action is currently being appealed.

Comment 79: How can you claim that you have “partially met” the Improved Ecological Condition Objective? There is no previous ESI data/baseline to use as a basis to show any improvement.

Response 79: The SPC Evaluation did not claim that the Improved Ecological Condition objective for the Kingston or Simpson Park Allotments was “partially met”. This objective was determined to be “not met” for both allotments. Refer to pages 203 and 206 of the SPC Evaluation for the rationale of this determination.

Comment 80: Kingston and Simpson Standards Evaluations.

Uplands, pages. 211, 215. We do not believe that BLM can support its claim that standards for Upland Sites are “Met”. Key Area after Key Area sows lack of necessary protective vegetation to protect soils, and great disparities between potential or desired vegetation, and the species and many weeds that are often present. Larger-statures bunchgrasses have been greatly reduced. Microbiotic crusts are compromised, or lacking all together. Soils are thus vulnerable to accelerated wind and water erosion and even more weed invasion. Both wind and water erosion occurs on disturbed soils in arid lands – and the weedy or depauperate Key Areas are suffering from these processes.

Response 80: Refer to the Key Management Area Assessment section of the SPC Evaluation pages 41-92 and 102-155. BMFO recognizes that the majority of the plant communities within the Kingston and Simpson Park Allotments are in significant departure from the biotic community and is the contributing factor to the majority of the sites being functional, at risk. However, indicators of Standard 1: Upland Sites include canopy and ground cover, including litter, live vegetation, and rock that are appropriate to the site potential. Refer to Appendix 8 for detailed discussion on Standard 1 for each key management area. Furthermore, through the evaluation process, the BMFO determined that the majority of the key management areas are in degraded conditions which lead to the development of the proposed management actions. Under the proposed management actions, grazing would be eliminated during the growth season for the vegetative communities within the Kingston Allotment. Grazing during the critical growth season would be eliminated throughout the majority of the Simpson Park Allotment.

This, in conjunction with appropriate utilization levels and carrying capacities, vegetative conditions are expected to improve which would therefore further improve upland soils.

Comment 81: BLM has NOT conducted necessary “watershed” studies that link upland degradation, and intermittent or desiccated drainages with riparian health problems, and so can’t claim that this watershed studies objective is “Met”. Plus, you can’t develop management to achieve “optimum” conditions without first honestly assessing the poor health of the uplands. There is large-scale soil erosion occurring with headcutting riparian areas, and collapsing streambanks across the Simpson Park allotment. The Key Area Data shows widespread loss of perennial native forbs and grasses, and only shallow-rooted weeds or small and depauperate grasses in many sites. Thus, soils are very poorly protected from both forces of wind and water erosion. Seedings have been destroyed by excessive livestock use. The major disturbance of cwg seeding itself de-stabilized soils, destroyed microbiotic crusts, etc. Most importantly, you omitted any measurement of many indicators of soil health and stability that BLM elsewhere commonly uses to make this Determination. This includes pedestaling, flow patterns, bare ground, etc. What is the degree of departure from reference conditions? The widespread loss of impoverishment of biological/microbiotic soil crusts, as shown across Key Areas of the allotment, also indicates susceptibility to wind and water erosion. Large areas of bare ground are also present. On top of this, BLM typically grossly under-estimates erosion when it uses only Key Area information – as Key Areas are typically flatter areas, and thus do not reflect erosion processes or rates on slopes.

Response 81: BFMO has conducted riparian and rangeland monitoring/inventories that provide current information on watershed conditions and problems. BMFO has recognized the conditions and the problems associated with the Kingston and Simpson Park Allotments and has proposed management actions that would ensure that significant progress is made towards the attainment of the SERA RMP objectives, Standards for Rangeland Health, and multiple use objectives throughout the Kingston and Simpson Park Allotments.

Comment 82: You have omitted any discussion of erosion that is occurring AWAY from non-Key Areas. We have observed active gullying, arroyo formation, rilling, etc. This must be included in the FRH assessment. Also – examine the hummocks, headcuts and other photos - how many drainages have become increasingly intermittent, or are actively eroding gullies –and now considered “Upland” sites?

Response 82: Refer to “Watershed Management Objectives #1” on page 205 and 209. The BMFO is aware of the current conditions associated with riparian areas within the Simpson Park Allotment and has proposed management actions that are expected to make significant progress towards the attainment of SERA RMP objectives, the Standards for Rangeland Health, multiple use objectives, and allotment specific objectives.

Comment 83: Detailed analysis of soil health and watershed-level health and stability here is essential – as you now propose to further de-stabilize watersheds by allowing increased sheep grazing and trampling in many areas, including slopes.

Response 83: The proposed action does not provide for increased sheep grazing from the current permitted use.

Comment 84: What are wind and water erosion hazards associated with all soils in the allotments? How is sheep grazing de-stabilizing hillslopes?

Response 84: Refer to the Soils Assessment of the Key Area Assessment sections of the SPC Evaluation regarding wind and water erosion hazards (pages 41-93 and 102-155). De-stabilization of hillslopes by sheep grazing was not observed.

Comment 85: BLM knows that grazing has eliminated essential attributes (composition, function, structure) of the soil and vegetation communities necessary to allow infiltration and permeability rates appropriate to soil type. You never even measured factors critical to make this determination – including soil compaction.

Response 85: Monitoring studies conducted provided information to indicate the appropriateness of infiltration and permeability rates for the soil type. Refer to pages 41-187 for discussions regarding attributes to rangeland health, including soil site stability and hydrologic function. Although quantitative soil compaction measurements were not conducted, qualitative information was recorded to provide incite to soil site stability and hydrologic function. Quantitative data was collected for the vegetative communities on the site and further provide incite to the functionality of the system.

Comment 86: Please note that on p. 208, in assessing riparian health, you directly contradict your claims that uplands are in acceptable condition. “livestock use is apparent on most of the lower elevation areas or areas with moderate slopes” – well, if livestock impacts are readily apparent visually – you have significant soil and vegetation problems.

Response 86: Clarification to this statement: Livestock use is apparent on most of the lower elevation riparian areas or riparian areas that are present in moderately sloped landscapes.

Comment 87: Riparian. We agree standards are Not Met. We have concerns that BLM has not assessed just how bad conditions are – as only a very small amount of water quality info was collected, you have ignored intermittent and ephemeral drainages, have failed to assess alterations in spring flows over time –or impacts of livestock facilities on de-watering or desiccation of riparian areas, etc., etc.

Response 87: The decision not to conduct a full water quality analysis was made after initial field observation of springs and streams in the SPC. Waters observed were mostly clear, with no indication (aquatic organisms, turbidity, etc) of poor water quality. In addition, the water quality criteria presently set by the State for beneficial-uses on these types of waters is limited to turbidity and fecal coliform. Water quality sampling is not required to determine the management actions necessary to improve overall water quality. In addition, sample custody and delivery to a certified lab within the allotted time is extremely difficult, time consuming, and expensive in this part of the world.

Comment 88: Wildlife/Habitat. Standards were Met at only 3 of 14 KMAs in the Kingston allotment, and only 1 of 15 KMAs in Simpson Park. BLM cannot claim improvement in wildlife habitat, based on saying that higher elevation habitats are in fairly good condition. You have not shown that there has been much, or any, improvement in these areas – just that they may not yet have been overrun with weeds. I have observed large bare soil interspaces, and few grasses or forbs in interspaces – at higher

elevations of the allotment – where the combined impacts of sheep and cattle use are taking a heavy toll already.

All sagebrush-dependent and salt desert shrub species should be species of primary concern in the allotments, given the serious problems with weeds, loss or consumption of shrubs, and invasive species problems. This includes pygmy rabbit, sagebrush vole, loggerhead shrike, Brewer's sparrow, sage thrasher, sage sparrow, vesper sparrow, etc. We are concerned that you have not also described the abundance of undesirable or invasive species and their habitat impacts.

Response 88: Refer to rationale on page 213-214 and 217-218 of the SPC Evaluation. It was determined that this objective is not met and significant progress towards the attainment of the Habitat Standard has not been made. Furthermore, refer to pages 41-194, 211-221, and Appendix 8 for a detailed discussion of wildlife habitat.

Comment 89: What factors are related to maintaining habitat, and preserving the free-roaming nature of horses? Does this include removal of fences, or dispersion of necessary habitat components across the landscape.

Response 89: Habitat components for wild horses and burros are comprised of vegetation, water, cover, and space all of which are adequate for each respective HMA in sustaining a population of wild horses and burros. The Shoshone-Eureka Resource Area Record of Decision identified the need to construct water developments to benefit wild horses and burros acknowledging that the Herd Areas established in 1971 may not have encompassed all essential components to meet habitat requirements of wild horses and burros.

Dispersing necessary habitat components such as water developments would benefit wild horses and burros, wildlife, as well as livestock and is sometimes necessary to alleviate stresses occurring on other habitat components such as vegetation. Concentrations of several groups of large grazing ungulates around limited water sources as is occurring in the Hickison HMA can lead to degraded vegetative conditions. Wild burros are adapted to arid regions and do not tend to concentrate heavily at water sources. However, the dispersion of water sources would be beneficial to wild burros and wildlife and alleviate impacts to vegetation in a concentrated area. As is the intent of wildlife guzzlers which are developed to improve wildlife habitat and disperse wildlife into areas that provide suitable forage but may be lacking in water, water developments would provide the same benefits for wild burros.

Historical fences were often incorporated into a grazing allotment without regards to wild horse and burro movement. The historic fences in the Callaghan HMA do not compromise the free-roaming nature of wild horses. There are no fences in the Hickison HMA. When new fences are proposed within an HMA, prior to construction, specialists would analyze location, design, and compatibility with wild horse and burro management and would not allow for the confinement or restriction of animals from the HMA or valuable habitat resources within the HMA. Some exceptions to this rule may apply such as rehabilitation efforts for post-fire recovery of vegetation which would be temporary.

It is within the intent of the Battle Mountain Field Office to establish wild horse and burro objectives that would provide an ecological balance in a multiple-use concept and meet the basic habitat

requirements, as well as provide and maintain characteristics that assure the herd's survivability within the confines of the HMAs while allowing for the preservation of free-roaming nature.

Comment 90: Claiming that the Cultural standard “Met” is a joke –and it also illustrates the uselessness of the failure of the NGEBA RAC to current and appropriate science to provide guidance on the FRH and public lands management in general. We have previously commented on many livestock impacts to cultural sites –especially here where many of the riparian areas are suffering extreme livestock grazing and trampling impacts. Elsewhere, where riparian areas are so degraded, and cultural artifacts are being trampled, exposed, broken, etc. Cultural Objectives are Not Met!

Response 90: Based on the evaluation of existing information pertaining to range improvements and grazing, cultural resources are being recognized within the context of multiple-use management within the Kingston and Simpson Park Allotments. BLM has recognized the degraded condition of riparian resources where cultural resources have a high probability of being located. Cultural resources will be protected from disturbance through implementation of the proposed grazing management plan, which includes the elimination of hot season grazing throughout the majority of the riparian areas within the allotment in addition to the construction of riparian exclosures in areas where hot season grazing would remain.

Comment 91: Proposed Mgmt Actions.

This is deeply disappointing. Despite failures to meet the FRH in many areas, especially at even the flat Key Areas, --- as well as “degraded rangeland conditions” you are proposing to graze the Kingston allotment at levels well above the past average actual use!!! You have NO current data to support a stocking rate at the level that you propose. See additional comments to be sent under separate letter on stocking rate, suitability, etc.

Response 91: Refer to the carrying capacity analysis in Appendix 6 of the SPC Evaluation. Furthermore, historic grazing management practices have been attributed to the conditions that occur on the allotment. In addition, since the establishment of the district, grazing has been permitted to occur through the active growth season, which is considered to be periods of critical growth for the salt-desert shrub communities that dominate the allotment. Therefore, the season of use proposed under this evaluation would be critical in the management of these systems.

Comment 92: We are strongly opposed to the “range improvement projects”(p. 230) except tamarisk removal. Tamarisk removal should NOT be conducted during nesting season for migratory birds.

Response 92: Refer to Response 29. Tamarisk spraying is normally conducted in August.

Comment 93: We oppose the nebulous and open-ended water projects, purging healthy sagebrush from a beat out seeding, construction of upland exclosures – as these inevitably lead to spring developments that destroy springs, and past projects on the allotment have not been maintained. No additional developments should be done – BLM must show that it can fix the halogeton, poverty weed and other weed messes it has already created with water developments and pipelines. These projects demonstrate the need to do an EIS, as you are setting up a series of linked, inter-related and connected actions that must be analyzed in a single EIS.

Response 93: Refer to Response 29.

Comment 94: We do not believe that the water developments are for burros, but instead are for cattle. As a result, if you are being truthful that these are for horses, you will develop watering site entrances that cows can NOT fit through.

Response 94: The proposed water developments are for the welfare of the wild burro population and will benefit pronghorn as well as other wildlife and possibly livestock. The current water situation within the Hickison HMA is forcing wild burros to concentrate more heavily on U.S. Forest Service administered lands. The only water source for wild burros that exists on BLM administered lands is at Spencer Hot Springs which leads to concentration of wild burros mostly in the Simpson Park Allotment. The development of strategically placed water sources would allow for better distribution of wild burros. Most water developments are for the benefit of a variety of resources with the exception of wildlife guzzlers that are primarily designed to exclude both livestock and, wild horses and burros. Furthermore, we are a multiple use agency. In addition, most natural water sources have private water rights or claims attached. The BLM must follow state water law and that law prohibits closing off access to privately held water rights.

Comment 95: We request that you increase the wildlife AUM allocation fourfold.

Response 95: Drastic reallocation of forage is not realistic without a land use plan amendment or revision. However, proposed changes in livestock management will effectively increase available forage (and other desirable habitat attributes) for wildlife. Wildlife habitat is expected to improve dramatically as a result of the proactive steps that BLM is taking to manage livestock on the allotments. Adjustments in livestock and wild horse and burro carrying capacity, season of use for pastures and use areas, elimination of hot season grazing from the majority of riparian areas, proper utilization rates, etc... are expected to improve the overall health of the Kingston and Simpson Park Allotments. This will have a positive impact on wildlife habitat throughout the allotments.

Comment 96: Simpson Park: We strongly oppose the allocation of cattle and sheep AUMs in the Simpson Park allotment well above the levels of past average actual use that have occurred here. See all of our comments on the Kingston allotment above. Quit propping up the value of the permit –at the expense of all other values of the public lands. BLM must develop a full range of de-stocking alternatives here, and remove any overlapping sheep and cattle use. Plus, terminating sheep grazing and re-introduction of bighorn sheep must be explored. How can you claim that 3775 AUMs are “sustainable” when 2,594 AUMs were the total actually grazed??? The carrying capacity calculation, as previously described, is a meaningless exercise - as you have no current data on production and usable acres to base it on.

Response 96: Refer to Section II of this document for changes regarding the allocation of livestock AUMs. Furthermore, grazing has occurred in this area for hundreds of years and historic grazing management practices have contributed to the conditions that occur on the allotment. In addition, since the establishment of the district, grazing has been permitted to occur throughout the critical growth period for upland vegetative resources and the hot season for sensitive riparian areas for the majority of the allotment and livestock grazing management systems have not been formalized. The proposed management actions identified in the SPC Evaluation have identified seasons of use that eliminate

grazing during the critical growth season for upland resources and hot season grazing for riparian areas throughout the allotment. This, coupled with proper use levels is expected to make significant progress towards meeting the Standards for Rangeland Health in the short-term and attainment of these standards in the long-term. Refer to pages 222-294 for a detailed discussion and rationale of the proposed management actions.

Comment 97: Several of the proposed Use Periods occur the growing season for native plants – shrubs and herbaceous species. Please describe in detail how grazing during this period, and the high use levels that you plan to allow, will affect the health of the grazed plants. Also, we are very concerned about the impacts of the use periods on soils – including compaction, impairment for loss of microbiotic crusts, etc.

Response 97: Proper utilization levels and annual monitoring objectives have been proposed under the proposed management actions of the SPC Evaluation to maintain the health of native plants within the allotments. Furthermore, use during this time period would be reduced from the current permitted use under the proposed action. Refer to the rationale of the proposed management actions section of the SPC Evaluation (pages 222-294).

Comment 98: We request that what you propose as the “Bates Mountain Use Area” be established as a livestock-free reference area as part of this process – instead of allowing livestock to trample and degrade the area in late spring and early summer. This season will also not allow the recovery of riparian areas that is necessary here. We also request that one of the salt desert use areas be a livestock-free reference site.

Response 98: Bates Mountain is the boundary for the Simpson Park, Grass Valley, and Dry Creek Allotments. Given this fact, compliance would be a significant issue if the Bates Mountain Use Area was to be established as a livestock-free reference area. In addition, an area on Bates Mountain has been excluded from livestock use and can be utilized as a reference area for the vegetative and habitat characteristics common to the Bates Mountain Area. The BMFO feels that under the proposed action, which eliminates hot season grazing from the area and significantly reduces the number of livestock allowed to utilize the area in conjunction with enforcement of utilization objectives, significant progress towards the attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives will occur in the short-term and attainment would be made in the long-term. In addition, refer to Response 1.

Comment 99: p. 239 states that permittees will repair all functional wells, etc. Which are these? BLM has not evaluated the impacts facilities are having on soils, vegetation, weeds, habitats, recreational, cultural values, so has no basis for authorizing their continuation here.

Response 99: Refer to Attachment 1 of the SPC Evaluation for the list of range improvements within the Kingston and Simpson Park Allotment. BLM continues to assess the condition of range improvements throughout the allotment. If projects are identified that are not allowing for attainment of multiple use objectives they will be removed.

Comment 100: We strongly oppose the “temporary modification” of the season of use. This opens the door for much abuse – especially as BLM managers may change over the years.

Response 100: Monitoring data would be collected to verify that changes would need to be made in order to meet multiple use objectives and Standards for Rangeland Health. Any changes to the season of use would be within the intent of the permit.

Comment 101: We strongly oppose ANY TNR Use, or any reference to TNR use, in this Decision.

Response 101: Under 43 CFR 4130.6-2, TNR may be authorized on an annual basis for forage is temporarily available, providing that the use is consistent with the multiple-use objectives and does not interfere with existing livestock operations on public lands. However, the authorized officer shall consult, cooperate, and coordinate with affected permittees and interested publics.

Comment 102: The data shows serious problems, yet BLM is not taking necessary steps to protect and enhance habitats, and instead is propping up inflated AUM levels.

Response 102: Refer to Response 10, 18, 20, and 81.

Comment 103: p. 252 describes construction of a whole series of projects – ostensibly for wildlife. Yet, you have not conducted necessary baseline studies - and you are masking the fact that these are being done because the permittees are unwilling to control livestock. Instead of more harmful facilities, BLM should consider stubble height, browse and trampling triggers for removal of livestock from these sites. More fences just create more problems for wildlife. Construction of the fences would result in many unacknowledged and undescribed harmful impacts to wildlife.

Response 104: These projects were proposed to make significant progress towards the attainment of the Standards for Rangeland Health, which includes enhancement habitats for wildlife. Furthermore, under the proposed action, carrying capacities were determined through proper use levels and annual monitoring objectives were established (Appendix 6 and pages 222-254 of the SPC Evaluation).

Comment 105: The Management Objectives for both allotments do not adequately protect the important resources of the public lands, nor do they provide for sustainable use, as required under the Taylor Grazing Act.

Response 105: The proposed management actions initiate changes in seasons of use, establish carrying capacities, establish AML for wild horses and burros, implement livestock grazing management plans, establish proper use levels, etc. to provide for significant progress towards the attainment of the SERA RMP Objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives which would provide for sustainable use. Refer to pages 222-294 and Appendix 6 of the SPC Evaluation and modifications made within Section II of this document.

Comment 106: While the Key Management Area Objectives reference measurable use standards, this is not sufficient. The standards are not restrictive enough to bring about compliance with the FRH. AND – these, and additional, measurable standards of use (Example: 10% shrub browse) must be Terms and Conditions of the Permit. They should also be triggers for livestock removal, and not end-of-grazing season levels. The Objectives are far too meager for lands so devastated by livestock.

Response 106: Measurable standards will be applied to the Terms and Conditions of the grazing permits.

Comment 107: What do you mean by “significant” increase? Would you be satisfied with a change from 2% to 3 % of POSA? How could that be significant, in light of the degraded conditions nearly everywhere? You should specify a quantifiable objective that provides a really meaningful objective for improvement – such as “improvement of 20% in condition class for native perennials”, “50% reduction in annual weeds”, “10% increase in larger-statured native bunchgrasses”, etc. These should not just be nebulous long-term objectives, but instead a percent age of progress towards a goal should be required during each year of normal or above precipitation.

Response 107: Refer to the DPC objectives on pages 255-282 of the SPC Evaluation.

Comment 108: If by “achieve the ecological condition consistent with the DPC in XXX years”, you hope to attain 20% native perennial grasses on a site that now has 2%, you have to set some measurable goals and objectives, and apply specific standards of use as triggers for livestock removal as Permit Terms and Conditions.

Response 108: Measurable standards/objectives will be applied to each permit.

Comment 109: We also ask that you set goals for rehab/or restoration of weedlands of native vegetation communities, as “rehab. 10% of weedlands in the allotment each year”.

Response 109: Management objectives for rehab/or restoration of weedlands of native vegetation communities would be established with implementation of the project and decision process.

Comment 110: “Habitat” management considerations should not include livestock “habitat”.

Response 110: That is correct and any reference to livestock habitat will be struck out.

Comment 111: Please quantify what is meant by a “more productive and diverse” plant community.

Response 111: Refer to Simpson Park Complex Management Objectives section of the SPC Evaluation pages 254-282.

Comment 112: Is BLM including measurable standards of livestock use in the Terms and Conditions of the Grazing Permits, as required by its own regulations? If not, this violates the grazing regulations. Measurable standards of use must be applied as Terms and Conditions. Why, in other recent evaluation processes, were measurable standards of use applied, and not here? After ALL of the information on widespread degradation, are you contemplating issuing a permit that did not have mandatory measurable standards of use? There is NO certainty that ANY objectives or goals will be met.

Response 112: Agreed. Measurable standards will be applied to the Terms and Conditions of the grazing permits.

Comment 113: Also, it appears you have already set out on a pre-determined path of season of use, and stocking rates, projects. This effort requires preparation of an EIS, and analysis of a full range of alternative actions.

Response 113: The proposed management actions are recommendations developed by an interdisciplinary team. Alternatives will be analyzed in the EA and any comments from the interested public will be considered prior to issuing a decision.

Comment 114: We are very concerned about the impacts of livestock trampling and soil compaction and de-stabilization/exposure to wind and water erosion, which are largely unaddressed here.

Response 114: Refer to pages 42-97 and 102-187, 205-206, 209, 211-212, 215-216, and Appendix 8 of the SPC Evaluation.

Comment 115: We believe you have not reduced AUMs under this proposal to anywhere near the level needed to satisfy rangeland health standards. Given that so little monitoring occurred here in the past, we do not believe the level of monitoring that you describe will ever realistically occur here.

Response 115: Refer to Appendix 6 for detailed carrying capacity analysis. In addition, the Kingston Allotment has been grazed historically and currently during the active growth period for salt-desert shrub communities that dominate the allotment. The Simpson Park Allotment has historically and currently been grazed throughout the critical growth season of upland vegetation and during the hot season for sensitive riparian and wetland zones. The proposed management actions identified in the SPC Evaluation have identified seasons of use, proper utilization levels, elimination of hot season grazing, etc., which is expected to make significant progress towards meeting the Standards for Rangeland Health in the short-term and in the long-term, attain these standards. Refer to pages 222-294 for a detailed discussion and rationale of the proposed management actions.

Comment 116: We object to BLM allowing changes in season of use on an annual basis. This cuts out the public.

Response 116: Monitoring data would be collected to verify that changes would need to be made in order to meet multiple use objectives and Standards for Rangeland Health. Any changes to the season of use would be within the intent of the permit.

Comment 117: There is no discussion of how sheep and cattle grazing may overlap in space and time on the Simpson Park allotment, and any additive, synergistic or cumulative impacts.

Response 117: Refer to Response 57. The Environmental Assessment discusses effects associated with overlapping use.

Comment 118: Calculations of AUM forage consumption and other impacts used in setting stocking rate must be based on modern-day numbers. Today's mature cows range from 1200 to 1600 pounds and calves are 250 to about 500. So, rather than the 1000 pound weight for a cow calf pair in the BLM regulations, they are under by 50 to 100%. In addition, each cow drinks 15 gallons of water a day. These figures should be applied to calculation of any stocking rate here.

Response 118: Refer to Response 2.

Comment 118: What lands are primarily “suitable” grazing lands in the allotments? In the calculation of carrying capacity in Appendix 6, did you subtract non-suitable acreage in pastures from the total acreage in making the calculation?

Response 118: Refer to Response 2.

Comment 119: Appendix 2 describes impacts of late winter or early spring grazing use to some native grasses. The grazing periods and proposals put forth by BLM in the Evaluation document would continue damage grazing during these periods. It is critical that BLM identify impacts to these species under its proposals, and provide the public a clear understanding of the periods when grazing harm is most likely to occur.

Response 119: Appendix 2 of the SPC Evaluation consists of Ecological Site Maps and Tables. However, in regard to your comment, proper use levels for season of use would be established in the permit.

Comment 120: Information for bottlebrush squirreltail and other grasses in the Carico assessment (we can’t find it in Simpsn/Kingston) shows that they may regrow after fall rains. Grazing on regrowth after grasses have already been grazed once in the year may have serious consequences. How will you prevent this from occurring?

Response 120: Permittees within the Kingston Allotment would have the same season of use under the proposed management action and use would occur after the period of growth. Therefore, grazing would not occur on re-growth in this allotment. Grazing on re-growth may occur in portions of the Simpson Park Allotment. Impacts to plants would be reduced under the proposed management action however by implementing proper use levels.

Comment 121: The scientific literature (Anderson 1992) shows that bluebunch, like most other native bunchgrasses, is seriously harmed by “heavy” and even BLM’s “light” use categories, Please correct the misinformation here.

Response 121: The BMFO will continue to monitor the effects of livestock and wild horse and burro management. If trend data indicates that any level of use whether the use is described as “light” or “heavy” is causing a downward trend, BLM is required to modify grazing management to reverse the downward trend. Changes in utilization objectives and the subsequent stocking rate must be supported by monitoring data. The proposed management actions identified in the evaluation are designed to minimize or eliminate growing season use through appropriate stocking levels, implementation of grazing systems and through specific terms and conditions for grazing.

Comment 122: BLM wrongly portrays crested wheatgrass as highly palatable or desirable. It is palatable (and not “highly”) very briefly in the spring – and the rest of the year, it is our observation that livestock will eat ANYthing other than cwg. Plus, it is known to deplete soils (Lesica and DeLuca

1998), and in some areas invade native sites. As part of this process, we ask that you focus on removal of cwg and restoration of natives to cwg seedings.

Response 122: Refer to Appendix 3, which states that palatability and nutritional values decline as the plant matures.

Comment 123: Shrubs are extremely important component of the native wildlife habitat and are not being ignored. The elimination of hot-season use has a beneficial affect on the mountain-shrub plant community. In all cases, where season of use is limited to early use (off no later than June 30) browse species (aspen, currant, willow, serviceberry, etc) have flourished.

Response 123: The BMFO is not ignoring the structural importance of shrubs and cover for native wildlife. Refer to wildlife habitat objectives on pages 252-254,

Comment 124: Soils info/ESI. How common are soil inclusions within the broader soil types? Often, inclusions of deeper soils may be differentially impacted by livestock - especially cattle. For example, pockets of deep soils in low sagebrush support big sagebrush, and provide critical habitat components for pygmy rabbit, sage grouse, loggerhead shrike, sage thrasher, etc. We ask that these be specifically assessed, and specific standards of use applied, including sagebrush breakage/browse standards.

Response 124: Inclusions commonly occur within the major soil types associated with the Kingston and Simpson Park Allotments.

Comment 125: Appendix 5. "Fire/Fuels Assessment". We are very concerned that the inclusion of the Fire/Fuels assessment means that BLM is planning more manipulation of woody vegetation here, instead of focusing on restoring native perennial vegetation --- instead of flammable weeds that result in extreme levels of fine fuel across the landscape. It is unfortunate that BLM does not assess "the risk of loss", including further loss, from wildlife that is associated with livestock-fostered weed infestation and spread, and livestock alteration of fire cycles. BLM must assess the risk of continued failures of any rehab efforts as livestock disturb soils, weaken plants, and continue the cheatgrass/fire cycle. BLM must also evaluate the failures of past fuels project, such as the Austin "greenstrips"/weed strips, that resulted in greatly increased fine fuels. What role do livestock-related roads play in increasing fire risk? (Weeds, accidental starts, etc.)?

Response 125: The Fire/Fuels Assessment is part of the overall Rangeland Health evaluation. There are no plans at this time for any manipulation of woody vegetation within the allotment. If at such time this is deemed necessary site specific analysis would occur.

Comment 126: What role do livestock-related roads play in increasing fire risk? (Weeds, accidental starts, etc.)? What salt lick or livestock project roads can be closed as part of this process to minimize fires due to vehicles, or weeds, better protect important wildlife habitats, etc.? What new roads will result from livestock projects under this Decision?

Response 127: It is unknown at this time what role livestock-related roads play in increasing fire risk. Road closure is not proposed under the proposed management actions of this document and the

establishment of new roads would not occur with the projects that would be brought forward under the analysis of the Environmental Assessment.

Comment 128: You claim “fire is the principal means of renewal and regeneration” For vegetation communities. That is not the case. Old shrubs, grasses and trees die within communities, and are replaced by young ones. This leads to a diversity of structures and age classes WITHOUT the large-scale disturbance of fire.

Response 129: The Simpson Park Complex RHE does not propose to apply large scale prescribed fires within these allotments.

Comment 130: Please provide data that shows, as you claim, that prescribed fire is so very different in outcomes than wild fire. We have seen lots of prescribed fire that has resulted in cheatgrass, weed infestations, escaped the area where it was supposed to stay. On top of this, is the common practice of rancher trespass of burned areas that are supposed to be closed, and insufficient periods of rest from fire that BLM applies. What commonly happens post-prescribed fire is that cattle or sheep access remaining better condition grasses and forbs that had previously been protected by woody vegetation and weaken them, and weedy species and or bare soils proliferate in interspaces.

Response 130: This is beyond the scope of this RHA. Prescribed fire is not a proposed management action under the SPC Evaluation.

Comment 131: Appendix 1. Where did the Vegetation Guidelines come from? Was there a public review process, or EA, conducted on them?

Response 131: Refer to 4180.2 Standards and guidelines for grazing administration. The public has access to all Resource Advisory Council meetings to discuss amendments to the Standards and Guidelines. The meetings are published in newspapers and this action was posted in the Federal register informing the interested public that the Vegetation Guidelines were being discussed. LUP conformance determination and NEPA analysis has been completed and approved by the Nevada State Director. The grazing regulations under 4180 state that standards and guidelines may be modified as deemed necessary.

Comment 132: We know of no examples where “prescription herbivory” has led to anything more than a temporary setback to weeds. It usually creates far more problems – ranging from soil erosion to worse weeds, to excess manure that supplies nutrients where weeds thrive.

Response 132: The BMFO agrees that unmanaged yearlong livestock grazing that results in overgrazing is likely to negatively impact soil and vegetative resources.

Comment 133: We are alarmed at the discussion of “vegetation treatments” in sagebrush communities that you include here.

Response 133: Refer to Response 29.

Comment 134: Significant impacts of sheep grazing include Trailing - as sheep are trailed across large areas, and often deviate from any designated Trailing route when they aren't supposed to. The analysis fails to describe the conditions of the lands where sheep area grazed or trailed, and the specific impacts of sheep grazing or trailing. In many areas we have seen, sheep trails whole hillsides that may be routes to water, large areas surrounding water sources, and bedding sites are trampled to bare eroding dirt, infested with weeds, may contain only a few unpalatable shrubs.

Response 134: Sheep use occurs within the Willow/Barton watershed. Refer to pages 135-138, 157-165 and Appendix 8 pages 51 and 81-82 of the SPC Evaluation for conditions of the lands where sheep grazing or trailing occurs. Overlapping use by sheep and cattle occur in this area from 06/01-06/30 under the proposed management actions.

Comment 135: The grazing of sheep on western public lands, as in Simpson Park, may take place across lands infested with many invasive species – and these invasive species problems may be linked directly to sheep disturbance and weed seed transport. What invasive species – both noxious weeds as well as other invasive exotics – occur in all lands grazed by sheep in this allotment? As sheep may harbor weed seeds for long periods in wool, this is of critical importance in understanding risk of new weed infestation and spread here. These lands are at risk of infestation by weeds that they then transport across the landscape.

Response 135: Refer to page 37 of the SPC Evaluation for weeds that have been documented to occur within the Simpson Park Complex. In addition, refer to pages 41-187 of the SPC Evaluation for a description of the upland and riparian conditions and weeds that occurred within the allotments.

Comment 136: Aas part of this process, BLM must reveal information on the broader grazing and trailing pattern of sheep. What weeds infest the lands where bands that graze the allotment are grazed or trailed? What lands do they cross?

Response 136: Cheatgrass has been documented to occur within the Willow/Barton watershed (refer to pages 135-138 of the SPC Evaluation). Weed inventories continue to occur throughout the BMFO. For lands that sheep cross, refer to Response 152.

Comment 137: BLM must also examine quarantining livestock coming from other allotments – so that weed seeds pass through their digestive tract. Would risk of weed infestation be minimized by trucking, rather than trailing sheep? Cattle?

Response 137: Weed infestations could still occur with trucking animals from pasture to pasture and is not expected to reduce the risk of weed infestation.

Comment 138: How do you allocate trailing vs. grazing AUMs? How are they separated here?

Response 138: A trailing AUM is the same as a regular AUM.

Comment 139: What types of predator control have been conducted, or are being planned, to accommodate the desires of livestock operators on these allotments? How does any predator control affect species or viable populations of native wildlife?

Response 140: See Response 53.

Comment 141: Has water hauling occurred here in the past? Will additional or extended water hauling occur under this Decision? Where the sites where this has occurred/will occur? There are many problems associated with water hauling, or other mechanized activity related to livestock grazing. These problems include:

- Agencies or counties upgrade (or create) roads to accommodate water trucks.
- Roads are pioneered to new water haul, sheep camp, salt/mineral sites, along fences or other facilities
- Water hauling can in one fell swoop introduce weeds and seriously degrade native vegetation and soils in sites where sheep are watered. Thus, remnant pockets of better condition areas are degraded, and weeds introduced - both by sheep and vehicles, etc.
- Water trucks or vehicles engaged in other livestock-related activity may drive crosscountry away from any roads. I saw this occurring in a WSA on Shoshone BLM lands in ID 3 years ago. Ranchers had some high clearance military surplus-type truck, and just cruised through the sage, putting out portable water tanks wherever they wanted.

If water hauling is occurring - how has BLM factored this into the whole suitability/capability business, and if they are acting to extend use to places where there is something to eat (which may be why they are resorting to water hauling, what has happened to the areas (depletion???) where sheep/cattle could graze where water did not have to be hauled?

Response 141: Water hauling has occurred at one location within the Simpson Park Allotment and does not occur within the Kingston Allotment. Water hauls will not be authorized under this decision.

Comment 142: Hog wire/Sheep Fence. Is there any hogwire/sheep fence? How does this fence impede/kill deer, antelope, etc.? Impair rec. uses? Trammel wild landscapes? What is the condition and spacing of ALL fences on these lands, and how are they affecting wildlife populations and movement? How many miles of fence currently exist on or around these allotments? What is the wire spacing on all fences? Which fences may be built in areas that are critical winter range, near important sage grouse use areas, near antelope fawning areas, or other places where fences may impede wildlife movement or contribute to mortality? Which of these fences can be removed?

Response 142: There is no hogwire/sheep fence within the Kingston or Simpson Park Allotments. Fence projects, as for all range improvement projects, will continue to be inspected for condition. Refer to Attachment 1 of the SPC Evaluation for the condition of the fences within the Kingston and Simpson Park Allotments. As per past inspections of the fences within the allotments, the condition of the fences required normal maintenance. Fences constructed on public lands are built per BLM standard wire spacing. There is a total of approximately 38 miles of fence on the Kingston and Simpson Park Allotments. No proposed project will be implemented without a thorough site specific NEPA analysis, including public review. The NEPA document will screen the proposals for compliance with all LUPs, pertinent laws, regulations, and bureau policies. Impacts to critical winter range, sage grouse use areas, etc. would be analyzed at that time.

Comments from Gayle Hybarger, Wolf Ranches, received August 22, 2005

Comment 1: We have some serious concerns about this evaluation as it was done during the drought years and also while the allotment was overstocked with wild burros. The burros graze this area year round and are increasing in numbers. We are having to take a cut immediately and there is no gather planned in the near future for the burros.

Response 1: Data collected for this evaluation was collected in years where precipitation rates would be considered normal for the area. Use Pattern Mapping was collected in 1991, 1993, and 1994 for the Simpson Park Allotment. Available precipitation data for the Smoky Valley weather station indicates that 1991 and 1994 were normal years. Available precipitation data for the Austin Weather Station indicates that 1991 and 1994 were also normal years for the area. Refer to pages 39-40 and 99-100 of the SPC Evaluation. BLM recognizes that production, cover, key area utilization, frequency, and riparian data were collected during years of below normal precipitation rates; however, analysis of the data indicated that key perennial grasses were limited, if not missing from the majority of the key management areas in their entirety (Refer to pages 39-40, 98-100, and 102-155 of the SPC Evaluation) and is cause for concern and management actions that are appropriate in attaining enhanced rangeland (upland and riparian) conditions in order to make significant progress towards the attainment of SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives.

One of the intents of the Simpson Park Complex Evaluation and Rangeland Health Assessment was to establish an Appropriate Management Level for wild horses and burros. The Initial Management Levels were arbitrarily based on 1981 census data for administrative purposes and cannot be used as a means for determining if the Simpson Park Allotment was overstocked with wild burros. The AML for wild burros was addressed through the same carrying capacity calculations as livestock and received proportionate cuts. However, the wild burro AML is proposed as a range to compensate for annual increases in between removals to allow for minimal management. The low range of AML would not be managed for until a baseline genetic test is completed and the genetic health of the herd is determined.

As evidenced by field observations and aerial census data, wild burros have been concentrating on U.S. Forest Service administered lands primarily due to the lack of available water sources on BLM. With the Proposed Management Actions, wild burro distribution within the entire HMA would improve with the development of water sources. Key Areas were established within the Simpson Park Allotment to address concerns with wild burro utilization. SP-4 noted that wild burro sign was present in the vicinity of the key area; however, key species received a rating of slight to light. Key species at SP-5 showed negligible use. The Battle Mountain Field Office would continue to monitor wild burro use and would make future adjustments as appropriate.

With the establishment of AML, the Battle Mountain Field Office is in a position to address concerns about excess wild burros on BLM administered lands. However, the U.S. Forest Service does not have AML set on their portion (Burro Wild Burro Territory) which inhibits the BLM from removing excess wild burros. The Battle Mountain Field Office would schedule a wild burro gather within the Hickison HMA as soon as it is apparent that AML would be established on the adjacent U.S. Forest Service Burro Wild Burro Territory.

Comment 2: The proposed drastic cut in numbers is financially detrimental to our operation as I know they are to all of the permittees. We hope that we will be able to work with you to develop more water and more intense management to regain the use of the suspended AUMs as was indicated in the meetings with you. We have tried in the past to use good management practice by taking a non-use in years when feed was not available. It does no good though if other permittees are allowed to graze the allotment anyway.

Response 2: The BLM recognizes that there will be financial impacts to all permittees under the proposed action. However, in order to provide for the long-term sustainability of the rangeland and your operation, the BLM must take appropriate actions to enhance rangeland conditions in order to make significant progress towards the attainment of SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives. The development of watering facilities has been proposed under the proposed management actions of the SPC Evaluation but will not be included in the proposed or final decisions for the Simpson Park Complex. The BLM also recognizes that Wolf Ranches has taken non-use in the past while other permittees continued to graze the allotment. Therefore, use areas that would provide jurisdictional boundaries have been proposed.

Comment 3: Request for modification of the start date to 11/15 or later and adjust the number of cattle.

Response 3: The modification to the start date and adjustments in the number of cattle is acceptable to the BLM. The season of use would remain during the dormant season within the Pete Summit and Common use areas. The number of cattle would increase by 8 head for the proposed season of use and is not considered to be a significant increase in the number of livestock.

II. CHANGES TO THE SIMPSON PARK COMPLEX EVALUATION and RANGELAND HEALTH ASSESSMENT

Kingston and Simpson Park Allotment Description--

Additional Information for Wildlife and Special Status Species: Big Game Species pages 18-20

Elk (*Cervus elaphus*)

Elk have been expanding their numbers and range all over the West in recent decades, with strong support from hunters and other wildlife advocates. In central Nevada, expansion of elk is a contentious issue, with the livestock industry in strong opposition, but a compromise has been reached in the *Central Nevada Elk Plan* (January 2004).

The Central Nevada Elk Plan identifies areas which will, and will not, be managed for elk, establishes five year population objectives for management areas, and establishes a process for addressing resource impacts and conflicts between interest groups. As established by the plan, elk numbers will be allowed to increase within NDOW Management Areas 16 and 17, through natural population growth and/or immigration. No introductions or augmentations, however, will be conducted for a minimum of five years.

Currently, most of the elk in central Nevada occupy NDOW Management Area 16, specifically, areas associated with Table Mountain and Butler Basin in the Monitor Range. The elk plan's five-year population objective for this very large area is 850 adult animals, a very modest stocking rate. NDOW Management Area 17 currently supports a very small number of elk, and the plan's five year population objective for this area is 250 adult animals.

The Kingston Allotment and the southern half of the Simpson Park Allotment fall within NDOW Management Area 16. Elk are not known to inhabit either of these allotments at present. Monitoring of the impacts of pioneering elk, should they occur on these allotments, would be undertaken as problems or concerns over resource related issues develop. An interdisciplinary monitoring effort, with active participation and contribution of resources by NDOW, permittee(s) and other interests, would be initiated and designed to determine site-specific and species-specific impacts.

The northern half of the Simpson Park Allotment falls beyond the boundaries of the Central Nevada Elk Plan (or any other elk plan). Elk occurrence here would be monitored by the BLM and the NDOW. Issues and problems would be dealt with as they might arise through existing NDOW private land damage compensation programs and/or emergency hunt provisions.

Simpson Park Allotment

Appendix 6: Carrying Capacity Analysis

Through the revision of the carrying capacity analysis for the Simpson Park Allotment, it was found that modification to the livestock carrying capacity needed to be made. Through the carrying capacity calculations, it was determined that the Desired Carrying Capacity of livestock and wild horses and burros for the allotment was 2,747 AUMs and 3,775 AUMs for the Potential Carrying Capacity. Livestock AUMs therefore required modification from these numbers to 2,510 AUMs under the Desired Carrying Capacity calculation and 3,446 under the Potential Carrying Capacity Calculation. An adjustment to each operator's carrying capacity was therefore required. Refer to Attachment 1 of this document for the corrected carrying capacity calculations for livestock.

Pages 234: Proposed Permitted AUMs

Proposed Management Action 1:

Establish the total permitted active use for the Simpson Park Allotment from 6,042 AUMs to 3,446 AUMs as indicated in the table below. Place 2,596 AUMs in suspended use and retain the historic suspended use of 2,589 AUMs. Refer to Attachment 1 of this document for the corrected carrying capacity calculation and analysis.

Permittee	Type	Active Permitted Use	Carrying Capacity
Dry Creek Ranch	Cattle	663	378
	Horses	21	12
Silver Creek Ranch, Inc.	Cattle	1548	882
	Sheep	795	454
Howard Wolf	Cattle	748	427
Ken & Karen Woodland	Cattle	1936	1104
Young Bros.	Cattle	332	189

III. CONFORMANCE DETERMINATION

Kingston Allotment

Based upon the assessment and evaluation of data collected within the **Kingston Allotment**, I make the following determinations:

Northeastern Great Basin RAC

NGB RAC Standard 1: Upland Sites -- MET

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

As indicated by:

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

Rationale:

Analysis of all key areas within the Kingston Allotment indicated that vegetative cover is adequate to conclude that soils exhibit infiltration and permeability rates that are appropriate for the ecological site description. The attainment of the standard was typically due to shrub canopy, litter, and rock cover. The presence of deep rooted shrubs was a key factor in ensuring that infiltration and permeability processes were adequate in relation to the ecological site. Although this standard was met for all of the key management areas, a large proportion of the key areas had an inadequate amount of perennial grasses within the understory. For these key areas, it is expected that infiltration and permeability rates could be enhanced with an increase in the percentage of an herbaceous understory. However, the percent slope associated with the Kingston Allotment is generally moderate to flat. Runoff potential within the BMFO managed portions of the allotment is low. Most of the runoff and erosion potential is associated with Forest Service managed lands.

Standard 1 of the Standards and Guidelines for Nevada's Northeastern Great Basin Area have been met for the Kingston Allotment; however, maintaining the achievement of the standard is at risk due to the

presence of noxious and invasive weeds throughout portions of the allotment and high percentages of bare ground which increase the potential for invasive or noxious weeds to invade the area. Of particular concern is the meadow area represented by K-7. Although the key management area is achieving this standard, the meadow as a whole is at risk due to the presence of tamarisk, perennial pepperweed, and hoary cress. The functionality of soil processes such as soil site stability, infiltration, and permeability rates are at risk, which would aid in the reduction of canopy and ground cover appropriate for the potential of the site.

DETERMINATION RAC Standard 1: Upland Sites

- I have determined that livestock grazing is allowing for Standard 1 to be met.
 - I have determined that the wild burro population is allowing for Standard 1 to be met.
 - I have determined that livestock and wild burro herd management is in conformance with the guidelines.
- Refer to the Simpson Park Complex Evaluation and Rangeland Health Assessment and Appendices.

NGB RAC Standard 2: Riparian and Wetland Sites -- NOT APPLICABLE

Riparian and wetland areas exhibit a properly functioning condition and achieve state water quality criteria.

As indicated by:

- ◆ *Stream side riparian areas are functioning properly when adequate vegetation, large woody debris, or rock is present to dissipate stream energy associated with high water flows. Elements indicating proper functioning condition such as avoiding accelerating erosion, capturing sediment, and providing for groundwater recharge and release are determined by the following measurements as appropriate to the site characteristics: Width/Depth ratio; Channel roughness; Sinuosity of stream channel; Bank stability; Vegetative cover (amount, spacing, life form); and Other cover (large woody debris, rock).*
- ◆ *Natural springs, seeps, and marsh areas are functioning properly when adequate vegetation is present to facilitate water retention, filtering, and release as indicated by plant species and cover appropriate to the site characteristics.*
- ◆ *Chemical, physical and biological water constituents are not exceeding the state water quality standards.*

Rationale:

The determination for meeting or making significant progress for Standard 2 is not applicable for these riparian and wetland sites due to the ownership of water rights and the nature of the construction of these facilities. All of the lentic and lotic water sources inventoried within the allotment have been ditched for irrigation or other lawful purposes and/or otherwise modified or created by man. Ditches, canals, and

reservoirs for mining, agriculture, manufacturing, or other purposes were authorized for water right holders, under the Ditches and Canal Act of 1866 and modified by Acts of 1891 and 1901. The Act as modified was in effect until repealed by FLPMA. All ditches, canals, and reservoirs in place and meeting requirements before Oct. 21, 1976 are 'grandfathered'. Gilman Springs Creek and pond have been altered to provide domestic water to the town of Gilman Springs and the portion of Kingston Creek that was assessed has been ditched to provide water to "Young's Pond" for irrigation purposes.

DETERMINATION RAC Standard 2: Riparian and Wetland Sites

- I have determined that livestock and wild horse herd management is in conformance with the guidelines.
 - Refer to the Simpson Park Complex Evaluation and Rangeland Health Assessment and Appendices.

NGB RAC Standard 3: Habitat -- NOT MET

Significant Progress Being Made - No

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

As indicated by:

- ◆ *Vegetative composition (relative abundance of species);*
- ◆ *Vegetation structure (life forms, cover, heights, or age classes);*
- ◆ *Vegetation distribution (patchiness, corridors);*
- ◆ *Vegetation productivity;*
- ◆ *And Vegetation nutritional value.*

Rationale:

Monitoring and baseline data was collected at 14 key management areas within the Kingston Allotment. These key management areas serve as a basis for determining the effects of livestock and wild burro use within the allotment. An evaluation of this standard was completed for all key management areas. Following the analysis, interpretation, and evaluation of available monitoring information, it was determined that this standard is being met at K-7, K-8, and K-9. The key management areas that did not meet this standard include K-1 through K-6, and K-10 through K-14. It was determined that significant progress towards the attainment of the standard occurred at Key Management Area K-5. Production, cover, frequency, precipitation, ecological status, photo documentation, and field observations were used as a basis for this determination.

For the key management areas that met the standard, it was determined that the vegetative diversity, production, composition, and cover were appropriate for the characteristics of the ecological site to adequately provide for 1) suitable feed, 2) cover, 3) living space for animal species, and 4) to maintain ecological processes. It was determined that less than desirable range conditions due to a lack of vegetative species diversity along with vegetative composition and production resulted in the non-attainment of the standard for the majority of the key management areas. Refer to pages 41-93, 102-155, and Appendix 8 of the SPC Evaluation).

Although weed inventories have not been completed on an allotment-wide basis, portions of the allotment have been inventoried. Noxious weeds such as tamarisk, perennial pepperweed, hoary cress, and Russian knapweed have been documented to occur in isolated areas of the allotment. Although the presence of these species did not negatively influence key management area data, they do decrease the production and composition of desirable species where they proliferate and have the potential to reduce the quality of the habitat associated with the site. The most productive site within the allotment has been invaded by tamarisk, perennial pepperweed, and hoary cress, all of which are noxious weed species. K-7 represents a portion of this meadow; however, monitoring data at this site did not reflect the presence of these species throughout the meadow. Treatment of the tamarisk has occurred; however, the presence of this species has resulted in the loss of composition and production of desirable perennial species. The presence of the noxious weeds has therefore reduced the quality of the habitat associated with this site. It has been determined that livestock grazing is not the cause of the invasion of tamarisk throughout the meadow; however, historic livestock grazing may have caused undesirable range conditions at this site, opening a niche for perennial pepperweed and hoary cress to invade in.

Riparian habitat and other watering sources are extremely limited throughout the Kingston Allotment and are of concern for meeting the needs of pronghorn and other wildlife species that occur within the allotment. Perennial riparian areas include Kingston Creek and Gilman Springs; however, these riparian areas have been manipulated for irrigation and domestic watering purposes which limits the habitat values associated with these sources. Birch Creek flows from Forest Service managed lands, but flow is seasonal onto the Kingston Allotment, further reducing important riparian habitats for wildlife species. There are no watering facilities for wild burros within the Kingston portion of the Hickison HMA.

Significant Progress:

Due to the current conditions of the majority of the vegetative communities within the Kingston Allotment, there is no indication that significant progress towards the attainment of the standard has been achieved. Most of the vegetative communities are currently shrub-dominated with minimal if any key perennial grasses in the understory.

Causal Factor(s):

Historic livestock management and periods of drought throughout the evaluation period has been determined to be the primary causal factor for the key management areas that did not meet the standard. Monitoring information reveals that there is no indication of significant progress toward the attainment of the standard (with the exception of one key management area) being made at the key management areas due to current vegetative conditions. The major riparian areas are limited and serve as facilities for irrigation and domestic watering purposes and the major wetland area is subjected to seasonal runoff

events and is threatened due to the invasion of invasive, noxious weeds. Riparian habitats and other watering facilities for wild burros are limited to Forest Service managed lands.

Therefore, Standard 3: Habitat is **NOT MET** and Significant Progress **IS NOT** being made toward this standard in the Kingston Allotment. Refer to Appendix 8 for complete key management area evaluations of this standard.

DETERMINATION RAC Standard 3: Habitat

- I have determined that historic livestock grazing is a significant causal factor to the non-attainment of Standard 3
- I have determined that the current wild burro population is not a significant causal factor for the non-attainment of Standard 3.
- I have determined that current livestock and wild burro management is not in conformance with the RAC Standards and Guidelines.
 - Refer to the Simpson Park Complex Evaluation and Rangeland Health Assessment and Appendices.

NGB RAC Standard 4: Cultural Resources -- MET

Land use plans will recognize cultural resources within the context of multiple-use.

Rationale:

Based on the evaluation of existing information pertaining to range improvements and grazing, cultural resources are being recognized within the context of multiple-use management within the Kingston Allotment.

DETERMINATION RAC Standard 4: Cultural Resources

- I have determined that livestock grazing is allowing for Standard 4 to be met.
- I have determined that the wild burro population is allowing for Standard 4 to be met.
- I have determined that livestock and wild burro herd management is in conformance with the guidelines.
 - Refer to the Simpson Park Complex Evaluation and Rangeland Health Assessment and Appendices.

Simpson Park Allotment

Based on the assessment and evaluation of data collected within the **Simpson Park Allotment**, I make the following determinations:

Northeastern Great Basin RAC

NGB RAC Standard 1: Upland Sites -- MET

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

As indicated by:

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

Rationale:

All key areas within the Simpson Park Allotment indicated that there was sufficient canopy and ground cover to provide for infiltration and permeability rates appropriate to the ecological site, climate, and landform. Monitoring data indicated that there was shrub canopy, litter, and rock cover adequate to ensure proper infiltration and permeability rates. In some instances, there was adequate basal cover represented by perennial grasses in the understory to further enhance infiltration and permeability processes. However, for the most part, the presence of perennial grasses in the understory was lacking. Although this standard is being met for the allotment in its entirety, it is expected that infiltration and permeability rates would be enhanced with an increased percentage of the perennial herbaceous understory.

DETERMINATION RAC Standard 1: Upland Sites

- I have determined that livestock grazing is allowing for Standard 1 to be met.
 - I have determined that wild horse and burro populations are allowing for Standard 1 to be met.
 - I have determined that livestock and wild horse and burro management is in conformance with the guidelines.
- Refer to the Simpson Park Complex Evaluation and Rangeland Health Assessment and Appendices.

NGB RAC Standard 2: Riparian and Wetland Sites -- NOT MET

Significant Progress Being Made – NO

Riparian and wetland areas exhibit a properly functioning condition and achieve state water quality criteria.

As indicated by:

- ◆ *Stream side riparian areas are functioning properly when adequate vegetation, large woody debris, or rock is present to dissipate stream energy associated with high water flows. Elements indicating proper functioning condition such as avoiding accelerating erosion, capturing sediment, and providing for groundwater recharge and release are determined by the following measurements as appropriate to the site characteristics: Width/Depth ratio; Channel roughness; Sinuosity of stream channel; Bank stability; Vegetative cover (amount, spacing, life form); and Other cover (large woody debris, rock).*
- ◆ *Natural springs, seeps, and marsh areas are functioning properly when adequate vegetation is present to facilitate water retention, filtering, and release as indicated by plant species and cover appropriate to the site characteristics.*
- ◆ *Chemical, physical and biological water constituents are not exceeding the state water quality standards.*

Rationale:

The minimum standard of proper functioning condition (PFC) was not met on 72% of the lentic and 65% of the lotic sites assessed.

Twenty-eight percent of the lentic and 35% of the lotic habitat was rated at PFC. Significant progress was not being made on any the areas assessed that were determined to be functional-at-risk. Five percent of the lentic resources and 29% of the lotic resources were determined to be functional-at-risk, trend not apparent. Fifteen percent of the lentic and 35% of the lotic resources were determined to be functional-at-risk, trend downward. Non-functional ratings were assessed on 37% of the lentic and 12% of the lotic resources on the Simpson Park Allotment.

Water quality data was collected within portions of the allotment and was compared to the water quality criteria for beneficial uses. Based on this comparison, water quality data suggests that criterion would be met; however, samples were not analyzed in a lab setting.

Significant Progress:

Significant progress towards the attainment of this standard is not being made due to the majority of the riparian areas being rated as functional-at-risk with a downward trend or being rated as non-functional.

Causal Factor(s):

Historic and current livestock grazing and wild horse use were found to be the primary casual factors for the non-attainment of this standard. Refer to Appendix 8 for complete evaluation of this standard.

As a result of the above factors, Standard 2 for the Simpson Park Allotment is **NOT MET** and Significant Progress **IS NOT** being made toward this standard in the Simpson Park Allotment.

DETERMINATION RAC Standard 2: Riparian and Wetland Zones

- I have determined that historic and current livestock grazing is a significant causal factor leading to Standard 2 not being met.
- I have determined that the current wild horse population is a causal factor to the non-attainment of Standard 2.
- I have determined that livestock and wild horse management is not in conformance with the guidelines.
 - Refer to the Simpson Park Complex Evaluation and Rangeland Health Assessment and Appendices.

NGB RAC Standard 3: Habitat (Upland & Riparian) -- NOT MET

Significant Progress Being Made – NO

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

As indicated by:

- ◆ *Vegetative composition (relative abundance of species);*
- ◆ *Vegetation structure (life forms, cover, heights, or age classes);*
- ◆ *Vegetation distribution (patchiness, corridors);*
- ◆ *Vegetation productivity;*
- ◆ *And Vegetation nutritional value.*

Rationale:

Monitoring and baseline data was collected at 15 key management areas within the Simpson Park Allotment. These key management areas serve as a basis for determining the effects of livestock, wild horse, and wild burro use within the allotment. An evaluation of this standard was completed for all key management areas. Following the analysis, interpretation, and evaluation of available monitoring information, it was determined that this standard is not being met for 14 of the key management areas and is undetermined for 1 key management area. The key management areas that did not meet this

standard include SP-1 through SP-14. The standard was undetermined for the Dry Lake Pasture key management area due to the lack of production data associated with the site. It was determined that significant progress towards the attainment of the standard occurred at key management areas SP-3, SP-5, SP-7, SP-12, and SP-13. Production, cover, frequency, precipitation, ecological status, photo documentation, and field observations were used as a basis for this determination.

It was determined that less than desirable range conditions due to a lack of vegetative species diversity along with vegetative composition and production resulted in the non-attainment of the standard for the key management areas associated with the Simpson Park Allotment. However, significant progress towards the attainment of the standard was determined to occur at five of the fifteen key management areas. Monitoring data indicates that key perennial grasses occurred at the sites in significant amounts and utilization rates did not exceed the objectives for the allotment. With the attainment of the short-term utilization objective and the current, although not desirable, condition of the vegetative community at these key management areas, the standard was met for these key management areas.

Riparian and wetland resources provide important habitat to wildlife species throughout the Simpson Park Allotment. Due to the condition of the majority of these sites, the habitat quality associated with these sites has been reduced. There are 5 watersheds and canyons that provide the majority of the riparian areas plus numerous isolated springs and seeps associated with the allotment. For the most part, the major contributing areas for riparian habitat had witnessed shrinkage of the riparian habitat, frost heaving (hummocking), soil compaction, excessive soil erosion, bank shear, channel incision, and lowering of the water table.

Due to the current condition at the majority of the key management areas and riparian and wetland areas, habitat values for wildlife species, namely pronghorn, mule deer, and sage grouse have been limited and forage values for livestock have been reduced.

Significant Progress:

Analysis of monitoring data for the majority of the key management areas within the Simpson Park Allotment indicated that the vegetative communities are not in a desirable state in that the sites are currently shrub dominated with minimal key perennial grass and forb component within the herbaceous understory. Use pattern mapping data, key area utilization data, and field observations indicate that utilization levels are excessive and grazing use continues to occur during the critical growing season. As a result, significant progress towards the attainment of this standard is not being made in the Simpson Park Allotment. Significant progress is not being made on riparian habitat. The majority of the riparian areas were not in Properly Functioning Condition and riparian utilization monitoring resulted in heavy utilization rates.

Causal Factor(s):

Historic and current livestock grazing management, which continues to occur throughout the critical growing season, has been determined to be the primary causal factors for the key management areas and riparian-wetland habitats that did not meet the standard. Analysis of key management area data indicated that the majority of the vegetative communities were shrub dominated with minimal key perennial grasses and forbs in the understory. The majority of the riparian areas assessed were rated as

functional-at-risk, downward trend or non-functional. Due to the conditions at the majority of the key management areas and riparian resources, there is no indication that significant progress towards the attainment of the standard has been made for the Simpson Park Allotment as a whole.

Therefore, Standard 3 for the Simpson Park Allotment is **NOT MET** and Significant Progress **IS NOT** being made toward this standard.

DETERMINATION RAC Standard 3: Habitat (Upland and Riparian)

- I have determined that historic and current livestock grazing is a significant causal factor leading to Standard 3 not being met.
 - I have determined that wild horse and burro populations are not a significant causal factor in Standard 3 not being met.
 - I have determined that current livestock and wild horse and burro management is not in conformance with the guidelines.
- Refer to the Simpson Park Complex Evaluation and Rangeland Health Assessment and Appendices.

NGB RAC Standard 4: Cultural Resources -- MET

Land use plans will recognize cultural resources within the context of multiple-use.

Rationale:

Based on the evaluation of existing information pertaining to range improvements and grazing, cultural resources are being recognized within the context of multiple-use management within the Simpson Park Allotment.

DETERMINATION RAC Standard 4: Cultural Resources

- I have determined that livestock grazing is allowing for Standard 4 to be met.
 - I have determined that wild horse and burro populations is allowing for Standard 4 to be met.
 - I have determined that livestock and wild horse and burro herd management is in conformance with the guidelines.
- Refer to the Simpson Park Complex Evaluation and Rangeland Health Assessment and Appendices.

Simpson Park Complex Herd Management Areas (HMAs)

NGB RAC Standard 5--Healthy Wild Horse and Burro Populations

Wild horses and burros exhibit characteristics of a healthy, productive, and diverse population. Age structure and sex ratios are appropriate to maintain the long term viability of the population as a distinct group. Herd management areas are able to provide suitable feed, water, cover and living space for wild horses and burros to maintain historic patterns of habitat use.

As indicated by:

- ◆ *Healthy rangelands that provide sufficient quantities and quality of forage and water to sustain the appropriate management level on a year long basis within a herd management area.*
- ◆ *Wild horses and/or burros managed on a year-long basis for a condition class greater than or equal to five to allow them normal chances for survival in the winter (see glossary for equine body conditioning definitions).*
- ◆ *Highly adoptable wild horses and burros that are readily available from herd management areas.*
- ◆ *Wild horse and burro herds that exhibit appropriate age structure and sex ratio for short and long-term genetic and reproductive health.*

1. Hickison HMA (Kingston and Simpson Park Allotments)

NGB RAC Standard 5: Healthy Wild Horse and Burro Populations -- PARTIALLY MET

Rationale:

The wild burros inhabiting the Hickison HMA/WBT are an isolated population, with no other burro populations existing in close enough proximity to allow for emigration of new individuals into the Hickison HMA/WBT herd. The true genetic relationships of the Hickison HMA/WBT burros are unknown at this time.

Available water sources do not occur within the Kingston Allotment, limiting the use within this portion of the HMA. However, water is a critical factor in the distribution of wild burros and may be limiting herd distribution in the Kingston Allotment and forcing burros to more frequently utilize water sources in the Simpson Park Allotment and adjacent USFS WBT.

The quantity and quality of forage within the Hickison HMA is sufficient for highly opportunistic feeders such as wild burros.

Wild burros within the Hickison HMA are healthy and highly adoptable. Wild burros existing within the Hickison HMA/WBT exhibit condition classes greater than or equal to five which would allow them normal chances of survival during winter months. Wild burros within the Hickison HMA tend to congregate in the lower elevations during winter months. The Hickison HMA/WBT herd is composed of burros which exhibit typical colorations, patterns, sizes, and other characteristics which are highly

sought after in the adopting public. The majority of burros within the Hickison HMA are brown, grey, and grey-white pinto.

Typically, a wild burro population that has not been actively managed such as the Hickison HMA/WBT herd should illustrate an age distribution similar to that of horses. The Hickison HMA/WBT herd should have a predominance of animals in the younger age classes and a progressive decline in each older age class which is a typical age distribution in mammal populations.

DETERMINATION RAC Standard 5: Healthy Wild Horse and Burro Populations

- I have determined that the wild burro population is allowing for Standard 5 to be met.
 - I have determined that the herd management area is allowing for Standard 5 to be partially met.
 - I have determined that the wild burro herd management is not in conformance with the guidelines.
- Refer to the Simpson Park Complex Evaluation and Rangeland Health Assessment and Appendices.

2. Callaghan HMA (Simpson Park Allotment)

Standard 5: Healthy Wild Horse and Burro Populations -- MET

Rationale:

Wild horses within the Callaghan HMA are healthy, productive, and exhibit characteristics of a diverse population. Wild horses within the Simpson Park Allotment are not independent of the horses inhabiting other allotments within the HMA. Wild horses move throughout the HMA with seasonal patterns and in search of needed space, forage, and water requirements if these become limiting. Multiple-use management within the Callaghan HMA allows wild horse populations to maintain historical use and distribution patterns and are not impeded by other management actions.

The population no longer exhibits a natural age structure due to past management, but is appropriate for sustaining the population by having a representative number of wild horses within the 4 to 10 year old age class. The younger age classes will be incorporated into the population with each successive reproductive year. The age distribution will allow the population to withstand any natural events which have a greater likelihood of impacting the older age groups. Management strategies have allowed specialists to maintain a near natural sex ratio. Although past management has mandated BLM policy, age structure and sex ratio within the HMA remains appropriate to maintain a healthy, productive, and diverse population. Current population size is quite large and the AML should be adequate for maintaining genetic variation, especially considering the high starting variation.

Adequate water sources and forages exist within the Simpson Park Allotment. Wild horses are capable of utilizing water sources in other areas throughout the HMA; they are not restricted to any one particular area. The current state of the vegetative community is not dominated by grasses, however, the

quantity and quality of forage within the Callaghan HMA is sufficient to maintain an Appropriate Management Level of wild horses.

The wild horses within the Callaghan HMA are healthy and adoptable. Frequent field observations of wild horses inhabiting the Callaghan HMA indicate that they maintain a body condition class of 5 or greater. Wild horses within the Callaghan HMA have and will continue to be managed for their highly adoptable characteristics.

DETERMINATION RAC Standard 5: Healthy Wild Horse and Burro Populations

- I have determined that the wild horse population is allowing for Standard 5 to be met.
- I have determined that the wild horse herd management is in conformance with the guidelines.
 - Refer to the Simpson Park Complex Evaluation and Rangeland Health Assessment and Appendices.

IV. MODIFICATIONS to PROPOSED MANAGEMENT ACTIONS

The following Proposed Management Actions from the Simpson Park Complex Evaluation and Rangeland Health Assessment have been modified based on the analysis of available monitoring data and consideration of comments received from interested publics through letters and meetings. These actions are required to ensure that all of the multiple use objectives are met and significant progress is made towards attainment of the Standards for Rangeland Health. The following is a summary of those management action identified in the evaluation and rangeland health assessment that have been modified.

Kingston Allotment Proposed Management Actions

Proposed Livestock Management Action

Management Action 2

Modify the Grazing Stipulations to include the following:

1. Permittees would be required to establish watering facilities on private land in order to promote better livestock dispersal throughout portions of the allotment prior to turn-out.
2. The permittee would be required to maintain all range improvement projects for which maintenance responsibility is assigned in accordance with 43 CRR 4140.
3. All enclosures, including riparian, within the Kingston Allotment would be closed to livestock grazing unless grazing use is applied for by the permittee and is authorized in writing by the authorized officer.

4. The permittee would be required to meet with the BLM prior to each grazing year in order to determine an annual grazing management plan that would ensure appropriate use throughout the area.
5. Utilization of “Key Upland Forage Species” will not exceed 50% by the end of the grazing year.
6. Utilization of key riparian-wetland herbaceous species will be limited to a minimum 4-inch stubble height by July 31st of each year. Utilization of key riparian-wetland herbaceous species will be limited to a 6-inch stubble height by the end of the growing season, if grazing starts or extends past July 31st.
7. Utilization of riparian woody or browse species will be limited to 30% of available stems by the end of the growing season. (Aspen, elderberry, serviceberry)
8. Riparian bank shearing and trampling will be limited to 10% (10 feet in 100 feet of bank).
9. Utilization of key shrub browse species will be no greater than 25% during the critical growth period and no more than 40% following the end of the growing season.
10. Management actions and objectives conforms to the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFAWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada’s South Central Nevada Sage Grouse Conservation Plan, which is now under development.
11. If annual monitoring standards reach specified objectives in any use area where measurable standards have been set, the permittee will be required to remove livestock from that area. The permittee will have 3-5 days upon notification to remove livestock.
12. The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.
13. The season of use for the Kingston Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Kingston Allotment would constitute temporary non-renewable use.
14. In accordance with 43 CFR 4130.3-3: 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 provision of subpart 4180 RAC Standards and Guidelines.

Simpson Park Allotment Proposed Management Actions

Proposed Livestock Management Action

Management Action 2:

Modify the use areas for the Simpson Park Allotment to the following (Refer to Attachment 2 of this document for the Use Area Map):

Use Area	Operator
Willow-Barton Pasture	Silver Creek Ranch, Woodland
Lake Ranch	Silver Creek Ranch, Woodland
Indian Ranch	Silver Creek Ranch, Woodland
Bates Mountain	Damale, Silver Creek Ranch, Woodland
Rye Patch	Silver Creek Ranch, Wolf, Woodland
Ackerman	Damale, Wolf
Givens North	Wolf, Woodland
Givens South	Wolf, Woodland
Black Bird	Young Bros.
Common	Wolf, Young Bros.
Pete Summit	Damale, Wolf

Management Action 3:

Modify the permitted use and Grazing Stipulations for Dry Creek Ranch to the following:

Use Area	Season of Use	Livestock Type	Percent Public Land	AUMs
Bates Mountain	06/01 - 07/15	Cattle	100	102
Ackerman	08/01 - 09/30	Cattle	100	138
	08/01 - 09/30	Horses	100	12
Pete Summit	10/01 - 11/30	Cattle	100	138

Grazing Stipulations:

1. The permittee would be required to maintain all range improvement projects for which maintenance responsibility is assigned in accordance with 43 CRR 4140.
2. All enclosures, including riparian, within the Simpson Park Allotment would be closed to livestock grazing unless grazing use is applied for by the permittee and is authorized in writing by the authorized officer.
3. The permittee would be required to meet with the BLM prior to each grazing year in order to determine an annual grazing management plan that would ensure appropriate use throughout the use area.
4. Utilization of “Key Upland Forage Species” will not exceed 40% by the end of the grazing year.

5. Utilization of key riparian-wetland herbaceous species will be limited to a minimum 4-inch stubble height by July 31st of each year. Utilization of key riparian-wetland herbaceous species will be limited to a 6-inch stubble height by the end of the growing season, if grazing starts or extends past July 31st.
6. Utilization of riparian woody or browse species will be limited to 30% of available stems by the end of the growing season. (Aspen, elderberry, serviceberry)
7. Riparian bank shearing and trampling will be limited to 10% (10 feet in 100 feet of bank).
8. Utilization of key shrub browse species will be no greater than 25% during the critical growth period and no more than 40% following the end of the growing season.
9. Management actions and objectives conforms to the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFAWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada's South Central Nevada Sage Grouse Conservation Plan, which is now under development.
10. If annual monitoring standards reach specified objectives in any use area where measurable standards have been set, the permittee will be required to remove livestock from that area. The permittee will have 3-5 days upon notification to remove livestock.
11. The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.
12. The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable would be subject to the requirements set forth in 43 CFR 4130.6-2.
13. In accordance with 43 CFR 4130.3-3: 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 provision of subpart 4180 RAC Standards and Guidelines.

Management Action 3

Modify the permitted use and Grazing Stipulations for Silver Creek Ranch to the following:

Use Area	Season of Use	Livestock Type	Percent Public Land	AUMs
Indian Ranch, Lake Ranch, Rye Patch	04/01 - 04/30	Cattle	100	246
Willow/Barton Pasture	05/01 - 06/30	Cattle	100	401
Rye Patch, Indian Ranch, Bates Mountain	05/01 - 07/15	Cattle	100	112
Lake Ranch	05/01 - 08/15	Cattle	100	123
Willow/Barton Pasture	06/01 - 06/30	Sheep	100	454

Grazing Stipulations

1. The permittee would be required to maintain all range improvement projects for which maintenance responsibility is assigned in accordance with 43 CRR 4140.
2. All enclosures, including riparian, within the Simpson Park Allotment would be closed to livestock grazing unless grazing use is applied for by the permittee and is authorized in writing by the authorized officer.
3. The permittee would be required to meet with the BLM prior to each grazing year in order to determine an annual grazing management plan that would ensure appropriate use throughout the use area.
4. Sheep camps will be moved every five days. No two (2) sheep camps will camp in the same area in a grazing season.
5. New bed grounds will be used every night. Sheep bedding grounds will be a minimum of one quarter (1/4) mile from permanent water, aspen stands, and previous bed grounds.
6. Utilization of “Key Upland Forage Species” will not exceed 40% by the end of the grazing year.
7. Utilization of key riparian-wetland herbaceous species will be limited to a minimum 4-inch stubble height by July 31st of each year. Utilization of key riparian-wetland herbaceous species will be limited to a 6-inch stubble height by the end of the growing season, if grazing starts or extends past July 31st.
8. Utilization of riparian woody or browse species will be limited to 30% of available stems by the end of the growing season. (Aspen, elderberry, serviceberry)
9. Riparian bank shearing and trampling will be limited to 10% (10 feet in 100 feet of bank).
10. Utilization of key shrub browse species will be no greater than 25% during the critical growth period and no more than 40% following the end of the growing season.

11. The permittee will be required to herd sheep throughout their established use area to utilize areas that have received slight and/or light use. If it is determined that utilization objectives are being met in any area, the permittee will be required to move sheep immediately upon notification to other areas of the use area that have not been grazed.
12. If annual monitoring standards reach specified objectives in any use area where measurable standards have been set, the permittee will be required to remove livestock from that area. The permittee will have 3-5 days upon notification to remove livestock.
13. The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.
14. The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable would be subject to the requirements set forth in 43 CFR 4130.6-2.
15. Management actions and objectives conforms to the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFAWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada's South Central Nevada Sage Grouse Conservation Plan, which is now under development.
16. In accordance with 43 CFR 4130.3-3: 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 provision of subpart 4180 RAC Standards and Guidelines.
17. The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.
18. The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable would be subject to the requirements set forth in 43 CFR 4130.6-2.
19. In accordance with 43 CFR 4130.3-3: 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 provision of subpart 4180 RAC Standards and Guidelines.

Management Action 3

Modify the permitted use and grazing stipulations for Howard & Barbara Wolf to the following:

Use Area	Season of Use	Livestock Type	Percent Public Land	AUMs
Pete Summit/Common	11/15 - 03/31	Cattle	100	315
Pete Summit/Common	11/15 - 12/15	Cattle	100	8
Ackerman/Givens South	04/01 - 04/30	Cattle	100	69
Givens North/Rye Patch	05/01 -05/15	Cattle	100	35

Grazing Stipulations

1. The permittee would be required to maintain all range improvement projects for which maintenance responsibility is assigned in accordance with 43 CRR 4140.
2. All enclosures, including riparian, within the Simpson Park Allotment would be closed to livestock grazing unless grazing use is applied for by the permittee and is authorized in writing by the authorized officer.
3. The permittee would be required to meet with the BLM prior to each grazing year in order to determine an annual grazing management plan that would ensure appropriate use throughout the use area.
4. Utilization of “Key Upland Forage Species” will not exceed 40% by the end of the grazing year.
5. Utilization of key riparian-wetland herbaceous species will be limited to a minimum 4-inch stubble height by July 31st of each year. Utilization of key riparian-wetland herbaceous species will be limited to a 6-inch stubble height by the end of the growing season, if grazing starts or extends past July 31st.
6. Utilization of riparian woody or browse species will be limited to 30% of available stems by the end of the growing season. (Aspen, elderberry, serviceberry)
7. Riparian bank shearing and trampling will be limited to 10% (10 feet in 100 feet of bank).
8. Utilization of key shrub browse species will be no greater than 25% during the critical growth period and no more than 40% following the end of the growing season.
9. Management actions and objectives conforms to the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada’s South Central Nevada Sage Grouse Conservation Plan, which is now under development.

10. If annual monitoring standards reach specified objectives in any use area where measurable standards have been set, the permittee will be required to remove livestock from that area. The permittee will have 3-5 days upon notification to remove livestock.
11. The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.
12. The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable would be subject to the requirements set forth in 43 CFR 4130.6-2.
13. In accordance with 43 CFR 4130.3-3: 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 provision of subpart 4180 RAC Standards and Guidelines.

Management Action 3

Modify the permitted use and grazing stipulations for Ken & Karen Woodland to the following:

Use Area	Season of Use	Livestock Type	Percent Public Land	AUMs
Parson's Pastures	04/01 - 04/30	Cattle	100	168
Willow/Barton Pasture	05/01 - 06/30	Cattle	100	341
Lake Ranch/Indian Ranch/Bates Mountain	07/01 - 07/15	Cattle	100	42
Lake Ranch/Rye Patch	07/01 - 07/15	Cattle	100	42
Rye Patch/Givens North	07/16 - 08/30	Cattle	100	261
Givens South	09/01 - 10/15	Cattle	100	250

Grazing Stipulations

1. The permittee would be required to maintain all range improvement projects for which maintenance responsibility is assigned in accordance with 43 CRR 4140.
2. Pastures utilized in "Parson's Pastures" during the spring will not be utilized during the following fall use in the Given's Use Area. The permittee will stipulate the pasture utilized during the spring.
3. All enclosures, including riparian, within the Simpson Park Allotment would be closed to livestock grazing unless grazing use is applied for by the permittee and is authorized in writing by the authorized officer.
4. The permittee would be required to meet with the BLM prior to each grazing year in order to determine an annual grazing management plan that would ensure appropriate use throughout the use area.

5. Utilization of “Key Upland Forage Species” will not exceed 40% by the end of the grazing year.
6. Utilization of key riparian-wetland herbaceous species will be limited to a minimum 4-inch stubble height by July 31st of each year. Utilization of key riparian-wetland herbaceous species will be limited to a 6-inch stubble height by the end of the growing season, if grazing starts or extends past July 31st.
7. Utilization of riparian woody or browse species will be limited to 30% of available stems by the end of the growing season. (Aspen, elderberry, serviceberry)
8. Riparian bank shearing and trampling will be limited to 10% (10 feet in 100 feet of bank).
9. Utilization of key shrub browse species will be no greater than 25% during the critical growth period and no more than 40% following the end of the growing season.
10. Management actions and objectives conforms to the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFAWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada’s South Central Nevada Sage Grouse Conservation Plan, which is now under development.
11. If annual monitoring standards reach specified objectives in any use area where measurable standards have been set, the permittee will be required to remove livestock from that area. The permittee will have 3-5 days upon notification to remove livestock.
12. The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.
13. The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable would be subject to the requirements set forth in 43 CFR 4130.6-2.
14. In accordance with 43 CFR 4130.3-3: 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 provision of subpart 4180 RAC Standards and Guidelines.

Management Action 3

Modify the grazing stipulations for Young Bros. to the following:

Grazing Stipulations

1. The permittee would be required to maintain all range improvement projects for which maintenance responsibility is assigned in accordance with 43 CRR 4140.
2. All enclosures, including riparian, within the Simpson Park Allotment would be closed to livestock grazing unless grazing use is applied for by the permittee and is authorized in writing by the authorized officer.
3. The permittee would be required to meet with the BLM prior to each grazing year in order to determine an annual grazing management plan that would ensure appropriate use throughout the use area.
4. Utilization of “Key Upland Forage Species” will not exceed 40% by the end of the grazing year.
5. Utilization of key riparian-wetland herbaceous species will be limited to a minimum 4-inch stubble height by July 31st of each year. Utilization of key riparian-wetland herbaceous species will be limited to a 6-inch stubble height by the end of the growing season, if grazing starts or extends past July 31st.
6. Utilization of riparian woody or browse species will be limited to 30% of available stems by the end of the growing season. (Aspen, elderberry, serviceberry)
7. Riparian bank shearing and trampling will be limited to 10% (10 feet in 100 feet of bank).
8. Utilization of key shrub browse species will be no greater than 25% during the critical growth period and no more than 40% following the end of the growing season.
9. Management actions and objectives conforms to the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFAWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada’s South Central Nevada Sage Grouse Conservation Plan, which is now under development.
10. If annual monitoring standards reach specified objectives in any use area where measurable standards have been set, the permittee will be required to remove livestock from that area. The permittee will have 3-5 days upon notification to remove livestock.
11. The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.

12. The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable would be subject to the requirements set forth in 43 CFR 4130.6-2.
13. In accordance with 43 CFR 4130.3-3: 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 provision of subpart 4180 RAC Standards and Guidelines.

V. SELECTED MANAGEMENT ACTIONS

Following the analysis, interpretation, and evaluation of monitoring data, it was determined that SERA RMP Objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives were not being attained in some cases. As a result of the evaluation of the monitoring data, Selected Management Actions have been developed 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 not currently met.

Kingston Allotment Selected Management Actions

SELECTED LIVESTOCK MANAGEMENT ACTIONS

Management Action 1:

Establish the total permitted use for the Kingston Allotment at 2,710 AUMs. Eight (8) AUMs would be removed from the total permitted use.

Rationale:

Use pattern mapping data collected in 1993 and 1994 in accordance with the Nevada Rangeland Monitoring Handbook. This data was used to analyze the carrying capacity of the allotment. The carrying capacity analysis was based on weighted average utilization. Refer to the SPC Evaluation Appendix 6. The carrying capacity was identified along with a grazing management plan to ensure that the season of use was appropriate for the vegetative communities that dominate the Kingston Allotment. The Kingston Allotment has been divided into east and west sections with the installation of the Highway 376 fence. The majority of the use within both sections of the allotment has been light and can be attributed to the vegetative conditions of the range and the limited occurrence of stock water resulting in poor distribution of livestock. The following table illustrates the average actual livestock use compared to the weighed average utilization and the total acres that exceeded the Rangeland Program Summary utilization objective of 60% by the end of the grazing year for the Kingston Allotment.

	1993	1994
61-100% Utilization	345	658
Average Actual Use (Livestock)	38%	39%

It was determined through the analysis of monitoring data that key management areas K-1 through K-6 and K-10 through K14 were failing to meet Resource Advisory Council (RAC) Standard 3: Habitat. Historic livestock grazing was identified as the causal factor for the non-attainment of this RAC Standard. The average weighted utilization for the use pattern maps was 38.5%. Current livestock grazing is not in conformance with the RAC vegetative guidelines. Due to the current condition of the vegetative community, a change in the season of use and implementation of proper utilization levels are required in order to meet SERA RMP objectives, Standards for Rangeland Health, multiple-use objectives, and allotment specific objectives. For a detailed analysis of monitoring data regarding these findings, refer to the Simpson Park Complex Rangeland Health Assessment Pages 41-97, 187-194, Appendix 6 and 8, and the Simpson Park Complex Conformance Determination.

Through the evaluation of monitoring data and the carrying capacity analysis, a range of AUMs was provided to the permittee and was dependent upon commitment to management. Carrying capacity was calculated allotment-wide as the result of the permittees throughout the allotment not submitting actual use reports by use area. The range of livestock AUMs for the Kingston Allotment was 2,085 desired carrying capacity, 3,282 potential carrying capacity, and 2,728 AUMs for *potential carrying. On July 11th, 2005 BLM, Ralph Young of Young Brothers and Mark Hyde of Truckee River Ranch had a meeting to discuss the range of AUMs and the operator's commitment to improve livestock management. Portions of the eastern bench that received light use were included in the carrying capacity calculation for * Potential Carrying Capacity due to the potential to establish watering facilities on private land and the permittees' commitment to improve distribution of livestock and improve management with the change in season of use. In order to achieve the carrying capacity, terms and conditions will be identified that require permittees to provide water on private lands during the authorized use periods.

The RPS allocation of AUMs for livestock and wild burros is 99% to 1% respectively. However, the average actual use by wild burros was slightly over the allocation during the evaluation period with 1.5% of the AUMs utilized by wild burros. The current allocation for wild burros is of concern due to genetic viability of the herd. The proposed reallocation of the AUMs would allocate an additional 60 AUMs of forage to wild burros resulting in a revised allocation of 97% to livestock and 3% to wild burros for the Kingston Allotment and would aid in maintaining genetic viability in the future. Furthermore, wild burros are opportunistic feeders and are able to utilize more of the range on a year-long basis than cattle. Therefore, areas that are less suitable for cattle remain available for wild burros.

In 2003 a total of 214.88 acres within the Kingston Allotment were devoted as lands for an airport lease. The NEPA documentation (NV063-CX03-75) for the lease of these lands was signed on November 12, 2003. With the devotion of the lands for purposes other than grazing, AUMs associated with the acreage are to be removed from the affected permittee's permit. A total of 8 AUMs are associated with this acreage and are no longer available for use. Therefore, the total available AUMs for the Kingston Allotment would be modified to 2,710 AUMs. The removal of 8 AUMs would be proportionately split between the two permittees.

The slight modification of the permitted livestock AUMs and increasing the allocation of the AUMs to wild burros in addition to the implementation of management actions will ensure that significant progress would be made towards the attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives and allotment specific objectives provided that the Grazing Stipulations and the Terms and Conditions identified below are adhered to. Significant progress would be made when the annual monitoring standards for the Kingston Allotment are achieved. Monitoring data would continue to be collected to ensure that allotment specific objectives are being attained within the Kingston Allotment. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069.

This management selection will implement Guidelines 1.1, 1.3, 2.1, 2.3, 3.1, 3.2, 3.3, 3.6, 4.1, 5.2, and Vegetative Guidelines for Salt-Desert Shrub Communities which have been developed for the Northeastern Great Basin Area of Nevada to establish significant progress toward conformance with the Standards for Rangeland Health for Upland Sites, Riparian and Wetland Sites, and Habitat.

Management Action 2:

Establish the following use areas within the Kingston Allotment. Refer to Appendix 1 for the Use Area designation map.

Use Areas
Birch Creek
Gilman Springs
North Kingston
South Kingston
North Smoky
South Smoky

Rationale:

Use areas will improve livestock actual use information on a yearly basis within the allotment. Submission of actual use by use area will provide for information regarding management of livestock and will aid in indicating future modifications in livestock management in relation to specific areas of the allotment. In addition, the establishment of use areas will provide for the orderly administration of the range and ensure that significant progress towards the attainment of the multiple use objectives, allotment specific objectives, and the Standards for Rangeland Health throughout the Kingston Allotment would occur.

The establishment of use areas will be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3, 2.4, 3.1, 3.2, 3.3, 3.6, and 4.1.

Management Action 3:

Implement the following grazing management system and Grazing Stipulations for the Kingston Allotment.

Permittee	Season of Use	Kind of Livestock	Percent Public Land	Number of Livestock	AUMs
Young Brothers	09/01 - 03/15	Cattle	90%	191	1,108
	09/01 - 03/15	Cattle	100%	61	393
	09/01 - 09/30	Cattle	100%	5	5
Truckee River Ranch, LLC	09/01 - 03/15	Cattle	100%	188	1,211
	09/01 - 09/30	Cattle	100%	3	3
Total AUMs					2,710

Grazing Stipulations

1. Permittees would be required to establish watering facilities on private land in order to promote better livestock dispersal throughout portions of the allotment prior to turn-out.
2. The permittee would be required to maintain all range improvement projects for which maintenance responsibility is assigned in accordance with 43 CRR 4140.
3. All enclosures, including riparian, within the Kingston Allotment would be closed to livestock grazing unless grazing use is applied for by the permittee and is authorized in writing by the authorized officer.
4. The permittee would be required to meet with the BLM prior to each grazing year in order to determine an annual grazing management plan that would ensure appropriate use throughout the area.
5. Utilization of “Key Upland Forage Species” will not exceed 50% by the end of the grazing year.
6. Utilization of key riparian-wetland herbaceous species will be limited to a minimum 4-inch stubble height by July 31st of each year. Utilization of key riparian-wetland herbaceous species will be limited to a 6-inch stubble height by the end of the growing season, if grazing starts or extends past July 31st.
7. Utilization of riparian woody or browse species will be limited to 30% of available stems by the end of the growing season. (Aspen, elderberry, serviceberry)
8. Riparian bank shearing and trampling will be limited to 10% (10 feet in 100 feet of bank).
9. Utilization of key shrub browse species will be no greater than 25% during the critical growth period and no more than 40% following the end of the growing season.

10. Management actions and objectives conforms to the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFAWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada's South Central Nevada Sage Grouse Conservation Plan, which is now under development.
11. If annual monitoring standards reach specified objectives in any use area where measurable standards have been set, the permittee will be required to remove livestock from that area. The permittee will have 3-5 days upon notification to remove livestock.
12. The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.
13. The season of use for the Kingston Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Kingston Allotment would constitute temporary non-renewable use.
14. In accordance with 43 CFR 4130.3-3: 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 provision of subpart 4180 RAC Standards and Guidelines.

Rationale:

The analysis and interpretation of available monitoring data has indicated that the Standards for Rangeland Health are not being met for the Kingston Allotment. It was determined that less than desirable range conditions due to a lack of vegetative species diversity along with vegetative composition and production resulted in the non-attainment of the Northeast Great Basin Area RAC Standard 3: Habitat. The causal factors for the non-attainment of the standards have been identified as historic livestock management and periods of past drought. There is no indication that significant progress towards the attainment of the standards for rangeland health has not been made due to the current conditions of the majority of the vegetative communities associated with the Kingston Allotment.

Livestock dispersal would be improved throughout the allotment in the short-term with the development of watering facilities on private lands. In order to implement the active AUM preference for the Kingston Allotment, the permittees will be required to provide water on private lands in the interim. The grazing stipulation associated with the grazing management plan would be implemented to promote improvements in livestock distribution within the Kingston Allotment. However, 8 AUMs will be removed from the permits associated with the Kingston Allotment based on 214.88 acres of land being designated for other purposes than grazing.

Future re-evaluation of the percent public land will need to be conducted to determine if the current percent public lands associated with Young Brother's permit is still in effect. If it is deemed that all private lands have been fenced from public lands, the percent public land will be modified.

The degree of functionality was determined by analyzing the three Rangeland Health attributes including soil site stability, hydrologic function, and the integrity of the biotic community. The current vegetative community throughout much of the Kingston Allotment was determined to be in a significant departure from the ecological site description and is failing to meet Standards and Guidelines for Rangeland Health. The grazing plan will ensure significant progress toward the attainment of the Standards for Rangeland Health by incorporating a change in the season of use and retaining the permitted AUMs as calculated in the carrying capacity analysis. The utilization levels used to determine the carrying capacity for the Kingston Allotment was based on the implementation of deferred grazing until the dormant season. Implementation of dormant season use that is appropriate for the salt-desert shrub communities that dominate the Kingston Allotment will enhance the conditions currently associated with the rangelands by allowing key perennial vegetative species to increase in vigor, productivity, and seedling establishment. Implementation of the utilization levels will further ensure that vegetative species do not encounter harmful effects from livestock grazing.

The management system would allow existing key perennial grass vegetation to increase vigor, productivity, cover and seedling establishment. A deferred livestock grazing system would limit use during the growing season, allowing perennial grasses and forbs to remain healthy and to provide seed to reproduce and reestablish the perennial grass composition in the long-term to provide adequate forage for livestock and habitat for wild burros and wildlife species, namely pronghorn antelope. The expected improvement in the vegetative community will enhance soil site stability, which will limit the redistribution of and loss of soil resources by wind and water. Hydrologic function will also be enhanced with improvements in the vegetative community. This will allow sites to adequately capture, store, and release water from rainfall and snowmelt events. Furthermore, improvement in the plant community will improve the integrity of the biotic community, which will allow for the allotment to resist loss of function and structure following disturbance, and therefore allowing for recovery. In addition to these changes in livestock management, attaining wild burro AML will also be required to ensure the attainment of the Standards for Rangeland Health.

In addition, the grazing management system and the Terms and Conditions will provide for the orderly administration of the range and ensure that significant progress towards the attainment of the multiple use objectives, allotment specific objectives and the Standards for Rangeland Health throughout the Cortez Joint Venture Use Area will occur. Management actions and objectives conforms to the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAWFA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada's South Central Nevada Sage Grouse Conservation Plan, which is now under development.

The proposed management plan is in conformance with the following RAC Guidelines: 1.1, 1.2, 1.3, 2.1, 2.3, 2.4, 3.1, 3.2, 3.3, 3.6, 4.1, Vegetative Guidelines, and BLM/WAWFA sage grouse guidelines.

Management Action 4:

Permit grazing within the Kingston Wildland-Urban Interface (WUI) Project:

Permitted use within the Kingston WUI will be in conformance with the proposed grazing plan. The Decision Record and Finding of No Significant Impact dated August 6, 2003 for the Environmental Assessment number NV-064-EA02-63 prescribed high intensity/low frequency grazing livestock management to control fuel levels and therefore reducing and/or preventing the spread of wildfire. Grazing will be permitted to occur in this area from September 1 through March 15 in order to protect or enhance the viability of perennial grass species that occur within this area. Furthermore, utilization rates will not exceed 50% on key forage species within this area. Once annual monitoring standards are achieved, the permittee will be required to remove livestock from the Kingston WUI project. The season of use within the boundary of the Kingston WUI project may be temporarily modified on an annual basis in order to control cheatgrass as prescribed by the project and will be determined through annual monitoring standards. Any use that is in excess of the total permitted use for the Kingston Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable use would be subject to the requirements set forth in 43 CFR 4130.6-2.

Rationale:

Monitoring data indicated that the current condition of the rangeland is characterized by shrub-dominated landscapes with limited perennial herbaceous understory. Livestock grazing has historically and currently occurs throughout the active growth period for salt-desert shrub communities and has not allowed for adequate rest during the growing season. This season of use has limited the growth and reproduction of the key perennial species needed to reach long-term land use plan objectives. The proposed management action would provide for annual monitoring objectives that are appropriate to promote healthy range conditions and a season of use that would allow for adequate rest during the growing season and aid in increasing the vigor and reproductive success of the vegetative community associated with the Kingston WUI project area.

The season of use for the Kingston WUI project area is be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3., 2.4, 3.1, 3.2, 3.3, 3.6, 4.1, and Vegetative Guidelines.

Management Action 5:

Issue the following ten-year permit to Young Brothers with the following Terms and Conditions:

Grazing use would be in accordance with the Kingston Allotment portion of the Simpson Park Complex Final Multiple Use Decision dated _____.

The permittee would be required to meet with BLM prior to each grazing year in order to determine an annual grazing plan that would ensure appropriate use throughout the allotment.

Livestock grazing would not be permitted to occur within comparison area exlosures at any time.

The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.

The season of use in the Kingston Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Kingston Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable use would be subject to the requirements set forth in 43 CFR 4130.6-2.

In accordance with 43 CFR 4130.8-1(F): Failure to pay grazing bills within 15 days of the due date specified in the bill shall result in a late fee assessment of \$25.00 or 10 percent of the grazing bill, whichever is greater, but not to exceed \$250.00. Payment made later than 15 days after the due date shall include the appropriate late fee assessment. Failure to make payment within 30 days may be a violation of 43 CFR Sec 4140.1(B)(1) and shall result in action by the authorized officer under 43 CFR Sections. 4150.1 and 4160.1-2.

In accordance with 43 CFR 4130.3-2(D): Actual use information, for each use area, will be submitted to the authorized officer within 15 days of completing grazing use as specified on the grazing permit and/or grazing licenses.

In accordance with 43 CFR 4120.3-1(A): All range improvement shall be installed, used, maintained, and/or modified on the public lands, or removed from these lands in a manner consistent with multiple use management.

In accordance with 43 CFR 4130.3-2(C): In order to improve livestock and rangeland management on the public lands, all salt and/or mineral supplements will not be placed within ¼ mile of any riparian area, wet meadow, or watering facility (either permanent or temporary) unless stipulated through a written agreement or decision.

In accordance with 41309.3-2(H): All grazing permittees shall provide reasonable access across private and/or leased lands to the Bureau of Land Management for the orderly management and protection of the public lands.

Pursuant to 43 CFR 10.4(G), the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary 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 by the authorized officer.

All permits and leases shall be made subject to cancellation, suspension, or modification for any violation of these regulations or of any Terms and Conditions of the permit or lease.

The Terms and Conditions of this permit may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.

Rationale:

Issuance of a new ten-year permit is based on the analysis of the management actions in the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069, the evaluation of monitoring data, and the evaluation of Land Use Plan objectives, Standards for Rangeland Health, and multiple use objectives. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069 for the Kingston Allotment specific objectives and objectives common for the Complex. The terms and conditions for grazing in the Kingston Allotment would result in the attainment of multiple use objectives and is consistent with the Northeastern Great Basin RAC standards and is in conformance with the guidelines. At the completion of the Environmental Assessment and Finding of No Significant Impact (FONSI), a Final Multiple Use Decision will authorize the issuance of a new ten-year grazing permit and Terms and Conditions. These Terms and Conditions will ensure compliance with all applicable laws and regulations governing livestock grazing on public lands.

The proposed ten-year permit and Terms and Conditions will be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3., 2.4, 3.1, 3.2, 3.3, 3.6, and 4.1.

Management Action 6:

Issue a ten-year permit to Truckee River Ranch, LLC with the following Terms and Conditions:

Grazing use would be in accordance with the Kingston Allotment portion of the Simpson Park Complex Final Multiple Use Decision dated _____.

Livestock grazing would not be permitted to occur within comparison area exlosures at any time.

The permittee would be required to meet with BLM prior to each grazing year in order to determine an annual grazing plan that would ensure appropriate use throughout the allotment.

The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.

The season of use in the Kingston Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Kingston Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable use would be subject to the requirements set forth in 43 CFR 4130.6-2.

In accordance with 43 CFR 4130.8-1(F): Failure to pay grazing bills within 15 days of the due date specified in the bill shall result in a late fee assessment of \$25.00 or 10 percent of the grazing bill, whichever is greater, but not to exceed \$250.00. Payment made later than 15 days after the due date shall include the appropriate late fee assessment. Failure to make payment within 30 days may be a violation of 43 CFR Sec 4140.1(B)(1) and shall result in action by the authorized officer under 43 CFR Sections. 4150.1 and 4160.1-2.

In accordance with 43 CFR 4130.3-2(D): Actual use information, for each use area, will be submitted to the authorized officer within 15 days of completing grazing use as specified on the grazing permit and/or grazing licenses.

In accordance with 43 CFR 4120.3-1(A): All range improvement shall be installed, used, maintained, and/or modified on the public lands, or removed from these lands in a manner consistent with multiple use management.

In accordance with 43 CFR 4130.3-2(C): In order to improve livestock and rangeland management on the public lands, all salt and/or mineral supplements will not be placed within ¼ mile of any riparian area, wet meadow, or watering facility (either permanent or temporary) unless stipulated through a written agreement or decision.

In accordance with 41309.3-2(H): All grazing permittees shall provide reasonable access across private and/or leased lands to the Bureau of Land Management for the orderly management and protection of the public lands.

Pursuant to 43 CFR 10.4(G), the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary 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 by the authorized officer.

All permits and leases shall be made subject to cancellation, suspension, or modification for any violation of these regulations or of any Terms and Conditions of the permit or lease.

The Terms and Conditions of this permit may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.

Rationale:

Issuance of a new ten-year permit is based on the analysis of the management actions in the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069, the evaluation of monitoring data, and the evaluation of Land Use Plan objectives, Standards for Rangeland Health, and multiple use objectives. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069 for the Kingston Allotment specific objectives and objectives common for the Complex. The terms and conditions for grazing in the Kingston Allotment would result in the attainment of multiple use objectives and is consistent with the Northeastern Great Basin RAC standards and is in conformance with the guidelines. At the completion of the Environmental Assessment and Finding of No Significant Impact (FONSI), a Final Multiple Use Decision will authorize the issuance of a new ten-year grazing permit and Terms and Conditions. These Terms and Conditions will ensure compliance with all applicable laws and regulations governing livestock grazing on public lands.

The proposed ten-year permit and Terms and Conditions will be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3., 2.4, 3.1, 3.2, 3.3, 3.6, and 4.1.

SELECTED WILD BURRO MANAGEMENT ACTIONS

Selected Management Action 1:

Establish an Appropriate Management Level range for wild burros within the Kingston Allotment portion of the Hickison HMA. The AML range for the Kingston Allotment will be 11 to 30 wild burros (55-150 AUMs) for 5 months.

Rationale:

The RPS allocation of AUMs for livestock and wild burros is 99% to 1% respectively. However, the average actual use by wild burros was slightly over the allocation during the evaluation period with 1.5% of the AUMs utilized by wild burros. The current allocation for wild burros is of concern due to genetic viability of the herd. The proposed reallocation of the AUMs would allocate an additional 60 AUMs of forage to wild burros resulting in a revised allocation of 97% to livestock and 3% to wild burros for the Kingston Allotment and would aid in maintaining genetic viability in the future. Furthermore, wild burros are opportunistic feeders and are able to utilize more of the range on a year-long basis than cattle. Therefore, areas that are less suitable for cattle remain available for wild burros.

An initial stocking level for wild burros within the Hickison HMA was established through the Rangeland Program Summary at 5 wild burros (30 AUMs) for 6 months for the Kingston Allotment. However, analysis of census flight information indicates that wild burros spend approximately 40% or 5 months of the time on the Hickison HMA. The evaluation of monitoring data collected throughout the evaluation period indicates that the mid-range of 18 wild burros (90 AUMs) for Kingston Allotment for 5 months is the appropriate management level to maintain a thriving natural ecological balance within the means of the habitat. The AML range reflects the average use taking into account that wild burro populations fluctuate based on environmental conditions and movement patterns. The Kingston Allotment represents 25% of the HMA and adjacent U.S. Forest Service administered lands within the Hickison HMA/WHT are utilized to meet habitat requirements. The AML range would meet the habitat requirement for wild burros within the Hickison HMA.

Through this evaluation a determination has been made that RAC Standard 3 is not being met and that RAC Standard 5 for the Hickison HMA is being partially met. Until further data collection and analysis has occurred, the AML for this HMA would remain at the level established in this evaluation. In the future, existing studies within the Hickison HMA, Simpson Park and Kingston Allotments would continue to be conducted to evaluate rangeland health and trend. Adjustments to AML would be based on habitat condition, genetic health, and distribution of wild burros.

The proposed Appropriate Management Level for the Hickison HMA (Kingston and Simpson Park Allotments) has been established as a range of 16 to 45 wild burros, which would allow for minimal management which is in conformance with the Wild Free-Roaming Horse and Burro Act. Wild burros in the Hickison HMA increase at an annual rate of 17.5%. It is not cost effective to remove the annual

increase in population each year, annual gathers would result in increased impacts to herd stability and band integrity, and frequent gathers render the animals more difficult to capture and increases the chance for injury or death. Appropriate NEPA compliance for all management actions that would impact wild burros within the Hickison HMA would be completed prior to the implementation of the action.

SELECTED WILDLIFE HABITAT MANAGEMENT ACTIONS

Management Action 1:

Retain the short-term allocation of 490 AUMs for big game species in the Kingston Allotment.

Rationale:

Monitoring data indicates that Standard 3 of the Standards for Rangeland Health are not being attained at the majority of the key management areas within the Kingston Allotment; therefore, it short-term allocation will be retained until Standards for Rangeland Health are met throughout the allotment. Monitoring data would continue to be collected throughout the allotment to ensure that multiple use objectives are being attained.

Simpson Park Allotment Selected Management Actions

SELECTED LIVESTOCK MANAGEMENT ACTIONS

Management Action 1:

Establish the total active permitted use from 6,042 AUMs to 3,446 AUMs for the Simpson Park Allotment. Place 2,596 AUMs in suspended use and retain the historic suspended use of 2,589 AUMs.

Rationale:

Use pattern mapping data collected in accordance with the Nevada Rangeland Monitoring Handbook in 1991, 1993, and 1994. This data was used to analyze the carrying capacity. The carrying capacity was based on weighted average utilization and actual use. Refer to the SPC Evaluation Appendix 6 and the Simpson Park Complex Conformance Determination. The carrying capacity was identified along with a grazing management plan to ensure that uniform distribution will be possible in the short-term. The following table illustrates the average actual livestock use compared to the weighted average utilization and the total acres that exceeded the Rangeland Program Summary utilization objective of 60% by the end of the grazing year for the Simpson Park Allotment.

	1991	1993	1994
61-100% Utilization	7,028 Acres	16,919 Acres	11,585 Acres
Average Actual Use (Livestock)	42%	41%	39%

Key Management Areas SP1 through SP14 failed to meet Resource Advisory Council (RAC) Standard 3: Habitat. Key Management Areas SP-3, SP-5, SP-7, SP-12, and SP-13 indicated that significant progress towards the attainment of the standard had been made. The majority of the riparian areas throughout the allotment did not meet the minimum requirement of properly functioning condition classification. Due to the conditions of the riparian areas, Standard 2: Riparian and Wetland Sites was not met for the allotment. Livestock were identified as a causal factor for the non-attainment of RAC Standard 2 and 3. The average weighted average utilization for the use pattern maps was 40.7%. A reduction in permitted use is required due to this level of livestock use being identified as a causal factor for failure to meet the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives. For a detailed analysis of monitoring data regarding these findings, refer to the Simpson Park Complex Rangeland Health Assessment Pages 102-195, Appendix 6 and 8, and the Simpson Park Complex Conformance Determination.

Through the evaluation of monitoring data and the carrying capacity analysis, a range of AUMs was provided to the permittees and was dependant upon commitment to livestock management. Carrying capacity was calculated allotment wide as the result of permittees throughout the allotment not submitting actual use reports by use area or pasture. The range of livestock AUMs for the Simpson Park Allotment was 2,510 AUMs desired carrying capacity and 3,446 AUMs potential carrying capacity. Meetings occurred from July 5th throughout the comment period for the evaluation with each individual operator on the Simpson Park Allotment to discuss the range of AUMs and their commitment to improve livestock management. The outcome of most of these discussions was that the operators could support the potential carrying capacity with their commitment to manage livestock.

The potential carrying capacity calculation was selected for this allotment due to changes in management of livestock operations to promote improved distribution of cattle within the allotment. The reduction in permitted use in addition to the implementation of the management actions being proposed will limit the use the allotment receives on a year-round basis, promote better distribution of livestock throughout the allotment, and allow for periods of deferment during the critical growing season within portions of the allotment. This would ensure that significant progress would be made towards the attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives and allotment specific objectives provided that the Grazing Stipulations and the Terms and Conditions identified below are adhered to. Significant progress will be made when the Annual Monitoring Objectives for the Simpson Park Allotment are attained within the Simpson Park Allotment. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069.

This management selection will implement Guidelines 1.1, 1.3, 2.1, 2.3, 3.1, 3.2, 3.3, 3.6, and 4.1 which have been developed for the Northeastern Great Basin Area of Nevada to establish significant progress toward conformance with the Standards for Rangeland Health for Upland Sites, Riparian and Wetland Sites, and Habitat.

Management Action 2:

Establish the following use areas for each operator within the Simpson Park Allotment. Refer to Appendix 1 for Use Area Maps.

Use Area	Operator
Willow-Barton Pasture	Silver Creek Ranch, Woodland
Lake Ranch	Silver Creek Ranch, Woodland
Indian Ranch	Silver Creek Ranch, Woodland
Bates Mountain	Damele, Silver Creek Ranch, Woodland
Rye Patch	Silver Creek Ranch, Wolf, Woodland
Ackerman	Damele, Wolf
Givens North	Wolf, Woodland
Givens South	Wolf, Woodland
Black Bird	Young Bros.
Common	Wolf, Young Bros.
Pete Summit	Damele, Wolf

Rationale:

The establishment of use areas within the Simpson Park Allotment would promote better distribution throughout the allotment and would provide jurisdictional boundaries for areas each permittee to operate in. By establishing the jurisdictional boundaries for the allotment, management of livestock between the number of permittees within the allotment would be enhanced. In addition, the establishment of use areas will provide for the orderly administration of the range and ensure that significant progress towards the attainment of the multiple use objectives, allotment specific objectives, and the Standards for Rangeland Health throughout the Simpson Park Allotment would occur.

Use areas would also improve livestock actual use information on a yearly basis within the allotment. Submission of actual use by use area would provide information regarding management of livestock and would aid in indicating future modifications in livestock management in relation to specific areas of the allotment.

The establishment of use areas will be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3, 2.4, 3.1, 3.2, 3.3, 3.6, and 4.1.

Dry Creek Ranch

Management Action 1:

Establish the total permitted use for Dry Creek Ranch at 390 AUMs. Place 294 AUMs in suspended use and retain the 294 historic suspended AUMs.

Rationale:

Use pattern mapping data collected in accordance with the Nevada Rangeland Monitoring Handbook in 1991, 1993, and 1994. This data was utilized to analyze the carrying capacity. The carrying capacity was based on weighted average utilization and actual use (Refer to the SPC Evaluation page 101 and Appendix 6 and the SPC Conformance Determination).

Through the evaluation of monitoring data and the carrying capacity analysis a range of AUMs was provided to the permittee and was dependant upon commitment to livestock management. Carrying capacity was calculated allotment wide as the result of permittees throughout the allotment not submitting actual use reports by use area or pasture. The range of AUMs for Dry Creek Ranch was 284 AUMs desired carrying capacity and 390 AUMs potential carrying capacity. The carrying capacity was identified along with a grazing management plan to ensure that uniform distribution will be possible in the short-term. The carrying capacity calculation was selected due to the permittees commitment to implement changes in management of livestock operations to implement grazing systems that eliminated hot season grazing in the Bates Mountain Use Area and deferred grazing in the Ackerman and Pete Summit Use areas. On July 17th, 2005 BLM met with Dry Creek Ranch to discuss the proposed management plan and were accepting to the proposed management plan.

The permitted use in addition to the implementation of the management actions will ensure that significant progress will be made towards the attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives and allotment specific objectives provided that the Grazing Stipulations and the Terms and Conditions identified below are adhered to. Significant progress would be made when the Annual Monitoring Objectives for the Simpson Park Allotment are achieved. Monitoring data will continue to be collected to ensure that allotment specific objectives are being attained within the Simpson Park Allotment. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069.

The management selection will implement Guidelines 1.1, 1.3, 2.1, 2.3, 3.1, 3.2, 3.3, 3.6, and 4.1 which have been developed for the Northeastern Great Basin Area of Nevada to establish significant progress toward conformance with the Standards for Rangeland Health for Upland Sites, Riparian and Wetland Sites, and Habitat.

Management Action 2:

Implement the following grazing management system with Grazing Stipulations for the Dry Creek Ranch:

Use Area	Season of Use	Livestock Type	Percent Public Land	Number of Livestock	AUMs
Bates Mountain	06/01 - 07/15	Cattle	100	69	102
Ackerman	08/01 - 09/30	Cattle	100	69	138
	08/01 - 09/30	Horses	100	6	12
Pete Summit	10/01 - 11/30	Cattle	100	69	138

Grazing Stipulations:

1. The permittee would be required to maintain all range improvement projects for which maintenance responsibility is assigned in accordance with 43 CRR 4140.
2. All enclosures, including riparian, within the Simpson Park Allotment would be closed to livestock grazing unless grazing use is applied for by the permittee and is authorized in writing by the authorized officer.
3. The permittee would be required to meet with the BLM prior to each grazing year in order to determine an annual grazing management plan that would ensure appropriate use throughout the use area.
4. Utilization of “Key Upland Forage Species” will not exceed 40% by the end of the grazing year.
5. Utilization of key riparian-wetland herbaceous species will be limited to a minimum 4-inch stubble height by July 31st of each year. Utilization of key riparian-wetland herbaceous species will be limited to a 6-inch stubble height by the end of the growing season, if grazing starts or extends past July 31st.
6. Utilization of riparian woody or browse species will be limited to 30% of available stems by the end of the growing season. (Aspen, elderberry, serviceberry)
7. Riparian bank shearing and trampling will be limited to 10% (10 feet in 100 feet of bank).
8. Utilization of key shrub browse species will be no greater than 25% during the critical growth period and no more than 40% following the end of the growing season.
9. Management actions and objectives conforms to the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFAWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada’s South Central Nevada Sage Grouse Conservation Plan, which is now under development.

10. If annual monitoring standards reach specified objectives in any use area where measurable standards have been set, the permittee will be required to remove livestock from that area. The permittee will have 3-5 days upon notification to remove livestock.
11. The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.
12. The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable would be subject to the requirements set forth in 43 CFR 4130.6-2.
13. In accordance with 43 CFR 4130.3-3: 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 provision of subpart 4180 RAC Standards and Guidelines.

Rationale:

The proposed grazing management system will establish a season of use that eliminates hot season grazing in the Bates Mountain Use Area and critical growth season grazing in the Ackerman and Pete Summit Use Area.

The proposed grazing plan will ensure progress towards the attainment of the Standards for Rangeland Health by allowing a period of rest during the completion of the growth period for riparian and wetland herbaceous species in order to meet stubble requirements to retain bank stability, filter sediment loads, and dissipate flood energy. The elimination of hot season grazing will allow for adequate residual cover of riparian herbaceous species, which will limit bank trampling where appropriate and hoof action along stream banks and springs to facilitate the establishment of riparian species. Furthermore, the elimination of hot season grazing within the use areas will improve water quality. These factors will ensure that significant progress is being made towards the attainment of Proper Functioning Condition (PFC) and enhancing habitats associated with riparian and wetland areas.

Aspen stands are also prevalent throughout the portion of Bates Mountain within the boundary of the Simpson Park Allotment. One remnant aspen stand also occurs within the Willow/Barton Pasture (Vigus Canyon). Eliminating hot season grazing in the areas where aspen occurs would allow for aspen saplings to continue to grow throughout the remainder of the growth season therefore allowing the stand to consist of diverse age classes of aspen. Diverse age classes of aspen would therefore allow the stand to proliferate and provide valuable habitat to wildlife species. Aspen stands would also be allowed to regenerate therefore providing diverse age classes within the stands Simpson Park Allotment portion of Bates Mountain.

Use by cattle and domestic horses would occur within the Ackerman Use Area after the critical growth period for upland vegetation; however, the use does occur during the hot season for riparian areas.

However, the proposed permitted use would be reduced from the current permitted use within this area and under the proposed terms and conditions, watering facilities would be required to be put into working condition prior to the start of the grazing year. By maintaining working order of these facilities, impacts from grazing by livestock would be reduced. Construction of riparian enclosures will also be required in the future to reduce the impacts to riparian areas due to grazing during the hot season and to make significant progress towards the attainment of the Standards for Rangeland Health.

Use would occur within the Pete Summit Use Area during the dormant season in order to allow for deferment during the period of active growth. Deferring grazing until the dormant season will improve the vegetative community by allowing for sufficient key herbaceous plant seedling and young plant recruitment. This will allow for improvement in the plant communities by enhancing key perennial species productivity, which will in turn provide seed to repopulate the plant communities. The expected improvement in the vegetative community will enhance soil site stability, which will limit the redistribution of and loss of soil resources by wind and water. Hydrologic function will also be enhanced with improvement in the vegetative community. This will allow the site to adequately capture, store and release water from rainfall or snowmelt events. Furthermore, improvement in the plant community will improve the integrity of the biotic community, which will permit the use area to resist loss of function and structure following disturbance allowing for recovery.

In addition, the grazing management system and the Terms and Conditions will provide for the orderly administration of the range and ensure that significant progress towards the attainment of the multiple use objectives, allotment specific objectives and the Standards for Rangeland Health throughout the Simpson Park Allotment will occur. Management actions and objectives will conform to the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada's South Central Nevada Sage Grouse Conservation Plan, which is now under development.

The proposed grazing plan will be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3, 2.4, 3.1, 3.2, 3.3, 3.6, 4.1, Vegetative Guidelines and BLM/WAFWA sage grouse guidelines.

Management Action 3:

Issue a ten-year permit to Dry Creek Ranch with the following Terms and Conditions:

Grazing use would be in accordance with the Simpson Park Allotment portion of the Simpson Park Complex Final Multiple Use Decision dated _____.

The permittee would be required to meet with BLM prior to each grazing year in order to determine an annual grazing plan that would ensure appropriate use throughout the allotment.

The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.

The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable use would be subject to the requirements set forth in 43 CFR 4130.6-2.

In accordance with 43 CFR 4130.8-1(F): Failure to pay grazing bills within 15 days of the due date specified in the bill shall result in a late fee assessment of \$25.00 or 10 percent of the grazing bill, whichever is greater, but not to exceed \$250.00. Payment made later than 15 days after the due date shall include the appropriate late fee assessment. Failure to make payment within 30 days may be a violation of 43 CFR Sec 4140.1(B)(1) and shall result in action by the authorized officer under 43 CFR Sections. 4150.1 and 4160.1-2.

In accordance with 43 CFR 4130.3-2(D): Actual use information, for each use area, will be submitted to the authorized officer within 15 days of completing grazing use as specified on the grazing permit and/or grazing licenses.

In accordance with 43 CFR 4120.3-1(A): All range improvement shall be installed, used, maintained, and/or modified on the public lands, or removed from these lands in a manner consistent with multiple use management.

In accordance with 43 CFR 4130.3-2(C): In order to improve livestock and rangeland management on the public lands, all salt and/or mineral supplements will not be placed within ¼ mile of any riparian area, wet meadow, or watering facility (either permanent or temporary) unless stipulated through a written agreement or decision.

In accordance with 41309.3-2(H): All grazing permittees shall provide reasonable access across private and/or leased lands to the Bureau of Land Management for the orderly management and protection of the public lands.

Pursuant to 43 CFR 10.4(G), the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary 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 by the authorized officer.

All permits and leases shall be made subject to cancellation, suspension, or modification for any violation of these regulations or of any Terms and Conditions of the permit or lease.

The Terms and Conditions of this permit may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.

Rationale:

Issuance of a new ten-year permit is based on the analysis of the management actions in the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069, the evaluation of monitoring data, and the evaluation of Land Use Plan objectives, Standards for Rangeland Health, and multiple use objectives. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069 for specific objectives and objectives common for the Complex. The terms and conditions for grazing in the Simpson Park Allotment would result in the attainment of multiple use objectives and is consistent with the Northeastern Great Basin RAC standards and is in conformance with the guidelines. At the completion of the Environmental Assessment and Finding of No Significant Impact (FONSI), a Final Multiple Use Decision will authorize the issuance of a new ten-year grazing permit and Terms and Conditions. These Terms and Conditions will ensure compliance with all applicable laws and regulations governing livestock grazing on public lands.

The proposed ten-year permit and Terms and Conditions will be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3., 2.4, 3.1, 3.2, 3.3, 3.6, and 4.1.

Silver Creek Ranch, Inc.

Management Action 1:

Establish the total permitted use for Silver Creek Ranch, Inc. at 1,336 AUMs. Place 1,006 AUMs in suspended use and retain the 1,003 historic suspended AUMs. The transfer of cattle AUMs from Silver Creek Ranch, Inc. to Jerry & Janet Lancaster is pending.

Use pattern mapping data was collected in accordance with the Nevada Rangeland Monitoring Handbook in 1991, 1993, and 1994. This data was used to analyze the carrying capacity. The carrying capacity was based on weighted average utilization and actual use. (Refer to the SPC Evaluation page 101 and Appendix 6 and the SPC Conformance Determination).

Through the evaluation of monitoring data and the carrying capacity analysis a range of AUMs was provided to the permittee and was dependant upon commitment to livestock management. Carrying capacity was calculated allotment wide as the result of permittees throughout the allotment not submitting actual use reports by use area or pasture. The range of AUMs for Silver Creek Ranch was 973 AUMs desired carrying capacity and 1336 AUMs potential carrying capacity. The carrying capacity was identified along with a grazing management plan to ensure that uniform distribution will be possible in the short-term.

In preparing for evaluation meetings in June, the BMFO contacted Silver Creek Ranch to discuss the findings of the data analysis for the Simpson Park Allotment. During these discussions, the BMFO was notified that Silver Creek Ranch was in the process of selling a portion of their base property and AUMs to Jerry and Janet Lancaster. As a result, the BMFO discussed notifying the Lancasters' of the evaluation process and proposed management actions with Silver Creek Ranch. Silver Creek Ranch has been notified of the proposed management actions and carrying capacity and has requested that

discussions regarding the management proposals be discussed with the Lancasters'. The carrying capacity was selected due to the permittees commitment to implement changes in management of livestock operations to implement grazing systems that eliminate critical growth season and hot season grazing within the Willow/Barton use area, eliminate hot season grazing in the Indian and Bates Mountain Use Areas, and limit the use that would occur throughout remaining use areas during the critical growth season.

The permitted use in addition to the implementation of the management actions will ensure that significant progress will be made towards the attainment of the SERA RMP objectives, Standards for Rangeland Health and allotment specific objectives provided that the Grazing Stipulations and the Terms and Conditions identified below are adhered to. Significant progress will be made when Annual Monitoring Standards for the Simpson Park Allotment are achieved. Monitoring data will continue to be collected to ensure that allotment specific objectives are being attained within the Simpson Park Allotment. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069.

This management selection will implement Guidelines 1.1, 1.3, 2.1, 2.3, 2.4, 3.1, 3.2, 3.3, 3.6, and 4.1 which have been developed for the Northeastern Great Basin Area of Nevada to establish significant progress toward conformance with the Standards for Rangeland Health for Upland Sites, Riparian and Wetland Sites, and Habitat.

Management Action 2:

Implement the following grazing management system with Grazing Stipulations for the Silver Creek Ranch, Inc.:

Use Area	Season of Use	Livestock Type	Percent Public Land	Number of Livestock	AUMs
Indian Ranch, Lake Ranch, Rye Patch	04/01 - 04/30	Cattle	100	249	246
Willow/Barton Pasture	05/01 - 06/30	Cattle	100	200	401
Rye Patch, Indian Ranch, Bates Mountain	05/01 - 07/15	Cattle	100	45	112
Lake Ranch	05/01 - 08/15	Cattle	100	35	123
Willow/Barton Pasture	06/01 - 06/30	Sheep	100	2300	454

Grazing Stipulations

1. The permittee would be required to maintain all range improvement projects for which maintenance responsibility is assigned in accordance with 43 CRR 4140.
2. All enclosures, including riparian, within the Simpson Park Allotment would be closed to livestock grazing unless grazing use is applied for by the permittee and is authorized in writing by the authorized officer.
3. The permittee would be required to meet with the BLM prior to each grazing year in order to determine an annual grazing management plan that would ensure appropriate use throughout the use area.

4. Sheep camps will be moved every five days. No two (2) sheep camps will camp in the same area in a grazing season.
5. New bed grounds will be used every night. Sheep bedding grounds will be a minimum of one quarter (1/4) mile from permanent water, aspen stands, and previous bed grounds.
6. Utilization of “Key Upland Forage Species” will not exceed 40% by the end of the grazing year.
7. Utilization of key riparian-wetland herbaceous species will be limited to a minimum 4-inch stubble height by July 31st of each year. Utilization of key riparian-wetland herbaceous species will be limited to a 6-inch stubble height by the end of the growing season, if grazing starts or extends past July 31st.
8. Utilization of riparian woody or browse species will be limited to 30% of available stems by the end of the growing season. (Aspen, elderberry, serviceberry)
9. Riparian bank shearing and trampling will be limited to 10% (10 feet in 100 feet of bank).
10. Utilization of key shrub browse species will be no greater than 25% during the critical growth period and no more than 40% following the end of the growing season.
11. The permittee will be required to herd sheep throughout their established use area to utilize areas that have received slight and/or light use. If it is determined that utilization objectives are being met in any area, the permittee will be required to move sheep immediately upon notification to other areas of the use area that have not been grazed.
12. If annual monitoring standards reach specified objectives in any use area where measurable standards have been set, the permittee will be required to remove livestock from that area. The permittee will have 3-5 days upon notification to remove livestock.
13. The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.
14. The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable would be subject to the requirements set forth in 43 CFR 4130.6-2.
15. Management actions and objectives conforms to the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFWA) *Guidelines for Sage Grouse Management*, until

augmented or superseded by the State of Nevada's South Central Nevada Sage Grouse Conservation Plan, which is now under development.

16. In accordance with 43 CFR 4130.3-3: 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 provision of subpart 4180 RAC Standards and Guidelines.
17. The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.
18. The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable would be subject to the requirements set forth in 43 CFR 4130.6-2.
19. In accordance with 43 CFR 4130.3-3: 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 provision of subpart 4180 RAC Standards and Guidelines.

Rationale:

The proposed grazing management system that would work toward the attainment of the Complex and allotment specific objectives as well as making progress towards the attainment of the Standards for Rangeland Health by modifying the season of use and implementing stocking rates appropriate for the allotment. The proposed grazing management system and ten-year grazing permit for Silver Creek Ranch, Inc. would incorporate intensive grazing management by herding livestock throughout the northern portion of the Simpson Park Allotment and would limit the majority of the use to the early-growth season of the key perennial vegetative species for each use area. By eliminating livestock grazing during the critical growth season, perennial vegetative species will be allowed to increase vigor, productivity, and seedling establishment. The elimination of grazing during the critical growing period will improve the vegetative community by allowing for sufficient key herbaceous plant seedling and young plant recruitment.

The season of use for the Willow/Barton Pasture would provide a period of growth and recovery of the riparian areas within these drainages. With the exception of a portion of Willow Creek that has been excluded from livestock grazing, all riparian areas within the Barton and Willow Creek drainages rated as Functional-At-Risk, Trend Not Apparent to Non-Functional. Again by eliminating hot season grazing within this pasture, livestock would be removed from the riparian areas before the growing season for riparian species was complete and therefore allowing for a period of growth and recovery. Livestock dispersal throughout this portion of the allotment would also be enhanced due to less dependence on the riparian areas during the months of May through June. During this time frame, weather conditions are cooler and upland vegetation is in a more desirable state, therefore promoting

improved livestock distribution. Grazing would occur prior to the critical growth season for many of the key perennial species within this area. Key perennial grass species would be allowed to complete their reproductive cycle thereby enhancing the perennial grass composition in the future. Studies have indicated that the greatest impact to the vigor of bunchgrasses such as bluebunch wheatgrass, Thurber's needlegrass, and Idaho fescue have occurred when grazing occurred from the boot stage to the early flowering stage (Vallentine 2001).

Elimination of hot season grazing within the Bates Mountain and Indian Ranch Use Areas would ensure progress towards the attainment of the Standards for Rangeland Health by allowing a period of rest during the completion of the growth period for riparian and wetland herbaceous species in order to meet stubble requirements to retain bank stability, filter sediment loads, and dissipate flood energy. The elimination of hot season grazing will allow for adequate residual cover of riparian herbaceous species, which will limit bank trampling where appropriate and hoof action along stream banks and springs to facilitate the establishment of riparian species. Furthermore, the elimination of hot season grazing within the use areas will improve water quality. These factors will ensure that significant progress is being made towards the attainment of Proper Functioning Condition (PFC) and enhancing habitats associated with riparian and wetland areas.

Aspen stands are also prevalent throughout the portion of Bates Mountain within the boundary of the Simpson Park Allotment. Eliminating hot season grazing in the areas where aspen occurs would allow for aspen saplings to continue to grow throughout the remainder of the growth season therefore allowing the stand to consist of diverse age classes of aspen. Diverse age classes of aspen would therefore allow the stand to proliferate and provide valuable habitat to wildlife species. Aspen stands would also be allowed to regenerate therefore providing diverse age classes within the stands Simpson Park Allotment portion of Bates Mountain.

Grazing of domestic sheep will be limited to the Willow/Barton use area. Although an overlap of use between cattle and sheep will occur within this use area from 06/01 through 06/30, use will occur prior to the on-set of the critical growth season and hot season for sensitive riparian areas. In addition to the modifications of stocking rates and season of use, Terms and Conditions will require livestock to be removed from the area once Grazing Stipulations are attained in order to make significant progress towards the attainment of SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV062-EA05-069.

Limited use would continue to occur through a portion of the critical growth season in the Lake Ranch, Indian Ranch, and Rye Patch use areas prior to livestock controlled by another operator (Ken and Karen Woodland) entering these use areas. Animal unit months and the season of use for these use areas would be limited in regard to the current permitted numbers and season of use. By limiting the use and modifying the season of use that would be occurring under the proposed action, perennial vegetative species are given a better opportunity to complete their reproductive cycle and gain in vigor. Livestock grazing (cattle) would also occur during a portion of the hot season with the Rye Patch Use Area. In order to make significant progress towards the Standards for Rangeland Health, exclosures would need to be constructed to protect these areas from grazing during the hot season. Water would be either piped off or water gaps would be created in order to provide surface water for livestock and wildlife. Terms and Conditions will require livestock to be removed from the area once Grazing Stipulations are attained

in order to make significant progress towards the attainment of SERA RMP objectives, Standards for Rangeland Health, multiple use objectives, and allotment specific objectives.

The grazing management system and the Terms and Conditions will provide for the orderly administration of the range and ensure that significant progress towards the attainment of the multiple use objectives, allotment specific objectives and the Standards for Rangeland Health throughout the Simpson Park will occur. Management actions and objectives conform to the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada's South Central Nevada Sage Grouse Conservation Plan, which is now under development.

On August 16th and 18th, 2005, BLM contacted Silver Creek Ranch to discuss the proposed grazing management systems. Silver Creek Ranch was supportive of the grazing management system identified for the sheep portion of the operation. BLM was advised to continue negotiations with the Lancasters' regarding the cattle operation.

The proposed grazing plan would be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3, 2.4, 3.1, 3.2, 3.3, 3.6, 4.1, Vegetative Guidelines and BLM/WAFWA sage grouse guidelines.

Management Action 3:

Issue a ten-year permit to Silver Creek Ranch with the following Terms and Conditions. A transfer of the cattle AUMs to Jerry & Janet Lancaster is pending.

Grazing use would be in accordance with the Simpson Park Allotment portion of the Simpson Park Complex Final Multiple Use Decision dated _____.

The permittee would be required to meet with BLM prior to each grazing year in order to determine an annual grazing plan that would ensure appropriate use throughout the allotment.

The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.

The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable use would be subject to the requirements set forth in 43 CFR 4130.6-2.

In accordance with 43 CFR 4130.8-1(F): Failure to pay grazing bills within 15 days of the due date specified in the bill shall result in a late fee assessment of \$25.00 or 10 percent of the grazing bill, whichever is greater, but not to exceed \$250.00. Payment made later than 15 days after the due date

shall include the appropriate late fee assessment. Failure to make payment within 30 days may be a violation of 43 CFR Sec 4140.1(B)(1) and shall result in action by the authorized officer under 43 CFR Sections. 4150.1 and 4160.1-2.

In accordance with 43 CFR 4130.3-2(D): Actual use information, for each use area, will be submitted to the authorized officer within 15 days of completing grazing use as specified on the grazing permit and/or grazing licenses.

In accordance with 43 CFR 4120.3-1(A): All range improvement shall be installed, used, maintained, and/or modified on the public lands, or removed from these lands in a manner consistent with multiple use management.

In accordance with 43 CFR 4130.3-2(C): In order to improve livestock and rangeland management on the public lands, all salt and/or mineral supplements will not be placed within ¼ mile of any riparian area, wet meadow, or watering facility (either permanent or temporary) unless stipulated through a written agreement or decision.

In accordance with 41309.3-2(H): All grazing permittees shall provide reasonable access across private and/or leased lands to the Bureau of Land Management for the orderly management and protection of the public lands.

Pursuant to 43 CFR 10.4(G), the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary 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 by the authorized officer.

All permits and leases shall be made subject to cancellation, suspension, or modification for any violation of these regulations or of any Terms and Conditions of the permit or lease.

The Terms and Conditions of this permit may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.

Rationale:

Issuance of a new ten-year permit is based on the analysis of the management actions in the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069, the evaluation of monitoring data, and the evaluation of Land Use Plan objectives, Standards for Rangeland Health, and multiple use objectives. Refer to Attachment 1 of the Simpson Park Complex Environmental Assessment NV-062-EA05-069 for the Simpson Park Allotment specific objectives and objectives common for the Complex. The terms and conditions for grazing in the Simpson Park Allotment would result in the attainment of multiple use objectives and is consistent with the Northeastern Great Basin RAC standards and is in conformance with the guidelines. At the completion of the Environmental Assessment and Finding of No Significant Impact (FONSI), a Final Multiple Use Decision will authorize the issuance of a new ten-year grazing permit and Terms and Conditions. These

Terms and Conditions will ensure compliance with all applicable laws and regulations governing livestock grazing on public lands.

The proposed ten-year permit and Terms and Conditions will be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3., 2.4, 3.1, 3.2, 3.3, 3.6, and 4.1.

Howard & Barbara Wolf

Management Action 1:

Establish the total permitted use for Howard & Barbara Wolf at 427 AUMs. Place 321 AUMs into suspended use and retain the 320 historic suspended AUMs.

Rationale:

Use pattern mapping data was collected in accordance with the Nevada Rangeland Monitoring Handbook in 1991, 1993, and 1994. This data was used to analyze the carrying capacity. The carrying capacity was based on weighted average utilization and actual use (Refer to the SPC Evaluation page 101 and Appendix 6 and the SPC Evaluation Conformance Determination).

Through the evaluation of monitoring data and the carrying capacity analysis a range of AUMs was provided to the permittee and was dependant upon commitment to livestock management. Carrying capacity was calculated allotment wide as the result of permittees throughout the allotment not submitting actual use reports by use area or pasture. The range of AUMs for Howard & Barbara Wolf was 311 AUMs desired carrying capacity and 427 AUMs potential carrying capacity. The carrying capacity was identified along with a grazing management plan to ensure that uniform distribution will be possible in the short-term. The carrying capacity calculation was selected due to the permittees commitment to implement changes in management of livestock operations to implement grazing systems that defers grazing until the dormant season for a portion of their use area and eliminates grazing during the critical growth season within other use areas.

The permitted use in addition to the implementation of the management actions will ensure that significant progress will be made towards the attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives and allotment specific objectives provided that the Grazing Stipulations and the Terms and Conditions identified below are adhered to. Significant progress would be made when the Annual Monitoring Objectives for the Simpson Park Allotment are achieved. Monitoring data will continue to be collected to ensure that allotment specific objectives are being attained within the Simpson Park Allotment. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069.

The management selection will implement Guidelines 1.1, 1.3, 2.1, 2.3, 3.1, 3.2, 3.3, 3.6, and 4.1 which have been developed for the Northeastern Great Basin Area of Nevada to establish significant progress toward conformance with the Standards for Rangeland Health for Upland Sites, Riparian and Wetland Sites, and Habitat.

Management Action 2:

Implement the following grazing management system with Grazing Stipulations for the Howard & Barbara Wolf:

Use Area	Season of Use	Livestock Type	Percent Public Land	Number of Livestock	AUMs
Pete Summit/Common	11/15 - 03/31	Cattle	100	70	315
Pete Summit/Common	11/15 - 12/15	Cattle	100	8	8
Ackerman/Givens	04/01 - 04/30	Cattle	100	70	69
Rye Patch	05/01 -05/15	Cattle	100	70	35

Grazing Stipulations

1. The permittee would be required to maintain all range improvement projects for which maintenance responsibility is assigned in accordance with 43 CRR 4140.
2. All enclosures, including riparian, within the Simpson Park Allotment would be closed to livestock grazing unless grazing use is applied for by the permittee and is authorized in writing by the authorized officer.
3. The permittee would be required to meet with the BLM prior to each grazing year in order to determine an annual grazing management plan that would ensure appropriate use throughout the use area.
4. Utilization of “Key Upland Forage Species” will not exceed 40% by the end of the grazing year.
5. Utilization of key riparian-wetland herbaceous species will be limited to a minimum 4-inch stubble height by July 31st of each year. Utilization of key riparian-wetland herbaceous species will be limited to a 6-inch stubble height by the end of the growing season, if grazing starts or extends past July 31st.
6. Utilization of riparian woody or browse species will be limited to 30% of available stems by the end of the growing season. (Aspen, elderberry, serviceberry)
7. Riparian bank shearing and trampling will be limited to 10% (10 feet in 100 feet of bank).
8. Utilization of key shrub browse species will be no greater than 25% during the critical growth period and no more than 40% following the end of the growing season.
9. Management actions and objectives conforms with the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada’s South Central Nevada Sage Grouse Conservation Plan, which is now under development.

10. If annual monitoring standards reach specified objectives in any use area where measurable standards have been set, the permittee will be required to remove livestock from that area. The permittee will have 3-5 days upon notification to remove livestock.
11. The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.
12. The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable would be subject to the requirements set forth in 43 CFR 4130.6-2.
13. In accordance with 43 CFR 4130.3-3: 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 provision of subpart 4180 RAC Standards and Guidelines.

Rationale:

The proposed grazing management plan would ensure that progress towards the attainment of the Standards for Rangeland Health by modifying the season of use and stocking rates associated with the proposed use areas. Grazing during the dormant season would occur within the Pete Summit and Common use areas, which are dominated by salt-desert shrub communities. Depending on the year, limited use may occur during the initial growth season for this area. However, Grazing Stipulations will be implemented that would require livestock to be removed from an area or from the allotment once the stipulations are attained. Use would occur in the Ackerman, Givens North & South, and Rye Patch use areas in the early season to allow for re-growth prior to the critical growth season for upland vegetation and the hot season for riparian and wetland vegetation.

The elimination of grazing during the critical growing period will improve the vegetative community by allowing for sufficient key herbaceous plant seedling and young plant recruitment. This will allow for improvement in the plant communities by enhancing key perennial species productivity, which will in turn provide seed to repopulate the plant communities. The expected improvement in the vegetative community will enhance soil site stability, which will limit the redistribution of and loss of soil resources by wind and water. Hydrologic function will also be enhanced with improvement in the vegetative community. This will allow the site to adequately capture, store and release water from rainfall or snowmelt events. Furthermore, improvement in the plant community will improve the integrity of the biotic community, which will permit the use area to resist loss of function and structure following disturbance allowing for recovery.

The Black Bird, Common, and Pete Summit use areas consists primarily of salt-desert shrub communities that are considered intolerant to grazing throughout their growing season. Key management areas within this section of the allotment did not meet the habitat standard and only two of the sites have indicated significant progress towards the attainment of the standard. By deferring

grazing until the dormant season for this vegetative community, key perennial grasses are given an opportunity to gain in vigor, set seed, and reproduce.

In addition, the grazing management system and the Terms and Conditions will provide for the orderly administration of the range and ensure that significant progress towards the attainment of the multiple use objectives, allotment specific objectives and the Standards for Rangeland Health throughout the C-Ranches Use Area will occur. Management actions and objectives conforms to the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada's South Central Nevada Sage Grouse Conservation Plan, which is now under development.

The proposed grazing plan would be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3, 2.4, 3.1, 3.2, 3.3, 3.6, 4.1, Vegetative Guidelines and BLM/WAFWA sage grouse guidelines.

Management Action 3:

Issue a ten-year permit to Howard and Barbara Wolf with the following Terms and Conditions:

Grazing use would be in accordance with the Simpson Park Allotment portion of the Simpson Park Complex Final Multiple Use Decision dated _____.

The permittee would be required to meet with BLM prior to each grazing year in order to determine an annual grazing plan that would ensure appropriate use throughout the allotment.

The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.

The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable use would be subject to the requirements set forth in 43 CFR 4130.6-2.

In accordance with 43 CFR 4130.8-1(F): Failure to pay grazing bills within 15 days of the due date specified in the bill shall result in a late fee assessment of \$25.00 or 10 percent of the grazing bill, whichever is greater, but not to exceed \$250.00. Payment made later than 15 days after the due date shall include the appropriate late fee assessment. Failure to make payment within 30 days may be a violation of 43 CFR Sec 4140.1(B)(1) and shall result in action by the authorized officer under 43 CFR Sections. 4150.1 and 4160.1-2.

In accordance with 43 CFR 4130.3-2(D): Actual use information, for each use area, will be submitted to the authorized officer within 15 days of completing grazing use as specified on the grazing permit and/or grazing licenses.

In accordance with 43 CFR 4120.3-1(A): All range improvement shall be installed, used, maintained, and/or modified on the public lands, or removed from these lands in a manner consistent with multiple use management.

In accordance with 43 CFR 4130.3-2(C): In order to improve livestock and rangeland management on the public lands, all salt and/or mineral supplements will not be placed within ¼ mile of any riparian area, wet meadow, or watering facility (either permanent or temporary) unless stipulated through a written agreement or decision.

In accordance with 41309.3-2(H): All grazing permittees shall provide reasonable access across private and/or leased lands to the Bureau of Land Management for the orderly management and protection of the public lands.

Pursuant to 43 CFR 10.4(G), the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary 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 by the authorized officer.

All permits and leases shall be made subject to cancellation, suspension, or modification for any violation of these regulations or of any Terms and Conditions of the permit or lease.

The Terms and Conditions of this permit may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.

Rationale:

Issuance of a new ten-year permit is based on the analysis of the management actions in the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069, the evaluation of monitoring data, and the evaluation of Land Use Plan objectives, Standards for Rangeland Health, and multiple use objectives. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069 for the Simpson Park Allotment specific objectives and objectives common for the Complex. The terms and conditions for grazing in the Simpson Park Allotment would result in the attainment of multiple use objectives and is consistent with the Northeastern Great Basin RAC standards and is in conformance with the guidelines. At the completion of the Environmental Assessment and Finding of No Significant Impact (FONSI), a Final Multiple Use Decision will authorize the issuance of a new ten-year grazing permit and Terms and Conditions. These Terms and Conditions will ensure compliance with all applicable laws and regulations governing livestock grazing on public lands.

The proposed ten-year permit and Terms and Conditions will be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3., 2.4, 3.1, 3.2, 3.3, 3.6, and 4.1.

Ken & Karen Woodland

Management Action 1:

Establish the total permitted use for Ken & Karen Woodland at 1,104 AUMs. Place 832 AUMs into suspended use and retain the 830 historic suspended AUMs.

Rationale:

Use pattern mapping data was collected in accordance with the Nevada Rangeland Monitoring Handbook in 1991, 1993, and 1994. This data was used to analyze the carrying capacity. The carrying capacity was based on weighted average utilization and actual use (Refer to the SPC Evaluation page 101 and Appendix 6 and the SPC Evaluation Conformance Determination).

Through the evaluation of monitoring data and the carrying capacity analysis a range of AUMs was provided to the permittee and was dependant upon commitment to livestock management. Carrying capacity was calculated allotment wide as the result of permittees throughout the allotment not submitting actual use reports by use area or pasture. The range of AUMs for Ken & Karen Woodland was 804 AUMs desired carrying capacity and 1,104 AUMs potential carrying capacity. The carrying capacity was identified along with a grazing management plan to ensure that uniform distribution will be possible in the short-term. The carrying capacity calculation was selected due to the permittees commitment to implement changes in management of livestock operations that eliminate hot season grazing and reduce use throughout the critical growth season.

The permitted use in addition to the implementation of the management actions will ensure that significant progress will be made towards the attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives and allotment specific objectives provided that the Grazing Stipulations and the Terms and Conditions identified below are adhered to. Significant progress would be made when the Annual Monitoring Objectives for the Simpson Park Allotment are achieved. Monitoring data will continue to be collected to ensure that allotment specific objectives are being attained within the Simpson Park Allotment. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069.

The management selection will implement Guidelines 1.1, 1.3, 2.1, 2.3, 3.1, 3.2, 3.3, 3.6, and 4.1 which have been developed for the Northeastern Great Basin Area of Nevada to establish significant progress toward conformance with the Standards for Rangeland Health for Upland Sites, Riparian and Wetland Sites, and Habitat.

Management Action 2:

Implement the following grazing management system with Grazing Stipulations for the Ken & Karen Woodland:

Use Area	Season of Use	Livestock Type	Percent Public Land	Number of Livestock	AUMs
Parson's Pastures	04/01 - 04/30	Cattle	100	170	168
Willow/Barton Pasture	05/01 - 06/30	Cattle	100	170	341
Lake Ranch/Indian Ranch/Bates Mountain	07/01 - 07/15	Cattle	100	85	42
Lake Ranch/Rye Patch	07/01 - 07/15	Cattle	100	85	42
Rye Patch/Givens North	07/16 - 08/30	Cattle	100	169	261
Givens South	09/01 - 10/15	Cattle	100	169	250

Grazing Stipulations

1. The permittee would be required to maintain all range improvement projects for which maintenance responsibility is assigned in accordance with 43 CRR 4140.
2. Pastures utilized in "Parson's Pastures" during the spring will not be utilized during the following fall use in the Given's Use Area. The permittee will stipulate the pasture utilized during the spring.
3. All enclosures, including riparian, within the Simpson Park Allotment would be closed to livestock grazing unless grazing use is applied for by the permittee and is authorized in writing by the authorized officer.
4. The permittee would be required to meet with the BLM prior to each grazing year in order to determine an annual grazing management plan that would ensure appropriate use throughout the use area.
5. Utilization of "Key Upland Forage Species" will not exceed 40% by the end of the grazing year.
6. Utilization of key riparian-wetland herbaceous species will be limited to a minimum 4-inch stubble height by July 31st of each year. Utilization of key riparian-wetland herbaceous species will be limited to a 6-inch stubble height by the end of the growing season, if grazing starts or extends past July 31st.
7. Utilization of riparian woody or browse species will be limited to 30% of available stems by the end of the growing season. (Aspen, elderberry, serviceberry)
8. Riparian bank shearing and trampling will be limited to 10% (10 feet in 100 feet of bank).
9. Utilization of key shrub browse species will be no greater than 25% during the critical growth period and no more than 40% following the end of the growing season.

10. Management actions and objectives conforms to the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFAWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada's South Central Nevada Sage Grouse Conservation Plan, which is now under development.
11. If annual monitoring standards reach specified objectives in any use area where measurable standards have been set, the permittee will be required to remove livestock from that area. The permittee will have 3-5 days upon notification to remove livestock.
12. The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.
13. The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable would be subject to the requirements set forth in 43 CFR 4130.6-2.
14. In accordance with 43 CFR 4130.3-3: 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 provision of subpart 4180 RAC Standards and Guidelines.

Rationale:

The proposed action would work towards the attainment of the Standards for Rangeland health by eliminating hot season grazing in the Willow/Barton Pasture and in the Indian/Bates Mountain use areas. Furthermore, the majority of the use by livestock would occur prior to the critical growth season or during the dormant season. Parson's Pastures (within Givens Use Area) and the Willow/Barton pasture would be utilized prior to the critical growth season. Parson's Pastures consist of a two-pasture system that would be referred to as the East and West Pastures. Under the proposed action, pastures that are utilized in the spring will not be utilized the following fall (09/01 - 10/15). The Given's Seeding and the majority of the Givens Use area would be utilized during the dormant season.

Use during the initial stages of the critical growth season would be authorized in the Lake Ranch and Indian Ranch use areas. Use would occur throughout the critical growth season for the Rye Patch use area. However, under the proposed action, the grazing stipulations will be implemented that will require the permittee to remove his or her livestock from the area once annual monitoring standards have been met to ensure that progress towards the attainment of the Standards for Rangeland Health. In order to ensure significant progress towards the Standards for Rangeland Health, riparian areas within the Rye Patch Canyon area would need to be fenced with water either being piped out from the source areas or water gaps would be created in order to allow livestock and wildlife accessibility to surface waters.

Exclosing riparian areas that would be otherwise be subjected to hot season grazing would allow these areas to recover by re-establishing riparian herbaceous species and eliminating bank trampling and hoof action along portions of the riparian areas. The permittee would also be required to fix and/or maintain watering facilities within the use area to reduce the impacts to riparian areas.

In addition, the grazing management system and the Terms and Conditions will provide for the orderly administration of the range and ensure that significant progress towards the attainment of the multiple use objectives, allotment specific objectives and the Standards for Rangeland Health throughout the C-Ranches Use Area will occur. Management actions and objectives conforms to the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada's South Central Nevada Sage Grouse Conservation Plan, which is now under development.

The proposed grazing plan would be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3, 2.4, 3.1, 3.2, 3.3, 3.6, 4.1, Vegetative Guidelines and BLM/WAFWA sage grouse guidelines.

Management Action 3:

Issue a ten-year permit to Ken and Karen Woodland with the following Terms and Conditions:

Grazing use would be in accordance with the Simpson Park Allotment portion of the Simpson Park Complex Final Multiple Use Decision dated _____.

The permittee would be required to meet with BLM prior to each grazing year in order to determine an annual grazing plan that would ensure appropriate use throughout the allotment.

The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.

The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable use would be subject to the requirements set forth in 43 CFR 4130.6-2.

In accordance with 43 CFR 4130.8-1(F): Failure to pay grazing bills within 15 days of the due date specified in the bill shall result in a late fee assessment of \$25.00 or 10 percent of the grazing bill, whichever is greater, but not to exceed \$250.00. Payment made later than 15 days after the due date shall include the appropriate late fee assessment. Failure to make payment within 30 days may be a violation of 43 CFR Sec 4140.1(B)(1) and shall result in action by the authorized officer under 43 CFR Sections. 4150.1 and 4160.1-2.

In accordance with 43 CFR 4130.3-2(D): Actual use information, for each use area, will be submitted to the authorized officer within 15 days of completing grazing use as specified on the grazing permit and/or grazing licenses.

In accordance with 43 CFR 4120.3-1(A): All range improvement shall be installed, used, maintained, and/or modified on the public lands, or removed from these lands in a manner consistent with multiple use management.

In accordance with 43 CFR 4130.3-2(C): In order to improve livestock and rangeland management on the public lands, all salt and/or mineral supplements will not be placed within ¼ mile of any riparian area, wet meadow, or watering facility (either permanent or temporary) unless stipulated through a written agreement or decision.

In accordance with 41309.3-2(H): All grazing permittees shall provide reasonable access across private and/or leased lands to the Bureau of Land Management for the orderly management and protection of the public lands.

Pursuant to 43 CFR 10.4(G), the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary 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 by the authorized officer.

All permits and leases shall be made subject to cancellation, suspension, or modification for any violation of these regulations or of any Terms and Conditions of the permit or lease.

The Terms and Conditions of this permit may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.

Rationale:

Issuance of a new ten-year permit is based on the analysis of the management actions in the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069, the evaluation of monitoring data, and the evaluation of Land Use Plan objectives, Standards for Rangeland Health, and multiple use objectives. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069 for the Simpson Park Allotment specific objectives and objectives common for the Complex. The terms and conditions for grazing in the Simpson Park Allotment would result in the attainment of multiple use objectives and is consistent with the Northeastern Great Basin RAC standards and is in conformance with the guidelines. At the completion of the Environmental Assessment and Finding of No Significant Impact (FONSI), a Final Multiple Use Decision will authorize the issuance of a new ten-year grazing permit and Terms and Conditions. These Terms and Conditions will ensure compliance with all applicable laws and regulations governing livestock grazing on public lands.

The proposed ten-year permit and Terms and Conditions will be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3., 2.4, 3.1, 3.2, 3.3, 3.6, and 4.1.

Young Brothers

Management Action 1:

Establish the total permitted use for Young Brothers at 189 AUMs. Place 143 AUMs into suspended use and retain the 142 historic suspended AUMs.

Rationale:

Use pattern mapping data was collected in accordance with the Nevada Rangeland Monitoring Handbook in 1991, 1993, and 1994. This data was used to analyze the carrying capacity. The carrying capacity was based on weighted average utilization and actual use (Refer to the SPC Evaluation page 101 and Appendix 6 and the SPC Evaluation Conformance Determination).

Through the evaluation of monitoring data and the carrying capacity analysis a range of AUMs was provided to the permittee and was dependant upon commitment to livestock management. Carrying capacity was calculated allotment wide as the result of permittees throughout the allotment not submitting actual use reports by use area or pasture. The range of AUMs for Young Brothers was 138 AUMs desired carrying capacity and 189 AUMs potential carrying capacity. The carrying capacity was identified along with a grazing management plan to ensure that uniform distribution will be possible in the short-term. The carrying capacity calculation was selected due to the permittees commitment to implement changes in management of livestock operations that eliminate hot season grazing and reduce use throughout the critical growth season.

The permitted use in addition to the implementation of the management actions will ensure that significant progress will be made towards the attainment of the SERA RMP objectives, Standards for Rangeland Health, multiple use objectives and allotment specific objectives provided that the Grazing Stipulations and the Terms and Conditions identified below are adhered to. Significant progress would be made when the Annual Monitoring Objectives for the Simpson Park Allotment are achieved. Monitoring data will continue to be collected to ensure that allotment specific objectives are being attained within the Simpson Park Allotment. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069.

The management selection will implement Guidelines 1.1, 1.3, 2.1, 2.3, 3.1, 3.2, 3.3, 3.6, and 4.1 which have been developed for the Northeastern Great Basin Area of Nevada to establish significant progress toward conformance with the Standards for Rangeland Health for Upland Sites, Riparian and Wetland Sites, and Habitat.

Management Action 2:

Implement the following grazing management system with Grazing Stipulations for Young Brothers:

Use Area	Season of Use	Livestock Type	Percent Public Land	Number of Livestock	AUMs
Black Bird/Common	09/01 - 03/31	Cattle	100	27	189

Grazing Stipulations

1. The permittee would be required to maintain all range improvement projects for which maintenance responsibility is assigned in accordance with 43 CRR 4140.
2. All enclosures, including riparian, within the Simpson Park Allotment would be closed to livestock grazing unless grazing use is applied for by the permittee and is authorized in writing by the authorized officer.
3. The permittee would be required to meet with the BLM prior to each grazing year in order to determine an annual grazing management plan that would ensure appropriate use throughout the use area.
4. Utilization of “Key Upland Forage Species” will not exceed 40% by the end of the grazing year.
5. Utilization of key riparian-wetland herbaceous species will be limited to a minimum 4-inch stubble height by July 31st of each year. Utilization of key riparian-wetland herbaceous species will be limited to a 6-inch stubble height by the end of the growing season, if grazing starts or extends past July 31st.
6. Utilization of riparian woody or browse species will be limited to 30% of available stems by the end of the growing season. (Aspen, elderberry, serviceberry)
7. Riparian bank shearing and trampling will be limited to 10% (10 feet in 100 feet of bank).
8. Utilization of key shrub browse species will be no greater than 25% during the critical growth period and no more than 40% following the end of the growing season.
9. Management actions and objectives conforms to the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFAWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada’s South Central Nevada Sage Grouse Conservation Plan, which is now under development.
10. If annual monitoring standards reach specified objectives in any use area where measurable standards have been set, the permittee will be required to remove livestock from that area. The permittee will have 3-5 days upon notification to remove livestock.
11. The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.
12. The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson

Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable would be subject to the requirements set forth in 43 CFR 4130.6-2.

13. In accordance with 43 CFR 4130.3-3: 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 provision of subpart 4180 RAC Standards and Guidelines.

Rationale:

The proposed grazing management plan will ensure that progress towards the attainment of the Standards for Rangeland Health by modifying the season of use and stocking rates associated with the proposed use areas. Grazing during the dormant season would occur within the Black Bird and Common use areas and are dominated by salt-desert shrub communities. Depending on the type of year (e.g. wet and warm winters), limited use may occur during the initial growth season for this area.

The Black Bird, Common, and Pete Summit use areas consists primarily of salt-desert shrub communities that are considered intolerant to grazing throughout their growing season. Key management areas within this section of the allotment did not meet the habitat standard and only two of the sites have indicated significant progress towards the attainment of the standard. By deferring grazing until the dormant season for this vegetative community, key perennial grasses are given an opportunity to gain in vigor, set seed, and reproduce. This will allow for improvement in the plant communities by enhancing key perennial species productivity, which will in turn provide seed to repopulate the plant communities. The expected improvement in the vegetative community will enhance soil site stability, which will limit the redistribution of and loss of soil resources by wind and water. Hydrologic function will also be enhanced with improvement in the vegetative community. This will allow the site to adequately capture, store and release water from rainfall or snowmelt events. Furthermore, improvement in the plant community will improve the integrity of the biotic community, which will permit the use area to resist loss of function and structure following disturbance allowing for recovery.

The proposed grazing plan would be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3, 2.4, 3.1, 3.2, 3.3, 3.6, 4.1, Vegetative Guidelines and BLM/WAFWA sage grouse guidelines.

3. Issue a ten-year permit to Young Brothers with the following Terms and Conditions:

Grazing use would be in accordance with the Simpson Park Allotment portion of the Simpson Park Complex Final Multiple Use Decision dated _____.

The permittee would be required to meet with BLM prior to each grazing year in order to determine an annual grazing plan that would ensure appropriate use throughout the allotment.

The permittee would be allowed five days flexibility prior to and following the scheduled use dates to move livestock.

The season of use in the Simpson Park Allotment may be temporarily modified from the proposed grazing management system at the discretion of the authorized officer on an annual basis if monitoring data indicates that changes are necessary to meet multiple use objectives and Standards for Rangeland Health. Any use in excess of the total permitted use for the Simpson Park Allotment would constitute temporary non-renewable use. The authorization of temporary non-renewable use would be subject to the requirements set forth in 43 CFR 4130.6-2.

In accordance with 43 CFR 4130.8-1(F): Failure to pay grazing bills within 15 days of the due date specified in the bill shall result in a late fee assessment of \$25.00 or 10 percent of the grazing bill, whichever is greater, but not to exceed \$250.00. Payment made later than 15 days after the due date shall include the appropriate late fee assessment. Failure to make payment within 30 days may be a violation of 43 CFR Sec 4140.1(B)(1) and shall result in action by the authorized officer under 43 CFR Sections. 4150.1 and 4160.1-2.

In accordance with 43 CFR 4130.3-2(D): Actual use information, for each use area, will be submitted to the authorized officer within 15 days of completing grazing use as specified on the grazing permit and/or grazing licenses.

In accordance with 43 CFR 4120.3-1(A): All range improvement shall be installed, used, maintained, and/or modified on the public lands, or removed from these lands in a manner consistent with multiple use management.

In accordance with 43 CFR 4130.3-2(C): In order to improve livestock and rangeland management on the public lands, all salt and/or mineral supplements will not be placed within ¼ mile of any riparian area, wet meadow, or watering facility (either permanent or temporary) unless stipulated through a written agreement or decision.

In accordance with 41309.3-2(H): All grazing permittees shall provide reasonable access across private and/or leased lands to the Bureau of Land Management for the orderly management and protection of the public lands.

Pursuant to 43 CFR 10.4(G), the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary 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 by the authorized officer.

All permits and leases shall be made subject to cancellation, suspension, or modification for any violation of these regulations or of any Terms and Conditions of the permit or lease.

The Terms and Conditions of this permit may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.

Rationale:

Issuance of a new ten-year permit is based on the analysis of the management actions in the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069, the evaluation of monitoring data, and the evaluation of Land Use Plan objectives, Standards for Rangeland Health, and multiple use objectives. Refer to Attachment 1 of the Simpson Park Complex Rangeland Health Assessment Environmental Assessment NV-062-EA05-069 for the Simpson Park Allotment specific objectives and objectives common for the Complex. The terms and conditions for grazing in the Simpson Park Allotment would result in the attainment of multiple use objectives and is consistent with the Northeastern Great Basin RAC standards and is in conformance with the guidelines. At the completion of the Environmental Assessment and Finding of No Significant Impact (FONSI), a Final Multiple Use Decision will authorize the issuance of a new ten-year grazing permit and Terms and Conditions. These Terms and Conditions will ensure compliance with all applicable laws and regulations governing livestock grazing on public lands.

In addition, the grazing management system and the Terms and Conditions will provide for the orderly administration of the range and ensure that significant progress towards the attainment of the multiple use objectives, allotment specific objectives and the Standards for Rangeland Health throughout the C-Ranches Use Area will occur. Management actions and objectives conform to the *Management Guidelines for Sage Grouse and Sagebrush Ecosystems In Nevada* (BLM 2000) and to *Guidelines to Manage Sage Grouse Populations and Their Habitats* (Connelly et. al. 2000) also known as the Western Association of Fish and Wildlife Agencies (WAFAWA) *Guidelines for Sage Grouse Management*, until augmented or superseded by the State of Nevada's South Central Nevada Sage Grouse Conservation Plan, which is now under development.

The proposed ten-year permit and Terms and Conditions will be in conformance with the Northeastern Great Basin RAC Guidelines including 1.1, 1.3, 2.1, 2.3., 2.4, 3.1, 3.2, 3.3, 3.6, and 4.1.

SELECTED WILD BURRO MANAGEMENT ACTIONS

Management Action 1: Callaghan HMA

Establish an Appropriate Management Level range for wild horses within the Simpson Park Allotment portion of the Callaghan Herd Management Area of 14 to 39 wild horses (166-468 AUMs). The establishment of AML for the Simpson Park Allotment as proposed would set the Callaghan HMA AML as a range of 147 to 237 wild horses (1764-2844 AUMs).

Rationale:

The Rangeland Program Summary established an initial stocking level for wild horses at 41 wild horses (492 AUMs) year long. As indicated by the carrying capacity analysis, an AML of 23 wild horses (276 AUMs) year long is appropriate for the Simpson Park Allotment portion of Callaghan HMA. The carrying capacity analysis resulted in a reduction of 18 wild horses (213 AUMs) year long from the initial stocking levels established in the RPS. Wild horse use within this range is expected to result in

the attainment of the allotment specific objectives for the Simpson Park Allotment. In addition, the level of use by wild horses would maintain the Land Use Plan objectives and Standards for Rangeland Health.

The evaluation of monitoring data collected throughout the evaluation period indicates that the mid-range 23 wild horses year-long is the appropriate management level to maintain a thriving natural ecological balance and a healthy wild horse population. The AML range reflects the average year-long use taking into account that wild horse populations fluctuate based on environmental conditions and movement patterns. The Simpson Park Allotment represents 7% of the Callaghan HMA which requires wild horses to utilize adjacent allotments within the HMA to meet habitat requirements. The AML range would meet the year-round habitat requirement for wild horses within the Callaghan HMA.

Through this evaluation a determination has been made that RAC Standard 5 for the Callaghan HMA have been met for the Simpson Park Allotment. However, RAC Standard 2 and Standard 3 are not being met for the allotment. Until further data collection and analysis has occurred, the AML for this allotment would remain at the level established in this evaluation. In the future, existing studies within the Callaghan HMA and Simpson Park Allotment would continue to be conducted to evaluate rangeland health and trend. Adjustments to AML would be based on this information.

The Appropriate Management Level has been established as a range of 14 to 38 wild horses, which would allow for minimal management which is in conformance with the Wild Free-Roaming Horse and Burro Act. Wild horses in the Callaghan HMA increase at an annual rate of 17.5%. It is not cost effective to remove the annual increase in population each year, annual gathers would result in increased impacts to herd stability and band integrity, and frequent gathers render the animals more difficult to capture and increases the chance for injury or death. Appropriate NEPA compliance for all management actions that would impact wild horses within the Callaghan HMA would be completed prior to the implementation of the action.

Management Action 2: Hickison HMA

Establish an Appropriate Management Level range for wild burros within the Simpson Park and Kingston Allotment portions of the Hickison HMA. The AML range for the Simpson Park Allotment will be 5 to 15 wild burros (25-75 AUMs) for 5 months.

Rationale:

An initial stocking level for wild burros within the Hickison HMA was established through the Rangeland Program Summary at 13 wild burros for a 6-month period (78 AUMs) for the Simpson Park Allotment. However, analysis of census flight information indicates that wild burros spend approximately 40% or 5 months of the time on the Hickison HMA. As indicated by the carrying capacity analysis, an AML of 9 wild burros (45 AUMs) is appropriate for the Simpson Park Allotment portion of the Hickison HMA. This resulted in a reduction of 4 wild burros (20 AUMs) for the Simpson Park Allotment from the initial stocking levels established in the RPS. Wild burro use within this range is expected to result in the attainment of the allotment specific objectives for the Simpson Park Allotment. In addition, the level of use by wild burros would maintain the Land Use Plan objectives and Standards for Rangeland Health.

The evaluation of monitoring data collected throughout the evaluation period indicates that the mid-range 9 wild burros (45 AUMs) for Simpson Park Allotment for 5 months is the appropriate management level to maintain a thriving natural ecological balance within the means of the habitat. The AML range reflects the average use taking into account that wild burro populations fluctuate based on environmental conditions and movement patterns. The Simpson Park Allotment represents 75% of the Hickison HMA and Kingston Allotment represents 25% of the HMA. Adjacent U.S. Forest Service administered lands within the Hickison HMA/WHT are utilized to meet habitat requirements. The AML range would meet the habitat requirement for wild burros within the Hickison HMA.

Through this evaluation a determination has been made that RAC Standard 2 and 3 are not being met for the Simpson Park Allotment. RAC Standard 5 for the Hickison HMA is being partially met. Until further data collection and analysis has occurred, the AML for this HMA would remain at the level established in this evaluation. In the future, existing studies within the Hickison HMA, Simpson Park and Kingston Allotments would continue to be conducted to evaluate rangeland health and trend. Adjustments to AML would be based on habitat condition, genetic health, and distribution of wild burros.

The Appropriate Management Level for the Hickison HMA has been established as a range of 16 to 45 wild burros, which would allow for minimal management which is in conformance with the Wild Free-Roaming Horse and Burro Act. Wild burros in the Hickison HMA increase at an annual rate of 17.5%. It is not cost effective to remove the annual increase in population each year, annual gathers would result in increased impacts to herd stability and band integrity, and frequent gathers render the animals more difficult to capture and increases the chance for injury or death. Appropriate NEPA compliance for all management actions that would impact wild burros within the Hickison HMA would be completed prior to the implementation of the action.

SELECTED WILDLIFE HABITAT MANAGEMENT ACTIONS

Management Action 1:

Retain the short-term allocation of 354 AUMs for big game species in the Simpson Park Allotment.

Rationale:

Monitoring data indicates that Standard 2: Riparian and Wetland Sites and Standard 3: Habitat of the Standards for Rangeland Health are not met at a majority of the key management areas and riparian/wetland zones; therefore, it has been determined that short-term allocation would be retained until Standards for Rangeland Health are met throughout the allotment. Monitoring data would continue to be collected throughout the allotment to ensure that multiple use objectives are being attained.

Final determination of the Authorized Officer:

Douglas W. Furtado
Assistant Field Manager, Renewable Resources
Battle Mountain Field Office

Date