RECLAMATION

Managing Water in the West

Appendix A – Grazing Management Plan Final Environmental Impact Statement

Lahontan Basin Area Office

Newlands Project, Nevada

Mid-Pacific Region

U.S. Department of the Interior

Bureau of Reclamation **October 2014**

Mission Statements

The mission of the Department of the Interior is to protect and provide access to our Nation's natural and cultural heritage and honor our trust responsibilities to Indian Tribes and our commitments to island communities.

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

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Acronyms

AUM	Animal Unit Month
BLM	Bureau of Land Management
CEC	Categorical Exclusion Checklist
CFR	Code of Federal Regulations
CLP	Carson Lake and Pasture
DM	Departmental Manual
EA	Environmental Assessment
EIS	Environmental Impact Statement
FWMA	Fernley Wildlife Management Area
GSA	General Services Administration
IPM	Integrated Pest Management
ITA	Indian Trust Assets
LBAO	Lahontan Basin Area Office
MOA	Memorandum of Agreement
NDOW	Nevada Department of Wildlife
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
OMB	Office of Management and Budget
PA	Programmatic Agreement
PCWCD	Pershing County Water Conservation District
PUP	Pesticide Use Proposal
RAC	Resource Advisory Committee

RMP	Resource Management Plan
RM D&S	Reclamation Manual Directives and Standards
SHPO	State Historic Preservation Officer
SWMA	Stillwater Wildlife Management Area
TCID/District	Truckee-Carson Irrigation District
TEAMS	Talent Expertise Agility Mobility Simplicity

Introduction

The Newlands Project encompasses four counties, Washoe, Storey, Lyon, and Churchill, in west-central Nevada and provides irrigation water from the Truckee and Carson Rivers for cropland in the Lahontan Valley near Fallon and bench lands near Fernley in western Nevada through a series of diversions, canals, dams, and reservoirs. The Newlands Project Planning Area encompasses approximately 442,000 acres surrounding the Newlands Project facilities and is composed of all Reclamation-administered lands, including waterbodies, managed as part of the Newlands Project. The Truckee-Carson Irrigation District (District) does not manage the lands within the Newlands Project.

Construction on the Newlands Project, formerly the Truckee-Carson Project, began in 1903, which makes it one of the first of Reclamation's projects. The primary purpose of the Newlands Project, as set forth in legislation, is to provide water for irrigation. It provides full service irrigation water from the Truckee and Carson Rivers for about 57,000 acres of cropland in the Lahontan Valley near Fallon and bench lands near Fernley in western Nevada. In addition, water from about 6,000 acres of Newlands Project land has been transferred to the Stillwater National Wildlife Refuge wetlands near Fallon. The drainage basins contain nearly 3,400 square miles, with a combined average annual runoff of about 850,000 acre-feet of water.

The purpose of the Newlands Project was expanded in 1990 under Section 209 of Public Law 101-618. In addition to irrigation, the Newlands Project is operated and maintained for the following:

- Fish and wildlife, including endangered and threatened species;
- Municipal and industrial water supply in Lyon and Churchill Counties, Nevada, including the Fallon Indian Reservation;
- Recreation;
- Water quality; and
- Any other purposes recognized as beneficial under the law of the State of Nevada.

Grazing within the Newlands Project is ancillary to the other project purposes previously mentioned. Reclamation will not be making water delivery or storage decisions based on grazing needs.

As decisions are being made in the Final Resource Management Plan (RMP) and Environmental Impact Statement (EIS) for the Newlands Project, other plans are being prepared or initiated. Under the Agency Preferred Alternative (Alternative B) of the Final RMP/EIS, it has been determined that Reclamation will prepare an implementation-level Grazing Management Plan (Plan) to document the implementation-level details associated with the decisions made in the Final RMP/EIS. Alternative B incorporates many management objectives and actions from the other two alternatives and may include new management direction as necessary.

This Plan is being developed with public input to balance grazing with restoration of land health in grazing areas and includes decision criteria concerning allotment boundaries, length of leases and renewals, lease terms and conditions, fees, management during extreme conditions (e.g., droughts and fires), and the needs for maintaining sustainable rangeland health and protecting sensitive habitats. When the Plan is approved, current leases and allotments will be reevaluated in accordance with the criteria in the Plan. Reclamation will manage grazing in accordance with the Plan. Range improvements and maintenance responsibilities will be inventoried and managed, and new improvement authorizations will be carried out in accordance with the Plan. A set of procedures and internal guidance on how grazing leases will be issued and administered in an environmentally and economically sound manner by employing the principles of sound range management to protect Newlands Project facilities and minimize financial and social impacts to agricultural community are also being developed in this Plan.

Along with the aforementioned, this Plan will also document the grazing administrative procedures as an interim management strategy until the implementation of the RMP and provide a basis for analysis for impacts of future grazing Reclamation-managed lands within the Newlands Project. Humboldt title transfer lands are not being analyzed in this Plan.

Objectives

This Plan will:

- Manage grazing in accordance with Federal rules and regulations and Reclamation Manual Directives and Standards (RM D&S) to ensure a healthy, sustainable rangeland system;
- Provide broad-scale guidance and direction on implementing a restructured grazing program;
- Document the process on how decisions related to grazing administration and range management will be made;
- Include decision criteria concerning grazing area, length of permits/lease and renewals, permit/lease terms and conditions, fees, management during extreme conditions (e.g., droughts and fires), and the needs for maintaining sustainable rangeland health and protecting sensitive habitats;
- Provide a basis for analysis for impacts of future grazing in the RMP/EIS for the Newlands Project;
- Range improvements and maintenance responsibilities will be inventoried and managed, and new improvement authorizations will be carried out in accordance with this Plan; and
- Document existing grazing administrative procedures and develop administrative management strategies related to Newlands Projects lands identified to be relinquished until that process is complete; and Carson Lake and Pasture and Humboldt title transfer lands until the transfers are complete.

This Plan will develop a long-term management strategy for grazing administration on retained Newlands Project lands that:

- Employs the principles of good range management;
- Is in compliance with applicable laws and Reclamation rules and regulations;
- Protects Newlands Project lands, facilities, and waterbodies; and
- Minimizes financial and social impacts to the agricultural community.

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Relationship to Other Initiatives

This Plan relates to the initiative pertaining to lands and resources necessary to be retained for project purposes by ensuring effective administration to protect Reclamation-managed lands, facilities, and waterbodies, as well as to improve resource management within the Newlands Project. Through a comprehensive lands review, certain lands have been determined no longer necessary for Newlands Project purposes, and have subsequently been identified for disposal or relinquishment to the Bureau of Land Management (BLM). Most of the pastures currently being grazed are being considered for disposal or relinquishment.

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Background

The Lahontan Basin Area Office (LBAO) assumed management of the grazing program on Reclamation-managed lands in both the Newlands and Humboldt Projects. The grazing management for the Humboldt Project is not being analyzed in this Plan. There are currently 38 pastures within the Newlands Project and are described in Table 1. Figure 1 shown below depicts the pastures currently authorized for grazing.

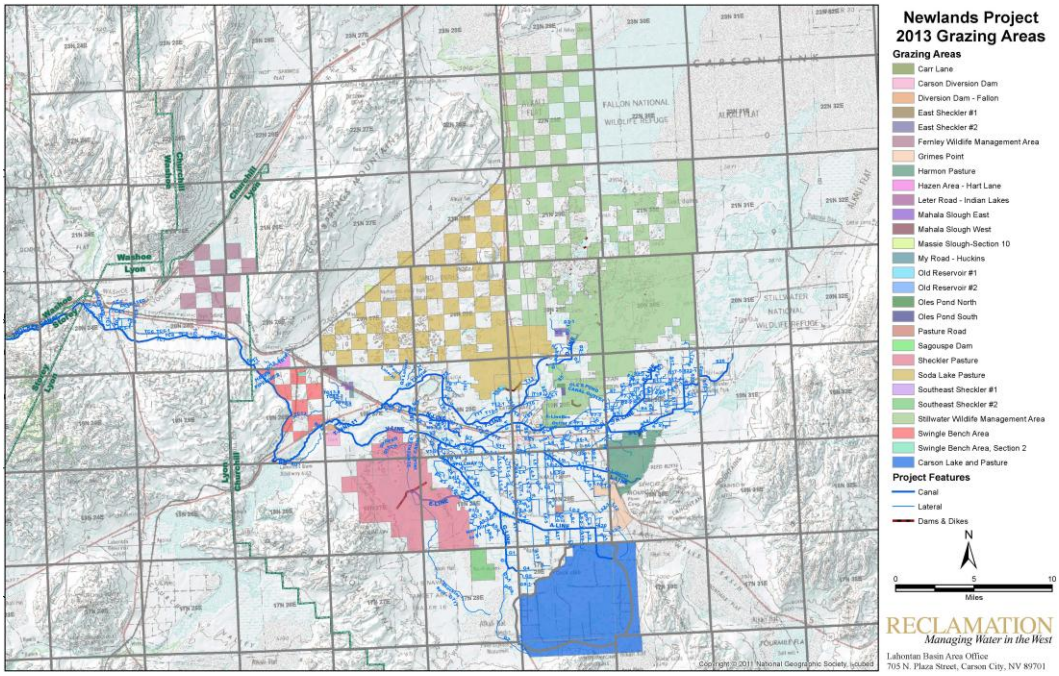

Figure 1 Newlands Project – Current Grazing Areas

The District managed the grazing program on all Newlands Project lands beginning in the 1920s, with the exception of the Stillwater Wildlife Management Area (SWMA) and the Fernley Wildlife Management Area (FWMA). Reclamation assumed responsibility for management of all grazing areas from the District in 1997, when the Operations and Maintenance (O&M) contract between the District and Reclamation was renegotiated. All the permitees were Newlands Project water rights holders at that time. Grazing fees were calculated in a variety of ways: on a per acre basis, as a flat fee, and on an animal unit month (AUM) basis. An AUM is the amount of forage required to feed a 1000 lb cow and her calf for one month, which is approximately 800 lbs of air dry forage. Generally, the community pastures charged on an AUM basis, whereas the smaller individual pastures were assessed on a per acre basis.

The Stillwater Pasture was managed by the U.S. Fish and Wildlife Service (Service) as part of the SWMA under the 1949 Tripartite Agreement which subsequently expired in 1998, with annual extensions from March 1999 to March 2006. In 2006, the Service determined to return the management of the SWMA to Reclamation. It has been determined that a portion of the Stillwater Pasture will be relinquished to BLM. Since the portion of lands within the Stillwater Pasture determined to be relinquished will not have a clear boundary from the portion of lands determined to be required for Newlands Project purposes, BLM has agreed to administer the grazing for all of the lands within the Stillwater Pasture.

Grazing on the FWMA is managed by the Nevada Department of Wildlife (NDOW) under the FWMA Agreement between the United States acting through Reclamation and NDOW. NDOW has provided management of the FWMA since 1952. The FWMA Agreement authorized grazing and pasture lands suitable to be developed, improved, and maintained by NDOW within the limits of the available drain water and commensurate with the program for conservation, maintenance, and management of wildlife, its resources and habitat. In return, Reclamation agreed to administer annual grazing leases on all the lands described in the Agreement, subject to grazing limitations of 400 AUM's per year.

Carson Lake and Pasture (CLP) was set aside to provide additional grazing land for Newlands Project water rights holders. Pursuant to Public Law (P.L.) 101-618, CLP lands are to be transferred to the State of Nevada to be managed by NDOW. Daily management of operations of the CLP were transferred back to the District upon the execution of an annual management agreement between the District and Reclamation. The District provides a pasture manager to manage the livestock on the CLP lands. The CLP lands are within the Newlands Project and are analyzed in this Plan. They will continue to be grazed under existing agreements with Reclamation until such time the CLP is transferred to the State of Nevada. Reclamation has determined that due to the uncertainty of the time remaining in transferring the lands to the State of Nevada, the current permitting procedures for the CLP will not be revised at this time.

Only one pasture, the Battle Mountain Pasture, is grazed in the Humboldt Project. This pasture is approximately 30,000 acres. Pershing County Water Conservation District (PCWCD) manages the grazing on this pasture through an annual negotiated lease. Reclamation negotiated with PCWCD to assess a flat fee of $500 for the use. The Battle Mountain Pasture will not be analyzed within this Plan, as it is not located within the Newlands Project. It is mentioned here to document that grazing does currently occur and that grazing will continue under the current terms and conditions until the transfer to PCWCD occurs.

Compliance with Applicable Standards

Permits are currently issued annually. However, it is more cost effective to complete environmental compliance and processing time for a multi-year license rather than annually. The licensee would then be able to develop long term management plans and provide better stewardship of the lands. An evaluation of current procedures indicated that the existing grazing management program is not in compliance with RM D&S LND 08-01, nor with federal laws, including the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA), and consequently must be modified in many aspects.

The five main areas where the grazing program is not in compliance with applicable standards were identified:

1. Existing fee structure: Reclamation has not changed how fees were assessed or grazing was administered since assuming the responsibility for the grazing program. Grazing fees are not returned to LBAO to help recover costs; fees go to offset costs of the project as a front end credit. The Fact Finders Act of 1924, subsection I, applies to the Newlands Project. Currently no charges are assessed for administrative costs, such as NEPA, nor are administrative charges processed; permitees are not charged fair market value under a competitive bid system, and fees are currently charged in a variety of methods.
2. Land Health: Reclamation's Directive and Standards, LND 08-01 Land Use Authorizations, requires that grazing be managed in a sustainable fashion. Land health standards were analyzed by an interdisciplinary team from the Forest Service TEAMs Enterprise Unit in 2009. For additional details on the TEAMS reports, see the Monitoring section. TEAMs determined whether the pastures were meeting land health standards and estimated current range production and initial carrying capacity. The majority of pastures were not meeting land health standards, and estimates of forage production were less than what is currently authorized. No monitoring studies have been established.
3. Public Lands Interior: BLM developed the Resource Advisory Committee (RAC) Standards & Guidelines for Rangeland Health for the Sierra Front-Northwestern Great Basin Area to comply with 43 CFR Subpart 4180—Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration. This regulation requires that grazing be managed to sustain that (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 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.

4. NEPA: Grazing permits were renewed under a Categorical Exclusion Checklist (CEC). No full analysis of impacts associated with grazing activities has been completed. The RMP will provide a broad overview as part of its EIS, but grazing on specific pastures should be analyzed at the environmental assessment (EA) level.

5. NHPA: The cultural resources staff has not accepted the CEC, indicating no concurrence with NHPA, since current administrative practice has not provided sufficient time nor resources to take into account the effects of the grazing program on historic properties. As part of the restructuring of the grazing program, a Programmatic Agreement (PA) with the State Historic Preservation Officer (SHPO) and other interested parties is being developed pursuant to 36 CFR Part 800.14 concurrently but separately from this Plan, and should be completed by the end of the 2015. This PA will ensure that Reclamation's administration of grazing leases on Reclamation-managed lands complies with Section 106 of the NHPA. Stipulations in the PA will relate to providing upfront analysis and consultation, as appropriate, for individual lease applications. This PA process will replace the normal Section 106 process and will also support the EA analysis. Stipulations in the PA will also cover procedures for confirming that the PA is being successfully implemented and that ongoing grazing activity is not causing unanticipated effects to historic properties.

Components of Long-Term Strategy

1. Determine what lands will be retained for Newlands Project purposes by completing a thorough internal review of the Reclamation-managed lands within the Newlands Project, this component was completed in 2013;

2. Identify and document changes in the Leasing Procedures by establishing a process in which the grazing program will be maintained;

3. Identify and document changes in the Fee Schedule for Forage Charges by researching current market values and similar programs throughout northern Nevada;

4. Identify and document changes in the Charges of Administrative Costs by complying with 43 CFR § 429 Use of Bureau of Reclamation Land, Facilities, and Waterbodies;

5. Development and implementation of an Area Office Monitoring Plan consistent with agency directives and standards LND 08-01 Land Use Authorizations;

6. Development and implementation of an Area Office Monitoring Plan consistent with 43 CFR Public Lands Interior Subpart 4180—Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration; and

7. Identify and document Environmental Compliance (including, but not limited to NEPA, NHPA, and the Endangered Species Act) that would be required for continuation of a grazing program, including eliminating pastures from that program.

Timeframes for Implementation

2015 - A new fee structure will be phased in within one year of the implementation of this Plan. Grazing leases will be renewed through 2014 under the current terms and conditions.

2016 – The new fee structure and other conditions will be fully implemented on lands that have been identified as necessary for Newlands Project purposes and that are meeting land health standards.

Determining Lands that will Remain in the Grazing Program

All lands within the Newlands Project were evaluated to determine if those lands are necessary to meet project purposes, and were classified as to whether they would be retained by LBAO, relinquished, or otherwise disposed. Open status refers to lands available to be leased for grazing.

Lands that are currently not permitted for grazing will not be considered for grazing leases in the future, regardless of whether they will be retained or not. Closed status refers to lands that are not eligible to be leased for grazing. *Table 1 depicts the pastures currently within the Newlands Project.*

Table 1 Pastures within the Newlands Project

Pasture No.	Pasture Area	Current Status	Season	Acreage
1	FWMA	Open	Aug 1-Feb 15	7,001
2	FWMA, Sec. 16	Closed	Yearlong	643
3	Hazen Area	Open	Yearlong	323
4	Swingle Bench Area	Open	Feb 15-May 15	3,732
5	Swingle Bench Area Pasture, Sec. 2	Open	May 15-Nov 15	80
6	Diversion Dam, Fallon	Open	Yearlong	165
7	Soda Lake	Open	Nov 1-May 31	35,758
8	Mahalo Slough West	Open	Yearlong	305
9	Mahala Slough East	Open	Yearlong	144
10	Carr Lane	Open	Yearlong	7
11	Huckins/My Road	Open	Oct 1-Mar 15	80
12	Massie Slough	Closed	N/A	272
13	Massie Slough Sec.10	Open	Yearlong	108
14	Leeteville Junction	Closed	N/A	425

Pasture No.	Pasture Area	Current Status	Season	Acreage
15	Sheckler Pasture	Open	Apr 1-Nov 15	22,210
16	North Soda Lake	Closed	Yearlong	71
17	East Sheckler #1	Open	Yearlong	32
18	East Sheckler #2	Closed	Yearlong	9
19	Hillsboro Blvd	Closed	Yearlong	182
20	Sheckler School	Closed	N/A	5
21	Southeast Sheckler #1	Closed	Yearlong	40
22	Southeast Sheckler #2	Open	Yearlong	1,611
23	Old Reservoir #1	Open	Yearlong	81
24	Old Reservoir #2	Open	Yearlong	40
25	West Carson Lake	Closed	N/A	157
26	Leter Road	Open	Yearlong	260
27	Shaffner Drain	Closed	N/A	26
28	Sagouspe Dam	Open	Yearlong	56
29	Oles Pond North	Closed	Yearlong	80
30	Oles Pond South	Closed	Yearlong	80
31	East S-Line	Closed	Apr 1-Dec 31	73
32	Pasture Road	Open	Yearlong	163
33	Harmon Pasture	Open	Apr 1-Nov 15	5,601
34	Wildes Road	Closed	N/A	207
35	Grimes Point	Open	Yearlong	1,839
36	Carson Lake Pasture (CLP) Wildlife Refuge	Open	Apr 1-Nov 15	32,401
37	Stillwater Pasture	Open	Apr 1-Dec 31	74,783
37	Stillwater Pasture (Trailing Permit)	Open	Apr 1-Dec 31	-

Pasture No.	Pasture Area	Current Status	Season	Acreage
38	Carson Diversion Dam	Open	Nov 1-Mar 31	586
N/A	CLP Grazing Management	Open	Yearlong	-
Total Acreage:				**189,636**
Open status refers to lands available to be leased for grazing. Closed status refers to lands that are not eligible to be leased for grazing.				

Strategies for Lands to be Relinquished

To avoid any encumbrances on land to be relinquished, no long term grazing leases will be issued on lands that have been determined no longer needed for Newlands Project purposes.

The disposition of incidental revenues for the lands identified for relinquishment is dependent on how the lands were acquired for Newlands Project purposes. Lands that were withdrawn from the public domain which have been authorized for construction and where irrigation works have been constructed are first form withdrawn lands and Reclamation has full management jurisdiction until the withdrawal is revoked or modified. However, at the request of Reclamation, the responsibility for management of Reclamation withdrawn lands actively in use for Newlands Project purposes may be transferred to BLM through the execution of a supplement agreement and disposition of incidental revenues is governed by 43 CFR 429.

In exercising its statutory responsibilities on Reclamation-managed land, BLM, in consultation with Reclamation, will develop special stipulations, consistent with Federal rules and regulations, and terms and conditions, as may be determined necessary by Reclamation, to protect Reclamation withdrawn lands until they have been revoked.

However, lands described under this Plan which are lands identified as withdrawn from the public domain for the Newlands Project and not authorized for construction or constructed works are second form withdrawn lands, which are the full responsibility of the BLM. No supplemental agreement is required for the BLM to administer and manage these lands. Therefore, the disposition of incidental revenues is governed by 43 CFR § 2370. In such cases, Reclamation will coordinate with BLM to comply with 43 CFR § 2370.

As an interim process, BLM has agreed to administer the lands within the grazing program that have been determined to be relinquished, as well as, on lands where no clear boundary has been erected between BLM and Reclamation-managed lands. While the lands determined to be relinquished are going through the revocation process, a supplemental agreement between the Carson City District (CCD) BLM office and Reclamation's LBAO will be executed. The supplemental agreement supplements the National-level Interagency Agreement between BLM and Reclamation dated March 25, 1983, and will identify the following:

- Management responsibilities of the lands resources identified for relinquishment for each agency;
- Identify whether the lands are first form or second form withdrawn lands and provide a map depicting the lands involved;
- Identify disposition of incidental revenues; and
- Develop special stipulations consistent with RM D&S and 43 CFR 429.

Since the BLM will administer the grazing program on Reclamation-managed lands determined to be relinquished and where no clear boundary between the lands required for Newlands Project purposes and lands determined to be relinquished exists, a determination of whether or not those lands meet certain BLM standards to be incorporated into existing BLM allotments will need to be completed. The CCD BLM is currently preparing a separate comprehensive RMP and associated EIS to guide management of BLM administered public land (surface lands and federal minerals) within the CCD. The RMP/EIS will be prepared as a dynamic and flexible plan to allow management to reflect the changed needs of the planning area and will replace the existing Carson City Field Office Consolidated Resource Management Plan (2001) and amendments. Until the CCD RMP/EIS is final, the CCD will manage these lands consistent with Reclamation's rules and regulations governing grazing activities as stipulated in the supplemental agreement.

Reclamation will not complete pasture plans or perform NEPA compliance for the identified lands because it will be a function of the management responsibility of BLM to coordinate land use planning, land resource management, land conveyance and exchange, and cooperative services.

Pastures that have been determined no longer needed for Newlands Project purposes that have been used as a buffer to private lands in the past, where no grazing activities have been performed on those lands, that are not adjacent to a BLM allotment, and are smaller than 160 acres will be disposed of separately by Reclamation under the appropriate legal authority.

Table 2 Pastures to be Relinquished

Pasture No.	Pasture Area	Disposition	Management Agency*	Acreage
2	FWMA, Sec. 16	Relinquish	BLM	643
3	Hazen Area	Relinquish	BLM	323
4	Swingle Bench Area	Relinquish	BLM	3,732
5	Swingle Bench Area Pasture, Sec. 2	Relinquish	BLM	80
7	Soda Lake	Relinquish-Partial	BLM	34,559
8	Mahalo Slough West	Relinquish	BLM	305
9	Mahala Slough East	Land Sale	Reclamation	144
10	Carr Lane	Land Sale	Reclamation	7
11	Huckins/My Road	Relinquish	BLM	80
12	Massie Slough	Relinquish	BLM	272
13	Massie Slough Sec. 10	Relinquish	BLM	108
14	Leeteville Junction	Relinquish	BLM	425
16	North Soda Lake	Land Sale	Reclamation	71
19	Hillsboro Blvd	Relinquish	BLM	182
20	Sheckler School	Relinquish	BLM	5
21	Southeast Sheckler #1	Relinquish	BLM	40
22	Southeast Sheckler #2	Relinquish	BLM	1,611
24	Old Reservoir #2	Land Sale	Reclamation	40
25	West Carson Lake	Relinquish	BLM	157
26	Leter Road	Land Sale	Reclamation	260
27	Shaffner Drain	Land Sale	Reclamation	26
34	Wildes Road	Relinquish	BLM	207
35	Grimes Point	Relinquish	BLM	1,839

Pasture No.	Pasture Area	Disposition	Management Agency*	Acreage
36	CLP	CLP Transfer	Reclamation	32,401
37	Stillwater Pasture	Relinquish-Partial	BLM	71,489
38	Carson Diversion Dam	Relinquish	BLM	586
Total Acreage:				**149,592**

**Management Agency once the Notice of Intent to relinquish is submitted to the BLM*

Strategies for Lands to be Retained

Reclamation will determine the management objectives for a pasture, taking into consideration current grazing use, other uses on the land (e.g. wildlife, threatened and endangered species, recreation), and current range conditions. Reclamation will also consider what range improvements are present on the pasture, including fences and availability of water. Reclamation will establish an initial carrying capacity and determine the appropriate season-of-use. A pasture plan will be established for each pasture. (See Monitoring Plan section)

The existing pasture configuration may change as a result of the relinquishment process. In the process of implementing changes to the grazing program, some pastures may be determined to be unsuitable for grazing, due to such factors as the lack of forage, current conditions, size of parcel, access, or conflicts with other uses. Some pastures may be combined, or split, to aid in more effective range management.

- Land health conditions will be evaluated on all pastures where grazing is currently permitted. When possible, the conditions will be discussed and evaluated with the current lessee, identifying any special conditions and any initial thoughts on changes in management.

- If the lands are determined to be meeting land health standards, or are "not meeting but making significant progress toward meeting standards, continuation of the current grazing use may be authorized and a pasture plan would be developed (see the "Monitoring Plan" section for details).

If the lands are determined not to be meeting land health standards, grazing will not be authorized until such time that Reclamation can develop a pasture plan that identifies modified grazing management strategies to improve conditions; or the pasture can be determined to be meeting land health standards, or making

significant progress toward meeting those standards. These pastures will be reviewed periodically every five years to assess conditions. Table 3 presents the pastures retained that may be used for grazing dependent on the pasture health.

Table 3 Pastures to be Retained

Pasture No.	Pasture Area	Current Status	Management Agency*	Season	Acreage
1	FWMA	Retain	Reclamation	Aug 1-Feb 15	7,001
6	Diversion Dam, Fallon	Retain	Reclamation	Yearlong	165
7	Soda Lake	Retain-Partial	BLM	Nov 1-May 31	1,199
15	Sheckler Pasture	Retain	Reclamation	Apr 1-Nov 15	22,210
17	East Sheckler #1	Retain	Reclamation	Yearlong	32
18	East Sheckler #2	Retain	Reclamation	Yearlong	9
23	Old Reservoir #1	Retain	Reclamation	Yearlong	81
28	Sagouspe Dam	Retain	Reclamation	Yearlong	56
29	Oles Pond North	Retain**	BLM	Yearlong	80
30	Oles Pond South	Retain**	BLM	Yearlong	80
31	East S-Line	Retain**	BLM	Apr 1-Dec 31	73
32	Pasture Road	Retain	Reclamation	Yearlong	163
33	Harmon Pasture	Retain	Reclamation	Apr 1-Nov 15	5,601
37	Stillwater Pasture	Retain	BLM	Apr 1-Dec 31	3,294
Total Acreage:					**40,044**

**Management Agency once the Notice of Intent to relinquish is submitted to the BLM*

***Pastures have been determined to be combined with Stillwater Pasture due to fencing concerns*

East Sheckler #1 and East Sheckler #2 pastures are authorized for grazing and are not currently being grazed. It has been determined due to their size and lack of vegetative growth; they will not be authorized for grazing. However, they will be authorized for other Reclamation authorized uses.

Old Reservoir #1 and Pasture Road pastures will no longer be authorized to be grazed, due to current range conditions.

East S-Line Pasture was at one time a separate pasture due to surface water between that pasture and the Stillwater Pasture; however cattle from Stillwater are now able to freely access this pasture. Therefore East S-Line Pasture will be assimilated as part of the Stillwater Pasture and authorized for grazing as part of Stillwater.

Oles Pond North and South are currently authorized for grazing and are not being grazed at this time. These two pastures have been determined to be combined with the Stillwater Pasture because of the lack of fencing around the boundary of the pastures.

Table 4 presents the pastures that were evaluated in 2012 and have been determined to meet the grazing standards and will continue to be grazed. Reclamation in coordination with BLM will develop an appropriate pasture plan(s) for each pasture listed below for the 2015 grazing season.

Table 4 Pastures Continued to be Grazed

Pasture No.	**Pasture Area**	**Management Agency***	**Season**	**Acreage**
1	FWMA	Reclamation	Aug 1-Feb 15	7,001
6	Diversion Dam, Fallon	Reclamation	Yearlong	165
7	Soda Lake^/^^	BLM	Nov 1-May 31	1,199
15	Sheckler Pasture	Reclamation	Apr 1-Nov 15	22,210
28	Sagouspe Dam	Reclamation	Yearlong	56
33	Harmon Pasture	Reclamation	Apr 1-Nov 15	5,601
36	CLP**	Reclamation	Apr 1-Nov 15	32,401
37	Stillwater Pasture^/^^	BLM	Apr 1-Dec31	3,527
n/a	CLP Grazing Management**	Reclamation	Yearlong	-
Total Acreage:				**72,160**

* Management Agency once the Notice of Intent to relinquish is submitted to the BLM

Pasture No.	Pasture Area	Management Agency*	Season	Acreage

*

* Reclamation will continue to issue permits until the transfer is complete

^ A portion of this pasture was retained and determined needed for Newlands Project Purposes

^^ Oles Pond North, Oles Pond South, and East S-Line Pastures have been determined to be combined with Stillwater Pasture due to fencing concerns

Leasing Procedures

This section will address changes needed to bring the grazing program into compliance with RM D&S and ensure consistency in how grazing leases are administered. The following topics will be addressed:

- New applicants and current permitees – requirements
- Terms and conditions to be included in all authorizations
- Term of grazing authorizations
- Procedures to change an authorization, either by Reclamation or the lessee
- Procedures for authorizing new range improvements
- Procedures for processing unauthorized uses

Application Process to Graze on Reclamation Lands

Competitive Bid Grazing Leases

The application process will be completed through a competitive use process as stipulated in RM D&S LND 08-01. This process is being utilized because Reclamation desires to authorize land uses for the purpose of fully utilizing or managing the resources. It is the general policy of Reclamation to enter into leases only by competitive means. This will be completed through an adequate advertisement for bids and award being made to the highest bidder. However, leases may be negotiated when, in the opinion of Reclamation's authorized official, such action will be in the best interest of the United States or competitive interest does not appear to be present. Reasons for such actions shall be adequately documented.

Competitive procedures will be used to determine the value of the lease when there is likely to be a demand from more than one party, which will result in a greater return to Reclamation unless such competition would be adverse to the public interest. Competitive leases are awarded to the highest acceptable bidder at an amount that reflects the market value of the use granted. Separate administrative costs will not be added to the awarded bid price, but will be included in the minimum acceptable bid price. If the minimum acceptable bid price is not received, a determination can be made to re-advertise or retire the pasture from authorizing grazing activities.

1. Determination of Market Value. The market value for competitive grazing leases will be determined by competitive bidding, but awards will not be made for less than the minimum acceptable bid price which includes Reclamation's determination of market value plus an estimate of the administrative costs.

2. Bidding Procedures.

(a) **Minimum Bids.** Minimum acceptable bids, which represent market value plus administrative costs, will be established and documented under procedures outlined for determining market value in the RM, *Real Estate Appraisal*, LND 05-01.

(b) **Bidding.** Competition will be accomplished by sealed bid. The award will be made to the highest acceptable bidder, but the award will not be made for less than the minimum acceptable bid price. A determination can be made to re-advertise.

(c) **Advertisements.** Competitive leases will be advertised as stipulated in RM D&S, rules, and regulations. Copies of advertisements will be furnished to the local information media (radio, newspaper, etc.) as a press release and may be posted in the local post office. Distribution of advertisements to the fullest extent possible is encouraged. Copies will be furnished to current permitees, interested parties, adjacent landowners if applicable, and other sources of advertising.

3. **Award of Bids.** When sealed bids are used, they will be received at the LBAO office in accordance with instructions in the advertisement and will be opened as stated in the advertisement. An abstract of the bids received at the date of opening will be prepared in the office where received and opened. Awards will be made to the highest bidder unless there is sufficient reason, in the judgment of the Area Manager, for rejecting the highest bidder's proposal. Unsuccessful bidders will be notified promptly with return of their remittance. No bidder will be permitted to meet a high bid when sealed bids are used.

   In the event of a tie for high bid by two or more bidders, preference will be given to Newlands Project users; however, there will be no set requirement for lessees to be a water rights holder or user in order to lease land. Therefore, if the tie cannot be broken based on above, those bidders will be allowed a specified period of time to submit one additional sealed bid at the discretion of the Area Manager

No Competitive Bid Grazing Leases

As previously stated, Reclamation has the discretion to not competitively bid grazing leases. Situations where this may occur are described below:

(a) When advertising will not result in competition;

(b) When advertising costs will be disproportionate to the revenues received;

(c) When a right was advertised for competitive bidding, but no acceptable bids were received;

(d) When a potential competitor is a public agency providing service to the general public, or for whatever reason competitive bidding would result in an unfair business situation or in the judgment of Reclamation would otherwise not be in the public interest; or

(e) When other special conditions exist.

All grazing leases that would have normally been issued through the competitive bid process, but were determined to go through a noncompetitive bid process will have appropriate documentation regarding why competition was not used. The documentation will be retained in the file associated with that pasture. These grazing leases will not be issued for less than market value plus administrative costs unless appropriately waived or reduced pursuant to the rules, regulations, and OMB Circular A-25, as revised.

Additional Charges

Fee Schedule for Forage Charges Land Use Fees.

A land use fee is compensation due to Reclamation for the value of the use of land or land resources under Reclamation jurisdiction. The land use fee is generally the fair market value as determined by appraisal or some other appropriate method. Land use fees are considered *"incidental revenues"* and are distinct and separate from application and administrative fees.

Charges for Administrative Costs Administrative Fees.

An administrative fee is compensation due to Reclamation as funding for administrative costs of processing, analyzing, issuing, monitoring, and terminating use authorizations on Reclamation lands. Administrative fees are not considered incidental revenues and are distinct and separate from land use fees.

Additional costs incurred by Reclamation including all direct and indirect costs incurred for appraising (if required), advertising, reviewing, bid opening, issuing,

processing, inspecting, environmental and cultural resources compliance, and administering the use authorizations are to be paid by the applicant as required by OMB Circular A-25 and as outlined in Departmental Manual (DM) 346 (chapters 1, 2, 3, and 4).

Use authorizations should contain provisions to allow Reclamation to recover the future costs of compliance and monitoring and related administrative costs through the term of the use authorization.

If a noncompetitive gazing lease is determined to be used, administrative costs will be recovered in accordance with 43 CFR § 429 and those costs will represent what was actually expended in granting and administering the use right, both direct and indirect. Fees may include:

- Administrative costs and establishment of fee structure
- Recurring administrative fees for processing, compliance, and monitoring under NHPA
- One-time fee for NEPA compliance

Terms and Conditions to be Included in all Leases

Pursuant to RM D&S LND 08-01, the following terms and conditions are required to be included in a lease:

1. A specific and set number of available animal unit months (AUMs) of available forage upon which the lease is based and the user fee is determined;
2. A prescribed season of use, avoiding situations where year-long use occurs;
3. Strict prohibitions against any supplemental feeding on native ranges and that all salting be a minimum distance of 500 feet away from shorelines, streams, wetlands, riparian areas, etc.
4. A pasture rotation schedule where applicable;
5. A requirement that the lessee submits an “actual use report” detailing the on/off dates and numbers of livestock at the conclusion of each use period or grazing season.

The following will also be included in all gazing leases:

1. Pasture name/ description of area to be grazed;
2. Utilization limits on forage use;
3. Requirements that livestock comply with vaccinations and with other federal or state livestock laws;
4. All animals will be branded with the licensee's brand unless otherwise approved by Reclamation;
5. Any activity deemed to be illegal on Federal lands will be cause for immediate termination of lease (LND 08-01 11.F.);
6. A statement requiring that any range improvements will be operating and structurally sound before livestock are turned out;
7. A statement identifying that the lessee is responsible for all construction costs and environmental compliance costs of new range improvements.
8. Severability clause
9. Protection of the United States interest clause
10. Hold harmless clause
11. Termination clause
12. Officials not to benefit clause
13. Illegal use clause
14. Hazardous materials clause
15. Unrestricted access clause
16. Pest control clause. This is only required where a potential exists for pesticide use.
17. Discovery of cultural resources clause
18. Periodic rental rate review provision
19. Reclamation land use stipulation
20. Removal of structures clause
21. Civil rights clauses

Standard Term of Leases

In general a grazing lease may be a multi-year issued lease.

Cases where a grazing lease may be issued for less (e.g. annually)

- Range conditions are unsatisfactory and a plan is developed to improve conditions
- Inadequate monitoring data to set long term numbers and establish initial stocking rates
- Permittee/Lessee is on "probation", not in compliance with the terms of the lease
- Pasture is identified to be disposed of or relinquished
- Potential conflicts with other authorized land uses

Cases where a grazing lease may be a multi-year issued lease

- Satisfactory range conditions
- Satisfactory compliance with the terms and conditions of the lease

Renewals of Leases

Pursuant to RM D&S LND 08-01 6. F.: *"An existing lease may be renewed or extended when Reclamation determines it is appropriate to do so and where provided for by the terms of the existing lease. If payment is not made on or before the date it becomes due, the lease will terminate and the right of the lessee to occupy the land will cease without further notice or action. The lease extension or renewal document will be retained with the original use authorization. Copies of the extension will be distributed in the same manner as the original lease. Reclamation is responsible for ensuring the use of the land ceases and that the land is restored in accordance with the terms of the lease."*

Transfers of Leases

Pursuant to RM D&S LND 08-01 6.C Assignments: *"Assignments of leases may be made for the unexpired period of a lease if approved and signed by Reclamation's authorized official and upon payment of a fee to cover the administrative costs of approving the transfer."*

Otherwise when the period expires, the transferee must competitively bid for the pasture or Reclamation may retire the pasture from authorizing future grazing activities.

Subleasing of Leases

Often a lessee has a need or desire to run another individual's livestock on a pasture.

Pursuant to RM D&S LND 08-01 (6.G) Subleases: *"Subleases may be allowed only with the written approval of Reclamation's authorized officials and consistent with the terms and provisions of the existing lease. Cattle or other livestock not owned directly by the lessee are not permitted on Reclamation land without prior subleasing approval. (See paragraph 11L of RM D&S 08-01.)"*

Requesting Changes to Leases

Reclamation may have a need to change a lease, such as in the case of emergency conditions due to drought, insects, fire, or a reduction in available forage due to other land uses. Changes could also be requested by the lessee.

1. Procedures for Reclamation to revise a lease:

    a. When Reclamation has a need to make a change to a lease, Reclamation will contact the lessee with the requested change and revised lease. The lessee will have thirty (30) days to respond. If no response is received, Reclamation will assume that the lessee agrees with the change.

    b. When the lessee has a need to make a change to his lease, he will submit the request in writing to the LBAO. Once Reclamation receives the request, then both Reclamation and the lessee will work together to determine whether the change is warranted. If the change is not approved by Reclamation, then no revision will be made to the lease.

2. Limits of flexibility (e.g. +/- 5 days; no increase in AUMs without a field inspection)

3. Restrictions on use during drought, post-fire, insects, (i.e. emergency closures), or following restoration efforts (e.g. Reclamation may require livestock to be removed within forty-eight (48) hours of notification)

Range Improvements

In order to facilitate good range management it may be necessary to develop new improvements or replace existing improvements, such as fences or water developments.

If the lessee is interested in making improvements on the lands that are being leased, then the lessee will need to submit an application (application can be obtained from Reclamation upon request) to LBAO staff with sufficient information about the proposed structure, including a location map and associated plans and specifications.

RM D&S LND 08-01 6.I.3 states: "*Grazing lessees should be advised that, at their sole expense and with the approval of Reclamation's authorized official, they may place range improvements upon Reclamation lands. However, such improvements must be constructed and maintained by the lessee and arrangements must be made for their removal at the end of the grazing term. Grazing lessees should be advised that any improvements not removed may become the property of the United States, or they may be removed by the United States at the expense of the lessee. Reclamation should ensure it does not guarantee range improvements will be made for the benefit of the lessee nor will Reclamation provide or guarantee a source of water or supplemental forage for livestock.*"

The lessee should be aware that any range improvements, structural or otherwise, will require NEPA and NHPA compliance as part of the approval by Reclamation at the lessee's own expense. If the improvements are not removed at the end of the term of the lease, then they could become property of the United States. However, if the structure is built for the lessee's convenience, the lessee may be required to remove the structure and restore the site upon termination of the lease at their own expense. If the lessee fails to remove the improvements within sixty (60) days of expiration, termination, or revocation, of the lease any remaining improvements shall, at the option of the United States, be removed or become the property of the United States (RM D&S LND 08-01 6.J).

Cultural Resources Protection

Reclamation will implement a variety of proactive management procedures pursuant to RM D&S LND 08-01, LND 02-01 and federal laws, including NEPA and the NHPA. Reclamation will also implement directives and standards for healthy rangeland, to maintain carrying capacity, to avoid overgrazing, to authorize and maintain range improvements, and to allow for competitive longer-term leases. In general, these actions would reduce the potential for effects on cultural resources from trampling, ground disturbance, and erosion and would

help maintain a protective vegetative cover for archaeological sites. Fencing and water developments can impact archaeological sites from direct construction disturbance and by concentrating animal use. Damage or collection of archaeological resources on Federal land is subject to criminal and/or civil penalties under the Archaeological Resource Protection Act.

Historic properties may be excluded from the grazing lease area. If it has been determined that there is the potential for adverse effect to any historic property within any area defined as having a high potential for impact, those areas may be excluded from use. High impact areas include, but are not limited to, corrals/handling structures (permanent or temporary), watering stations, salting areas, feed troughs, loading chutes, or stock ponds. Reclamation shall consider avoidance measures including avoidance by exclusion of use or treatment to reduce the nature of the effect to no adverse effect.

Unless improvements within the lease area have been treated prior to issuance of the lease, any subsequent proposal for construction shall be treated as a separate Undertaking under Section 106 of the NHPA. Rangeland and livestock management improvements including, but not limited to, water developments, livestock handling facilities, and fence construction (excluding installation of temporary electric fences, replacement of existing fence lines and corner posts where no new ground disturbance occurs, or driving fence posts), shall be considered Undertakings in accordance with Section 106 of the NHPA.

Seedings and Other Vegetative Restoration Work

Should a lessee or other entity desire to invest funds in a restoration/reseeding project, the same requirements apply for submitting an application to Reclamation for other improvements, including maps, plans and specifications, including seed mixtures to be used. Prior to commencement of work, the request must be authorized by Reclamation.

Reclamation may require the area to be closed to livestock grazing for a minimum of two growing seasons to allow desired plants to become established. At the end of the minimum time, success will be measured against potential plant communities for that range site. Additional rest may be required if the vegetation has not become established.

Pest Management

Pursuant to RM D&S ENV 01-01 (& LND 08-01 11.T), an Integrated Pest Management (IPM) Program will be implemented for any programs that require the control of undesirable plants on Federal lands. If the lessee requests to apply a pesticide, then they must submit an IPM Plan ninety (90) days in advance of pesticide application. The lessee must submit a pesticide use proposal (PUP)

along with the IPM Plan and will be responsible for all costs associated with the processing of the PUP. This includes, but is not limited to, the costs of all environmental, cultural resources, and hazardous materials compliance. At the Lessee's request, Reclamation will provide an IPM Plan template to ensure the request satisfies Reclamation's rules and regulations.

The use of any pesticides on Federal lands without the prior written approval by Reclamation will not be permitted on lands described in this Plan. All pesticides will be in accordance with the current registration, label direction, or other directives regulating their use. Applicators will meet applicable Federal and State training or licensing requirements. Spills will be reported to Reclamation within twenty-four (24) hours with full details of the actions taken. Aerial application of pesticides is prohibited without the prior written consent by Reclamation.

Dealing with Unauthorized Uses

Activities related to this Plan include the use of Reclamation lands, facilities or waterbodies. All appropriate licenses and/or permits must be obtained by the licensee prior to using any lands, facilities, or waterbodies under Reclamation's jurisdiction not authorized under a lease. Any type of possession or occupancy of any portion of, and the extraction or disturbance of any natural resources from Reclamation lands, facilities, or waterbodies are prohibited without written authorization from Reclamation (43 CFR § 429.1).

In the event that an unauthorized use (i.e. trespass or encroachment) of lands, facilities, or waterbodies has been determined (i.e. unauthorized installation of temporary pumps, irrigation structures, pipes, transportation of groundwater, access, etc.), Reclamation will issue a written notice that outlines the steps required in order to remedy the unauthorized use within a specified time period. Failure for the lessee to comply within the specified time period will result in further disciplinary action from Reclamation (43 CFR § 429.33).

Any activity deemed to be illegal on Federal lands will be cause for immediate termination and forfeiture of all fees paid to date of the lease pursuant to LND 08-01 HH.F.

Monitoring Plan

For the overall grazing program at LBAO, the monitoring plan will:

- Define and identify the purpose of monitoring studies
- Set overall objectives for LBAO
- Establish the standards for monitoring as detailed in Nevada's Rangeland Monitoring Handbook (Handbook)
- Identify any existing known monitoring data
- Identify elements of individual pasture plans
- Set overall priorities
- Describe how monitoring costs are incorporated into annual costs

Definition and Purpose

Monitoring is defined as *"The orderly collection, analysis, and interpretation of resource data to evaluate progress toward meeting management objectives. This process must be conducted over time in order to determine whether or not management objectives are being met"* (Bedell 1998).

Monitoring helps to:

1. Determine whether management actions are meeting objectives;
2. Provide a record of environmental and resource conditions, events, and management actions that may influence objective achievement;
3. Determine if management actions are maintaining or improving the rangeland value, productivity, and condition (assuming those are reflected in the objectives);
4. Identify vegetation trends toward ecological thresholds that are unacceptable because they may be irreversible;
5. Evaluate when management changes are needed to meet objectives;
6. Determine whether management objectives are realistic and achievable;

7. Evaluate whether present uses of money and time produce an acceptable benefit; and

8. Assist rangeland managers with livestock management or management of other uses. (Handbook)

Objectives

The first step in management and monitoring is setting objectives. Objectives describe a vision of desired future conditions based on the potentials and the limitations of the soils, ecological sites, and their response to management. Objectives determine what to monitor. (Handbook)

LBAO's overall objective for the grazing program is derived from RM D&S LND 08-01 6.I. (2): ***"Agricultural and Livestock Practices.*** *Agricultural and livestock uses allowed on Reclamation lands will be balanced with other uses including recreation, wildlife, water, and protection of natural resources. All use authorizations will incorporate the principles of soil and watershed conservation into the authorizing document. Reclamation will provide oversight on all its lands to ensure that natural resources are properly managed and protected from harm, injury, extinction, or abuse, and that uses are consistent with applicable statutes, regulations, agreements, or contracts."*

LND 08-01 requires that grazing be managed in a sustainable fashion. In order to determine if current grazing practices are resulting in acceptable range conditions, LBAO decided to use methods used by the BLM, measuring the achievement of land health standards. These standards measure the achievement of the fundamentals of rangeland health as indicated by soil and site stability, hydrologic function and biotic integrity. The concept of determining land health standards have been established with credibility and support of the academic and livestock communities, and this assessment would be consistent with the neighboring agency's management strategies. This is desirable because many of these pastures may be relinquished to the BLM in the future.

The Standards and Guidelines for Nevada's Sierra Front-Northwestern Great Basin Area were developed by the Sierra Front-Northwestern Great Basin Resource Advisory Council (RAC) and approved in 1997. A Copy of these standards are located in Attachment 1.

Standards and guidelines are likened to objectives for healthy watersheds, healthy native plant communities, and healthy rangelands. Standards are expressions of physical and biological conditions required for sustaining rangelands for multiple uses. Guidelines point to management actions related to livestock grazing for achieving the standards.

Existing Data

Current monitoring studies: No data is currently being collected.

2003 Grazing Capacities Report: LBAO contracted with a consultant in 2003 to complete a study and report titled "Estimated Livestock Grazing Capacities of Bureau of Reclamation/U.S. Fish and Wildlife Service Permitted Grazing Areas on the Newlands Project" (Report). An electronic copy of the Report may be obtained from LBAO upon written request. The report had four tasks:

1. Determining representative carrying capacities for the grazing areas

2. Suggested stocking rates of the areas to achieve 50 percent utilization of the total available forage

3. Recommendations for season of use restrictions to promote rangeland health

4. Outline a monitoring plan to assess rangeland conditions over an initial five-year period

The Report stated:

"Total available forage was estimated by considering information obtained from field assessments and from published information regarding soil characteristics, potential plant community types, and annual production averages. Existing soil survey information was used to delineate different soil mapping units within each of the grazing areas. …Soil mapping units were correlated with Ecological /Range Sites to estimate the potential plant communities which may exist within a grazing area. … Estimates of total air-dry production during a normal year were obtained from published Ecological Site descriptions for the Fallon-Lovelock area."

"The proportion of total production which provided suitable forage for cattle and horses was determined by subtracting the contribution of non-palatable or toxic plant species from the total estimated annual production…. Annual forage production estimates were multiplied by a proper use factor of 50% to establish total available forage for each grazing area. This total was divided by 800 pounds to determine the number of animal unit months (AUMS) available for each permit area."

The Report provided good soils maps and corresponding ecological site descriptions with potential vegetation types. The estimated carrying capacities were based on potential production in "average" years and were not field checked to verify actual production or current range conditions. These numbers should,

therefore, be used only as a starting point for discussions. Current conditions and actual use (versus permitted use) should be considered in implementing changes to stocking rates.

In nearly all cases, the Report recommended changing to winter use. This is a valid recommendation for vegetation on rangeland with high desert precipitation levels and patterns. Most of the Newlands Project grazing areas are dominated by salt desert shrub habitat types. Spring grazing is most detrimental during the active growth period for woody forage plants and key grass species. Grazing use should occur during the dormant season, or should be severely limited during the growing season.

The Report also provided a Rangeland Monitoring Strategy. This portion provided a good description of setting objectives, establishing key areas for monitoring, and short- versus long-term monitoring. The Report, along with the Handbook, should be used as a guide to establish monitoring studies.

2009 TEAMs Report on Land Health Standards:

In 2009, LBAO contracted with the U.S. Forest Service TEAMs to visit/perform land health standards on most of the grazing areas in the Newlands Project. CLP was excluded due to its impending transfer to the State of Nevada. Several pastures were not included in the assessment due to their small size (10 acres or less) and the likelihood they would be relinquished. The grazing lessees were invited to participate in the pasture visits and assessments. In total 28 pastures were evaluated. These pastures were evaluated for soil cover, plant composition, and forage production, and to determine if they are achieving land health standards. Measurements were taken at one or more “key areas” in each pasture. A key area is selected for its consistency with average livestock use within the pasture, and similarities in soil type and vegetative composition.

Existing conditions are compared to site-specific reference conditions (representing relatively undisturbed states) for a given soil--plant community type in order to determine the level of departure from the potential natural community.

TEAMS completed a Standards Determination Document for each of the 28 pastures. The document evaluated and assessed livestock grazing management achievement of the Standards and conformance with the Guidelines.

There are three possible outcomes of standards assessments: Meeting the standard; Not meeting the standard but making significant progress toward meeting it; and Not meeting the standard, nor making significant progress toward meeting it. There are also determinations of causal factors, in this case, livestock or other factors.

In addition, any pasture that had a riparian area was also assessed for "proper functioning condition". There are a series of technical manuals available from the BLM describing more details on this process, which can be found at http://www.blm.gov/nstc/library/techref.htm. The assessments evaluate such indicators as adequate bank stability, proper sinuosity of channels, and water quality. Their staff was aware that all of Reclamation's waterbodies, including storage ponds and river channels, are altered for project purposes and will not necessarily function as a "natural feature" would.

Results of Assessments

The complete assessments are available at http://www.usbr.gov/mp/lbao/newlands-rmp/docs/index.html. Below is a summary of the assessment results for each of the 28 pastures evaluated:

1. Standard 1 – Soils: None of the pastures are meeting the standard for soils, nor are they making progress towards meeting it. Livestock were the causal factor for all pastures.

2. Standard 2 – Riparian and Wetlands:

    - #1: FWMA meeting the standard

    - #5 Swingle Bench Area Sec. 2: Not meeting, nor making progress toward meeting; livestock are a contributing factor

    - #6 Fallon Diversion Dam: Meeting the standard

    - #12 Massie Slough: Meeting the standard

    - #13 Massie Slough Sec. 10: Not meeting, nor making progress toward; livestock are a contributing factor

    - #29 Oles Pond North: Meeting the standard

    - #30 Oles Pond South: Not meeting but making significant progress toward; livestock are not a causal factor (rated functional at risk due to whitetop)

    - #37 Stillwater: Meeting the standard

    - #38 Carson Diversion Dam: Not meeting the standard nor making progress toward; livestock are a contributing factor

3. Standard 3 – Water Quality: this standard was not assessed

4. Standard 4 – Plant and Animal Habitat: On all but one pasture the standard was not met, and livestock were the contributing factor. FWMA was the only pasture meeting this standard. Several pastures were making significant progress toward meeting the standard.

5. Standard 5 – Special Status Species Habitat: This factor was rated as "Not applicable":

6. "All Special Status species were reviewed for possible occurrence within the Newlands Grazing Leases. Although there are species that are considered special status species in the state of Nevada (state listed as imperiled), none of these species occur within the Newlands Grazing Leases". There are no plant species listed by the U. S. Fish and Wildlife Service (USFWS) for Churchill County. The USFWS lists the Lahontan cutthroat trout as occurring in Churchill County. Livestock grazing is not listed as a threat.

Explanation of Standards:

The Soils Standard is not met generally due to insufficient live plant cover and plant litter. This leads to increased erosion and general soil loss and instability on the site. Part of the loss of plant cover is due to the vegetative community shifting from more of a grass-dominated community to one dominated by undesirable shrubs. This would be caused by not only excessive levels of use by livestock, but also by excessive use during the spring and early summer when cool season grasses are most susceptible to grazing. These desirable grass species that have died out would be predominantly Indian ricegrass, bottlebrush squirreltail, needle-and-thread and sand dropseed. The forb component is also missing in most of these communities. Saltgrass is an increaser under grazing pressure and was found in significant quantities in moister communities.

In most of the plant communities in the Newlands Project pastures, this leaves undesirable shrubs, such as black greasewood (spiny and poisonous in large quantities), as well as other less cattle–friendly shrubs such as shadscale, dalea, horsebrush, and some of the saltbushes. This also leaves space for undesirable non-natives, such as cheatgrass and Russian thistle, to move into the community.

In those pastures where the Riparian Standard was not met due to livestock, this is because livestock tend to congregate along water sources, eating the vegetation and trampling the banks. This makes for less bank stability, poor water quality, and often contributes to noxious weeds, such as whitetop, becoming established. On the pasture where livestock was NOT the causal factor, the riparian plant community was in good condition, banks were stable, but the system was considered at risk due to an early infestation of whitetop.

The reasons for Standard 4, Plant and Animal Habitat Standard, not being met is essentially the same as Standard 1, Soils, a loss of desirable vegetation is occurring due to livestock use.

Forage Production:

Forage is calculated in AUMs, which is the amount of forage necessary to feed a cow/calf pair for one month. Forage production is measured in pounds/acre of edible forage. This figure, times the number of acres in a pasture, gives total forage produced. It takes 800 pounds of forage to make an AUM, and then that number is divided by 50 percent for a proper use factor. The number shown is the number of AUMs available for livestock use on that pasture. (For example, 30 AUMs could be 30 cows for 1 month, 15 cows for 2 months, 60 cows for 2 weeks.)

(NOTE: Forage production studies are a one-time snapshot, as this number will vary considerably from year to year, based on amount and timing of precipitation. It will only be used in this case as a starting point for comparisons to current authorized use and for initial discussions on stocking rates.)

The TEAMs staff provided an estimated "Current Grazing Capacity". In many of the pastures there was no herbaceous production, and on several pastures, there were not enough grass plants to measure. On these pastures it is possible that livestock are using adjacent private lands to actually graze and Reclamation-managed lands in this case are a "storage area".

Conversations with the livestock owners indicate that greasewood can be a major part of their cattle's diet. Field checks by LBAO staff found that in some cases there is little forage production in the upland communities, and the livestock are subsisting on vegetation growing in and along the Newlands Project drains and canals. This has the potential to damage the embankments by livestock trampling. However, in some pastures this vegetation is providing a substantial amount of forage, and in some cases it is the only source of forage.

Some pastures show a figure for AUMs with a notation that it is production from saltgrass and/or bluegrass, both "increaser" species and not species that would considered to be key species in that community.

The estimated current production was compared to what is currently being authorized and/ or what the lessees provided as their active use in 2008 via a questionnaire they were asked to complete and return. In most cases the estimates are well below what is currently authorized.

Recommendations:

TEAMs also provided recommendations on how grazing might be managed in the future to achieve meeting land health standards. In nearly all situations, the recommendation was to close or rest the pasture to allow herbaceous plants to re-establish. If a seed source is still available on site, these areas will eventually revegetate on their own, provided they receive adequate rest and precipitation. In areas where no seed source remains, the fastest way to restore native plants is to reseed. This can be problematic in a desert environment, as it requires certain spring moisture conditions; it is also expensive.

Generally it is recommended to close reseeded pastures a minimum of two growing seasons to allow young seedlings to establish before being grazed. Many parts of the Newlands Project receive as little as four inches of rain annually, and this comes as winter snow or periodic summer storms.

If and when the pastures are reopened to grazing, the recommendation is to change season of use. Nearly all of these pastures are grazed during the early spring and warm summer months; some receive livestock use yearlong. This is probably because water is available in the canals and drains during the summer, and historically some of these areas were flooded during the delivery season. Spring and early summer are the critical growing season for cool season grasses, which are also the ones most desired by livestock. Repeated and heavy grazing during this time will eventually lead to individual plant mortality, and then to changes in overall plant composition in the larger community as desirable species die out. Fall and winter use would be the best time to graze these communities. This may require developing alternative water sources, such as stock tanks and pipelines.

Where pastures are large enough, recommendations included developing rotation systems so areas receive periodic growing season rest. Smaller pastures should be rested on a schedule to allow several years of rest (e.g. graze only one year in five).

If grazing is to continue on any of these pastures, utilization limits should be implemented. These would be 50 percent of current year's growth on grasses, and 45 percent on shrubs.

Other recommendations include placing salt and mineral blocks at least one-half mile from water. This would aid in distributing livestock to lesser used areas in larger pastures.

Pasture Plans

One of the ultimate goals of restructuring the LBAO grazing program is to develop pasture plans for each grazing area on lands that will be retained for

Newlands Project purposes. The levels of detail may vary between pastures, depending on the need and the situation. As per RM D&S LND 08-01, they will include at a minimum the terms and conditions listed for all leases (included in Permitting Procedures Section), as well as the objectives for grazing management on that pasture, but may also include:

1. Rotation schedule or other requirements
2. Necessary range improvements to facilitate good management
3. Monitoring plan
4. Coordination with other permitting agency or adjacent landowner, where appropriate

In order to identify land use objectives for an individual pasture, Reclamation staff will:

1. Identify other resources on those parcels, such as wildlife habitat, or other uses that will be authorized
2. Protect riparian areas, soils, and special status species
3. Identify and protect Newlands Project facilities
4. Consider current range conditions

Current range conditions will be evaluated alongside the assessments from the TEAMs reports, and any special circumstances identified. The current lessee will be invited to participate in the process, but final decision-making rests solely with Reclamation.

On those pastures where it has been determined that grazing will continue:

1. If current conditions are acceptable, then no change to existing management is required; document existing management. Identify monitoring needs.
2. If current conditions are not acceptable:
    a. Identify changes in management needed to obtain desired conditions (e.g. fewer animals and/or shorter period of time, different season of use, rotation grazing, etc.)
    b. Identify any structures necessary to implement these changes (e.g. fences, water developments)

c. Timeframes for action

d. Consider the possibility of long term rest to improve conditions, including the possibility of permanent closure

Individual pastures will have their own monitoring plan, as necessary, that will identify:

1. Purpose of studies
2. What studies will be done and when
3. Where studies will be done
4. When results will be evaluated
5. How necessary changes to management will be implemented and when
6. Identify who will do the monitoring, e.g. Reclamation, contractor, self-monitoring (Monitoring costs will be considered part of administration costs and will be paid for by the lessees, if conducted by Reclamation or a contractor.)

Priorities for Establishing Monitoring

Below is a list of Reclamation established describing the priorities for monitoring pastures within the Newlands Project:

1. Lands that Reclamation will be retaining where current conditions are not satisfactory but grazing will still be authorized.
2. Lands that Reclamation will be retaining where current conditions are not satisfactory and the pasture will be temporarily closed to grazing.
3. Lands that Reclamation will be retaining where current conditions are satisfactory.
4. Lands that Reclamation will be retaining where current conditions are not satisfactory and the pasture will be permanently closed.

Compliance with NEPA and NHPA

Compliance with NEPA

The overall grazing program will be analyzed as part of the Final RMP/EIS. This includes analysis of the changes necessary to bring the program into compliance with RM D&S, policy, rules and regulations, and federal laws.

As each pasture/lease is reauthorized in 2014, an EA will be completed on each pasture plan, which will include analysis of the impacts from the proposed grazing schedule (even if there are no changes from current use) and any range improvements that might be required.

Ideally, future renewals can be handled under a CEC, if no changes are proposed, or proposed changes have been adequately analyzed under previous NEPA documents.

The NEPA analysis conducted on the action of closing pastures to grazing is included in the Final RMP/EIS.

Cultural Resources Laws and Regulations

National Historic Preservation Act of 1966

The NHPA (16 USC, Sections 470-470x-6) requires federal agencies to consider historic preservation values when planning their activities. Each federal agency must establish a preservation program for identifying, evaluating, and protecting properties under its ownership or control that are eligible for listing on the National Register of Historic Places (NRHP). In the NHPA Section 106 process, in order for a federal agency to take into consideration potential effects on historic properties, the agency must identify historic properties that may be affected by its actions, must evaluate the proposed action's effects, and then must explore ways to avoid or mitigate those effects, through consultation with the State Historic Preservation Officer and other interested parties. A PA is currently in development, in consultation with the SHPO and other parties, pursuant to 36 CFR §800.14, to address a phased approach to cultural compliance for the grazing program, which would ensure that the effects of grazing leases and this land use are taken into account and that Reclamation meets NHPA Section 106 compliance requirements.

Native American Graves Protection and Repatriation Act

The Native American Graves Protection and Repatriation Act (NAGPRA) (1 of 1990 (PL 101-601; 25 USC, Sections 3000-3013; 104 Stat. 3048-3058) applies to

the discovery of Native American human remains on Federal lands. In the event that Native American human remains are discovered, an appropriate Reclamation official (e.g., Contracting Officer, Area Manager, Regional Archaeologist, or Regional Director) must be notified immediately upon the discovery. Upon notification, Reclamation shall follow internal procedures and the requirements of 43 CFR §10.3 for consultation; notification; development of excavation, treatment, and disposition plans as needed; and the requirements of 43 CFR §10.6 for NAGPRA item disposition.

Executive Order 13007, Indian Sacred Sites

Executive Order (EO) 13007 applies to sacred sites on Federal lands that are identified by Federally-recognized tribes to the Federal agency. The EO directs that access to Indian sacred sites for ceremonial use by Indian religious practitioners be accommodated on federal lands. It also directs that the physical integrity of sacred sites be protected and that the confidentiality of these sites be maintained. It further directs that procedures be implemented or proposed to facilitate consultation with appropriate Indian tribes and religious leaders. Information regarding the nature and specific locations of sacred sites are considered confidential.

Archaeological Resources Protection

The Archaeological Resources Protection Act (ARPA) (*1979 (PL 96-95; 93 Stat. 721; 16 USC, Sections 470[aa]-470[mm], as amended; PL 100-555; PL 100-588)* establishes requirements for permits to excavate archaeological resources, also addressed in RM D&S LND 02-04 and LND 08-01 (item 13). ARPA also prescribes civil and criminal penalties for violations of the law for theft or damage to archaeological resources.

Paleontological Resources Preservation Act

The Paleontological Resources Preservation Act (PRPA) (Title VI, Subtitle D of Public Law 111-011, [March 30, 2009]) requires the Secretaries of the Interior and Agriculture to manage and protect paleontological resources on Federal land using scientific principles and expertise. Permits are required for collecting certain types of paleontological resources. The law includes criminal and civil penalties for fossil theft and vandalism. Reclamation may exclude known areas and areas of discovery of paleontological resources from grazing for assessment and avoidance pursuant to the Paleontological Resources Preservation Act. Information concerning the nature and specific location of a paleontological resource is confidential.

Public Involvement

LBAO included this Grazing Management Plan as an attachment to the Resource Management Plan and Environmental Impact Statement. A summary of the public contacts and outreach is presented below:

1. Newlands Lessees:

    a. In 2007, LBAO staff held several meetings with the lessees in Fallon, including a scoping meeting for the RMP in fall of 2007 and grazing alternative meetings in the spring of 2010. LBAO staff has been communicating with the Newlands Project lessees since the inception of the RMP.

    b. In 2009 Reclamation invited the Lessees to participate in the range condition assessments.

    c. LBAO staff completed additional field visits in the summer and fall of 2012 to assess range conditions. Reclamation sent letters to the lessees to inform them of the terms and conditions that would be in effect until this Plan was completed. The letter also informed the lessees that changes would be implemented in the following year after the completion of this Plan.

    d. A grazing workshop co-hosted by Reclamation and the BLM to provide a better understanding to the lessees of the upcoming changes to the grazing program was held in late summer 2013.

2. Other agencies:

    Coordination with BLM on joint lessees

    Coordination with Navy on adjacent land uses

    Coordination with counties

    Coordination with NDOW on FWMA and wildlife issues

3. Interested public

4. Local Native American Tribes

5. Truckee-Carson Irrigation District

6. Congressional representatives

Public Meetings

- Public meetings concerning this Plan were held as part of the public meetings for the Final RMP/EIS on June 18-19, 2013, in Fallon and Reno, Nevada respectively.

- All lessees will receive a notification of this Plan in addition to the Federal Register notification process to ensure the current lessees are notified.

- All lessees who have a grazing lease were included on the mailing list for notices concerning the availability of the Final RMP for public comment.

Legal Authorities

Reclamation's authority to issue and collect revenues for grazing leases include, but are not limited to, the following Reclamation and other Federal statutes and Public Laws, as amended or modified:

1. The Reclamation Act, June 17, 1902, as amended and supplemented, 32 Stat. 388; 43 U.S.C. § 391, et seq.

2. Section 4, Subsection I of the Second Deficiency Appropriation Act for 1924 (Fact Finders' Act), December 5, 1924 (43 Stat 703; 43 U.S.C. § 501).

3. Sections 10 and 14 of the Reclamation Project Act of 1939, August 4, 1939 (53 Stat. 1196; 43 U.S.C. § 387).

4. Federal Water Project Recreation Act, July 9, 1965, Public Law 89-72, as amended (79 Stat. 218; 16 U.S.C. § 460*l*-12 to 460*l*-21).

5. Reclamation Recreation Management Act of 1992, Public Law 102-575, Title XXVIII, Sections 2801 to 2806, October 30, 1992 (106 Stat. 4692; 16 U.S.C. § 460*l*-33).

6. Mineral Materials Act of 1947, Public Law 80-291 (61 Stat. 681; 30 U.S.C. § 603).

In addition to the aforementioned authorities, the following Public Laws, Executive Orders, Federal Regulations, the Departmental Manual, and the Reclamation Manuals influence the application of Reclamation's grazing leases:

1. E.O. 11200, February 25, 1965, 30 FR 2645, Establishment of Recreation User Fees

2. E.O. 13007, May 24, 1996, 61 FR26771, on American Indian Sacred Sites.

3. The National Environmental Policy Act of 1969, as amended (Pub. L. 91-190, 42 U.S.C. 4321-4347, January 1, 1970, as amended by Pub. L. 94-52, July 3, 1975, Pub. L. 94-83, August 9, 1975, and Pub. L. 97-258, § 4(b), Sept. 13, 1982)

4. National Historic Preservation Act of 1966 (16 U.S.C. § 470).

5. Native American Graves Protection and Repatriation Act, November 16, 1990, Public Law 101-601 (25 U.S.C. § 3001).

6. OMB Circular A-25, as amended July 8, 1993, User Charges.

7. Procedure to Process and Recover the Value of Rights-of-use and Administrative Costs Incurred in Permitting Such Use (43 CFR § 429.1 to 429.11).

8. Department of the Interior, 346 DM, Cost Recovery, provides basic Departmental cost recovery policy governing charges for services provided the non-Federal sector under specific legislative authority.

9. RM, Charges for Use of Federal Assets, PEC 01-01, provides instructions on assessing fees for Government services and for the sale or use of Federal property or resources not covered by repayment contracts, water service contracts, or the sale of surplus power.

10. RM, Crediting of Incidental Revenues, PEC 03-01, provides the statutory requirements for the disposition of revenues generated by the incidental uses (such as gazing leases) of Reclamation lands and facilities.

11. RM, Use of the Collection Information Form for Incidental Revenues, PEC 03-02, requires the use of a Collection Information Form for each grant, license, permit, lease, etc., to properly identify the source and disposition of the revenues from land use activities.

12. Telecommunications Act of 1996, Public Law 104-194 (47 U.S.C. Section § 332 note).

13. GSA Bulletin FPMR D-242.

Citations

Bedell, T. E. (Chairman, Glossary Update Task Group). 1998. Glossary of Terms Used in Range Management. Society for Range Management, Denver, CO. 32pp.

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Attachments

Attachment 1 Standards & Guidelines for Rangeland Health

Table 5 Standards & Guidelines for Rangeland Health

U.S. DEPARTMENT OF THE INTERIOR **BUREAU OF LAND MANAGEMENT Nevada**

Carson City Field Office

RAC Standards & Guidelines for Rangeland Health SIERRA FRONT-NORTHWESTERN GREAT BASIN AREA

PREAMBLE STANDARDS FOR RANGELAND HEALTH

The Standards and Guidelines for livestock grazing on Bureau of Land Management lands are written to accomplish the four fundamentals of rangeland health, insofar as they are affected by livestock grazing practices. Those fundamentals are:

- Watersheds are properly functioning;

- Ecological processes are in order;

- Water quality complies with State Standards; and

- Habitats of protected species are in order.

Other uses can affect the health of the land, and Guidelines for these currently exist or will be developed as needed. In addition, implementation of livestock grazing guidelines must be coordinated with other uses of the land, and collectively these uses should not detract from the goal of achieving public land health.

Standards, Indicators and Guidelines will be implemented through Standard public land management practices as defined in the Nevada Rangeland Monitoring Handbook and the other documents listed in Appendix A [of this appendix].

Standards: The goal to be achieved.

Indicators: Indicators are observations or measurements of physical, chemical or biological factors that should be used to evaluate site conditions or trends, appropriate to the potential of the site. Indicators assist in determining whether Standards are met or Guidelines followed.

Guidelines: Guidelines are livestock management practices (e.g., tools, methods, strategies and techniques) designed to achieve healthy public lands as defined by Standards and portrayed by Indicators. Guidelines are designed to provide direction, yet offer flexibility for local implementation through activity plans and grazing permits. Activity plans may add specificity to the Guidelines based on local goals and objectives as provided for in adopted manuals, handbooks and policy. Not all Guidelines fit all circumstances. Monitoring and site specific evaluation will determine if the Standards are being met or the trend on a particular site is toward desired objectives, and if the correct Guidelines are being applied. The BLM Authorized Officer, in consultation with public land

users, will identify and document acceptable or unavoidable exceptions on a case-by-case basis.

STANDARD 1. SOILS:

Soil processes will be appropriate to soil types, climate and land form.

As indicated by:

- Surface litter is appropriate to the potential of the site;

- Soil crusting formations in shrub interspaces, and soil compaction are minimal or not in evidence, allowing for appropriate infiltration of water;

- Hydrologic cycle, nutrient cycle and energy flow are adequate for the vegetative communities;

- Plant communities are diverse and vigorous, and there is evidence of recruitment; and

- Basal and canopy cover (vegetative) is appropriate for site potential.

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Standards, Indicators and Guidelines will be implemented through Standard public land management practices as defined in the Nevada Rangeland Monitoring Handbook and the other documents listed in Appendix A [of this appendix].

STANDARD 2. RIPARIAN/WETLANDS:

Riparian/Wetland systems are in properly functioning condition.

As indicated by:

- Sinuosity, width/depth ratio and gradient are adequate to dissipate stream flow without excessive erosion or deposition;

- Riparian vegetation is adequate to dissipate high flow energy and protect banks from excessive erosion; and

- Plant species diversity is appropriate to riparian-wetland systems.

STANDARD 3. WATER QUALITY:

Water quality criteria in Nevada or California State Law shall be achieved or maintained.

As indicated by:

- Chemical constituents do not exceed the water quality Standards;

- Physical constituents do not exceed the water quality Standards;

- Biological constituents do not exceed the water quality Standards; and

- The water quality of all water bodies, including ground water located on or influenced by BLM lands will meet or exceed the applicable Nevada or California water quality Standards. Water quality Standards for surface and ground waters include the designated beneficial uses, numeric criteria, narrative criteria, and antidegradation requirements set forth under State law, and as found in Section 303(c) of the Clean Water Act.

STANDARD 4. PLANT AND ANIMAL HABITAT:

Populations and communities of native plant species and habitats for native animal species are healthy, productive and diverse.

As indicated by:

- Good representation of life forms and numbers of species;

- Good diversity of height, size, and distribution of plants;

- Number of wood stalks, seed stalks, and seed production adequate for stand maintenance; and

- Vegetative mosaic, vegetative corridors for wildlife, and minimal habitat fragmentation.

STANDARD 5. SPECIAL STATUS SPECIES HABITAT:

Habitat conditions meet the life cycle requirements of special status species.

As indicated by:

- Habitat areas are large enough to support viable populations of special status species;

- Special status plant and animal numbers and ages appear to ensure stable populations;

- Good diversity of height, size, and distribution of plants;

- Number of wood stalks, seed stalks, and seed production adequate for stand maintenance; and

- Vegetative mosaic, vegetative corridors for wildlife, and minimal habitat fragmentation.

GUIDELINES FOR GRAZING MANAGEMENT

1. Waters must be free from high temperature, biocides, organisms pathogenic to human beings, toxic, corrosive or other deleterious substances attributable to domestic or industrial waste or other controllable sources at levels or combinations to interfere with any beneficial use of the water. Compliance with the provisions of this subsection may be determined in accordance with methods of testing prescribed by the State. If used as an Indicator, survival of test organisms must not be significantly less in test water than in control water.

2. Grazing management practices should be planned and implemented to meet water quality provisions in either California State water law or Nevada Administrative Code Section 445A.120-121 as applicable.

3. Management practices within allotments will maintain or promote stream channel morphology, appropriate soil organisms; adequate amounts of ground cover to support infiltration, maintain soil moisture storage, and stabilize soils; and the hydrologic cycle, nutrient cycle and energy flow.

4. After a range fire or other natural catastrophic event, vegetation should be returned to the native species as rapidly as possible, to afford forage and habitat for native animals. If a nurse crop is needed to protect the land from erosion, all native nurse crops should be used first.

5. Treated areas will be rested from livestock grazing for two growing seasons or until seedlings are established or the vegetative response has achieved objective levels. Wild horse and burros removed from Herd Management Areas will be restored after rehabilitation objectives have been met.

6. Alternative solutions (e.g., reseeding, funding, labor, equipment use or rental) to facilitate fire rehabilitation may be included in cooperative agreements involving qualified groups and individuals who want to participate.

7. Appropriate livestock grazing treatments will be implemented to control the frequency, duration, and level of grazing use. Where livestock grazing is authorized, grazing systems will provide within any one grazing year one or more of the following treatments:

a. Rest or deferment from livestock grazing on a specified area as appropriate to meet Standards.

b. Systematic rotation of deferred use and/or rest from livestock grazing among two or more units.

c. Continuous, season-long use where it has been demonstrated to be consistent with achieving identified Standards. Once season long use is determined to be unacceptable, an alternative system will be developed and implemented before termination of season long use, prior to the next grazing season.

d. Excluding further livestock grazing within the affected use area through appropriate techniques when utilization objectives are reached.

8. Conservation of Federal threatened or endangered, proposed, species of concern (formally Category One and Two) and other special status species is promoted by the restoration and maintenance of their habitats.

9. Salt and/or supplements will be placed at least ¼ mile from live waters (springs/streams) and outside of associated riparian areas, permanent livestock watering facilities, wet or dry meadows, and aspen stands. Also salt should not be placed in known historic properties.

10. Night bedding of sheep will be located at least ¼ mile from live waters, streams, springs, seeps, associated riparian areas, wet or dry meadows, and aspen stands.

11. Encourage the use of prescribed and natural fires, meeting prescription objectives, for the restoration and maintenance of healthy rangelands.

12. Departure from traditional grazing management practices may be authorized by BLM to achieve Standards on a case by case experimental basis for rangeland restoration and rehabilitation.

13. The best available science and technology will be utilized in monitoring and assessing the condition of rangelands from the pasture to the BLM District level.

14. Recognizing State Water Law requirements, wildlife and wild horses/burros within their Herd Management Areas will have access to surface water they customarily use.

15. Design of water facilities will incorporate features to ensure safe access and escape for small animals and birds.

16. The development of springs and seeps or other projects affecting water and associated resources shall be designed to maintain the associated riparian area and assure the attainment of Standards.

17. Grazing management practices shall be planned and implemented to allow for habitat requirements of wildlife and wild horses and burros within Herd Management Areas.

18. Implement aggressive action to reduce the invasion of exotic plant species into native plant communities. Control the spread of noxious weeds through various methods such as, grazing management, fire management and other vegetative management practices.

19. Riparian structural developments (i.e., gabions, dams, etc.) designed to achieve improvement in riparian and wetland conditions shall only be implemented in conjunction with changes in existing grazing management practices, where grazing is a significant factor contributing to a riparian condition needing such attention. Where grazing is not a significant factor causing a riparian condition needing attention, structural developments designed to achieve improvement in riparian and wetland conditions may be implemented independent of changes in existing grazing management practices.

20. The utilization, monitoring and evaluation process will be used as a tool to promote healthy rangelands and achieve Standards.

21. Implement grazing management practices that sustain biological diversity across the landscape.

22. To prevent transmission of disease between domestic and bighorn sheep, adopt and implement the "Guidelines for Domestic Sheep Management in Bighorn Sheep Habitats" contained in Mountain Sheep Ecosystem Management Strategy in the 11 Western States and Alaska.

23. Rangeland management plans will consider listings of known historic properties and new eligible properties as they become known.