United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Carson City District – Sierra Front Field Office
5665 Morgan Mill Road
Carson City, Nevada 89701-1448
http://www.blm.gov/nv/st/en/fo/carson_city_field.html

MAY 2 1 2015

In Reply Refer To:
4160 (NV02000)

CERTIFIED MAIL RETURN
RECEIPT REQUESTED # 7014 2120 0003 1977 5988

Alan and Lillian Mendes
6400b Lost Springs Road
Reno, Nevada 90510

NOTICE OF FIELD MANAGER'S FINAL DECISION
GRAZING PERMIT ISSUANCE FOR THE PAIUTE CANYON ALLOTMENT

Dear Mr. and Mrs. Mendes,

The Bureau of Land Management will issue a new 10-year term livestock grazing permit for the Paiute Canyon Allotment #03043 (Allotment) with modified terms and conditions.

Changes in livestock grazing management are needed at this time to make progress toward meeting rangeland health standards. The primary changes include: 1) reducing the permitted use by 1,800 AUMs; 2) reducing the permitted grazing season of use by two months and the authorized grazing season by three months until resource conditions improve; 3) compliance with a new 2015 allotment management plan (AMP) which includes a new pasture rotation schedule which rests one high elevation pasture each year; and 4) permit terms and conditions.

INTRODUCTION

The Decision is to authorize 300 cattle between June 1 and March 31 for a total of 3,000 Animal Unit Months (AUMs). While that will be the maximum permitted use, the allowable use each year will be governed by the 2015 AMP. For example, based on current drought conditions in 2015, the allowable use would start at 210 cattle from July 1 to March 31 for 1,900 AUMs.

BACKGROUND

The Allotment is located approximately five miles north of Reno, Nevada. The Allotment encompasses approximately 69,881 acres of public lands, 17,921 acres of private lands, and 1,975 acres of Bureau of Indian Affairs lands held in trust for the Reno-Sparks Indian Colony, and is located within Washoe County, Nevada. The Allotment is within the jurisdictional

boundary of the Sierra Front Field Office and managed under the provisions of the Carson City Field Office Consolidated Resource Management Plan (CRMP).

The Allotment's permit is currently held by Alan or Lillian Mendes and authorizes 400 cattle from March 1 until February 28 each year, for a total of 4,800 animal month units (AUMs). The permit was modified by the 1999 Memorandum, amending the 1989 AMP, which limits cattle to 350 head for a total of 4,200 AUMs annually. The Allotment is divided into six pastures, each with a different season of use, number of cattle, and authorized AUMs. The current permit was issued under the Appropriations Act (Section 426 of Title IV of Division E of Public Law 111-8) on September 1, 2010 and will expire on August 31, 2020.

PUBLIC PARTICIPATION

Public involvement for this project was afforded during public scoping and public review of the draft environmental assessment (EA). On August 14, 2013 the BLM mailed a scoping letter to individuals and organizations on the project "interested party" list. The scoping period closed on August 30, 2013. The BLM received no public comments during the scoping period.

On August 13, 2014 the BLM made the draft EA available for public review and comment. Letters were sent to "interested parties" on the project mailing list including Alan and Lillian Mendes, and notification was made to the Nevada State Clearinghouse. The draft EA, maps, Allotment Evaluation, and Standards and Guidelines Determination document were available on-line. The public comment period ended on September 11, 2014. The BLM received three comment letters, which are summarized in Appendix D of the Final EA. The BLM did not receive any substantive comments on the proposed fuels and weed treatments. Based on comments received from the U.S. Fish and Wildlife Service, the BLM revised the perimeter of the exclosure fencing to protect the Webber's ivesia (*Ivesia webberi*). Based on comments from the Nevada Division of Wildlife, the BLM revised portions of the Allotment Management Plan. Based on comments received from Alan and Lillian Mendes, the BLM revised the EA Riparian Section 3.4.3 and added Appendix E. No other substantive comments were received. The Decision for the fuels and weed treatments, along with the exclosure fencing was issued on January 9, 2015. The BLM did not receive a timely appeal on these actions and they are being implemented in 2015.

NEED FOR DECISION

A livestock grazing decision is needed for the Allotment at this time because the BLM is responding to the permit holder's application that the BLM do the following: 1) maintain the 12 month season of use with two years of nonuse in April and May for the first two years of the permit; 2) reduce cattle to 300 head; and 3) allow construction of range improvements.

FIELD MANAGER'S DECISION

It is my Decision to implement the Proposed Action as described in the *Paiute Canyon Grazing Allotment Final Environmental Assessment* (EA) (DOI-BLM-NV-C020-2013-0033-EA), dated January 2015, 2.2.1 Livestock Grazing. This EA and its accompanying Finding of No Significant Impact (FONSI) are incorporated into this Final Decision by reference. The Final EA, Finding of No Significant Impact (FONSI), and all other supporting documents are available on-line.

The Final Decision is to issue a new 10-year term livestock grazing permit that would authorize grazing use for 300 cattle from June 1 to March 31 for 3,000 AUMs. However, fewer than the permitted numbers may be authorized each year in response to unfavorable resource conditions. The allowable livestock use each year would be governed by the 2015 AMP (see Attachment B) which allows flexibility in operations to adapt to changes in resource conditions within the Terms and Conditions of the permit.

For administrative purposes, the number of cattle scheduled on this permit is 300; however, during the term of the permit the BLM may authorize higher or lower numbers than 300 during the permitted use period of June 1 to March 31, provided that forage removal for the entire Allotment does not exceed 3,000 AUMs annually.

The new permit will contain the standard terms and conditions as well as the additional terms and conditions listed below.

Standard Terms and Conditions
See Attachment A

Additional Terms and Conditions

- Grazing management shall be in accordance with the 2015 Allotment Management Plan and subsequent amendments;
- Grazing management shall be authorized in a manner that will make progress towards meeting the standards as set forth by the Sierra Front - Northwestern Great Basin RAC, 1997;
- It is the permittee's responsibility to maintain all assigned range improvements in good working order and an aesthetic state;
- Salt and/or supplements will be placed at least ¼ mile from live waters (springs/streams), and outside of associated riparian areas, permanent livestock water facilities, wet or dry meadows and aspen stands, salt should not be placed in known historic properties;
- We encourage permittee participation in Rangeland Monitoring.

- Your certified actual grazing use report is required to be submitted within 15 day from the end of the grazing period year;
- This permit or lease may be canceled, suspended, or modified, in whole or in part to meet the requirements of applicable laws and regulations; and
- By accepting this permit, the permittee agrees to provide administrative access across your controlled lands to BLM employees and contractors when needed for the orderly management and protection of the public lands.

Range Improvements

The Final Decision also includes the construction of range improvements as outlined below. To better manage livestock distribution, four catch corrals and one holding corral would be installed. The four catch corrals would be installed in the Shovel Springs, Dogskin, Fall and the Hungry Valley pastures. The catch corrals would be constructed on T-posts and netting wire, with one side utilizing an existing Allotment fence. The dimensions would be approximately 40 feet by 10 feet in a funnel shape and 60 feet long. No water resources would be needed, as these would be used for limited duration while livestock are moved from one pasture into another. The holding corral would be located in the Shovel Springs Pasture. It would be constructed on T-posts and netting wire, include a pipe gate and an L-shaped 60-70 foot catchment wing adjacent to the gate. It would utilize existing water sources. Installation of the four corrals and livestock operations would cause permanent disturbance to less than one acre of public lands.

The existing underground Dogskin Pipeline would be extended to the north and south to enable the permittee to place new troughs along the new extended portions. The new pipelines would be installed underground and the length of each pipeline would be approximately two miles. The existing pipeline is 1.25 inches in diameter; the new extension pipelines would be 1.25 inches in diameter. The new pipelines would be placed within a trench approximately 24 inches deep, by 24 inches wide. The trenches would be cut by backhoe or similar mechanized equipment. Along each new pipeline extension, up to two new water trough complexes consisting of three tires would be placed and filled as needed to assist in the distribution of livestock. The new trough complexes would be placed approximately mid-point along the pipeline extension and at the end point. Each water trough complex would hold approximately 500 to 600 gallons of water. Since a pipeline diverts a fixed amount of water from the spring(s), adding extensions to it would redistribute that water among existing locations; therefore new trough complexes would not result in increased demand to the source spring(s). Installation of the new pipeline extensions is anticipated to take approximately six weeks to complete. Installation of the pipelines would result in short-term disturbance to approximately 14 acres of public lands. Disturbed areas would be seeded when precipitation levels support successful germination of seed, with a BLM-approved seed mix of species most likely to germinate in low precipitation areas.

Three permanent water hauls would be established on the west side of the Allotment. Multiple troughs (six to eight) would be placed at each of the three water haul sites to better distribute the cattle within the water haul area. Water hauls would be placed in previously disturbed areas.

RATIONALE

The actions contained in this Final Decision respond to the purpose and need explained in *Paiute Canyon Grazing Allotment Final Environmental Assessment* (DOI-BLM-NV-C020-2013-0033-EA) to modify grazing practices on the Allotment, while providing for multiple use and ensuring ecosystem health. The new permit will provide livestock grazing parameters and guidelines for proper management of the range resources on the Allotment in response to the factors analyzed in the Final EA as detailed below.

The Allotment is classified as an "Intensive" Allotment in the Lahontan Rangeland Program Summary Update (BLM. 1989) because of the potential for improvement in rangeland health. Management objectives were developed for the Allotment in the 1989 AMP and the 1999 Modification to the AMP (BLM.1999). Management objectives were also stated in the Lahontan Rangeland Program Summary Update (BLM. 1989). These objectives include:

- Livestock
  - Maintain fair or better ecological condition on all key areas and improve ecological conditions.
  - Limit utilization on the key grass species to 55 percent.
  - Improve the distribution of livestock.
  - Manage for 4,798 AUMs of forage, which was subsequently changed to 4,200 AUMs.
  - Improve forage conditions through revegetation if possible.
- Wildlife
  - Maintain fair or better habitat conditions for deer and pronghorn antelope.
  - Provide for 1,601 AUMs of forage to support reasonable numbers of deer.
  - Limit utilization on antelope bitterbrush to 45 percent in identified deer and antelope habitat.
  - Protect riparian areas and restrict use to 55 percent.
  - Limit use on meadows in identified sage-grouse habitat.
  - Maintain or improve aspen stands
- Wild Horses
  - Maintain a level of 19 head in the Dogskin Mountain HMA [Herd Management Area]. This would be a 228 AUM forage requirement. (This was revised in the Final Multiple Use Decision Paiute Allotment Dogskin Pasture on October 20, 1993 to a current objective of 10 to 15 head.)

Grazing, fire, recreational use and wild horse use are all disturbance factors that have led to loss of desired ecological condition on the Allotment. Past grazing use of the Allotment, prior to the 1999 Modification of the AMP and documented in the 1988 Allotment Evaluation, was heavy throughout large areas of the Allotment. Conditions have been exacerbated by large fires, off-highway vehicle use, and drought conditions. The 1999 AMP revision was an attempt to reverse the prevalent downward trend. Reduction in AUMs and the development of a pasture rotation system helped with livestock distribution and use, but the loss of desired ecological condition persists as evidenced by the lack of recruitment of deep rooted perennial bunchgrasses. The Functional/Structural groups in the Allotment do not show the desired balance between deep-rooted perennial bunchgrasses, annual grasses and forbs, and shrubs. Deep-rooted perennial

bunch grasses are underrepresented. Vegetation over much of the Allotment is dominated by cheatgrass and annual weeds. Forty-two production plots were read in 2013. Thirty plots showed no perennial grass production, and 35 plots showed no production for key, deep rooted perennial grasses. The overall average perennial grass production for the 42 plots was 60 pounds per acre. Juniper encroachment is occurring throughout the higher elevations of the Allotment. This is a particular concern within greater sage-grouse habitat.

Forage utilization has improved under the 1999 grazing system, and since 2000, actual use by pasture has been below permitted use for most years. Heavy use areas have been substantially reduced since implementation of the 1999 AMP modification. Most of the heavy use now is within the Dogskin and Tule pastures. The heavy use in Tule Pasture is mostly associated with springs and riparian areas and some of the more gentle slopes. Heavy to severe hedging on browse species such as antelope bitterbrush still occurs in some areas. Moderate use areas have also been reduced, but the 55 percent allowable use level has not been accompanied by key forage plants recovery. Northern pastures are used at the same time each year with no rotation. The Dogskin Pasture continues to receive heavy use, in part, because of the wild horse herd in and out of the HMA. The riparian assessments in the northern pastures showed only one system in "Proper Functioning Condition".

The change in stocking rate is necessary to evaluate the impact of reduced grazing intensity on the recruitment of deep-rooted perennial bunchgrasses. The current 55 percent utilization (41 to 60 percent is moderate use) levels have not resulted in the recruitment of deep-rooted perennial bunchgrasses, and a lower utilization rate based on reduced numbers of cattle may be a factor in promoting deep-rooted perennial bunchgrass recruitment. The 2015 AMP allows for monitoring and adjustment in the stocking and utilization rates to allow for the evaluation of reduced stocking rates on the recruitment of deep-rooted perennial bunchgrasses.

The change in season of use is necessary to evaluate the impact of spring grazing on the recruitment of deep-rooted perennial bunchgrasses. Grazing plant populations early in the growing season may be a factor in reducing plant growth and the amount of seed produced. The 2015 AMP allows for monitoring and adjustment in the season of use to allow for evaluation of the impact of spring grazing.

The change in pasture rotation described in the AMP is necessary to evaluate the impact of alternate periods of use on the recruitment of deep-rooted perennial bunchgrasses and riparian systems proper function and condition. Grazing at the same time each year may be contributing to the lack of perennial recruitment and to the low numbers of riparian species in riparian systems. The AMP would allow for monitoring and adjustment in the pasture rotation to evaluate the impact of rest and rotation on the recruitment of deep-rooted perennial bunchgrasses and riparian systems proper function and condition.

The BLM lands within the Allotment are available for livestock grazing pursuant to the CRMP, and livestock grazing on these lands is consistent with the goals, objectives, standards and guidelines identified in the CRMP. Where consistent with other multiple use goals and objectives, there is a congressional intent to allow grazing on BLM managed lands. This is evidenced by the Taylor Grazing Act of 1934 (as amended), the Federal Land Policy and

Management Act of 1976, the Public Rangelands Improvement Act of 1978, and the approved Standards and Guidelines of 1997, as well as various other federal laws and regulations.

AUTHORITY

My authority for this action is found in statutory and regulatory authorities contained in the Taylor Grazing Act as amended, the Federal Land Policy and Management Act of 1976, Title 43 Code of Federal Regulations, Subpart 4100 (2005).

The authority from Title 43 of Code of Federal Regulations, subpart 4100, includes but is not limited to:

- §4100.0-8 states that "The authorized officer shall manage livestock grazing on public lands under the principle of multiple use and sustained yield, and in accordance with applicable land use plans. Land use plans shall establish allowable resource uses (either singly or in combination), related levels of production or use to be maintained, areas of use, and resource condition goals and objectives to be obtained. The plans also set forth program constraints and general management practices needed to achieve management objectives. Livestock grazing activities and management actions approved by the authorized officer shall be in conformance with the land use plan as defined at 43 CFR 1601.0-5(b)."

- §4110.3 (a) (b) states that "The authorized officer shall periodically review the permitted use specified in a grazing permit or lease and shall make changes in the permitted use as needed to manage, maintain or improve rangeland productivity, to assist in restoring ecosystems to properly functioning condition, to conform with land use plans or activity plans, or to comply with the provisions of subpart 4180 of this part. These changes must be supported by monitoring, field observations, ecological site inventory or other data acceptable to the authorized officer."

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

- §4130.3-1 states that "(a) The authorized officer shall specify the kind and number of livestock, the period(s) of use, the allotment(s) to be used, and the amount of use, in animal unit months, for every grazing permit or lease. The authorized livestock grazing use shall not exceed the livestock carrying capacity of the allotment. (b) All permits and leases shall be made subject to cancellation, suspension, or modification for any violation of these regulations or of any term or condition of the permit or lease. (c) Permits and leases shall incorporate terms and conditions that ensure conformance with subpart 4180 of this part."

RIGHT OF PROTEST OR APPEAL

Timely Protest

On February 9, 2015 we received your timely written protest of the Proposed Decision (see Attachment C). On April 22, 2014 BLM staff met with you to resolve your protest. On April 24, 2015 you withdrew your protest in writing (see Attachment D).

Appeal of Final Decision

In accordance with 43 CFR 4.470, 4160.3 (c) and 4160.4, any person whose interest is adversely affected by a final decision of the Authorized Officer may appeal the decision for the purpose of a hearing before an administrative law judge. The appeal must be filed within 30 days after the date the proposed decision becomes final or 30 days after receipt of the final decision. In accordance with 43 CFR 4.470, the appeal shall state clearly and concisely the reason(s) why the appellant thinks the final decision of the authorized officer is wrong.

Pursuant to 43 CFR 4.471 and 4160.3(c), an appellant also may petition for a stay of the final decision pending appeal by filing a petition for stay along with the appeal within 30 days after the date the proposed decision becomes final or 30 days after receipt of the final decision.

The appeal and any petition for stay must be filed at the office of the authorized officer Authorized Officer: Leon Thomas, Field Manager, Sierra Front Field Office, Bureau of Land Management, Carson City District Office, 5665 Morgan Mill Road, Carson City, NV 89701. Within 15 days of filing the appeal and any petition for stay, the appellant also must serve a copy of the appeal and any petition for stay on any person named in the decision and listed at the end of the decision, and on the Office of the Solicitor, Regional Solicitor, Pacific Southwest Region, U.S. Department of the Interior, 2800 Cottage Way, Room E-1712, Sacramento, California 95825-1890.

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

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

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

Any person named in the decision from which an appeal is taken (other than the appellant) who wishes to file a response to the petition for a stay may file with U.S. Hearings & Appeals Office 405 S Main St, Suite 400, Salt Lake City, UT 84111 a motion to intervene in the appeal, together with the response, within 10 days after receiving the petition. Within 15 days after filing the

motion to intervene and response, the person must serve copies on the appellant, the Office of the Solicitor and any other person named in the decision (43 CFR 4.472(b)).

At the conclusion of any document that a party must serve, the party or it's representative must sign a written statement certifying that service has been or will be made in accordance with the applicable rules and specifying the date and manner of such service (43 CFR 4.422(c)(2)).

Please contact Ryan Leary, Rangeland Management Specialist at (775) 885-6136 or myself at (775) 885-6000 if you have questions.

Leon Thomas
Field Manager
Sierra Front Field Office

CC: Final Decision – Final Environmental Assessment (DOI-BLM-NV-C020-2013-0033-EA) January 2015 - Paiute Canyon Grazing Allotment.

Ken Cole
Western Watersheds Project
P.O. Box 2863
Boise, ID 83701
Certified Mail Return Receipt Requested # 7014 2120 0003 1977 5995

John McLain
Resource Concepts Inc.
340 N. Minnesota Street
Carson City, NV 89703
Certified Mail Return Receipt Requested # 7014 2120 0003 1977 6008

Sustainable Grazing Coalition
c/o Richard Orr
P.O. Box 145
Caliente, NV 89008-0145
Certified Mail Return Receipt Requested # 7014 2120 0003 1977 6015

Nevada Cattlemen's Association
P.O. Box 310
Elko, NV 89803
Certified Mail Return Receipt Requested # 7014 2120 0003 1977 6022

Attachment A Standard Grazing Permit Terms & Conditions

1. Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with the provisions of the grazing regulations now or hereafter approved by the Secretary of the Interior.
2. They are subject to cancellation, in whole or in part, at any time because of:
   a. Noncompliance by the permittee/lessee with rules and regulations.
   b. Loss of control by the permittee/lessee of all or a part of the property upon which it is based.
   c. A transfer of grazing preference by the permittee/lessee to another party.
   d. A decrease in the lands administered by the Bureau of Land Management within the Allotment(s) described.
   e. Repeated willful unauthorized grazing use.
   f. Loss of qualifications to hold a permit or lease.
3. They are subject to the terms and conditions of allotment management plans if such plans have been prepared. Allotment management plants MUST be incorporated in permits or leases when completed.
4. Those holding permits or leases MUST own or control and be responsible for the management of livestock authorized to graze.
5. The Authorized Officer may require counting and/or additional special marking or tagging of the livestock authorized to graze.
6. The permittee's/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.
7. Grazing permits or leases are subject to the nondiscrimination clauses set forth in Executive Order 11246 of September 24, 1964, as amended. A copy of this order may be obtained from the Authorized Officer.
8. Livestock grazing use that is different from that authorized by a permit or lease MUST be applied for prior to the grazing period and MUST be filed with and approved by the Authorized Officer before grazing use can be made.
9. Billing notices are issued which specify fees due. Billing notices, when paid, become a part of the grazing permit or lease. Grazing use cannot be authorized during any period of delinquency in the payment of amounts due, including settlement for unauthorized use.
10. The holder of this authorization must notify the authorized officer immediately upon the discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (cultural items), stop the activity in the area of discovery and make a reasonable effort to protect the remains and/or cultural items.
11. Grazing fee payments are due on the date specified on the billing notice and MUST be paid in full within 15 days of the due date, except as otherwise provided in the grazing permit or lease. If payment is not made within that time frame, a late fee (the greater of $25 or 10 percent of the amount owed but not more than $250) will be assessed.
12. No member of, or Delegate to, Congress or Resident Commissioner, after his/her election of appointment, or either before or after he/she has qualified, and during his/her continuance in office, and no officer, agent, or employee of the Department of the Interior, other than members of Advisory committees appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. App. 1) and Sections 309 of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1701 et seq.) shall be admitted to any share or part in a permit or lease, or derive any benefit to arise there from; and the provision of Section

3741 Revised Statute (41 U.S.C. 22), 18 U.S.C. Sections 431-433, and 43 CFR Part 7, enter into and form a part of a grazing permit or lease, so far as the same may be applicable.

This grazing permit:

1. Conveys no right, title or interest held by the United States in any lands or resources and 2. Is subject to (A) modification, suspension or cancellation as provided by land plans and applicable law; (b) review and modification of terms and conditions as appropriate; and (c) the Taylor Grazing Act, as amended, the Federal Land Policy and Management Act, as amended, the Public Rangelands Improvement Act, and regulations now or hereafter promulgated thereunder by the Secretary of the Interior.

Attachment B - 2015 Allotment Management Plan

Paiute Canyon 2015 Allotment Management Plan

This Allotment Management Plan (AMP) defines the number of permitted animal month units (AUMs) that can be utilized by livestock and the livestock season of use. The AMP also defines flexibility in operations. The AMP must be followed unless modified and approved by the Bureau of Land Management (BLM) in advance.

For administrative purposes, the number of cattle scheduled on this permit is 300; however, during the term of the permit and pursuant to the goals and objectives below, the BLM may authorize higher or lower numbers than 300 during the permitted use period of June 1 to March 31, provided that forage removal for the entire Allotment does not exceed 3,000 AUMs annually. The target utilization for the Allotment will be 40 percent under average climatic conditions. As of 2015, the Allotment is currently in drought conditions and the utilization target will be 35 percent in accordance with the 2013 Drought EA until average conditions return.

Goal 1: Increase the establishment and retention of deep rooted perennial bunch grasses.

> **Objective 1**: Livestock grazing operations shall be conducted so that growing season forage utilization of deep rooted perennial bunch grasses does not exceed 40 percent on key species under average climatic conditions and does not exceed 35 percent on key species in drought conditions.
> **Objective 2**: Rest one high elevation pasture from livestock grazing each year.

Goal 2: Increase the amount of time between fires and reduce fire size through vegetation management

> **Objective 1:** Work with the fire program and the permittee on strategies to provide fuel breaks and reduce fuel loads.
> **Objective 2:** Use dormant season grazing with targets up to 60 % utilization and employ protein supplements to reduce the density of weedy species especially cheatgrass (*Bromus tectorum*) (Schmelzer 2009).

Goal 3: The RAC Standards & Guidelines for Rangeland Health (Sierra Front-Northwestern Great Basin Area) are written to accomplish four fundamentals of rangeland health insofar as they are affected by livestock grazing practices. One of these fundamentals is that "Watersheds are properly functioning". To that end, insofar as proper functioning condition of riparian areas are affected by livestock grazing practices, livestock practices will be modified using the flexibility under this AMP.

> **Objective 1:** Evaluate the impact of the new season of use which removes grazing during the growing season on the riparian areas
> **Objective 2:** Evaluate the impact of the new reduction in AUMs from 4,200 to 3,000 on the riparian areas
> **Objective 3:** Evaluate the resting of one high elevation pasture every four years on the riparian areas

Objective 4: If these evaluations show that there are reaches where livestock use is a limiting factor to reaching potential proper functioning condition protect those areas through physical barriers and herding and evaluate changes to the grazing rotation.

Monitoring

Monitoring of progress toward achieving objectives will include the following:

1. Evaluation of long term monitoring plots (BLM 2014); and
2. Applicable methodologies which may include Cover, Density, Production, Structure and Composition monitoring in accordance with Interagency Technical Reference 1734-4 Sampling Vegetation Attributes (BLM 1999).

Monitoring frequency will be determined by ecological condition including the likelihood of vegetative change based on factors including precipitation levels, presence of invasive/increaser species, wildland urban interface impacts and wildfire.

Initial Grazing Plan

Permitted AUMs
A maximum of 3,000 AUMs may be authorized annually on the allotment.

Annually Authorized AUMs
The livestock use authorized annually, may be lower than the permitted 3,000 AUMs depending upon resource conditions. BLM staff and the permit holder will evaluate resource conditions on the allotment annually to determine the number of AUMs that will be authorized for the year based on resource conditions. The annual authorization will be documented in an annual grazing application and/or an annual operating plan (AOP).
For example, due to the current (2015) drought condition, levels of perennial grass production support a total of 1,900 AUMs during the season of use at a 35 percent utilization rate.

Permitted Season of Use
The permitted grazing season of use for the allotment will be June 1 to March 31.

Annually Authorized Season of Use
Livestock use during June will not be authorized until monitoring documents establishment and retention of deep rooted perennial bunchgrasses.

Pasture Rotation
The planned initial Pasture Rotation is shown below. It rotates use so that pastures are not grazed at the same time each year and one high elevation pasture is rested each year. Dates listed are target dates and may be adjusted 15 days in either direction based on range readiness. Any changes will be documented in the Annual Operating Plan for each year. Year 1 will be preceded by a transition year between the current pasture rotation and the planned Year 1 pasture rotation.

Planned Initial Use Year 1

Pasture	Grazing Period Start	Grazing Period End
Dogskin	7/1	8/10
Fall	8/11	8/31
Tule Peak	9/1	10/1
Incandescent Rocks	Rest	
Warm Springs/Hungry Valley[1]	10/2	1/10
Shovel Springs	1/11	3/31

Planned Initial Use Year 2

Pasture	Grazing Period Start	Grazing Period End
Fall	7/1	7/21
Tule Peak	Rest	
Incandescent Rocks	7/22	8/15
Dogskin	8/16	9/27
Shovel Springs	9/28	12/17
Warm Springs/Hungry Valley[2]	12/18	3/31

Planned Initial Use Year 3

Pasture	Grazing Period Start	Grazing Period End
Incandescent Rocks	7/1	7/25
Fall	7/26	8/17
Tule Peak	8/18	9/19
Dogskin	Rest	
Warm Springs/Hungry Valley[1]	9/20	1/4
Shovel Springs	1/5	3/31

[1] Grazing will start in the north end of WS/HV and finish in the south end.
[2] Grazing will start in the south end of WS/HV and finish in the north end.

Flexibility in Operations

The BLM may modify pasture use dates and forage removed by livestock in the typical grazing schedule to reduce urban interface conflicts or conflicts with use by other BLM programs, reduce fuel loads, improve vegetative conditions or adapt to variability in resource conditions. Conditions which may require adaptation of the typical schedule include but are not limited to drought, fire, and weed infestations or above average cheatgrass production.

Flexibility in livestock operations would be considered when modifications would benefit vegetative resources. An example of flexibility in livestock operations would be utilizing livestock to improve the effectiveness of herbicide treatments by grazing meadows in the fall when soils are dry to remove palatable vegetation prior to applying herbicide to weed species.

The planned initial Pasture Rotation may be changed to respond to changes within the Allotment driven by factors including but not limited to precipitation levels, presence of invasive/increaser species, wildland urban interface impacts and wildfire. Changes to the pasture rotation would be considered when modifications would benefit vegetative resources.

During pasture moves, the livestock operator may have a courtesy period of 10 days (5 days before and 5 days after the target move date) when cattle being moved may be in either pasture.

Documentation of Changes

If modifications are agreed to by the BLM and the permittee, deviations from the typical schedule would be documented and authorized by BLM through an Annual Operating Plan. If modifications are not mutually agreed to or the typical schedule needs to be changed for improved long term management BLM will issue a grazing decision. Any flexibility in the grazing schedule will adhere to the permit terms and conditions. Any long term changes to AUMs, pasture rotation or season of use will be documented and added to this AMP as an Addendum.

REFERENCES

1. Bureau of Land Management (BLM). 2014. *Paiute Canyon Grazing Allotment Evaluation 2000-2013*. Carson City District Office, Carson City, Nevada. April.
2. Bureau of Land Management (BLM). 1999. Sampling Vegetation Attributes: Interagency Technical Reference 1734-4.
3. Schmelzer, Lee, "Reducing Fuel Load of Key Cheatgrass (*Bromus Tectorum*) Dominated Range Sites by the Use of Fall Cattle Grazing." MA Thesis. University of Nevada, Reno, 2009.

Attachment C Alan and Lillian Mendes Protest

February 2, 2015

2015 FEB -9 AM 11:46
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BUREAU OF LAND MGMT
CARSON CITY
DISTRICT OFFICE

Leon Thomas
Field Manager
Sierra Front Field Office
Carson City, Nevada

This letter is to notify you that it is our intent to protest the Bureau's proposed decisions regarding the Ten Year Grazing Permit Issuance for the Paiute Canyon Allotment.
Reference Number 4160 (NV0200).

We would like to request a meeting to explain your determination to us so we can better understand it, and perhaps give some input into the proposed rotation process.

Thank you,
Alan and Lillian (Mimi) Mendes

6400b Lost Spring Road
Reno, Nv 89510

Attachment D Alan and Lillian Mendes Protest Withdrawal

Leary, Ryan <rleary@blm.gov>

(no subject)

Lillian Mendes <rodeomaw1@yahoo.com> Fri, Apr 24, 2015 at 1:10 PM
To: rleary@blm.gov

To BLM

Based on the clarification provided at the 4/22/2015 meeting with Ryan Leary on the Allotment Management Plan implementation, we withdraw our protest.

Thank you,
Alan & Mimi Mendes
4/24/2015

Leary, Ryan <rleary@blm.gov>

(no subject)

Lillian Mendes <rodeomaw1@yahoo.com> Fri, Apr 24, 2015 at 1:10 PM
To: rleary@blm.gov

To BLM

Based on the clarification provided at the 4/22/2015 meeting with Ryan Leary on the Allotment Management Plan implementation, we withdraw our protest.

Thank you,
Alan & Mimi Mendes
4/24/2015