

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

Environmental Assessment

**Term Grazing Permit 2704502 and 2704520 Renewals on the Railroad
Pass (00601) Allotment (DOI-BLM-NV-L010-2011-0007-EA)**

October, 2011

Location: White Pine County, Nevada

PREPARING OFFICE

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1. Introduction

This document identifies issues, analyzes alternatives, and discloses the potential environmental effects associated with the proposed term grazing permits 2704502 and 2704520 renewals on the Railroad Pass (00601) Allotment.

1.1 Background

Current livestock management practices for 2704502 have been implemented since the Final Multiple Use Decision (FMUD) for the Railroad Pass Allotment dated November 5, 1995 and through the Livestock Grazing Use Agreement for the Railroad Pass Allotment dated April 12, 2001 which is in effect through February 28, 2011. The current livestock grazing permit was issued in 2009 under the authority of Section 426, Public Law 111–8 as a result of a settlement negotiated between the U.S. Department of Justice and Western Watersheds Project to resolve litigation (WWP v. Lane, Case No. 07–CV-394–BLM). This is a summer cattle grazing permit on the Railroad Pass Allotment with an active grazing preference of 1,064 AUMs¹ (plus 736 AUMs in voluntary non-use).

Current livestock management practices for 2704520 have been implemented through the Final Grazing Decision dated June 9, 2009 which carried forward actions from the FMUD for the Railroad Pass Allotment and the 2008 Standards Determination Document for the Railroad Pass Allotment. The current livestock grazing permit states

“Grazing will also be in accordance with the Livestock Grazing Agreement for Railroad Pass Allotment dated April 2001...for the period of March 1, 2006 to February 28, 2011...In 2011, this livestock grazing agreement will be reviewed and changes may or may not be made to this permit. If no changes are made, this agreement will carry through to the end of the 10–year term of this permit without reissuing a new permit. If changes are needed, this permit may need to be reissued to reflect those changes.”

Changes to the Livestock Grazing Agreement for Railroad Pass Allotment are being proposed, therefore the grazing permit for 2704520 is being included in this analysis. This is a summer cattle grazing permit with an active grazing preference of 300 AUMs on the Railroad Pass Allotment (plus 211 AUMs in voluntary non-use).

The 1995 FMUD for the Railroad Pass Allotment established the voluntary non-use of approximately 40 percent of the cattle AUMs authorized under these grazing permits. This FMUD also established a rest-rotational grazing system that alternates annual cattle use between the North and South Pastures of the Railroad Pass Allotment. The Livestock Grazing Use Agreement for the Railroad Pass Allotment, dated April 12, 2001, carries these management practices forward. This livestock use agreement expires February 28, 2011.

In addition to these two grazing authorizations, authorization 2703638 authorizes 1231 AUMs of sheep grazing on the Railroad Pass Allotment. No changes to this grazing permit on the Railroad Pass Allotment are being proposed at this time and grazing use will continue under the current authorization. Therefore, this permit is not being considered in the action described in this document. Sheep grazing is authorized across the entire allotment with exclusive use in the Corta Seeding.

¹Animal Unit Month (AUM) means the amount of forage necessary for the sustenance of one cow or its equivalent for a period of 1 month (43 CFR 4100.0–5).

According to the licensed use data for the past ten years, grazing use under these permits has been variable from year to year (Table 1, “Railroad Pass Allotment Licensed Use Summary” (p. 2)). This is due largely to business decisions of the permittees and how the Railroad Pass Allotment fits into their overall grazing operations. Other considerations affecting annual use includes variations in annual precipitation affecting annual forage availability and competition with other livestock, wild horses, and wildlife for resources. To ensure proper use across this allotment, maximum allowable use levels have been recommended for the Railroad Pass Allotment (in the 2011 Standards Determination Document for the Railroad Pass Allotment).

Table 1. Railroad Pass Allotment Licensed Use Summary

Grazing Year	2704502 Permitted Use=1064 AUMs		2703638/2704538 Permitted Use=1231 AUMs		2704520/2704555 Permittee Use=300 AUMs	
	Licensed Use (AUMs)	% Licensed Use of Permitted Use	Licensed Use (AUMs)	% Licensed Use of Permitted Use	Licensed Use (AUMs)	% Licensed Use of Permitted Use
2001	1063	100%	976	79%	409	136%
2002	473	44%	716	58%	321	107%
2003	408	38%	596	48%	214	71%
2004	679	64%	530	43%	0	0%
2005	217	20%	558	45%	0	0%
2006	900	85%	992	81%	0	0%
2007	662	62%	615	50%	154	51%
2008	523	49%	859	70%	0	0%
2009	0	0%	764	62%	0	0%
2010	411	39%	727	59%	0	0%

Monitoring data were reviewed and an assessment of the rangeland health for the Railroad Pass Allotment was completed in 2011 through a Standards Determination Document (SDD). Standard 1—Upland Sites—is being achieved. Standard 2—Riparian and Wetland Sites—is not being achieved, but is making significant progress towards achievement. Bank trampling by large herbivores, including cattle and wild horses, is causing these conditions at Dora Spring. The current grazing management practices of lowered livestock numbers and a rotational grazing system allow for improvement of the situation at Dora Spring, however grazing management practices alone will not correct this problem. Standard 3—Habitat—is not being achieved, but is making significant progress towards achievement. Livestock have not been identified as a contributing factor to the non-attainment of Standard 3.

1.1.1 Location of Project Area

The Railroad Pass Allotment encompasses approximately 27,025 public land acres (Figure 2, “Railroad Pass Allotment Map” (p. 30)). The grazing permit area occurs entirely within White Pine County, and is situated approximately 25 miles south of Jiggs, Nevada. The western portion of this allotment borders Eureka County and the northern portion borders Elko County. The allotment reaches from the ridge of the Diamond Mountain Range in the west to approximately Huntington Creek in the east. It is bounded in the north by the Elko-White Pine County Line and stretches approximately 12 miles south. This allotment occurs entirely within the Huntington Watershed.

1.2 Purpose and Need for Action

The purpose for this proposal is to manage livestock grazing on the Railroad Pass Allotment to provide for a level of grazing consistent with multiple use, sustained yield, and watershed function and health; to authorize grazing use in accordance with applicable laws, regulations,

policies, and land use plans; and to improve conditions on the allotment in order to continue to meet or make progress towards the standards for rangeland health. The need for this action is established by Section 3 of the Taylor Grazing Act of 1934, as amended, and by Section 402 of the Federal Land Management Policy Act of 1976, as amended.

The Livestock Grazing Agreement that these two grazing permits are currently based upon expired February 28, 2011, therefore they need reconsidered. Additionally, there is a need to fully process permit 2704502 as the current permit was issued under the Appropriations Act (“Grazing Rider”).

1.2.1 Decision to be Made

The BLM will decide whether or not to fully process and renew the grazing permits in question and what the terms and conditions of such permits would be.

1.3 Tiering

This document is tiered to the Ely Proposed Resource Management Plan/Final Environmental Impact Statement, dated November 2007 (Ely RMP/EIS). This EIS discloses general impacts to resources from livestock grazing on the Ely District (see specific references throughout this document).

1.4 Scoping, Public Involvement and Issues

The term permit 2704502 and 2704520 renewals proposal was internally scoped by the Egan Field Office Interdisciplinary (ID) Team/Resource Specialists at a meeting on December 6, 2010 to identify any relevant issues.

A letter notifying the permittee of the term permit renewal was sent on November 19, 2010.

Tribal Coordination Letters were sent out December 29, 2010 for this project notifying the tribes of a 30-day comment period. No comments were received.

A letter notifying interested publics of this term permit renewal was sent on December 16, 2010. This project proposal was posted on the National NEPA Register website on February 1, 2011. No public scoping comments were received.

An ID Team meeting was held on February 10, 2011 to finalize the draft SDD and further discuss preliminary issues and development of alternatives for this EA.

The Preliminary EA, along with the Preliminary Railroad Pass SDD, was posted to the National NEPA Register and letters notifying interested publics of a 30-day comment period were sent on July 6, 2011. Comments were received from Nevada Department of Water Resources. These comments were reviewed and considered, but no changes were made to the EA as a result of these comments. Additionally, during this comment period, updated habitat information was received by the Ely BLM so habitat maps and related information in this EA was updated accordingly.

On September 2, 2011, the Finding of No Significant Impact (FONSI) for this project was signed and a Proposed Decision was issued on September 6, 2011. This decision was subsequently protested by Western Watersheds Project on September 26, 2011. In light of these protest points, this EA is being reconsidered and a new FONSI will be signed, if appropriate. Additional alternatives were suggested in this protest and are being considered in this document.

On September 30, 2011, additional comments related to this project were received from Western Watersheds Project. These comments were reviewed and considered, but resulted in no changes to the EA.

1.4.1 Issues Raised

- Livestock grazing would affect the overall rangeland health on the Railroad Pass Allotment. Effects would vary between alternatives.
- Livestock grazing has the potential to affect greater sage-grouse (*Centrocercus urophasianus*) habitat through vegetative changes to their habitat, particularly nesting habitat.
- Livestock grazing has the potential to affect pygmy rabbit (*Brachylagus idahoensis*) habitat through vegetative changes to their habitat.
- Bank trampling and vegetation use by livestock would affect riparian areas in the project area.

2. Proposed Action and Alternatives

2.1 Design Features Common to All Action Alternatives

2.1.1 Invasive, Non-Native Species and Noxious Weeds

A Weed Risk Assessment was completed for this grazing permit renewal (*Appendix II—Weed Risk Assessment* (p. 33)). The measures listed in the Weed Risk Assessment would be followed when grazing occurs on the Railroad Pass Allotment to minimize the spread of weeds.

2.1.2 Monitoring

The Ely District Approved Resource Management Plan (August 2008) identifies monitoring to include, “Monitoring to assess rangeland health standards will include records of actual livestock use, measurements of forage utilization, ecological site inventory data, cover data, soil mapping, and allotment evaluations or rangeland health assessments. Conditions and trends of resources affected by livestock grazing will be monitored to support periodic analysis/evaluation, site-specific adjustments of livestock management actions, and term permit renewals. Monitoring will determine when grazing will be authorized in burned areas, and will contribute to the selection of prescribed burn treatments or other types of treatments based on attainment of resource objectives” (pg. 88).

2.1.3 Terms and Conditions Common to All Grazing Allotments

1. Livestock numbers identified in the term grazing permit are a function of seasons of use and permitted use. Deviations from those livestock numbers and seasons of use may be authorized on an annual basis where such deviations are consistent with multiple-use objectives. Such deviations will require an application and written authorization from the authorized officer prior to grazing use.
2. The authorized officer is requiring that an actual use report (Form 4130-5) be submitted within 15 days after completing your annual grazing use.
3. Grazing use will be in accordance with the Standards and Guidelines for Grazing Administration. The Standards and Guidelines have been developed by the respective Resource Advisory Council and approved by the Secretary of the Interior on February 12, 1997. Grazing use will also be in accordance with 43 CFR Subpart 4180 - Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration.
4. If future monitoring data indicates that Standards and Guidelines for Grazing Administration are not being met, the permit will be reissued subject to revised terms and conditions.
5. The permittee must notify the authorized officer by telephone, with written confirmation, immediately upon discovery of any hazardous or solid wastes as defined in 40 CFR Part 261.
6. The permittee is responsible for all maintenance of assigned range improvements including wildlife escape ramps for both permanent and temporary water troughs.
7. When necessary, control or restrict the timing of livestock movement to minimize the transport of livestock-borne noxious weed seeds, roots, or rhizomes between weed-infested and weed-free areas.
8. The placement of mineral or salt supplements will be a minimum distance of ½ mile from known water sources, riparian areas, winterfat dominated sites, sensitive sites, populations of special status plant species, and cultural resource sites. Mineral and salt supplements will also be one mile from active sage-grouse leks. Placing supplemental feed (i.e. hay, grain, pellets, etc.) on public lands without authorization is prohibited.

2.2 Description of the Proposed Action

The BLM proposes to issue and fully process new term grazing permits 2704502 and 2704520 and authorize cattle grazing on the Railroad Pass Allotment. The renewal of these term grazing permits would be for a period of up to 10 years. If base property is transferred during this ten year period with no changes to the terms and conditions the new term permit would be issued for the remaining term of these permits.

The season of use is being extended one month earlier or one month later to allow for greater flexibility in the overall grazing operations and better distribution of cattle. Flexibility in livestock numbers, not to exceed active AUMs, would be allowed within identified grazing periods to allow for flexibility in the overall grazing operations.

Allowable use levels would be established or carried forward from the current permit. Allowable use levels require that only a set amount of available forage be used by livestock and that livestock be removed once these limits are reached. This allows for management of livestock based on annual forage conditions and prevents overgrazing of forage resources.

Under the proposed action, cattle would continue to be rotated between the north and south pastures on alternating years and the current voluntary non-use agreement would remain in place for the ten-year term of the new permits. These aspects of the 2001 Livestock Grazing Use Agreement for the Railroad Pass Allotment are being incorporated into the terms and conditions of the grazing permits rather than continuing under a separate agreement.

The proposed term permit 2704502 and terms and conditions are as follows:

Table 2. Proposed New Grazing Permit 2704502 on the Railroad Pass Allotment

Allotment Name and Number	Livestock Number/Kind	Grazing Period	% Public Land ^a	Type Use	AUMs ^b
Railroad Pass 00601	176 Cattle	05/01 to 10/31	100	Active	1065
Allotment AUMs Summary					
Allotment Name	ACTIVE AUMS	SUSPENDED AUMS	VOLUNTARY NON-USE	GRAZING PERMITTED USE	
Railroad Pass	1064	0	736	1800	

^a% Public Land is the percent of public land for billing purposes.

^bAUMs may differ from Active Permitted Use due to a rounding difference with the number of livestock and the period of use.

Other Terms and Conditions:

1. The permittee agrees to take voluntary non-use of 736 AUMs of the 1800 AUM grazing preference, therefore only 1064 AUMs of cattle grazing will be authorized annually for the term of this permit.
2. Cattle will be grazed in a rest-rotation system as follows:
Year 1 (2011, 2013, 2015, 2017, etc.)—North of the drift fence
Year 2 (2012, 2014, 2016, 2018, etc.)—South of the drift fence
3. Cattle may be grazed in either May or October but not both during the same grazing year.
4. Flexibility in livestock numbers will be allowed, not to exceed the active AUMs. Grazing use will occur within the identified grazing period.
5. Maximum allowable use levels are as follows:

- a. Perennial native grasses: 50% of current year's growth
- b. Perennial shrubs and half-shrubs: 50% use on current annual production
- c. Perennial, non-native seedings: 65% of current year's growth
- d. Livestock will be moved to another authorized pasture or removed from the allotment before utilization objectives are met or no later than 5 days after meeting the utilization objectives. Any deviation in livestock movement will require authorization from the authorized officer.

The proposed term permit 2704520 and terms and conditions are as follows:

Table 3. Proposed New Grazing Permit 2704520 on the Railroad Pass Allotment

Allotment Name and Number	Livestock Number/Kind	Grazing Period	% Public Land ^a	Type Use	AUMs ^b
Railroad Pass 00601	50 Cattle	05/01 to 10/31	100	Active	302
Allotment AUMs Summary					
Allotment Name	ACTIVE AUMS	SUSPENDED AUMS	VOLUNTARY NON USE AUMS	GRAZING PERMITTED USE	
Railroad Pass	300	0	211	511	

^a% Public Land is the percent of public land for billing purposes.

^bAUMs may differ from Active Permitted Use due to a rounding difference with the number of livestock and the period of use.

Other Terms and Conditions:

1. The permittee agrees to take voluntary non-use of 211 AUMs of the 511 AUM grazing preference, therefore only 300 AUMs of cattle grazing will be authorized annually for the term of this permit.
2. Cattle will be grazed in a rest-rotation system as follows:
Year 1 (2011, 2013, 2015, 2017, etc.)—North of the drift fence
Year 2 (2012, 2014, 2016, 2018, etc.)—South of the drift fence
3. Cattle may be grazed in either May or October but not both during the same grazing year.
4. Flexibility in livestock numbers will be allowed, not to exceed the active AUMs. Grazing use will occur within the identified grazing period.
5. Maximum allowable use levels are as follows:
 - a. Perennial native grasses: 50% of current year's growth
 - b. Perennial shrubs and half-shrubs: 50% use on current annual production
 - c. Perennial, non-native seedings: 65% of current year's growth
 - d. Livestock will be moved to another authorized pasture or removed from the allotment before utilization objectives are met or no later than 5 days after meeting the utilization objectives. Any deviation in livestock movement will require authorization from the authorized officer.

2.3 Description of Alternatives Analyzed in Detail

2.3.1 No Grazing Alternative

Grazing permits 2704502 and 2704520 would be terminated and associated grazing use on the Railroad Pass Allotment would be eliminated. Also see Alternative D throughout the Ely RMP/EIS.

2.3.2 No Action Alternative

The no action alternative for livestock grazing permit renewals is defined as “continuing to graze under current terms and conditions” by IM-2000–022, Change 1 (reauthorized by IM-2010–063). The current grazing permits for 2704502 and 2704520 are summarized below.

Table 4. Summary of the Current Grazing Permit for 2704502 on the Railroad Pass Allotment

Allotment Name and Number	Livestock Number/Kind	Grazing Period	% Public Land ^a	Type Use	AUMs ^b
Railroad Pass 00601	265 Cattle	06/01 to 09/30	100	Active	1063
Allotment AUMs Summary					
Allotment Name	ACTIVE AUMS	SUSPENDED AUMS	VOLUNTARY NON USE AUMS	GRAZING PERMITTED USE	
Railroad Pass	1064	0	736	1800	

^a% Public Land is the percent of public land for billing purposes.

^bAUMs may differ from Active Permitted Use due to a rounding difference with the number of livestock and the period of use.

Other Terms and Conditions

- Grazing will also be in accordance with the Livestock Grazing Agreement for Railroad Pass Allotment dated April 12, 2001 and the Final Multiple Use Decision dated November 5, 1995. The permittee agrees to take voluntary non-use of 736 AUMs of his 1800 AUMs of permitted use for the period of March 1, 2011 to February 28, 2021. Therefore only 1064 AUMs of livestock grazing will be authorized of the annual grazing period of June 1 to September 30 for the term of this permit.
- A rest rotation system will be established for cattle grazing on the Railroad Pass Allotment as outlined below:
 Year 1 (2011, 2013, 2015, 2017, 2019)—North of drift fence
 Year 2 (2012, 2014, 2016, 2018, 2020)—South of drift fence

Table 5. Summary of the Current Grazing Permit for 2704520 on the Railroad Pass Allotment

Allotment Name and Number	Livestock Number/Kind	Grazing Period	% Public Land ^a	Type Use	AUMs ^b
Railroad Pass 00601	75 Cattle	06/01 to 09/30	100	Active	301
Allotment AUMs Summary					
Allotment Name	ACTIVE AUMS	SUSPENDED AUMS	VOLUNTARY NON USE AUMS	GRAZING PERMITTED USE	
Railroad Pass	300	0	211	511	

^a% Public Land is the percent of public land for billing purposes.

^bAUMs may differ from Active Permitted Use due to a rounding difference with the number of livestock and the period of use.

Other Terms and Conditions

1. A rest rotation system will be continued for cattle grazing on the Railroad Pass Allotment as outlined below:
 Year 1 (2011, 2013, 2015, 2017, 2019)—North of drift fence
 Year 2 (2012, 2014, 2016, 2018, 2020)—South of drift fence
2. Grazing use will also be in accordance with the Livestock Grazing Agreement for Railroad Pass Allotment dated April 2001. The permittee agrees to take voluntary non-use of 211 AUMs for the 511 AUMs of permitted use for the period of March 1, 2011 to February 28, 2021. Therefore only 300 AUMs of livestock grazing will be authorized for the annual grazing period of 06/01 to 09/30 for the term of this permit.
3. Maximum allowable use levels on the Railroad Pass Allotment will be as follows:
 - a. Perennial native grasses: 50% of current year's growth
 - b. Perennial shrubs and half-shrubs: 50% use on current annual production
 - c. Perennial, non-native seedings: 65% of current year's growth
 - d. Livestock will be moved to another authorized pasture or removed from the allotment before utilization objectives are met or no later than 5 days after meeting the utilization objectives. Any deviation in livestock movement will require authorization from the authorized officer.

2.4 Alternatives Considered but not Analyzed in Detail

2.4.1 Alternative 1—Splitting Common Use

Under Alternative 1, term grazing permits 2704502 and 2704520 would be fully processed and issued to authorize cattle grazing use on the Railroad Pass Allotment. The renewal of these term grazing permits would be for a period of up to 10 years. If base property is transferred during this ten year period with no changes to the terms and conditions the new term permit would be issued for the remaining term of these term permits.

The Railroad Pass Allotment would be divided into separate use areas, one for each grazing permit. A drift fence would be constructed off the prominent ridge in the southern portion of the allotment and tie into the existing southern allotment boundary fence (see Figure 3, “Railroad Pass Allotment, Alternative 1 Use Areas Map” (p. 31)). This new drift fence in combination with the topography of the area would create separate cattle use areas for these two grazing permits.

The southern area would be grazed under grazing permit 2704520 and the remainder of the allotment would be grazed under permit 2704502. This would eliminate common cattle grazing and allow the two permittees to operate independent of each other.

The fence would be constructed to meet BLM specification and would be a standard four-strand, barbed wire fence with gates in the corners and at existing road crossings. Fence specification would allow for the easy movement of wildlife and allow wild horses to pass at the higher elevations. Prior to fence construction, a cultural resource inventory would be completed and all cultural resources would be avoided.

Allowable use levels would be established or carried forward from the current permit. Allowable use levels require that only a set amount of available forage be used by livestock and that livestock be removed once these limits are reached. This allows for management of livestock based on annual forage conditions and prevents overgrazing of forage resources.

The current voluntary non-use agreement would remain in place for the ten-year term of the new permits. Kind and number of livestock as well as season of use would remain unchanged for the current permits.

Under Alternative 1, the term permit 2704502 and terms and conditions are as follows:

Table 6. Summary of the Alternative 1 Grazing Permit for 2704502 on the Railroad Pass Allotment

Allotment Name and Number	Livestock Number/Kind	Grazing Period	% Public Land ^a	Type Use	AUMs ^b
Railroad Pass 00601	265 Cattle	06/01 to 09/30	100	Active	1063
Allotment AUMs Summary					
Allotment Name	ACTIVE AUMS	SUSPENDED AUMS	VOLUNTARY NON USE AUMS	GRAZING PERMITTED USE	
Railroad Pass	1064	0	736	1800	

^a% Public Land is the percent of public land for billing purposes.

^bAUMs may differ from Active Permitted Use due to a rounding difference with the number of livestock and the period of use.

Other Terms and Conditions

1. Grazing use will occur in the Huntington Creek Use Area.
2. The permittee agrees to take voluntary non-use of 736 AUMs of the 1800 AUM grazing preference, therefore only 1064 AUMs of cattle grazing will be authorized annually for the term of this permit.
3. Maximum allowable use levels are as follows:
 - a. Perennial native grasses: 50% of current year's growth
 - b. Perennial shrubs and half-shrubs: 50% use on current annual production
 - c. Perennial, non-native seedings: 65% of current year's growth
 - d. Livestock will be moved to another authorized pasture or removed from the allotment before utilization objectives are met or no later than 5 days after meeting the utilization objectives. Any deviation in livestock movement will require authorization from the authorized officer.
4. Flexibility in livestock numbers will be allowed, not to exceed the active AUMs. Grazing use will occur within the identified grazing periods.

Under Alternative 1, the term permit 2704520 and terms and conditions are as follows:

Table 7. Summary of the Alternative 1 Grazing Permit for 2704520 on the Railroad Pass Allotment

Allotment Name and Number	Livestock Number/Kind	Grazing Period	% Public Land ^a	Type Use	AUMs ^b
Railroad Pass 00601	75 Cattle	06/01 to 09/30	100	Active	301
Allotment AUMs Summary					
Allotment Name	ACTIVE AUMS	SUSPENDED AUMS	VOLUNTARY NON USE AUMS	GRAZING PERMITTED USE	
Railroad Pass	300	0	211	511	

^a% Public Land is the percent of public land for billing purposes.

^bAUMs may differ from Active Permitted Use due to a rounding difference with the number of livestock and the period of use.

Other Terms and Conditions

1. Grazing use will occur in the Portuguese Spring Use Area.
2. The permittee agrees to take voluntary non-use of 211 AUMs of the 511 AUM grazing preference, therefore only 300 AUMs of cattle grazing will be authorized annually for the term of this permit.
3. Maximum allowable use levels are as follows:
 - a. Perennial native grasses: 50% of current year's growth
 - b. Perennial shrubs and half-shrubs: 50% use on current annual production
 - c. Perennial, non-native seedings: 65% of current year's growth
 - d. Livestock will be moved to another authorized pasture or removed from the allotment before utilization objectives are met or no later than 5 days after meeting the utilization objectives. Any deviation in livestock movement will require authorization from the authorized officer.

After preliminary analysis, Alternative 1—Splitting Common Use—was dropped from further detailed analysis because it would not meet the purpose and need of this project. The purpose and need statement includes, “to continue to meet or make progress towards the standards for rangeland health.” Alternative 1 calls for the construction of a cattle drift fence which would alter current grazing distribution patterns. Under permit 2704520, use would concentrate in an area with several small spring sources. Under permit 2704502, cattle would likely congregate in the area between the Headwaters of Huntington Creek and the unnamed spring about 1.75 miles south of Headwaters. This congregation would not allow progress towards Rangeland Health Standard 2—Riparian and Wetland Sites—and may cause riparian degradation. Therefore Alternative 1 will not be analyzed in further detail.

2.4.2 Reduced Grazing

An alternative to eliminate grazing in known special status species habitats was considered. Since the entire Railroad Pass Allotment has been identified as sage-grouse habitat (a special status species), this alternative would eliminate grazing in the entire project area, therefore would

not be distinguishable from the No Grazing Alternative and would have substantially similar consequences as the No Grazing Alternative.

2.4.3 Actual Use Alternative

An alternative to reduce active AUMs to the level of AUMs actually used was considered. According to the licensed use data for the past ten years (Table 1, “Railroad Pass Allotment Licensed Use Summary” (p. 2)), grazing use on the Railroad Pass Allotment under these permits has been highly variable from year to year. This is due largely to business decisions of the permittees and how the Railroad Pass Allotment fits into their overall grazing operations. Other considerations affecting annual use includes variations in annual precipitation affecting annual forage availability and competition with other livestock, wild horses, and wildlife for resources.

Implementation of an actual use alternative would be remote and speculative as past actual use alone is not an indicator of long term grazing capacity of the Railroad Pass Allotment. Past actual use was one factor considered in the 2011 Railroad Pass SDD, including the management recommendations that guided the development of the Proposed Action.

2.5 Conformance

This action is in conformance with the Ely District Record of Decision and Approved Resource Management Plan signed August 20, 2008, which states, “Manage livestock grazing on public lands to provide for a level of livestock grazing consistent with multiple use, sustained yield, and watershed function and health.” In addition, “To allow livestock grazing to occur in a manner and at levels consistent with multiple use, sustained yield, and the standards for rangeland health (p 85-86).”

Management Action LG-1 states, “Make approximately 11,246,900 acres and 545,267 animal unit months (AUMs) available for livestock grazing on a long-term basis.”

Management Action LG-5 states, “Maintain the current grazing preference, season-of-use, and kind of livestock until the allotments that have not been evaluated for meeting or making progress toward meeting the standards or are in conformance with the policies are evaluated. Depending on the results of the standards assessment, maintain or modify grazing preference, seasons-of-use, kind of livestock and grazing management practices to achieve the standards for rangeland health. Changes, such as improved livestock management, new range improvement projects, and changes in the amount and kinds of forage permanently available for livestock use, can lead to changes in preference, authorized season-of-use, or kind of livestock. Ensure changes continue to meet the RMP goals and objectives, including the standards for rangeland health.”

2.5.1 Other Laws, Regulations, Policy, and Plans

- Taylor Grazing Act of 1934, as amended
- Federal Land Management Policy Act of 1976, as amended
- 43 CFR 4130 Authorizing Grazing Use
- Standards and Guidelines for Nevada’s Northeastern Great Basin Area (1997)

3. Affected Environment and Environmental Effects

3.1 Project Area Description

The project area is defined by the Railroad Pass Allotment Boundary (see Figure 2, “Railroad Pass Allotment Map” (p. 30) and the section called “1.1.1 Location of Project Area” (p. 2)). This area is typical of the Great Basin with elevations ranging from approximately 5,500 feet along Huntington Creek to over 8,000 feet in the Diamond Range. Precipitation ranges from eight to over 16 inches varying with elevation.

3.2 Resources/Concerns Considered for Analysis

The following items have been evaluated for the potential for significant impacts to occur, either directly, indirectly, or cumulatively, due to implementation of the proposed action. Consideration of some of these items is to ensure compliance with laws, statutes or Executive Orders that impose certain requirements upon all Federal actions. Other items are relevant to the management of public lands in general and to the Ely BLM in particular.

Resource/Concern Considered	Issue(s)	Rationale for Dismissal from Analysis or Issue(s) Requiring Detailed Analysis
Air Quality	No	The proposed and alternative actions would not affect the air quality in White Pine County, Nevada.
Areas of Critical Environmental Concern (ACEC)	No	Resource not present
Cultural Resources	No	A cultural needs assessment (8111 [NV_040] NANV04FY09-74) was prepared on January 22, 2010. Approximately 3.75% of the allotment has been inventoried with only five recorded sites considered unevaluated or potentially eligible to the National Register of Historic Places. Sites 26WP612 and 26WP621 were monitored on November 21, 2008 and revealed no grazing impacts to the archeological resources. Any proposed projects or changes to the allotment are subject to Section 106 and mitigation measures would be utilized to prevent any adverse effects.
Forest Health	No	Unique forests in the Diamond Mountains are inaccessible to cattle due to steep topography.
Rangeland Health	Yes	Rangeland Health requires a detailed analysis to make a reasoned choice between alternatives, see the section called “3.3 Rangeland Health” (p. 15)
Migratory Birds	No	Several species of migratory birds are know to have a distribution that overlaps with the project area. Long-term population trends of migratory birds would not be affected by proper livestock grazing management practices. The grazing management practices outlined in the proposed and alternative actions would minimize any potential for effect to migratory bird habitats.
Native American Religious Concerns and other concerns	No	No traditional religious or cultural sites of importance identified during tribal coordination.

Resource/Concern Considered	Issue(s)	Rationale for Dismissal from Analysis or Issue(s) Requiring Detailed Analysis
FWS Listed or proposed for listing Threatened or Endangered Species or critical habitat.	No	Resource not currently known to be present
Wastes, Hazardous or Solid	No	Resource not present
Water Quality, Drinking/Ground	No	The proposed and alternative actions would not affect groundwater sources. No surface water sources are used for human domestic use. No water quality issues in the project area were identified by the State of Nevada (also see Ely RMP/EIS page 4.3–5 and 4.3–11 to 4.3–12)
Wilderness	No	Resource not present
Environmental Justice	No	No disproportionately high adverse human health or environmental effects to minority or low-income populations would occur.
Floodplains	No	The project area was not included on FEMA flood maps for White Pine County, Nevada.
Wetlands/Riparian Zones	No	Riparian areas require a detailed analysis to determine environmental effects, see the section called “3.5 Riparian Areas” (p. 19).
Noxious and Invasive Weed Management	No	Ten noxious species occur in the project area mainly along roads. An additional species is also found along roads and drainages leading to the area. Non-native, invasive species also occur in the project area. The measures listed in the WRA (<i>Appendix II—Weed Risk Assessment</i> (p. 33)) would be followed (the section called “2.1.1 Invasive, Non-Native Species and Noxious Weeds” (p. 5)). Site specific examination of the project area did not reveal concerns above those disclosed by the WRA or in the Ely RMP/EIS on pages 4.21–4 and 4.21–10.
Special Status Plant Species, other than those listed or proposed by the FWS as Threatened or Endangered	No	Resource not currently known to be present
Wild Horses	No	Approximately 20,900 acres of the project area is within the Diamond Hills South HMA. Site specific examination of the project area did not reveal any concerns above those disclosed in the Ely RMP/EIS on page 4.8–6 4.8–14.
Soil Resources	No	The design of the proposed and alternative actions lessen the intensity of any potential soil compaction and erosion minimizing overall affects to soil resources and allowing for their resiliency to grazing effects in the project area. Also see the Ely RMP/EIS on pages 4.4–4 and 4.4–12.
Prime and Unique Farmlands	No	There are approximately 1,733 acres of prime farmland in the project area. Livestock grazing would not impact prime farmland characteristics.

Resource/Concern Considered	Issue(s)	Rationale for Dismissal from Analysis or Issue(s) Requiring Detailed Analysis
Special Designations other than Designated Wilderness	No	Resource not present
VRM	No	No effect to visual resources
Special Status Animal Species, other than those listed or proposed by the FWS as Threatened or Endangered	Yes	Greater sage-grouse and pygmy rabbit habitats requires a detailed analysis to determine environmental effects, see the section called “3.4 Special Status Species Habitats” (p. 17).
Fish and Wildlife	No	The grazing management practices outlined in the proposed and alternative actions would minimize any potential for effect to general fish and wildlife habitats in the project area. Also see the Ely RMP/EIS on pages 4.6–10 to 4.6–13 and 4.6–31.
Lands and Realty	No	No effect to lands and realty
Recreation Uses	No	No effect to recreational uses
Paleontological Resources	No	Currently there are no identified paleontological resources within this allotment.
Mineral Resources	No	No effect to mineral resources
Vegetative Resources	No	Site specific examination of the project area did not reveal any concerns above those disclosed under the section called “3.3 Rangeland Health” (p. 15) and in the Ely RMP/EIS on page 4.5–9 and 4.5–27.
Wild and Scenic Rivers	No	Resource not present

3.3 Rangeland Health

3.3.1 Affected Environment

The Railroad Pass Allotment is within Nevada’s Northeastern Great Basin Area and an assessment of rangeland health was completed for this allotment as a Standards Determination Document (SDD). This assessment determined the achievement of standards for rangeland health and identified whether or not livestock grazing was a contributing factor to any non-attainment. Standard 1—Upland Sites—is being achieved. Standard 2—Riparian and Wetland Sites—is not being achieved, but is making significant progress towards achievement. Bank trampling by large herbivores, including cattle and wild horses, is causing these conditions at Dora Spring (also see the section called “3.5 Riparian Areas” (p. 19)). Standard 3—Habitat—is not being achieved, but is making significant progress towards achievement. Livestock have not been identified as a contributing factor to the non-attainment of Standard 3. The SDD provides recommendations

to continue livestock grazing to meet or make progress towards the achievement of Standards for Rangeland Health.

Generally major plant communities across the project area show a tendency for shrub dominance with a limited herbaceous understory except in areas that have burned in the past 40 years. This shrub dominance is likely a stable state for the lower elevation plant communities on the allotment. The transition into this state was due largely to heavy grazing that occurred throughout the west in the early 20th century (pre-Taylor Grazing Act). Altered natural disturbance regimes (fire cycles, etc.) and climate conditions also have played a role in this transition, especially in the higher elevations of the allotment. Over the past 100 years, livestock grazing across the region has been significantly reduced to current levels. Current grazing management is focused on improving conditions to meet or make progress towards the standards for rangeland health while providing for multiple use, sustained yield, and watershed function and health.

3.3.2 Environmental Effects

Also see Section 4.16 of the Ely RMP/EIS

3.3.2.1 Proposed Action

The proposed action is based on the recommendation from the 2011 Railroad Pass Allotment SDD. This alternative is designed to allow for continued achievement of or progress towards Standards for Rangeland Health. The proposed action continues the current voluntary non-use agreement and the current rest-rotation grazing system which are key to proper grazing management and achievement of Standards for Rangeland Health. Under proper grazing management, timing, intensity, duration, and frequency can successfully manage vegetation to maintain desired vegetation states (Ely RMP/EIS page 4.5–9).

The proposed action also incorporates maximum allowable use levels. Allowable use levels allow for desirable key species to retain above ground biomass to continue photosynthetic processes and develop roots to improve carbohydrate storage for vigor, reproduction, and increase desirable perennial cover as well as to contribute to litter cover for soil protection and health (Standard 1). This improved carbohydrate storage and resulting increased vigor, reproduction, and cover also contributes to long-term vegetative production of herbaceous species (Standard 3). It has been suggested that the amount of forage removed is not nearly as important as the amount of residue that remains to permit photosynthesis, plant recovery and soil protection (McGinty et al. 2009). The establishment of use levels allows for better management of rangeland resources because they are tied to forage availability rather than a set AUM amount. These levels allow for flexibility to accommodate annual range conditions; prevent overgrazing; and safeguard residual forage for wildlife habitat, plant recovery and productivity, and watershed function.

The proposed action also calls for a more general season of use. This allows for greater flexibility in the overall grazing operations. This flexibility allows for adjustment to annual conditions (i.e. forage availability, timing, etc.) and allows the permittees flexibility to make business decisions. To ensure rangeland health, flexibility is limited by the maximum AUMs of the permit; maximum allowable use levels; no early and late grazing in the same year; and through annual consultation, coordination, and cooperation between the BLM and the grazing permittee. Also, during the hottest part of the summer, cattle distribute poorly on the Railroad Pass Allotment. Allowing earlier or later grazing, when temperatures are more moderate, would increase cattle distribution during this time. Improving livestock distribution would improve rangeland health by limiting areas of heavy utilization near water sources, particularly riparian areas (Standard 2).

3.3.2.2 No Grazing Alternative

The no grazing alternative terminates these grazing permits and causes associated grazing use to cease. Courtois et al. (2004) found that 65 years of protection from grazing on 16 exclosures at different locations across Nevada resulted in relatively few differences between vegetation inside the exclosures and that exposed to moderate grazing outside the exclosures. Where differences occurred, total vegetation cover was greater inside the exclosures while density was greater outside the exclosures. Protection from grazing failed to prevent expansion of cheatgrass into the exclosures (Ely RMP/EIS page 4.5–27). Another literature review by Anderson (1993) suggests that after a period of time, ungrazed herbaceous, fibrous-rooted plant species become decadent and stagnant. This results in reduced annual above-ground production (Standard 3) and a reduction in essential features of vegetational cover (Standard 1), including the replacement of soil organic matter and surface residues, and optimum capture of precipitation (Anderson 1993).

3.3.2.3 No Action Alternative

The no action alternative continues current grazing management under these permits. Current grazing management has not been identified as a contributing factor to the non-attainment of Standards 1 and 3 for Rangeland Health. Standard 2—Riparian and Wetland Sites—is not being met on the Railroad Pass Allotment due to inadequate bank cover at Dora Spring. The current grazing management practices of voluntary non-use and a rotational grazing system allow for the improvement of the situation at Dora Spring. Therefore, this alternative would allow for continued achievement of or progress towards the Standards for Rangeland Health. Rangeland health environmental effects of the no action alternative would be similar to those described under the proposed action, except maximum allowable use levels would not be spelled out and the season of use would continue to be somewhat limited.

3.4 Special Status Species Habitats

3.4.1 Affected Environment

Greater Sage-Grouse Habitat

The Greater Sage-Grouse is a high-profile, sensitive species currently considered to be warranted for listing as Threatened or Endangered but listing is precluded by other species of higher priority (USDI 2010). It has been identified as an “umbrella” species by the Ely District BLM, and chosen to represent the habitat needs of the sagebrush (*Artemisia spp.*) obligate or sagebrush/woodland dependent guild (Ely RMP/EIS page 4.7-10).

Sage-grouse often nest in suitable habitat within three miles of a lek site. The sage-grouse breeding and nesting period is generally considered to be approximately March 15 through May 31. The brood-rearing period is generally considered to be June 1 through October 31. The wintering period is generally considered to be November 1 through March 14.

The Railroad Pass Allotment lies within the South Fork Sage-Grouse Population Management Unit (PMU), the Butte Valley/Buck Mountain/White Pine Range PMU, and the Diamond PMU. No sage-grouse leks are known to occur within the allotment, but two active leks occur about two miles from the northeast allotment boundary and three leks, of unknown status, occur less than two miles from the southeast allotment boundary (Figure 4, “Railroad Pass Allotment Special Status Species Habitats” (p. 32)). Approximately 21,700 acres of the Railroad Pass Allotment has been identified as nesting habitat. The entire allotment has been identified as summer (brood-rearing) habitat. And approximately 25,000 acres of the allotment have been identified as winter habitat.

Livestock grazing in the Railroad Pass Allotment has the greatest potential to effect sage-grouse nesting habitat through reduced vegetative cover needed for nest concealment. Residual, understory grasses, remaining from the previous growing season, are the primary component for hiding cover of nesting sage-grouse.

General guidelines for managing sage-grouse nesting habitats recommend maintaining at least 15 percent herbaceous cover and 15 to 25 percent sagebrush cover with sagebrush plant heights of 11–32 inches and herbaceous vegetation heights greater than 7 inches across at least 80 percent of available nesting habitat. Due to the high variability among sagebrush habitats, these guidelines are not realistic in all cases (Connelly et al. 2000). Vegetation monitoring data from the project area are summarized in Table 8, “Sage-Grouse Habitat Data on the Railroad Pass Allotment, 2010” (p. 18). These data found that these guidelines are generally not being met due to high sagebrush cover (also see Railroad Pass Allotment SDD, Standard 3).

Table 8. Sage-Grouse Habitat Data on the Railroad Pass Allotment, 2010

Sage-Grouse Habitat Monitoring Point	Sagebrush		Grass/Forb	
	Canopy Cover	Average Height (inches)	Canopy Cover	Average Height (inches)
SG-RR-01	35%	40	32%	8
SG-RR-02	37%	25	37%	6
SG-RR-03	45%	26	7%	5
SG-RR-04	30%	33	33%	8
SG-RR-05	19%	22	23%	7

Pygmy Rabbit Habitat

There is one documented occurrences of pygmy rabbit on the Railroad Pass Allotment (Figure 4, “Railroad Pass Allotment Special Status Species Habitats” (p. 32)). There are likely additional populations throughout suitable habitat in the project area. This species is found primarily in areas of big sagebrush dominated plains and alluvial fans where sagebrush plants occur in tall and dense clumps and the soil is relatively deep and friable. While this species is apparently secure, its range has decreased as shrub-steppe habitats have been lost and degraded as a result of fire, grazing, invasion of exotic annuals, and agricultural conversion (NatureServe 2011). Little is known about the current condition of the pygmy rabbit habitat on the Railroad Pass Allotment, however there are no known reasons for concern.

3.4.2 Environmental Effects

3.4.2.1 Proposed Action

Greater Sage-Grouse Habitat

The proposed action would allow for similar vegetative conditions that currently exist in the project area. Maximum allowable use levels included in the proposed action would ensure that adequate residual forage remains for nest concealment as well as maintaining or improving long term productivity of the plant communities. Also achievement of or progress towards rangeland health standards (including habitat) would improve sage-grouse habitat across the project area.

Pygmy Rabbit Habitat

The grazing management practices outlined in the proposed action are designed to maintain or move the vegetative conditions toward the standards for rangeland health (including habitat).

The rest-rotation grazing system outlined by the proposed action and the dispersed nature of livestock grazing on the Railroad Pass Allotment would reduce the potential for livestock related burrow collapse.

3.4.2.2 No Grazing Alternative

Greater Sage-Grouse Habitat

The no grazing alternative would remove cattle grazing from the project area, thereby allowing for additional vegetative cover for nest concealment.

Pygmy Rabbit Habitat

The no grazing alternative would eliminate cattle grazing in project area therefore eliminate any potential for direct effect on special status animal species habitats (Ely RMP/EIS page 4.6–31 and 4.7–80). Also see the section called “3.3 Rangeland Health” (p. 15) for potential effect to rangeland health standards (including habitat).

3.4.2.3 No Action Alternative

Greater Sage-Grouse Habitat

The no action alternative would allow for the continuation of the current habitat conditions in the project area. This alternative does not provide maximum allowable use level to ensure residual forage remains for nest concealment.

Pygmy Rabbit Habitat

The no action alternative would have effects similar to the proposed action, except that maximum allowable use levels would not be spelled out.

3.5 Riparian Areas

3.5.1 Affected Environment

Two small, naturally occurring spring-fed riparian systems and two larger, human developed spring-fed riparian systems occur in the grazing allotment. The small riparian systems occur below two unnamed springs (Sec20 T25N R55E and Sec08 T24N R55E). The riparian system in section 20 supports a willow-grass plant community type and was found to be functioning properly in 2010. The riparian system in section 08 provides water to a wet meadow complex which consists of a dense mat of sedge-rush riparian plant community type that was also found to be properly functioning in 2010.

Dora and Portuguese Springs were created by digging until groundwater was brought to the surface making them surface expressions of groundwater resources. Dora Spring consists of a small area of surface water which supports a sedge-rush riparian plant community type. Spring water was developed by piping for stockwatering purposes. The riparian system was found to be functioning at risk with a downward trend in 2010. The risk factor identified was the lack of stabilizing vegetation along the streambanks. During the summer of 2011, maintenance of this spring development project was completed, including rebuilding of the enclosure fencing at the spring source. This fencing will keep livestock from grazing at the spring source.

Portuguese Spring flows to a small pond that does not possess riparian vegetation but the pond outflow supports a small grassy riparian area. This small riparian system was found to be properly

functioning in 2010 but was totally dependent upon the pond outflow for its continued existence. Trampling by ungulates was noted as a risk factor for the small riparian area.

3.5.2 Environment Effects

3.5.2.1 Proposed Action

Changes to numbers of animals and timing of use would not change the number of AUMs in the grazing allotment. Animal use of riparian areas would not be expected to change and as such the functionality and condition trend would not be expected to change. Trampling and plant use earlier in the spring could affect plant growth by delaying or slowing early season growth rates. Trampling and plant use later into the fall could affect plant energy storage prior to dormancy.

3.5.2.2 No Grazing Alternative

No livestock grazing of riparian areas would be permitted. Trampling effects and use of riparian vegetation by livestock would be reduced. Stabilizing riparian vegetation may recover adjacent to springs with condition eventually trending towards proper functioning.

3.5.2.3 No Action Alternative

No change from existing condition as described in the affected environment would be expected to occur. No change in numbers of animals grazed, season or period of use, or AUMs would be made. Portuguese Springs would be expected to continue to be affected by large ungulate trampling and vegetation use and have a downward trend in riparian condition.

4. Cumulative Effects

4.1 Introduction

According to the 1994 BLM publication (attached to WO-IB-94-310) “Guidelines for Assessing and Documenting Cumulative Impacts,” the cumulative analysis can be focused on those issues and resource values identified by management, the public and others during scoping that are of major importance.”

Additionally, the guidance provided in the National BLM NEPA Handbook H-1790-1 (2008), for analyzing cumulative effects issues states, “determine which of the issues identified for analysis may involve a cumulative effect with other past, present, or reasonably foreseeable future actions. If the proposed action and alternatives would have no direct or indirect effects on a resource, you do not need a cumulative effects analysis on that resource” (p.57). Also, a comprehensive cumulative impacts analysis can be found in section 4.28 of the Ely Proposed Resource Management Plan/Final Environmental Impact Statement (November 2007).

The geographic Cumulative Effects Study Area (CESA) is defined by each issue as outlined in Table 9, “Cumulative Effect Study Area” (p. 21). Privately owned land and/or Forest Service lands occur within these CESAs. The temporal scope of this cumulative effects analysis is ten years (life of the proposed grazing permit).

Table 9. Cumulative Effect Study Area

Issue	CESA	Rationale
Rangeland Health	Railroad Pass Allotment	Action would only affect resource within the allotment
Sage-Grouse Nesting Habitat	White Pine County portion of Huntington Valley	Action would affect the habitat over a greater area.
Pygmy Rabbit	White Pine County portion of Huntington Valley	Action would affect the species over a greater area
Bank Trampling/Cover of Riparian Areas	Railroad Pass Allotment	Action would only affect resource within the allotment

4.1.1 Past Actions

Livestock grazing operations in eastern Nevada developed during the mid- to late-1800s. The Ely RMP/FEIS summarizes livestock grazing history in the region on pages 3.16–1 to 3.16–3. Range improvements have been implemented on the allotment to improve grazing management and include fencing (i.e. Railroad Pass Allotment Division Fence, Corta Seeding Fence), stockwater developments (i.e. Dora Spring Development and Pipeline, Little Joe Spring Development), and vegetation treatments (i.e. Corta Seeding, fire rehabilitation seeding).

The Ely RMP/EIS summarizes wild horse history in the west, specifically on the Ely District, on pages 3.8–1 to 3.8–7. Wild horse use has occurred throughout the project area since the 1800s.

Nevada is subject to variable precipitation. Figure 1, “Precipitation Data (1970-2010) from Western Regional Climate Center from Ruby Lake, NV” (p. 22) depicts the precipitation history of the area.

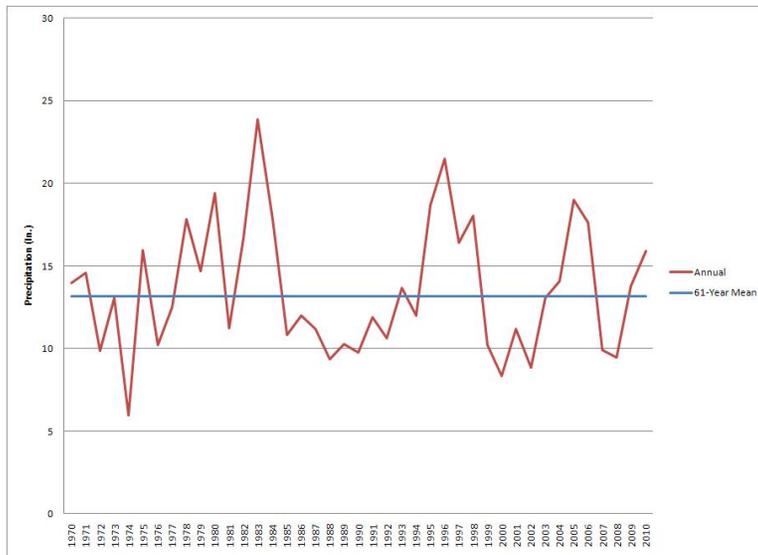


Figure 1. Precipitation Data (1970-2010) from Western Regional Climate Center from Ruby Lake, NV

Periodic fire events occur in the area, mainly in the mountain ranges and along the benches. The Huntington Watershed has documented fires occurring in 1974, 1983, 1985, 1996, 2001, 2000, and 2009 totaling approximately 3,000 acres.

Bald Mountain Mining District occurs, in part, within the Huntington Watershed. The district dates back to 1869 with open pit gold mining and processing beginning in the 1980s. The Final EIS for the Bald Mountain Mine North Operation Area identified potential impact to pygmy rabbit and sage-grouse habitat in Huntington Valley.

Oil and gas exploration has occurred within the Huntington Watershed, however no wells have gone into production. Exploration sites have been or in the process of being rehabilitated.

4.1.2 Present Actions

In addition to the grazing permits considered in this document, a sheep grazing permit also authorizes 691 AUMs of sheep grazing in the native ranges of the Railroad Pass Allotment from April 5 to November 15 and 540 AUMs of sheep or cattle grazing on the Corta Seeding (part of the Railroad Pass Allotment) from April 5 to November 15. The Cold Creek Allotment, the Warm Springs Allotment, the Mitchell Creek Allotment, and the Warm Springs Sheep Trail also occur, in part, within the Huntington Watershed. The Sherman Mountain, Sherman Creek C&H, and Cherry Springs C&H Allotments occur on Forest Service lands within Huntington Valley.

The Dora Spring Development and Pipeline project has been maintained under existing maintenance agreements during the development of this document.

The Diamond Hills South Wild Horse Herd Management Area (HMA) occurs within the Railroad Pass Allotment. This HMA has an appropriate management level (AML) of 10–22 horses and the most recent population estimate is 205 horses. The Triple B HMA and the Cherry Spring Wild Horse Territory also occur, in part, within the Huntington Watershed. A wild horse gather was completed in the Triple B HMA and Cherry Spring Wild Horse Territory in 2011.

The Huntington Watershed is currently being assessed in a watershed analysis. This process may recommend management changes and/or various projects across the watershed.

The Bald Mountain Mine is currently mining gold, in part within Huntington Valley.

Oil and gas leasing is on-going in the Huntington Watershed.

A Pony Express Re-ride event occurs annually in July and crosses through Huntington Valley.

4.1.3 Reasonably Foreseeable Future Actions

Livestock grazing will continue under existing grazing permits in the watershed and be considered for renewal as they expire.

Wild horses will continue to be managed in accordance with existing management plans and AML with periodic gathers and/or other population control measures.

Bald Mountain Mine is expected to file a Plan of Operation for a mine expansion soon, however no expansion is expected in the Huntington Valley area.

4.2 Rangeland Health

4.2.1 Proposed Action

Other livestock grazing permits in the CESA and wild horse use also effect the overall rangeland health of the area. All grazing permits are designed to allow for progress towards or achievement of rangeland health standards. Wild horse use has also been identified as a contributing factor to the non-attainment of rangeland health standards in some places within the CESA. As wild horse AMLs are achieved and maintained, effects to rangeland health should be minimized.

4.2.2 No Grazing Alternative

The no grazing alternative, in combination with other grazing, would have no cumulative effect on rangeland health above the effects described above.

4.2.3 No Action Alternative

Same cumulative effect as the proposed action.

4.3 Special Status Species Habitats

4.3.1 Proposed Action

The proposed action, other livestock grazing permits, and wild horse management across the CESA are all designed to promote rangeland health and improve wildlife habitat, including sage-grouse and pygmy rabbit habitats. Other projects within the CESA are designed to minimize impacts to special status species habitats. The proposed action, in combination with these actions, would cumulatively have minimal effect to special status species habitats across the valley.

4.3.2 No Grazing Alternative

The no grazing alternative, in combination with cumulative projects, would have minimal cumulative effect to special status species habitats above those described above.

4.3.3 No Action Alternative

Same cumulative effect as the proposed action.

4.4 Riparian Areas

4.4.1 Proposed Action

The proposed action, other livestock grazing permits, and wild horse management all affect riparian areas across the Railroad Pass Allotment. Combined animal use of riparian areas would result in some bank trampling and grazing of vegetation year round. The functionality and condition trend of riparian areas would not be expected to change. Hot season grazing of riparian vegetation would be expected to contribute to overall long-term loss of plant viability. Loss of energy reserves from fall season grazing and summer grazing would be expected to reduce energy reserves of vegetation going into winter dormancy that could affect plant viability. Grazing earlier into spring and later into fall months could hasten depletion of energy reserves.

The maintenance of the Dora Spring Project will work to improve conditions on the Railroad Pass Allotment and exclude livestock grazing from the spring source.

4.4.2 No Grazing Alternative

Under the no grazing alternative, wild horse use of riparian areas would continue without cattle use. This reduction of overall riparian grazing would be expected to allow plants to place energy reserves into root storage instead of vegetative growth in the summer and fall months and thus maintain or increase plant viability.

4.4.3 No Action Alternative

Same cumulative effect as the proposed action.

5. Tribes, Individuals, Organizations, or Agencies Consulted

This preliminary EA was provided for public review and comment via web posting. Notification letters were sent to those parties on the Ely District Range Management Interested Public List for the Railroad Pass Allotment as well as all grazing permittees on the Railroad Pass Allotment.

Tribal Coordination Letters were sent December 29, 2010.

Table 10. List of Persons, Agencies and Organizations Consulted

Name	Purpose & Authorities for Consultation or Coordination	Findings & Conclusions
Harold Rother Farms	Proponent	Provided input throughout
Pete Goicoechea	Proponent	Provided input throughout
Duckwater Shoshone Tribe	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Skull Valley Band of Goshutes	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Ely Shoshone Tribe	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Las Vegas Paiute Tribe	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Confederated Tribes of the Goshute Indian Reservation	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Battle Mountain Band Council	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Paiute Indian Tribe of Utah	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Te-Moak Tribes of the Western Shoshone Indians of Nevada	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Indian Peaks Band	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Wells Band Council	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Shivwits Band of Paiutes	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
South Fork Band Council	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Cedar City Band of Paiutes	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Elko Band Council	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments

Name	Purpose & Authorities for Consultation or Coordination	Findings & Conclusions
Kaibab Band of Paiutes Indians	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Yomba Shoshone Tribe	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Moapa Band of Paiutes	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Winnemucca Indian Colony of Nevada	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Lovelock Paiute Tribe	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments
Duck Valley Shoshone-Paiute Tribe	Executive Order 13175: Consultation and Coordination with Indian Tribal Governments	No comments

6. List of Preparers

Table 11. List of Preparers

Name	Title	Responsible for the Following Section(s) of this Document
Amanda Anderson	Rangeland Management Specialist/Project Lead	Alternatives, Rangeland Resources
Mark D'Aversa	Hydrologist	Soil, Water, Riparian/Wetland Areas
Mindy Seal	Natural Resource Specialist	Vegetation, Invasive, Non-native Species
Lisa Gilbert	Archeological Technician	Archeological, Historic, and Paleontological Resources
Ruth Thompson	Wild Horse Specialist	Wild Horses
Marian Lichtler	Wildlife Biologist	Wildlife, Migratory Birds, Special Status Species
Erin Rajala	Outdoor Recreation Planner	Recreation, VRM
Miles Kreidler	Geologist	Minerals
Elvis Wall	Native American Coordinator	Native American Religious Concerns, Tribal Coordination
Gina Jones	Ecologist/Planning & Environmental Coordination	Environmental Justice, Land Use Planning, NEPA Compliance
Chris Mayer	Supervisory Rangeland Management Specialist	

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Appendix I—Maps

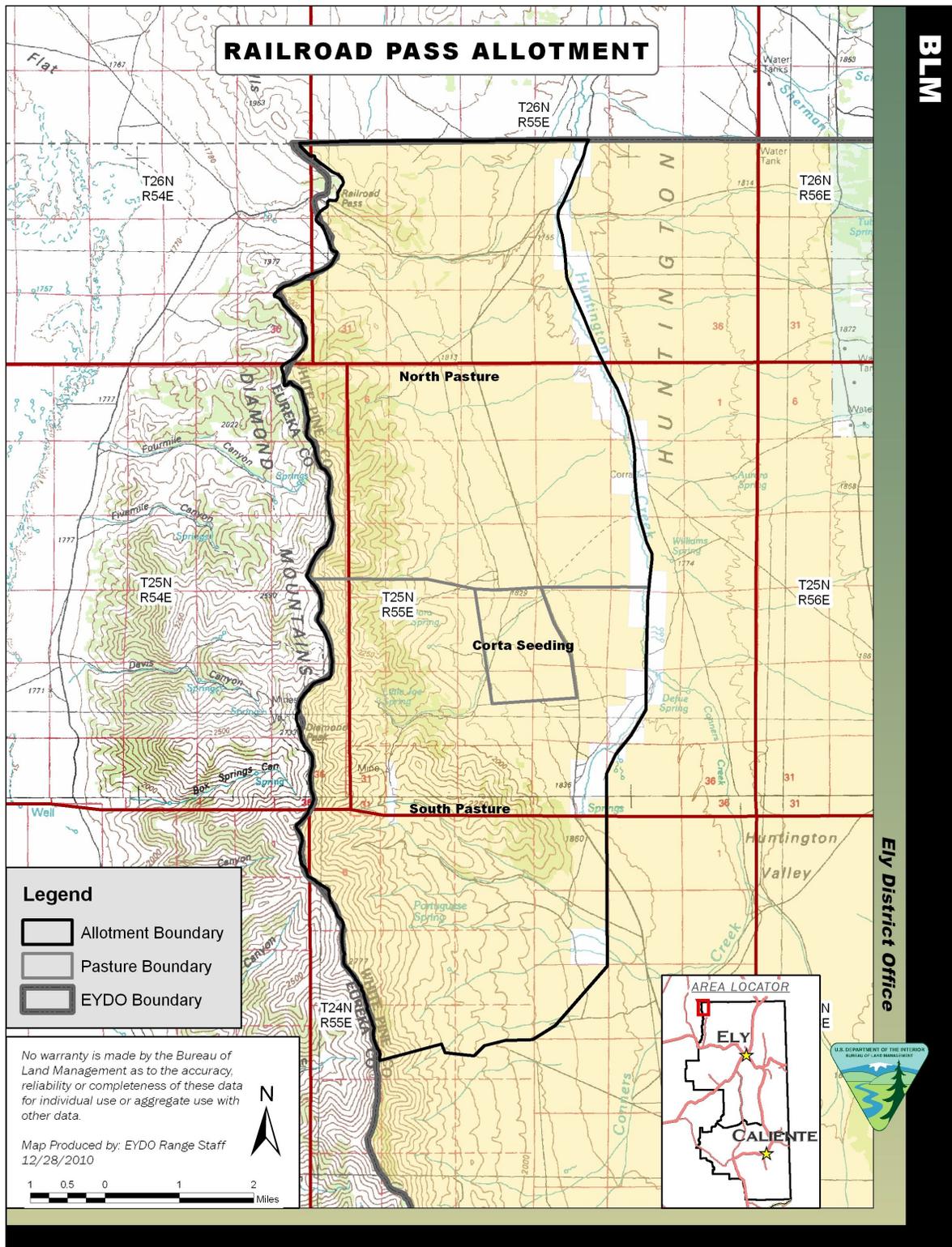


Figure 2. Railroad Pass Allotment Map

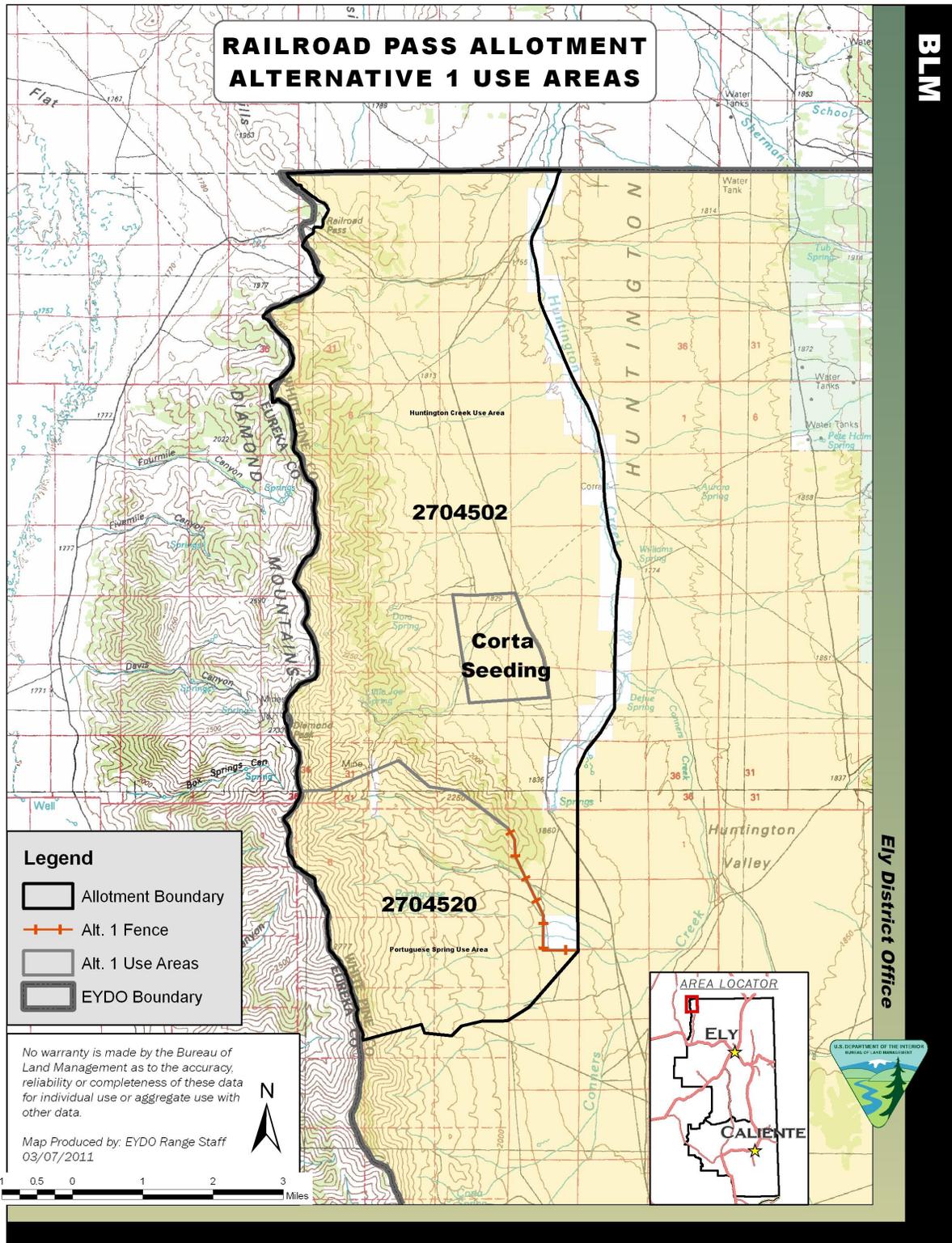


Figure 3. Railroad Pass Allotment, Alternative 1 Use Areas Map

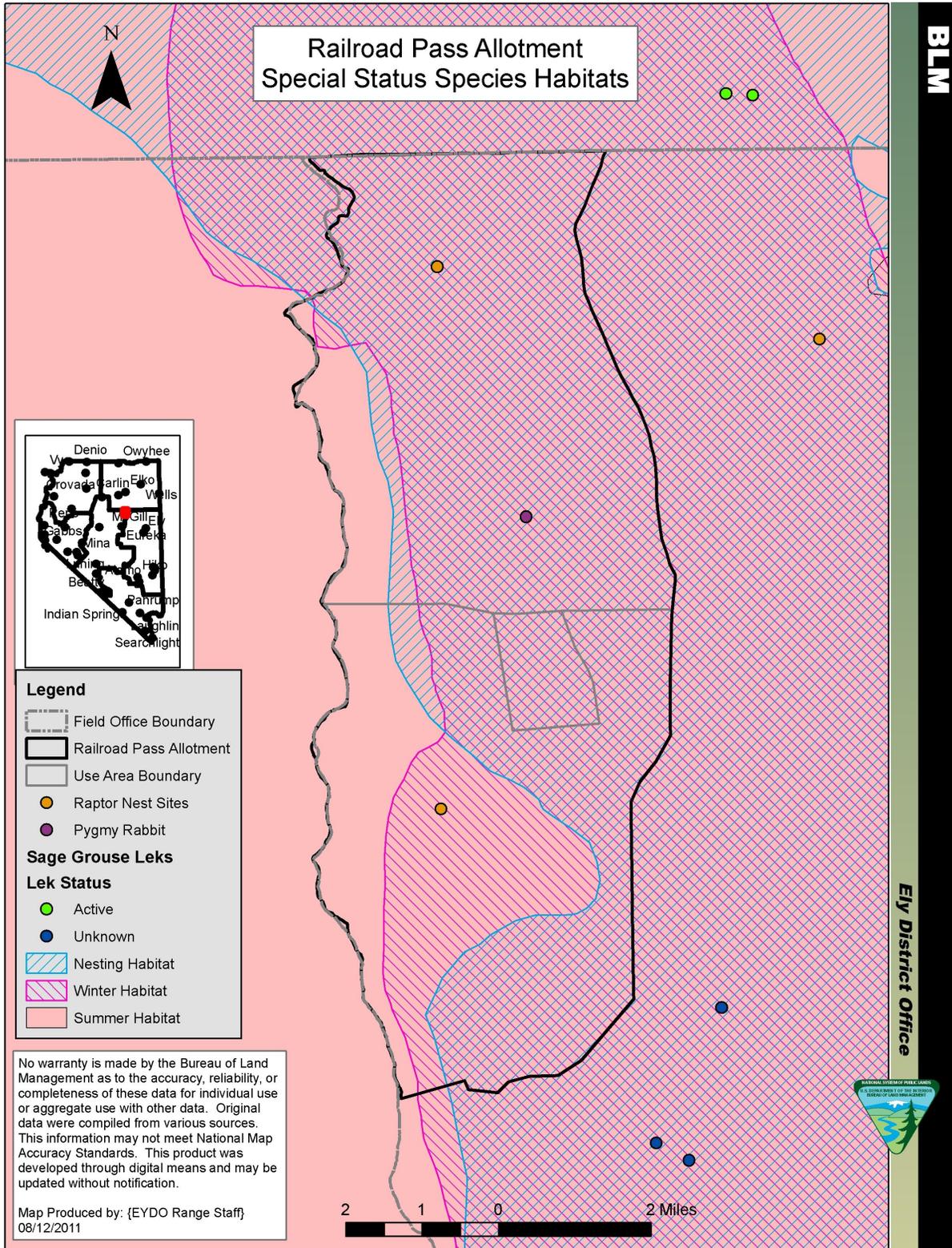


Figure 4. Railroad Pass Allotment Special Status Species Habitats

Appendix II—Weed Risk Assessment

Term Grazing Permit Renewals for #2704502 and #2704520 Railroad Pass Allotment

White Pine County, Nevada

The proposed action also requires that stipulations identified in this Weed Risk Assessment be followed. Details of the permit are included in the proposed action and alternatives in the EA.

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

<i>Acroptilon repens</i>	Russian knapweed
<i>Carduus nutans</i>	Musk thistle
<i>Centaurea stoebe</i>	Spotted knapweed
<i>Cicuta maculata</i>	Water hemlock
<i>Cirsium arvense</i>	Canada thistle
<i>Cirsium vulgare</i>	Bull thistle
<i>Euphorbia esula</i>	Leafy spurge
<i>Lepidium draba</i>	Hoary cress
<i>Onopordum acanthium</i>	Scotch thistle
<i>Tamarix spp.</i>	Salt cedar

The above species are also found along roads and drainages leading to the area along with:

<i>Hyoscyamus niger</i>	Black henbane
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The Railroad Pass Allotment was last inventoried for noxious weeds in 2009. While not officially documented the following non-native invasive weeds probably occur in or around the allotment: cheatgrass (*Bromus tectorum*), field bindweed (*Convolvulus arvensis*), Russian olive (*Elaeagnus angustifolia*), halogeton (*Halogeton glomeratus*), horehound (*Marrubium vulgare*), and Russian thistle (*Salsola kali*).

Table 12. Factor 1 assesses the likelihood of noxious/invasive weed species spreading to the project area.

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

For this project, the factor rates as Moderate (4) at the present time. Grazing can increase the populations of the noxious and invasive weeds already within the permitted areas and could aid in the introduction of weeds from surrounding areas. As part of a good grazing plan, the establishment of utilization levels of desirable forages is integral to the weed management

program. Desirable forage that emerges during the growing season should be managed to increase its competitiveness. The design features of the proposed action including the utilization levels of native plants will help prevent weeds from establishing or spreading; and improve native vegetation. Factor 1 would also be the same for the no grazing alternative, since other large herbivores, such as wild horses, elk, deer and antelope would continue to graze this allotment and have similar impacts to spreading weeds and impacting native vegetation.

Table 13. Factor 2 assesses the consequences of noxious/invasive weed establishment in the project area.

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

This project rates as Moderate (5) at the present time. If new weed infestations establish within the permitted areas this could have an adverse impact on those native plant communities however, the proposed action includes measures to increase native plants and to help prevent weeds from establishing. If new weed infestations establish within the permitted area this could have an adverse impact to those native plant communities including reducing productive rangeland by outcompeting desirable forage species. Also, an increase of cheatgrass would increase the likelihood of an increased fire frequency cycle, which could lead to a cheatgrass monoculture and a loss of native species. Factor 2 would be the same for no grazing alternative.

Table 14. The Risk Rating is obtained by multiplying Factor 1 by Factor 2.

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

For this project, the Risk Rating is Moderate (20). This indicates that the project can proceed as planned as long as the following measures are followed:

- To eliminate the introduction of noxious weed seeds, roots, or rhizomes all interim and final seed mixes, hay, straw, hay/straw, or other organic products used for feed or bedding will be certified free of plant species listed on the Nevada noxious weed list or specifically identified by the BLM Ely District Office.
- Prior to entering public lands, the BLM will provide information regarding noxious weed management and identification to the permit holders affiliated with the project.

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

- The range specialist for the allotments will include weed detection into project compliance inspection activities. If the spread of noxious weeds is noted, appropriated weed control procedures will be determined in consultation with BLM personnel and will be in compliance with the appropriate BLM handbook sections and applicable laws and regulations.
- Grazing will be conducted in compliance with the Ely District BLM noxious weed schedules. The scheduled procedures can significantly and effectively reduce noxious weed spread or introduction into the project area.
- When necessary, control or restrict the timing of livestock movement to minimize the transport of livestock-borne noxious weed seeds, roots, or rhizomes between weed-infested and weed-free areas.
- Any newly established populations of noxious/invasive weeds discovered will be communicated to the Ely District Noxious and Invasive Weeds Program for treatment.

Reviewed by:

/s/ Mindy Seal

Mindy Seal
Natural Resource Specialist

6/8/2011

Date

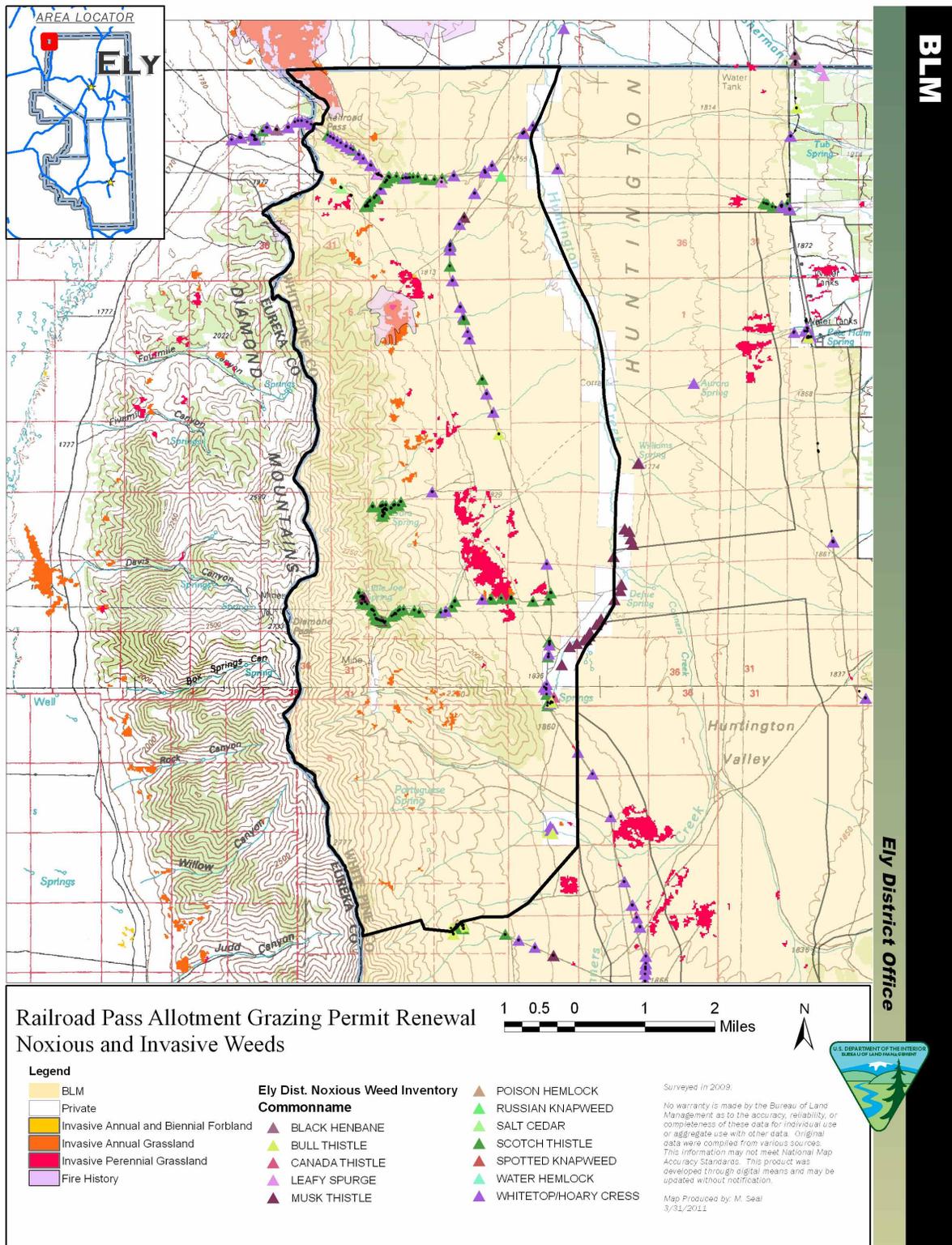


Figure 5. Railroad Pass Allotment Grazing Permit Renewal Noxious and Invasive Weeds Map