

# **AZ STANDARDS AND GUIDELINES EVALUATION LUCKY HILLS ALLOTMENT #5251**

## **SCOPE OF EVALUATION**

The Allotment Assessment was conducted in accordance with the direction set forth in the Bureau of Land Management (BLM) Washington Office Instruction Memorandum No. 98-91 and BLM Arizona No. 99-012 for implementation of Standards for Rangeland Health and Guidelines for Grazing Administration. The purpose of the standards and guidelines is to provide a measure (standard) to determine land health, and methods (guidelines) to improve the health of the public rangelands. The standards are intended to help the Bureau, rangeland users and others focus on a common understanding of acceptable resource conditions. The guidelines provide a basis for working together to achieve that vision.

The Arizona State Director approved the Decision Record for implementation of Arizona Standards for Rangeland Health and Guidelines for Grazing Administration Environmental Assessment in April 1997. This decision became effective upon approval of the Arizona standards and guidelines by the Secretary of Interior in April 1997. The Decision Record allowed for full implementation of Arizona Standards for Rangeland Health and Guidelines for Grazing Administration in all Arizona BLM Land Use Plans.

## **Definition of Standards and Guidelines**

Standards of rangeland health are expressions of levels of physical and biological conditions or degree of function required for healthy, sustainable rangelands and defines minimum resource conditions that must be achieved and maintained. Determination of rangeland health is based upon conformance with the standards. Application of the standard to the range site considers the potential of the site without regard for the types or levels of use or management actions or decisions.

Guidelines consider type and level of grazing use. Guidelines for grazing management are types of methods and practices determined to be appropriate to ensure the standards can be met or that significant progress can be made toward meeting the standard. Guidelines are tools that help managers and permittees achieve standards. Guidelines are specific to livestock grazing. Guidelines are best management practices such as grazing systems that could be used to achieve rangeland health standards.

Although the process of developing standards and guidelines applies to grazing administration, present rangeland health is the result of the interaction of many factors in addition to grazing livestock. Other contributing factors may include, but are not limited to, past land uses, land use restrictions, recreation, wildlife, rights-of-way, wild horses and burros, mining, fire, weather, and insects and disease (Arizona Standards for Rangeland Health and Guidelines for Grazing Administration, 1997).

With the commitment of BLM to ecosystem and interdisciplinary resource management, the standards for rangeland health as developed in this current process will be incorporated into management goals and objectives. The standards and guidelines for rangeland health for grazing administration, however, are not the only considerations in resolving resource issues (Arizona Standards for Rangeland Health and Guidelines for Grazing Administration, 1997).

The purpose of this evaluation is to determine if existing multiple uses are meeting the Arizona Standards for Rangeland Health and Guidelines for grazing administration along with appropriate land use plan and activity plan objectives

### **ALLOTMENT PROFILE**

The Lucky Hills allotment is located in Cochise County, Arizona. The headquarters are approximately 1.5 miles southeast of Tombstone Arizona and “wraps” around the town. The current livestock operation is 90 cattle year-long at 100% public land use (9448 acres of public land, 10,749 acres state land, 800 acres of private land, 1,320 patented claims, and 1,707 uncontrolled state land). All of the ranch’s watersheds drain into the San Pedro River. The San Pedro River is located on the western end of the allotment.

Elevation on the Lucky Hills allotment is approximately 4000-5320 ft. The Tombstone Hills are located within the allotment. The rest of the allotment made up of mostly limy upland, granitic upland and sandy loam upland. GPS coordinates- Nad 83: 12R0584484x3506604.

Percent Public Land (Billing): 100%  
Grazing Preference: 1080 AUMs  
Rangeland Classification: Perennial X Ephemeral      
Improve X

#### **LAND STATUS**

PUBLIC	<u>9,448</u>
STATE	<u>10,749</u>
PRIVATE	<u>800</u>
TOTAL	<u>20,997</u> acres

**Terms and Conditions of current Lease:** Standard Terms and Conditions

Other Terms and Conditions:

1. If in connection with allotment operations under this authorization, any human remains, funerary objects, sacred objects or objects of cultural patrimony as defined in the Native American Graves Protection and Repatriation Act (P.L. 101-601; 104 Stat. 3048; 25 U.S.C. 3001) are discovered, the lessee shall stop operations in the immediate area of the

discovery, protect the remains and objects, and immediately notify the Authorized Officer of the discovery. The lessee shall continue to protect the immediate area of the discovery until notified by the Authorized Officer that operations may resume.

## **GRAZING MANAGEMENT**

### **Improve Grazing Management**

Priorities for managing livestock use are determined through an allotment categorization process that helps determine management priorities. The management category given to the allotment is improve (I). By definition, I category allotments have one or more of the following: resource conflicts, threatened/endangered species, or resource potential where response to management would yield economic returns. Selection of public land areas for “improve” management is based on the following criteria:

- (1) Present range condition is unsatisfactory and/ needs improvement.
- (2) Allotments have moderate to high resource production potential and are producing at low to moderate levels.
- (3) Serious resource-use conflict and/or controversy exist.
- (4) Opportunities exist for positive economic return from public investments.
- (5) Present management appears unsatisfactory and/or needs improvement.

## **SOILS/VEGETATION**

The Natural Resource Conservation Service characterizes land resource regions by particular patterns of soils, climate, water resources and land uses. These large regions are then grouped into Major Land Resource Areas (MLRAs). The majority of the Lucky Hills Allotment is MLRA 41-3 (12-16 inches/per year). MLRAs are then broken down further into ecological sites, which are associated units of soil and vegetation with quantifiable characteristics. The ecological sites occurring on the Lucky Hills allotment are: Limy Upland 41-3, Sandy Loam Upland 41-3, Sandy Bottom 41-3, Sandy Loam Deep 41-3, Granitic Upland 41-3, Granitic Hills 41-3, Limestone Hills 41-3, and Shallow Upland 41-3.

The current plant community includes sacaton (*Sporobolus airoides*), bush muhly (*Mulenbergia porter*), sideoats gramma (*Bouteloua curtipendula*), witchgrass (*Panicum capillare*), lehmann lovegrass (*Eragrostic lehmanniana*), cane beardgrass (*Bothriochloa barbinodis*), threeawn (*Aristida sp.*), plains bristlegrass (*Setaria macrostachya*), Agave (*Agave sp.*), Yucca (*Yucca sp.*), Ocotillo (*Opuntia imbricate*), Cholla (*Opuntia imbricate*), Mesquite (*Prosopis velutina*), creosote bush (*Larrea tridentate*), whitethorn acacia (*Acacia constricta*), catclaw acacia (*Acacia greggii*), mariola (*Parthenium incanum*), lotebush (*Condalia lycioides*), desert zinnia (*Zinnia acerosa*), and ephedra (*Ephedra trifurca*).

## **WATER QUALITY**

There is no Section 303d Water Quality Limited Stream Segment associated with the allotment. Based on current information, there are no other concerns about water or water quality that should be considered before lease issuance. Current livestock use is not a contributing cause to the limited classification.

**PRECIPITATION**

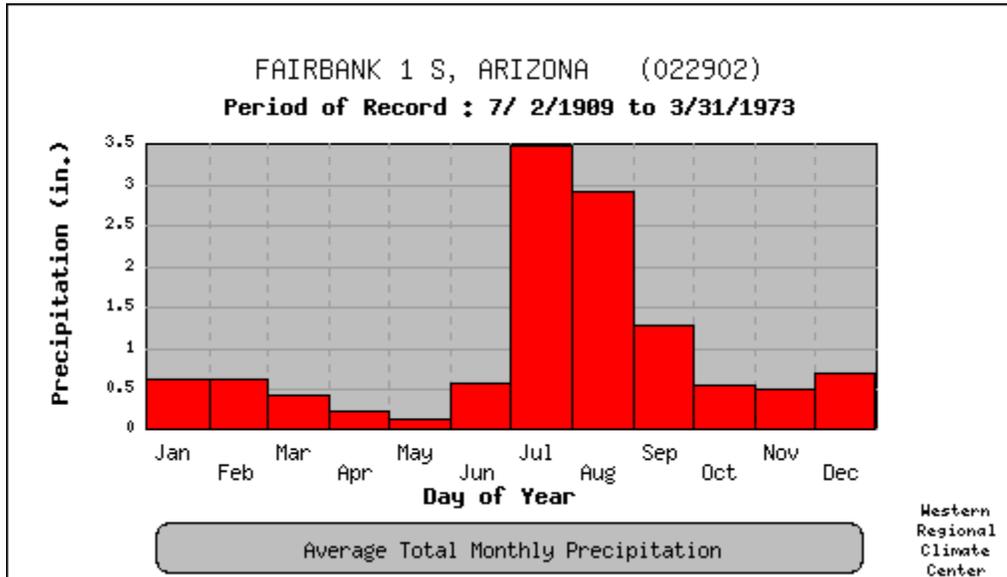
As of April 2006, the southeastern portion of Arizona has been in a serious drought for 7 to 10 years, dependent upon the locality. Most of the precipitation stations have experienced up to seven years of below average moisture. The last four years produced exceptionally limited amounts of precipitation at many stations. Precipitation data is collected from BLM, National Oceanic and Atmospheric Agency and rancher rain gauge stations within the BLM Administrative Area. The data presented in Table 3 and Table 4 came from the Western Regional Climate Center rain gauge station which is nearest to the allotment. (Fairbank 1 S station number 022902).

**Table 3. Western Regional Climate Center Rain Gauge Data**

**1971-2000 Monthly Climate Summary**

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Average Total Precipitation (in.)	0.30	0.66	0.79	0.41	0.25	0.78	2.16	4.67	1.55	1.79	0.40	0.72	14.48

Table 4. Western Regional Climate Center Rain Gauge Data.



**WILDLIFE RESOURCES**

THREATENED AND ENDANGERED SPECIES

The Bureau has reviewed the US Fish and Wildlife Service County List for Cochise County.

**Cochise County**

<u>Common Name</u>	<u>Scientific Name</u>	<u>Listing Status</u>	<u>Affect Determination</u>
Beautiful shiner	<i>Cyprinella formosa</i>	T	No Effect – Known locations and suitable habitat are greater than 10 miles away
Canelo Hills ladies' tresses	<i>Spiranthes delitescens</i>	E	No Effect – Known locations and suitable habitat are greater than 10 miles away
Chiricahua leopard frog	<i>Lithobates [Rana] chiricahuensis</i>	T	May Effect-Not Likely to Adversely Affect- Historical habitat, no recent activity
Cochise pincushion cactus	<i>Coryphantha robbinsorum</i>	T	No Effect – Known locations and suitable habitat are greater than 10 miles away
Lesser long-nosed bat	<i>Leptonycteris curasoae yerbabuena</i>	E	May Effect- Not likely to Adversely effect.
Gila chub	<i>Gila intermedia</i>	E	May Effect-Not Likely to

			<b>Adversely Affect- Historical habitat, no recent activity</b>
<b>Southwestern willow flycatcher</b>	<i>Empidonax traillii extimus</i>	<b>E</b>	<b>May Effect-Not Likely to Adversely Affect. Habitat occurs nearby, not within allotment</b>
<b>Desert pupfish</b>	<i>Cyprinodon macularius</i>	<b>E</b>	<b>May Effect-Not Likely to Adversely Affect- Historical habitat, no recent activity</b>
<b>Yellow-billed Cuckoo</b>	<i>Coccyzus americanus</i>	<b>C</b>	<b>May Effect-Not Likely to Adversely Affect. Habitat occurs nearby, not within allotment</b>
<b>Gila topminnow</b>	<i>Poeciliopsis occidentalis occidentalis</i>	<b>E</b>	<b>May Effect-Not Likely to Adversely Affect- Historical habitat, no recent activity</b>
<b>Huachuca water umbel</b>	<i>Lilaeopsis schaffneriana ssp. recurva</i>	<b>E</b>	<b>May Effect-Not Likely to Adversely Affect. Habitat occurs nearby, not within allotment</b>
<b>Jaguar</b>	<i>Panthera onca</i>	<b>E</b>	<b>May Effect-Not Likely to Adversely Affect- Historical habitat, no recent activity</b>
<b>Mexican spotted owl</b>	<i>Strix occidentalis lucida</i>	<b>T</b>	<b>No Effect – Known locations and suitable habitat are greater than 10 miles away</b>
<b>New Mexico ridgenosed rattlesnake</b>	<i>Crotalus willardi obscurus</i>	<b>T</b>	<b>No Effect – Known locations and suitable habitat are greater than 10 miles away</b>
<b>Loach minnow</b>	<i>Tiaroga cobitis</i>	<b>T</b>	<b>May Effect-Not Likely to Adversely Affect- Historical habitat, no recent activity</b>
<b>Northern aplomado falcon</b>	<i>Falco femoralis septentrionalis</i>	<b>E</b>	<b>No Effect-- Known locations and suitable habitat are greater than 10 miles away</b>
<b>Spikedace</b>	<i>Meda fulgida</i>	<b>T</b>	<b>May Effect-Not Likely to Adversely Affect- Historical habitat, no recent activity</b>
<b>Yaqui chub</b>	<i>Gila purpurea</i>	<b>E</b>	<b>No Effect – Known locations and suitable habitat are greater than 10 miles away</b>
<b>Yaqui topminnow</b>	<i>Poeciliopsis occidentalis sonoriensis</i>	<b>E</b>	<b>No Effect – Known locations and suitable habitat are greater than 10 miles away</b>
<b>Yaqui catfish</b>	<i>Ictalurus pricei</i>	<b>T</b>	<b>No Effect – Known locations</b>

			and suitable habitat are greater than 10 miles away
Arizona treefrog (Huachuca/Canelo DPS)	<i>Hyla wrightorum</i>	C	No Effect – Known locations and suitable habitat are greater than 10 miles away
Ocelot	<i>Leopardus (=Felis) pardalis</i>	E	May Effect-Not Likely to Adversely Affect- Historical habitat, no recent activity
Sonoran tiger salamander	<i>Ambystoma mavortium stebbinsi</i>	E	No Effect – Known locations and suitable habitat are greater than 10 miles away
Lemmon fleabane	<i>Erigeron lemmonii</i>	C	No Effect – Known locations and suitable habitat are greater than 10 miles away
Huachuca springsnail	<i>Pyrgulopsis thompsoni</i>	C	No Effect – Known locations and suitable habitat are greater than 10 miles away
San Bernardino springsnail	<i>Pyrgulopsis bernardina</i>	C	No Effect – Known locations and suitable habitat are greater than 10 miles away
Northern Mexican Gartersnake	<i>Thamnophis eques megalops</i>	C	No Effect – Known locations and suitable habitat are greater than 10 miles away
Ramsey Canyon leopard frog	<i>Rana subaquavocalis</i>	Conservation Agreement	No Effect – Known locations and suitable habitat are greater than 10 miles away

E – Endangered

T – Threatened

PE – Proposed Endangered

C – Candidate

EXPN – Experimental Population, Non-Essential

DM – Delisted Taxon, Recovered, Being Monitored

SAT – Similarity of Appearance to a Similar Taxon

DR – Delisted Taxon, Taxonomic Revision

Reference <http://arizonaes.fws.gov/>

The historic ranges of the federally endangered jaguar (*Panthera onca*) and ocelot (*Leopardus pardalis*) may have occurred on the allotment. Roosting and/or foraging habitat for the federally endangered lesser long-nosed bat (*Leptonycteris curasoae yerbabuena*) may occur on or near the allotment. A lesser long-nosed bat specimen was found on 11 June 1988 in a Fairbank building (approximately two miles from the allotment), and deposited in the University of Arizona Mammal Collection (specimen #RMS 123).

#### Jaguar:

All allotments south of Interstate 10 have been recognized as potential jaguar habitat. It is our goal to maintain movement corridors through allotments by sustaining vegetation within washes. A term and condition set forth in the 1996 Grazing Biological Opinion (#2-21-96-F-160) states that dense, low vegetation (mesquite, salt cedar, cottonwood, willow, etc.) in major riparian or xero-riparian corridors on Bureau-administered lands on the allotment must be maintained. Recent monitoring work has revealed jaguars in the Atascosa and Baboquivari Ranges to the northwest and southeast of the allotments.

#### Lesser long-nosed bat:

These bats forage on flowering stalks of paniculate agave. The lesser long-nosed bat was considered under the 1996 BE/BO for livestock grazing. Nothing has changed to affect the impacts already evaluated in the BE/BO. However, prior to construction of range improvement projects, pre-construction surveys shall be conducted for paniculate agaves that may be directly affected by construction activities, and if appropriate mitigation measures established.

Suitable habitat for the federally threatened Chiricahua leopard frog (*Lithobates chircahuensis*), spikedace (*Meda fulgida*), loach minnow (*Tiaroga cobitis*), desert pupfish (*Cyprinodon macularius*), Gila chub (*Gila intermedia*), and Gila topminnow (*Poeciliopsis occidentalis occidentalis*) historically existed on the San Pedro River, but these species have not been documented on the river for decades.

The federally endangered southwestern willow flycatcher (*Empidonas traillii extimus*) and candidate species yellow-billed cuckoo (*Coccyzus americanus*) use the nearby San Pedro River as a migratory corridor and have been documented within a few miles of the allotment. The most recent documentation of southwestern willow flycatcher has been in 2008 (Heather Swanson, BLM) near Green Kingfisher Pond approximately seven miles south of the allotment. Yellow-billed cuckoo were observed on 21 June 2008 within two miles of the allotment (Marcia Radke, BLM).

Critical habitat for Huachuca water umbel (*Lilaeopsis schaffneriana recurva*) occurs adjacent to the allotment on permanent stretches of the San Pedro River. Populations of Huachuca water umbel occurred on these permanent stretches, which are adjacent to the allotment in 2001, 2004, and 2007 (EEC 2001, 2004, 2007).

The U.S. Fish and Wildlife Service Biological Opinion (2-21-96-F-160) addresses the impacts of the Safford and Tucson Field Office's grazing programs on listed species.

#### Special Status Species:

Special status species which may occur on the allotment include burrowing owl and Texas horned lizard, both BLM sensitive species. A bat colony currently roosts in the Boquillas barn in close proximity to the allotment, and bats may use the allotment for foraging habitat.

#### OTHER WILDLIFE

The allotment is adjacent to the San Pedro Riparian National Conservation Area, and provides

important habitat to many wildlife species due to the allotment's proximity to the San Pedro River. Both mule deer and Coues' white-tailed deer may occur at least seasonally on the allotment. Chihuahuan desert scrub provides habitat for javelina, as well as many reptile and amphibian species. Avian species which utilize the area include Gambel's quail and mourning dove, as well as neotropical migrants such as loggerhead shrike and various sparrow species.

**FISHERY RESOURCES**

There are no fishery issues in this allotment due to lack of suitable aquatic habitat.

**SPECIAL MANAGEMENT AREAS**

The following special areas or designations occur within the allotment:

	Yes	Name	Date Established	No
Wild & Scenic Rivers				X
Wilderness				X
Unique Waters				X
ACECs				X
Other				X

**RECREATION RESOURCES:**

There are no developed recreation facilities in the allotment; however, dispersed recreation does occur. Dispersed recreation primarily involves small and big game hunting, target shooting and off-highway vehicle (OHV) operation. The off-road vehicles, recreational shooting, and vandalism along the western end of the allotment on the power line road continues to be a serious problem. Closure of this road has been proposed and is being considered.

**VISUAL RESOURCES**

Visual Resource Management (VRM) Classes I\_\_\_\_ II\_\_\_\_ III\_X IV\_\_\_\_\_

VRM Class III includes areas where changes in basic elements caused by management activities may be evident in the characteristic landscape. The changes, however, should remain subordinate to the existing landscape character.

**CULTURAL RESOURCES**

Issuance of the permit/lease constitutes a Federal Undertaking under Section 106 of the National Historic Preservation Act (NHPA). The Area of Potential Effect (APE) has been determined to be the public lands within the grazing allotment.

In compliance with the BLM Cultural Resources Programmatic Agreement, the Arizona BLM-SHPO Protocol, the 1980 Programmatic Memorandum of Agreement between the BLM, Advisory Council on Historic Preservation, and the National Conference of State Historic Preservation Officers Regarding the Livestock Grazing and Range Improvement Program, and the BLM 8100 Manual series, the following actions have been taken to identify cultural resources located in the APE, evaluate the eligibility of cultural resources for listing in the National Register of Historic Places (NRHP), determine the effect of the undertaking on eligible cultural resources, and design mitigation measures or alternatives where appropriate.

The State Historic Preservation Officer (SHPO), the Advisory Council on Historic Preservation, and Indian tribes having historical ties to Arizona public lands were consulted during the preparations of the Upper Gila/San Simon Grazing Environmental Impact Statement (9/86) and the Safford Resource Management Plan (9/78). Indian tribes were consulted at the beginning of the permit/lease renewal process. There were no areas of Native American concern, Traditional Cultural Properties (TCP), or Sacred Sites identified during consultations.

Allotment case files, AMP files, range project files, Water Source Inventory files, and Cultural Resource files were reviewed to determine areas of livestock congregation and whether these areas have been previously inventoried for cultural resources. The records indicate that there is one area of livestock congregation that required an intensive field inventory, which was completed on 1-17-2002. Because no historic properties were identified in areas of livestock congregation, no mitigation is recommended as a BLM responsibility or as a term or condition of the permit/lease, to protect cultural values identified above.

As required by the Native American Graves Protection and Repatriation Act regulations at 43 CFR 10.4(g), the following should be added to the grazing lease/permit as a term and condition:

If in connection with allotment operations under this authorization, any human remains, funerary objects, sacred objects or objects of cultural patrimony as defined in the Native American Graves Protection and Repatriation Act (P.L. 101-601; 104 Stat. 3048; 25 U.S.C. 3001) are discovered, the lessee shall stop operations in the immediate area of the discovery, protect the remains and objects, and immediately notify the Authorized Officer of the discovery. The lessee shall continue to protect the immediate area of the discovery until notified by the Authorized Officer that operations may resume.

\* Properties refer to archaeological sites, Traditional Cultural Properties, and Sacred Sites.

## **RIPARIAN**

There are not any riparian or wetland areas.

## **MONITORING STUDY ANALYSIS:**

The Lucky Hills Rangeland Health Allotment Evaluation was completed in 2009. In accordance with Bureau policy and regulations, any applicable monitoring data was examined and evaluated in order to determine progress in meeting Arizona Standards for Rangeland Health and other land use plan objectives. In addition, the Lucky Hills Allotment was reviewed to determine if any new information, issues or concerns have been identified.

<b>Method</b>	<b>Yes</b>	<b>Date</b>	<b>No</b>
Rangeland Health Assessment	X	12/16/08, 3/10/09	
Pace Frequency			X
Dry Weight Rank			X
Point Cover			X
Line Intercept			X
Photos	X	12/16/08, 3/10/09	
Utilization			X
Actual Use			X
Climate	X		

Upland health assessments were completed at two key areas on the Lucky Hills Allotment on December 16, 2008 and March 10, 2009. The key areas used for the Upland Health Assessment, represent ecological sites over the majority of the allotment. This method involves observing a set of physical and biological attributes at a site to determine upland health. These observed attributes are placed in one of five categories depending on their degree of presence or absence on the site (i.e. None to Slight, Slight to Moderate, Moderate, Moderate to Extreme, and Extreme). These attributes include items such as: plant pedestals, flow patterns, soil and litter movement by wind or water, presence of rills or active gullies. A final upland health determination is made by summing all of the attributes. Refer to Table 6 for a summary of the assessments on the Lucky Hills allotment. Methods for the upland health assessments are described in "Interpreting Indicators of Rangeland Health, Technical Reference 1734-6, 2000."

**Table 6. Summary of upland health assessments at each key area.**

Site 1:

Rangeland Health Attribute	Departure From Ecological Site Description				
	Extreme	Moderate to Extreme	Moderate	Slight to Moderate	None to Slight
Soil/Site Stability				5	5
Hydrologic Function			1	5	4
Biotic Integrity				3	6

Site 2:

Rangeland Health Attribute	Departure From Ecological Site Description				
	Extreme	Moderate to Extreme	Moderate	Slight to Moderate	None to Slight
Soil/Site Stability				6	4
Hydrologic Function				5	5
Biotic Integrity				4	5

**PERTINENT OBJECTIVES AND DECISIONS**

Eastern Arizona Grazing Environmental Impact Statement (9/86) and Safford District Resource Management Plan (1991).

**LUP/RMP OBJECTIVES:**

There are no specific objectives listed for this allotment in the above plans. A land use plan conformance review and determination of NEPA adequacy (DNA) will be completed prior to lease renewal.

**ACTIVITY LEVEL PLANS OBJECTIVES:**

An allotment management plan has not been prepared for this allotment. BLM will be establishing key areas for monitoring on this allotment in May 2009.

## **CONCLUSIONS**

### AZ STANDARDS AND GUIDELINES:

**STANDARD 1:** Upland Sites- There are no concerns about soils that should be considered before lease issuance. Upland soils exhibit infiltration, permeability, and erosion rates typical for this soil type, climate and land form. The Upland Health Assessment data shows soil/site stability, and hydrologic functions meet expectations when compared to reference area conditions. Therefore, standard 1 is being met for this allotment.

**STANDARD 2:** Riparian - There are no riparian areas on the allotment. Therefore, Standard 2 is not applicable.

**STANDARD 3: Desired Resource Conditions:** Desired Resource Condition - There are no vegetative resource concerns that should be considered before lease issuance. The Upland Health Assessment indicates the soil and site stability, hydrologic, and biotic integrity functions are meeting expectations for the site. Therefore, Standard 3 is being met for this allotment.

## **RECOMMENDATIONS**

Based on existing information there is one resource that could be impacted by current livestock use that should be considered before lease issuance. Therefore, the 10-year grazing lease may be renewed with the following terms and conditions:

1. If in connection with allotment operations under this authorization, any human remains, funerary objects, sacred objects or objects of cultural patrimony as defined in the Native American Graves Protection and Repatriation Act (P.L. 101-601; 104 Stat. 3048; 25 U.S.C. 3001) are discovered, the lessee shall stop operations in the immediate area of the discovery, protect the remains and objects, and immediately notify the Authorized Officer of the discovery. The lessee shall continue to protect the immediate area of the discovery until notified by the Authorized Officer that operations may resume.

**CONSULTATION AND PARTICIPANTS:**

Prepared by: Heather L. Swanson, Natural Resource Specialist      Date: April 2, 2009

<u>Staff Review</u>	<u>Title</u>	<u>Initial</u>
Heather Swanson	Team Lead-Natural Resource Specialist	_____
Eric Baker	Range Management Specialist	_____
Kristen Duarte	Range Management Specialist	_____
Amy Sobiech	Archaeologist	_____
Marcia Radke	Wildlife Biologist	_____
Francisco Mendoza	Recreation	_____
Nathan Dieterich	Hydrologist	_____

**AUTHORIZED OFFICER CONCURRENCE:**

\_\_\_\_\_ I concur with the conclusions and recommendations as written.

\_\_\_\_\_ I do not concur.

\_\_\_\_\_ I concur, but with the following modifications.

\_\_\_\_\_  
Authorized Official

\_\_\_\_\_  
Date

Standard  
Terms and Conditions Attachment

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 plans **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 or 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. 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.

11. 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 and 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.