



United States Department of the Interior
BUREAU OF LAND MANAGEMENT

Barstow Field Office
2601 Barstow Road
Barstow, CA 92311
www.ca.blm.gov/barstow



In Reply Refer To:
4160(P)
CA-680.36

SEP 30 2004

CERTIFIED MAIL NO. 70041160000564822431
RETURN RECEIPT REQUESTED

NOTICE OF FIELD MANAGER'S PROPOSED GRAZING DECISION

Dave Fisher
P.O. Box 1837
Barstow, CA 92312

Dear Mr. Fisher:

INTRODUCTION

The Ord Mountain Allotment, #8005, currently is an ephemeral/perennial allotment with potential forage production to enable the Bureau of Land Management (BLM) to authorize ephemeral forage and an established perennial forage allocation. Your current lease, #046804, authorizes 307 head of cattle and eight horses year long, or 3,632 animal unit months (AUMs) for the Ord Mountain Allotment #8005. The allotment encompasses 154,828 acres, including private, State, and BLM (public) lands. The allotment consists of 18,736 acres of private land, 3,240 acres of State land, and public land administered by the BLM totals 132,852 acres. Within the Ord Mountain Allotment, there are 102,141 acres of desert tortoise critical habitat and 30,047 acres of non-critical habitat. The Ord Mountain Allotment is within the West Mojave planning area (currently out for public review).

The Valley Well Allotment, #8001, currently is an ephemeral/perennial allotment with potential forage production to enable the Bureau of Land Management (BLM) to authorize ephemeral forage and an established perennial forage allocation. Your current lease, #046801, authorizes two horses year long, or 24 animal unit months (AUMs) for the Valley Well Allotment #8001. The allotment encompasses 520 acres of BLM (public) lands. Within the Valley Well Allotment, there are 520 acres of desert tortoise critical habitat. The Valley Well Allotment is within the West Mojave planning area (currently out for public review).

BACKGROUND

In 2000, the grazing leases for the Ord Mountain and Valley Well Allotments expired at the end of the 1999 grazing year (2/28/00). These grazing leases were renewed under the authority of Public Law 106-113 for a duration of five years. The duration of these grazing leases renewed in 2000 varied by allotment based on factors that included rangeland health condition. The renewed grazing leases contained the same terms and conditions as the expiring grazing leases. Public Law 106-113 requires compliance with all applicable laws and regulations, which include the National Environmental Policy Act (NEPA) and the Endangered Species Act (ESA). Following the analysis of environmental impacts this grazing leases may be approved, canceled, suspended or modified, in whole or in part, to meet the requirements of such applicable laws and regulations.

The Washington Office Instruction Memorandum (IM) 2003-071 requires that all grazing permits and leases that expired in 1999 and 2000 be “fully processed” by the end of Fiscal Year 2004 (9/30/04). The term “fully processed” permit/lease refers to the completion of an adequate environmental analysis and issuance of a proposed grazing decision in accordance with 43 CFR 4160, and appropriate consultation in accordance with the ESA.

The Bureau of Land Management (BLM) is proposing to issue a ten-year term length grazing leases for the Ord Mountain Allotment (see Map 1) and Valley Well Allotment (see Map 2) to authorize cattle/horse grazing in the jurisdiction of the Barstow Field Office. These allotments are located in rural San Bernardino County, south and southeast of the City of Barstow.

In September 2004 an environmental assessment (EA) CA-680-04-29 was completed to comply with IM 2003-071. This EA contains three alternatives for the renewal of this grazing lease.

As required under 43 CFR 4120.2(4)(c): BLM has provided an opportunity for public participation in the preparation of the above referenced EA. Chapters 1 and 2 of the EA have been provided to the interested public and the State of California. Copies of these chapters have also been provided to the U.S. Fish and Wildlife Service. Comments regarding this proposed action have been received from most of the parties contacted.

As required under 43 CFR 4130.2(b): BLM has consulted, cooperated, and coordinated with the interested public and the State of California concerning the renewal of this grazing lease. Comments regarding this proposed grazing lease renewal have been received from most of the parties contacted.

On January 29, 2001 the BLM and the Center for Biological Diversity et. al. enter into a stipulated agreement effective immediately, herein known as the “Settlement Agreement” for the management of livestock grazing under a federal court action. The Settlement Agreement prescribed areas of the Ord Mountain be excluded from cattle grazing in the spring and fall. In addition, it placed a stocking rates threshold of 2,066 AUMs for this allotment. These stipulations are still in affect until the signing of the Record of Decision for the West Mojave Plan Amendment to the CDCA Plan.

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

Finding of No Significant Impact: Environmental impacts associated with the proposed action (current management) and alternatives have been assessed. Based upon the analysis provided in the attached EA, CA-680-04-29 (available at the Barstow Field Office) I conclude that the proposed action of the Current Management Alternative will have no significant impacts on the environment under the criteria in Title 40 of Federal Regulations Subpart 1508 and is not a major federal action. Preparation of an Environmental Impact Statement pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969 is not required.

This action is in conformance with existing applicable state implementation plans for the maintenance and improvement of air quality and will not cause or contribute to any new or increased violations of any air quality standards in the area. It does not exceed de minimus levels, is not regionally significant; and is exempt from conformity determination (40 CFR Part 93.153 (iii)).

FIELD MANAGER'S PROPOSED DECISION

Based on the analysis conducted in EA CA-680-04-29 and the FONSI, I have concluded that the renewal of the grazing leases for the Ord Mountain and Valley Well Allotments is appropriate. Therefore, it is my proposed decision to renew the grazing lease (#046804 and 046801) for the Ord Mountain and Valley Well Allotments for a term of ten years. The terms and conditions for this authorization shall be the similar to the current grazing lease but slightly modified. The terms and conditions for this grazing lease are as follows:

The lessee shall continue to conform with the Settlement Agreement for grazing, effective January 29, 2001, as amended on April 25, 2002. This agreement excludes cattle use from portions of the Ord Mountain Allotment in the spring and fall. In addition, it placed a stocking rate threshold of 2,066 AUMs, as per the Field Manager's Final Decision issued January 17, 2002 (see Attachment 1). These stipulations shall remain in affect until the Record of Decision for the West Mojave Plan Amendment to the CDCA Plan is approved.

The lessee shall comply with the Area Manager's Decision dated October 2, 1981, with the Ord Mountain Allotment Management Plan (AMP) dated November 18, 1985, with the Area Manager's Final Decision issued February 21, 1989, and the Area Manager's Full Force and Effect Decision issued June 3, 1994.

The lessee shall comply with the Field Manager's Final Decision dated March 6, 1998. This grazing decision contains terms and condition from the March 25, 1997 biological opinion concerning livestock grazing in critical habitat for the desert tortoise. These terms and conditions are as follows:

1) Within key areas, utilization shall be limited to between 30 and 50 percent of key species. In desert tortoise habitat, utilization of key perennial grasses shall not exceed 40% from February 15 to October 14. No averaging of utilization levels among key species or key

areas shall occur. When utilization approaches authorized limits in any key area, steps shall be taken to redistribute or reduce cattle or, where feasible, turning off water at troughs to reduce adjacent grazing.

2) Feeding of roughage, such as hay, hay cubes, or grains to supplement forage quality shall not be allowed in desert tortoise habitat.

3) Grazing shall be curtailed to protect perennial plants during severe or prolonged drought.

4) Except for shipping and animal husbandry practices, herding of cattle shall be kept to a minimum. Cattle shall be evenly dispersed throughout their use area.

5) In Category I and II desert tortoise habitat, perennial forage authorization above the preference level shall be made under temporary, non-renewable basis for one-month increments from March 1 through June 1 depending on the availability of perennial forage. Outside of this period and in Category III habitat, authorization may be for up to three months depending on the number of head of cattle and forage availability.

6) No new or replacement waters may be constructed within 1/2 mile of Category I and II habitat, unless an overall benefit to the desert tortoise would occur. Such benefit(s) will be determined by BLM and subject to concurrence with USFWS through consultation under Section 7 of the ESA.

7) Authorization for ephemeral forage in Category III desert tortoise habitat shall occur only when 200 pounds per acre of ephemeral forage per acre is available. Authorization for ephemeral forage in Category I and II desert tortoise habitat shall occur only when 350 pounds per acre of ephemeral forage per acre is available. Any replacement cattle authorized to use ephemeral forage shall be removed from such allotments whenever the thresholds for curtailing ephemeral grazing are reached.

8) Cattle carcasses found within 300 feet of any road shall be removed and disposed of in an appropriate manner.

9) Cattle use of Category II habitat on the west side of the Ord Mountain Allotment shall be discouraged through management of water sources, including development of new waters in Category III habitat or outside of desert tortoise habitat.

10) Construction, operation and maintenance of range improvement activities involving surface disturbance in desert tortoise habitat shall be conducted pursuant to the guidelines, limitations, and constraints outlined in a through j listed below:

a) Range improvement activities shall be limited to those proposed in the "***Biological Evaluation for Cattle Grazing in the Mojave Desert in the California Desert District***" (December 1991, available in the Barstow Field Office upon request).

- b) The construction or re-construction of range improvements shall be conducted between October 15th and March 15th, unless otherwise authorized.
- c) Range improvement projects shall be constructed and maintained according to standard environmental guidelines. Construction activities shall occur on previously disturbed sites, whenever possible. Environmental guidelines shall require that no known desert tortoise burrows be destroyed and that the chance of of incidental or accidental take of desert tortoise is minimized.
- d) Pre-construction desert tortoise surveys of proposed projects sites shall be conducted by a qualified biologist (“qualified biologist refers to a knowledgeable desert tortoise biologist, approved by BLM).
- e) Motorized vehicle access to range improvements projects shall be confined to existing roads, unless otherwise authorized, and limits of all work areas shall be identified by flagging by a qualified biologist to minimize adverse impacts to desert tortoise and its habitat. All workers shall be instructed that their activities are restricted to flagged and cleared areas.
- f) A field contact representative (FCR) shall be the lessee, or designated by the lessee, or a contractor who shall have the responsibility for overseeing compliance with the conditions of this decision. The FCR shall remain at the activity site during work periods and shall have the authority and responsibility to halt activities in violation of this decision.
- g) Range improvement construction, operation, and maintenance shall be modified as necessary to avoid direct impacts to desert tortoise and their burrows. Potential hazards to desert tortoise that may be created, such as auger holes and trenches, shall not be left open while unattended. These hazards shall be eliminated prior to the work crew leaving the site at the end of each day.
- h) If off-road use of any mechanical equipment is required to maintain or construct range improvement projects, the lessee or contractor shall notify the BLM two working days prior to initiating the work. During routine maintenance, vehicles shall be restricted to BLM approved routes of travel.
- i) Surface disturbance shall be minimized, and after construction or maintenance is completed, disturbed soil shall be bladed and contoured into the surrounding terrain. Construction of new roads shall be minimized. Debris or trash created during construction and maintenance of range improvements shall be removed immediately to limit attraction of predators.
- j) If desert tortoise are found above ground within areas to be disturbed by construction or maintenance of range improvements, the FCR shall be informed, activities shall cease and the Authorized Officer shall be notified. Handling of desert tortoise is prohibited except by a biologist so authorized by USFWS.

The terms and conditions of your grazing lease may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.2(f)(1)(2)(see Attachment 2).

The lessee is required to perform normal maintenance on range improvements as per signed cooperative agreements and Section 4 permits.

The lessee is required to submit a certified Actual Use Report due 15 days after the end of authorized grazing use.

There shall be no motorized/vehicle use or changes in livestock use within the Newberry Mountain and Rodman Mountain Wilderness Areas without prior authorization from the Field Manager.

If your payment is not received within 15 days of the due date you will be charged a late fee assessment of \$25 or 10% of the grazing bill, which ever is greatest no to exceed \$250. Failure to make payment within 30 days of the due date may result in trespass action.

For the Ord Mountain Allotment the kind of livestock shall remain cattle/horses. The permitted use for the Ord Mountain Allotment shall remain at 2,066 AUMs. The season of use for the Ord Mountain Allotment shall remain yearlong.

For the Valley Well Allotment the kind of livestock shall remain horses. The permitted use for the Valley Well Allotment shall remain at 24 AUMs. The season of use for the Valley Well Allotment shall remain yearlong.

RATIONALE

Based on analysis from Environmental Assessment CA-680-04-29, the current grazing use on the Valley Well Allotment shall remain consistent with current grazing use. Ord Mountain Allotment is required to remain under the grazing stipulations contained in the Settlement Agreement (2001), as amended on April 25, 2002 by court order until the Record of Decision for the West Mojave Plan Amendment to the CDCA Plan is approved. Future modifications to grazing use on the Ord Mountain and Valley Well Allotments would occur at that time.

AUTHORITY

The authority for this decision includes but is not limited to:

43 CFR 4120.2(4)(c): "The authorized officer shall provide opportunity for public participation in the planning and environmental analysis of proposed plans affecting the administration of grazing and shall give public notice concerning the availability of environmental documents prepared as a part of the development of such plans. The decision document following the environmental analysis shall be considered the proposed decision for the purposes of subpart 4160 of this part."

43 CFR 4130.2(a): “Grazing permits and leases shall be issued to qualified applicants to authorize use on public land and other lands under the administration of the Bureau of Land Management that are designated as available for livestock grazing through land use plans. Permits and leases shall specify the type and levels of use authorized, including livestock grazing, and suspended use. These grazing permits and leases shall also specify terms and conditions pursuant to 4130.3, 4130.3-1, and 4130.3-2.

43 CFR 4130.2(b): “The authorized officer shall consult, cooperate, and coordinate with affected permittees or lessees, the State having lands or responsible for managing resources within the area, and the interested public prior to the issuance or renewal of grazing permits and leases.

43 CFR 4130.2(d): “The term of grazing permits or leases authorizing livestock grazing on the public lands and other lands under the administration of the Bureau of Land Management shall be 10 years.”

43 CFR 4130.3-1(a): “The authorized officer shall specify the kind and number of livestock, the period(s) of use, the allotment(s) to be used, and the amount of use, in animal unit months, for every grazing permit or lease. The authorized livestock grazing use shall not exceed the livestock grazing carrying capacity of the allotment.”

43 CFR 4130.3-1(b): “All permits and leases shall be made subject to cancellation, suspension, or modification for any violation of these regulations or any of the terms and conditions of the permit or lease.”

43 CFR 4130.3-1(c): “Permits and leases shall incorporate terms and conditions that ensure conformance with subpart 4180 of this part.”

43 CFR 4130.3-2: “The authorized officer may specify in grazing permits or leases other terms and conditions which will assist in achieving management objectives, provide for proper range management or assist in the orderly administration of the public rangelands.”

43 CFR 4130.3-2(f): “Provision for livestock grazing temporarily to be delayed, discontinued or modified to allow for the reproduction, establishment, or restoration of vigor of plants, provide for the improvement of riparian areas to achieve proper functioning condition or for the protection of other rangeland resources and values consistent with objectives and applicable land use plans, or to prevent compaction of wet soils, such as where delay of spring turnout is required because of weather conditions or lack of plant growth.”

RIGHT OF PROTEST AND/OR APPEAL

If you wish to protest this decision in accordance with 43 CFR 4160.2, you are allowed fifteen (15) days from the receipt of this notice to file a protest with the Barstow Field Manager at the above BLM Office, 2601 Barstow Road., Barstow, California 92311.

In the absence of a protest within the time allowed in accordance with 43 CFR 4160.3(a), the above proposed decision shall constitute my final decision. Should this notice become my final decision, you may appeal this grazing decision for the purpose of a hearing before an administrative law judge in accordance with the regulations contained in Title 43 CFR 4.21, 4.470 and subpart 4160.3(f). Your notice of appeal must be filed with the Barstow Field Office Manager within thirty (30) days of the receipt of this decision at the above BLM Office, 2601 Barstow Road, Barstow, CA 92311. The appeal should specify clearly and concisely why you think this decision is in error. All reasons for error not stated in the appeal shall be considered waived and may not be presented at the hearing. Any failure to meet the thirty (30) day appeal deadline will bar you from challenging this decision.

If you wish to petition for a stay of this decision during the time that your appeal is being reviewed, the petition for stay must be filed within thirty (30) days of receipt of this decision to the above BLM office. If you request a stay, you have the burden of proof to demonstrate why a stay should be granted.

Standards for Obtaining a Stay:

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

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

Sincerely,

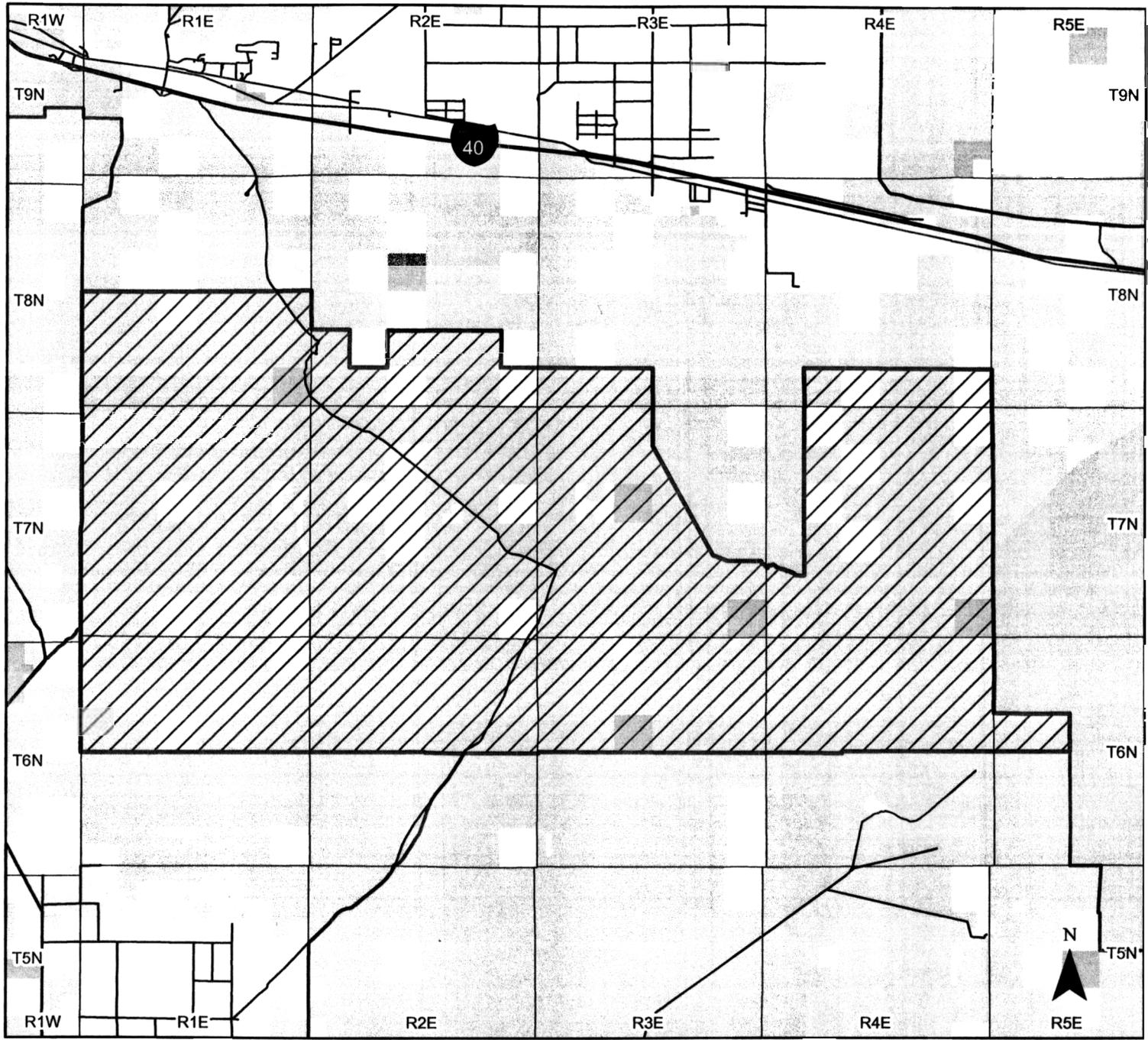
Roxie C. Trost

Roxie C. Trost
Field Manager

Attachments 1 and 2
Maps 1 and 2

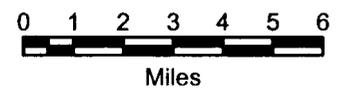
cc:

District Manager, California Desert
Interested Public of Record
California Dept. of Fish and Game



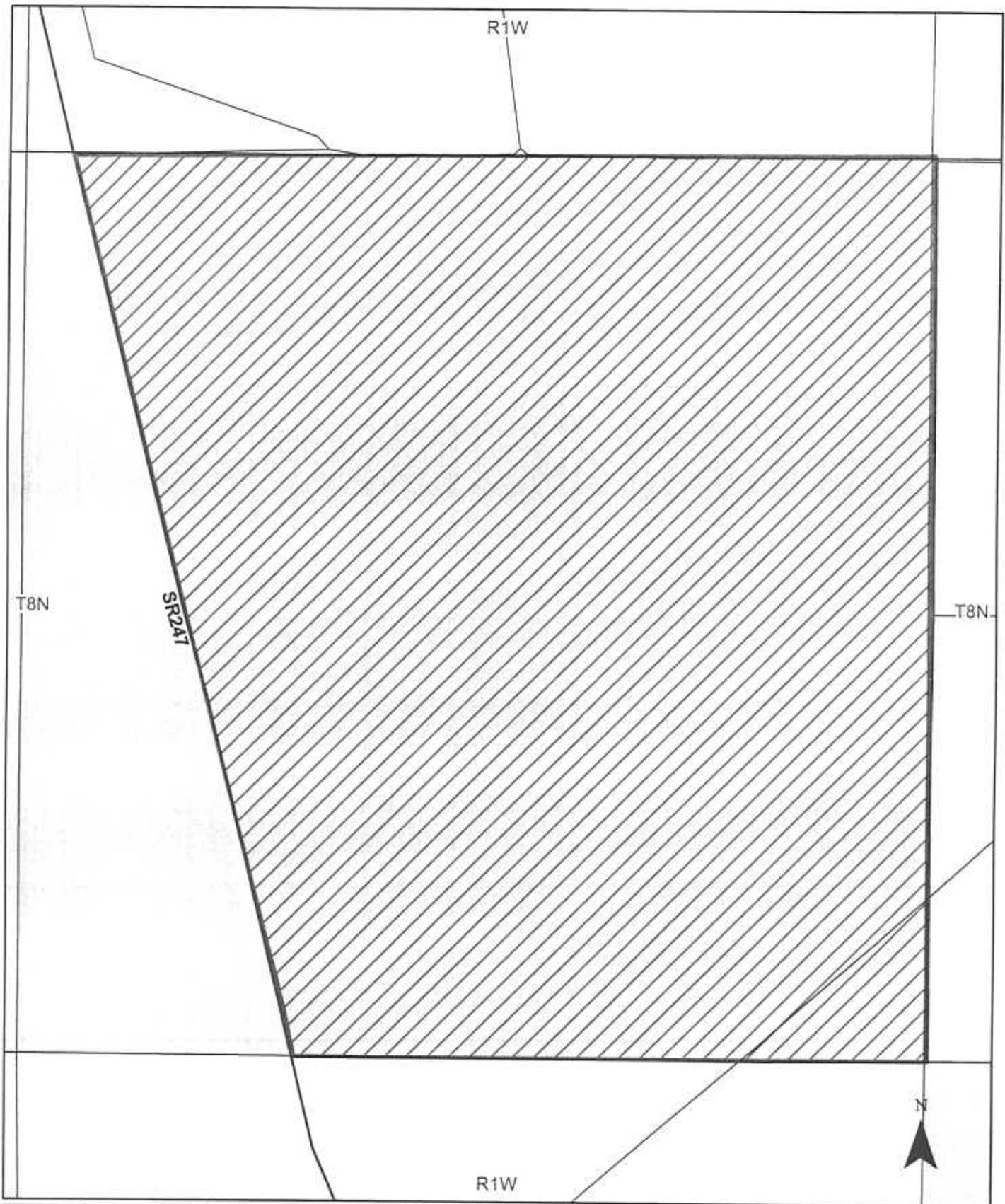
Legend

-  Other Grazing Allotments
-  Ord Mountain
- Land Ownership
 -  Private
 -  US Bureau of Land Management
 -  Military
 -  State Lands




 U.S. Department of the Interior
BUREAU OF LAND MANAGEMENT
 Barstow Field Office
 Barstow, California
 (760) 252-6000
www.blm.gov/barstow
 Date Prepared: 9/30/2004
 Project: Ord Mountain

Valley Well Grazing Allotment Map 2



-  Other Grazing Allotments
-  Valley Well

Land Ownership

-  US Bureau of Land Management
-  Private



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Date Prepared: 9/30/2004
Project: Valley Well



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BUREAU OF LAND MANAGEMENT

BARSTOW FIELD OFFICE
2601 BARSTOW ROAD
BARSTOW, CA 92311
(760) 252-6000
www.ca.blm.gov/barstow



IN REPLY REFER TO:
4160 (P)
CA-680.36

JAN 17 2002

A. G. Spill
R. C. [unclear] 1/17/02
1/17/02

VIA FACSIMILE, PERSONAL DELIVER, AND
CERTIFIED MAIL #7000-0520-0025-1818-2856
RETURN RECEIPT REQUESTED

**NOTICE OF FINAL GRAZING DECISION
EFFECTIVE IMMEDIATELY
REPLACES THE FINAL GRAZING DECISION DATED
SEPTEMBER 7, 2001**

Mr. Dave Fisher
P.O. Box 1837
Barstow, CA 92311

Dear Mr. Fisher:

INTRODUCTION

This final grazing decision, effective immediately, 1) modifies the terms and conditions of your grazing permit, 2) modifies the way your livestock use the Ord Mountain Allotment to protect the desert tortoise and its habitat and establishes the period for this modification, 3) sets parameters for livestock use and, 4) replaces the September 7, 2001, grazing decision for the Ord Mountain Allotment. This decision is consistent with your discussions with Bureau of Land Management (BLM) California State Director Mike Pool and BLM consultant Ed Hastey on December 19 and 20, 2001.

ALLOTMENT INFORMATION

The Ord Mountain Allotment, #08005, is an perennial/ephemeral allotment with potential forage production to enable the BLM to authorize grazing of ephemeral forage and an established

perennial forage allocation. Your current permit, #046804, provides 3,632 Animal Unit Months (AUMs) of forage, equivalent to 307 head of cattle and 4 horses year-long on the Ord Mountain Allotment. The allotment encompasses 154,848 total acres, approximately 18,660 acres of state and private land, and 136,188 acres of BLM-administered public land. On the BLM-administered public land within the allotment, there are 102,141 acres of desert tortoise critical habitat and 34,047 acres of desert tortoise non-critical habitat within the allotment.

FIELD MANAGER'S FINAL DECISION EFFECTIVE IMMEDIATELY

In order to protect desert tortoise and its habitat, this decision, effective immediately, modifies the way your livestock use the Ord Mountain Allotment. It is my final decision in accordance with 4110.3-3(b) and 4110.3.

Livestock grazing is not authorized in the seasonal exclusion area (shown on the attached map) which encompasses 33,660 acres of critical habitat and 23,523 acres of non-critical habitat for the desert tortoise. This is consistent with your discussions with Mike Pool and Ed Hastey on December 19 and 20. This area will be excluded from livestock grazing from March 1 to June 15 and from September 7 to November 7.

BLM shall not authorize grazing that exceeds the number of animal days per year for the Ord Mountain Allotment equal to the average of the number of animal days per year per that was reported by you for the 1997, 1998, 1999 billing years or 62,842 animal days per year. Permitted use for this allotment shall be temporarily reduced to 2,066 AUMs. If domestic horses are turned out on public lands within the allotment, the equal number of cattle shall be removed. These modifications to grazing use on the Ord Mountain Allotment shall be incorporated into the current grazing lease as terms and conditions for grazing use as long as this decision is in effect.

If during the periods of exclusion, cattle are found in the exclusion areas you will have 48 hours after notification to remove them. If they are not removed within 48 hours, trespass action according to 43 CFR §4150.2(a),(b) will be taken and an additional day will be added onto the exclusion period for every day livestock remain in trespass.

Applications received to graze during years of approved non-use on the Ord Mountain Allotment will be denied. No temporary non-renewable grazing permits will be issued for perennial forage in habitat for the desert tortoise.

This final grazing decision will be effective until either receipt by the BLM of the Biological Opinion on the effects of the California Desert Conservation Area Plan on the Mojave population of the desert tortoise and implementation of any applicable terms and conditions, reasonable and prudent alternatives, and/or reasonable and prudent measures requiring immediate implementation or January 31, 2002, whichever shall be later.

In June, BLM would like to meet with you to discuss, assess, and evaluate the spring seasonal exclusion period. BLM will continue to work with you to assess and implement potential needed

changes to this decision.

Approximately 4 miles of fence and 3 cattleguards are proposed as part of this decision. These range improvements were also discussed with Mike Pool and Ed Hastey on December 19 and 20. BLM agreed to construct and maintain these range improvements. In order for BLM to implement these actions as soon as possible, BLM has initiated procedures following its policy and regulation.

FINDING OF NO SIGNIFICANT IMPACT

I have determined that this grazing decision would not result in significant environmental impacts on the human environment; therefore, an environmental impact statement is not required. EA No. CA-610-01-02 was prepared and BLM concludes that the existing information is relevant to this grazing decision and no further environmental analysis is required.

RIGHT OF APPEAL

This decision is effective immediately. If you, or other individuals, believe you are adversely affected by this final decision, you may file an appeal of this grazing decision for the purpose of a hearing before an administrative law judge in accordance with 43 CFR Part 4.21, 4.470 and subpart 4160.4. You may also petition for a stay of the decision in accordance with 43 CFR 4.21, pending final determination on appeal. The appeal and petition for stay must be filed in the Barstow Field Office, 2601 Barstow Road, Barstow, CA 92311 within 30 days following receipt of the final decision.

The appeal shall state the reasons, clearly and concisely, why you think the final decision is in error. All reasons for error not stated in the appeal shall be considered as waived and may not be presented at the hearing. Any failure to meet this thirty (30) day appeal deadline will bar you from challenging this decision. If you wish to petition for stay you must include the stay petition with your appeal. You have the burden of proof to demonstrate why a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied;
- (2) the likelihood of the appellant's success on the merits;
- (3) the likelihood of immediate and irreparable harm if the stay is not granted; and

(4) whether the public interest favors granting the stay.

Sincerely,



Tim Read
Field Manager

cc: Tim Salt, District Manager
Budd-Falen Law Offices, P.C. via Facsimile 307-637-3891
San Bernardino County

Enclosures:

Map

✓ BILL POSTMUS
SUPERVISOR, FIRST DISTRICT
SAN BERNARDINO COUNTY BOARD OF SUPERVISORS
14011 PARK AVENUE, SUITE 430
VICTORVILLE, CA 92392

ATTACHMENT 2

National Fallback Standards for grazing allotments. Fallback standards were developed to implement 43 CFR, Subpart 4180 grazing regulations. The fallback standards for rangeland health are:

1. Upland soils exhibit infiltration and permeability rates that are appropriate to soil type, climate, and landform.
2. Riparian-wetland areas are in proper functioning condition.
3. Stream-channel morphology (including but not limited to gradient, width/depth ratio, channel roughness, and sinuosity) and functions are appropriate for the climate and landform.
4. Healthy, productive and diverse populations of native species exist and are maintained.

National Fallback Guidelines for grazing management. Fallback guidelines were developed in conjunction with standards to implement 43 CFR Subpart 4180. Guidelines identify 15 grazing management practices to achieve the fallback standards.

1. Management practices maintain or promote adequate amounts of ground cover to support infiltration, maintain soil moisture, and stabilize soils.
2. Management practices maintain or promote soil conditions that support permeability rates that are appropriate to climate and soils.
3. Management practices maintain or promote sufficient residual vegetation to maintain, improve, or restore riparian-wetland functions of energy dissipation, sediment capture, groundwater recharge and stream bank stability.
4. Management practices maintain or promote stream channel morphology (e.g., gradient, width/depth ratio, channel roughness and sinuosity) and functions that are appropriate to climate and landform.
5. Management practices maintain or promote the appropriate kinds and amounts of soil organisms, plants and animals to support the hydrologic cycle, nutrient cycle, and energy flow.
6. Management practices maintain or promote the physical and biological conditions necessary to sustain native populations and communities.
7. Desired species are being allowed to complete seed dissemination in one out of every three years (Management actions will promote the opportunity for seedling establishment when climatic conditions and space allow).
8. Conservation of federally threatened or endangered and other special status species are promoted by restoration and maintenance of their habitats.
9. Native species are emphasized in the support of ecological function.
10. Non-native plant species are used only in those situations in which native species are not readily available in sufficient quantities or are incapable of maintaining or achieving properly functioning conditions and biological health.

11. Periods of rest from disturbance or livestock use during times of critical plant growth or regrowth are provided when needed to achieve healthy, properly functioning conditions (The timing and duration of use periods shall be determined by the authorized officer).
12. Continuous, season-long livestock use is allowed to occur only when it has been demonstrated to be consistent with achieving healthy, properly functioning ecosystems.
13. Facilities are located away from riparian-wetland areas wherever they conflict with achieving or maintaining riparian-wetland function.
14. Development of springs and seeps or other projects affecting water and associated resources shall be designed to protect the ecological functions and processes of those sites.
15. Grazing on designated ephemeral (annual and perennial) rangeland is allowed to occur only if reliable estimates of production have been made, the BLM has established an identified level of annual growth or residue to remain on site at the end of the grazing season, and adverse effects on perennial species are avoided.