

ENVIRONMENTAL ASSESSMENT CHECKLIST

EA Number: NM-510-2005-0001 Allotment Number: 64013 Preparer: Helen C.J. Miller			Action Type: Barbed Wire Fence Construction Project Name: Cowboy. Fence and Modification Applicants: Darr Angell.		
Resource / Activity	Not Present	Not Affected	**May Be Affected	Reviewer Surname	Date
Air Quality*			x	/s/ Michael McGee Hydrologist	11/3/04
Floodplains*		x			
Water Quality Drinking/Ground*		x			
Soils/Watershed			x		
Invasive, Non-Native Species*		x		John Spain Rangeland Management Specialist	12/01/04
Vegetation			x		
Livestock Grazing			x		
Wastes, Hazardous or Solids*		√		T.R. Kreager Hazardous Waste Spec.	11/27/2004
Prime/Unique Farmlands*	x			Irene M. Gonzales Realty Specialist	10/7/04
Lands/Realty/ROW		x			
Fluid Minerals		√		Jerry Dutchover Petroleum Engineer	11/24/2004
Mining Claims		√		/s/ Jerry Dutchover Geologist	11/24/04
Mineral Materials		√			
Threatened or Endangered Species*	X			/s/ D Baggao Wildlife Biologist	11/9/04
Wetlands/Riparian Zones*	X				
Wildlife Habitat			X		
Native American Religious Concerns*		X		Pat Flanary Archaeologist	10/28/04
Cultural Resources*		X			
Areas of Critical Environmental Concern*	X			J H Parman Planning & Envi. Coord.	11/5/04
Wild/Scenic Rivers*	X			Bill Murry Outdoor Recreation Planner	10/21/04
Wilderness*	X				
Cave/Karst Resources			X		
Outdoor Recreation		X			
Visual Resources			X		
Access/Transportation	☺√			Environmental Protection Specialist Richard G. Hill	11/5/04

* "Critical Element" - must be addressed in all NEPA documents.

** "Affected Element" - must be addressed in the attached Environmental Assessment.

Environmental Analysis
Cowboy Fence Construction and
Modification for Antelope
NM-510-2005-0001
Allotment #64013
Bureau of Land Management
Roswell Field Office
Roswell, New Mexico
October 1, 2004

Location:
New Construction
Township 5 South, Range 20 East
Section 11 NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 13 SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
Section 14 NE $\frac{1}{4}$ NE $\frac{1}{4}$,

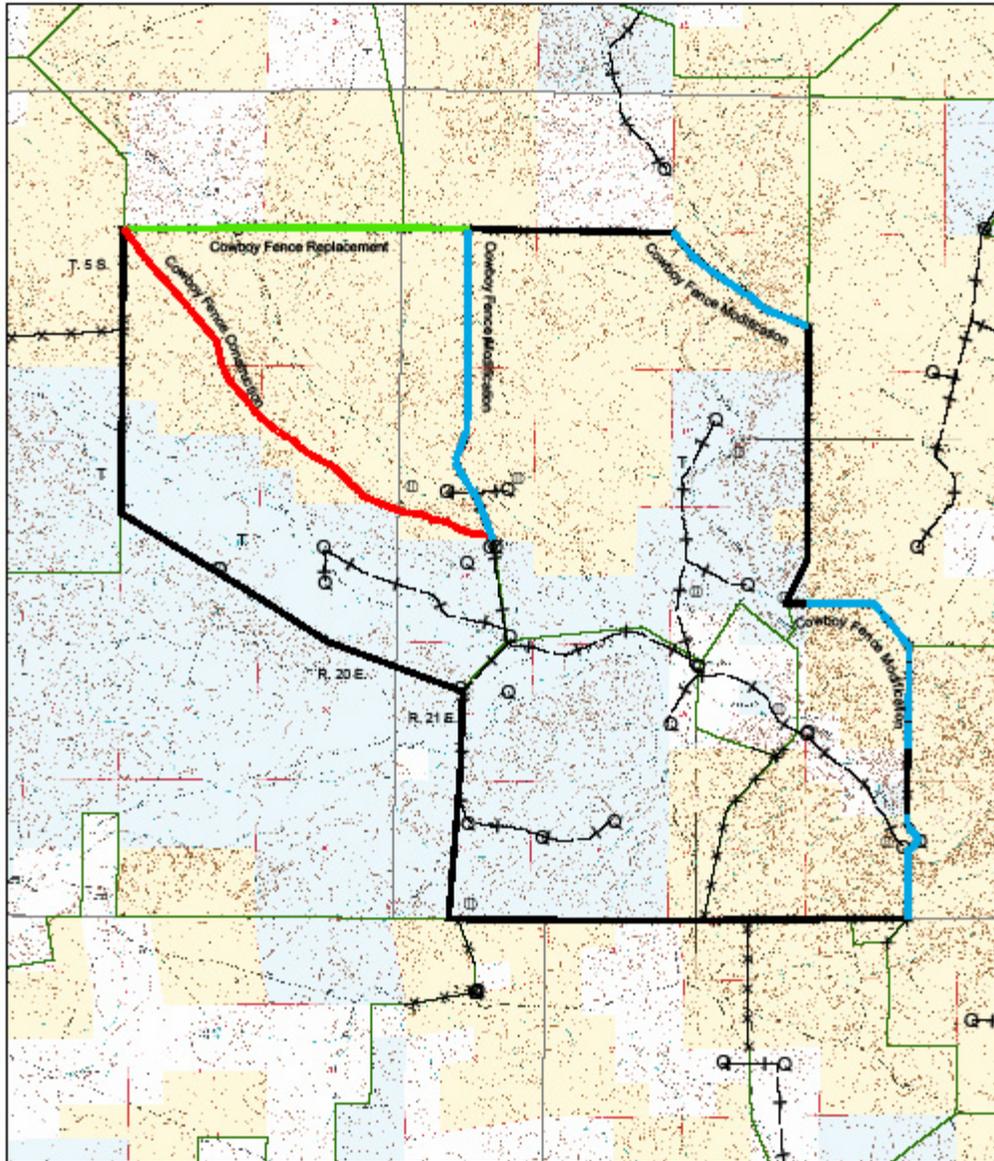
T. 5 S., R. 21 E.
Section 19 N $\frac{1}{2}$ N $\frac{1}{2}$

Replacement Fence
On the section line between T. 5 South, R. 20 East Sections 1, 2, 11 and 12;

The fenceline to be modified with antelope passes
T. 5 S., R. 21 E., Section 7, 18 and 19
Chaves County
New Mexico Principal Meridian



Roswell Field Office 64013 Cowboy Fences Project



- Legend**
- Cowboy Fence Modification
 - Cowboy Fence Construction
 - Cowboy Fence Replacement
 - patrol boundaries
 - pdls_own polygon
 - Surface Ownership
 - Bureau of Land Management
 - Private
 - State



No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data. Original data was compiled from various sources. Spatial information may not meet National Map Accuracy Standards. This information may be updated without notification.

I. INTRODUCTION

Need For the Proposed Action

The need for the proposed action is to provide pasture fencing for livestock with the construction of 4 strand fence (3 barbed wire, 1 bottom smooth wire) across public land and modification for pronghorn antelope. The entire length of new fenceline on public land is approximately 3.60 miles. The modification of fence will directly modify 2 miles of fences with replacement of netwire fence with barbed wire, and the construction of pronghorn (*Antilocapra americana*) passes in another 2.25 miles of existing netwire fence.

Existing fences, water developments, and other range improvements needed to implement grazing systems or other management plans were incorporated or new ones were designed during specific management plan development. Other range improvements may be addressed as the need becomes apparent on allotments without documented allotment management plans. No allotment management plan is currently on file for this allotment with the Bureau of Land Management.

Range fencing and water developments facilitate the handling of and caring for livestock. The location of fence developments on rangeland is important in controlling the movement, distribution, and concentrations of livestock. Modification of existing fence can improve the ability of pronghorn to move into and through areas from which they had previously been excluded. The Approved Roswell Resource Management Plan, October 1997, states:

“Within portions of the Macho Wildlife Habitat Area (WHA) meeting the pronghorn suitability criteria, new internal pasture fences constructed of netwire will not be allowed across public land on allotments that currently support pronghorn or on allotments in the WHA with the potential to provide suitable pronghorn habitat.”

Conformance with Land Use Plans: The proposed activity is addressed as part of the Roswell Resource Management Plan (October, 1997).

Relationship to Statues, Regulations, or Other Plans: The construction of fences as range improvements, either under Cooperative Agreement or Range Improvement Application is addressed under the 43 Code of Federal Regulations, Parts 4100, Grazing Administration, Exclusive of Alaska., Subpart 4120.3

Other Statues, Regulations or Plans are:

The Taylor Grazing Act of 1934, as amended (43 U.S.C. 315 (a)-(r))

The Federal Land Policy and Management Act of 1976, as amended (Pub. L. 94-579, 43 U.S.C. 1702 et seq), Sections 302 (a) & (b), Section 502 (a) & (c)

The Public Rangelands Improvement Act of 1978, as amended (Pub. L. 95-514, 43 U.S.C. 1901 et seq),

The National Environmental Policy Act of 1969, as amended
(Pub. L., 91-190, 42 U.S.C. 4321-4347) Sec. 101

II. PROPOSED ACTION AND ALTERNATIVES

A. Proposed Action

The proposed action is the construction of a four strand fence; (3 barbed wire, bottom wire smooth); replacement of two miles of net wire fence with 4 strand fence (3 barbed wire, bottom wire smooth) and placement of pronghorn antelope passes within an existing net wire fence.

The fences will be constructed using the standard construction methods.

No other fences are currently planned on the ranch. The location of the proposed fence is Township 5 South, Range 20 East, Section 11 NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13 SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 14 NE $\frac{1}{4}$ NE $\frac{1}{4}$, and T. 5 S., R. 21 E., Section 19 N $\frac{1}{2}$ N $\frac{1}{2}$, all in Chaves County, New Mexico Principal Meridian. The portion of fence to be replaced is located on the section line between T. 5 South, R. 20 East Sections 1, 2, 11 and 12; the fenceline to be modified with antelope passes is in T. 5 S., R. 21 E., Section 7, 18 and 19.

The new fences will be located on public and state surface and will be constructed under a Cooperative Range Improvement Agreement. The allottee will be responsible for the material and construction of 0.1 miles of fence on state land and for the maintenance of all of the fence (See attached Map).

This project includes construction of new interior pasture fencing of approximately 3.6 miles of 4-strand fence (3 barbed wire, bottom wire smooth) to be located in T. 5 S., R. 20 E. Sections 11, 13 & 14; T. 5 S., R. 21 E. Section 19.

New boundary fence will constructed on or near the section line between Sections 1, 2, 11 & 12 of T. 5 S., R. 20 E. and between Sections 6 & 7, T. 5 S., R. 21 E. This will entail removal of the existing net wire fencing and replacing it with 4-strand fence (3 barbed wire, bottom wire smooth).

The boundary fence in Sections 9, 22, 27 and 34 will be modified by placing antelope passes to be located at fence corners and at approximately 0.5 miles intervals along the fence, depending on terrain. The passes are a fairly simple design; the net wire is cut at the post and folded up to allow a 16 inch gap between the wire and the ground. The netwire can be let down during lambing, then folded back up to allow antelope movement during the remainder of the year. The interior fence located in Section 7, 18 & 19, T. 5 S., R. 21 E will also be modified.

Standard measures that will be included in the authorization for these projects are:

No blading will occur on public land, unless authorized by the Authorized Officer.

Fences shall be flagged to warn big game of the new structures. White topped fence posts may be used along with flagging.

Fence post spacing shall be up to 15 feet.

BLM reserves the right to alter any fence on federal land should it be necessary for wildlife purposes.

Wire spacing will be at 16", 6", 8" and 12" measuring from the ground up.

No road is authorized as a part of this project for construction or maintenance.

Gates or cattle guards will be installed on existing roads to ensure public access.

Brush will be cleared by hand with hand tools.

The co-operator shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public land under this authorization.

Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the co-operator/contractor or any person working on the co-operator's/contractor behalf, on public or Federal land shall be immediately reported to the authorized officer. The co-operator/contractor shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The co-operator/contractor shall be responsible for the cost of evaluation and any decision as to the proper mitigation measures will be made by the Authorized Officer after consulting with the co-operator/contractor.

The co-operator/contractor is hereby obligated to comply with procedures established in the Native American Grave Protection and Repatriation Act (NAGPRA) to protect such cultural items as human remains, associated funerary objects, sacred objects, and objects of cultural patrimony discovered inadvertently during the course of the implementation. In the event that any of the cultural items listed above are discovered during the course of project work, the proponent shall immediately halt the disturbance and contact the BLM within 24 hours for instructions. The proponent or initiator of any project shall be held responsible for protecting, evaluating, reporting, excavating, treating, and disposing of these cultural items according to the procedures established by the BLM in consultation with Indian Tribes.

The co-operator/contractor shall be responsible for maintaining the site in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste

disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.

The approval of the Permit/Agreement does not convey the right to prevent other lawful uses from occurring. The applicant/cooperator understands that other lawful users with proper authorizations may pass over, under, or through the range improvement authorized by the Permit/Agreement. Appropriate stipulations by the BLM to other users will protect the stability and purpose of this improvement.

All materials from the existing fences which are being replaced will be removed from the site.

2. Alternatives

1. **No Action - Alternative 1**

This alternative would leave the existing pasture configuration as is and would leave the existing fence materials in place. By not constructing the fence, utilization patterns would remain the same. Livestock would continue to use only certain areas of the pasture. Construction of the fence will allow the allottee to implement a grazing system which will modify utilization patterns across the ranch, and allow areas in the existing pasture to be rested periodically from use during the growing season. Also, by not replacing the two miles of netwire fence with barbed wire along the boundary between two allotments and not placing antelope passes in the existing pasture netwire fence, pronghorn antelope would continue to be limited to their current territory. Expansion of the pronghorn antelopes area would not occur.

2. **Locate Elsewhere - Alternative 2**

This alternative would re-route the entire proposed fence. The alternatives would: a. add length to the fenceline; b. would cause more impact to the affected resources on the alternate route or c. would not be economical to install, maintain or use. To re-route the fenceline would cause a concentration of the livestock use to one side of the ranch or the other. Moving the new fence toward the Gallo Arroyo from its proposed location would concentrate the livestock along the intermittent draw. This could also restrict public access to the public lands, as all access sites would then be located on state leased lands.

This alternative will not be given further consideration in this report; fewer environmental impacts would result from the action as proposed.

III. AFFECTED ENVIRONMENT

General Setting

The affected environment of the area is generally discussed in the Roswell Resource Management Plan (Oct. 1997). Only those resources actually impacted by the proposed action will be addressed in this document.

The proposed fence is to be located on the Darr Angell Ranch, the Macho Cowboy Allotment 64013. The Macho Cowboy Allotment is located approximately twenty five miles north and west of Roswell, lying west of US Highway 285. The environmental assessment for authorization of grazing and issuance of a long term permit was completed and the Decision Record was issued for EA # NM-066-99-039 on August 12, 1999. The permit authorized 305 Animal units yearlong at 51% Federal range for 1867 Animal Unit Months.

The major regional industries are ranching, with some oil and gas development, as well as seasonal hunting.

Affected Resources

The critical elements of ACEC's, Air Quality, Prime or Unique Farmlands, Floodplains, Cultural resources, Native American Religious Concerns, Hazardous or Solid Wastes, Water Quality, Wetland and Riparian Zones, Wild and Scenic Rivers, Threatened/Endangered Species, Low Income/Minority Populations and Wilderness will not be affected. A cultural resource inventory survey will not be required since the level of surface disturbance is minimal.

Soils: The soil on which the new fence construction is proposed is the Hogadero-Pena Association, while the replacement fence as well as the fence that will be modified with antelope passes includes the Deama Rock Outcrop, Threadgill complex, and the Hogadero- Pena Association soil.

The Hogadero-Pena association, moderately rolling is on gravelly alluvial ridges. Elevation is for 4,300 to 4,700 feet. The Hogadero soil is found on the ridgetops and upper side slopes and the Pena soil is on middle side slopes. Small areas of Asparas soil, Threadgill soil, Pastura soil and Deama soil are found within this unit. Both the Hogadero and Pena soil is deep and well drained. They are formed in alluvial deposits derived dominantly from igneous and sedimentary rock. Permeability of the Hogadero soil is slow in the upper part of the substratum and is rapid below. Permeability of the Pena soil is moderate. Available water capacity in both is low. Effective rooting depth is 60 inches or more. Runoff is slow to medium, and the hazard of water erosion is slight to moderate. The hazard of soil blowing is moderate.

The Deama-Rock outcrop- Threadgill complex, hilly is found on dissected uplands. The Deama soil is on limestone ridges and on back slopes. The Rock outcrop is on back slopes and on ridge shoulder slopes and the Threadgill soil is in drainageways and on foot slopes. The Deama soil is shallow and well drained. It formed in residuum derived dominantly from limestone. Permeability is moderate. Available water capacity is very low. Effective rooting depth is 7 to 20 inches. Runoff is medium and the hazard of water erosion is moderate. The hazard of soil blowing is slight. Rock outcrop is areas of exposed limestone. These areas support little if any vegetation, surface runoff is rapid. The Threadgill soil is deep and well drained. It formed in calcareous alluvium derived dominantly form limestone. Permeability of the Threadgill soil is moderatley slow. Available water capacity is high. Effective rooting depth is 60 inches or more. Runoff is medium and the hazard of water erosion is moderate. The hazard of soil blowing is high.

Vegetation: The proposed project areas predominately fit the Limestone Hills CP-3 Range Site description and the Gravelly CP-3 Range Site description. The vegetation for these sites at climax (potential) includes grasses such as black grama, sideoats, little bluestem, blue grama, New Mexico feathergrass, mountain muhly, bottlebrush squirreltail and hairy grama. The shrub component includes juniper, pinon, algerita, winterfat and apache plume, while forbs such as indian paintbrush, wooly indian wheat and penstemmon, scarlet globemallow and mariola occur.

Invasive, Non-Native Species: There are currently no known Non-native, Invasive species in the immediate area of the proposed fence construction or modification areas.

Visual: The proposed route for the fence is contained in an area which is considered to be Class IV Visual Resource Class Area. Class IV provides for management activities which require major modification to the existing character of the landscape. The level of change in these areas can be high.

Wildlife: This allotment is within the Macho Habitat Management Area. Game species occurring with the area include mule deer, mourning dove, and scaled quail. Raptors that utilize the area on a more seasonal basis include the Swainson's, red-tailed, and ferruginous hawks, American kestrel, and great horned owl. Numerous passerine birds utilize the grassland areas due to the variety of grasses, forbs and shrubs. The most common include the western meadowlark, mockingbird, horned lark, killdeer, loggerhead shrike, and vesper sparrow.

The warm prairie environment supports a large number of reptile species compared to higher elevations. The more common reptiles include the short-horned lizard, lesser earless lizard, eastern fence lizard, coachwhip, bullsnake, prairie rattlesnake and western rattlesnake.

There are no known threatened or endangered species of plant or animals on Allotment 64013. A list of federal threatened, endangered and candidate species reviewed for this EA can be found in Appendix 11 of the Roswell Approved RMP (AP11-2). There are no designated critical habitat areas within this allotment.

IV. ENVIRONMENTAL IMPACTS

Impacts of the Proposed Action

The impacts from the proposed action will be made during the construction of the fence. Short term negative impacts would include: vegetation disturbance will be localized to the immediate area of the project. Vegetation will be destroyed where the posts are set, but the disturbed area will naturally re-vegetate within two growing seasons with adequate precipitation. Due to the location and design features of the fence no impacts to the visual resources are expected. Impacts from the proposed construction activity may cause temporary disruption of wildlife activity within the immediate vicinity of the project area during construction. However, once the portion of the project which replaces net wire fences, or construction of the antelope passes within net wire fence is completed, pronghorn will have access to an additional 9044 acres of habitat, in the Macho Cowboy Allotment alone.

Impacts of the Alternatives

Under the No Action alternative the fence would not be constructed, net wire fences would not be replaced nor would the antelope passes be installed, and the associated impacts of these projects would not occur.

Mitigation Measures and Residual Impacts

Mitigating Measures: No additional mitigating measures will be needed if the standard operating procedures and design features previously discussed are adhered to.

Residual Impacts: Implementation of the proposed action or of the alternative of a different location would have the same potential for unavoidable temporary adverse environmental impacts.

Cumulative Impacts: The results of the proposed action will not substantially change the plant and animal communities of the project area, exclusive of the additional habitat made available to pronghorn.

V. PERSONS OR AGENCIES CONSULTED

The following are people who have been consulted for their comments in regards to the proposed action in addition to the resource area specialists. The comments and suggestions expressed during the consultation have been incorporated into this EA.

Darr Angell., Allottee of Allotment #64013
Roy Stovall, BLM Range Improvement Specialist

Prepared by:

/s/ Helen C.J. Miller
Helen C.J. Miller, Rangeland Management Specialist

1/4/2005
Date

FINDING OF NO SIGNIFICANT IMPACT/ DECISION RECORD
Cowboy Fence Construction and Modification for Antelope
NM-510-2005-0001

FINDING OF NO SIGNIFICANT IMPACT: Based on the analysis of potential environmental impacts contained in the attached environmental assessment, I have determined the proposed action is not expected to have significant impacts on the environment and that preparation of an Environmental Impact Statement is not warranted.

DECISION: It is my decision to authorize the construction of the barbed wire fence and modification of existing netwire to maintain proper range management, and to allow easy movement of wildlife on Allotment #64013, Macho Cowboy Allotment.

Location of the fence is as follows:

New fence construction will occur in Township 5 South, Range 20 East, Section 11 NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13 SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 14 NE $\frac{1}{4}$ NE $\frac{1}{4}$, and T. 5 S., R. 21 E., Section 19 N $\frac{1}{2}$ N $\frac{1}{2}$, all in Chaves County, New Mexico Principal Meridian. The portion of fence to be replaced is located on the section line between T. 5 South, R. 20 East Sections 1, 2, 11 and 12; the fenceline to be modified with antelope passes is in T. 5 S., R. 21 E., Section 7, 18 and 19.

(Please refer to the map in the Environmental Assessment.)

The surface protection procedures set forth in the proposed action have been incorporated into the Environmental Assessment. Any comments made to this proposed action were considered and addressed.

Rationale for Recommendations: The decision to authorize the proposed action does not result in any undue or unnecessary environmental degradation. The action is consistent with planned actions presented in the Roswell Resource Management Plan, Oct, 1997.

In accordance with 43 Code of Federal Regulations, Part 4100, Sec 4160.2, any applicant, permittee, lessee or other affected interests may protest this proposed decision in person or in writing to the authorized officer, within 15 days after receipt of this decision. Please be specific in your points of protest.

The protection procedures for the proposed action are included in the Cooperative Agreement and are attached as stipulations. Any additional mitigation measures identified for the proposed action in the environmental impacts sections of the attached environmental assessment have been formulated into stipulation. This decision incorporated by reference the attached stipulations.

In addition to the addressee, this decision has been provided to:

Darr Angell
HC 31 Box 1140
Roswell, New Mexico 88201

New Mexico Department of Game & Fish
c/o Roy Hayes
1912 West Second
Roswell, New Mexico 88201

Forest Guardians
312 Montezuma Ave, Suite A
Santa Fe, New Mexico 87501

Pursuant to the provisions of 43 CFR 4.21, 4.470 and 4160.4 you are allowed 30 days from the receipt of this Final Decision in which to file an appeal to the Field Office Manager and to those listed above for the purpose of a hearing before an Administrative Law Judge. Your appeal must state clearly and concisely in writing the reason(s) why you think the final decision is in error.

To receive consideration for staying the implementation of this decision, you must specify how you would be harmed if the stay were not granted. If a petition for stay is not granted, the decision will be put into effect following the 30-day appeal period. Appeals can be filed at the following address:

Field Office Manager
Bureau of Land Management
Roswell Field Office
2909 West Second Street
Roswell, NM 88201

In addition to filing at this address, those listed above must also be served copies of the appeal (43 CFR 4.470(a)).

/s/ T.R. Kreager
T. R. Kreager, Assistant Field Manager, Resources

1/27/2005
Date

STIPULATIONS

1. No blading will occur on public land, unless authorized by the Authorized Officer.
2. Fences shall be flagged to warn big game of the new structures. White topped fence posts may be used along with flagging.
3. Fence post spacing shall be up to 150 feet..
4. Wire spacing will be at 16", 6", 8" and 12" measuring from the ground up.
5. BLM reserves the right to alter any fence on Federal land should it be necessary for wildlife purposes.
6. No road is authorized as a part of this project for construction or maintenance.
7. Gates or cattle guards will be installed on existing roads to ensure public access.
8. Brush will be cleared by hand with hand tools.
9. The co-operator shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public land under this authorization.
10. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the co-operator/contractor or any person working on the co-operator's/contractor behalf, on public or Federal land shall be immediately reported to the authorized officer. The co-operator/contractor shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The co-operator/contractor shall be responsible for the cost of evaluation and any decision as to the proper mitigation measures will be made by the Authorized Officer, after consulting with the co-operator/contractor.
11. The co-operator/contractor is hereby obligated to comply with procedures established in the Native American Grave Protection and Repatriation Act (NAGPRA) to protect such cultural items as human remains, associated funerary objects, sacred objects, and objects of cultural patrimony discovered inadvertently during the course of the implementation. In the event that any of the cultural items listed above are discovered during the course of project work, the proponent shall immediately halt the disturbance and contact the BLM within 24 hours for instructions. The proponent or initiator of any project shall be held responsible for protecting, evaluating, reporting, excavating, treating, and disposing of these cultural items according to the procedures established by the BLM in consultation with Indian Tribes.
12. The co-operator/contractor shall be responsible for maintaining the site in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.

13. The approval of the Permit/Agreement does not convey the right to prevent other lawful uses from occurring. The applicant/cooperator understands that other lawful users with proper authorizations may pass over, under, or through the range improvement authorized by the Permit/Agreement. Appropriate stipulations by the BLM to other users will protect the stability and purpose of this improvement.
14. All materials from the existing fences which are being replaced will be removed from the site.