

Appendix E

E.0 Proposed Grazing Stipulations

E.1 Proposed Cattle Grazing Stipulations in Northern and Eastern Mojave Desert Tortoise Habitat

- I. Allotments rated in good or excellent range condition would not exceed 40 percent utilization and allotments rated in poor or fair range condition would not exceed 30 percent utilization. The CDCA plan designated range condition for all allotments. Utilization of key perennial forage species shall not be exceed 40 percent from February 15 to October 14 in the Crescent Peak, Jean Lake, Piute Valley, and Valley View Allotments and 30 percent from February 15 to October 14 in Clark Mountain, Horse Thief Springs, Pahrump, and Valley Wells Allotments. No averaging of utilization data among perennial key forage species or key areas shall occur. When utilization approaches authorized limits in any key area, steps shall be taken to redistribute or reduce cattle use for that key area. Monitoring of perennial vegetation such as utilization and trend would occur with methods detailed and prescribed in BLM manuals, handbooks, and plans. Grazing use will be managed to improve trends for native perennial and annual plants where site potential permits. Galleta grass shall be a key forage species where it is found.
- II. Cattle shall be evenly dispersed throughout their area of use, and herding shall be limited to shipping and animal husbandry practices. Grazing use shall be managed according to grazing regulations, allotment management plans, CDCA plan, and the current biological opinion. Feeding of roughage, such as hay, hay cubes, or grains to supplement forage quantity, is prohibited. Grazing use shall be curtailed to protect perennial plants during severe or prolonged drought. The steps may include removal of cattle or, where feasible, turning off water at troughs (especially when livestock are not present) to reduce adjacent grazing use.
- III. All cattle carcasses found within 300 feet of any road shall be removed and disposed of in an appropriate manner, and no prior notification to the BLM is necessary if off-road vehicle use is required, but permission from the authorized officer is required to remove animals within wilderness.
- IV. The authorization to use temporary, non-renewable perennial forage above permitted grazing use shall be authorized for no longer than three-month increments in non-DWMA desert tortoise habitat.
- V. Authorization for ephemeral forage (annual grasses and forbs) in non-DWMA desert tortoise habitat shall occur when 230 pounds or more by air-dry weight per acre of ephemeral forage is available. Ephemeral production data shall be collected when necessary if requests are made for ephemeral grazing use. Any cattle authorized to use ephemeral forage shall be removed whenever threshold for curtailing ephemeral grazing is reached.

- VI. Construction and maintenance of range improvements in desert tortoise habitat are limited to existing and proposed facilities listed in this plan and as detailed in biological opinions 1-6-92-F-17 and 1-8-94-f-17. All proposed range improvements would receive NEPA and FWS review as needed. For all construction, operation, and maintenance of range improvements involving land disturbance in desert tortoise habitat the following requirements apply:
- A. Surface disturbance during construction of range improvements shall occur on previously disturbed sites and disturbing soil in habitat shall be minimized whenever possible. Routine vehicle use shall be limited to existing roads and disturbed areas, and off-road vehicle activity shall be held to a minimum. Construction of new roads shall be minimized. Construction of new or replacement facilities shall be carried out only from October 15 to March 15, unless specifically authorized due to safety or emergency considerations. After completion of the project, the disturbed soil shall be blended and contoured into the surrounding soil surface. To reduce attraction of desert tortoise predators, debris and trash created during construction or maintenance of a facility will be removed immediately.
 - B. Range improvement construction, operation, and maintenance shall be modified as necessary to avoid direct impacts to desert tortoises and their burrows e.g., construction of fences or pipelines near tortoise burrows shall be avoided. All proposed range improvement projects shall be designed and flagged to avoid impacts to tortoises and their burrows. A qualified biologist shall conduct pre-construction desert tortoise surveys of proposed project sites. Existing access and areas of disturbance shall be utilized when trenching a section of new pipe or during performance of maintenance. Hazards to desert tortoises created by construction, such as auger holes and trenches, shall be monitored by biological monitor at least twice daily for desert tortoises that become trapped. These hazards will be eliminated before workers leave the site.
 - C. Prior to land-disturbing activities, a field contact representative (FCR) will be designated to ensure compliance with protective measures stipulations for the desert tortoise and will be responsible for coordinating with the U.S. Fish and Wildlife Service. A FCR will have the authority and responsibility to halt activities in violation of FWS stipulations.
 - D. Only authorized personnel are permitted to handle desert tortoises. If construction or maintenance of range improvements endangers the life of a desert tortoise then authorized persons may move the animal a short distance away or hold the animal overnight to release it in the same area the next day.
 - E. All construction and maintenance workers shall strictly limit their activities and vehicles to areas flagged or cleared by persons authorized by the Service. When off-road use with equipment is required, the lessee is to notify the BLM two working days prior to construction or maintenance of a facility.