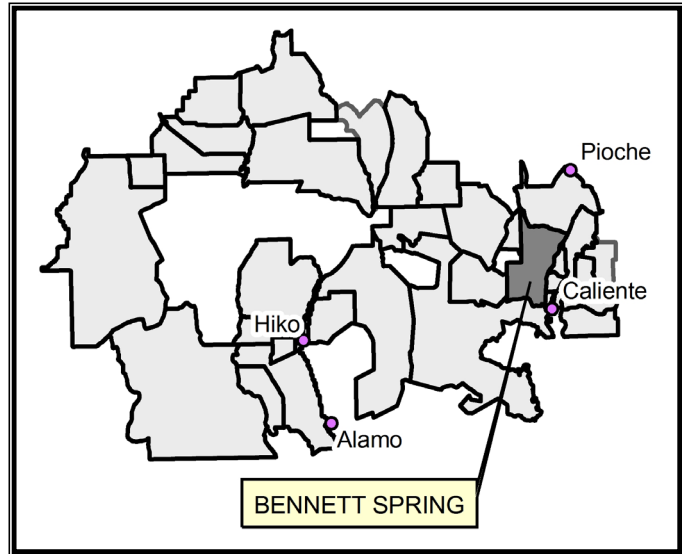


## 5.0 BENNETT SPRING ALLOTMENT

**Permittee:** Brad Guymon  
**Contact:** Brad Guymon  
**City/State:** Cedar City, UT

**Permittee:** Thomas & Warren Williams  
**Contact:** Thomas Williams  
**City/State:** Cedar City, UT

**Base Property:** Land



### 5.1 ALLOTMENT DESCRIPTION

The northwest corner of the allotment is located about three miles west and slightly south of Panaca. The Chief Range runs north/south through the middle of the Bennett Spring Allotment. The southeast corner of the allotment reaches to US Highway 93 just west of Caliente. The allotment is approximately eleven miles long north and south, and varies in width from five to seven miles east and west. The only allotment boundary fence is at the northeast corner, in common with the Comet Allotment. See Table 5.1 and Figure 5.1 for details of the allotment boundary and railroad route.

**Table 5.1: Bennett Spring Allotment Details**

ALLOTMENT ACRES		GRAZING PERMIT					
Public	Private	Number/Type of Livestock	Season of Use	AUMs			
				Total	Active	Suspended	
48,677	169	Guymon 1,538 sheep	10/16 – 4/30	3,510	1,992	1,518	
		Williams 1,165 sheep	10/16 – 4/30	2,655	1,506	1,149	

#### 5.1.1 Grazing System

Both Permittees use the allotment in the winter and spring. Sheep are moved about the allotment by herding and hauling water to various locations.

**Guymon:** This Permittee also has a permit in the Black Canyon Allotment. Mr. Guymon combines sheep from both allotments into one operation and grazes them as if the two allotments were one.

**Williams:** This Permittee also has permits in the Klondike Allotment and the Black Canyon Allotment. The Williams' combine sheep from all three allotments into one operation and graze them as if the three allotments were one.

### **5.1.2 Stockwaters and Water Rights**

Bennett Spring is located on private land. It is the primary source of water for the Bennett Spring Allotment (Map Reference 1). Water from Bennett Springs is also hauled to the Black Canyon Allotment to the west, and the Highland Peak Allotment to the north. Klondike Spring (Map Reference 2) and the George Roger Well (Map Reference 3) just inside the Klondike Allotment to the west are used to supply water for grazing on the west side of the Chief Range.

### **5.1.3 Existing Fencing**

The only allotment boundary fence is at the northeast corner, in common with the Comet Allotment.

## **5.2 PROPOSED RAILROAD ALIGNMENT – DOE PROPOSED ROUTE – COMMON SEGMENT**

The Common Segment railroad alternative is the proposed route through the Bennett Spring Allotment. The railroad track and service road will enter in the northeast corner of the allotment from the Comet Allotment, then trend west toward Bennett Springs. The railroad will come within .75 miles of Bennett Spring and trend to the south before sweeping northwest, passing over Bennett Pass (Map Reference 4) and exiting into the Black Canyon Allotment.

Rail Length Within Allotment: 10.27 miles  
1,000' Construction Right-of-Way Area: 1,245 acres

### **5.2.1 Fencing Preference for Proposed Rail Alignment**

Both Permittees are opposed to fencing the proposed right-of-way (ROW) of the Common Segment Route.

### **5.2.2 Impacts and Mitigation**

#### **5.2.2.1 Base Property**

There are no apparent impacts to Base Property.

#### **5.2.2.2 Grazing System**

The proposed track and service road will surround Bennett Spring (Map Reference 1), the primary water source for the allotment, on three sides. This will greatly reduce the acres of range that can be grazed without crossing the proposed track and service road.

The track and service road present sheep management problems that cannot be mitigated satisfactorily. Partial mitigation can be obtained by constructing sheep crossings every mile along the track consisting of earth ramps 100 feet long with approaches not to exceed 25 percent. Additional sheep crossings will be needed in the Bennett Spring area. This mitigation will require a total of fourteen sheep crossings. Road crossings proposed at Map References 6 and 7 can be expanded into sheep crossings. The Permittees will determine the locations after the centerline of the track is staked.

#### **5.2.2.3 Existing Fence and Capital Improvements**

The track and service road will cross a fence upon entering the allotment at Map Reference 5.

Install a railroad cattleguard and a road cattleguard on the service road in the fence opening at Map Reference 5.

#### 5.2.2.4 Stockwaters and Associated Infrastructure

The proposed track and service road are within less than one mile of the primary source of water for the allotment, Bennett Spring (Map Reference 1).

Installation of 2.5 miles of pipeline from Bennett Spring with sheep water troughs would be necessary to bring water into the Chief Pasture at Map Reference 9. This location is offered as a possibility only. The actual location will need to be determined onsite.

#### 5.2.2.5 Road and Trails

The proposed track and service road will cross three roads used for hauling water (Map References 6, 7, and 8). The track will interrupt traffic along these roads.

Construct a road crossing over the track at each road. Approaches are not to exceed six percent grade.

#### 5.2.2.6 Vegetation and Forage

Inside the 257 acres of ROW, there will be a permanent displacement of forage from the railroad pad, service road, road crossings, and cattle crossings. There will also be a loss of forage caused by construction activities, which may be temporary if the area can be, and is, rehabilitated and reseeded. Outside the ROW, there will be forage depletion from road construction, staging areas, material borrow areas, worker camps, and other construction related activities that will be partially permanent, and partially temporary to the extent the areas can be, and are, rehabilitated and reseeded. The loss of forage could result in a BLM Grazing Permit reduction.

The exact amount of forage loss cannot be determined until construction is completed. Minimum mitigation entails keeping disturbance to the least amount possible during construction. See Volume I Impact Analyses, Section 4.1.9.1 Disturbed Area Rehabilitation.

#### 5.2.2.7 Loss of Livestock

Leaving the ROW unfenced increases the risk of sheep being hit by trains.

Fence the ROW with sheep fencing. Cattle fencing is not sufficient to hold sheep.

#### 5.2.2.8 Other Impacts and Mitigations

Both Permittees emphasize that putting the railroad in the proposed location will ruin the allotment and put them out of business. The alignment separates the vast majority of the allotment from Bennett Spring which is a principle source of water.

The alignment surrounds the Bennett Spring water and the Bennett Spring private land which is base property. Bennett Spring is certificated and a private property right. The Bennett Spring land is private property. The alignment will degrade the values of the private water and the private land in addition to rendering the allotment virtually useless for their sheep operation.

Only moving the alignment elsewhere will mitigate the impacts. Failure to move the alignment will impose irreversible impacts on both sheep operations with irretrievable commitments of private resources.

### **5.3 PROPOSED RAILROAD ALIGNMENT – ANTELOPE ALTERNATIVE ROUTE**

The Antelope Alternative Route would follow the south side of Antelope Canyon, located in the south end of the Bennett Springs Allotment. This route is viable only if it continues to extend westward toward Dry Lake Valley and beyond. The route is the gateway to several alignment options, and would significantly shorten the total mileage of the proposed railroad project. The route could eventually tie back into the proposed route near the Lincoln County-Nye County boundary, or could continue directly through the Nevada Test and Training Range to the Nevada Test Site. This alternative should be explored fully for viability and potential impacts, subsequently comparing it to the proposed route.

The Antelope Alternative Route would enter the allotment from the east, traveling up Antelope Canyon from the Caliente Allotment. This route would run in a westerly direction across the south end of the allotment for a distance of seven miles.

There are two alignment options (Antelope Alternative-A and Antelope Alternative-B) for this route. Approximately half the distance from the eastern boundary to the western boundary of the allotment, the A and B routes split from a common route and follow different canyons to pass across the Chief Range. Antelope Alternative-A follows an undeveloped canyon until it reaches an established road just before exiting the allotment and entering the Cliff Springs Allotment. Antelope Alternative B follows an established road known as Old Highway 93. See Figure 5.1 for details of the Antelope Route.

Rail Length Within Allotment: 7 miles  
1,000' Construction Right-of-Way Area: 849 acres

#### **5.3.1 Fencing Preference for Proposed Rail Alignment**

No fence.

#### **5.3.2 Impacts and Mitigation**

##### **5.3.2.1 Base Property**

There is no apparent impact to base property.

##### **5.3.2.2 Grazing System**

Mr. Guymon reports rare use of Antelope Canyon for his sheep grazing operation. Thus the Antelope Route would have a minimal impact to the grazing operation.

Mr. Williams reports some use of the canyon, hence the Antelope Route would have some impact to his grazing operation. If this route is chosen, Mr. Williams prefers the railroad be aligned on the south side of the canyon to minimize the impacts.

Construct the railroad on the south side of the canyon. Construct seven sheep crossings along the track, with locations to be determined by the Permittees.

##### **5.3.2.3 Existing Fence and Capital Improvements**

The track and service road will cross a fence at the exit point into the Cliff Allotment, leaving an opening for cattle to drift into or out of the allotment.

Install a railroad cattleguard, and a road cattleguard on the service road.

#### 5.3.2.4 Stockwaters and Associated Infrastructure

Klondike Spring is the closest water source, four miles away. The railroad will not impact the service area of this stockwater. There is some water in the canyon during periods of runoff. Otherwise water is hauled for sheep use.

No stockwater mitigation recommended.

#### 5.3.2.5 Road and Trails

The Antelope Route would follow an existing roadway, Old Highway 93. The alignment will create engineering issues such as how to blend the railroad and road into a working transportation route for all uses.

The railroad will cross two trails.

Close coordination will be necessary between the DOE, BLM, and County Roads Department to design a workable route for both the road and railroad. The use of the existing road as the railroad service road is a possibility.

Construct trail crossings on each trail with approaches not to exceed six percent grade.

#### 5.3.2.6 Vegetation and Forage

Inside the ROW, there will be a permanent displacement of forage from the railroad pad, service road, road crossings, and cattle crossings. There will also be a loss of forage caused by construction activities, which may be temporary if the area can be, and is, rehabilitated and reseeded. Outside the ROW, there will be forage depletion from road construction, staging areas, material borrow areas, worker camps, and other construction related activities that will be partially permanent, and partially temporary to the extent the areas can be, and are, rehabilitated and reseeded. The loss of forage could result in a BLM Grazing Permit reduction.

The exact amount of forage loss cannot be determined until construction is completed. Minimum mitigation entails keeping disturbance to the least amount possible during construction. See Volume I Impact Analyses, Section 4.1.9.1 Disturbed Area Rehabilitation.

#### 5.3.2.7 Loss of Livestock

There is an increased risk of sheep death from collisions if the ROW is not fenced.

Fencing the ROW will reduce the chance of sheep death from collisions. However, both Permittees are opposed to fencing the ROW, believing fencing will cause more problems than it will solve.

#### 5.3.2.8 Other Impacts and Mitigations

With either route, it is important to develop another water source in the Chief Pasture. This could be an equipped well with a set of sheep troughs.

Both Permittees prefer the Antelope Route over the Common Segment because of fewer impacts to their grazing operations with the Antelope Route.

Brad Guymon is of the opinion that the railroad should begin in Caliente. He proposes the following:

The railroad to travel west along US Highway 93, then trend northwest up Antelope Canyon and go over the pass of the Burnt Springs Range into the Dry Lake Valley and continue west. This route is much shorter.

**Table 5.2: Bennett Spring Allotment Impacted Features**

<b>Impacted Features</b>	<b>Common Segment</b>	<b>Mitigatory Route – Antelope Canyon</b>
Base Property (land)	1	0
Base Property (water within 4 miles)	0	0
Base Property (water within 1 mile)	0	0
Base Property (pipeline crossings)	0	0
Existing Fencing (ea)	1	0
Capital Improvements	0	0
Stockwaters within 4 miles	1	0
Stockwaters within 1 mile	1	0
Creeks (ea)	0	0
Pipelines (ea)	1	0
Roads (ea)	3	0
Trails (ea)	0	0
ROW Acreage	1,245	0

**Table 5.3: Bennett Spring Allotment Mitigation Summary**

Proposed Mitigation Units	Common Segment	Mitigatory Route – Antelope Canyon
Fence Construction (miles)	0	0
Fence Removal	0	0
Gates (ea)	0	0
Railroad Cattleguards (ea)	1	0
Road Cattleguards (ea)	1	0
Grazing Management Plan	1	0
Corral Relocation	0	0
Chute Relocation	0	0
Wells (ea)	0	0
Troughs (ea)	2	0
Springs (ea)	0	0
Creek Crossings (ea)	0	0
Unspecified Stockwaters (ea)	1	0
Pipeline Crossings (ea)	1	0
Pipeline Construction (miles)	2.5	0
Road Crossings (ea)	3	0
Trail Crossings (ea)	0	0
Sheep Crossings (ea)	14	0
Cattle Crossings (ea)	0	0
Underpasses (ea)	0	0
Other	1	0

**Note:** *These construction units are estimates. Actual construction units cannot be determined until the centerline of the track is staked and design plans are available.*

**Figure 5.1: Bennett Spring Allotment**

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5.1 Bennett Spring.pdf