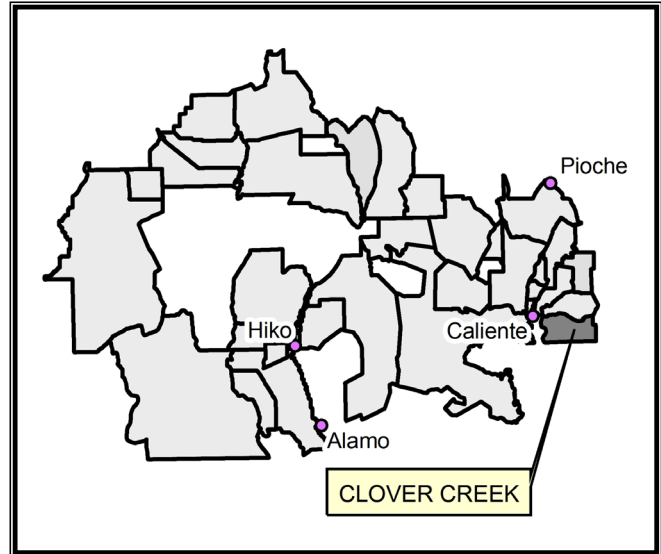


1.0 CLOVER CREEK ALLOTMENT

Permittee: National Mustang Association
Contact: Richard Sewing
City/State: Cedar City, UT

Permittee: Roger Dieleman
Contact: Roger Dieleman
City/State: Las Vegas, NV

Base Property: Land



1.1 ALLOTMENT DESCRIPTION

The northwest corner of the Clover Creek Allotment is approximately three miles east of Caliente. The allotment is approximately nine miles east and west and about four miles north and south. It is unfenced on the south and west boundaries. The fence between the Little Mountain Allotment to the north and the Clover Creek Allotment is down and is not a barrier between the two. It is unknown whether the northwest corner of the allotment (where there is private land) is fenced. See Table 1.1 and Figure 1.1 for details of the allotment and railroad route.

Table 1.1: Clover Creek Allotment Details

ALLOTMENT ACRES		GRAZING PERMIT					
Public	Private	Number/Type of Livestock		Season of Use	AUMs		
					Total	Active	Suspended
22,538	246	Nat'l Mustang Assoc	28 cattle	5/1 – 10/27	303	166	137
		Dieleman	74 cattle	11/1 – 4/30	800	443	357

1.1.1 Grazing System

The National Mustang Association permit is for spring-summer-fall use, however the Association leaves the forage for wild horses that utilize the allotment year-round.

Dieleman: Cattle are moved about the allotment as necessary to take advantage of water and forage.

1.1.2 Stockwaters and Water Rights

There are several springs located in the west portion of the allotment in Ash Canyon. There is a well in Barnes Canyon about .75 miles from the bottom end of the canyon. Mustangs use water at Oak Spring at the very northwest corner of the allotment. There are three springs on the east side of the existing railroad in Chokeycherry Canyon. In good water years there is some grazing

and water availability on Dutch Flat. There are a total of eleven water sources within four miles of the proposed track, however all are not accessible to cattle.

1.1.3 Existing Fencing

The existing Union Pacific Railroad splits the allotment into two pastures. The fence along the railroad is not maintained and does not provide an adequate barrier to livestock movement across the track. There is an underpass at Ash Valley (Map Reference 2) that is filled with debris from floods to the extent that it cannot be used by cattle. Mr. Dieleman trucks cattle and hauls water up Barnes Canyon to the south end of the allotment and into the Clover Creek area.

1.2 PROPOSED RAILROAD ALIGNMENT – DOE PROPOSED ROUTE – ECCLES ALTERNATIVE

The proposed Eccles Option will join the existing UPRR line on Dutch Flat. There will most likely be a switchyard here since this is the location where freight would be transferred. Impacts and mitigation cannot be specifically determined until the centerline of the track is staked, and until the design is available showing the amount of cuts and fills. The depth of cuts and fills will have a large bearing on the degree of obstruction of livestock and vehicle movement.

Rail Length Within Allotment: .79 miles
1,000' Construction Right-of-Way Area: 96 acres

Mr. Dieleman states:

A switchyard would be a much larger endeavor than even a siding and it is thought that it could require much more than twenty acres to construct, maintain and secure such a switchyard. I do not want a "blank check" issued to grab as much land out of the allotment as the federal government deems necessary to promote their newest boondoggle, namely Yucca Mountain. Additionally, will the government adequately secure such a switching yard against terrorist activity? It had better prepare for the likelihood that the wide-open expanses of Lincoln County would be a natural target for terrorists as well as environmental and social protesters and activists.

1.2.1 Fencing Preference for Proposed Rail Alignment

Mr. Sewing prefers that the track not be fenced, as fencing could disrupt wild horse movement throughout the allotment.

Mr. Dieleman disagrees and states:

Security must be a major priority for the line. Our nation is, for all practical purposes, under siege, and we are trying to find a solution for storing one of the most toxic substances on earth. It is ludicrous to believe that this train line can be secure, even for a short stretch, without security systems and measures in place. To that end, we feel that it is imperative that this rail line be fenced and secured. This will not only deter vandals and minor lawbreakers, but will be some impediment to other more hostile enemies. Furthermore, fences will protect trains from livestock, wild animals and horses roaming on or near the tracks, which often lead to accidents and possible serious harm. If a fence is installed there must be a method to allow property owners and permit holder's access, at any time, across the tracks, either through keyed gates or remote-controlled electrical gates.

Because the Permittees disagree on fencing preferences, the Allotment will be analyzed as a “no fence” preference since that appears to be the DOE preferred action.

1.2.2 Impacts and Mitigation

1.2.2.1 Base Property

No impacts to base properties are anticipated.

1.2.2.2 Grazing System

The proposed track may block cattle movement to the upper end of Dutch Flat and the lower end of Clover Creek.

Construct a crossing suitable for cattle to cross the existing track near the confluence of Chokeycherry Canyon and Clover Creek to better utilize the areas west and east of Clover Creek (Map Reference 1).

In addition to the above, provide a suitable cattle crossing near the east end of the existing railroad tunnel between Ash Canyon and Barnes Canyon (Map Reference 2) to allow cattle to cross the existing track by means other than hauling.

1.2.2.3 Existing Fence and Capital Improvements

The proposed track and service road will cross a fence as it joins the existing Union Pacific Railroad track.

Install a railroad cattleguard and a road cattleguard on the service road in the fence opening.

1.2.2.4 Stockwaters and Associated Infrastructure

No serious impacts to stockwaters are anticipated.

1.2.2.5 Road and Trails

Depending on final placement of the proposed track it may cross the existing service road along the UPRR track between Dutch Flat and Clover Creek used to move cattle and maintain the allotment.

Keep the existing or new service road open for use and passage between Dutch Flat and Clover Creek.

If public access is denied along the track for security reasons, the Permittees will need alternate access to the allotment, as these routes are often the only available way into some areas of the allotment.

1.2.2.6 Vegetation and Forage

Inside the 20 acres of right-of-way (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.

1.2.2.7 Loss of Livestock

There is a risk of livestock-train collisions if the ROW is left unfenced. Mr. Sewing does not see this risk as sufficient to warrant fencing the ROW. Mr. Dieleman disagrees, as noted above in Section 1.2.1.

1.2.2.8 Other Impacts and Mitigations

None known.

Table 1.2: Clover Creek Allotment Impacted Features

Impacted Features	Eccles Option
Base Property (land)	0
Base Property (water within 4 miles)	0
Base Property (water within 1 mile)	0
Base Property (pipeline crossings)	0
Existing Fencing (ea)	1
Capital Improvements	0
Stockwaters within 4 miles	8
Stockwaters within 1 mile	1
Creeks (ea)	0
Pipelines (ea)	0
Roads (ea)	1
Trails (ea)	0
ROW Acreage	96

Table 1.3: Clover Creek Allotment Mitigation Summary

Proposed Mitigation Units	Eccles Option
Fence Construction (miles)	0
Fence Removal	0
Gates (ea)	2
Railroad Cattleguards (ea)	1
Road Cattleguards (ea)	1
Grazing Management Plan	1
Corral Relocation	0
Chute Relocation	0
Wells (ea)	0
Troughs (ea)	0
Springs (ea)	0
Creek Crossings (ea)	0
Unspecified Stockwaters (ea)	0
Pipeline Crossings (ea)	0
Pipeline Construction (miles)	0
Road Crossings (ea)	1
Trail Crossings (ea)	0
Sheep Crossings (ea)	0
Cattle Crossings (ea)	2
Underpasses (ea)	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 1.1: Clover Creek Allotment

INSERT 11X17 FIGURE
1.1 Clover Creek.pdf