

Finding of No Significant Impact (FONSI)
Nickel Creek FFR Allotment Permit Renewal
Environmental Assessment # DOI-BLM-ID-B030-2011-0006-EA

- Grazing Permit Issuance -

I have reviewed the Council on Environmental Quality Regulations (CEQ) for significance (40 CFR 1508.27) and have determined the actions analyzed in Environmental Assessment (EA) # DOI-BLM-ID-B030-2011-0006-EA (incorporated by reference into this document) for the issuance of a grazing permit to the Juniper Mountain Grazing Association (JMGA) (Authorization #1103720) for the Nickel Creek FFR Allotment (#0657), Owyhee County, Idaho, would not constitute a major federal action that would significantly affect the quality of the human environment; therefore an Environmental Impact Statement is not required. This finding was made by considering both the context and intensity of the potential effects of the grazing alternative selected and its season of use, grazing management system and enforcement of objectives, as will be described in the decision document. The following factors, as described in the EA, were used in defining significance:

1) Impacts that may be both beneficial and adverse.

The beneficial effects of Alternative A, as modified to change specific terms and conditions analyzed in Alternative A and supplemented to adopt upland utilization limits as analyzed in Alternative D, are:

1. Reduces adverse grazing effects to vegetation by limiting the intensity of use in all pastures and minimizing grazing impacts to perennial bunchgrass vigor and productivity. (Section 3.1.2.2 and Section 3.1.2.5).
2. The livestock management practices and use limits identified would result in long-term improvement to riparian conditions and water quality (Section 3.2.2.2).
3. Allow for maintenance and possible slow improvement to upland and riparian wildlife habitats by implementing a grazing system that provides a mosaic of seasonal use across the landscape and allowing rest during the spring growing and nesting/foraging season in deferred pastures and potential regrowth in early use pastures (Section 3.3.2.1).
4. The grazing system, coupled with the adoption of the 30% spring utilization limit, would promote high plant community vigor and provide an adequate perennial herbaceous plant height during subsequent nesting/early brood-rearing seasons allowing for improvement to sage-grouse nesting habitats (Section 3.3.2.4).
5. The April to mid-November grazing season and other management requirements would have slight benefits to cultural resources since current grazing management has resulted in static or improving vegetation and soil conditions that would positively affect the stability of archaeological sites (Section 3.6.2.1).

The adverse effects of Alternative A, as modified and supplemented are:

1. Utilization of palatable shrubs and riparian browse may be slightly increased with the shift of spring/summer to fall use in some pastures, but use is expected to be by light (Sections 3.1.2.5, 3.2.2.5 and 3.3.2.4).
2. Herbaceous and woody riparian vegetation within the allotment could receive utilization in excess of 40%. Riparian utilization levels exceeding 35% in the late summer may degrade riparian habitat and associated Columbia Spotted Frog and Columbia River Redband Trout (Section 3.3.2.1).

2) *The degree to which the selection of Alternative A, as modified and supplemented, for Authorization #1103720 affects public health or safety.*

The selection of Alternative A, as modified and supplemented will not result in substantial or adverse impacts to public health or safety. Grazing of livestock has occurred within the area for decades with limited effects to public health and safety; this is a familiar activity to the public land user.

3) *Unique characteristics of the geographic area such as proximity to historic or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*

There are no park lands or areas designated to be prime farmlands within the geographic area. A portion of the Owyhee River Bighorn Sheep Habitat Area of Critical Environmental Concern (ACEC) within the Owyhee River Wilderness occurs within Pasture 25 of the allotment. There is little to no effect to this ACEC or the Wilderness Area with the selection of Alternative A, as modified and supplemented (Section 3.3.2.1).

4) *The degree to which the effects on the quality of the human environment are likely to be highly controversial.*

The EA addresses the foremost issues (Section 1.5) in the analysis of the various alternatives. Although the act of grazing on public land is considered controversial by some groups and individuals, the effects on the quality of the human environment from this proposal are not considered highly controversial based on: 1) the number and content of the comments received from the public, and 2) our review of the scientific literature conducted when completing the effects analysis (Appendix B and Sections 3.1.2.2, 3.1.2.5, 3.2.2.2, 3.2.2.5, 3.3.2.1, 3.3.2.4, 3.4.2.1, 3.4.2.4, 3.5.2.1, 3.5.2.4, 3.6.2.1, 3.6.2.4 and 4.0).

5) *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*

The analysis did not identify any effects on the human environment that are highly uncertain or involve unique or unknown risks. Grazing has been the primary use in this area for at least 78 years (Taylor Grazing Act, 1934). Grazing management similar to

that proposed by this decision has been implemented in other parts of the Owyhee Field Office (OFO). Several published documents (Section 6.0) were used to complete EA # DOI-BLM-ID-B030-2011-0006-EA and to verify effects from various alternatives. Different grazing management strategies have been in place throughout the OFO for decades. This research and decades of grazing management has given the BLM and public good knowledge of anticipated effects from livestock grazing. Therefore the effects of the Proposed Action on the human environment are not highly uncertain, and do not involve unique or unknown risks.

6) *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.*

The analysis showed how the alternatives would implement direction in the Owyhee Resource Management Plan (ORMP) and would not establish precedent for any future actions. The Proposed Action is to implement a grazing system for public lands within large tracts of privately managed lands. The activities are not connected to any other future actions of this nature. Management and resource issues may be similar in nature; however, all future actions regarding permit renewals will be assessed on an individual and site-specific basis.

7) *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.*

The analysis did not identify any known significant cumulative or secondary effects (Section 4.0). Outside this project area, additional standards and guidelines assessments, determinations and subsequent decisions have been made, resulting in changes in livestock management actions, stocking levels, and seasons of use. In addition to livestock grazing, range improvements, wildfire, juniper treatments, noxious weed treatments/infestations, agriculture, and roads were all identified as past, present, and foreseeable future activities. No individually or cumulatively significant impacts were identified in the EA. Any adverse impacts identified for the selected alternative, as modified and supplemented, in conjunction with any adverse impacts of other past, present, or reasonably foreseeable future actions will result in negligible to minor impacts to natural and cultural resources.

8) *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the NRHP or may cause loss or destruction of significant scientific, cultural, or historical resources.*

The action complies with the National Historic Preservation Act. The analysis in EA # DOI-BLM-ID-B030-2011-0006-EA showed that only negligible effects to cultural or historical resources would occur through implementation of Alternative A (Section 3.6.2.1). The season of use and grazing rotation for the grazing permit under the Proposed Action provide a reasonable level of general protection for cultural resources.

9) *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has determined to be critical under the Endangered Species Act (ESA) of 1973.*

No threatened and endangered plant or animal species listed under the ESA occur within the Nickel Creek FFR Allotment, although several candidate animal species are present. Implementation of Alternative A, as modified and supplemented, will maintain, at a minimum, identified candidate wildlife species' habitat conditions. The grazing system, with implementation of upland utilization limits as analyzed in Alternative D, will reduce potential adverse effects to candidate species or their habitats (Sections 3. 3.2.1 and 3.3.2.4).

10) *Whether the action threatens a violation of Federal, State, and local laws or requirements imposed for protection of the environment.*

The grazing management system identified through Alternative A, as modified by revising terms and conditions in Alternative A and supplemented with upland utilization limits identified in Alternative D of EA # DOI-BLM-ID-B030-2011-0006-EA, will not violate or threaten to violate any Federal, State, or local law for the protection of the environment (Section 1.4).

/s/ Michele McDaniel
Acting For

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October 17, 2013

Date