United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Four Rivers Field Office
3948 Development Avenue
Boise, Idaho 83705-5339

In Reply Refer To:
4160 (ID110)
1101879 and 11015159

November 18, 2015

CERTIFIED MAIL – RETURN RECEIPT REQUESTED 7005 0390 0006 6873 7144

Tree Top Ranches, LP
PO Box 8126
Boise, Idaho 83707-8126

Notice of Field Manager's Final Decision for the North Slope and Camas Creek Field Allotments

Dear Mr. Williams:

Thank you for your application to renew grazing permits on the North Slope (01044) and Camas Creek Field (01091) allotments. I appreciate your working with the Bureau of Land Management (BLM) during this permit renewal process and your interest in grazing the allotments in a sustainable fashion. I am confident this Final Decision achieves that objective.

The BLM remains dedicated to processing your grazing permit application(s) for the allotments. I signed a Proposed Decision to renew your grazing permit for the North Slope Allotment on May 27, 2014, which you received June 2, 2014. I signed a Proposed Decision to renew the J. D. Aldecoa &Sons, Inc. grazing permit for the Camas Creek Field Allotment on May 27, 2014, which you received June 2, 2014[1]. The Proposed Decisions included terms and conditions to ensure that the allotments would continue to meet Idaho Standards for Rangeland Health (Standards), comply with Guidelines for Livestock Grazing Management (Guidelines), and conform to the Jarbidge Resource Management Plan (RMP) objectives, the current land use plan for the area. The BLM received a protest letter regarding the Proposed Decisions from Western Watersheds Project on June 7, 2014. We held a protest meeting on July 15, 2014. All protest points submitted were considered and my responses to protest points are provided in the attached section titled Protest Responses.

[1] The Proposed Decision reflected the J.D. Aldecoa & Sons, Inc. application. Your application for preference transfer from J.D. Aldecoa & Sons, Inc. to Tree Top Ranches, LP for the Camas Creek Field Allotment was received January 2014. The preference transfer was completed August 20, 2015; therefore, I am issuing one Final Decision that addresses both allotments.

The BLM recently evaluated current grazing practices and conditions on the allotments in preparation for the renewing livestock grazing permits in the Bennett Mountain Management Area. We undertook this effort to ensure that any renewed grazing permit is consistent with the BLM's legal and land management obligations. As part of the BLM's evaluation process, Rangeland Health Assessments and Evaluations were completed, and Determinations were signed May 27, 2014.

Public scoping for grazing permit renewals associated with the 12 Bennett Mountain North allotments (this permit affects two of those allotments) was initiated April 2, 2012. The scoping letter informed recipients that the purpose of the public outreach effort was to identify resource and management issues associated with rangeland health standards and the Jarbidge RMP. Comments received during this process and meetings with you and other interested publics were used to develop the alternatives analyzed in the Bennett Mountain North Grazing Permit Renewal Environmental Assessment (EA) DOI-BLM-ID-B010-2011-0021-EA, published May 27, 2014.

Following public availability of my Proposed Decisions and review of protest points, I am now prepared to issue my Final Decision to renew your permit to graze livestock in the North Slope and Camas Creek Field allotments. After careful consideration, I have selected Alternative C (with modifications on the Camas Creek Field Allotment to address USFS permitted use terms and conditions) as the Final Decision for these allotments. Upon implementation of the decision, your permit to graze livestock in these allotments will be fully processed using the revisions to the grazing regulations[2] promulgated in 1995, the Idaho Standards and Guidelines, adopted in 1997, and the Jarbidge RMP, dated March 23, 1987. My Final Decision incorporates by reference the analysis contained in the EA, supporting documents, and the Jarbidge RMP.

This Final Decision will:

- Briefly describe current conditions and issues on the allotments;
- Briefly discuss the alternative grazing management schemes that the BLM considered in the EA;
- Respond to the applications for grazing permit renewal for use in the North Slope and Camas Creek Field allotments;
- Outline my Final Decision to select Alternative C; and
- State the rationale for making these selections.

Background

Allotment Setting

North Slope Allotment

The allotment is located south of State Highway 20, approximately 12 miles northeast of Mountain Home, Idaho and includes 896 acres of BLM-administered lands, 4,464 acres of private lands, and 408 acres of State lands in three pastures Map 1). Elevations range from 4,800 to 7,000 feet and topography is characterized by granitic hills, mountains, hill slopes, and ridgelines. The allotment is comprised of four ecological sites. South Slope Gravelly 12-16" (45%) is characterized by mountain big sagebrush with bluebunch wheatgrass. Loamy 12-16" (40%) is characterized by Wyoming big sagebrush, with Idaho fescue and bluebunch wheatgrass.

[2] The 2005 43 CFR Part 4100 are the federal regulations that govern public land grazing administration.

Forested (primarily Douglas-fir) communities (10%) are not currently characterized by a range site or ecological site description. Shallow Stony Loam (8-16") is characterized by low sagebrush and bluebunch wheatgrass.

Camas Creek Field Allotment

The allotment is located south of State Highway 20, approximately 14 miles southwest of Hill City, Idaho and includes 190 acres of BLM-administered lands, 280 acres of private lands, and 118 acres of State lands in two pastures (Map 2). Elevations range from 5,450 to 5,800 feet and topography is characterized by side slopes and drainages. Loamy 12-16" (90%) is the primary ecological site, characterized by Wyoming big sagebrush, with Idaho fescue and bluebunch wheatgrass.

Current Grazing Authorization

Grazing permit issued to Tree Top Ranches LP authorized active use in the North Slope (1101879; issued March 1, 2007) and Camas Creek Field (11015159; issued August 20, 2015) allotments (Table 1). This Final Decision will constitute a new grazing permit implementing the terms and conditions for the North Slope and Camas Creek Field allotments.

Table 1. Mandatory terms and conditions for the North Slope (authorization 1101879) and Camas Creek Field (authorization 11015159) Allotments, Elmore County, Idaho.

Allotment	Livestock		Grazing Period		% Public Land	Type Use	AUMs[A]
	Number	Kind	Begin	End			
01044 North Slope	29	Cattle	04/01	11/30	100	Active	233
01091 Camas Creek Field	14	Cattle	06/16	07/31	100	Active	21
	6	Cattle	08/01	11/15	100	Active	21

[A] Animal Unit Months

Allotment Specific Terms and Conditions (North Slope - 1101879)

1. This allotment is licensed at 100% federal although the federal land is only 16% of the total use area and is essentially an FFR Allotment. Livestock numbers may vary on the public land providing the AUM and use period have not been exceeded and the use is not detrimental to the public lands.
2. Permittees shall provide reasonable administrative access across private and leased lands to the BLM for the orderly management and protection of the public lands.
3. Turn-out is subject to Boise District Range Readiness Criteria.
4. Your certified Actual Use Report is due 15 days after authorized use. Salt and/orSupplement shall not be placed within one-quarter (¼) mile of any springs, streams, meadows, aspen stands, playas or water developments.
5. Changes to the scheduled use requires prior approval.
6. You are required to coordinate trailing activities with the BLM prior to initiation. A Trailing Permit or similar authorization may be required prior to crossing public lands.
7. Livestock exclosures located within your grazing allotments are closed to all domestic grazing use.
8. You are required to maintain rangeland improvements in accordance with the cooperative agreements and and improvement permits in which you are a signator or assignee. All maintenance or rangeland improvements within a Wilderness Study Area requires consultation with the Authorized Officer.
9. All Appropriate documentation regarding Base Property leases, lands offered for

Exchange of Use, and livestock control agreements must be approved prior to turn-out. Leases of land and/or livestock must be notarized prior to submission and be in compliance with Boise District Policy.

10. The land use plan allowable use level for riparian and upland vegetation is 50% of the current year's growth. Livestock should be removed from the use area, pasture, or allotment when is utilization has been reached.

Allotment Specific Terms and Conditions (Camas Creek Field – 11015159)

1. Non-Use may be applied for annually, with on limitation for the duration of this permit.
2. Turn-out is subject to Boise District Range Readiness Criteria.
3. Your certified Actual Use Report is due 15 days after authorized use.
4. Salt and/or Supplement shall not be place within one-quarter (¼) mile of springs, streams, meadows, aspen stands, playas, or water developments.
5. Changes to scheduled use requires prior approval.
6. You are required to coordinate trailing activities with the BLM prior to initiation A Trailing Permit or similar authorization may be required prior to crossing public lands.
7. Livestock exclosure located within your grazing allotment(s) are closed to all domestic grazing use.
8. You are required to maintain rangeland improvements in accordance with the cooperative agreements and improvements permits in which you are a signator or assignee. All maintenance or rangeland improvements within a Wilderness Study Area requires consultatin with the Authorized Officer.
9. All Appropriate documentation regarding Base Property leases, lands offered for Exchange of Use and livestock control agreements must be approved prior to turn-out. Leases of land and/or livestock must be notarized prior to submission and be in compliance with Boise District Policy.

Resource Conditions (Standards)

North Slope

Rangeland health assessment and monitoring data collected between 1988 and 2011 were used to assess allotment conditions. A 2014 Determination concluded that BLM-administered lands were meeting all applicable Standards, specifically Standard 1 (Watersheds), Standard 2 (Riparian Areas and Wetlands), Standard 3 (Stream Channel and Floodplains), Standard 4 (Native Plant Communities), Standard 7 (Water Quality)[3], and Standard 8 (Threatened and Endangered Plants and Animals). Standard 5 (Seedings) and Standard 6 (Exotic Plant Communities, other than Seedings) did not apply to the allotment. The following provides a summary of conditions. Please see the North Slope Assessment, Evaluation, and Determination documents and associated EA Affected Environment sections for more details.

Watersheds – All 12 watershed health indicators (e.g., water flow patterns, pedestals/terracettes, bare ground, soil surface loss or degradation, and plant community composition) had None to Slight departures from site potential[4] (EA Section 3.1.1). Native plant communities, which

[3] The Determination was based on streams identified in the Idaho Department of Environmental Quality 2010 Integrated Report. The same streams were identified in the 2012 report, the most current report, and there were no changes in water quality status between the two reports.

[4] Attributes of rangeland health (Soil/Site Stability, Hydrologic Function, and Integrity of the Biotic Community are rated based on their departure from ecological site description/ecological reference areas (site potential). Ratings include None to Slight, Slight to Moderate, Moderate, Moderate to Extreme, and Extreme. BLM Technical Reference 1734-6, *Interpreting Indicators for Rangeland Health*, defines normal range of variability as the deviation

closely represented reference conditions, provided adequate structure, function, and cover to ensure proper nutrient cycling, hydrologic cycling, and energy flow. Overall, long-term trends were upward for persistent vegetation cover and static to downward for bare ground cover.

Riparian Areas, Wetlands, Stream Channels, and Water Quality – Vegetation and hydrologic conditions were rated in proper functioning condition (PFC) for 0.6 miles of stream segments (0.4 miles of Bennett Creek and 0.2 miles of Dive Creek) (EA Section 3.5.1). Segments rated in PFC were characterized by dominance of potential natural vegetation; ≥80% vegetated and stable streambanks; stream morphology appropriate to hydrology, landform and substrate; and appropriate sediment levels. The streams are not on the 303(d) list of water quality impaired streams and vegetative and hydrologic conditions support applicable water quality standards.

Upland Vegetation, Special Status Plants – All nine biotic integrity indicators had None to Slight departures from site potential. Native plant diversity and abundance were similar to reference area conditions (EA Section 3.2.1).

Long-term trend monitoring indicated an overall static trend in vegetation community conditions (EA Section 3.2.1). Shrub frequency trends were static to downward at levels typical for the ecological sites. Tall-stature perennial bunchgrasses (bluebunch wheatgrass) had static and downward trends (static at two sites, downward at one site). Mid-stature perennial bunchgrass trends varied by species. Needlegrass trend was static at two sites and downward at one site; squirreltail trend was static at two sites and downward at one site; Sandberg bluegrass trend was static at one site and downward at two sites; and Idaho fescue and prairie Junegrass had upward trends. Frequencies of perennial grass species were similar to expected at the majority of sites. Exotic annual grasses had static trends at low frequencies. No special status plants or noxious weeds were not known to occur.

Wildlife, Special Status Animals – Greater sage-grouse habitat conditions, which in the EA analyses and this Final Decision also serve as an indicator of habitat suitability for shrubsteppe dependent species (including special status and migratory species such as ferruginous hawk and Brewer's sparrow), were meeting Standard 8 (EA Section 3.6.1). The majority (59%) of the allotment is Preliminary Priority Habitat (PPH) for sage-grouse[5]. Based on 2010 and 2014 data, two active leks occur within 1.8 and 2.0 miles of the allotment. An additional lek (3.1 miles from the allotment) was affected by the 2013 Pony Fire. In PPH, sagebrush, perennial grass, and forb cover are generally suitable for nesting, brood rearing, summer, and winter habitat. Fences (a potential sage-grouse mortality factor due to collision risk) delineate pasture and allotment boundaries.

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of characteristics of biotic communities and their environment that can be expected given natural variability in climate and disturbance regimes. Ratings in the Moderate, Moderate to Extreme, and Extreme are considered outside the normal range of variability.

[5] Based on lek attendance, connectivity, seasonal habitat and other data, PPH are areas that have been identified as having the highest conservation value (breeding, nesting, brood-rearing habitat) to maintaining greater sage-grouse populations. The Record of Decision and Approved Resource Management Plan Amendments for the Great Basin Region Including the Greater Sage-Grouse Sub-Regions of Idaho and Southwestern Montana, Nevada and Northeastern California, Oregon, and Utah (ROD) was signed September 18, 2015 and used a different method to delineate sage-grouse habitat than was used for the assessment and EA. The ROD designates the entire allotment as late brood-rearing and winter habitat, with 59% (formerly PPH) designated as an Important Habitat Management Area (HMA) and the remainder designated as General HMA; however, the additional 364 acres (41%) of General HMA designated in the ROD are actually forested and were not considered as sage-grouse habitat in the EA.

Other special status species (e.g., northern goshawk, willow flycatcher, Cassin's finch, spotted bat, and redband trout) that occur in the area are primarily associated with riparian, wetland, and forested habitats. Stream segments provided suitable habitat for redband trout and riparian dependent species, characterized by adequate stream shading, vertical structural diversity, and a diverse mix of native grasses, forbs, shrubs, and trees (EA Sections 3.5.1 and 3.6.1).

Upland and riparian habitats provided suitable habitat for small mammals and raptor prey species (EA Section 3.6.1). Bitterbrush provided suitable mule deer winter forage.

Camas Creek Field

Rangeland health assessment data collected between 2004 and 2011 were used to assess allotment conditions. A 2014 Determination concluded that BLM-administered lands were meeting Standards 1, 4, and 8. Standards 2, 3, 5, 6, and 7 did not apply to the allotment. The following provides a summary of conditions. Please see the Camas Creek Field Assessment, Evaluation, and Determination documents and associated EA Affected Environment sections for more details.

Watersheds – Four of 12 watershed health indicators (e.g., bare ground, soil surface resistance to erosion, plant community composition, and litter amount) had Moderate departures from site potential at one of the two sites assessed (EA Section 3.1.1). Native plant communities generally provided appropriate structure, function, and cover to ensure proper nutrient cycling, hydrologic cycling, and energy flow.

Riparian Areas, Wetlands, Stream Channels, and Water Quality – No streams or springs are present on BLM-administered lands in the allotment (EA Section 3.5.1).

Upland Vegetation, Special Status Plants – Three of nine biotic integrity indicators (e.g., soil surface resistance to erosion, litter amount, and annual production) had Moderate departures from site potential at one of the two sites assessed. Native plant diversity and abundance were similar to expected for the ecological site (EA Section 3.2.1). No special status plants or noxious weeds were known to occur in the allotment.

Wildlife, Special Status Animals – Intact native plant communities (e.g., shrubs, tall- and mid-stature perennial grasses, and a variety of forbs) provide suitable habitat for a variety of wildlife species, including sage-grouse and other shrub-steppe dependent species (EA Section 3.6.1). The entire allotment occurs in PPH[6]; however, because of elevation (and associated snow), it provides primarily summer habitat. Based on 2010 and 2014 data, four active leks occur within 6.5 and 8.0 miles of the allotment. Sagebrush and mountain shrub communities provide suitable cover and nesting and foraging habitat for a variety of special status species (e.g., loggerhead shrike, green-tailed towhee, and bat species), small mammals, and raptor prey species.

Guidelines for Livestock Grazing Management

The BLM's 2014 Determinations found that grazing conformed to all Guidelines.

[6] The ROD designated 11% of the allotment as winter habitat and all of the allotment as Important HMA.

Issues

Based on the BLM's evaluation of current grazing management, current conditions on the allotments, public response to scoping, and the BLM's obligations to meet Idaho Standards and Guidelines, and move toward meeting Jarbidge RMP management objectives, the BLM identified the following resource issues associated with the grazing permit renewal:

- Watersheds: How can livestock grazing be modified to improve watershed function?
- Vegetation and Special Status Plants: How can native perennial grasses and forbs be maintained or increase?
- Fuels Management: Is the issuance of temporary non-renewable use (TNR) an appropriate method to manage fuels in the area?
- Greater Sage-grouse: What is the BLM considering sage-grouse habitat and will BLM implement protection measures for it?
- Migratory Birds: How will BLM ensure that habitat conditions will support migratory birds?
- Wildlife: What management actions will be taken to minimize forage competition and fencing impacts, especially in mule deer winter range?
- Riparian/Wetland Areas/Fisheries: What management actions, especially those that don't require fencing, can be implemented to improve habitat conditions?
- Water Quality: What management changes will be made to ensure water quality standards will be met?
- Cultural Resources: What steps will be taken to avoid or minimize impacts to cultural resources?
- Livestock Management/Social and Economics: How will proposed alternatives balance the need for meeting Standards with operational and economic needs?

Analysis of Alternative Actions

Based on the current conditions in the allotments and the issues identified above, the BLM considered alternative livestock management schemes that would ensure that any renewed grazing permits would maintain or improve satisfactory conditions (where they exist), and/or allow an allotment to meet or make significant progress toward meeting Standards where unsatisfactory conditions exist. Temporary non-renewable (TNR) use was considered, but not analyzed in detail because suitable conditions for TNR do not exist in the allotments (EA Section 2.2.1) [7]. The following four alternatives were considered in detail (see EA Section 2.3 for more detailed descriptions):

Alternative A – No Grazing: Livestock grazing would not be permitted for a 10-year period.

Alternative B – Continue Current Use:
North Slope – Cattle use (233 AUMs of Active Use) would be permitted in three pastures during the spring through fall (29 head, April 1 to November 30). Livestock numbers could vary providing AUMs and use period were not exceeded. Riparian and upland vegetation utilization would be limited to 50% of current year's growth.

[7] The permittee could apply for TNR in the allotments; however, the BLM would need to evaluate the request in accordance with the NEPA.

Camas Creek Field - Cattle use (42 AUMs of Active Use) would be permitted during the spring through fall (14 head, June 16 to July 31, 21 AUMs and 6 head, August 1 to November 15, 21 AUMs). Non-use could be applied for, with no limitation.

Alternative C – Permittee Applications:
North Slope – Same as Alternative B; however, a maximum of 360 head would be allowed as long as AUMs and use period were not exceeded.

Camas Creek Field - The Camas Creek Field Allotment boundary would be expanded to include the USFS Cat Creek C&H Allotment and the %PL would be adjusted accordingly. Cattle use (42 AUMs of Active Use) would be permitted during the spring/summer (200 head, June 16 to August 1, 15 AUMs), summer/fall (156 head, July 25 to October 31, 25 AUMs), and fall (200 head, November 1 to November 5, 2 AUMs) in three pastures (including one with no BLM-administered lands) that would be used generally in conformance with USFS Annual Operating Instructions. Livestock numbers would not exceed those specified on the USFS permit.

Alternative D – BLM Proposal:
North Slope – Same as Alternative B.

Camas Creek Field – Same as Alternative C.

Final Decision

After considering the current conditions of the natural resources, current grazing practices, and the alternatives and analyses in the EA, as well as other information, it is my Final Decision to renew your grazing permit for 10 years with terms and conditions consistent with Alternative C in the EA and as shown below in Table 2. Grazing use under this authorization (permit) over the next 10 years will allow the allotments to continue to meet Idaho Standards and Guidelines and resource objectives outlined in the Jarbidge RMP. Additionally, it is my Final Decision to:

- Adjust the historic boundaries of the Camas Creek Field Allotment to incorporate USFS, Idaho Department of Lands, and private lands located within the defined boundaries of the USFS Cat Creek Cattle & Horse "On-Off" Allotment (Map 2).
- Authorize 233 and 42 AUMs of Active Use, respectively, in the North Slope and Camas Creek Field allotments (Table 2).

Final Grazing Authorization

The Final Grazing Authorization will contain the following Mandatory (Table 2), Other, and Allotment Specific Terms and Conditions.

Table 2. Mandatory terms and conditions[8] for the North Slope and Camas Creek Field Allotments, Elmore County, Idaho.

Allotment	Livestock		Grazing Period		% Public Land	Type Use	AUMs
	Number	Kind	Begin	End			
01044 North Slope	360	Cattle	04/01	11/30	20	Adaptive	233
01091 Camas Creek Field	208	Cattle	06/01	11/10	4	Adaptive	42

Other Terms and Conditions

1. Livestock grazing must be conducted in accordance with the Terms and Conditions described in the Final Decision dated November 18, 2015.
2. Livestock turn-out is subject to District Range Readiness Criteria.
3. Changes to the scheduled use will require prior approval by the authorized officer.
4. You are required to submit a signed and dated Actual Grazing Use Report form (BLM Form 4130-5) for each allotment you graze. The completed form(s) must be submitted to this office within 15 days from the last day of your authorized annual grazing use.
5. Salt and/or supplements shall not be placed within one-quarter (1/4)-mile of springs, streams, meadows, aspen stands, playas, special status plant populations, eligible historic properties, or water developments. Use of supplements other than the standard salt or mineral block on public land requires annual authorization by the authorized officer.
6. A crossing permit may be required prior to trailing livestock across public lands. Crossing activities must be coordinated with the BLM prior to initiation. Permittee will also notify any/all affected permittees in advance of crossing.
7. Livestock exclosures located within grazing allotment(s) will be closed to all domestic grazing use.
8. Range improvements must be maintained in accordance with the cooperative agreement and range improvement permits in which you are a signatory or assignee. All maintenance activities which may result in ground disturbance require prior approval from the authorized officer.
9. Escape ramps that meet BLM standards must be installed and functioning on water troughs located on public lands. The permittee will inform BLM if escape ramps are needed on permanent troughs, and BLM will supply them. The permittee is responsible for providing escape ramps for temporary troughs. It is the permittee's responsibility to maintain and install all escape ramps.
10. Pursuant to 43 CFR § 10.4(b), you must notify the BLM Field Manager, by telephone with written confirmation, immediately upon the discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony on federal lands. Pursuant to 43 CFR § 10.4(c), you must immediately stop any ongoing activities connected with such discovery and make a reasonable effort to protect the discovered remains or objects.
11. Permittees or lessees shall provide reasonable administrative access across private and leased lands to the BLM for the orderly management and protection of public lands.
12. AUMs and livestock numbers (within permitted grazing dates) are currently calculated using % Public Land. BLM is using the % Public Land calculation because grazing on this

[8] Although "Type Use" is shown as "Adaptive," this is only to allow the BLM's Rangeland Administration System (RAS) the ability to display the total livestock numbers, entire season of use, and the total number of AUMs. I combined the use periods in the Camas Creek Field Allotment to allow easier conformance to the USFS permit. Camas Creek Field Allotment Specific Terms and Conditions outline specific season of use requirements. All AUMs associated with this Final Decision will be "Active Use" in accordance with 4100.0-5.

allotment incorporates unfenced acres of non-public lands which are owned or controlled by the permittee; in essence the % Public Land calculation give the permittee credit for forage being used on the non-public lands and results in an increase in livestock numbers. Should the non-public lands (private, State Lands) within the allotment be fenced out or otherwise acquired by a third party through lease or ownership changes such that the permittee no longer uses them in conjunction with the public lands, the % Public Land and livestock numbers will change administratively and automatically without further notice. If that happens, BLM will issue a timely new permit to reflect the administrative change. No changes to Active AUMs on public land will occur.

North Slope Allotment Specific Terms and Conditions

1. Livestock numbers in the North Slope Allotment may vary, provided season of use and AUMs are not exceeded; however, the maximum number of livestock present at any one time will not exceed 360 head.

Camas Creek Field Allotment Specific Terms and Conditions

1. Livestock numbers in the Camas Creek Field Allotment may vary, provided season of use and AUMs are not exceeded; however, the maximum number of livestock present at any one time will not exceed 208 head (or current USFS permitted numbers).
2. Use in the Meadow Pasture (3) could occur starting June 1 one in three years, but no sooner than June 16 for the remaining two years.

Rationale

Record of Performance

Pursuant to 43 CFR § 4110.1(b)(1), a grazing permit may not be renewed if the permittee seeking renewal has an unsatisfactory record of performance with respect to its last grazing permit. Accordingly, I reviewed the Tree Top Ranches, LP records as a grazing permit holder and have determined that you have a satisfactory record of performance and are a qualified applicant for the purposes of permit renewal.

Alternative Selection

Based on my review of the Bennett Mountain North Grazing Permit EA (DOI-BLM-ID-B010-2011-0021-EA), the associated FONSI, the rangeland health assessments, evaluations, determinations, and other documents in the grazing files, it is my Final Decision to select Alternative C for the North Slope and Camas Creek Field (with modifications) allotments. I made these selections after a thorough review of resource conditions and the environmental analyses. It is evident to me that implementation of this decision will best fulfill the BLM's obligation to manage the public lands under the Federal Land Policy and Management Act multiple use and sustained yield mandate and other applicable statutes, regulations, and requirements, and will result in the allotments meeting or making significant progress toward meeting the resource objectives of the Jarbidge RMP and the Idaho Standards and Guidelines.

Adaptive Use Grazing Authorization (Permit)

The BLM uses the Rangeland Administration System (RAS; www.blm.gov/ras) database for grazing administrative support. When generating a grazing permit in RAS, Active Use (in AUMs) is calculated automatically based on the number of livestock, days of authorized use, and percent of public land. The RAS now allows user selection of Adaptive rather than

Active for type of use which allows override of automatic AUM calculations so that the mandatory terms and conditions that accurately reflect permitted flexibility in livestock numbers and/or seasons of use. Although the printed permit using this feature identifies AUMs as "Adaptive," they are still considered to be "Active" AUMs. I have decided to issue to you a grazing authorization (permit) using Adaptive rather than Active AUMs to allow for fluctuating livestock numbers within the given grazing period while not exceeding the AUMs identified in the Allotment Specific Terms and Conditions. To be clear, Adaptive Use on the grazing authorization (permit) is not to be mistaken with the discussion of Adaptive Management in Alternative C in the EA.

Issues Addressed

Earlier in this decision, I outlined the major issues that drove the analysis and decision making process for the North Slope and Camas Creek Field allotments. I want you to know that I considered how each alternative would affect the identified issues before making my decision. My Final Decision for the allotments is based in large part on my understanding that it best addresses the specific issues, given the BLM's legal and land management obligations.

Watersheds: How can livestock grazing be modified to improve watershed function?
AND
Vegetation and Special Status Plants: How can native perennial grasses and forbs be maintained or increase?

<u>North Slope</u>

As mentioned above and explained in detail in the EA, watersheds and native plant communities are in satisfactory conditions. Although the allotment has a high stocking rate (3.8 acres/AUM), the precipitation levels ensure that watershed conditions and vegetation communities are resilient to change (EA Sections 3.1.2.4 and 3.2.2.5). Plant community structure, function, and distribution will be capable of maintaining soil stability and biotic processes over the subsequent ten years. Mechanical impacts would persist in concentrated use areas, but these areas are few and small in scale; therefore, watershed function would be maintained over the long term and Standard 1 will continue to be met. Primarily static trends of perennial bunchgrasses and increasing frequencies of Idaho fescue (a species prone to decline under improperly managed livestock grazing) indicate that continuing current grazing practices will maintain vegetation in satisfactory conditions over the long term and Standard 4 will continue to be met. The maximum livestock numbers represent permitted use (which allowed flexibility in livestock numbers) that typically occurred when all ownerships are considered and Standards were being met (EA Section 3.2.2.3).

<u>Camas Creek Field</u>

As mentioned above and explained in detail in the EA, watersheds and native plant communities are in satisfactory conditions. Although the allotment has a high stocking rate (4.5 acres/AUM), the precipitation levels ensure that watershed conditions and vegetation communities are resilient to change (EA Sections 3.1.2.4 and 3.2.2.5). Extending the permitted use period by 15 days (June 1 start day vs June 16 in Alternative C) will have negligible to minor effects on watershed function because perennial vegetation cover will be maintained over the long term (EA Section 3.1.2.4 analysis for South Hammett #7 Allotment). Because June 1 is the mid to latter part of the growing season, I anticipate livestock utilization levels will be <40% by the time grasses complete their growth, a level that allows grazed plants to be maintained in satisfactory condition

over the long term. Deferment until June 16 or later in two out of three years will allow plants any necessary recovery from the occasional June 1 use. The maximum number of livestock would match the associated USFS permit. Concentrations of animals on public lands would not be different from current use patterns and the permitted AUMs would remain the same; therefore, using the maximum numbers will not affect plant communities. Standards 1 and 4 will continue to be met over the long term.

Fuels Management: Is the issuance of TNR an appropriate method to manage fuels in the area? Although a number of sources identify the potential to use grazing to reduce fine fuels on a landscape level, identified benefits are greatest with targeted grazing that strategically maintains fuel-breaks to aid fire suppression actions (Diamond et. al. 2009). Landscape-scale fuels reduction has its greatest application in grass-dominated vegetation communities, specifically within seedings of grazing-tolerant introduced grasses and exotic annuals (Diamond et. al. 2009). Because of the limited presence of exotic annuals, TNR is not appropriate to manage fuels (EA Section 2.2.1). Additionally, the seasons and levels of use required to reduce fine fuels prior to the fire season are not conducive to sustaining perennial grasses and forbs, consequently Standards 1, 4, and 8 would not be met under a grazing scheme developed for fuels management. Evenly distributed light use will help reduce fuels while maintaining native species.

Greater Sage-grouse: What is the BLM considering sage-grouse habitat and will BLM implement protection measures for it?
AND
Migratory Birds: How will BLM ensure that habitat conditions will support migratory birds?
AND
Wildlife: What management actions will be taken to minimize forage competition and fencing impacts, especially in mule deer winter range?

<u>North Slope</u>
Resilient plant communities and a flexible use period will help maintain native plant diversity and abundance and ensure that Standards 4 and 8 will continue to be met for wildlife over the long term (EA sections 3.2.2.5, 3.5.2.4, and 3.6.2.5). Minor structural damage to shrubs will occur in concentrated use areas (e.g., around water sources); however, these represent a small proportion of the allotment and are not typically associated with BLM-administered lands. Maintaining sagebrush cover will help ensure adequate vertical cover over the long term. Maintaining tall- and mid-stature grasses and perennial forbs will ensure suitable horizontal nesting cover and forage availability and diversity over the long term. Some existing fencing on private lands (along Highway 20), but no fencing on BLM-administered lands, occurs within the 1.9 mile buffer around leks as determined by the fence collision risk model (Stevens et. al. 2012). My decision is consistent with BLM's Greater Sage-Grouse Interim Management Policies and Procedures Instructional Memorandum 2012-043 and the ROD because it promotes growth and persistence of native perennials.

Food, water, and cover requirements will continue to be met for upland-dependent migratory and resident species over the long term under this Decision (EA Sections 3.5.2.5 and 3.6.2.5). Maintaining shrub, perennial grass, and forb cover will maintain suitable nesting, brood rearing, and foraging conditions for a variety of special status species including sage-grouse, sage sparrow, and redband trout (EA Appendix 10). Resilient plant communities and a flexible use period will promote the vigor and diversity of native perennial vegetation. My decision is

consistent with BLM's Special Status Species Management 6840 Manual because it maintains suitable habitat conditions.

Competition for big game forage will cause minor annual impacts over the long term (EA Section 3.6.2.5). Standard 4 will continue to be met over the long term.

Camas Creek Field

Resilient plant communities and use primarily after perennial grass growth periods will help maintain native plant diversity and abundance and ensure that Standards 4 and 8 will continue to be met for wildlife over the long term (EA sections 3.2.2.5, 3.5.2.4, and 3.6.2.5). Minor structural damage to shrubs will occur in concentrated use areas (e.g., around supplement sites); however, these represent a small proportion of the allotment. Maintaining sagebrush cover and tall- and mid-stature grasses and perennial forbs will ensure suitable nesting cover and forage availability and diversity over the long term. No fencing occurs within the 1.9 mile buffer around leks as determined by the fence collision risk model (Stevens et. al. 2012). My decision is consistent with BLM's Greater Sage-Grouse Interim Management Policies and Procedures Instructional Memorandum 2012-043 and the ROD because it promotes growth and persistence of native perennials.

Food, water, and cover requirements will continue to be met for upland-dependent migratory and resident species over the long term under this Decision (EA Sections 3.5.2.5 and 3.6.2.5). Maintaining shrub, perennial grass, and forb cover will maintain suitable nesting, brood rearing, and foraging conditions for a variety of special status species including sage-grouse and sage sparrow (EA Appendix 10). Resilient plant communities and a primarily deferred use period will promote the vigor and diversity of native perennial vegetation. My decision is consistent with BLM's Special Status Species Management 6840 Manual because it maintains suitable habitat conditions.

Competition for big game forage will minor annual impacts over the long term (EA Section 3.6.2.5). Standard 4 will continue to be met over the long term.

Riparian/Wetland Areas/Fisheries: What management actions, especially those that don't require fencing, can be implemented to improve habitat conditions?

AND

Water Quality: What management changes will be made to ensure water quality standards will be met?

North Slope

Dense herbaceous and woody riparian vegetation will be maintained and continue to protect streambanks and provide shading. Streams will remain in PFC and Standards 2, 3, 7, and 8 (EA Section 3.5.2.1) will continue to be met over the long term.

Cultural Resources: What steps will be taken to avoid or minimize impacts to cultural resources?

Although no sites have been recorded in the allotments, any cultural sites associated with concentrated use areas will be subjected to trampling, but overall maintenance of satisfactory vegetation conditions and litter will help maintain site stability over the long term (EA Section 3.8.2.5).

Livestock Management/Social and Economics: How will proposed alternatives balance the need for meeting Standards with operational and economic needs?
Because the authorized use will help maintain Standards, as described above, social and economic needs for a variety of user groups (e.g., satisfactory vegetation conditions, enhanced recreation experiences; EA Section 3.9.2.3), including the permittee, will also be met. While the permit provides flexibility in use and animal numbers, I am confident that that flexibility will not adversely affect the BLM's ability to maintain Standards.

Additional Rationale

I considered selecting Alternative A - No Grazing; however, based on the information used in developing my decision, I believe that the BLM can meet resource objectives and still allow grazing on the allotments. In selecting Alternative C, I especially considered (1) BLM's ability to meet resource objectives using the selected alternative, (2) the impact of implementation of Alternative A on your operation and on regional economic activity, and (3) your past performance under previous permits. The resource issues identified are primarily related to the improper seasons and site-specific intensities of grazing use in other allotments in the Bennett Mountain North area. As stated above, the resource issues will be satisfactorily addressed by implementing the Final Decision. The suspension of grazing for a 10-year period is not the management decision most appropriate at this time in light of these factors.

I also considered selecting Alternative B – Continue Current Management. While this alternative would meet Standards and Guidelines, it would not address operational considerations raised by your application and subsequent meetings. Alternative C addresses those considerations while ensuring that Standards and Guidelines will be met.

Notes on Terms and Conditions

The resulting stocking rates considered potential forage production and availability associated with the ecological site potential and current conditions (EA Section 3.0). Maximum numbers were identified for each allotment. They are meant to provide some flexibility for you and work in conjunction with your USFS permit in the Camas Creek Field Allotment, while recognizing the need to maintain suitable conditions. Additional flexibility in the Camas Creek Field was based on pasture-specific range readiness conditions and the assurance that plant physiological needs will be met at least two in three years.

Finding of No Significant Impact (FONSI)

A finding of no significant impact (FONSI) was signed on May 27, 2014, and concluded that the decision to implement Alternative C is not a major federal action that will have a significant effect on the quality of the human environment, individually or cumulatively with other actions in the general area. That finding was based on the context and intensity of impacts organized around the 10 significance criteria described at 40 CFR § 1508.97. Therefore, an environmental impact statement is not required. A copy of the FONSI for DOI-BLM-ID-B010-2011-0021-EA is available on the web at: on.doi.gov/1LM8uBj

Conclusion

In conclusion, it is my decision to select Alternative C for the North Slope and Camas Creek Field (with minor modifications) allotments. I have determined the issuance of this grazing permit will be in conformance with the Jarbidge RMP dated March 23, 1987, and the permitted livestock grazing will continue to meet applicable Standards and Guidelines. Alternatives A and B would also meet Standards and Guidelines, but would unnecessarily remove economic activity (Alternative A) or not fully address your operational needs.

Authority

The authorities under which this decision is being issued include the Taylor Grazing Act of 1934, as amended, Public Rangelands Improvement Act of 1978, and the Federal Land Policy and Management Act of 1976, as promulgated through Title 43 of the Code of Federal Regulations (CFR) Part 4100 Grazing Administration - Exclusive of Alaska (2005). My decision is issued under the following specific regulations:

- 4100.0-8 Land use plans; the Jarbidge RMP designates the North Slope and Camas Creek Field allotments available for livestock grazing;
- 4110.3 Changes in permitted use;
- 4130.2 Grazing permits or leases. Grazing permits may be issued to qualified applicants on lands designated as available for livestock grazing. Grazing permits shall be issued for a term of 10 years unless the authorized officer determines that a lesser term is in the best interest of sound management;
- 4130.3 Terms and conditions. Grazing permits must specify the term and conditions that are needed to achieve desired resource conditions, including both mandatory and other terms and conditions;
- 4160 Administrative Remedies. Guidance on issuance of proposed and final decisions, and protests and appeals.
- 4180 Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration. Implementation of the decision will result in the continuation of the subject public lands to meet the Idaho Standards for Rangeland Health.

Right of Appeal

Any applicant, permittee, lessee, or other person whose interest is adversely affected by the Final Decision may file an appeal in writing for the purpose of a hearing before an administrative law judge in accordance with 43 CFR §§ 4160.3(c), 4160.4, 4.21, and 4.470. The appeal must be filed within 30 days following receipt of the Final Decision. The appeal may be accompanied by a petition for a stay of the decision in accordance with 43 CFR § 4.471 pending final determination on appeal. The appeal and petition for a stay must be filed in the office of the authorized officer, as noted:

Tate Fischer
Four Rivers Field Manager
3948 S. Development Avenue
Boise, Idaho 83705-5339

In accordance with 43 CFR § 4.401, the BLM does not accept fax or email filing of a notice of appeal and petition for stay. Any notice of appeal and/or petition for stay must be sent or delivered to the office of the authorized officer by mail or personal delivery.

Within 15 days of filing the appeal, or the appeal and petition for stay, with the BLM officer named above, the appellant must also serve copies on other persons named in the *copies sent to* section of this decision in accordance with 43 CFR § 4.421 and on the Office of the Field Solicitor located at the address below in accordance with 43 CFR §§ 4.470(a) and 4.471(b).

Boise Field Solicitor's Office
University Plaza
960 S. Broadway Avenue Suite 400
Boise, Idaho 83706-6240

The appeal shall state the reasons, clearly and concisely, why the appellant thinks the Final Decision is in error and otherwise complies with the provisions of 43 CFR § 4.470.

Should you wish to file a petition for a stay, see 43 CFR 4.471 (a) and (b). In accordance with 43 CFR 4.471(c), a petition for a stay must show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied.
2. The likelihood of the appellant's success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

As noted above, the petition for stay must be filed in the office of the authorized officer and served in accordance with 43 CFR 4.471. Any person named in the decision that receives a copy of a petition for a stay and/or an appeal, see 43 CFR 4.472(b) for procedures to follow if you wish to respond.

If you have any questions, please contact either Matt McCoy Four Rivers Assistant Field Manager at (208) 384-3343 or matthewmccoy@blm.gov, or myself at 208-384-3430 or tfischer@blm.gov.

Sincerely,

/s/ *Tate Fischer*

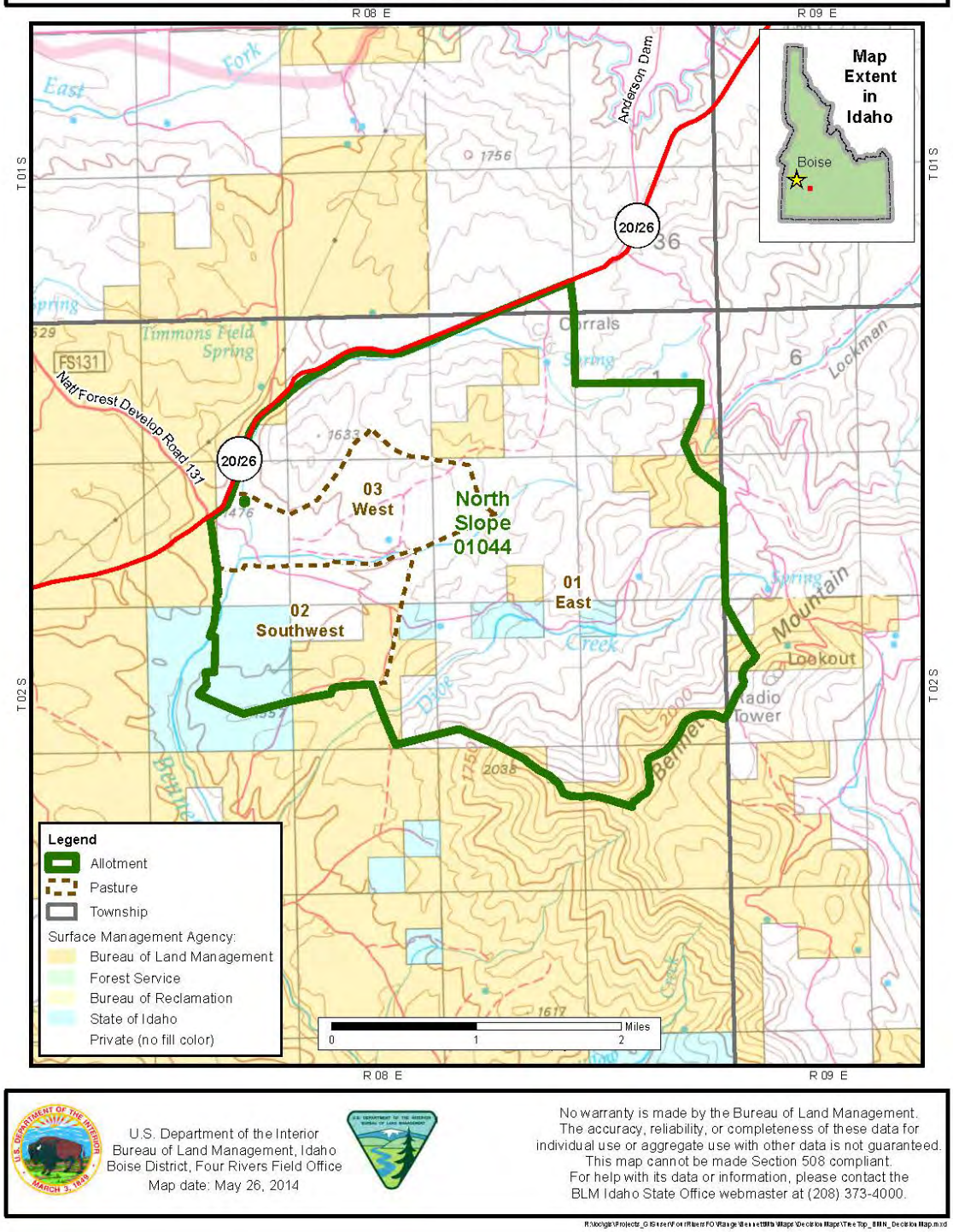
Tate Fischer
Field Manager
Four Rivers Field Office

Copies sent by certified mail to:
Advocates for the West, PO Box 1612, Boise, ID 83701-1612
J. D. Aldecoa & Sons, Inc., 4312 W. Edgemont Street, Boise, ID 83706-2304
Stacey Baczkowski, 1221 W. Idaho Street, Boise, ID 83702-5627
Barber Caven Ranches, 911 E. Winding Creek Drive, Suite 150, Eagle, ID 83616-6973
Donna Bennett, 573 N Bennett Road, Grand View, ID 83624

Samuel Blackwell, 5486 W. Wintercamp Lane, Glenns Ferry, ID 83623-5061
Alayne Blickle, 7235 Southside Boulevard, Nampa, ID 83686-9431
Boise National Forest, 2180 American Legion Blvd, Mountain Home, ID 83647-3140
Bureau of Reclamation, 1150 North Curtis Road, Suite 100, Boise, ID 83706-1234
Burns Paiute Tribe, Tribal Chairman, 100 Pasigo Street, Burns, OR 97720-2442
Casa Del Norte LP, 11204 N Bar 21 Drive, Glenns Ferry, ID 83623-5028
Committee for Idaho's High Desert, PO Box 2863, Boise, ID 83701-2863
Confederated Tribes of the Umatilla Indian Reservation, 46411 Timine Way, Pendleton, OR 97801-9467
Steve Damele, 928 E. Rumsey Lane, Mountain Home, ID 83647-5719
L. G. Davison & Sons, 1969 Prairie Road, Prairie, ID 83647-8435
Double Anchor Ranches, Inc., 5714 W. Double Anchor Drive, Glenns Ferry, ID 83623-5022
Elmore County Commissioners, 150 South 4th East, Suite 302, Mountain Home, ID 83647-3060
Faulkner Land & Livestock, C/O John Faulkner, 1989 South 1875 East, Gooding, ID 83330-5330
Golden Eagle Audubon, PO Box 8261, Boise, ID 83707-8261
Gene Gray, 2393 Watts Lane, Payette, ID 83661-5326
Richard Hall, 101 S. Capitol Boulevard Suite 1900, Boise, ID 83702-7705
Honorable Mike Crapo, 251 E. Front Street Suite 205, Boise, ID 83702-7312
Honorable Raul Labrador, 33 E. Broadway Avenue Suite 251, Meridian, ID 83642-2619
Honorable C.L. "Butch" Otter, PO Box 83720, Boise, ID 83720-0003
Honorable Jim Risch, 350 North 9th Street, Suite 302, Boise, ID 83702-5470
Honorable Mike Simpson, 802 W. Bannock Street, Suite 600, Boise, ID 83702-5843
Ted Howard, Cultural Resources Director, Shoshone-Paiute Tribes, PO Box 219, Owyhee, NV 89832
Idaho Air & Army National Guard, 4040 West Guard Street, Boise, ID 83705-5004
Idaho Cattle Association, PO Box 15397, Boise, ID 83715-5397
Idaho Conservation League, PO Box 844, Boise, ID 83701-0844
Idaho Department of Agriculture, PO Box 790, Boise, ID 83701-0790
Idaho Department of Fish & Game, 3101 South Powerline Road, Nampa, ID 83686-8520
Idaho Department of Lands, 8355 W. State Street, Boise, ID 83714-6071
Idaho Department of Parks & Recreation, PO Box 83720, Boise, ID 83720-0003
Idaho Farm Bureau Federation, 500 W. Washington, Boise, ID 83702-5965
Idaho Grazing Board, Attn: Stan Boyd, PO Box 2596, Boise, ID 83701-2596
Idaho State Historic Preservation, 210 W. Main Street, Boise, ID 83702-7264
Idaho Wildlife Federation, PO Box 6426, Boise, ID 83707-6426
Dennis & Debra Joost, 1316 S. Pine Featherville Road, Mountain Home, ID 83647-8719
Charles Lyons, 11408 E. Highway 20, Mountain Home, ID 83647-5316
Jerry McAdams, 333 N. Mark Stall Place, Boise, ID 83704
Joe Merrick, 27632 River Road, Bruneau, ID 83650
Mountain Home Air Force Base, 336th Gunfighter Avenue, Mountain Home AFB, ID 83648
The Nature Conservancy, 950 West Bannock, Suite 210, Boise, ID 83702-6093
Nez Perce Tribes, Tribal Chairman, PO Box 365, Lapwai, ID 83540-0365
David E. Owen, Jr, 1959 SE Ross Road, Glenns Ferry, ID 83623-5032
Richard Raymondi, 5670 N. Collister Drive, Boise, ID 83703-3826
Tina Reay, 78 Stone Lane, Horseshoe Bend, ID 83629-9006
Resolution Advocates, C/O Doug McConnaughey, P.O. Box 1335, Nampa, ID 83653-1335
Dr. Neil Rimbey, 1904 E. Chicago Suite A & B, Caldwell, ID 83605-5599
Shoshone-Bannock Tribes, Tribal Chairman, PO Box 306, Fort Hall, ID 83203-0306
Shoshone-Paiute Tribes, Tribal Chairman, PO Box 219, Owyhee, NV 89832-0219
Sierra Club, Middle Snake Group, PO Box 552, Boise, ID 83701-0552
Karen Steenhof, 18109 Briar Creek Road, Murphy, ID 83650-5006
Arthur Talsma, 10400 Duck Lane, Nampa, ID 83686
US Fish and Wildlife Service, 1387 S. Vinnell Way, Boise, ID 83709-1657
Western Watersheds Project, PO Box 2863, Boise, ID 83701-2863
The Wilderness Society, 950 W. Bannock Street Suite 605, Boise, ID 83702-6106

Wildlands Defense, Attn: Katie Fite, PO Box 125, Boise, ID 83701-0125
Wool Growers Association, Attn: Stan Boyd, 802 W. Bannock Street Suite 205, Boise, ID 83702-5839

Map 1. North Slope Allotment (01044)



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Boise District, Four Rivers Field Office
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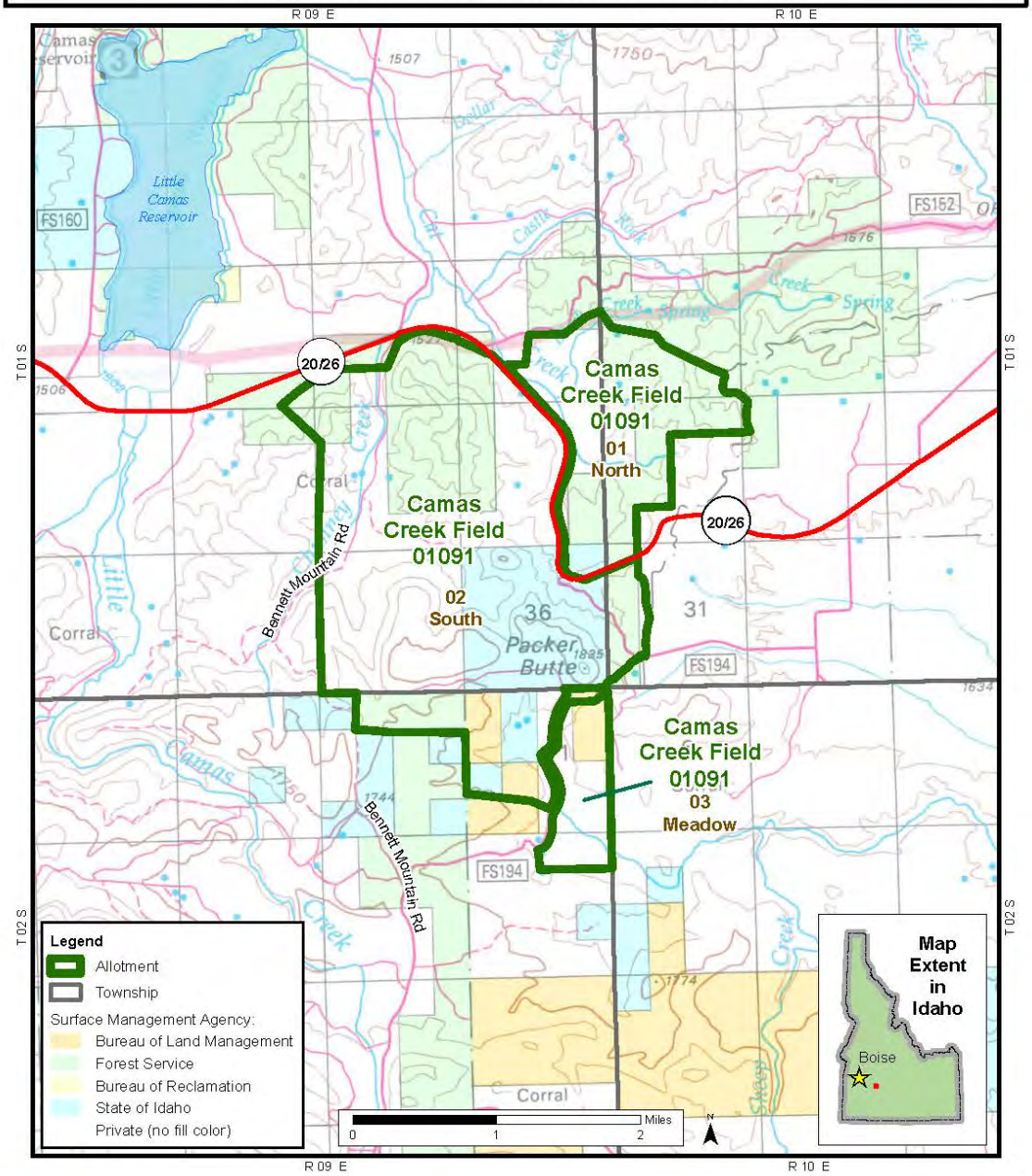
Map 2. Camas Creek Field Allotment (01091)



U.S. Department of the Interior
Bureau of Land Management, Idaho
Boise District, Four Rivers Field Office
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Protest Responses

Western Watersheds Project Bennett Mountain North Protest Points and Responses

1. *Need for an EIS.* The BLM followed guidance in the BLM National Environmental Policy Act (NEPA) Handbook (H-1790-1). The proposed actions do not automatically warrant an EIS; therefore, and environmental assessment (EA) was completed and a finding of no significant impacts was made. The EA presents a reasoned analysis containing quantitative and detailed qualitative information, thereby meeting the NEPA requirement of a "hard look."

2. *Lack of rancher accountability.* The mandatory and allotment specific terms and conditions provide sufficient accountability to ensure Standards will continue to be met.

3. *Lack of measurable standards of use for upland and riparian areas.* Objectives were not provided for allotments that were meeting standards. Areas that are meeting and will continue to meet Standards will provide for the resources you mention. FLPMA does not require BLM to include use criteria as terms and conditions.

4. *Need for full and detailed analysis of sensitive species.* The BLM used representative species (greater sage-grouse, riparian birds, raptors, and redband trout) to address habitat conditions and grazing impacts to sensitive species (EA Sections 3.5 and 3.6). Cumulative impacts sections addressed impacts from livestock grazing, rangeland management projects, trailing, road construction and right-of-way maintenance, wildfires, emergency stabilization and rehabilitation projects, OHV use, proposed energy infrastructure projects, and proposed fuels projects throughout the Bennett Mountain Management Area or appropriate cumulative impact analysis area,

5. *Lack of clarity on how allotments will be grazed.* My Final Decision provides mandatory terms and conditions that set timing of use. Allotment specific terms and conditions indicate requirements to address plant phenology. While some flexibility is provided for livestock numbers, it is not provided for period of use or AUMs.

6. *Lack of measurable standards.* See response to #3.

7. *Failure to adequately address complexity of issues associated with State and private lands.* The cumulative effects analyses addressed known actions on State and private lands.

8. *Improper stocking rates and use of suspension rather than permanent reductions.* Considering the allotments are meeting Standards, suspending AUMs was not considered. No projects were considered for implementation.

9. *Biased and arbitrary FRH process.* No unknown determinations were made for the allotments.

10. *Failure to adequately address exotic annuals and noxious weeds.* Each allotment assessment, evaluation, and determination discusses the role of grazing and wildfire in the current distribution of exotic annuals. Presence of noxious weeds was also indicated. The

EA indicates the current extent of exotic annuals and noxious weeds in the Upland Vegetation and Noxious Weeds affected environment sections (EA Sections 3.2.1 and 3.4.1). Maps are provided indicating fire history and distribution of exotic annuals and noxious weeds (EA Maps 6a, 6b, and 8). Analyses for each of the alternatives address how invasives and noxious weeds would respond to livestock grazing (or its absence), wildfires, and their combined interaction. My Final Decision implements a grazing system that will maintain rangeland health conditions which should help limit the establishment and expansion of invasive and noxious species.

11. *Failure to consider alternative actions proposed by WWP*. The BLM fully considered and analyzed a no grazing alternative (Alternative A). The BLM also considered periodic, but not exclusive, dormant season use in alternatives C and D.

12. *Lack of a basis for determining carrying capacity, stocking rate, capability, suitability, and production.* Proposed stocking rates were based on a variety of factors including current resource conditions (assessments, key species trends), conformance with standards and guidelines (evaluations and determinations), known site productivity (NRCS site guides as influenced by current conditions), actual use reports, and stocking rates on State lands. Capability and suitability are not required by BLM guidance; however, both factors were considered (e.g., suitability was considered when addressing impacts of livestock use and greater sage-grouse habitat). The EA analyses describe impacts to a variety of resources. These analyses informed the development of my Final Decision.

13. *Failure to provide the 9/10/04 decision that implemented the CCAA for slickspot peppergrass.* Slickspot peppergrass habitat is not present in the allotments; therefore, the CCAA does not apply.

14. *Confusing, uncertain wording and provisions of the decisions.* The referenced language does not apply to these allotments.

15. *The BLM relied on deficient, biased, and outdated assessments.* The 2014 assessments reflected 2009-11 site visits to observe condition changes from 2004 observations. These data and observations are presented in the assessments. The allotments were evaluated for sage-grouse habitat suitability. Assessments, evaluations, and determinations were developed using an interdisciplinary team approach that addressed potential individual biases. The assessments and EA address conditions and impacts on sage-grouse habitat and shrub-steppe habitat outside identified sage-grouse habitat.

16. *Ability of BLM to monitor at five-year period as described in Appendix 7.* This does not apply to the North Slope and Camas Creek Field allotments.

17. *Lack of substantial AUM reductions.* Beyond the no grazing alternative, AUM reductions were not considered for allotments meeting standards. See response to #12 for capability, suitability, and stocking rate issues.

18. *Lack of a reasonable range of alternatives and measurable "standards" for allotments BLM considers are meeting standards.* The BLM analyzed four alternatives including No Grazing (Alternative A) and analyzed their potential impacts for 12 issues identified during scoping

related to eight broad resource groups. Cumulative impacts were discussed for all resources where more than negligible direct or indirect impacts were identified. The BLM identifies what factors were responsible for meeting or not meeting Standards (e.g., use period, stocking rate, and resiliency). Where allotments are meeting Standards and the identified factors were not changing, the BLM chose not to apply measurable "standards" as terms and conditions.

19. *Inadequately addressing impacts of holistic grazing (Hammett #6).* This does not apply to the North Slope and Camas Creek Field allotments.

20. *Relationship between public and private lands grazing*. Exchange of use agreements (EOU) will not be issued for the allotments.

21. *Providing flexibility in livestock numbers.* Although the example is for Double Anchor FFR which is not being considered in this EA, several proposed decisions do provide for flexibility in livestock numbers and the EA addresses potential impacts in the Maximum Livestock Numbers sections.

22. *Annual use in the SW Alkali Allotment.* This does not apply to the North Slope and Camas Creek Field allotments.

23. *Fall use should not be allowed in the SW Alkali Allotment.* This does not apply to the North Slope and Camas Creek Field allotments.

24. *BLM does not provide use criteria (e.g., bank trampling, stubble height, and browse utilization) in proposed decisions.* Objectives were not placed on streams that were in proper functioning condition (PFC) primarily because they were not accessible to livestock or the livestock use that was occurring did not affect functioning condition.

25. *Concern about the accuracy of actual use reports (AUR).* Actual use between 1997 and 2013 is reported in the Assessment documents. Use above permitted levels was not reported during that period.

26. *Location and maintenance of exclosures and other fencing, their efficacy, and use for informing management.* Currently, the only fenced exclosures are associated with Dive Creek (Hammett #6) and Bullet Spring (Hammett #1). Exclosures are maintained annually by an IDFG/BLM contractor. Topographic features (e.g., rimrock or steep areas) naturally limited or precluded livestock use from some areas. Areas substantially unaffected by livestock use were used to determine departures from reference conditions for rangeland health indicators. No exotic grasses were seeded in these allotments.

27. *Failure to address and provide for special status species habitat needs, specifically sage-grouse*. Greater sage-grouse (and other special status wildlife species) habitat requirements for different life-history use periods were described in the EA (Section 3.6.1). The impacts of different alternatives, including not grazing, were described in Sections 3.6.2 and 3.6.3.

28. *Failure of the assessments, evaluations, and determinations to represent conditions.* See response to #15.

29. *Failure to adequately map, identify, and quantify exotic annual species.* Also see response to #10. Exotic annual species were identified in rangeland health field assessments (see indicator #16-Invasive Plants in native plant community rangeland health indicators in Standard 4 assessments). The assessments provide baseline data and analyses of exotic annuals. My Final Decision will maintain native perennial vegetative cover which will limit establishment or expansion of invasive annuals. Non-grazing related measures to address invasive annuals will be addressed in a separate NEPA analysis.

30. *Livestock use overlap and impacts during critical wildlife nesting and rearing periods*. See response to #27.

31. *Inadequate baseline surveys of sensitive species*. Where actual population survey data were not available, the EA assumed that special status species were present in habitats that typically support them and analyzed impacts accordingly. Rangeland health assessments and other data were used to describe habitat quality (reported in individual allotment assessment documents and summarized in EA Sections 3.2, 3.5, and 3.6).

32. *Failure to ensure non-impairment of WSA values.* This does not apply to the North Slope and Camas Creek Field allotments.