

Finding of No Significant Impact (FONSI)
Pole Creek Allotment Permit Renewal
Environmental Assessment # DOI-BLM-ID-B030-2009-0004-EA

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-B030-2009-0004-EA (incorporated by reference into this document) for the issuance of a grazing permit for the Pole Creek Allotment, 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 (rest/rotation or deferment) and enforcement of objectives, as will be described in the decision document. The following factors, as described in the above EA, were used in defining significance:

1) Impacts that may be both beneficial and adverse.

The beneficial effects of Alternative C1 (and associated juniper treatments) are:

1. Pasture rest/rotation or deferment and spring season of use (and associated increased available water resources), and imposition of range readiness requirements would improve livestock distribution and increase plant vigor and residual litter/cover/forage resulting in less erosion, improved vegetative composition, and increased vegetative diversity (Section 3.1.2.4).
2. Pasture Rest/rotation or deferment and spring use will result in fewer livestock in the riparian areas, resulting in reduced streambank alteration and increased stubble height, and would increase riparian vegetation that wildlife use for nesting substrate, cover, and foraging habitat, (Section 3.4.2.4).
3. Reductions in stream temperature and sediment would occur as the riparian vegetation communities develop into mature, late-seral communities which would create both canopy cover to increase stream shading and the root mass resulting in increased bank stability (Section 3.4.2.4).
4. Stream channels would narrow and deepen due to improved bank stability, further enhancing stream temperatures resulting in improved fisheries habitat (Sections 3.4.2.4 and 3.5.2.4).
5. Rest five out of ten years with moderate levels of use during use years is expected to maintain and/or improve vigor, healthy root systems, resulting in adequate cover for sage-grouse in the long-term (Section 3.5.2.4).
6. Rest/deferment would allow plants to improve vigor in upland and riparian areas. This would result in making significant progress towards all Standards for Rangeland Health (Sections 3.1.2.4, 3.2.2.4, 3.3.2.4, 3.4.2.4, 3.5.2.4, 3.6.2.4).
7. Juniper treatments would bring ecological sites closer to reference conditions of native bunchgrasses/sagebrush sites, resulting in a more heterogeneous mosaic of vegetation age classes across the landscape and increased biodiversity, including aspen and mahogany (Section 3.1.2.4).

8. Long-term effects of the proposed juniper treatment would be an overall decrease in surface erosion, and the potential increase in spring flows and groundwater storage. With the expected increase in herbaceous vegetation and ground cover after juniper treatment (see Section 3.1.2.3), erosion potential would decrease in the treated areas (Section 3.2.2.4).
9. Juniper treatments would create additional grasslands and increase the area of sage-grouse habitat (although grasslands would be of marginal quality) in the short term; the return of sagebrush communities would provide long-term benefits to sage-grouse by making thousands of acres of previously unsuitable habitat available for nesting and other life history phases (Section 3.5.2.4).

The adverse effects of Alternative C1 (and associated juniper treatments) are:

1. Temporary minor impacts to soils, vegetation and wildlife due to range improvements.
2. Potential short-term adverse effects associated with juniper treatment: additional soil erosion, increased carbon emissions and decreased water quality in the event of heavy rains following treatment. There is potential for these effects only through the first growing season following the burn; long term effects would be insignificant because of the amount and proximity in which these effects would occur (limited scope and extent of treatment activities).
3. Potential effects to sage-grouse could include trampling of eggs, nest desertion, reduced nesting cover and competition for forbs during early brood rearing due to early season of use; however moderate use levels combined with rest/rotation and deferment are expected to alleviate the potential for such effects. (Section 3.5.2.4)
4. The analysis documented in EA # DOI-BLM-ID-B030-2009-0004-EA did not identify any individual significant adverse short-term or long-term impact. (Sections 3.1.2.4, 3.2.2.4, 3.3.2.4, 3.4.2.4, 3.5.2.4, 3.6.2.4)

2) *The degree to which the proposed action affects public health or safety.*

No activities authorized under the grazing permit will affect long-term public health or safety.

The use of prescribed fire during juniper treatment projects would result in a moderate short-term negative effect on air quality and visibility during and immediately following the actual activity. Air quality effects would be in the form of smoke and dust emissions which are predominantly in the Particulate Matter (PM) 10 and PM 2.5 size range. This activity is not expected to exceed any State and/or Federal air quality standards based on the types of fuels and size of burns. Smoke would be noticeable over a wide area of western Owyhee County for 1-2 days following the burns. Although an increase in carbon emissions would occur in the short term, juniper treatments would be expected to have a long-term indirect effect of decreased carbon emissions and increased soil carbon sequestration by potentially reducing high-

intensity wildfires, slowing the rate of carbon turnover, and providing long-term carbon storage for the below-ground juniper biomass (roots). Most importantly, juniper treatments would restore the shrub steppe communities whose rapid root turnover would store carbon into the soil. Therefore, because of the short duration of the event and not exceeding air quality standards, no significant effects to public health and safety were identified in the EA. (Section 3.11.2.3)

- 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.*

Although no parklands, prime farmlands, wetlands, wild and scenic rivers, specially designated areas (such as ACEC's, etc.), or other unique geographic characteristics are present in the Pole Creek Allotment, the North Fork Owyhee Wilderness and North Fork Owyhee River (designated as wild) are near (approximately five miles) the allotment (Section 4.7). No major impacts were identified in the EA from livestock grazing, range improvements, or juniper treatments, therefore no major impacts were identified to these resources cumulatively. Various cultural resources have been identified within the allotment, but due to rest, deferment, and site avoidance during construction of range improvements, effects to sites (known or unknown) are expected to be negligible (Section 4.6).

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

Public input regarding the Proposed Action has been solicited during an extensive project planning process, initiated more than two and a half years ago (Section 1.3 and Appendix C). Representatives of BLM, Shoshone Bannock, Shoshone Paiute, Idaho Fish and Game, permittee, and other interested public were sent the Pole Creek Allotment Scoping Document on July 30, 2009. Additionally, the BLM, Tommy and Danny Moore, and members of Western Watersheds Project (WWP) discussed issues on November 10, 2009 during a field tour.

The scoping document was released for a 30-day public review and comment period, which ended on August 30, 2009 (this period was extended at WWP's request). Comments were received from WWP and from Idaho Fish and Game (IDFG).

WWP provided most of the comments. In summary, they expressed concern about the current conditions of the allotment and the effects of recent livestock grazing on the riparian areas, the natural vegetation, wildlife habitat, and the establishment of noxious and invasive weeds. They stated that the scoping document contained only a limited range of alternatives with no reductions in livestock use to improve the current conditions. Accordingly, they recommended developing alternatives that would change the grazing season away from hot season use and at reduced livestock use levels. The BLM incorporated these suggestions into the documents. WWP disagreed with the need for the proposed range improvement projects and proposed juniper

treatments. They emphasized juniper's value as wildlife habitat and disputed the need for the juniper management, especially broadcast burning. They also expressed concerns about the effects of carbon emissions on global climate change.

WWP suggested hand cutting with no slash burning as the only appropriate method of juniper management. The juniper treatments would be expected to have a long-term indirect effect of decreased carbon emissions and increased soil carbon sequestration by potentially reducing high-intensity wildfires, slowing the rate of carbon turnover, and providing long-term carbon storage for the below-ground juniper biomass (roots). Most importantly, juniper treatments would restore the shrub steppe communities whose rapid root turnover would store carbon into the soil (Section 3.11.2.4). WWP also proposed designating the entire Juniper Mountain "area" as an Area of Critical Environmental Concern (ACEC) to protect old growth juniper in the area. These last two suggestions were included as Alternatives Considered but not Analyzed in Detail in Section 2.3; the designation of an area as an ACEC is an action taken at the land use planning level, not the individual land use decision level.

IDFG asked which juniper stands would be treated and how, why over 1,100 AUMs are suspended, requested regular rangeland condition monitoring, and requested IDFG guidelines be used when constructing new fences near sage-grouse leks and other important habitat areas. These comments are incorporated into the document and in Appendix C.

Through the scoping and interdisciplinary team process, the BLM identified several issues concerning livestock management in the Pole Creek Allotment. The foremost issues are identified (but not limited to) below:

1. Juniper encroachment
2. Riparian vegetation conditions
3. Fish habitat conditions
4. Upland vegetation and watershed conditions
5. Sage-grouse habitat conditions
6. Noxious and invasive weeds

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 C and Sections 3.1.2.4, 3.2.2.4, 3.3.2.4, 3.4.2.4, 3.5.2.4, 3.6.2.4, 3.7.2.4, 3.8.2.4, 3.9.2.4, 3.10.2.4, 3.11.2.4).

- 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 and

juniper treatments similar to those proposed by this decision have been completed in other parts of the Owyhee Field Office (OFO), including post-treatment monitoring. Several published documents (Section 6.0) were used to complete EA # DOI-BLM-ID-B030-2009-0004-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, range improvements, and juniper treatments. 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 spring use/rest rotation; various range improvements for livestock management/cultural protection; and juniper treatments. The activities are not connected to any other future actions. A similar juniper treatment was identified in Section 4.0 of EA # DOI-BLM-ID-B030-2009-0004-EA on the Trout Springs Allotment, adjacent to the Pole Creek Allotment. This project is not connected to the juniper treatment in the Pole Creek Allotment and will be considered based on rangeland health within the Trout Springs Allotment. The juniper treatments on the Trout Springs Allotment were considered cumulatively and analyzed within Sections 4.0 – 4.9. No significant cumulative impacts were identified within EA # DOI-BLM-ID-B030-2009-0004-EA. Implementation of this decision would not trigger other actions, nor will it represent a decision in principle about future consideration.

- 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 – 4.9). 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 in combination with all of these activities. Any adverse impacts identified for the preferred alternative, 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 analysis in EA # DOI-BLM-ID-B030-2009-0004-EA showed that only negligible effects to cultural or historical resources would occur through implementation of Alternative C1 (Sections 3.8.2.4 and 4.6). The terms and conditions of the grazing permit under the Proposed Decision 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 of 1973.*

The analysis of Alternative C1, documented in EA # DOI-BLM-ID-B030-2009-0004-EA, noted that several special status species occur, are likely to occur, or have habitat within the Pole Creek allotment. The Determination (Appendix B) indicated that riparian habitat has been heavily to severely grazed, which in conjunction with juniper expansion, has reduced herbaceous cover, vegetative structure, plant species diversity, and nesting habitat. In many areas, the current conditions of riparian habitats are not providing suitable habitat for many riparian associated bird species. Stream channels would narrow and deepen due to improved bank stability, also enhancing stream temperatures resulting in improved fisheries habitat with the implementation of Alternative C1 (Sections 3.4.2.4 and 3.5.2.4).

Based on an interim, updated (2011) version of the Idaho Sage-grouse Habitat Planning Map, approximately 24% (5,559 acres) of the allotment is considered potential sage-grouse habitat (Map 6). However, approximately 90% (5,043 acres) of the potential sage-grouse habitat in the allotment is unsuitable due to the extensive juniper expansion in the area. Currently, only 2% (516 acres) of the allotment can be considered key sage-grouse habitat (Section 3.5.1). Rest five out of ten years with moderate levels of use during use years is expected to maintain and/or improve vigor, healthy root systems, resulting in adequate cover for sage-grouse in the long-term (Section 3.5.2.4).

The majority of special status bird species are associated with shrub steppe, grassland or riparian habitats. Brewer's sparrow, sage sparrow, and sage thrasher are heavily reliant on sagebrush steppe for nesting and foraging. Loggerhead shrike, black-throated sparrow, and green-tailed towhee are less reliant on sagebrush, but are dependent on shrubland habitat (Section 3.5.1). In the short term, sagebrush-dependent species could be negatively affected because relatively small mountain big sagebrush inclusions would be burned with junipers in scattered and transitional stands. Burning would reduce sagebrush and nesting habitat for sagebrush-dependent passerines for 10 to 30 years (Section 3.1.2.3). However, in the long term (10-30 years), habitat conditions would improve for these species with the reestablishment of sagebrush (Section 3.5.2.3). Overall, under the proposed grazing management practices and juniper treatments, improvement in the rangeland health within the Pole Creek Allotment would occur.

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

EA # DOI-BLM-ID-B030-2009-0004-EA, Alternative C1, threatens no violation of any federal, state, or local environmental protection laws (Sections 1.5, 1.6, 1.6.1).

 /s/ Loretta V. Chandler 1
Loretta V. Chandler
Field Office Manager
Owyhee Field Office

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Date