



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Owyhee Field Office

20 First Avenue West

Marsing, Idaho 83639



In Reply Refer To:
4160 ID130

March 2, 2012

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Notice of Field Manager's Decision

Dear Interested Public:

This decision is in response to requirements set forth in the Owyhee Resource Management Plan (ORMP) for the Pole Creek Allotment.

Introduction

This decision addresses juniper treatments in the Pole Creek Allotment (# 00635), and serves as the Decision Record for Environmental Assessment (EA) # DOI-BLM-ID-B030-2009-0004-EA (also known as EA # ID130-2009-EA-3783), which document this decision incorporates by reference. This decision reflects historic monitoring and inventory in addition to monitoring and inventory used in the completion of an evaluation and determination of applicable Standards for Rangeland Health (Standards) in 2012.

Rangeland Health Standards are not being met, and livestock grazing and juniper expansion has been identified as causal factors. The following is a summary of the Determination. (EA # DOI-BLM-ID-B030-2009-0004-EA, Appendix B).

- The occurrence of water flow patterns and pedestalled bunchgrass in the interspatial areas indicate that Standard 1 (Watersheds) is not being met.
- Standard 2 (Riparian Areas and Wetlands), Standard 3 (Stream Channel/Floodplain), Standard 7 (Water Quality), and Standard 8 (Threatened and Endangered Plants and Animals) are not being met on 19.89 miles of stream but are being met on 11.01 miles of stream. Generally, those reaches meeting the Standard are inaccessible to livestock. Those reaches not meeting the Standards are generally grazed every year from July through September and are dominated by shallow-rooted early seral species.

- Standard 4 is not being met in the higher elevations where bare ground or a gravel surface is very common, decreaser grasses are less frequent than expected, and interspatial litter is absent. Species diversity and plant community integrity were also found to be reduced on the deeper loamy soil communities found at the higher elevations of this allotment. Vigor of needlegrass and Idaho fescue was found to be acceptable as was their recruitment into the plant community. On lower elevation range sites, Standard 4 is being met or significant progress is being made toward meeting the standard. These lower elevation range sites represent approximately half of the allotment.

Background

A separate grazing decision implementing changes to livestock management will be issued to address resource issues caused by current and historic livestock grazing. The combination of the two decisions will further improve upland and riparian conditions, moving the area much closer to reference conditions impaired due to juniper encroachment.

Decision

In accordance with the ORMP, and upon my review of (EA) # DOI-BLM-ID-B030-2009-0004-EA, I have determined that juniper treatments are necessary within the Pole Creek Allotment. Therefore, it is my decision as the authorized officer to:

Implement two types of juniper treatments over the next ten years; hand cut/girdle and broadcast burn on approximately 5,500-7,700 acres within an 11,000-acre perimeter (target of 50-70% mortality of seral juniper) and hand cut/girdle and jackpot burn within a 9,900-acre perimeter, approximately 4,950-6,930 acres. Both treatment types will conform to the Standard Operating Procedures to minimize impacts to resources. During years that juniper treatments require rest, deviations from the grazing rotation will be required as identified in the EA.

1) Hand cut/girdle and broadcast burning: This treatment will occur primarily within the mountain big sagebrush, mountain shrub, mountain mahogany, riparian, meadows, and aspen sites heavily encroached by juniper. The mountain big sagebrush, mountain shrub, and mountain mahogany potential sites are represented by the Loamy 13-16" and Mahogany Savanna 16-22" ecological sites (Map 5). Riparian, meadow, and aspen communities occur as small inclusions within these larger ecological sites. This treatment will occur in parts of the Pole Creek Breaks and Scott Springs Pastures comprising approximately 5,500-7,700 acres within an 11,000-acre perimeter (target of 50-70% mortality of seral juniper).

To build a consistent fuel layer that will carry prescribed fire within these targeted plant communities, approximately 10-30% (but potentially up to 100% in some areas) of the seral juniper trees will be cut or girdled with chainsaws. The combination of cutting and girdling provides a fuel layer that is receptive to ignition, can carry fire into tree crowns, and generally limits (controls) where prescribed fire will burn, based on where the cutting and girdling occurs.

Smaller, seral juniper trees, less than 12 inches in diameter, will be completely severed from the stump and felled, while some of the larger seral trees will be girdled. After completion of these treatments, the areas will be broadcast burned in the fall. This timeframe within which burning can occur is from August to October, depending on the elevation and year's weather. The units will be ignited primarily by helitorch, with some ground ignition. Standard operating procedures to reduce smoke emissions on prescribed burns include burning under dry fuel conditions and when the weather is predicted to carry smoke up and away for better atmospheric dispersion.

The broadcast burn will be implemented under conditions designed to result in 50-70% seral juniper mortality within the targeted vegetation types. If this level of mortality is not reached in the initial broadcast burn, subsequent treatments may be implemented to achieve this objective. A mosaic of burned and unburned patches within the broadcast burn units is expected. This mosaic will be affected by the amount of vegetation present, degree of cutting/girdling, localized topography, weather and fuel moisture conditions during the prescribed burn, and ignition methods and patterns. Fire is an imprecise tool, so results cannot be guaranteed, but a mosaic of burn patch sizes from ½ acre to about 20 acres is anticipated, although larger burn patches will be acceptable. Broadcast burn ignition will concentrate on seral juniper rather than patches of sagebrush or mahogany within the broadcast burn units.

2) Hand cut/girdle and jackpot burning: This treatment will be used in shallow claypan and very shallow stony loam sites. Seral juniper will also be cut out of inclusion of riparian, aspen, old growth juniper stands, and meadows occurring within these larger ecological sites. These areas include the Horse Flat, Berry Gulch, and Dutcher Pastures and part of the Pole Creek Breaks Pasture, comprising approximately 4,950-6,930 acres within a 9,900-acre perimeter.

This treatment also consists of hand cutting/girdling but instead of following up with broadcast burning, the concentrations of debris created, or jackpots, will be burned in the late fall or early spring. No piling of debris will occur. In low density juniper areas, the slash may be left on-site and not burned. Also, most of the seral trees in targeted areas will be cut/girdled, as opposed to just a percentage under the broadcast burn treatment. This treatment allows for only the jackpot of fuels to be burned and not the surrounding vegetation. Since burn patches will normally be confined to the individual tree debris zone, most patches will be small (less than two acres), although some larger patches may also occur.

3) Non-Treatment Areas: Areas not targeted for juniper treatment include the Pole Creek Breaks in the Pole Creek Breaks Pasture. Additional non-targeted areas include old growth juniper and old growth mahogany inclusions that lack encroaching juniper within the larger broadcast and jackpot burn units, where practicable. Some examples of old growth inclusions are near Duke's Hole, the rim above CCC Spring, and the drainage below Scott Spring (See Map 4).

Although no pre-burn cutting or intentional lighting will occur within these areas, fire may inadvertently carry into some of these sites because no fire control lines will be constructed around them. However, since no pre-burn cutting will occur, it is unlikely that fire will carry far into these non-targeted stands under the weather conditions specified in the burn prescription.

Standard Operating Procedures (SOPs) for Pole Creek Allotment Juniper Treatments

Broadcast Burning

- To minimize heat and smoke exposure to fire holding crews and minimize ground disturbance that will result from establishing new fire breaks, existing natural and human-made fire breaks will be used where possible. Accordingly, about 1,730 acres of Idaho State and private land located within or adjacent to the Pole Creek Allotment is included within the broadcast or jackpot perimeter and may be treated simultaneously with the BLM portion, with proper authorization from the land owner.
- On short portions of existing roads, dozers or graders may be needed to clean out vegetation which could compromise their usefulness as firelines, and to improve small portions of these roads which may be inaccessible to vehicles associated with burning efforts. No widespread road grading is anticipated nor is the use of this equipment outside of existing roads. A possible exception will be to protect structures on private lands included in the burn perimeters, and to create fuel breaks between the public and private land should the private landowners decide not to allow BLM to burn on their land.
- Fire engines, support vehicles, and ATVs will be used to contain the fire within control lines. Travel will be restricted to existing trails when possible, but may require some off-road travel.
- In accordance with BLM prescribed fire policy, a contingency area is proposed outside the burn perimeters to act as a buffer should a fire burn outside the perimeters. If this happens, the fire will be suppressed in the contingency area and burning operations could then continue in the project area.
- The undercarriage of all vehicles involved in the prescribed burn will be cleaned before traveling to the project area to reduce the introduction of noxious weed seed.
- Burning will be conducted in accordance with the Idaho-Montana Airshed Group guidelines. Permission from the Airshed group is required prior to ignition to ensure local air quality standards will be met.
- Unless agreed to otherwise, treatments will be implemented in stages so permittee(s) will not have to rest more than half of the allotment during any given stage of implementation.
- Besides prescribed burns, wildfire will be allowed to play its natural role through the use of unplanned ignitions under conditions appropriate to achieve the specified broadcast burn objectives, in accordance with the Boise District Fire Management Plan.
- Ignition will not occur in the Squaw Creek canyon.
- No broadcast burning within identified sage-grouse habitat (Map 6).
- Pretreatment fire crews will take appropriate measures based on topography, vegetation, and fuel loads to ensure that broadcast burning does not remove or damage raptor nest trees and/or nest tree stands (i.e., northern goshawk).
- Broadcast burning will not be conducted within BLM-stipulated buffer zones of raptor nest sites during the breeding season. Buffer zones will be dependent on species,

seasonal timing restrictions, and nest site activity status (See Raptor Timing and Buffer Stipulations below). Because nesting raptors may be shielded from disturbance by vegetation and/or topographic features, buffer areas may be individually developed and modified based on 3D analytical methods and/or landscape features (e.g., viewshed analysis, physiographic barriers such as cliffs and canyons, etc.).

Table SOP1. Raptor Timing and Buffer Stipulations

Species	Timing ¹	Breeding Season Nest Site Buffer (miles) ²
Ferruginous Hawk	Apr 1 – Aug 15	0.50
Golden Eagle	Feb 1 – Aug 15	0.50
Northern Goshawk	Apr 1 – Aug 15	0.50
Other Raptors	Apr 1 – Aug 15	0.25

¹Indicates timeframes for prohibiting broadcast burning around nest sites with active breeding attempts or until dispersal of young.

²Buffers apply to nest sites with active breeding attempts.

- Any new raptor nests discovered during treatment activities will be reported within 24 hours by phone or E-mail to the OFO Wildlife Biologist. Protection of these nest sites will be handled on a case-by-case basis.
- Pre-treatment fire crews will take appropriate measures based on topography, vegetation, and fuel loads to ensure that broadcast burning does not remove or damage Columbia spotted frog occupied habitat.
- Impacts to Columbia spotted frogs will be avoided by prohibiting vehicles within occupied habitat.
- Existing perennial species are expected to rebound and re-vegetate treated areas, however, treated areas with localized disturbance, or without existing perennial species, would be seeded with a BLM approved mix of bluebunch wheatgrass, Idaho fescue, Sandberg bluegrass, sagebrush spp, and forbs appropriate to the ecological site. Studies indicate that a pre-treatment density of 2-3 perennial bunchgrasses M (2) was sufficient to permit natural recovery of sites after juniper control. Results also suggest that 10-12 perennial plants per M(2) were sufficient to fully occupy the site and dominate herbaceous composition in late succession (Bates, J.D., R.Miller, T. Svejcar 2007).
- All archaeological inventories are coordinated in consultation with affected Tribes and the Idaho State Historic Preservation Office. Sites with combustible features will be protected during the deployment of prescribed fire by black-lining resources and use of appropriate ignition techniques. The OFO Archaeologist will review burn plans prior to project implementation. If significant cultural resources are encountered within areas of potential effect, project implementation will be postponed and the OFO Archaeologist will be notified. Prior to resuming work, historic property documentation and evaluation will be completed. Mitigation plans will be developed in consultation with the Idaho State Historic Preservation Office and the appropriate Tribes, if necessary.
- Pastures with more than an incidental amount of broadcast burning will require rest for the year prior to burning (to provide adequate fine fuels to carry the prescribed burn), and will require a minimum of two growing seasons rest from livestock grazing following prescribed fire. Evaluation guidelines for resuming grazing include:

- Canopy and ground cover of herbaceous vegetation should be approximately 80% or more of what is found in the unburned islands and adjacent areas after the second growing season.
- Aspen leaders should reach an average height of four feet or more on areas accessible to livestock.

Hand Cutting and Girdling Treatments

- Pre-burn juniper felling, cutting branches or girdling will be used to increase surface fuels where needed to carry fire.
- Seral juniper adjacent to old growth junipers will be cut and removed from the old growth trees, where practicable.
- Undercarriages of ATVs will be cleaned before entering the treatment areas to reduce the introduction of noxious weed seed.
- In accordance with the ORMP, juniper products, such as fire wood and posts will be made available to the public where feasible.
- Pickups and larger vehicles associated with cutting treatments and wood gathering activities, as well as support vehicles, will be restricted to established roads and trails.
- Trees will be cut to a stump height of eight inches or less.
- No live branches will remain on the stump after the juniper tree is cut.
- Cutting crew camp locations will be pre-approved by the Authorized Officer.
- Cutting and jackpot burning within identified sage-grouse habitat (Map 6) will be conducted only between July 15 and January 30. This treatment consists of cutting the juniper in the traditional way with chainsaws (no old growth would be cut) and burning the jackpots of fuels created from the cutting in the late fall and early spring (no piling of slash), which allows for only the jackpots of fuels to be burned, not the surrounding vegetation.
- Removal or disturbance (i.e., limbing) will not occur to any tree containing a raptor nest (including large cavities suitable for nesting).
- Cutting activities will not occur within ¼ mile of active ferruginous hawk, golden eagle, or northern goshawk breeding attempts or ⅛ mile of other active raptor breeding attempts until failure or dispersal of young. For cutting treatments scheduled to occur during the breeding season, activity status will be confirmed between April 15 and August 15 of the current breeding season. Because nesting raptors may be shielded from disturbance by vegetation and/or topographic features, buffer areas may be individually developed and modified based on a viewshed analysis.
- Any new raptor nests discovered during treatment activities will be reported within 24 hours by phone or E-mail to the OFO Wildlife Biologist. Protection of these nest sites will be handled on a case-by-case basis.
- Maintenance activities consisting of hand cutting young juniper that come in after the initial cutting, girdling, and/or broadcast burning treatments will occur within the next ten years.
- Archaeological sites will be avoided within the cutting areas.
- Pastures with more than an incidental amount of broadcast burning will require rest for the year prior to burning (to provide adequate fine fuels to carry the prescribed burn), and will require a minimum of two growing seasons rest from livestock grazing following prescribed fire. Evaluation guidelines for resuming grazing include:

- Canopy and ground cover of herbaceous vegetation should be approximately 80% or more of what is found in the unburned islands and adjacent areas after the second growing season.
- Aspen leaders should reach an average height of four feet or more on areas accessible to livestock.

Rationale

BLM analyzed six alternatives (Alternatives A1-D) and considered seven additional alternatives not analyzed in detail. The alternatives in this EA result from the complexity of resource issues identified by the BLM and from scoping comments which recommended developing alternatives with a range of juniper/non juniper treatments, stocking levels, and grazing seasons. These factors and the failure of the Pole Creek Allotment to meet applicable Standards with livestock grazing and juniper encroachment being significant causal factors necessitate that BLM “take a hard look” by analyzing an assortment of alternatives to make significant progress toward meeting all applicable Standards.

I have determined that this decision to implement two types of juniper treatment is in accordance with the 1999 Owyhee Resource Management Plan and will, in conjunction with the Pole Creek Grazing Proposed Decision, dated March 2, 2012, enable the Pole Creek Allotment to make significant progress towards meeting Standards. In accordance with EA # DOI-BLM-ID-B030-2009-0004-EA, this Decision authorizes juniper treatments as outlined in Section 2.2.4 of that document.

In conjunction with immediate improvements resulting from changes in grazing management, the juniper treatments specified in this decision will make significant progress towards meeting the Standards in the long term as summarized below:

- Long term effects of the juniper treatment will include an overall decrease in surface erosion, and a potential increase in spring flows and groundwater storage. The increased light, available nutrients, and improved soil moisture will improve the overall condition of the herbaceous vegetation and shrubs compared to the untreated juniper areas. Sections 3.1.2.4; 3.1.2.3; 3.2.2.4; 3.4.2.4.
- Effects on upland vegetation from juniper management are expected to be positive, with short and long term increases in plant diversity, understory health and productivity, and community integrity (meaning increased dominance by native grasses and forbs). Section 3.1.2.4.
- Aspen health is expected to be improved by juniper management, with a reduction in shading and competition from the juniper, and stimulation of sprouting from the prescribed fire. Section 3.1.2.4.
- Mountain mahogany will benefit in the long term from juniper cover reduction, and the return to a less severe fire regime. Sections 3.1.2.4.
- Long term effects of the juniper treatment will result in overall decreases in stream temperatures and decrease in sedimentation rates, which will lead to meeting IDEQ water quality standards. Upland and riparian vegetation (herbaceous and shrubs)

will increase, reducing water runoff and upland erosion. Idaho water quality standards will be met in Middle Fork Owyhee River, Squaw Creek, Pole Creek, Helen Creek, Peach Creek, Scott Spring Creek and their subsequent removal from the 303d list is expected. Sections 3.3.2.5, 3.3.2.4.

- While sage-grouse and other sagebrush-dependent species might experience some short-term loss of habitat, the removal of juniper and the reestablishment of sagebrush in the area will greatly benefit these species in the long term. Section 3.5.2.4.
- Sensitive bird species and spotted frogs will benefit from the removal of juniper as riparian areas will not be degraded by the negative effects of juniper encroachment. Nesting and foraging habitat will be enhanced and overall productivity of riparian areas and waterways will improve over time as riparian vegetation reestablished. Section 3.5.2.4.
- In general, restoration of grasslands, sagebrush, shrub steppe, riparian, and aspen habitats will increase the potential productivity of the area treated and could lead to increased prey for all predators, including raptors. Section 3.5.2.4.
- Overall, the juniper treatments will have beneficial effects for big game and other herbivores by creating a greater mosaic of habitat types and greater habitat diversity. Section 3.5.2.4.
- Juniper treatments will probably benefit redband trout and other fish species by reducing the amount of water used by junipers and increasing flows in streams. Section 3.5.2.4.
- Juniper-dominated areas will be converted to a community structure more similar to reference conditions, with retention of most old growth individuals and small stands. Section 3.1.2.4.
- Juniper treatments will alter the fire regime by reintroducing fire and reducing, at least for the short term, live woody biomass. After the prescribed fire, future wildfires are likely to be less severe. Similarly, the juniper treatment will affect the Fire Regime Condition Class of the Juniper Mountain area by reducing the fire frequency and seral stage diversity departures, compared to reference conditions. Section 3.1.2.4.

Authority

Authority under which this decision is being issued is found in Title 43 of the Code of Federal Regulations (CFR) Subpart 4.410 – Appeals to the Board of Land Appeals.

Right of Appeal:

Any applicant, permittee, lessee or other interested public may appeal a final decision under Sec. 43 CFR 4.410, 4.411, 4.412, and 4.413 in person or in writing to Loretta V. Chandler, Owyhee Field Office Manager, at 20 First Avenue West, Marsing, Idaho 83639 within 30 days after receipt of such decision. The notice of appeal, if filed must include a statement of reasons for the appeal, a statement of standing if required by 43 CFR 4.412(b), and any arguments the appellant wishes to make. The person/party must also serve a copy of the appeal on the Office of the Solicitor, Boise Field Solicitors Office, University Plaza, 960 Broadway Ave., Suite 400,

Boise Idaho, 83706 and person(s) named [43 CFR 4.421(h)] in the *copies sent to*: section of this decision. The Interior Board of Land Appeals must decide an appeal of this decision within 60 days after all pleadings have been filed, and within 180 days after the appeal was filed as contained in 43 CFR 4.416.

If you have any questions, please contact me at 208-896-5913.

Sincerely,

/s/ Loretta V. Chandler

Loretta V. Chandler
Field Manager
Owyhee Field Office

Copies sent to:

Boise District Grazing Board, Stan Boyd, PO Box 2596, Boise, ID 83701	Cert# 7008 1140 0004 6331 6941
Chad Gibson, 16770 Agate Ln, Wilder, ID 83676	Cert# 7008 1140 0004 6331 7023
ID Dept of Agriculture, PO Box 790, Boise, ID 83701	Cert# 7008 1140 0004 6331 6958
ID Dept of Lands, 8355 W State St, Boise, ID 83714	Cert# 7008 1140 0004 6331 7047
ID Dept of Lands, PO Box 83720 Boise, ID 83720-0050	Cert# 7008 1140 0004 6331 6965
ID Fish & Game, 3101 S Powerline Rd, Nampa, ID 83686	Cert# 7008 1140 0004 6331 6972
Owyhee County Commissioners, PO Box 128, Murphy, ID 83650	Cert# 7008 1140 0004 6331 6989
Shoshone-Bannock Tribes, Alonzo Coby, PO Box 306, Ft. Hall, ID 83203	Cert# 7008 1140 0004 6331 6996
Tommy & Barbara Moore, PO Box 237, Jordan Valley, OR 97910	Cert# 7008 1140 0004 6331 7030
Western Watersheds, Katie Fite, PO Box 2863, Boise, ID 83701	Cert# 7008 1140 0004 6331 7009
Western Watersheds, PO Box 1770, Hailey, ID 83333	Cert# 7008 1140 0004 6331 7016