



United States Department of the Interior  
BUREAU OF LAND MANAGEMENT

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In Reply Refer To:  
4160 ID130

November 12, 2013

**REGISTERED MAIL - FEDEX**

Elordi Cattle Company, LLC  
PO Box 55  
Jordan Valley, OR 97910

Elordi Sheep Camp Inc.  
14448 Bighorn Drive  
Nampa, ID 83651

**Notice of Field Manager's Proposed Decision**

Dear Permittee:

Thank you for your applications for permit renewals on the Soda Creek and Baxter Basin grazing allotments. Thank you also for working with us throughout the permit renewal process. I appreciate your interest in grazing your allotments in a sustainable fashion and am confident that this proposed decision achieves that objective.

As you know, the BLM evaluated current grazing practices and current conditions in the Soda Creek allotment in 2013 and Baxter Basin allotment in 2006. We undertook this effort to ensure that any renewed grazing permits on the allotment are consistent with the BLM's legal and land management obligations. As part of the BLM's evaluation process, rangeland health assessments/evaluations/determinations were completed; the proposed decision incorporates by reference the information contained in those documents.

The BLM also engaged in public scoping and met with members of the public interested in grazing issues in the Soda Creek and Baxter Basin allotments. The process for completing the Jump Creek, Succor Creek, & Cow Creek Watersheds Grazing Permit Renewal Environmental Impact Statement (Chipmunk Group EIS) began with the publication of the Notice of Intent (NOI) in the Federal Register on January 9, 2012. The NOI included a call for resource information and the identification of issues for this project planning effort. The scoping period closed on March 9, 2012, but some relevant comments were submitted after the end of the scoping period. All

comments, including those submitted after March 9, 2012, are addressed in the scoping report (which can be found at

[http://www.blm.gov/id/st/en/fo/owyhee/owyhee\\_grazing\\_group/grazing\\_permit\\_renewal0.html](http://www.blm.gov/id/st/en/fo/owyhee/owyhee_grazing_group/grazing_permit_renewal0.html))

and were considered during the development of the EIS. The package solicited comments to better identify issues associated with renewing livestock grazing permits on this allotment. One public scoping meeting was also held from 5:30 PM to 8:30 PM on February 23, 2012; in addition, an open house was held on June 13, 2013, in Marsing, Idaho, with the public arriving and departing at their leisure. The purposes of these meetings were to provide more information about the issues the BLM identified and give the public an opportunity to ask questions and submit input in person.

After evaluating conditions on the land and meeting with you and the public, we saw that a few resource concerns currently exist on the Chipmunk Group EIS allotments, including the Soda Creek and Baxter Basin allotments.

To support our focus addressing livestock grazing's impacts to public land resources, my office prepared and issued an environmental impact statement<sup>1</sup> (EIS) in which we considered a number of options and approaches to maintain and improve resource conditions. Specifically, the BLM considered and analyzed in detail five alternatives for the Soda Creek allotment and four alternatives for the Baxter Basin allotment. We also considered other alternatives that we did not analyze in detail, as described in the EIS. Our goal in developing alternatives was to consider options that were important to you as the permittee, and to consider options that, if selected, would ensure that the natural resources in the Soda Creek and Baxter Basin allotments conform to the goals and objectives of the Owyhee Resource Management Plan (ORMP) and the Idaho Standards for Rangeland Health and Guidelines for Livestock Grazing Management (Idaho S&Gs). This proposed decision incorporates by reference the analysis contained in the EIS. The Draft EIS detailing the alternatives below was made available for public review and comment for a 45-day period ending June 17, 2013. In addition to timely comments received from you, a number of government entities and agencies, interest groups, and members of the public also provided comments. Comments that were received are summarized and responses are provided as an appendix to the completed EIS available on the web at:

[http://www.blm.gov/id/st/en/prog/nepa\\_register/owyhee\\_grazing\\_group/grazing\\_permit\\_renewal0.html](http://www.blm.gov/id/st/en/prog/nepa_register/owyhee_grazing_group/grazing_permit_renewal0.html).

We have completed the most difficult part of the permit renewal process and I am now prepared to issue a proposed decision to authorize livestock grazing within the Soda Creek and Baxter Basin allotments.

This proposed decision will:

- Describe current conditions and issues on the allotments;

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<sup>1</sup> EIS number DOI-BLM-ID-B030-2012-0014-EIS analyzed three alternatives for the Baxter Basin allotment and four alternatives for the Soda Creek allotment to fully process permits for livestock grazing management practices.

- Briefly discuss the alternative grazing management schemes that the BLM considered in the EIS;
- Respond to the application for grazing permit renewal for use in the Soda Creek and Baxter Basin allotments;
- Outline my proposed decision to select Alternative 4 in the Soda Creek allotment and Alternative 2 in the Baxter Basin allotment; and
- Explain my reasons for these proposed decisions.

## **Background**

### *Allotment Setting*

These allotments lie within the Owyhee Uplands, a sagebrush steppe semi-arid landscape of shrubs and widely spaced bunchgrasses. Limited precipitation with cold winters and dry summers constrain plant communities and wildlife habitat potential. The native vegetation is primarily Wyoming big sagebrush at lower elevations or mountain big sagebrush at higher elevations, with an understory of various native perennial bunchgrasses. Low sagebrush and bunchgrasses are found in the areas with shallower soils. Precipitation ranges from about 12 to 16 in. on the Soda Creek and Baxter Basin allotments, and occurs primarily during the winter.<sup>2</sup>

The Soda Creek allotment is located approximately 7 miles northeast of Jordan Valley, Oregon, and 3 miles northwest of DeLamar Mountain. Elevations in this allotment range from 4,934 to 6,978 feet. The allotment is dominated by mountain big sagebrush ecological sites, with potential for bluebunch wheatgrass/Idaho fescue in the understory. The allotment consists of six pastures, with approximately 2,980 acres of public lands interspersed with state and private lands in five of the six pastures (pasture 4 does not contain public lands) (Map 1). About 30 percent of pasture 2 and 90 percent of pasture 3 were burned by wildfire in 1996. About half of private lands in pasture 4 burned in 1996, and the remainder burned in 2006. The allotment supports perennial streams in pastures 1 (0.29 miles), 2 (2.07 miles) and 3 (0.38 miles) and intermittent or ephemeral streams in pastures 1 (0.49 miles), 3 (4.91 miles) and 5 (0.39 miles). In addition, eleven springs or seeps occur in pasture 3.

The Baxter Basin allotment is located approximately 4 miles northeast of Jordan Valley, Oregon, and 2 miles southwest of Swisher Mountain. Elevations on the allotment range from 4,640 to 5,460 feet. The allotment is divided into three pastures totaling approximately 1,530 acres of public lands (Map 1). Much of the allotment was burned in a 1960 wildfire, and pastures 1, 2, and part of pasture 3 were subsequently seeded with crested wheatgrass. Upland plant communities include native basin big sagebrush with bluebunch wheatgrass/Idaho fescue understory and crested wheatgrass seedlings in pastures 1 and 2. Pasture 3 is dominated by annual grasses, including medusahead wildrye. Baxter Creek, a mostly intermittent stream, runs through all three pastures, and supports some riparian vegetation in pastures 1 and 2, including 0.82 perennial miles in pasture 2. There are also springs and seeps in each pasture.

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<sup>2</sup> For more detailed discussion, please refer to the affected environment sections of EIS number DOI-BLM-ID-B030-2012-0014-EIS.

### *Current Grazing Authorization*

Elordi Cattle Company is currently authorized to graze livestock within the Soda Creek and Baxter Basin allotments, and Elordi Sheep Camp is currently authorized to graze livestock within the Soda Creek allotment in accordance with permits issued by the BLM. The terms and conditions of those grazing permits are as follows\*:

**Table LVST-1: Elordi Sheep Camp**

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
Soda Creek	18	Cattle	06/01	10/31	36	A	33

**Table LVST-2: Elordi Cattle Company, LLC**

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
Soda Creek	255	Cattle	06/01	10/31	36	A	462
Soda Creek	3	Horses	06/01	10/31	36	A	5
Baxter Basin	121	Cattle	04/01	06/14	100	A	298

\*Standard Terms and Conditions applicable to all BLM grazing permits and leases are not reiterated here, but apply to the above permits.

The following Terms and Conditions apply to the above permits.

Other terms and conditions:

“In accordance with Section 415, H.R. 2055 (Consolidated Appropriation Act, 2012), this permit is issued with the same terms and conditions as the expired or transferred permit or lease. This permit or lease may be canceled, suspended or modified, in whole or in part to meet the requirements of applicable laws and regulations.”

A minimum of 4-inch stubble height will be left on herbaceous vegetation within the riparian area along 1 mile of Cow Creek in allotment #0652 at the end of the growing season, as identified in the fisheries objective of the Owyhee EIS.

1. Turnout is subject to Boise District Range Readiness Criteria.
2. Your certified actual use report is due within 15 days of completing your authorized annual grazing use.
3. Salt and/or supplement shall not be placed within one quarter (1/4)-mile of springs, streams, meadows, aspen stands, playas or water developments.
4. Changes to the scheduled use require prior approval.
5. Trailing activities must be coordinated with the BLM prior to initiation. A trailing permit or similar authorization may be required prior to crossing public lands.
6. Livestock enclosures located within your grazing allotments are closed to all domestic grazing use.

7. Range improvements must be maintained in accordance with the cooperative agreements and range improvement permits in which you are a signator or assignee. All maintenance of range improvements within a wilderness study area requires prior consultation with the authorized officer.
8. All appropriate documentation regarding base property leases, lands offered for Exchange-of-Use, and livestock control agreements must be approved prior to turnout. Leases of land and/or livestock must be notarized prior to submission and be in compliance with Boise District Policy.
9. Failure to pay the grazing bill within 15 days of the due date specified shall result in a late fee assessment of \$15.00 or 10 percent of the grazing bill, whichever is greater, not to exceed \$150.00. Payment made later than 15 days after the due date shall include the appropriate late fee assessment. Failure to make payment within 30 days may be a violation of 43 CFR 4140.1 (B) and shall result in action by the authorized officer under 43 CFR 4150.1 and 4160.1.
10. Livestock grazing will be in accordance with your allotment grazing schematic(s). Changes in scheduled pasture use dates will require prior authorization.
11. Utilization may not exceed 50 percent of the current year's growth.

As part of a settlement agreement, the following additional terms and conditions have been applied to both of the above permits since March of 2000:

1. Key herbaceous riparian vegetation, where stream bank stability is dependent upon it, will have a minimum stubble height of 4 inches on the stream bank, along the greenline, after the growing season;
2. Key riparian browse vegetation will not be used more than 50 percent of the current annual twig growth that is within reach of the animals;
3. Key herbaceous riparian vegetation on riparian areas, other than the stream banks, will not be grazed more than 50 percent during the growing season, or 60 percent during the dormant season; and
4. Stream bank damage attributable to grazing livestock will be less than 10 percent on a stream segment.

### ***Livestock Management***

Since 2000, the Soda Creek grazing allotment has been used primarily from June to September. Typically, livestock are grazed from June to mid-July in two of the four pastures, and then moved to the other two pastures from mid-July to mid-September to early October, so that the pastures are not used at the same time each year. However, a formal rotation has not been implemented. Actual Use reports show that grazing has exceeded permitted levels of 501 AUMs in some years, ranging from 177 to 711 AUMs and averaging 431 AUMs.

Since 1997, pastures 1 and 2 of the Baxter Basin allotment have been grazed from mid-May to the first week of June or rested in alternating years, while pasture 3 has been grazed from early to mid-April to the second week of May, when the cattle are moved to either pasture 1 or 2. Actual use has ranged from 191 to 428 AUMs, and averaged 326 AUMs. Actual Use reports show that grazing exceeded permitted levels in most years until 2005, but has been at or below permitted levels since 2005.

### ***Resource Conditions***

A rangeland health assessment was completed for the Soda Creek allotment in 2004, which was subsequently updated with an evaluation and determination completed for the allotment in 2013. The Soda Creek allotment was found to be meeting Standards 1 (Watersheds) and 4 (Native Plant Communities), and not meeting but making significant progress toward meeting Standards 2 (Riparian Areas and Wetlands), 3 (Stream Channel/Floodplain), 7 (Water Quality) and 8 (Threatened and Plants and Animals). Although Standards 1 and 4 are being met, soils and native vegetation communities are still at risk of degradation due to the recent history of wildfires on the allotment. Although significant progress is being made toward meeting Standards 2 and 3, and subsequently toward meeting Standard 8, deficiencies in habitat conditions for redband trout and Columbia spotted frog are of concern on the Soda Creek allotment. Standards 5 and 6 do not apply to the Soda Creek allotment.

The BLM completed a rangeland health assessment, evaluation, and a determination for the Baxter Basin allotment in 2006. It was determined that the Baxter Basin allotment is meeting Standards 1 (Watersheds), 4 (Native Plant Communities) and 6 (Exotic Plant Communities, Other Than Seedings), and not meeting but making progress toward meeting Standards 2 (Riparian Areas and Wetlands), 3 (Stream Channel/Floodplain) and 8 (Threatened and Plants and Animals). Standards 5 (Seedings) and 7 (Water Quality) do not apply to the Baxter Basin allotment.

### ***Vegetation - Uplands<sup>3</sup>***

#### **Soda Creek**

Upland vegetation in the Soda Creek allotment consists of native sagebrush communities in various seral stages as a result of wildfires in 1960, 1996, and 2006. Post-fire rehabilitation efforts following the 2006 Chubby Spain fire included aerial seeding, which was successful, and aided natural recovery of plant communities. Upland vegetation was found to be meeting Standard 4 but vulnerable to degradation as a result of the fire history in recent decades. Occurrences of three noxious weeds – Scotch thistle, spotted knapweed, and whitetop – have been documented on the allotment in pastures 1 and 3.

#### **Baxter Basin**

Upland vegetation in the Baxter Basin allotment consists of a mixture of seeded and native sagebrush communities in pastures 1 and 2 that were found to be meeting Standard 4; pasture 3 is dominated by annual grasses and was evaluated under, and found to be meeting, Standard 6. One occurrence of the noxious weed Scotch thistle has been documented on the allotment.

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<sup>3</sup> For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 3.3.1.

## **Watersheds**

### **Soda Creek**

The Soda Creek allotment is meeting Standard 1 for watershed function. However, soils in the Soda Creek allotment were found to be at risk of degradation due to recent fire history on the allotment, and 39 percent of the soil stability and hydrologic function indicators show a slight-to-moderate or moderate departure from reference condition. Therefore, continued cautious management is needed to maintain or improve soils and watershed conditions.

### **Baxter Basin**

The Baxter Basin allotment is meeting Standard 1 (Watersheds). Soils in the Baxter Basin allotment were found to be stable and adequately vegetated, with most (73 percent) soil stability and hydrologic function indicators showing a minimal departure from reference condition. However, where exotic annual grasses dominate, such as in pasture 3, soil health, including nutrient and hydrologic cycling, is more limited than in the native vegetation areas that are dominated by a diversity of perennial plants.

## ***Water Resources and Riparian/Wetland Areas***

### **Soda Creek**

The Soda Creek allotment contains portions of Cow Creek, Little Cow Creek and Jacks Creek, all in pasture 2. A portion of Cow Creek and a portion of Little Cow Creek were found to be in proper functioning condition (PFC) in 2009, while other portions of these creeks were found to be functional at-risk (FAR) in 2002. Additionally, 18 of the 20 springs that occur on BLM lands in pasture 3 were found to be in PFC. The 2013 determination for the Soda Creek allotment found that significant progress was being made toward meeting Standards 2, 3, and 7.

### **Baxter Basin**

The 2006 evaluation/determination found that significant progress was being made toward meeting Standards 2 and 3 for the Baxter Basin allotment. The Baxter Basin allotment contains portions of Baxter Creek in each of the three pastures. Approximately 0.8 miles of Baxter Creek in pastures 1 and 2 were assessed as being FAR and have noxious weeds present. Nine springs or seeps have been identified in the allotment; four are in pasture 1, four in pasture 2, and one in pasture 3. Of these, six are FAR, two are in PFC, and one was not assessed.

## ***Special Status Plants***

### **Soda Creek**

Small phacelia (*Phacelia minutissima*) is a BLM sensitive plant known from one occurrence within pasture 6 of the Soda Creek allotment. Field observations indicate that grazing and trampling by livestock are not impacting this population due to low livestock use in the area. The Soda Creek allotment is meeting Standard 8 relative to special status plants.

### **Baxter Basin**

No special status plants are known to occur on the Baxter Basin allotment, and therefore the Standard does not apply.

## *Wildlife/Wildlife Habitats and Special Status Animals*

### Soda Creek

The Soda Creek allotment is entirely within the mapped areas of sage-grouse preliminary priority habitat (PPH) and priority general habitat (PGH). The allotment is meeting standards for sage-grouse habitat, though areas burned by recent fires may be currently lacking in sagebrush cover, which is expected to naturally regenerate. The allotment also has potential for occupied habitat for both Columbia River redband trout and Columbia spotted frog. Riparian habitats for these species on the allotment are improving in condition; as streams stabilize, they deepen and narrow, and hydric species increase, leading to improved water quality and increases in insects important as food for aquatic wildlife. Therefore, significant progress toward meeting Standard 8 is being made on the Soda Creek allotment.

### Baxter Basin

The Baxter Basin allotment is entirely within the mapped area of PPH for greater sage-grouse, a candidate species under ESA that was found to be warranted but precluded from listing in 2010. Plant communities in the allotment are providing marginal habitat for this species due to fragmentation of sagebrush habitat and lack of preferred forbs, as well as the dominance of annual grasses in most of pasture 3. The allotment is within the range of Columbia spotted frog, but potential habitat may be deficient due to the FAR status of most lotic and lentic wetland habitat on the allotment. Current conditions on the allotment are not providing suitable habitat for these special status animal species, but significant progress is being made toward meeting Standard 8, based upon the 2006 Evaluation/Determination.

### *Guidelines for Livestock Grazing Management*

Because the evaluations and determinations for the Soda Creek and Baxter Basin allotments found that all Standards were either met, or significant progress was being made toward meeting the Standards, it follows that livestock management on the two allotments is in conformance with the Idaho Guidelines for Livestock Grazing Management. However, I have considered the range of alternatives for these allotments and considered modifications to management to provide additional improvements in habitat conditions or to provide for faster progress toward meeting rangeland health standards on the allotments.

### *Issues*

Throughout the internal and external (public) scoping process and project development period, the BLM interdisciplinary team identified the issues concerning livestock grazing management in one or more of the Chipmunk Group allotments. The identified issues that may be applicable to the Soda Creek and Baxter Basin allotments are listed below<sup>4</sup>:

1. Habitat conditions for greater sage-grouse (*Centrocercus urophasianus*; from this point on referred to as sage-grouse): Sage-grouse habitat health is directly related to upland vegetation and watershed conditions. Specific areas of the Chipmunk Group allotments

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<sup>4</sup> Issues raised through the scoping process that do not apply to the Soda Creek and Baxter Basin allotments are not listed here. They include Wild Horse Herd Management Areas and bighorn sheep disease transmission.

contain altered sagebrush community composition, structure, and function that are affecting sage-grouse and other sagebrush habitat-dependent species.

2. Riparian vegetation conditions: Livestock grazing is affecting riparian condition and aquatic habitat by changing the health and composition of riparian vegetation communities.
3. Fish and amphibian habitat conditions: Stream, floodplain, wetland, and mesic (moderately moist) habitat conditions are directly related to conditions within the riparian vegetation community. Altering of the riparian community may affect the health and sustainability of fish and amphibian populations.
4. Upland vegetation and watershed conditions: Livestock grazing is affecting upland vegetation by reducing or removing native vegetation communities that protect watershed soil and hydrologic function.
5. Special status plant species: Livestock grazing is adversely affecting special status plants by altering surrounding upland vegetation, habitat and reproduction of individuals.
6. Noxious and invasive weeds: Livestock grazing and trailing has the potential to increase or spread noxious and invasive weeds.
7. Livestock trailing: Trailing may adversely affect upland vegetation, soils, weeds and riparian vegetation.
8. Socioeconomic impacts: Livestock grazing affects local and regional socioeconomic activities generated by livestock production.
9. Wildfire fuels: Livestock grazing has the potential to change vegetation that may affect wildfire.
10. Climate Change: The issue of climate change and its relationship to the proposed federal action of renewing grazing permits is twofold. Livestock grazing in Owyhee County contributes CO<sub>2</sub> and methane emissions to the earth's atmosphere. In addition, climate change, itself a stressor on the sagebrush-steppe semi-arid ecosystem found in the Owyhee Uplands can, when found in conjunction with cattle grazing, further stress the ecosystem's vegetation.

### **Analysis of Alternative Actions**

Based on the current condition of the Soda Creek and Baxter Basin allotments and the issues identified above, the BLM considered a number of alternative livestock management schemes in the EIS to ensure that any renewed grazing permit would result in maintaining or improving satisfactory conditions and continuing to provide for significant progress toward meeting standards where unsatisfactory conditions have been identified on the allotments. Overall, six alternatives were considered and analyzed in the EIS, although only Alternatives 1, 2, 3, and 6 were considered in detail and analyzed for the Baxter Basin allotment, and 1, 2, 3, 4 and 6 were considered and analyzed for the Soda Creek allotment. The range of alternatives developed include: Alternative 1 - No Action/Current Condition, Alternative 2 - Permittee's Application, and Alternative 6 - No Grazing, as well as Alternatives 3 and 4, which were developed based on resource constraints. The following sections describe the theme of each of the alternatives and the allotment-specific authorizations and actions under each alternative.

Alternative 1 would allow a continuation of current management on the allotments. Elordi Sheep Camp would be permitted to graze 18 cattle from 6/1 to 10/31 on the Soda Creek allotment with 33 AUMs, and Elordi Cattle Company, LLC would be permitted to graze 255 cattle and 3 horses from 6/1 to 10/31 on the Soda Creek allotment. A total of 467 AUMs would be permitted on the

Soda Creek allotment. Also, the Elordi Cattle Company, LLC would be permitted to graze 121 cattle with 298 AUMs from 4/1 to 6/14 on the Baxter Basin allotment.

Alternative 2 would authorize livestock grazing as applied for by Elordi Cattle Company, LLC and Elordi Sheep Camp. Elordi Sheep Camp would be permitted to graze 27 cattle from 6/1 to 10/31 on the Soda Creek allotment with 33 AUMs, adjusting public land percentage to 24 percent. The Elordi Cattle Company, LLC permit for the Soda Creek allotment would be modified as shown in the following table, with AUMs increased from 467 to 698. The permitted use for the Baxter Basin allotment would be the same as for Alternative 1.

Alternative 3 would permit grazing at current levels and seasons of use and would implement a rest-rotation system for the Baxter Basin allotment and a deferred-rotation grazing system on the Soda Creek allotment. This alternative would also incorporate annual indicator criteria, including stubble height, browse, bank alteration, and perennial grass height limits as terms and conditions of the permits. The grazing system for the Baxter Basin allotment would incorporate rest in pasture 3, which is currently used every year, while decreasing the rest in pastures 1 and 2 from every other year to 1 in 3 years. The grazing system for the Soda Creek allotment would require deferred use of each pasture a minimum of 1 in 3 years.

Alternative 4 would implement a grazing system with additional deferral of grazing for the Soda Creek allotment. Permitted use levels would not change. The grazing system would incorporate fall grazing between 9/1 and 1/31 every 1 in 3 years; maximum use by pasture would be specified, and livestock numbers would not exceed 258 head.

Alternative 4 was not analyzed for the Baxter Basin allotment.

Alternative 6 would deny the applications for grazing permit renewal in whole and not authorize grazing for a period of 10 years for the Soda Creek and Baxter Basin allotments. The permittees would retain their grazing preference on these allotments, to be reconsidered at the end of the 10-year period.

## Proposed Decision

After considering the current grazing practices, the current conditions of the natural resources, and the alternatives and analysis in the EIS, as well as other information, it is my proposed decision to authorize grazing for a period of 10 years as outlined below:

Baxter Basin allotment: Alternative 2 as described in EIS number DOI-BLM-ID-B030-2012-0014-EIS.

Soda Creek allotment: Alternative 4 as described in EIS number DOI-BLM-ID-B030-2012-0014-EIS

Implementation of these alternatives over the next 10 years will allow the Baxter Basin and Soda Creek allotments to meet or make significant progress toward meeting the Idaho S&Gs while also moving toward achieving the resource objectives outlined in the ORMP.

The terms and conditions of the grazing permit(s) will be as follows:

**Table LVST-3: Elordi Sheep Camp permitted under Alternative 4**

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
Soda Creek	18	Cattle	06/01	1/31	36	A	33

**Table LVST-4: Elordi Cattle Company, LLC**

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
Soda Creek	255	Cattle	06/01	1/31	36	A	463
Soda Creek	3	Horses	06/01	1/31	36	A	5
Baxter Basin	121	Cattle	04/01	06/14	100	A	299

**Other Terms and Conditions:**

- Livestock grazing will be in accordance with the allotment grazing schedule. Changes in scheduled pasture use dates will require prior authorization.
- Grazing in the Soda Creek allotment will be deferred to fall use 9/1-1/31 in 1 in 3 years.
- Livestock numbers on the Soda Creek allotment will not exceed 258 head and may vary by pasture, not to exceed authorized AUMs by pasture.
- For the Soda Creek allotment, there will be 36 AUMs in pasture 1, 50 AUMs in pasture 2, 395 AUMs in pastures 3/6/7, and 19 AUMs in pasture 5.

As noted in term and condition # 1, the grazing schedules for the Soda Creek and Baxter Basin allotments (identified below) must be followed:

**Table LVST-5: Soda Creek allotment grazing schedule**

Pasture	Year 1	Year 2	Year 3
1	6/1-7/15 not to exceed AUMs by pasture	7/16-10/31 not to exceed AUMs by pasture	9/1-1/31 not to exceed AUMs by pasture
2			
7			
3	7/16-10/31 not to exceed AUMs by pasture	6/1-7/15 not to exceed AUMs by pasture	
5			
6			

**Table LVST-6: Baxter Basin allotment grazing schedule**

Pasture	Year 1	Year 2
1	5/11-6/15	Rest
2	Rest	5/11-6/15

Pasture	Year 1	Year 2
3	4/1-5/10	4/1-5-10

***Notes on the Terms and Conditions***

Elordi Cattle Company, LLC will be offered grazing permits for a term of 10 years for the Soda Creek allotment with 501 active AUMs, and for the Baxter Basin allotment with 299 active AUMs. Elordi Sheep Company will be offered a grazing permit for a term of 10 years for the Soda Creek allotment for 33 active AUMs.

***Other Notes on the Proposed Decision***

Finally, it is my proposed decision to not authorize additional projects, as applied for by Elordi Cattle Company, LLC. The existing coordinated process to identify, analyze, and authorize as appropriate the restoration, improvement, or development of livestock water sources and other projects is retained for project-specific consideration outside the permit renewal process. Project maintenance obligations identified in current range improvement permits and cooperative agreements for range improvements are unchanged by this proposed decision. Implementation of this proposed decision is contingent upon maintenance of projects in a functioning condition (i.e., boundary and internal fences are in such good and functioning condition as to assure their ability to accomplish the purposes for which they were constructed, barriers to livestock movement).

**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 have reviewed your records as grazing permit holders for the Soda Creek and Baxter Basin allotments and have determined that Elordi Cattle Company, LLC, and Elordi Sheep Camp have satisfactory records of performance and are qualified applicants for the purposes of permit renewals.

***Justification for the Proposed Decision***

Based on my review of EIS number DOI-BLM-ID-B030-2012-0014-EIS, the rangeland health assessment/evaluation, determination, and other documents in the grazing files, it is my proposed decision to select Alternative 4 for the Soda Creek allotment and Alternative 2 for the Baxter Basin allotment. I have made this selection for a variety of reasons, but most importantly because of my understanding 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’s multiple use and sustained yield mandate, and will result in the Soda Creek and Baxter Basin allotments meeting or making significant progress toward meeting the resource objectives of the ORMP and the Idaho S&Gs.

## *Issues Addressed*

Earlier in this decision I outlined the major issues that drove the analysis and decision making process for the Soda Creek and Baxter Basin allotments. I want you to know that I considered the issues through the lens of each alternative before I made my decision. My selections of Alternative 2 for the Baxter Basin allotment and Alternative 4 for the Soda Creek allotment were in large part because of my understanding that these selections best addressed those issues, given the BLM's legal and land management obligations.<sup>5</sup>

*Issue 1: Habitat conditions for greater sage-grouse (Centrocercus urophasianus; from this point on referred to as sage-grouse): Sage-grouse habitat health is directly related to upland vegetation and watershed conditions. Specific areas of the Chipmunk Group allotments contain altered sagebrush community composition, structure, and function that are affecting sage-grouse and other sagebrush habitat-dependent species.*

AND

*Issue 4: Upland vegetation and watershed conditions: Livestock grazing is affecting upland vegetation by reducing or removing native vegetation communities that protect watershed soil and hydrologic function.*

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<sup>5</sup> As you know, your allotments are part of a group of six allotments forming the Owyhee 68 Allotments, which large group is the subject of a permit renewal process which must be completed by December 31, 2013. The NEPA process for the Owyhee 68 consists of 5-plus EAs and the EIS which supports this particular set of decisions. This multiple-allotment process has required me, as the Field Manager responsible for signing these grazing decisions, to look at these allotments, and the other allotments analyzed in the EAs and the EIS, not just individually but as a members of a group of allotments located in a particular landscape, the BLM Owyhee Field Office. That is, while I am looking at your individual allotment, reviewing its RHA/Evaluation/Determination, and selecting an alternative that will best address the allotment's ecological conditions and BLM's legal responsibilities (for the purposes of this decision), I am also looking at the allotment from a landscape perspective. From this perspective, there are problems common to the Owyhee 68 Allotments.

Of the approximately 60 allotments that have riparian areas, at least 47 are not meeting S&Gs for riparian/water issues due to current livestock management; of approximately 73 allotments, 43 are not meeting the Standard for upland vegetation. In many cases, performance under Standard 8 tracks these results. Despite of the efforts of BLM and the ranching operators, resource conditions are not good. Some of these allotments have been used in the spring year after year; some have had summer-long riparian use every year. As Field Manager for the Owyhees, I have a steward's responsibility to further the health and resilience of this landscape.

o these considerations, we live in a time of uncertainty. Climate change presents an uncertainty whose impacts we cannot clearly discern, but as land stewards, we must factor into our decisions a consideration of how best to promote resiliency on the landscape. Add to this the uncertainty associated with the BLM's organizational capacity to manage this landscape: in a time of budget cutting, staff reductions, and reduced revenues, land management decisions must factor in considerations of the level of on-the-ground management we can reasonably expect to accomplish. These compelling factors create the need to develop grazing management on individual allotments that combines the greatest assurance of ecological resilience with the most likely anticipated organizational ability, and which does so on a landscape level. My challenge is this: looking out at the field office, what intensity of management can I reasonably expect to accomplish, knowing that when BLM selects an alternative that requires intensive management from BLM (i.e.--continuous and intensive monitoring or other workloads that need to occur every year) it also accepts the risk and responsibility of that system's failure which could include a decreasing ecological health for the allotment at issue. My responsibility and challenge here is to make decisions that can be successfully implemented by BLM over the long term and that will lead to success which includes healthy, sustainable resource conditions and predictability for ranching operators.

As an indicator species for the sagebrush ecosystem, the attributes of suitable sage-grouse habitat provide an effective barometer for health of the sagebrush ecosystems that dominate the Soda Creek and Baxter Basin allotments. Sage-grouse habitat quality is inseparable from vegetation community conditions discussed in Standard 4 (Native Plant Communities). Therefore, the following is a combined rationale for my alternative selections as they relate to the issues of sage-grouse habitat and upland vegetation and watershed conditions.

### Soda Creek

Upland watershed, vegetative, and wildlife habitat conditions will continue to meet Standards 4 and 8 and thus the needs of sage-grouse and other wildlife. Implementation of Alternative 4 will result in additional improvements due to incorporation of additional deferment of grazing until after the growing season; this action is expected to maintain suitable sage-grouse habitat and native plant communities that will provide for proper nutrient cycling, hydrologic cycling, and energy flow. Implementation of increased periodic deferment outside of critical-growing-season use is expected to increase and maintain vegetative vigor of native perennial bunchgrasses. This would positively affect soils because improved upland vegetation communities provide added soil stability, hydrologic function, litter, and nutrients. The restricted seasons, compared to Alternative 1, would result in a decrease in active AUMs over the life of the permit (Appendix C-2 of the EIS). Upland vegetation communities would have an opportunity to improve and respond with increased soil cover, decreased bare ground, and reduced susceptibility to accelerated erosion. As noted above, although Standard 1 is currently being met on the Soda Creek allotment, the soils are at risk of degradation due to recent wildfires. Implementation of Alternative 4 will reduce this risk through the improvements noted above.

### Baxter Basin

Watershed, vegetative, and upland/riparian wildlife habitat conditions would continue to meet Standards on the Baxter Basin allotment under Alternative 2, which will continue to implement rest every other year in the native plant communities in pastures 1 and 2. Continued light utilization levels are expected to provide adequate functional nesting, brood-rearing, escape, and hiding cover values for sage-grouse and other wildlife in the short term and healthy plant communities in the long term. Additionally, proper nutrient cycling, hydrologic cycling, and energy flow will continue to be maintained.

In pasture 3 of the Baxter Basin allotment, which is dominated by annual communities, improvement in native vegetation species composition and distribution is not expected to occur due to the distribution and competitive advantage of invasive species over native species under Alternative 2. Unfortunately, regardless of which alternative is selected, livestock management changes alone will not improve upland vegetative conditions and provide the composition and structure necessary for sage-grouse and other wildlife due to the prevalence of exotic annual grasses. Restoring areas dominated by exotic annuals to shrubs and deep-rooted perennial grasses would require targeted vegetation treatments such as seeding and herbicide applications, actions not considered at this time. Therefore, Alternative 2 will protect the vegetation we currently have, and overall, current and proposed livestock grazing will not contribute to any nonattainment of Standard 8.

*Issue 2: Riparian vegetation conditions: Livestock grazing is affecting riparian condition and aquatic habitat by changing the health and composition of riparian vegetation communities.*

AND

*Issue 3: Fish and amphibian habitat conditions: Stream, floodplain, wetland, and mesic (moderately moist) habitat conditions are directly related to conditions within the riparian vegetation community. Altering of the riparian community may affect the health and sustainability of fish and amphibian populations.*

### Soda Creek

Riparian areas are expected to progress toward meeting Standards more quickly under Alternative 4 than under the current management. I have chosen Alternative 4 in part to implement management that will provide for more rapid improvement in habitat for riparian-dependent wildlife species, including redband trout and Columbia spotted frogs.

I expect the quality and quantity of the riparian communities in the Soda Creek allotment to progress steadily toward meeting desired habitat management objectives and meeting Standards 2, 3, 7, and 8. In the short term (1 to 6 years, two rotations) riparian habitat conditions will show measurable and observable improved forage and cover elements for wildlife species. In the long term (7 to 12 years), vegetation composition and structure will be much improved toward meeting desired management and meeting Standard 8. Although some minimum degree of progress toward meeting standards for riparian areas and sensitive species habitat is currently being made on the allotment, progress at a faster rate is achievable and more desirable given the long-term potential benefits to redband trout, Columbia spotted frog, and other riparian-dependent species. It is within my discretion and responsibility to strive for such improvement based on FLPMA, the objectives described in the Owyhee RMP, and the BLM's policies for managing habitat for sensitive species.

### Baxter Basin

Riparian and spring/seep areas are expected to continue to make incremental progress toward meeting Standards under Alternative 2. A majority of the riparian resources on the allotment occur in pastures 1 and 2, which would continue to receive rest from grazing in alternating years, allowing hydric vegetation ample time to recover from trampling and grazing. Livestock would be removed from these pastures on or before June 15 in years they are grazed, allowing additional time for regrowth and recovery of hydric vegetation throughout the summer and early fall in the years that they are grazed.

*Issue 5: Special Status Plant Species: Livestock grazing is adversely affecting special status plants by altering surrounding upland vegetation, habitat and reproduction of individuals.*

### Soda Creek

The one sensitive plant population of *Phacelia minutissima* known to occur on the Soda Creek allotment is not being impacted by livestock grazing, based on field observations. The population is located in an area of pasture 6 that does not receive substantial amounts of livestock use, and thus is not being negatively affected by trampling or grazing by domestic livestock. Under

Alternative 4, risks to this population would be expected to stay the same or decrease; therefore, selection of this alternative will maintain this sensitive plant population.

### Baxter Basin

Because no special status plant species are known exist on public land, this issue does not apply to the Baxter Basin allotment.

*Issue 6: Noxious and invasive weeds: Livestock grazing and trailing has the potential to increase or spread noxious and invasive weeds.*

### Soda Creek/Baxter Basin

Although Alternative 6 would further reduce the potential for livestock to introduce and spread invasive and non-native annual species as compared to all alternatives that would continue to authorize grazing within the Soda Creek and Baxter Basin allotments, livestock remain only one of a number of vectors for seed dispersal and soil surface disturbance. BLM's coordinated and ongoing weed control program would still be required in the absence of livestock grazing in the allotment. Improvements in health and vigor of native plant communities as a result of modified grazing practices would reduce the competitive ability of weeds on the Soda Creek allotment.

*Issue 7: Livestock trailing: Trailing may adversely affect upland vegetation, soils, weeds and riparian vegetation.*

### Soda Creek

Livestock trailing on the Soda Creek allotment was not identified as an issue for analysis in the EIS, thus this issue will not be addressed.

### Baxter Basin

Livestock trailing on the Baxter Basin allotment would be limited to 0.68 miles of the Boulder Flat Route. Effects from livestock trailing/crossing will include minor trampling and up to 10 percent utilization along the trailing route corridor. Due to the short duration of trailing, grazing effects from cattle trailing are expected to be minimal. Direct grazing from sheep trailing would occur where sheep are trailed off existing roadbeds. However, because both sheep and cattle trailing will occur on such a small proportion of the landscape and for a limited duration, effects from trailing are expected to be insignificant. A slight increase in the spread of weeds could occur, but the short distance and duration will limit the amount and possibility. Additionally, if noxious weeds are detected in the future, easy access would be available for treatment. Range readiness determinations are essential and will reduce mechanical damage to soils when soils are saturated early in the spring during the peak spring melt events. The duration of trailing activities to be authorized will require active trailing in most cases. Management actions as described above, will allow upland plant communities, soils, watersheds, weeds, and riparian areas to meet or make significant progress toward meeting Idaho Rangeland Health Standards and ORMP objectives.

*Issue 8: Socioeconomic impacts: Livestock grazing affects local and regional socioeconomic activities generated by livestock production.*

## Soda Creek/Baxter Basin

During the NEPA and public comment process, some raised the concern that selection of certain alternatives considered in the EIS could impact regional socio-economic activity. I share this concern, and have taken these concerns into consideration in making my decision; however, my primary obligation is to ensure that the new grazing permit(s) protects resources in a manner consistent with the BLM's obligations under the Idaho S&Gs and the ORMP. As noted above, I have selected Alternative 2 for the Baxter Basin allotment and Alternative 4 for the Soda Creek allotment, in large part because those selections accomplish those latter goals.

Over the long term, your grazing operation relies upon maintenance of the natural resources, including productive and healthy rangelands capable of supplying a reliable forage base. Selection of an alternative based in unsustainable grazing practices that do not meet rangeland health standards would result in less-reliable amounts of forage over the long term, in addition to reducing economic opportunities from ecosystem services and alternate socio-economic resources, such as recreation, that rely on healthy, functional, and aesthetically pleasing open spaces and wildlife habitats.

I have considered a wide range of issues at the allotment level, including the social and economic impacts that result from modifying grazing authorizations. I have minimized reductions in grazing use levels on allotments where current levels are compatible with meeting rangeland health standards and ORMP objectives and, where not compatible, have attempted to select alternatives designed to meet resource needs. In cases of particular or particularly acute resource needs, I have selected the alternative most responsive to such needs, with the aim of best promoting rangeland health. I have proposed Alternative 4 for the Soda Creek allotment, based on this rationale: the increased deferment of grazing will enable the allotment's riparian areas to make greater progress toward meeting standards, thereby benefitting shrub steppe and riparian species, and will reduce the existing upland vegetation vulnerabilities.<sup>6</sup>

*Issue 9: Wildfire fuels: Livestock grazing has the potential to change vegetation that may affect wildfire.*

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<sup>6</sup> Improved riparian habitat conditions would benefit identified focal species as well as other associated shrub steppe species (e.g., migratory birds, pygmy rabbits, big game, and amphibians). Implementing a deferment/rest grazing rotation grazing schedule with reduced stocking levels would improve herbaceous and woody cover in riparian zones that would benefit Columbia redband trout and Columbia spotted frogs through reduced trampling of spring spawning and egg-laying sites, decreased erosion and sediment loading, enhanced shade and woody debris delivery, greater channel structure and flow regulation, and improved water quality. Sage-grouse would benefit from the improved security cover and the increased diversity and availability of forbs during early and late brood-rearing.

In the short term (1 to 6 years, two rotations) riparian habitat conditions will show measurable and observable improved forage and cover elements for wildlife species. In the long term (7 to 12 years), vegetation composition and structure will be much improved toward meeting desired management and meeting Standard 8. Although some minimum degree of progress toward meeting standards for riparian areas and sensitive species habitat is currently being made on the allotment, progress at a faster rate is achievable and more desirable given the long-term potential benefits to redband trout, Columbia spotted frog, and other riparian-dependent species.

## Soda Creek/Baxter Basin

During the NEPA process, some asked the BLM to consider using grazing to limit wildfire. The BLM has considered the issue and determined that it would be theoretically possible to use targeted grazing to create fuel breaks on these allotments with the hope that those fuel breaks would help control the spread of large wildfires in the area. However, the resource costs associated with this strategy are such that I have decided against it. Ultimately, implementation of Alternative 2 for the Baxter Basin allotment and Alternative 4 for the Soda Creek allotment will not significantly alter the BLM's ability to fight wildfire in the area.

Although a number of sources identify the potential to use grazing to reduce fine fuels on a landscape scale, identified benefits are greatest with targeted grazing that strategically maintains fuel breaks to aid fire suppression actions. Landscape-scale fuels reduction with livestock grazing has its greatest application in grass-dominated vegetation types and specifically within seedings of grazing-tolerant introduced grasses and annual grasses. Such conditions do not exist on these allotments on a pasture-wide scale. In addition, the levels of livestock grazing and the season of yearly use necessary to reduce fine fuels prior to the fire season are not conducive to sustaining native perennial herbaceous species. This is one of the main reasons a targeted grazing system to control fire is not viable on these allotments at this time. The BLM's current permit renewal process is focused on improving native upland and riparian plant communities on these allotments, and targeted grazing to create fuel breaks would not support that goal.

The selected alternatives retain a level of grazing use that reduces the accumulation of fine fuels, and thus will lessen the spread of large wildfires when fire weather conditions are less extreme. More importantly, it is designed to benefit and promote the health and vigor of native perennial species on the allotment, thereby limiting the dominance of annual species and so limiting the accumulation of continuous fine fuels and extreme fire behavior, while enhancing post-fire recovery.<sup>7</sup>

*Issue 10: Climate Change: The issue of climate change and its relationship to the proposed federal action of renewing grazing permits is twofold. Livestock grazing in Owyhee County contributes CO<sub>2</sub> and methane emissions to the earth's atmosphere. In addition, climate change, itself a stressor on the sagebrush-steppe semi-arid ecosystem found in the Owyhee Uplands can, when found in conjunction with cattle grazing, further stress the ecosystem's vegetation.*

Selection of Alternative 4 for the Soda Creek allotment is consistent with the concerns identified in this issue. By selecting this alternative, I am enabling the allotment to make better progress toward meeting those standards currently not met, providing increased forage and cover for wildlife, and improved vegetation structure and composition. This increase in vigor, for both plant and animal communities, will ensure this allotment has greater resilience in the face of change.

### ***Additional Rationale***

I did consider selecting Alternative 6 (No Grazing) for these allotments; however, based on all the information used in developing my decision, I believe that the BLM can meet resource objectives

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<sup>7</sup> For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 2.4.

and still allow grazing on the allotments. In selecting Alternative 2 for the Baxter Basin allotment and Alternative 4 for the Soda Creek allotment, rather than Alternative 6, I especially considered (1) BLM's ability to meet resource objectives using the selected alternatives, (2) the impact of implementation of Alternative 6 on the your operations and on regional economic activity, and (3) your past performance under previous permits. The Soda Creek and Baxter Basin grazing allotments were found to be meeting or making progress toward meeting all applicable Standards for Rangeland Health under current livestock management. Therefore, continuation of grazing on these allotments with the changes identified above is expected to result in meeting resource objectives while providing for multiple uses of the public lands. By implementing these alternatives, the resource issues identified will be addressed. Declining to authorize grazing for a 10-year period is not the management decision most appropriate at this time in light of these factors.

## Conclusion

In conclusion, it is my decision to select Alternative 2 for the Baxter Basin allotment and Alternative 4 for the Soda Creek allotment over other alternatives because livestock management practices under this selection best meet the ORMP objectives allotment-wide and the Idaho S&Gs consistent with the projected ability of BLM to oversee grazing on these allotments over the next several years. Alternatives 1 and 2 would implement livestock management practices on the Soda Creek allotment that would meet only the bare minimum objectives and standards, while Alternative 3 would only result in very slow progress toward meeting objectives and standards in areas with sensitive aquatic species of management concern. Implementation of Alternative 4 for the Soda Creek allotment will result in more rapid progress toward meeting Standards 2, 3, and 8 for redband trout and Columbia spotted frog over the 10-year life of the proposed grazing authorization. Selection of Alternative 3 for the Baxter Basin allotment would increase frequency of use in pastures containing riparian areas that are at risk of degradation, while Alternative 2 will result in maintenance of uplands that are meeting standards and objectives and allow frequent rest from grazing for these riparian areas of concern. For both allotments, Alternative 6 removes the economic activity of livestock operations from Owyhee County and southwest Idaho, a region where livestock production and agriculture is a large portion of the economy. That, in conjunction with current resource conditions and the improvement anticipated by implementation of the alternatives, as supplemented, lead me to believe elimination of livestock grazing from the Soda Creek and Baxter Basin allotments is unnecessary at this point.

## Authority

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

- 4100.0-8 Land use plans; The ORMP designates the Soda Creek and Baxter Basin allotments as available for livestock grazing;
- 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; and
- 4180 Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration. This proposed decision will result in taking appropriate action to modifying existing grazing management in order to make significant progress toward achieving rangeland health.

### **Right of Protest and/or Appeal**

Any applicant, permittee, lessee or other interested publics may protest the proposed decision under Sec. 43 CFR § 4160.1 and 4160.2, in person or in writing within 15 days after receipt of such decision to:

Loretta V. Chandler  
Owyhee Field Office Manager  
20 First Avenue West  
Marsing, Idaho 83639

The protest, if filed should clearly and concisely state the reason(s) why the proposed decision is in error.

In accordance with 43 CFR § 4160.3(a), in the absence of a protest, the proposed decision will become the final decision of the authorized officer without further notice unless otherwise provided in the proposed decision.

In accordance with 43 CFR § 4160.3(b), upon a timely filing of a protest, after a review of protest received and other information pertinent to the case, the authorized officer shall issue a final decision.

Any applicant, permittee, lessee or other person whose interest is adversely affected by the final decision may file an appeal in writing in 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 or within 30 days after the date the proposed decision becomes final. 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 above. 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 person 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 Solicitors Office  
University Plaza  
960 Broadway Ave., Suite 400  
Boise Idaho, 83706

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 me at 208-896-5913.

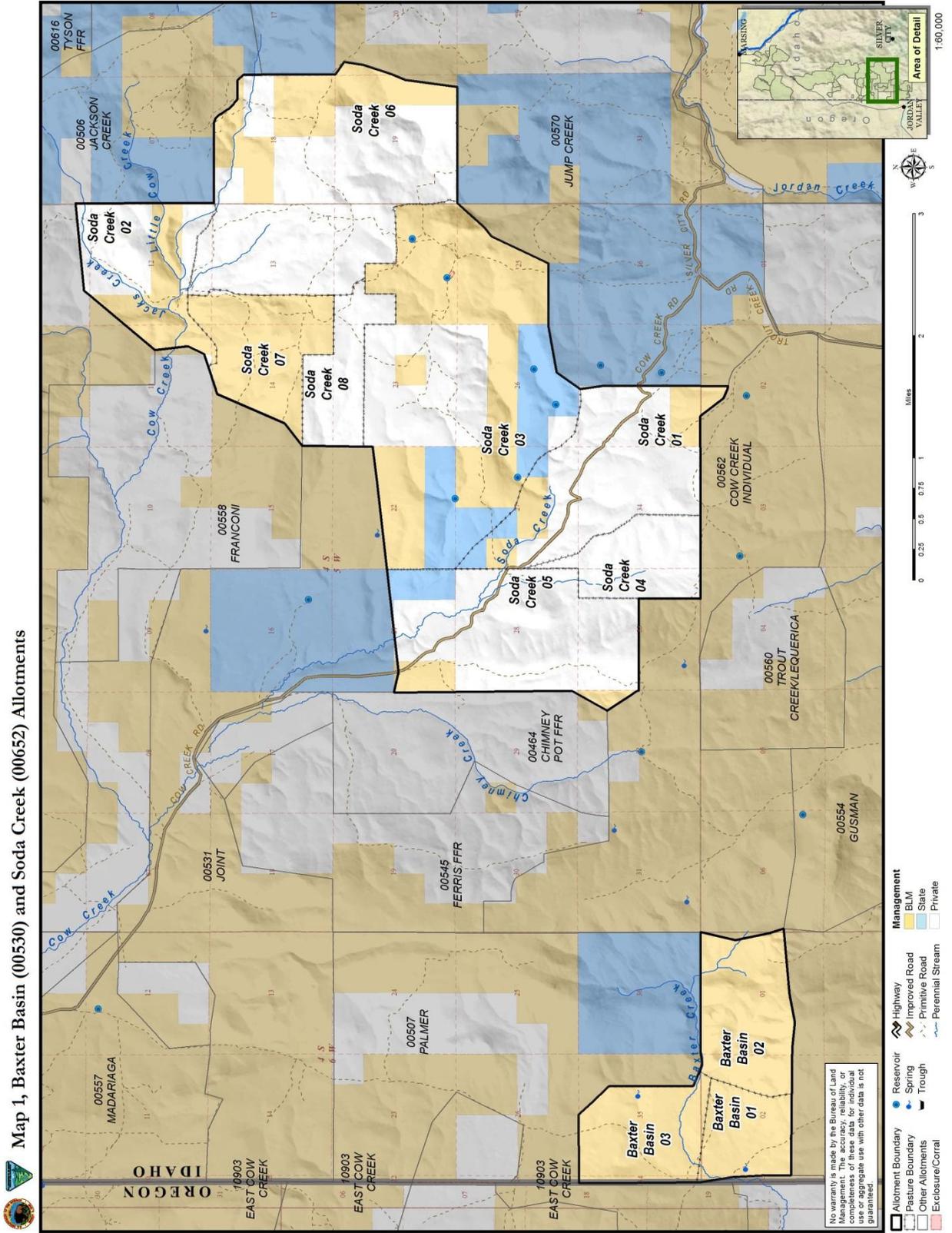
Sincerely,



Loretta V. Chandler  
Field Manager  
Owyhee Field Office

Attachments: Maps 1

Map 1, Baxter Basin (00530) and Soda Creek (00652) Allotments



Copies sent to:

Company Name	Title	First Name	Last Name	Address 1	City	ST	Zip	# copies
Boise District Grazing Board		Stan	Boyd	PO Box 2596	Boise	ID	83701	1
Chipmunk Grazing Association		Elias	Jaca	PO Box 175	Marsing	ID	83639	2
Colyer Cattle Co.		Ray & Bonnie	Colyer	31001 Colyer Rd.	Bruneau	ID	83604	3
Elordi Cattle Co.		Jim	Elordi	PO Box 55	Jordan Valley	OR	97910	4
Elordi Sheep Camp, Inc.		Richard	Elordi	14448 Bighorn Dr.	Nampa	ID	83651	5
Idaho Wild Sheep Foundation	President	Jim	Jeffress	PO BOX 8224	Boise	ID	82707	6
Friends of Mustangs		Robert	Amidon	8699 Gantz Ave.	Boise	ID	83709	7
Gusman Ranch Grazing Association LLC		Forest	Fretwell	27058 Pleasant Valley Rd.	Jordan Valley	OR	97910	8
Holland & Hart LLP				PO Box 2527	Boise	ID	83701	9
Idaho Conservation League		John	Robison	PO Box 844	Boise	ID	83701	10
Idaho Dept. of Agriculture		John	Biar	PO Box 790	Boise	ID	83707	11
IDEQ				1410 N. Hilton	Boise	ID	83701	12
Idaho Dept. of Lands				PO Box 83720	Boise	ID	83720	13
Idaho Dept. of Parks & Recreation	Director			PO Box 83720	Boise	ID	83720	14
Idaho Farm Bureau Fed.				PO Box 167	Boise	ID	83701	15
Intermountain Range Consultants		Bob	Schweigert	5700 Dimick Ln.	Winnemucca	NV	89445	16
International Society for the Protection of Horses & Burros		Karen	Sussman	PO Box 55	Lantry	SD	57636	17
Jaca Livestock		Elias	Jaca	817 Blaine Ave.	Nampa	ID	83651	18
Juniper Mtn. Grazing Association		Michael	Stanford	3581 Cliffs Rd.	Jordan Valley	OR	97910	19
Land & Water Fund		William	Eddie	PO Box 1612	Boise	ID	83701	20
LS Cattle Co.	c/o	Jeff	Stanford	PO Box 217	Jordan Valley	OR	97910	21
LS Cattle Co		Jerry	Stanford	PO Box 281	Jordan Valley	OR	97910	22
LU Ranching	c/o	Bill	Lowry	PO Box 132	Jordan Valley	OR	97910	23
LU Ranching		Tim	Lowry	PO Box 132	Jordan Valley	OR	97910	24
Moore Smith Buxton & Turcke		Paul	Turcke	950 W. Bannock, Ste. 520	Boise	ID	83702	25
Natural Resources Defence Council		Johanna	Wald	111 Sutter St., 20 <sup>th</sup> Floor	San Francisco	CA	94104	26
Oregon Division State Lands				1645 NE Forbes Rd., Ste. 112	Bend	OR	97701	27
Owyhee Cattlemen's Association				PO Box 400	Marsing	ID	83639	28

Company Name	Title	First Name	Last Name	Address 1	City	ST	Zip	# copies
Owyhee County Commissioners				PO Box 128	Murphy	ID	83650	29
Owyhee County Natural Resources Committee		Jim	Desmond	PO Box 38	Murphy	ID	83650	30
Poison Creek Grazing Association LLC		Tim	Mackenzie	PO Box 443	Homedale	ID	83628	31
R&S Enterprise		Ray	Mitchell	265 Millard Rd.	Shoshone	ID	83352	32
Ranges West				2410 Little Weiser Rd.	Indian Valley	ID	83632	33
Resource Advisory Council	Chair.	Gene	Gray	2393 Watts Lane	Payette	ID	83661	34
Schroeder & Lezamiz Law Offices				PO Box 267	Boise	ID	83701	35
	Senator	Mike	Crapo	251 East Front Street, STE 205	Boise	ID	83702	36
	Senator	James E.	Risch	350 N. 9 <sup>th</sup> Street STE 302	Boise	ID	83702	37
Shoshone-Bannock Tribes	Tribal Chair	Nathan	Small	PO Box 306	Ft. Hall	ID	83203	38
Sierra Club				PO Box 552	Boise	ID	83701	39
Soil Conservation District		Cindy	Bachman	PO Box 186	Bruneau	ID	83604	40
State Historic Preservation Office				210 Main St.	Boise	ID	83702	41
State of Nevada Div. of Wildlife				60 Youth Center Rd.	Elko	NV	89801	42
The Fund for the Animals, Inc.		Andrea	Lococo	1363 Overbacker	Louisville	KY	40208	43
The Nature Conservancy				950 W. Bannock, Ste. 210	Boise	ID	83702	44
The Wilderness Society				950 W. Bannock St., Ste. 605	Boise	ID	83702 -5999	45
U.S.F.W.S. Idaho State Office				1387 S. Vinnell Way, Ste. 368	Boise	ID	83709	46
USDA Farm Services				9173 W. Barnes	Boise	ID	83704	47
Western Watershed Projects		Katie	Fite	PO Box 2863	Boise	ID	83701	48
Western Watershed Projects				PO Box 1770	Hailey	ID	83333	49
		Doug	Burgess	2725 Mule Springs Rd.	Homedale	ID	83628	50
		Ted	Blackstock	6754 Opaline Rd.	Given Springs	ID	83641	51
		Alan	Johnstone	2740 Egurrola Ln.	Homedale	ID	83628	52
		Tim	McBride	1445 US 95 South	Jordan Valley	OR	97910	53
		Conrad	Bateman	740 Yakima St.	Vale	OR	97918	54
		Gene	Bray	5654 W El Gato Ln.	Meridian	ID	83642	55
		Sean & Andrea	Burch	PO Box 284	Jordan Valley	OR	97910	56
		Chad	Gibson	16770 Agate Ln.	Wilder	ID	83676	57
		Chad & Dannelle	Hensley	4300 Choctaw Dr.	Nampa	ID	83686	58

Company Name	Title	First Name	Last Name	Address 1	City	ST	Zip	# copies
		Russ	Heughins	10370 W Landmark Ct.	Boise	ID	83704	59
		Dan	Jordan	30911 Hwy. 78	Oreana	ID	83650	60
		Floyd	Kelly Breach	9674 Hardtrigger Rd.	Given Springs	ID	83641	61
		Kenny	Kershner	PO Box 300	Jordan Valley	OR	97910	62
		Vernon	Kershner	PO Box 38	Jordan Valley	OR	97910	63
		Lloyd	Knight	PO Box 47	Hammett	ID	83627	64
		Sandra	Mitchell	PO Box 70001	Boise	ID	83707	65
		Brett	Nelson	9127 W. Preece St.	Boise	ID	83704	66
		Ramona	Pascoe	PO Box 126	Jordan Valley	OR	97910	67
		Anthony & Brenda	Richards	8935 Whiskey Mtn. Rd., Reynolds Creek	Murphy	ID	83650	68
		John	Romero	17000 2X Ranch Rd.	Murphy	ID	83650	69
		Bob	Salter	6109 N. River Glenn	Garden City	ID	83714	70
		John	Townsend	8306 Road 3.2 NE	Moses Lake	WA	98837	71
		John	Richards	8933 State Hwy. 78	Marsing	ID	83639	72
	Congressman	Raul	Labrador	33 E. Broadway Ave STE 251	Meridian	ID	83642	73
	Congressman	Mike	Simpson	802 West Bannock STE 600	Boise	ID	83702	74
		John	Isernhagen	2618 Cow Creek Rd.	Jordan Valley	OR	97910	75
		Marti & Susan	Jaca	21127 Upper Reynolds Cr. Rd.	Murphy	ID	83650	76
		Ed	Moser	22901 N. Lansing Ln.	Middleton	ID	83644	77
		Bill	Baker	2432 N. Washington	Emmett	ID	83617-9126	78
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