



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

Ted Blackstock  
6754 Opaline Rd.  
Given Springs, ID 83641

Chipmunk Grazing Association  
c/o Elias Jaca  
PO Box 175  
Marsing, ID 83639

Alan Johnstone  
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Homedale, ID 83628

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

Dear Permittee:

Thank you for your application for permit renewal on the Blackstock Springs and Corral Creek FFR allotments, and for working with the BLM and the Owyhee Field Office during the permit renewal process. I appreciate your interest in grazing the allotments in a sustainable fashion and am confident that this proposed decision achieves that objective.

As you know, the BLM recently evaluated current grazing practices and current conditions in the Blackstock Springs and Corral Creek FFR allotments. The BLM undertook this effort to ensure that any renewed grazing permits on these allotments are consistent with the BLM's legal and land management obligations. As part of the BLM's evaluation process, rangeland health assessment/evaluation, and determination were completed for each allotment according to BLM's established procedures. This proposed decision incorporates by reference the information contained in those documents, as well as the specialist reports, which provided additional information.

The BLM also engaged in public scoping and met with members of the public interested in grazing issues in the Blackstock Springs and Corral Creek FFR allotments. These allotments were combined for scoping and NEPA analysis with other allotments in an environmental impact statement (EIS) known as the Jump Creek, Succor Creek, & Cow Creek Watersheds Grazing Permit Renewal Environmental Impact Statement. This EIS is also known as the Chipmunk Group EIS.

The Chipmunk Group EIS process 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/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)

and were considered during the development of the EIS. The package solicited comments to better identify issues associated with renewing livestock grazing permits on these allotments. A Public Scoping meeting was also held 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.

After evaluating conditions on the land and meeting with you and the public, it became clear that there are some resource concerns associated with the Blackstock Springs and Corral Creek FFR allotments.

To address those issues and livestock impacts to public land resources, my office prepared and issued a draft environmental impact statement<sup>1</sup> (DEIS) 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 Blackstock Springs allotment and four alternatives for the Corral Creek FFR allotment. We also considered other alternatives that we did not analyze in detail. Our primary 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 Blackstock Springs and Corral Creek FFR allotments natural resources 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:

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<sup>1</sup> DOI-BLM-ID-B030-2012-0014-EIS analyzed five alternatives for the Blackstock Springs allotment and four alternatives for the Corral Creek FFR allotment to fully process permits for livestock grazing management practices.

[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 now completed the most difficult part of the permit renewal process and I am prepared to issue a proposed decision to renew your permit to graze livestock within the Blackstock Springs and Corral Creek FFR allotments. Upon implementation of the decision, your permit to graze livestock in the Blackstock Springs and/or Corral Creek FFR allotments will be fully processed for the first time since adoption of the Idaho Standards & Guidelines (S&Gs) in 1997, and implementation of the ORMP in 1999.

This proposed decision will:

- Describe current conditions and issues on the allotments;
- 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 Blackstock Springs and Corral Creek FFR allotments;
- Outline my proposed decision to select Alternative 4 for the Blackstock Springs allotment, Alternative 2 for the Corral Creek allotment; and
- State my reasons for making that selection.

## Background

### *Allotment Setting*

The Blackstock Springs and Corral Creek FFR allotments are located approximately 10 miles southwest of Marsing, Idaho, in Owyhee County, Idaho. The Blackstock Springs allotment consists of three pastures and has 12,793 acres of public land, 3,265 acres of private land, and 639 acres of Idaho state land, for a total of 17,337 acres (74 percent public land, 19 percent private land, 7 percent Idaho state land). This allotment has had a regular grazing schedule identified in your actual use report, with three different pastures, usually starting in mid-May and ending in late-November.

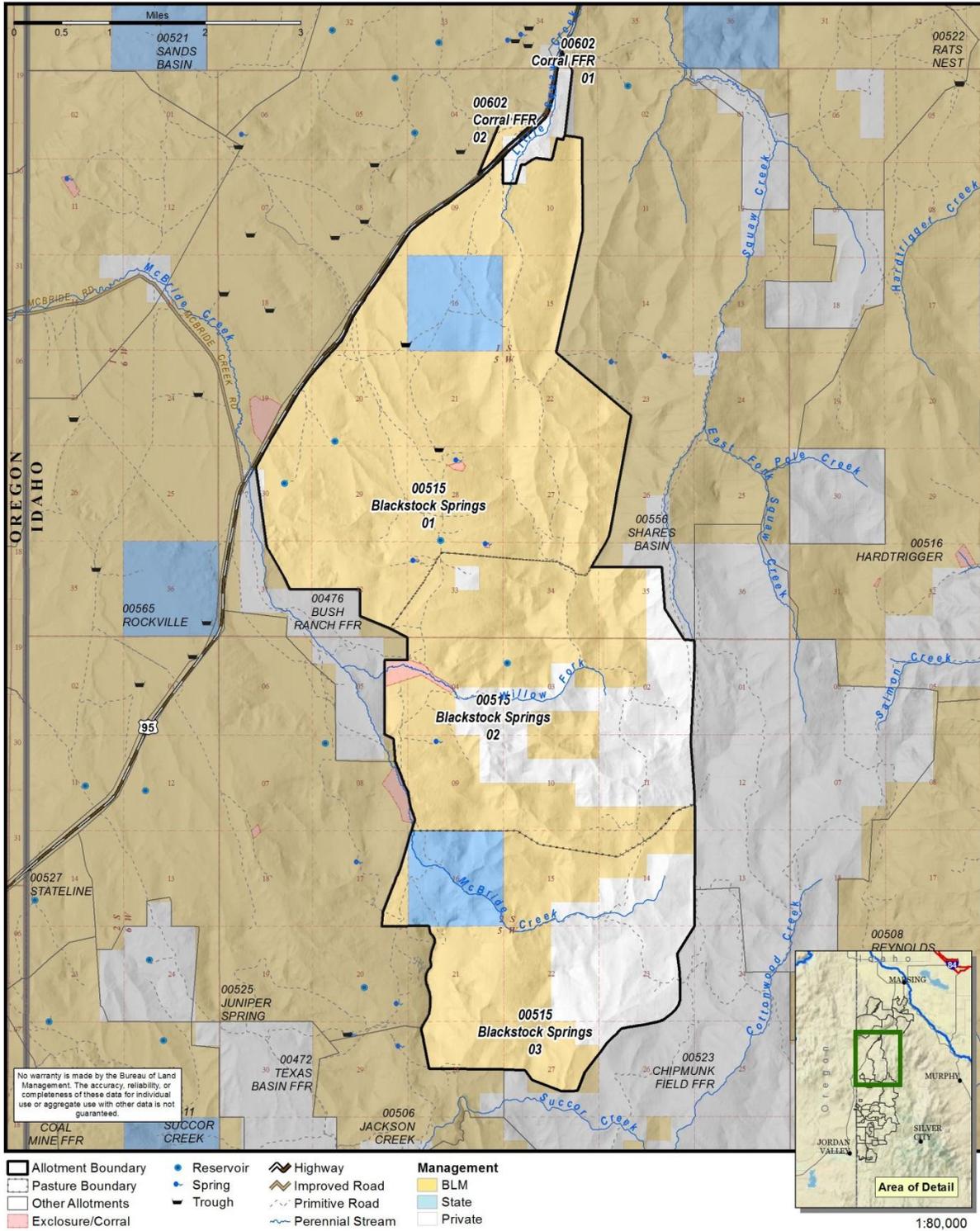
The Corral Creek FFR allotment consists of two pastures and has 70 acres of public land and 102 acres of private land for a total of 172 acres (41 percent public land, 59 percent private land). Because this allotment includes a greater acreage of private land than of public land, under the current permit, the livestock numbers and dates have varied annually as determined by you, the permittee, provided that the 9 animal unit months (AUMs<sup>2</sup>) permitted are not exceeded and unacceptable impacts to public land resources did not occur. See Map 1 below.

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<sup>2</sup> Animal unit month (AUM) means the amount of forage necessary for the sustenance of one cow or its equivalent for a period of one month.



Map 1, Blackstock Springs (00515) and Corral FFR (00602) Allotments



Elevations within the Blackstock Springs and Corral Creek FFR allotments range from 4,000 to 6,000 feet. The allotments lie within the Owyhee Uplands, a sagebrush steppe semi-arid landscape of shrubs and widely spaced bunchgrasses where native vegetation communities vary. Limited precipitation, cold winters and dry summers constrain plant and animal communities. Where deeper soils exist, the native vegetation is primarily Wyoming big sagebrush with an understory of native perennial bunchgrasses and crested wheatgrass (in pasture 1 of Blackstock Springs). In areas of shallow soils, mostly low sagebrush with the same native perennial bunchgrass understory can be found. Effective average annual precipitation for these vegetation communities is approximately 8 in for the drier sites and 13 in for the more moist sites. Precipitation occurs primarily during the winter.<sup>3</sup>

### ***Current Grazing Authorization***

Alan Johnstone is currently authorized to graze livestock within the Blackstock Springs and Corral Creek FFR allotments, and Ted Blackstock and Chipmunk Grazing Association are currently authorized to graze livestock within the Blackstock Springs allotment, in accordance with permits issued by the BLM. The terms and conditions of those grazing permits are as follows\*:

**Table LVST-1: Alan Johnstone current permit**

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
00602 Corral Creek	9	Cattle	12/1	12/31	100	Active	9
00515 Blackstock Springs	192	Cattle	5/1	11/15	65	Active	815

**Table LVST-2: Ted Blackstock current permit**

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
00515 Blackstock Springs	189	Cattle	5/1	11/15	85	Active	1,052

**Table LVST-3: Chipmunk Grazing Association current permit**

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
00515 Blackstock Springs	61	Cattle	5/1	11/15	47	Active	190

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

<sup>3</sup> For more detailed discussion, please refer to the affected environment sections of EIS number DOI-BLM-ID-B030-2012-0014-EIS.

The following other terms and conditions apply to the above permits.

Other terms and conditions:

1. Livestock grazing will be in accordance with your allotment grazing schematic(s). Changes in scheduled pasture use dates will require prior authorization.
2. The number of livestock and the season of use on the fenced federal range (FFR) allotment are at the permittee's discretion.
3. Turn-out is subject to the Boise District range readiness criteria.
4. The permittee's certified actual use report is due within 15 days of completing the authorized annual grazing use.
5. Salt and/or supplements shall not be placed within one-quarter (1/4)-mile of springs, streams, meadows, aspen stands, playas, special status plant populations or water developments.
6. 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.
7. Pursuant to 43 CFR 10.4(B), the permittee must notify the BLM field manager, by telephone with written confirmation, immediately upon the discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (as defined in 43 CFR 10.2) on federal lands. Pursuant to 43 CFR 10.4 (C), the permittee must immediately stop any ongoing activities connected with such discovery and make a reasonable effort to protect the discovered remains or objects.
8. Livestock exclosures located within the grazing allotment are closed to all domestic grazing use.
9. Range improvements must be maintained in accordance with the cooperative agreement and range improvement permit in which you are a signatory or assignee. All maintenance of range improvements within designated Wilderness requires prior consultation with the authorized officer.
10. All appropriate documentation regarding base property leases, lands offered for exchange-of-use, and livestock control agreements must be approved prior to turn out. Leases of land and/or livestock must be notarized prior to submission and be in compliance with Boise District Policy.
11. Failure to pay the grazing bill within 15 days of the due date specified shall result in a late fee assessment of \$25.00 or 10 percent of the grazing bill, whichever is greater, not to exceed \$250.00. 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)(1) and shall result in action by the authorized officer under 43 CFR § 4150.1 and § 4160.1.
12. Utilization may not exceed 50 percent of the current year's growth.

As part of a settlement agreement, the following additional terms and conditions were added to the permit in March 2000:

- 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;

- 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;
- 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
- Stream bank damage attributable to grazing livestock will be less than 10 percent on a stream segment.

The current permit authorizes an annual use of 9 AUMs of forage in the Corral Creek FFR allotment and a season of use between December 1 and December 31<sup>4</sup>. However, based on management actions over the last ten years, it is clear that in most years use on the allotment has occurred with different livestock numbers and seasons compared to the numbers and dates identified in the Mandatory Terms and Conditions, utilizing the flexibility authorized in the grazing permit. Actual use reports are more thorough on the Blackstock Springs allotment and show a regular season and pattern of use throughout most years for each pasture.

Actual use is important when considering the renewal of a grazing permit because it was actual use and not authorized levels of use that resulted in current conditions on the allotments. In other words, the current condition of the allotments is not the result of what was authorized under the current permit, but rather is the result of the removal of a varied number of AUMs and seasons of use over the past several years.

### *Resource Conditions*

The BLM completed a rangeland health assessment, evaluation, and determination for the Corral Creek FFR allotment in 2008 and for the Blackstock Springs allotment in 2013 (Appendices E-1 and E-2 in the EIS). Those documents concluded that of the majority of the resources on both allotments were not meeting the Idaho S&Gs. Specifically, the BLM determined that the Corral Creek FFR allotment did not meet Standards 1 (Watersheds), 4 (Native Plant Communities), and 8 (Threatened and Endangered Animals), but was making significant progress toward meeting the Standards. The 2013 Determination document for the Blackstock Springs allotment found that Standards 1 (Watersheds), 2 (Riparian Areas and Wetlands), 3 (Stream Channel/Floodplain), 4 (Native Plant Communities), 7 (Water Quality), and 8 (Threatened and Endangered Animals) were not being met, nor was the allotment making significant progress toward meeting them. Current livestock grazing management was identified as a significant causal factor for failing to meet Standards 1, 2, 3, 4, 7, and 8.

### *Vegetation - Uplands<sup>5</sup>*

#### Blackstock Springs

All three pastures in the Blackstock Springs allotment are evaluated under Standard 4 (Native Plant Communities). Noxious weeds are present in the Blackstock Springs allotment, and all are

<sup>4</sup> Although the season of use in the grazing permit allows 9 cattle with a season from 12/1-12/31 in the Mandatory Terms and Conditions, the permit states that, “the number of livestock and season of use is at your discretion” in the Other Terms and Conditions, which allows flexibility.

<sup>5</sup> For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 3.3.1.

part of the Boise District weed program, through which they will continue to be monitored and treated as appropriate.

Pastures 2 and 3 are meeting Standard 4. Current livestock grazing management practices are significant causal factors for not meeting Standard 4 in pasture 1. Grazing rotations that include grazing in both spring and fall seasons have occurred annually without rest in pasture 1. Evaluation of the available RHFA concludes that current livestock grazing management practices are significant causal factors for not meeting watershed standards in pasture 1 of the Blackstock Springs allotment. The common presence of invasive annuals and shrubs and soil surface erosion are noted as factors contributing to departure from site potential and a lack of ecological balance. This pasture has been subject to wildland fire, rangeland seedings, and recreation use. The higher-than-expected presence of Sandberg bluegrass and squirreltail indicates the early stages of a shift in composition away from deep-rooted bunchgrasses toward shallow-rooted bunchgrasses. Compared to the ecological site descriptions, overall biotic integrity has been compromised for pasture 1, and the departure from potential indicates that this pasture is not meeting Standard 4.

**Pasture 1:** In 1960, approximately 90 percent of this allotment burned, and a portion was subsequently seeded with crested wheatgrass. More than 50 years later, full recover under proper grazing management would have been expected. However, previously seeded areas have a shrub cover of Wyoming big sagebrush, horsebrush, and rabbitbrush (indicative of continued disturbance), which are common to scattered, and Sandberg bluegrass, squirreltail, and invasive annuals in comparable amounts. Invasive annual weeds are scattered throughout the area, with concentrations in disturbed areas. Crested wheatgrass is present in minor amounts. The native portion of the pasture has a low diversity of plants, with native perennial shrubs and grasses; the shrub component, particularly rabbitbrush, and Sandberg bluegrass are present in higher-than-expected amounts. Few native forbs are present. Invasive annual weeds have a common presence. This pasture is not meeting Standard 4.

**Pastures 2 and 3:** Both pastures are located at higher elevation (4,500'+), which provides greater moisture and cooler temperatures and therefore, more resilience to disturbance. Both pastures display a diverse array of shrub, grass, and forb species. Trend data in pasture 2 identify a concern for an increase in annual weeds, while annual weed invasion in pasture 3 was noted to be in trace amounts. Shrub composition is in balance while the understory has a slight shift away from potential with Sandberg bluegrass a strong component of the understory in pasture 2. Despite these minor issues, healthy, productive, and diverse populations of native plants are being maintained in both pastures to provide for proper nutrient cycling, hydrologic cycling, and energy flow. These pastures are meeting Standard 4.

### Corral Creek FFR

The Corral Creek FFR allotment (custodial category allotment) consists of one pasture and has 102 acres of public land and 333 acres of private land for a total of 435 acres (23 percent public land, 77 percent private land). This allotment is prioritized as a low priority allotment (ORMP). Minimal upland monitoring has occurred in this allotment; however, rangeland health (17 indicators) field assessments were completed. Based on the assessment, it was determined that the allotment is not meeting Standard 4 (Native Plant Communities); however, current livestock grazing management practices are not identified as a significant causal factor. The dominant visual aspect was sagebrush with Sandberg bluegrass dominating the understory, while bluebunch

wheatgrass was less common. Some cheatgrass was present; however, the native plant community is vigorous and healthy and able to compete for resources.

### ***Watersheds/Soils<sup>6</sup>***

#### **Blackstock Springs**

Current livestock grazing management practices are significant causal factors for not meeting Standard 1 (for watersheds) in pastures 1 and 2 of the Blackstock Springs allotment. Pasture 3 is meeting Standard 1. The reduction in soil and hydrologic function is associated with altered plant community composition and distribution due to decreased relative abundance of large, deep-rooted native perennial bunchgrasses and an increase in invasive species. As a result, historic and active accelerated erosional processes have increased pedestaling of plants that, along with accelerated physical damage from hoof action and mechanical damage to soils by livestock, has also affected the biological soil crust component, especially in the interspatial areas.

Soil degradation is also a concern in areas where invasive annuals are increasing, such as in pastures 1 and 2, because shallow root structure provides reduced protection, especially in the latter part of the season as plants die. The majority of disturbances in pastures 1 and 2 occur in the lowlands and foothills while higher elevations display better plant communities, increased stable soils with elevated rock content, and localized, rather than wide-spread, disturbance along the uplands springs and intermittent streams.

The generally static and declining trend in pastures 1 and 2 does not forecast improvement under continuing management, especially when no rest and minimal livestock grazing deferment have been practiced. The decreased ability for proper nutrient cycling, hydrologic cycling, and energy flow due to reduced soil and hydrologic function leads to the conclusion that current livestock management is a causal factor in not meeting Standard 1 for the Blackstock Springs allotment.

#### **Corral Creek FFR**

In the Corral Creek FFR allotment, Standard 1 is not being met because hydrologic function and soil/site stability attributes are not properly functioning. A transition of native deep-rooted vegetation to more shallow-rooted bunchgrasses caused by historic grazing practices (pasture 2) reduces infiltration, which leads to surface runoff, soil surface sealing, and erosion.

### ***Water Resources and Riparian/Wetland Areas<sup>7</sup>***

#### **Blackstock Springs**

Current livestock grazing management practices are significant causal factors for not meeting Standards 2, 3, and 7. The recent grazing schedules have not incorporated any rest years. Residual vegetation has not been sufficient to maintain or improve riparian-wetland function, and the streams and springs lack the hydric vegetative cover and bank-stabilizing species necessary for the maintenance of stable stream channels and riparian-wetland areas. Several of the springs have been developed in a manner that is not protecting the ecological function associated with the water resource. Finally, the grazing management practices have not provided for meeting Idaho's water

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<sup>6</sup> For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 3.4.1 and Appendix E.

<sup>7</sup> For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 3.5.1 and Appendix E.

quality standards. Therefore, current livestock grazing management practices do not conform to the Idaho Guidelines for Livestock Grazing Management applicable to Standards 2, 3, and 7.

The three pastures of the Blackstock Springs allotment contain approximately 9 miles of named streams (Deadhorse, Little McBride, McBride, Little Squaw Creeks, and Willow Fork) and 15 NHD-identified springs. Six miles of the streams have been assessed, and 3.6 miles (about 60 percent) were rated FAR. Specific issues identified include poorly vegetated banks, both lateral and vertical instability, altered surface flows caused by excessive hoof action, and heavy use of vegetation. MMIM sites were established on both Little Squaw Creek and Willow Fork. Both sites exceeded the bank alteration objective set in the ORMP (15 and 21 percent respectively).

Seventeen springs have been assessed within the three pastures; seven (40 percent) were FAR and four were NF (25 percent). Specific issues identified in the recent assessments include heavy livestock impacts in the form of vegetation use, pugging, and wetland soil loss. The surface flows patterns have been altered by hoof action, creating high and dry pedestals and eroding soils, and the plant community had low vigor.

With the exception of Little Squaw Creek and a tributary of Squaw Creek that traverse pasture 2, all of the streams that occur within the allotment's three pastures are not meeting the state's water quality standards. Additionally, BLM's internal water temperature monitoring on Little Squaw, McBride, and Little McBride Creeks provided information that the streams exceeded the State of Idaho's cold-water aquatic life temperature criteria (see the specialist report that was released with the Final EIS for details).

#### Corral Creek FFR

No riparian areas are present on public lands in this allotment.

#### *Special Status Plants<sup>8</sup>*

##### Blackstock Springs/Corral Creek FFR

All special status plants known to occur in the Blackstock Springs allotment are found in pasture 1. Two populations of Owyhee phacelia (*Phacelia lutea*) are not meeting this Standard due to the invasion of habitat by non-native annuals, abundance of non-native annual species in the surrounding habitats, and the shift in the surrounding plant community away from the ecological site potential. This indicates that habitats for Owyhee phacelia are not being maintained. However, the Standard is being met for all other special status plant occurrences in this pasture.

#### Corral Creek FFR

No special status plants are known to occur on this allotment.

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<sup>8</sup> For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 3.7.1 and Appendix E.

## *Wildlife/Wildlife Habitats and Special Status Animals<sup>9</sup>*

### Blackstock Springs

#### *Upland Habitat*

Pastures 1, 2, and 3 are managed as native plant communities. Pasture 1 is the only pasture determined to be not meeting Standard 4 due to current livestock grazing. Analysis under Standard 4 indicates that the vegetation community is transitioning from a reference site community of robust perennial grasses (i.e., bluebunch wheatgrass, Idaho fescue) to a less-desirable community of more grazing-tolerant species such as Sandberg bluegrass. Because upland habitat values are changing to a less-desirable vegetation state, this allotment is failing to provide adequate upland habitat conditions for sagebrush steppe and therefore is not meeting Standard 8 due to current livestock management.

#### *Riparian Habitat*

Evaluation of Standards 2, 3, and 7 identified streams and springs within this allotment that are not properly functioning or meeting water quality parameters due to current grazing practices. Streams, springs, and wetlands that are non-functioning (NF) or are functional at-risk (FAR) are lacking adequate riparian vegetation composition and distribution to provide the structure and function to support a productive environment. If Standards 2, 3, and 7 are not being met, habitat conditions to support viable aquatic and terrestrial species populations are not meeting Standard 8.

#### *Focal Species*

The entire allotment falls within modeled preliminary priority habitat (PPH)/ priority general habitat (PGH) for sage-grouse. Two of the four documented leks within this allotment are known to be active. A total of 19 sage-grouse breeding and late brood-rearing habitat assessments collected from 2003 to 2012 identified:

- Pasture 1 - Providing suitable breeding and suitable late brood-rearing habitat conditions;
- Pasture 2 - Providing marginal breeding and marginal late brood-rearing habitat conditions;
- Pasture 3 - Providing marginal breeding and marginal late brood-rearing habitat conditions.

Marginal breeding habitat conditions in pastures 2 and 3 and marginal late brood-rearing habitat conditions in pastures 2 and 3 are not meeting Standard 8 due to current grazing practices. Desirable habitat conditions for sage-grouse are not being provided due to reduced canopy cover and height of large deep-rooted perennial grasses (i.e., bluebunch wheatgrass, Idaho fescue) in the understory, indicating that functional nesting, brood-rearing, escape, and hiding cover values are failing to be provided in these pastures. Late brood-rearing habitat assessments (riparian measure) in pastures 2 and 3 rated marginal due to the increased occurrence of undesirable xeric plant species, major evidence of erosion and spotty distribution of forbs consistent with riparian conditions identified in Standards 2, 3, and 7.

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<sup>9</sup> For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 3.6.1 and Appendix E.

Columbia River redband trout are known to occur within the McBride Creek system. Analysis under Standards 2, 3, and 7 identified streams and springs within this system that are not properly functioning or meeting water quality parameters due to current grazing practices. Redband trout require intact channels with well-developed riparian communities that stabilize banks to minimize erosion and create undercuts, minimize impacts of flood events and filter sediments, provide shade to reduce water temperatures, and contribute woody debris to create channel structure and regulate seasonal flow. Because these in-stream and near-stream habitat characteristics are not fully represented, this allotment is not providing adequate riparian conditions to sustain viable populations of redband trout and is therefore not meeting Standard 8.

### Corral Creek FFR

#### *Upland Habitat*

The Corral Creek FFR allotment (custodial category allotment) consists of two pastures and has 70 acres of public land and 102 acres of private land, for a total of 172 acres (41 percent public land, 59 percent private land). This allotment is prioritized as a low priority allotment (ORMP), and minimal wildlife specific surveys have been completed. However, rangeland health (17 indicators) and sage-grouse habitat assessments were completed in this allotment. Based on the 17-indicators assessment, it was determined that the public lands within the allotment are dominated by native plant communities but are not meeting Standard 4 (Native Plant Communities), and current livestock grazing management practices were not identified as a significant causal factor. The dominant visual aspect was sagebrush with Sandberg bluegrass dominating the understory, while bluebunch wheatgrass was less common. Some cheatgrass was present; however, the native plant community is vigorous and healthy and able to compete for resources. Based on the conclusions for Standard 4, this allotment also failed to meet Standard 8, primarily due to the lack of large decreaser bunchgrasses and the dominance of smaller-statured increaser grasses such as Sandberg bluegrass (*Poa* spp.). Additionally, the 2012 sage-grouse habitat assessment supported the conclusion that the allotment is not meeting Standard 4 for similar reasons (the habitat lacked the larger decreaser bunchgrasses and dominated by increaser grasses like Sandberg bluegrass).

#### *Riparian Habitat*

No riparian habitat information is available for this pasture.

#### *Focal Species*

All of the allotment lies within PPH. One sage-grouse breeding habitat assessment was collected in 2012 and indicated:

- Pasture 1 - Providing unsuitable breeding habitat conditions

The unsuitable breeding habitat assessment information is consistent with information analyzed under Standard 4 and previous evaluations and determinations. Noteworthy within the sage-grouse assessment was the unsuitable canopy cover of large perennial grasses; because understory composition and structure for nesting and hiding are not being adequately provided, this allotment is not meeting Standard 8.

### ***Guidelines for Livestock Grazing Management***

The Corral Creek FFR allotment is conforming to all guidelines. The BLM's 2013 Determination for the Blackstock Springs allotment identified grazing management practices that did not conform to the BLM's Guidelines for Livestock Grazing Management for Idaho. Specifically, grazing management did not conform to the following guidelines:

*Guideline 1: Use grazing management practices and/or facilities to maintain or promote significant progress toward adequate amounts of ground cover (determined on an ecological site basis) to support infiltration, maintain soil moisture storage, and stabilize soils.*

*Guideline 2: Locate livestock management facilities away from riparian areas wherever they conflict with achieving or maintaining riparian-wetland functions.*

*Guideline 3: Use grazing management practices and/or facilities to maintain or promote soil conditions that support water infiltration, plant vigor, and permeability rates and minimize soil compaction appropriate to site potential.*

*Guideline 4: Implement grazing management practices that provide periodic rest or deferment during critical growth stages to allow sufficient regrowth to achieve and maintain healthy, properly functioning conditions, including good plant vigor and adequate cover appropriate to site potential.*

*Guideline 5: Maintain or promote grazing management practices that provide sufficient residual vegetation to improve, restore, or maintain healthy riparian-wetland functions and structure for energy dissipation, sediment capture, ground water recharge, streambank stability, and wildlife habitat appropriate to site potential.*

*Guideline 6: The development of springs, seeps, or other projects affecting water and associated resources shall be designed to protect the ecological functions, wildlife habitat, and significant cultural and historical/archaeological/paleontological values associated with the water source.*

*Guideline 7: Apply grazing management practices to maintain, promote, or progress toward appropriate stream channel and streambank morphology and function. Adverse impacts due to livestock grazing will be addressed.*

*Guideline 10: Implement grazing management practices and/or facilities that provide for complying with the Idaho Water Quality Standards.*

Since the Blackstock Springs allotment is not meeting one or more of the Idaho S&Gs because of current livestock management practices, the BLM used these guidelines as a starting point for developing grazing schemes to bring the authorized actions within the allotment into compliance with resource objectives.

## *Issues<sup>10</sup>*

Throughout and as a result of the internal and external (public) scoping process and project development, the BLM interdisciplinary team identified the following issues concerning livestock grazing management in one or more of the Chipmunk Group allotments:

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.
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. **Noxious and invasive weeds:** Livestock grazing and trailing has the potential to increase or spread noxious and invasive weeds.
6. **Livestock trailing:** Trailing may adversely affect upland vegetation, soils, weeds and riparian vegetation.
7. **Socioeconomic impacts:** Livestock grazing affects local and regional socioeconomic activities generated by livestock production.
8. **Wildfire fuels:** Livestock grazing has the potential to change vegetation that may affect wildfire.
9. **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*

In response to the current condition of the Blackstock Springs and Corral Creek FFR 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 good conditions and improving unsatisfactory conditions on the allotments. Overall, six alternatives were considered and analyzed in the EIS, although only Alternatives 1, 2, 3, 4, and 6 were considered in detail and analyzed for the Blackstock Springs allotment. Alternatives 1, 2, 3, and 6 were considered in detail and analyzed for the Corral Creek FFR allotment. The range of alternatives developed include: Alternative 1 - No Action/Current Condition, Alternative 2 -

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<sup>10</sup> For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 1.5.

Permittee's Application, Alternative 5 - Sheep-to-Cattle Conversion, Alternative 6 - No Grazing, as well as Alternatives 3 and 4, which were developed by the BLM to improve resource conditions.

### *Alternative 1 - No Action/Current Condition*

This alternative would allow a continuation of your current management on the allotments.

#### Blackstock Springs

Permitted use for Ted Blackstock would be 189 cattle from May 1 to November 18 at 85 percent public land with 1,052 active AUMs; Chipmunk Grazing Association would be permitted 61 cattle from May 1 to November 18 at 47 percent public land with 190 active AUMs, and Alan Johnstone would be permitted 192 cattle from May 1 to November 18 at 65 percent public land with 815 active AUMs.

Grazing management would be in accordance with management identified in the 1984 Blackstock Springs Allotment Management Plan (AMP). Actual use reports submitted between 1997 and 2011 indicate that AUMs have ranged from 1,841 to 2,248 and average actual use was 2,105 AUMs for the allotment. Spring grazing would begin as early as May 1. Utilization levels on crested wheatgrass could not exceed 50 percent in the seeded portion of pasture 1. After seed ripe (July 21), pasture rotations would be at the discretion of the permittees, not to exceed the specified utilization levels of the key forage grasses.

#### Corral Creek FFR

Permitted use for Alan Johnstone would be 9 cattle from December 1 to December 31 at 100 percent public land with 9 active AUMs. The BLM currently authorizes livestock grazing on Fenced Federal Range allotments (FFRs) (see Fenced Federal Range allotments under EIS Section 1.3). The season of use is described as 12/1 through 12/31 and livestock numbers and AUMs vary depending on total acres of unfenced BLM lands found with the allotment boundaries. Currently, this allotment is authorized to be grazed anytime during the year at the discretion of the permittee, with authorized officer's prior approval. Other grazing permit terms and conditions indicate that utilization of key forage plants is not to exceed 50 percent of annual production.

Under Alternative 1, permits to graze livestock would be renewed with the terms and conditions currently in effect. This would include terms and conditions imposed by the U.S. District Court in February 29, 2000, because they have been in effect since that time. Interim terms and conditions as currently permitted are:

1. Key herbaceous riparian vegetation, where streambank stability is dependent upon it, will have a minimum stubble height of 4 inches on the streambank, 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 streambanks, will not be grazed more than 50 percent during the growing season, or 60 percent during the dormant season; and
4. Streambank damage attributed to grazing livestock will be less than 10 percent on a stream segment.

### ***Alternative 2 - Permittee Applications***

This alternative would authorize livestock grazing as applied for (separately) by Ted Blackstock on January 30, 2013, Chipmunk Grazing Association on January 13, 2013, and Alan Johnstone on January 31, 2013.

#### Blackstock Springs

Permitted use for Ted Blackstock, Chipmunk Grazing Association, and Alan Johnstone would be the same as was described above under *Alternative 1 - No Action/Current Condition*.

Grazing management and flexibility:

**Pasture 1:** During years 1 and 2, a light spring grazing treatment will occur over a period of  $65 \pm 14$  days at the start of the grazing season. In addition, a fall deferred grazing treatment will occur over a period of  $21 \pm 7$  days at the end of the grazing season. In year 3, a slight to light spring grazing treatment will occur for a period of  $45 \pm 10$  days, with a fall deferred grazing treatment occurring for a period of  $45 \pm 10$  days at the end of the grazing season.

**Pasture 2:** Pasture 2 will receive a deferred grazing treatment for a period of  $45 \pm 10$  days in years 1 and 2 and primarily a deferred grazing treatment in year 3 for a period of  $45 \pm 10$  days.

**Pasture 3:** Pasture 3 will receive a late-season deferred grazing treatment annually for a period of 60+ days

No grazing would occur in pastures 2 and 3 (56 percent of the allotment) during sage-grouse nesting season.

#### Corral Creek FFR

Permitted use for Alan Johnstone would be 3 cattle from March 1 to February 28 at 26 percent public land with 9 active AUMs. Other grazing permit terms and conditions indicate that utilization of key forage plants is not to exceed 50 percent of annual production.

### ***Alternative 3 - Deferred Grazing***

Grazing management on the Blackstock Springs and Corral Creek FFR allotments would incorporate deferral under Alternative 3. Resource constraints were applied where there were issues and/or where Standards were not being met:

1. Sensitive species and wildlife: April 15 to June 20; use allowed 2 years in every 3-year period; defer or rest 1 out of 3 years.
2. Vegetation: April 1 to June 30; use allowed 2 years in every 3-year period; defer or rest 1 out of 3 years.
3. Soils: March 1 to May 15; use allowed 2 years in every 3-year period; defer or rest 1 out of 3 years.
4. Riparian: May 15 to August 31; use allowed 2 years in every 3-year period; defer or rest 1 out of 3 years.

### Blackstock Springs

Permitted use for Ted Blackstock would be 189 cattle from May 15 to December 2 at 85 percent public land with 768 active AUMs; Chipmunk Grazing Association would be permitted 61 cattle from May 15 to December 2 at 47 percent public land with 136 active AUMs, and Alan Johnstone would be permitted 192 cattle from May 15 to December 2 at 65 percent public land with 602 active AUMs. Total active AUMs would be reduced from 2,057 to 1,506 active AUMs. For the Blackstock Springs allotment, each pasture would receive a deferred grazing treatment after 8/31 no fewer than 1 in 3 years. There would be 815 AUMs in pasture 1, 434 AUMs in pasture 2, and 257 AUMs in pasture 3.

### Corral Creek FFR

Permitted use to Alan Johnstone for this allotment would be the same as described under *Alternative 2 - Permittee Applications* (above); however, a 3-year deferred grazing rotation for pastures 1 and 2 would be implemented. Pasture 1 would be grazed 2 out of 3 years during the critical growing season, and pasture 2 would be grazed 1 out of 3 years during the critical growing season.

### Blackstock Springs/Corral Creek FFR - Other Terms and Conditions

In addition, the following other terms and conditions would apply to both the Blackstock Springs and Corral Creek FFR allotments: A minimum of 6-inch stubble height, 30 percent browse (where applicable), and less than 10 percent bank alteration would be maintained in key riparian areas. Maintain an average of greater than 18 cm (7 inches) perennial grass height on upland key species.

### *Alternative 4 - Season-based*

This alternative does not apply to the Corral Creek FFR allotment. The Blackstock Springs allotment would have rest 1 out of 3 years in all pastures (1-3). The following resource constraints were applied to the Blackstock Springs allotment under Alternative 4:

1. Sensitive species and wildlife: Breeding April 15 to June 20 and late brood-rearing June 20 to August 15; use allowed 1 year in every 3-year period; defer or rest 2 out of 3 years
2. Vegetation: April 1 to June 30; use allowed 1 year in every 3-year period; defer or rest 2 out of 3 years
3. Soils: March 1 to May 15; use allowed 1 year in every 3-year period; defer or rest 2 out of 3 years
4. Riparian: May 15 to August 31; use allowed 1 year in every 3-year period; defer or rest 2 out of 3 years.

### Blackstock Springs

Permitted use for Ted Blackstock would be 189 cattle from May 15 to December 18 at 85 percent public land with 637 active AUMs; Chipmunk Grazing Association would be permitted 61 cattle from May 15 to December 18 at 47 percent public land with 112 active AUMs, and Alan Johnstone would be permitted 192 cattle from May 15 to December 18 at 65 percent public land with 500 active AUMs. Total active AUMs would be reduced from 2,057 to 1,249 active AUMs. For the Blackstock Springs allotment, each pasture will be rested no fewer than 1 in 3 years. There would be 815 AUMs in pasture 1, 434 AUMs in pasture 2, and 257 AUMs in pasture 3.

**Alternative 6 - No Grazing**

This alternative would not authorize grazing for a period of 10 years for the Blackstock Springs and Corral Creek FFR allotments.

**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 renew your grazing permit for 10 years with modified terms and conditions consistent with the following:

Blackstock Springs allotment - Alternative 4 as described in EIS number DOI-BLM-ID-B030-2012-0014-EIS.

Corral Creek FFR allotment - Alternative 2 as described in EIS number DOI-BLM-ID-B030-2012-0014-EIS.

Implementation of these alternatives over the next 10 years will allow the Blackstock Springs and Corral Creek FFR 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, at least to the extent livestock grazing is and will have an impact on the resources.

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

**Table LVST-4: Ted Blackstock proposed decision**

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
00515 Blackstock Springs	189	Cattle	05/15	12/18	85	Active	637

**Table LVST-5: Chipmunk Grazing Association proposed decision**

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
00515 Blackstock Springs	61	Cattle	05/15	12/18	47	Active	112

**Table LVST-6: Alan Johnstone proposed decision**

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
00515 Blackstock Springs	192	Cattle	05/15	12/18	65	Active	500
00602 Corral Creek FFR	3	Cattle	03/01	02/28	26	Active	9

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

The following other terms and conditions apply to the above permits.

Other terms and conditions:

1. Grazing use will be in accordance with the grazing schedule identified in the final decision of the Owyhee Field Office Manager dated \_\_\_\_\_. Livestock grazing will be in accordance with your allotment grazing schedule(s). Changes to the scheduled use require approval.
2. Turn-out is subject to the Boise District range readiness criteria.
3. The permittee's certified actual use report is due within 15 days of completing the authorized annual grazing use.
4. Salt and/or supplements shall not be placed within one-quarter (1/4)-mile of springs, streams, meadows, aspen stands, playas, special status plant populations or water developments.
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. Pursuant to 43 CFR 10.4(B), the permittee must notify the BLM field manager, by telephone with written confirmation, immediately upon the discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (as defined in 43 CFR 10.2) on federal lands. Pursuant to 43 CFR 10.4 (C), the permittee must immediately stop any ongoing activities connected with such discovery and make a reasonable effort to protect the discovered remains or objects.
7. Livestock exclosures located within the grazing allotment are closed to all domestic grazing use.
8. Range improvements must be maintained in accordance with the cooperative agreement and range improvement permit in which you are a signatory or assignee. All maintenance of range improvements within designated Wilderness requires prior consultation with the authorized officer.
9. All appropriate documentation regarding base property leases, lands offered for exchange-of-use, and livestock control agreements must be approved prior to turn out. Leases of land and/or livestock must be notarized prior to submission and be in compliance with Boise District Policy.
10. Failure to pay the grazing bill within 15 days of the due date specified shall result in a late fee assessment of \$25.00 or 10 percent of the grazing bill, whichever is greater, not to exceed \$250.00. 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)(1) and shall result in action by the authorized officer under 43 CFR § 4150.1 and § 4160.1.
11. Utilization may not exceed 50 percent of the current year's growth.
12. Livestock grazing will be in accordance with the allotment grazing schedule. Changes in scheduled pasture use dates will require prior authorization.
13. Alan Johnstone - Livestock numbers in Blackstock Springs will not exceed 192 head, not to exceed authorized AUMs by pasture; each pasture will be rested no less than 1 in 3 years.
14. Chipmunk Grazing Association - Livestock numbers in Blackstock Springs will not exceed

61 head, not to exceed authorized AUMs by pasture; each pasture will be rested no less than 1 in 3 years.

15. Ted Blackstock - Livestock numbers in Blackstock Springs will not exceed 189 head, not to exceed authorized AUMs by pasture; each pasture will be rested no less than 1 in 3 years.

As noted in Other Term and Condition # 1, the grazing schedule for the Blackstock Springs and Corral Creek FFR allotments (identified below) must be followed:

**Table LVST-7:** Blackstock Springs allotment grazing schedule

Pasture	Year 1	Year 2	Year 3
1	5/15-8/31 815 AUMs	9/1-12/18 815 AUMs	Rest
2	Rest	7/5-8/31 434 AUMs	9/1-12/18 434 AUMs
3	9/1-12/18 257 AUMs	Rest	7/28-8/31 257 AUMs
Total AUMs	1,072	1,249	691

**Table LVST-8:** Corral Creek FFR allotment grazing schedule

Pasture	2014-2024
1	3/1-2/28 9 AUMs

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

No flexibility is provided within your grazing schedules. You will be offered a grazing permit(s) for a term of 10 years for the Blackstock Springs and Corral Creek FFR allotments. Implementation of Alternative 4 for the Blackstock Springs allotment will result in a reduction in AUMs from your current permits (Ted Blackstock - 1,052 active AUMs to 637 active AUMs, Chipmunk Grazing Association - 190 active AUMs to 112 active AUMs, and Alan Johnstone - 815 active AUMs to 500 active AUMs). Active AUM reductions (totaling 39 percent for each grazing permit) are based on stocking rates from Ecological Sites Descriptions and resting one pasture annually.<sup>11</sup> The affected reduction in active AUMs will not be transferred to suspension, as this is not a temporary reduction (see, e.g., 43 CFR § 4100.0-5, Definitions), but a reduction under 43 CFR § 4110.3-2 (b).

**Table LVST-9:** Permitted use within the Blackstock Springs and Corral Creek FFR allotments

Allotment	Active Use	Suspension	Permitted Use
Ted Blackstock			
Blackstock Springs	637 AUMs	0 AUMs	637 AUMs

<sup>11</sup> Stocking rates were developed for alternatives 3, 4 and 5 by allotment in Appendix C-2 and used ESDs production data (USDA NRCS, 2010) as a starting point and current average actual use to develop appropriate rates (Reed, Roath, & Bradford, 1999); using the method described in USDA technical reference Estimating Initial Stocking Rates method (USDA, 2009).

Allotment	Active Use	Suspension	Permitted Use
Chipmunk Grazing Association			
Blackstock Springs	112 AUMs	0 AUMs	112 AUMs
Alan Johnstone			
Blackstock Springs	500 AUMs	0 AUMs	500 AUMs
Corral Creek FFR	9 AUMs	0 AUMs	9 AUMs

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

Finally, it is my proposed decision not to authorize additional range improvement projects. The existing coordinated process to identify, analyze, and authorize as appropriate the restoration, improvement, or development of livestock water sources and other projects is available 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 Blackstock Springs and/or Corral Creek FFR allotments and have determined that you have a satisfactory record of performance and are qualified applicants for the purposes of a permit renewal.

***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, specialist reports, and other documents in the grazing files, it is my decision to select Alternative 4 for the Blackstock Springs allotment and Alternative 2 for the Corral Creek FFR allotment as my proposed decision. 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 Blackstock Springs and Corral Creek FFR 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 Blackstock Springs and Corral Creek FFR allotments. I want you to know that I reviewed each alternative in light of the specific issues relevant for this allotment before I made my decision. My selection of Alternative 4 for the Blackstock Springs allotment and Alternative 2 for

the Corral Creek FFR allotment was in large part because of my understanding that this selection best addressed those issues, given the BLM's legal and land management obligations. I spent hours with members of my staff and the NEPA Permit Renewal Team to discuss pros and cons for each alternative. Ultimately, I had to choose the alternative that best protects the resource while considering your livestock operation, current resource conditions, and expectations from you as the permittee, and the BLM as the responsible office.<sup>12</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.*<sup>13</sup>

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.*<sup>14</sup>

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<sup>12</sup> As you know, your allotments are part of a group of allotments forming the Owyhee 68 allotments, which are the subject of a permit renewal process which must be completed by December 31, 2013. The NEPA process for the Owyhee 68 consists of five EAs that support the other decisions and the EIS that 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. Of the approximately 60 allotments that have riparian areas, at least 47 are not meeting IS&Gs for riparian/water issues due to current livestock management; of approximately 73 allotments, 43 are not meeting the ISG 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.

Adding to 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 this 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 if monitoring is required to make progress under a particular alternative (for example), and is not performed, the result may be decreasing ecological health for the allotment and, at the time of the next permit renewal, decreased grazing opportunity from public land for the operator. My responsibility and challenge here is to make decisions that lead to success, which includes healthy, sustainable resource conditions and predictability for ranching operators.

<sup>13</sup> For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Sections 3.6.4, 3.6.5, and Appendix E.

<sup>14</sup> For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 3.3.2, 3.4.2, and Appendix E.

### Blackstock Springs

Under Alternative 4, the Blackstock Springs allotment will receive rest 1 out of 3 years, and critical growing season (uplands) use in pasture 1 only 1 in 3 years. Grazing in all other pasture will occur after July 5 in those years grazed by livestock.

All three pastures in the Blackstock Springs allotment were evaluated under Standard 4 (Native Plant Communities); pastures 2 and 3 were meeting Standard 4, while current livestock grazing management practices are significant causal factors for pasture 1 failing to meet Standard 4. Grazing rotations that include grazing in both spring and fall seasons have occurred annually without rest in pasture 1.

My decision to select Alternative 4 will include the following grazing management: spring grazing the first year, summer/fall grazing the second year, and rest in the third year of a 3-year rotation. Increased years of rest will provide the allotment opportunities to make significant progress toward meeting upland vegetation, and improve vegetation health and vigor overall, and increase perennial bunchgrass and desirable shrub recruitment compared to the current situation. Under Alternative 4, active use in the allotment will be reduced from 2,057 active AUMs to no more than 1,249 AUMs annually. Reductions (Alternative 4 stocking rates<sup>15</sup>) were based on forage production information in NRCS's Ecological Site Descriptions (ESDs) and from actual use reports as described in the EIS (Appendix C).

Alternative 4 will make significant progress toward desired watersheds/soils conditions. While Alternative 3 provides for improved watershed function through seasonal deferment, Alternative 4 also periodically incorporates rest rather than deferment for the Blackstock Springs allotment, generally for 2 consecutive years within a 3-year rotation.

Implementation of increased rest and/or periodic deferment outside of critical-growing-season use is expected to increase and maintain vegetative vigor of native perennial bunchgrasses. This will positively affect soils because improved upland vegetation communities provide added soil stability, hydrologic function, litter, and nutrients. The restricted seasons, compared to Alternative 1, will result in a decrease in active AUMs over the life of the permit (EIS - Appendix C). Upland vegetation communities will improve and respond with increased soil cover, decreased bare ground, and reduced susceptibility to accelerated erosion. As a result, soil stability, productivity, hydrologic function, nutrient cycling, and energy flow will be positively affected over the short and long term and provide an opportunity to enhance ecological function and site potential to upland soil and watershed conditions.

Grazing management under Alternative 4 will improve overall vegetation vigor and reproduction and allow for making significant progress toward meeting Standard 8 and achieve RMP objectives. By design, grazing management under this alternative will not be reliant upon achieving annual other vegetative terms and conditions (as compared to Alternative 3), to achieve management objects and make significant progress toward meeting Standards.

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<sup>15</sup> Stocking rates were developed for alternatives 3, 4 and 5 by allotment in Appendix C-2 and used ESDs production data (USDA NRCS, 2010) as a starting point and current average actual use to develop appropriate rates (Reed, Roath, & Bradford, 1999); using the method described in USDA technical reference Estimating Initial Stocking Rates method (USDA, 2009).

It is anticipated that the quality and quantity of the upland and riparian communities in the Blackstock Springs allotment, which are managed as native communities, will make significant progress toward meeting Standard 8 and achieve desired habitat management objectives (see FEIS Section 2.1.1). The reduction of grazing frequency during the spring growing season, combined with the addition of periodic rest and lower stocking levels, will allow upland native perennial species to complete the annual growth cycle more often in the absence of defoliation by livestock and improve plant community health and vigor. In addition, limited riparian habitat grazing intensity and season of use will improve plant vigor and regeneration and improve riparian functions to dissipate energy of high flows, trap sediments, harden streambanks, provide shade to streams, deliver woody debris, and improve water quality. In the short term (1 to 6 years, two rotations), enhanced forage and cover elements will occur quickly and show active recovery. In the long term (7 to 12 years), vegetation composition and structure will make significant progress toward meeting Standard 8.

Under Alternative 4, improved upland and riparian habitat conditions will 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 will improve upland plant community health and vigor and enhanced herbaceous composition and structure and will provide greater security cover for nesting and brood-rearing sage-grouse from predators and increase preferred forb diversity and availability.

#### Corral Creek FFR

This allotment is dominated by native plant communities and is meeting Standard 4 (Native Plant Communities). The dominant visual aspect is sagebrush with Sandberg bluegrass dominating the understory, while bluebunch wheatgrass is less common. Some cheatgrass is present; however, the native plant community is vigorous and healthy and able to compete for resources. Standard 1 is not being met because hydrologic function and soil/site stability attributes are not properly functioning. Hydrologic function and soil/site stability are not properly functioning because the allotment is experiencing a transition of native deep-rooted vegetation to more shallow-rooted bunchgrasses. This was caused by historic grazing practices (pasture 2) and has reduced infiltration, which resulted in surface runoff, soil surface sealing, and erosion. Under Alternative 2, current resource conditions are expected to be maintained (Standard 4), whereas any livestock grazing management changes in the Corral Creek FFR allotment will not affect current watershed/soils resources (Standard 1).

In addition, Standard 8 (wildlife) associated with upland habitats is not being met, which is closely complemented by Standard 4, where current livestock grazing management practices are not a significant causal factor in not meeting the standards. As described above, improvement in upland vegetative conditions is not expected under Alternative 2; however, maintenance of current conditions will occur. The 2012 sage-grouse habitat assessments concluded that unsuitable habitat conditions exist in pastures 1 and 2 of the Corral Creek FFR allotment. These conditions are due to a lack of canopy cover of large perennial bunch grasses in the understory, reducing the effective nesting, security, and foraging cover available. As was concluded in the Determinations for this allotment, current livestock grazing was not a significant causal factor for failing to meet Standards 1, 4, and 8. Instead historical livestock grazing management practices were identified as the causal factor.

*Issue 2: Riparian vegetation conditions: Livestock grazing is affecting riparian condition and aquatic habitat by changing the health and composition of riparian vegetation communities.<sup>16</sup>*

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.<sup>17</sup>*

#### Blackstock Springs

Under Alternative 4, this allotment will be grazed one summer, one fall, and rested one year of a 3-year rotation. Additionally, 9 miles of perennial and intermittent streams and 15 springs will be affected by the impacts associated with both spring and fall grazing during the 1 year of use (pastures 1 and 3). Implementation of the year of rest and the 2 years that avoid grazing during the riparian area's most vulnerable time will allow the resource condition to move the most quickly toward meeting the riparian and water Standards (2, 3, and 7).

The decrease in the grazing frequency during the spring growing season, the addition of periodic rest and lower stocking levels, and limited riparian habitat grazing intensity and season of use will improve plant vigor and regeneration and improve riparian functions to dissipate energy of high flows, trap sediments, harden streambanks, provide shade to streams, deliver woody debris, and improve water quality. Improved herbaceous and woody cover in riparian zones will benefit Columbia redband trout and Columbia spotted frogs by 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 improve water quality.

#### Corral Creek FFR

No riparian areas are present on public lands in the Corral Creek FFR allotment.

*Issue 5: Noxious and invasive weeds: Livestock grazing and trailing has the potential to increase or spread noxious and invasive weeds.<sup>18</sup>*

And

*Issue 6: Livestock trailing: Trailing may adversely affect upland vegetation, soils, weeds and riparian vegetation.<sup>19</sup>*

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<sup>16</sup> For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 3.5.2 and Appendix E.

<sup>17</sup> For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Sections 3.6.4, 3.6.5, and Appendix E.

<sup>18</sup> For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 3.3.2 and Appendix E.

<sup>19</sup> For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 3.3.2.

### Blackstock Springs

Although the Blackstock Springs allotment was not identified as having noxious weed occurrences at levels that would fail to meet Rangeland Health Standards, areas of concern exist. The Blackstock Springs allotment has relatively high occurrences (more than 15) and richness of noxious weeds, including Canada and Scotch thistle, diffuse knapweed, poison hemlock, puncturevine, and whitetop. Pasture 1 in the Blackstock Springs allotment has a degraded native plant community due to livestock grazing, non-native invasive species other than noxious weeds, and high recreational use.

Although any grazing has the potential to introduce and spread invasive weeds and non-native annual grasses, the reduction in active use inherent in Alternative 4 will result in proportionally less soil surface disturbance and fewer animals that could carry seed to and from the allotment in fur, on hooves, and in their digestive system. As compared to Alternatives 1, 2, and 3, the risk of invasive species spreading is lower under Alternative 4 as the health and vigor of native perennial species is improved and progress is made toward meeting the ORMP vegetation management objective. Available sites for invasive species establishment will be reduced through competition with healthy native perennial species.

Although Alternative 6 would further reduce the potential for livestock to introduce and spread invasive and non-native annual species as compared to Alternative 4, 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.

Effects from livestock trailing/crossing will include minor trampling and 0 to 10 percent utilization. Due to the short duration of trailing, grazing effects from cattle trailing are expected to be minimal. Cattle trailing activities will occur on such a small proportion of the landscape and for a limited duration, effects from trailing are expected to be insignificant (USDI BLM, 2012). 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 would 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 would require active trailing in most cases. Management actions as described above, will allow upland plant communities to meet or make significant progress toward meeting Idaho Rangeland Health Standards and ORMP objectives.

### Corral Creek FFR

Although no noxious weeds are known exist on public land in the Corral Creek FFR allotment, invasive annuals (cheatgrass, bur buttercup, and medusahead rye) are scattered throughout the allotment. The dominant visual aspect in this allotment is sagebrush with Sandberg bluegrass dominating the understory, while bluebunch wheatgrass is less common. Although some invasive species are present, the native plant community is vigorous and healthy and capable of competing for resources. Under Alternative 2, current resource conditions are expected to be maintained (Standard 4); changes to current livestock grazing management in the Corral Creek FFR allotment will not affect current watershed/soils resources (Standard 1).

Although Alternatives 4 and 6 would further reduce the potential for livestock to introduce and spread invasive and non-native annual species as compared to Alternative 2, 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.

*Issue 7: Socioeconomic impacts: Livestock grazing affects local and regional socioeconomic activities generated by livestock production.*<sup>20</sup>

#### Blackstock Springs/Corral Creek FFR

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 4 for the Blackstock Springs allotment and Alternative 2 for the Corral Creek FFR allotment in large part because those selections accomplish those latter goals.

Consideration of Alternatives 1 and 2 for the Blackstock Springs allotment disclosed that neither of those alternatives would allow the allotment to meet Idaho S&Gs or the ORMP resource objectives, and therefore, I could not select them despite the lesser economic impacts that they may have. 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 on 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 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.

*Issue 8: Wildfire fuels: Livestock grazing has the potential to change vegetation that may affect wildfire.*<sup>21</sup>

#### Blackstock Springs/Corral Creek FFR

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

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<sup>20</sup> For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Sections 3.10.4 and 3.10.5.

<sup>21</sup> For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 2.4.

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 4 for the Blackstock Springs allotment and Alternative 2 for the Corral Creek FFR 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 at 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 is focused on improving native upland and riparian plant communities on these allotments, and targeted grazing to create fuel breaks would not support that improvement.

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.

*Issue 9: Climate Change: Livestock grazing is inter-related to the effects of annual grass invasion and wildfire frequency which are expected to worsen as a result of climate change.*<sup>22</sup>

#### Blackstock Springs/Corral Creek FFR

Climate change is another factor I considered in building my decision around Alternative 4 for the Blackstock Springs allotment and, to a lesser degree, Alternative 2 for the Corral Creek FFR allotment. Climate change is a stressor that can reduce the long-term competitive advantage of native perennial plant species. Since livestock management practices can also stress sensitive perennial species in arid sagebrush steppe environments, I considered the issues together, albeit based on the limited information available on how they relate in actual range conditions. Although the factors that contribute to climate change are complex, long-term, and not fully understood, the opportunity to provide resistance and resilience within native perennial vegetation communities from livestock grazing induced impacts is within the scope of this decision. The selection of Alternative 4 for the Blackstock Springs allotment intentionally selected an alternative which combined seasons, intensities, and durations of livestock use to promote long-term plant health and vigor. Assuming that climate change affects the arid landscapes in the long-term, the native plant communities on this allotment will be better armed to survive such changes and to progress toward meeting rangeland health; under this alternative, native plant health and vigor better able to provide resistance and resilience to additional stressors, including climate change.

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<sup>22</sup> For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 2.4.

### ***Additional Rationale***

A tremendous amount of thought and challenge went into developing grazing management responsive to your allotment's specific resource needs, geography, and size. Considerations were made to address all concerns and requirements mandated to the BLM. Each allotment has different ecology and management capability due to the size and location/topography, resulting in various issues and priorities. All attempts to coordinate grazing throughout the entire allotment were made by me and my staff with you and the interested public, recognizing the difficulty of not only providing the mandated needs for the resources, but also the needs and capability that you, the permittee have. I believe I have balanced those needs of the resource and your capabilities with the information I have to the extent possible.

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 and still allow grazing on the allotments. In selecting Alternative 4 for the Blackstock Springs allotment and Alternative 2 for the Corral Creek FFR 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 operation and on regional economic activity, and (3) your past performance under previous permits. The resource issues identified are primarily related to the improper seasons and site-specific intensities of grazing use. By implementing these alternatives, the resource issues identified will be addressed. Suspension of 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 4 for the Blackstock Springs allotment and Alternative 2 for the Corral Creek FFR allotment over other alternatives because livestock management practices under this selection best meet the ORMP objectives allotment-wide and the Idaho S&Gs in locations where standards were not met due to current livestock management practices. Alternatives 1 and 2 fail to implement livestock management practices on the Blackstock Springs allotment that would meet the objectives and standards. Selection of Alternative 2 for the Corral Creek FFR allotment is adequate for maintaining current resource conditions where current livestock grazing management was determined to not be a significant causal factor in not meeting the applicable standards. Alternative 6 removes the economic activity of large 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, leads me to believe elimination of livestock grazing from the Blackstock Springs and Corral Creek FFR 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 Blackstock Springs and Corral Creek FFR allotments 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:

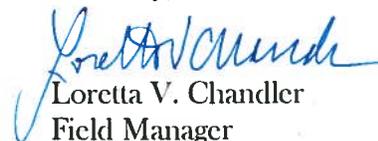
- (1) The relative harm to the parties if the stay is granted or denied.
- (2) The likelihood of the appellant's success on the merits.
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

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

#### Works Cited

- Reed, F., Roath, R., & Bradford, D. (1999). The grazing response index: a simple and effective method to evaluate grazing impacts. *Rangelands*, 21(4), 3-6.
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- USDA NRCS. (2010). *Ecological Site Descriptions (Draft)*. Boise, Idaho: Available from the Idaho State Office of BLM or the Idaho Office of NRCS.
- USDI BLM. (2012). *Owyhee Field Office Livestock Trailing Environmental Assessment*. Environmental Assessment # DOI-BLM-ID-B030-2012-0011-EA, Marsing, ID.

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

Company Name	Title	First Name	Last Name	Address 1	City	ST	Zip	# copies
Owyhee Cattlemen's Association				PO Box 400	Marsing	ID	83639	28
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

Company Name	Title	First Name	Last Name	Address 1	City	ST	Zip	# copies
		Chad & Dannelle	Hensley	4300 Choctaw Dr.	Nampa	ID	83686	58
		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
Lequerica & Sons Inc.		Tim	Lequerica	PO Box 135	Arock	OR	97902	79
Office of Species Conservation		Cally	Younger	304 N. 8 <sup>th</sup> STE 149	Boise	ID	83702	80