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In Reply Refer To:  
4160 ID130

REGISTERED MAIL - FEDEX

November 12, 2013

Doug Burgess  
2725 Mule Springs Rd.  
Homedale, Idaho 83628

### Notice of Field Manager's Proposed Decision

Dear Permittee:

Thank you for your application for permit renewal on the Burgess and Burgess FFR allotments. Thank you as well for working with us 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 Burgess and Burgess FFR allotments. We undertook this effort to ensure that any renewed grazing permits on these allotments would be consistent with the BLM's legal and land management obligations. As part of our evaluation process, rangeland health assessment/evaluation/determinations were completed according to our 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 Burgess and Burgess FFR allotments. The process for completing the Jump Creek, Succor Creek, & Cow Creek Watersheds Grazing Permit Renewal Environmental Impact Statement (Chipmunk Group EIS) began with the publication of the Notice of Intent (NOI) in the Federal Register on January 9, 2012. The NOI included a call for resource information and the identification of issues for this project planning effort. The scoping period closed on March 9, 2012, but some relevant comments were submitted after the end of the scoping period. All comments, including those submitted after March 9, 2012, are addressed in the scoping report, which can be found at

[http://www.blm.gov/id/st/en/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. One public scoping meeting was also held from 5:30 PM to 8:30 PM on February 23, 2012; in addition, an open house was held on June 13, 2013, in Marsing, Idaho, with the public arriving and departing at their leisure. The purposes of these meetings were to provide more information about the issues the BLM identified and give the public an opportunity to ask questions and submit input in person.

After evaluating conditions on the land and meeting with you and the public, it became clear that some resource concerns currently exist on the Burgess and Burgess FFR allotments.

To assist our focus in addressing 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 Burgess and Burgess FFR allotments. We also considered other alternatives that we did not analyze in detail. Our overarching 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 Burgess and Burgess 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 above alternatives was made available for public review and comment for a 45-day period ending June 17, 2013. In addition to timely comments received from you, a number of government entities and agencies, interest groups, and members of the public also provided comments. Comments that were received are summarized and responses are provided as an appendix to the completed EIS available on the web at:

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

We have now completed the initial part of the permit renewal process and I am prepared to issue a proposed decision to renew your permit to graze livestock within the Burgess and Burgess FFR allotments.

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 Burgess and Burgess FFR allotments;
- Outline my proposed decision to select Alternative 3 for the Burgess allotment and Alternative 4 for the Burgess FFR allotment; and
- State my reasons for making this selection.

## Background

### *Allotment Setting*

The Burgess and Burgess FFR allotments are located approximately 18 miles northwest of Jordan Valley, Oregon, in Owyhee County, Idaho.

### Burgess

The Burgess allotment consists of three pastures (pasture 2 is entirely private land and will not be discussed further) and has 1,182 acres of public land and 128 acres of private land, for a total of 1,310 acres (90 percent public land, 10 percent private land). This allotment has had a regular grazing schedule identified in your actual use with two different pastures, usually starting in mid-April and ending in mid-August.

Dominant rock types in the Burgess allotment are volcanic tuffs at higher elevations and alluvial fan and basin fill sediments in the valleys. Soils generally are well drained, clayey or loamy, and shallow or moderately deep on slopes ranging from 0 to 30 percent, but can reach 50 percent along the north end of pasture 3. Elevations range from approximately 4,600 to 5,000 feet and support shrub-grass vegetation

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<sup>1</sup> DOI-BLM-ID-B030-2012-0014-EIS analyzed five alternatives for the Burgess and Burgess FFR allotments to fully process permits for livestock grazing management practices.

characterized by big or low sagebrush, bluebunch wheatgrass, and Idaho fescue. Other common plants include Sandberg bluegrass, rabbitbrush and various annual and perennial forbs. Native and exotic annual grasses have also become established to varying degrees throughout the range. Precipitation occurs primarily during the winter.<sup>2</sup>

### Burgess FFR

The Burgess FFR allotment consists of two pastures and has 250 acres of public land and 474 acres of private land, for a total of 723 acres (35 percent public land, 65 percent private land). Because this allotment includes a greater acreage of private land, under the current permit the livestock numbers and dates have varied annually, as determined by the permittee, provided that the 11 animal unit months (AUMs<sup>3</sup>) permitted were not exceeded and unacceptable impacts to public land resources did not occur. See Map 1 (below).

The Burgess FFR allotment dominant rock types are volcanic tuffs at higher elevations, and alluvial fan and basin fill sediments in the valley that are defined by the terraces along Succor Creek in pasture 1 and Cow Creek in pasture 2. Soils generally are well drained, clayey or loamy, and shallow or moderately deep on slopes ranging from 0 to 25 percent, but can reach 50 percent in pasture 1. Elevations range from 4,600 to 4,760 feet and support shrub-grass vegetation characterized by big or low sagebrush, bluebunch wheatgrass, and Idaho fescue. Other common plants include Sandberg bluegrass, rabbitbrush, and various annual and perennial forbs. Native and exotic annual grasses have also become established to varying degrees throughout the range.

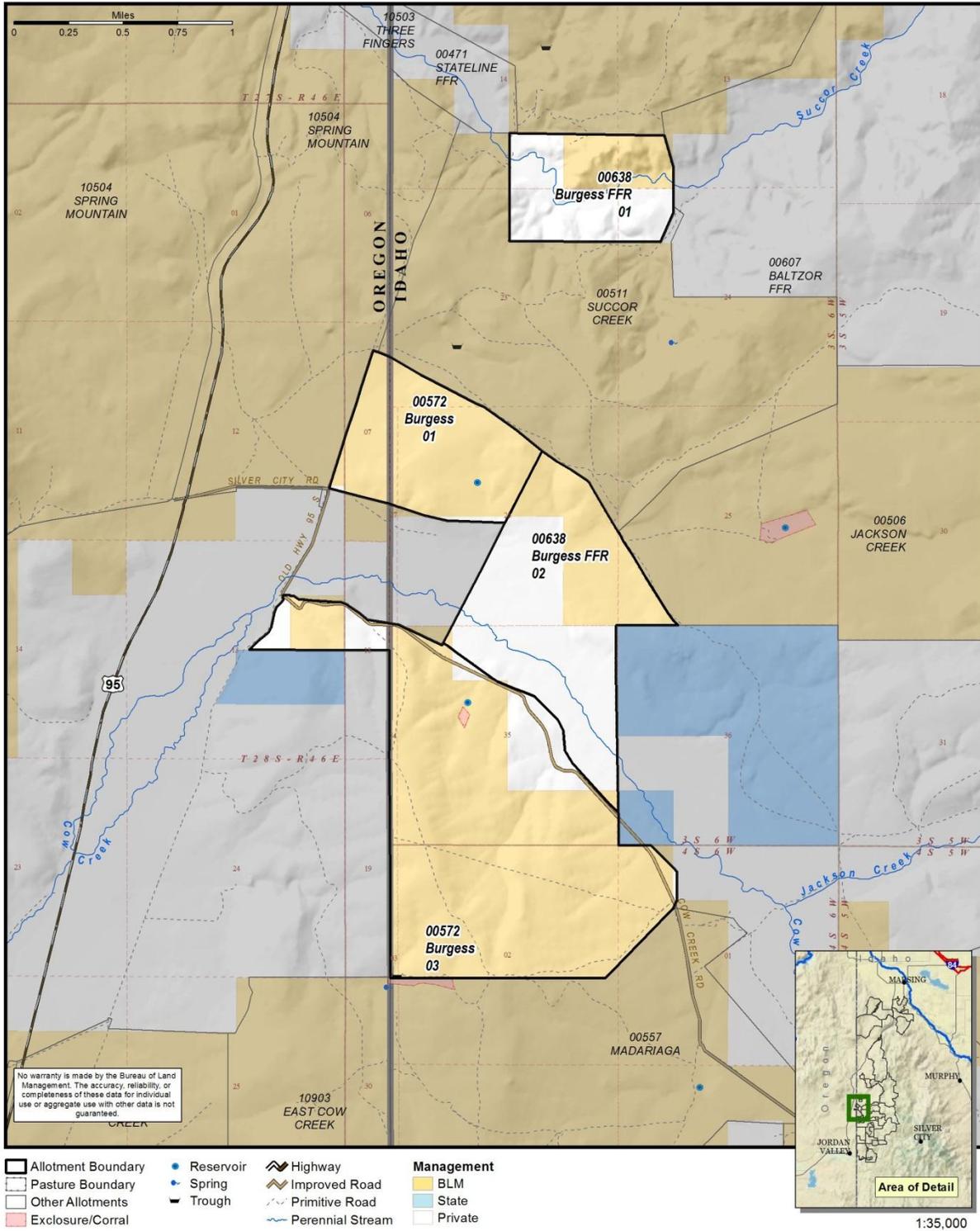
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<sup>2</sup> For more detailed discussion, please refer to the affected environment sections of EIS number DOI-BLM-ID-B030-2012-0014-EIS.

<sup>3</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, Burgess (00572) and Burgess FFR (00638) Allotments



### *Current Grazing Authorization*

Doug Burgess is currently authorized to graze livestock within the Burgess and Burgess FFR allotments in accordance with permits issued by the BLM. The terms and conditions of those grazing permits are as follows\*:

**Table LVST-1: Doug Burgess current permit**

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
00572 Burgess	66	Cattle	04/16	08/15	91	Active	240
00638 Burgess FFR	11	Cattle	12/1	12/31	100	Active	11

\*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. 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.

Actual use reports between 1997 and 2011 show that total AUMs for the Burgess allotment ranged from 153 to 267 AUMs; 34 to 93 AUMs for pasture 1; and 91 to 197 AUMs in pasture 3, and indicate a regular season and pattern of use throughout this timeframe.

The current permit authorizes an annual use of 11 AUMs of forage in the Burgess FFR allotment and a season of use between December 1 and December 31<sup>4</sup>. However, based on management actions over the last 10 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 that was authorized in the grazing permit.

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 Burgess and Burgess FFR allotments in 2013 (Appendices E-1 and E-2 in the EIS). Those documents concluded that some of the resources on the allotments were not meeting the Idaho S&Gs. Specifically, the BLM determined that on the Burgess allotment, Standards 1 (Watersheds), 2 (Riparian Areas and Wetlands), 3 (Stream Channel/Floodplain), and 4 (Native Plant Communities) are being met, and Standards 7 (Water Quality) and 8 (Threatened and Endangered Animals) are not being met, but current livestock grazing management is not a causal factor. For the Burgess FFR allotment, it was determined that Standard 4 (Native Plant Communities) is being met; and Standards 1 (Watersheds), 2 (Riparian Areas and Wetlands), 3 (Stream Channel/Floodplain), 6 (Exotic Plant Communities other than Seedings), 7 (Water Quality), and 8 (Threatened and Endangered Animals) are not being met, and current livestock grazing is a significant causal factor in not meeting these Standards.

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<sup>4</sup> Although the season of use in the grazing permit allows 11 cattle with a season of 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.

## ***Burgess Allotment***

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

Pastures 1 and 3 are managed by the BLM and are evaluated under Standard 4 (Native Plant Communities). Current vegetation in both pastures shrub overstory, with an understory of perennial grasses co-dominant with annual weeds. While a diversity of species is present, non-native presence is higher than expected in pasture 3. Trend data in pasture 3 show large bunchgrasses increasing significantly and therefore meeting Standards of Rangeland Health. Whitetop is known to occur in this allotment.

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

It was determined that Standard 1 (Watersheds) is being met in the Burgess allotment. Watershed indicators showed very little departure from expected conditions for the ecological site in pasture 1. Areas in pasture 3, however, contain increased water flow patterns, pedestaling, and terracettes, though none were excessive enough to determine that Standard 1 would not be met. All other soil and hydrologic function-related indicators vary between none-to-slight and slight-to-moderate and reflect stable soils that display historic and some active impacts though abundant gravel, adequate litter, and fair plant diversity are in place to reduce erosion potential. While the biotic function is reduced in localized areas of pasture 1 due to an increase in invasive plants, soil and hydrologic indicators show that watershed function still maintains proper nutrient and hydrologic cycling, and energy flow.

Trends in ground cover, determined by using indicators of bare ground, persistent cover, and canopy cover, have been indicating a general static trend on the Burgess allotment. Non-persistent litter has been increasing over the long term and is likely a reflection of proliferating invasive annuals and therefore warrants consideration over the long term. Current livestock management is compatible with attainment of Standard 1 for the Burgess allotment.

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

Standards 2 and 3 are being met in the Burgess allotment, and Standard 7 is not being met, but current livestock grazing is not a causal factor. Pasture 1 of the allotment contains segments of stream that are identified by IDEQ as impaired waters, 303(d) listed due to inability to meet beneficial uses, specifically sedimentation, siltation, and stream temperatures. The 1.6 miles of intermittent stream that traverse BLM lands within the Burgess allotment have not been assessed using the BLM PFC protocol. However, the streams support very small, intermittent reaches of riparian-wetland areas (USDA FSA, 2011).

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

No populations of BLM special status plant species are known to occur on BLM-managed lands on this allotment.

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

<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.

<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>

### **Upland Habitat**

Both pastures 1 and 3 are managed as native plant communities and are meeting Standard 4. As Standard 4 is being met, and absent information to the contrary, BLM has concluded that upland habitat composition and structure are meeting vegetation cover and forage needs of most sagebrush steppe associated wildlife.

### **Riparian Habitat**

Water quality issues have been identified as not meeting Standard 7, but current livestock grazing is not a causal factor. Stream segments within pasture 1 are on IDEQ's 303(d) list, due to sedimentation, siltation, and water temperatures, which negatively effect aquatic habitats and aquatic wildlife communities. For these reasons, Standard 8 was determined as not being met (see *Water Resources and Riparian/Wetland Areas* above).

### **Focal Species**

Eighty-nine percent of this allotment falls within modeled preliminary priority habitat (PPH)/(priority general habitat) PGH for sage-grouse. A total of six sage-grouse breeding and upland summer habitat assessments collected from 2003 to 2012 identified:

- Pasture 1 - Providing unsuitable breeding and upland summer habitat conditions;
- Pasture 3 - Providing suitable breeding and unsuitable upland summer habitat conditions.

Unfavorable upland summer habitat conditions occur in both pastures for sage-grouse. The sage-grouse habitat assessments noted that understory perennial grasses (i.e., bluebunch wheatgrass, Idaho fescue) and forbs were poorly represented and not providing effective screening and security cover for summer brood-rearing sage-grouse. Breeding habitat in pasture 1 was found to be unsuitable due to the less than desirable sagebrush canopy cover. This is inconsistent with the findings for Standard 4 that identified that Rangeland Health Standards were being met for this allotment. Because Standard 4 and Standard 8 are measures of upland vegetation composition, they should ideally reflect comparable conditions. However, if the data of the two assessments is collected at different locations or times of the year, localized variability may occur and create dissimilar findings. Because sage-grouse upland summer habitat assessments showed perennial grasses and forbs are underrepresented, the allotment is failing to provide adequate upland summer habitat conditions and therefore is not meeting Standard 8.

### ***Burgess FFR allotment***

#### *Vegetation - Uplands*

Pasture 1 is dominated by native plant communities and is meeting Standard 4 (Native Plant Communities), and pasture 2 is dominated by invasive annuals and is not meeting Standard 6 (Exotic Plant Communities). Pasture 2 is located in an old burn area and has been invaded by a host of annual grasses consisting of medusahead, cheatgrass, bulbous bluegrass, and North Africa grass. Annual grasses are common throughout the pastures, with some patches of total dominance. Shrub and bunchgrass cover are largely lacking but, when present, are found only in trace amounts.

There is no long-term trend information available for this allotment. Available actual use reports (2003-2011) identified that the allotment has been grazed annually between April 15 and November 20 with no deferment or rest. Cattle numbers ranged from a reported 5 to 20 head of cattle (cattle numbers were not always reported on actual use reports). For the years where actual use reports were completed, average actual use ranged from 33 to 110 AUMs, with an average of 71 AUMs. Based on actual use, current

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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.

stocking rates are 3.5 acres/AUM on public land, and 10.19 acres/AUM for all lands combined (public land and private).

#### *Watersheds/Soils*

Upland watershed Standard 1 is not met in pasture 2 of the Burgess FFR allotment due to livestock, and is met in pasture 1. Water flow patterns show departures from reference conditions attributable to changes in the plant community caused by a decrease in relative abundance of large perennial bunchgrasses and a reduction in the small-scale variations of height and roughness of the ground surface. Soil surface loss and degradation have occurred, as evidenced by active pedestals, terracettes, and localized bare ground. This is of greatest significance along the northern boundary of the allotment where slopes above Westgate Gulch promote water flow over longer distances that are not relieved by adequate vegetation, gravels, or biotic crusts.

Soil degradation is also a concern in areas where invasive annuals are increasing. The absence of shrubs and the extreme departure from reference conditions caused by invasive plants, primarily medusahead and bulbous bluegrass, have altered infiltration and soil moisture patterns that do not allow for the proper capture, storage, and management of moisture, especially in the latter part of the season as plants die. Under livestock management practices identified from actual use reports, the continuous season of use (April-November) is not conducive for maintaining or improving healthy watershed conditions. This is primarily because upland vegetation doesn't have an opportunity to provide adequate non-persistent litter for added soil protection (due to the prolonged season of use) and livestock are in the allotment annually during the spring when soils are at their wettest and are highly susceptible to mechanical damage from cattle trampling and herd movement activities. In addition, continuous livestock grazing in riparian areas during the hotter summer months when cattle are drawn to water and lush more palatable vegetation, increases soil sluffing and shearing along water ways, resulting in increased erosion and soil deposition.

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

There are about 0.35 perennial miles of stream that occur within pasture 1 of the Burgess FFR that were rated functional at-risk (FAR) due to issues with bank instability, a lack of riparian vegetation, and erosion/deposition caused by overland flows. In addition, both Succor Creek and Westgate Gulch are on Idaho's 303(d) list of impaired waters, and maximum and average daily temperature criteria on Succor Creek were exceeded during monitoring. As identified under *Watersheds/Soils* above, continuous livestock grazing in riparian areas during the hotter summer months (July-September) is a significant factor in not meeting riparian Standards 2, 3, and 7.

#### *Special Status Plants<sup>10</sup>*

No populations of BLM special status plant species are known to occur on BLM-managed lands in these allotments.

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

#### **Upland Habitat**

Pasture 1 is meeting Standard 4 and therefore should be providing adequate vegetation composition, structure, and function for most upland species for nesting, escape, hiding, and foraging.

Pasture 2 is managed as an exotic pasture and is not meeting Standard 6. Upland habitats managed under Standard 6 do not meet the requirements of Standard 8. Vegetation composition, structure, and function

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<sup>10</sup> For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 3.7.1 and Appendix E.

are lacking or absent in these communities, substantially reducing effective nesting, hiding, escape, travel, and foraging cover values for upland wildlife species. These exotic communities further create large open spaces, diminish habitat connectivity, and increase sagebrush community fragmentation. As identified under *Watersheds/Soils* above, the continuous season of use (April-November) is not conducive for maintaining or improving watershed conditions, nor is it adequate for increasing perennial bunchgrasses which is critical for improving nesting, hiding, escape, travel, and foraging values for sagebrush-obligate wildlife species in this allotment and are significant factors in not Standards 8.

### **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. Streams, springs, and wetlands that are non-functional (NF) or FAR are lacking adequate riparian vegetation composition and distribution to provide the structure and function to support a productive environment. As identified under *Water Resources and Riparian/Wetland Areas* above, continuous livestock grazing in riparian areas during the hotter summer months (July-September) is a significant factor in not meeting riparian Standards 2, 3, and 7. Where riparian Standards are not met, habitat conditions to support viable aquatic and terrestrial species populations are not being provided, therefore, this allotment is not meeting Standard 8.

### **Focal Species**

One hundred percent of this allotment falls within modeled PPH/PGH habitat for sage-grouse. A total of two sage-grouse upland summer habitat assessments collected in 2012 identified:

- Pasture 1 - Providing marginal upland summer habitat conditions;
- Pasture 2 - Providing suitable upland summer habitat conditions (see pasture 2 description below for rationale why this exotic pasture is unsuitable sage-grouse habitat).

Marginal upland summer habitat conditions in pasture 1 are not meeting desirable habitat conditions for sage-grouse due to reduced canopy cover of large deep-rooted perennial grasses (i.e., bluebunch wheatgrass, Idaho fescue) in the understory. Under these conditions, functional nesting, brood-rearing, escape, and hiding cover values fail to be fully provided.

Pasture 2 is managed as an exotic pasture and is not meeting Standard 6. Exotic pastures are dominated by invasive species that do not provide nesting, hiding, and foraging cover values for this species. These exotic pastures further create large open spaces that diminish habitat connectivity and fragment sagebrush communities. Although the sage-grouse upland summer habitat assessment concluded that pasture 2 is providing suitable conditions, that assessment was conducted in a remnant sagebrush patch, suggesting that there are areas of shrub steppe within this pasture that are not representative of overall pasture conditions. Due to the dominance of the exotic community, this pasture is, overall, providing unsuitable habitat conditions for sage-grouse.

Columbia River redband trout are known to occur within the Succor Creek system. Evaluation of Standards 2, 3, and 7 identified streams and springs within this system that are not properly functioning or meeting water quality parameters. 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 sufficiently represented, this allotment is not providing adequate riparian conditions to sustain viable populations of redband trout.

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

The Burgess allotment is conforming to all guidelines. The BLM's 2013 Determination for the Burgess FFR 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 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 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 Burgess FFR 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>11</sup>***

Throughout the internal and external (public) scoping process and project development period, 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*; hereinafter, 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.

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<sup>11</sup> For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 1.5.

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***

Based on the current conditions of the Burgess and Burgess FFR allotments and the issues identified above, the BLM developed 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 Burgess and Burgess FFR allotments. The range of alternatives developed include: Alternative 1 - No Action/Current Condition, Alternative 2 - Permittee's Application, Alternative 5 - Sheep-to-Cattle Conversion, Alternative 6 - No Grazing, as well as Alternatives 3 and 4, which were developed based on resource constraints. The following sections describe the theme of each of the alternatives and the allotment-specific authorizations and actions under each alternative.

### ***Burgess Allotment***

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

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

Permitted use for Doug Burgess would be 66 cattle from April 16 to August 15 at 91 percent public land with 240 active AUMs.

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*

Permitted use and grazing management under Alternative 2 would be the same as described under Alternative 1 above.

*Alternative 3 - Deferred Grazing*

The Burgess allotment include deferment 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.

Permitted use for Doug Burgess will be 66 cattle from April 16 to August 15 at 91 percent public land with 240 active AUMs. The following grazing rotation will be implemented:

**Table ALT-3.1:** Burgess allotment grazing schedule

Pasture	Year 1	Year 2
1	4/16-5/20	7/12-8/15
3	5/21-8/15	4/16-7/11

In addition the following other Terms and Conditions will apply:

- Maintain an average of greater than 18 cm (7 inches) perennial grass height on upland key species.

*Alternative 4 - Season-based*

The Burgess allotment will have rest 2 out of 3 years in all pastures. The following resource constraints were applied to the Burgess 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.

Permitted use for Doug Burgess will 63 cattle from April 16 to August 15 at 91 percent public land with 231 active AUMs. Total active AUMs will be reduced from 240 to 231 active AUMs. The following grazing rotation will be implemented:

**Table ALT-4.1:** Burgess allotment grazing schedule

Pasture	Year 1	Year 2	Year 3
1	4/16-5/20	Rest	Rest
3	5/21-8/15	Rest	Rest

In addition, the following other Terms and Conditions will apply to the Burgess allotment:

- Changes in scheduled pasture use dates will require prior authorization. Cattle numbers and season of use are based on 91 percent public land in the allotment.

*Alternative 6 - No Grazing*

This alternative will result in no grazing for a 10-year period for the Burgess allotment.

***Burgess FFR allotment***

*Alternative 1 - No Action/Current Condition*

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

Permitted use for Doug Burgess would be 11 cattle from December 1 to December 31 at 100 percent public land with 11 active AUMs. 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 grazing allotment is authorized to be grazed any time during the year and 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*

Permitted use and grazing management under Alternative 2 would be the same as described under Alternative 1 above.

*Alternative 3 - Deferred Grazing*

The Burgess FFR allotment include deferment 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.

Permitted use for Doug Burgess will be 7 cattle from May 1 to September 23 at 35 percent public land with 11 active AUMs. The following grazing rotation will be implemented:

**Table ALT-3.2:** Burgess FFR allotment grazing schedule

Pasture	Year 1	Year 2
1	5/1-6/10	8/14-9/23
2	6/11-9/23	5/1-8/13

In addition the following other Terms and Conditions will apply:

- Burgess FFR allotment - A minimum of 6-inch stubble height, 30 percent browse (where applicable), and less than 10 percent bank alteration will be maintained in key riparian areas.
- Burgess FFR allotment - Maintain an average of greater than 18 cm (7 inches) perennial grass height on upland key species.

*Alternative 4 - Season-based*

The Burgess FFR allotment will be deferred until after the critical growth periods for uplands and to avoid summer grazing for riparian areas two out of three years in all pastures. The following resource constraints were applied to the Burgess FFR 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.

Permitted use for Doug Burgess will be 7 cattle from May 1 to January 23 at 35 percent public land with 11 active AUMs. The following grazing rotation will be implemented:

**Table ALT-4.2:** Burgess FFR allotment grazing schedule

Pasture	Year 1	Year 2	Year 3
1	5/1-6/10	9/1-10/11	9/1-10/11
2	6/11-9/23	10/12-1/23	10/12-1/23

In addition the following other Terms and Conditions will apply to the Burgess FFR allotment:

- The number of livestock and the season of use on the fenced federal range (FFR) allotment will be in accordance with the allotment grazing schedule. Changes in scheduled pasture use dates will require prior authorization. Cattle numbers and season of use is based on 35 percent public land in the allotment.

*Alternative 6 - No Grazing*

This alternative will result in no grazing for a 10-year period for the Burgess and Burgess 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 ten years with modified terms and conditions consistent with the following:

Burgess allotment - Alternative 3 as described in EIS number DOI-BLM-ID-B030-2012-0014-EIS.

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

Implementation of these alternatives over the next 10 years will allow the Burgess and Burgess 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, or 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-2:** Grazing permits for the Burgess and Burgess FFR allotments

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
00572 Burgess	66	Cattle	04/16	08/15	91	Active	240
00638 Burgess FFR	7	Cattle	05/01	01/23	35	Active	11

\*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. Burgess allotment - Maintain an average of greater than 18 cm (7 inches) perennial grass height on upland key species.
14. The number of livestock and the season of use on the fenced federal range (FFR) allotment will be in accordance with the allotment grazing schedule. Changes in scheduled pasture use dates will require prior authorization. Cattle numbers and season of use is based on 35 percent public land in the allotment.

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

**Table LVST-3: Burgess allotment grazing schedule**

Pasture	Year 1	Year 2
1	04/16-05/20	07/12-08/15
3	05/21-08/15	04/16-07/11
Total AUMs	240	240

**Table LVST-4: Burgess FFR allotment grazing schedule**

Pasture	Year 1	Year 2	Year 3
1	05/01-06/10	09/01-10/11	09/01-10/11
2	06/11-09/23	10/12-01/23	10/12-01/23

***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 Burgess and Burgess FFR allotments.

Permitted use within the Burgess and Burgess FFR allotments will be as follows:

**Table LVST-5: Permitted use on the Burgess and Burgess FFR allotments**

Allotment	Active Use	Suspension	Permitted Use
Burgess	240 AUMs	0 AUMs	240 AUMs
Burgess FFR	11 AUMs	0 AUMs	11 AUMs

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

Finally, it is my proposed decision not to authorize additional projects. The existing coordinated process to identify, analyze, and authorize as appropriate the restoration, improvement, or development of livestock water sources and other projects remains in place 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 record as a grazing permit holder for the Burgess and Burgess FFR allotments, and have determined that you have a satisfactory record of performance and are a qualified applicant 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 3 for the Burgess allotment and Alternative 4 for the Burgess 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 Burgess and Burgess 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 Burgess and Burgess FFR allotments. I want you to know that I considered the issues through the lens of each alternative before I made my decision. My selection of Alternative 3 for the Burgess allotment and Alternative 4 for the Burgess 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>

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<sup>12</sup> Your allotments are, as you know, members of the Owyhee 68 allotments, which are the subject of a permit renewal process that 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, I am looking not just at your individual allotment, reviewing its RHA/Evaluation/Determination, selecting an alternative that will best address this allotment's ecological conditions and BLM's legal responsibilities (for the purposes of this decision), but looking at this allotment from a landscape perspective. Viewed this way, it is clear that there are problems common to the Owyhee 68 allotments.

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

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

*Issue 1: Habitat conditions for greater sage-grouse (Centrocercus urophasianus; hereinafter, 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>

#### Burgess Allotment

This allotment is currently grazed under a system which allows for annual grazing in pasture 1 from April 16 to August 16, and annual use on pasture 3 from May 23 to August 16. My proposed decision will replace the current grazing system with a 2-year deferred/delayed rotation. Pasture 1 will be grazed from 4/16 to 5/20 in year 1, and 7/12 to 8/15 in year 2. Pasture 3 will be grazed from 5/21 to 8/15 in year 1 and from 4/16 to 7/11 in year 2. This grazing rotation will delay livestock grazing in alternate years based on soils constraints (identified above under *Burgess allotment - Alternative 3*), with grazing not occurring until rangeland soils have generally firmed up following the peak spring soil saturation period (March 1-May 15). The reduction in grazing frequency during the growing season will allow native perennial species to get a head start, with grazing not beginning until May 21 in pasture 3, and allow for a true deferred grazing rotation in pasture 1 (grazing beginning after July 12) in alternate years. This grazing rotation will allow for maintenance of perennial bunchgrasses in pasture 1, and improvement in pasture 3, continuing to meet Standard 4 and ORMP objectives.

Incorporation of a deferred season of use will lessen livestock impacts on upland soils in the Burgess allotment. This will allow for increased recovery and maintenance of bunchgrass health which, in turn, promotes soil stability and hydrologic function. Improvements proposed with Alternative 3 are therefore expected to be better as compared with Alternatives 1 and 2, though they will not improve as rapidly as they would with Alternatives 4 and 6. The allotment is meeting Standard 1, and this alternative will address the issues identified (increased water flow patterns, pedestaling, and terracettes), improving biotic health.

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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.

A tremendous amount of thought and effort went into developing grazing management systems that are responsive to your allotments' specific resource needs, geography, and size. We attempted to address all resource and operational concerns and the resource and stewardship requirements mandated to the BLM. We recognize that each allotment has different ecology and management capability due to the size and location/topography that result in various issues and priorities; all attempts to coordinate grazing throughout the entire allotment were made by me and my staff with you and informed by the interested public with these features in mind. I recognize the difficulty of not only responding to the (mandated) needs to protect the resources, but recognize as well the needs and capability that you, the permittees, have. I believe I have balanced those needs of the resource and your capabilities with the information I have to the extent possible.

<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.

Periodic spring and early summer grazing prescribed under this alternative will have the potential of physical impacts from hoof action on wet or saturated soils, as described in Alternative 1. However, the deferment year(s) will allow for recovery potential, promote plant vigor, and reduce impacts from soil pugging and compaction during the wetter season compared to Alternative 1. This will also reduce the risk of spreading noxious weeds that often thrive when early-season pugging and trampling provide for favorable seedbeds.

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. This will allow for an upward trend over the life of the permit.

Livestock grazing management as described under Alternative 3 will improve upland and riparian habitat conditions, benefitting identified focal species, as well as other associated shrub-steppe and riparian dependent (e.g. migratory birds, pygmy rabbits, big game, and amphibians). Recognizing that sage-grouse habitat assessments found unsuitable breeding habitat conditions in pasture 1 of this allotment, I selected this alternative to change use from an annual April 16 to August 16 schedule to a 2-year schedule with deferment (4/16 to 5/20 in year 1, 7/12 to 8/15 in year 2). This change will provide the allotment opportunity for improved vegetative cover.

Upland communities that are managed as native communities will continue to improve and achieve desired habitat management objectives. The decrease in the grazing frequency during the spring growing-season will allow upland native perennial species to complete their annual growth cycle more often absent defoliation by livestock, which will improve plant community health and vigor and improve herbaceous composition and structure. This, in turn, will result in greater security cover for nesting and brood-rearing sage-grouse from predators and increasing preferred forb diversity and availability. In the long term (7 to 12 years, four rotations), vegetation composition and structure will be expected to continue to improve and achieve desired RMP management objectives.

### Burgess FFR Allotment

The Burgess FFR allotment will be deferred until after the critical growth periods for upland vegetation and to avoid summer grazing for riparian areas two out of three years in all pastures. These increased years of grazing deferment (grazing after the critical growth period for upland bunchgrasses) will allow the allotment to make significant progress toward meeting upland vegetation health and vigor when compared to current grazing management. Current grazing management doesn't allow for upland deferment in either of the Burgess FFR pastures because the extreme degree of flexibility allowed grazing at the permittee's discretion, grazing management under Alternative 4 will include spring (critical growth period) grazing once in 3 years. Grazing 2 in 3 years will not occur until perennial bunchgrasses have reached flowering stages (generally around early July).

Implementation of Alternative 4 will make significant progress toward desired conditions compared to all remaining grazing alternatives for the Burgess FFR allotment, which is not meeting Standard 1 due to current livestock grazing. While Alternative 3 provides for improved watershed function through seasonal deferment, Alternative 4 ensures 2 in 3 years of deferred grazing after the critical growing period for upland bunchgrasses in addition to achieving the soils constraint avoiding grazing in all years til after May 15.

Implementation of increased 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. Upland vegetation communities will have an opportunity to improve and respond with increased soil cover, decreased bare ground, and reduced susceptibility to accelerated erosion.

In the Burgess FFR allotment, Alternative 4 will provide a benefit to remnant native species and habitat patches and provide a good prospect for future recovery through the opportunity of species to grow full-cycle during the critical growth period 2 out of 3 years. This strategy will not degrade conditions further and will allow a better opportunity for native plant species to compete with invasive annuals and improve the opportunity to improve their abundance, composition and structure and create effective cover and forage conditions for nesting and brood-rearing sage-grouse and other sagebrush steppe species. Habitat fragmentation will continue to be an issue; however, relief from repeated spring grazing will improve the vigor and health of remnant species and will improve habitat patch connectivity by providing greater screening and hiding cover. However, given the competitive advantage of invasive annuals over native species and without the use of comprehensive management strategy, recovery of effective wildlife habitat conditions will be slow in the short term (1 to 6 years, two rotations); in the long term (7 to 12 years, four rotations), native plants will respond favorably and cover and forage elements are expected to improve.

*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>15</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>16</sup>*

#### Burgess Allotment

The Burgess allotment contains 1.6 miles of intermittent stream and one spring within two pastures; however, neither the streams nor the spring support significant areas of riparian-wetland resources and have not been assessed. Standards 2 and 3 are being met in the Burgess allotment, and Standard 7 is not being met, but current livestock grazing was not identified as a significant causal factor.

Livestock grazing management as described under Alternative 3 will improve upland and sage-grouse riparian habitat conditions, benefitting other identified focal species, as well as associated shrub-steppe and riparian dependent (e.g. migratory birds, pygmy rabbits, big game, and amphibians). In addition, limited riparian habitat grazing intensity and season of use will improve plant vigor, diversity, 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 decrease erosion and sediment loading, greater channel structure and flow regulation, and improve water quality. In the short term (1 to 6 years, two rotations) habitat conditions will show measurable and observable improved forage and cover elements. In the long term (7 to 12 years, four rotations), vegetation composition and structure will be expected to continue making significant progress toward meeting Standard 8 and achieve desired RMP management objectives.

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<sup>15</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>16</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.

### Burgess FFR Allotment

There are about 0.35 perennial miles of stream that occur within pasture 1 of the Burgess FFR allotment that were rated FAR due to issues with bank instability, a lack of riparian vegetation, and erosion/ deposition caused by overland flows. As identified under *Watersheds/Soils* above, continuous livestock grazing in riparian areas during the hotter summer months (July-September) is a significant factor in not meeting riparian Standards 2, 3, and 7.

The riparian areas associated with a short segment of stream occur in pasture 1 of the Burgess FFR allotment. Under Alternative 4, pasture 1 of the Burgess FFR allotment will be used during the spring 1 year and during the fall 2 years during a 3-year rotation. The proposed management does not include any AUM reductions. Current management has allowed use of the public lands at the discretion of the permittee, and recent use has occurred year-round. The incorporation of a deferred rotation system will prohibit grazing during the riparian area's most vulnerable time 2 of 3 years; thus the Standards (2, 3, and 7) associated with the riparian and water resources will make significant progress toward meeting these Standards under this alternative.

It is anticipated that the quality and quantity of the riparian communities will make significant progress toward meeting Standard 8 and achieve desired habitat management objectives under Alternative 4: 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 riparian habitat conditions will benefit identified focal species as well as other associated shrub-steppe species (e.g. migratory birds, pygmy rabbits, big game, amphibians). Implementing a deferral/rest grazing rotation grazing schedule will improve 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. Improved herbaceous and woody cover in riparian zones will benefit Columbia spotted frogs by reducing trampling of spring spawning and egg laying sites, decreasing erosion and sediment loading, enhancing shade and woody debris delivery, providing greater channel structure and flow regulation, and improving water quality.

*Issue 5: Noxious and invasive weeds: Livestock grazing and trailing has the potential to increase or spread noxious and invasive weeds.*<sup>17</sup>

*And*

*Issue 6: Livestock trailing: Trailing may adversely affect upland vegetation, soils, weeds and riparian vegetation.*<sup>18</sup>

### Burgess and Burgess FFR Allotments

No noxious weeds were identified to occur in the Burgess allotment. However, a presence of invasive annual grasses (cheatgrass) was noted in pasture 1.

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<sup>17</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>18</sup> For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 3.3.2.

Under Alternative 3, a 2-year deferred grazing rotation in pasture 1 will be implemented in the Burgess allotment. Also in accordance with this rotation, pasture 3 be grazed during the upland critical growth period annually, but in alternate years, grazing will occur before July 11 (see Table LVST-3). Implementation of Alternative 3 in Burgess will institute a pasture rotation schedule that includes less-frequent use or deferred grazing during the critical growth periods compared to Alternatives 1 and 2. Increased years of deferment or rest allow opportunity for recovery and maintenance of plant health and vigor to improve (Bailey & Brown, 2011). The decrease in the grazing frequency of growing-season use will allow native perennial species to complete the annual growth cycle more often absent defoliation by livestock grazing and allow significant progress toward meeting upland vegetation health and vigor and ORMP objectives.

Although no noxious weeds are known exist on public land in the Burgess FFR allotment, invasive annuals (cheatgrass and medusahead rye) are dominant in pasture 2.

Periodic spring and early summer grazing prescribed under the alternative will have the potential of physical impacts from hoof action on wet or saturated soils, as described in Alternative 1. However, the deferment year(s) will allow for recovery potential, promote plant vigor, and reduce impacts from soil pugging and compaction during the wetter season compared to Alternative 1, thus reducing the risk of spreading noxious weeds that often thrive when early-season pugging and trampling provide for favorable seedbeds.

Effects from livestock trailing/crossing will include minor trampling and up 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 will be available for treatment. Range readiness determinations are essential and will reduce mechanical damage to soils when soils are saturated early in the spring during the peak spring melt events. The duration of trailing activities to be authorized will require active trailing in most cases. Management actions as described above, will allow upland plant communities to meet or make significant progress toward meeting Idaho Rangeland Health Standards and ORMP objectives.

Although Alternative 6 would further reduce the potential for livestock to introduce and spread invasive and non-native annual species as compared to the alternatives selected, livestock remain only one of a number of vectors for seed dispersal and soil surface disturbance. BLM's coordinated and ongoing weed control program will 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>19</sup>*

#### Burgess allotment/Burgess FFR Allotments

During the NEPA and public comment process, some raised the concern that selection of certain alternatives considered in the EIS could impact regional socioeconomic 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 3 for the Burgess allotment and Alternative 4 for the Burgess FFR allotment in large part because those selections accomplish those latter goals.

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<sup>19</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.

My consideration of Alternatives 1 and 2 for the Burgess FFR allotment disclosed that neither of those alternatives will 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. In addition, this allotment is failing multiple standards, and selection of Alternative 4 provides greater resource benefits.

The Burgess allotment is meeting Standards 1-4, and Standards 7 and 8 are not being met, but current livestock grazing was not identified as a significant causal factor; however, resource concerns were identified in this allotment in the EIS (EIS Appendix E-2, 2013 Determination), and improvements in resource conditions under Alternatives 1 and 2 simply wouldn't occur. Therefore, I could not select these alternatives for the Burgess allotment. Over the long term, your grazing operation relies upon maintenance of the natural resources, including productive and healthy rangelands capable of supplying a reliable forage base. Selection of an alternative based in unsustainable grazing practices that do not meet rangeland health standards will 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>20</sup>

#### Burgess and Burgess FFR Allotments

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 will be theoretically possible to use targeted grazing to create fuel breaks on these allotments with the hope that those fuel breaks will 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 3 for the Burgess allotment and Alternative 4 for the Burgess 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 will 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,

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<sup>20</sup> For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 2.4.

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: 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.*

### Burgess and Burgess FFR Allotments

Climate change is another factor I considered in building my decision around Alternative 3 for the Burgess allotment and Alternative 4 for the Burgess 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 selected alternatives combined seasons, 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 these allotments will be better armed to survive such changes. The native plant health and vigor protected under these alternatives will provide resistance and resilience to additional stressors, including climate change.

### *Additional Rationale*

A tremendous amount of thought and effort went into developing grazing management systems that are responsive to your allotments' specific resource needs, geography, and size. We attempted to address all resource and operational concerns and the resource and stewardship requirements mandated to the BLM. We recognize that each allotment has different ecology and management capability due to the size and location/topography that result in various issues and priority; all attempts to coordinate grazing throughout the entire allotment were made by me and my staff with you and informed by the interested public with these features in mind. I recognize the difficulty of not only responding to the (mandated) needs to protect the resources, but recognize as well the needs and capability that you, the permittees, 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 3 for the Burgess allotment and Alternative 4 for the Burgess 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. The suspension of grazing for a ten-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 3 for the Burgess allotment and Alternative 4 for the Burgess 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 Burgess and Burgess FFR allotment that will improve current resource conditions. Alternative 6 removes the economic activity of one livestock operation from Owyhee County and southwest Idaho, a region where livestock production and agriculture is a large portion of the economy. That, in conjunction with current resource conditions and the improvement anticipated by implementation of the alternatives, as supplemented, lead me to believe elimination of livestock grazing from the Burgess and Burgess 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 Burgess and Burgess 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

- Bailey, D. W., & Brown, J. R. (2011). Rotational Grazing Systems and Livestock Grazing Behavior in Shrub-Dominated Semi-Arid and Arid Rangeland. *Rangeland Ecology and Management*, 64(1), 1-9.
- USDA FSA. (2011, Last modified: August 18). *National Agriculture Imagery Program (NAIP)*. Retrieved from <http://www.fsa.usda.gov/FSA/apfoapp?area=home&subject=prog&topic=nai>
- 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

Company Name	Title	First Name	Last Name	Address 1	City	ST	Zip	# copies
LS Cattle Co		Jerry	Stanford	PO Box 281	Jordan Valley	OR	97910	22
LU Ranching	c/o	Bill	Lowry	PO Box 132	Jordan Valley	OR	97910	23
LU Ranching		Tim	Lowry	PO Box 132	Jordan Valley	OR	97910	24
Moore Smith Buxton & Turcke		Paul	Turcke	950 W. Bannock, Ste. 520	Boise	ID	83702	25
Natural Resources Defence Council		Johanna	Wald	111 Sutter St., 20 <sup>th</sup> Floor	San Francisco	CA	94104	26
Oregon Division State Lands				1645 NE Forbes Rd., Ste. 112	Bend	OR	97701	27
Owyhee Cattlemen's Association				PO Box 400	Marsing	ID	83639	28
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

Company Name	Title	First Name	Last Name	Address 1	City	ST	Zip	# copies
		Ted	Blackstock	6754 Opaline Rd.	Given Springs	ID	83641	51
		Alan	Johnstone	2740 Egurrola Ln.	Homedale	ID	83628	52
		Tim	McBride	1445 US 95 South	Jordan Valley	OR	97910	53
		Conrad	Bateman	740 Yakima St.	Vale	OR	97918	54
		Gene	Bray	5654 W El Gato Ln.	Meridian	ID	83642	55
		Sean & Andrea	Burch	PO Box 284	Jordan Valley	OR	97910	56
		Chad	Gibson	16770 Agate Ln.	Wilder	ID	83676	57
		Chad & Dannelle	Hensley	4300 Choctaw Dr.	Nampa	ID	83686	58
		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