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BUREAU OF LAND MANAGEMENT
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In Reply Refer To:
4160 ID130

November 12, 2013

REGISTERED MAIL - FEDEX

Tim McBride
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Chipmunk Grazing Association
c/o Elias Jaca
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Marsing, ID 83639

LS Cattle Company
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Jordan Valley, OR 97910

Notice of Field Manager's Proposed Decision

Dear Permittee:

Thank you for your application for permit renewal on the Jackson Creek and Stanford FFR allotments. Thank you also for working with the BLM 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 Jackson Creek and Stanford FFR allotments. The BLM undertook this effort to ensure that any renewed grazing permits on these allotments are consistent with the BLM's legal and land management obligations. As part of the BLM's evaluation process, rangeland health assessment/evaluation/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 provide additional information.

The BLM also engaged in public scoping and met with members of the public interested in grazing issues in the Jackson Creek and Stanford 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

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 a few resource concerns currently exist on the Jackson Creek and Stanford FFR allotments.
As a focus of addressing livestock impacts to public land resources, my office prepared and issued an environmental impact statement[1] (EIS) in which we considered a number of options and approaches to maintain and improve resource conditions. Specifically, the BLM considered and analyzed in detail five alternatives for the Jackson Creek allotment and four alternatives for the Stanford FFR allotment. 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 Jackson Creek and Stanford FFR allotments natural resources conform to the goals and objectives of the Owyhee Resource Management Plan (ORMP) and the Idaho Standards for Rangeland Health and Guidelines for Livestock Grazing Management (Idaho S&Gs). This proposed decision incorporates by reference the analysis contained in the EIS. The Draft EIS detailing the alternatives below was made available for public review and comment for a 45-day period ending June 17, 2013. In addition to timely comments received from you, a number of government entities and agencies, interest groups, and members of the public also provided comments. Comments that were received are summarized and responses are provided as an appendix to the completed EIS available on the web at:

http://www.blm.gov/id/st/en/prog/nepa_register/owyhee_grazing_group/grazing_permit_renewal0.html

We have now completed the description of current conditions, development of alternatives, and environmental analysis parts of the permit renewal process and I am now prepared to issue a proposed decision to renew your permit to graze livestock within the Jackson Creek and Stanford

[1] EIS number DOI-BLM-ID-B030-2012-0014-EIS analyzed five alternatives for the Jackson Creek allotment and four alternatives for the Stanford FFR allotment to fully process permits for livestock grazing management practices.

FFR allotments. Upon implementation of the decision, your permit to graze livestock on these allotments will be fully processed using the revisions to the grazing regulations[2] in 1995, adoption of the Idaho S&Gs in 1997, and implementation of the ORMP in 1999.

This proposed decision will:

- Describe current conditions and issues on the allotments;
- Briefly discuss the alternative grazing management schemes that the BLM considered in the EIS;
- Respond to the application for grazing permit renewal for use in the Jackson Creek and Stanford FFR allotments;
- Outline my proposed decision to select Alternative 3 for the Jackson Creek and Stanford FFR allotments; and
- State the reasons why I made that selection.

Background

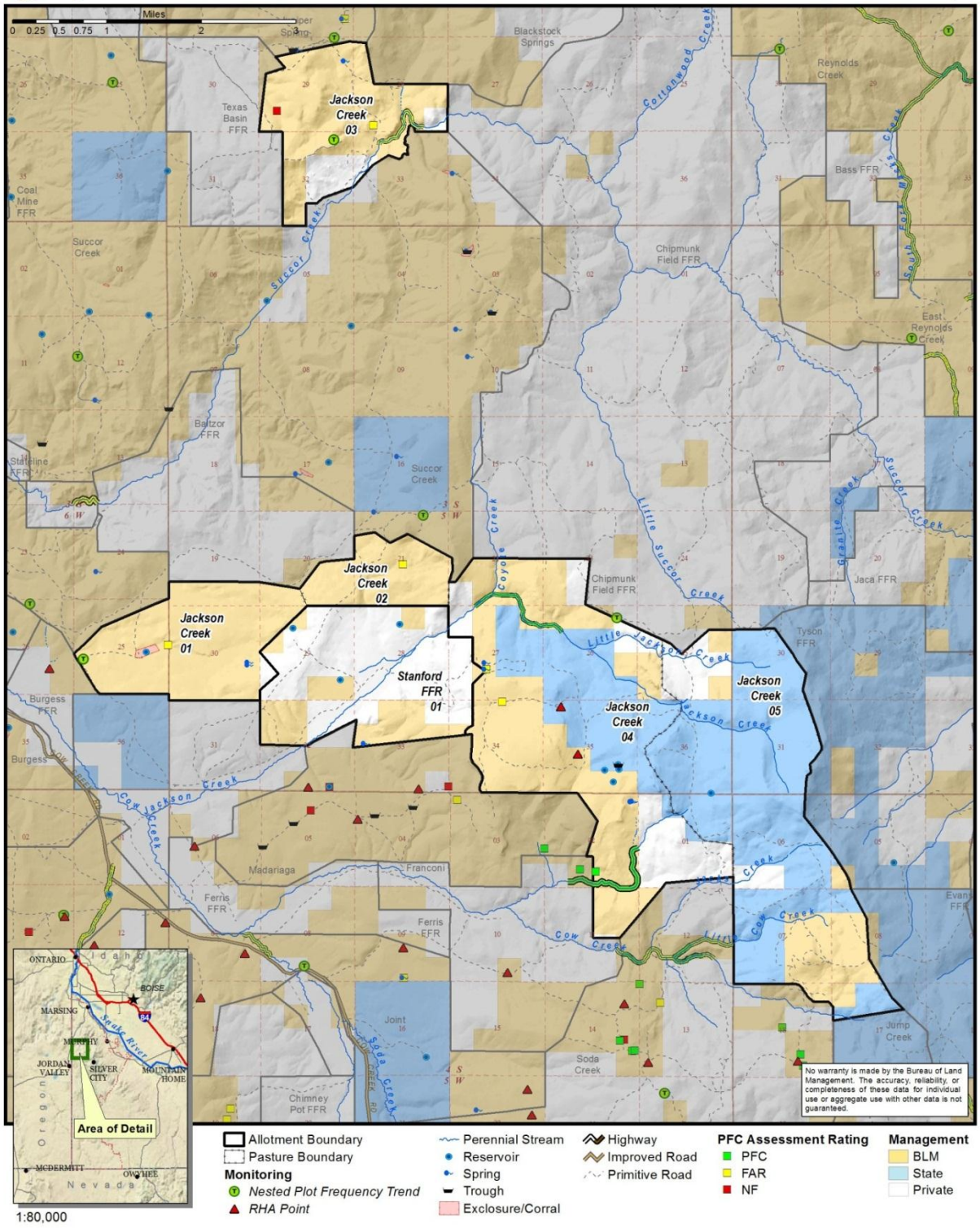
Allotment Setting

The Jackson Creek and Stanford FFR allotments are located approximately 10 miles northeast of Jordan Valley, Oregon, in Owyhee County, Idaho. The Jackson Creek allotment consists of five pastures and has 5,825 acres of public land, 1,205 acres of private land, and 3,740 acres of Idaho State Land, for a total of 10,770 acres (54 percent public land, 11 percent private land, 35 percent Idaho state land). This allotment has had a regular grazing schedule identified in your actual use report with five pastures, usually starting in early April and ending in late October.

The Stanford FFR allotment consists of one pasture and has 544 acres of public land and 1,348 acres of private land for a total of 1,892 acres (29 percent public land, 71 percent private land). Because this allotment includes a large acreage of private land, under the current permit, the livestock numbers and dates have varied annually as determined by you, the permittee, provided that the 114 animal unit months (AUMs[3]) permitted were not exceeded and unacceptable impacts to public land resources did not occur. See Map 1 below.

[2] 43 CFR Subpart 4100 is the federal regulations that govern public land grazing administration.
[3] 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, Jackson Creek (00506) and Stanford FFR (00608) Allotments



1:80,000

Elevations within the Jackson Creek and Stanford FFR allotments range from 4,600 feet to 7,400 feet. The allotments are situated within the Owyhee Uplands, a sagebrush steppe semi-arid landscape of shrubs and widely spaced bunchgrasses where native vegetation communities are variable. Limited precipitation with cold winters and dry summers constrain plant and animal communities. Where deeper soils exist, native vegetation is primarily Wyoming big sagebrush with an understory of native perennial bunchgrasses. In areas of shallow soils, mostly low sagebrush with the same native perennial bunchgrass understory can be found. The effective average annual precipitation for these vegetation communities is approximately 8 inches for the drier sites and 13 inches for the more moist sites. Precipitation occurs primarily during the winter.[4]

Current Grazing Authorization

LS Cattle Company is currently authorized to graze livestock within the Jackson Creek and Stanford FFR allotments, and Tim McBride and Chipmunk Grazing Association are currently authorized to graze livestock within the Jackson Creek allotment in accordance with permits issued by the BLM. The terms and conditions of those grazing permits are as follows*:

Table ALLOT-1: Tim McBride permit

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
00506 Jackson Creek	69	Cattle	06/01	10/31	100	Active	344

Table ALLOT-2: Chipmunk Grazing Association permit

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
00506 Jackson Creek	191	Cattle	04/16	10/30	23	Active	285

Table ALLOT-3: LS Cattle Company permit

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
00506 Jackson Creek	78	Cattle	04/16	10/31	100	Active	510
00608 Stanford FFR	112	Cattle	12/01	12/31	100	Active	114

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

[4] For more detailed discussion, please refer to the affected environment sections of EIS number DOI-BLM-ID-B030-2012-0014-EIS.

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 of 2000:

- Key herbaceous riparian vegetation, where stream bank stability is dependent upon it, will have a minimum stubble height of 4 inches on the stream bank, along the greenline, after the growing season;
- Key riparian browse vegetation will not be used more than 50 percent of the current annual twig growth that is within reach of the animals;

- Key herbaceous riparian vegetation on riparian areas, other than the stream banks, will not be grazed more than 50 percent during the growing season, or 60 percent during the dormant season; and
- Stream bank damage attributable to grazing livestock will be less than 10 percent on a stream segment.

The current permit authorizes an annual use of 114 AUMs of forage in the Stanford FFR allotment and a season of use between December 1 and December 31[5]. However, based on recent 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, which made use of the flexibility that was authorized in the grazing permit. Actual use reports are more thorough on the Jackson Creek allotment and show a regular season and pattern of use throughout most years for each pasture.

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

Resource Conditions

The BLM completed a rangeland health assessment, evaluation, and determination for the Stanford FFR allotment in 2008 and for the Jackson Creek allotment in 2013. Those documents concluded that most of the resources on both allotments were not meeting the Idaho S&Gs. Specifically, the BLM determined that the Stanford FFR allotment did not meet Standards 1 (Watersheds), 4 (Native Plant Communities), and 8 (Threatened and Endangered Animals), but current livestock grazing management was not a significant causal factor. Those documents also concluded that the Jackson Creek allotment was not meeting or making significant progress toward meeting 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). Standard 4 was being met. Current livestock grazing management was identified as a significant causal factor for failing to meet Standards 1, 2, 3, 6, 7, and 8.

Vegetation - Uplands[6]

Jackson Creek

Of the five pastures in the Jackson Creek allotment, pasture 1 is dominated by invasive annual weeds and pastures 2, 3, 4, and 5 are dominated by native plant communities. Therefore, pasture 1 was evaluated under Standard 6 (Exotics Other than Seedings) and pastures 2, 3, 4, and 5 were evaluated under Standard 4 (Native Plant Communities).

[5] Although the season of use in the grazing permit states 112 cattle with a season from 12/1-12/31 in the Mandatory Terms and Conditions, the permit states that, "the number of livestock and season of use is at your discretion" in the Other Terms and Conditions, which allows flexibility.

[6] For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 3.3.1.

Pasture 1: This pasture does not have any previous fire history. The current dominant vegetation is a mix of annual weeds, North Africa grass, and medusahead, with Sandberg bluegrass and squirreltail as lesser components. This pasture is not meeting Standard 6 due to current grazing management practices, with spring grazing use every year. Historic livestock management and the common presence of annual invasive weeds are also causal factors for failing to meet this Standard. Sandberg bluegrass and squirreltail have been on a steady decline since 1990 and continuing through 2012, while annual weeds have increased in the short and long term. Noxious weeds, including tamarisk and whitetop, have been chemically treated in this pasture and will continue to be monitored and treated as a part of the Boise District weed program. The occurrences of noxious weeds in this pasture do not contribute to the failure to meet Standard 6.

Pastures 2, 3, 4, and 5: Pasture 2 has no fire history, pastures 3 and 5 have burned five percent or less of the total area, and one-third of pasture 4 was burned in 1960. No known post-fire seedings have occurred in these pastures. The sites have a dominant shrub overstory (mountain big sagebrush, low sagebrush, snowberry, antelope bitterbrush, and rabbitbrush), with Sandberg bluegrass dominating the understory and other larger perennial grasses, such as Idaho fescue and bluebunch wheatgrass, as a lesser component. Annual invasive weeds are not common throughout the pastures but are present in disturbed areas, with some scattered populations. These pastures are meeting Standard 4, and vegetation trend data, which is only available for pastures 3 and 4, show a relatively static frequency of perennial grasses and shrub cover, although North Africa grass has increased in pasture 3.

Stanford FFR

The Stanford FFR allotment is not meeting Standard 4 due to historic livestock grazing. The rangeland health field assessment was conducted in a Shallow Claypan 11-13" ecological site; the main indicator relating to biotic integrity that is affecting the site is the functional and structural group. The site has transitioned to one dominated by annuals and lacks a deep-rooted, cool-season bunchgrass component. The reference native plant community for this site is low sagebrush/bluebunch wheatgrass. Bluebunch was present in trace amounts and both bluebunch wheatgrass and squirreltail were primarily isolated under shrub canopy.

Watersheds/Soils[7]

Jackson Creek

Currently, the Jackson Creek allotment is not meeting Standard 1 for pasture 1 due to current and historic livestock management, pasture 3 is meeting but is at risk, and pastures 2, 4, and 5 have no additional risks identified.

Pasture 1: The allotment is not meeting Standard 1 on pasture 1 due to signs of impaired watershed function indicative of soil surface erosion, water runoff, and litter movement. Increased pedestaling of plants, and in some cases rocks, along with mechanical damage to soils by livestock hoof action, have affected soil structure, while localized compaction is inhibiting plant growth and has led to a loss in infiltration capacity. As a result, soil surface loss and degradation has occurred, as evidenced in increased historical and active erosional patterns and localized bare ground.

[7] For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 3.4.1 and Appendix E.

Biological soil crusts are variable from being present to being greatly reduced or absent. Since microbiotic crusts are a primary contributor of site stability and nitrogen, their loss has contributed to increased erosion and a potential reduction of soil fertility.

Pasture 3: Pasture 3 is functioning with reduced resilience and indicates an increased susceptibility to soil and hydrologic disturbance events. As shown by the reduced frequency in deep-rooted native bunchgrasses and adverse changes in plant communities, the impending soil degradation could worsen over time and is a concern. This pasture is also considered at risk due to the invasion of annual grasses and the resulting extreme departure from expected vegetative conditions. It is difficult to display the hidden risk factors to soils associated with sites that are dominated by a monoculture of annual invasives, such as cheatgrass and medusahead. On the positive side, invasive annuals provide short-lived spring forage for livestock, offer cover for watershed protection by reducing raindrop energy, and protect from wind erosion. On the negative side, the presence of annuals negatively affects soil hydrology and deep percolation due to a lack of root diversity and root depth.

Pastures 2, 4, and 5: Soil and hydrologic indicators show adequate watershed function and site stability and suggest that proper nutrient, hydrologic, and energy cycling are maintained. This is evident by a dominant shrub overstory (mountain big sagebrush, low sagebrush, snowberry, antelope bitterbrush, and rabbitbrush), with Sandberg bluegrass dominating the understory and other large perennial grasses, such as Idaho fescue and bluebunch wheatgrass, as a lesser component.

Stanford FFR

In the Stanford FFR allotment, Standard 1 is not being met because hydrologic function and soil/site stability attributes are not properly functioning. A transition of native deep-rooted vegetation to more shallow-rooted bunchgrasses caused by historic grazing practices has reduced infiltration, which is leading to surface runoff, soil surface sealing, and erosion. Biotic conditions are further degraded due to a dominance of invasive annuals in the vegetative community brought on by historic grazing practices.

Water Resources and Riparian/Wetland Areas[8]

Jackson Creek

All Pastures: Coyote, Jackson, Little Cow, and Succor Creeks, and Westgate Gulch are the primary drainages in the allotment that support riparian-wetland vegetation. Approximately 1 mile of Succor Creek, 1 mile of Wildcat Canyon, and 1.2 miles of Jackson Creek have been assessed. Both Jackson Creek and Wildcat Canyon are in relatively deep canyons, are well armored with rock and a mature willow community, and were assessed to be in proper functioning condition (PFC). However, the reach of Succor Creek was at risk because there was a lack of bank-binding vegetation, as well as over-widening and incision of the stream channel. Three additional reaches on Succor, Coyote, and Wildcat Canyon were identified for assessment in 2012. The three were classified as ephemeral streams; thus, the PFC protocol was not applied. The reaches of stream

[8] For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 3.5.1 and Appendix E.

are all geologically confined, well armored with rock and dense willows, and primarily inaccessible to livestock. Additionally, two Modified Multiple Indicator Monitoring (MMIM) sites were established on Succor and Little Jackson Creeks. Both sites exceeded the bank alteration criteria set in the ORMP with alterations of 32 percent and 46 percent respectively.

The National Hydrography Dataset (NHD) identifies 11 springs that occur on BLM lands within the allotment. Three of the springs were assessed at risk in 2008 because there was a low composition of hydric species and the soils were compacted by hoof action. A fourth spring was assessed at risk in 2003 because more than 40 percent of the available forage had been grazed and 35 to 45 percent of the site was covered in undesirable herbaceous species. Six springs were identified for assessment in 2012, and three of them were not assessed using the PFC protocol, based on the degree of development and disrepair of troughs and pipelines as well as the loss of extent of the riparian-wetland area. One of the springs that was previously assessed as functional at risk (FAR) was revisited in 2012 and again assessed as FAR. Issues of concern included livestock shearing wetland soils, causing erosion and a loss of extent of the riparian-wetland area. Two additional springs that had not been visited previously were assessed as FAR in 2012. One of them is developed, with the trough and pipeline in disrepair, there is shearing and erosion occurring from excessive livestock presence, and the riparian-wetland area is losing extent. The second one has headcuts present, causing vertical instability, erosion, and loss of extent of the riparian-wetland area.

Standard 7 is currently not being met in the Jackson Creek allotment. The streams that occur on BLM land in pasture 3 are not in conformance with the Guidelines for Livestock Grazing Management because the streams are 303(d) listed for both sediment and temperature and livestock are a contributing factor. The streams that occur in pastures 1, 2, 4, and 5 are in conformance with the Guidelines because they are 303(d) listed for flow alteration, which cannot be attributed to livestock (see specialist report in project record for details).

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

Special Status Plants[9]

Jackson Creek/Stanford FFR
No special status plants are known to occur on these allotments.

Wildlife/Wildlife Habitats and Special Status Animals[10]

Jackson Creek
All Pastures: Pasture 1 is managed as an exotic pasture and is not meeting Standard 6, resulting from historic and current grazing practices. This pasture is dominated by invasive species that do not provide nesting, hiding, and foraging cover values for this species and therefore do not meet Standard 8. This pasture further creates large open spaces that diminish habitat connectivity and

[9] For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 3.7.1 and Appendix E.
[10] For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 3.6.1 and Appendix E.

fragment sagebrush communities. Therefore, due to the dominance of the exotic species and the fragmentation of the sagebrush community, this allotment is failing to provide viable vegetation composition and structure for sagebrush steppe wildlife, and therefore is not meeting Standard 8.

Evaluation of Standards 2, 3, and 7 identified streams and springs within this allotment that are not properly functioning or meeting water quality parameters due to current grazing practices and therefore do not meet Standard 8. Streams, springs, and wetlands that are FAR or development in disrepair are lacking adequate riparian vegetation composition and distribution to provide the structure and function to support a productive riparian environment. If Standards 2, 3, and 7 are not being met, this allotment is failing to provide adequate riparian conditions to support viable aquatic and terrestrial species populations and therefore is not meeting Standard 8.

Columbia River redband trout are known to occur within the Succor, Jackson, and Little Cow Creek systems. Redband trout require intact channels with well-developed riparian communities that stabilize banks to minimize erosion and create undercuts, minimize impacts of flood events and filter sediments, provide shade to reduce water temperatures, and contribute woody debris to create channel structure and regulate seasonal flow. Because these in-stream and near-stream habitat characteristics are not fully represented, this allotment is not providing adequate riparian conditions to sustain viable populations of redband trout and therefore is not meeting Standard 8.

This allotment is also within the range of the Columbia spotted frog. Spotted frogs are usually found along vigorous grassy/sedge margins of streams, lakes, ponds, springs, and marshes not far from sources of quiet permanent water. They migrate along these vegetation corridors between habitats used for spring breeding, summer foraging, and winter hibernation. Because streams and springs are not functioning properly, this allotment is not providing adequate aquatic conditions to sustain viable populations of spotted frogs and therefore is not meeting Standard 8.

The Jackson Creek allotment is entirely within the mapped area of sage-grouse habitat, a candidate species under ESA that was found to be warranted but precluded from listing in 2010. Approximately 92 percent of the allotment is preliminary priority habitat (PPH) and 8 percent is priority general habitat (PGH) for greater sage-grouse. There are five documented leks (three known to be active; all are within pasture 1). A total of 19 sage-grouse breeding, upland summer, riparian summer, and late brood-rearing habitat assessments collected from 2003 to 2012 identified:

- Pasture 1 - Providing suitable breeding; marginal upland summer, and unsuitable riparian summer habitat conditions (see pasture 1 discussion below for rationale why this exotic pasture is unsuitable sage-grouse habitat).
- Pasture 2 - Providing suitable upland summer and unsuitable riparian summer habitat conditions (mesic habitat assessment);
- Pasture 3 - Providing marginal breeding and unsuitable late brood-rearing habitat conditions (mesic habitat assessment);
- Pasture 4 - Providing suitable upland habitat conditions and unsuitable riparian habitat conditions; and
- Pasture 5 – Providing suitable upland summer habitat conditions.

Upland habitat measures (i.e., breeding and summer upland habitat assessments) in all the pastures, except pasture 3, which was rated marginal, showed favorable overstory/understory conditions for providing effective nesting, hiding, and foraging cover for sage-grouse. However, the primary issue in these five pastures is the condition of riparian areas associated with streams, springs, wetlands, and mesic areas. All of the riparian habitat measures (i.e., late brood-rearing, riparian summer habitat assessments) showed unsuitable sage-grouse habitat conditions. These habitat features are important for late brood-rearing and maturing sage-grouse for the availability of forbs and insects. Current grazing practices and absence of development maintenance (i.e., troughs and riparian exclosures) have resulted in increased erosion, exotic species, and drier soil conditions, and therefore are not meeting Standard 8 for brood-rearing and maturing sage-grouse.

In pasture 1, there are three known active leks, and the sage-grouse breeding habitat assessments showed the pasture to be providing suitable breeding habitat. However, the pasture is managed as an exotic community and is identified in the above upland habitat discussion to be not meeting Standard 8 for wildlife. Leks are traditional locations and breeding sage-grouse have been known to display in areas (i.e., ridgetops, burned areas, croplands) that may not provide the security/screening cover sought for nesting. After lekking/breeding, nesting female sage-grouse seek suitable overstory/understory composition and structure of sagebrush and perennial grasses, typically within 1.1 to 6.2 km (approximately 0.5 to 4.0 miles) of the lek (Connelly, Schroeder, Sands, & Braun, 2000). Although the breeding habitat assessments showed suitable conditions for nesting within pasture 1, the success of any nesting within pasture 1 is unknown; however, the distance criteria for nesting individuals includes adjacent pastures, and allotments may provide better quality habitat. In addition, the habitat assessments were conducted in sagebrush stands that may not be representative of the entire pasture. This is an exotic pasture and habitat conditions are not favorable for sage-grouse nesting, hiding, and foraging, so this allotment is failing to provide adequate conditions for sage-grouse and therefore is not meeting Standard 8.

Stanford FFR

The Stanford FFR allotment is entirely within the mapped area of PPH sage-grouse habitat, a candidate species under ESA that was found to be warranted but precluded from listing in 2010. The functional and structural groups are a far departure from what is expected for the site and are not providing habitat that is adequate for the needs of most dependent special status and other wildlife species. The lack of large bunchgrasses is limiting the structure of available cover and forage quality for sage-grouse, numerous song birds, pygmy rabbits, and a diversity of insects. The lack of habitat also affects small mammals, reptiles, and birds that are critical prey for sensitive raptors in the area, including prairie falcons, northern harriers and ferruginous hawks. Ground cover, litter and microbiotic crusts were providing site stability. Sage-grouse lek (breeding ground) surveys from 1994 to 2003 have identified several active leks within and in close proximity of this allotment.

Guidelines for Livestock Grazing Management

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

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

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

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

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

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

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

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

Since the Jackson Creek 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[11]

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:[12]

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

[11] For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 1.5.
[12] Issues identified in EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 1.5 that were not present within the Jackson Creek and Stanford FFR allotments are not discussed in this decision.

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

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

Analysis of Alternative Actions

Based on the current condition of the Jackson Creek and Stanford FFR allotments and the issues identified above, the BLM considered a number of alternative livestock management schemes in the EA 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 Jackson Creek allotment. Alternatives 1, 2, 3, and 6 were considered in detail and analyzed for the Stanford FFR allotment. 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.

Alternative 1 - No Action/Current Condition

Alternative 1 would allow a continuation of your current management on the allotments. This includes flexibility in the Stanford FFR allotment, which would authorize livestock grazing at your discretion. The Jackson Creek allotment would be authorized from April 16 through October 31 for the Chipmunk Grazing Association and LS Cattle Company, and June 1 through October 31 for Tim McBride. Interim terms and conditions imposed by the U.S. District Court in February 29, 2000 are also included.

Alternative 2 - Permittee Applications

Alternative 2 would authorize livestock grazing as you requested in your applications. The management on the Stanford FFR allotment is based on percent public land, and the season of use is described as March 1 through February 28; livestock numbers and AUMs vary depending on total acres of unfenced BLM lands within the allotment boundaries. Flexibility in the FFR allotments would authorize livestock grazing at your discretion. The Jackson Creek allotment would be authorized from April 16 through October 31 for the Chipmunk Grazing Association and LS Cattle Company, and June 1 through October 31 for Tim McBride. Grazing management and flexibility would allow annual livestock grazing in pastures 1-3 during the spring for a specific number of days, and pastures 4 and 5 would be grazed under a deferred treatment alternated between pastures for a specific number of days.

Alternative 3 - Deferred Grazing

The Jackson Creek and Stanford FFR allotments would include deferment under Alternative 3. The Stanford FFR allotment would be authorized in a 3-year rotation from March 1 through February 28, but would only be authorized from March 1 through August 31 in years 1 and 2, and from September 1 through February 28 on year 3. The Jackson Creek allotment would be authorized from June 27 through November 25 and include deferment 2 out of 3 years for pastures 1-3, deferment every year for pastures 4 and 5, and would have specific use dates and AUMs for each pasture. Resource constraints were applied where there were issues and/or where Standards were not being met. Stubble height, browse (where applicable), streambank alteration in key riparian areas, and maintenance of perennial grass height on upland key species would be identified as terms and conditions.

Alternative 4 – Season-based

Alternative 4 does not apply to the Stanford FFR allotment. The Jackson Creek allotment would have rest two out of three years in pastures 1-3 and deferment every year on pastures 4 and 5. The season of use would be from April 15 through November 25 in a 3-year rotation with specific use dates and AUMs for each pasture. The identified rest would result in a reduction in active AUMs during the rest years. Resource constraints were applied where there are issues and/or where Standards are not being met.

Alternative 6 - No Grazing

This alternative would result in no grazing during the 10-year term of the permit for the Jackson Creek and Stanford FFR allotments.

Proposed Decision

After considering the current grazing practices, the current conditions of the natural resources, and the alternatives and analysis in the EIS, as well as other information, it is my proposed decision to renew your grazing permit for 10 years with modified terms and conditions consistent with the following:

Jackson Creek allotment – Alternative 4 as described in EIS number DOI-BLM-ID-B030-2012-0014-EIS.

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

Implementation of these alternatives over the next 10 years will allow the Jackson Creek and Stanford FFR allotments to meet or make significant progress toward meeting the Idaho S&Gs while also moving toward achieving the resource objectives outlined in the ORMP, at least to the extent livestock grazing is and will have an impact on the resources.

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

Table ALLOT-4: Tim McBride proposed decision

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
00506 Jackson Creek	69	Cattle	04/15	11/25	100	Active	216

Table ALLOT-5: Chipmunk Grazing Association proposed decision

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
00506 Jackson Creek	191	Cattle	04/15	11/25	23	Active	180

Table ALLOT-6: LS Cattle Company proposed decision

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
00506 Jackson Creek	78	Cattle	04/15	11/25	100	Active	323
00608 Stanford FFR	33	Cattle	03/01	02/28	29	Active	114

*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. Tim McBride - Livestock numbers in Jackson Creek will not exceed 69 head, not to exceed authorized AUMs by pasture.
13. LS Cattle Company - Livestock numbers in Jackson Creek will not exceed 78 head, not to exceed authorized AUMs by pasture.
14. Chipmunk Grazing Association - Livestock numbers in Jackson Creek will not exceed 191 head, not to exceed authorized AUMs by pasture.
15. Maintain an average of greater than 18 cm (7 inches) perennial grass height on upland key species on the Stanford FFR allotment.

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

Table ALLOT-7: Jackson Creek allotment grazing schedule

Pasture	Year 1	Year 2	Year 3
1	4/15-5/30 116 AUMs	Rest	Rest
2	Rest	4/15-5/15 113 AUMs	Rest
3	Rest	Rest	4/15-5/30 185 AUMs

Pasture	Year 1	Year 2	Year 3
4/5	7/1-10/31 534 AUMs	9/1-11/25 534 AUMs	9/1-11/25 534 AUMs

AUMs identified in the grazing schedule are the totals for each pasture.

Table ALLOT-8: Stanford FFR allotment grazing schedule

Pasture	Year 1	Year 2	Year 3
1	3/1-8/31	3/1-8/31	9/1-2/28

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 Jackson Creek and/or Stanford FFR allotments. Implementation of Alternative 4 will result in a reduction in AUMs from your current permits: Tim McBride – 344 active AUMs to 216 active AUMs, Chipmunk Grazing Association – 285 active AUMs to 180 active AUMs, LS Cattle Company – 510 active AUMs to 323 active AUMs. The affected reduction in active AUMs will not be transferred to suspension, in conformance with regulatory direction at 43 CFR § 4110.3-2. Permitted use within the Jackson Creek and Stanford FFR allotments will be as follows:

Table ALLOT-10: Permitted AUMs for the Jackson Creek and Stanford FFR allotments

Allotment	Active Use	Suspension	Permitted Use
Tim McBride			
Jackson Creek	216 AUMs	0 AUMs	216 AUMs
Chipmunk Grazing Association			
Jackson Creek	180 AUMs	0 AUMs	180 AUMs
LS Cattle Company			
Jackson Creek	323 AUMs	0 AUMs	323 AUMs
Stanford FFR	114 AUMs	0 AUMs	114 AUMs

Other Notes on the Proposed Decision

Finally, it is my proposed decision to not 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 is retained for project-specific consideration outside the permit renewal process. Project maintenance obligations identified in current range improvement permits and cooperative agreements for range improvements are unchanged by this proposed decision. Implementation of this proposed decision is contingent upon maintenance of projects in a functioning condition (i.e., boundary and internal fences are in such good and functioning condition as to assure their ability to accomplish the purposes for which they were constructed, barriers to livestock movement).

Rationale

Record of Performance

Pursuant to 43 CFR § 4110.1(b)(1), a grazing permit may not be renewed if the permittee seeking renewal has an unsatisfactory record of performance with respect to its last grazing permit. Accordingly, I have reviewed your record as a grazing permit holder for the Jackson Creek and

Stanford FFR allotments and have determined that you have a satisfactory record of performance and are qualified applicants for the purposes of a permit renewal. After extensive discussions with my staff, I am also now aware of some range improvements in disrepair, specifically troughs and pipelines on the Jackson Creek allotment. As our BLM regulations require under 43 CFR 4120.3-1, and Term and Condition #8 of your permit being offered, I expect you to maintain and repair your range improvements prior to turnout.

Justification for the Proposed Decision

Based on my review of EIS number DOI-BLM-ID-B030-2012-0014-EIS, the rangeland health assessment, evaluation, determination, specialist reports, and other documents in the grazing files, it is my decision to select Alternative 4 for the Jackson Creek allotment and Alternative 3 for the Stanford 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 Jackson Creek and Stanford 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 Jackson Creek and Stanford 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 4 for the Jackson Creek allotment and Alternative 3 for the Stanford 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.

Issue 1: Habitat conditions for greater sage-grouse (Centrocercus urophasianus; from this point on referred to as sage-grouse): Sage-grouse habitat health is directly related to upland vegetation and watershed conditions. Specific areas of the Chipmunk Group allotments contain altered sagebrush community composition, structure, and function that are affecting sage-grouse and other sagebrush habitat-dependent species.[13]

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.[14]

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[13] 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.

[14] 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.

Jackson Creek

Under Alternative 4, the Jackson Creek allotment will have rest 2 out of 3 years in pastures 1-3, and deferment every year on pastures 4 and 5.

Pasture 1 is managed as an exotic pasture and is not meeting Standard 6 due to historic and current grazing practices. This pasture is dominated by invasive species that do not provide nesting, hiding, and foraging cover values for this species and therefore do not meet Standard 8. Rest for 2 of 3 years will provide native perennial vegetation the opportunity to compete with exotic species and reduce fragmentation, although any improvement in native vegetation species composition and distribution is not expected to occur with any certainty. While livestock management changes alone will not improve upland vegetative conditions and provide the composition and structure necessary for sage-grouse and other wildlife due to the exotic annual grasses on pasture 1, Alternative 4 will provide a solid foundation to protect the vegetation currently found on the allotment.

Implementation of Alternative 4 would institute rest and/or deferred grazing during the critical growth period for pastures 2-5, as compared to Alternatives 1, 2, and 3. Although the Jackson Creek allotment is currently meeting Standard 4 for pastures 2-5, increased years of deferment and rest will allow the opportunity for recovery and maintenance of plant health and vigor (Bailey & Brown, 2011). The decrease in the frequency of growing-season use would allow native perennial species to complete the annual growth cycle more often in the absence of defoliation by livestock grazing and allow significant progress toward meeting upland vegetation health and vigor and ORMP objectives. In addition, lower stocking rates provide lower grazing intensities for vegetative communities that are not meeting management objectives than management prescriptions in Alternatives 1, 2, and 3. This would positively affect soils because improved upland vegetation communities provide added soil stability, hydrologic function, litter, and nutrients. The restricted seasons, compared to Alternatives 1, 2, and 3 would result in a decrease in active AUMs over the life of the permit. Upland vegetation communities would have an opportunity to improve and respond with increased soil cover, decreased bare ground, and reduced susceptibility to accelerated erosion. This would benefit soils by reducing livestock congregation along nearby uplands that could otherwise promote sediment movement into streams from concentrated use.

The quality and quantity of the upland and riparian communities will progress steadily toward meeting desired habitat management objectives and meeting Standard 8 due to the rest and/or deferment. Evaluation of Standards 2, 3, and 7 identified streams and springs within this allotment that are not properly functioning or meeting water quality parameters due to current grazing practices and therefore do not meet Standard 8 on pastures 2-5. In the short term (1 to 6 years, two rotations), upland and riparian sage-grouse habitat conditions will show measurable and observable improved forage and cover elements due to a reduction in AUMs and no utilization for three pastures and annual deferment on two pastures. In the long term (7 to 12 years), vegetation composition and structure will be much improved toward meeting desired management objectives as well as Standard 8 for wildlife.

Stanford FFR

Under Alternative 3, a deferred grazing strategy will be implemented outside the critical growing season intended to stimulate vegetation vigor and reproduction and in time enhance upland shrub steppe and riparian habitat plant composition and structure for wildlife.

Improvement will be accomplished primarily by limiting the AUMs within the allotment and maintaining 7-inch stubble height of herbaceous upland plant species. Deferment 1 in every 3 years will reduce the amount of livestock grazing during the active growing season for upland native perennial species and will result in greater forage and cover for sage-grouse and other wildlife in the short term and healthier plant communities in the long term. Additionally, proper nutrient cycling, hydrologic cycling, and energy flow will continue to be maintained or improved.

As an indicator species for the sagebrush ecosystem, the conditions that define healthy habitat for sage-grouse are indicative of the health of the system in general. I expect the quality and quantity of the upland and riparian communities in the Stanford FFR allotment to progress toward meeting desired habitat management objectives and meeting Standards 1, 4, and 8.

Proposed changes will allow for increased recovery and maintenance of bunchgrass health which, in turn, promotes soil stability and hydrologic function. Additional improvements to watershed health are expected and would promote vegetation soil cover, decrease bare ground, and generally reduce the susceptibility to accelerated erosion. The improvements expected to occur with implementation of Alternative 3 are therefore expected to be better compared with Alternatives 1 and 2, though not as rapid as Alternatives 4 and 6.

Although range readiness criteria apply under Alternative 3, the periodic spring and early summer grazing prescribed for this alternative will have the potential of physical impacts from hoof action on wet or saturated soils. However, the deferment year will allow for recovery potential, promote plant vigor, and reduce impacts from soil pugging and compaction during the wetter season.

Additional and sometimes substantial improvement to the native plant communities is possible by instituting changes to grazing management. In other words, although progress was not being made on the allotment due to historic livestock grazing, progress is achievable with these modifications given the long-term potential benefits to native plant communities and the greater sage-grouse. Moreover, it is my responsibility to strive for such improvement under FLPMA, the objectives described in the Owyhee RMP, and the BLM's 2010 national sage-grouse policy with its attendant goal to maintain and enhance sage-grouse populations in the western United States.

Issue 2: Riparian vegetation conditions: Livestock grazing is affecting riparian condition and aquatic habitat by changing the health and composition of riparian vegetation communities.[15]

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.[16]

[15] For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 3.5.2 and Appendix E.
[16] 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.

Jackson Creek

Rest 2 out of every 3 years in pastures 1-3 and fall use 2 out of 3 years on pastures 4 and 5 will provide improved riparian conditions in the allotment. This will allow the 1.0 mile of perennial stream, 2.0 miles of intermittent stream, and four springs to be rested from the impacts associated with grazing 2 years of a 3-year rotation in pastures 1-3. The impacts associated with spring grazing will only occur 1 in every 3 years, and the allotment would make progress toward meeting Standards associated with the riparian and water resources. Implementation of the rest years will result in AUM reductions over the life of the permit. This alternative will also allow the 3.5 miles of perennial stream, 1.5 miles of intermittent stream, and seven springs associated with grazing 2 years in a 3-year rotation for pastures 4 and 5 to have reduced impacts with fall grazing. Progress toward meeting the Standards will occur the most quickly under this grazing Alternative.

I expect the quality and quantity of the riparian communities in the Jackson Creek allotment to progress steadily toward meeting desired habitat management objectives and meeting Standard 8. The deferment, rest, and limited AUMs within each pasture will improve amphibian habitat, streams, floodplains, wetlands, and mesic conditions throughout the allotment. In the short term (1 to 6 years, two rotations), riparian habitat conditions will show measurable and observable improved forage and cover elements for wildlife species. In the long term (7 to 12 years), vegetation composition and structure will be much improved toward meeting desired management and meeting Standard 8.

Stanford FFR

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

Issue 5: Noxious and invasive weeds: Livestock grazing and trailing has the potential to increase or spread noxious and invasive weeds.[17]

Jackson Creek

The Jackson Creek allotment has two occurrences of Scotch thistle, but it is meeting Standard 4 in pastures 2-5 in this allotment. Pasture 1 is an exotic community and is not meeting Standard 6. Although any grazing has the potential to introduce and spread invasive weeds and non-native annual grasses, the reduction in active use inherent in Alternative 4 will result in proportionally less soil surface disturbance and fewer animals that could carry seed to and from the allotment in fur, on hooves, and in their digestive system, especially for pastures 1-3, which are rested 2 out of 3 years. As compared to Alternatives 1, 2, and 3, the risk of invasive species spreading is lower under Alternative 4 as native perennial species' health and vigor is improved and progress is made toward the ORMP vegetation management objective. Available sites for invasive species establishment will be reduced and healthy native perennial species will be more able to compete.

Although Alternative 6 would further reduce the potential for livestock to introduce and spread invasive and non-native annual species as compared to Alternative 4, livestock remain only one of a number of vectors for seed dispersal and soil surface disturbance. BLM's coordinated and ongoing weed control program would still be required in the absence of livestock grazing in the allotment.

[17] For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 3.3.2 and Appendix E.

Stanford FFR
Although no noxious weeds are known exist on public land in the Stanford FFR allotment, invasive annuals dominate the native plant community site.

Under Alternative 3, a deferred grazing strategy will be implemented outside the critical growing season intended to stimulate vegetation vigor and reproduction and, in time, enhance upland shrub steppe plant composition to better compete with invasive annuals. Improvement will be accomplished primarily by limiting the AUMs within the allotment and maintaining 7-inch stubble height of herbaceous upland plant species. Deferment 1 in every 3 years will reduce the amount of livestock grazing during the active growing season for upland native perennial species and will result in greater plant vigor. Additionally, proper nutrient cycling, hydrologic cycling, and energy flow will continue to be maintained or improved.

Although Alternatives 4 and 6 would further reduce the potential for livestock to introduce and spread invasive and non-native annual species as compared to Alternative 3, livestock remain only one of a large number of vectors for seed dispersal and soil surface disturbance. BLM's coordinated and ongoing weed control program would still be required in the absence of livestock grazing in the allotment.

Issue 6: Livestock trailing: Trailing may adversely affect upland vegetation, soils, weeds and riparian vegetation.[18]

Jackson Creek/Stanford FFR
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. Direct grazing from sheep trailing would occur where sheep are trailed off existing roadbeds. However, because both sheep and cattle trailing will occur on such a small proportion of the landscape and for a limited duration, effects from trailing are expected to be insignificant. A slight increase in the spread of weeds could occur, but the short distance and duration will limit the amount and possibility. Additionally, if noxious weeds are detected in the future, easy access would be available for treatment. Range readiness determinations are essential and will reduce mechanical damage to soils when soils are saturated early in the spring during the peak spring melt events. The duration of trailing activities to be authorized will require active trailing in most cases. Management actions as described above, will allow upland plant communities, soils, watersheds, weeds, and riparian areas to meet or make significant progress toward meeting Idaho Rangeland Health Standards and ORMP objectives.

Issue 7: Socioeconomic impacts: Livestock grazing affects local and regional socioeconomic activities generated by livestock production.[19]

Jackson Creek/Stanford FFR
During the NEPA and public comment process, some raised the concern that selection of certain alternatives considered in the EIS could impact regional socio-economic activity. I share this

[18] For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 3.3.2.
[19] For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Sections 3.10.4 and 3.10.5.

concern, and have taken these concerns into consideration in making my decision; however, my primary obligation is to ensure that the new grazing permit(s) protects resources in a manner consistent with the BLM's obligations under the Idaho S&Gs and the ORMP. As noted above, I have selected Alternative 4 for the Jackson Creek allotment and Alternative 3 for the Stanford FFR allotment in large part because those selections accomplish those latter goals.

My consideration of Alternatives 1 and 2 for the allotments found that neither of those alternatives would allow the allotments to meet Idaho S&Gs or the ORMP resource objectives, and therefore I could not select them despite the lesser economic impacts that they may have. Over the long term, your grazing operation relies upon maintenance of the natural resources, including productive and healthy rangelands capable of supplying a reliable forage base. Selection of an alternative based in unsustainable grazing practices that do not meet rangeland health standards would result in less reliable amounts of forage over the long-term, in addition to reducing economic opportunities from ecosystem services and alternate socio-economic resources, such as recreation, that rely on healthy, functional and aesthetically pleasing open spaces and wildlife habitats.

I have considered a wide range of issues at the allotment level, including the social and economic impacts that result from modifying grazing authorizations. I have minimized reductions in grazing use levels 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.

Nonetheless, the BLM's regulations require that significant progress be made under a new permit following a determination that an allotment is not meeting standards due to current livestock use.

Issue 8: Wildfire fuels: Livestock grazing has the potential to change vegetation that may affect wildfire.[20]

Jackson Creek/Stanford FFR

During the NEPA process, some asked the BLM to consider using grazing to limit wildfire. The BLM has considered the issue and determined that it would be theoretically possible to use targeted grazing to create fuel breaks on these allotments with the hope that those fuel breaks would help control the spread of large wildfires in the area. However, costs to resources associated with this strategy are such that I have decided against it. Ultimately, implementation of Alternative 4 for the Jackson Creek allotment and Alternative 3 for the Stanford 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

[20] For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 2.4.

native perennial herbaceous species. This is one of the main reasons a targeted grazing system to control fire is not viable on these allotments at this time. The BLM's current permit renewal process is focused on improving native upland and riparian plant communities on these allotments, and targeted grazing to create fuel breaks would not support that improvement.

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

Issue 9: Climate Change: 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 CO2 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.[21]

Jackson Creek/Stanford FFR

Climate change is another factor I considered in building my decision around Alternative 4 for the Jackson Creek allotment and Alternative 3 for the Stanford 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, intensities, and durations of livestock use to promote long-term plant health and vigor. Assuming that climate change affects the arid landscapes in the long-term, the native plant communities on 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

There was a tremendous amount of thought and challenge that went into developing grazing management that is responsive to your allotment's specific resource needs, geography, and size. These considerations were made to address all concerns and requirements mandated to the BLM. Each allotment has different ecology and management capability due to the size and location/topography 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 the interested public. I recognize the difficulty of not only providing the mandated needs for the resources, but recognizes the needs and capability that you, the permittee have. I believe I have balanced those needs of the resource and your capabilities with the information I have to the extent possible.

[21] For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 2.4.

I did consider selecting Alternative 6 (No Grazing) for these allotments; however, based on all the information used in developing my decision, I believe that the BLM can meet resource objectives and still allow grazing on the allotments. In selecting Alternative 4 for the Jackson Creek allotment and Alternative 3 for the Stanford 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 operations and on regional economic activity, and (3) your past performances 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 10-year period is not the management decision most appropriate at this time in light of these factors.

Conclusion

In conclusion, it is my decision to select Alternative 4 for the Jackson Creek allotment and Alternative 3 for the Stanford 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 Jackson Creek and Stanford FFR allotments that would meet the objectives and standards. Alternative 6 removes the economic activity of livestock operations from Owyhee County and southwest Idaho, a region where livestock production and agriculture is a large portion of the economy. That, in conjunction with current resource conditions and the improvement anticipated by implementation of the alternatives, as supplemented, lead me to believe elimination of livestock grazing from the Jackson Creek and Stanford 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 Jackson Creek and Stanford 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 Ecolcology and Management, 64*(1), 1-9.

Connelly, J. W., Schroeder, M. A., Sands, A. R., & Braun, C. E. (2000). Guidelines to Manage Sage-grouse Populations and Their Habitats. *Wildlife Society Bulletin, 28*(4), 967-985.

Copies sent to:

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

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

Company Name	Title	First Name	Last Name	Address 1	City	ST	Zip	# copies
		Russ	Heughins	10370 W Landmark Ct.	Boise	ID	83704	59
		Dan	Jordan	30911 Hwy. 78	Oreana	ID	83650	60
		Floyd	Kelly Breach	9674 Hardtrigger Rd.	Given Springs	ID	83641	61
		Kenny	Kershner	PO Box 300	Jordan Valley	OR	97910	62
		Vernon	Kershner	PO Box 38	Jordan Valley	OR	97910	63
		Lloyd	Knight	PO Box 47	Hammett	ID	83627	64
		Sandra	Mitchell	PO Box 70001	Boise	ID	83707	65
		Brett	Nelson	9127 W. Preece St.	Boise	ID	83704	66
		Ramona	Pascoe	PO Box 126	Jordan Valley	OR	97910	67
		Anthony & Brenda	Richards	8935 Whiskey Mtn. Rd., Reynolds Creek	Murphy	ID	83650	68
		John	Romero	17000 2X Ranch Rd.	Murphy	ID	83650	69
		Bob	Salter	6109 N. River Glenn	Garden City	ID	83714	70
		John	Townsend	8306 Road 3.2 NE	Moses Lake	WA	98837	71
		John	Richards	8933 State Hwy. 78	Marsing	ID	83639	72
	Congressman	Raul	Labrador	33 E. Broadway Ave STE 251	Meridian	ID	83642	73
	Congressman	Mike	Simpson	802 West Bannock STE 600	Boise	ID	83702	74
		John	Isernhagen	2618 Cow Creek Rd.	Jordan Valley	OR	97910	75
		Marti & Susan	Jaca	21127 Upper Reynolds Cr. Rd.	Murphy	ID	83650	76
		Ed	Moser	22901 N. Lansing Ln.	Middleton	ID	83644	77
		Bill	Baker	2432 N. Washington	Emmett	ID	83617 -9126	78
Lequerica & Sons Inc.		Tim	Lequerica	PO Box 135	Arock	OR	97902	79
Office of Species Conservation		Cally	Younger	304 N. 8th STE 149	Boise	ID	83702	80