



United States Department of the Interior
BUREAU OF LAND MANAGEMENT



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In Reply Refer To:
4160 ID130

November 12, 2013

REGISTERED MAIL - FEDEX

Sean & Andrea Burch
PO Box 284
Jordan Valley, OR 97910

Lequerica & Sons Inc.
PO Box 135
Arock, OR 97902

Notice of Field Manager's Proposed Decision

Dear Permittee:

Thank you for your application for permit renewal on the Trout Creek, Trout Creek/Lequerica, and R Collins 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 Trout Creek, Trout Creek/Lequerica, and R Collins FFR allotments. The BLM undertook this effort to ensure that 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 a rangeland health assessment, evaluation, and determination was completed for each allotment 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 Trout Creek, Trout Creek/Lequerica, and R Collins FFR allotments. These allotments were combined for scoping and NEPA analysis with other allotments in an

environmental impact statement (EIS) known as the Jump Creek, Succor Creek, & Cow Creek Watersheds EIS (Chimpunk Group EIS).

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.

All comments 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 Trout Creek and Trout Creek/Lequerica allotments. To address these issues and livestock impacts to public land resources, my office prepared and issued a draft environmental impact statement¹ (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 three alternatives for the R Collins FFR allotment, four alternatives for the Trout Creek allotment, and five alternatives for the Trout Creek/Lequerica allotment. We also considered other alternatives that we did not analyze in detail. Our primary goal in developing alternatives was to consider options that were important to you as the permittee, and to consider systems that, if selected, would ensure that the Trout Creek, Trout Creek/Lequerica, and R Collins 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.

¹ DOI-BLM-ID-B030-2012-0014-EIS includes analysis for the Trout Creek, Trout Creek/Lequerica, and R Collins FFR allotments to fully process permits for livestock grazing management practices.

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

This proposed decision will:

- Describe current conditions and issues on the allotments;
- Briefly discuss the alternative grazing management systems that the BLM considered in the EIS;
- Respond to the application for grazing permit renewal for use in the Trout Creek, Trout Creek/Lequerica, and R Collins FFR allotments;
- Outline my proposed decision to select Alternative 2 for the R Collins FFR allotment, and Alternative 3 for Trout Creek and Trout Creek/Lequerica allotments; and
- State my reasons for selecting those alternatives.

Background

Allotment Setting

The Trout Creek, Trout Creek/Lequerica, and R Collins FFR allotments are located approximately 10 miles north Jordan Valley, Oregon, in Owyhee County, Idaho. The Trout Creek allotment consists of three pastures and has 3,360 acres of public land and 86 acres of private land, for a total of 3,447 acres (97 percent public land, 3 percent private land). Your actual use reports show that the allotment has been grazed in a consistent fashion over the last 10-year period. Specifically, you have used a three-pasture rotation system on an annual basis starting in mid-March and ending in October.

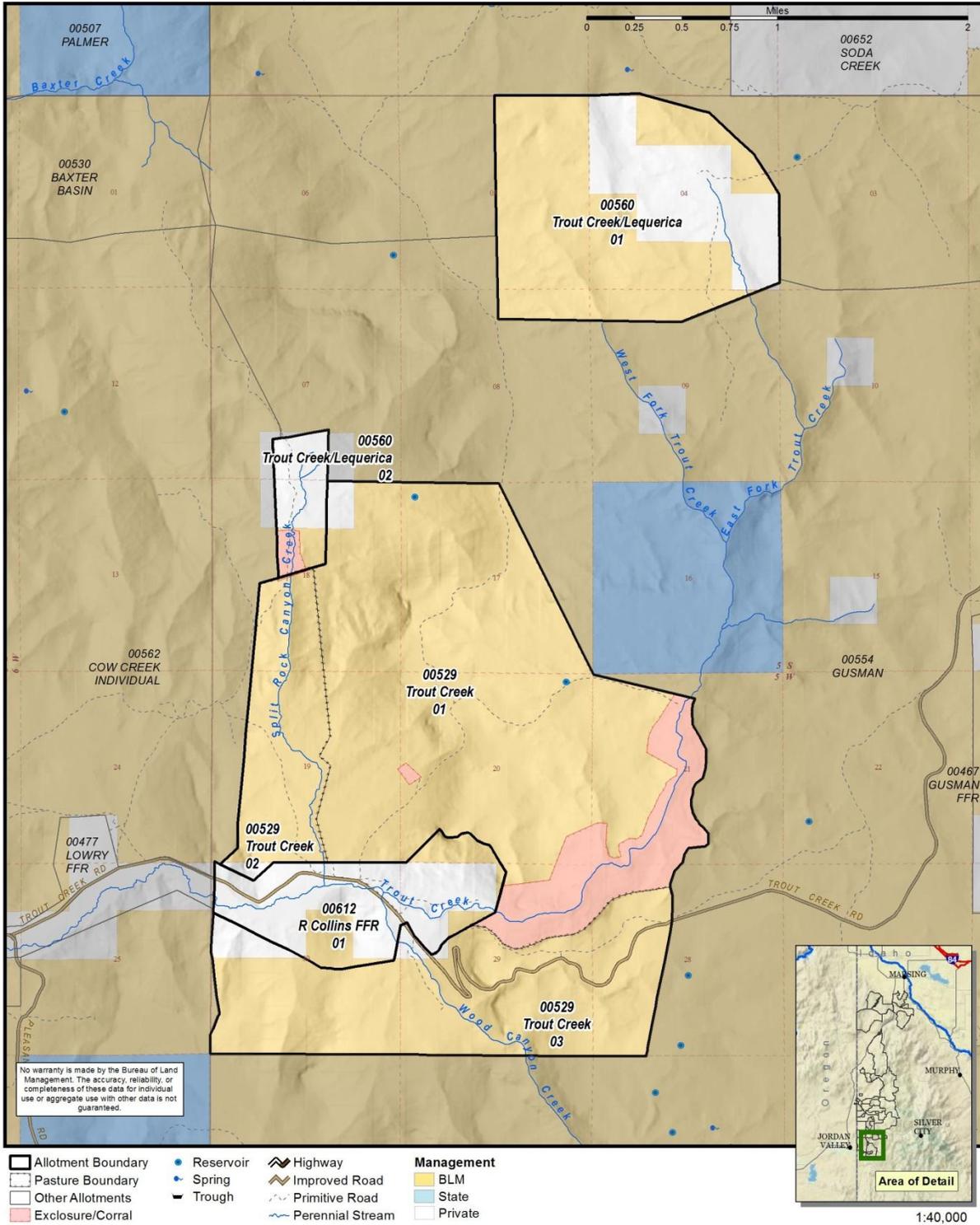
The Trout Creek/Lequerica allotment consists of two pastures and has 733 acres of public land and 410 acres of private land, for a total of 1,143 acres (64 percent public land, 36 percent private land). This allotment has generally had a consistent grazing schedule identified in your actual use with two different pastures usually starting in mid-June and ending in early-November.

The R Collins FFR allotment consists of one pasture and has 102 acres of public land and 333 acres of private land, for a total of 435 acres (23 percent public land, 77 percent private land). 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 you, the permittee, provided that the 24 animal unit months (AUMs²) permitted are not exceeded and unacceptable impacts to public land resources do not occur. See Map 1 (below).

² 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, Trout Creek (00529), Trout Creek/Lequerica (00560), and R Collins FFR (00612) Allotments



Elevations within the Trout Creek, Trout Creek/Lequerica, and R Collins FFR allotments range from 4,000 to 5,000 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. The major landforms in the area are categorized as foothills and mountains dominated by rhyolite tuffs and basalt flows. Soils are generally moderately deep to shallow, very stony loams with a slope of 5 to 50 percent, slight to high water erosion hazard rating, and a slight wind erosion hazard rating. Common plants include mountain big sagebrush, low sagebrush, bluebunch wheatgrass, Idaho fescue, cheatgrass, medusahead rye, and occasional western juniper.

Current Grazing Authorization

Sean and Andrea Burch are currently authorized to graze livestock within the Trout Creek and R Collins FFR allotments, and Lequerica & Sons, Inc. is currently authorized to graze livestock within the Trout Creek/Lequerica allotment in accordance with permits issued by the BLM. The terms and conditions of those grazing permits are as follows*:

Table LVST-1: Sean and Andrea Burch current permit

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
00529 Trout Creek	123	Cattle	4/1	9/30	98	Active	726
00612 R Collins FFR	24	Cattle	12/1	12/31	100	Active	24

Table LVST-2: Lequerica & Sons, Inc., current permit

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
00560 Trout Creek/Lequerica	52	Cattle	6/1	10/31	44	Active	115

*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 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 24 AUMs of forage in the R Collins FFR allotment and a season of use between December 1 and December 31³. 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. This shows that the permittee utilized the flexibility allowed by the grazing permit. See Term & Condition # 2. Actual use reports are more thorough on the Trout Creek and Trout Creek/Lequerica allotments 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 Trout Creek and R Collins FFR allotments in 2006 and for the Trout Creek/Lequerica allotment in 2013 (Appendices E-1 & E-2 in the EIS). Relying on those documents, BLM concluded that the R Collins FFR allotment met all applicable Standards. However, the assessment and evaluation for the other allotments showed that several standards were not being met in the Trout Creek and Trout Creek/Lequerica allotments.

For the Trout Creek allotment, BLM determined that Standard 1 (Watersheds) was being met; Standards 2 (Riparian Areas and Wetlands), 3 (Stream Channel/Floodplain), 7 (Water Quality), and 8 (Threatened and Endangered Animals) weren't being met, but were making significant progress towards meeting the Standards; and Standard 4 (Native Plant Communities) was not met because of juniper encroachment and invasive species. BLM determined that grazing was not a significant causal factor in the allotment not meeting those standards.

BLM determined that the Trout Creek/Lequerica allotment met Standards 1 (Watersheds), 4 (Native Plant Communities), and 7 (Water Quality), but that the allotment was not meeting or making significant progress toward meeting Standards 2 (Riparian Areas and Wetlands), 3 (Stream Channel/Floodplain), and 8 (Threatened and Endangered Animals). Since issuance of the DEIS, and after additional consultation with IDEQ, Standard 7 as it applies to the Trout Creek/Lequerica allotment has been determined to be *Not Applicable* (Section 3.5.1 FEIS). Current livestock grazing management was identified as a significant causal factor for Standards 2, 3, and 8.

The BLM determined that the R Collins FFR allotment met Standards 1 (Watersheds), 4 (Native Plant Communities), and 8 (Threatened and Endangered Animals), and the remaining Standards weren't applicable.

³ Although the season of use in the grazing permit states 24 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.

Vegetation - Uplands⁴

Trout Creek

Throughout the Trout Creek allotment, the biotic integrity of the plant communities is compromised by the level of invasive exotic annual grasses medusahead rye, cheatgrass, and ventenata, which are common throughout much of the allotment and dominate the understory component of the plant communities in some areas, particularly in pasture 2.

Additionally, western juniper is expanding throughout the higher elevation areas. Although the native plant communities are being impacted by invasive plants, long-term vegetation monitoring and rangeland health assessments show the perennial components are maintaining adequate populations in most of the allotment. However, plant communities in the western side of pasture 3 show signs of mortality, decadence, and reduced frequencies. Although this area is mostly comprised of low production soils, invasive plants are better at utilizing available resources.

Western juniper is present and increasing in density throughout the allotment, native plant communities in the higher elevation portions of the allotment have the highest risk of continued encroachment of western juniper. In the lower elevation portions of the allotment, exotic annual grasses are the greatest threat to the native plant communities, with the potential to increase and reduce energy and nutrient cycling, especially following fire.

Current utilization levels (2000-2011) across all pastures appear appropriate (13 to 37 percent), and rest and deferment are incorporated into current grazing management practices. Current livestock grazing management practices appear to be appropriate for maintenance of existing native plant communities.

R Collins FFR

Healthy, productive, and diverse populations of native plants are maintained or promoted as appropriate to soil type, climate, and landform to provide for proper nutrient cycling, hydrologic cycling, and energy flow. The diversity of native plant species is being maintained. Plant vigor, including total plant production, seed and seedstalk production, and cover is adequate to enable reproduction and recruitment of plants in response to favorable climatic conditions. Adequate litter and standing dead material are present for site protection and for decomposition to replenish soil nutrients relative to site potential.

Since 1997, it appears that rangeland health and conditions have been improving under current livestock grazing management. Continuation of current grazing management is expected to maintain and improve upland resource conditions.

Trout Creek/Lequerica

Native species dominate this two-pasture allotment which is evaluated under Standard 4 (Native Plant Communities). Historical plant communities at these sites were dominated by mountain and low sagebrush overstory with an understory of bluebunch wheatgrass and Idaho fescue. While current condition has been altered in relation to reference conditions in comparison to Ecological

⁴ For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 3.3.1.

Site Descriptions (FEIS Section 3.3.1) as a result of past fires and various land management activities, biotic integrity is still adequate in both pastures.

Rangeland health field assessments (RHFA) data show a none-to-slight departure from expected plant community in pasture 1. The biotic integrity of pasture 1 is meeting Standard 4. The plant community is dominated by antelope bitterbrush, Wyoming big sagebrush and western juniper. Bluebunch wheatgrass, Idaho fescue and Sandberg bluegrass make up the interspaces with scattered forbs. Pasture 1 is meeting Standard 4.

RHFA data show that the shrub component is too high in pasture 2, with a slight to moderate departure and low vigor of bunchgrasses. There is a moderate departure from expected for invasive species due to the presence of juniper. The biotic integrity of pasture 2 is meeting Standard 4. The community is dominated by antelope bitterbrush and big sagebrush. Western wheatgrass, basin wildrye with scattered cheatgrass, and forbs make up the interspaces. Pasture 2 is meeting Standard 4.

Watersheds/Soils³

Trout Creek

Although watershed health in the Trout Creek allotment has been affected by historic livestock grazing practices and the introduction of non-native plant species, the rangeland health assessment shows the majority of rangeland health indicators relative to hydrologic functioning and soil site stability are acceptable. Many ecological sites within pasture 1 are near reference conditions. Although vegetative cover is slightly lower than expected at some sites within the allotment, rock and gravel are adequate to stabilize these sites.

Long-term vegetation studies in Trout Creek allotment indicate a static trend in the plant communities. No events are known to have occurred within this allotment that would have resulted in changes to the health of the watershed. Season of use in pastures 1 and 3 varies annually within the permitted season of use of April through September; pasture 1 is usually used earlier than pasture 3. Pasture 2 is managed as a riparian pasture, and has been grazed during March and April since 1994. Watershed functions appear to be intact in this allotment. Current grazing practices provide regular deferment in pasture 1 and pasture 3, and utilization levels are acceptable (13 to 37 percent for key perennial grass species). As was determined, the Trout Creek allotment was found to be meeting Standard 1 (Watersheds) and as is described above, current livestock grazing management is adequate to maintain meeting the standard and in achieving ORMP objectives (SOIL 1 and SOIL 2).

Trout Creek/Lequerica

Watershed indicators show very little departure from expected conditions for the ecological sites. Overall, the plant community and soil conditions on the Trout Creek/Lequerica allotment are adequate to provide for proper nutrient and hydrologic cycling and energy flow. Overall, Standard 1 for the Trout Creek/Lequerica allotment is met.

³ For more detailed discussion, please refer to EIS number DOI-BLM-ID-B030-2012-0014-EIS Section 3.4.1 and Appendix E.

Pasture 1: One-hundred percent of the indicators are in the none-to-slight range of departure from reference site conditions (Group 2 Soils Resource Specialist Report - Table Soil-62⁶). As a whole, pasture 1 has a none-to-slight degree of departure from reference conditions for soil/site stability and hydrologic function (Group 2 Soils Resource Specialist Report - Table Soil-62). There is little indication of active soil erosion on this site, with all indicators rating as none-to-slight and near expected conditions. Water flow patterns show limited departure from reference conditions, primarily on side slopes, and very few pedestals are observed. Soil structure is slightly weaker in interspaces, but biological crust, gravel, plant cover, and rock are providing expected resistance to erosion, no soil loss is apparent on the site, and litter amount is uniformly distributed.

Although a moderate-to-extreme departure of invasive plants is noted, the plant community indicator, as it relates to hydrologic function and infiltration, shows an abundant deep-rooted bunchgrass component in interspaces and under canopies. The plant community transitions still allow for the proper capture, storage, and management of moisture as compared to reference communities and soil stability and watershed function indicates a none-to-slight level.

Pasture 2: Sixty percent of the indicators are in the none-to-slight range of departure from reference site conditions, and 40 percent in the slight-to-moderate range (Group 2 Soils Resource Specialist Report - Table Soil-63⁷). As a whole, pasture 1 has a slight-to-moderate degree of departure from reference conditions for soil/site stability and hydrologic function (Group 2 Soils Resource Specialist Report - Table Soil-63). There is little evidence of soil erosion on this site, as water flow patterns are not evident and historic pedestals are stabilized by micro biotic soil crusts. Bare ground is rated slight-to-moderate and associated with some soil loss in interspaces that usually contain weaker soil structure.

Soil factors affecting the hydrologic function consist of soil crusts that help stabilize the surface. The plant community indicator, as it relates to hydrologic function, shows a slight-to-moderate degree of departure, with an imbalance of deep-rooted bunchgrasses to shallow-rooted species.

The shrub component was noted as too high, with many decadent, broken shrubs and invasive plants, including juniper, common and scattered throughout the site. The plant community transitions still allow for the proper capture, storage, and management of moisture as compared to reference communities and watershed function is at a slight-to-moderate level.

R Collins FFR

The watershed is providing for the proper infiltration, retention, and release of water appropriate to soil type, vegetation, climate, and landform and, thus, for proper nutrient cycling, hydrologic cycling, and energy flow. The amount and distribution of ground cover, including litter and vegetative cover, are appropriate for site stability. Evidence of accelerated erosion in the form of rills and/or gullies, erosional pedestals, flow patterns, and compaction layers below the soil surface is minimal for soil type and landform throughout most of the allotment.

⁶ As presented in the Chipmunk Group 2 Soils Resource Specialist Report, March 2013, as is part of the DOI-BLM-ID-B030-2012-0014-EIS project record.

⁷ As presented in the Chipmunk Group 2 Soils Resource Specialist Report, March 2013, as is part of the DOI-BLM-ID-B030-2012-0014-EIS project record.

Water Resources and Riparian/Wetland Areas⁸

Trout Creek

The Trout Creek allotment is not meeting Standards 2, 3, and 7, but is making significant progress toward meeting the Standards. The reach of Trout Creek that occurs in pasture 1, the reach of Split Rock Canyon that occurs in pasture 2, and the reach of Wood Canyon that occurs in pasture 3 were all FAR in 2000, primarily based on a lack of hydric species and an increase in upland and undesirable species, as well as incised stream channel and reduced floodplain inundation and water storage capacity. Additionally, all three springs that occur within the allotment were FAR because there were upland species present, altered surface flows from livestock trailing and hoof shearing, and two of the springs were developed.

In 2011, Wood Canyon and Trout Creek were re-assessed; both streams were in PFC. The condition of Wood Canyon was improving, with an increase in both herbaceous and woody cover and regeneration. The reach of Trout Creek is a heavily rock-armored stream that is geologically confined within steep canyon walls making the majority of the stream inaccessible to grazers and all riparian plant species showed high vigor and reproduction.

The streams that traverse the allotment have not been assessed by IDEQ for water quality standards; however, the watershed's beneficial uses have been established. The beneficial uses assigned to the watershed include cold-water aquatic life, primary contact recreation, salmonid spawning, and special resource water. Cold-water aquatic life water bodies are defined as water quality appropriate for the protection and maintenance of a viable aquatic life community for cold-water species. BLM has monitored water temperatures in Split Rock Canyon and Trout Creek in pastures 1 and 2; the reaches of Split Rock Canyon within pasture 2 were meeting the temperature criteria, and the reach of Trout Creek in pasture 1 was not meeting the temperature limits set by the State (see Specialist Report in the project record for further details).

Current livestock grazing management practices are not significant causal factors for not meeting Standards 2, 3, and 7 in the Trout Creek allotment. Livestock use in the allotment appears appropriate for progress and the current livestock grazing appears to be promoting stream recovery. As conditions continue to improve and the allotment continues to make progress with Standards 2 and 3, it is anticipated that they will also show improvement with Standard 7. Therefore, current livestock grazing management practices conform with the Idaho Guidelines for Livestock Grazing Management applicable to Standards 2, 3, and 7.

R Collins FFR

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

Trout Creek/Lequerica

The Trout Creek/Lequerica allotment is not meeting Standards 2 and 3, and Standard 7 is not applicable because IDEQ has not monitored any of the streams (Section 3.5.1 FEIS). The reach of the West Fork of Trout Creek that traverses pasture 1 was assessed NF, and the reaches of both Nichols Creek tributary and Split Rock Canyon were assessed FAR. The issues identified in the

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

field assessments, specialist report, and FEIS suggest that neither short- or long-term riparian-wetland area indicators are being met. For example, the incised channel on Split Rock Canyon and the change in plant community along the West Fork Trout Creek, are indications that prolonged impacts have occurred in the past. However, the reach of Split Rock Canyon in pasture 2 was re-assessed in 2011 and was in PFC, indicating the Standard is now being met in that pasture.

Within the Trout Creek/Lequerica allotments, current livestock grazing management practices are significant causal factors for failing to meet Standards 2 and 3. Residual vegetation has not been sufficient to maintain or improve riparian-wetland function, and the streams lack the hydric vegetative cover and bank-stabilizing species necessary for the maintenance of stable stream channels. The recent grazing schedule has not allowed for rest years, and the spring developments were not designed to protect the ecological function of the riparian-wetland areas.

Special Status Plants⁹

Trout Creek, R Collins FFR, and Trout Creek/Lequerica

No special status plants are known to occur in these allotments.

Wildlife/Wildlife Habitats and Special Status Animals¹⁰

Trout Creek

Upland Habitat

Pastures 1, 2, 3 are managed as native plant communities. Standard 4 indicates that the vegetation community has transitioned from a reference site community of robust perennial grasses (i.e., bluebunch wheatgrass, Idaho fescue) to a more grazing tolerant herbaceous plant community of Sandberg bluegrass and invasive species such as medusahead rye and cheatgrass. The current bunchgrass plant community exposes the understory and reduces effective nesting, escape, hiding, travel, and foraging cover values for all wildlife associated with sagebrush steppe communities, and is less desirable in comparison to bluebunch/Idaho fescue dominated communities. However, as was identified above the native plant communities have been impacted by invasive plants, long-term vegetation monitoring and rangeland health assessments show the existing perennial components are maintaining adequate vegetative populations in the majority of the allotment. With this said and because upland habitat values are currently less desirable, this allotment is failing to provide adequate upland habitat conditions for sagebrush steppe wildlife species and therefore is not meeting Standard 8, but is making significant progress because it was determined that significant progress towards meeting Standard 4 is occurring.

Riparian Habitat

Standards 2, 3, and 7 identified streams and springs within this allotment are not meeting Standards, but they are making significant progress towards meeting each Standard. Streams, springs, and wetlands that are NF or are FAR are lacking adequate riparian vegetation composition and distribution to provide the structure and function to support a productive environment. The beneficial uses assigned to the watershed include cold-water aquatic life, primary contact

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.

recreation, salmonid spawning, and special resource water. Cold-water aquatic life water bodies are defined as water quality appropriate for the protection and maintenance of a viable aquatic life community for cold-water species. However, as was discussed under *Water Resources and Riparian/Wetlands Areas* above, in 2011, Wood Canyon and Trout Creek were re-assessed and both streams were in PFC. The condition of Wood Canyon was improving with an increase in both herbaceous and woody cover and regeneration. The reach of Trout Creek was determined to be a heavily rock armored stream that is geologically confined within steep canyon walls making the majority of the stream inaccessible to grazers and all riparian plant species showed high vigor and reproduction. Therefore due to the determinations associated with Standards 2 and 3 not being met, but making significant progress towards being met, it was determined that Standard 8 was not being met, but significant progress is being met to meet the standard because significant progress towards meeting Standards 2 and 3 is occurring. Additionally, as conditions improve and the allotment continues to make progress with Standards 2 and 3, it is anticipated that they will also show improvement with Standard 7.

Focal Species

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

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

Marginal breeding habitat conditions in pastures 2 and 3 and marginal late brood-rearing habitat conditions in pastures 2 and 3 are not meeting Standard 8, but as discussed under the *Uplands and Water Resources and Riparian/Wetlands Areas* above, significant progress towards meeting the standard is occurring. Desirable habitat conditions for sage-grouse are not being provided due to reduced canopy cover and height of large deep-rooted perennial grasses (i.e., bluebunch wheatgrass, Idaho fescue) in the understory, indicating that functional nesting, brood-rearing, escape, and hiding cover values are failing to be provided in these pastures. Late brood-rearing habitat assessments (riparian measure) in pasture 2 and 3 rated marginal due to the increased occurrence of undesirable xeric plant species, major evidence of erosion and spotty distribution of forbs consistent with riparian conditions identified in Standards 2, 3, and 7.

R Collins FFR

The R Collins FFR allotment (custodial category allotment) consists of one pasture and has 102 acres of public land and 333 acres of private land for a total of 435 acres (23% public land, 77% private land). This allotment is prioritized as a “Low” priority allotment (ORMP), and no wildlife specific surveys have been completed in this allotment. However, rangeland health (17 indicators) field assessments were completed in this allotment. Based off of the assessment, it was determined that the public lands within this allotment are meeting Standard 4. Healthy, productive, and diverse populations of native plants are maintained or promoted as appropriate to soil type, climate, and landform to provide for proper nutrient cycling, hydrologic cycling, and energy flow.

The diversity of native plant species is being maintained and providing adequate sagebrush/grass composition and structure to meet upland wildlife needs. Plant vigor, including total plant production, seed and seedstalk production, and cover is adequate to enable reproduction and recruitment of plants in response to favorable climatic conditions. Therefore, based on the information for Standard 4, it has been concluded that for Standard 8, the vegetative community is providing adequate forage, cover and structure for dependent special status animals and other wildlife, and Standard 8 is being met.

Riparian

No riparian habitat is identified within this allotment.

Trout Creek/Lequerica

Upland Habitat

Analysis under Standard 4 determined that the upland vegetation community is meeting Rangeland Health Standards. Therefore upland vegetation composition and structure are providing adequate habitat conditions for most sagebrush steppe wildlife species.

Riparian Habitat

Standards 2 and 3 identified streams and springs within this allotment that are not properly functioning. Streams, springs, and wetlands that are NF or are FAR are lacking adequate riparian vegetation composition and distribution to provide the structure and function to support a productive environment. If Standards 2 and 3 are not being met, riparian habitat conditions are not adequate to support viable aquatic and terrestrial species, and therefore this allotment is not meeting Standard 8.

Focal Species

This entire allotment falls within modeled PPH/GPH habitat for sage-grouse. A total of five sage-grouse breeding and upland summer habitat assessments collected from 2001 and 2012 identified:

- Pasture 1 - Providing suitable breeding and marginal upland summer habitat conditions;
- Pasture 2 - Providing marginal upland summer habitat conditions.

Pastures 1 and 2 are providing marginal upland summer habitat conditions for sage-grouse. The marginal rating is influenced primarily due to the greater than desirable canopy cover of sagebrush in the understory; however, the understory is providing desirable canopy cover of large perennial grasses and forbs. Therefore, although upland summer habitat conditions are only providing marginal overstory (sagebrush) conditions, the understory is creating an effective nesting, escape, screening, and foraging cover for sage-grouse and is meeting Standard 8.

Columbia River redband trout are known to occur within the Trout Creek system. Standards 2 and 3 identified streams and springs within this system that are not properly functioning due to current grazing practices. Redband trout require intact channels with well-developed riparian communities that stabilize banks to minimize erosion and create undercuts; minimize impacts of flood events and filter sediments; provide shade to reduce water temperatures; and contribute woody debris to create channel structure and regulate seasonal flow. Because these in-stream and near-stream

habitat characteristics are not fully represented, this allotment is not providing adequate riparian conditions to sustain viable populations of redband trout and therefore is not meeting Standard 8.

This allotment is within the range of the Columbia Spotted Frog. Standards 2 and 3 identified streams and springs that are not properly functioning due to current grazing practices. 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.

Guidelines for Livestock Grazing Management

The Trout Creek and R Collins FFR allotments are conforming to all guidelines. The BLM's 2013 Determination for the Trout Creek/Lequerica 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 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.

Since the Trout Creek/Lequerica 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.

Issues¹¹

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 Group 2 allotments:

1. Habitat conditions for greater sage-grouse (*Centrocercus urophasianus*; from this point on referred to as sage-grouse): Sage-grouse habitat health is directly related to upland

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

vegetation and watershed conditions. Specific areas of the Chipmunk Group allotments contain altered sagebrush community composition, structure, and function that are affecting sage-grouse and other sagebrush habitat-dependent species.

2. **Riparian vegetation conditions:** Livestock grazing is affecting riparian condition and aquatic habitat by changing the health and composition of riparian vegetation communities.
3. **Fish and amphibian habitat conditions:** Stream, floodplain, wetland, and mesic (moderately moist) habitat conditions are directly related to conditions within the riparian vegetation community. Altering of the riparian community may affect the health and sustainability of fish and amphibian populations.
4. **Upland vegetation and watershed conditions:** Livestock grazing is affecting upland vegetation by reducing or removing native vegetation communities that protect watershed soil and hydrologic function.
5. **Noxious and invasive weeds:** Livestock grazing and trailing has the potential to increase or spread noxious and invasive weeds.
6. **Livestock trailing:** Trailing may adversely affect upland vegetation, soils, weeds and riparian vegetation.
7. **Socioeconomic impacts:** Livestock grazing affects local and regional socioeconomic activities generated by livestock production.
8. **Wildfire fuels:** Livestock grazing has the potential to change vegetation that may affect wildfire.
9. **Climate Change:** The issue of climate change and its relationship to the proposed federal action of renewing grazing permits is twofold. Livestock grazing in Owyhee County contributes 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.

Analysis of Alternative Actions

Based on the current condition of the Trout Creek, Trout Creek/Lequerica, and R Collins FFR allotments and the issues identified above, the BLM considered a number of alternative livestock management systems 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, and 6 were considered in detail and analyzed for the R Collins FFR allotment; Alternatives 1, 2, 3, and 6 were considered in detail and analyzed for the Trout Creek allotment; and Alternatives 1, 2, 3, 4, and 6 were considered in detail and analyzed for the Trout Creek/Lequerica 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 by BLM to improve resource conditions. 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

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

Trout Creek/R Collins FFR

Trout Creek: Permitted use for Sean and Andrea Burch would be 123 cattle from April 1 to September 30 at 98 percent public land with 726 active AUMs.

Generally, grazing management would be in accordance with the grazing schedules outlined in the 1981 Decision. Actual use reports submitted between 1997 and 2011 indicate that AUMs have ranged from 240 to 725 and average actual use was 342 AUMs for the allotment. Grazing from April 1 through October 15 would occur annually. Only pasture 3 would allow livestock grazing after the vegetative critical growth period (after July 1) annually.

R Collins FFR: Permitted use for Sean and Andrea Burch would be 24 cattle from December 1 to December 31 at 100 percent public land with 24 active AUMs. The BLM currently authorizes livestock grazing on Fenced Federal Range allotments (FFRs) (see Fenced Federal Range allotments under EIS Section 1.3). The season of use is described as 12/1 through 12/31 and livestock numbers and AUMs vary depending on total acres of unfenced BLM lands found with the allotment boundaries. Currently, this allotment is authorized to be grazed anytime during the year 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.

Trout Creek/Lequerica

Permitted use for Lequerica & Sons, Inc. would be 52 cattle from June 1 to October 31 at 44 percent public land with 115 active AUMs.

Generally, grazing management would be in accordance with the grazing schedules outlined in the 1984 Decision. Actual use reports submitted between 1997 and 2010 indicate that AUMs have ranged from 68 to 131 and average actual use was 103 AUMs for the allotment. Grazing from June 1 through October 5 would occur annually. Only pasture 2 would allow livestock grazing after the vegetative critical growth period (after July 1) annually.

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

Sean and Andrea Burch, submitted a modified R Collins FFR, Trout Creek, Trout Creek/Lequerica grazing permit renewal application (on behalf of Lequerica & Sons, Inc. – lessor) on June 17, 2013, which incorporated the following grazing management details.

Trout Creek and Trout Creek/Lequerica allotments

Table ALT-2.1: Mandatory terms and conditions

Allotment	Permittee	number	kind	On Date	Off Date	PL	AUM	Susp. AUM	Temp. Susp. AUM	Active AUMs
R Collins FFR (612)	Sean & Andrea Burch (4245)	9	c	3/1	2/28	23	24	-	-	24
Trout Creek (529)	Sean & Andrea Burch (4245)	129 ¹	c	4/1	10/31	98	593	-	-	593
Trout Cr/Lequerica (560)	Lequerica & Sons INC. (2984)	129 ¹	c	6/1	10/31	44	115	-	-	115

¹Livestock numbers could vary up to 129 head (cow/calf pairs) in each allotment with prior approval from the authorized officer before livestock turnout and as long as active AUMs are not exceeded annually.

Table ALT -2.2: Other Terms and Conditions

Sean & Andrea Burch R. Collins FFR Trout Creek	<ul style="list-style-type: none"> The number of livestock and the season of use on the fenced federal range (FFR) allotment will be at the permittee’s discretion. Livestock grazing in the Trout Creek allotment will be authorized in accordance with the Trout Creek allotment grazing schedule listed below. Changes in scheduled pasture use dates will require prior approval from the authorized officer before livestock turnout annually.
Lequerica & Sons INC. Trout Creek/Lequerica	<ul style="list-style-type: none"> Livestock grazing in the Trout Creek/Lequerica allotment will be authorized in accordance with the Trout Creek/Lequerica allotment grazing schedule listed below. Changes in scheduled pasture use dates will require prior approval from the authorized officer before livestock turnout annually.

Trout Creek allotment

Currently, Sean and Andrea Burch own the base property associated with the Trout Creek and R Collins FFR allotments permit and control (lease) the base property associated with the Trout Creek/Lequerica allotment. The permittees are proposing a grazing management schedule that would authorize grazing these allotments in conjunction (Tables ALT-2.3 and ALT-2.5), but each allotment would remain an individual allotment. The proposal includes authorizing up to 129 cattle, not to exceed 593 active AUMs annually, with a season of use from April 1 to October 31 in the Trout Creek allotment. If, in the future, the Trout Creek/Lequerica allotment lease is not renewed, the grazing rotation for the Trout Creek allotment in Table ALT-2.4 would be authorized. If livestock grazing were authorized in accordance with Table ALT-2.4, up to 85 cattle and 593 active AUMs would be authorized.

Table ALT-2.3: Trout Creek allotment Grazing Schedule used in conjunction with Trout Creek/Lequerica allotment Table ALT 2.5

Pasture	Cattle Nos.	AUMs	BLM Acres/AUM	Year 1	Year 2	Year 3
1	Up to 129 c	338	5.3	6/6-8/31	8/7-10/31	4/1-6/26
2		85	4.5	4/1-4/22	5/15-6/5	8/28-9/18
3		170	5.2	4/23-6/5	4/1-5/14	9/19-10/31

Table ALT -2.4: Trout Creek allotment Grazing Schedule only

Pasture	Cattle Nos.	AUMs	BLM Acres/AUM	Year 1	Year 2	Year 3
1	Up to 129 c	338	5.3	7/2-10/31	4/1-8/1	6/2-9/30
2		85	4.5	4/1-4/30	8/2-9/2	10/1-10/31
3		170	5.2	5/1-7/1	9/2-10/31	4/1-6/1

Trout Creek/Lequerica allotment

This proposal includes authorizing up to 129 cattle, not to exceed 115 active AUMs annually, with a season of use from June 1 to October 31 in the Trout Creek/Lequerica allotment (Table ALT-2.5). As described above, this allotment would be grazed in conjunction with the Trout Creek allotment as described in Table ALT -2.3. This allotment is only 44 percent public land, so the following schedule includes total AUMs for private and BLM lands.

Rotation dates are subject to Sean and Andrea Burch controlling the associated base property for this grazing permit. If the base property lease between Sean and Andrea Burch and Lequerica & Sons, Inc., were to not be renewed in the future, and livestock grazing management changes are desired, the permittee would need to make new application to change grazing management at that time.

Table ALT 2.5: Trout Creek/Lequerica allotment Grazing Schedule

Pasture	Cattle Nos.	BLM AUMs	BLM Acres/AUM	Total AUMs	Total Acres/AUM	Year 1	Year 2	Year 3
1	Up to 129 c	103	6.8	234	4.4	8/31-10/31	6/6-8/6	6/27-8/27
2		11	3.4	26	4.8	6/1-6/17	6/1-6/17	9/1-9/17

Alternative 3 - Deferred Grazing

This alternative does not apply to the R Collins FFR allotment. The Trout Creek and Trout Creek/Lequerica allotments would 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.

- Riparian: May 15 to August 31; use allowed 2 years in every 3-year period; defer or rest 1 out of 3 years.

Trout Creek

Permitted use for Sean and Andrea Burch would be 123 cattle from June 28 to October 10 at 98 percent public land with 342 active AUMs. Total active AUMs would be reduced from 726 to 342 active AUMs. The reduction in active AUMs would be to the average actual use level of 342 AUMs. The Trout Creek allotment grazing rotation would be as follows:

Table ALT-3.1: Trout Creek grazing schedule

Pasture	Year 1	Year 2	Year 3
1	6/28-8/6	9/1-10/10	7/23-8/31
2	8/7-8/31	7/18-8/11	9/1-9/25
3	9/1-9/20	8/12-8/31	7/3-7/22

Trout Creek/Lequerica

Permitted use for Lequerica & Sons, Inc., would be 52 cattle from June 15 to November 15 at 44 percent public land with 115 active AUMs. No active AUMs reductions would be made. The Trout Creek/Lequerica allotment grazing rotation would be as follows:

Table ALT-3.2: Trout Creek/Lequerica grazing schedule

Pasture	Year 1	Year 2
1	6/15-8/31	9/1-11/15
2	9/1-11/15	6/15-8/31

The follows Terms and Conditions would apply to the Trout Creek and Trout Creek/Lequerica allotments under Alternative 3:

- Livestock grazing will be in accordance with the allotment grazing schedule. Changes in scheduled pasture use dates will require prior authorization.
- 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 at the end of the grazing season.
- Maintain an average of greater than 18 cm (7 inches) perennial grass height on upland key species.

Alternative 4 - Season-based

This alternative does not apply to the Trout Creek and R Collins FFR allotments. The Trout Creek/Lequerica allotment would have deferment 2 out of 3 years in all pastures. The following resource constraints were applied to the Trout Creek/Lequerica allotment under Alternative 4:

- 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
- 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.

Trout Creek/Lequerica

Permitted use for Lequerica & Sons, Inc. would be 52 cattle from June 15 to December 31 at 44 percent public land with 115 active AUMs. No active AUMs reductions would be made. The Trout Creek/Lequerica allotment grazing rotation would be as follows:

Table ALT-4.1: Trout Creek/Lequerica grazing schedule

Pasture	Year 1	Year 2	Year 3
1	6/15-8/31	9/1-11/15	11/16-12/31
2	9/1-11/15	6/15-8/31	9/1-11/15

Alternative 6 - No Grazing

This alternative would not authorize grazing for a period of 10 years for the Trout Creek, Trout Creek/Lequerica, and R Collins 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 permits for 10 years with modified terms and conditions consistent with the following:

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

Trout Creek/Lequerica allotment - Alternative 3 as described in EIS number DOI-BLM-ID-B030-2012-0014-EIS.

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

Implementation of these alternatives over the next 10 years will allow the Trout Creek and Trout Creek/Lequerica allotments to meet or make significant progress toward meeting the Idaho S&Gs and move 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 selection of Alternative 2 for the R Collins FFR allotment will allow for maintaining current resource conditions and continue to meet Idaho S&Gs and ORMP objectives over the next 10 years.

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

Table LVST-3: Sean and Andrea Burch proposed decision

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
00529 Trout Creek	123	Cattle	06/28	10/10	98	Active	342
00612 R Collins FFR	9	Cattle	03/01	02/28	100	Active	24

Table LVST-4: Lequerica & Sons, Inc. proposed decision

allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
00560 Trout Creek/Lequerica	52	Cattle	06/15	11/15	47	Active	115

*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 enclosures 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's grazing schedule outlined in the final decision. Changes in scheduled pasture use dates will require prior authorization.
13. 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 at the end of the grazing season.
14. Maintain an average of greater than 18 cm (7 inches) perennial grass height on upland key species.

As noted in Other Term and Condition # 1, the grazing schedule for the Trout Creek, Trout Creek/Lequerica, and R Collins FFR allotments (identified below) must be followed:

Table LVST-5: Trout Creek allotment grazing schedule

Pasture	Year 1	Year 2	Year 3
1	6/28-8/6	9/1-10/10	7/23-8/31
2	8/7-8/31	7/18-8/11	9/1-9/25
3	9/1-9/20	8/12-8/31	7/3-7/22

Table LVST-6: Trout Creek/Lequerica allotment grazing schedule

Pasture	Year 1	Year 2
1	6/15-8/31	9/1-11/15
	9/1-11/15	6/15-8/31

Table LVST-7: R Collins FFR allotment grazing schedule

Pasture	2014-2024
1	3/1-2/28 24 AUMs

Notes on the Terms and Conditions

No flexibility is provided within your grazing schedules. You will be offered a grazing permit(s) for a term of 10 years for the Trout Creek, Trout Creek/Lequerica, and R Collins allotments. Implementation of Alternative 3 for the Trout Creek allotment will result in a reduction in AUMs from your current permit: Sean and Andrea Burch - 726 Active AUMs to 342 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 Trout Creek, Trout Creek/Lequerica, and R Collins FFR allotments will be as follows:

Table LVST-8: Permitted use on the Trout Creek, R Collins FFR, and Trout Creek/Lequerica allotments

Allotment	Active Use	Suspension	Permitted Use
Sean and Andrea Burch			
Trout Creek	342 AUMs	0 AUMs	342 AUMs
R Collins FFR	24 AUMs	0 AUMs	24 AUMs
Lequerica & Sons, Inc.			
Trout Creek/Lequerica	115 AUMs	0 AUMs	115 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 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 Trout Creek, Trout Creek/Lequerica, and R Collins FFR allotments, and have determined that you have satisfactory records of performance and are qualified applicants for the purposes of a permit renewal.

Justification for the Proposed Decision

Based on my review of EIS number DOI-BLM-ID-B030-2012-0014-EIS, the rangeland health assessment, evaluation, determination, specialist reports, and other documents in the grazing files, it is my proposed decision to select Alternative 2 for the R Collins FFR allotment and Alternative 3 for the Trout Creek and Trout Creek/Lequerica allotments. 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 Trout Creek, Trout Creek/Lequerica, and R Collins FFR allotments meeting or making significant progress towards 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 Chipmunk Group allotments. Many of these issues apply to the Trout Creek, Trout Creek/Lequerica, and R Collins FFR allotments. I want you to know that I took each allotment’s condition and issues into consideration as I weighed the alternatives prior to making

this proposed decision. My selection of Alternative 2 for the R Collins FFR allotment and Alternative 3 for the Trout Creek and Trout Creek/Lequerica allotments was in large part because of my understanding that these selections 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.¹²

*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

¹² 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 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.

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.

*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

Trout Creek/Trout Creek/Lequerica

Implementing livestock grazing management in accordance with Alternative 3 includes reduced use and/or deferred grazing during the critical growth periods. Increased years of deferment will allow increased opportunity for recovery and improved maintenance of plant health and vigor (Bailey & Brown, 2011). The decrease in the frequency of growing-season grazing use will 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. The incorporation of a deferred season of use would lessen livestock impacts on upland soils. This will allow for increased recovery and maintenance of bunchgrass health which, in turn, promotes soil stability and hydrologic function. Where active AUMs are reduced, additional improvements to watershed health are expected and will promote vegetation soil cover, decrease bare ground, and generally reduce the susceptibility to accelerated erosion.

In the Trout Creek allotment, spring and summer grazing for 2 of 3 years, and deferred fall grazing the third year in a 3-year rotation will be implemented. Although it was determined that current livestock grazing wasn't the causal factor in not meeting rangeland health standards, the incorporation of a grazing rotation to allow for relief from livestock grazing during the growing season and adjusting stocking rates are necessary to improve overall health and vigor of upland vegetation. Increased years of deferment and reductions in AUMs based on average actual use by pasture allow opportunity to continue to improve upland vegetation health and vigor. Active (permitted) AUMs in this allotment will be reduced 47 percent from 726 to 342 AUMs; this latter number is equivalent to the average actual number of AUMs utilized per year over the last 10 years or so. As the maximum actual use between 2002 and 2011 was 725 AUMs, this reduction will avoid use at the maximum recorded levels and will result in a significant change in grazing management in this allotment.

Upland communities in the Trout Creek and Trout Creek/Lequerica allotments that are managed as native communities will continue to achieve desired habitat management objectives. The decrease in the grazing frequency during the spring growing season will allow upland native perennial species to complete the annual growth cycle more often in the absence of defoliation by livestock and will improve plant community health and vigor and improve herbaceous composition and structure. This will result in greater security cover for nesting and brood-rearing sage-grouse from predators and increasing preferred forb diversity and availability. 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 to achieve desired RMP management objectives. In addition, implementation of the requirement to maintain an 18 cm (7 inch) perennial grass height

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.

in the uplands at key nesting habitat areas for sage-grouse will allow for continued improvement in habitat conditions within preliminary priority habitat (PPH).

R Collins FFR

This one-pasture allotment is dominated by native plant communities and is meeting Standard 4 (Native Plant Communities). The dominant visual aspect is sagebrush overstory and bluebunch wheatgrass understory resembling reference site conditions. Healthy, productive and diverse populations of native plants are maintained or promoted as appropriate to soil type, climate, and landform to provide for proper nutrient cycling, hydrologic cycling and energy flow. Plant vigor, including total plant production, seed and seedstalk production, and cover is adequate to enable reproduction and recruitment of plants in response to favorable climatic conditions. Continue grazing management under Alternative 2 will allow for the allotment to continue to meet all applicable Idaho Rangeland Health Standards and meet ORMP objectives.

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

Trout Creek and Trout Creek/Lequerica

In accordance with my decision, the pastures would be grazed during the summer 2 out of every 3 years and during the fall the third year of a 3-year rotation. Thus, 4.9 miles of perennial stream, 2.6 miles of intermittent stream will be affected by the impacts associated with livestock use during the summer months for two consecutive years, and by fall use for the third year. Both pastures within the Trout Creek/Lequerica allotment contain streams that are not meeting Standards 2 and 3. Because grazing management in accordance with my decision will implement a rotational system with one year of deferment, significant progress toward meeting Standards and improvements in riparian habitat conditions will occur. Livestock grazing during the cooler fall months allows for increased livestock distribution into the uplands, drawing cattle out of the riparian areas and decreasing concentrations near water. The Trout Creek allotment is not meeting the riparian Standards but is making significant progress under current management (annual spring, summer, and fall); thus, under Alternative 3, one year of deferred grazing will allow the riparian areas to continue to make significant progress toward meeting the Standards.

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.

In addition, limited riparian habitat grazing intensity and season of use in the Trout Creek and Trout Creek/Lequerica allotments 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 would benefit Columbia redband trout and Columbia spotted frogs by reduced trampling of spring spawning and egg laying sites, decreased erosion and sediment loading, enhanced shade and woody debris delivery, greater channel structure and flow regulation, and improve water quality. In the short term (1 to 6 years, two rotations), habitat conditions would show measurable and observable improved forage and cover elements. In the long term (7 to 12 years, four rotations), vegetation composition and structure would be expected to continue making significant progress towards meeting Standard 8 and achieve desired RMP management objectives. In addition, the implementation of the requirement that maintenance of a 6-inch stubble height and no greater than 30 percent browse on woody riparian species in the riparian areas will allow for continued improvement in habitat conditions within the Trout Creek and Trout Creek/Lequerica allotments. Achievement of these indicators, simply allows for assurance that grazing management under Alternative 3 is maintaining and/or improving current riparian conditions.

R Collins FFR

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

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

And

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

Trout Creek and Trout Creek/Lequerica

Noxious weeds were not identified as an issue in any of these allotments. However, invasive species are common in the Trout Creek and Trout Creek/Lequerica allotments (presence of invasive species in R Collins wasn't identified during the rangeland health assessment process; therefore, it is not considered an issues on that allotment). Although any grazing has the potential to introduce and spread invasive weeds and non-native annual grasses, the reduction in active use inherent in Trout Creek will result in proportionally less soil surface disturbance and fewer animals that could carry seed to and from the allotment in fur, on hooves, and in their digestive system. As compared to Alternatives 1 and 2, the risk of invasive species spreading in Trout Creek and Trout Creek/Lequerica is lower under Alternative 3, as the health and vigor of native perennial species are improved and progress is made toward meeting the ORMP vegetation management objective. Available sites for invasive species establishment will be reduced through competition with healthy native perennial species.

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

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

Although Alternative 6 would further reduce the potential for livestock to introduce and spread invasive and non-native annual species as compared to Alternative 2 (for R Collins FFR) and 3, 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, regardless of the grazing system selected.

Effects from livestock trailing/crossing will include minor trampling and will result in between none to 10 percent utilization of growth that exists on the ground at the time of the event. 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 such a limited duration, effects from trailing are expected to be negligible (USDI BLM, 2012). A slight increase in the spread of weeds could occur, but the short distance and duration will limit the amount and possibility. Additionally, if noxious weeds are detected in the future, easy access would be available for treatment. Range readiness determinations are essential and would reduce mechanical damage to soils when soils are saturated early in the spring during the peak spring melt events. The duration of trailing activities to be authorized would require active trailing in most cases. Management actions as described above, will allow upland plant communities to meet or make significant progress toward meeting Idaho Rangeland Health Standards and ORMP objectives. BLM's coordinated and ongoing weed control program would still be required in the absence of livestock grazing in the allotment.

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

Trout Creek/R Collins FFR

During the NEPA and public comment process, some raised the concern that selection of certain alternatives considered in the EIS could impact regional socio-economic activity. I share this concern, and have taken these concerns into consideration in making my decision; however, my primary obligation is to ensure that the new grazing permit(s) protects resources in a manner consistent with the BLM's obligations under the Idaho S&Gs and the ORMP. As noted above, I have selected Alternative 3 for the Trout Creek and Trout Creek/Lequerica allotments and Alternative 2 for the R Collins FFR allotment in large part because those selections accomplish those latter goals.

Consideration of Alternatives 1 and 2 for the Trout Creek and Trout Creek/Lequerica allotments disclosed that neither of those alternatives would allow the allotment to meet Idaho S&Gs or the ORMP resource objectives, and therefore I could not select them despite the lesser economic impacts that they may have. Over the long term, your grazing operation relies upon maintenance of the natural resources, including productive and healthy rangelands capable of supplying a reliable forage base. Selection of an alternative based 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.

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.

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.

I want you to know that I particularly appreciate your effort meeting with us to develop a proposal responsive to both our needs; although I was not able to select your proposal as submitted, we were able to build on it to develop a grazing system in Alternative 3 that I believe will best meet our respective needs and yield better resource results for the allotment.

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

Trout Creek/Trout Creek/Lequerica/R Collins 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, the resource costs associated with this strategy are such that I have decided against it. Ultimately, implementation of Alternative 3 for the Trout Creek and Trout Creek/Lequerica allotments and Alternative 2 for the R Collins FFR allotment will not significantly alter the BLM's ability to fight wildfire in the area.

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

The selected alternatives retain a level of grazing use that somewhat reduces the accumulation of fine fuels, and thus will lessen the spread of large wildfires when fire weather conditions are less extreme. Certainly this is true as compared to the No Grazing Alternative. More importantly, it is designed to benefit and promote the health and vigor of native perennial species on the allotment, thereby limiting the dominance of annual species and so limiting the accumulation of continuous fine fuels and extreme fire behavior, while enhancing post-fire recovery.

*Issue 9: Climate Change: Livestock grazing is inter-related to the effects of annual grass invasion and wildfire frequency which are expected to worsen as a result of climate change.*²¹

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

Trout Creek/Trout Creek/Lequerica/R Collins FFR

Climate change is another factor I considered in building my decision around Alternative 3 for the Trout Creek and Trout Creek/Lequerica allotments. 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, and my proposed decision to select Alternative 3 for these two allotments are made with those goals in mind. 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 also recognize the needs and capability that you have as the permittee. 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 Trout Creek and Trout Creek/Lequerica allotments and Alternative 2 for the R Collins 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 10-year period is not the management decision most appropriate at this time in light of these factors.

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

Conclusion

In conclusion, it is my decision to select Alternative 2 for the R Collins FFR allotment and Alternative 3 for the Trout Creek and Trout Creek/Lequerica allotments 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 Trout Creek and Trout Creek/Lequerica allotments that would meet the objectives and standards. Selection of Alternative 2 for the R Collins FFR allotment is adequate for maintaining current resource conditions where current livestock grazing management was determined to not be a significant causal factor in not meeting the applicable standards. Alternative 6 removes the economic activity of 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 Trout Creek, Trout Creek/Lequerica, and R Collins 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 Trout Creek, Trout Creek/Lequerica, and R Collins 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 Regional 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.

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 th 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 th 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 th STE 149	Boise	ID	83702	80