



United States Department of the Interior  
BUREAU OF LAND MANAGEMENT

Owyhee Field Office  
20 First Ave West  
Marsing, ID 83639  
(208) 896-5912



In Reply Refer To:  
4160 ID130

November 26, 2013

**REGISTERED MAIL**

Robert Thomas  
17947 Shortcut Road  
Oreana, ID 83650

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

Dear Mr. Thomas:

Thank you for your application to renew your grazing permit on the Meadow Creek FFR allotment. Thank you also for working with the BLM during the permit renewal process. I appreciate your interest in grazing your allotment in a sustainable fashion and am confident that this proposed decision achieves that objective.

As you know, the BLM evaluated current grazing practices and current conditions in the Meadow Creek FFR allotment to ensure that any renewed grazing permit on the allotment is consistent with the BLM's legal and land management obligations. A Rangeland Health Assessment, Evaluation and Determination were completed in 2006 and subsequently updated in 2013 (USDI BLM, 2013). This proposed decision incorporates by reference the information contained in those documents.

The BLM's Owyhee Field Office initiated a public scoping process for renewal of grazing permits on the Group 3, or Toy Mountain Group, allotments by letter to interested publics and grazing permittees in January 2013. The letter solicited comments and information to identify resource and management issues associated with the Idaho Rangeland Health Standards and Guidelines (Idaho S&Gs), and the Owyhee Resource Management Plan (ORMP) (USDI BLM, 1999) for the purpose of developing grazing management alternatives for allotments in the Toy Mountain Group, which includes the Meadow Creek FFR allotment.

After evaluating conditions on the land and reviewing comments received during the scoping process, it became clear that resource concerns currently exist on the Toy Mountain Group allotments, including the Meadow Creek FFR allotment.

You submitted an application for renewal of your permit to graze on the Hart Creek, Box T, Meadow Creek FFR, and Alder Creek FFR allotments, which was received by the BLM on May 29, 2013. With respect to the Meadow Creek FFR allotment, your application requested a renewed authorization on Meadow Creek FFR under the same terms and conditions as your previous permit.

With the focus of addressing livestock grazing's impacts to public land resources, my office prepared an environmental assessment (EA) in which we considered a number of options and approaches to maintain and improve resource conditions for the Toy Mountain allotments (NEPA #DOI-BLM-ID\_030-2013-0021-EA). We considered and analyzed in detail five alternatives for the Meadow Creek FFR allotment and also considered other alternatives but did not analyze them in detail for various reasons, as described in the EA. Our goal in developing alternatives was to consider options that were important to you as the permittee and to consider options that, if selected, would ensure that the Meadow Creek FFR allotment's natural resources conform to the goals and objectives of the ORMP and the Idaho S&Gs. This proposed decision incorporates by reference the analysis contained in the EA.

In response to your application for grazing permit renewal, I am now prepared to issue a proposed decision to authorize livestock grazing within the Meadow Creek FFR allotment. This decision is the culmination of a comprehensive review of resource conditions and livestock management on the Meadow Creek FFR allotment, in accordance with the grazing regulations, Idaho S&Gs, the National Environmental Policy Act (NEPA), and the ORMP.

This proposed decision will:

- Describe current conditions and issues on the Meadow Creek FFR allotment;
- Briefly discuss the alternative grazing management schemes that the BLM considered in the EA;
- Respond to the application for grazing permit renewal for use in the Meadow Creek FFR allotment;
- Outline my proposed decision to select Alternative 2 in the Meadow Creek FFR allotment; and
- State my reasons for making this selection.

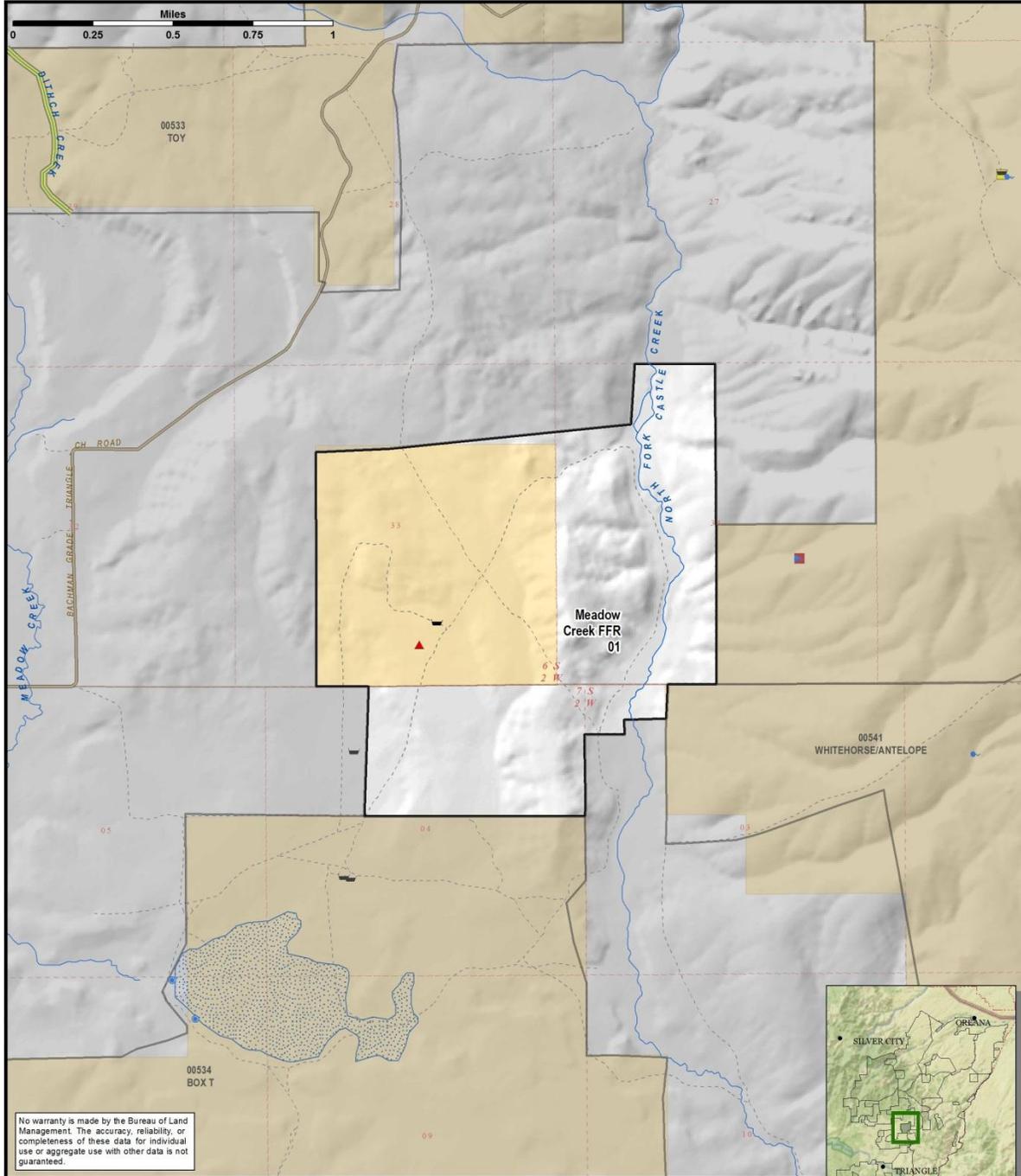
## **Background**

### ***Allotment Setting***

The Meadow Creek FFR allotment is located about 6 miles northeast of Triangle, Idaho, in Owyhee County. The allotment consists of a single pasture encompassing approximately 360 acres of public land and 493 acres of private lands (See Map 1). Nearly all of the public land acreage in the allotment is characterized by the Shallow Claypan 12-16" ecological site description, which has an expected vegetation community of low sagebrush, Idaho fescue and bluebunch wheatgrass. The allotment is situated at approximately 5,300 feet in elevation. Limited precipitation with cold winters and dry summers constrain plant community and wildlife habitat potential.



# Map 1: Meadow Creek FFR (00491) Allotment



No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or aggregate use with other data is not guaranteed.

- |                                |            |                          |                      |                   |
|--------------------------------|------------|--------------------------|----------------------|-------------------|
| Allotment of Interest Boundary | Stock Pond | <b>Assessment Rating</b> | Perennial Stream     | <b>Management</b> |
| Pasture Boundary               | Spring     | PFC                      | Improved Road        | BLM               |
| <b>Range Monitoring</b>        | Trough     | FAR                      | 4WD Road             | State             |
| Nested Plot Frequency Trend    | Exclosure  | NF                       | Water Body           | Private           |
| RHA Point                      |            |                          | Ephemeral Water Body |                   |



1:25,000

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

You hold the sole grazing permit on the Meadow Creek FFR allotment, with a current total permitted use of 47 active AUMs and no suspended AUMs. Although the existing permit identifies a season of use between 12/1 and 12/31, it also includes a term and condition that the number of livestock and season of use within the allotment is at your discretion provided the total number of authorized AUMs is not exceeded.

The terms and conditions of your grazing permit are as follow.\*

**Table LVST-1: Current Terms and Conditions for the Meadow Creek FFR allotment**

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
00491 Meadow Creek FFR	46	Cattle	12/1	12/31	100	Active	47

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

#### **Terms and conditions:**

1. The number of livestock and season of use on the fenced federal range (FFR) allotment #0606 are at your discretion.
2. Turnout is subject to the Boise District range readiness criteria.
3. Your certified actual use report is due within 15 days of completing your authorized annual grazing use.
4. Salt and/or supplement shall not be placed within one-quarter (1/4)-mile of springs, streams, meadows, aspen stands, playas, and water developments.
5. Changes to the scheduled use require prior approval.
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. Livestock enclosures located within your grazing allotments are closed to all domestic grazing use.
8. Range improvements must be maintained in accordance with the cooperative agreements and range improvement permits in which you are a signatory or assignee. All maintenance of range improvements within wilderness study areas requires prior consultation with the authorized officer.
9. All appropriate documentation regarding base property leases, land offered for exchange-of-use, and livestock control agreements must be approved prior to turnout. Leases of land and/or livestock must be notarized prior to submission and be in compliance with Boise District policy.
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, but 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. Livestock grazing will be in accordance with your allotment grazing schematic(s). Changes in scheduled pasture use dates will require prior authorization.
12. Utilization may not exceed 50 percent of the current year's growth.

## *Livestock Management*

Your recent actual use reports indicate that the allotment typically is used after mid-July, with use recorded as late in the year as December 1, employing the flexibility provided in your permit. Actual use is important when considering the renewal of a grazing permit because current conditions on the allotment are the result of the actual use, including timing and intensity of forage removal, rather than the season of use and livestock numbers described on the permit.

## **Resource Conditions<sup>1</sup>**

Rangeland health assessment, evaluation and determination documents were completed in 2006 and subsequently reviewed and updated in 2013. An evaluation and determination of achieving the Idaho S&Gs was signed October 22, 2013, taking into consideration the updated rangeland health assessment (USDI BLM, 2013). The findings of the 2013 determination include:

- Although Standards 1, 4 and 8 are not being met on the Meadow Creek FFR Allotment, significant progress is being made towards meeting these standards.
- Current livestock management practices are not significant causal factors in not meeting Standards 1, 4 and 8.
- Standards 2, 3, 5, 6 and 7 are not applicable to this allotment.

The following is a summary of resource conditions on the Meadow Creek FFR allotment, including a description of the 2013 determination for the Standard(s) associated with each resource.<sup>2</sup>

### *Vegetation - Uplands*

Standard 4 (Native Plant Communities) is not met in Meadow Creek FFR allotment, but vegetation conditions are making significant progress toward meeting the Standard. A 2002 field assessment noted that shrub abundance was generally increased, while perennial bunchgrasses were relatively less abundant than expected compared to site potential. A subsequent 2005 field assessment reflected an improvement over the 2002 conditions but also described an overall shift in perennial bunchgrass composition, with more small-stature bunchgrasses and fewer mid-stature, deep-rooted bunchgrasses than expected when compared ecological site descriptions of potential vegetation.

Although historic grazing management practices have led to the current vegetation composition and its deviation from site potential, no information suggests that current livestock management practices are contributing to the failure to meet the Standard. Actual use reports demonstrate annual deferment of grazing until mid-summer and fall since 2005. Use during this timeframe would avoid impacts to perennial grasses during their active spring growth period. Limited utilization data suggest that moderate or greater intensity of use periodically occurs outside the active growing season, when effects to plants from grazing are minimized.

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<sup>1</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA

<sup>2</sup> Riparian and Water Resources, Riparian Wildlife Habitat and Special Status Plants are not discussed here because they are not present on the Meadow Creek FFR allotment.

Therefore, it was determined that, due to the shift in relative abundance of the major vegetation components, Standard 4 was not met but that significant progress toward meeting the Standard is occurring based upon improving conditions reflected in field assessment notes and a review of grazing management practices on the allotment.

## **Watersheds**

Standard 1 (Watersheds) is not being met within the Meadow Creek FFR allotment due to altered hydrologic cycling, nutrient cycling, and energy flow relative to the expected reference conditions, although significant progress toward meeting the standard has been made, as described under the preceding vegetation section. Past livestock grazing management practices are significant causal factors for not meeting watershed Standard 1 and have resulted in accelerated soil erosion, reduced biological crusts, and soil surface loss and degradation. Much of the decline in soil stability and hydrologic function can be associated with a shift from deep-rooted bunchgrasses to more shallow-rooted species.

The 2005 assessment qualitatively described on the Meadow Creek FFR allotment in a better state than in 2002 field assessment. Sage-grouse habitat data from 2009 and 2012 support the conclusion that improvements in soils and vegetation conditions are occurring. Although hydrologic cycling, nutrient cycling, and energy flow relative to watershed health are altered and are not meeting Standard 1, significant progress toward meeting the standard has been made in the Meadow Creek FFR allotment.

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

The Meadow Creek FFR allotment consists of one pasture. The major habitat type within this allotment is sagebrush steppe. Sage-grouse use habitats within the allotment during breeding, summer, and winter seasons. No riparian habitats occur on public land within the Meadow Creek FFR allotment.

Factors currently limiting sage-grouse and upland wildlife habitat include the reduced abundance of deep-rooted perennial grasses, higher than expected sagebrush cover and/or density and decreased forb cover. However, as described under the vegetation section above, conditions including cover and abundance of deep-rooted perennial bunchgrasses are improving, so that progress towards meeting Standard 8 is being made.

## ***Issues***

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 Toy Mountain Group allotments. The identified issues that may be applicable to the Meadow Creek FFR allotment are listed below:<sup>3</sup>

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<sup>3</sup> Issues identified for the Toy Mountain Group as a whole that do not apply to the Meadow Creek FFR allotment and therefore are not discussed here include: juniper encroachment, riparian vegetation and streambank stability, and special-status plants

Issue 1: *Improve upland vegetation plant communities, and in particular, reverse the shift from desirable to undesirable native plant communities.*

Issue 2: *Improve watershed conditions within upland sites.*

Issue 3: *Prevent introduction and spread of noxious and invasive annual species (e.g., cheatgrass).*

Issue 4: *Improve wildlife habitats, and habitats necessary to meet objectives for sagebrush-dependent species, including sage-grouse.*

Issue 5: *Consider whether grazing can be used to limit wildfire.*

Issue 6: *Consider the issue of climate change and its relationship to the proposed federal action of renewing grazing permits. Livestock grazing in Owyhee County contributes CO<sub>2</sub> and methane emissions to the earth's atmosphere. In addition, climate change, itself a stressor on the sagebrush-steppe semi-arid ecosystem found in the Owyhee Uplands, can, when found in conjunction with cattle grazing, further stress the ecosystem's vegetation.*

Issue 7: *Consider impacts to regional socioeconomic activity generated by livestock production.*

### ***Analysis of Alternative Actions***

Based on the current condition of the Meadow Creek FFR allotment and the issues identified above, the BLM considered a number of alternative livestock management schemes in the EA to ensure that any renewed grazing permit would result in maintaining or improving satisfactory conditions and in continuing to provide for significant progress towards meeting standards where unsatisfactory conditions have been identified on the allotment. Overall, five alternatives were considered and analyzed in the EA, each of which was considered in detail and analyzed for the Meadow Creek FFR allotment. The range of alternatives developed include: Alternative 1 - Current Situation, Alternative 2 - Applicants' Proposed Action, and Alternative 5 - No Grazing, as well as Alternatives 3 and 4 which were developed based on resource constraints and grazing strategies. The following section briefly describes each alternative, as it applies to the Meadow Creek FFR allotment.

#### ***Alternative 1 - Current Situation***

This alternative would allow a continuation of your current management on the allotment, allowing season of use and numbers of livestock at your discretion, within the active AUM use level of 47 AUMs.

#### ***Alternative 2 - Applicant's proposed action***

This alternative would renew livestock grazing in accordance with your May 29, 2013, grazing application, and would authorized 47 active AUMs. The season of use would be changed to 6/1-12/10, to more accurately reflect the time of year you have been grazing the Meadow Creek FFR allotment. Livestock numbers and season of use would be at your discretion, within the active AUM use level of 47 AUMs.

*Alternative 3*

Under Alternative 3, BLM would establish a grazing schedule that would implement season of use constraints based upon the resources present on the Meadow Creek FFR allotment. You would be offered a 10-year permit for 47 AUMs. Grazing would not occur before June 1, and would be delayed until at least July 16 every third year to reduce the frequency of grazing during the active growth period.

*Alternative 4*

Under alternative 4, BLM would establish a grazing schedule that would implement additional constraints on use based upon the resources present in each pasture of the Meadow Creek FFR allotment. You would be offered a 10-year permit for 47 AUMs. Grazing would not occur before June 1, and would be delayed until at least July 16 in 2 out of 3 years to further reduce the frequency grazing during the active growth period, as compared to Alternative 3.

*Alternative 5 - No Grazing*

This alternative would not authorize grazing for a period of 10 years for the Meadow Creek FFR Allotment.

**Proposed Decision**

After considering the current grazing practices, the current conditions of the natural resources, and the alternatives and analysis in the EA as well as other information, it is my proposed decision to authorize grazing for a period of ten years in accordance with Alternative 2, as described in EA #DOI-BLM-ID-B030-2013-0021-EA.

Implementation of this alternative over the next ten years will allow the Meadow Creek FFR allotment to make significant progress toward meeting the Idaho S&Gs while also moving toward achieving the resource objectives outlined in the ORMP.

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

**Table LVST-2:** Robert Thomas permit for Meadow Creek FFR

Allotment	Livestock		Grazing Period*		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
00491 Meadow Creek FFR	7	Cattle	6/1	12/10	100	Active	47

The following grazing permit terms and conditions specific to the Meadow Creek FFR allotment would be included in the permit offered:

**Terms and conditions:**

1. The number of livestock and season of use on the fenced federal range (FFR) allotment #0491 are at your discretion.
2. Turnout is subject to the Boise District range readiness criteria.
3. Your certified actual use report is due within 15 days of completing your authorized annual grazing use.
4. Salt and/or supplement shall not be placed within one-quarter (1/4)-mile of springs,

- streams, meadows, aspen stands, playas, and water developments.
5. Changes to the scheduled use require prior approval.
  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. Livestock enclosures located within your grazing allotments are closed to all domestic grazing use.
  8. Range improvements must be maintained in accordance with the cooperative agreements and range improvement permits in which you are a signatory or assignee. All maintenance of range improvements within wilderness study areas requires prior consultation with the authorized officer.
  9. All appropriate documentation regarding base property leases, land offered for exchange-of-use, and livestock control agreements must be approved prior to turnout. Leases of land and/or livestock must be notarized prior to submission and be in compliance with Boise District policy.
  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, but 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. Livestock grazing will be in accordance with your allotment grazing schematic(s). Changes in scheduled pasture use dates will require prior authorization.
  12. Utilization may not exceed 50 percent of the current year's growth.

## **Rationale**

### ***Record of Performance***

Pursuant to 43 CFR § 4110.1(b)(1), a grazing permit may not be renewed if the permittee seeking renewal has an unsatisfactory record of performance with respect to its last grazing permit. Accordingly, I have reviewed your records as a grazing permit holder for the Alder Creek FFR, Hart Creek, Box T and Meadow Creek FFR allotments and have determined that you have a satisfactory record of performance and are a qualified applicant for the purposes of permit renewal.

### ***Justification for the Proposed Decision***

Based on my review of EA number DOI-BLM-ID-B030-2013-0021-EA, the rangeland health assessment/evaluation, determination, and other documents in the grazing files, it is my proposed decision to select Alternative 2 for the Meadow Creek FFR allotment. I have made this selection for a variety of reasons, but most importantly because of my understanding that implementation of this decision will best fulfill the BLM's obligation to manage the public lands under the Federal Land Policy and Management Act's multiple use and sustained yield mandate and will result in the Meadow Creek FFR allotment 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 Meadow Creek FFR allotment. I want you to know that I considered the issues through the lens of each alternative before I made my decision. My selection of Alternative 2 for the Meadow Creek FFR allotment is based in large part because of my understanding that this selection best addressed those issues, given the BLM's legal and land management obligations.

*Issue 1: Improve upland vegetation plant communities, and in particular, reverse the shift from desirable to undesirable native plant communities.*

Under Alternative 2, the season of use is at the discretion of the permittee, but it is expected that use will generally occur after mid-July, as in recent years. Potential impacts to cool-season bunchgrass species from annual active growing season use would be avoided because grazing would usually occur after the active growth period (until 7/15), allowing for recovery of health and vigor of bunchgrass species and forbs. Therefore, improvement in upland vegetation and significant progress toward meeting Standard 4 would continue under Alternative 2.

*Issue 2: Improve watershed conditions within upland sites.*

Under Alternative 2, the season of use in the Meadow Creek FFR allotment is at the discretion of the permittee, but it is expected that use will generally occur after mid-July, as in recent years. Under this management, significant progress towards meeting Standard 1 is occurring. Spring deferment would reduce physical soil impacts during the wettest period and continued improvements in vegetation composition, including increased abundance of mid-stature bunchgrasses and perennial forbs would provide additional protection for soils and facilitate improved hydrologic cycling and energy flow. The risk of mechanical impacts to soils from trampling would be minimized when use occurs in mid-July or later, though progress could be slowed if the allotment is used during the critical growing season, or earlier in the year, when soils are saturated.

*Issue 3: Prevent introduction and spread of noxious and invasive annual species (e.g., cheatgrass).*

Although Alternative 5 would most greatly reduce the potential for livestock to introduce and spread invasive and non-native annual species as compared to all alternatives that would continue to authorize grazing within the Meadow Creek FFR Allotment, livestock remain only one of a number of vectors for seed dispersal and soil surface disturbance. BLM's coordinated and ongoing weed control program would still be required in the absence of livestock grazing in the allotment. Improvements in health and vigor of native plant communities as a result of modified grazing practices improves their competitive ability and consequently reduce the risk of invasion noxious and invasive species.

*Issue 4: Improve wildlife habitats, and habitats necessary to meet objectives for sagebrush-dependent species, including sage-grouse.*

Overall, sagebrush steppe habitats would continue to provide productive sage-grouse habitat and nesting, foraging, and hiding habitat for other shrub-dependent species under Alternative 2. Increases in cover and abundance of forbs and mid-stature perennial bunchgrasses, including Idaho fescue and bluebunch wheatgrass, would result in increased forage and hiding cover for

sage-grouse and other species. Under Alternative 2, the Meadow Creek FFR allotment would continue to make progress toward meeting Standard 8.

*Issue 5: Consider whether grazing can be used to limit wildfire.*

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 Meadow Creek FFR allotment consists of small public land acreage situated in an area where increased fire frequency is generally not a factor disrupting normal ecological processes. Therefore, management of grazing on the Meadow Creek FFR allotment was not considered in detail, and implementation of Alternative 2 for the Meadow Creek FFR allotment will not significantly alter the BLM's ability to fight wildfire in the area.

*Issue 6: Consider the issue of climate change and its relationship to the proposed federal action of renewing grazing permits. Livestock grazing in Owyhee County contributes CO<sub>2</sub> and methane emissions to the earth's atmosphere. In addition, climate change, itself a stressor on the sagebrush-steppe semi-arid ecosystem found in the Owyhee Uplands, can, when found in conjunction with cattle grazing, further stress the ecosystem's vegetation.*

Climate change is another factor I considered in selecting Alternative 2 for the Meadow Creek FFR Allotment. Climate change is a stressor that can reduce the long-term competitive advantage of native perennial plant species. Since livestock management practices can also stress sensitive perennial species in arid sagebrush steppe environments, I considered the issues together, albeit based on the limited information available on how they relate in actual range conditions. Although the factors that contribute to climate change are complex, long-term, and not fully understood, the opportunity to provide resistance and resilience within native perennial vegetation communities from livestock grazing induced impacts is within the scope of this decision. This allotment is currently making progress towards meeting applicable standards, and therefore rangeland health conditions are improving, increasing the resiliency of sagebrush communities occurring on the allotment.

*Issue 7: Consider impacts to regional socioeconomic activity generated by livestock production.*

During the scoping process, concerns were raised about the impacts of modifications or reductions in grazing to regional socio-economic activity. I share this concern and have taken it into consideration in making my decision; however, my primary obligation is to ensure that the new grazing permit protects resources in a manner consistent with the BLM's obligations under the Idaho S&Gs and the ORMP. As noted above, I have selected Alternative 2 for the Meadow Creek FFR Allotment which maintains your current grazing levels while meeting or making significant progress towards S&Gs and the ORMP objectives.

***Additional Rationale***

I did consider selecting Alternative 5 (No Grazing) for this allotment; 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 allotment. In selecting Alternative 2 for the Meadow Creek FFR allotment rather than Alternative 5, I especially considered (1) BLM's ability to meet resource

objectives using the selected alternatives, (2) the impact of implementation of Alternative 5 on the your operations and on regional economic activity, and (3) your past performance under previous permits. By implementing this alternative, continued progress towards meeting resource objectives will occur. Declining to authorize grazing for a 10-year period is not the management decision most appropriate at this time in light of these factors.

### **Finding of No Significant Impact**

A finding of no significant impact (FONSI) was signed on November 20, 2013 and concluded that the proposed decision to implement Alternative 2 is not a major federal action that will have a significant effect on the quality of the human environment, individually or cumulatively with other actions in the general area. That finding was based on the context and intensity of impacts organized around the ten significance criteria described at 40 CFR § 1508.27. Therefore, an environmental impact statement is not required. A copy of the FONSI for EA number DOI-BLM-ID-B030-2013-0021-EA is available on the web at: [http://www.blm.gov/id/st/en/prog/nepa\\_register/owyhee\\_grazing\\_group/grazing\\_permit\\_renewal1.html](http://www.blm.gov/id/st/en/prog/nepa_register/owyhee_grazing_group/grazing_permit_renewal1.html)

### **Conclusion**

In conclusion, it is my decision to select Alternative 2, in accordance with your application, because livestock management practices under this selection meet the ORMP objectives and the Idaho S&Gs allotment-wide, while sustaining a reasonable level of livestock grazing. Alternative 5 would curtail the economic activity of your livestock operation in Owyhee County and southwest Idaho, a region where livestock production and agriculture is a large portion of the economy. That, in conjunction with the expectation that resource conditions will continue to improve under Alternative 2, lead me to believe elimination of livestock grazing from the Meadow Creek FFR allotment 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 (2005). My decision is issued under the following specific regulations:

- 4100.0-8 Land use plans. The ORMP designates the Meadow Creek FFR allotment as available for livestock grazing;
- 4130.2 Grazing permits or leases. Grazing permits may be issued to qualified applicants on lands designated as available for livestock grazing. Grazing permits shall be issued for a term of 10 years unless the authorized officer determines that a lesser term is in the best interest of sound management;
- 4130.3 Terms and conditions. Grazing permits must specify the term and conditions that are needed to achieve desired resource conditions, including both mandatory and other terms and conditions; and
- 4180 Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration. This proposed decision will result in taking appropriate action to modifying existing grazing management in order to make significant progress toward achieving rangeland health.

## Right of Protest and/or Appeal

Any applicant, permittee, lessee or other interested public may protest the proposed decision under 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 persons named in the copies sent to section of this decision in accordance with 43 CFR § 4.421 and on the Office of the Field Solicitor located at the address below in accordance with 43 CFR § 4.470(a) and 4.471(b).

Boise Field Solicitor's 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:

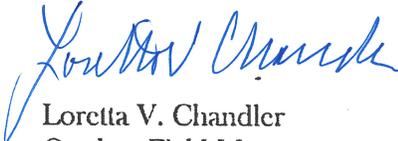
- (1) The relative harm to the parties if the stay is granted or denied.
- (2) The likelihood of the appellant's success on the merits.
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

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  
Owyhee Field Manager

### Works Cited

- USDI BLM. (1999). *Owyhee Resource Management Plan*. Marsing, ID.  
 USDI BLM. (2013). *Evaluation and Determination: Achieving the Idaho Standards for Rangeland Health and Conformance with the Guidelines for Livestock Grazing Management for the Meadow Creek FFR (0191) Allotment, 2013 Supplement*. Marsing, ID.

Copies sent to:

Company	Name	Address	City	ST	Zip	#	
Friends of Mustangs	Robert	Amidon	8699 Gantz Ave.	Boise	ID	83709	1
Soil Conservation District	Cindy	Bachman	PO Box 186	Bruneau	ID	83604	2
	Bill	Baker	2432 N. Washington	Emmett	ID	83617-9126	3
	Conrad	Bateman	740 Yakima St.	Vale	OR	97918	4
Idaho Dept. of Agriculture	John	Biar	PO Box 790	Boise	ID	83707	5
Boise District Grazing Board	Stan	Boyd	PO Box 2596	Boise	ID	83701	6
	Gene	Bray	5654 W El Gato Ln.	Meridian	ID	83642	7
Colyer Cattle Co.	Ray & Bonnie	Colyer	31001 Colyer Rd.	Bruneau	ID	83604	8

Company	Name	Address	City	ST	Zip	#	
	Senator Mike	Crapo	251 East Front Street STE 205	Boise	ID	83702	9
Owyhee County Natural Resources Committee	Jim	Desmond	PO Box 38	Murphy	ID	83650	10
Land & Water Fund	William	Eddie	PO Box 1612	Boise	ID	83701	11
Western Watershed Projects	Katie	Fite	PO Box 2863	Boise	ID	83701	12
Gusman Ranch Grazing Association LLC	Forest	Fretwell	27058 Pleasant Valley Rd.	Jordan Valley	OR	97910	13
	Chad	Gibson	16770 Agate Ln.	Wilder	ID	83676	14
Resource Advisory Council	Chair Gene	Gray	2393 Watts Lane	Payette	ID	83661	15
	Russ	Heughins	10370 W Landmark Ct.	Boise	ID	83704	16
Jaca Livestock	Elias	Jaca	817 Blaine Ave.	Nampa	ID	83651	17
Idaho Wild Sheep Foundation	President Jim	Jeffress	PO BOX 8224	Boise	ID	82707	18
	Dan	Jordan	30911 Hwy. 78	Oreana	ID	83650	19
	Floyd	Kelly Breach	9674 Hardtrigger Rd.	Given Springs	ID	83641	20
	Kenny	Kershner	PO Box 300	Jordan Valley	OR	97910	21
	Vernon	Kershner	PO Box 38	Jordan Valley	OR	97910	22
	Lloyd	Knight	PO Box 47	Hammett	ID	83627	23
	Congressman Raul	Labrador	33 E. Broadway Ave STE 251	Meridian	ID	83642	24
The Fund for the Animals, Inc.	Andrea	Lococo	1363 Overbacker	Louisville	KY	40208	25
LU Ranching	Tim	Lowry	PO Box 132	Jordan Valley	OR	97910	26
Idaho Wild Sheep Foundation	Herb	Meyr	570 E 16th N.	Mountain Home	ID	83647	27
R&S Enterprise	Ray	Mitchell	265 Millard Rd.	Shoshone	ID	83352	28
	Ed	Moser	22901 N. Lansing Ln.	Middleton	ID	83644	29
	Brett	Nelson	9127 W. Preece St.	Boise	ID	83704	30
	Ramona	Pascoe	PO Box 126	Jordan Valley	OR	97910	31
	Anthony & Brenda	Richards	8935 Whiskey Mtn. Rd.	Murphy	ID	83650	32
-	John	Richards	8933 State Hwy. 78	Marsing	ID	83639	33
	Senator James E.	Risch	350 N 9th Street STE 302	Boise	ID	83702	34
Idaho Conservation League	John	Robison	PO Box 844	Boise	ID	83701	35
	John	Romero	17000 2X Ranch Rd.	Murphy	ID	83650	36

Company	Name		Address	City	ST	Zip	#
	Bob	Salter	6109 N. River Glenn	Garden City	ID	83714	37
Intermountain Range Consultants	Bob	Schweigert	5700 Dimick Ln.	Winnemucca	NV	89445	38
	Congressman Mike	Simpson	802 West Bannock STE 600	Boise	ID	83702	39
Shoshone-Bannock Tribes	Tribal Chair Nathan	Small	PO Box 306	Ft. Hall	ID	83203	40
Juniper Mtn. Grazing Association	Michael	Stanford	3581 Cliffs Rd.	Jordan Valley	OR	97910	41
	John	Townsend	8306 Road 3.2 NE	Moses Lake	WA	98837	42
Moore Smith Buxton & Turcke	Paul	Turcke	950 W. Bannock, Ste. 520	Boise	ID	83702	43
Natural Resources Defence Council	Johanna	Wald	111 Sutter St., 20 <sup>th</sup> Floor	San Francisco	CA	94104	44
Office of Species Conservation	Cally	Younger	304 N. 8 <sup>th</sup> STE 149	Boise	ID	83702	45
Owyhee County Commissioners			PO Box 128	Murphy	ID	83650	46
Holland & Hart LLP			PO Box 2527	Boise	ID	83701	47
Idaho Cattle Association			PO Box 15397	Boise	ID	83715	48
IDEQ			1410 N. Hilton	Boise	ID	83701	49
Idaho Dept. of Lands			PO Box 83720	Boise	ID	83720	50
Idaho Farm Bureau Fed.			PO Box 167	Boise	ID	83701	51
International Society for the Protection of Horses & Burros	Karen	Sussman	PO Box 55	Lantry	SD	57636	52
Oregon Division State Lands			1645 NE Forbes Rd., Ste. 112	Bend	OR	97701	53
Owyhee Cattlemen's Association			PO Box 400	Marsing	ID	83639	54
Schroeder & Lezamiz Law Offices			PO Box 267	Boise	ID	83701	55
Sierra Club			PO Box 552	Boise	ID	83701	56
State Historic Preservation Office			210 Main St.	Boise	ID	83702	57
State of Nevada Div. of Wildlife			60 Youth Center Rd.	Elko	NV	89801	58
The Nature Conservancy			950 W. Bannock, Ste. 210	Boise	ID	83702	59
The Wilderness Society			950 W. Bannock St., Ste. 605	Boise	ID	83702-5999	60

Company	Name		Address	City	ST	Zip	#
U.S.F.W.S. Idaho State Office			1387 S. Vinnell Way, Ste. 368	Boise	ID	83709	61
USDA Farm Services			9173 W. Barnes	Boise	ID	83704	62
Western Watershed Projects			PO Box 1770	Hailey	ID	83333	63
Josephine Ranch	Steve	Boren	1050 N. Briar Lane	Bosie	ID	83712	64
	John E	Edwards	15804 Tyson Rd	Murphy	ID	83650	65
Northwest Farm Credit Services, FLCA	Maudi	Hernandez	16034 Equine Drive	Nampa	ID	83687	66
	Rohl	Hipwell	18125 Oreana Loop Rd.	Oreana	ID	83650	67
	Marti & Susan	Jaca	21127 Upper Reynolds Cr. Rd.	Murphy	ID	83650	68
Lequerica & Sons Inc.	Tim	Lequerica	PO Box 113	Arock	OR	97902	69
	Charles	Lyons	11408 Hwy 20	Mountain Home	ID	83647	70
	Craig & Georgene	Moore	P.O. Box 14	Melba	ID	83641	71
	Soctt & Sherri	Nicholson	P.O. Box 690	Meridian	ID	83680	72
	Joseph	Parkinson	123 W. Highland View Dr.	Boise	ID	83702	73
Zion First National Bank	Bertha	Scallon	500 5th St.	Ames	IA	50010	74
	Elmer	Stahl	17965 Oreana Loop Rd.	Murphy	ID	83650	75
Estate of Charles Steiner	John	Steiner	24597 Collett Rd.	Oreana	ID	83650	76
	Robert	Thomas	17947 Shortcut Rd.	Oreana	ID	83650	77
Idaho Fish & Game	Rick	Ward	3101 S. Powerline Rd.	Nampa	ID	83686	78
Northwest Farm Credit Services			815 N. College Rd	Twin Falls	ID	83303	79
Ranges West			2410 Little Weiser Rd.	Indian Valley	ID	83632	80