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In Reply Refer To:
4160 ID130

November 26, 2013

REGISTERED MAIL

Scott and Sherri Nicholson
PO Box 690
Meridian, ID 83680

Notice of Field Manager's Proposed Decision

Dear Scott and Sherri Nicholson:

Thank you for working with the BLM throughout this permit renewal process. I appreciate your interest in grazing the Whitehorse/Antelope allotment in a sustainable fashion and am confident that this proposed decision achieves that objective.

The BLM completed a Rangeland Health Assessment/Evaluation and Determination for the Whitehorse/Antelope allotment in 2013 (USDI BLM, 2013) by supplementing the final rangeland health assessments completed in 2006.[1] The BLM undertook this effort to ensure that any renewed grazing permit on this allotment is consistent with the BLM's legal and land management obligations. This proposed decision incorporates those documents by reference and the information contained therein.

The Owyhee Field Office initiated a public scoping process for Groups 3 through 5 of the Owyhee 68 grazing permit renewal process by letter in January 2013. These groups are referred to as the Toy Mountain, South Mountain, and Morgan groups, respectively. The Whitehorse/Antelope allotment is one of 20 allotments within Group 3, the Toy Mountain Group. The letter informed recipients that the purpose of the public outreach effort was to identify resource and management issues associated with the Idaho Standards for Rangeland Health and Guidelines for Livestock Grazing Management (Idaho S&Gs) and the Owyhee Resource Management Plan (ORMP) (USDI BLM, 1999) for the purpose of developing grazing management alternatives for all three groups, including for the Toy Mountain Group (Group 3) NEPA document. The letter also served to request additional resources and monitoring information that could help the BLM to complete the permit renewal process. The letter encouraged commenters to submit comments and

[1] Rangeland health assessments for the Toy Mountain Group allotment are available on the web at http://www.blm.gov/id/st/en/prog/nepa_register/owyhee_grazing_group/grazing_permit_renewal1.html

information by February 25, 2013, for each group of allotments, but did not set a closing date for the receipt of public comments. The scoping document was also presented to the Shoshone-Paiute Tribe and Owyhee County Commissioners.

BLM mailed you a letter May 25, 2011, summarizing progress and future actions to comply with the 2008 Stipulated Settlement Agreement in renewing your grazing permit. That letter also requested that you complete an application for renewal of your permit to graze livestock in the Whitehorse/Antelope allotment. You submitted an application for renewal of this grazing permit, received by the BLM on June 12, 2011. In late May and early June 2013, two meetings were held with you to discuss allotment conditions, objectives, and livestock management. Additionally, you were asked during the 2013 meetings to update the previously submitted application. Following discussion with the BLM in 2013, you provided an updated application for permit renewal, received by the BLM on June 13, 2013.

After evaluating conditions on the land, meeting with you, and reviewing information received from the public, it became clear that resource concerns currently exist on the Whitehorse/Antelope allotment.

As a focus of addressing the impacts of renewing your livestock grazing permit, my office prepared and issued the Toy Mountain Group Environmental Assessment[2] (EA) in which we considered a number of options and approaches to maintain and improve resource conditions within the 20 allotments of the Toy Mountain Group. Specifically, the BLM considered and analyzed in detail five alternatives. We also considered other alternatives that we did not analyze in detail. Our objective 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 natural resources in the Whitehorse/Antelope allotment 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.
I am now prepared to issue a proposed decision to renew your permit to graze livestock within the Whitehorse/Antelope allotment. Upon implementation of the decision, your permit to graze livestock on this allotment will be fully processed using the revisions to the grazing regulations promulgated[3] in 1995, the Idaho S&Gs adopted in 1997, and the ORMP adopted in 1999.

This proposed decision will:

- Describe current conditions and issues on the 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 Whitehorse/Antelope allotment;
- Outline my proposed decision to select Alternative 4; and
- Explain my reasons for proposing this decision.

[2] EA number DOI-BLM-ID-B030-2013-0021-EA analyzed five alternatives for livestock grazing management practices to fully process permit renewal within the Toy Mountain Group of allotments.
[3] 43 CFR Subpart 4100 is the federal regulations that govern public land grazing administration.

Background

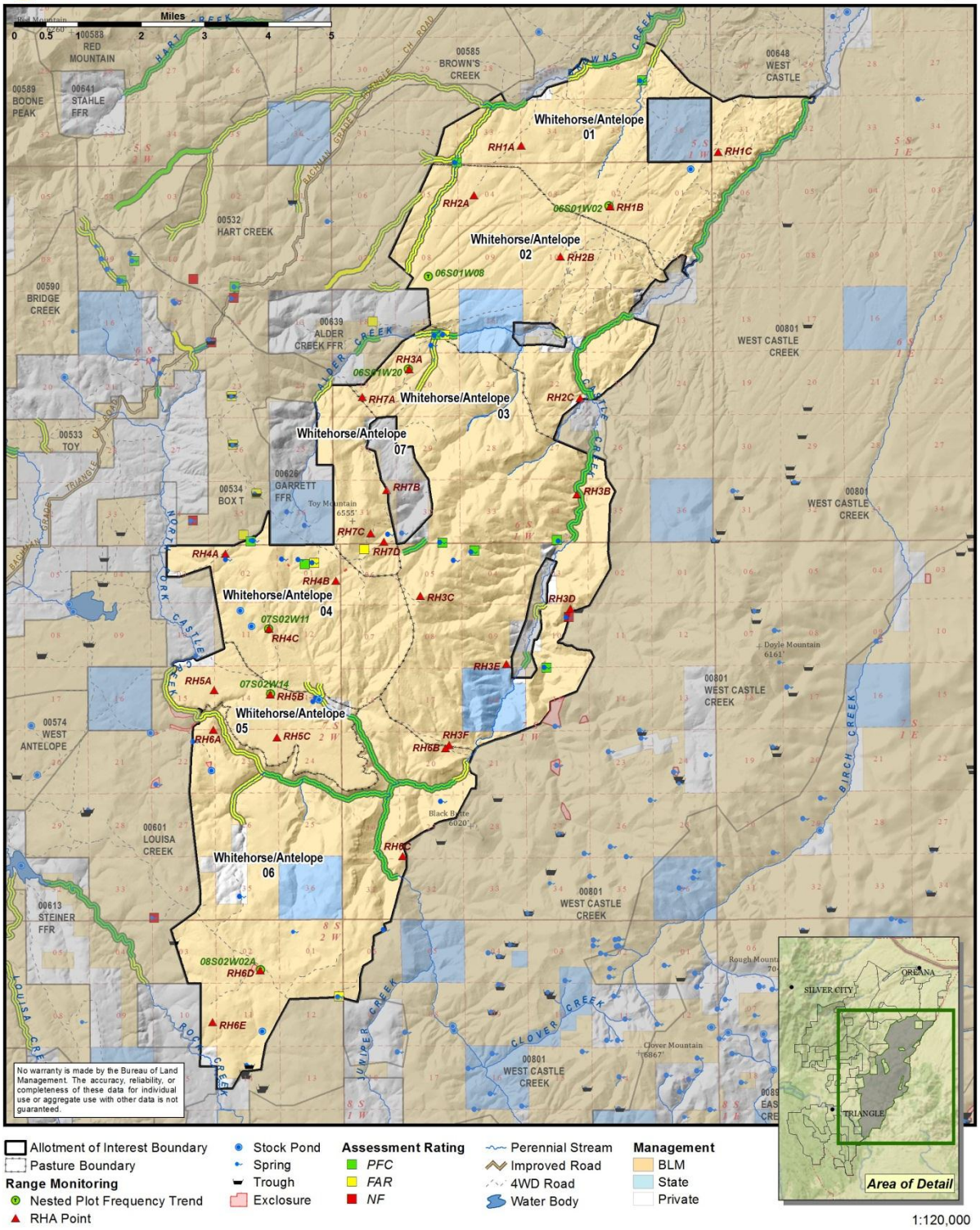
Allotment Setting

The Whitehorse/Antelope allotment is composed of seven pastures ranging in elevation from approximately 2,850 to 6,600 feet. The allotment is located south of Oreana and east of Triangle, Idaho (Map 1). The ORMP categorized the Whitehorse/Antelope allotment as an Improve (I) category allotment with a medium priority for management. In addition to allocating livestock grazing within the Whitehorse/Antelope allotment, the ORMP identified issues associated with management activities with a listing of resource concerns and applicable ORMP resource objectives. Resource concerns identified include the high erosion potential, ecological condition of vegetation communities, juniper encroachment, noxious weeds, perennial surface water, riparian/wetland ecosystems, and special status species (e.g., bighorn sheep, burrowing owl, collared lizard, plants, redband trout, and sage-grouse).

The allotment lies within the Snake River Plains and Owyhee Uplands, a sagebrush steppe semi-arid landscape of shrubs and cool-season bunchgrasses where native vegetation communities are diverse. Limited precipitation with cold winters and dry summers constrain plant and animal communities. Primary vegetation types are dominated by big sagebrush, low sagebrush, or salt desert shrub as the shrub layer, with native perennial bunchgrasses and forbs in the understory.

High values resources present within the Whitehorse/Antelope allotment include pastures with sage grouse pre-laying/lekking habitats and more than 1 mile of perennial streams supporting redband trout.

Map 1: Whitehorse/Antelope (00541) Allotment



Current Grazing Authorization

You are currently authorized to graze cattle on the Whitehorse/Antelope allotment with a total permitted use of 5,805 AUMs, of which 4,345 AUMs are active use and 1,460 AUMs are suspension AUMs[4]. The authorized season of use for the allotment is March 1 to October 31 annually. The terms and conditions of the existing grazing permit are as follow in Table LVST-1:

Table LVST-1: Mandatory and other terms and conditions of the existing permit to graze livestock within the Whitehorse/Antelope allotment

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
00541 Whitehorse/Antelope	586	Cattle	3/1	10/31	92	Active	4,345

Terms and conditions:

1. A minimum 4-inch stubble will be left on herbaceous vegetation within the riparian area along 4.5 miles of the North Fork of Castle Creek in allotment #0541 at the end of the growing season, as identified in the fisheries objective of the Owyhee RMP.
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 exclosures 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.

[4] While a 2012 permit renewal completed in accordance with a rider to the 2012 Appropriations Act identifies no suspension in the Whitehorse/Antelope allotment, the permit for grazing use is the still valid 1997 permit pending its renewal in compliance with the Idaho S&Gs and the ORMP (see the 2/29/2000 Memorandum Decision and Order of the United States District Court for the District of Idaho in IWP v Hahn). During the short term of implementing the revised grazing regulations in 2006, the suspension was likely removed from the record as part of an effort to offer a replacement permit.

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.
13. United States District Court for the District of Idaho imposed terms and conditions:
    - 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.

Recent actual use submitted by you for the Whitehorse/Antelope allotment indicates that grazing use typically occurs between mid-March and the end of October. Actual use reported during the eight-year period between 2005 and 2012 has averaged 1,413 AUMs, with a maximum of 1,807 AUMs in 2011.

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 allotment. In other words, the current condition of the allotment is not the result of what was authorized under the existing permit, but rather is the result of the removal of a significantly fewer number of AUMs than identified in terms and conditions of your permit and the seasons of use reported.

Resource Conditions

The BLM evaluated grazing practices and conditions in the Whitehorse/Antelope allotment through 2013. The determination document for the allotment was provided to the public with the preliminary EA. The Evaluation and Determination concluded that Standards 1 (Watersheds), 2 (Riparian Areas and Wetlands), 3 (Stream Channel/Floodplain), 4 (Native Plant Communities), 7 (Water Quality), and 8 (Threatened and Endangered Plants and Animals) of the applicable Standards for Rangeland Health are not being met in the allotment. Standards 5 (Seedings) and 6 (Exotic Plant Communities, other than Seedings) are not applicable to this allotment. Current livestock grazing management practices are significant factors in not meeting Standards 1, 2, 3, 4, 7 and 8.

Vegetation – Uplands

The Idaho S&Gs Standard 4 (Native Plant Communities) is not met in pastures 1, 2, and 5 of the Whitehorse/Antelope allotment due to current livestock management practices, but is met in pastures 3, 4, 6, and 7 (formerly pasture 3A). Salt desert shrub and Wyoming big sagebrush vegetation communities in pastures 1 and 2 (communities that receive less than 13 inches of average annual effective precipitation and are located below an elevation of 4,500 feet) have limited resilience to disturbance factors. Historic grazing impacts are present throughout the allotment, with the reduced composition of deep-rooted native perennial bunchgrasses (e.g., bluebunch wheatgrass, Idaho fescue, Thurber's needlegrass, and needle-and-thread grass) from reference site conditions and a greater dominance by increaser species (e.g., Sandberg bluegrass and squirreltail). Turnout of cattle in low elevation pastures and livestock movement up in elevation, a practice that has continued in recent years, has resulted in frequent grazing in pastures 1 and 2 during the active growing season (May 1 – June 30). Limited soil moisture after movement of cattle off these pastures limits regrowth and the completion of the annual growth cycle before summer dormancy. Although the presence of cheatgrass is noted throughout the allotment, no sites are dominated by the introduced annual grass.

In addition, pasture 5 is not meeting Standard 4. Shallow soils and limited deferment of livestock grazing until after the active growing season have held low sagebrush/bunchgrass vegetation communities in a depressed condition with the interspace between shrubs dominated by Sandberg bluegrass or with areas devoid of vegetation or litter.

Although juniper are scattered throughout the allotment, with the exception of pastures 1 and 2, dense stands that would contribute toward not meeting Standard 4 are limited to localized areas. Juniper encroachment into shrub-steppe vegetation communities has the potential to lead to Standard 4 not being met in the future, especially in pastures 3 through 7 outside the salt desert shrub and Wyoming big sagebrush vegetation communities.

The ORMP vegetation management objective to improve unsatisfactory and maintain satisfactory vegetation health/condition on all areas is also not met within a number of pastures. This is indicated by downward trend recorded at monitoring sites in pastures 1, 3, and 5, static trend showing lack of improvement in vegetation communities dominated by shallow-rooted bunchgrasses in pasture 2, and inconsistent upward trend and concern with the expansion of annual grasses and short-lived perennial grasses (e.g., bulbous bluegrass) in pasture 4. The vegetation management objective is met in pasture 6 where the composition of deep-rooted perennial bunchgrasses and sagebrush species is more consistent with vegetation communities present under natural disturbance regimes.[5]

Watersheds

Current and past livestock grazing management practices are significant causal factors for not meeting upland watershed Standard 1 in pastures 1, 2, 3, 5, and 6 of the Whitehorse/Antelope allotment; watershed health is appropriate and the standard is being met in pastures 4 and 7. The reduction in soil and hydrologic function is associated with physical soil disturbance and an altered

[5] For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.1.1, Section 3.3.20.1.1, and Appendix E.

plant community composition and distribution due to decreased relative abundance of large, deep-rooted native perennial bunchgrasses.

An increase in invasive species also contributes to an ongoing decline in hydrologic function and nutrient availability. As a result, historic and active accelerated erosional processes have increased pedestaling of plants which, along with mechanical damage to soils by livestock hoof action, has also affected the biological soil crust component, especially in the interspatial areas.

The ORMP management objective to improve unsatisfactory and maintain satisfactory watershed health/condition on all areas is also not met within a number of pastures. Downward trend recorded at the monitoring sites in pasture 3, and primarily static trend showing lack of improvement with increase in bare ground in pasture 2, lead to a conclusion that the watershed management objective is not met.

The decreased ecological function and impaired soils indicate that soil and hydrologic function are compromised. Current and historic livestock management are the primary contributing factors for not meeting Standard 1 and ORMP soil management objectives of improving unsatisfactory watershed health/conditions for the Whitehorse/Antelope allotment.[6]

Water Resources and Riparian/Wetland Areas

Standards 2 and 3 are not being met in all seven pastures of the Whitehorse/Antelope allotment due to current livestock management practices. The National Hydrography Dataset identifies numerous streams and riparian areas in the seven pastures of the Whitehorse/Antelope allotment (122.7 miles of intermittent and ephemeral; 17.5 miles perennial; 23 springs). The ORMP identified riparian and fisheries habitat on approximately 15.6 miles of streams including Castle Creek, North Fork Castle Creek, and South Fork Castle Creek. Inventories and assessments were conducted on approximately 28 miles of streams on the allotment between 1999 and 2011. Approximately 17.6 miles were most recently in proper functioning condition (PFC), and 10.4 were Functional At-Risk (FAR). In general, for the streams that are still FAR, there was inadequate riparian vegetation present to protect stream banks and dissipate energy during high flow events. There was also often erosion and deposition present and livestock trails were compacting soils.

One riparian monitoring site was established along Whitehorse Creek in pasture 6. The median stubble height was 7 inches, woody use was 47 percent, and stream bank alteration was 42 percent. The woody use and bank alteration metrics exceed criteria for maintaining healthy riparian areas.

A number of springs in the allotment have been assessed at least once. Ten of them were in PFC, four were FAR, one was non-functional (NF), and three were not assessed. In general, the springs that had issues were developed with the flow patterns altered and soils compacted by trampling.

[6] For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.1.2 and Section 3.3.20.1.2.

Standard 7 is not being met in the Whitehorse/Antelope allotment due to temperature, flow alteration, or sediment, as listed in Table RIPN-3 in the EA.[7]

Special Status Plants

No populations of special status plant species are known to occur in the Whitehorse/Antelope allotment.[8]

Wildlife/Wildlife Habitats and Special Status Animals

Standard 8 for wildlife is not met in the Whitehorse/Antelope allotment because overall upland sagebrush steppe and riparian habitats are not providing adequate conditions for many shrub-obligate and riparian-dependent species. Sage-grouse use habitats within the allotment during breeding, summer, and winter seasons. In addition to the two leks that occur on the allotment, the majority of the allotment intersects sage-grouse habitat correlated with high breeding densities. Upland habitat conditions in pastures 1, 2, and 5 are not improving, as noted under the discussion regarding upland vegetation above and limiting habitat quality for many species of wildlife. In addition, the structure necessary for sage-grouse breeding habitat is marginal in pastures 1 and 3. However, across the allotment, the quality of other sage-grouse seasonal habitats (i.e., upland summer and winter) is not limiting sage-grouse use. Scattered juniper limits habitat quality for shrub-dependent wildlife species.

Riparian habitat conditions have improved in pastures 2, 3, and 6. In many areas, riparian habitats are providing adequate breeding and foraging conditions for many dependent wildlife species due to structural diversity, composition, and vigor of hydric vegetation. However, some issues are apparent and many areas accessible to livestock lack some habitat components (i.e., diverse age-classes and species, abundant and vigorous growth) that provide suitable conditions for a diversity of dependent species. Additionally, conditions in riparian vegetation communities in pastures 6 and 7 are not providing suitable brood-rearing and summer riparian habitats for sage-grouse.[9]

The Whitehorse/Antelope allotment is not meeting Standard 8 and current livestock practices are significant factors, as related to failure to meet Standards 2, 3, and 4. In the absence of riparian function (Standards 2 and 3), riparian areas are not providing habitats for species dependent on hydric vegetation communities or aquatic habitats. Similarly, failure to maintain or promote native plants that provide for proper nutrient cycling, hydrologic cycling, and energy flow (Standard 4), uplands are not providing habitats for shrub steppe dependent species.[10]

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[7] For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.1.3 and Section 3.3.20.1.3.

[8] For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.1.4 and Section 3.3.20.1.4.

[9] The determination for the Whitehorse Antelope allotment indicates that the riparian habitats overall are making progress towards meeting Standard 8. However to make the wildlife habitat analysis consistent with the riparian analysis from standards 2 and 3 that statement has been removed from the EA. Some of the riparian habitats are not improving so the claim that overall they are improving is in error.

[10] For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.1.5 and Section 3.3.20.1.5.

Guidelines for Livestock Grazing Management

In addition to a discussion of rangeland health standards, the BLM's 2013 Determination for the Whitehorse/Antelope allotment (USDI BLM, 2013) identified that current grazing management practices do not conform with the applicable Livestock Grazing Management Guidelines 1, 3, 4, 5, 6, 7, 8, 9, 10 and 12 for several Standards. Guidelines 1, 3, 4, 5, 6, 7, 8, 9, 10, and 12 are as follows:

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

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

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

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

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

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

Guideline 8: Apply grazing management practices that maintain or promote the interaction of the hydrologic cycle, nutrient cycle, and energy flow that will support the appropriate types and amounts of soil organisms, plants, and animals appropriate to soil type, climate, and landform.

Guideline 9: Apply grazing management practices to maintain adequate plant vigor for seed production, seed dispersal, and seedling survival of desired species relative to soil type, climate, and landform.

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

Guideline 12: Apply grazing management practices and/or facilities that maintain or promote the physical and biological conditions necessary to sustain native plant populations and wildlife habitats in native plant communities.

Issues

Through the scoping process and development of the rangeland health assessment/evaluation reports and determinations, the BLM interdisciplinary team identified the following issues concerning livestock grazing management in one or more of the Toy Mountain Group allotments:

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: *Limit juniper encroachment into shrub-steppe vegetation types.*

Issue 4: *Prevent introduction and spread of noxious and invasive annual species (e.g., cheatgrass).*

Issue 5: *Improve riparian vegetation and stream-bank stability associated with streams and springs/seeps.*

Issue 6: *Protect special status plants and improve the habitats supporting special status plants.*

Issue 7: *Improve wildlife habitats, and habitats necessary to meet objectives for sagebrush-dependent species, including sage-grouse.*

Issue 8: *Consider whether grazing can be used to limit wildfire.*

Issue 9: *Consider the two-fold issue of climate change and its relationship to the proposed federal action of renewing grazing permits. Livestock grazing in Owyhee County contributes CO_2 and methane emissions to the earth's atmosphere. In addition, climate change, itself a stressor on the sagebrush-steppe semi-arid ecosystem found in the Owyhee Uplands, can when found in conjunction with cattle grazing, further stress the ecosystem's vegetation.*

Issue 10: *Consider impacts to regional socioeconomic activity generated by livestock production.*

Analysis of Alternative Actions

Based on the current condition of the Whitehorse/Antelope allotment and the issues identified above, the BLM considered and analyzed a number of alternative livestock management schemes in the EA to ensure that any renewed grazing permit would result in the improvement and maintenance of desired conditions on the allotment. Specifically, the BLM analyzed five alternatives in detail, identified a number of actions common to all alternatives, and considered but

did not analyze in detail a number of other possible actions.[11] The BLM considered the following alternatives in detail:

Alternative 1 – Current Situation
The BLM would renew the grazing permit with the same terms and conditions as those in the existing permit, except for authorized livestock numbers and AUMs of active use. Under Alternative 1, livestock grazing would be authorized at a level equivalent to the maximum actual use reported recently (1,807 AUMs), a level of use that has resulted in current resource conditions. The season of use would extend from April 15 through October 31.[12]

Alternative 2 – Applicant's Proposed Action
The BLM would renew the grazing permit in accordance with terms and conditions within the application received. Authorized active use would be unchanged from the existing permit at 4,345 AUMs, with use extending from March 1 through October 31.[13]

Alternative 3
BLM would renew the livestock grazing permit with terms and conditions that limit seasons, intensities, duration, and frequency of grazing use consistent with the pasture-specific constraints specific to resource values including wildlife, vegetation, soils, riparian, and water quality. Cattle grazing would be authorized between March 1 and October 31, with an active use of 1,520 AUMs.[14]

Alternative 4
BLM would renew the livestock grazing permit with terms and conditions that constrain the frequency of grazing use during critical periods of the year and limit the intensity and duration of grazing use specific to resource values including wildlife, vegetation, soils, riparian, and water quality that would be more limiting than those under Alternative 3. In addition, the alternative would limit grazing impacts to high-value sage-grouse pre-laying/lekking habitats and pastures with 1 or more miles of redband trout bearing streams. Cattle grazing would be authorized in the allotment between May 16 and October 31, with an active use of 795 AUMs.[15]

Alternative 5 – No Grazing
No grazing would be authorized on public lands within the allotment for a term of ten years. The application for grazing permit renewal would be denied and no grazing permit would be offered.

[11] For more detailed discussion, please refer to EA number EA number DOI-BLM-ID-B030-2013-0021-EA Section 2 and Section 2.4.20.
[12] For more detailed discussion, please refer to EA number EA number DOI-BLM-ID-B030-2013-0021-EA Section 2.4.20.1
[13] For more detailed discussion, please refer to EA number EA number DOI-BLM-ID-B030-2013-0021-EA Section 2.4.20.2
[14] For more detailed discussion, please refer to EA number EA number DOI-BLM-ID-B030-2013-0021-EA Section 2.4.20.3
[15] For more detailed discussion, please refer to EA number EA number DOI-BLM-ID-B030-2013-0021-EA Section 2.4.20.4

The Preliminary EA detailing the above alternatives was made available for public review and comment for a 15-day period ending November 12, 2013. Comments that were received were used to complete the EA and draft a finding of no significant impact (FONSI).

Proposed Decision

After considering the current grazing practices, the current conditions of the natural resources, and the alternatives with analysis in the EA, comments received from you and other interested publics, as well as other information, it is my proposed decision to renew your grazing permit for 10 years consistent with the terms and conditions under Alternative 4. Implementation of Alternative 4 over the next ten years will allow the Whitehorse/Antelope allotment to make significant progress toward meeting the Idaho S&Gs, while also moving toward achieving the resource objectives outlined in the ORMP.

You will be offered a permit for a term of 10 years with an active use of 795 AUMs as outlined in Table LVST-2. Authorized active use in the Whitehorse/Antelope allotment will be reduced from 4,345 AUMs in the existing permit to 795 AUMs. The elimination of 3,550 AUMs of active use will not result in a conversion to suspension AUMs, as this is not a temporary reduction (see, e.g., 43 CFR § 4100.0-5, Definitions), but a reduction under 43 CFR § 4110.3-2 (b), and as discussed in section 2.1.2 of the EA. The difference in AUMs will be the result of fewer livestock numbers and scheduled rest in a number of pastures, in addition to authorizing spring turnout of livestock approximately 10 weeks later than the current permit or 4 weeks later than under the current situation (Alternative 1).

Table LVST-2: Permitted grazing use within the Whitehorse/Antelope allotment with implementation of the decision

Active Use	Suspension[16]	Permitted Use
795 AUMs	1,460 AUMs	2,255 AUMs

The terms and conditions of the renewed grazing permit are defined in Table LVST-3.

Table LVST-3: Mandatory and other terms and conditions of the offered permit to graze livestock within the Whitehorse/Antelope allotment with implementation of the decision

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
00541 Whitehorse/Antelope	155	Cattle	5/16	10/31	92*	Active	795

* Application of percent-public-land to the offered permit is subject to submission of documentation of state and/or private land in the allotment controlled by the permittee.

The following grazing permit terms and conditions specific to the Whitehorse/Antelope allotment would be included in the permit offered:

[16] In accordance with revisions to the grazing regulations as amended through February 6, 1996, paragraph C with provisions requiring the authorized officer to hold AUMs comprising the decreased permitted use in suspension was removed from 43 CFR 4110.3-2. As a result, the reduction in permitted use from 5,805 AUMs to 2,255 AUMs would not result in an increase in suspension AUMs.

1. Grazing use of the Whitehorse/Antelope allotment (0541) will be in accordance with the grazing schedule identified in the final decision of the Owyhee Field Office Manager dated _____. Flexibility in dates of moves between pastures is provides to meet resource management and livestock management objectives, so long as move dates adhere to seasons of use constraints identified in the decision (see Table LVST-5). Changes to the scheduled use require approval by the authorized officer, consistent with Standard Terms and Conditions.
2. A crossing permit for trailing of livestock associated with the grazing authorization in the Whitehorse/Antelope allotment for the term of this grazing permit, and consistent with the final decision of the authorized officer dated _____, will be authorized concurrent with the term of this grazing permit.
3. A minimum 4-inch stubble will be left on herbaceous vegetation within the riparian area along 4.5 miles of the North Fork of Castle Creek in allotment #0541 at the end of the growing season, as identified in the fisheries objective of the Owyhee RMP.

The following applicable Boise District grazing permit terms and conditions would be included in the permit offered:

1. Turn-out is subject to the Boise District range readiness criteria.
2. The permittee's certified actual use report is due within 15 days of completing the authorized annual grazing use.
3. 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.
4. Trailing activities, other than the allotment specific crossing authorization identified above, must be coordinated with the BLM prior to initiation. A trailing permit or similar authorization may be required prior to crossing public lands.
5. Livestock exclosures located within the grazing allotment are closed to all domestic grazing use.
6. 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.
7. 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.
8. Utilization may not exceed 50 percent of the current year's growth.

The percent public land, calculated by the proportion of livestock forage available on public lands within the allotment, compared to the total available from both public land and lands controlled by the permittee, would be unchanged from the existing permit, subject to submission of documentation of state and/or private land in the allotment controlled by you.

The grazing schedule for the Whitehorse/Antelope allotment, identified in Table LVST-4, will be authorized and its implementation will be included as a term and condition of the permit offered. Flexibility in dates of moves between pastures is provided to meet resource management and

livestock management objectives, as long as move dates adhere to seasons of use consistent with constraints listed in Table LVST-5.

Table LVST-4: Whitehorse/Antelope allotment grazing strategy with implementation of the decision

Pasture	Year 1	Year 2	Year 3
1	Rest	5/16 to 6/30	10/16 to 10/31
2	10/16 to 10/31	Rest	5/16 to 6/30
3	5/16 to 7/31	7/16 to 9/30	Rest
4	8/1 to 9/9	10/1 to 10/31	Rest
5	9/10 to 9/30	Rest	Rest
6	Rest	Rest	7/1 to 9/30
7	10/1 to 10/15	7/1 to 7/15	10/1 to 10/15

Table LVST-5: Constraints to seasons, intensities, duration, and frequency of grazing use specific to the Whitehorse/Antelope allotment with implementation of the decision

Resource	Pasture 1	Pasture 2	Pasture 3	Pasture 4	Pasture 5	Pasture 6	Pasture 7
Sage-grouse (pre-laying/lekking)	no use 3/1 to 3/31; 2 of 3 years	no use 3/1 to 3/31; 2 of 3 years	no use 3/1 to 3/31; 2 of 3 years	no use 3/1 to 3/31; 2 of 3 years	no use 3/1 to 3/31; 2 of 3 years	no use 3/1 to 3/31; 2 of 3 years	no use 3/1 to 3/31; 2 of 3 years
Sage-grouse (nesting/early brood-rearing)	no use 4/1 to 6/30; 2 of 3 years	no use 4/1 to 6/30; 2 of 3 years	no use 4/1 to 6/30; 2 of 3 years	no use 4/1 to 6/30; 2 of 3 years	no use 4/1 to 6/30; 2 of 3 years	no use 4/1 to 6/30; 2 of 3 years	no use 4/1 to 6/30; 2 of 3 years
Redband Trout (spawning)	no use 3/15 to 6/15; 2 of 3 years	no use 3/15 to 6/15; 2 of 3 years	no use 3/15 to 6/15; 2 of 3 years	NA	no use 3/15 to 6/15; 2 of 3 years	no use 3/15 to 6/15; 2 of 3 years	no use 3/15 to 6/15; 2 of 3 years
Spotted Frog (breeding)	NA	NA	NA	no use 5/1 to 6/15; 2 of 3 years	no use 5/1 to 6/15; 2 of 3 years	no use 5/1 to 6/15; 2 of 3 years	NA
Vegetation	no use 5/1 to 6/30; 2 of 3 years	no use 5/1 to 6/30; 2 of 3 years	no use 5/1 to 7/15; 2 of 3 years	no use 5/1 to 7/15; 2 of 3 years	no use 5/1 to 7/15; 2 of 3 years	no use 5/1 to 7/15; 2 of 3 years	no use 5/1 to 7/15; 2 of 3 years
Soils	no use 3/1 to 5/15; all years	no use 3/1 to 5/15; all years	no use 3/1 to 5/31; all years	no use 3/1 to 5/31; all years	no use 3/1 to 5/31; all years	no use 3/1 to 5/31; all years	no use 3/1 to 5/31; all years
Riparian/ Water Quality	no use 6/15-9/30; all years*	no use 6/15-9/30; all years*	no use 6/15-9/30; all years*	no use 6/15-9/30; 2 of 3 years	no use 6/15-9/30; all years*	no use 6/15-9/30; 2 of 3 years	no use 6/15-9/30; 2 of 3 years

* Pasture contains high value riparian/ fish habitat

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 Whitehorse/Antelope, Browns Creek, West Castle, Toy, and Garrett FFR allotments, and have determined that you have a satisfactory record of performance and are a qualified applicant for the purposes of a permit renewal.

Justification for the Proposed Decision

Based on my review of 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 4. I have made this selection for a variety of reasons, but most importantly because of my understanding that implementation of this decision will 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 Whitehorse/Antelope allotment making significant progress towards meeting the resource objectives of the ORMP and the Idaho S&Gs.[17]

[17] As you know, your allotment is part of a group of 20 allotments forming the Toy Mountain Group allotments and the larger Owyhee 68 allotments, and is the subject of a permit renewal process to be completed by December 31, 2013. The NEPA process for the Owyhee 68 consists of five EAs and an EIS. This multiple-allotment process has required me, as the Field Manager responsible for signing these grazing decisions, to look at these allotments and the other allotments analyzed in the EAs and the EIS, not just individually but as a members of a group of allotments located in a particular landscape, the BLM Owyhee Field Office. That is, while I am looking at your individual allotment, reviewing its RHA/Evaluation/Determination, and selecting an alternative that will best address the allotment's ecological conditions and BLM's legal responsibilities (for the purposes of this decision), I am also looking at the allotment from a landscape perspective. From this perspective, 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 the efforts of BLM and the ranch 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, some are severely impaired from historical use. 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. Nonetheless, as stewards of the land, 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 soon 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 when BLM selects an alternative that requires intensive management from BLM (i.e., continuous and intensive monitoring or other workloads that need to occur every year) it also accepts the risk and responsibility of that system's failure which could include a decreasing ecological health for the allotment at issue. My responsibility and challenge here is to make decisions that can be successfully implemented by BLM over the long term and that will lead to success, defined as healthy, sustainable resource conditions and predictability for ranch operators.

Issues Addressed

Earlier in this decision, I outlined the major issues that drove the analysis and decision making process for the Whitehorse/Antelope allotment. I want you to know that I considered each alternative in light of the specific issues raised in conjunction with this allotment before I made my decision. My selection of Alternative 4 was in large part because of my understanding that this selection best addressed those issues pertaining to Standards 1, 2, 3, 4, 7 and 8 not being achieved due to current livestock management practices and ORMP management objectives, given the BLM's legal and land management obligations. In addition, high-value resources that are present with the Whitehorse/Antelope allotment include sage-grouse pre-laying/lekking habitats and more than 1 mile of perennial streams supporting redband trout in four of the seven pastures.

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

Standard 4 was not met in pastures 1, 2, and 5 of the Whitehorse/Antelope allotment due to current livestock management actions that are not in conformance with guidelines. Guidelines recommend application of grazing management practices that provide periodic rest or deferment during critical growth stages. At the same time, Standard 4 was met in pastures 3, 4, 6, and 7.

Under Alternative 4, the season of use would be limited to exclude grazing during the active growing season (5/1 to 6/30) in 2 of 3 years. The alternative also delays the initiation of annual grazing in the allotment until May 15, as opposed to March 1 under the existing permit and as opposed to April 15 under the current situation (Alternative 1). In addition, the intensity of grazing use would be limited by a reduction in the number of cattle that graze within the allotment from 298 under the current situation to 143 under Alternative 4. These livestock numbers and seasons of use would result in a stocking rate of 21 acres per AUM, and none of the lower-elevation pastures (pastures 1, 2, or 3) would be stocked heavier than 27 acres per AUM. Lower-elevation pastures 1, 2, and 3 have lower resilience to disturbance. Stocking rates under Alternative 4 compare to the existing permit with 8.7 acres per AUM allotment-wide and compare to the current situation (Alternative 1; the maximum recent actual use reported) with 21.0 acres per AUM. The reduced intensity of grazing use, especially when that use occurs during the active growing season, would provide greater opportunity for cool-season bunchgrass plants to complete their annual growth cycle in the absence of grazing or with limited grazing and the need to regrow. In combination, the delayed turnout in the spring, limits to the intensity of grazing use during the active growing season, and exclusion of use for 2 in 3 years during the active growing season would allow cool-season bunchgrass species to regain health and vigor as detailed in Appendix E of the EA.

Progress would be made toward meeting Standard 4 in pastures 1, 2, and 5, and the Standard would continue to be met in other pastures. Similarly, progress would be made toward meeting the ORMP objective to improve vegetation health and condition throughout the allotment.[18]

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[18] For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.2.1 and Section 3.3.20.2.4.1

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

Alternative 4 would provide deferment or rest from early-spring grazing every year and would reduce physical impacts to soils during the wettest and most susceptible period for all pastures. Additional benefits are provided from deferment from critical growing-season use or year-long rest for a minimum of 2 out of 3 years, because this treatment provides native plant communities with an opportunity to improve and respond with increased soil cover, decreased bare ground, and reduced susceptibility to accelerated erosion. Subsequently, livestock numbers, active AUMs, and stocking rates would also be adjusted and would benefit soils by limiting physical impacts from hoof action and utilization of plants. As a whole, Alternative 4 would allow the greatest opportunity for making progress toward maintaining, meeting, and improving soil and hydrologic function over the 10-year term of the permit, as compared to Alternatives 1, 2, and 3, though not as rapid as would occur under Alternative 5 with no grazing authorized.[19]

Issue 3: *Limit juniper encroachment into shrub-steppe vegetation types.*

Juniper are scattered throughout the allotment except in pastures 1 and 2, which are lower elevation than the remainder of the allotment and have lower effective precipitation and support salt desert shrub and Wyoming sagebrush ecological sites. Dense stands of juniper in pastures 3 through 7 are limited to localized areas, although pasture-wide occurrence would contribute toward not meeting Standard 4 or ORMP objectives. Juniper encroachment into shrub-steppe vegetation communities has the potential to lead to a failure to meet Standards and objectives in the future, especially in pastures 3 through 7 outside the salt desert shrub and Wyoming big sagebrush vegetation communities. However, implementation of proper livestock management practices or the elimination of authorized livestock grazing from the Whitehorse/Antelope allotment, as would occur under Alternative 5, would not alter the limited capability for reference-site sagebrush steppe vegetation to compete with juniper. At the same time, appropriate livestock grazing management would have limited effect on altered fire regimes and continued juniper encroachment. Proper grazing management practices would not lead to limiting juniper encroachment into shrub-steppe vegetation types, except when those practices replace repeated heavy use during critical periods of the year, as occurred with historic grazing practices more than 50 years ago.

Issue 4: *Prevent introduction and spread of noxious and invasive annual species (e.g., cheatgrass).*

In Idaho, the BLM works closely with the Idaho Department of Agriculture, Tribal governments, and county governments to combat noxious weeds. Cooperative weed management arrangements utilize local, state, and Federal resources to inventory and treat weed infestations on both public and private lands. Populations are recorded, treated, monitored, and retreated as their presence is known. Identified locations of weeds within the Whitehorse/Antelope allotment (200 sites) are primarily sites with whitetop and additional sites of Russian knapweed, Scotch thistle, and rush skeletonweed along roads. One site with tamarisk has also been identified. Undiscovered noxious weeds may also exist. Noxious weed control is ongoing.

[19] For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.2.2.5 and Section 3.3.20.2.4.2

Grazing of livestock includes the continued risk of introducing noxious weeds and invasive species to public lands and potential for spread of existing incursions. Although the rangeland health assessments/evaluations and determinations for the Whitehorse/Antelope allotment identified the presence of listed weeds, cheatgrass, and other invasive annual species, no location within the allotment was found to be dominated by these species.

Livestock may spread weeds and invasive species through transport on fur and on hoofs, as well as through ingestion and later defecation of viable seeds. Soil disturbance resulting from livestock concentration adjacent to water sources, salting areas, and routes of travel provides sites for establishment of weeds and invasive species. The level of risk associated with implementation of each of the alternatives considered in the EA is proportional to the number of livestock authorized to graze within the allotment and the concentration of soil disturbance. Risks of weed and invasive species introduction and spread would be greater, with significantly higher cattle numbers as vectors of seed movement and as soil disturbance is increased, while those risks associated with authorized livestock grazing would be eliminated in the no-grazing alternative. Alternative 4 will significantly reduce the number of cattle that graze on the allotment as compared to the existing permit and the current situation (Alternative 1). As a result, livestock as a vector of seed dissemination and soils disturbance would be reduced as compared to alternatives analyzed other than under Alternative 5 – No Grazing.

Issue 5: *Improve riparian vegetation and stream-bank stability associated with streams and springs/seeps.*

Under Alternative 4, 122.7 miles of intermittent/ ephemeral stream, 17.5 miles of perennial stream, and 23 springs within the Whitehorse/Antelope allotment would be better protected from impacts associated with the spring, summer, and fall seasons of grazing by alternating that use among the pastures and years. The allotment would be managed under a defined 3-year grazing schedule that incorporates at least 1 year of riparian area growing season (mid-summer) deferment, as well as 1 year of rest every 3 years for all pastures. Thus, the impacts from spring and summer would continue in 1 of 3 years in pastures 1-4, 6 and 7, and would be eliminated in pasture 5. However, the impacts from fall grazing would occur 1 out of 3 years in pastures 1-6, and 2 of 3 years in pasture 7. Additionally, the implementation of this more restrictive schedule would result in the reduction of active use authorized from 1,807 AUMs under the current situation (Alternative 1) to 795 AUMs and reduce the intensity of livestock impacts to riparian resources. High-value resources that include 1 mile of more of stream's that support redband trout would be better protected than under other alternatives, except Alternative 5. Therefore, the allotment would make progress toward meeting the riparian-wetland Standards under this alternative.[20]

Issue 6: *Protect special status plants and improve the habitats supporting special status plants.*

No populations of special status plant species are known to occur in the Whitehorse/Antelope allotment.[21]

[20] For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.2.3 and Section 3.3.20.2.4.3

[21] For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.2.4 and Section 3.3.20.2.4.4

Issue 7: *Improve wildlife habitats, and habitats necessary to meet objectives for sagebrush-dependent species, including sage-grouse.*

Under Alternative 4, upland and riparian habitats would experience less grazing pressure than under any of the other grazing alternatives. With the exception of areas affected by continuing juniper encroachment, health and vigor of upland shrub steppe communities would improve and provide productive habitats for sage-grouse and other dependent species in the majority of the allotment. Two years of deferment or rest from use during critical periods during each 3-year period for upland and riparian habitat would provide additional opportunity for recovery and more improved habitat quality. At the same time, active AUMs authorized would be lower and reduce the intensity of impacts in all seasons. With year-long rest from livestock grazing pressure for 1 or 2 years in all pastures except pasture 7, herbaceous understory conditions in the uplands would improve and bunchgrasses and perennial forbs would be more vigorous and provide increased forage and cover for upland wildlife species, including sage-grouse. In addition, riparian plants would be provided greater opportunity to grow to their potential, reproduce, and establish a greater density of hydric plants within riparian habitats. This would result in larger, more well-developed riparian herbaceous and shrub vegetation communities, which would provide increased succulent forage for sage-grouse, cover for spotted frogs, stream shading for redband trout, and vegetation community diversity for all riparian-dependent wildlife species. High-value resources that include pre-laying/lekking habitats for sage grouse and 1 mile or more of streams that support redband trout would be better protected than under other alternatives, except Alternative 5.

Under Alternative 4, upland and riparian wildlife habitats within the allotment would progress toward meeting Standard 8.[22]

Issue 8: *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 graze livestock at the landscape scale to reduce fire behavior or use targeted grazing to create fuel breaks on the Toy Mountain Group allotments, with the intention that livestock grazing would help control the spread of large wildfires in the area. However, the resource costs associated with this strategy are such that I have decided against it. Ultimately, implementation of Alternative 4 for the Whitehorse/Antelope allotment will not significantly alter fire behavior during extreme conditions or the BLM's ability to fight wildfire in the area.

Wildfire behavior is dependent on a number of factors, including climatic conditions and current weather, as well as the size and connectivity of fuels, fuel loading, fuel moisture, and topographic slope. Although landscape-scale livestock grazing has the potential to reduce fine fuels to a degree, fire intensity and spread in sagebrush steppe and salt desert shrub vegetation communities during periods of extreme fire behavior through mid-summer would be little altered in the absence of heavy livestock grazing prior to the fire season. At the same time, the period when grazing could reduce fine fuels prior to the fire season is also the season of active growth of native perennial

[22] For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.2.5 and Section 3.3.20.2.4.5

bunchgrass species. Annual heavy livestock grazing during the active growing season to reduce fine fuels would not be consistent with maintaining or improving native perennial herbaceous species health and condition, as summarized in Appendix E of the EA. The BLM's current permit renewal process is focused on improving native upland and riparian plant communities, and landscape scale grazing to reduce fine fuels to a level or at a time necessary to control fire behavior would not support that improvement.

While targeted grazing may have potential application to develop and maintain strategic fire breaks, its application needs to be considered in combination with other fuels management tools. In addition, targeted grazing to create fire breaks would alter the role of permit renewal. Grazing authorized by permit renewal would provide authorization to use public land resources, while fuels management changes the objective to manipulate vegetation attributes. Targeted grazing to establish fuel breaks, as well as landscape-scale grazing to reduce fuels, are outside the purpose and need of the EA that analyzes the consequences of implementing livestock management practices identified in the applications and alternatives for grazing permit renewal authorizing cattle grazing to meet Rangeland Health Standards and resource management objectives.[23]

Issue 9: *Consider the two-fold issue of climate change and its relationship to the proposed federal action of renewing grazing permits. Livestock grazing in Owyhee County contributes CO_2 and methane emissions to the earth's atmosphere. In addition, climate change, itself a stressor on the sagebrush-steppe semi-arid ecosystem found in the Owyhee Uplands can, when found in conjunction with cattle grazing, further stress the ecosystem's vegetation.*

Climate change is another factor I considered in building my decision around Alternative 4 for the Whitehorse/Antelope allotment. Climate change does not have a clear cause-and effect-relationship with the applicant's proposed action or alternatives. It is currently beyond the scope of existing science to identify a specific source of greenhouse gas emissions or sequestration and designate it as the cause of specific climate or resource impacts at a specific location. Additionally, the proposed action and alternatives, when implemented, would not have a clear, measurable cause-and-effect relationship to climate change because the available science cannot identify a specific source of greenhouse gas emissions such as those from livestock grazing and tie it to a specific amount or type of changes in climate.

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. It is clear that the Whitehorse/Antelope allotment is impaired from past use, and while repair and restoration will only occur in the long term, some change can be anticipated from the proposed limitations to seasons of use and reduction in AUMs authorized. The opportunity to provide resistance and resilience within native perennial vegetation communities is within the scope of this decision. The livestock management actions under Alternative 4 combine seasons, intensities, and durations of livestock use to promote long-term plant health and vigor. Assuming that climate change affects

[23] For more detailed discussion, please refer to EA number EA number DOI-BLM-ID-B030-2013-0021-EA Section 2.3.

the arid landscapes in the long-term, the native plant communities on this allotment will be better armed to survive such changes.

Issue 10: *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 these concerns into consideration in making my decision; however, my primary obligation is to ensure that the new grazing permit(s) protects resources in a manner consistent with the BLM's obligations under the Idaho S&Gs and the ORMP. As noted above, I have selected Alternative 4 for the Whitehorse/Antelope allotment in large part because this selection accomplishes those latter goals.

Over the long term, your grazing operation relies upon maintenance of the natural resources, including productive and healthy rangelands capable of supplying a reliable forage base. Selection of an alternative based in unsustainable grazing practices that do not meet rangeland health standards would result in less-reliable amounts of forage over the long term, in addition to reducing economic opportunities from ecosystem services and alternate socio-economic resources, such as recreation, that rely on healthy, functional and aesthetically pleasing open spaces and wildlife habitats.

I have considered the range of issues at the allotment level, including the social and economic impacts that result from modifying grazing authorizations. I have avoided any reduction in grazing use levels in the Toy Mountain Group allotments where current levels are compatible with meeting rangeland health standards and ORMP objectives and where not compatible in the Whitehorse/Antelope allotment, have selected Alternative 4 and its design to meet resource function and sustainability.[24]

Additional Rationale

A tremendous amount of thought and effort went into developing grazing management that is responsive to the Whitehorse/Antelope allotment's specific resource needs, geography, and size. These considerations were made to address all concerns and requirements mandated to the BLM. Each allotment of the Toy Mountain Group has different ecology and management capability due to the size and location/topography that result in various issues and priorities. 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 the needs and capability that you, the permittee have. I believe I have balanced those needs of the resource and your capabilities with the information I have to the extent possible.

Specific to the Whitehorse-Antelope allotment, the current situation (Alternative 1; the maximum actual use recently reported) has resulted in livestock management practices contributing toward not meeting Standards 1, 2, 3, 4, 7, and 8. Failure to meet or make progress toward meeting these Standards has occurred with a significant reduction in grazing from the authorized active use of 4,345 AUMs under the existing permit to 1,807 under the current situation (Alternative 1). The additional reduction in authorized active use under Alternative 4, resulting from constraining

[24] For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.2.8

seasons of use during critical periods for resources including wildlife habitats, upland vegetation, soils, and riparian resources, and also constraints to protect high-value resources that include sage-grouse pre-laying/lekking habitats and 1 mile or more of streams supporting redband trout habitat, will allow progress toward meeting all applicable standards and meeting the ORMP objectives.

I did consider selecting Alternative 5 – No Grazing for the Whitehorse/Antelope 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 4 for the Whitehorse/Antelope allotment, rather than Alternative 5, I especially considered (1) BLM's ability to meet resource objectives using the selected Alternative 4, (2) the impact of implementation of Alternative 5 on your operations and on regional economic activity, (3) this allotment's susceptibility to significant improvement under Alternative 5, and (4) your past performance under previous permits. By implementing Alternative 4, the resource issues identified will be addressed. 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 FONSI was signed on November 20, 2013 and concluded that the proposed decision to implement Alternative 4 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-B030-2013-0022-EA is available on the web at:
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 4 over other alternatives, because livestock management practices under this selection best meet the ORMP objectives allotment-wide and the Idaho S&Gs consistent with the projected ability of BLM to oversee grazing on the Whitehorse/Antelope allotment over the next 10 years. Alternatives 1 and 2 would implement livestock management practices in the Whitehorse/Antelope allotment that would allow a continued failure to meet objectives and standards related to uplands, riparian resources, water quality, and habitats for special status wildlife species. Standard 1 would not be met under Alternative 3 due to an unchanged season of use from the current situation (Alternative 1), where the Standard was not met, for lower-elevation pastures. Alternative 4 also implements livestock management actions that present greater certainty of meeting the Idaho S&Gs in an allotment that failed to meet all applicable Standards due to current livestock management practices.

Alternative 5 would limit 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 current resource conditions and the improvement anticipated by implementation of the decision, lead me to believe the livestock management actions under Alternative 4 that implement appropriate seasons of use and reduce authorized active use to a large degree will allow the Idaho S&Gs and ORMP objectives to be met. The elimination of livestock grazing from the Whitehorse/Antelope 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. My decision is issued under the following specific regulations:

- 4100.0-8 Land use plans; The ORMP designates the Whitehorse/Antelope 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 ten 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 terms 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 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

USDI BLM. (1999). *Owyhee Resource Management Plan.* Marsing, ID.

USDI BLM. (2013). *Final Rangeland Health Assessments: Whitehorse/Antelope (0541), Toy (0533), Browns Creek (0585), and West Castle (0648) Allotments, 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
	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

Company	Name		Address	City	ST	Zip	#
	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
	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., 20th Floor	San Francisco	CA	94104	44
Office of Species Conservation	Cally	Younger	304 N. 8th 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

Company	Name		Address	City	ST	Zip	#
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
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
	Scott & 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

Company	Name		Address	City	ST	Zip	#
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