



United States Department of the Interior
BUREAU OF LAND MANAGEMENT

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In Reply Refer To:
4160 ID130

January 24, 2014

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Rohl Hipwell
18125 Oreana Loop Road
Oreana, ID 83650

Edwards Ranch LLC
15804 Tyson Road
Murphy, ID 83639

Notice of Field Manager's Proposed Decision for the Fossil Creek and Pickett Creek Allotments¹

Dear Mr. Hipwell and Mr. Edwards:

Thank you for working with the BLM throughout this permit renewal process. I appreciate your interest in grazing the Red Mountain, Boone Peak, and Bridge Creek allotments 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 Red Mountain, Boone Peak, and Bridge Creek allotments in 2013 (USDI BLM, 2013) by supplementing the assessments initiated in 2003.² The BLM undertook this effort to ensure that any renewed grazing permits on these allotments are consistent with the BLM's legal and land management obligations. This Proposed Decision incorporates that document by reference and the information contained therein.

The BLM mailed each of you a letter on May 25, 2011, summarizing progress and future actions to comply with the 2008 Stipulated Settlement Agreement in renewing grazing permits.³ That letter

¹ Allotment boundary changes for the existing Red Mountain, Bridge Creek, and Boone Peak allotments will be made, with a grouping of existing pastures to create the new Fossil Creek and Pickett Creek allotments

² Rangeland health assessments for the Toy Mountain Group allotment are available on the web at http://www.blm.gov/id/st/en/prog/grazing/owyhee_grazing_group.html

³ Although the 2008 Stipulated Settlement Agreement that established a completion date for the remaining grazing permit renewal subject to Civil Case No.97-0519-S-BLW and you were included as a recipient of the May 25, 2011

also requested that you complete an application for renewal of your permit to graze livestock in the allotment(s). You each submitted an application for renewal of your grazing permit, received by the BLM on June 24, 2011. John Edwards clarified his application in a letter received by the BLM on December 1, 2011. In late May 2013, the BLM met with permittees or representatives to discuss allotment conditions, objectives, and livestock management. Additionally, permittees were asked during the 2013 meetings to update the previously submitted application. Following discussion with the BLM in 2013, Rohl Hipwell provided an updated application for permit renewal, received by the BLM on July 29, 2013. No revision to the earlier application was received from John Edwards or his representative.

On January 11, 2013, the Owyhee Field Office initiated by letter the collective public scoping process for Groups 3 through 5 of the Owyhee 68 grazing permit renewal process. These groups are referred to as the Toy Mountain, South Mountain, and Morgan groups, respectively. The Red Mountain, Boone Peak, and Bridge Creek allotments are three of 20 allotments within Group 3, the Toy Mountain Group. The scoping 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). The scoping document was also presented to the Shoshone-Paiute Tribe and Owyhee County Commissioners.

The scoping outreach served to request additional resources and monitoring information that could help the BLM to complete the permit renewal process and helped develop grazing management alternatives for three grazing permit renewal Environmental Assessments (EA), including the Toy Mountain Group EA (#DOI-BLM-ID-B030-2013-0021-EA). The Final Toy Mountain Group EA, which was published on November 26, 2013, incorporates by reference the Jump Creek, Succor Creek, and Cow Creek Watersheds Grazing Permit Renewal Final EIS (#DOI-BLM-ID-B030-2012-0014-EIS) and the analysis contained therein. This Proposed Decision incorporates by reference the analysis contained in those documents (see Appendix K).

After evaluating conditions on the land, meeting with the permittees, and reviewing information received from the public, it became clear that resource concerns currently exist on the Red Mountain, Boone Peak, and Bridge Creek allotments.

With a focus on addressing the impacts of renewing your livestock grazing permits, my office prepared and issued the Toy Mountain Group EA⁴, 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 Red Mountain, Boone Peak, and Bridge Creek allotments' 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.

letter, the permits for grazing use in the Red Mountain, Boone Peak, and Bridge Creek allotments are not a part of that settlement agreement.

⁴ 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.

I am now prepared to issue a Proposed Decision to renew your permits to graze livestock within the Red Mountain, Boone Peak, and Bridge Creek allotments. Upon implementation of the decision, your permits to graze livestock on these allotments will be fully processed using the revisions to the grazing regulations⁵ promulgated 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 allotments;
- 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 Red Mountain, Boone Peak, and Bridge Creek allotments;
- Outline my Proposed Decision to select Alternative 3; and
- Explain the reasons for making this decision.

Background

Allotment Setting

Red Mountain Allotment

The Red Mountain allotment is located approximately 7 miles west of Oreana, Idaho (Map 1). The ORMP categorizes the Red Mountain allotment as an Improve (I) category allotment with a medium priority for management. In addition to allocating livestock grazing within the Red Mountain allotment, the ORMP identifies 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 (reband trout and sage-grouse).

Boone Peak Allotment

The Boone Peak allotment is located approximately 15 miles southwest of Oreana, Idaho (Map 2). The ORMP categorizes the Boone Peak allotment as an Improve (I) category allotment with a high priority for management. In addition to allocating livestock grazing within the Boone Peak allotment, the ORMP identifies issues associated with management activities, with a listing of resource concerns and applicable ORMP resource objectives. Resource concerns identified include the ecological condition of vegetation communities, juniper encroachment, perennial surface water, riparian/wetland ecosystems, and special status species (plants and reband trout).

Bridge Creek Allotment

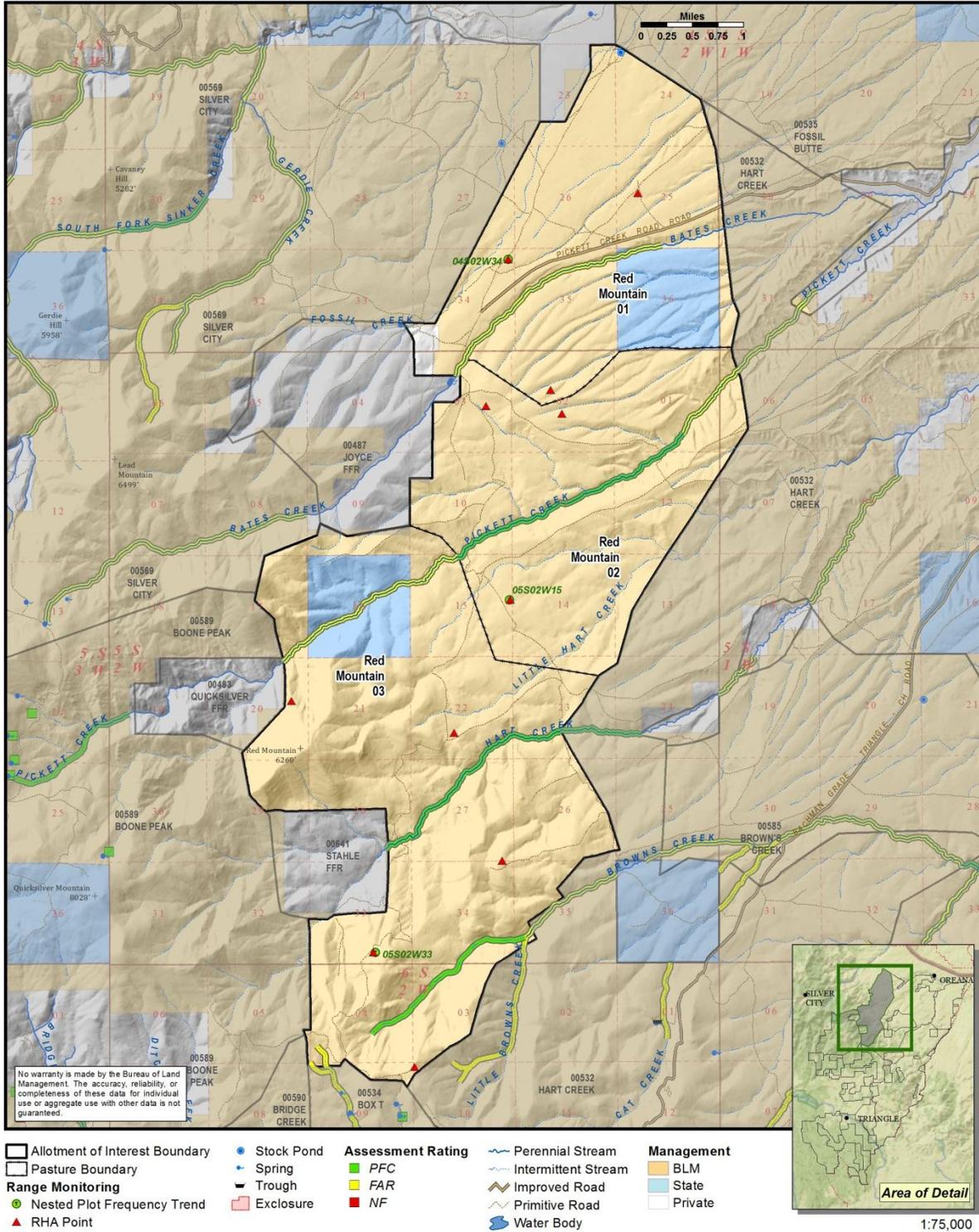
The Bridge Creek allotment is located approximately 15 miles southwest of Oreana, Idaho (Map 3). The ORMP categorizes the Bridge Creek allotment as an Improve (I) category allotment with a

⁵ 43 CFR Subpart 4100 is the federal regulations that govern public land grazing administration.

medium priority for management. In addition to allocating livestock grazing within the Bridge Creek allotment, the ORMP identifies issues associated with management activities with a listing of resource concerns and applicable ORMP resource objectives. Resource concerns identified include the ecological condition of vegetation communities, juniper encroachment, noxious weeds, perennial surface water, riparian/wetland ecosystems, and special status species (redband trout).

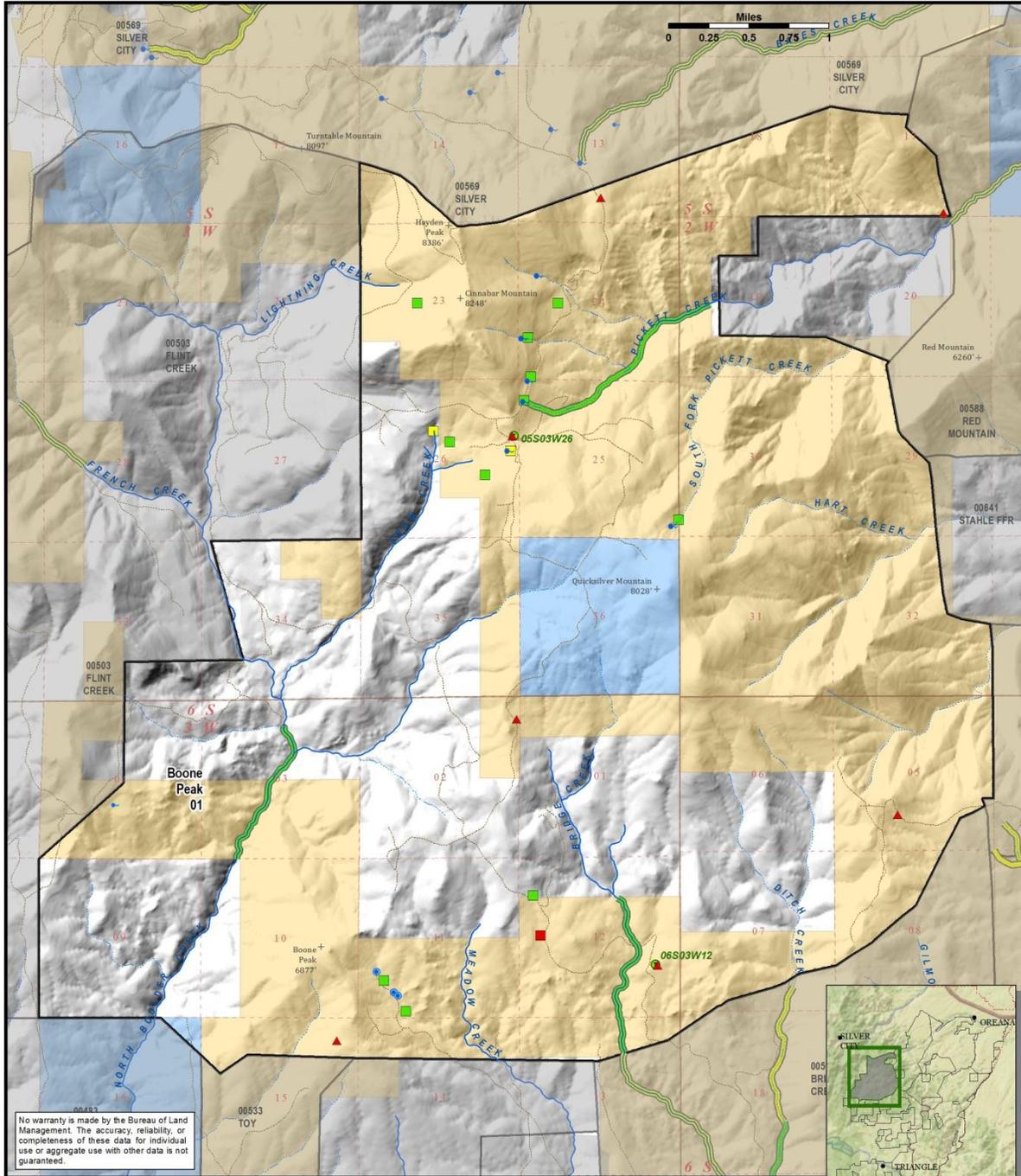


Map 1: Red Mountain (00588) Allotment





Map 2: Boone Peak (00589) 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.

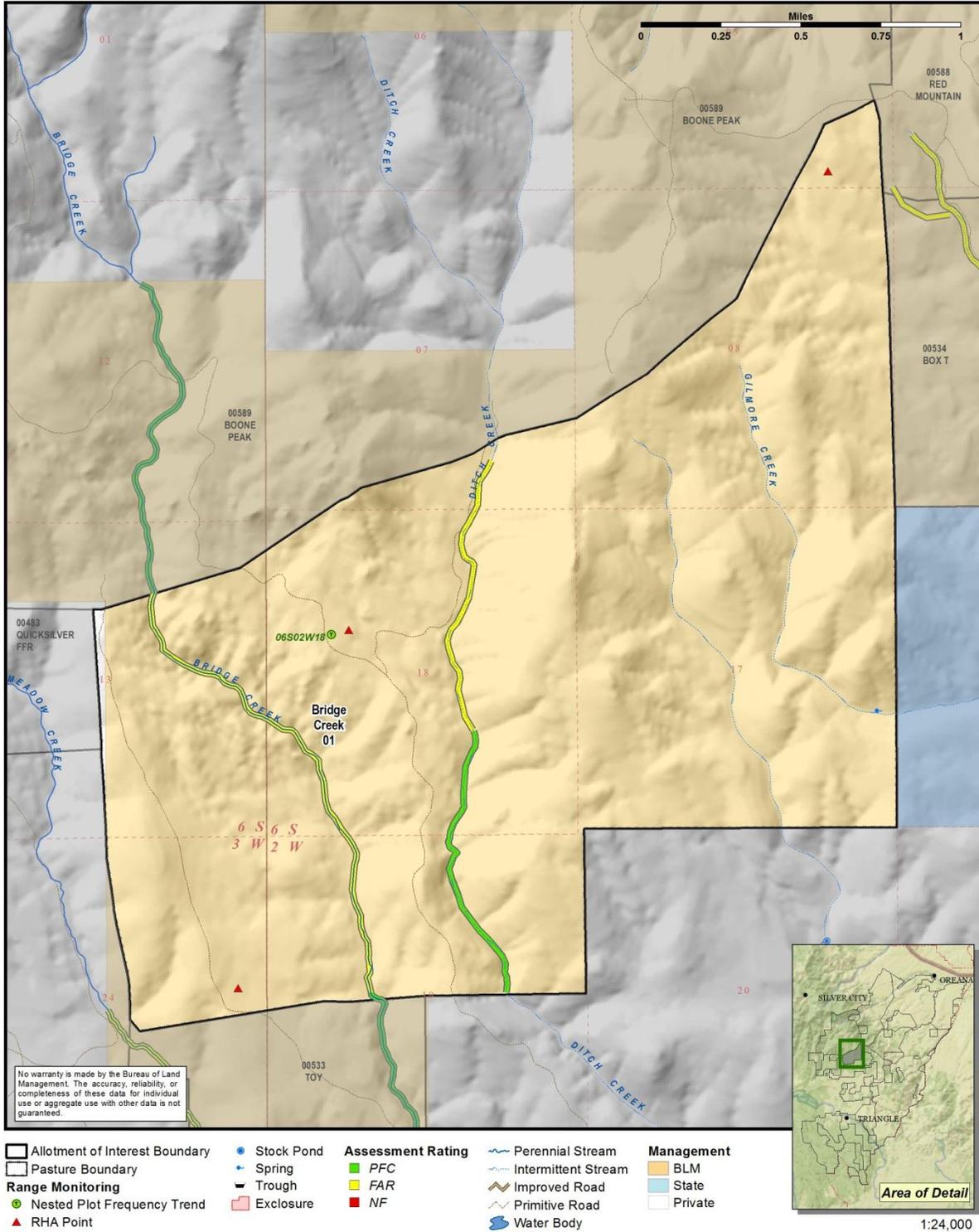
- | | | | | |
|--------------------------------|------------|--------------------------|---------------------|-------------------|
| Allotment of Interest Boundary | Stock Pond | Assessment Rating | Perennial Stream | Management |
| Pasture Boundary | Spring | PFC | Intermittent Stream | BLM |
| Range Monitoring | Trough | FAR | Improved Road | State |
| Nested Plot Frequency Trend | Exclosure | NF | Primitive Road | Private |
| RHA Point | | | Water Body | |



1:50,000



Map 3: Bridge Creek (00590) Allotment



Current Grazing Authorization

Red Mountain Allotment

Two existing grazing permits authorize livestock grazing use of the Red Mountain allotment with a current total permitted use of 3,578 AUMs, of which 1,999 are active use and 1,579 are suspension AUMs. 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 permits to graze livestock within the Red Mountain allotment

Allotment	Permittee	Livestock		Grazing Period		% PL	Type Use	AUMs
		Number	Kind	Begin	End			
00588 Red Mountain	Hipwell	679	Cattle	4/1	5/30	95	Active	1,624
		184	Cattle	11/1	12/31			
	Edwards	65	Cattle	10/1	2/28	100	Active	375

Terms and conditions:

1. A minimum of 4-inch stubble will be left on herbaceous vegetation within the riparian area along 0.3 miles of Hart Creek and 5.0 miles of Pickett Creek in allotment #00588 at the end of the growing season, as identified in the fisheries objective of the Owyhee RMP.
2. The current signed grazing agreement limits livestock numbers to 450 head during the spring use period 4/1 to 5/30 in allotment #00588 (Hipwell permit only).
3. All use to be winter use restricted to pasture #01 in the Red Mountain allotment #00588 (Edwards permit only).
4. Turnout is subject to the Boise District range readiness criteria.
5. Your certified actual use report is due within 15 days of completing your authorized annual grazing use.
6. Salt and/or supplement shall not be placed within one-quarter (1/4)-mile of springs, streams, meadows, aspen stands, playas, and water developments.
7. Changes to the scheduled use require prior approval.
8. 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.
9. Livestock exclosures located within your grazing allotments are closed to all domestic grazing use.
10. 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.
11. 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.
12. 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.

13. Livestock grazing will be in accordance with your allotment grazing schematic(s). Changes in scheduled pasture use dates will require prior authorization.
14. Utilization may not exceed 50 percent of the current year's growth.
15. 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 data provided annually indicates that grazing use of all three pastures of the Red Mountain allotment by Mr. Hipwell typically occurs between mid-March and early June, with use of pasture 3 typically occurring again between late October and early December. Actual use reported during the 8-year period between 2005 and 2012 has averaged 1,474 AUMs, with a maximum of 1,721 AUMs in 2008.

Recent actual use data provided by Mr. Edwards identify 109 AUMs between December 8, 2011, and February 28, 2012. Non-use was reported for the winter of 2012-13.

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 current permit, but rather is the result of grazing use during the seasons and at the levels that differ somewhat from the permits.

Boone Peak Allotment

One existing grazing permit authorizes livestock grazing use of the Boone Peak allotment with a current total permitted use of 2,876 AUMs, of which 2,094 AUMs are active use and 782 are suspension AUMs. The terms and conditions of the existing grazing permit are as follow in Table LVST-2:

Table LVST-2: Mandatory and other terms and conditions of the existing permit to graze livestock within the Boone Peak allotment

Allotment	Permittee	Livestock		Grazing Period		% PL	Type Use	AUMs
		Number	Kind	Begin	End			
00589 Boone Peak	Hipwell	693	Cattle	6/1	10/31	60	Active	2,094

Terms and conditions:

1. Turnout is subject to the Boise District range readiness criteria.
2. Your certified actual use report is due within 15 days of completing your authorized annual grazing use.
3. Salt and/or supplement shall not be placed within one-quarter (1/4)-mile of springs, streams, meadows, aspen stands, playas, and water developments.
4. Changes to the scheduled use require prior approval.
5. Trailing activities must be coordinated with the BLM prior to initiation. A trailing permit or similar authorization may be required prior to crossing public lands.
6. Livestock exclosures located within your grazing allotments are closed to all domestic grazing use.
7. 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.
8. 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.
9. 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.
10. Livestock grazing will be in accordance with your allotment grazing schematic(s). Changes in scheduled pasture use dates will require prior authorization.
11. Utilization may not exceed 50% of the current year's growth.
12. 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 data provided by the permittee indicate use generally consistent with the dates on the permit between June 1 and October 31. In addition, actual use reported during the 9-year period between 2004 and 2012 has averaged 1,709 AUMs, with a maximum of 2,052 AUMs in 2009.

Again, 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.

Bridge Creek Allotment

One existing grazing permit authorizes livestock grazing use of the Bridge Creek allotment with a current total permitted use of 885 AUMs, of which 664 AUMs are active use and 221 are suspension AUMs. The terms and conditions of the existing grazing permit are as follow in Table LVST-3:

Table LVST-3: Mandatory and other terms and conditions of the existing permit to graze livestock within the Bridge Creek allotment

Allotment	Permittee	Livestock		Grazing Period		% PL	Type Use	AUMs
		Number	Kind	Begin	End			
00590 Bridge Creek	Hipwell	164	Cattle	7/1	10/31	100	Active	664

Terms and conditions:

1. Turnout is subject to the Boise District range readiness criteria.
2. Your certified actual use report is due within 15 days of completing your authorized annual grazing use.
3. Salt and/or supplement shall not be placed within one-quarter (1/4)-mile of springs, streams, meadows, aspen stands, playas, and water developments.
4. Changes to the scheduled use require prior approval.
5. Trailing activities must be coordinated with the BLM prior to initiation. A trailing permit or similar authorization may be required prior to crossing public lands.
6. Livestock exclosures located within your grazing allotments are closed to all domestic grazing use.
7. 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.
8. 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.
9. 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.
10. Livestock grazing will be in accordance with your allotment grazing schematic(s). Changes in scheduled pasture use dates will require prior authorization.
11. Utilization may not exceed 50% of the current year's growth.
12. United States District Court for the District of Idaho imposed terms and conditions
 - o 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 data provided by the permittee indicate use generally consistent with the dates on the permit between early July and late October. In addition, actual use reported during the 8-year period between 2005 and 2012 has averaged 543 AUMs, with a maximum of 644 AUMs in 2011.

Again, 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.

Resource Conditions

The BLM evaluated grazing practices and conditions in the Red Mountain, Boone Peak, and Bridge Creek allotments through 2013. The determination document for the allotments was provided to the public with the preliminary EA. The Evaluation and Determination documents for the Red Mountain allotment 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 Idaho S&Gs are not being met in the allotment. Current livestock grazing management practices are significant factors in the failure to meet Standards 1, 4, and 8, whereas significant progress is being made toward meeting Standards 2, 3, and 7. Standards 5 (Seedings) and 6 (Exotic Plant Communities, other than Seedings) are not applicable to the allotment.

Similarly, the Evaluation and Determination documents concluded that Standards 2, 3, and 7 of the Idaho S&Gs are not being met in the Boone Peak allotment. Although significant progress is being made toward meeting Standards 2 and 3, current livestock management practices are contributing toward the failure to meet Standard 7. Standards 1, 4, and 8 are met, whereas Standards 5 and 6 are not applicable to the allotment.

Finally, the Evaluation and Determination documents concluded that Standards 1, 2, 3, 4, 7, and 8 of the Idaho S&Gs are not being met in the Bridge Creek allotment. Current livestock grazing management practices are significant factors in the failure to meet Standards 2, 3, and 8, but are not the significant causal factors for the failure to meet Standards 1, 4, and 7. Standards 5 and 6 are not applicable to the allotment.

Vegetation - Uplands

Red Mountain Allotment

The Idaho Standards for Rangeland Health Standard 4 (Native Plant Communities) is not met in all pastures of the Red Mountain allotment. Historic grazing management contributed to the loss of native deep-rooted perennial bunchgrass plants in pastures 1 and 2, while historic grazing management contributed to the large decline of native deep-rooted perennial bunchgrass plants in pasture 3. Recent trend monitoring in pastures 1 and 2 identify improving conditions within the

constraints of limited seed to establish deep-rooted bunchgrass plants. At the same time, recent trend monitoring in pasture 3 indicates a decline in deep-rooted bunchgrasses and increasing frequency of shallow-rooted bunchgrass. Pastures 1 and 2 are making significant progress toward meeting the Standard, as evidenced by upward trend. These data lead to the conclusion that current livestock management practices that schedule grazing prior to the active growing season for native perennial bunchgrasses (May 1 - June 30 is the active growing season at lower elevation) in pastures 1 and 2 are not a factor contributing to the failure to meet Standard 4. Conversely, annual grazing scheduled during the active growing season in pasture 3 is a contributing factor to the failure to meet Standard 4.

The ORMP vegetation management objective is to improve unsatisfactory and maintain satisfactory vegetation health/condition on all areas. With 70 percent of the allotment in early seral condition and 10 percent in late seral condition, the objective to improve applies to the Red Mountain allotment. Trend data indicate that the ORMP objective to improve unsatisfactory vegetation health/condition on all areas has been met in pastures 1 and 2 with upward trend recorded, while not met in pasture 3, with its downward trend.⁶

Boone Peak Allotment

The Idaho S&Gs Standard 4 is met in the one-pasture Boone Peak allotment with, at most, slight-to-moderate departure of biotic integrity from reference site conditions within low sagebrush vegetation communities and similar but greater departure in mountain big sagebrush vegetation communities. Departure from reference site conditions in mountain big sagebrush communities is due to altered fire regimes resulting in increased shrub dominance, loss of deep-rooted native perennial bunchgrasses, and the increasing density of juniper. The limited departure of indicators contributing to biotic integrity leads to a conclusion that the composition of native plants is currently adequate to provide for proper nutrient cycling, hydrologic cycling, and energy flow.

The ORMP vegetation management objective is to improve unsatisfactory and maintain satisfactory vegetation health/condition on all areas. With 55 percent of the allotment in early seral condition and 25 percent in late seral condition, the objective to improve applies to the Boone Peak allotment. A static trend in vegetation condition is apparent, based on data from two trend sites in the allotment. This indicates that the ORMP objective to improve unsatisfactory vegetation health/condition on all areas has not been met in the Boone Peak allotment. Recent grazing use, as reported in actual use information, has included annual grazing through most of June and early July, the later portion of the active growing season. Frequent grazing use during the active growing season is not consistent with livestock management practices that maintain native perennial herbaceous species health and vigor, as noted in appendix E of the EA.⁷

Bridge Creek Allotment

The Idaho S&Gs Standard 4 is not met in the one-pasture Bridge Creek allotment, with moderate departure of biotic integrity from reference site conditions within mountain big sagebrush and mahogany savannah vegetation communities. Juniper dominance in excess of potential at reference

⁶ For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.1.1, Section 3.3.15.1.1, and Appendix E.

⁷ For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.1.1, Section 3.3.2.1.1, and Appendix E.

site conditions, which resulted from altered natural fire regimes, has caused the failure to meet the standard in the allotment. Functional/structural groups of plants with greatly reduced deep-rooted bunchgrasses within the pasture and the common occurrence of juniper have led to the departure from reference site conditions. In addition, the vegetation communities present have a reduced occurrence of mountain big sagebrush, bitterbrush, and other mountain shrub species. Wildfire in the southwest portion of the allotment has set back the encroachment by juniper into approximately 100 acres of shrub-steppe vegetation communities. As a result of this fire, mountain big sagebrush dominance consistent with potential was enhanced, but the allotment continues to lack the potential herbaceous component, including bunchgrasses.

Historic livestock grazing contributed to the loss of deep-rooted perennial bunchgrasses, while recent grazing practices with light intensity of use following the active growing season have allowed an upward trend in condition of native perennial bunchgrass composition. Residual deep-rooted bunchgrasses and a seed source for establishment of additional plants can provide opportunity for recovery toward reference site conditions with co-dominance of vegetation communities by Idaho fescue and bluebunch wheatgrass upon natural or planned reduction in competition from juniper.

The ORMP vegetation management objective is to improve unsatisfactory and maintain satisfactory vegetation health/condition on all areas. With 35 percent of the allotment in early seral condition and 15 percent in late seral condition, the objective to improve applies to the Bridge Creek allotment. Upward trend data indicate that the ORMP objective to improve unsatisfactory vegetation health/condition on all areas has been met in the Bridge Creek allotment.⁸

Watersheds

Red Mountain Allotment

Current and past livestock grazing management practices are significant causal factors for not meeting upland watershed Standard 1 in pastures 1 and 2 of the Red Mountain allotment; pasture 3 is meeting Standard 1. The reduction in soil and hydrologic function is associated with altered plant community composition and distribution due to decreased relative abundance of large, deep-rooted native perennial bunchgrasses. As a result, erosional processes have created severe water flow paths and pedestaling of plants.

While much of the departures in watershed function from reference conditions for pastures 1 and 2 are historic, annual spring use during wet conditions has influenced the rate of further improvement due to physical damage from hoof action and mechanical damage by livestock. Soils are in various stages of recovery although impaired soils continue to affect soil stability and the biological soil crust component, especially in interspatial areas.

The generally static and declining ground cover trend in pastures 1, 2, and 3 does not project improvement, especially when no rest and limited livestock grazing deferment have been practiced. With bare ground not improving and data indicating a general long-term downward trend, the ORMP objective to improve unsatisfactory and maintain satisfactory watershed health/condition has not been met.

⁸ For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.1.1, Section 3.3.4.1.1, and Appendix E.

The decreased ecological function and impaired soils indicate that soil and hydrologic function are compromised. Current and past livestock management is the primary contributing factor for not meeting Standard 1 and ORMP objectives for the Red Mountain allotment.⁹

Boone Peak Allotment

Watershed indicators show some departure from expected conditions for the ecological sites, although none were excessive enough to determine that Standard 1 would not be met in the Boone Peak allotment. While water flow patterns and pedestals are elevated in some locations, primarily toward the southern part of the allotment, there is little indication of accelerated sediment movement, and the majority of the erosional features present are related to past events.

Departure from reference conditions due to altered fire regimes, increased shrub dominance, loss of deep-rooted native perennial grasses, and increasing juniper density were identified as sources of concern regarding the biotic component. As a result, the allotment is deemed at-risk for potential declines in soil and hydrologic function due to a departure of the plant community and invasive species. Despite the reduction in biotic function, however, soil and hydrologic indicators show that watershed function still maintains proper nutrient and hydrologic cycling and energy flow.

Trends in ground cover using indicators of bare ground, persistent cover, and canopy cover have also indicated a general static or improving trend in the Boone Peak allotment. Bare ground has decreased or is static and at low levels, which supports the finding that the ORMP objective to improve unsatisfactory and maintain satisfactory watershed health/condition has been met. Overall, current livestock management remains compatible with attainment of Standard 1 and ORMP objectives for the Boone Peak allotment.¹⁰

Bridge Creek Allotment

Juniper encroachment and past livestock grazing management practices are significant causal factors for not meeting watershed standards in the Bridge Creek allotment. While soils are currently stabilized in a degraded state, hydrologic function is altered and primarily connected to historic grazing practices that contributed to the loss of deep-rooted perennial bunchgrasses. Watershed function is dependent on biotic integrity and declines with a reduction in vegetation and where western juniper encroachment and dominance is not part of the site potential. Where not recently burned, the encroachment of juniper is negatively affecting soil stability due to bare soils and the often complete absence of understory and interspatial vegetation, especially in more mature juniper stands.

In soils dominated by granitic parent material, the reduction in infiltration capacity from displacement of sagebrush and deep-rooted perennial bunchgrasses influences water-holding capacity; subsequent runoff results in sheet erosion and rilling. The long-term lack of species diversity and reduction of organic material and litter have compromised soil nutrient replenishment and the ability for proper nutrient cycling, hydrologic cycling, and energy flow. Little

⁹ For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.1.2 and Section 3.3.15.1.2.

¹⁰ For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.1.2 and Section 3.3.2.1.2.

to no indication of current mechanical impact is present, as recent grazing with light intensity of use occurs after the active growing season. While this has allowed an upward trend in condition of native perennial bunchgrass composition, ground cover conditions reflect a slight downward trend over the long term, with greater declines over the more recent years.

The decreased ecological function and impaired soils indicate that soil and hydrologic function are compromised. Juniper encroachment and historic livestock grazing indicate that the Bridge Creek allotment is not meeting Standard 1 and the ORMP soil management objective of improving unsatisfactory watershed health/conditions.¹¹

Water Resources and Riparian/Wetland Areas

Red Mountain Allotment

Four named streams traverse the pastures within the Red Mountain allotment (Bates, Pickett, Browns, and Hart creeks). Approximately 12.7 miles of streams have been assessed and 6.0 miles (47 percent) were most recently rated functional at-risk (FAR), and 6.7 miles (53 percent) were most recently in proper functioning condition (PFC). Although Standards 2 and 3 of the Idaho S&Gs are not met in the Red Mountain allotment, progress toward meeting these riparian-related standards is made. Issues identified include areas with inadequate soil moisture to support hydric species that stabilize stream banks, the presence of noxious weeds, upland species encroaching, and sheared and eroded stream banks.

Standard 7 is not being met in the Red Mountain allotment, based on IDEQ information regarding sediment and temperature. For IDEQ water quality information associated with the Red Mountain allotment, see Table RIPN-3 of the EA. However, because BLM determined that Standards 2 and 3 are making progress toward being met, an assumption was made that progress toward meeting Standard 7 is also made.¹²

Boone Peak Allotment

Standards 2 and 3 are not being met in the Boone Peak allotment, but the allotment is making significant progress toward meeting riparian related standards. Three named streams traverse BLM lands within the allotment (Bridge, North Boulder, and Pickett Creek). Approximately 3.2 miles have been assessed; 0.6 miles (19 percent) were most recently rated FAR, and 2.6 miles (81 percent) were most recently in PFC (Table RIPN-15 of the EA). Issues identified for North Boulder Creek where the stream was most recently rated FAR include areas with inadequate soil moisture to support hydric species that stabilize stream banks, the presence of noxious weeds, upland species encroaching, and sheared and eroded stream banks.

Fifteen springs have been assessed; 11 were in PFC, three were FAR, and one was NF. The springs that were below the minimal standard for functionality had issues including heavy livestock use of both herbaceous and woody species, hoof alterations of wetland soils, and noxious weed presence.

¹¹ For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.1.2 and Section 3.3.4.1.2.

¹² For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.1.3 and Section 3.3.15.1.3.

Standard 7 is not being met in the Boone Peak allotment, based on IDEQ information regarding sediment and temperature, due to current livestock management practices. For IDEQ water quality information associated with the Boone Peak allotment, see Table RIPN-3 of the EA.¹³

Bridge Creek Allotment

Standards 2 and 3 are not being met in the single pasture of the Bridge Creek allotment and current livestock management practices are contributing factors. Two named streams traverse the pasture (Bridge and Ditch Creeks). Approximately 3.4 miles have been assessed and 2.5 miles (74 percent) were most recently rated FAR, and 0.9 mile (26 percent) was most recently in PFC. Issues identified for the reaches that were FAR include areas with inadequate soil moisture to support hydric species that stabilize stream banks, a lack of age-class of woody species, an over-wide stream channel, and sheared and eroded stream banks. Residual vegetation has not been sufficient to maintain or improve riparian-wetland function, the recent grazing schedule has not allowed for rest years, and the management has not allowed progress toward appropriate stream channel and stream bank morphology and function.

Standard 7 is not being met in the Bridge Creek allotment, although current livestock management practices are not significant factors. For IDEQ water quality information associated with the Bridge Creek allotment, see Table RIPN-3 in the EA.¹⁴

Special Status Plants

Red Mountain and Bridge Creek Allotments

No populations of special status plant species are known to occur in the Red Mountain or Bridge Creek allotments.¹⁵

Boone Peak Allotment

One special status plant species, Idaho milkvetch, is present within the Cinnabar Mountain ACEC portion of the Boone Peak allotment. Standard 8 for special status plants is met in the Boone Peak allotment. Livestock impacts to special status plants are determined by season of use, stocking rate/AUMs, and frequency of use (i.e., recovery interval between disturbances). When livestock are present, direct and indirect effects on special status plants have the potential to occur. Direct effects may impact the vigor and reproduction of individual plants, while indirect effects may impact their habitats.¹⁶

Wildlife/Wildlife Habitats and Special Status Animals

Red Mountain Allotment

Red Mountain allotment is failing to meet the Idaho S&Gs Standard 8 and current livestock practices are a significant factor, along with invasive juniper and cheatgrass. The allotment is

¹³ For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.1.3 and Section 3.3.2.1.3.

¹⁴ For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.1.3 and Section 3.3.4.1.3.

¹⁵ For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.1.4, Section 3.3.15.1.4, and Section 3.3.4.1.4.

¹⁶ For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.1.7 and Section 3.2.7.1

dominated by shrub steppe habitats with salt desert shrub, native grassland, and juniper woodland components. Red Mountain allotment contains sage-grouse preliminary priority habitat in all three pastures.

Pasture 1 contains three known sage-grouse leks and is used during breeding, summer, and winter seasons. Sage-grouse habitat assessments indicate that pasture 1 lacks sufficient canopy cover and heights from deep rooted perennial grasses and forbs to provide nesting, foraging, and escape cover for productive sage-grouse habitat.

Pasture 2 contains no leks but is used by sage-grouse during breeding, summer, and winter seasons. Sage-grouse habitat assessments indicate that pasture 2 has sufficient canopy cover but lacks sufficient heights from deep-rooted perennial grasses and forbs to provide nesting, foraging, and escape cover for productive sage-grouse breeding habitat.

Pasture 3 contains no leks but is used by sage-grouse during breeding and summer seasons. Sage-grouse habitat assessments indicate that pasture 3 lacks sufficient canopy cover and height of deep-rooted perennial grasses and forbs to provide nesting, foraging, and escape cover for productive sage-grouse breeding habitat. Recent grazing during the active growing season for upland perennial grasses has led to failure to meet Standard 4 due to current livestock management practices, and thus the allotment is not meeting Standard 8 for wildlife.

Pasture 1 contains several intermittent stream valleys that support lotic riparian early sage-grouse brood-rearing habitats. In general, the limited available riparian habitats used by sage-grouse are only providing marginal conditions for early brood-rearing. The closed canopy of woody cover along Bates Creek and its location within a narrow, steep-sided draw may be limiting sage-grouse use, although these areas support succulent herbaceous forage in the early spring.

Pasture 2 contains perennial reaches of Pickett Creek assessed as PFC and several intermittent stream valleys (including Little Hart Creek) that may support early brood-rearing lotic habitats. Little Hart Creek and other intermittent streams have not been assessed for PFC but provide additional lotic riparian habitats. These streams provide the forbs and cover necessary for early brood-rearing. Pickett Creek also supports redband trout, with large willows and boulders that stabilize the banks and provide shading and cover.

Pasture 3 contains portions of Pickett, Hart, and Browns creeks. Pickett Creek was rated as FAR, while Hart and Browns creeks were rated as PFC. In general, the limited riparian habitats available to sage-grouse are only providing marginal conditions for early brood-rearing. The closed canopy of woody cover and dense juniper stands along creeks limit sage-grouse use, although more open reaches of these streams provide succulent herbaceous forage in the early spring. Pickett Creek contains redband trout but is providing less-than-optimal habitat because it is shallow and wide with lateral instability. This reduces the depth and shading of the water, which results in higher temperatures and lower quality habitat.

Conditions along the majority of streams supporting riparian vegetation appear to be at least minimally adequate for dependent migratory birds. Although the herbaceous understory is lacking along some reaches of the assessed streams, woody species display diverse composition and age-

classes, with multiple canopies which are providing structurally complex breeding, nesting, and foraging habitat for dependent species.¹⁷

Boone Peak Allotment

The Boone Peak allotment is meeting the Idaho S&Gs Standard 8. The allotment consists of a single pasture containing a mixture of conifer woodlands and shrub steppe habitats. Juniper is encroaching into parts of the shrub steppe habitat. Adequate composition of deep-rooted perennial grasses and vegetation functional structural groups are present to provide quality habitats for focal species. The higher-elevation areas around Quicksilver Mountain are free of juniper encroachment and are used by sage-grouse in all seasons, especially in the summer.

Although the Idaho S&Gs Standards 2 and 3 related to riparian function are not met on all stream reaches and springs in the allotment, significant progress is being made toward meeting the standards. Based on photographs of the riparian habitats, the allotment is providing adequate habitat for many riparian-dependent wildlife species. Riparian woody species in Bridge, North Boulder, and Pickett Creeks display diverse species composition and age-classes with multiple canopies that are providing structurally complex breeding, nesting, and foraging habitat for dependent species.¹⁸

Bridge Creek Allotment

Bridge Creek allotment has a single pasture with wildlife habitats provided by sagebrush steppe. Standard 8 for wildlife is not met in the allotment because upland and riparian habitats are not providing adequate conditions for many shrub-obligate and riparian dependent species. Overall, upland habitats are not providing adequate conditions for many shrub-obligate and ground dwelling, nesting and foraging species due to an increase in juniper cover and concomitant reductions in shrub and perennial herbaceous understory cover. Although results from sage-grouse habitat assessments show suitable breeding and upland summer habitat conditions at survey sites, advanced stages of juniper encroachment into formerly usable sage-grouse habitats across the majority of the allotment is substantially limiting habitat suitability for sage-grouse. Conversion to juniper woodlands comes at the expense of shrub steppe habitats, which are the proper plant community reference state and condition for the ecological sites that predominate within the allotment. Juniper encroachment is a primary causal factor for the Bridge Creek allotment not meeting Standard 8 for wildlife in upland habitats.

The majority of riparian habitats within the allotment are not in PFC. As a result, riparian habitats are not providing adequate breeding and foraging conditions for many dependent wildlife species due to a lack of structural diversity, inadequate soil moisture for hydric vegetation, and unstable banks. These factors result in inadequate habitat for a diversity of species including migratory birds, redband trout, and Columbia spotted frogs. Current livestock grazing management practices are the causal factor for not meeting Standard 8 wildlife in riparian habitats. In addition, because riparian habitats are dominated by juniper, they are unavailable and unsuitable for sage-grouse.

¹⁷ For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.1.5, Section 3.3.15.1.5.

¹⁸ For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.1.5 and Section 3.3.2.1.5.

Because the condition, abundance, structural stage, and distribution of plant communities required for diverse and desired wildlife populations are not maintained or enhanced and because special status species habitats are inadequate to increase or maintain populations so as to preclude an impetus for listing (for sagebrush and shrub obligates and dependent species in particular), these major ecological site alterations from their reference states discussed above do not conform with ORMP wildlife habitat objectives, including for special status species.¹⁹

Guidelines for Livestock Grazing Management

In addition to a discussion of rangeland health standards, the BLM's 2013 Red Mountain allotment Determination (USDI BLM, 2013) identified that current grazing management practices do not conform with the applicable Livestock Grazing Management Guidelines 1, 3, 4, 5, 8, 9, and 12 for several Standards. Additionally, current livestock management practices within the Boone Peak allotment do not conform to the applicable Livestock Grazing Management Guideline 10 for Standard 7. Finally, current livestock management practices within the Bridge Creek allotment do not conform with the applicable Guidelines for Livestock Grazing Management Guidelines 5, 7, 8, and 12 for several Standards. Guidelines 1, 3, 4, 5, 7, 8, 9, 10, and 12 are as follow:

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 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.

¹⁹ For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.1.5 and Section 3.3.4.1.5, and the Bridge Creek determination within the 2013 Assessments for Boone Peak (0589), Red Mountain (0588), Bridge Creek (0590), Quicksilver FFR (0483), and Stahle FFR (0641) Allotments, 2013 Supplement.

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 CO₂ and methane emissions to the earth's atmosphere. In addition, climate change, itself a stressor on the sagebrush-steppe semi-arid ecosystem found in the Owyhee Uplands can, when found in conjunction with cattle grazing, further stress the ecosystem's vegetation.*

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

Analysis of Alternative Actions

Based on the current condition of the Red Mountain, Boone Peak, and Bridge Creek allotments 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 maintenance or improvement of conditions on the allotments. 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.²⁰ The BLM considered the following alternatives in detail:

- **Alternative 1 - Current Situation:** The BLM would renew the livestock grazing permit(s) for use in the Red Mountain, Boone Peak, and Bridge Creek allotments consistent with the summarized actions that have led to the current conditions. Alternative 1 would authorize livestock grazing at a level equivalent to the maximum actual use reported recently, while not changing the seasons of use for each of the three allotments. Authorized active use in the Red Mountain allotment would be reduced from 1,999 AUMs in the existing permits to 1,721 AUMs. Authorized active use in the Boone Peak allotment would be reduced from 2,092 AUMs in the existing permit to 2,052 AUMs. Authorized active use in the Bridge Creek allotment would be reduced from 664 AUMs in the existing permit to 644 AUMs.²¹
- **Alternative 2 - Applicant's Proposed Action:** The BLM would make changes to allotment boundaries consistent with applications for permit renewal received from the two current permittees. Pasture 1 of the existing Red Mountain allotment would be separated from the other two pastures of the allotment and would be the single pasture of the created Fossil Creek allotment. Authorized active use in the new Fossil Creek allotment would be unchanged and equivalent to use that has occurred in this one pasture under the existing permits; 775 AUMs.

Pastures 2 and 3 of the existing Red Mountain allotment, the one pasture of the existing Boone Peak allotment, the one pasture of the existing Bridge Creek allotment, and a holding pasture (livestock handling facility previously undefined in the northern portion of pasture 4 of the Box T allotment) would be combined to create the proposed Pickett Creek allotment, consistent with the applications received. Authorized active use in the new Pickett Creek allotment would be unchanged and equivalent to use that has occurred in these four pastures under the existing permit; 3,982 AUMs.

²⁰ For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 2, Section 2.4.15, section 2.4.2, and Section 2.4.4.

²¹ For more detailed discussion, please refer to EA number EA number DOI-BLM-ID-B030-2013-0021-EA Section 2.4.15.1, Section 2.4.2.1, and Section 2.4.4.1

The total authorized active use in the new Fossil Creek and Pickett Creek allotments would be unchanged from that in the existing permits.²²

- **Alternative 3:** The BLM would make changes to allotment boundaries for the Red Mountain, Boone Peak, and Bridge Creek allotments, as described under Alternative 2 above. The Fossil Creek allotment would be created from the existing pasture 1 of the existing Red Mountain allotment, while the Pickett Creek allotment would be created from pastures 2 and 3 of the existing Red Mountain allotment, in combination with the one pasture of the existing Boone Peak allotment, the one pasture of the existing Bridge Creek allotment, and a holding pasture (livestock handling facility previously undefined in the northern portion of pasture 4 of the Box T allotment).

The BLM would renew the livestock grazing permit for use in the new Fossil Creek and Pickett Creek allotments with terms and conditions that constrain seasons, intensities, duration, and frequency of grazing use. Grazing in the spring would be limited to no more than 1 in 3 years. Authorized active use in the Fossil Creek allotment would be reduced from 775 AUMs that has occurred in this one pasture under the existing permits to 355 AUMs. Authorized active use in the Pickett Creek allotment would be reduced from 3,982 AUMs that has occurred in these four pastures under the existing permit to 1,467 AUMs.²³

- **Alternative 4:** The BLM would make changes to allotment boundaries for the Red Mountain, Boone Peak, and Bridge Creek allotments, as described under Alternative 2 above. The Fossil Creek allotment would be created from pasture 1 of the existing Red Mountain allotment, while the Pickett Creek allotment would be created from pastures 2 and 3 of the existing Red Mountain allotment, in combination with the one pasture of the existing Boone Peak allotment, the one pasture of the existing Bridge Creek allotment, and a holding pasture (livestock handling facility previously undefined in the northern portion of pasture 4 of the Box T allotment).

The BLM would renew the livestock grazing permit for use in the new Fossil Creek and Pickett Creek allotments with terms and conditions that constrain seasons, intensities, duration, and frequency of grazing use to a greater degree than would occur under Alternative 3. While the authorization of spring use in the Fossil Creek allotment would be limited to no more than 1 in each 3-year period, summer and early fall grazing in the Pickett Creek allotment would not be authorized. Authorized active use in the Fossil Creek allotment would be reduced from 775 AUMs that has occurred in this one pasture under the existing permits to 355 AUMs. Authorized active use in the Pickett Creek allotment would be reduced from 3,982 AUMs that has occurred in these four pastures under the existing permit to 436 AUMs.²⁴

²² For more detailed discussion, please refer to EA number EA number DOI-BLM-ID-B030-2013-0021-EA Section 2.4.15.2

²³ For more detailed discussion, please refer to EA number EA number DOI-BLM-ID-B030-2013-0021-EA Section 2.4.15.3

²⁴ For more detailed discussion, please refer to EA number EA number DOI-BLM-ID-B030-2013-0021-EA Section 2.4.15.4

- **Alternative 5 - No Grazing:** No grazing would be authorized on public lands within the Red Mountain, Boone Peak, or Bridge Creek allotments for a term of 10 years. The applications for grazing permit renewal would be denied and no grazing permits would be offered.

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, the alternatives and analysis in the EA, comments received from you and other interested publics, and other information, it is my Proposed Decision to renew your grazing permits for 10 years consistent with the terms and conditions under Alternative 3. Implementation of Alternative 3 over the next 10 years will allow the Idaho S&Gs to be met or progress to be made toward meeting the Idaho S&Gs where current livestock management practices were found to be a cause for failure to meet the Idaho S&Gs. Additionally, livestock management practices will not be a factor contributing toward failure to meet the Idaho S&Gs. Progress toward achieving the resource objectives outlined in the ORMP will also be made. Specifically, Alternative 3 will allow progress to be made toward meeting Standards 1, 2, 3, 4, 7, and 8.

Allotment boundary changes for the existing Red Mountain, Bridge Creek, and Boone Peak allotments will be made, with a grouping of existing pastures to create the new Fossil Creek and Pickett Creek allotments. Pasture 1 of the existing Red Mountain allotment will be separated from the other two pastures of the allotment and will be the single pasture of the created Fossil Creek allotment. Pastures 2 and 3 of the existing Red Mountain allotment, the one pasture of the existing Bridge Creek allotment, the one pasture of the existing Boone Peak allotment, and a holding pasture (livestock handling facility previously undefined in the northern portion of pasture 4 of the Box T allotment) will be combined to create the Pickett Creek allotment. The Red Mountain, Boone Peak, and Bridge Creek allotments will no longer be allotments administered by the Owyhee Field office, and their public land acreage and pastures will be divided between the created Fossil Creek and Pickett Creek allotments.

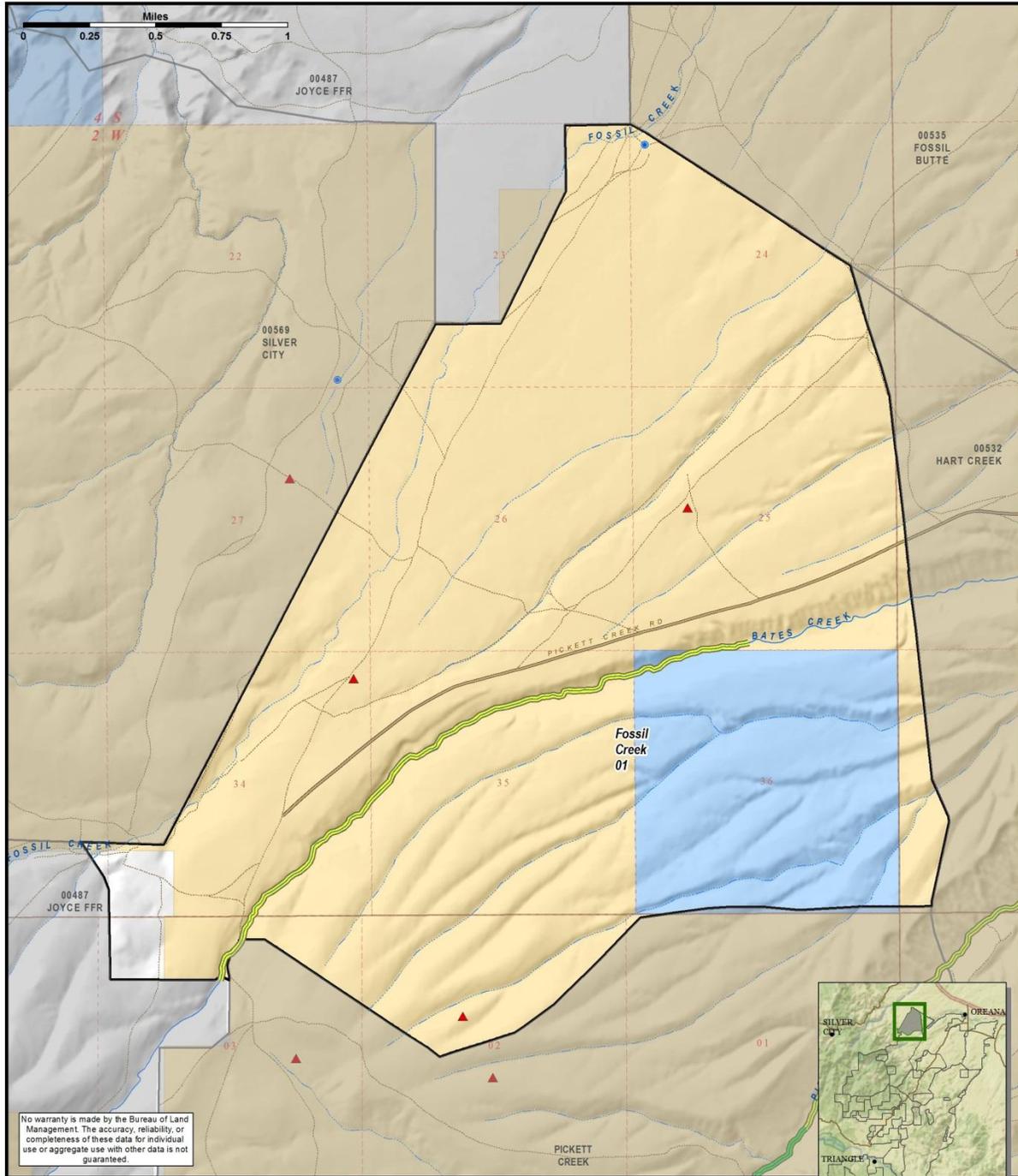
A summary of the allotment reconfiguration is provided in Table LVST-4 and Maps 4 and 5.

Table LVST-4: Summary of the reconfiguration of pastures within the existing Red Mountain, Bridge Creek, and Boone Peak allotments to create the Fossil Creek and Pickett Creek allotments

Existing Allotment / <i>Pasture (number-name)</i>	Proposed Allotment / <i>Pasture (number-name)</i>
Red Mountain / <i>Pasture 1-Fossil Creek</i>	Fossil Creek / <i>Pasture 1-Fossil Creek</i>
Red Mountain / <i>Pasture 2-Pickett Creek</i>	Pickett Creek / <i>Pasture 1-Pickett Creek</i>
Red Mountain / <i>Pasture 3-Red Mountain</i>	Pickett Creek / <i>Pasture 2-Red Mountain</i>
Bridge Creek / <i>Pasture 1-Bridge Creek</i>	Pickett Creek / <i>Pasture 3-Bridge Creek</i>
Boone Peak / <i>Pasture 1-Boone Peak</i>	Pickett Creek / <i>Pasture 4-Boone Peak</i>



Map 4: Fossil Creek 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.

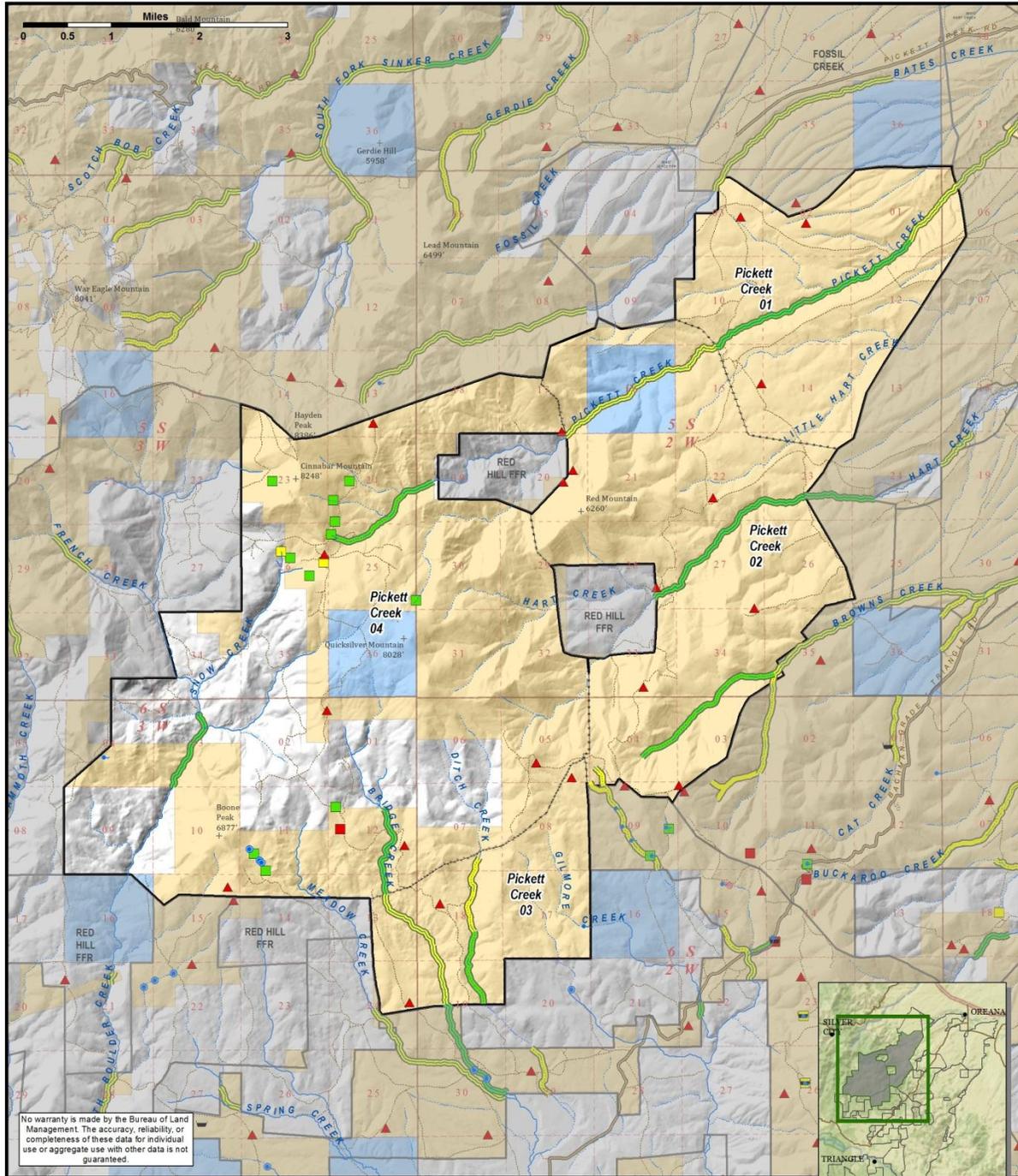
- | | | | | |
|-----------------------------|-----------|---------------------|--------------------------|---------|
| Allotment Boundary | Reservoir | Perennial Stream | Assessment Rating | BLM |
| Pasture Boundary | Spring | Intermittent Stream | PFC | State |
| Range Monitoring | Trough | Improved Road | FAR | Private |
| RHA Point | Exclosure | Primitive Road | NF | |
| Nested Plot Frequency Trend | | | | |



1:30,000

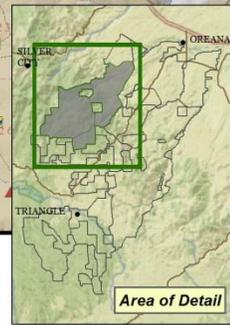


Map 5: Pickett Creek Allotment



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 Boundary | Reservoir | Perennial Stream | Assessment Rating | Management Agency |
| Pasture Boundary | Spring | Intermittent Stream | PFC | BLM |
| Range Monitoring | Trough | Improved Road | FAR | State |
| RHA Point | Exclosure | Primitive Road | NF | Private |
| Nested Plot Frequency Trend | | | | |



1:90,000

Fossil Creek Allotment

Rohl Hipwell and John Edwards will each be offered livestock grazing permits for use in the created Fossil Creek allotment.

Rohl Hipwell will be offered a permit for a term of 10 years with an authorized active use of 183 AUMs, as outlined in Table LVST-5.

Table LVST-5: Rohl Hipwell’s permitted grazing use within the Fossil Creek allotment

Active Use	Suspension	Permitted Use
183	100	283

Similarly, John Edwards will be offered a permit for a term of 10 years with an authorized active use of 172 AUMs, as outlined in Table LVST-6.

Table LVST-6: John Edwards’ permitted grazing use within the Fossil Creek allotment

Active Use	Suspension	Permitted Use
172	1,050	1,222

Authorized active use in the Fossil Creek allotment will be reduced from 775 AUMs within the equivalent one pasture in the existing permits to 355 AUMs. The elimination of 420 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).²⁵ The terms and conditions of the renewed grazing permits are defined in Table LVST-7.

Table LVST-7: Mandatory and other terms and conditions of the offered permit to graze livestock within the Fossil Creek allotment

Allotment	Permittee	Year	Livestock		Grazing Period		% PL	Type Use	AUMs
			Number	Kind	Begin	End			
Fossil Creek	Hipwell	1 & 2	335	Cattle	4/1	4/20	83*	Active	183
	Hipwell	3	335	Cattle	11/1	11/20	83*	Active	183
	Edwards	All	34	Cattle	10/1	2/28	100	Active	172

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

The following grazing permit terms and conditions specific to the Fossil Creek allotment will be included in the permit offered:

1. Grazing use of the Fossil Creek allotment will be in accordance with the grazing schedule providing for a 3-year rotation identified in the final decision of the Owyhee Field Office Manager dated _____ (See Table LVST-8).

²⁵ As discussed in the EA Section 2.1.2 of the EA, 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 775 AUMs to 355 AUMs would not result in an increase in suspension AUMs.

2. Livestock numbers are at the discretion of the permittee, as long as grazing occurs within the specified dates and active use AUMs are not exceeded (Edwards permit only).

The following applicable Boise District grazing permit terms and conditions will 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. Use of supplements other than the standard salt or mineral block on public land requires prior approval from the authorized officer.
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 the Boise District Policy.
8. Utilization may not exceed 50 percent of the current year's growth.

The grazing schedule for the Fossil Creek allotment, identified in Table LVST-8, will be authorized and its implementation will be included as a term and condition of the permit offered.

Table LVST-8: Grazing schedules for the Fossil Creek allotment

Year	Hipwell	Edwards
1	4/1 to 4/20	10/1 to 2/28
2	4/1 to 4/20	10/1 to 2/28
3	11/1 to 11/20	10/1 to 2/28

Pickett Creek Allotment

Rohl Hipwell will be offered a livestock grazing permit for use in the created Pickett Creek allotment for a term of 10 years with an authorized active use of 1,467 AUMs, as outlined in Table LVST-9.

Table LVST-9: Permitted grazing use within the Pickett Creek allotment

Active Use	Suspension	Permitted Use
1,467 AUMs	1,432 AUMs	2,899 AUMs

Authorized active use in the Pickett Creek allotment will be reduced from 3,982 AUMs within the equivalent four pastures in the existing permit to 1,467 AUMs. The elimination of 2,515 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).²⁶ The terms and conditions of the renewed grazing permit are defined in Table LVST-10.

Table LVST-10: Mandatory and other terms and conditions of the offered permit to graze livestock within the Pickett Creek allotment

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
Pickett Creek	324	Cattle	4/21	10/31	71 *	Active	1,467

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

The following grazing permit terms and conditions specific to the Pickett Creek allotment will be included in the permit offered:

1. Grazing use of the Pickett Creek allotment will be in accordance with the grazing schedule and limits to the intensity of use identified in the final decision of the Owyhee Field Office Manager dated _____ (See Table LVST-11). 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 constraints identified in the decision (See Table LVST-12). Changes to the scheduled use require approval by the authorized officer, consistent with Standard Terms and Conditions.
2. Minimum 4 inch stubble will be left on herbaceous vegetation within the riparian area along 0.3 miles of Hart Creek and 5.0 miles of Pickett Creek at the end of the growing season, as identified in the fisheries objective of the Owyhee RMP.
3. Approval by the authorized officer is required prior to salt placement within and adjacent to Cinnabar Mountain ACEC for maximum protection of identified resource values. Domestic grazing use (authorized active use) will not be increased within the ACEC.

The following applicable Boise District grazing permit terms and conditions will 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. Use of supplements other than the standard salt or mineral block on public land requires prior approval from the authorized officer.
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.

²⁶ As discussed in Section 2.1.2 of the EA, 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 5,414 AUMs to 2,899 AUMs would not result in an increase in suspension AUMs.

5. Livestock enclosures 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 the Boise District Policy.
9. Utilization may not exceed 50 percent of the current year's growth.

The grazing schedule for the Pickett Creek allotment, identified in Table LVST-11, 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-12.

Table LVST-11: Grazing schedules for the Pickett Creek allotment

Pasture	Year 1	Year 2	Year 3
1	4/21 to 5/31 *	4/21 to 5/31 *	Rest
2	6/1 to 7/14 *	Rest	4/21 to 5/31 *
3	Rest	6/1 to 7/14 * **	6/1 to 7/14 * **
4	7/15 to 10/31 **	7/15 to 10/31 **	10/1 to 10/31

* Upland utilization limit not to exceed 20 percent at the end of the active growing season (7/15)

** Riparian intensity of use limited to stubble height no less than 6 in, woody browse use no greater than 30 percent incidence of use on most recent year's leader growth, and bank alteration no greater than 10 percent at the end of the riparian growing season (9/30)

Recognition of the livestock handling facility in the northern portion of pasture 4 of the Box T allotment as a portion of the Pickett Creek allotment is consistent with the recent history of use of this facility by Rohl Hipwell, in association with livestock management in the portions of the Red Mountain, Boone Peak, and Bridge Creek allotments that are combined to create the Pickett Creek allotment.

Table LVST-12: Constraints to seasons, intensities, duration, and frequency of grazing use specific to the Pickett Creek allotment

Resource	Pasture 1-Pickett Creek	Pasture 2-Red Mountain	Pasture 3-Bridge Creek	Pasture 4-Boone Peak
Sage-grouse (nesting/early brood-rearing)	no use 4/1 to 6/30; 1 of 3 years	no use 4/1 to 6/30; 1 of 3 years	no use 4/1 to 6/30; 1 of 3 years	no use 4/1 to 6/30; 1 of 3 years
Redband Trout (spawning)	no use 3/15 to 6/15; 1 of 3 years	no use 3/15 to 6/15; 1 of 3 years	no use 3/15 to 6/15; 1 of 3 years	no use 3/15 to 6/15; 1 of 3 years
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*
Soils	no use 3/1 to 5/15; 1 of 3 years	no use 3/1 to 5/15; 1 of 3 years	no use 3/1 to 5/31; 1 of 3 years	no use 3/1 to 5/31; 1 of 3 years
Riparian/ Water Quality	no use 6/15 to 9/30; 1 of 3 years**	no use 6/15 to 9/30; 1 of 3 years**	no use 7/1-9/30; 1 of 3 years**	no use 7/1-9/30; 1 of 3 years**

* Flexibility to graze more frequently between 5/1 and 6/30 (between 5/1 and 7/15 within pastures 3 and 4) with utilization limits (see Section 2.2.3 of the EA)

**When grazing occurs in pastures with riparian resources during specified time constraint periods, limit the intensity of use to 1) Stubble height no less than 6 in, 2) Woody browse use no greater than 30 percent incidence of use on most recent year’s lead growth, and 3) Bank alteration no greater than 10 percent (see Section 2.2.3 of the EA)

It is also my Proposed Decision to not consider projects proposed within the application for grazing permit renewal received from you at this time, Mr. Hipwell. Applications received proposed a division fence for pasture 2 of the created Pickett Creek allotment (pasture 3 of the existing Red Mountain allotment). Similarly, the applications requested that a spring be developed and a trough be placed in the Pickett Creek allotment pasture 3 (existing Bridge Creek allotment pasture 1) within the area of Township 6 South, Range 2 West, Section 13, East ½. Additionally, the modification to the application received by BLM on July 29, 2013, from you, Mr. Hipwell, includes application to clear areas of juniper domination within a 300-foot radius of developed springs, applies to clear juniper domination along approximately 20 to 400 acres of the headwater areas of Bridge Creek, applies for seeding of low-elevation areas for the reintroduction of deep-rooted perennial species, applies for large expanses of rangeland to be cleared of juniper by cutting or burning, applies for large expanses of rangeland dominated by too-dense sagebrush to be mechanically thinned or burned, and applies to assess with BLM the underlying factor(s) for spring or other riparian areas function and reserve the opportunity to apply to fence and/or develop and fence such areas.

These proposed projects were not considered for analysis in the EA, as summarized in Section 2.4 (Alternatives Considered but not Analyzed in Detail). Although these projects may contribute toward ease of livestock management or improved function of upland or riparian areas currently limited by factors other than current livestock management practices, the projects are not consistent with the purpose and need identified for this NEPA document. These projects are not required to facilitate the application of grazing management practices that promote significant progress toward, or the attainment and maintenance of, the standards. Analysis of consequences of any new project construction or reconstruction may be addressed through separate NEPA analysis specific to the proposed project(s). That analysis was not included in the NEPA document for grazing permit renewal in the Group 3 allotments, because implementation of livestock management actions identified in the permit renewal applications are not dependent on construction of these projects.

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, Mr. Hipwell, as a grazing permit holder for the Red Mountain, Boone Peak, Bridge Creek, Quicksilver FFR, and Stahle 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. Similarly, I have reviewed your record, Mr. Edwards, as a grazing permit holder for the Red Mountain allotment 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 3. 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 Fossil Creek and Pickett Creek allotments meeting, making significant progress toward meeting, or eliminating livestock management practices as a factor contributing toward failure to meet the Idaho S&Gs, while also moving toward achieving the resource objectives outlined in the ORMP.²⁷

Issues Addressed

Earlier in this decision, I outlined the major issues that drove the analysis and decision-making process for the Fossil Creek and Pickett Creek allotments. I want you to know that I considered each alternative in light of the specific issues raised in conjunction with these allotments before I made my decision. My selection of Alternative 3 was in large part because of my understanding that this selection best addressed those issues and especially those pertaining to Standards 1 and 4 regarding function of uplands, Standards 2 and 3 regarding riparian areas and stream channels, Standard 7 regarding water quality, and Standard 8 regarding habitats for special status wildlife species. Selection of Alternative 3 also addresses issues associated with the ORMP management objectives, 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.

²⁷ As you know, your allotment is part of a group of 20 allotments forming the Toy Mountain Group allotments and has been included with permit renewal for the larger Owyhee 68 allotments. 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.

Fossil Creek Allotment

Under Alternative 3, the season of use within the Fossil Creek allotment will be limited to exclude grazing during the active growing season (5/1 to 6/30) in 1 of 3 years. Additionally, a reduction in the number of AUMs authorized from 724 in the existing pasture 1 of the Red Mountain allotment to 355 in the created Fossil Creek allotment,²⁸ resulting in a stocking rate of approximately 10 acres per AUM, will result in a reduction in the intensity of grazing use occurring in the pasture. The reduced intensity of grazing use, especially when that use is scheduled to occur during a period immediately preceding the active growing season, will 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, limits to the intensity of grazing use during the active growing season and 1 in 3 years of exclusion of use during or immediately preceding the active growing season will allow cool-season bunchgrass species to regain health and vigor as detailed in Appendix E of the EA. Limited progress will be made toward meeting Standard 4 within the constraints of inadequate remaining deep-rooted bunchgrasses, as well as toward meeting the ORMP objective to improve vegetation health and condition.²⁹

Pickett Creek Allotment

Under Alternative 3, the season of use within the Pickett Creek allotment will be limited to exclude grazing during the active growing season (5/1 to 6/30 in pastures 1 and 2; 5/1 to 7/15 in pastures 3 and 4) in 1 of 3 years. The intensity of grazing use will also be limited to less than 20 percent at the end of the active growing season, when grazing is authorized between 5/1 and 6/30 or 7/15, as applicable. Additionally, a reduction in the AUMs authorized within the allotment under Alternative 3 results in a stocking rate no heavier than approximately 10 acres per AUM for the two lower-elevation pastures and approximately 5 acres per AUM for the two high-elevation pastures. These actions will result in a reduction in the intensity of grazing use occurring in all pastures. The reduced intensity of grazing use, especially when that use occurs during the active growing season, will 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, limits to the intensity of grazing use during the active growing season and 1 in 3 years of exclusion of use during the active growing season will allow cool-season bunchgrass species to regain and maintain health and vigor, as detailed in Appendix E of the EA.

Under Alternative 3, Standard 4 will continue to be met in pasture 4, progress toward meeting Standard 4 will continue to be made in pasture 1 within the capability of the limited composition of deep-rooted perennial species, and progress will be made toward meeting Standard 4 in pasture 2, with limitations to seasons and intensities of grazing use. Although juniper encroachment will continue to limit meeting Standard 4 in pasture 3, limitations to the seasons and intensities of livestock use under Alternative 3 will ensure that livestock management practices are not a contributing factor toward the failure to meet Standard 4. Additionally, progress toward meeting the ORMP objective to improve health and condition of vegetation will be made.³⁰

²⁸ Pasture 1 of the Red Mountain is the single pasture of the Fossil Creek allotment created with the decision.

²⁹ For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.2.1 and Section 3.3.15.2.3.1.1

³⁰ For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.2.1 and Section 3.3.15.2.3.2.1

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

Fossil Creek Allotment

Alternative 3 will provide deferment from spring grazing in 1 of 3 years, a period when soils are more often saturated and most susceptible to compaction and other physical impacts. Similarly, periodic deferment of grazing use until after the critical growing season for upland perennial species will allow improvement and maintenance of plant health, contributing to soil function. In addition, an adjustment in stocking rate will result in a reduction of livestock numbers and active AUMs, as compared to the current permits and recent actual use. Reduced livestock numbers and AUMs will benefit soils by limiting physical impacts from hoof action and utilization of plants. Reduced cattle numbers and AUMs authorized will also increase the overall ability of native plant communities to remain healthy, vigorous, and productive during active growth. As a whole, progress toward meeting Standard 1 by maintaining and improving soil and hydrologic function proposed with Alternative 3 is expected to be greater, as compared with livestock management practices under Alternatives 1 and 2, although not as much as under Alternatives 4 and 5.³¹

Pickett Creek Allotment

Alternative 3 will provide a minimum of 1 of 3 years of deferment and rest from spring grazing that will reduce physical impacts to soils during the wettest and most susceptible period. Additional benefits are provided from a minimum of 1 of 3 years of deferment from critical-growing-season use. This offers native plant communities an opportunity to improve and respond with increased soil cover, decreased bare ground, and reduced susceptibility to accelerated erosion. However, soils will continue to be susceptible to reduced stability and altered soil infiltration and water-holding capacity over time due to the spread of juniper in pasture 3. As a whole, progress toward maintaining, meeting, and improving soil and hydrologic function with livestock management practices under Alternative 3 is expected to be greater as compared with Alternatives 1 and 2, although not as much as under Alternatives 4 and 5.³²

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

Whereas juniper encroachment is not an issue within the Fossil Creek allotment, a single-pasture allotment at lower elevation and dominated by salt desert shrubs and Wyoming big sagebrush vegetation communities, increased dominance by juniper within the higher-elevation pastures of the Pickett Creek allotment is an issue. Implementation of proper livestock management practices or the elimination of authorized livestock grazing from the Pickett Creek allotment, or its equivalent pastures as would occur under Alternative 5, would not change the capability for making progress toward meeting Standards where the causal factor for not meeting the Standard is altered fire regimes and juniper encroachment. Similarly, 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.³³

³¹ For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.2.2.4 and Section 3.3.15.2.3.1.2

³² For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.2.2.4 and Section 3.3.15.2.3.2.2

³³ For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 2.3

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. Scotch thistle and whitetop have been inventoried and treated at a number of locations within the existing Red Mountain allotment, but no identified locations of weeds within the existing Boone Peak or Bridge Creek allotments are currently recorded on public land. Undiscovered noxious weeds may exist, and noxious weed control is ongoing.

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 presence of cheatgrass, and other invasive annual species was identified in the rangeland health assessments, evaluations, and determinations for the existing Red Mountain, Boone Peak, and Bridge Creek allotments, no location within any of the allotments 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 provide 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; those risks associated with authorized livestock grazing would be eliminated in the no-grazing alternative. Alternative 3 will reduce both cattle numbers and authorized active AUMs as compared to the existing permits and recent actual use. As a result, livestock as a vector of seed dissemination and soils disturbance will be reduced from the current situation and alternatives other than under Alternatives 4 and 5.

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

Fossil Creek Allotment

Recent actual use reported indicates that the single pasture that makes up the Fossil Creek allotment has primarily been used during the spring months. Current management practices have resulted in the failure to meet Standards 2 and 3 associated with the riparian-wetland resources, but progress toward meeting both Standards is made.

Under Alternative 3, the single pasture of the Fossil Creek allotment will be available for grazing annually during the fall and winter, with no use scheduled prior to October 1, and also during the spring in 2 out of 3 years, with no use scheduled after April 20. Consequently, 16.1 miles of intermittent/ ephemeral stream will be affected by the impacts associated with spring and fall use, but no use during the critical mid-summer constraint period for riparian resources (June 15 to September 30). Additionally, cattle numbers and authorized active AUMs will be reduced from the levels in the existing permit and from levels reported in recent actual use. Thus, the allotment will continue to make progress toward meeting the riparian-wetland Standards 2 and 3 with

livestock management practices under Alternative 3. Progress toward meeting Standard 7 in the Fossil Creek allotment will also continue under Alternative 3.³⁴

Pickett Creek Allotment

Recent actual use reported indicates that pastures 1 and 2 of the Pickett Creek allotment have primarily been used during the spring and fall months, and pastures 3 and 4 have been used during the summer and fall months. Currently, within pastures 1, 2, and 4, the riparian Standards 2 and 3 are not being met, but progress is being made. Standards 2 and 3 are not met in pasture 3 of the allotment due to current livestock management practices.

Under Alternative 3, grazing use within each of the four pastures of the Pickett Creek allotment will be deferred to a season other than the critical mid-summer period for riparian vegetation (June 15 to September 30) in at least 1 year during the 3-year rotation, allowing opportunity for recovery of herbaceous and woody riparian vegetation. In addition, pastures 1, 2, and 3 will receive a full year of rest from grazing use in 1 year of the 3-year rotation, further allowing opportunity for recovery with the impact associated with spring or fall use removed. Also, limitations to the intensity of grazing use of both herbaceous and woody vegetation species, as well as limitations to bank alteration in pastures 3 and 4, when used 2 years of the 3-year rotation during the critical period for riparian resources, will limit adverse impacts to riparian function. Finally, reduced cattle numbers and authorized active AUMs will lessen impacts associated with livestock use of riparian resources, compared to the use of the equivalent pastures under the existing permit and in recently reported actual use. Consequently, livestock impacts to riparian resources associated with 10.8 miles of perennial stream, 35.6 miles of intermittent/ ephemeral stream, and six springs will be reduced and periodic opportunity for recovery will be provided. Progress toward meeting Standards 2 and 3 within pastures 1, 2, and 4 will continue and be enhanced, while progress toward meeting these Standards in pasture 3 will be made. Progress toward meeting ORMP objectives for riparian resource will also be made.

Because Alternative 3 will allow progress toward meeting Standards and ORMP objectives related to upland and riparian function, progress toward meeting Standard 7 will result.³⁵

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

Fossil Creek Allotment

No special status plant species have been identified within the single pasture of the Fossil Creek allotment, as noted above.

Pickett Creek Allotment

One special status plant species, Idaho milkvetch, located within the Cinnabar Mountain ACEC, will benefit from the livestock management practices under Alternative 3, similar to those benefits identified above for upland vegetation and soil resources. These benefits will result from periodic opportunity for recovery from critical seasons of use and reduced cattle numbers and authorized

³⁴ For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.2.3 and Section 3.3.15.2.3.1.3

³⁵ For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.2.3 and Section 3.3.15.2.3.2.3

active AUMs as compared to grazing use in the equivalent pastures under the existing permit and reported in recent actual use.

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

Fossil Creek Allotment

Limiting cattle grazing to early spring and fall-winter use under Alternative 3 will allow upland habitats to pass through their entire growth and reproduction cycle without disturbance from livestock. Upland plants that are ungrazed during their active growing season will grow taller and produce more seed. The abundance and vigor of perennial grasses and forbs in the uplands habitats will increase within limitations of capability identified in the upland vegetation issue above. This will result in increased cover and forage for shrub steppe-dependent wildlife species. Similarly, spring and fall/winter livestock use will allow riparian habitats to pass through their entire growth and reproduction cycle without disturbance from livestock. Herbaceous riparian plants and shrubs that are ungrazed during their active growing season will grow taller and produce more seed. The abundance and vigor of herbaceous and woody species in the riparian habitats will increase. This will result in increased cover and forage for riparian-dependent wildlife species. More vigorous sage steppe perennial grasses and forbs, as well as vigorous riparian woody and herbaceous vegetation, will increase the cover and forage available for sage-grouse during the breeding and summer brooding seasons. Increased cover and forage will increase the nest success and brood survivorship. Under Alternative 3, the Fossil Creek allotment will progress toward meeting Standard 8.³⁶

Pickett Creek Allotment

Limiting seasons and the intensity of livestock grazing use under Alternative 3 that allow upland and riparian areas to meet or make progress toward meeting Standards and the ORMP objectives, as identified above, will also provide wildlife habitat conditions that meet Standard 8. The periodic rest from livestock grazing for a full year and utilization limits under Alternative 3 will allow for the recommended levels of canopy cover and plant height for perennial grasses and forbs that are required for productive sage-grouse nesting, brooding, and foraging habitats. Juniper encroachment will continue to limit sage-grouse use in pastures 3 and 4, because of reduced visibility, reduced shrub and grass cover, and reduced forage. Riparian vegetation recovery and function will provide more shading for redband trout and will increase the abundance of foraging, nesting, and escape habitats for migratory birds and other riparian dependent species.

Under Alternative 3, the Pickett Creek allotment will make progress toward meeting Standard 8 in pasture 2, will allow Standard 8 for wildlife to continue to be met in pasture 4, and livestock management practices will not be the limiting factors toward failure to meet Standards 8 in pasture 1 with its reduced composition of deep-rooted perennial herbaceous species capable of recovery or in pasture 3 with its juniper dominance.³⁷

³⁶ For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.2.5 and Section 3.3.15.2.3.1.5

³⁷ For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.2.5 and Section 3.3.15.2.3.2.5

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 3 for the Fossil Creek and Pickett Creek allotments 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 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. The period when grazing could reduce fine fuels prior to the fire season is also the season of active growth of native perennial 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. While grazing authorized by permit renewal would provide authorization to use public land resources, 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 analyzed the consequences of implementing livestock management practices identified in the application received and alternatives for grazing permit renewal authorizing cattle grazing to meet rangeland health standards and resource management objectives.³⁸

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 CO₂ and methane emissions to the earth's atmosphere. In addition, climate change, itself a stressor on the sagebrush-steppe semi-arid ecosystem found in the Owyhee Uplands can, when found in conjunction with cattle grazing, further stress the ecosystem's vegetation.*

Climate change is another factor I considered in building my decision around Alternative 3 for the Fossil Creek and Pickett Creek allotments. 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

³⁸ For more detailed discussion, please refer to EA number EA number DOI-BLM-ID-B030-2013-0021-EA Section 2.3.

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 or alternatives 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 Fossil Creek and Pickett Creek allotments are impaired from historic use, and while repair and restoration will only occur in the long term, some change can be anticipated from the proposed limitations to seasons and intensity of use. 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 3 combine seasons, intensities, and durations of livestock use to promote long-term plant health and vigor. Assuming that climate change affects the arid landscapes in the long term, the native plant communities on these allotments will be better armed to survive such changes.

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 permits protect resources in a manner consistent with the BLM's obligations under the Idaho S&Gs and the ORMP. As noted above, I have selected Alternative 3 for the Fossil Creek and Pickett Creek allotments in large part because this selection accomplishes those latter goals.

Over the long term, your grazing operations rely 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 the Idaho S&Gs and the ORMP objectives 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 Fossil Creek and Pickett Creek allotments, have selected Alternative 3 and its design to meet resource function and sustainability.³⁹

³⁹ For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0021-EA Section 3.2.8

Additional Rationale

BLM put much thought and effort into developing grazing management that is responsive to the Fossil Creek and Pickett Creek allotments' 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 of the 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 permittees have. I believe I have balanced those needs of the resource and your capabilities with the information I have to the extent possible.

I did consider selecting Alternative 5 - No Grazing for each of these allotments; however, based on all the information used in developing my decision, I believe that the BLM can meet resource objectives and still allow grazing on these two allotments. In selecting Alternative 3 for the Fossil Creek and Pickett Creek allotments, rather than Alternative 5, I especially considered:

- BLM's ability to meet resource objectives using the selected Alternative 3,
- the impact of implementation of Alternative 5 on your operations and on regional economic activity,
- the Fossil Creek and Pickett Creek allotments' susceptibility to significant improvement under Alternative 5, and
- your past performance under previous permits.

By implementing Alternative 3, the resource issues identified will be addressed. Declining to authorize grazing for a 10-year period, as would occur under Alternative 5, is not the management decision most appropriate at this time in light of these factors.

During the public comment period for the Preliminary EA, we received comments from members of the interested public stating that the BLM should analyze the effects of livestock grazing in an Environmental Impact Statement (EIS) rather than an EA. The BLM completed EIS # DOI-BLM-ID-B030-2012-0014-EIS that analyzes the effects of livestock grazing in the Chipmunk Group 2 allotments which are associated with the Owyhee 68 permit renewal process. The scope of analysis in this EIS is relevant to all the allotments within the Owyhee Field Office and supports the analysis in the Groups 3, 4, 5, and 6. As stated earlier in this Proposed Decision, I am incorporating by reference the analysis in the Chipmunk Group 2 EIS.

Finding of No Significant Impact

A FONSI was signed on November 20, 2013 and concluded that the Proposed Decision to implement Alternative 3 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/grazing/owyhee_grazing_group.html

Conclusion

In conclusion, it is my decision to select Alternative 3 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 Fossil Creek and Pickett Creek allotments over the next 10 years. Although Alternatives 1 and 2 would implement livestock management practices on the Fossil Creek and Pickett Creek allotments that would continue to allow some standards to be met or significant progress to be made, Alternative 3 would allow progress to be made toward meeting Standards 1 and 4 for upland soil and vegetation resources, Standards 2 and 3 for riparian related resources, Standard 7 for water quality, Standard 8 for wildlife habitats, and ORMP management objectives in all pastures of the two allotments. Alternative 4 would provide a limited additional assurance that these standards would be met and resource values would be additionally protected as compared to Alternative 3. In addition, Alternative 4 would unnecessarily limit your livestock management options and also unnecessarily add to the livestock grazing administrative workload for BLM.

Alternative 5 would limit the economic activity of your livestock operations 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 further reduction or the elimination of livestock grazing from the Fossil Creek and Pickett Creek allotments is unnecessary at this point.

This grazing decision and subsequent permits are being issued under the authority of 43 CFR 4100 and in accordance with the Owyhee Resource Management Plan (43 CFR 4100.0-8), thus all activity thereunder must comply with the objectives and management actions of the Plan.

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 Red Mountain, Boone Peak, and Bridge Creek allotments available for livestock grazing;⁴⁰
- 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 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

⁴⁰ Allotment boundary changes for the existing Red Mountain, Bridge Creek, and Boone Peak allotments will be made, with a grouping of pastures to create the new Fossil Creek and Pickett Creek allotments which through land use plan maintenance would be designated for livestock grazing use.

modifying existing grazing management in order to meet or 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 protests 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:

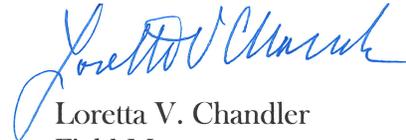
- (1) The relative harm to the parties if the stay is granted or denied.
- (2) The likelihood of the appellant's success on the merits.
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

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). *Assessments for Boone Peak (0589), Red Mountain (0588), Bridge Creek (0590), Quicksilver FFR (0483), and Stahle FFR (0641) Allotments, 2013 Supplement*. Standards for Rangeland Health and Guidelines for Livestock Grazing Management, Marsing, ID.

Copies sent to:

Company Name	First Name	Last Name	Address	City	State	Zip
Boise District Grazing Board	Stan	Boyd	PO Box 2596	Boise	ID	83701
Colyer Cattle Co.	Ray & Bonnie	Colyer	31001 Colyer Rd.	Bruneau	ID	83604
Estate of Charles Steiner	John	Steiner	24597 Collett Rd.	Oreana	ID	83650
Friends of Mustangs	Robert	Amidon	8699 Gantz Ave.	Boise	ID	83709
Gusman Ranch Grazing Association LLC	Forest	Fretwell	27058 Pleasant Valley Rd.	Jordan Valley	OR	97910
ID Cattle Association			PO Box 15397	Boise	ID	83715
ID Conservation League	John	Robison	PO Box 844	Boise	ID	83701
ID Dept. of Agriculture	John	Biar	2270 Old Penitentiary Rd.,	Boise	ID	83707

Company Name	First Name	Last Name	Address	City	State	Zip
			PO Box 7249			
ID Fish & Game	Rick	Ward	3101 S. Powerline Rd.	Nampa	ID	83686
ID Wild Sheep Foundation	Director Jim	Jeffress	PO Box 8224	Boise	ID	83707
ID Wild Sheep Foundation	Herb	Meyr	570 E. 16 th N.	Mountain Home	ID	83647
Idaho Dept. of Lands			PO Box 83720	Boise	ID	83720-0050
Idaho Farm Bureau Fed			PO Box 167	Boise	ID	83701
IDEQ			1445 N. Orchard	Boise	ID	83706
Hardee & Davies LLP	Michael & Marcus	Christian	737 N. 7 th St.	Boise	ID	83702
Intermountain Range Consultants	Bob	Schweigert	5700 Dimick Ln.	Winnemucca	NV	89445
International Society for the Protection of Horses & Burros	Karen	Sussman	PO Box 55	Lantry	SD	57636
Jaca Livestock	Elias	Jaca	817 Blaine Ave.	Nampa	ID	83651
Josephine Ranch	Steve	Boren	1050 N. Briar Lane	Boise	ID	83712
Juniper Mtn. Grazing Assn.	Michael	Stanford	3581 Cliffs Rd.	Jordan Valley	OR	97910
Land & Water Fund	William	Eddie	PO Box 1612	Boise	ID	83701
LU Ranching	Tim	Lowry	PO Box 132	Jordan Valley	OR	97910
LU Ranching	Bill	Lowry	PO Box 415	Jordan Valley	OR	97910
Moore Smith Buxton & Turcke	Paul	Turcke	950 W Bannock, Ste. 520	Boise	ID	83702
Natural Resources Defense Council	Johanna	Wald	111 Sutter St, 20 th Floor	San Francisco	CA	94104
Northwest Farm Credit Services			815 N. College Rd.	Twin Falls	ID	83303
Northwest Farm Credit Services, FLCA	Maudi	Hernandez	16034 Equine Drive	Nampa	ID	83687
Oregon Division State Lands			1645 NE Forbes RD., Ste. 112	Bend	OR	97701
Owyhee Cattlemen's Assn.			PO Box 400	Marsing	ID	83639
Owyhee County Commissioners			PO Box 128	Murphy	ID	83650
Owyhee County Natural Resources Committee	Jim	Desmond	PO Box 128	Murphy	ID	83650
Ranges West			2410 Little Weiser Rd.	Indian Valley	ID	83632
Resource Advisory Council	Chair Gene	Gray	2393 Watts Lane	Payette	ID	83661
Schroeder & Lezamiz Law Offices			PO Box 267	Boise	ID	83701
Shoshone-Bannock Tribes	Tribal Chair Nathan	Small	PO Box 306	Ft. Hall	ID	83203
Sierra Club			PO Box 552	Boise	ID	83701
Soil Conservation District	Cindy	Bachman	PO Box 186	Bruneau	ID	83604
State Historic Preservation Office			210 Main St.	Boise	ID	83702
State of NV Div. of Wildlife			60 Youth Center Rd.	Elko	NV	89801
The Fund for the Animals, Inc.	Andrea	Lococo	1363 Overbacker	Louisville	KY	40208
The Nature Conservancy			950 W Bannock St., Ste. 210	Boise	ID	83702
US Fish & Wildlife Service			1387 S Vinnell Way, Rm. 368	Boise	ID	83709
USDA Farm Services			9173 W. Barnes	Boise	ID	83704
Western Watershed Projects			PO Box 1770	Hailey	ID	83333
Western Watershed Projects	Katie	Fite	PO Box 2863	Boise	ID	83701
Zions First National Bank	Bertha	Scallon	500 5 th St.	Ames	IA	50010
	Russ	Heughins	10370 W. Landmark Ct.	Boise	ID	83704

Company Name	First Name	Last Name	Address	City	State	Zip
	Brett	Nelson	9127 W. Preece St.	Boise	ID	83704
	Charles	Lyons	11408 Hwy. 20	Mountain Home	ID	83647
	Ed	Moser	22901 N. Lansing Ln.	Middleton	ID	83644
	Bill	Baker	2432 N. Washington	Emmett	ID	83617-9126
	Anthony & Brenda	Richards	8935 Whiskey Mtn. Rd.	Murphy	ID	83650
	Martin & Susan	Jaca	21127 Upper Reynolds Creek Rd.	Murphy	ID	83650
	Vernon	Kershner	PO Box 38	Jordan Valley	OR	97910
	Ramona	Pascoe	PO Box 126	Jordan Valley	OR	97910
	Chad	Gibson	16770 Agate Ln.	Wilder	ID	83676
	Kenny	Kershner	PO Box 300	Jordan Valley	OR	97910
	John	Edwards	15804 Tyson Rd.	Murphy	ID	83650
	Rohl	Hipwell	18125 Oreana Loop Rd.	Oreana	ID	83650
	Robert	Thomas	17947 Shortcut Rd.	Oreana	ID	83650
	Craig & Georgene	Moore	PO Box 14	Melba	ID	83641
	Scott & Sherri	Nicholson	PO Box 690	Meridian	ID	83680
	Joseph	Parkinson	123 W. Highland View Dr.	Boise	ID	83702
	Senator James E.	Risch	350 N. 9th St., Ste. 302	Boise	ID	83702
	Senator Mike	Crapo	251 E. Front St., Ste. 205	Boise	ID	83702
	Congressman Raul	Labrador	33 E. Broadway Ave., Ste. 251	Meridian	ID	83642
	Congressman Mike	Simpson	802 W. Bannock, Ste. 600	Boise	ID	83702
	Conrad	Bateman	740 Yakima St.	Vale	OR	97918
	Gene	Bray	5654 W. El Gato Ln.	Meridian	ID	83642
	Dan	Jordan	30911 Hwy. 78	Oreana	ID	83650
	Floyd	Kelly Breach	9674 Hardtrigger Rd.	Given Springs	ID	83641
	Lloyd	Knight	PO Box 47	Hammett	ID	83627
	John	Romero	17000 2X Ranch Rd.	Murphy	ID	83650
	John	Townsend	8306 Road 3.2 NE	Moses Lake	WA	98837
	Elmer	Stahle	17965 Oreana Loop Rd.	Murphy	ID	83650
	John	Richards	8933 State Hwy. 78	Marsing	ID	83639
Office of Species Conservation	Cally	Younger	304 N. 8 th St., Ste. 149	Boise	ID	83702

Appendix K

This appendix hereby incorporates by reference the below language in its entirety into the DOI-BLM-ID-B030-2013-0021-EA Final Environmental Assessment (EA).

During public scoping and comment periods for the Toy Mountain Group permit renewal process, suggestions were received from interested publics that the BLM's NEPA process would be better served if the agency would prepare an Environmental Impact Statement (EIS) rather than an EA and Finding of no Significant Impacts (FONSI) to identify and analyze the geographic extent of the environmental impacts of livestock grazing activities in these allotments.

The BLM published a Final EIS (DOI-BLM-ID-B030-2012-0014-EIS) on October 4, 2013, that analyzed the renewal of grazing permits on twenty-five allotments (known as Group 2) in the Jump Creek, Succor Creek, and Cow Creek watershed areas in the northern part of the Owyhee Field Office. This EIS defined Cumulative Impacts Analysis Areas (CIAAs) for social and economic effects and for the Owyhee subpopulation area, including, but not limited to (Connelly, Knick, Schroeder, & Stiver, 2004) sage-grouse habitat.

The BLM subsequently prepared three EAs (for the Toy Mountain Group, South Mountain Group, and the Morgan Group of allotments). When the CIAAs were defined, the boundaries were the same as the Group 2 EIS CIIA boundaries. The BLM found that the geographic boundary beyond which impacts to resources and habitat would no longer be measurable is the same for all groups. The rationale for establishing these boundaries is found in Section 3.4 of the Toy Mountain, South Mountain, and Morgan EAs where cumulative effects analysis begins; the cumulative effects analysis that resulted from the EIS did not unveil any effects not also recognized in the cumulative effects analyses in the EAs.