



United States Department of the Interior  
BUREAU OF LAND MANAGEMENT  
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In Reply Refer To:  
4160 ID130

January 24, 2013

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Larrusea Cattle Company  
PO Box 124  
Arock, OR 97902

**Notice of Field Manager's Proposed Decision for the Sheep Creek Allotment**

Dear Permittee:

Thank you for your application for permit renewal on the Sheep Creek grazing allotments. Thank you also for working with us throughout the permit renewal process. I appreciate your interest in grazing your allotments in a sustainable fashion and am confident that this Proposed Decision achieves that objective.

As you know, the BLM evaluated current grazing practices and current conditions in the Sheep Creek allotment in 2013. We undertook this effort to ensure that any renewed grazing permits on the allotment are consistent with the BLM's legal and land management obligations. As part of the BLM's evaluation process, rangeland health assessments, evaluations, and determinations were completed; this Proposed Decision incorporates by reference the information contained in those documents.

On January 11, 2013, the Owyhee Field Office initiated the public scoping process for the Toy Mountain, South Mountain, and Morgan groups of grazing allotments, Groups 3, 4, and 5 respectively. The scoping letter informed recipients that the purpose of the public outreach effort was to identify resource and management issues associated with Idaho Standards for Rangeland Health and Guidelines for Livestock Management (Idaho S&Gs) and the Owyhee Resource Management Plan (ORMP). The scoping outreach served to request additional resources and monitoring information that could help the BLM to complete the permit renewal process. The letter encouraged comments and information to be received by February 25, 2013, for each group of allotments but did not set a closing date for the receipt of public comments. This effort helped develop grazing management alternatives for three grazing permit renewal Environmental Assessments (EA), including the South Mountain Group EA #DOI-BLM-ID-B030-2013-0022-EA. The Final South 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 L).

In addition to the scoping period identified above, members from the NEPA Permit Renewal Team met with you on February 21 and July 23, 2013, to discuss your grazing permit renewal application and current allotment conditions, and to share information about the allotment. During these meetings, we discussed

with you our preliminary conclusions regarding Idaho S&Gs and made grazing management recommendations associated with your grazing permit renewal application.

On August 30, 2013, BLM issued the completed 2013 Rangeland Health Assessments (RHA), Evaluations, and Determinations for the South Mountain Group allotments (which included the Sheep Creek allotment) to you and all interested publics of record. Issuance of the Rangeland Health Assessments and Determinations afforded you an opportunity to meet with my staff to discuss any additional grazing management changes, your application, and to provide input for completion of the South Mountain Group EA. Additionally, a preliminary environmental assessment (without a FONSI) was issued to the public on October 18, 2013, for 15-day review and comment. Issuance of the preliminary EA afforded another opportunity for grazing permittees and interested publics to provide additional input on the EA and inform me in preparation of completing a proposed grazing decision. In regards to both documents, we did not receive comments or information from you to assist in the development of alternatives and eventually this Proposed Decision.

After evaluating conditions on the land, meeting with you, and reviewing information received from the public, it became clear that resource concerns currently exist on the Sheep Creek allotment. With a focus on addressing the impacts of renewing your livestock grazing permit, my office prepared and issued the South Mountain Group EA in which we considered a number of options and approaches to maintain and improve resource conditions within the seven allotments of the South 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 Sheep Creek allotment's natural resources conform to the goals and objectives of the ORMP and the Idaho S&Gs. This Proposed Decision incorporates by reference the analysis contained in the EA.

I am now prepared to issue a Proposed Decision to renew your permit to graze livestock within the Sheep Creek allotment. Upon implementation of the decision, your permit to graze livestock on this allotment will be fully processed using the revisions to the grazing regulations<sup>1</sup> 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 Sheep Creek allotment;
- Outline my Proposed Decision to select Alternative 3 in the Sheep Creek allotment; and
- Explain my reason for making that selection.

## Background

### *Allotment Setting*

The Sheep Creek allotment is located on the Idaho/Oregon border in Owyhee County, Idaho, 24 miles southwest of Silver City, Idaho (Map 1). The ORMP categorized allotments and prioritized development and implementation of grazing systems to meet multiple use resource objectives and rangeland health standards based on resource conditions, potentials, and concerns, as well as economics, present management, and other criteria. Of the three categories included in the ORMP, the Sheep Creek allotment is listed as a Maintain (M) category allotment.

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<sup>1</sup> 43 CFR Subpart 4100 is the federal regulations that govern public land grazing administration.

In addition to allocating livestock grazing within the Sheep Creek allotment, the ORMP identified issues associated with management activities with a listing of resource concerns and applicable ORMP resource objectives. Resource concerns included the ecological condition of vegetation communities, riparian/wetland ecosystems, and the presence of special status species (Greater sage-grouse *Centrocercus urophasianus*, from this point on referred to as sage-grouse).

The allotment is subdivided into two pastures (pasture 1, BLM managed lands; pasture 2, private lands, see Table ALLOT-1), with 68 AUMs of permitted grazing in pasture 1. The authorized season of use for the allotment is from August 16 to October 15. The livestock that graze this allotment are part of a larger group of cattle that move from lands in Oregon to private lands in Idaho around the first of August.

**Table ALLOT-1:** Sheep Creek allotment (0.559) (acres)

Pasture	Public	State	Private	Total
1	617	0	124	
2	0	3	806	
Total	617 (40%)	3	930 (60%)	1,550 (100%)

The Sheep Creek allotment is located within the Owyhee Uplands and Canyons Ecoregion, which is characterized by deep canyons, badlands, and rocky outcrops covered predominantly in a sagebrush steppe semi-arid landscape of shrubs and widely spaced bunchgrasses where native vegetation communities are diverse. The allotment is composed of two ecological sites: Shallow Claypan - Low sagebrush/Idaho fescue (519 acres, or 84 percent), and Loamy - Mountain big sagebrush/Idaho fescue (97 acres, or 16 percent). Currently, the expansion of juniper into former shrub communities has transformed much of the area into woodlands, ranging from open savanna-like conditions to dense-canopy forest. Juniper currently occupies approximately 195 acres, or 32 percent of BLM lands, whereas under reference conditions they would occur in trace amounts.

Across ecological sites within the allotment, effective average annual precipitation ranges from 12 to 16 inches. Elevation on BLM lands (pasture 1) in this allotment ranges from 5,431 to 6,573 feet. Mapping done by the Pacific Northwest National Laboratory using 2000/2001 Landsat satellite imagery, and updated for vegetation treatments and fire, indicate the current vegetation in the Sheep Creek allotment is dominated by mountain big sagebrush (37 percent), juniper (32 percent), mountain shrub (18 percent), low sagebrush (5 percent), wet meadow (4 percent), bunchgrass (2 percent), big sagebrush (2 percent), exotic annual (less than 1 percent), and bitterbrush (less than 1 percent). Juniper dominance is a result of altered fire regimes and, to a lesser extent, historic livestock grazing practices that reduced fuels. The allotment is not meeting Standard 4 (Native Plant Communities) because of juniper encroachment and invasive grasses.

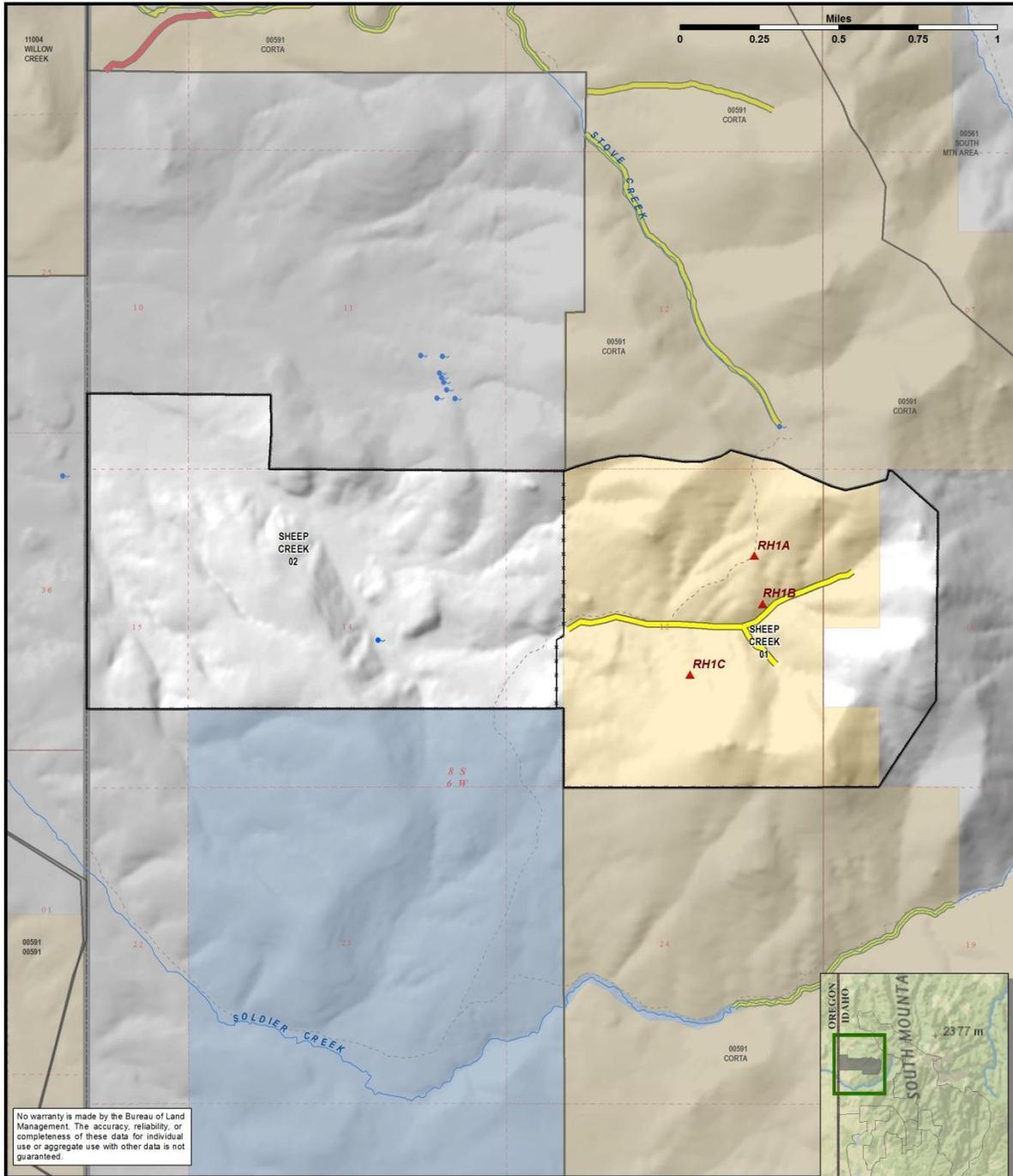
Approximately 1.3 miles of Sheep Creek traverse the allotment and were rated functional at-risk (FAR). Riparian habitats for many riparian-dependent migratory birds and special status wildlife such as northern goshawks, calliope hummingbirds, willow flycatchers, and some special status bat species like fringed myotis are limited by inadequate riparian vegetation and residual vegetation to protect stream banks, presence of deposition and erosion, and an over-wide and shallow channel. Standards 2 (Riparian Areas and Wetlands), 3 (Stream Channel/Floodplain) and 8 (Threatened and Endangered Plants and Animals) are not meeting and impacts to Sheep Creek are associated with current livestock grazing management.

A majority of the allotment once provided suitable habitat for sage-grouse and supported significant populations. Currently, only sage-grouse preliminary priority habitat (PPH) exists in pasture 1 of the Sheep Creek allotment. However, the majority of this habitat has been encroached by juniper. Fire has not been

reported in the allotment since the 1960s. No noxious weeds have been mapped in the Sheep Creek allotment, although bulbous bluegrass and cheatgrass occur on the allotment.

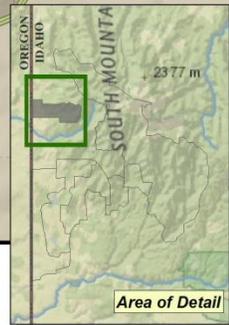


# Map 1: Sheep Creek (00559) Allotment



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

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



1:25,000

### *Current Grazing Authorization*

Larrusea Cattle Co. is currently authorized to graze livestock within the Sheep Creek allotment in accordance with the permit issued by the BLM (Table LVST-1). The terms and conditions of that grazing permit are as follow in Table LVST-2:

**Table LVST-1:** Permitted grazing use within the Sheep Creek allotment.

Active Use	Suspension	Permitted Use
68 AUMs	0 AUMs	68 AUMs

**Table LVST-2:** Mandatory and other terms and conditions for the Sheep Creek allotment

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
Sheep Creek	34	Cattle	8/16	10/15	100	Active	68

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

1. Grazing use will be in accordance with the grazing schedule identified in the final decision of the Owyhee Field Office Manager dated \_\_\_\_\_. Livestock grazing will be in accordance with your allotment grazing schedule(s). Changes to the scheduled use require approval.
2. Turn-out is subject to the Boise District range readiness criteria.
3. The permittee’s certified actual use report is due within 15 days of completing the authorized annual grazing use.
4. Salt and/or supplements shall not be placed within one-quarter (1/4)-mile of springs, streams, meadows, aspen (*Populus tremuloides*) stands, playas, special status plant populations, or water developments.
5. Trailing activities must be coordinated with the BLM prior to initiation. A trailing permit or similar authorization may be required prior to crossing public lands.
6. Pursuant to 43 CFR 10.4(B), the permittee must notify the BLM field manager, by telephone with written confirmation, immediately upon the discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (as defined in 43 CFR 10.2) on federal lands. Pursuant to 43 CFR 10.4 (C), the permittee must immediately stop any ongoing activities connected with such discovery and make a reasonable effort to protect the discovered remains or objects.
7. Livestock exclosures located within the grazing allotment are closed to all domestic grazing use.
8. Range improvements must be maintained in accordance with the cooperative agreement and range improvement permit in which you are a signatory or assignee. All maintenance of range improvements within designated Wilderness requires prior consultation with the authorized officer.
9. All appropriate documentation regarding base property leases, lands offered for exchange-of-use, and livestock control agreements must be approved prior to turn out. Leases of land and/or livestock must be notarized prior to submission and be in compliance with Boise District Policy.
10. Failure to pay the grazing bill within 15 days of the due date specified shall result in a late fee assessment of \$25.00 or 10 percent of the grazing bill, whichever is greater, not to exceed \$250.00. Payment made later than 15 days after the due date shall include the appropriate late fee assessment. Failure to make payment within 30 days may be a violation of 43 CFR § 4140.1(b)(1) and shall result in action by the authorized officer under 43 CFR § 4150.1 and § 4160.1.

11. Livestock grazing will be in accordance with your allotment grazing schedule(s). Changes in scheduled pasture use dates will require prior authorization.
12. Utilization may not exceed 50 percent of the current year's growth.

### ***Livestock Management***

Since 1997, the Sheep Creek grazing allotment has been used primarily from August 16 to October 15. Actual Use reports show that grazing has had a median actual use at 60 AUMs, with a maximum use of 68 AUMs with a maximum of 34 cattle.

### ***Resource Conditions***

As a portion of the grazing permit renewal process, a Rangeland Health Standards and Guidelines Assessment for the Sheep Creek allotment was drafted in 2006. The BLM subsequently completed a rangeland health assessment, evaluation, and a determination for the Sheep Creek allotment in 2013. Until 2013, no rangeland health determination was completed, and the permit authorizing grazing use in this allotment had not been fully processed for renewal.

These documents concluded that some of the resources on the Sheep Creek allotment were not meeting the Idaho S&Gs. Specifically, the BLM determined the allotment did not meet Standards 2 (Riparian Areas and Wetlands), 3 (Stream Channel/Floodplain), 4 (Native Plant Communities), and 8 (Threatened and Plants and Animals) of the applicable standards. Current livestock grazing management practices are a significant factor in failing to meet Standards 2, 3, and 8. However, current livestock grazing management practices are not a significant factor in failing to meet Standard 4. Standards 5, 6, and 7 are not applicable to this allotment.

### **Vegetation - Uplands<sup>3</sup>**

The BLM's 2013 Rangeland Health Evaluation and Determination showed that Standard 4 is not being met due to species composition changes and invasive species (juniper, bulbous bluegrass, and cheatgrass) in the deeper loamy soils (approximately 16 percent of the allotment), with portions of the shallow clay soils supporting a greater-than-expected amount of juniper. Descriptions for the ecological sites present in these pastures (Loamy 13-16" and Shallow Claypan 12-16") identify juniper as an invasive species that, when dominant, results in a new state requiring management inputs to restore ecological function of the reference site sagebrush/bunchgrass state. Bulbous bluegrass is scattered throughout the allotment but is more common on the deeper loamy soils. Cheatgrass is present on the deeper loamy ecological sites. In general, the plant communities in the Sheep Creek allotment are dominated by native species, with little influence of non-natives other than bulbous bluegrass. Past livestock grazing and an extended fire frequency from natural disturbance regimes contribute to juniper invasion and subsequently to not meeting the Standard in those areas where juniper is present.

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<sup>3</sup>For more detailed discussion, please refer to Sections 3.3.4.1.1 of the EA number DOI-BLM-ID-B030-2013-0022-EA and Appendix E.

### **Watersheds<sup>3</sup>**

The Sheep Creek allotment is meeting Standard 1 for watershed function. This was documented by photo monitoring and rangeland health evaluations which showed bare ground at appropriate levels. Additionally, the plant community includes an assemblage of species that dissipate overland flow, promote infiltrations, limit run-off, capture and hold moisture, cycle nutrients and photosynthesize appropriately for the ecological sites within the allotment.

### **Water Resources and Riparian/Wetland Areas<sup>4</sup>**

The Determination found that Standards 2 and 3 are not met and livestock grazing management practices are significant factors. The Sheep Creek allotment contains 1.3 miles of Sheep Creek. Sheep Creek was assessed as functional at-risk (FAR). Issues identified relating to the condition of the riparian-wetland areas included a lack of a diverse age class of riparian vegetation, bank instability, heavy livestock use of riparian vegetation, the presence of deposition and erosion, over-wide and shallow channel, a poorly defined stream channel, and channel incision.

### **Special Status Plants**

No special status plants are known to occur on the allotment, and therefore the Standard 8 for special status plants does not apply.

### **Wildlife/Wildlife Habitats and Special Status Animals<sup>5</sup>**

The Sheep Creek allotment is not meeting Standard 8 for special status animal species, primarily due to non-functioning riparian conditions caused by livestock. The riparian conditions have reduced habitat quality for riparian-dependent wildlife species along Sheep Creek. The lack of a diverse age class, herbaceous riparian vegetation use and streambank trampling by livestock have reduced nesting substrate, protective cover, and foraging areas for many riparian-dependent migratory birds and special status wildlife species such as northern goshawks, calliope hummingbirds, willow flycatchers, and some special status bat species like fringed myotis.

Currently on public lands, the allotment is not meeting the needs of sagebrush-obligate wildlife species in the uplands; however, livestock grazing is not the causal factor. Historically, a majority of the allotment provided suitable habitat for sage-grouse and supported significant populations. Currently, only sage-grouse PPH exists in the Sheep Creek allotment, but much of this PPH has been compromised by extensive juniper encroachment (conifer). Of the 617 acres of sage-grouse PPH in pasture 1, 95 percent has been encroached by juniper woodlands and 5 percent (31 acres) are sagebrush dominated. Since the 1960s, no wildfires have been recorded in Sheep Creek allotment. Although the increase in juniper cover may have benefited some woodland-associated special status wildlife species such as northern goshawks and Lewis' woodpeckers, these woodland habitats are unsuitable for and have come at the expense of sagebrush-obligate and shrub-dependent special status species such as greater sage-grouse, pygmy rabbits, Brewer's sparrows, loggerhead shrikes, and sage sparrows.

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<sup>3</sup> For more detailed discussion, please refer to Sections 3.3.4.1.2 of the EA number DOI-BLM-ID-B030-2013-0022-EA and Appendix E.

<sup>4</sup> For more detailed discussion, please refer to Sections 3.3.4.1.3 of the EA number DOI-BLM-ID-B030-2013-0022-EA and Appendix E.

<sup>5</sup> For more detailed discussion, please refer to Sections 3.3.4.1.5 of the EA and the 2013 Sheep Creek decision

## ***Guidelines for Livestock Grazing Management***

In addition to a discussion of land health standards, the BLMs 2013 Determination for Sheep Creek Allotment identified that grazing management practices did not conform to BLM's Livestock Grazing Management Guidelines 4, 5, and 7 for several Standards:

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

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

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

Since the allotment is not meeting one or more of the Idaho S&Gs because of current livestock management practices, the BLM used these guidelines as a starting point for developing grazing schemes to bring the authorized actions within the allotment into compliance with resource objectives.

## ***Issues***

Throughout the internal and external (public) scoping process and project development period, the BLM interdisciplinary team identified the issues concerning livestock grazing management in one or more of the South Mountain group allotments. The identified issues that may be applicable to the Sheep Creek allotments are listed below<sup>6</sup>:

- *Habitat conditions for greater sage-grouse:* Sage-grouse habitat health is directly related to upland vegetation and watershed conditions. Specific areas of the South Mountain Group allotments contain altered sagebrush community composition, structure, and function that are affecting sage-grouse and other sagebrush habitat-dependent species. Other areas in the group are outside of defined sage-grouse habitat.
- *Fish and amphibian habitat conditions:* Stream, floodplain, wetland, and mesic (moderately moist) habitat conditions are directly related to conditions within the riparian vegetation community. Altering of the riparian community may affect the health and sustainability of fish and amphibian populations.
- *Soil compaction:* Soil compaction from the physical presence of livestock remains a concern with moist soils, especially in areas with shallow and fine-textured soils. The hazard of compaction of wet soils with hoof action of livestock may be present, resulting in a reduction of infiltration and soil moisture holding capacity in fine-textured soils.
- *Riparian vegetation conditions:* Livestock grazing is affecting riparian condition and aquatic habitat by changing the health and composition of riparian vegetation communities.
- *Climate change:* The issue of climate change and its relationship to the proposed federal action of renewing grazing permits is twofold. Livestock grazing in Owyhee County contributes CO<sub>2</sub> and methane emissions to the earth's atmosphere. In addition, climate change, itself a stressor on the

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<sup>6</sup> For more detailed information, please refer to section 1.6.3 of the EA.

sagebrush-steppe semi-arid ecosystem found in the Owyhee Uplands can, when found in conjunction with cattle grazing, further stresses the ecosystem's vegetation.

- *Upland vegetation and watershed conditions:* Livestock grazing is affecting upland vegetation by reducing or removing native vegetation communities that protect watershed soil and hydrologic function.
- *Special status plant species:* Livestock grazing is adversely affecting special status plants by altering surrounding upland vegetation, habitat, and reproduction of individual plants within South Mountain Area allotment.
- *Noxious and invasive weeds:* Livestock grazing and trailing has the potential to increase or spread noxious and invasive weeds.
- *Livestock trailing:* Livestock trailing may adversely affect upland vegetation, soils, weeds, and riparian vegetation.
- *Cultural resources:* Livestock grazing has the potential to damage or displace artifacts and features of a historic property, which may alter the characteristics that qualify it for listing in the National Register of Historic Places.
- *Paleontological resources:* Livestock grazing has the potential to cause breakage and displacement of fossils.
- *Wildfire fuels:* Livestock grazing has the potential to change vegetation that may affect wildfire.
- *Socioeconomic impacts:* Livestock grazing affects local and regional socioeconomic activities generated by livestock production.

### Analysis of Alternative Actions

Based on the current condition of Sheep Creek allotments and the issues identified above, the BLM considered a number of alternative livestock management schemes in the EA. The alternative schemes were considered to ensure that any renewed grazing permits for the allotment would maintain or improve satisfactory conditions (where they exist), and/or allow the allotment to meet or make significant progress toward meeting standards where unsatisfactory conditions exist. Overall, five alternatives were considered and analyzed in the EA. The range of alternatives developed include: Alternative 1 –Current Condition, Alternative 2 – Permittee's Application, and Alternative 5 – No Grazing, as well as Alternatives 3 and 4, which were developed based on resource constraints. The following sections describe the allotment-specific authorizations and actions under each alternative.

**Alternative 1<sup>7</sup>** would allow a continuation of current management on the allotments. Larrusea Cattle Co. would be permitted to graze 34 cattle from 8/16 to 10/15 on the Sheep Creek allotment with 68 AUMs.

**Alternative 2<sup>8</sup>** would authorize livestock grazing as applied for by Larrusea Cattle Co. This alternative would authorize 34 cattle from 8/16 to 10/15 with 68 AUMs and would also include a grazing system that authorized 52 cattle from 8/16 to 9/24 with 68 AUMs. The alternative also included terms and conditions that would allow 3 days of flexibility to move all cattle on and off the allotment and flexible livestock numbers as long as AUMs were not exceeded.

**Alternative 3<sup>9</sup>** would permit grazing at 10 cattle from 5/22 to 11/19 with a maximum level of use up to 68 AUMs. This alternative would also include a 3-year deferred-rotation grazing system with 52 cattle and no more than 40 days of use each year. Livestock numbers may vary in accordance with annual grazing application as long as the permitted use period and active AUMs are not exceeded.

<sup>7</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0022-EA, Section 2.4.4.1.

<sup>8</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0022-EA, Section 2.4.4.2.

<sup>9</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0022-EA, Section 2.4.4.3.

**Alternative 4<sup>10</sup>** would permit grazing at 22 cattle from 5/31 to 8/15 with a maximum level of use up to 56 AUMs. The alternative would also include a 3-year grazing system with 55 cattle, no more than 31 days of use, and one year of rest. Livestock numbers may vary in accordance with annual grazing application as long as the permitted use period and active AUMs are not exceeded. The season of use and AUMs were reduced to provide for faster improvement and further long-term sustainability for riparian and sage-grouse resources.

**Alternative 5<sup>11</sup>** would deny the applications for grazing permit renewal in whole and not authorize grazing for a period of 10 years for the Sheep Creek allotment. The permittees would retain their grazing preference on these allotments, to be reconsidered at the end of the 10-year period.

The draft EA number DOI-BLM-ID-B030-2013-0022-EA detailing the above alternatives was made available for public review and comment for a 15-day period ending November 4, 2013. While we did not receive comments from you, a number of government entities and agencies, interest groups, and members of the public provided comments on the public review draft EA.

### Proposed Decision

After considering the current grazing practices, the current conditions of the natural resources, and the alternatives and analysis in the EA, as well as other information, it is my Proposed Decision to renew your grazing permit for a period of 10 years consistent with Alternative 3 (see Table LVST-3). Implementation of Alternative 3 over the next 10 years will allow the Sheep Creek allotment to make significant progress toward meeting the Idaho S&Gs while also moving toward achieving the resource objectives outlined in the ORMP.

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

**Table LVST-3: Mandatory and other terms and conditions for the Sheep Creek allotment**

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
Sheep Creek	34	Cattle	5/22	11/19	100	Active	66 <sup>12</sup>

**Other Terms and Conditions:**

1. Grazing use will be in accordance with the grazing schedule identified in the final decision of the Owyhee Field Office Manager dated \_\_\_\_\_. Livestock grazing will be in accordance with your allotment grazing schedule(s). Changes to the scheduled use require approval.
2. Turn-out is subject to the Boise District range readiness criteria.
3. You are required to submit a signed and dated Actual Grazing Use Report Form (BLM Form 4130-5) for each allotment you graze. The completed form(s) must be submitted to this office within 15 days of the last day of your authorized annual grazing use.
4. Salt and/or supplements shall not be placed within one-quarter (1/4)-mile of springs, streams, meadows, aspen stands, playas, special status plant populations, or water developments. Use of

<sup>10</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0022-EA, Section 2.4.4.4.

<sup>11</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0022-EA, Section 2.4.4.5.

<sup>12</sup> The AUM figure portrayed in this table is the result of a calculation performed in the BLM's Rangeland Administration System program; the active and permitted use will be 68 AUMs.

supplements other than the standard salt or mineral block on public land requires prior approval from the authorized officer

5. Trailing activities must be coordinated with the BLM prior to initiation. A crossing permit may be required prior to trailing livestock across public lands. Permittee will notify any/all affected permittees or landowners in advance of crossing.
6. Pursuant to 43 CFR 10.4(B), the permittee must notify the BLM field manager, by telephone with written confirmation, immediately upon the discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (as defined in 43 CFR 10.2) on federal lands. Pursuant to 43 CFR 10.4 (C), the permittee must immediately stop any ongoing activities connected with such discovery and make a reasonable effort to protect the discovered remains or objects.
7. Livestock enclosures located within the grazing allotment are closed to all domestic grazing use.
8. Prior to turnout, all range improvements must be maintained in accordance with the cooperative agreement and range improvement permit in which you are a signatory or assignee. All maintenance of range improvements within designated wilderness requires prior consultation with the authorized officer.
9. All appropriate documentation regarding base property leases, lands offered for exchange-of-use, and livestock control agreements must be approved prior to turn out.
10. Upland forage utilization by livestock on key upland herbaceous forage species is limited to 50 percent.

***Grazing Schedule***

The grazing schedule for the Sheep Creek allotment (identified in Table LVST-4) must be followed:

**Table LVST-4: Sheep Creek allotment grazing schedule**

Year	Date On	Date Off	Days	# Cows	AUMs
1	10/1	11/19	40	52	68
2	8/16	9/24	40	52	68
3	5/22	6/30	40	52	68

***Notes on the Terms and Conditions***

You will be offered a grazing permit for a term of 10 years for the Sheep Creek allotment, with 68 active AUMs and with no suspension AUMs (see Table 6). Implementation of Alternative 3 will not result in a reduction of active AUMs on the Sheep Creek allotment compared to your current permit. Permitted use within the Sheep Creek allotment will be as follows in Table LVST-5:

**Table LVST-5: Permitted grazing use within the Sheep Creek**

Active Use	Suspension	Permitted Use
68 AUMs	0 AUMs	68 AUMs

***Other Notes on the Proposed Decision***

Project maintenance obligations identified in current range improvement permits and cooperative agreements for range improvements are unchanged by this Proposed Decision. Implementation of this Proposed Decision is contingent upon maintenance of projects in a functioning condition (i.e., boundary and internal fences are in such good and functioning condition as to assure their ability to accomplish the purposes for which they were constructed, barriers to livestock movement).

## Rationale

### *Record of Performance*

Pursuant to 43 CFR § 4110.1(b)(1), a grazing permit may not be renewed if the permittee seeking renewal has an unsatisfactory record of performance with respect to its last grazing permit. Accordingly, I have reviewed your records as grazing permit holders for the Sheep Creek allotment and have determined that Larrusea Cattle Co. has satisfactory records of performance and is a qualified applicant for the purposes of permit renewal. Implementation of this Proposed Decision is contingent upon maintenance of projects in a functioning condition (e.g., boundary and internal fences riparian developments in good and functioning condition).

### *Justification for the Proposed Decision*

Based on my review of EA number DOI-BLM-ID-B030-2013-0022-EA, the rangeland health assessment/evaluation, determination, and other documents in the grazing files, it is my Proposed Decision to select Alternative 3 for the Sheep Creek allotment. I have made this selection for a variety of reasons, but most importantly because of my understanding that implementation of this decision will best fulfill the BLM's obligation to manage the public lands under the Federal Land Policy and Management Act's multiple use and sustained yield mandate, and will result in the Sheep Creek allotment meeting or making significant progress toward meeting the resource objectives of the ORMP and the Idaho S&Gs.

### *Issues Addressed*

Earlier in this decision I outlined the major issues that drove the analysis and decision making process for the Sheep Creek allotments. I want you to know that I considered the issues through the lens of each alternative before I made my decision. My selections of Alternative 3 for the Sheep Creek allotment is based in large part because of my understanding that this selection best addresses resource conditions on the Sheep Creek allotment in light of the BLM's legal and land management obligations.<sup>13</sup>

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<sup>13</sup> Your allotment is, as you know, a member of one group of six groups of allotments forming the Owyhee 68 Allotments, which are the subject of a permit renewal process to be completed by December 31, 2013. The NEPA process for the Owyhee 68 consists of five-plus EAs and the EIS which supports this particular set of decisions. This multiple-allotment process has required me, as the Field Manager responsible for signing these grazing decisions, to look at these allotments, and the other allotments analyzed in the EAs and the EIS, not just individually but as a member of a group of allotments located in a particular landscape, the BLM Owyhee Field Office. That is, I am looking not just at your individual allotment; reviewing its Rangeland Health Assessments, Evaluations, and Determinations; and selecting an alternative that will best address this allotment's ecological conditions and BLM's legal responsibilities (for the purposes of this decision). I am also looking at this allotment from a landscape perspective. Viewed this way, it is clear that there are problems common to the Owyhee 68 allotments. Of the approximately 60 allotments that have riparian areas, at least 47 are not meeting Standards for riparian/water issues due to current livestock management; of approximately 73 allotments total, 43 are not meeting the Standards for upland vegetation; in many cases, performance under Standard 8 tracks these results. In spite of the efforts of BLM and the ranching operators, resource conditions are not good. Some of these allotments have seen spring use year after year; some have had summer-long riparian use every year. As Owyhee Field Manager, I have a steward's responsibility to further the health and resilience of this landscape. Adding to these considerations, we live in a time of uncertainty. Climate change presents an uncertainty whose impacts we cannot clearly discern, but as land stewards, we must factor into our decisions a consideration of how best to promote resiliency on the landscape. Add to this the uncertainty associated with the BLM's organizational capacity to manage this landscape; in a time of budget cutting, staff reductions and reduced revenues, land management decisions must factor in considerations of the level of on-the-ground management we can reasonably expect to accomplish.

*Issue: Habitat conditions for greater sage-grouse: Sage-grouse habitat health is directly related to upland vegetation and watershed conditions. Specific areas of the South Mountain Group allotments contain altered sagebrush community composition, structure, and function that are affecting sage-grouse and other sagebrush habitat-dependent species.<sup>14</sup>*

AND

*Issue: Upland vegetation and watershed conditions: Livestock grazing is affecting upland vegetation by reducing or removing native vegetation communities that protect watershed soil and hydrologic function<sup>15</sup>*

AND

*Issue: Soil compaction: Soil compaction from the physical presence of livestock remains a concern with moist soils, especially in areas with shallow and fine-textured soils. The hazard of compaction of wet soils with hoof action of livestock may be present, resulting in a reduction of infiltration and soil moisture holding capacity in fine-textured soils.<sup>16</sup>*

Alternative 3 is expected to maintain upland vegetation resources over the life of the permit and improve them in the long term (more than 10 years) because the 2 years of deferment from critical-growing-season use would benefit native deep-rooted perennial grasses by promoting plant vigor, seed production, seedling establishment, root production and litter accumulation for in the upland ecosystem.

Livestock grazing seasons of use and livestock numbers authorized in the allotment with implementation of Alternative 3 will not contribute to either improvement or continued failure to meet Standard 4 in areas where the Standard is not being met due to juniper encroachment into sagebrush steppe vegetation communities. Other than the indirect effect from removal of fine fuels that support the spread of wildfire, livestock grazing will have little influence on juniper encroachment. The Alternative 3 grazing schedule that provides deferment of grazing use until after the active growing season in 2 out of 3 years will provide opportunity for the current vegetation communities to express aspects of potential within the limits of the existing vegetation composition that includes juniper.

Because herbaceous components of sage-grouse nesting habitat are largely intact, Alternative 3 would continue to provide habitat for nesting sage-grouse, ground-nesting birds, big game, and small mammals that are dependent on upland habitats in spring and early summer seasons. The 2 years of deferment from critical-growing-season use of upland herbaceous plant species would allow for maintenance of current conditions that presently exist in the allotment for sage-grouse.

The grazing system for this alternative should improve livestock distribution throughout the allotment by limiting hot season use that results in livestock concentration. The 2 out of 3 years of late-season use means that livestock would be more likely to disperse into the claypan soils of hillsides and ridges because extreme heat would not force them to shade of the toe-slopes and drainages. Moist soils, although limited, are more likely to occur with late season use than hot season use, so there would be more physical effects of trampling on the wet claypan soils and less trampling of loamy soils. Loamy soils would benefit from early season use in 1 out of 3 years because grazing during extreme heat is unlikely with this grazing schedule and upland forage is more palatable. The effects to the soil substrate from Alternative 3 would result in general

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<sup>14</sup> For more detailed discussion please refer to Section 3.3.4.1, 3.3.4.2.3.1 and 3.3.4.2.3.2 in the EA.

<sup>15</sup> For more detailed discussion please refer to Section 3.3.4.1, 3.3.4.2.3.1 and 3.3.4.2.3.2 in the EA.

<sup>16</sup> For more detailed discussion please refer to Section 3.3.4.1, 3.3.4.2.3.2 in the EA.

maintenance, providing less-concentrated trampling areas and better livestock distribution throughout the soil substrates in the allotment.

Although implementation of the Alternative 3 grazing schedule that provides deferment of grazing use until after the active growing season in all pastures for 1 of each 3 years will provide opportunity for the current vegetation communities to express aspects of potential within the limits of the existing vegetation composition that includes juniper, this alternative will not make progress toward meeting Standard 4, given the continued expansion and dominance by juniper within the allotment. Overall, implementation of Alternative 3 will result in a general maintenance with some slight improvement over the long term for upland vegetation, upland wildlife, soils and sage grouse resources.

*Issue: Riparian vegetation conditions: Livestock grazing is affecting riparian condition and aquatic habitat by changing the health and composition of riparian vegetation communities.*<sup>17</sup>

AND

*Issue: Fish and amphibian habitat conditions: Stream, floodplain, wetland, and mesic (moderately moist) habitat conditions are directly related to conditions within the riparian vegetation community. Altering of the riparian community may affect the health and sustainability of fish and amphibian populations.*<sup>18</sup>

I expect the quality and quantity of the riparian communities in the Sheep Creek allotment to progress steadily toward meeting desired habitat management objectives and meeting Standards 2, 3, 7, and 8. Recent actual use reports indicate the pasture has been used during the summer and fall seasons every year, and Standards 2 and 3 are not being met. Under Alternative 3, hot season use is decreased from 3 out of 3 years to 1 out of 3 years. Improved livestock distribution will occur because livestock are less concentrated on riparian areas during cooler seasons of the year therefore shifting some of the grazing use to upland vegetation which would result in less trampling, bank alteration, woody browse, and an increase in riparian composition of hydric species. Riparian-dependent special status animal species such as western toad and migratory birds would benefit from this alternative with better livestock distribution throughout the allotment which, in turn, improves the riparian habitat. The season of use restrictions would allow progress toward meeting Standard 2, 3, 7, and 8 by improving riparian function and habitat for wildlife.

*Issue: Special Status Plant Species: Livestock grazing is adversely affecting special status plants by altering surrounding upland vegetation, habitat and reproduction of individuals.*

Because no special status plant species are known to exist on public land, this issue does not apply to the allotment.

*Issue: Noxious and invasive weeds: Livestock grazing and trailing has the potential to increase or spread noxious and invasive weeds.*<sup>19</sup>

Any grazing has the potential to introduce and spread invasive weeds and non-native annual grasses through soil surface disturbance and transportation of seed to and from the allotment in fur, on hooves, and in their digestive system. Although the Sheep Creek allotment was not identified as having noxious weed occurrences at levels that would fail to meet Rangeland Health Standards, areas of concern exist. Bulbous bluegrass is scattered throughout the allotment but more common on the deeper loamy soils. Cheatgrass is present on the deeper loamy ecological sites. In general, the plant communities in the Sheep Creek

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<sup>17</sup> For more detailed discussion please refer to Section 3.3.4.1, 3.3.4.2.3.3 and 3.3.4.2.3.2 in the EA.

<sup>18</sup> For more detailed discussion please refer to Section 3.3.4.1, 3.3.4.2.3.3 and 3.3.4.2.3.2 in the EA.

<sup>19</sup> For more detailed discussion please refer to Section 3.3.4.1, 3.3.4.2.3.1 in the EA.

allotment are dominated by native species, with little influence of non-natives other than bulbous bluegrass. As compared to Alternatives 1 and 2, the risk of invasive species spreading is lower under Alternative 3, as perennial species health and vigor will improve and progress will be made toward meeting the ORMP vegetation management objective; these plant communities will become more resistant and resilient to noxious and invasive weeds. Available sites for invasive species establishment will be reduced through competition with healthy native perennial species. Although Alternatives 4 and 5 would further reduce or eliminate the potential for livestock to introduce and spread invasive and non-native annual species as compared to Alternative 3, livestock remain only one of a number of vectors for seed dispersal and soil surface disturbance. Vegetative community resistance to noxious and invasive annual invasion will increase over time as this more limited grazing strategy is implemented. Improvement in the health and vigor under Alternative 3 would allow for native vegetation to compete with invasive grass species in the allotment. This would result in less potential for invasive grasses dominating the ecosystem.

*Issue: Cultural resources:* Livestock grazing has the potential to damage or displace artifacts and features of a historic property, which may alter the characteristics that qualify it for listing in the National Register of Historic Places.

AND

*Issue: Paleontological resources:* Livestock grazing has the potential to cause breakage and displacement of fossils.

Because no known cultural or paleontological resources are present on public land in the Sheep Creek allotment, this issue does not apply to the allotment.

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

No trailing routes have been identified in the Sheep Creek allotment, and no new trailing routes are proposed. Trailing or moving animals across Federal, State, or private land is a component of regular grazing management practices in the South Mountain Group allotments. Livestock are primarily actively trailed on the existing roads, where no or limited forage is consumed and the trailing occurs for short durations. For the majority of situations, trailing activities have not been documented, nor are they expected to substantially affect resources. Thus, they are not affecting the ability of these allotments to meet or make significant progress toward meeting the Standards.

*Issue: Socioeconomic impacts:* Livestock grazing affects local and regional socioeconomic activities generated by livestock production.<sup>20</sup>

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

Over the long term, your grazing operation relies upon maintenance of the natural resources, including productive and healthy rangelands capable of supplying a reliable forage base. Selection of an alternative based in unsustainable grazing practices that do not meet rangeland health standards would result in less-

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<sup>20</sup> For more detailed discussion please refer to Section 3.2.7 in the EA.

reliable amounts of forage over the long term, in addition to reducing economic opportunities from ecosystem services and alternate socio-economic resources, such as recreation, that rely on healthy, functional, and aesthetically pleasing open spaces and wildlife habitats.

I have considered a wide range of issues at the allotment level, including the social and economic impacts that result from modifying grazing authorizations. I have minimized reductions in grazing use levels on allotments where current levels are compatible with meeting rangeland health standards and ORMP objectives and, where not compatible, have attempted to select alternatives designed to meet resource needs. In cases of particular acute resource needs, I have selected the alternative most responsive to such needs, with the aim of best promoting rangeland health. I have proposed Alternative 3 for the Sheep Creek allotment, based on this rationale: the increased deferral of grazing will enable the allotment's riparian areas to make greater progress toward meeting standards, thereby benefitting shrub steppe and riparian species, and will reduce the existing upland vegetation vulnerabilities.

*Issue: Wildfire fuels: Livestock grazing has the potential to change vegetation that may affect wildfire.<sup>21</sup>*

During the NEPA process, some asked the BLM to consider using grazing to limit wildfire. The BLM has considered the issue and determined that it would be theoretically possible to use targeted grazing to create fuel breaks on these allotments with the hope that those fuel breaks would help control the spread of large wildfires in the area. However, the resource costs associated with this strategy are such that I have decided against it. Ultimately, implementation of Alternative 3 for the Sheep Creek allotment will not significantly alter the BLM's ability to fight wildfire in the area.

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

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

*Issue: Climate Change: The issue of climate change and its relationship to the proposed federal action of renewing grazing permits is twofold. Livestock grazing in Owyhee County contributes CO<sub>2</sub> and methane emissions to the earth's atmosphere. In addition, climate change, itself a stressor on the sagebrush-steppe semi-arid ecosystem found in the Owyhee Uplands can, when found in conjunction with cattle grazing, further stress the ecosystem's vegetation.<sup>22</sup>*

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<sup>21</sup> For more detailed discussion please refer to Section 2.3 in the EA.

<sup>22</sup> For more detailed discussion, please refer to Section 1.6.3 in the EA.

Climate change is another factor I considered in building my decision around Alternative 3 for the Sheep Creek FFR allotment. Climate change is a stressor that can reduce the long-term competitive advantage of native perennial plant species. Since livestock management practices can also stress sensitive perennial species in arid sagebrush steppe environments, I considered the issues together, albeit based on the limited information available on how they relate in actual range conditions. Although the factors that contribute to climate change are complex, long term, and not fully understood, the opportunity to provide resistance and resilience within native perennial vegetation communities from livestock grazing-induced impacts is within the scope of this decision. The selected alternative combines 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 this allotment will be better armed to survive such changes. The native plant health and vigor protected under these alternatives will provide resistance and resilience to additional stressors, including climate change.

### ***Additional Rationale***

Much thought and effort went into developing grazing management that is responsive to the Sheep Creek allotment's specific resource needs, geography, and size. These considerations were made to address all concerns and requirements mandated to the BLM. Each allotment has different ecology and management capability due to the size and location/topography that result in various issues and priorities. Attempts to coordinate grazing throughout the entire allotment were made by me and my staff with you and the interested public. I recognize the difficulty of not only providing the mandated needs for the resources but also for the needs and capability that you, the permittee have. I believe I have balanced those needs of the resource and your capabilities with the information I have to the extent possible.

While I did consider selecting Alternative 5 (No Grazing) for this allotment, based on all the information used in developing my decision, I believe that the BLM can meet resource objectives and still allow grazing on the allotment. In selecting Alternative 3 for the Sheep Creek allotment rather than Alternative 5, I especially considered (1) BLM's ability to meet resource objectives using the selected alternative, (2) the impact of implementation of Alternative 5 on your operation and on regional economic activity, and (3) your past performance under previous permits. The resource issues identified are primarily related to the improper seasons and site-specific intensities of grazing use. By implementing this alternative, the resource issues identified will be addressed. The suspension of grazing for a 10-year period is not the management decision most appropriate at this time in light of these factors.

During the public comment period for the Draft EA and the 15-day protest period for the Proposed Decisions regarding grazing within other allotments, 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 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 Decision, I am incorporating by reference the analysis in the Chipmunk Group 2 EIS.

### **Finding of No Significant Impact (FONSI)**

A FONSI was signed on November 18, 2013, concluding 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 10 significance criteria described at 40 CFR § 1508.27. Therefore, an environmental impact statement is not required. A copy of the FONSI for EA number DOI-BLM-ID-B030-2013-0022-EA is available on the web at:

## Conclusion

In conclusion, it is my decision to select Alternative 3 for the Sheep Creek allotment 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 this allotment over the next several years. Alternatives 1 and 2 fail to implement livestock management practices on the Sheep Creek allotment that would meet the objectives and standards. Specifically, both alternatives fail to implement actions that would meet Standard 2 (Riparian Areas and Wetlands), Standard 3 (Stream Channel/Floodplain), and Standard 8 (Threatened and Endangered Animals). Alternative 5 removes economic activity from Owyhee County and southwest Idaho, a region where livestock production and agriculture is a large portion of the economy. That, in conjunction with current resource conditions and the improvement anticipated by implementation of Alternative 3, lead me to believe elimination of livestock grazing from the Sheep Creek allotment 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 Sheep Creek allotment as available for livestock grazing;
- 4130.2 Grazing permits or leases: Grazing permits may be issued to qualified applicants on lands designated as available for livestock grazing. Grazing permits shall be issued for a term of 10 years unless the authorized officer determines that a lesser term is in the best interest of sound management;
- 4130.3 Terms and conditions: Grazing permits must specify the term and conditions that are needed to achieve desired resource conditions, including both mandatory and other terms and conditions; and
- 4180 Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration: This Proposed Decision will result in taking appropriate action to modifying existing grazing management in order to make significant progress toward achieving rangeland health.

## Right of Protest and/or Appeal

Any applicant, permittee, lessee or other interested publics may protest the Proposed Decision under Sec. 43 CFR § 4160.1 and 4160.2, in person or in writing within 15 days after receipt of such decision to:

Loretta V. Chandler  
Owyhee Field Office Manager  
20 First Avenue West  
Marsing, Idaho 83639

The protest, if filed should clearly and concisely state the reason(s) why the Proposed Decision is in error.

In accordance with 43 CFR § 4160.3(a), in the absence of a protest, the Proposed Decision will become the final decision of the authorized officer without further notice unless otherwise provided in the Proposed Decision.

In accordance with 43 CFR § 4160.3(b), upon a timely filing of a protest, after a review of protest received and other information pertinent to the case, the authorized officer shall issue a final decision.

Any applicant, permittee, lessee or other person whose interest is adversely affected by the final decision may file an appeal in writing for the purpose of a hearing before an administrative law judge in accordance with 43 CFR § 4160.3(c), 4160.4, 4.21, and 4.470. The appeal must be filed within 30 days following receipt of the final decision or within 30 days after the date the Proposed Decision becomes final. The appeal may be accompanied by a petition for a stay of the decision in accordance with 43 CFR § 4.471 pending final determination on appeal. The appeal and petition for a stay must be filed in the office of the authorized officer, as noted above. In accordance with 43 CFR § 4.401, the BLM does not accept fax or email filing of a notice of appeal and petition for stay. Any notice of appeal and/or petition for stay must be sent or delivered to the office of the authorized officer by mail or personal delivery.

Within 15 days of filing the appeal, or the appeal and petition for stay, with the BLM officer named above, the appellant must also serve copies on other persons 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:

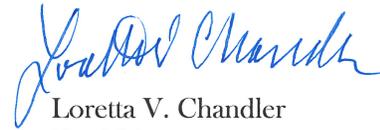
- (1) The relative harm to the parties if the stay is granted or denied;
- (2) The likelihood of the appellant's success on the merits;
- (3) The likelihood of immediate and irreparable harm if the stay is not granted; and
- (4) Whether the public interest favors granting the stay.

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

Copies sent to:

- See attached Group 4 - Proposed Decisions Mailing List

Group 4 - Proposed Decisions Mailing List

Company Name	First Name	Last Name	Address	City	ST	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
Corral Creek Grazing Assoc. LLC	Tim	Lequerica	PO Box 135	Arock	OR	97902
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., PO Box 7249	Boise	ID	83707
ID Wild Sheep Foundation	Director: Jim	Jeffress	PO Box 8224	Boise	ID	83707
Idaho Dept. of Lands			PO Box 83720	Boise	ID	83720
Idaho Farm Bureau Fed.			PO Box 167	Boise	ID	83701
IDEQ			1445 N. Orchard	Boise	ID	83706
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
Juniper Mtn.	Michael	Stanford	3581 Cliffs Rd.	Jordan Valley	OR	97910

Company Name	First Name	Last Name	Address	City	ST	Zip
Grazing Assn.						
Land & Water Fund	William	Eddie	PO Box 1612	Boise	ID	83701
Lequerica & Sons Inc.			PO Box 113	Arock	OR	97902
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 St., Ste. 520	Boise	ID	83702
Natural Resources Defense Council	Johanna	Wald	111 Sutter St., 20th Floor	San Francisco	CA	94104
Oregon Division State Lands			1645 N.E. 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 Ln.	Payette	ID	83661
Schroeder & Lezamiz Law Offices			PO Box 267	Boise	ID	83701
	Senator James E.	Risch	350 N. 9th St., Ste. 302	Boise	ID	83702
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

Company Name	First Name	Last Name	Address	City	ST	Zip
The Nature Conservancy			950 W. Bannock St., Ste. 210	Boise	ID	83702
US Fish & Wildlife Service			1387 S. Vinnell Wy., 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
	Craig & Rhonda	Brasher	4401 Edison	Marsing	ID	83639
	Conrad	Bateman	740 Yakima St.	Vale	OR	97918
	Gene	Bray	5654 W. El Gato Ln.	Meridian	ID	83642
	Frankie	Dougal	36693 Juniper Mtn. Rd.	Jordan Valley	OR	97910
	Chad	Gibson	16770 Agate Ln.	Wilder	ID	83676
	Russ	Heughins	10370 W. Landmark Ct.	Boise	ID	83704
	Dan	Jordan	30911 Hwy. 78	Oreana	ID	83650
	Floyd	Kelly Breach	9674 Hardtrigger Rd.	Given Springs	ID	83641
	Vernon	Kershner	PO Box 38	Jordan Valley	OR	97910
	Kenny	Kershner	PO Box 300	Jordan Valley	OR	97910
	Lloyd	Knight	PO Box 47	Hammett	ID	83627
	Sandra	Mitchell	501 Baybrook Ct.	Boise	ID	83706
	Brett	Nelson	9127 W. Preece St.	Boise	ID	83704
	Ramona	Pascoe	PO Box 126	Jordan Valley	OR	97910
	Anthony & Brenda	Richards	8935 Whiskey Mtn. Rd., Reynolds Creek	Murphy	ID	83650
	John	Romero	17000 2X Ranch Rd.	Murphy	ID	83650
	Doug	Terry	PO Box 11	Jordan Valley	OR	97910
	John	Townsend	8306 Road 3.2 N.E.	Moses Lake	WA	98837
	Thenon & Jana	Elordi	59010 Van Buren	Thermal	CA	92274
Larrusea Cattle Co.			PO Box 124	Arock	OR	97902
	Congressman Raul	Labrador	33 E. Broadway Ave., Ste. 251	Meridian	ID	83642
	Congressman Mike	Simpson	802 W. Bannock, Ste. 600	Boise	ID	83702
	Senator Mike	Crapo	251 E. Front St., Ste. 205	Boise	ID	83702
Idaho Wild Sheep Foundation	Herb	Meyr	570 E. 16 <sup>th</sup> N.	Mountain Home	ID	83647
	John	Richards	8933 State Hwy. 78	Marsing	ID	83639
	Martin & Susan	Jaca	21127 Upper	Murphy	ID	83650

<b>Company Name</b>	<b>First Name</b>	<b>Last Name</b>	<b>Address</b>	<b>City</b>	<b>ST</b>	<b>Zip</b>
			Reynolds Cr. Rd.			
	Ed	Moser	22901 N. Lansing Ln.	Middleton	ID	83644
	Bill	Baker	2432 N. Washington	Emmett	ID	83617-9126
Office of Species Conservation	Cally	Younger	304 N. 8 <sup>th</sup> St., Ste. 149	Boise	ID	83702

## Appendix L

This appendix hereby incorporates by reference the below language in its entirety into the DOI-BLM-ID-B030-2013-0022-EA Final Environmental Assessment (EA).

During public scoping and comment periods for the South 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 25 allotments (known as the Chipmunk Group) 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 sage-grouse habitat (Connelly, Knick, Schroeder, & Stiver, 2004).

The BLM subsequently prepared one EA each for the Toy Mountain, South Mountain, and Morgan groups of allotments (for a total of three EAs). When the CIAAs were defined, the boundaries were the same as the Group 2 EIS CIAA 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.