

Group 5 Morgan Allotments

Finding of No Significant Impact

Introduction

The National Environmental Policy Act (NEPA) assigns the Council on Environmental Quality (CEQ) the task of ensuring that Federal agencies meet their obligations under the Act. The Council shapes the guidelines, policies, and regulations that agencies must follow to meet these obligations. To that end, the NEPA process is used to identify and assess the reasonable alternatives to proposed agency actions that will avoid or minimize adverse effects of these actions upon the quality of the human environment (40 CFR 1500.2 (e)).

An environmental assessment (EA) is a public document for which a Federal agency is responsible that provides sufficient evidence and analysis for determining whether to prepare an environmental impact statement (EIS) or a finding of no significant impact (FONSI) (40 CFR 1508.9 (a) (1)).

A FONSI is a document by a Federal agency, in this case the Bureau of Land Management (BLM), that briefly presents the reasons why an action will not have a significant effect on the human environment and for which an environmental impact statement (EIS) will not be prepared. A significant impact, as described in NEPA documents, would be of sufficient context and intensity¹ that an EIS would be required (40 CFR 1508.27). The FONSI should include the EA or a summary of it. If the EA is included, the FONSI need not repeat any of the discussion in the EA but may incorporate it by reference (40 CFR 1508.14).

Neither the EA nor the FONSI are the authorizing documents for the action; the decision record is the authorizing document.

Finding

I have carefully reviewed the actions that are analyzed in detail within the five Alternatives in Environmental Assessment (EA) No. DOI-BLM-ID-B030-2013-0023-EA, which is incorporated by reference here in its entirety (40 CFR 1508.14). I also considered several other alternatives that were not analyzed in detail. These are described in section 2.3 of the EA. This EA discloses the environmental impacts that would result in renewing livestock grazing permits in the Morgan Group 5 Allotments: Bachelor Flat Fenced Federal Range (FFR; 0640), Berrett FFR (0609), Big Field FFR (0594), Bogus Creek FFR (0577), Boulder (0509), Boulder Flat (0526), Combination Creek (0595), Feltwell (0544), Glass Creek (0552), Gluch (0553), Gluch FFR (0466), Jim's Peak FFR (0576), Morgan (0505), Rail Creek FFR (0627), South Mountain Individual (0600), West Maher FFR (0567), Walt's Pond FFR (0659), Warn (0596), and Wroten (0597).

The proposed actions documented by this FONSI consist of the assignment of specific grazing management prescriptions to the individual allotments analyzed in this EA. That is, rather than a single proposed action, I will be issuing a set of grazing decisions based on and in the alternatives analyzed in this EA because no single alternative is expected to provide the resource benefits for all nineteen of the allotments.

¹ *Context:* This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant.

Intensity: This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action.

My proposed action will result in assigning management prescriptions in a way designed to meet the resource needs of each individual allotment. Therefore, my proposed action is a composite of three alternatives that are analyzed in this EA because no individual alternative is expected to provide the resource benefits for all nineteen allotments that BLM is seeking.

Considering this approach, and based on the analysis of the impacts, this action would implement Alternative 2 (the applicants' proposed action) specifically for the Glass Creek and Gluch allotments.

The action would implement Alternative 3 specifically for the Bachelor Flat FFR, Berrett FFR, Big Field FFR, Boulder Flat, Gluch FFR, Morgan, Rail Creek FFR, South Mountain Individual, Walt's Pond FFR, and Warn allotments.

The action would also implement Alternative 4 specifically for Bogus Creek FFR, Boulder, Combination Creek, Feltwell, Jim's Peak FFR, West Maher FFR, and Wroten allotments.

I have considered the significance criteria in 40 CFR 1508.27, as well as the Rangeland Health Assessment/Evaluation Reports (RHAs), which I am also incorporating here by reference, and I have determined that the actions as described above will not have a significant effect on the human environment. An EIS is therefore not required. My rationale for this is as follows:

Regarding the context of the effects from implementing the proposed livestock grazing management actions through Alternatives 2, 3, and 4, this action would not have international, regional, or statewide consequences. Considered independently by allotment or as a whole for the nineteen allotments in the Morgan Group, the analysis demonstrates that the changes in grazing management would not have a significant adverse effect on the natural resources of the area and would lead toward making progress in meeting Idaho Standards and Guidelines for rangeland health, as well as meeting management objectives from the Owyhee Resource Management Plan (ORMP). The most considerable economic consequence would be felt by livestock operators whose livestock would graze in the Group 5 allotments at reduced levels in the future and, to a lesser extent, the local communities in which they trade their goods and services. The EA analyzes these social and economic effects in sections 3.2, 3.3 by allotment, and 3.4, and while I recognize and appreciate the adverse effects to the communities and the economy within the area, economic or social effects are not intended by themselves to require preparation of an EIS (40 CFR 1508.14.).

When evaluating the intensity, or the severity, of the impacts to resources that would occur by implementing Alternatives 2, 3, and 4, I am required by CEQ (40 CFR 1508.27 (b)) to consider the following 10 elements:

(1) Impacts that may be both beneficial and adverse – a significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial

The consideration of intensity must include analysis of both these beneficial and adverse effects, not just a description of the net effects. Only a significant adverse effect triggers the need to prepare an EIS (BLM NEPA Handbook, H-1790-1, 7.3, p 71). Through the scoping process and the development of the Rangeland Health Assessment/Evaluation Reports, we have identified and analyzed the adverse effects from past, present, and reasonably foreseeable future actions, including livestock grazing, and the beneficial effects of adjustments to grazing that would be implemented to reduce and limit these adverse impacts on resource values. My obligation is also to ensure that the selected alternatives will strive toward meeting the ORMP goals and objectives (EA at 1.7). The prescription of the preferred Alternative 2 in the Glass Creek and Gluch allotments would have beneficial effects to native vegetation, soils, riparian areas, wildlife, and special status species without adding any new adverse effects because no additional infrastructure would be added to the landscape, and livestock use would not increase. The current condition of the resources at

issue would improve or remain at the current condition (EA analysis at 3.3.4.2.2, 3.3.9.2.2, and 3.3.10.2.2). The Gluch allotment is meeting Standard 4, Native Vegetation, and would continue to do so under Alternative 2. Proposed shortening of spring grazing use would result in vegetation benefits during the critical growth period, providing better cover for sage-grouse during nesting and early brood-rearing, thereby making progress toward meeting Standard 8. Glass Creek allotment is not meeting Standards 1, 4, 7, and 8 because of current livestock grazing practices. Alternative 2 as proposed would incorporate rest and deferment which would reduce the current adverse impacts to wet spring soils, to native vegetation, and also to the riparian areas and water quality. These same reductions to these adverse effects would also lead to reduced effects to special status species (EA at 3.3.9). It would follow then, that meeting or making progress toward meeting these applicable health standards through implementing Alternative 2 in these allotments would not impose any significant impacts to these resources. The intensity of current adverse impacts would be reduced with no new impacts felt from new infrastructure projects or vegetation treatments.

Alternative 3 is the Preferred Alternative for ten allotments: Bachelor Flat FFR, Berrett FFR, Big Field FFR, Boulder Flat, Gluch FFR, Morgan, Rail Creek FFR, South Mountain Individual, Walt's Pond FFR, and Warn allotments. These allotments are not meeting Standard 1 with current livestock grazing management being the causal factor, with the exception of Rail Creek FFR where historic livestock grazing is causal. Implementing Alternative 3 for these allotments would lessen the effects to watersheds and reduce the physical adverse effects to soils by deferring spring grazing when these soils are wet. This reduction in the physical effects without implementing any other new adverse effects such as those created by infrastructure development would prevent significant effects to this resource from occurring.

With the exceptions of Bachelor Flat FFR, Gluch FFR, and Morgan allotments (which are either meeting Standards 2 and 3 or the Standards do not apply), current livestock grazing practices are contributing to Standards 2 - Riparian Areas and Wetlands and 3 - Stream Channel and Floodplains not being met. By implementing the Preferred Alternative 3 in the seven allotments where these Standards are at issue, all would see reduced adverse effects as the result of several factors: a 3-year rotational grazing schedule; mandatory terms and conditions that would minimize stream bank trampling and grazing of woody vegetation during their growth period; seasonal deferment of grazing; and riparian constraints. The current effects (EA at 3.2.3.1) from livestock grazing would be reduced within the pastures where riparian resources are present without causing any new adverse effects from implementing the Alternative, thereby avoiding any potentially significant effects.

Of these ten allotments where Alternative 3 is the Preferred Alternative, only Warn is meeting Standard 4 - Native Plant Communities. The RHAs determined that, without exception, the other nine allotments are not meeting Standard 4, but historic livestock grazing is the causal factor rather than current livestock grazing practices. South Mountain Individual allotment also has juniper encroachment contributing to Standard 4 not being met. The Preferred Alternative 3 for these allotments would result in mandatory terms and conditions, multiple year grazing rotations, and resource constraints as mentioned above that would result in a reduction of grazing use on most of these allotments. While current livestock grazing is not a causal factor in not meeting Standard 4 in these allotments, a reduction in grazing use would in turn, reduce this stressor to native plant communities. Again, as stated above, this Preferred Alternative management would be applied without any additional new adverse effects from the action since the action does not prescribe any new rangeland infrastructure construction or vegetation treatments. Therefore, we find that the effects from the action of prescribing Alternative 3 for these 10 allotments are not significant.

With the exception of Bachelor Flat FFR and Morgan, the remaining allotments where Alternative 3 is the Preferred Alternative are not meeting Standard 8 - Threatened, Endangered, Sensitive, or other Special Status Species, in each case for wildlife, not plants (EA, Table ALLOT-2), and current livestock grazing is a causal factor. Habitats of concern in these allotments are those used by Greater sage-grouse - during breeding, nesting, and brood-rearing by Columbia Spotted frog and by Columbia Redband trout. Since

Standard 8 is directly tied to the conditions of other Standards mentioned above, namely, Standard 1 - Watersheds, Standards 2 and 3 - Riparian Areas and Wetlands, Stream Channel and Floodplains, respectively, we find that the reduction of effects to these resources from Alternative 3 implementation also directly reduces the effects to the sensitive status species whose habitat is found in these ten allotments. Once again, we are proposing no new infrastructure development, no juniper or other vegetation treatments in Alternative 3, or any Alternative for that matter. While we recognize that livestock grazing prescriptions from implementing Alternative 3 do have adverse effects to those resources at issue, we are not introducing new adverse and potentially significant effects that could occur with actions above and beyond renewing the grazing permits. In fact, Alternative 3 would reduce the adverse effects that are currently being experienced by the resources at issue in each of these ten allotments. The grazing management changes that would be implemented by Alternative 3 would result in the aforementioned Standards for Rangeland Health to either be met in time or significant progress would be made toward meeting the Standards. Logically then, and with these points in mind, we determine that there would be no significant adverse effects introduced in these allotments by the implementation of Alternative 3.

Alternative 4 is the Preferred Alternative for Bogus Creek FFR, Boulder, Combination Creek, Feltwell, Jim's Peak FFR, West Maher FFR, and Wroten allotments. Standard 1 - Watersheds, is not being met because of current livestock management in Bogus Creek FFR, Boulder, Feltwell, Jim's Peak FFR, and West Maher FFR. Alternative 4 would prescribe a level of rest and deferment that would result in the greatest reduction of effects to the watershed and soil resources than the other alternatives except Alternative 5 - No Grazing. Alternative 4 reduces livestock numbers and AUMs without introduction of any other adverse effects from infrastructure development, and juniper or other vegetation treatments.

These six allotments where Alternative 4 is preferred are not meeting Standards 2 and 3, the riparian and floodplain-related Standards. A 3-year grazing rotation would incorporate riparian constraints, deferment and rest that would greatly reduce or eliminate riparian/wetland/floodplain impacts 2 of the 3 years in the rotation. This grazing system would result in reductions of active AUMs, from 26 percent for Boulder to 53 percent for Feltwell (EA, 3.3.7). As with Alternatives 2 and 3, the prescription of Alternative 4 for these six allotments would be implemented without introducing any new and potentially significant impacts through actions beyond grazing permit renewal. No infrastructure development or vegetation treatments would take place.

Four of these allotments are not meeting Standard 7 - Water Quality, Feltwell, Jim's Peak FFR, West Maher FFR, and Wroten. Table ALLOT - 2 in the EA indicates that these conditions are the result of the condition of springs and streams. The effects to water quality are analyzed in the riparian, wetlands, and floodplains sections of the EA. Just as implementing the Preferred Alternative 4 would result in considerable reduction in effects to the riparian and floodplain-related resources related to Standards 2 and 3, above, so too would the effects to water quality be reduced. Again, this would occur without introducing any new and potentially significant impacts through actions beyond grazing permit renewal. No infrastructure development or vegetation treatments would take place. With Standards 2, 3, and 7 being either met or significant progress toward meeting them would be achieved by implementing Alternative 4 in these six allotments, it is logical to state that effects to these resources at issue would not be significant.

Boulder is the only allotment in the Alternative 4-prescribed allotments where current livestock management is causal for Standard 4 - Native Plant Communities to not be met. As previously mentioned, increased years of rest and deferment would result in a reduction in active AUMs in this allotment without introducing any new effects that could potentially be significant.

All six of the Alternative 4-prescribed allotments are not meeting Standard 8 - Threatened, Endangered, Sensitive, or other Special Status Species. Similarly to the Alternative 3-prescribed allotments above, since Standard 8 is directly tied to the conditions of other Standards, namely, Standard 1 - Watersheds,

Standards 2 and 3 – Riparian Areas and Wetlands, Stream Channel and Floodplains, respectively, we find that the reduction of effects to these resources from Alternative 4 implementation also substantially reduces the effects to the sensitive status species whose habitat is found in these six allotments. Once again, we are proposing no new infrastructure development, no juniper or other vegetation treatments in Alternative 3, or for any other Alternative.

Alternatives 2, 3, and 4 were developed to ensure that rangeland health standards would be met, or significant progress would be made toward meeting those standards where current livestock grazing management is the causal factor for standards failing to be met, and without prescribing any additional actions on the ground that would create new disturbances such as fencing, livestock watering projects, or vegetation treatments. In this way, the assignment of three distinct management prescriptions designed to meet the resource needs of each individual allotment would not cause a significant adverse effect on the resources at issue in these allotments.

The EA analysis considers all effects, beneficial and adverse, that would result in prescribing these three alternatives to the nineteen Group 5 allotments as described.

(2) The degree to which the proposed action affects public health or safety

For this measurement of intensity, I have considered the effects from such things as air quality and water quality, etc., if Alternative 2 were implemented for Bogus Creek FFR, Glass Creek, and Gluch; if Alternative 3 were implemented for Bachelor Flat FFR, Berrett FFR, Big Field FFR, Boulder Flat, Gluch FFR, Morgan, Rail Creek FFR, South Mountain Individual, Walt's Pond FFR, and Warn allotments; and if Alternative 4 were implemented for Boulder, Combination Creek, Feltwell, Jim's Peak FFR, West Maher FFR, and Wroten allotments.

I have also considered the economic and social effects from implementing these alternatives which, on their own, are not intended to require the preparation of an EIS (40 CFR 1508.14). No activities authorized under the grazing permits will affect long-term public health or safety. The environmental analysis documented no major effects on public health and safety from any of the actions analyzed in Alternatives 2, 3, and 4.

(3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas

There are no park lands, prime farmlands, or jurisdictional wetlands or wild and scenic rivers within the boundaries of the allotments. There is one Outstanding Natural Area, designated by the ORMP as the Boulder Creek ACEC containing 6,978 public land acres. Roughly 2,200 acres of the ACEC lies within the Group 5 allotments, 90 percent of which is in the Boulder Flat allotment pasture 2. The effects that grazing would have to the ACEC as prescribed by Alternative 3 for the Boulder Flat allotment are in sections 3.2.8 and 3.3.6.2.3.6 of the EA. The analysis concludes that since there are no proposed spring developments, water haul sites, or fencing projects, and that mandatory terms and conditions of a permit under this alternative would include measures that would reduce impacts, the relevant and important resources values within the ACEC would be maintained, and this management strategy would be in conformance with the Owyhee RMP.

The effects to Cultural Resources are analyzed in section 3.3 and 3.2.10 in the EA. Those allotments where Alternative 2 is the Preferred Alternative would experience the same effect to cultural resources as the current condition (Alternative 1). Those allotments where Alternatives 3 and 4 are prescribed would experience possible reductions in effects to these resources compared to Alternative 2 simply because of the reduced numbers of livestock and fewer active AUMs. The alternatives that reduce livestock numbers also

reduce indirect effects by increasing biomass that protects cultural resources. None of the three Preferred Alternatives would increase congregation areas around troughs, springs, reservoirs, and other watering areas where damage to cultural resources would be most at risk.

(4) The degree to which the effects on the quality of the human environment are likely to be highly controversial

Controversy in this context means disagreement about the nature of the effects, not expressions of opposition to a proposed action or preference among the alternatives that the EA analyzes (H-1790-1 at 71). I recognize that there is disagreement about livestock grazing management decisions. Here, I am exercising some judgment about the level of controversy over how resources would be affected by implementing Alternative 2 in Bogus Creek FFR, Glass Creek, and Gluch; implementing Alternative 3 in Bachelor Flat FFR, Berrett FFR, Big Field FFR, Boulder Flat, Gluch FFR, Morgan, Rail Creek FFR, South Mountain Individual, Walt's Pond FFR, and Warn; and implementing Alternative 4 in Boulder, Combination Creek, Feltwell, Jim's Peak FFR, West Maher FFR, and Wroten allotments. Substantial dispute within the scientific community about the effects would indicate there is a high level of controversy, but I do not see such a dispute over the effects of livestock grazing should Alternatives 2, 3, or 4 be implemented as described in the EA. Comments were received from various members of the public, and while I will respond to these comments in my decisions, these are not specifically scientific disputes about the effects to resources that livestock grazing may cause.

(5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks

There will always be a level of unknown risk associated with land management decisions. But significance does not arise from uncertainty about future actions by others; it arises from a high degree of uncertainty about the effects of the agency action. Livestock have grazed on the public lands in these seven allotments for many years, and the effects of livestock grazing management practices are well known and documented in the EA. There are no known effects of implementing Alternatives 2, 3, and 4, or any of the alternatives identified in the EA that are considered uncertain or involve unique or unknown risks. The effects analysis demonstrates that the effects are not uncertain and do not involve unique or unknown risk. Significance does not arise from the presence of risk; it arises from a high degree of unique or unknown risks. If the risks are known and have been incurred for similar actions in the past, significance is not implicated, and we find this to be the case here.

(6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration

I have determined that implementing Alternative 2 in Bogus Creek FFR, Glass Creek, and Gluch; implementing Alternative 3 in Bachelor Flat FFR, Berrett FFR, Big Field FFR, Boulder Flat, Gluch FFR, Morgan, Rail Creek FFR, South Mountain Individual, Walt's Pond FFR, and Warn; and implementing Alternative 4 in Boulder, Combination Creek, Feltwell, Jim's Peak FFR, West Maher FFR, and Wroten allotments does not set a precedent for future actions that may occur in the area. We have previously chosen to implement specific terms, conditions, and constraints in livestock grazing permits and have previously chosen to take steps to protect resource values through restrictions to seasons of use, intensity, duration, and/or frequency of grazing use and reduced livestock numbers. The BLM also has chosen to take steps to protect riparian resources or reduce impacts to native bunchgrasses or to protect special management areas such as ACECs. Actions from implementing Alternatives 2, 3, and 4 as prescribed here are therefore no different from those that have occurred or may occur in the future. Because the actions proposed here and the corresponding effects are specific to the Group 5 allotments, any other grazing permit renewal applications the BLM has or will receive is subject to appropriate NEPA analysis, and this process will consider the direct, indirect effects of any proposed action and the cumulative effects of all

other past, present, and reasonably foreseeable management actions taken in the cumulative impact analysis area, including the Group 5 action of implementing the alternatives, if appropriate for that analysis area. Therefore, actions and effects for Alternatives 2, 3, and 4, as described in this document and the EA, do not represent a decision in principle about future considerations.

(7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts – significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts

The proposed action of renewing livestock grazing permits in the nineteen Morgan Group 5 allotments, Bachelor Flat Fenced FFR, Berrett FFR, Big Field FFR, Bogus Creek FFR, Boulder, Boulder Flat, Combination Creek, Feltwell, Glass Creek, Gluch, Gluch FFR, Jim’s Peak FFR, Morgan, Rail Creek FFR, South Mountain Individual, West Maher FFR, Walt’s Pond FFR, Warn, and Wroten, is not part of other connected actions, nor is this action a segmented portion of other actions to be proposed in the future and for which NEPA analysis would be conducted. Within and beyond this EA’s cumulative impact analysis areas, there have been other rangeland assessments, evaluations, determinations, and grazing decisions resulting in changes to livestock grazing management practices. No cumulatively significant adverse effects were identified in the EA when the effects of its alternative actions were added to the effects of these outside actions.

(8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources

The analysis in this EA identified effects to cultural and historical resources and recognized that livestock grazing can have adverse effects to these resources (EA at 3.2.10, 3.3, and 3.4). Those allotments where Alternative 2 is the Preferred Alternative would experience the same effect to cultural resources as the current condition (Alternative 1). The analysis also recognized that these adverse effects would be reduced through the reduction in livestock grazing levels in Alternatives 3 and 4. As addressed in intensity factor #3, above, none of the three Preferred Alternatives would increase congregation areas around troughs, springs, reservoirs and other watering areas where damage to cultural resources would be most at risk. The proposed action would build no additional infrastructure or facilities (EA at 2.3) that would increase the number or intensity of livestock congregation areas that could increase the risk to these resources.

(9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973

The EA analysis states that there are no threatened and endangered species listed under the Endangered Species Act (ESA) or critical habitat known to occur within or reasonably close to the Morgan Group 5 allotments. There would be no conflicts with the ESA resulting from implementing the actions in Alternatives 2, 3, and 4. However, the Greater sage-grouse and the Columbia spotted frog are candidate species that occur within the analysis area and are warranted for potential listing under the Endangered Species Act by the U.S. Fish and Wildlife Service (USFWS). The EA analyzes the effects that livestock grazing has these species in section 3.2.5. Alternatives 2, 3, and 4 as prescribed in this document would result in the improvement and protection of intact sagebrush and riparian habitat, where present, which would assist in future compliance with the ESA in the event of listing of sagebrush obligate, shrub-dependent, or riparian dependent wildlife species, such as sage-grouse and spotted frog.

Alternative 2 for Glass Creek and Gluch allotments would increase deferment and/or rest from livestock grazing in upland/riparian communities that would benefit focal species as well as other sagebrush steppe associated species.

Alternative 3, as applied to Bachelor Flat FFR, Berrett FFR, Big Field FFR, Boulder Flat, Gluch FFR, Morgan, Rail Creek FFR, South Mountain Individual, Walt's Pond FFR, and Warn allotments, and as analyzed in Section 3.2.1.3 of the EA, would result in greater security cover for nesting and brood-rearing sage-grouse from predators and increasing preferred forb diversity and availability. Improved herbaceous and woody cover in riparian zones would benefit Columbia redband trout and Columbia spotted frogs by reduced trampling of spring spawning and egg laying sites. Alternative 3 would increase the frequency of implementing deferment and/or rest from livestock grazing compared to Alternative 1 (Current Situation), which would make moderate progress toward meeting Standard 8 and achieving ORMP objectives in these allotments.

Alternative 4, as applied to Bogus Creek FFR, Boulder, Combination Creek, Feltwell, Jim's Peak FFR, West Maher FFR, and Wroten allotments, would, similarly to Alternative 3, also provide greater security cover for nesting and brood-rearing sage-grouse from predators and increase preferred forb diversity and availability. Improved herbaceous and woody cover in riparian zones would benefit Columbia redband trout and Columbia spotted frogs by reduced trampling of spring spawning and egg laying sites.

With these prescriptions that are specific to resource and allotment needs, we find that livestock grazing will not have a significant impact to candidate or special status species, and there are no threatened and endangered species listed under the Endangered Species Act (ESA) present in these allotments.

(10) Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment

The implementation of Alternatives 2, 3, and 4 would not violate any Federal, State, or local law, or any requirement imposed for the protection of the environment.

I find that implementing Alternative 2 as described for Bogus Creek FFR, Glass Creek, and Gluch allotments, Alternative 3 for Bachelor Flat FFR, Berrett FFR, Big Field FFR, Boulder Flat, Gluch FFR, Morgan, Rail Creek FFR, South Mountain Individual, Walt's Pond FFR, and Warn allotments, and Alternative 4 for Boulder, Combination Creek, Feltwell, Jim's Peak FFR, West Maher FFR, and Wroten allotments, does not constitute a major federal action that would significantly affect the quality of the human environment in either context or intensity. I have made this determination after considering both the beneficial and adverse effects to resources, including the direct, indirect, and cumulative effects resulting from the implementation of Alternatives 2, 3, and 4 for grazing permit renewals in these nineteen Morgan Group 5 allotments.


Loretta V. Chandler
Owyhee Field Manager

11 | 20 | 13
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