



United States Department of the Interior
BUREAU OF LAND MANAGEMENT

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In Reply Refer To:
4160 ID130

REGISTERED MAIL

November 26, 2013

Dale Berrett
3540 Highway 95
Jordan Valley, OR 97910

Notice of Field Manager's Proposed Decision

Dear Mr. Berrett:

Thank you for your application for permit renewal on the Boulder (0509) allotment. Thank you as well for working with the BLM during the permit renewal process; I appreciate your interest in grazing the allotment in a sustainable fashion and am confident that this proposed decision achieves that objective.

As you know, the BLM evaluated current grazing practices and current conditions in the Boulder allotment through 2013. We undertook this effort to ensure that any renewed grazing permit on the allotment would be consistent with the BLM's legal and land management obligations. As part of the BLM's evaluation process, a rangeland health assessment, evaluation, determination was completed August 27, 2013. This proposed decision incorporates by reference the information contained in those documents.

On January 11, 2013, the Owyhee Filed Office initiated by letter the collective public scoping for Groups 3 through 5 of the Owyhee 68 grazing permit renewal process. These groups are referred to as the Toy Mountain, South Mountain and Morgan Groups, respectively. The Boulder allotment is one of 19 allotments in Group 5, the Morgan Group. The scoping letter informed recipients that the purpose of the public outreach effort was to identify resource and management issues associated with the Idaho Rangeland Health Standards and Guidelines (Idaho S&Gs) and the Owyhee Resource Management Plan (ORMP) for the purpose of developing grazing management alternatives for all three NEPA groups, including the Morgan Group Allotments Livestock Grazing Permit Renewal Environmental Assessment (EA) EA # DOI-BLM-ID-B030-

2013-0023-EA (hereinafter, “Group 5 EA”)¹. The letter encouraged comments and information to be received by February 25, 2013, to better identify issues associated with the Group 5 allotments. Comments were addressed in the Group 5 EA.

In addition to the scoping period identified above, my staff and members from the NEPA Permit Renewal Team, met with you on April 12, 2013, to discuss your grazing permit renewal application, current allotment conditions, and share information about your livestock operations within these allotments. During this meeting, BLM discussed with you their preliminary conclusions regarding rangeland health and standards and guidelines and made grazing management recommendations associated with your grazing permit renewal application.

On August 27, 2013, BLM issued the completed 2013 Rangeland Health Assessments (RHA), Evaluations, and Determinations for the Group 5 Morgan allotments (for which includes the Boulder allotment) to you and all interested publics of record. Issuance of the RHAs 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 Group 5 EA. Additionally, a preliminary environmental assessment (without a Finding of No Significant Impact) was issued to the public on October 18, 2013, for 15-day review and comment. Issuance of the preliminary EA afforded yet another opportunity for grazing permittees and interested publics to provide additional input on the EA in preparation of completing a proposed grazing decision. In regards to both documents, you did not provide additional comments or information to assist in the development of alternatives and eventually this proposed decision.

After evaluating current resource conditions on public lands associated with the Boulder allotment, and meeting with you and reviewing any new information provided during the scoping and review periods, it is clear that some resource concerns currently exist on the allotment; and in some cases, current livestock grazing management is a significant causal factor or an influencing factor.

To assist us in addressing livestock impacts to public land resources, my office prepared and issued the Group 5 Morgan EA in which we considered a number of options and approaches to maintain and improve resource conditions. Specifically, the BLM considered and analyzed in detail five alternatives for the Boulder allotment. We also considered other alternatives that we did not analyze in detail. Our goal in developing alternatives was to consider options that were important to you as the permittee, and to consider options that, if selected, would ensure that resource conditions on these allotments is consistent with the goals and objectives of the ORMP, and the Idaho S&Gs. This proposed decision incorporates by reference the analysis contained in the Group 5 EA.

We have now completed the permit renewal process and I am now prepared to issue a proposed decision to renew your permit to graze livestock within the Boulder allotment. This decision is the culmination of a comprehensive review of the relationship between resource conditions and livestock grazing practices on the allotments, completed in accordance with the grazing regulations, Idaho S&Gs, the National Environmental Policy Act (NEPA) and the ORMP.

¹ EA number DOI-BLM-ID-B030-2013-0023-EA analyzed 5 alternatives for livestock grazing management practices to fully process permits within the allotments.

This proposed decision will:

- Describe current conditions and issues on the Boulder allotment;
- Respond to the applications for grazing permit renewal for use in the Boulder allotment;
- Outline my proposed decision to select Alternative 4 for Boulder allotment; and
- Explain my rationale for selecting Alternative 4.

Background

Allotment Setting

General

The Morgan Group allotments, which are under the purview of the Owyhee Field Office, are located adjacent to one another within the northern portion of Owyhee County, Idaho. They occupy the central portions of the Owyhee Mountains south-southeast of Jordan Valley, Oregon. Elevations range from around 4,483 feet in the Walt’s Pond FFR allotment to 6,491 feet in the Rail Creek FFR allotment.

Boulder Allotment

The Boulder allotment is located near South Mountain, in Owyhee County, Idaho, approximately 30 miles south of Mud Flat Road. The allotment contains 1,825 public land acres (92%), 160 private acres (8%), and 7 State acres (<1%) (See attached map).

Current Grazing Authorization

You currently graze livestock within the Boulder allotment pursuant to a grazing permit issued by the BLM. The terms and conditions of that grazing permit are:

Table CGA-1: Dale Berrett - Current Term Grazing Permit

Allotment	Livestock		Grazing Period		% PL	Type AUMs	Active Use	Suspended AUMs	Permitted AUMs
	Number	Kind	Begin	End					
Boulder (0509)	97	Cattle	4/15	6/30	91	Active	225	0	225

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. 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 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 enclosures 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.

As part of a U.S. District Court settlement agreement, the following terms and conditions were added to the permit in March of 2000:

- Key herbaceous riparian vegetation, where streambank stability is dependent upon it, will have a minimum stubble height of 4 inches on the stream bank, along the greenline, after the growing season;
- Key riparian browse vegetation will not be used more than 50 percent of the current annual twig growth that is within reach of the animals;
- Key herbaceous riparian vegetation on riparian areas, other than the streambanks, will not be grazed more than 50 percent during the growing season, or 60 percent during the dormant season; and
- Streambank damage attributable to grazing livestock will be less than 10 percent on a stream segment.

Current Grazing Management

Actual use is important when considering the renewal of a grazing permit because it was actual use and not authorized levels of use that resulted in current conditions on the allotment. In other words, the current condition of the allotment is not the result of what was authorized under the current permit, but rather is the result of the removal of a varied number of AUMs and the range in seasons of use over the past several years.

Boulder

The current permit authorizes 225 AUMs within three pastures, and a season of use between April 15 and June 30, annually. Actual use in this allotment has ranged from 200 to 244 AUMs, with an average of 217 AUMs, between 1997 and 2012. Over the same period of time, each pasture has occasionally received rest from grazing, even though the allotment as a whole has been consistently grazed between April 15 and July 2, annually.

Current Resource Conditions

The following sections provide a brief overview of current resource conditions as extracted from the Group 5 EA and the 2013 Rangeland Health Assessments, Evaluations, and Determinations for the Boulder allotment. Resources presented include: *Vegetation - Uplands, Watersheds (soils), Water Resources and Riparian/Wetlands Areas, and Wildlife/Wildlife Habitats and Special Status Animals*. No special status plant populations are known to occur within the allotment; therefore, special status plants will not be addressed in this decision.

Boulder

The BLM completed a land health assessment, evaluation, and a determination for the Boulder Allotment in 2013. As described in the RHA and Determination documents, BLM concluded that some of the resources on the Boulder Allotment are not meeting the Idaho S&Gs. Specifically, the BLM determined that the allotment did not meet Standards 1 (Watersheds), 2 (Riparian), 3 (Stream Channel), 4 (Native Plant Communities), 7 (Water Quality), and 8 (Wildlife). Current livestock grazing management practices were a significant causal factor in not meeting the Standards 1, 2, 3, 4, and 8.

Vegetation - uplands

Rangeland Health Standard 4 is not being met in the Boulder allotment. Actual use in this allotment has ranged from 200 to 244 AUMs, with an average of 217 AUMs, between 1997 and 2012. Over the same period of time, each pasture has occasionally received rest from grazing, even though the allotment as a whole has been consistently grazed between April 15 and July 2, annually. The allotment shows evidence of livestock grazing impacts, with reduced composition of deep-rooted native perennial bunchgrasses (e.g., bluebunch wheatgrass and Idaho fescue comprises less than 10 percent in composition) compared to reference site conditions; a dominance of increaser species (e.g., Sandberg bluegrass); and an increase in invasive species (e.g., North Africa grass, burr buttercup, cheatgrass, medusahead, and western juniper) in all pastures to varying levels of degree. Current grazing and invasive annuals are significant causal factors in not meeting Standard 4, due to repeated moderate utilization during spring use which is associated with the reduction in deep-rooted perennial bunchgrasses described above, and corresponding increase in exotic annuals and shallower-rooted perennial grasses.

The ORMP management objective to improve unsatisfactory and maintain satisfactory vegetation health/condition on all areas is not being met because vegetation communities have shifted to shallow-rooted bunchgrasses, and invasive species have spread.

Watersheds

As presented in the Group 5 EA (see Sections 3.1.2 and 3.3.5.2.1), current and historic livestock grazing management practices are significant causal factors for not meeting upland watershed Standard 1 in pastures 1, 2, and 3 of the Boulder Creek allotment. The reduction in soil and hydrologic function is associated with physical soil disturbance and an altered plant community composition and distribution from decreased relative abundance of large, deep-rooted native perennial bunchgrasses.

Mechanical damage, impacts from trails and pugging have impaired soils. In addition widespread erosion relics from past and current livestock grazing management occur where spring and growing season use has been ongoing and utilization has been moderate to heavy. Over time, altered plant community composition and distribution and loss of surface soils have reduced vegetation cover in interspaces. As a result, soil surface loss and degradation is present in the form of water flow paths and associated extensive pedestaling that are in various stages of stabilization.

Invasive annuals are also a cause for concluding that all pastures at risk for declining soil conditions. Pasture 2 is the most affected, with shallow-rooted annual bunchgrasses declining and deep-rooted perennial bunchgrasses practically absent. The biotic integrity has been compromised by invasive annuals that, over the long term, have long-lasting negative impacts to hydrologic function and soil productivity.

The declining ecological condition and impaired soils indicate that soil and hydrologic function are compromised. The ability for proper nutrient cycling, hydrologic cycling, and energy flow is impaired; therefore, Standard 1 and ORMP soil management objectives of improving unsatisfactory watershed health/conditions are not being met.

Water Resources and Riparian/Wetland Areas²

Standards 2 and 3 are not being met in the Boulder allotment. There are two named streams that occur within pastures 2 and 3 of the allotment: Rail and Cattle Creeks. Additionally, one unnamed spring occurs in pasture 1, and two occur in pasture 3. A total of 1.6 miles of stream (parts of both Rail Creek and Cattle Creek) have been assessed and rated functioning at risk (FAR). Rail Creek was twice rated FAR (2001 and 2004) because there were inadequate riparian species present and noxious weeds were increasing in the area. Approximately 0.5 mile of Cattle Creek was assessed as part of a longer reach of stream and was rated FAR (Group 5 EA, Section 3.3.5.1.3) because there was a lack of deep-rooted stabilizing species to protect the stream banks during times of high flow, down-cut banks, incised channel, and there were unstable beaver dams present.

All three springs in the Boulder allotment were rated FAR (Group 5 EA, Section 3.3.5.1.3). The unnamed spring in pasture 1 had altered flow patterns and compacted soils from livestock trailing and trampling, with subsequent erosion and deposition occurring. Minear Creek Spring that also occurs in pasture 1 was previously developed and had been abandoned leaving a non-functioning

² For additional details on the current condition of the allotment, see *Rangeland Health Assessments, Evaluation Reports and Determinations, for the Morgan (0505), Combination Creek (0595), Boulder (0509), South Mountain Individual (0600), Bachelor Flat FFR (0640), Boulder Flat (0526), and Walt's Pond FFR (0659) Allotments* document in the project record.

riparian-wetland area. One of the unnamed springs that occur in pasture 3 had a high percent of bare ground, a lack of hydric species composition, and upland species were encroaching on the wetland area.

Standard 7 is not being met in this allotment according to the Idaho Department of Environmental Quality (IDEQ)³ due to unacceptable mercury levels and temperature in Rail Creek. The high mercury levels and temperatures led IDEQ to add Rail Creek to the state's Clean Water Act 303(d) list. Beneficial uses, namely cold-water aquatic life and secondary recreation, are not being supported in 2.2 miles of stream that are not supporting one or more of the sub basin's beneficial uses. The sub basin's beneficial uses that are not being met include cold-water aquatic life and secondary contact recreation. However, the allotment is in conformance with the Guidelines for Livestock Grazing Management because a total maximum daily load standard has been developed for temperature, removing it from the 303(d) list, and livestock are not the causal factor for the elevated mercury levels.

Wildlife/Wildlife Habitats and Special Status Animals

Upland Habitat

Evaluation of Standard 4 determined that the Big Field FFR allotment is not meeting rangeland health standards due to historic and current livestock grazing practices. Currently, the herbaceous understory component is Sandberg bluegrass-North African grass community. These species do not have the robust growth form or stature of bluebunch wheatgrass and do not provide the plant composition, structure, and function for sagebrush steppe-dependent species. Due to current upland conditions as stated here, and above under *Vegetation - uplands*, Standard 4 is not being met and current upland resources in this allotment are not providing adequate upland habitat cover and forage values for sagebrush steppe species. Therefore, it was determined that Standard 8 is also not being met and historic and current livestock grazing practices were the identified causal factors.

Riparian Habitat

Evaluation of Standards 2 and 3 identified streams within this allotment that are not properly functioning due to historic and current grazing practices. As mentioned above under *Water Resources and Riparian/Wetland Areas* above, Rail and Cattle creeks were rated FAR. BLM determined that, due to the FAR ratings, the allotment was failing to meet Standards 2 and 3 and current livestock grazing management is a significant causal factor. Rail and Cattle creeks lack adequate riparian vegetation composition and distribution to provide the structure and function to support a productive riparian environment. Consequently, these riparian areas fail to provide adequate riparian conditions to support viable aquatic and terrestrial species populations. Therefore, Standard 8 is not being met and current livestock grazing is a significant causal factor.

Focal Species

Sage-grouse

A total of 1,992 acres of sage grouse Preliminary Priority Habitat (PPH) exists in this allotment (Group 5 EA, Section 3.3.5.1.4). Pastures 1 and 3 contain unsuitable to marginal breeding and

³ See Group 5 EA Section 3.1.3 for additional IDEQ information regarding the Boulder allotment.

upland summer habitat. The primary cause for not meeting sage-grouse habitat criteria is reduced canopy cover by large deep-rooted perennial grasses (i.e., bluebunch wheatgrass, Idaho fescue) in the understory, indicating that functional nesting, brood-rearing, escape, and hiding cover values are not adequate for suitable sage grouse habitat.

Pasture 2 showed suitable breeding habitat conditions for sage-grouse. The 2012 sage-grouse habitat assessment showed that adequate (suitable) perennial grasses existed at the assessment sites. Suitable occurrence of perennial grasses identified by the habitat assessment indicates that minimum canopy cover for sage-grouse nesting and early brood-rearing is being provided. However, the 18 percent canopy cover of perennial grasses shown in the sage-grouse assessment is at the lower end of the habitat indicator scale. It was noted at the sage grouse assessment site that invasive plants species were common with the plant communities.

Overall, because pastures 1 and 3 are not providing desirable sage-grouse habitat conditions, and pasture 2 is failing Standard 4, this allotment is not meeting Standard 8 due to historic and current grazing practices.

Columbia Redband Trout and Columbia Spotted Frog

No Columbia River redband trout are known to occur within the Boulder allotment streams. Evaluation of Standards 2 and 3 identified Rail and Cattle creeks and three upland springs/wetlands are functioning-at-risk (FAR) due to historic and current grazing practices.

This allotment is within the distribution of the Columbia spotted frog (Group 5 EA Section 3.3.5.1.4). Spotted frogs are usually found along vigorous grassy/sedge margins of streams, lakes, ponds, springs, and marshes not far from sources of quiet permanent water. They migrate along these vegetation corridors between habitats used for spring breeding, summer foraging, and winter hibernation. As mentioned above under *Water Resources and Riparian/Wetland Areas* above, Rail and Cattle creeks, and three springs were rated FAR. Because streams and springs are not functioning properly, this allotment is not providing adequate aquatic conditions to sustain viable populations of spotted frogs and therefore is not meeting Standard 8 due historic and current grazing practices.

Guidelines for Livestock Grazing Management

In addition to a discussion of land health standards, the BLM's 2013 Determination for the Boulder allotment identified grazing management practices that did not conform to the BLM's Guidelines for Livestock Grazing Management for Idaho. Specifically, grazing management did not conform to the following guidelines:

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

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

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

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

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

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

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

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

Guideline 11: Use grazing management practices developed in recovery plans, conservation agreements, and Endangered Species Act, Section 7 consultations to maintain or improve habitat for federally listed threatened, endangered, and sensitive plants and animals.

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

Issues

Based on the BLM's evaluation of the current grazing scheme, the current conditions on the Boulder Allotment, public response to scoping, and the BLM's obligations to meet the Idaho S&Gs and move toward meeting the ORMP management objectives, the BLM identified the following resource issues applicable to the grazing permit renewal for the Boulder Allotment:

*Issue 1: Habitat conditions for greater sage-grouse (*Centrocercus urophasianus*; hereinafter, sage-grouse) - Sage-grouse habitat health is directly related to upland vegetation and watershed conditions. Specific areas of the Morgan Group allotments*

contain altered sagebrush community composition, structure, and function that are affecting sage-grouse and other sagebrush habitat-dependent species.

Issue 2: Riparian vegetation conditions - Livestock grazing is affecting riparian condition and aquatic habitat by changing the health and composition of riparian vegetation communities.

Issue 3: 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.

Issue 4: 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.

Issue 5: Noxious and invasive weeds - Livestock grazing and trailing has the potential to increase or spread noxious and invasive weeds.

Issue 6: Livestock trailing - Trailing may adversely affect upland vegetation, soils, weeds and riparian vegetation.

Issue 7: Socioeconomic impacts - Livestock grazing affects local and regional socioeconomic activities generated by livestock production.

Issue 8: Wildfire fuels - Livestock grazing has the potential to change vegetation that may affect wildfire.

Issue 9: 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 CO₂ and methane emissions to the earth's atmosphere. In addition, climate change, itself a stressor on the sagebrush-steppe semi-arid ecosystem found in the Owyhee Uplands can, when found in conjunction with cattle grazing, further stress the ecosystem's vegetation.

Analysis of Alternative Actions

Based on the current resource conditions on the Boulder allotment and the issues identified above, BLM considered a number of alternative livestock management schemes and changes in the Group 5 EA to ensure that the renewed Dale Berrett grazing permit will result in the maintenance or improved conditions on the allotments. The BLM analyzed five alternatives in detail, identified a number of actions common to all alternatives, and considered but did not analyze in detail a number of other possible actions.⁴ The alternatives analyzed in detail include the following:

⁴ For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 2.3.

- Alternative 1 – *Current Situation*
- Alternative 2 - *Applicant’s Proposed Action*
- Alternative 3 – No Title (BLM developed alternative with resource constraints and deferment)
- Alternative 4 – No Title (additional BLM developed alternative with resource constraints, deferment and or rest, and Active AUM reductions)
- Alternative 5 – *No Grazing*

Proposed Decision

After considering the current livestock grazing management practices, the current conditions of the natural resources, and the alternatives and analysis in the Group 5 EA, comments received from you and other interested publics, as well as other information, it is my proposed decision to renew your grazing permit for ten years consistent with Alternative 4 of EA # DOI-BLM-ID-B030-2013-0023-EA. Implementation of Alternative 4 over the next 10 years will allow the Boulder 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 renewed grazing permit will be as follows:

Table PROP 1.0. Terms and Conditions.

Allotment	Livestock		Grazing Period		% PL	Type AUMs	Active Use	Suspended AUMs	Permitted AUMs
	Number	Kind	Begin	End					
Boulder (0509)	97	Cattle	4/17	10/30	91	Active	160	0	160

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. 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 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 enclosures 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.
 13. Boulder Allotment - Cattle numbers may vary up to 97 head as long as the total active use AUMs by pasture or allotment and permitted season of use are not exceeded annually.

Table PROP 1.1. Boulder Allotment - Grazing Schedule.

Boulder Allotment (0509)			
Pasture	Year 1	Year 2	Year 3
Pasture 1	4/17-5/15	Rest	9/1-9/29
Pasture 2	5/16-6/11	9/1-9/27	Rest
Pasture 3	Rest	8/1-8/31	9/30-10/30

Notes on the Terms and Conditions

You will be offered a grazing permit for a term of 10 years for the Boulder allotment. Implementation of Alternative 4 will result in a reduction in active AUMs from 225 AUMs to 160 AUMs⁵. Permitted use within the Boulder Allotment will be as follows:

Operator	Allotment	Active Use	Suspension	Permitted Use
Dale Berrett	Boulder	160 AUMs	0	160 AUMs

⁵ Reductions: Stocking rates were developed for alternatives 3 and 4 in the Group 5 EA, Appendix C, using ESDs production data (USDA NRCS 2010) as a starting point and current average actual use to develop appropriate rates (Reed, Roath and Bradford 1999); and using the method described in USDA technical reference Estimating Initial Stocking Rates (USDA NRCS 2009).

Rationale

Record of Performance

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

Justification for the Proposed Decision

Based on my review of the Group 5 EA number DOI-BLM-ID-B030-2013-0023-EA, the 2013 rangeland health assessments/evaluations, determinations, and other documents in the grazing files, it is my decision to select Alternative 4. I have made this selection for a variety of reasons, but most importantly because of my understanding that implementation of this decision will continue to 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 Boulder allotment making significant progress towards meeting the resource objectives of the ORMP and the Idaho S&Gs.

Issues Addressed

Earlier in this decision I outlined the major issues that drove the analysis and decision making process for the Boulder allotment. I want you to know that I considered each alternative in light of the specific issues raised in conjunction with this allotment before I made my decision. My selection of Alternative 4 was in large part because of my understanding that this selection best addressed those issues, given the BLM's legal and land management obligations⁶.

⁶ As you know, your allotment is part of a group of allotments forming the Owyhee 68 Allotments, which is the subject of a permit renewal process to be completed by December 31, 2013. The NEPA process for the Owyhee 68 consists of 5-plus EAs and an EIS. This multiple-allotment process has required me, as the Field Manager responsible for signing these grazing decisions, to look at these allotments, and the other allotments analyzed in the EAs and the EIS, not just individually but as a members of a group of allotments located in a particular landscape, the BLM Owyhee Field Office. That is, while I am looking at your individual allotment, reviewing its RHA/Evaluation/Determination, and selecting an alternative that will best address the allotment's ecological conditions and BLM's legal responsibilities (for the purposes of this decision), I am also looking at the allotment from a landscape perspective. From this perspective, there are problems common to the Owyhee 68 Allotments. Of the approximately 60 allotments that have riparian areas, at least 47 are not meeting S&Gs for riparian/water issues due to current livestock management; of approximately 73 allotments, 43 are not meeting the Standard for upland vegetation. In many cases, performance under Standard 8 tracks these results. Despite of the efforts of BLM and the ranch operators, resource conditions are not good. Some of these allotments have been used in the spring year after year; some have had summer-long riparian use every year, and some are severely impaired from historical use. As Field Manager for the Owyhee Field Office, 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 with impacts we cannot clearly discern. Nonetheless, as stewards of the land, we must factor into our decisions a consideration of how best to promote resiliency in the landscape. Add to this the uncertainty associated with the BLM's organizational capacity to manage this landscape: in a time of budget cutting, staff reductions, and reduced revenues, land management decisions must factor in considerations of the level of on-the-ground management we can reasonably expect to accomplish. These compelling factors create the need to develop grazing management on individual allotments that combines the greatest

Issue 1: Habitat conditions for greater sage-grouse (Centrocercus urophasianus; hereinafter, sage-grouse) - Sage-grouse habitat health is directly related to upland vegetation and watershed conditions. Specific areas of the Morgan Group allotments contain altered sagebrush community composition, structure, and function that are affecting sage-grouse and other sagebrush habitat-dependent species.

And

Issue 4: 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.

Deferred rotation grazing schedules provide for one or more years of grazing use after seed-set, following one or more years of growing season use. Rest-rotation schedules allow for similar opportunities for recovery, with one or more years of the grazing rotation in which no use is scheduled. Deferred or rest-rotation grazing systems can allow for adequate recovery of upland herbaceous root growth and associated carbohydrate storage following the impact of critical-season defoliation. Additional years of deferment or rest increase opportunity for recovery and maintenance of plant health and vigor improve. Implementing these grazing practices (deferment and rest) improve or maintain native rangeland species to attain composition, density, foliar cover and vigor appropriate to site potential (USDI BLM 1999b) can help achieve desired conditions for native plant communities. These schedules promote species diversity and productivity, seed and root production, and seedling establishment. Establishment of desirable seedlings into a vegetation community may require a sequence of rest and or deferment years to avoid defoliation and physical impacts of livestock presence.

Boulder Allotment utilization⁷ data collected between 1997 and 2012 shows that use has been consistently in the moderate to heavy range (e.g., pasture 1, 64% in 1997 and 37% in 2011; pasture 2, 69% in 1998; and pasture 3, 68% in 1997 and 44% in 2012). Areas of repeated moderate to heavy grazing result in decreased abundance of deep-rooted perennial grasses (e.g., bluebunch wheatgrass) and increased abundance of shallow-rooted grasses (e.g., Sandberg bluegrass). Areas of repeated moderate to heavy grazing during the early season through the hot season remain static or degrade because repetitively grazed plants have reduced vigor and recruitment. Bluebunch wheatgrass as a key forage species decreases with heavier grazing pressure while Sandberg bluegrass

assurance of ecological resilience with the most likely anticipated organizational ability, and that does so on a landscape level. My challenge is this: looking out at the field office, what intensity of management can I reasonably expect to accomplish, knowing that when BLM selects an alternative that requires intensive management from BLM (i.e.-- continuous and intensive monitoring or other workloads that need to occur every year) it also accepts the risk and responsibility of that system's failure which could include decreasing ecological health for the allotment at issue. My responsibility and challenge here is to make decisions that can be successfully implemented by BLM over the long term and that will lead to success, defined as healthy, sustainable resource conditions and predictability for ranch operators.

⁷ See Group 5 EA Section 3.2.1 and the *2013 Rangeland Health Assessments for Morgan, Combination Creek, Boulder, South Mountain Individual, Bachelor Flat FFR, Boulder Flat, and Walt's Pond FFR Allotments*, pages 75-108 for additional information regarding the effects of utilization levels on vegetation plant communities and the Boulder allotment specifically.

increases. Most sources recommend that bluebunch wheatgrass be grazed under a deferred or rest, rotational grazing system to ensure plants remain healthy.

Heavy utilization (>60% generally) can be detrimental and leads to reduced vigor of perennial bunchgrasses. Commensurate with reduced vigor, recruitment of these species also declines. As these species decline, the vegetative community becomes susceptible to an increase in shrub species and potential invasion of noxious and invasive plants (Holechek et al. 1998).

Implementation of Alternative 4 will institute a rest rotation grazing schedule that will significantly reduce the frequency of livestock grazing during the spring growing season compared to the current situation. Rest-rotation will allow for recovery and maintenance of plant vigor (Bailey and Brown 2011). In addition active AUMs will be reduced from 225 AUMs to 160 AUMs. This equates to an annual reduction of 28% active AUMs. This reduction in active AUMs will decrease utilization levels when grazed, to provide assurances to avoid moderate to heavy utilization in the future. The decrease in the frequency of growing-season use will allow native perennial species to complete the annual growth cycle more often; and the reduction in active AUMs will allow for lower utilization levels which will add in improving bunchgrass health and vigor. Each grazing management change will allow for making significant progress towards meeting Standard 4 and ORMP objectives.

Implementation of Alternative 4 will provide a minimum of 2 out of 3 years of deferment or rest from spring grazing that will reduce physical impacts to soils during the wettest and most susceptible period. Additional benefits to improve and respond with increased soil cover, decreased bare ground, and reduced susceptibility to accelerated erosion. In addition, management in accordance with Alternative 4 will lessen concentrated use on upland soils that surround riparian areas. The reduced spring and critical-growth-period grazing and adjustment in stocking rates will reduce livestock numbers and active AUMs, benefitting soils by limiting physical impacts from hoof action. In all, these grazing management changes will allow the greatest opportunity for making progress toward maintaining, meeting and improving soil and hydrologic function over the life of the permit compared to Alternatives 1, 2, and 3.

As proposed, a deferred/rest grazing schedule will be implemented which will institute a grazing schedule with a minimum of 2 out of 3 years deferment/rest from grazing use during the critical growing season and achieve the identified resource constraints (Group 5 EA Section 2.2.4). Under Alternative 4, a three pasture, three-year grazing rotation will be implemented. Pasture 1 will be grazed spring/rest/late summer, pasture 2 will be grazed spring/late summer/rest, and pasture 3 will be grazed rest/summer/fall.

Currently this allotment is not providing adequate upland and sage-grouse habitat (Group 5 EA Section 3.3.5.1.4). Under Alternative 4, upland and sage-grouse habitat conditions will show significant wildlife habitat improvements. Incorporating deferment/rest into the grazing schedule and reducing grazing pressure will substantially modify the repeated spring grazing cycle and allow plants to grow without grazing pressure during the critical growth season (May 1-June 30). All the pastures will experience improved plant vigor and improved upland habitat composition and structure. Sage-grouse will benefit by the increased availability of security and escape cover and forage provided during the nesting/early brood-rearing period (April-June 30) and late brood rearing period (July 1-August 31), thereby reducing vulnerability to detection and predation

Issue 2: Riparian vegetation conditions - Livestock grazing is affecting riparian condition and aquatic habitat by changing the health and composition of riparian vegetation communities.

And

Issue 3: 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.

Under Alternative 4, pastures 1 and 2 will be available to grazing during the spring one year, fall in the second year, and rested for the third year of a three-year rotation. Pasture 3 will be grazed during the summer of the first year, fall of the second year, and rested the third year (see Group 5 EA Section 3.2.3.1 for more information). Consequently, within the allotment, 5.3 miles of perennial stream, 4.2 miles of intermittent stream, and one spring will be affected by the impacts associated with the spring, summer, and fall seasons of grazing alternately over the course of the three-year schedule.

The Boulder allotment is not meeting the standards associated with the riparian-wetland resources. Under management in accordance with Alternative 4, the impacts associated with grazing during the summer (soil compaction, woody vegetation browsing, loss of herbaceous vegetation, bank stability, in stream trampling and deposition) will be eliminated during two of three years. Additionally, the changes in the season of use and stocking rate will result in a reduction in active AUMs. Reductions will decrease the cattle numbers and/or duration of grazing in the riparian areas when grazed, overall reducing the degree of utilization and physical damage to streams and streambanks. Grazing management in accordance with Alternative 4 will meet the riparian-wetland standards and attain the OMRP objectives.

Currently this allotment is not providing adequate riparian habitat and aquatic habitat conditions (Group 5 EA Section 3.3.5.1.4). Under Alternative 4, riparian and aquatic habitat conditions will improve. Herbaceous and woody vegetation will be established and regenerate, improving riparian and aquatic habitats. Streambanks will stabilize, erosion will be reduced, and sediment delivery minimized due to decreased spring and summer grazing.

Columbia spotted frogs will benefit because of the absence of livestock activity in aquatic habitats during the breeding/egg mass laying period (May 1–June 30) allowing for better egg and larvae survival. Also, Columbia spotted frogs will benefit from improved regeneration and establishment of herbaceous and woody plants and improved riparian function. The reduced access of livestock to streams, wetlands, and springs will reduce trampling in aquatic habitats in the spring during the breeding/egg laying period. Under Alternative 4, riparian habitat conditions will improve and make significant progress toward meeting Standard 8 and ORMP objectives.

Issue 5: Noxious and invasive weeds - Livestock grazing and trailing has the potential to increase or spread noxious and invasive weeds.

And

Issue 6: Livestock trailing - Trailing may adversely affect upland vegetation, soils, weeds and riparian vegetation.

Although no noxious weeds are known exist on public land in this allotment, invasive annuals (cheatgrass and North Africa grass) are found in areas of each allotment. The dominant visual aspect in these allotments is sagebrush with Sandberg bluegrass dominating the understory, while bluebunch wheatgrass and western juniper are common. Although some invasive species are present, the native plant community is generally healthy and capable of competing for resources. Under Alternative 4, current resource conditions are expected to improve for all Standards and meet ORMP objectives.

Although Alternatives 3 and 5 would further reduce the potential for livestock to introduce and spread invasive and non-native annual species as compared to Alternative 4, livestock remain only one of a number of vectors for seed dispersal and soil surface disturbance. BLM's coordinated and ongoing weed control program would still be required in the absence of livestock grazing in the allotment.

Issue 7: Socioeconomic impacts - Livestock grazing affects local and regional socioeconomic activities generated by livestock production.

During the NEPA and public comment process, a concern was raised that selection of certain alternatives could impact regional socio-economic activity. I share this concern, and have taken this into consideration in making my decision; however, my primary obligation is to ensure that the new grazing permit(s) protects resources in a manner consistent with the BLM's obligations under the Idaho S&Gs and the ORMP. As noted above, I have selected Alternative 4 for the Boulder allotment in large part because the selection accomplishes those latter goals.

Consideration of Alternatives 1 and 2 disclosed that neither alternative would allow the allotment to meet Idaho S&Gs or the ORMP resource objectives. Therefore I could not select them despite the lesser economic impacts that they may have. Over the long term, your grazing operation relies upon maintenance of the natural resources, including productive and healthy rangelands capable of supplying a reliable forage base. Selection of an alternative based in unsustainable grazing practices that do not meet rangeland health standards would result in less reliable amounts of forage over the long-term, in addition to reducing economic opportunities derived from 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 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 or particularly acute resource needs, I have

selected the alternative most responsive to such needs, with the aim of best promoting rangeland health.⁸

Issue 8: Wildfire fuels - Livestock grazing has the potential to change vegetation that may affect wildfire.

During the NEPA process, some asked the BLM to consider using grazing to limit wildfire. The BLM has considered the issue and determined that it would be theoretically possible to use targeted grazing to create fuel breaks on these allotments with the hope that those fuel breaks would help control the spread of large wildfires in the area. However, the resource costs associated with this strategy are such that I have decided against it. Ultimately, implementation of Alternative 4 for the Boulder 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 and specifically within seedings of grazing-tolerant introduced grasses and annual grasses. Such conditions do not exist on this allotment at a pasture-wide scale. 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 this allotment at this time. The BLM's current permit renewal is focused on improving native upland and riparian plant communities on this allotment, 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.⁹

Issue 9: 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 CO2 and methane emissions to the earth's atmosphere. In addition, climate change, itself a stressor on the sagebrush-steppe semi-arid ecosystem found in the Owyhee Uplands can, when found in conjunction with cattle grazing, further stress the ecosystem's vegetation.

Climate change is another factor I considered in building my decision around Alternative 4 for the Boulder 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

⁸ For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 3.3.1.2.3.6.

⁹ For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 2.3.

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 combined seasons, intensities, and durations of livestock use to promote long-term plant health and vigor. Assuming that climate change affects the arid landscapes in the long-term, the native plant communities on these allotments will be better armed to survive such changes. The native plant health and vigor protected under this alternative will provide resistance and resilience to additional stressors, including climate change.

Additional Rationale

Much thought and effort went into developing grazing management that responds to your 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. All attempts to coordinate grazing throughout the entire allotment were made by me and my staff with you and the interested public. I recognize the difficulty of not only providing the mandated needs for the resources, but also the needs and capability that you, the permittee, have. I believe I have balanced those needs of the resource and your capabilities with the information I have to the extent possible.

I did consider selecting Alternatives 1, 2, 3, and 5 for this allotment. However, based on all the information used in developing my decision, I believe that the BLM can meet resource objectives and still allow grazing on the allotments. In selecting Alternative 4 for the Boulder allotment rather than Alternatives 1, 2, 3 or 5, I especially considered (1) BLM's ability to meet resource objectives using the selected alternatives, (2) the impact of implementation of Alternative 5 on you, and (3) your past performance under previous permits.

Finding of No Significant Impact (FONSI)

A finding of no significant impact (FONSI) was signed on November 20, 2013, and concluded that the proposed decision to implement Alternative 4, is not a major federal action that will have a significant effect on the quality of the human environment, individually or cumulatively with other actions in the general area. That finding was based on the context and intensity of impacts organized around the 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-B030-2013-0023-EA is available on the web at:

http://www.blm.gov/id/st/en/prog/nepa_register/owyhee_grazing_group/grazing_permit_renewal3.html

Conclusion

In conclusion, it is my decision to select Alternative 4 over the other four alternatives analyzed because livestock management practices under this selection best meet the ORMP objectives allotment-wide and the Idaho S&Gs.

Authority

The authorities under which this decision is being issued include the Taylor Grazing Act of 1934, as amended, and the Federal Land Policy and Management Act of 1976, as promulgated through Title 43 of the Code of Federal Regulations (CFR) Subpart 4100 Grazing Administration - Exclusive of Alaska (2005). My decision is issued under the following specific regulations:

- 4100.0-8 Land use plans; The ORMP designates the Boulder allotment 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 in for the purpose of a hearing before an administrative law judge in accordance with 43 CFR § 4160.3(c), 4160.4, 4.21, and 4.470. The appeal must be filed within 30 days following receipt of the final decision or within 30 days after the date the proposed decision becomes final. The appeal may be accompanied by a petition for a stay of the decision in accordance with 43 CFR § 4.471 pending final determination on appeal. The appeal and petition for a stay must be filed in the office of the authorized officer, as noted above. In accordance with 43 CFR § 4.401, the BLM does not accept fax or email filing of a notice of appeal and petition for stay. Any notice of appeal and/or petition for stay must be sent or delivered to the office of the authorized officer by mail or personal delivery.

Within 15 days of filing the appeal, or the appeal and petition for stay, with the BLM officer named above, the appellant must also serve copies on other person named in the copies sent to section of this decision in accordance with 43 CFR 4.421 and on the Office of the Field Solicitor located at the address below in accordance with 43 CFR § 4.470(a) and 4.471(b).

Boise Field 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,



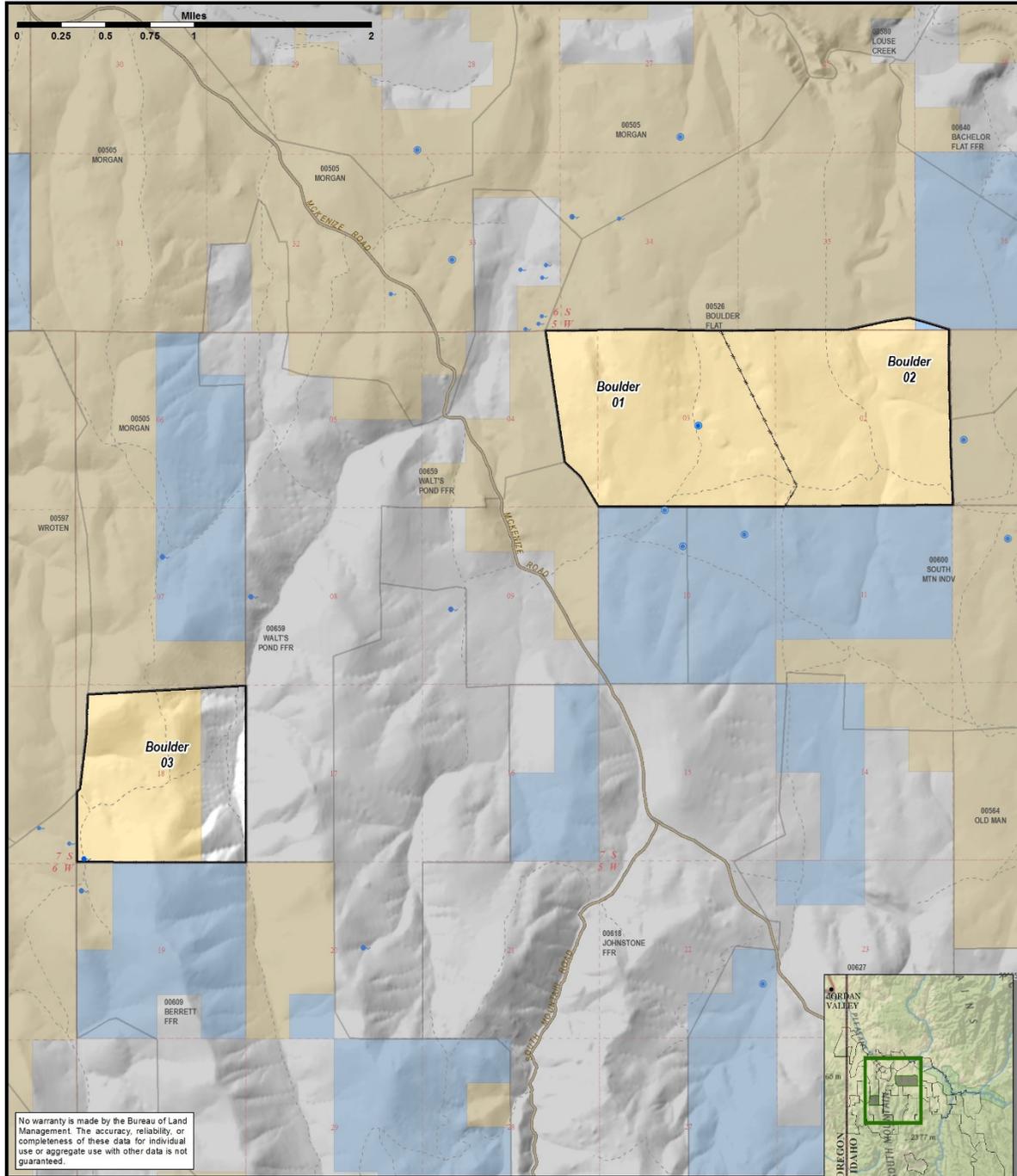
Loretta V. Chandler
Owyhee Field Manager

Copies sent to:

- See attached Group 5 Mail List



Map 1: Boulder (00509) Allotment



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

- | | | | |
|--------------------|-----------|------------------|-------------------|
| Allotment Boundary | Reservoir | Perennial Stream | Management |
| Pasture Boundary | Spring | Improved Road | |
| Exclosure | Trough | Primitive Road | |
| | | | |
| | | | BLM |
| | | | State |
| | | | Private |



1:45,000

Group 5 Proposed Decision Mail List

Company	Name	Address	City	ST	ZIP	#	
Friends of Mustangs	Robert	Amidon	8699 Gantz Ave.	Boise	ID	83709	1
Soil Conservation District	Cindy	Bachman	PO Box 186	Bruneau	ID	83604	2
	Conrad	Bateman	740 Yakima St.	Vale	OR	97918	3
Idaho Dept. of Agriculture	John	Biar	PO Box 790	Boise	ID	83707	4
Boise District Grazing Board	Stan	Boyd	PO Box 2596	Boise	ID	83701	5
	Gene	Bray	5654 W El Gato Ln.	Meridian	ID	83642	6
Colyer Cattle Co.	Ray & Bonnie	Colyer	31001 Colyer Rd.	Bruneau	ID	83604	7
	Senator: Mike	Crapo	251 East Front Street STE 205	Boise	ID	83702	8
Owyhee County Natural Resources Committee	Jim	Desmond	PO Box 38	Murphy	ID	83650	9
Land & Water Fund	William	Eddie	PO Box 1612	Boise	ID	83701	10
Western Watershed Projects	Katie	Fite	PO Box 2863	Boise	ID	83701	11
Gusman Ranch Grazing Association LLC	Forest	Fretwell	27058 Pleasant Valley Rd.	Jordan Valley	OR	97910	12
	Chad	Gibson	16770 Agate Ln.	Wilder	ID	83676	131
Resource Advisory Council	Chair: Gene	Gray	2393 Watts Lane	Payette	ID	83661	415
	Russ	Heughins	10370 W Landmark Ct.	Boise	ID	83704	16
Jaca Livestock	Elias	Jaca	817 Blaine Ave.	Nampa	ID	83651	17
Idaho Wild Sheep Foundation	President: Jim	Jeffress	PO BOX 8224	Boise	ID	82707	18
	Dan	Jordan	30911 Hwy. 78	Oreana	ID	83650	19
	Floyd	Kelly Breach	9674 Hardtrigger Rd.	Given Springs	ID	83641	20
	Kenny	Kershner	PO Box 300	Jordan Valley	OR	97910	21
	Vernon	Kershner	PO Box 38	Jordan Valley	OR	97910	22
	Lloyd	Knight	PO Box 47	Hammett	ID	83627	23
	Congressman: Raul	Labrador	33 E. Broadway Ave STE 251	Meridian	ID	83642	24
The Fund for the Animals, Inc.	Andrea	Lococo	1363 Overbacker	Louisville	KY	40208	25
LU Ranching	Tim	Lowry	PO Box 132	Jordan Valley	OR	97910	26
Idaho Wild Sheep Foundation	Herb	Meyr	570 E 16th N.	Mountain Home	ID	83647	27
R&S Enterprise	Ray	Mitchell	265 Millard Rd.	Shoshone	ID	83352	28
	Brett	Nelson	9127 W. Preece St.	Boise	ID	83704	29
	Ramona	Pascoe	PO Box 126	Jordan Valley	OR	97910	30

Company	Name		Address	City	ST	ZIP	#
	Anthony & Brenda	Richards	8935 Whiskey Mtn. Rd.	Murphy	ID	83650	31
	Senator: James E.	Risch	350 N 9th Street STE 302	Boise	ID	83702	32
Idaho Conservation League	John	Robison	PO Box 844	Boise	ID	83701	33
	John	Romero	17000 2X Ranch Rd.	Murphy	ID	83650	34
	Bob	Salter	6109 N. River Glenn	Garden City	ID	83714	35
Intermountain Range Consultants	Bob	Schweigert	5700 Dimick Ln.	Winnemucca	NV	89445	36
	Congressman: Mike	Simpson	802 West Bannock STE 600	Boise	ID	83702	37
Shoshone-Bannock Tribes	Tribal Chair: Nathan	Small	PO Box 306	Ft. Hall	ID	83203	38
Juniper Mtn. Grazing Association	Michael	Stanford	3581 Cliffs Rd.	Jordan Valley	OR	97910	39
	John	Townsend	8306 Road 3.2 NE	Moses Lake	WA	98837	40
Moore Smith Buxton & Turcke	Paul	Turcke	950 W. Bannock, Ste. 520	Boise	ID	83702	41
Natural Resources Defence Council	Johanna	Wald	111 Sutter St., 20 th Floor	San Francisco	CA	94104	42
Office of Species Conservation	Cally	Younger	304 N. 8 th STE 149	Boise	ID	83702	43
Owyhee County Commissioners			PO Box 128	Murphy	ID	83650	44
Holland & Hart LLP			PO Box 2527	Boise	ID	83701	45
Idaho Cattle Association			PO Box 15397	Boise	ID	83715	46
IDEQ			1410 N. Hilton	Boise	ID	83701	47
Idaho Dept. of Lands			PO Box 83720	Boise	ID	83720	48
Idaho Farm Bureau Fed.			PO Box 167	Boise	ID	83701	49
International Society for the Protection of Horses & Burros	Karen	Sussman	PO Box 55	Lantry	SD	57636	50
Oregon Division State Lands			1645 NE Forbes Rd., Ste. 112	Bend	OR	97701	51
Owyhee Cattlemen's Association			PO Box 400	Marsing	ID	83639	52
Schroeder & Lezamiz Law Offices			PO Box 267	Boise	ID	83701	53
Sierra Club			PO Box 552	Boise	ID	83701	54

Company	Name		Address	City	ST	ZIP	#
State Historic Preservation Office			210 Main St.	Boise	ID	83702	55
State of Nevada Div. of Wildlife			60 Youth Center Rd.	Elko	NV	89801	56
The Nature Conservancy			950 W. Bannock, Ste. 210	Boise	ID	83702	57
The Wilderness Society			950 W. Bannock St., Ste. 605	Boise	ID	83702-5999	58
U.S.F.W.S. Idaho State Office			1387 S. Vinnell Way, Ste. 368	Boise	ID	83709	59
USDA Farm Services			9173 W. Barnes	Boise	ID	83704	60
Western Watershed Projects			PO Box 1770	Hailey	ID	83333	61
Josephine Ranch	Steve	Boren	1050 N. Briar Lane	Bosie	ID	83712	62
Lequerica & Sons Inc.	Tim	Lequerica	PO Box 113	Arock	OR	97902	63
	Robert	Thomas	17947 Shortcut Rd.	Oreana	ID	83650	64
Idaho Fish & Game	Rick	Ward	3101 S. Powerline Rd.	Nampa	ID	83686	65
Ranges West			2410 Little Weiser Rd.	Indian Valley	ID	83632	66
	Craig & Rhonda	Brasher	4401 Edison	Marsin	ID	86369	67
Corral Creek Crazing Assoc.	Tim	Lequerica	P.O. Box 135	Arock	OR	97902	68
LU Ranching	Bill	Lowry	PO Box 132	Jordan Valley	OR	97910	69
	Sandra	Mitchell	PO Box 70001	Boise	ID	83707	70
Paula Ashby	c/o: Scott	Ashby	P.O. Box 247	Bruneau	ID	83604	71
Wintercamp Ranch Trust	Don	Barnhill	P.O. Box 1	Murphy	ID	83650	72
	Dale	Berrett	3540 Hwy 95	Jordan Valley	OR	97910	73
Oregon Natural Desert Association	Brent F	Fenty	50 S. W. Bonds St. #4	Bend	OR	97702	74
	Thomas	Gluch	P.O. Box 257	Jordan Valley	OR	97910	75
Chipmunk Grazing Association	Elias	Jaca	PO Box 175	Marsing	ID	83639	76
	Loetta	Larsen	P.O. Box 156	Jordan Valley	OR	97910	77
Poison Creek Grazing Association LLC	Tim	Mackenzie	PO Box 443	Homedale	ID	83628	78
	Teo & Sarah	Maestresjuan	26613 Pleasvant Valley Rd.	Jordan Valley	OR	97910	79
	WF & Carolyn	Peton	P.O. Box 998	Veneta	OR	97487	80
Morgan Properties	David	Rutan	P.O. Box 277	Jordan Valley	OR	97910	81
06 Livestock	Dennis	Stanford	P.O. Box 167	Jordan Valley	OR	97910	82

Company	Name		Address	City	ST	ZIP	#
South Mountain Grazing Coop	Terry	Warn	P.O. Box 235	Jordan Valley	OR	97910	83
	Phillip & Benjamin	Williams	1807 Danner Loop Rd	Jordan Valley	OR	97910	84
Idaho Dept. of Parks & Recreation	Director		PO Box 83720	Boise	ID	83720	85
Wroten Land & Cattle Co			30314 Juniper Mtn. Rd	Jordan Valley	OR	97910	86
Quintana Ranch LLP	Tim	Quintana	3876 Hwy. 95	Homedale	ID	83628	87