



United States Department of the Interior  
BUREAU OF LAND MANAGEMENT

Owyhee Field Office  
20 First Ave West  
Marsing, ID 83639  
(208) 896-5912



In Reply Refer To:  
4160 ID130

November 26, 2013

**REGISTERED MAIL**

Morgan Properties LP DBA Morgan Ranches  
C/O David Rutan  
Box 277  
Jordan Valley, OR 97910

**Notice of Field Manager's Proposed Decision**

Dear Mr. Rutan:

Thank you for your application for permit renewal on the South Mountain Individual Allotment. Thank you also for working with the Bureau of Land Management (BLM) through this permit renewal process; I appreciate your interest in grazing the allotments in a sustainable fashion and am confident that this proposed decision achieves that objective.

As you know, the BLM recently evaluated current grazing practices and current conditions in the South Mountain Individual Allotment. We undertook this effort to ensure that any renewed grazing permit(s) on these allotments will be consistent with the BLM's legal and land management obligations. As part of our evaluation process, rangeland health assessment, evaluation, determinations and specialist reports were completed; this proposed decision incorporates by reference the information contained in those documents.

The BLM also engaged in public scoping and met with members of the public interested in grazing issues in the South Mountain Individual Allotment. The process for completing the Morgan Group Allotments Livestock Grazing Permit Renewal Preliminary Environmental Assessment (hereinafter "Morgan Group EA") began with releasing a scoping letter on January 11, 2013. The letter encouraged comments and information to be received by February 25, 2013 for the Morgan Group allotments but did not set a closing date for the receipt of public comments. All comments are addressed in the Morgan Group EA, including BLM Responses to comments considered during development of the Morgan Group EA. The package solicited comments to better identify issues associated with renewing livestock grazing permits on these allotments. In addition to the scoping period identified above, my staff and members from the NEPA Permit Renewal Team, met with you on April 16, 2013, to discuss your grazing permit renewal application, current allotment conditions, and share information about your livestock operations within this allotment. During this meeting, we discussed with you their preliminary conclusions regarding rangeland

health and standards and guidelines and made our 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 South Mountain Individual 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 25, 2013, for 15-day review and comment. Issuance of the preliminary Group 5 EA afforded yet another opportunity for grazing permittees and interested publics to provide additional input on the Group 5 EA and inform me in preparation of completing a proposed grazing decision.

After evaluating conditions on the land and meeting with you and the public, it became clear that resource concerns currently exist on the South Mountain Individual allotment.

To assist us in addressing livestock impacts to public land resources, my office prepared and issued the Morgan Group EA wherein 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 South Mountain Individual allotment. We also considered other alternatives 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 natural resource conditions on the South Mountain Individual Allotment is consistent with the goals and objectives of the Owyhee Resource Management Plan (ORMP) and the Idaho Standards for Rangeland Health and Guidelines for Livestock Grazing Management (Idaho S&Gs). This proposed decision incorporates by reference the analysis contained in the Morgan Group EA.

We have now completed the most difficult part of the permit renewal process and I am prepared to issue a proposed decision to renew your permit to graze livestock within the South Mountain Individual Allotment. After careful consideration, I have selected Alternative 3 as a proposed decision for the South Mountain Individual Allotment. Upon implementation of the decision, your permit(s) to graze livestock in the South Mountain Individual Allotment will be fully processed using the revisions to the grazing regulations<sup>1</sup> in 1995, adoption of the Idaho S&Gs in 1997, and implementation of the ORMP in 1999.

This proposed decision will:

- Describe current conditions and issues on the allotments;
- Briefly discuss the alternative grazing management systems that the BLM considered in the Morgan Group EA;
- Respond to the application for grazing permit renewal for use in the South Mountain Individual Allotment;
- Outline my proposed decision to select Alternative 3 in South Mountain Individual Allotment;

---

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

- Explain my rationale for proposing this alternative.

## Background

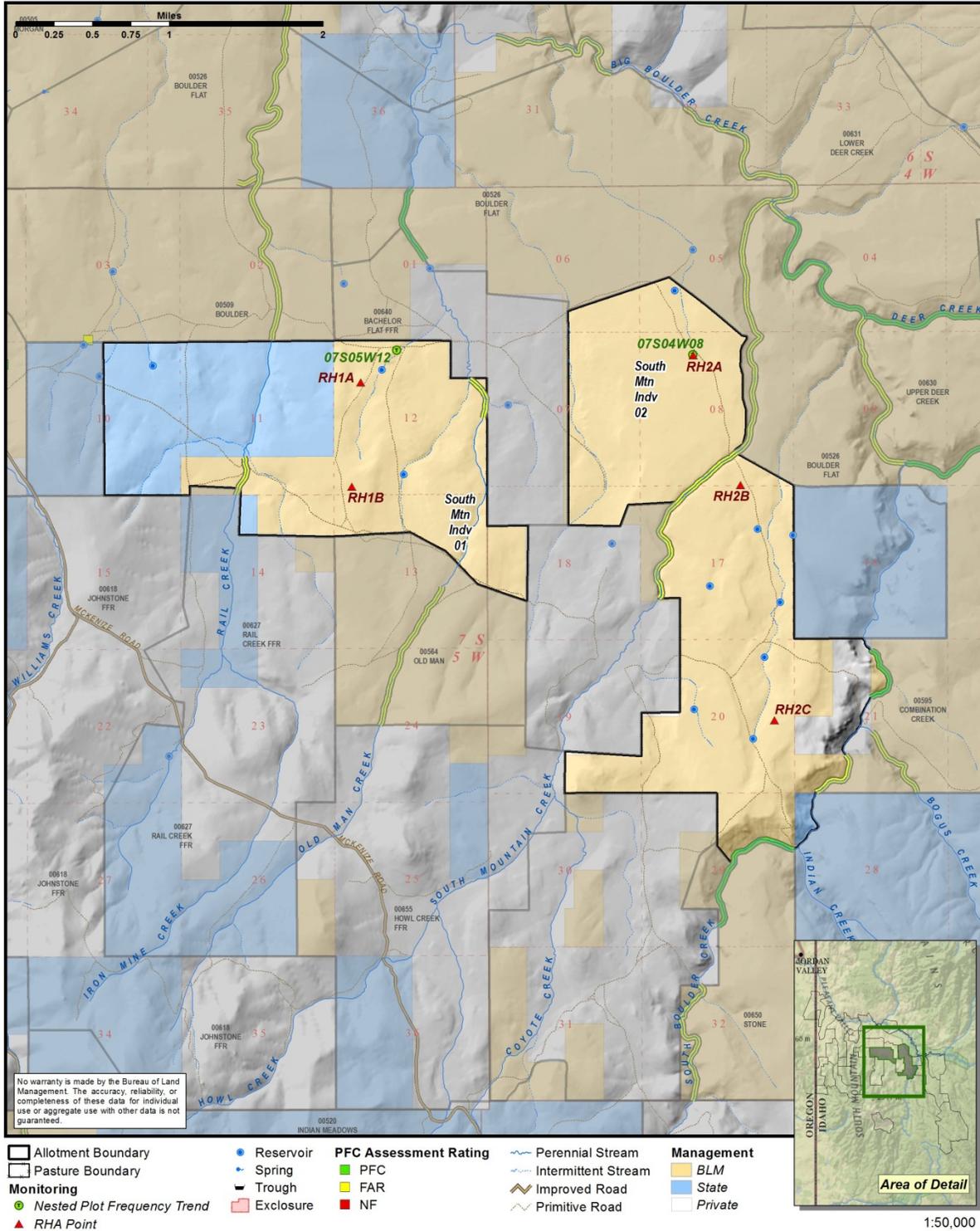
### *Allotment Setting*

The South Mountain Individual allotment is located approximately 12 miles southwest of Silver City, Idaho (Map 1). In the 1999 ORMP, the South Mountain Individual Allotment was placed in Selective Management Category “Improve” with low priority. Of the 4,517 acres on the allotment 3,517 acres are BLM lands, 158 acres of private lands and 842 acres of state lands. Allotments in this category are administered with an objective to manage the public lands with adequate expenditure of funding and manpower to improve current unsatisfactory resource conditions. This allotment must meet or make progress toward meeting the Idaho S&Gs. The ORMP identified 511 animal unit months (AUMs) of active preference for livestock grazing in the South Mountain Individual Allotment.

One existing grazing permit authorizes livestock grazing use of the South Mountain Individual FFR allotment with a current total permitted use of 511 animal unit months (AUMs), of which all are active use and none are suspension AUMs. Although the existing permit identifies a season of use between 4/20 and 11/30. Recent actual use data annually provided by the permittee indicate that the allotment is typically used beginning in mid-February and extending to late-November.



# Map 1: South Mtn Indv (00600) Allotment



***Current Grazing Authorization***

You currently graze livestock on the South Mountain Individual Allotment pursuant to a grazing permit issued by the BLM. The terms and conditions of that grazing permit are as follows:

**Table 1: Morgan Properties LP DBA Morgan Ranches**

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
00600 South Mountain Ind.	100	Cattle	4/20	11/30	69	Active	511

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 exclosures located within the grazing allotment are closed to all domestic grazing use.
8. Range improvements must be maintained in accordance with the cooperative agreement and range improvement permit in which you are a signatory or assignee. All maintenance of range improvements within designated Wilderness requires prior consultation with the authorized officer.
9. All appropriate documentation regarding base property leases, lands offered for exchange-of-use, and livestock control agreements must be approved prior to turn out. Leases of land and/or livestock must be notarized prior to submission and be in compliance with Boise District Policy.
10. Failure to pay the grazing bill within 15 days of the due date specified shall result in a late fee assessment of \$25.00 or 10 percent of the grazing bill, whichever is greater, not to exceed \$250.00. Payment made later than 15 days after the due date shall include the appropriate late fee assessment. Failure to make payment within 30 days may be a violation of 43 CFR § 4140.1(b)(1) and shall result in action by the authorized officer under 43 CFR § 4150.1 and § 4160.1.
11. Utilization may not exceed 50 percent of the current year’s growth.
12. A minimum 4-inch stubble height will be left on herbaceous vegetation within the riparian area along .75 miles of South Mountain Creek in Allotment 0600 at the end of the growing season.

As part of a settlement agreement, the following additional terms and conditions were added to the above permits in March of 2000:

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

The current permit authorizes annual use as seen in Table 2, below. However, based on recent management actions over the last ten years, it is clear that in most years you have used the allotment with different livestock numbers and seasons compared to the numbers and dates identified in the Mandatory Terms and Conditions, utilizing the flexibility that was authorized in the grazing permit resulting in average actual use.

**Table 2:** Average Actual use as compared to Active Use AUMs

Allotment Name	Baseline Active AUMs	Average Actual Use	Percent Difference Active vs. Average Actual Use AUMs
South Mountain Ind.	511	342	-33%

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 allotments. In other words, the current condition of the allotments is not the result of what was authorized under the current permit, but rather is the result of a varied number of AUMs and seasons of use over the past several years.

***Guidelines for Livestock Grazing Management***

The BLM’s 2013 Determination (USDI BLM, 2013) for the South Mountain Individual 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 bases) 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 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 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.*

**Table LIV 1.0:** Standards and Guidelines that are not being met under current BLM grazing management

<b>Allotment</b>	<b>Standards Met</b>	<b>Standards Not Met, But Making Significant Progress</b>	<b>Standards Not Being Met</b>	<b>Standards Not Being Met and Current Livestock Grazing Significant Causal Factor</b>	<b>Standards Not Applicable</b>	<b>Guidelines</b>
South Mountain Ind.	None	None	4,7	1,2,3,8	5,6	1,3,4,5,7,8, 11,12

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

### **Resource Conditions**

The South Mountain Individual Allotment consists of two pastures. Standards 1, 2, 3, 4, 7, and 8 of the applicable Standards for Rangeland Health are not being met in the South Mountain Individual Allotment, while Standards 5 and 6 are not applicable to this allotment. Current livestock grazing management practices are significant factors in not meeting Standards 1, 2, 3, and 8, while livestock is not the causal factor for not meeting Standards 4 and 7. Livestock

management practices do not conform with the applicable Livestock Grazing Management Guidelines 1, 3, 4, 5, 7, 8, 11, and 12.

### ***Soils-uplands<sup>2</sup>***

Current and past livestock grazing management practices are significant causal factors for not meeting upland watershed Standard 1 in pastures 1 and 2 of the South Mountain Individual Allotment. Deteriorated conditions in both pastures are evidenced by the widespread and uniform loss of the soil surface horizon, active erosional features, extensive bare ground, and physical impacts from increased amounts of trampling and hoof shearing.

The reduction in soil and hydrologic function is associated with altered plant community composition and distribution due to decreased relative abundance of large, deep-rooted native perennial bunchgrasses. Past grazing management altered plant community composition and distribution that has resulted in accelerated erosional processes and extensive loss of surface soils. The establishment of vegetation cover in interspaces continues to be inhibited as mortality rates on pedestals are high and as mechanical disturbance from spring grazing continues.

Degraded ecological conditions will not lead to improvement in watershed health, especially with annual spring grazing and the absence of rest. The decreased ability for proper nutrient cycling, hydrologic cycling, and energy flow due to reduced soil and hydrologic function lead to a conclusion that the allotment is not meeting Standard 1 and ORMP soil management objectives of improving unsatisfactory watershed health/conditions for the South Mountain Individual Allotment.

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

Rangeland health Standard 4 is not met in pastures 1 and 2 of the South Mountain Individual Allotment due to historic livestock management. Evidence of historic grazing impacts are present throughout the allotment, with the reduced composition of deep-rooted native perennial bunchgrasses (e.g., bluebunch wheatgrass and Idaho fescue) from reference site conditions and a greater dominance by increaser species (e.g., Sandberg bluegrass and squirreltail) including juniper. Historic grazing and invasive annuals in pastures 1 and 2 are the causal factors in the failure to meet Standard 4.

Qualitative rangeland health assessment data indicate that Standard 4 is not being met evidenced by moderate to extreme departure of functional-structural groups in the RHAs dominated by shallow-rooted bunchgrass and invasive annuals, rather than the ecological reference site conditions dominated by deep-rooted bunchgrasses in both pastures. This conclusion is supported by current ecological site descriptions and correlation to vegetation inventories.

Interpretation of trend data in pasture 2 conclude that the deterioration of biotic conditions due to lack of deep-rooted bunchgrasses and increasing annual invasives on the site has compromised the biotic integrity of the site.

---

<sup>2</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 3.5.1 and (USDI BLM, 2013)

<sup>3</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 3.5.1 and (USDI BLM, 2013)

The Owyhee Resource Management Plan management objective to improve unsatisfactory and maintain satisfactory vegetation health/condition on all areas is also not met within pasture 1 and 2. Vegetation communities dominated by shallow-rooted bunchgrasses in pasture 1 and 2, with the expansion of annual invasive grasses lead to a conclusion that the vegetation management objective is not met.

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

The South Mountain Individual Allotment is not meeting Standards 2 and 3 due to current livestock grazing. Of the total 6.8 miles of stream on the allotment, pasture 1 contains 0.3 mile of Old Man Creek that was rated functioning-at-risk (FAR) with an upward trend in 2004; the observers noted improvement, but there were issues with the banks being terraced and the channel was over-wide. Another 0.3 mile of Rail Creek was assessed FAR in 2000 because there was a lack of composition and age class of hydric vegetation that is necessary to protect streambanks.

Of the total 3.8 miles of stream on the allotment 1.5 miles of South Mountain Creek were assessed FAR in 2000 in pasture 2. The stream reach had an inadequate cover of hydric species to stabilize and protect stream banks during high flows, the vegetation present was in poor condition, and the banks and channel were trampled by livestock. A 0.6-mile portion of the same reach was re-visited in 2011 and photos and field notes were taken. The reach appeared to be FAR, with a lack of hydric vegetation present and evidence of stream bank and channel trampling. The observers also noted that the stream was fish bearing. Approximately 1.7 miles of South Boulder Creek were rated FAR in 2000 because the vegetation present did not reflect maintenance of hydric soils and the vegetation was inadequate to protect stream banks. In 2011, a portion of the same reach was re-visited and the observers noted the stream is geologically confined and inaccessible to livestock; however, the PFC protocol was not applied.

Current livestock grazing management practices are significant causal factors for not meeting Standards 2 and 3. The field assessments document both direct and indirect effects attributable to livestock that are affecting the riparian area condition. Residual vegetation has not been sufficient to maintain or improve riparian-wetland function, and the recent grazing schedule has not allowed for rest years.

#### ***Special Status Plants<sup>5</sup>***

No special status plants are known to occur on South Mountain Individual allotment.

#### ***Wildlife/Wildlife Habitats and Special Status Animals<sup>6</sup>***

##### ***Upland Habitat***

The analysis of Standard 4 identified that both pastures 1 and 2 in the South Mountain Individual Allotment are not meeting Rangeland Health Standards due to past grazing practices, invasive

---

<sup>4</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 3.5.1 and (USDI BLM, 2013)

<sup>5</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 3.7.1 and (USDI BLM, 2013)

<sup>6</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 3.6.1 and (USDI BLM, 2013)

annuals, and juniper encroachment. Currently, the plant community is transitioning from a dominance of large perennial grasses such as bluebunch wheatgrass and Idaho fescue to a community dominated by smaller, more grazing-tolerant species such as Sandberg bluegrass and invasive annual species. These species lack the robust growth form and stature of larger perennial grasses and do not provide the plant composition, structure, and function for sagebrush steppe-dependent species. In addition, the invasion of juniper is contributing to changes in the distribution and composition of the sagebrush steppe habitat type and creating a less-than-desirable environment for upland sagebrush steppe-dependent species. Because the upland plant community is showing a downward trend in sagebrush community composition, distribution, and structure, this allotment therefore is failing to provide adequate upland habitat conditions for sagebrush steppe species and is not meeting Standard 8 due to historic livestock practices, invasive annuals, and juniper encroachment.

*Riparian Habitat*

Evaluation under Standards 2 and 3 identified streams and springs within this allotment that are not properly functioning due to historic and current grazing practices (see Water Resources and Riparian/Wetland Areas section) and therefore do not meet Standard 8. This allotment is also not meeting water quality parameters set by Idaho DEQ due to high levels of mercury pollutants (not current livestock grazing practices). Streams, springs, and wetlands that are FAR are lacking adequate riparian vegetation composition and distribution to provide the structure and function to support a productive riparian environment. This is seen in reaches of South Mountain Creek and South Boulder Creek with inadequate riparian vegetation composition and structure to stabilize banks, reduce erosion and minimize the effects of high flows (see Water Resources and Riparian/Wetland Areas section). Because Standards 2 and 3 are not being met, this allotment is failing to provide adequate riparian conditions to support viable aquatic and terrestrial species populations and therefore is not meeting Standard 8 due to historic and current grazing practices.

**Focal Species**

*Sage-grouse*

This allotment lies within mapped Preliminary Priority Habitat (PPH) habitat for sage-grouse (Table WDLF-1); and provides seasonal breeding, upland summer, riparian, and winter habitat for sage-grouse. There are three non-active leks documented in this allotment. Sage-grouse breeding and upland summer habitat conditions in pasture 2 were found to be marginal. The habitat assessments recorded marginal overstory sagebrush canopy cover and height and unsuitable understory canopy cover of large perennial grasses (i.e., Idaho fescue) and forbs, indicating that functional nesting, brood-rearing, escape, and hiding cover elements are not adequate in this pasture for nesting/early brood-rearing and late brood-rearing sage-grouse and therefore is not meeting Standard 8 due to historic grazing practices.

**Table WDLF-1:** Acres<sup>1</sup> and portions of Preliminary Priority Habitat (PPH) and Preliminary General Habitat (PGH) within the South Mountain Individual Allotment

Allotment/Pasture Name	Acres of PPH Sagebrush Habitat in Allotment <sup>2</sup>	Acres of PPH Perennial Grassland in Allotment	Acres of PPH Juniper Encroachment in Allotment	Acres of PGH in Allotment	Portion of Allotment in PPH/PGH

Allotment/Pasture Name	Acres of PPH Sagebrush Habitat in Allotment <sup>2</sup>	Acres of PPH Perennial Grassland in Allotment	Acres of PPH Juniper Encroachment in Allotment	Acres of PGH in Allotment	Portion of Allotment in PPH/PGH
Pasture 1	1,915 (98%)	0	30 (2%)	0	1,945 (100%)
Pasture 2	929 (36%)	0	1,251 (49%)	106 (4%)	2,286 (89%)
Allotment Total	2,844 (63%)	0	1,281 (28%)	106 (2%)	4,231 (93%)

<sup>1</sup>PPH/PGH habitat acreage totals include public lands, state lands, and private property.

<sup>2</sup>PPH sagebrush can also include small amounts of perennial grasslands, conifer encroachment, and non-habitat.

### *Columbia Redband Trout and Columbia Spotted Frog*

Streams within this allotment are documented to contain Columbia River redband trout and this allotment also lies within the mapped distribution of Columbia spotted frogs. Both are aquatic focal species that require properly functioning riparian habitat conditions to exist. Columbia redband trout intact channels with well-developed riparian communities that stabilize banks to minimize erosion and create undercuts, minimize impacts of flood events and filters sediments, provide shade to reduce water temperatures, and contribute woody debris to create channel structure and regulate seasonal flow. Columbia 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. The analysis of Standards 2 and 3 identified streams and springs that are not properly functioning due to historic and current grazing practices (see Water Resources and Riparian/Wetland Areas section), as is the case with reaches of South Mountain Creek and South Boulder Creek that were found to provide inadequate riparian vegetation composition and structure to stabilize banks, reduce erosion and minimize the effects of high flows (see Water Resources and Riparian/Wetland Areas section). Because streams are not functioning properly and are not providing habitat conditions for these species, this allotment is not providing adequate aquatic conditions to sustain viable populations of Columbia redband trout and Columbia spotted frogs and therefore is not meeting Standard 8 due to historic and current grazing practices nor meeting BLM management responsibilities for Special Status Species.

### Issues<sup>7</sup>

Throughout the internal and external (public) scoping process and project development period, the BLM interdisciplinary team identified the following issues concerning livestock grazing management in one or more of the South Mountain Individual Allotment:

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

<sup>7</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 1.5.

2. Riparian vegetation conditions: Livestock grazing is affecting riparian condition and aquatic habitat by changing the health and composition of riparian vegetation communities.
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.
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.
5. Special Status Plant Species: Livestock grazing is adversely affecting special status plants by altering surrounding upland vegetation, habitat and reproduction of individuals.
6. Noxious and invasive weeds: Livestock grazing and trailing has the potential to increase or spread noxious and invasive weeds.
7. Livestock trailing: Trailing may adversely affect upland vegetation, soils, weeds and riparian vegetation.
8. Socioeconomic impacts: Livestock grazing affects local and regional socioeconomic activities generated by livestock production.
9. Wildfire fuels: Livestock grazing has the potential to change vegetation that may affect wildfire.
10. Climate Change: The issue of climate change and its relationship to the proposed federal action of renewing grazing permits is twofold. Livestock grazing in Owyhee County contributes CO<sub>2</sub> and methane emissions to the earth's atmosphere. In addition, climate change, itself a stressor on the sagebrush-steppe semi-arid ecosystem found in the Owyhee Uplands can, when found in conjunction with cattle grazing, further stress the ecosystem's vegetation.

### **Analysis of Alternative Actions**

The range of alternatives developed include: Alternative 1 - No Action/Current Situation, Alternative 2 - Permittee's Application, Alternative 5 - No Grazing, as well as Alternatives 3 and 4, which were developed based on resource constraints. These alternatives were developed in response to current conditions on the South Mountain Individual Allotment and the issues identified above to ensure that any renewed grazing permit would result in maintaining good conditions and improving unsatisfactory conditions on the allotments. Overall, five alternatives were considered and analyzed in the Morgan Group EA, with Alternatives 1, 2, 3, 4, and 5 for the South Mountain Individual Allotment.

The following sections describe the general theme of each of the alternatives for the South Mountain Individual Allotment, for full details refer to the Morgan Group EA # DOI-BLM-ID-B030-2013-0023-EA and Appendix D for permittees full proposals.

#### ***Alternative 1 - Current Situation***

Alternative 1 would allow a continuation of your current management on the allotments. The South Mountain Individual Allotment would be authorized as described on your existing permit. Interim terms and conditions imposed by the U.S. District Court in February 29, 2000 are also included.

### ***Alternative 2 - Permittee Applications<sup>8</sup>***

Alternative 2 would authorize livestock grazing consistent with your application. The management on the South Mountain Individual Allotment is based on percent public land and the season of use is described as March 1 through February 28, and livestock numbers and AUMs vary depending on total acres of unfenced BLM lands within the allotment boundaries.

### ***Alternative 3 - Deferred Grazing<sup>9</sup>***

Alternative 3 would utilize deferment, built around the application of resource constraints where there were issues and/or where Standards were not being met. Stubble height, browse (where applicable), streambank alteration in key riparian areas, and maintenance of perennial grass height on upland key species would be identified as terms and conditions.

### ***Alternative 4 - Season Based<sup>10</sup>***

The grazing schedules for the South Mountain Individual Allotment would include deferment and/or rest under Alternative 4. Resource constraints were applied where there were issues and/or where Standards were not being met.

### ***Alternative 5 - No Grazing***

This alternative would result in no grazing during a ten year period for the South Mountain Individual Allotment.

The Morgan Group EA detailing these alternatives was made available for public review and comment for a 15-day period ending December 8, 2013. In addition to timely comments received from you, a number of government entities and agencies, interest groups, and members of the public also provided comments. Timely comments that were received are summarized and responses are incorporated in the completed Morgan Group EA available on the web at:

[http://www.blm.gov/id/st/en/prog/nepa\\_register/owyhee\\_grazing\\_group/grazing\\_permit\\_renewal0.html](http://www.blm.gov/id/st/en/prog/nepa_register/owyhee_grazing_group/grazing_permit_renewal0.html)

## **Proposed Decision**

After considering the current grazing practices, the current conditions of the natural resources, and the alternatives and analysis in the Morgan Group EA, as well as other information, it is my proposed decision to renew your grazing permit for ten years with modified terms and conditions consistent with the following:

---

<sup>8</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Alternative 2 in Section 2.2.2 and due to the complexity of the permittees proposal refer to Appendix D for full details.

<sup>9</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Alternative 3 in Section 2.2.3.

<sup>10</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Alternative 4 in Section 2.2.4.

South Mountain Individual Allotment - Alternative 3, modified, as described in EA number DOI-BLM-ID-B030-2013-0023-EA.

Implementation of this alternative over the next 10 years will allow the South Mountain Individual Allotment to meet or 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(s) will be as follows:

**Table PROP 1.0.** Morgan Properties LP DBA Morgan Ranches Mandatory Terms and Conditions

Allotment	Livestock		Grazing Period		% PL <sup>11</sup>	Type Use	AUMs
	Number	Kind	Begin	End			
00600 South Mountain Ind	250 <sup>12</sup>	Cattle	4/20	11/30	69	Active	511
<p>Other terms and conditions:</p> <ol style="list-style-type: none"> <li>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.</li> <li>Turn-out is subject to the Boise District range readiness criteria.</li> <li>The permittee’s certified actual use report is due within 15 days of completing the authorized annual grazing use.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>Livestock exclosures located within the grazing allotment are closed to all domestic grazing use.</li> <li>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.</li> <li>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.</li> <li>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.</li> </ol>							

<sup>11</sup> PL is based on percentage of BLM lands in the Allotment.

<sup>12</sup> Seasons of use may vary between 4/20 and 11/30 as long as total 511 AUMs are not exceeded; cattle number may vary up to maximum 250 head. If cattle numbers are used at maximum levels the season of use would be decreased, this will require prior approval in annual grazing application.

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. Utilization may not exceed 50 percent of the current year's growth.

**South Mountain Individual Allotment**

As a result of the above Alternative 3, modified, actions, mandatory and other terms and conditions of the offered permit for grazing use in the South Mountain Individual allotment schedule would be defined as listed in Table PROP 1.1 and the applicable Boise District terms and conditions and other terms and conditions as follows:

1. Within pasture 2, a minimum of 6 inch stubble height, 30 percent browse (where applicable), and less than 10 percent bank alteration will be maintained in key riparian areas at the end of the grazing season.
2. Seasons of use may vary between 4/20 and 11/30 as long as total 511 AUMs are not exceeded; cattle number may vary up to maximum 250 head. Changes to the scheduled use and numbers require approval. If cattle numbers are used at maximum levels the season of use would be decreased, this will require prior approval in annual grazing application.

**Table PROP 1.1:** Alternative 3, modified, grazing schedule for the South Mountain Individual allotment

Pasture	Year 1	Year 2	Year 3
Pasture 1	4/20-7/1	4/20-7/1	10/1-11/30
Pasture 2	7/2-11/30	7/2-11/30	Rest

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

Morgan Properties LP DBA Morgan Ranches will be offered a grazing permit(s) for a term of 10 years for the South Mountain Individual Allotments. Permitted use within allotments will be as follows (Table PROP 1.2):

**Table PROP 1.2:** Permitted Use

Allotment	Active Use	Suspension	Permitted Use
South Mountain Ind.	511 AUMs	0 AUMs	511 AUMs

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

Finally, it is my proposed decision not to authorize additional projects<sup>13</sup>. The existing coordinated process to identify, analyze, and authorize as appropriate the restoration, improvement, or

<sup>13</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 2.4.

development of livestock water sources and other projects remains in place for project-specific consideration outside the permit renewal process. Project maintenance obligations identified in current range improvement permits and cooperative agreements for range improvements are unchanged by this proposed decision. Implementation of this proposed decision is contingent upon maintenance of projects in a functioning condition (i.e., boundary and internal fences are in such good and functioning condition as to assure their ability to accomplish the purposes for which they were constructed, barriers to livestock movement).

## Rationale

### *Record of Performance*

Pursuant to 43 CFR § 4110.1(b)(1), a grazing permit may not be renewed if the permittee seeking renewal has an unsatisfactory record of performance with respect to its last grazing permit. Accordingly, I have reviewed Morgan Properties LP DBA Morgan Ranches records as a grazing permit holder for the South Mountain Individual Allotments and have determined that both have a satisfactory record of performance and are qualified applicants for the purposes of a permit renewal.

### *Justification for the Proposed Decision*

Based on my review of Morgan Group EA number DOI-BLM-ID-B030-2013-0023-EA, the rangeland health assessment/evaluation, determinations, specialist reports and other documents in the project record, it is my proposed decision to select Alternative 3, modified, for the and South Mountain Individual Allotment. I have made this selection for a variety of reasons, but most importantly because of my understanding that implementation of this decision will best fulfill the BLM's obligation to manage the public lands under the Federal Land Policy and Management Act's multiple use and sustained yield mandate, and will result in the South Mountain Individual Allotment meeting or 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 South Mountain Individual Allotment. I want you to know that I focused my attention on the allotment-specific issues as I weighed each alternative and made my decision. My selection of Alternative 3, modified, for the South Mountain Individual Allotments was in large part because of my understanding that this selection best addressed the specific issues, given the BLM's legal and land management obligations. I spent hours with members of my staff and the NEPA Permit Renewal Team to discuss pros and cons for each alternative. Ultimately, I had to choose the alternative that best protects the resource while considering your livestock operation, current resource conditions, and expectations from you as the permittee, and the BLM as the responsible office.<sup>14</sup> High value resources include Columbia spotted frog and Columbia redband trout.

---

<sup>14</sup> Your allotments are, as you know, members of one group of six groups of allotments forming the Owyhee 68 Allotments, which are the subject of a permit renewal process to be completed by December 31, 2013. The NEPA

***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 South Mountain Individual Allotment 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.***

The sage-grouse is an indicator species for the sagebrush ecosystem, thus the attributes of suitable sage-grouse habitat provide an effective barometer for health of the sagebrush ecosystems that dominate the South Mountain Individual Allotment. Sage-grouse habitat quality is inseparable from the vegetation community conditions discussed in Standard 4 (Native Plant Communities). Therefore, the following is a combined rationale for my alternative selection as it relates to the issues of sage-grouse habitat and upland vegetation and watershed conditions.<sup>15</sup>

Rangeland Health Standard 4 is not being met in pasture 1 and 2 of the South Mountain Individual allotment due to annual invasives, juniper encroachment and historic livestock grazing.

---

process for the Owyhee 68 consists of 5-plus EAs and the EIS which supports this particular set of decisions. This multiple-allotment process has required me, as the Field Manager responsible for signing these grazing decisions, to look at these allotments, and the other allotments analyzed in the EAs and the EIS, not just individually but as a members of a group of allotments located in a particular landscape, the BLM Owyhee Field Office. That is, I am looking not just at your individual allotment, reviewing its RHA/Evaluation/Determination, selecting an alternative that will best address this allotment’s ecological conditions and BLM’s legal responsibilities (for the purposes of this decision), but looking at this allotment from a landscape perspective. Viewed this way, it is clear that there are problems common to the Owyhee 68 allotments.

Of the approximately 60 allotments which have riparian areas, at least 47 are not meeting IS&Gs for riparian/water issues due to current livestock management; of approximately 73 allotments, 43 are not meeting the ISG for upland vegetation ; in many cases, performance under Standard 8 tracks these results. In spite of the efforts of BLM and the ranching operators, resource conditions are not good. Some of these allotments have seen spring use year after year; some have had summer-long riparian use every year. As Field Manager for the Owyhees, I have a steward’s responsibility to further the health and resilience of this landscape.

Adding to these considerations, we live in a time of uncertainty. Climate change presents an uncertainty whose impacts we cannot clearly discern, but as land stewards must factor into our decisions a consideration of how best to promote resiliency on the landscape. Add to this the uncertainty associated with the BLM’s organizational capacity to manage this landscape: in a time of budget cutting, staff reductions and reduced revenues, land management decisions must factor in considerations of the level of on-the-ground management we can reasonably expect to accomplish.

These compelling factors drive us to develop grazing management on individual allotments that combines the greatest assurance of ecological resilience with the most likely anticipation of organizational ability, and 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 if monitoring is required to make progress under a particular alternative (for example), and is not performed, the result may be decreasing ecological health for the allotment and, at the time of the next permit renewal, decreased grazing opportunity from public land for the operator. My responsibility and challenge here is to make decisions that lead to success which includes healthy, sustainable resource conditions and predictability for ranching operators.

<sup>15</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 3.6.5

Implementation of Alternative 3, modified, would improve current conditions of the South Mountain Individual allotment. Pastures 1 and 2 would have the opportunity to move toward meeting Standard 4 and ORMP objectives.

Alternative 3, modified, would prescribe April through November grazing in a three-year rotation providing deferment one in three years and rest one year (Pasture 2) with a maximum of 250 head of cattle and 511 AUMs. Increased years of deferment and reduction of 9 percent AUMs, in season of use, in a ten-year permit would allow opportunity to recover as compared to Alternatives 1 and 2 in the South Mountain Individual allotment. Vegetation resources not meeting ORMP vegetation management would have the opportunity to improve unsatisfactory vegetation or maintain satisfactory vegetation health and condition on all areas compared to Alternatives 1 and 2.

Alternative 3, modified, would provide 1 out of 3 years of deferment for spring grazing and critical growing season use in pasture 1 and 2 out of 3 years, with a year of rest in pasture 2. This would reduce physical impacts during the wet spring and also provide opportunity to increase soil stability due to the ability of native plant communities to remain healthy, vigorous, and productive during active growth. As a whole, progress toward maintaining, meeting, and improving soil and hydrologic function proposed with Alternative 3 are therefore expected to be better as compared with Alternatives 1.

Overall, under Alternative 3, modified, current upland and sage-grouse habitat conditions would show considerable improvement. Both pastures would show improved plant vigor and health along with improved habitat composition and structure. Sage-grouse would benefit by the increased security and escape cover available during the nesting/early brood-rearing period and Columbia redband trout and Columbia spotted frogs would benefit because of improved regeneration and establishment of herbaceous and woody plants and improved riparian habitat function in both pastures. The reduced access and occurrence of livestock to streams, wetlands, and springs would reduce trampling in aquatic habitats in the spring during the breeding/egg laying period of redband trout and spotted frogs. Under this Alternative, current upland and riparian conditions would improve and progress this allotment toward meeting Standard 8.

*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.<sup>16</sup>*

Under Alternative 3, modified, pasture 1 of the South Mountain Individual allotment would be available for grazing during the summer for two years, and during the fall the third year of a three-year rotation. Pasture 2 would be rested for one year, and grazed during the summer and fall for two years. Consequently, within the allotment, 2.6 miles of perennial, and 15.7 miles of

<sup>16</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 3.5.1

intermittent/ephemeral stream would be affected by the impacts associated with the spring, summer, and fall seasons of grazing alternately among the pastures and years. Recent actual use reported identifies that the allotment has primarily been used during the spring, summer, and fall annually, and standards are not being met.

The South Mountain Individual allotment is not meeting the standards associated with the riparian-wetland resources under current management. The allotment would be managed under a defined three-year schedule that incorporates at least one year of growing season deferment. Thus, the impacts associated with grazing during the summer would be eliminated one year. Other mandatory terms and conditions of the permit under this alternative would include measures that would reduce impacts (stubble height, woody browse, and bank alteration) associated with the riparian areas condition. Monitoring would be required in pasture 2 where use would occur two of three years during the riparian area constraint period, and would provide added assurance of progress under the standards. Therefore, the allotment would make progress toward meeting the riparian-wetland standards under this alternative.

Currently this allotment is not providing adequate riparian conditions. The use of deferment and rest would reduce grazing during the riparian area's most vulnerable time (July 1 through Sept. 30) 2 out of 3 years in pasture 1 and 1 out 3 years including a year of rest in pasture 2. This would improve the regeneration and establishment of herbaceous and woody plants that function to dissipate energy during high flows, trap sediments, protect streambanks, provide shade to streams, deliver woody debris, and improve water quality. Columbia redband trout and Columbia spotted frogs would benefit because of the increased stream shade, woody debris, pool development, flow regulation, and less sediment delivery due to reduced livestock activity and improved riparian function. Additionally, although livestock numbers would be increased, the reduced access and occurrence of livestock trampling in aquatic habitats during the spawning season (March 15 through June 15) and egg mass lying period (May 1 through June 15) would improve egg, fry, and larvae survival for these species. *Issue 5: Special Status Plant Species: Livestock grazing is adversely affecting special status plants by altering surrounding upland vegetation, habitat and reproduction of individuals.*

No special status plant species are known to exist on the public lands in this allotment; therefore, Issue 5 will not be addressed.

*Issue 6: Noxious and invasive weeds: Livestock grazing and trailing has the potential to increase or spread noxious and invasive weeds.<sup>17</sup>*

My selection of Alternative 3, Modified, for the South Mountain Individual Allotment will, because the alternative was designed to improve rangeland health conditions, maintain or improve riparian and vegetative communities. Acknowledging that any grazing has the potential to introduce and spread invasive weeds and non-native annual grasses, deferment or rest in the alternative selected will result in proportionally less soil surface disturbance during critical growing periods to carry seed to, from and within the allotment in fur, on hooves, and in their digestive system. As

---

<sup>17</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 3.3.2

compared to Alternatives 1 and 2, the risk of invasive species spreading is lower under Alternative 3 and 4 as native perennial species health and vigor is improved and progress is made toward the ORMP vegetation management objective. Alternatives 3 and 4 will promote native perennial species and therefore reduce the competition of invasive species establishment.

*Issue 7: Livestock trailing: Trailing may adversely affect upland vegetation, soils, weeds and riparian vegetation.*

Effects from livestock trailing/crossing will include minor trampling and none to 10 percent utilization. Due to the short duration of trailing, grazing effects from cattle trailing are expected to be minimal. Direct grazing from sheep trailing will occur where sheep are trailed off existing roadbeds. However, because both sheep and cattle trailing will occur on such a small proportion of the landscape and for a limited duration, effects from trailing are expected to be insignificant. A slight increase in the spread of weeds could occur, but the short distance and duration will limit the amount and possibility. Additionally, if noxious weeds are detected in the future, easy access will be available for treatment. Range readiness determinations are essential and will reduce mechanical damage to soils when soils are saturated early in the spring during the peak spring melt events. The duration of trailing activities to be authorized will require active trailing in most cases. Management actions as described above, will allow upland plant communities, soils, watersheds, weeds, and riparian areas to meet or make significant progress toward meeting Idaho S&Gs and ORMP objectives.

*Issue 8: Socioeconomic impacts: Livestock grazing affects local and regional socioeconomic activities generated by livestock production.*

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

I have considered a wide range of issues at the allotment level, including the social and economic impacts that result from modifying grazing authorizations. We worked hard to develop a socio-economic analysis that would, as accurately as possible, provide the best information about socio-economic impacts expected from the different alternatives, and I have utilized this information in making my proposed decision.

I have minimized reductions in grazing use levels on allotments where current levels are compatible with meeting rangeland health standards and ORMP objectives and where not compatible, have attempted to select alternatives designed to meet resource needs.

***Issue 9: Wildfire fuels: Livestock grazing has the potential to change vegetation that may affect wildfire.***<sup>18</sup>

During the NEPA process, some asked the BLM to consider using grazing to limit wildfire. The BLM has considered the issue and determined that it will be theoretically possible to use targeted grazing to create fuel breaks on these allotments with the hope that those fuel breaks will help control the spread of large wildfires in the area. However, the resource costs associated with this strategy are such that I have decided against it. Ultimately, implementation of Alternative 3, modified, for the South Mountain Individual 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 these allotments 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 these allotments at this time. The BLM's current permit renewal is focused on improving native upland and riparian plant communities on these allotments, and targeted grazing to create fuel breaks will 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.<sup>19</sup>

***Issue 10: Climate Change: Livestock grazing is inter-related to the effects of annual grass invasion and wildfire frequency which are expected to worsen as a result of climate change.***

Climate change is another factor I considered in building my decision around Alternative 3, modified, for the South Mountain Individual Allotment. Climate change is a stressor that can reduce the long-term competitive advantage of native perennial plant species. Since livestock management practices can also stress sensitive perennial species in arid sagebrush steppe environments, I considered the issues together—albeit based on the limited information available on how they relate in actual range conditions. Although the factors that contribute to climate change are complex, long-term, and not fully understood, the opportunity to provide resistance and resilience within native perennial vegetation communities from livestock grazing induced impacts is within the scope of this decision. The selected alternatives combined seasons,

---

<sup>18</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 2.4 Alternatives considered and dismissed.

<sup>19</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 2.4.

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 these alternatives will provide resistance and resilience to additional stressors, including climate change.

### *Additional Rationale*

I did consider selecting Alternative 5 (No Grazing) 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 allotment. In selecting Alternative 3, Modified, for the South Mountain Individual Allotment rather than Alternative 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 the your operation and on regional economic activity, and (3) your past performance under previous permits. The resource issues identified are primarily related to the improper seasons and site-specific intensities of grazing use. By implementing this alternative, the resource issues identified will be addressed. The suspension of grazing for a ten-year period is not the management decision most appropriate at this time in light of these factors.<sup>20</sup>

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

A finding of no significant impact (FONSI) was signed on November 20, 2013, that concluded that the proposed decision to implement Alternative 3, modified, is not a major federal action that will have a significant effect on the quality of the human environment, individually or cumulatively with other actions in the general area. That finding was based on the context and intensity of impacts organized around the ten significance criteria described at 40 CFR § 1508.27. Therefore, an environmental impact statement is not required. A copy of the FONSI for EA number DOI-BLM-ID-B030-2013-0023-EA is available on the web at:

[http://www.blm.gov/id/st/en/prog/nepa\\_register/owyhee\\_grazing\\_group/grazing\\_permit\\_renewal\\_3.html](http://www.blm.gov/id/st/en/prog/nepa_register/owyhee_grazing_group/grazing_permit_renewal_3.html)

---

<sup>20</sup> A tremendous amount of thought and effort went into developing grazing management systems that are responsive to your allotments' specific resource needs, geography, and size. We attempted to address all resource and operational concerns and the resource and stewardship requirements mandated to the BLM. We recognize that 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 informed by the interested public with these features in mind. I recognize the difficulty of not only responding to BLM's (mandated) needs to protect the resources, but recognize as well the needs and capability that you, the permittees, have. I believe I have balanced those needs of the resource and your capabilities with the information I have to the extent possible.

## Conclusion

In conclusion, it is my decision to select Alternative 3, modified, for the South Mountain Individual Allotment because livestock management practices under this alternative best meet the ORMP objectives allotment-wide and the Idaho S&Gs. Alternatives 1 and 2 fail to implement livestock management practices on the South Mountain Individual Allotment that would meet the objectives and standards. Alternative 1 and 2 fails to implement actions that would meet Standard 1 (Watersheds), Standard 2 (Riparian Areas and Wetlands), Standard 3 (Stream Channel/Floodplain), and Standard 8 (Threatened and Endangered Animals). Alternative 5 has the potential to remove the economic activity of one large livestock operation from Owyhee County and southwest Idaho, a region where livestock production and agriculture is a portion of the economy. That, in conjunction with current resource conditions and the improvement anticipated by implementation of the alternatives leads me to believe elimination of livestock grazing from the South Mountain Individual Allotment is unnecessary at this point.

## Authority

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

- 4100.0-8 Land use plans; The ORMP designates the South Mountain Individual Allotments 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 Regional Solicitor located at the address below in accordance with 43 CFR § 4.470(a) and 4.471(b).

Boise Field Solicitors Office  
University Plaza  
960 Broadway Ave., Suite 400  
Boise Idaho, 83706

The appeal shall state the reasons, clearly and concisely, why the appellant thinks the final decision is in error and otherwise complies with the provisions of 43 CFR § 4.470.

Should you wish to file a petition for a stay, see 43 CFR § 4.471 (a) and (b). In accordance with 43 CFR § 4.471(c), a petition for a stay must show sufficient justification based on the following standards:

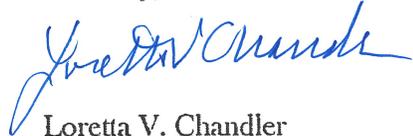
- (1) The relative harm to the parties if the stay is granted or denied.
- (2) The likelihood of the appellant's success on the merits.
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

As noted above, the petition for stay must be filed in the office of the authorized officer and served in accordance with 43 CFR § 4.471.

Any person named in the decision that receives a copy of a petition for a stay and/or an appeal, see 43 CFR § 4.172(b) for procedures to follow if you wish to respond.

If you have any questions, please contact me at 208-896-5913.

Sincerely,



Loretta V. Chandler  
Field Manager  
Owyhee Field Office

Copies sent to:

- See attached Group 5 Mail List

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 <sup>th</sup> Floor	San Francisco	CA	94104	42
Office of Species Conservation	Cally	Younger	304 N. 8 <sup>th</sup> 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