



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Owyhee Field Office  
20 First Avenue West  
Marsing, Idaho 83639

<http://www.blm.gov/id/st/en/Districts-Idaho/BDO/owyhee.html>



In Reply Refer To:  
4160 ID130

November 26, 2013

### REGISTERED MAIL

Terry Warn  
P.O. Box 235  
Jordan Valley OR 97910

### Notice of Field Manager's Proposed Decision

Dear Mr. Warn:

Thank you for working with the BLM throughout 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.

The BLM recently evaluated grazing practices and conditions in the Warn Allotment. The BLM undertook this effort to ensure that any renewed grazing permit on the allotment is consistent with the BLM's legal and land management obligations. As part of the BLM's evaluation process, Rangeland Health Assessments, Evaluations and Determinations were completed. This proposed decision incorporates those documents by reference and the information contained therein.

On January 11, 2013, the Owyhee Filed Office initiated by letter 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 Warn allotment is one of 19 allotment groups in 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 Preliminary Environmental Assessment (EA) EA # DOI-BLM-ID-B030-2013-0023-EA (hereinafter, "Morgan Group EA").

All comments are addressed in the Morgan Group EA, including BLM Responses to comments considered during development of the Morgan Group EA.

After evaluating conditions on the land and meeting with you and the public, it became clear that a few resource concerns currently exist on the Warn Allotment.

To assist us in addressing the impacts of livestock grazing on public land resources, my office prepared and issued an environmental assessment (EA) in which we considered a number of options and approaches to maintain and improve resource conditions. Our goal in developing alternatives was to consider options important to you, the permittee, and to consider options that, if selected, would ensure that the Warn Allotment natural resources conform to 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). Specifically, the BLM considered and analyzed in detail five alternatives for the Warn Allotment. We also considered other alternatives that we did not analyze in detail. This proposed decision incorporates by reference the analysis contained in the EA.

I am now prepared to issue a decision to renew your permit to graze livestock within the Warn Allotment. Upon implementation of the decision, your permit to graze livestock in the Warn Allotment will be fully processed.

This proposed decision will:

- Describe current conditions and issues on the Warn Allotment;
- Briefly discuss the alternative grazing management schemes that the BLM considered in the EA;
- Respond to the application for grazing permit renewal for use in the Warn Allotment;
- Outline my proposed decision to select Alternative 3 for the Warn Allotment; and
- Explain my reasons for this proposed selection.

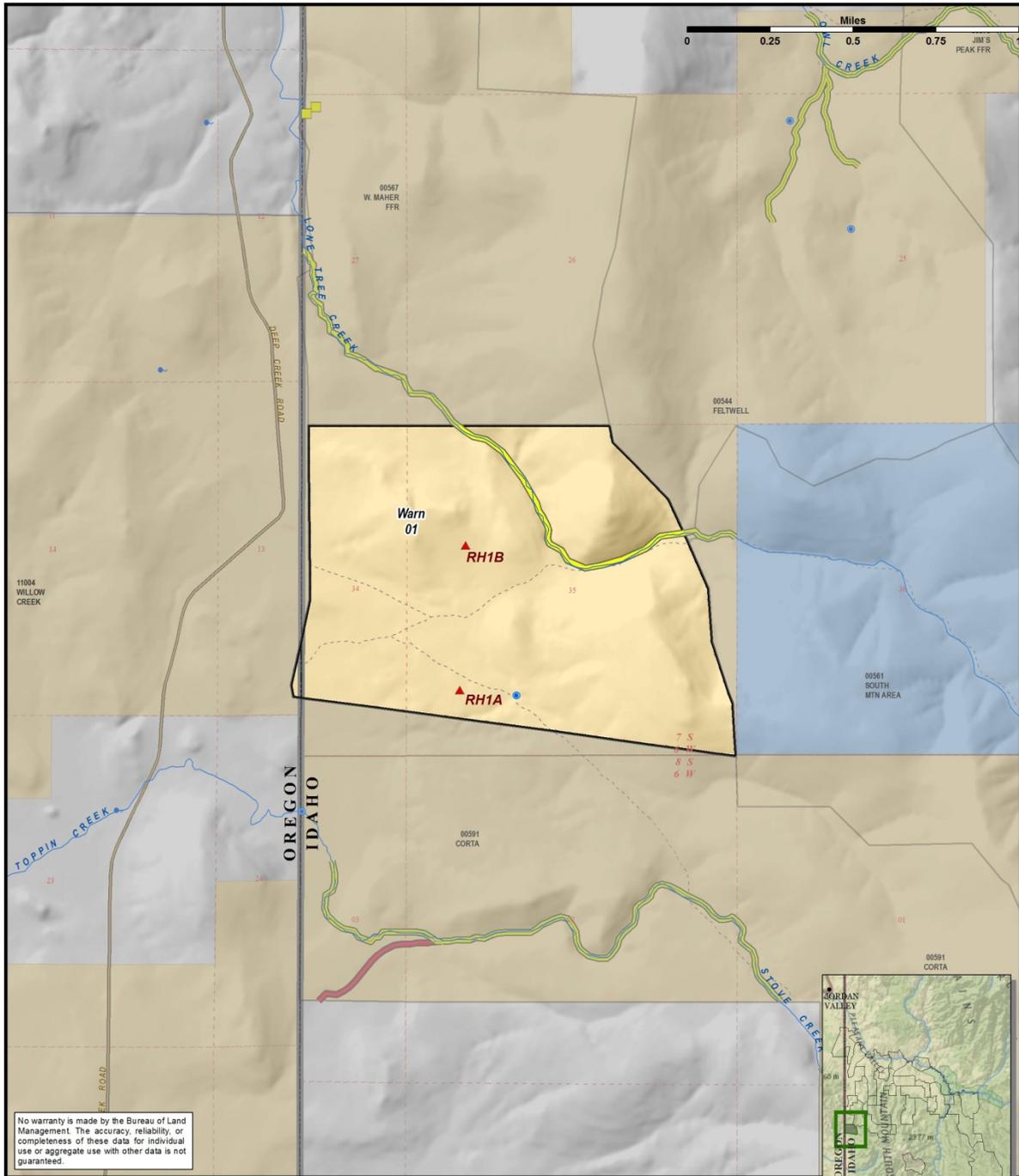
## Background

### *Allotment Setting*

The Warn Allotment is located approximately 14 miles south of Jordan Valley, Oregon, southwest of Silver City, and west of South Mountain. It consists of one management unit and is not divided into pastures. The allotment encompasses approximately 674 acres, all of which are BLM-administered public lands. The Warn Allotment was previously named the Lone Tree Individual allotment. It was separated from the common spring use area in October 1967. From 1969 through 1981, the authorized season of use was from June 1 to July 31. Beginning in 1997, the season of use in the Warn Allotment was changed to May 1 to May 31. Utilization limits of 50 percent on key perennial grasses were also applied to the permit's terms and conditions and were to be the actual basis for any adjustments in permitted use. Permitted use in the Warn allotment is currently 75 active AUMs with a season of use between May 1st and May 31st. Temporary nonrenewable use was authorized in the fall for the Warn allotment between 1991 and 2001.



# Map 1: Warn (00596) 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 | <b>PFC Assessment Rating</b> | Perennial Stream | <b>Management</b> |
| Pasture Boundary            | Spring    | PFC                          | Improved Road    | BLM               |
| <b>Monitoring</b>           | Trough    | FAR                          | Primitive Road   | State             |
| Nested Plot Frequency Trend | Exclosure | NF                           |                  | Private           |
| RHA Point                   |           |                              |                  |                   |



1:24,000

Elevations within the Warn Allotment range between 5,000 feet to 5,700 feet.

The Warn Allotment is located on the Owyhee High Plateau. Most soils in the allotment are shallow to moderately deep, well drained, clayey to loamy and occasionally silty, and vary in surface and subsurface rock fragments. These soils formed in residuum and alluvium derived predominantly from welded rhyolitic tuff. The ecological sites consist primarily of a Loamy 13-16 inch precipitation zone with a mountain big sagebrush, bluebunch wheatgrass, Idaho fescue plant community, and a Shallow Claypan 12-16 inch precipitation zone with a low sagebrush, bluebunch wheatgrass, Idaho fescue plant community.<sup>1</sup> Approximately 1.1 miles of Lone Tree Creek traverses across public lands through the northeast corner of this allotment, there are no known springs.

***Current Grazing Authorization***

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

Table CGA 1.

| Allotment   | Livestock |        | Grazing Period |       | % PL | Type Use | AUMs |
|---|-----------|--------|----------------|-------|------|----------|------|
|   | Number    | Kind   | Begin          | End   |      |          |      |
| 00596<br>Warn   | 74        | Cattle | 05/01          | 05/31 | 100  | Active   | 75   |
| <p>Other terms and conditions for the allotment:</p> <ol style="list-style-type: none"> <li>1. Turnout is subject to the Boise District range readiness criteria.</li> <li>2. You are required to properly complete, sign, and date an actual grazing use report form (4130-5) for each allotment. The completed form(s) must be submitted to this office within 15 days from the last day of your authorized annual grazing use.</li> <li>3. Supplemental feeding is limited to salt, mineral, and/or protein in block, granular, or liquid form. If used, these supplements must be placed at least one-quarter ¼ mile away from any riparian area, spring, stream, meadow, aspen stand, playa, special status plant population, or water development.</li> <li>4. Pursuant to 43 CFR 10.4(B) you 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), you must immediately stop any ongoing activities connected with such discovery and make a reasonable effort to protect the discovered remains or objects.</li> </ol> |           |        |                |       |      |          |      |

As a result of U.S. District Court Judge Winnill’s February 29, 2000, Memorandum Decision and Order the following interim Terms and Conditions now apply to this grazing authorization:

<sup>1</sup> For more detailed discussion, please refer to the affected environment sections of EA number DOI-BLM-ID-B030-2013-0023-EA.

- 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.

As you know, the current permit annually authorizes 75 Active Use AUMs in the Warn Allotment, a season-of-use between May 1 and May 31, and a maximum of 74 head of cattle. The actual use reports available over the last sixteen years shows that most grazing use occurred over a 10-11 day period within the permitted season of use (with the exception of 2006-7 where grazing use occurred in April and in 1998 where the use occurred in June) . The identified Active AUMs used along with the number of days used by year in your actual use reports, indicate the maximum number of cattle turned out (as much as 200 head) has consistently exceeded the permitted number.

Actual use is important when considering the renewal of a grazing permit because it was actual use, rather than 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 the removal of a varied number of AUMs and seasons of use over the past several years.

### ***Resource Conditions***

The BLM completed land health assessments for the Warn Allotment in 2006. Additional supplementing information was collected and the 2006 assessment was updated in 2013. Evaluation reports and determinations for this allotment were completed in 2013. Those documents concluded that some of the resources on the Warn Allotment are not meeting the Idaho S&Gs.

The BLM determined that the Warn Allotment met Standard 4 (Native Plant Communities) but was not meeting or making significant progress towards Standard 1 (Watersheds), Standard 2 (Riparian Areas and Wetlands), Standard 3 (Stream Channel/Floodplain), Standard 7 (Water Quality), and Standard 8 (Threatened and Endangered Plants and Animals). Current livestock grazing management was identified as a significant causal factor for not meeting Standards 1, 2, 3, 7, and 8. Standard 5 (Seedings) and Standard 6 (Undesirable Exotic Plant Communities) were determined to not be applicable to the Warn Allotment.

Current and historic livestock grazing were identified as significant causal factors for not meeting Standard 1 (Watersheds) due to the physical soil disturbance, reduction in vegetation cover, and altered plant community composition that annual growing season use has caused. These resource issues have caused a reduction in soil and hydrologic function over time. Current livestock grazing was identified as significant causal factors for not meeting both Standard 2 (Riparian Areas and

Wetlands) and Standard 3 (Stream Channel/Floodplain) due to the lack of residual vegetation in riparian areas following annual growing season (May) grazing use. This lack of residual vegetation does not allow for the maintenance of soil moisture necessary to support riparian vegetation, is inadequate to protect stream banks and dissipate energy during high flow events, and opens riparian areas to noxious weed invasion. Current livestock grazing was identified as a significant causal factor for not meeting Standard 7 (Water Quality) because livestock have reduced the amount of riparian vegetation which shades streams resulting in increased water temperatures. Livestock have also contributed to an exceedance in IDEQ's standard for E. coli due to urine and feces inputs into Lone Tree Creek. Current livestock grazing management was identified as a significant causal factor for not meeting Standard 8 (Threatened and Endangered Plants and Animals) because annual grazing during the spring season has caused a decline in the amount and vigor of riparian vegetation. Lone Tree Creek was rated as functioning-at-risk due to a lack of adequate riparian vegetation necessary to stabilize stream channels and provide quality wildlife habitat. Because Standards 2, 3, and 7 are not being met, stream, spring, and wetland habitat conditions are not adequate to support viable terrestrial, avian, and aquatic species populations.

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

Rangeland Health Standard 4 is met in the Warn allotment. Although annual invasive plants and soil disturbance are increasing on the site, making it at risk for future disturbance activities, all other indicators for productive native plants are maintained as appropriate to provide for proper nutrient cycling, hydrologic cycling, and energy flow on the allotment.

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

Current and past livestock grazing management practices are significant causal factors for not meeting upland watershed Standard 1 in the Warn allotment. The reduction in soil and hydrologic function is associated with physical soil disturbance, a reduction in vegetative cover, and an altered plant community composition due to invasive annuals and dominance of shallow-rooted bunchgrasses.

Although only a slight shift in the plant community from reference conditions has been noted, an increase in invasive species and shallow-rooted bunchgrasses contributes to an ongoing decline in hydrologic function and nutrient availability. The presence of severe erosion relics and the removal of surface soils have reduced vegetative cover as bare soils and flow paths display variable stages of stabilization. Localized gullies and compaction are present and biological soil crusts are reduced in interspaces. While much of the pedestalling of bunchgrasses is historic, recent mechanical damage by livestock can be found as evidenced by pugging and shearing in ephemeral draws and localized upland areas. This damage is caused by spring grazing when soils are wet, even if grazing periods are short. The decreased ecological function and impaired soils indicate that soil and hydrologic function are compromised.

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<sup>2</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 3.3.17.1.1 and Appendix E.

<sup>3</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Sections 3.3.17.1.2.

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

Standards 2 and 3 are not being met in the Warn allotment. The 1.1 mile reach of Lone Tree Creek that traverses the allotment has twice been rated functioning-at-risk (FAR). Vegetation within the riparian area is not consistent with wet-soil plant communities, and is inadequate to protect stream banks. In addition, noxious weeds are present. Additionally, in 2011, a Modified Multiple Indicator Monitoring (MMIM) site was established and the short-term indicators that were measured at the site did not meet Standards. The mean stubble height was 4.4 inches, woody use was 28 percent, and stream bank alteration was 32 percent.

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

Redband trout are not known to occur within this allotment; however, a portion of this allotment is within the modeled distribution of the Columbia spotted frog. Evaluation of Standards 2, 3, and 7 determined that a reach of Lone Creek within this allotment is functioning-at-risk. Streams that are FAR lack adequate riparian vegetation composition and distribution to support a productive environment. Evaluation of Standard 7 also determined that Idaho Department of Environmental Quality (IDEQ) water quality parameters and beneficial uses for cold-water aquatic species were also not meeting Rangeland Health Standards. Because Standards 2, 3, and 7 are not being met, stream, spring, and wetland habitat conditions are not adequate to support viable terrestrial, avian, and aquatic species populations. The conditions are the result of annual spring grazing with cattle numbers above authorized use levels and no years of rest; therefore this allotment is not meeting Standard 8 due to current livestock grazing practices.

### *Guidelines for Livestock Grazing Management*

The BLM's 2013 Determination for the Warn 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*

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<sup>4</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 3.3.17.1.3 and Appendix F.

<sup>5</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0014-EA Section 3.1.5, Section 3.3.17.1.4 and Appendix F.

*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 10: Implement grazing management practices and/or facilities that provide for complying with the Idaho Water Quality Standards.*

*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.*

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

### *Issues<sup>6</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 Morgan Group allotments:<sup>7</sup>

1. **Habitat conditions for greater sage-grouse:** Sage-grouse habitat health is directly related to upland vegetation and watershed conditions. Some areas of the Morgan Group Allotments contain altered sagebrush community composition, structure, and function that affect sage-grouse and other sagebrush habitat-dependent species.

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<sup>6</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 1.6.3.

<sup>7</sup> Issues identified in EA number DOI-BLM-ID-B030-2013-0023-EA Section 1.6.3 that were not present within Warn Allotment are not discussed in this decision.

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*

Based on the current condition of the Warn Allotment and the issues identified above, the BLM considered a number of alternative livestock management schemes in the EA to ensure that any renewed grazing permit would result in the maintenance of good conditions and the improvement of unsatisfactory conditions on the allotment. Overall, five alternatives were considered in detail and analyzed in the EA for the Warn Allotment. The range of alternatives developed include: Alternative 1 - No Action/Current Condition, Alternative 2 - Permittee's Application, Alternative 5 - No Grazing, as well as Alternatives 3 and 4, which were developed based on resource constraints. The following sections describe the theme of each of the alternatives and the allotment-specific authorizations and actions under each alternative.

#### *Alternative 1 - No Action/Current Condition.*

Under Alternative 1, the BLM would renew the livestock grazing permit for use in the Warn allotment with the same terms and conditions as those in the existing permit.

#### *Alternative 2 - Permittee Applications.*

Under Alternative 2, BLM would renew the livestock grazing permit for use in the Warn Allotment in accordance with terms and conditions of the existing permit and as modified by the applications received from Terry Warn.

*Alternative 3 - Deferred Grazing.*

Under Alternative 3, BLM would renew the livestock grazing permit for use in the Warn allotment with terms and conditions that constrain seasons, intensities, duration, and frequency of grazing use to a degree necessary to make significant progress toward meeting, or maintain meeting all applicable standards and the ORMP objectives within pastures where identified resources are present.

*Alternative 4 - Identified Resource(s) Constraint Based.*

Under Alternative 4, BLM would renew the livestock grazing permit for use in the Warn allotment with terms and conditions that constrain seasons, intensities, duration, and frequency of grazing use to a degree necessary to make significant progress toward meeting, or maintain meeting all applicable standards and ORMP objectives.

*Alternative 5 - No Grazing.*

This alternative would result in a 10 year period of no grazing for the Warn Allotment.

The Preliminary EA detailing the above alternatives was made available for public review and comment for a 21-day period ending November 12, 2013. A number of BLM livestock grazing permittees, government entities and agencies, interest groups, and members of the public provided comments.

### **Proposed Decision**

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

Alternative 3 as described in the Morgan Group EA number DOI-BLM-ID-B030-2013-0023-EA.

Implementation of this alternative over the next 10 years will allow the Warn 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, at least to the extent livestock grazing is and will have an impact on the resources.

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

Table PROP 1.0\*.

| Allotment       | Livestock |        | Grazing Period |       | % PL | Type Use | AUMs <sup>8</sup> |
|-----------------|-----------|--------|----------------|-------|------|----------|-------------------|
|                 | Number    | Kind   | Begin          | End   |      |          |                   |
| 1101462<br>Warn | 200       | Cattle | 05/01          | 10/31 | 100  | Active   | 74                |

\*Standard Terms and Conditions applicable to all BLM grazing permits and leases in the Boise District are not reiterated here, but apply to the above permit - See Section 2.1.2 in EA number DOI-BLM-ID-B030-2013-0023-EA.

Other Terms and Conditions for the Warn Allotment

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. With prior approval from the authorized officer cattle number may vary up to a maximum of 200 head as long as the grazing schedule is adhered to and a total of 74 active use AUMs is not exceeded annually.
3. Turn-out is subject to the Boise District range readiness criteria.
4. The permittee's certified actual use report is due within 15 days of completing the authorized annual grazing use.
5. 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.
6. 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.
7. 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.
8. Livestock enclosures located within the grazing allotment are closed to all domestic grazing use.
9. 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.
10. 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.
11. 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

<sup>8</sup> The sum of the AUMs from the permit schedule may not equal the Active Use AUMs due to individual line calculations and rounding in the AUM calculation.

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.

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

As noted in Other Term and Condition # 1 for the Warn Allotment, the grazing schedule for this allotment must be followed (identified below):

Table PROP 1.1: Warn Allotment Grazing Schedule.

| Pasture   | Year 1   | Year 2   | Year 3     |
|-----------|----------|----------|------------|
| Pasture 1 | 5/1-5/31 | 5/1-5/31 | 10/1-10/30 |

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

You will be offered a grazing permit(s) for a term of 10 years with 74 Active AUMs in the Warn Allotment. Implementation of Alternative 3 for the Warn Allotment will not result in a reduction in AUMs from your current permit; however, the season-of use will change to accommodate the new grazing schedule outline in Table PROP 1.1 above.

Permitted use within the Warn Allotment will be as follows:

| Allotment | Active Use | Suspended | Permitted Use |
|-----------|------------|-----------|---------------|
| Warn      | 74 AUMs    | 0 AUMs    | 74 AUMs       |

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

Finally, it is my proposed decision not to authorize additional projects. The existing coordinated process to identify, analyze, and authorize as appropriate the restoration, improvement, or 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 your record as a grazing permit holder for the Warn Allotment, and have determined that you have a satisfactory record of performance and are a qualified applicant for the purposes of a permit renewal.

## *Justification for the Proposed Decision*

Based on my review of EA number DOI-BLM-ID-B030-2013-0023-EA, the rangeland health assessment, evaluation, determination, specialist reports, and other documents in the grazing files, it is my proposed decision to select Alternative 3 for the Warn 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 Warn 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 Warn Allotment. I want you to know that I considered the issues through the lens of each alternative before I made my decision. My selection of Alternative 3 for the Warn Allotment was in large part because of my understanding that this selection best addressed those 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 alternatives that best protect the resource while considering your livestock operation, current resource conditions, and alternative feasibility.<sup>9</sup>

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<sup>9</sup> Your allotment is, as you know, a member of a group of six allotments forming the Owyhee 68 Allotments, which large group is the subject of a permit renewal process which must be completed by December 31, 2013. The NEPA process for the Owyhee 68 consists of 7 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 reasonable expect to accomplish. These compelling factors create the need to develop grazing management on individual allotments that combines the greatest assurance of ecological resilience with the most likely anticipation of organizational ability, and that does this 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

*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.*

Currently, the Warn Allotment is not meeting Standard 1 due to physical soil disturbance, a reduction in vegetation cover, and altered plant community composition that annual spring grazing use has caused. Although only a slight shift in the plant community from reference conditions has been noted, an increase in invasive species and shallow-rooted bunchgrasses contributes to an ongoing decline in hydrologic function and nutrient availability. The presence of severe erosion relics and the removal of surface soils have reduced vegetative cover as bare soils and flow paths display variable stages of stabilization. Localized gullies and compaction are present and biological soil crusts are reduced in interspaces. While much of the pedestalling of bunchgrasses is historic, recent mechanical damage has been caused by spring use when soils are wet, even though grazing periods are short. Alternative 3 would provide 1 out of 3 years of deferment from spring grazing and critical growing season use but would still allow for up to a maximum of 200 cattle per year (the maximum number of cattle per year reported over the last sixteen years) as long as the permitted 74 active AUMs are not exceeded. Increasing the number of cattle over the mandatory term and condition number of cattle (from 74 head up to 200 head) would decrease the number of days grazing is allowed on the allotment, further allowing plants to grow and become more vigorous. This would reduce physical impacts during the wettest period and provide opportunity to increase soil stability due to the ability of native plant communities to remain healthy, vigorous, and produce enough litter to protect the soil surface.<sup>10</sup> 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 and 2, though not as rapid as Alternatives 4 and 5<sup>11</sup>.

*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.*

AND

*Issue 1: Habitat conditions for greater sage-grouse: Sage-grouse habitat health is directly related to upland vegetation and watershed conditions. Specific areas of the Morgan Group Allotments*

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<sup>10</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 3.3.17.2.3.1.

<sup>11</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 3.3.17.2.3.2.

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

Standards 2, 3, 7, and 8 are not being met in the Warn allotment. Current livestock management has been determined to be a causal factor in not meeting these standards. The reach of Lone Tree Creek that traverses the allotment has twice been rated functioning-at-risk (FAR). Riparian area issues include: (1) vegetation present does not reflect the maintenance of soil moisture to support riparian vegetation, (2) the vegetation present was inadequate to protect stream banks, and (3) there were noxious weeds present. A MMIM site established in 2011 showed that short-term indicators did not meet standards with a mean stubble height of 4.4 inches, woody use at 28 percent, and stream bank alteration at 32 percent. Residual vegetation following grazing use has not been sufficient to maintain or improve riparian-wetland function, the recent grazing schedule has not allowed for rest years, and grazing management has not allowed for progress towards appropriate stream channel and stream bank morphology and function. In addition, the IDEQ has assessed the reach of Lone Tree Creek within the Warn Allotment and has listed it as water quality impaired (303(d)) due in part to increased levels of E. coli caused by livestock urine and feces inputs. Because Standards 2, 3, and 7 are not being met, stream, spring, and wetland habitat conditions are not adequate to support viable terrestrial, avian, and aquatic species populations.

Incorporating a year of deferment would interrupt repeated spring grazing and allow plants to grow undisturbed at least one year out of three during the spring season. No use would occur during the riparian critical growth season (July 1–Sept. 30). Up to a maximum of 200 cattle could graze per year as long as the permitted 74 active AUMs are not exceeded. Increasing the number of cattle over the mandatory term and condition number of cattle (from 74 head up to 200 head) would decrease the number of days grazing is allowed on the allotment, further allowing plants to grow and become more vigorous. This would improve the regeneration and establishment of herbaceous and woody plants in the riparian zone that function to dissipate energy of high flows, trap sediments, harden streambanks, provide shade to streams, deliver woody debris, and improve water quality. Terrestrial, avian, and aquatic wildlife would benefit because of improved habitat diversity and structure and the increased stream shade, woody debris, pool development, flow regulation, and reduced sediment delivery due to reduced livestock activity and improved riparian function.<sup>12</sup>

Overall, under Alternative 3, current upland and sage-grouse habitat conditions would be maintained and show further improvement in habitat composition and structure. Larger perennial bunchgrasses (e.g. bluebunch wheatgrass, Idaho fescue) would become more vigorous and better able to compete with smaller statured grazing tolerant grasses (e.g. Sandberg bluegrass, cheatgrass, medusahead). Sage-grouse would benefit by the increased security and escape cover that larger grasses provide during the nesting/early brood-rearing period and late brood-rearing period. Terrestrial, avian, and aquatic wildlife would benefit because of improved regeneration and establishment of herbaceous and woody plants. This improvement would increase stream shade and decrease water temperature, increase wildlife forage and cover, and improve riparian function. The reduced number of spring seasons livestock will have access to streams, wetlands, and springs

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<sup>12</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 3.3.17.2.3.3.

will reduce erosion, improve water quality, and aquatic habitat.<sup>13</sup> Under this Alternative, current upland and riparian conditions will improve and progress this allotment toward meeting Standard 2, 3, 7, and 8 as well as ORMP objectives.

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

There are no documented occurrences of noxious weeds in the Warn Allotment although bulbous bluegrass and cheatgrass are known to be present and undocumented noxious weed occurrences are likely. Although any grazing has the potential to introduce and spread invasive weeds and non-native annual grasses, the decrease in the grazing frequency of growing-season use will allow native perennial species to complete the annual growth cycle more often in the absence of defoliation by livestock grazing and allow significant progress toward meeting upland vegetation health and vigor and ORMP objectives. As compared to Alternatives 1 and 2 the risk of invasive species spreading is lower under Alternative 3 as native perennial species' health and vigor is improved and progress is made toward the ORMP vegetation management objective. Available sites for invasive species establishment will be reduced through competition with healthy native perennial species.

Although Alternative 5 would remove the potential for livestock to introduce and spread invasive and non-native annual species, 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 8: Socioeconomic impacts: Livestock grazing affects local and regional socioeconomic activities generated by livestock production.*

During the NEPA and public comment process, some raised the concern that selection of certain alternatives considered in the EA could impact regional socio-economic activity. I share this concern, and have taken these concerns into consideration in making my decision; however, my primary obligation is to ensure that the new grazing permit(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 3 for the Warn Allotment in large part because this selection accomplishes those latter goals.

Consideration of Alternatives 1 and 2 for the Warn Allotment disclosed that neither of those alternatives would allow the allotment to meet Idaho S&Gs or the ORMP resource objectives, and 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 healthy, functional and aesthetically pleasing open spaces and wildlife habitats.

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<sup>13</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 3.3.17.2.3.4.

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, such as the Warn Allotment with its high-value riparian resources, I have selected the alternative most responsive to such needs, with the aim of best promoting rangeland health.

*Issue 9: Wildfire fuels: Livestock grazing has the potential to change vegetation that may affect wildfire.*<sup>14</sup>

During the NEPA process, some asked the BLM to consider using grazing to limit wildfire. The BLM has considered the issue and determined that it would be theoretically possible to use targeted grazing to create fuel breaks on these allotments with the hope that those fuel breaks would help control the spread of large wildfires in the area. However, the resource costs associated with this strategy are such that I have decided against it. Ultimately, implementation of Alternative 3 for the Warn 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 the allotment at this time. The BLM's current permit renewal is focused on improving native upland and riparian plant communities on these allotments, and targeted grazing to create fuel breaks would not support that improvement.

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

*Issue 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,*

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<sup>14</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 2.3 (Alternative 8).

*itself a stressor on the sagebrush-steppe semi-arid ecosystem found in the Owyhee Uplands can, when found in conjunction with cattle grazing, further stress the ecosystem's vegetation.*<sup>15</sup>

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

While I considered selecting Alternative 5 (No Grazing) for this allotment, based on all the information used in developing my decision, and the condition of these allotments, I believe that the BLM can meet resource objectives and still allow grazing on these allotments. In selecting Alternative 3 for the Warn 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 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 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.

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<sup>15</sup> For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 2.3 (Alternative 9).

## Finding of No Significant Impact

A finding of no significant impact (FONSI) was signed on November 20<sup>th</sup> 2013, and concluded that the proposed decision to implement Alternative 3 is not a major federal action that will have a significant effect on the quality of the human environment, individually or cumulatively with other actions in the general area. That finding was based on the context and intensity of impacts organized around the 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](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 3 for the Warn Allotment over other alternatives because livestock management practices under this selection best meet the ORMP objectives allotment-wide and the Idaho S&Gs in locations where standards were not met due to current livestock management practices. Alternatives 1 and 2 fail to implement livestock management practices on the Warn Allotment that would meet the objectives and standards. Specifically, neither alternative would implement actions that would meet Standards 1 (Watersheds), 2 (Riparian Areas and Wetlands), 3 (Stream Channel/Floodplain), 7 (Water Quality), and 8 (Threatened and Endangered Animals). It is my decision to implement Alternative 3 with deferred grazing use one year out of a three year rotation as a means of making progress towards meeting Standards. Alternative 5 removes economic activity from Owyhee County and southwest Idaho, a region where livestock production and agriculture is a large portion of the economy. That, in conjunction with current resource conditions and the improvement anticipated by implementation of the alternative, leads me to believe elimination of livestock grazing from Warn 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 (2005). My decision is issued under the following specific regulations:

- 4100.0-8 Land use plans; The ORMP designates the Warn Allotment as available for livestock grazing;
- 4130.2 Grazing permits or leases. Grazing permits may be issued to qualified applicants on lands designated as available for livestock grazing. Grazing permits shall be issued for a term of 10 years unless the authorized officer determines that a lesser term is in the best interest of sound management;
- 4130.3 Terms and conditions. Grazing permits must specify the term and conditions that are needed to achieve desired resource conditions, including both mandatory and other terms and conditions; and

- 4180 Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration. This proposed decision will result in taking appropriate action to modifying existing grazing management in order to make significant progress toward achieving rangeland health.

### **Right of Protest and/or Appeal**

Any applicant, permittee, lessee or other interested publics may protest the proposed decision under 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 persons 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 Solicitor's Office  
University Plaza  
960 Broadway Ave., Suite 400  
Boise, Idaho 83706

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

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

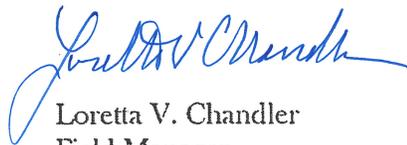
- (1) The relative harm to the parties if the stay is granted or denied.
- (2) The likelihood of the appellant's success on the merits.
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

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

Any person named in the decision that receives a copy of a petition for a stay and/or an appeal, see 43 CFR § 4.472(b) for procedures to follow if you wish to respond.

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

Sincerely,



Loretta V. Chandler  
Field Manager  
Owyhee Field Office

Copies sent to:

- See attached Group 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<br>Grazing Coop       | Terry                 | Warn     | P.O. Box 235             | Jordan Valley | OR | 97910 | 83 |
|                                      | Phillip &<br>Benjamin | Williams | 1807 Danner Loop<br>Rd   | Jordan Valley | OR | 97910 | 84 |
| Idaho Dept. of Parks<br>& Recreation | Director              |          | PO Box 83720             | Boise         | ID | 83720 | 85 |
| Wroten Land &<br>Cattle Co           |                       |          | 30314 Juniper Mtn.<br>Rd | Jordan Valley | OR | 97910 | 86 |
| Quintana Ranch LLP                   | Tim                   | Quintana | 3876 Hwy. 95             | Homedale      | ID | 83628 | 87 |