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

December 24, 2013

CERTIFIED MAIL

Phillip & Benjamin Williams
1807 Danner Loop Road
Jordan Valley, OR 97910

Notice of Field Manager's Final Decision for the Bachelor Flat FFR Allotment

Dear Sirs:

Thank you for working with the BLM during the permit renewal process. I appreciate your interest in grazing the allotment in a sustainable fashion and am confident that this final decision achieves that objective. The BLM remains dedicated to processing your grazing permit application for the Bachelor Flat FFR allotment[1]. I signed a proposed decision to renew that grazing permit on November 26, 2013. The proposed decision included terms and conditions that would make significant progress toward meeting the Idaho Standards for Rangeland Health and Guidelines for Livestock Grazing Management (Idaho S&Gs), as well as the objectives of the Owyhee Resource Management Plan (ORMP). You received that proposed decision on December 3, 2013. The BLM received a letter from you protesting that proposed decision on December 11, 2013. In addition to your protests, the BLM received protests regarding the proposed decision from several other individuals and groups. Protest points raised within the submissions received and my responses are provided in the table below titled 'Responses to Protests', and that document includes protests and responses from all Group 5 proposed decisions.

Background

As you know, the BLM evaluated current grazing practices and current conditions in the Bachelor Flat FFR allotment through early 2013. We undertook this effort to ensure that any renewed grazing permit on the allotment would be consistent with the BLM's legal and land management obligations. As part of the BLM's evaluation process, Rangeland Health Assessments, Evaluations,

[1] Regarding allotments with FFR in their name: the BLM's legal and regulatory management responsibilities for public land resources are not attenuated or reduced by the presence of limited public land acreage within larger parcels of non-federal ownership.

and Determinations were completed. This final decision incorporates those documents by reference and the information contained therein.

While completing the Rangeland Health Assessment, Evaluation, and Determination, the BLM also engaged in public scoping and met with members of the public interested in grazing issues in the Bachelor Flat FFR allotment. The process for completing the Morgan Group allotments Livestock Grazing Permit Renewal Preliminary Environmental Assessment (EA) EA # DOI-BLM-ID-B030-2013-0023-EA (hereinafter, "Morgan Group EA")[2] began with initiating a scoping letter on January 11, 2013. The letter requested comments and information be received by February 25, 2013 for the Bachelor Flat FFR allotment. All comments that were received during the scoping process are addressed in the Morgan Group EA. Any comments received were addressed in the Morgan Group EA, including BLM Responses to comments considered during development of the EA. In addition to the scoping period identified above, my staff and members from the NEPA Permit Renewal Team met with you in April of 2013, to discuss your grazing permit renewal application received on June 14, 2011, current allotment conditions, and share information about your livestock operations within this allotment. During this meeting, we discussed our preliminary conclusions regarding rangeland health standards and guidelines and made grazing management recommendations associated with your grazing permit renewal application, which you updated at that time. After evaluating conditions on the land and meeting with you and the public, it became clear that resource concerns currently exist on the allotment.

On August 27, 2013, the BLM issued the completed 2013 Rangeland Health Assessments (RHA), Evaluations, and Determinations for the Group 5 Morgan allotments (which includes the Bachelor Flat FFR 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 Morgan Group EA. Additionally, a preliminary environmental assessment (without a FONSI) was issued to the public on October 25, 2013, for a 15-day review and comment period. Issuance of the preliminary EA afforded yet another opportunity for grazing permittees and interested publics to provide additional input on the EA and inform me in preparation of completing this final grazing decision. Comments that were received were used to complete the EA.

The BLM prepared and issued the Morgan Group EA which considered a number of options and approaches to improve and maintain resource conditions. The options included consideration of your amended/updated grazing application that the BLM received in April of 2013. Overall, we considered and analyzed in detail five alternatives and considered several other alternatives not analyzed in detail. Our objective in developing alternatives was to consider options that were important to you (as the permittee), and to consider options that, if selected, would ensure that the Bachelor Flat FFR allotment's natural resources conform to the goals and objectives of the ORMP and the Idaho S&Gs.

The Final Morgan Group 5 EA, which was published on November 26, 2013, incorporates by reference the Jump Creek, Succor Creek, and Cow Creek Watersheds Grazing Permit Renewal

[2] EA number DOI-BLM-ID-B030-2013-0023-EA analyzed 5 alternatives for livestock grazing management practices to fully process permits within the Bachelor Flat FFR allotment.

Final EIS # DOI-BLM-ID-B030-2012-0014-EIS and the analysis contained therein. This Final Decision incorporates by reference the analysis contained in those documents (see Appendix J).

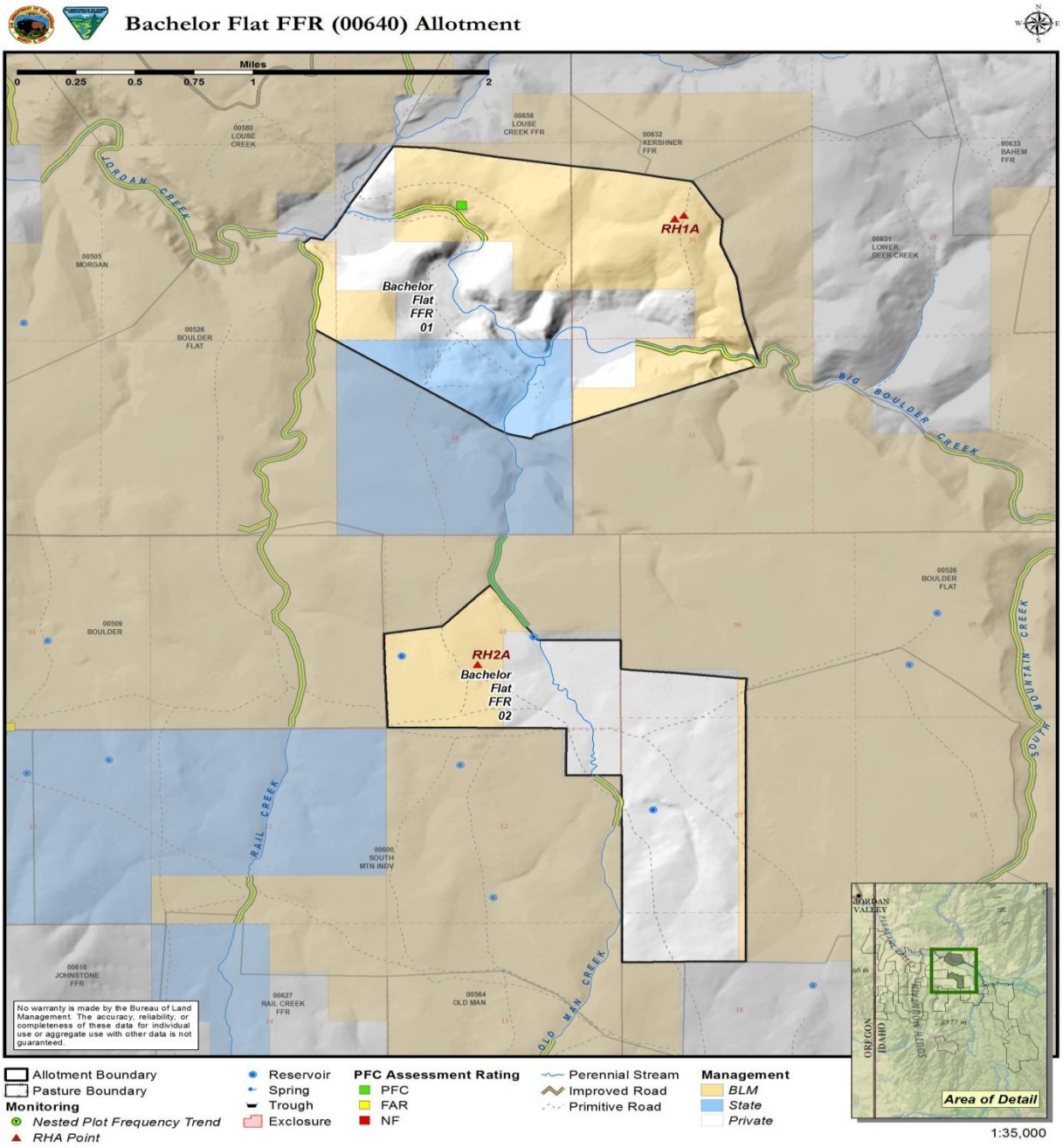
Following public availability of the BLM's November 26, 2013, Proposed Decision, review of protest points, and subsequent discussions with you, I am now prepared to issue a final decision to renew your permit to graze livestock within the Bachelor Flat FFR allotment.

This final decision will:

- Describe current conditions and issues on the 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 Bachelor Flat FFR allotment;
- Considers protest points received following issuance of the November 26, 2013, proposed decision;
- Outline my final decision to select Alternative 3; and
- State the reasons for this final decision.

Allotment Setting

The Bachelor Flat FFR allotment is located approximately 13 miles southwest of Silver City, Idaho, in Owyhee County. The allotment consists of two pastures. The northern pasture (pasture 1) is intermingled with private lands along Big Boulder Creek and the southern pasture (pasture 2) is intermingled with private lands along Old Man Creek. The allotment encompasses 915 acres of Public Land, 198 acres of Idaho State Land, and 1,076 acres of private land, for a total of approximately 2,189 acres.



The allotment lies within the Owyhee Uplands, a sagebrush steppe semi-arid landscape of shrubs and widely spaced bunchgrasses where native vegetation communities are diverse. Limited precipitation with cold winters and dry summers constrains plant and animal communities.

Elevations range from 4,600 to 5,100 feet. The annual precipitation ranges from 11 to 15 inches and the frost-free periods range from 75 to 120 days. The major landforms in the area are categorized as structural benches, foothills, and bottomlands. Soils are commonly moderately deep to hardpan loams with a slope of 1 to 35 percent. The hazard of water erosion is slight or moderate. The hazard of wind erosion is moderate. Common vegetation includes low sagebrush,

Idaho fescue, bluebunch wheatgrass, and mountain big sagebrush with an occasional western juniper.

In the ORMP (1999), the Bachelor Flat FFR allotment was placed in the *Improve with low priority* Selective Management Category. Improve allotments are managed with adequate expenditure of funding and manpower to improve current unsatisfactory resource conditions. They must also meet or make progress toward meeting the Idaho Standards for Rangeland Health. The current grazing permit and the ORMP identified 127 animal unit months (AUMs) of active preference for livestock grazing.

Current Grazing Authorization

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

Allotment	Livestock		Grazing Period		% Public Land	Type Use	AUMs
	Number	Kind	Begin	End			
00640 Bachelor Flat FFR	125	Cattle	12/1	12/31	100	Active	127

Other Terms and Conditions:

1. The number of livestock and season of use on the Bachelor Flat FFR allotment (# 00640) is at your discretion.
2. Livestock turnout dates are subject to Boise District Range Readiness Criteria.
3. You are required to properly complete, sign, and date an actual use report form (BLM 4130-5) for the allotment. The completed form must be submitted to this office within 15 days from the last day of your authorized annual grazing use.
4. Supplemental feeding is limited to salt, mineral, and/or energy/protein in block, granular, or liquid form. If used on public lands, these supplements must be placed at least one-quarter (1/4) mile away from any riparian area, spring, stream, meadow, aspen stand, sensitive plant species, playa, or water development.
5. Pursuant to 43 CFR 10.4(B), BLM OFO field manager must be notified 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 10.2(C), any ongoing activities connected with such discovery must be stopped immediately and a reasonable effort to protect the discovered remains or objects must be made.
6. Changes to the scheduled use require prior approval.
7. 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.
8. Livestock exclosures located within your grazing allotment are closed to all domestic grazing use.
9. Rangeland improvements must be maintained in accordance with the cooperative agreements and range improvement permits in which you are a signature or assignee. All

maintenance of range improvements within a wilderness study area 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. Livestock grazing will be in accordance with your grazing schematic. Changes in scheduled pasture use dates will require prior authorization.
12. Utilization may not exceed 50% of the current year's growth.

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

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

The current permit authorizes an annual use of 127 animal unit months (AUMs[3]) of forage and a season of use between April 1 and December 31[4]; however, based on recent management actions over the last 10 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 authorized in the permit. For example, in 2007 your actual use was May 1 through June 1, but actual use in 2012 was identified as December 1 through December 31.

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

[3] Animal unit month (AUM) means the amount of forage necessary for the sustenance of one cow or its equivalent for a period of one month.

[4] Although the season of use in the grazing permit states 125 cattle and a season from 4/1-12/31 in the Mandatory Terms and Conditions, the permit states that "The number of livestock and season of use is at your discretion" in the Other Terms and Conditions, which allows flexibility.

Resource Conditions

The BLM completed a Rangeland Health Assessment, Evaluation and Determination for the Bachelor Flat FFR allotment in 2013, and they were included in the Draft EA for your review. Evaluation and Determination documents concluded that the allotment was not meeting the following Idaho Standards for Rangeland Health: Standards 1 (Watersheds), 4 (Native Plant Communities), 7 (Water Quality), and 8 (Special Status Upland Wildlife). Current livestock grazing management is identified as a significant causal factor for not meeting Standard 1. Standards 4, 7, and 8 are not meeting because of historic livestock grazing, wildfire, invasive annual species, water quality, and upland habitat conditions. Standards 2 (Riparian) and 3 (Stream Channel) are being met.

Vegetation - uplands

The BLM's 2013 Rangeland Health Evaluation and Determination showed that the allotment is not meeting the ORMP management objective to improve unsatisfactory and maintain satisfactory vegetation health/condition on all areas. Rangeland Health Standard 4 is not being met in pasture 1 but is being met in pasture 2. Although soil stability is decreasing in pasture 2, 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. Pasture 1 shows evidence of historic grazing impacts that are present throughout the pasture, including 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). Historic grazing, annual invasive species, and the Flint Creek Fire in pasture 1 are the causal factors in not meeting Standard 4. Four occurrences of leafy spurge have also been identified in this allotment.[5]

Watersheds

The BLM's 2013 analysis of the Bachelor Flat FFR allotment concluded that Standard 1 (Watersheds) is not being met. Past wildfires are the causal factors for not meeting upland watershed Standard 1 in pasture 1; pasture 2 is not meeting due to current livestock grazing management. The reduction in soil and hydrologic function is associated with altered plant community composition, distribution from a decreased relative abundance of large, deep-rooted native perennial bunchgrasses, and dominance of invasive annuals.

Despite relatively stable soils, watershed conditions in pasture 1 are deteriorating due to the invasion of annual grasses and the resulting extreme departure from expected vegetative conditions. Annual invasive plants, such as cheatgrass and medusahead, dominate along with a lesser component of shallow- and deep-rooted perennial bunchgrasses. Parts of the allotment have already burned several times, and the lack of shrubs and their recruitment is contributing to an extreme departure in plant community distribution and associated hydrologic function. This increases the potential to re-burn in much shorter fire intervals, which means that the remaining adjacent unburned areas are at a greater risk from the spread of invasive annuals.

[5] For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Sections 3.1.1, 3.3.1.1.1, and the RHA/Eval/Det.

Conditions in pasture 2 are deteriorated due to commonly observed loss of soil surface horizon, active erosional features, and physical impacts from hoof action. The presence of erosion relics (historical erosional feature) and the removal of surface soils have reduced vegetative cover, as bare soils and flow paths display variable stages of stabilization. The decrease in cover from vegetation, litter, organic matter, and biological soil crusts has reduced watershed function. Soil stability and hydrologic function are also being compromised from the lack of species diversity and the localized invasion of annuals. Recent wildfires and past and current livestock management are the primary contributing factors for not meeting Standard 1 and ORMP soil management objectives for the allotment.[6]

Water Resources and Riparian/Wetland Areas

The BLM's 2013 Rangeland Health Evaluation and Determination for the Bachelor Flat FFR allotment concluded that Standards 2 (Riparian Areas and Wetlands) and 3 (Stream Channel/Floodplain) are currently being met. Additionally, the riparian areas that occur within the allotment are conforming to the ORMP's objective to maintain or improve these areas to attain proper functioning condition. Big Boulder (1.5 miles) and Rail Creeks (0.5 miles) are the named streams that occur within the allotment. Approximately 1.5 miles of Big Boulder Creek was most recently observed in a geologically confined canyon with woody species protecting streambanks and limited access by livestock. Approximately 0.5 mile of Rail Creek was most recently rated in Properly Functioning Condition (PFC). This reach of stream, too, occurs in a relatively deep canyon and is well armored with woody species and bedrock.

One spring was assessed and rated as PFC in pasture 1. Although there was a dam and trampling present, the lentic area had sufficient vegetation and soil moisture characteristics present to maintain the riparian-wetland area. Therefore, current livestock grazing management practices conform with the Idaho Guidelines for Livestock Grazing Management applicable to Standard 2.

Standard 7 (Water Quality) is not meeting the Standard, but not due to current livestock management. Current IDEQ information identifies that the BLM portion of the two pastures within the allotment contain approximately 0.5 mile of stream that are not supporting the watershed's beneficial uses, 1.0 mile that is fully supporting, and 0.9 mile that has not been assessed. The allotment contains portions of three assessment units (AUs) with associated beneficial uses and pollutants. Assessment Unit # ID17050108SW004_02 is currently not supporting the beneficial uses, and all of the streams that occur within them are also on the 303(d) list of impaired waters for both temperature and mercury. However, TMDLs for temperature that identify actions on the ground to eliminate the pollutants have been developed and approved.

Based on the streams presence on the 303(d) list of impaired waters for mercury, Standard 7 is not being met in pasture 1, and is not applicable to pasture 2 (no streams are listed in the 303(d) list for this pasture). The allotment is in conformance with Guideline 10 for Livestock Grazing Management because the causal factor, mercury, cannot be attributed to livestock.[7]

---

[6] For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Sections 3.1.2, 3.3.1.1.2, and the RHA/Eval/Det.

[7] For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Sections 3.1.3, 3.3.1.1.3, and the RHA/Eval/Det.

Special Status Plants

No special status plants are known to occur on the Bachelor Flat FFR allotment; therefore, this will not be discussed further for this allotment.[8]

Wildlife/Wildlife Habitats and Special Status Animals

The BLM's 2013 Rangeland Health Evaluation and Determination for the Bachelor Flat FFR allotment concluded that the allotment is not meeting Standard 8 for special status upland wildlife habitat. Pasture 1 is managed as a native plant community and is not meeting Standard 4 (see Standard 4) due to annual invasive species and past fire. An increase in annual invasive grass species indicated a transition from native bunchgrasses to more grazing-tolerant exotic species. This information is also consistent with the vegetation data from sage-grouse habitat assessments that showed less-than-adequate (marginal) occurrences of large perennial grasses. Annual species do not have the robust growth form or stature such as bluebunch wheatgrass and do not provide the plant community composition, structure, and function for sagebrush steppe-dependent species; therefore, these pastures are not meeting Standard 8 due to historic grazing practices and annual invasive species.

Although BLM found that pasture 2 is technically meeting Standard 4 for basic proper nutrient cycling, hydrologic cycling, and energy flow requirements, 2012 sage-grouse habitat assessments on this pasture showed that some habitat types and areas of this pasture are not providing adequate habitat for sage-grouse. Specifically, portions of pasture 2 are not providing suitable canopy cover of perennial grasses.

Overall, BLM determined that both pastures 1 and 2 are not meeting Standard 8. BLM determined that the cause was historic grazing. Note that this allotment is capable of providing breeding, upland summer, riparian, and winter sage-grouse habitat.

This allotment lies within mapped Preliminary Priority Habitat (PPH) habitat for sage-grouse. Both sage-grouse breeding and upland summer habitat conditions in pasture 2 were found to be unsuitable. The habitat assessments recorded marginal sagebrush canopy cover and height and unsuitable canopy cover of large perennial grasses (i.e., bluebunch wheatgrass) and forbs, indicating that functional nesting, brood-rearing, escape, and hiding cover values are not being provided in this pasture. Overall, this allotment is failing to provide adequate (unsuitable) sage-grouse habitat conditions and therefore is not meeting Standard 8 due to historic grazing practices.

Evaluation under Standard 7 found that waters within the allotment were not meeting Idaho water quality parameters due to mercury pollutants (see Standard 7). Columbia River redband trout are known to occur within the Jordan Creek system. This allotment is also within the distribution of the Columbian spotted frog. 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. Evaluation of Standard 7 identified streams not meeting water quality parameters due to mercury pollutants and elevated stream temperatures. This allotment is

[8] For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 3.1.4 and the RHA/Eval/Det.

not providing adequate aquatic conditions to sustain viable populations of redband trout or Columbia spotted frogs, and therefore is not meeting Standard 8 due to mercury pollutants and elevated stream temperatures. Livestock grazing practices are not identified as a contributing casual factor.[9]

Guidelines for Livestock Grazing Management

In addition to a discussion of land health standards, the BLM's 2013 Determination for the Bachelor Flat FFR 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 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.*

Issues

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

> *Issue 1: Habitat conditions for greater sage-grouse (Centrocercus urophasianus; from this point on referred to as sage-grouse): Sage-grouse habitat health is directly related to upland vegetation and watershed conditions. Specific areas of the Morgan Group allotments contain altered sagebrush community composition, structure, and function that are affecting sage-grouse and other sagebrush habitat-dependent species.*
>
> *Issue 2: Riparian vegetation conditions: Livestock grazing is affecting riparian condition and aquatic habitat by changing the health and composition of riparian vegetation communities.*

[9] For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2011-0006-EA Sections 3.1.5, 3.3.1.1.4, and the RHA/Eval/Det.

Issue 3: Fish and amphibian habitat conditions: Stream, floodplain, wetland, and mesic (moderately moist) habitat conditions are directly related to conditions within the riparian vegetation community. Altering of the riparian community may affect the health and sustainability of fish and amphibian populations.

Issue 4: Upland vegetation and watershed conditions: Livestock grazing is affecting upland vegetation by reducing or removing native vegetation communities that protect watershed soil and hydrologic function.

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

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

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

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

Issue 9: Climate Change: The issue of climate change and its relationship to the federal action of renewing grazing permits is twofold. Livestock grazing in Owyhee County contributes CO2 and methane emissions to the earth's atmosphere. In addition, climate change, itself a stressor on the sagebrush-steppe semi-arid ecosystem found in the Owyhee Uplands can, when found in conjunction with cattle grazing, further stress the ecosystem's vegetation.

Analysis of Alternative Actions

Based on the current condition of the Bachelor Flat FFR 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 or some improved conditions on the allotment. Specifically, the BLM analyzed five alternatives in detail, identified a number of actions common to all alternatives, and considered but did not analyze in detail a number of other possible actions.[10] The BLM considered the following alternatives in detail:

- Alternative 1: Renew the livestock grazing permit for use in the Bachelor Flat FFR allotment consistent with the summarized actions that have led to the current conditions. The same terms and conditions of the existing permit would be included in the permit offered. Livestock would be authorized from April 1 through December 31 with 125 cattle, although livestock numbers and season of use could vary at the permittee discretion up to 127 AUMs with no AUMs in suspension.
- Alternative 2: Renew the livestock grazing permit for use in the Bachelor Flat FFR allotment in accordance with terms and conditions of the existing permit and as modified

[10] For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2011-0006-EA Section 2.3.

by the applications received from Phillip & Benjamin Williams. The number of livestock would be 125 cattle and season of use would be April 15 through November 14, although the season of use could vary at the permittees discretion up to 127 AUMs with no AUMs in suspension. Terms and conditions for stubble height, woody browse, utilization, and streambank alteration imposed on the grazing permit by the United States District Court for the District of Idaho would not be included in terms and conditions of the offered permits.

- Alternative 3: Renew the livestock grazing permit for use in the Bachelor Flat FFR allotment with terms and conditions that constrain seasons, intensities, duration, and frequency of grazing use to a degree necessary to meet, make significant progress toward meeting rangeland health standards, and continue meeting all applicable ORMP objectives within pastures where identified resources are present. A 3-year rotation would be in effect, and the season of use would be April 15 through June 15 in Year 1 and 2 and September 1 through November 15 in Year 3 for pasture 1. The season of use would be June 16 through November 15 in Year 1 and 2 and June 16 through August 31 in Year 3 on pasture 2. The number of livestock could be up to 125 cattle and up to 127 AUMs would be authorized with no AUMs in suspension.
- Alternative 4: Renew the livestock grazing permit for use in the Bachelor Flat FFR allotment with terms and conditions that constrain seasons, intensities, duration, and frequency of grazing use to a degree necessary to meet, make significant progress toward meeting, or maintain meeting all applicable standards and the ORMP objectives within pastures where identified resources are present (see resource constraints below). Grazing would be managed more intensively by incorporating additional deferment or rest to limit adverse impacts from livestock grazing on resource values. A 3-year rest-rotation would be in effect, and the season of use would be April 15 through June 15 in Year 1, July 15 through August 31 in Year 2 and rest in Year 3 for pasture 1. The season of use would be June 16 through November 15 in Year 1, September 1 through November 15 in Year 2, and rest in Year 3 on pasture 2. The number of livestock could be up to 120 cattle and up to 122 AUMs would be authorized with no AUMs in suspension.
- Alternative 5: No grazing would be authorized on public lands within the Bachelor Flat FFR allotment for a term of 10 years. Upon expiration of the 10-year term, livestock grazing on the allotment would be reevaluated, with retention of preference (priority for grazing authorization) for approval of application(s) for grazing permit(s) attached to the current base property.

Final Decision

After considering the current grazing practices, the current conditions of the natural resources, and the alternatives and analysis in the environmental impact statement (EIS), comments received from you and other interested publics, protests, as well as other information, it is my final decision to renew your grazing permit for 10 years with modified terms and conditions consistent with Alternative 3.

Implementation of Alternative 3 over the next 10 years will allow the Bachelor Flat FFR 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 will be as follows:

Table FINAL 1.0. Terms and Conditions

Allotment	Livestock		Grazing Period		% PL	Type Use	AUMs
	Number	Kind	Begin	End			
00640 Bachelor Flat FFR	125	Cattle	04/15	11/15	29	Active	127

Other Terms and Conditions:

1. Cattle numbers may vary up to a maximum of 125 head.
2. Grazing use will be in accordance with the grazing schedule identified in the final decision of the Owyhee Field Office Manager dated December 24, 2013. Changes to the scheduled use require approval.
3. Livestock turn-out is subject to the District range readiness criteria.
4. You are required to submit a signed and dated Actual Grazing Use Report Form (BLM Form 4130-5) for each allotment you graze. The completed form(s) must be submitted to this office within 15 days of the last day of your authorized annual grazing use.
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. Use of supplements other than the standard salt or mineral block on public land requires annual authorization by the authorized officer.
6. Trailing activities must be coordinated with the BLM prior to initiation. A crossing permit may be required prior to trailing livestock across public lands. Permittee will notify any/all affected permittees or landowners in advance of crossing.
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 exclosures located within the grazing allotment are closed to all domestic grazing use.
9. Prior to turn-out, all range improvements must be maintained and in accordance with the cooperative agreement and range improvement permit in which you are a signatory or assignee. All maintenance activities that may result in ground disturbance require prior approval from 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.
11. Upland forage utilization by livestock on key upland herbaceous forage species is limited to 50 percent.

Table FINAL 1.1. Grazing Schedule

Pasture	Year 1	Year 2	Year 3
Pasture 1	4/15-6/15	4/15-6/15	9/1-11/15
Pasture 2	6/16-11/15	6/16-11/15	6/16-8/31

Notes on the Terms and Conditions

My final decision is to offer you a grazing permit for a term of 10 years for the Bachelor Flat FFR allotment. Implementation of Alternative 3 will result in no reduction or increase in AUMs from your current permit. Permitted use within the Bachelor Flat FFR allotment will be as follows:

Table FINAL 1.2. Permitted Use

Active Use	Suspension	Permitted Use
127 AUMs	0	127 AUMs

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 Bachelor Flat FFR allotment and have determined that you have a satisfactory record of performance and are a qualified applicant for the purposes of a permit renewal. Implementation of this Final Decision is contingent upon maintenance of projects in a functioning condition (e.g., boundary and internal fences riparian developments in good and functioning condition).

Justification for the Final Decision

Based on my review of EA number DOI-BLM-ID-B030-2013-0023-EA, the rangeland health assessment, evaluation, determination, protests, and other documents in the grazing files, it is my decision to select Alternative 3. I have made this selection for a variety of reasons, but most importantly because of my understanding that implementation of this decision will continue to fulfill the BLM's obligation to manage the public lands under the Federal Land Policy and Management Act's multiple use and sustained yield mandate, and will result in the Bachelor Flat FFR allotment making significant progress towards meeting the resource objectives of the ORMP and the Idaho S&Gs.

Issues Addressed

Earlier in this decision I outlined the major issues that drove the analysis and decision making process for the Bachelor Flat FFR allotment. Prior to making my decision, I considered each alternative in light of the specific issues raised within this allotment. I believe Alternative 3 best addresses those issues, given the BLM's legal and land management obligations.[11]

[11] As you know, your allotment is part of a group of six allotments forming the Owyhee 68 Allotments, which large group is the subject of a permit renewal process to be completed by December 31, 2013. The NEPA process for the

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

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.

Currently this allotment is not providing adequate upland and sage-grouse habitat conditions. Under Alternative 3, upland habitat and sage-grouse habitat conditions will improve in pasture 1 because of the grazing schedule and incorporation of grazing deferment 1 out of 3 years out of the critical growth period (May 1-June 30) (i.e., no grazing during the critical growth period). Alternative 3 also restricts grazing 1 out of 3 years during the sage-grouse nesting/early brood-rearing period (April l-June 30). Deferment will modify the repeated spring grazing cycle and allow plants the opportunity to grow during the critical growth season. While current livestock management is not identified as a significant causal factor in this this allotment's failure to meet Standard 8, eliminating this additional stressor (grazing) 1 of 3 years will improve plant vigor and health and improve upland habitat composition and structure. Sage-grouse would benefit by the

---

Owyhee 68 consists of 5-plus EAs and an EIS. This multiple-allotment process has required me, as the Field Manager responsible for signing these grazing decisions, to look at these allotments, and the other allotments analyzed in the EAs and the EIS, not just individually but as a members of a group of allotments located in a particular landscape, the BLM Owyhee Field Office. That is, while I am looking at your individual allotment, reviewing its RHA/Evaluation/Determination, and selecting an alternative that will best address the allotment's ecological conditions and BLM's legal responsibilities (for the purposes of this decision), I am also looking at the allotment from a landscape perspective. From this perspective, there are problems common to the Owyhee 68 Allotments.
Of the approximately 60 allotments that have riparian areas, at least 47 are not meeting S&Gs for riparian/water issues due to current livestock management; of approximately 73 allotments, 43 are not meeting the Standard for upland vegetation. In many cases, performance under Standard 8 tracks these results. Despite of the efforts of BLM and the ranch operators, resource conditions are not good. Some of these allotments have been used in the spring year after year; some have had summer-long riparian use every year, some are severely impaired from historical use. 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. Nonetheless, as stewards of the land, we must factor into our decisions a consideration of how best to promote resiliency on the landscape. Add to this the uncertainty associated with the BLM's organizational capacity to manage this landscape: in a time of budget cutting, staff reductions, and reduced revenues, land management decisions must factor in considerations of the level of on-the-ground management we can reasonably expect to accomplish. 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 anticipated organizational ability, and which does so on a landscape level. My challenge is this: looking out at the field office, what intensity of management can I reasonably expect to accomplish, knowing that when BLM selects an alternative that requires intensive management from BLM (i.e., continuous and intensive monitoring or other workloads that need to occur every year) it also accepts the risk and responsibility of that system's failure which could include a decreasing ecological health for the allotment at issue. My responsibility and challenge here is to make decisions that can be successfully implemented by BLM over the long term and that will lead to success, defined as healthy, sustainable resource conditions and predictability for ranch operators.

availability of increased security and escape cover during the nesting/early brood-rearing period and the decreased vulnerability of detection and predation by terrestrial and avian predators.

Currently this allotment is providing adequate riparian habitat conditions. Under Alternative 3, the grazing strategy will maintain current riparian habitat conditions in this allotment. Riparian habitat composition and structure will continue to function properly and provide adequate aquatic habitat conditions for Columbia redband trout. Columbia redband trout will benefit because of the adequate stream shade, woody debris, pool development, flow regulation, and less sediment delivery to the stream habitat.

Overall, Alternative 3 will improve current conditions in pasture 1 and show improvement of current conditions in pasture 2. Improvement in upland and sage-grouse habitat conditions is anticipated to progress toward meeting Standard 8 because of the reduced spring grazing pressure and the improved health and vigor of the vegetation. Because upland and sage-grouse habitat conditions will show improvement and current conditions in riparian areas will continue, this allotment will make significant progress toward meeting standard 8 and ORMP objectives.[12]

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

The allotment is meeting the Standards associated with the riparian-wetland resources under current management (Alternative 1/year-round). Under Alternative 3, the allotment will have a defined 3-year grazing schedule with growing season deferment incorporated 1 of the 3 years, and the impacts associated with summer grazing during the 1 year will be eliminated. Therefore, the riparian-wetland Standards will continue to be met under Alternative 2.[13]

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.

AND

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

AND

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

Rangeland Health Standard 4 is not being met in pasture 1 but is being met in pasture 2. Implementation of Alternative 3 will improve current conditions and pasture 1 will have the opportunity to move toward meeting Standard 4 and ORMP objectives. This alternative will maintain or improve pasture 2 already meeting Standards and ORMP objectives of vegetation

[12] For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 3.3.1.2.3.4.
[13] For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 3.3.1.2.3.3.

communities. Alternative 3 will authorize April through June grazing in pasture 1 two out of 3 years, and the other year will have fall grazing. Pasture 2 will allow repeated spring through summer grazing currently meeting standards with a maximum of 125 head of cattle and 127 AUMs. Increased years of deferment in pasture 1 as compared to repeated spring grazing in Alternative 1 will have the opportunity to move toward meeting vegetation Standards and ORMP objectives for vegetation health and vigor. Vegetation resources not meeting ORMP vegetation management in pasture 1 will have the opportunity to improve unsatisfactory vegetation health and vigor as compared to Alternative 1 No Action.

Although any grazing has the potential to introduce and spread invasive weeds and non-native annual grasses, the implementation of Alternative 3 will result in improved watershed function and plant vigor. 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 Alternatives 4 and 5 would further reduce the potential for livestock to introduce and spread invasive and non-native annual species as compared to Alternative 3, livestock remain only one of a number of vectors for seed dispersal and soil surface disturbance. BLM's coordinated and ongoing weed control program would still be required in the absence of livestock grazing in the allotment.[14]

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

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

Consideration of Alternatives 1 and 2 disclosed that neither alternative would allow the allotment to meet Idaho S&Gs or the ORMP resource objectives. Therefore I could not select them despite the lesser economic impacts that they may have. Over the long term, your grazing operation relies upon maintenance of the natural resources, including productive and healthy rangelands capable of supplying a reliable forage base. Selection of an alternative based in unsustainable grazing practices that do not meet rangeland health standards would result in less reliable amounts of forage over the long term, in addition to reducing economic opportunities provided by healthy ecosystems and alternate socio-economic resources, such as recreation, that rely on healthy, functional, and aesthetically pleasing open spaces and wildlife habitats.

I have considered a wide range of issues at the allotment level, including the social and economic impacts that result from modifying grazing authorizations. I have minimized reductions in grazing

[14] For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Sections 3.3.1.2.3.1, 3.3.1.2.3.2, and 3.3.1.2.3.3.

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.[15]

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

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

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

The selected alternative retains a level of grazing use that reduces the accumulation of fine fuels, and thus will lessen the spread of large wildfires when fire weather conditions are less extreme. More importantly, it is designed to benefit and promote the health and vigor of native perennial species on the allotment, thereby limiting the dominance of annual species and so limiting the accumulation of continuous fine fuels and extreme fire behavior, while enhancing post-fire recovery.[16]

Issue 9: Climate Change: The issue of climate change and its relationship to the federal action of renewing grazing permits is twofold. Livestock grazing in Owyhee County contributes CO2 and methane emissions to the earth's atmosphere. In addition, climate change, itself a stressor on the sagebrush-steppe semi-arid ecosystem found in the Owyhee Uplands can, when found in conjunction with cattle grazing, further stress the ecosystem's vegetation.

Climate change is another factor I considered in building my decision around Alternative 3 for the Bachelor Flat FFR allotment. Climate change is a stressor that can reduce the long-term competitive advantage of native perennial plant species. Since livestock management practices can also stress sensitive perennial species in arid sagebrush steppe environments, I considered the

[15] For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 3.3.1.2.3.6.
[16] For more detailed discussion, please refer to EA number DOI-BLM-ID-B030-2013-0023-EA Section 2.3.

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 combined seasons, intensities, and durations of livestock use to promote long-term plant health and vigor thereby providing resistance and resilience to additional stressors, including climate change.

Additional Rationale

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

I did consider selecting Alternatives 1, 2, 4, and 5 for this allotment. Based on all the information used in developing my decision, I believe that the BLM can meet resource objectives and still allow grazing on the allotments, which is why I did not select Alternative 5 (No Grazing). In selecting Alternative 3 for the Bachelor Flat FFR allotment rather than Alternatives 1, 2, 4, or 5, I especially considered (1) BLM's ability to meet resource objectives using the selected alternatives, (2) the impact of implementation of Alternative 5 on you, and (3) your past performance under previous permits.

During the public comment period for the Draft EA and the 15-day protest period for the Proposed Decisions, we received comments from members of the interested public stating that the BLM should analyze the effects of livestock grazing in an Environmental Impact Statement (EIS) rather than an EA. The BLM completed EIS # DOI-BLM-ID-B030-2012-0014-EIS that analyzes the effects of livestock grazing in the Chipmunk Group 2 allotments that are associated with the Owyhee 68 permit renewal process. The scope of analysis in this EIS is relevant to all the allotments within the Owyhee Field Office and supports the analysis in the Groups 3, 4, 5, and 6. As stated earlier in this Decision, I am incorporating by reference the analysis in the Chipmunk Group 2 EIS.

Finding of No Significant Impact (FONSI)

A finding of no significant impact (FONSI) was signed on November 20, 2013, and concluded that the final 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. For those reasons, an EIS is not required.

Conclusion

In conclusion, it is my decision to select Alternative 3 over the other four alternatives analyzed because livestock management practices under this selection best meet the ORMP objectives allotment-wide and the Idaho S&Gs. This grazing decision and subsequent permit are being issued under the authority of 43 CFR 4100 and in accordance with the Owyhee Resource Management Plan (43 CFR 4100.0-8), thus all activity thereunder must comply with the objectives and management actions of the Plan.

Authority

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

- 4100.0-8 Land use plans. The ORMP designates the Bachelor Flat FFR allotment available for livestock grazing;
- 4130.2 Grazing permits or leases. Grazing permits may be issued to qualified applicants on lands designated as available for livestock grazing. Grazing permits shall be issued for a term of 10 years unless the authorized officer determines that a lesser term is in the best interest of sound management;
- 4130.3 Terms and conditions. Grazing permits must specify the term and conditions that are needed to achieve desired resource conditions, including both mandatory and other terms and conditions; and
- 4180 Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration. This final decision will result in taking appropriate action to modifying existing grazing management in order to make significant progress toward achieving rangeland health.

Right of Appeal

Any applicant, permittee, lessee, or other person whose interest is adversely affected by the final decision may file an appeal in writing for the purpose of a hearing before an administrative law judge in accordance with 43 CFR §§ 4160.3(c), 4160.4, 4.21, and 4.470. The appeal must be filed within 30 days following receipt of the final decision. 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:

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

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

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

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

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

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

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

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

Sincerely,

Loretta V. Chandler
Owyhee Field Manager

Attachments: Protest Responses – Group 5 allotments

cc: Group 5 allotments Interested Public

Group 5 Final Decision Mail List

Company Name	First Name	Last Name	Address 1	City	State	Zip
Boise District Grazing Board	Stan	Boyd	PO Box 2596	Boise	ID	83701
Colyer Cattle Co.	Ray & Bonnie	Colyer	31001 Colyer Rd.	Bruneau	ID	83604
Chipmunk Grazing Assoc.	Elias	Jaca	PO Box 175	Marsing	ID	83639
Friends of Mustangs	Robert	Amidon	8699 Gantz Ave.	Boise	ID	83709
Gusman Ranch Grazing Association LLC	Forest	Fretwell	27058 Pleasant Valley Rd.	Jordan Valley	OR	97910
Holland & Hart LLP			PO Box 2527	Boise	ID	83701
ID Cattle Association			PO Box 15397	Boise	ID	83715
ID Conservation League	John	Robison	PO Box 844	Boise	ID	83701
ID Dept. of Agriculture	John	Biar	2270 Old Penitentiary Rd., PO Box 7249	Boise	ID	83707
ID Wild Sheep Foundation	Director: Jim	Jeffress	PO Box 8224	Boise	ID	83707
ID Wild Sheep Foundation	Herb	Meyr	570 E. 16th N.	Mountain Home	ID	83647
Idaho Dept. of Lands			PO Box 83720	Boise	ID	83720
Idaho Farm Bureau Fed			PO Box 167	Boise	ID	83701
IDEQ			1445 N. Orchard	Boise	ID	83706
Intermountain Range Consultants	Bob	Schweigert	5700 Dimick Ln.	Winnemucca	NV	89445
International Society for the Protection of Horses & Burros	Karen	Sussman	PO Box 55	Lantry	SD	57636
Jaca Livestock	Elias	Jaca	817 Blaine Ave.	Nampa	ID	83651
Juniper Mtn. Grazing Assn.	Michael	Stanford	3581 Cliffs Rd.	Jordan Valley	OR	97910
Land & Water Fund	William	Eddie	PO Box 1612	Boise	ID	83701
LU Ranching	Tim	Lowry	PO Box 132	Jordan Valley	OR	97910
LU Ranching	Bill	Lowry	PO Box 415	Jordan Valley	OR	97910
Moore Smith Buxton & Turcke	Paul	Turcke	950 W. Bannock, Ste. 520	Boise	ID	83702
Morgan Properties	David	Rutan	PO Box 277	Jordan Valley	OR	97910
Natural Resources Defense Council	Johanna	Wald	111 Sutter St., 20th Floor	San Francisco	CA	94104
Oregon Division State Lands			1645 NE Forbes RD., Ste. 112	Bend	OR	97701
Owyhee Cattlemen's Assn.			PO Box 400	Marsing	ID	83639
Owyhee County Commissioners			PO Box 128	Murphy	ID	83650
Owyhee County Natural Resources Committee	Jim	Desmond	PO Box 128	Murphy	ID	83650
Quintana Ranch LP	Tim	Quintana	3876 Hwy. 95	Homedale	ID	83628
Ranges West			2410 Little Weiser Rd.	Indian Valley	ID	83632
Resource Advisory Council	Chair: Gene	Gray	2393 Watts Lane	Payette	ID	83661
Schroeder & Lezamiz Law Offices			PO Box 267	Boise	ID	83701
Shoshone-Bannock Tribes	Tribal Chair: Nathan	Small	PO Box 306	Ft. Hall	ID	83203
Sierra Club			PO Box 552	Boise	ID	83701
Soil Conservation District	Cindy	Bachman	PO Box 186	Bruneau	ID	83604
South Mountain Grazing Coop	Terry	Warn	PO Box 235	Jordan Valley	OR	97910
State Historic Preservation Office			210 Main St.	Boise	ID	83702
State of NV Div. of Wildlife			60 Youth Center Rd.	Elko	NV	89801
The Fund for the Animals, Inc.	Andrea	Lococo	1363 Overbacker	Louisville	KY	40208
The Nature Conservancy			950 W Bannock St., Ste.210	Boise	ID	83702
The Wilderness Society			950 W. Bannock St., Ste. 605	Boise	ID	83702-5999
US Fish & Wildlife Service			1387 S Vinnell Way, Rm. 368	Boise	ID	83709
USDA Farm Services			9173 W. Barnes	Boise	ID	83704
Western Watershed Projects			PO Box 1770	Hailey	ID	83333
Western Watershed Projects	Katie	Fite	PO Box 2863	Boise	ID	83701
Wroten Land & Cattle Co.			30314 Juniper Mtn. Rd.	Jordan Valley	OR	97910
	Russ	Heughins	10370 W. Landmark Ct.	Boise	ID	83704

Company Name	First Name	Last Name	Address 1	City	State	Zip
	Brett	Nelson	9127 W. Preece St.	Boise	ID	83704
	Anthony & Brenda	Richards	8935 Whiskey Mtn. Rd.	Murphy	ID	83650
	Martin & Susan	Jaca	21127 Upper Reynolds Creek Rd.	Murphy	ID	83650
	Vernon	Kershner	PO Box 38	Jordan Valley	OR	97910
	Ramona	Pascoe	PO Box 126	Jordan Valley	OR	97910
	Chad	Gibson	16770 Agate Ln.	Wilder	ID	83676
	Kenny	Kershner	PO Box 300	Jordan Valley	OR	97910
	Dale	Berrett	3540 Hwy. 95	Jordan Valley	OR	97910
	Loetta	Larsen	PO Box 156	Jordan Valley	OR	97910
	WF & Carolyn	Peton	PO Box 998	Veneta	OR	97487
	Phillip & Benjamin	Williams	1807 Danner Loop Rd.	Jordan Valley	OR	97910
	Senator: Mike	Crapo	251 E. Front St., Ste. 205	Boise	ID	83702
	Senator: James E.	Risch	350 N. 9th St., Ste. 302	Boise	ID	83702
	Congressman: Raul	Labrador	33 E. Broadway Ave., Ste. 251	Meridian	ID	83642
	Congressman: Mike	Simpson	802 W. Bannock St., Ste. 600	Boise	ID	83702
	Conrad	Bateman	740 Yakima St.	Vale	OR	97918
	Gene	Bray	5654 W El Gato Ln.	Meridian	ID	83642
	Dan	Jordan	30911 Hwy. 78	Oreana	ID	83650
	Floyd	Kelly Breach	9674 Hardtrigger Rd.	Given Springs	ID	83641
	Lloyd	Knight	PO Box 47	Hammett	ID	83627
	John	Romero	17000 2X Ranch Rd.	Murphy	ID	83650
	John	Townsend	8306 Road 3.2 NE	Moses Lake	WA	98837
	Thomas	Gluch	PO Box 257	Jordan Valley	ID	97910
	Bill	Baker	2432 N. Washington	Emmett	ID	83617-9126
	Ed	Moser	22901 Lansing Ln.	Middleton	ID	83644
	Charles	Lyons	11408 Hwy.20	Mountain Home	ID	83647
	John	Richards	8933 State Hwy. 78	Marsing	ID	83639
Office of Species Conservation	Cally	Younger	304 N. 8th St., Ste. 149	Boise	ID	83702

Group 5 Response to Protests

Protest ID	Protest Point No.	Protest Text	Protest Response
5DBerrett12102013	1	Berrett FFR - I strongly protest Term and Condition 1 of the Berrett FFR Proposed Decision which states "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." I also protest Term and Condition 14 on page 12 of the Proposed Decision which states "Berrett FFR Allotment- Cattle numbers may vary up to 200 head as long as the total active use by pasture or allotment and permitted season o(use are not exceeded annually." BLM cannot dictate when and how I use my private property or my State of Idaho Grazing Leases. Furthermore, I protest the 200 head limit on cattle in the Berrett FFR as identified in Term and Condition 14 (page 12 of proposed decision) due to the fact that the majority of the land in the Berrett FFR is either managed by the Idaho Department of Lands or it is my private land. BLM has no management authority on private and State lands in Idaho.	The BLM agrees and does not manage private or state lands; management prescriptions apply to the Public Lands only. Regarding allotments with FFR in their name: the BLM's legal and regulatory management responsibilities for public land resources are not attenuated or reduced by the presence of limited public land acreage within larger parcels of non-federal ownership.
5DBerrett12102013	2	Berrett FFR - I further protest that fact that BLM has arbitrarily changed the percent public land from 100% public land to 16% public land in order to incorporate my private land and my State Grazing Leases into BLM's grazing management schematic without my knowledge and especially when BLM has the smallest percentage of land ownership in the Berrett FFR.	The BLM disagrees and has changed the percent public land to reflect what is actually occurring on the landscape. Percent public land for the Group 5 allotments were calculated based on the normal year potential production of ecological sites for the proportion of public lands in the allotment, as compared to the total of public lands plus lands which may be controlled by the permittee (USDA NRCS 2009). Although the ecological condition of lands within the allotment may not be in reference condition, the assumption was made that both public lands and lands controlled by the permittee are in equal condition and the proportion of production from each does not

Protest ID	Protest Point No.	Protest Text	Protest Response
			differ from the proportion of production at reference site conditions. Instead of using 100 percent public lands as displayed in Alternative 1, the BLM displays these lands in Alternative 2-4 using the calculations as appropriate. The BLM is managing only the Public Lands.
5DBerrett12102013	3	Berrett FFR - BLM in their proposed decision has done just the opposite and changed the percent public land use to 16% which includes all private and state lands, and then BLM applies all of these lands by pasture to their Grazing Schedule identified on page 12 of their proposed decision instead of considering this land for disposal (2013 supplement RHA).	Regarding allotments with FFR in their name: the BLM's legal and regulatory management responsibilities for public land resources are not attenuated or reduced by the presence of limited public land acreage within larger parcels of non-federal ownership. As noted above, BLM management prescriptions apply only to the Public Lands.
5DBerrett12102013	4	Berrett FFR - I protest the fact that BLM did not adequately follow their process identified in 43 CFR 4130.2(b) which states, "The authorized officer shall consult, cooperate and coordinate with affected permittees or lessees, the State having lands or responsible for managing resources within the area, and the interested public prior to the issuance or renewal of grazing permits and leases. " Had BLM properly followed 43 CFR 4130.2 and consulted, cooperated, and coordinated with me, they would have known at the very beginning of this permit renewal process I had no interest or desire in putting my private lands and my State Grazing Leases under their grazing schedules identified on page 12 of the proposed decision (Table PROP 1.1 Berrett FFR Allotment Grazing Schedule).	The BLM met with you in April and December of 2013 and discussed the issues and your protest points and incorporated them into the Final Decision. As per 4130.3-3, "Following consultation, cooperation, and coordination with the affected lessees or permittees, the State having lands or responsible for managing resources within the area, and the interested public, the authorized officer may modify terms and conditions of the permit or lease when the active use or related management practices are not meeting the land use plan, allotment management plan or other activity plan, or management objectives, or is not in conformance with the provisions of subpart 4180 of this part. To the extent practical, the authorized officer shall provide to affected permittees or lessees, States having lands or responsibility for managing resources within the affected area, and the interested public an opportunity to review, comment and give input during the preparation of reports that evaluate monitoring and other data that are used as a basis for making decisions to increase or decrease grazing use,

Protest ID	Protest Point No.	Protest Text	Protest Response
			or to change the terms and conditions of a permit or lease." The BLM has completed extensive consultation, cooperation, and coordination with all parties involved and continues to coordinate with parties affected. As outlined the Final Decision meetings were held and multiple opportunities to review documents occurred.
5DBerrett12102013	5	Berrett FFR - Terms and Conditions 12 and 13 should state that these Terms and Conditions apply only to the public lands within the Berrett FFR.	The BLM agrees and these authorizations are only for BLM acres associated with the Berrett FFR. Regarding allotments with FFR in their name: the BLM's legal and regulatory management responsibilities for public land resources are not attenuated or reduced by the presence of limited public land acreage within larger parcels of non-federal ownership.
5DBerrett12102013	6	Berrett FFR - The Owyhee Resource Management Plan on pages 14 and 18 states bank alteration at 10% or less, not less than 10% as BLM has incorrectly identified in Term and Condition 13.	Final Decision language in T&C #13 adjusted to read '...less than or equal to 10%...'
5DBerrett12102013	7	Berrett FFR - How can BLM make management changes and state that their decision was based in part on 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 "with only one year of utilization monitoring data, and no upland trend data, and the one year of utilization data was rated at 14% use (very light grazing)?	The BLM agrees and used in part upland vegetaion and watershed information, however, Berrett FFR allotment is not meeting desired conditions because of riparian and wildlife concerns as well, see the final determination and EA for full affected environment discussion.

Protest ID	Protest Point No.	Protest Text	Protest Response
5DBerrett12102013	8	Berrett FFR - I protest the fact that BLM did not adequately follow their process identified in 43 CFR 4130.2(b) which states, "The authorized officer shall consult, cooperate and coordinate with affected permittees or lessees, the State having lands or responsible for managing resources within the area, and the interested public prior to the issuance or renewal of grazing permits and leases. "	The BLM met with you in April and December of 2013 and discussed the issues and your protest points and incorporated them into the Final Decision. As per 4130.3-3, "Following consultation, cooperation, and coordination with the affected lessees or permittees, the State having lands or responsible for managing resources within the area, and the interested public, the authorized officer may modify terms and conditions of the permit or lease when the active use or related management practices are not meeting the land use plan, allotment management plan or other activity plan, or management objectives, or is not in conformance with the provisions of subpart 4180 of this part. To the extent practical, the authorized officer shall provide to affected permittees or lessees, States having lands or responsibility for managing resources within the affected area, and the interested public an opportunity to review, comment and give input during the preparation of reports that evaluate monitoring and other data that are used as a basis for making decisions to increase or decrease grazing use, or to change the terms and conditions of a permit or lease." The BLM has completed extensive consultation, cooperation, and coordination with all parties involved and continues to coordinate with parties affected. As outlined the Final Decision meetings were held and multiple opportunities to review documents occurred.
5DBerrett12102013	9	Berrett FFR - As the proposed decision currently stands with its grazing schedule identified on page 12, this will be an unworkable schedule for my operation as many years there is no way to use the higher elevation pastures due to these pastures still under snow on the dates BLM has scheduled livestock to be turned out.	The BLM has selected Alternative 3 as the Final Decision and feels that it adequately addresses resource concerns on the BLM managed lands within the Berrett FFR Allotment. The BLM also feels that one in three years of deferment instead of repeated May through October grazing annually is

Protest ID	Protest Point No.	Protest Text	Protest Response
			a reasonable decision.
5DBerrett12102013	10	Boulder Allotment - I protest the fact that BLM did not adequately follow their process identified in 43 CFR 4130.2(b) which states, "The authorized officer shall consult, cooperate and coordinate with affected permittees or leessees, the State having lands or responsible for managing resources within the area, and the interested public prior to the issuance or renewal of grazing permits and leases. " Had BLM properly followed 43 CFR 4130.2 and consulted, cooperated, and coordinated with me, they would have known at the very beginning of this permit renewal process that their grazing schedule identified on page 12 of the proposed decision (Table PROP 1.1 Boulder Allotment Grazing Schedule) would not work in my situation due to the limited or lack of water during the fall of the year.	The BLM has modified the Final Decision for the Boulder Allotment as per CCC with you in December 17, 2013. See BLM response to protest point 9.

Protest ID	Protest Point No.	Protest Text	Protest Response
5DBerrett12102013	11	Boulder Allotment - I protest alternative 4 where the active use AUMS will no longer be made available and will not be converted to suspension." This proposed reduction would cancel 65 AUMS and not placed them into suspension. BLM did not properly follow their grazing regulations (4110.3-3(a) in part which states "After consultation, cooperation, and coordination with the affected permittee or lessee, the State having lands or managing resources within the area, and the interested publics, reductions of permitted use shall be implemented ..... "	The BLM is following the 9894 Federal Register I Vol. 60, No. 35, which clearly states that the Department does not believe that it is appropriate to add or carry suspended AUMs on a renewed grazing permit unless there is a reasonable expectation that the AUMs will be returned to active use in the foreseeable future. The EIS and determinations provided a thorough explanation of resource conditions and causal factors for the BLM to make clear decisions on whether the reduction in Active AUMs were likely to be re-activated in the foreseeable future. Reductions in Active AUMs were made on allotments that were not meeting or making significant progress due to current livestock grazing. Clearly, in these situations, resource conditions were impacted to the point that our minimum requirements (Idaho Standards for Rangeland Health and ORMP objectives) could not be achieved. This provided me the information to know with certainty that in order to meet or make significant progress towards the standards, the selected reductions were required for the term of the permit. There was no way to predict if any increases would be possible following the ten-year term, nor would it be appropriate for me to expect or predict that information. Also, see Response to Protest # 102. Additionally, regardless of whether the reduced Active AUMs were placed in suspension or eliminated, the exact same process to re-activate those AUMs would be required (43 CFR 4110.3-1).

Protest ID	Protest Point No.	Protest Text	Protest Response
5DBerrett12102013	12	Boulder Allotment - BLM never met in person with me to discuss the AUM reductions at any point in time during my permit renewal process for the Boulder Allotment. Every point during my permit renewal process that I contacted BLM, they stated that everything was fine and gave me no inclination that there were any proposals of reductions or major changes in the season of use.	See response to protest point 4.
5DBerrett12102013	13	Boulder Allotment - BLM never discussed AUM reductions with me in person during my permit renewal process at any time. I question how BLM can say they have met their requirements of 43 CFR 4110.3-3(a) in part which states "After consultation, cooperation, and coordination with the affected permittee or lessee, the State having lands or managing resources within the area, and the interested publics, reductions o[permitted use shall be implemented ..... "	See response to protest point 4.
5MorganProp12102013	14	Morgan Properties - We must protest this recommendation, as this will harm our operation by severely limiting our ability to effectively use our allotments. When I asked what to do with the dates we were given in the recommended rotation that we know are going to be too late in the season to be able to use them, Carmela said that if we were not able to use them during the dates given, we would need to rest them. Since the Alternative 4 we were given already has one year of rest in a three-year rotation, this would effectively result in a 66% reduction in grazing for these allotments.	As discussed in our December meeting with you, these alternatives selected in the Final Decision were fully analyzed in detail in the Morgan Group 5 EA including the Socioeconomic impacts section.

Protest ID	Protest Point No.	Protest Text	Protest Response
5MorganProp12102013	15	Morgan Properties - Since many of these Morgan Properties BLM parcels are small, or located on the edge of private or State lands, it means that many are in close proximity to roads and/or fence lines. The recommendations do not take these factors into account, nor do they accurately reflect the true use or health of the land examined. We disagree with the science and the methods used to arrive at those recommendations and it appears that budget constraints dictated just how thoroughly the allotments were actually evaluated--or whether they were estimated from behind a desk.	We note your disagreement with our findings.
5QuintanaRanch12122013	16	I reiterate that the method by which the evaluation was completed was flawed. The permit holder should have been contacted and given the opportunity to be present.	The BLM met with you in April and December of 2013 and discussed the issues and your protest points and incorporated them into the Final Decision. As per 4130.3-3, "Following consultation, cooperation, and coordination with the affected lessees or permittees, the State having lands or responsible for managing resources within the area, and the interested public, the authorized officer may modify terms and conditions of the permit or lease when the active use or related management practices are not meeting the land use plan, allotment management plan or other activity plan, or management objectives, or is not in conformance with the provisions of subpart 4180 of this part. To the extent practical, the authorized officer shall provide to affected permittees or lessees, States having lands or responsibility for managing resources within the affected area, and the interested public an opportunity to review, comment and give input during the preparation of reports that evaluate monitoring and other data that are used as a basis for making decisions to increase or decrease grazing use, or to change the terms and conditions of a permit or lease." The BLM has completed extensive

Protest ID	Protest Point No.	Protest Text	Protest Response
			consultation, cooperation, and coordination with all parties involved and continues to coordinate with parties affected. As outlined the Final Decision meetings were held and multiple opportunities to review documents occurred.
5QuintanaRanch12122013	17	The process was arbitrary, and we have no way of confirming the sampling integrity. The individuals who collected the samples are not familiar with the area, and the input of the permit holder could have been very helpful. Phil Williams actually had conversation with one of the crews gathering assessment data in the spring of2012, who informed him that they were assessing the Boulder Flat allotment. They were in fact in one of Barrett's allotments. It is impossible to accept the data presented when events like this occur.	The BLM has taken a hard look at the allotments as required by NEPA.

Protest ID	Protest Point No.	Protest Text	Protest Response
5QuintanaRanch12122013	18	Replacement discs were mailed, but the response time was not extended to compensate for the BLM mistake. This cut the comment response time to eight days. The combined documents that have to be evaluated total nearly nine hundred pages. I do not feel that any court in the United States would quantify that as adequate response time given the complexity and volume of data, and the gravity of the issue.	The BLM agrees that the response time for comments was quick. However, the CEQ regulations do not require agencies to make EAs available for public comment and review. However, the BLM met with you in April and December of 2013 and discussed the issues and your protest points and incorporated them into the Final Decision. As per 4130.3-3, "Following consultation, cooperation, and coordination with the affected lessees or permittees, the State having lands or responsible for managing resources within the area, and the interested public, the authorized officer may modify terms and conditions of the permit or lease when the active use or related management practices are not meeting the land use plan, allotment management plan or other activity plan, or management objectives, or is not in conformance with the provisions of subpart 4180 of this part. To the extent practical, the authorized officer shall provide to affected permittees or lessees, States having lands or responsibility for managing resources within the affected area, and the interested public an opportunity to review, comment and give input during the preparation of reports that evaluate monitoring and other data that are used as a basis for making decisions to increase or decrease grazing use, or to change the terms and conditions of a permit or lease." The BLM has completed extensive consultation, cooperation, and coordination with all parties involved and continues to coordinate with parties affected. As outlined the Final Decision meetings were held and multiple opportunities to review documents occurred.

Protest ID	Protest Point No.	Protest Text	Protest Response
5QuintanaRanch12122013	19	Although seasons of use are reflected within the alternatives, details of the wildlife constraints, specifically perennial vegetation, reveal that utilization is restricted to 21% from 41% if more than 30 days grazing is allowed during the growing season. This effectively makes it impossible to utilize allotted aums.	Point noted. The alternatives analyzed in detail the effects of the season of use and utilization.
5QuintanaRanch12122013	20	The BLM cannot dictate how private nor State Land is utilized, and range improvements must be provided to allow BLM land to be segregated if the BLM wishes to change seasons of use. This is not the responsibility of the majority landholder.	The BLM agrees and does not manage private or state lands. On FFR allotments the BLM's legal and regulatory management responsibilities for public land resources are not attenuated or reduced by the presence of limited public land acreage within larger parcels of non-federal ownership.
5QuintanaRanch12122013	21	Bachelor Flat - Truly, it is not a reasonable assessment site for the pasture at any time. Cattle have restricted entrance/egress of this section due to a rock rim that bisects this pasture section for approximately one third its width. Sampling in this location cannot adequately evaluate the health of the entire pasture, yet it was the sole sample point. Pasture 2 was the only site evaluated not meeting (specifically Watershed) due to current livestock grazing, despite the fact that Table RIPN 13 showed improvement between 2001 and 2011.	The BLM sampling location represent the BLM managed lands only and not a reflection of the entire pasture. The BLM agrees and does not manage private or state lands. Regarding allotments with FFR in their name: the BLM's legal and regulatory management responsibilities for public land resources are not attenuated or reduced by the presence of limited public land acreage within larger parcels of non-federal ownership.
5QuintanaRanch12122013	22	Boulder Flat - Deferment of both Pasture 1 and Pasture 2 are a requirement of preferred alternative 3. This equates to one year in three of non use. There is no water source in either of these pastures to allow for late summer or fall use. This is an effective cut of one third of our aums.	Opinion noted. The alternatives analyzed in detail the effects of the season of use and utilization.

Protest ID	Protest Point No.	Protest Text	Protest Response
5QuintanaRanch12122013	23	While it is stated that season of use may vary as long as total aurns are not exceeded, resource constraints restrict use March 1 to May 31 two of three years. In point of fact, the grazing schedule outlined in Table ALT-40 does not match the grazing periods contained within the resource constraints. To address this question I met with my range con on or about November 6 who could not provide an answer, and left a phone message for Jake Vialpando, which was not returned prior to submitting my comments. Coincidentally, the call was returned at 4:00p.m. on November 12, by Carmella Romerio. The comments were submitted at 8:00a.m. that morning, indicating the lack of a return call. Subsequent to that conversation, I met with Carmella and Loretta Chandler on November 14 in the Marsing BLM office. Carmella informed me that the resource constraint was a "typo", and that the table took precedence. Despite the comments and subsequent meeting, the "typo" was not corrected. This is indicative of the fact that the comments were not even considered before proposed decisions were made.	The BLM met with Williams in April and you in November of 2013 and discussed the issues and your protest points and incorporated them into the Final Decision. As per 4130.3-3, "Following consultation, cooperation, and coordination with the affected lessees or permittees, the State having lands or responsible for managing resources within the area, and the interested public, the authorized officer may modify terms and conditions of the permit or lease when the active use or related management practices are not meeting the land use plan, allotment management plan or other activity plan, or management objectives, or is not in conformance with the provisions of subpart 4180 of this part. To the extent practical, the authorized officer shall provide to affected permittees or lessees, States having lands or responsibility for managing resources within the affected area, and the interested public an opportunity to review, comment and give input during the preparation of reports that evaluate monitoring and other data that are used as a basis for making decisions to increase or decrease grazing use, or to change the terms and conditions of a permit or lease." The BLM has completed extensive consultation, cooperation, and coordination with all parties involved and continues to coordinate with parties affected. As outlined the Final Decision meetings were held and multiple opportunities to review documents occurred.
5WWP12112013	24	Morgan Allotment - We strongly Protest the FRH findings that are in-error, as current chronic cattle degradation is a highly significant factor, and there are vital resources that need to be protected. This includes redband tout and CSF habitat. See BLM Pole Creek and TS FEAs and FDs, describing how very	The determination under standards 2 and 3 was based on best available information, and alternatives were developed that incorporate both riparian area deferment and/ or rest. The preferred alternative in the proposed decision avoids grazing during the riparian area's vulnerable time (6/15-9/30) in all

Protest ID	Protest Point No.	Protest Text	Protest Response
		awful hot season grazing is for streams.	riparian pastures.
5WWP12112013	25	Morgan and Toy Allotments - In all of these Proposed Decisions, we protest that BLM has not provided necessary protective measures as mandatory measurable use standards to provide for residual cover for sage-grouse, for watershed protection, for clean water, for hiding cover for a broad range of microfauna, to enable sufficient healing to meet the requirements of abundant native grasses and forbs in interspaces for sage-grouse, and to aid (along with intact microbiotic crusts) in armoring the native plant community against highly invasive cheatgrass, medusahead, bulbous bluegrass, and other invasive grasses and exotic weeds.	The Alternative selected will continue to maintain or move towards desired conditions as analyzed in full in the EIS. A range of alternative was created that provide the BLM with management flexibility to select an option that will best progress conditions towards meeting range health standards and guides and ORMP objectives. Any alternative selected will maintain or move soils, upland vegetation community, riparian vegetation community, sensitive plants, and wildlife habitats towards desired conditions. The selection of an alternative and the rate of progress towards meeting desired conditions will depend on the existing conditions of the allotment/pasture.
5WWP12112013	26	We Protest the failure of BLM to comply with watershed, water quality, sensitive species (habitats and viable populations), big game, recreation, ACEC, and other requirements of the RMP.	Each allotment was assessed and evaluated and determinations were generated to summarize current conditions and identify casual factors for not meeting rangeland health standards and guide. A range of Alternatives in the FEIS were further developed and an impact analysis was conducted to consider the direct, indirect, and cumulative effects of livestock grazing on focal species and their habitat to the pasture level and within the greater cumulative effects analysis area. Based on the current condition of the allotment and the level of progress required to meet range health standards and guidelines, an appropriate alternative was selected that modified grazing systems intended to maintain and improve upland/riparian composition and habitat structure and function for all wildlife largely based on the needs of selected focal species.

Protest ID	Protest Point No.	Protest Text	Protest Response
5WWP12112013	27	We Protest the failure to take a full and fair hard look at current ecological science, as well as the historical record and plant ecology.	All available data and information was used as required by NEPA. The most recent current vegetation data from PNNL that is approximately 12 years old remains the best available information and remain valid for sagebrush steppe vegetation types that change slowly. This data along with recent land health assessments were used to analyze the current condition when measured against past ecological condition (ecological site descriptions). The EA analysis and the natural resources Specialist Reports support the NEPA's hard look requirements.
5WWP12112013	28	BLM never looked at all the conflicts and made a rational decision about whether some lands within a pasture or allotment and no longer withstand grazing disturbance for the next 10 years. We Protest this.	This protest point does not address which pastures and allotments are of concern, but we are attempting to address this within the context of the entire statement which alludes to the no-grazing alternative, and states that this was not considered for specific pastures. When analyzing the effects of each alternative (including the no-grazing alternative), the analysis applies to all allotments. This does not bind the BLM to select one alternative as a blanket prescription for every allotment as the protest point suggests. The BLM is choosing different alternatives for specific allotments based upon the resource needs. The no-grazing alternative was fully analyzed as to what the effects may look like on the allotment scale. The BLM stands behind this analysis of the no-grazing alternative.

Protest ID	Protest Point No.	Protest Text	Protest Response
5WWP12112013	29	Yet BLM fails to conduct the necessary site-specific inventory, analysis, or even a cursory on the ground current look at the magnitude of damage being caused by grazing and trampling impacts, and the erosional processes that are occurring across these lands and watersheds with their weedy, unraveling drainage networks that often abound in cultural materials.	BLM did conduct site specific inventory, monitoring and analysis, as is thoroughly explained in the EA. These surveys were on-the-ground visits to 66 percent of the potential livestock congregation areas and to 20 percent of the total number of previously recorded sites that are within 100 meters of a congregation area. BLM field personnel also recorded two newly discovered sites. Watershed health is not a cultural resources concern per se. BLM appreciates any specific information about areas on public land that abound with cultural material so they can be recorded, and protected if necessary. Impacts to sites produced by grazing activities or any other causes are assessed on a site specific basis. Mitigation or protection measures are determined by the nature of the effect and the site's National Register status. Many pre-NHPA Section 106 range projects have been surveyed for this EA and several other EAs.
5WWP12112013	30	We Protest lack of necessary detailed analysis of these matters of concern. Full analysis and a site specific hard look is necessary to prevent undue degradation to all the affected resources, apply necessary mitigation, and understand what actually needs to be done to minimize grazing disturbance harn1s in the Owyhee landscape.	We stand by the site-specific analysis which starts in section 3.3 in the EA and continues for more than 200 pages with the effects analysis presented in allotment-specific subsections. Each alternative management action and the environmental effects that would result are explained at a site-specific (allotment) level.
5WWP12112013	31	We are also alarmed that BLM fails to apply any protective measurable use standards at all to springs, seeps, and meadows that are crucial to sage-grouse, even in PPH, and the agency has not even assessed many of these areas.	Where riparian pastures are grazing more than 1/3 years during the riparian area's critical time period (6/15-9/30), stubble height, browse, and bank alteration monitoring are required. They are a term and condition on the proposed permit.

Protest ID	Protest Point No.	Protest Text	Protest Response
5WWP12112013	32	And how much worse will climate change make all of this? BLM has not taken a hard, site-specific look at the sustainability of grazing use here in any of the allotments. We Protest this.	We stand by the site-specific analysis which starts in section 3.3 in the EA and continues for more than 200 pages with the effects analysis presented by allotment specific subsections. As for climate change, we L36recognized this as an issue to be considered (EA at section 1.6.3). Sections 3.2 and 3.4 of the EA discuss the potential effects from climate change, and the BLM uses several reference sources to aid in the consideration of climate change in the analysis process (see section 6 of the EA)
5WWP12112013	33	Historic grazing is never adequately defined, and BLM is inconsistent in how it applies the term in the FRH process, and in the NEPA analysis. If BLM is using the "before this 10 year permit" as its historic period, then this is completely arbitrary. That could be a year ago.	Current livestock grazing was in most cases the length of the existing permit or ten years; in some cases the current grazing management was less than that in instances where change of ownership occurred and different AUMs were authorized. Each allotment was taken a hard look at and the current situation was used as a baseline for analysis in the Morgan Group 5 EA, see Appendix B for recent actual use. Anything outside this period is historic use.
5WWP12112013	34	BLM's series of rubberstamp EAs are all about "process", and constructing increasingly elaborate grazing schemes to cover up a serious flaw, i.e. that BLM has not taken the hard look and developed alternatives that fully recognize and deal with the magnitude of loss and chronic degradation that exists. BLM ignores the intensive site-specific hard look necessary to address, mitigate and minimize grazing harms in this landscape.	Refer to response to protest 25 and 26. The NEPA calls for a process by which agencies consider the effects of their actions. In this case, groupings of allotments and analyzing the effects of livestock grazing for these groups were the common-sense approach. Each EA considers environmental impacts on an allotment scale and each develops a range of alternative management schemes based upon resource needs. Through this approach, we believe that we not only fulfill the hard look requirement of the NEPA through site-specific analysis, but also believe this is the best way to present the effects of agency actions to the interested public.

Protest ID	Protest Point No.	Protest Text	Protest Response
5WWP12112013	35	BLM ignores any full and fair consideration of WWP's alternative and mitigation actions. BLM never met with us, never asked us for any clarification of alternative and mitigation actions for this current spate of EAs.	Please see the description of Alternative 11 in section 2.3 of the Group 5 EA. The BLM did consider alternative management actions proposed by the Protestant. The BLM's Purpose and Need does not accommodate landscape level restoration projects or designations of special management areas such as ACECs. There are specific needs and specific purposes for this agency actions and these are clearly defined in the Purpose and Need statement in section 1.4 of the EA. If alternatives are proposed that do not satisfy the agency's purpose and need, the BLM will likely consider them, but is not obligated to implement them. (2) Many of the allotments at issue are currently being managed under permits developed prior to adoption of the Idaho Standards for Rangeland Health and approval of the 1999 ORMP. (3) BLM agreed to fully process permits for these allotments on or before December 31, 2013. (See WWP v. Dyer 1:97-cv-00519-BLW (Docket # 451 dated May 15, 2008). To meet this deadline, BLM is not considering new range improvements in this permit renewal process (see section 2.3 Morgan Group Allotments Livestock Grazing Permit Renewal Environmental Assessment for Alternatives Considered but not Analyzed in Detail, for further discussion of this point).
5WWP12112013	36	BLM never takes the necessary hard look at the big picture of degradation so it can understand how major the grazing changes - both within and across allotments - need to be to protect sensitive species, watersheds, water quality and quantity, and a full range of values of the public lands.	NEPA requires BLM to take a hard look. The S&G process evaluates 8 Standards simultaneously to assess the ecological condition of the landscape holistically. The cumulative effects allow resources to be evaluated across allotment boundaries.

Protest ID	Protest Point No.	Protest Text	Protest Response
5WWP12112013	37	We Protest the failure of the EIS to take a hard look at the large body of threats, habitat losses, habitat fragmentation and indirect and cumulative impacts to sensitive species habitats and population viability, as well as clean water, recreation, etc. across this landscape.	Refer to response to protest 25 and 26. This protest point references the EIS, however the NEPA document supporting the decision rationale for Group 5 is an EA. The BLM stands with the NEPA analysis and we believe the NEPA's hard look requirement has been fulfilled. The EA includes analysis of the effects to sensitive species and their habitat, addresses Standard 7 (water quality) and analyzes effects to recreation.
5WWP12112013	38	A critical and hard look at opposing science and full and fair analysis of competing views - such as the need for significant rest to jump start recovery and /or protect remaining better condition native vegetation communities so that they do not turn in to a weed lands is not undertaken.	The BLM has taken a hard look at the allotments as required by NEPA. Alternative 6 was analyzed in detail in the EA that looked at resting allotments for ten years.
5WWP12112013	39	A Supplemental EIS must be provided to take the careful hard look at ecological conditions, and ensure that sensitive species, watersheds, water flows, clean water, etc. are conserved, enhanced and restored.	The protest point calls for a Supplemental EIS (SEIS). A SEIS is appropriate when an EIS has already been prepared. The NEPA analysis supporting Decisions for the Group 5 permit renewal process is an EA. Once again, the BLM stands behind the EA's analysis and is comfortable that the NEPA's hard look requirement has been met.
5WWP12112013	40	BLM violates the GSG NTT and IMs, and the Owyhee RMP. BLM is required to conserve, enhance and restore sage-grouse habitat, and this includes by modifying grazing practices.	Each allotment was assessed and evaluated and determinations were generated to summarize current conditions and identify casual factors for not meeting rangeland health standards and guide. A range of Alternatives in the FEIS were further developed and an impact analysis was conducted to consider the direct, indirect, and cumulative effects of livestock grazing on focal species and their habitat to the pasture level and within the greater cumulative effects analysis area. Based on the current condition of the allotment and the level of progress required to meet range health standards and guidelines, an appropriate alternative was selected that modified grazing systems intended to maintain and improve

Protest ID	Protest Point No.	Protest Text	Protest Response
			upland/riparian composition and habitat structure and function for all wildlife largely based on the needs of selected focal species.
5TGluch12122013	41	Mr. Gluch states, "I am protesting the Field Manager's proposed decision on the Gluch FFR Allotment....I am protesting the proposed grazing use on Pasture 1, Pasture 2 and Pasture 3." There are no specific protest points in the protest letter.	Regarding allotments with FFR in their name: the BLM's legal and regulatory management responsibilities for public land resources are not attenuated or reduced by the presence of limited public land acreage within larger parcels of non-federal ownership.
5Idaho12192013	42	Berrett - The State protest the fact that BLM has not adequately follow their process identified in 43 CFR 4130.2(b) which states, "The authorized officer shall consult, cooperate and coordinate with affected permittees or lessees, the State having lands or responsible for managing resources within the area, and the interested public prior to the issuance or renewal of grazing permits and leases."	Please see comment response # 58. On January 11, 2013, The Owyhee Field Office initiated by letter the scoping process for Group 5 grazing permit renewal process. The letter served to request additional resources and monitoring information that could help the BLM to complete the permit renewal process. Comments were received from Idaho Department of Fish and Game (IDF&G) and Idaho Department of Environmental Quality (IDEQ). A preliminary EA was issued on October 25 for a 15-day review and comment period.
5Idaho12192013	43	Berrett - BLM's has proposed a grazing schedule that has livestock scheduled to graze in pastures 1 and 3 beginning on April 15. Both of these pastures are high elevation pastures. Pasture 3 is at 8000 feet in elevation. The range at this elevation on April 15 each year is covered in snow and is impossible to turn out livestock at high elevation with grounds covered in snow.	Grazing schedules proposed were based in part on conversations with the permittee in April of 2013. Schedules were taken from Alternative 2 that were submitted by the permittee of April 15 through October 15 annually and modified for other Alternatives developed in detail in the EA.
5Idaho12192013	44	Berrett - The State questions and protests the fact that BLM has arbitrarily changed the percent public land from 100% public land to 16% public land.	The actual percentage of public land was not changed; the change in the permit characterization was based on the allotment boundary and better reflects that portion of the public lands found within the allotment. Regarding allotments with FFR in their name: the BLM's legal and regulatory management responsibilities for public land resources are not attenuated or reduced by the presence of limited public land acreage within larger

Protest ID	Protest Point No.	Protest Text	Protest Response
			parcels of non-federal ownership. As noted above, BLM management prescriptions apply only to the Public Lands.
5Idaho12192013	45	Berrett - BLM's grazing rotation on page 12 and in term and condition 14, which specifically states in part that "Cattle numbers may vary up to 200 head as long as the total active use by pasture or allotment and permitted season o[use are not exceeded annually. "	Cattle numbers were based on permittees proposals.
5Idaho12192013	46	Berrett - Term and Condition 13 is incorrect when BLM states in part "less than 10 percent bank alteration will be maintained in key riparian." The Owyhee Resource Management Plan on pages 14 and 18 states bank alteration at 10% or less, not less than 10% as BLM has incorrectly identified in Term and Condition 13.	The BLM agrees that 10 percent is acceptable.
5Idaho12192013	47	Berrett - The State questions how BLM can determine that "Livestock grazing is affecting upland vegetation by reducing or removing native vegetation communities that protect watershed soil and hydrologic function" with incomplete to very limited data.	The BLM has taken a hard look with the data available and has created alternatives based input from permittees to come up with alternatives as analyzed in detail in the EA.
5Idaho12192013	48	Boulder - their grazing schedule identified on page 12 of the proposed decision (Table PROP 1.1 Boulder Allotment Grazing Schedule) would not work in the permittees situation due to the limited or lack of water during the fall of the year.	The BLM agrees, after meeting with the permittee and has made changes in the Final Decision.
5Idaho12192013	49	Boulder - I protest alternative 4 where the active use AUMS will no longer be made available and will not be converted to suspension."	Reduction in AUMs from current permits will not be transferred to suspension, in conformance with regulatory direction at 43 CFR § 4110.3-2.

Protest ID	Protest Point No.	Protest Text	Protest Response
5Idaho12192013	50	Boulder - BLM never met in person with the permittee to discuss the AUM reductions at any point in time during his permit renewal process for the Boulder Allotment.	Meetings were held in April of 2013 and again in December 17, 2013 to discuss the permit renewal process with Dale Berrett. As per 4130.3-3, "Following consultation, cooperation, and coordination with the affected lessees or permittees, the State having lands or responsible for managing resources within the area, and the interested public, the authorized officer may modify terms and conditions of the permit or lease when the active use or related management practices are not meeting the land use plan, allotment management plan or other activity plan, or management objectives, or is not in conformance with the provisions of subpart 4180 of this part. To the extent practical, the authorized officer shall provide to affected permittees or lessees, States having lands or responsibility for managing resources within the affected area, and the interested public an opportunity to review, comment and give input during the preparation of reports that evaluate monitoring and other data that are used as a basis for making decisions to increase or decrease grazing use, or to change the terms and conditions of a permit or lease." The BLM has completed extensive consultation, cooperation, and coordination with all parties involved and continues to coordinate with parties affected. As outlined the Final Decision meetings were held and multiple opportunities to review documents provided.
5Idaho12192013	51	Big Field - The State questions and protests the fact that BLM has arbitrarily changed the percent public land from 100% public land in the Big Field FFR 40% public land in the Big Field Allotment.	The percent public land was changed based on the allotment boundary to more accurately reflect the portion of public lands found in the allotment. These calculations are available in the project record.

Protest ID	Protest Point No.	Protest Text	Protest Response
5Idaho12192013	52	Big Field - By BLM implementing constraints such as Cattle numbers may vary up to 168 head as long as the total active use AUMS by pasture or allotment and permitted season o{use are not exceeded annually, while the State hopes this just applies to the public land portions of the allotment, it severely limits the permittees ability to use his private/state lands as he desires.	The BLM agrees and does not manage private or state lands; management prescriptions apply to the Public Lands only. Regarding allotments with FFR in their name: the BLM's legal and regulatory management responsibilities for public land resources are not attenuated or reduced by the presence of limited public land acreage within larger parcels of non-federal ownership.
5Idaho12192013	53	Big Field - First, the "less that 10% bank alteration will be maintained in key riparian areas at the end of the grazing season" is inaccurate. The 0RMP on pages 14 and 18 state "10% or less bank alteration" and not less than 10% bank alteration. Second, the Term and Condition needs to state that it only applies to the public land portions of the Big Field FFR.	The BLM agrees that 10 percent is consistent with the ORMP.
5Idaho12192013	51	Rail Creek - The State questions and protests the fact that BLM has arbitrarily changed the percent public land from 100% public land in the Rail Creek FFR to 3% in the Rail Creek FFR.	The percent public land was changed based on the allotment boundary and reflects that portion of the BLM lands associated within the allotment. Regarding allotments with FFR in their name: the BLM's legal and regulatory management responsibilities for public land resources are not attenuated or reduced by the presence of limited public land acreage within larger parcels of non-federal ownership. As noted above, BLM management prescriptions apply only to the Public Lands.
5Idaho12192013	52	Rail Creek - BLM must disclose these calculations of livestock forage available on both the public and the private lands in order to arrive at a percent public land and not be arbitrary in the calculations of percent public land.	The BLM agrees and the calculations are available in the project record.

Protest ID	Protest Point No.	Protest Text	Protest Response
5Idaho12192013	53	Rail Creek - BLM further claims here on page 7 of the Initial Allotment Review and the Rangeland Health Assessment for the Rail Creek Allotment that BLM is "unable to manage the minimal public lands in the Rail Creek FFR allotment due to the limited ownership, lack of separation from private lands, and separation of public lands from other public lands by boundary fences. The actions on private lands determine how the allotment is used and managed. "	The BLM agrees and does not manage private or state lands; management prescriptions apply to the Public Lands only. BLM's legal and regulatory management responsibilities for public land resources are not attenuated or reduced by the presence of limited public land acreage within larger parcels of non-federal ownership.
5Idaho12192013	51	Rail Creek - BLM claims on page 7 of the Initial Allotment Review and RHA that "Review of available information indicates that grazing or other issues are known to exist. However, the allotment has no or limited potential for management. Available information is adequate to complete the evaluation and determination. This is the RHA for this allotment. Complete the Evaluation/Determination form and consider the public land for disposal. "	The BLM agrees and does not manage private or state lands; management prescriptions apply to the Public Lands only. BLM's legal and regulatory management responsibilities for public land resources are not attenuated or reduced by the presence of limited public land acreage within larger parcels of non-federal ownership.
5Idaho12192013	52	Rail Creek - Rail Creek FFR Allotment - Cattle numbers may vary up to 300 head as long as the total active use AUMS by pasture or allotment and permitted season of use are not exceeded annually.	Cattle numbers were based on permittees proposals.
5Idaho12192013	53	Rail Creek - BLM must include in this Term and Condition that this only applies to the public land portions of the allotment. BLM does not have the authority to manage a permittees private land or State lands.	The BLM agrees and does not manage private or state lands; management prescriptions apply to the Public Lands only. Regarding allotments with FFR in their name: the BLM's legal and regulatory management responsibilities for public land resources are not attenuated or reduced by the presence of limited public land acreage within larger parcels of non-federal ownership.

Protest ID	Protest Point No.	Protest Text	Protest Response
5Idaho12192013	54	Walt's Pond - The State questions and protests the fact that BLM has arbitrarily changed the percent public land from 100% public land in the Walt's Pond Allotment to 20%.	Actual percentages were not changed; the permit's percentage of public land was changed based on the allotment boundary and reflects that portion of the public lands associated within the allotment. The BLM's legal and regulatory management responsibilities for public land resources are not attenuated or reduced by the presence of limited public land acreage within larger parcels of non-federal ownership. As noted above, BLM management prescriptions apply only to the Public Lands.
5Idaho12192013	55	Walt's Pond - BLM has proposed and developed in their Grazing Schedule specific time frames and maximum livestock numbers without any input from the permittee.	Cattle numbers were based on permittees proposals.
5Idaho12192013	56	Walt's Pond - BLM is wording Term and Condition 16 so the operator is restricted on how he uses his 2,174 acres of private ground with restrictions such as cattle numbers may vary up to 75 head as long as the total active use AUMS by pasture or allotment and permitted season of use are not exceeded annually.	The BLM agrees and does not manage private or state lands; management prescriptions apply to the Public Lands only. BLM's legal and regulatory management responsibilities for public land resources are not attenuated or reduced by the presence of limited public land acreage within larger parcels of non-federal ownership.
5Idaho12192013	57	Jim's Peak - The State questions and protests the fact that BLM has arbitrarily changed the percent public land from 100% public land in the Jim's Peak Allotment to 40%.	Please see response to Comment # 54. The percent public land was changed based on the allotment boundary and reflects that portion of the BLM lands associated within the allotment. Regarding allotments with FFR in their name: the BLM's legal and regulatory management responsibilities for public land resources are not attenuated or reduced by the presence of limited public land acreage within larger parcels of non-federal ownership. As noted above, BLM management prescriptions apply only to the Public Lands.

Protest ID	Protest Point No.	Protest Text	Protest Response
5Idaho12192013	58	Jim's Peak - BLM must consult and coordinate on a regular basis with the permittee as required in the grazing regulations (43 CFR 4130.2 (b) prior to issuing a grazing permit.	A scoping letter was mailed to permittees on January 11, 2013. The letter encouraged comments and information for the Morgan Group allotments. In addition, the OFO staff met with the Jim's Peak permittees on April 16, 2013 at Marsing, ID to develop an amended grazing proposal and allotment specific clarification of existing conditions. During this meeting, BLM discussed its preliminary conclusions regarding rangeland health and standards and guidelines and made grazing management recommendations associated with the grazing permit renewal application. On August 27, 2013, BLM issued the completed 2013 Rangeland Health Assessments (RHA), Evaluations, and Determinations for the Jim's Peak allotment to the permittees. Issuance of the RHAs and Determinations afforded an opportunity to meet again with the OFO staff to discuss any additional grazing management changes, the permittees' application, and to provide input for completion of the Morgan Group EA. The EA was issued October 18, 2013, for a 15-day review and comment period. Issuance of the preliminary EA afforded another opportunity for grazing permittees to provide additional input. The OFO staff met again with permittees on December 3, 2013.
5Idaho12192013	59	Jim's Peak - BLM must make clear in all of their Terms and Conditions that the Terms and Conditions apply only to the public lands within the Jim's Peak Allotment. The permittee must be able to use his private lands in the Jim's Peak Allotment as he desires in order for his operation to be feasible and produce positive economical returns.	The BLM is mandated to manage public land resources and values in accordance with the Taylor Grazing Act, the Federal Land Policy and Management Act, and other legislation. A grazing permit is the document that authorizes livestock grazing on public land. Terms and conditions on grazing permits are the tools that fulfill the BLM's responsibility for applying actions that will allow standards and guidelines, as well as resource management objectives to be met

Protest ID	Protest Point No.	Protest Text	Protest Response
			for resources and values on public land.
5Idaho12192013	60	Jim's Peak - The State of Idaho protests the reduction in 2 AUMS in the Jim's Peak Allotment.	The alternative selected in the Final Decision was fully analyzed in detail and a hard look was taken at the AUMs.

Appendix J

This appendix hereby incorporates by reference the below language in its entirety into the DOI-BLM-ID-B030-2013-0023-EA Final Environmental Assessment (EA).

During public scoping and comment periods for the Morgan Group permit renewal process, suggestions were received from interested publics that the BLM's NEPA process would be better served if the agency would prepare an Environmental Impact Statement (EIS) rather than an EA and Finding of no Significant Impacts (FONSI) to identify and analyze the geographic extent of the environmental impacts of livestock grazing activities in these allotments.

The BLM published a Final EIS (DOI-BLM-ID-B030-2012-0014-EIS) on October 4, 2013, that analyzed the renewal of grazing permits on twenty-five allotments (known as Group 2) in the Jump Creek, Succor Creek, and Cow Creek watershed areas in the northern part of the Owyhee Field Office. This EIS defined Cumulative Impacts Analysis Areas (CIAAs) for social and economic effects and for the Owyhee subpopulation area, including, but not limited to (Connelly, Knick, Schroeder, & Stiver, 2004) sage-grouse habitat.

The BLM subsequently prepared three EAs (for the Toy Mountain Group, South Mountain Group, and the Morgan Group of allotments). When the CIAAs were defined, the boundaries were the same as the Group 2 EIS CIAA boundaries. The BLM found that the geographic boundary beyond which impacts to resources and habitat would no longer be measurable is the same for all groups. The rationale for establishing these boundaries is found in Section 3.4 of the Toy Mountain, South Mountain, and Morgan EAs where cumulative effects analysis begins; the cumulative effects analysis that resulted from the EIS did not unveil any effects not also recognized in the cumulative effects analyses in the EAs.