



# United States Department of the Interior



## BUREAU OF LAND MANAGEMENT

Boise District  
Bruneau Field Office  
3948 Development Avenue  
Boise, Idaho 83705

<http://www.blm.gov/id/st/en/fo/bruneau.html>

In Reply Refer To:  
4160 (120)

July 12, 2011

Certified Mail No. #  
Return Receipt Requested

Joseph Black & Sons (#1100235)  
C/O Chris Black  
30709 State Highway 51  
Bruneau, Idaho 83604

### **Notice of Field Manager's Final Decision**

Dear Mr. Black:

#### **Introduction**

This Final Decision addresses livestock grazing management in the Camas Creek Pocket Allotment #00807. The permit renewal process will result in a 10-year term livestock grazing permit being offered to Joseph Black & Sons. The fully processed permit will contain terms and conditions that will allow the allotment continue meeting the Idaho Standards for Rangeland Health and the pertinent land use plan objectives.

#### **Background**

The 1983 Bruneau Management Framework Plan (MFP) identified resource conditions and specified resource goals and objectives for management of livestock grazing on public land. The Bruneau MFP is the applicable Land Use Plan (LUP) for the Bruneau Field Office. The Idaho Standards for Rangeland Health and Guidelines for Livestock Grazing Management were adopted in 1997 and are consistent with Bruneau MFP resource objectives and decisions. The MFP identifies the public lands within the Camas Creek Pocket Allotment as available for livestock grazing.

Title 43 of the Code of Federal Regulations (CFR) §4130.2(a) states, "Grazing permits or leases shall be issued to qualified applicants to authorize use on the public lands and other lands under the administration of the Bureau of Land Management that are designated as available for livestock grazing through land use plans." Idaho BLM's *Livestock Grazing Permit Renewal Desk*

*Guide* (2009) directs that if an allotment is meeting Standards or livestock are not a factor for not meeting Standards, “then complete an EA and issue decisions to fully process the permits.”

Initial allotment reviews and a series of rangeland health assessments for the allotment were completed in 2009 and are summarized in the Evaluation Report for Camas Creek Pocket. The finding relevant to permitted grazing under this Final Decision was that the allotment meets all applicable Idaho Standards for Rangeland Health including:

- Standard 1 – Watersheds
- Standard 4 – Native Plant Communities
- Standard 8 – Threatened and Endangered Plants and Animals

Standards 2, 3, 5, 6, and 7 do not apply to this allotment. Upon review of the evaluation report, the Bruneau Field Office Manager found that no rangeland health determination was required on September 30, 2009. No additional issues were identified through the public scoping process.

The BLM administers 3,630 acres (99 percent) of this allotment. A few small corners of private lands make up the remaining 45 acres. The allotment has no formal pasture subdivisions but is grazed in rotation with several other primarily private fields under the Joseph Black & Sons Holistic Grazing Plan. However, a sub-pasture created by an existing fence allows some control of grazing impacts, particularly access to irrigation ditch water sources near the southern boundary. Seasonal cattle grazing in the allotment occurs primarily in the late summer and fall as cattle leave the adjacent Big Springs Allotment.

The Proposed Decision for this allotment was issued on June 10, 2011. A timely protest was filed by Western Watersheds Project. BLM’s responses to their protest points challenging conclusions of the FONSI, NEPA adequacy, and compliance with the MFP and relevant policies and regulations and to specific management actions are attached.

Camas Creek Pocket will continue to be managed under the Joseph Black & Sons Holistic Grazing Plan. Some bitterbrush stands in the Camas Creek Pocket Allotment were infested with tent caterpillars in 2009, and bitterbrush decadence was fairly widespread in affected areas. The tent caterpillar issue guided the development of this Final Decision, which includes an adaptive management approach to improve bitterbrush condition in the Camas Creek Pocket Allotment while maintaining understory species and stand structure.

The adaptive management approach adopted in this Final Decision will ensure that all Standards will continue to be met. Monitoring information will be gathered and evaluated annually for allotment objectives. Monitoring information will help determine if or when adaptation occurs and will guide the selection of adaptive changes to be applied to ensure adequate success.

### **Environmental Assessment (EA) / Finding of No Significant Impact (FONSI)**

This Final Decision will serve as the Decision Record for modification and reissuance of Joseph Black & Sons’ permit in the Camas Creek Pocket Allotment. The analysis of the permit is found in EA #ID-120-2009-EA-3838. Nearly all terms and conditions of the existing permit will

continue without modification. The accompanying FONSI and EA for this action are still valid and were attached to the June 10 mailing of the Proposed Decision.

**Final Decision**

My Final Decision is to issue a grazing permit with a term of 10 years from March 1, 2012, to February 28, 2022, to Joseph Black & Sons. The potential impacts of this grazing permit were considered in the proposed action (Alternative B) described in EA # ID-120-2009-EA-3838, which considered the authorization of livestock grazing use, possible bitterbrush planting, and related actions on the Camas Creek Pocket Allotment. The management objectives in the MFP and EA, livestock management, and monitoring will be used to set the parameters in the development of the annual grazing instructions for the allotment, which will be in accordance with this decision.

The proposed action of issuing a 10-year grazing permit analyzed in the EA will be implemented by incorporating terms and conditions into the new livestock grazing permit offered to Joseph Black & Sons (1100235) that authorizes livestock grazing in the Camas Creek Pocket Allotment.

Table 1 specifies mandatory terms and conditions in compliance with 43 CFR 4130.3-1 (a). The mandatory terms and conditions are: the kind and number of livestock, the period(s) of use, the allotment to be used, and the amount of use in animal unit months (AUMs).

**Mandatory Terms and Conditions of the Permit**

The season of use will be modified as shown in Table 1.

**Table 1. Mandatory terms and conditions for Joseph Black & Sons that comply with 43 CFR 4130.3-1(a) in Camas Creek Pocket Allotment.**

From:

Allotment	Livestock		Grazing Period		% Public Land	Animal Unit Months		
	Number	Kind	Begin	End		Active	Suspended	Permitted
Camas Creek Pocket #00807	99	Cattle	7/1	11/15	100	449	0	449

To:

Allotment	Livestock		Grazing Period		% Public Land	Animal Unit Months		
	Number	Kind	Begin	End		Active	Suspended	Permitted
Camas Creek Pocket #00807	500*	Cattle	5/1	11/15	100	449	0	449

\*This does not represent an increase in authorized use, but reflects livestock numbers reported on actual use forms. Flexibility in numbers is retained consistent with previous authorizations.

## **Annual Indicator Criteria**

Annual Indicator Criteria (AIC), along with other required management practices, will result in a reasonable expectation that long-term desired conditions will be maintained. The AIC are used as thresholds to indicate when adjustments to livestock grazing management are necessary to continue meeting the Idaho Standards for Rangeland Health and resource objectives. These indicators may be modified by the Field Manager based on the recommendations of the interdisciplinary team of resource specialists and consultation with the livestock grazing permittee.

The following AIC will be monitored in accordance with the Camas Creek Pocket Monitoring Plan to reduce bitterbrush stress and to determine whether bitterbrush should be supplemented via planting:

- Utilization of current year's growth of key upland browse species by all classes of animals combined (livestock & wildlife) will not exceed 50% at key areas. To determine utilization of bitterbrush by livestock and wildlife and assist its persistence, utilization of bitterbrush will be measured with the extensive browse technique to ensure that use does not exceed 50%. If use exceeds 50% use, adjustments to grazing will be made that could include the seasonal grazing rotation described in Table 3.
- The percentage of live versus dead bitterbrush will increase by 2014. By conducting this assessment over three years, the response of bitterbrush will allow us to ascertain whether planting or grazing adjustments are needed to restore or maintain bitterbrush.

During the summer of 2011, bitterbrush stands (live and dead) will be mapped within the allotment, and transects will be established at key areas to determine the percentage of live bitterbrush plants. This initial year of quantitative data collection will function as the baseline for evaluating the three subsequent years of data. By 2014 (representing three years of bitterbrush response), BLM will determine whether there is an increase, decrease, or no change in the percentage of live bitterbrush plants in the allotment through recovery or recruitment (see Appendix C of EA# ID-120-2009-EA-3838). If determined to be necessary, bitterbrush planting will conform to the management design described in Section 2.2.3.1 of the EA and repeated on page 8 of this decision.

These specific AIC are in accordance with IM-ID-2005-074 and will assist continuing compliance with the applicable portions of the Standards and Guidelines and with the applicable portions of the Bruneau MFP. Adjustments could occur during each grazing year, including, but not limited to, redistribution of livestock within a pasture to areas still within the AIC or removal of livestock from a pasture. Grazing practices under this permit will continue to be modified as necessary to respond to drought, fire, and other events, as required by the BLM Grazing Regulations.

## **Short-Term Implementation Monitoring and Long-Term Effectiveness Monitoring**

The objective of monitoring is to determine whether management is being implemented as intended and whether the actions are effective at maintaining or moving toward desired

conditions. Long- and short-term monitoring will document impacts and changes in resource conditions over the life of the permit. Short-term monitoring will be repeated annually. Long-term monitoring will be repeated at five-year intervals, beginning in 2013, to evaluate the effectiveness of maintaining understory species and stand structure and of promoting bitterbrush recruitment (as stated on pages 5, 6, and 18 and described in Appendix C of EA# ID-120-2009-EA-3838).

Monitoring information will be reviewed for the applicable objectives identified in Section 1.6 of EA# ID-120-2009-EA-3838. Implementation and effectiveness monitoring locations and methods are summarized in Table 2 and in Appendix B of EA# ID-120-2009-EA-3838. Table 2 displays additional monitoring for each resource value identified in the Evaluation Report.

**Table 2. Implementation and Effectiveness Monitoring Plan – Camas Creek Pocket Allotment.**

<b>Pasture</b>	<b>Short-Term Implementation Monitoring</b>
all	Type: upland utilization monitoring to ensure less than 50% utilization of key perennial grasses Method: height-weight method Location: representative vegetation communities
all	Type: actual/licensed use Method: bills and actual use reports
all	Type: range readiness inspection monitoring to ensure turnout criteria are met Method: observation / range readiness inspection form
all	Type: Mud Flat milkvetch population monitoring to ensure continuing compliance with salting restrictions Method: periodic observation Location: known populations
all	Type: upland utilization monitoring & photo point monitoring to ensure less than 50% utilization of woody browse species Method: extensive browse method Location: representative shrub stands
<b>Pasture</b>	<b>Long-Term Effectiveness Monitoring</b>
all	Type: trend measurements to measure species composition and ground cover Indicators: nested plot frequency, point intercept, & shrub density circle samples. Location: Key area 09S01W29

An interdisciplinary review of this decision will occur after 10 years or sooner if conditions warrant. If that review indicates that management is meeting Standards and achieving desired conditions, initial management activities will be allowed to continue under this renewed permit.

If monitoring demonstrates that objectives are not being met and management options beyond the scope of the analysis are warranted, or if new information demonstrates significant effects not previously considered, a new proposed action will be developed and further analysis under NEPA will occur.

## **Grazing Management**

The amount of permitted AUMs will be the same, but the season of use will be extended by 61 days to accommodate a seasonal grazing rotation should browse utilization consistently exceed 50%. The AIC monitoring results and continuing stand mortality and decadence will indicate that use prior to grass seed ripe is necessary to reduce browsing of regenerating bitterbrush for an extended period. After selection of that adaptive change, livestock grazing management for the Camas Creek Pocket Allotment will then be as shown in Table 3.

**Table 3. Adaptive Livestock Grazing Management for Camas Creek Pocket Allotment**

<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>
May 1 – July 15	May 1 – July 15	July 1 – November 15	Monitor and repeat schedule if needed

Changes also may be made in the turnout date, length of use period, and amount of use consistent with phenological development of the plants as a result of weather conditions and climatic variation, but will not exceed the grazing period or amount of permitted use shown in Tables 1 and 3.

## **Other Terms and Conditions of the Permit**

The following Terms and Conditions will be incorporated in addition to the General Terms and Conditions that are applicable to your permit within the Camas Creek Pocket Allotment and will be in addition to BLM’s Standard Terms and Conditions:

- Livestock numbers may fluctuate to the extent that total AUMs used do not exceed the permitted use, are within the dates specified in the permit schedule, and are in compliance with the AIC, the LUP, and consistent with the Standards for Rangeland Health. This flexibility will be authorized during the term of the permit provided that the BLM is notified in advance during the annual grazing application process.
- Pursuant to 43 CFR 10.4(B), the permittee must notify the BLM Authorized Officer 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.
- Construction, reconstruction, maintenance, or other ground-disturbing activities (including range improvement project maintenance) that could affect previously undisturbed ground or involve heavy machinery require advance approval from the authorized officer.

### **General Terms and Conditions:**

- Range improvements must be maintained in accordance with applicable Cooperative Agreements and Range Improvement Permits.
- The permittee shall contact the BLM Authorized Officer at least two weeks prior to maintenance on existing range improvement projects so that an archaeologist can evaluate the area for site potential and possible adverse effects.
- Turnout is subject to Boise District range readiness criteria (Appendix B of EA# ID-120-2009-EA-3838).
- Salt and/or supplement shall not be placed within one-quarter (0.25) mile of springs, streams, meadows, aspen stands, playas, or water developments.
- A change to the scheduled use requires prior approval from the BLM Authorized Officer.
- All appropriate documentation regarding base property leases, lands offered for exchange-of-use, and livestock control agreements must be approved prior to turnout. Leases of land and/or livestock must be notarized prior to submission and be in compliance with Boise District Policy.
- Certified Actual Use Report is due within 15 days of completing the authorized annual grazing use.

### **BLM's Standard Terms and Conditions**

1. Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with the provisions of the grazing regulations now or hereafter approved by the Secretary of the Interior.
2. They are subject to cancellation, in whole or in part, at any time because of:
  - a. Noncompliance by the permittee/lessee with rules and regulations.
  - b. Loss of control by the permittee/lessee of all or part of the property upon which it is based.
  - c. A transfer of grazing preference by the permittee/lessee to another party.
  - d. A decrease in the lands administered by the Bureau of Land Management within the allotment(s) described.
  - e. Repeated willful unauthorized grazing use.
  - f. Loss of qualifications to hold a permit or lease.
3. They are subject to the terms and conditions of allotment management plans if such plans have been prepared. Allotment management plans **MUST** be incorporated in permits or leases when completed.
4. Those holding permits or leases **MUST** own or control and be responsible for the management of livestock authorized to graze.

5. The authorized officer may require counting and/or additional or special marking or tagging of the livestock authorized to graze.
6. The permittee's/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.
7. Grazing permits or leases are subject to the nondiscrimination clauses set forth in Executive Order 11246 of September 24, 1964, as amended. A copy of this order may be obtained from the authorized officer.
8. Livestock grazing use that is different from that authorized by a permit or lease MUST be applied for prior to the grazing period and MUST be filed with and approved by the authorized officer before grazing use can be made.
9. Billing notices are issued which specify fees due. Billing notices, when paid, become a part of the grazing permit or lease. Grazing use cannot be authorized during any period of delinquency in the payment of amounts due, including settlement for unauthorized use.
10. Grazing fee payments are due on the date specified on the billing notice and MUST be paid in full within 15 days of the due date, except as otherwise provided in the grazing permit or lease. If payment is not made within that time frame, a late fee (the greater of \$25 or 10 percent of the amount owed but not more than \$250) will be assessed.
11. No Member of, or Delegate to, Congress or Resident Commissioner, after his/her election of appointment, or either before or after he/she has qualified, and during his/her continuance in office, and no officer, agent, or employee of the Department of the Interior, other than members of Advisory committees appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. App. 1) and Sections 309 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et. seq.) shall be admitted to any share or part in a permit or lease, or derive any benefit to arise therefrom; and the provision of Section 3741 Revised Statute (41 U.S.C. 22), 18 U.S.C. Sections 431-433, and 43 CFR Part 7, enter into and form a part of a grazing permit or lease, so far as the same may be applicable.

This grazing permit:

1. conveys no right, title, or interest held by the United States in any lands or resources.
2. is subject to (a) modification, suspension or cancellation as required by land plans and applicable law; (b) annual review and modification of terms and conditions as appropriate; and (c) the Taylor Grazing Act, as amended, the Federal Land Policy and Management Act, as amended, the Public Rangelands Improvement Act, and the rules and regulations now or hereafter promulgated by the Secretary of the Interior.

### **Range Improvements**

Land treatment (i.e., bitterbrush planting) will occur if, after three years of monitoring, the percentage of live versus dead bitterbrush declines despite livestock grazing management changes. Plantings will be followed by livestock grazing management intended to protect

seedlings. Implementation of this land treatment conforms to the selection of adaptive changes using Appendix C of EA# ID-120-2009-EA-3838. The project is designed to address resource concerns identified in the Purpose and Need of the EA and to maintain satisfactory conditions identified in the Camas Creek Pocket Evaluation.

The following management designs apply to the land treatment:

- Bitterbrush plantings will occur in areas of the Camas Creek Pocket Allotment where bitterbrush mortality is extensive. Entire stands will not be replaced with plantings due to the high cost. However, smaller-sized patches will be planted, and these will serve as recruitment areas for the stand.
- Planting sites will be selected in deep or productive soils, on north- or east-facing aspects, and with low densities of competitive annual weeds.
- Young bitterbrush will be planted primarily under dead bitterbrush in order to take advantage of the shade and water/snow capture from the skeletons of deceased individuals.
- Bitterbrush will be planted at a rate of approximately 300 plants per acre.
- Local plant materials will be used for the plantings, if available.

The following management designs apply to maintenance or reconstruction of existing projects:

Fences:

- will adhere to the specifications for standard livestock fences in deer, elk, and antelope habitat.
- will consist of three barbed upper strands and a smooth bottom strand for exterior allotment boundary fences.
- will consist of two barbed upper strands and a smooth bottom strand for interior pasture fences.
- will be marked or flagged if sage-grouse collisions are documented and where the field office wildlife biologist believes sage-grouse fence collision potential is high.
- fence lines will not be bladed or scraped, and heavy equipment will not be used to clear fence lines.

Pipelines, fences, springs, and reservoirs:

- Motorized travel for maintenance of existing projects will be limited to existing, authorized roads and trails. Any off-road or off-trail travel will require prior consultation and approval by the BLM Authorized Officer.
- Vegetation clearing associated with project maintenance will be kept to the minimum necessary and require prior authorization from the BLM Authorized Officer.

### **Rationale for the Final Decision**

The existing permit for Camas Creek Pocket Allotment has recently been reviewed for conformance with the Idaho Standards for Rangeland Health and Guidelines for Livestock Grazing Management and with the objectives and decisions of the Bruneau MFP. The allotment meets all applicable Idaho Standards for Rangeland Health. Upon review of the evaluation

report, the Bruneau Field Office Manager found that no rangeland health determination was required. No additional issues were identified through the public scoping process.

Instruction Memorandum ID-2011-045 (May 6, 2011) directs that “alternatives considered in the EA should be based on specific conditions, resources of concern, and results of current grazing activities.” Further, “there may be site-specific circumstances where analyzing [no- or reduced grazing] alternatives in detail may not be appropriate”. In this case, the MFP identified an additional increase in permitted use from current levels as the proposed action based upon inventory and other available information that documented satisfactory conditions and availability of additional forage. The first 75-AUM increment of the increase from the MFP was implemented in the 1990s, yet trend since 1987 has been static (i.e., desirable conditions have been maintained). Consequently, analysis of a reduction or permit cancellation does not address the Purpose and Need for this EA.

There is a need to incorporate additional flexibility into the management of the Camas Creek Pocket Allotment to allow the BLM and the individual grazing permit holder to be able to adapt management to changing resource conditions or management objectives, such as the increased recruitment and recovery of bitterbrush, and to continue to comply with BLM policy and MFP objectives. Consequently, BLM developed Alternative B, the proposed action that is incorporated in this Final Decision.

Consistent with Joseph Black & Sons’ permit renewal application, Camas Creek Pocket will continue to be managed under the Joseph Black & Sons Holistic Grazing Plan under this Final Decision. It could still be grazed primarily in late summer and fall after the livestock are removed from Big Springs Allotment if measured browse use does not exceed 50% and pursuant adjustments to livestock grazing management are not determined to be necessary. The timing, intensity, and frequency of use will continue to be planned each year to reduce repetition of the same use period and to provide for rotation, but the proposed grazing system could alter the timing of use to include spring if adaptation is necessary. The other pastures that will be utilized as part of the rotational grazing system will still include the Camas Creek Fields (within Black FFR Allotment), the Desert Field, and the Dry Field (within Big Springs Allotment). Maintenance of existing fences and water projects will continue.

I have reviewed the EA (#ID-120-2009-EA-3838), the accompanying FONSI, and the attached points of protest submitted by WWP. I still find that the Terms and Conditions, the continuing and modified grazing practices, the flexibility offered to Joseph Black & Sons, the AIC, the Monitoring Plan, and the maintenance of existing range improvements in the Camas Creek Pocket Allotment are compliant with the objectives and decisions of the Bruneau MFP. They also comply with applicable Idaho Standards for Rangeland Health and Guidelines for Livestock Grazing Management; with all other applicable laws, regulations and policies; and with the Finding of No Significant Impact.

All qualifications of 43 CFR 4110.1, 4110.2, 4110.2-1, and 4110.2-2 are met by your application. The renewal and reissuance of this grazing permit is consistent with 43 CFR 4100.0-8, 4130.1-1, 4130.2, 4130.3, 4130.3-1, 4130.3-2, 4160 and all of subpart 4180. Range improvements within this allotment will be maintained consistent with 43 CFR 4120.3.

## **Authority**

The 1983 Bruneau MFP allocates livestock grazing as one of the authorized uses within the Camas Creek Pocket Allotment. BLM's regulatory authority under which this Final Decision is being issued is found in Title 43 of CFR 4100 Grazing Regulations:

- 43 CFR 4100.0-8
- 43 CFR 4110.1
- 43 CFR 4110.2-2
- 43 CFR 4110.3
- 43 CFR 4120.3
- 43 CFR 4130.1-1
- 43 CFR 4130.2
- 43 CFR 4130.3
- 43 CFR 4130.3-1
- 43 CFR 4130.3-2
- 43 CFR 4160
- 43 CFR 4180

## **Right of Appeal**

Any applicant, permittee, lessee, or other person whose interest is adversely affected by this Final Decision may file an appeal (*in writing*) in accordance with 43 CFR 4.470 and 43 CFR 4160.4. The appeal must be filed within 30 days following receipt of the Final Decision, or within 30 days after the date the Proposed Decision becomes final. The appeal may be accompanied by a petition for a stay of the decision in accordance with 43 CFR 4.471, pending final determination on appeal. The appeal and petition for a stay must be filed in the office of the Authorized Officer, *Aimee Betts, 3948 Development Avenue, Boise, Idaho 83705*, as noted above. The person/party must also serve a copy of the appeal to the *Office of the Solicitor, Boise Field Solicitors Office, University Plaza, 960 Broadway Avenue, Suite 400, Boise, Idaho 83706* and person(s) named (43 CFR 4.421(h)) in the **Copies sent to:** section of this decision.

The appeal shall state the reasons, clearly and concisely, why the appellant thinks the Final Decision is in error. The appeal must comply 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 BLM 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, feel free to contact either Mike Boltz at 384-3346 or me at 384-3341.

Sincerely,

*/s/ Aimee D. Betts*

Aimee Betts  
Bruneau Field Manager (Acting)

Enclosure:

BLM Response to WWP Protest of Bruneau Field Manager's June 10, 2011 Proposed Decisions from ID120-2009-EA-3838

**Copies sent to:**

Camas Creek Pocket and Nahas FFR Allotment and Wilderness Interested Public lists:

S. Craig Baker  
Sierra Del Rio  
P O BOX 127  
Murphy, ID 83650

Chris Black  
Joseph Black and Sons  
30709 State Hwy 51  
Bruneau, ID 83604

Michael Roach  
Farmers & Merchants State bank  
703 American Blvd Suite 120  
Boise, ID 83702

Intermountain Community Bank  
506 S 10<sup>th</sup> Ave  
Caldwell, ID 83605

IDAHO STATE OFFICE  
(ID-912 & ID-931)  
BUREAU OF LAND  
MANAGEMENT  
1387 S VINNELL WAY  
BOISE ID 83709

US FISH & WILDLIFE SERVICE  
1387 S VINNELL WAY RM 368  
BOISE, ID 83709

VALE DISTRICT OFFICE  
BUREAU OF LAND MANAGEMENT  
100 E. OREGON ST.  
VALE, OR 97918

IDAHO DEPT. OF  
AGRICULTURE  
BOX 790  
BOISE, ID 83701

ATTN. ROBIN HOLMQUIST  
IDAHO DEPT. OF FISH & GAME  
CJ STRIKE WILDLIFE MGT AREA  
PO BOX 670  
BRUNEAU, ID 83604

ADMINISTRATOR  
IDAHO DEPARTMENT OF HEALTH &  
WELFARE DIVISION OF ENVIRONMENTAL  
QUALITY  
1410 N. HILTON  
BOISE, ID 83706-1260

IDAHO DEPT. OF LANDS  
8355 W STATE ST  
BOISE, ID 83714

DIRECTOR  
IDAHO DEPARTMENT OF  
PARKS AND RECREATION  
PO BOX 83720  
BOISE, ID 83720-0065

REGIONAL SUPERVISOR  
IDAHO FISH & GAME, SW REGION  
3101 S. POWERLINE RD.  
NAMPA, ID 83686

GIL GREEN  
RESOURCE ADVISORY  
COUNCIL  
2512 E GARBER DR  
MERIDIAN, ID 83646

WILLIAM PLATTS  
3920 HILLCREST DR  
BOISE, ID 83705

Owyhee County Board of Commissioners  
P O Box 128  
Murphy, ID 83650

OWYHEE LAND USE PLANNING  
COMMITTEE  
C/O CHAIRMAN TIM LOWRY  
PO BOX 132  
JORDAN VALLEY, OR 97910

DR CHAD GIBSON  
16770 AGATE LANE  
WILDER, ID 83676

Lionel Boyer, Tribal Chair  
Shoshone Bannock Tribes  
Box 306  
Fort Hall, ID 83203

IDAHO CATTLE ASSOCIATION  
BOX 15397  
BOISE, ID 83715

HIGH DESERT COALITION  
220 ELMCREST  
MTN HOME, ID 83647

MIKE STANFORD  
3581 CLIFFS RD  
JORDAN VALLEY, OR 97910

NATURAL RESOURCES  
DEFENSE COUNCIL  
111 SUTTER ST, 20<sup>TH</sup> FLOOR  
SAN FRANCISCO, ID 94105

JON MARVEL  
WESTERN WATERSHEDS  
PROJECT  
PO BOX 1602  
HAILEY, ID 83333

WESTERN RESOURCE  
ADVOCATES  
2260 BASELINE ROAD, SUITE  
200  
BOULDER, CO 80302

IDAHO WILDLIFE  
FEDERATION  
BOX 6426  
BOISE, ID 83707

IDAHO NATIVE PLANT  
SOCIETY  
PO BOX 9451  
BOISE, ID 83707

TED HOWARD- CULTURAL  
CONSULTANT  
SHOSHONE PAIUTE TRIBES  
BOX 219  
OWYHEE, NV 89832

IDAHO FARM BUREAU  
FEDERATION  
BOX 167  
BOISE, ID 83701

Craig Gillespie  
26800 Cattle Drive  
Bruneau, ID 83604

RAMONA PASCOE  
BOX 126  
JORDAN VALLEY, OR 97910

SIERRA CLUB  
BOX 552  
BOISE, ID 83701

ATTN: STUART MURRAY  
HIGH DESERT ECOLOGY  
1301 N 18<sup>TH</sup> ST  
BOISE, ID 83702

NATIONAL WILDLIFE FEDERATION  
N. ROCKIES NATURAL RESOURCE  
CENTER  
240 N. HIGGINS #2  
MISSOULA, MT 59802

IDAHO CONSERVATION  
LEAGUE  
BOX 844  
BOISE, ID 83701

JERRY JAYNE  
IDAHO ENVIRONMENTAL  
COUNCIL  
1568 LOLA ST.  
IDAHO FALLS, ID 83402

STAN BOYD  
BOISE DISTRICT GRAZING BOARD  
BOX 2596  
BOISE, ID 83701

KNIGHT VETERINARY CLINIC  
220 ELMCREST  
MTN HOME, ID 83647

J Terry Field  
HC 85 Box 332  
Grand View, ID 83624

Brian Collett  
24912 Collett Rd  
Oreana, ID 83650

The Wilderness Society  
350 N 9<sup>th</sup> Street, Suite 302  
Boise, ID 83702

BILL MARLETT  
OREGON NATURAL DESERT  
ASSOCIATION  
33 NW IRVING AVE.  
BEND, OR 97701

OREGON NATURAL RESOURCES  
COUNCIL (OREGON WILD)  
5825 NORTH GREELEY  
PORTLAND, OR 97217-4145

Kathy Barker McCoy  
Audubon Society – Golden Eagle  
P O Box 8261  
Boise, ID 83707

Katie Fite  
Western Watersheds Project  
Box 2863  
Boise, ID 83701

Grant Simond, Executive Director  
Idaho Outfitters and Guides Assoc.  
P O Box 95  
Boise, ID 83701

ATTN: BILL SEDIVY  
IDAHO RIVERS UNITED  
PO BOX 633  
BOISE, ID 83701

RON MITCHELL  
IDAHO SPORTING CONGRESS  
PO BOX 1136  
BOISE, ID 83701

ROSS CAMERON  
BRUNEAU RODEO  
ASSOCIATION  
BOX 283  
BRUNEAU, ID 83604

Clark Collins  
Blue Ribbon Coalition  
P O Box 5449  
Chubbuck, ID 83202

Rusty Tews  
P O Box 2042  
Bethel, AK 99559

David Hayes  
1102 North 17<sup>th</sup> Street  
Boise, ID 83702

RUSS HEUGHINS  
10370 W LANDMARK ST  
BOISE, ID 83704

DAVID MEYERS  
4701 W. QUAIL HILL CT.  
BOISE, ID 83703

JOHN BARRINGER  
6016 PIERCE PARK  
BOISE, ID 83703

RICHARD BASS  
706 MEGAN ST  
NAMPA, ID 83686

Mr. Paul Shepherd  
P O Box 398  
Horseshoe Bend, ID 83629

HERB MEYR  
570 EAST 16<sup>TH</sup> NORTH  
MTN HOME, ID 83647

K Kelly-Breach  
9674 Hardtrigger Rd  
Givens Springs, ID 83641

MITCHELL JAURENA  
7776 S OLD FARM LANE  
MERIDIAN, ID 83642

**Finding of No Significant Impact  
Nahas FFR Allotment  
Livestock Grazing Permit Renewal  
Environmental Assessment ID-120-2009-EA-3838**

I have reviewed the Council on Environmental Quality Regulations (CEQ) for significance (40 CFR 1508.27) and have determined the actions analyzed in EA #ID-120-2009-EA-3838 would not constitute a major federal action that would significantly affect the quality of the human environment; therefore an Environmental Impact Statement is not required. This finding was made by considering both the context and intensity of the potential effects, as described in the above EA, using the following factors defining significance:

*1) Impacts that may be both beneficial and adverse.*

The Proposed Action will have beneficial impacts and minimal direct or indirect adverse impacts to soils and watersheds, upland vegetation, sensitive plant populations, to wetlands and to wildlife (including sensitive species) on public land, over the short and long term (Sections 3.1 through 3.5 of EA ID-120-2009-EA-3838). These resources have met applicable rangeland health Standards under the current and proposed livestock management. In the long-term the proposed action will maintain or slightly improve rangeland health overall within the Nahas FFR Allotment (Sections 3.1 through 3.5 of EA ID-120-2009-EA-3838).

The Proposed Action will also have minimal direct or indirect adverse impacts to visual quality, cultural resources, grazing management, the overall economy of Owyhee County and to the human environment, including low income or minority populations over the short and long term. The proposed action will have no economic impacts upon the current grazing permit value. Maintenance of existing projects will limit grazing management impacts. The EA identifies no effects to heritage or cultural resources from the proposed action (Sections 3.7 of EA ID-120-2009-EA-3838). Other resources will be slightly enhanced, such as recreational opportunities, naturalness within the Pole Creek WA and scenic values along the Backcountry Byway.

Wilderness values including size of the wilderness and its outstanding opportunities to experience solitude would be maintained. The proposed action will also have no impacts, naturalness nor opportunities for primitive and unconfined recreation on any public lands.

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

No major effects to public health and safety were identified in the EA.

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

No significant effects on unique geographic characteristics of the area, cultural or historical resources, wetlands, wild and scenic rivers, or ecologically critical areas were identified in EA ID-120-2009-EA-3838. The grazing prescription would slightly enhance naturalness and primitive recreational opportunities in the Pole Creek Wilderness Area. No parklands, designated Wild and Scenic Rivers or prime farmlands are found in the project area. Cultural resources would not be significantly impacted (Section 3.7 of EA ID-120-2009-EA-3838). Maintenance of two existing wetlands is expected through the continuation of the grazing practices and maintenance of existing range improvement projects found in Alternative B (Section 3.4.3, EA ID-120-2009-EA-3838).

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

The analysis did not identify any effects on the quality of the human environment that are likely to be highly controversial. No public comments have been received that expressed any specific concerns about the effects of management actions and existing projects on various resource values on public lands in this allotment. Permittee input was, however, used to correct the pasture and allotment boundaries to reflect actual fence locations and property ownerships. The effects of continuing existing grazing practices within those boundaries with a modification to season of use have been analyzed and discussed in the EA (Sections 3.1 through 3.9 of EA ID-120-2009-EA-3838).

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

The analysis did not identify any effects on the human environment that are highly uncertain or involve unique or unknown risks. Livestock grazing has been a primary use in this area for at least 70 years (Taylor Grazing Act 1934). Grazing management and maintenance of similar project developments as those proposed by this decision have been completed in other parts of the Bruneau Field Office and southwestern Idaho. The effects of the proposed action on the human environment are not highly uncertain, and do not involve unique or unknown risks.

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

The analysis showed how the Bruneau Management Framework Plan (Bruneau MFP, USDI 1983) would be implemented under the alternatives (Sections 1.2, 1.9, and 1.10 and 3.1 through 3.9, EA ID-120-2009-EA-3838) and actions continued and proposed are similar to those previously taken in the Bruneau Field Office and specifically within the Nahas FFR Allotment. The proposed action would not establish precedent for any future actions. The need for and impacts of each grazing permit renewal (including maintenance of existing range improvement projects) will continue to be analyzed on a site-specific basis. Implementation of this decision would not trigger other actions, nor is

it a necessary component of a larger action in the project area encompassed by this decision.

7) *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.*

The analysis did not identify any known significant cumulative or secondary negative effects (Sections 3.1 through 3.8, EA ID-120-2009-EA-3838) within the respective analysis areas. Outside of Nahas FFR allotment, additional rangeland health assessments, determinations, and subsequent decisions have been implemented or are planned, resulting in changes in livestock management actions, stocking levels and seasons of use, construction of additional projects, and maintenance or modification of existing projects. However, those actions in combination with this decision are not expected to result in cumulatively significant negative impacts.

The proposed actions associated with this EA and with other grazing decisions within the respective analysis areas are expected to slightly improve recreational opportunities and wilderness values. In addition to implementation of grazing decisions, wildfire suppression, juniper control measures, ongoing noxious weed control programs, the closure and/or rehabilitation of some OHV routes and other ongoing control or mitigation measures also will continue in the Nahas FFR Allotment and in adjoining allotments, maintaining current favorable conditions or improving unfavorable ones.

8) *The degree to which the action may adversely affect properties listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.*

The analysis showed that the alternatives would not result in adverse effects to cultural resources that are considered eligible for listing in the National Register of Historical Places (Section 3.7.3.2 of EA ID-120-2009-EA-3838).

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

No endangered or threatened species are known in this allotment (Sections 3.3 and 3.5 of EA ID-120-2009-EA-3838). Impacts to BLM sensitive species and candidate species for federal listing as endangered or threatened are also discussed in Sections 3.3 and 3.5, and are neutral or beneficial. Habitat for spotted frogs, a candidate species would not be affected by continuing the existing grazing management. Elimination of negative impacts from lack of water storage in Circle Pond is expected through maintenance of the existing range improvement project and through monitoring of the Annual Indicator Criterion for Circle Pond found in the proposed action (Section 3.5.3.2, EA ID-120-2009-EA-3838).

*10) Whether the action threatens a violation of Federal, State, and local laws or requirements imposed for protection of the environment.*

The analysis in the EA shows that the proposed action is consistent with Federal, State, and local laws or requirements imposed for protection of the environment (Sections 1.10 and 3.1 through 3.9 of EA ID-120-2009-EA-3838).

/s/ Arnold Pike

6/10/11

---

/s/ Arnold Pike  
Bruneau Field Manager

---

Date