

**UNITED STATES DEPARTMENT OF THE INTERIOR  
BLM, BOISE DISTRICT**

**EA #ID110-2009-EA-3757 Title Page**

Applicant (if any):	Proposed Action: <b>Summer Creek Drift Fence</b>			EA No. <b>ID-110-2009-EA-3757</b>
State: <b>Idaho</b>	County: <b>Adams</b>	District: <b>Boise</b>	Field Office: <b>Four Rivers</b>	Authority: <b>NEPA, FLPMA, &amp; Taylor Grazing Act</b>
Prepared By: <b>FRFO ID Team</b>	Title: <b>Various</b>			Report Date:

**LANDS INVOLVED**

Meridian	Township	Range	Sections	Acres
<b>Boise</b>	<b>18N</b>	<b>4W</b>	<b>3, 4</b>	<b>5</b>

<u>Consideration of Critical Elements</u>	N/A or Not Present	Applicable or Present, No Impact	Discussed in EA
Air Quality	X		
Areas of Critical Environmental Concern	X		
Cultural Resources			X
Environmental Justice (E.O. 12898)	X		
Farm Lands (prime or unique)	X		
Floodplains	X		
Migratory Birds		X	
Native American Religious Concerns			X
Invasive, Nonnative Species			X
Wastes, Hazardous or Solid	X		
Threatened or Endangered Species			X
Water Quality (Drinking/Ground)	X		
Wetlands/Riparian Zones	X		
Wild and Scenic Rivers (Eligible)	X		
Wilderness Study Areas	X		

**Environmental Assessment EA #ID110-2009-EA-3757**  
**Summer Creek Drift Fence**

**Table of Contents**

1.0	Introduction.....	1
1.1	Need for and Purpose of Action .....	1
1.2	Summary of Proposed Action.....	1
1.3	Location and Setting .....	1
1.4	Conformance with Applicable Land Use Plan .....	2
1.5	Relationship to Statutes, Regulations, and Other Requirements .....	2
2.0	Description of the Alternatives .....	3
2.1	Alternative Development Process.....	4
2.2	Description of Proposed Action and Alternatives .....	4
2.2.1	Alternative A - No Action/Continue Present Management .....	4
2.2.2	Alternative B - Proposed Action.....	5
2.3	Alternatives Considered But Not Analyzed in Detail.....	5
2.4	Comparison of Alternatives.....	6
3.0	Affected Environment and Environmental Consequences .....	7
3.1	Soils.....	7
3.1.1	Affected Environment.....	7
3.1.2	Environmental Consequences .....	7
3.2	Vegetative Communities .....	8
3.2.1	Affected Environment.....	8
	Upland Vegetation.....	8
3.2.2	Environmental Consequences .....	10
3.3	Wildlife/ Fisheries and Water Quality .....	11
3.3.1	Affected Environment.....	11
3.3.2	Environmental Consequences-Fish and Wildlife/Special Status Animals/Migratory Birds/Water Quality .....	12
3.4	Cultural Resources .....	14
3.4.1	Affected Environment.....	14
3.4.2	Environmental Consequences .....	14
3.5	Visual Resource Management.....	14
3.5.1	Affected Environment.....	14
3.5.2	Environmental Consequences .....	14
3.6	Recreation.....	15
3.6.1	Affected Environment.....	15
3.6.2	Environmental Consequences .....	15
3.7	Grazing Management .....	15
3.7.1	Affected Environment.....	15
3.7.2	Environmental Consequences .....	15
3.8	Cumulative Impacts .....	16
3.8.1	Scope of Analysis .....	16
3.8.2	Environmental Consequences-Cumulative Impacts .....	16

3.8.2.1	Vegetation .....	16
3.8.2.2	Wildlife .....	17
3.8.2.3	Grazing Management.....	17
4.0	Consultation and Coordination .....	17
4.1	Public Participation .....	18
4.2	List of Agencies, Organizations, and Individuals Consulted .....	18
4.3	List of Preparers.....	18
5.0	Map.....	19

**Environmental Assessment #ID-110-2009-EA-3757**  
**Oxbow Allotment Summer Creek Drift Fence**

**1.0 Introduction**

The Oxbow Allotment (00346) permit operated by OX Ranch allows nine months of use (Table 1). Cattle are not on the entire allotment for that period of time due to a rest rotation grazing system among multiple pastures (including Forest Service, Idaho Department of Lands, and private lands). Currently, the rest rotation grazing system is used with a geographical boundary that runs down the razor back ridge between the Lower Salt Creek and Upper Salt Creek pastures in the Oxbow Allotment (00346).

Table 1. Current Authorized Use.

Allotment	Livestock Kind	Livestock #'s	Season of Use	Percent BLM Lands	Permitted AUMs *	
					Active	Total
Oxbow # (000346)	Cattle	324	03/16-12/15	66	1,934	1,934

\*AUM – Animal Unit Month

**1.1 Need for and Purpose of Action**

Gathering and sorting cattle in the Oxbow Allotment is difficult due to steep terrain and limited trails and four-wheel drive roads. Access is primarily by horseback which is very time consuming. Casey Anderson, Manager/Authorized Representative for the OX Ranch (doing business as Rocky Comfort Cattle Co., LLC), has requested permission to construct a drift fence along the ridge between the Lower Salt Creek and Upper Salt Creek pastures to fully and properly implement the rest rotation system under the current permit. The objectives would be to improve herd separation, cattle distribution, and prevent cattle from drifting down steep drainages and lingering in the neighboring pasture.

**1.2 Summary of Proposed Action**

The permittee would construct a 1.25-mile drift fence separating the Lower Salt Creek and Upper Salt Creek pastures (Map 1).

**1.3 Location and Setting**

The approximately 24,300 acre Oxbow Allotment is located in Adams County, Idaho. It is bordered by the Oxbow Reservoir and Snake River to the west, and the Payette National Forest to the east. It is part of the Snake River Breaks Brownlee Management Area (MA) administered by the Bureau of Land Management (BLM) Four Rivers Field Office (FRFO).

The proposed action is located approximately 3 miles south of the Oxbow Dam on a ridge between Summer Creek and Limestone Gulch (Map 1). The fence would begin at the Oxbow Reservoir on private land and terminate on a narrow, rocky ridge adjacent to the Summer Creek Area of Critical Environmental Concern (ACEC) boundary.

#### 1.4 Conformance with Applicable Land Use Plan

The current Land Use Plan for the area is the Cascade Resource Management Plan (RMP) dated July, 1988. The Proposed Action would be in compliance with the Cascade RMP which makes the following recommendations:

A variety of range improvements, grazing systems, and other range management practices may be considered in conjunction with livestock management on individual allotments. Such practices will be based on the management category (maintain, improve, custodial), identified in the Cascade RMP, that each allotment has been placed and will be formulated in consultation, coordination, and cooperation with livestock operators and their interested parties (Resource Management Guidelines, Range Improvements and Treatments; pg. 47).

The overall objective is to improve soil, vegetation, watershed, wildlife habitat, and other resource values and conditions and to provide vegetation for livestock, wildlife, wild horses, and other consumptive and non-consumptive uses. Specific objectives are to improve ecological condition on 31% of poor condition range, 32% of fair condition range, and 11% of good condition range (Rangeland Program Summary, Objectives pg. 1).

#### 1.5 Relationship to Statutes, Regulations, and Other Requirements

The following laws, acts, manuals, policies, and regulations provide the foundation for livestock use and management of public lands:

- The Taylor Grazing Act (TGA), 1934
- The Federal Land Policy and Management Act (FLPMA), 1976, Title IV, Section 402
- The Public Rangelands Improvement Act, 1978
- Endangered Species Act (ESA), 1973
- National Environmental Policy Act (NEPA), 1969
- Title 43 - Code of Federal Regulations (43 CFR), Subpart 4100 – Grazing Administration, exclusive of Alaska
- BLM Manual Handbook H-1741 - Fencing
- Idaho Standards for Rangeland Health and Guidelines for Livestock Grazing Management, 1997
- BLM Manual Handbook H-8120-1 – General Procedural Guidance for Native American Consultation
- National Historic Preservation Act (NHPA) 1966, as amended
- Archaeological Resources Protection Act (ARPA), 1979
- Native American Graves Protection and Repatriation Act (NAGPRA), 1990, as amended
- American Indian Religious Freedom Act (AIRFA), 1979
- Executive Order 13007-Indian Sacred Sites

A Rangeland Health Assessment, Evaluation and Determination of conformance with Idaho's Standards for Rangeland Health and Guidelines for Livestock Grazing Management, and the Environmental Assessment (EA#ID-095-02021) for grazing permit renewal required by NEPA

were completed January 7, 2002. This process is completed to determine rangeland conditions under current management, as well as define adjustments to management necessary to meet resource objectives for the subsequent 10 years.

### Cultural Resource Laws and Executive Orders

BLM is required to consult with Native American tribes to “help assure (1) that federally recognized tribal governments and Native American individuals, whose traditional uses of public land might be affected by a proposed action, will have sufficient opportunity to contribute to the decision, and (2) that the decision maker will give tribal concerns proper consideration” (U.S. Department of the Interior, BLM Manual Handbook H-8120-1). Tribal coordination and consultation responsibilities are implemented under laws and executive orders that are specific to cultural resources which are referred to as “cultural resource authorities,” and under regulations that are not specific which are termed “general authorities.” Cultural resource authorities include: the National Historic Preservation Act of 1966, as amended (NHPA); the Archaeological Resources Protection Act of 1979 (ARPA); and the Native American Graves Protection and Repatriation Act of 1990, as amended (NAGPRA). General authorities include: the American Indian Religious Freedom Act of 1979 (AIRFA); the National Environmental Policy Act of 1969 (NEPA); the Federal Land Policy and Management Act of 1976 (FLPMA); and Executive Order 13007-Indian Sacred Sites. The proposed action is in compliance with the aforementioned authorities.

Southwest Idaho is the homeland of two culturally and linguistically related tribes: the Northern Shoshone and the Northern Paiute. In the latter half of the 19th century, a reservation was established at Duck Valley on the Nevada/Idaho border west of the Bruneau River. The Shoshone-Paiute Tribes residing on the Duck Valley Reservation today actively practice their culture and retain aboriginal rights and/or interests in this area. The Shoshone-Paiute Tribes assert aboriginal rights to their traditional homelands as their treaties with the United States, the Boise Valley Treaty of 1864 and the Bruneau Valley Treaty of 1866, which would have extinguished aboriginal title to the lands now federally administered, were never ratified.

Other tribes that have ties to southwest Idaho include the Bannock Tribe and the Nez Perce Tribe. Southeast Idaho is the homeland of the Northern Shoshone Tribe and the Bannock Tribe. In 1867 a reservation was established at Fort Hall in southeastern Idaho. The Fort Bridger Treaty of 1868 applies to BLM’s relationship with the Shoshone-Bannock Tribes. The northern part of the BLM’s Boise District was also inhabited by the Nez Perce Tribe. The Nez Perce signed treaties in 1855, 1863 and 1868. BLM considers off-reservation treaty-reserved fishing, hunting, gathering, and similar rights of access and resource use on the public lands it administers for all tribes that may be affected by a proposed action.

## **2.0 Description of the Alternatives**

In this chapter, the alternatives or potential actions are described and compared in terms of their impacts and potential to provide continued multiple uses of public lands.

## **2.1 Alternative Development Process**

Access to the site and resource considerations were the primary issues addressed during alternative development. The proposed project location is approximately 22 miles in along a power-line road. The terrain is very steep; therefore, access to the pastures for livestock management is primarily by horseback.

Standard 4 (Native Plant Communities) was not being met because of continuous spring use. Alternatives that would provide a consistent rest rotation were considered. The area provides habitat for Rocky Mountain bighorn sheep, Rocky Mountain elk, and mule deer. Alternatives were developed to limit restrictions on big game movement.

## **2.2 Description of Proposed Action and Alternatives**

### **2.2.1 Alternative A - No Action/Continue Present Management**

No drift fence would be constructed and management of the Oxbow Allotment would continue as authorized (Table 1).

### **2.2.2 Alternative B - Proposed Action**

A 1.5 mile (1.25 mile on public land, .25 mile on private) drift fence would be constructed to separate the Lower Salt Creek and Upper Salt Creek pastures in the Oxbow Allotment (Map 1). No modifications to the grazing permit would be made; the allotment would be managed with a two-year rest rotation grazing system as presently authorized.

The fence would be built adhering to BLM standards for bighorn sheep habitat as follows:

- 1) A four-strand fence with the top wire set no higher than 38 inches from ground level, the third wire 30 inches from ground level, the second wire set no higher than 24 inches from ground level, and a smooth bottom wire a minimum of 18 inches from ground level.
- 2) The posts would be set no greater than 16.5 feet apart with wooden fence stays for greater visibility.
- 3) There would be a gate on the power line road and gates in the saddles for big game passage (totaling up to 6 gates).
- 4) The gates would remain open when cattle are out of the pastures (Bureau Manual Handbook H-1741 and Instruction Memorandum re: Facilitating Big Game Passage of Livestock Fences, dated 2/20/1987).
- 5) A Cooperative Range Improvement Agreement with BLM will be signed prior to fence construction by the permittee for fence repair and maintenance responsibility. (Form 4120-6)

To aid in construction of the fence, a dozer would be used to haul an air compressor to operate a rock drill. The air compressor has 300 yards of hose; the dozer would go approximately 1 mile along the fence-line and the hose would be extended the last 300 yards. All terrain vehicles (ATVs) would also be used to haul fence materials along the fence-line. Construction related activities would be carried out creating the least amount of disturbance possible by limiting travel (ATVs/Dozer) to the existing power-line road and to within 30 feet of either side of the proposed fence-line and keeping number of trips to a minimum. Minimal brush removal would be permitted as necessary directly associated with post and wire placement.

Measures would be taken to clean machinery to limit the potential spread of noxious weeds. Prior to fence construction, the permittee would be required to treat existing noxious weeds present along the proposed fence-line. Subsequent to fence construction, the permittee would be required to monitor and treat occurrences of noxious weeds along the proposed fence-line until native vegetation recovers.

### **2.3 Alternatives Considered But Not Analyzed in Detail**

An intensive herding alternative was proposed; however, due to the remote location and difficult access, the alternative was not considered to be feasible.

## 2.4 Comparison of Alternatives

	<b>Alternative A (No Action)</b>	<b>Alternative B (Proposed Action)</b>
<b>Fence Constructed</b>	0 miles	1.5 mile (1.25 public land, .25 private)
<b>Soils</b>	Direct impacts to soils would occur where livestock congregate.	Trailing could occur along the new fence-line causing compaction and erosion, but would be minor due to steep/rocky nature of most of the area.
<b>Vegetative Communities</b>	Ongoing impacts to upland vegetation would continue due to cattle drift into pasture slated for rest (resulting from difficulty implementing rest-rotation system). Minor impacts to riparian areas could be expected over time due to cattle drift. No impacts to threatened, endangered, or sensitive plants in proposed project area.	Localized short term impacts to upland vegetation from fence construction activities anticipated, and minor long term impacts due to trailing possible, but unlikely. Improvements to uplands and maintenance of riparian areas anticipated due to control of livestock drift and improved distribution of livestock. No impacts to threatened, endangered, or sensitive plants in proposed project area. Increased potential for noxious weed introduction during fence construction.
<b>Wildlife/Fisheries and Water Quality</b>	The proposed project falls within Rocky Mountain big horn sheep habitat. No impact to threatened, endangered, or sensitive animal species. No effects to water quality or fisheries.	Localized short term impacts to sensitive species and other wildlife would be anticipated from fence construction activities, particularly on the finger ridge. Minor long term impacts would be expected due to restriction of big game migration; however, impacts would be mitigated via fence design which would meet criteria for bighorn sheep, provides easier passage for other big game, and minimize strikes by big game and birds. No effects to water quality or fisheries would occur.
<b>Cultural Resources</b>	No impact.	No cultural resources were found during on-site inventory; therefore, no impacts anticipated.
<b>Visual Resource Management</b>	No impact.	The moderate degree of visual change falls within the allowable limits.
<b>Recreation</b>	No impact.	The proposed fence would negligibly impede access to recreation since gates would be provided; and access is already limited due to steep terrain and no roads in the vicinity. Therefore, 1.25 miles of fence on federal land would not influence an individual's decision to visit the

	<b>Alternative A (No Action)</b>	<b>Alternative B (Proposed Action)</b>
		area.
<b>Grazing Management</b>	Not constructing the fence would make it very difficult to implement the current two year rest rotation grazing system and manage livestock in the steep terrain.	The fence would allow the permittee to implement and improve the two year rest rotation grazing system, aid in cattle distribution and removal of cattle from the allotment.

### 3.0 **Affected Environment and Environmental Consequences**

#### 3.1 **Soils**

##### 3.1.1 **Affected Environment**

Soils in the proposed project area belong to the McDaniel-Rockly complex, 10-70% slopes. McDaniel soils occur on west-facing side slopes and are very shallow, shallow, and very deep, well drained soils that formed in loess, colluviums, and residuum derived from basalt. The surface layer is brown very stony loam, the subsoil (10-27 inches) is brown extremely cobbly, silty clay loam, and yellowish brown extremely cobbly silty clay loam (27-60 inches).

The water holding capacity of McDaniel soils is moderate and runoff is medium to very rapid. Erosion by water is moderate to severe. Rockly soils and similar inclusions occur on south-facing side slopes and are very shallow, well drained, with a moderately slow permeability and very low water holding capacity. Runoff is medium to very rapid and erosion by water is moderate to severe. The surface layer of Rockly soils are brown very stony loam, the subsoil (3-8 inches) is yellowish brown very gravelly clay loam, and the depth to basalt bedrock is 4-10 inches.

Based on the 2002 Rangeland Health Determination, Standard 1 (Watersheds) was being met. Even though the standard was being met, there were some areas (the less sloping sites) where physical damage to the soil resource (trampling, trailing, and compaction) and evidence of accelerated soil erosion in the form of pedestalled plants was occurring. These areas were scattered throughout the allotment and tended to be more severe where livestock frequent. Many of these impacts could be related to early livestock use when soils are still saturated.

##### 3.1.2 **Environmental Consequences**

Alternative A – No soil disturbance would occur associated with the project area because no machinery would traverse the proposed fence-line and no posts would be placed in the ground. Minimal impacts to soils resulting from livestock drifting to and potentially concentrating use in upland and riparian areas scheduled for rest would occur without improved livestock distribution and management provided by the proposed drift fence. Such impacts may include accelerated erosion by hoof action, or trampling leading to compaction; however, Standard 1 would continue to be met over the long term (10 years).

Alternative B – Limited disturbance would occur from the construction of the fence. Hauling of materials along the proposed fence-line via ATVs and heavy machinery would cause short-term

(3-5 years) disturbance of up to approximately 9.1 acres (60'x6600'). Some soil loss and/or degradation could occur where soils are exposed due to removal of vegetation and or disturbance by the dozer and ATVs; however, impacts would be minimal due to the rocky nature of the majority of the area.

Over time, cattle trailing along the fence-line could lead to increased soil disturbance which in turn could lead to localized erosion and soil compaction. Cattle use would become more concentrated at the gates as livestock are moved from one pasture to another, resulting in some localized soil disturbance. However, the likelihood of disturbance and compaction of soils occurring to any appreciable extent would be low as the fence would primarily occupy a steep, rocky, ridge where cattle do not typically spend time. Due to the distance from water, livestock use in the project area would not be expected to exceed moderate use levels; therefore, erosion and compaction would be expected to be low, overall.

Watershed conditions in the Upper and Lower Salt Creek pastures would be maintained or improved over the long term by proper implementation of the rest rotation. No trampling of saturated soils would occur when pastures are rested. Increases in perennial vegetation over time would also lead to improved watershed conditions.

## 3.2 Vegetative Communities

### 3.2.1 Affected Environment

#### Upland Vegetation

The proposed project area and vicinity are composed of sagebrush/bitterbrush and grassland communities at lower elevations transitioning to mountain shrub communities at higher elevations. Three-tip sagebrush (*Artemisia tripartita*) is the main shrub community at lower elevations which are primarily dominated by a variety of non-native, invasive, annual grasses like medusahead (*Taeniatherum caput-medusae*) and cheatgrass (*Bromus tectorum*), as well as storksbill/filaree (*Erodium cicutarium*), an annual, non-native forb. At higher elevations along the ridge, snowberry (*Symphoricarpos* spp.), bittercherry (*Prunus emarginata*), and chokecherry (*P. virginiana*) dominate the plant communities. A mixture of native perennial grass and forb species, including bluebunch wheatgrass (*Pseudoroegneria spicata*), bottlebrush squirreltail (*Elymus elymoides*), Sandberg bluegrass (*Poa secunda*), arrowleaf balsamroot, (*Balsamorhiza sagittata*) desertparsley (*Lomatium* spp.), lupine (*Lupinus* sp.), and yarrow (*Achillea millefolium*) comprise the shrub understory and interspaces.

Based on the 2002 Rangeland Health Determination, Standard 4 was not being met. Consistent livestock use annually during the active growing period of perennial grasses has led to their decline in vigor. Weakening these plants has allowed the more competitive invasive plants to expand into the native plant community, especially on gentle slopes, and where livestock access is not limited by rock cover.

Approximately 500 acres of public land in the Oxbow Allotment are part of the Summer Creek ACEC (Map 1). The ACEC was designated under the Cascade RMP (as a Research Natural Area) primarily to protect Cusick's camas (*Camasia cusickii*) and Snake Canyon milkvetch (*Astragalus vallaris*), two species which were formerly classified as special status plants. In

addition, the ACEC encompasses some large, old growth curl-leaf mountain mahogany (*Cercocarpus ledifolius*) and antelope bitterbrush (*Purshia tridentata*) stands.

### **Riparian Vegetation**

Riparian vegetation occurring along streams in the allotment is primarily composed of woody species dominated by shrubs including numerous willow species (*Salix* spp.), hawthorn (*Crataegus* sp.), elderberry (*Sambucus* spp.), bittercherry, chokecherry, snowberry, and golden currant (*Ribes aureum*). At higher elevations, species may also include quaking aspen (*Populus tremuloides*), Douglas-fir (*Pseudotsuga menziesii*), ponderosa pine (*Pinus ponderosa*) and mountain ash (*Sorbus scopulina*). In some areas, upland forbs, and exotic grasses such as Kentucky bluegrass (*Poa pratensis*), bulbous bluegrass (*Poa bulbosa*), cheatgrass, and medusahead are present. However, the riparian areas nearest the proposed project location (Limestone Gulch and Summer Creek) are both intermittent/seasonal flow regime streams, and vegetation is composed primarily of arroyo willows and upland shrubs, with few sedges and rushes present due to seasonally dry streambed substrates.

The proposed fence to separate the Upper and Lower Salt Creek pastures would fall between Limestone Gulch and Summer Creek. Each creek was found to be in proper functioning condition during the assessment and evaluation process prior to the 2002 permit renewal EA; thus, meeting applicable standards for rangeland health (Standards 2 – Riparian Areas & Wetlands and 3- Stream Channel/Floodplain).

### **Special Status Plants (SSPs)**

Special status plants include all vascular plants, non-vascular plants, and lichens that are federally listed as threatened or endangered, and proposed or candidates for listing under the 1973 Endangered Species Act (ESA); as well as species designated by BLM's State Director as sensitive. The BLM manages SSPs under national policy directing State Directors to designate BLM sensitive species in cooperation with the Idaho State Fish and Wildlife agencies (BLM Manual 6840). These designations are used primarily for occurrences on BLM lands where the outcome of land management can affect the conservation status of a species. Based upon numerous criteria like risk of extinction, population size, distribution, and trend, SSPs are assigned a 'Type' number. Species at highest risk are classified Type 1 and those at lowest risk are Type 5 (See Appendix A for details regarding rankings).

No federally listed threatened or endangered plant species are known to occur in the Snake River Breaks Brownlee Management Unit. Two species of SSP are known to occur on public lands in the Oxbow Allotment. One population of Tolmie's onion (*Allium tolmiei* v. *persimile*), a Type 3 SSP, is known to occur in the southernmost portion of the allotment near Wildhorse Creek. Tolmie's onion grows on rocky, shallow clay soils in sparsely vegetated areas. It ranges from this portion of Snake River Breaks north to Seven Devils Mountains. One population of bank monkeyflower (*Mimulus clivicola*), a Type 5 SSP, is known to occur near Summer Creek within the Summer Creek ACEC). Bank monkeyflower is a small annual that occupies open, ephemeral moist sites in grassland and forest habitats. No SSP or habitat was observed during project specific BLM clearances conducted in spring 2009; therefore, environmental consequences will not be discussed for SSPs.

## Noxious Weeds

Eleven occurrences of noxious weeds have been identified on public land in the northernmost and southern portions of Oxbow Allotment between 1996 and 2008. These species include dalmatian toadflax (*Linaria dalmatica*), diffuse knapweed (*Centaurea diffusa*), rush skeletonweed (*Chondrilla juncea*), Scotch thistle (*Onopordum acanthium*), spotted knapweed (*Centaurea stoebe*), and whitetop (*Cardaria draba*). All occurrences were less than 1 acre in size and all were chemically treated according to BLM protocols following discovery. A few scattered occurrences of Scotch thistle (*Onopordum acanthium*) were identified during project specific botanical clearances. The plants were primarily located near the 4-wheel drive road approximately 0.5 miles east of the reservoir.

Off-highway vehicles (OHVs) may be contributing to the spread of noxious weeds. This could be particularly true for OHVs that come in from other areas and may inadvertently transport seeds in dirt, dust, or mud caked on the vehicles.

### 3.2.2 Environmental Consequences

#### Upland Vegetation

Alternative A— No fence would be constructed and there would be no change in effects on existing plant communities in this area. Standard 4 would not be met over the long term without proper implementation of the rest rotation grazing system. Perennial grass vigor would not improve and invasives would continue to spread into the native plant communities in the Upper and Lower Salt Creek pastures.

Alternative B—Approximately 9.1 acres of vegetation could be disturbed or eliminated by fence construction and maintenance. Short term impacts such as trampling via ATV and Dozer travel would reduce vigor of, or eliminate native perennial vegetation. Over the long term, native perennial vegetation would recover. Grasses and resprouting shrubs would recover more quickly than shrubs that do not resprout (i.e., reproduce only by seed propagation). Non-native, invasive, annual species such as medusahead and cheatgrass, common at lower elevations, could spread to the upper elevations where native vegetation has been disturbed or eliminated. However, fence construction activities would be designed to minimize disturbance (i.e., restricting travel to the existing power-line road and to within 30 feet of the proposed fence-line), thus limiting the spread of such species.

Cattle could trail along the fence leading to a decrease in vegetative cover due to trampling and grazing in the immediate vicinity, which in turn could lead to further introduction of non-native, invasive annual species; however, livestock rarely access most of this steep ridge, so associated impacts would be minimal. Livestock use would increase at the gates and be expected to impact vegetation in the vicinity, again by trampling and grazing, but impacts would be mainly limited to areas already vegetated by disturbance species (near power-line and in saddles), and impacts would decrease with distance from gates. Grazing in the project area and beyond would not be expected to exceed moderate use levels, and the opportunity for grazed plants to regrow after use would be adequate.

Overall, improvements to upland vegetation conditions would occur and make progress toward meeting Standard 4 with proper implementation of the rest rotation in Upper and Lower Salt

Creek pastures. Slow improvements to upland vegetation in poor and fair condition in the pastures would occur. Perennial grass vigor would improve when plants are rested during the active growing period and soils are not saturated.

The Cascade RMP stipulates that no water or salt/mineral blocks are allowed in the Summer Creek ACEC, ostensibly to prevent concentration of livestock in the area. The proposed fence would stop short of the ACEC and would not be expected to cause livestock to concentrate near or within the ACEC as result of construction/implementation.

### **Riparian Vegetation**

*Alternative A*– Standards 2 and 3 would continue to be met over the long term. Minor impacts could occur if livestock drift to and concentrate in riparian areas associated with Summer Creek and Limestone Gulch after designated use periods.

*Alternative B*– Riparian areas along Limestone Gulch and Summer Creek would show minor improvement over Alternative A with proper implementation of the rest rotation system. Riparian vegetation would improve from rest and elimination of use after the designated grazing period.

### **Noxious Weeds**

*Alternative A*– No action would be taken and no apparent change to noxious weed occupation would be expected. Noxious weeds would be maintained at present levels or could increase slightly due to livestock grazing and OHV use. Areas in poor or fair condition would be more susceptible to weed establishment and expansion.

*Alternative B*– The construction of the drift fence could facilitate the spread of noxious species directly in the disturbance area (9.1 acres) and indirectly in the proposed project vicinity (along the powerline road and near equipment staging areas. However, fence construction activities would be carried out with limited disturbance (i.e., restricting travel to the existing power-line road and to within 30 feet of the proposed fence-line), cleaning vehicles and machinery, and treating existing and subsequent occurrences would minimize the spread of noxious species.

A decrease in vegetative cover due to trampling and grazing by livestock in the immediate vicinity of the fence could occur, which could lead to the expansion of noxious weeds. However, the steep, rocky nature of most of the ridge limits livestock access, so potential for noxious plants to spread by this mechanism would be minimal.

## **3.3 Wildlife/ Fisheries and Water Quality**

### **3.3.1 Affected Environment**

#### **Wildlife**

The proposed project area is encompassed by year-long elk and mule deer ranges. The area has also been identified as potential, year-round Rocky Mountain bighorn sheep habitat. Numerous other wildlife species are likely to utilize the area, as well.

### **Special Status Animals (SSAs)**

Like SSPs, SSAs include all animals that are federally listed as threatened or endangered, and proposed or candidates for listing under the ESA; as well as species designated by BLM's State Director as sensitive. The BLM manages SSAs under national policy directing State Directors to designate BLM sensitive species in cooperation with the Idaho State Fish and Wildlife agency and Idaho Department of Fish and Game (BLM Manual 6840). These designations are used primarily for occurrences on BLM lands where the outcome of land management can affect the conservation status of the species. Based upon numerous criteria like risk of extinction, population size, distribution, and trend, SSAs are assigned a 'Type' number. Species at highest risk are classified Type 1 and those at lowest risk are Type 5 (See Appendix A for details regarding rankings).

The proposed fence-line project lies within the ranges of two BLM Type 1 SSAs, the grey wolf (which was reinstated under ESA as an experimental nonessential population) and Southern Idaho ground squirrel (SIDGS) (a federal candidate species). The area provides year-round habitat for elk and mule deer which are important prey for wolves. Though the proposed project is in an area considered part of SIDGS range, the shallow, rocky character of the soils are unlikely to provide habitat as SIDGS typically require deep, loamy soil types for burrowing.

Potential habitat is not indicated for greater sage-grouse (another Type 1, candidate species). However, sage-grouse have been known to travel across the Oregon/Idaho border, and the area could provide potential late brood rearing habitat or wintering habitat if the ridge is windswept enough to remain mainly snow free. The nearest known active lek and key habitat in Idaho are approximately 16 miles and 19 miles, respectively, south and east of the proposed project.

Other BLM special status species (Types 2-5) have the potential to occur (but are not presently known to occur as no surveys for these species have been conducted to date) in the vicinity of the proposed project area based upon their general habitat requirements. These species include bald eagle, Brewer's sparrow, loggerhead shrike, mountain quail, peregrine falcon, prairie falcon, sage sparrow, grasshopper sparrow, green-tailed towhee, sage thrasher, and short-eared owl, western ground snake, Woodhouse's toad, and night snake.

### **Fisheries and Water Quality**

No fisheries are present in Summer Creek or Salt Creek due to seasonal flow regimes. The Idaho Department of Environmental Quality presumes that all seasonal streams meet minimum applicable water quality standards (temperature standards for cold water biota), since the period of time in which flows at 1 cubic foot per second or greater commonly occurs only as a result of spring snowmelt, or short term summer rainfall events.

#### **3.3.2 Environmental Consequences-Fish and Wildlife/Special Status Animals/Migratory Birds/Water Quality**

##### Alternative A

##### **Wildlife**

No fence would be constructed and there would be no change in effects on existing SSAs or other wildlife in this area. Upland habitat that would be maintained in poor or fair ecological condition over the long term (10 years) would meet minimal needs for wildlife during years with normal or above normal precipitation. During years of below normal precipitation, cover and forage needs would not be met where annual grasses dominate. Distribution of livestock would not improve in riparian areas; however, the basic habitat needs would be met for neotropical birds over the long term.

### **Fisheries and Water Quality**

No fisheries occur in the allotment and all streams in the allotment currently meet IDEQ standards for seasonal cold water biota. Therefore, neither fisheries nor water quality would be affected by continuation of livestock management without fence implementation.

### Alternative B

#### **Wildlife**

Limited disturbance to SSAs and other wildlife potentially inhabiting or utilizing the area would be expected from construction and maintenance of the fence. During the construction phase, wildlife could be displaced a short distance due to the noise and activity associated with construction related activities. SSAs and other wildlife would be expected to return to the area following construction activities. Improvements in vegetation vigor and composition in the pastures would improve overall habitat conditions for SSAs and other wildlife over the long term.

The proposed fence would still allow for passage of big game species (big horn sheep, elk, and deer) that may utilize the ridge associated with the project. Fence design specifications would minimize impacts of restricting big game movement by having a smooth bottom wire to allow passage of young big game underneath the fence, and a top wire set no higher than 38 inches to allow big game to clear the fence while crossing. Movement restrictions would occur primarily when livestock are in the pastures, but would be reduced by providing access through gates when livestock are not present.

The fence would be constructed with wooden posts to increase visibility to big game species as well as birds (including those special status birds listed above), reducing the possibility of fence strikes by both groups.

Grey wolves would not be adversely affected by the fence. Fences have not been reported to deter wolf movement, and the limited impacts to big game would not adversely affect their availability as prey. SIDGS rarely occur along ridges, probably because soils there tend to be shallow and unsuitable for burrow development. If SIDGS were to occur near the proposed fence, it could be advantageous over the long term, as squirrels often use fence-lines to avoid predators. As the area is not near an active lek and would be constructed with wooden posts to increase visibility, the possibility of sage-grouse strikes with the fence would be expected to be minimal.

Distribution of livestock would improve in the uplands and riparian areas, thus improving wildlife habitat in both systems over time. Therefore, long term habitat requirements for SSAs,

and other wildlife, including neotropical birds, potentially occupying or utilizing the area would be met.

### **Fisheries/Water Quality**

Construction of a drift fence would not impact fisheries as none occur in the project vicinity. All streams in the allotment would be expected to continue to meet IDEQ standards for seasonal cold water biota.

## **3.4 Cultural Resources**

### **3.4.1 Affected Environment**

A Class III Cultural Resource Inventory conducted along the proposed fence line did not discover any cultural resources. Cultural resources in the surrounding area include typical modern features and artifacts for a rural setting. Features include paved and dirt roads, fences, power-lines, and telephone lines.

While surveys found no cultural resources, this area may have significance to the Shoshone Paiute Tribe. Without further specific information, the BLM makes no judgment as to the significance of current or historical tribal uses of this area.

### **3.4.2 Environmental Consequences**

Alternative A – No cultural sites were found during surveys. Therefore, continuation of current management without implementation of a drift fence would not impact cultural resources.

Alternative B – No cultural sites were found; therefore, construction of a fence would not impact any cultural resources.

## **3.5 Visual Resource Management**

### **3.5.1 Affected Environment**

The subject area is classified as Visual Resource Management Class (VRM) II. The Class II Management Objective is to retain the existing character of the landscape while allowing for little change to the landscape that may be seen but not noticeable to the casual observer.

### **3.5.2 Environmental Consequences**

Alternative A – There would be no effect on existing VRM classification, or scenic value.

Alternative B – The construction of 1.25 miles of new fence would have little impact on existing VRM classification or scenic value. Per the Cascade RMP, “management activities can be seen but should not be noticeable to the casual observer. Changes must repeat the basic elements of form, line, color and texture found in the predominant features of the characteristics landscape.” Because this area falls within VRM Class II, the little degree of visual change that would occur as a result of new fencing would fall within allowable limits.

## 3.6 Recreation

### 3.6.1 Affected Environment

The Oxbow Allotment is part of the approximately 40,000-acre Oxbow-Brownlee Special Recreation Management Area (SRMA). Recreation in the SRMA is primarily dispersed camping, fishing, hunting and, to a limited extent, OHV use. There are not many opportunities for general OHV (motorbike or ATV) type of recreation; however, most activity occurs in association with hunting. OHV activity that occurs in this portion of the SRMA occurs primarily on adjacent National Forest Service (NFS) and State lands.

### 3.6.2 Environmental Consequences

Alternative A – Current recreational access by OHVs, equestrians, and other users would remain unchanged.

Alternative B – Construction of approximately 1.5 miles of fence (1.25 miles on public land, 1/4 mile on private) would impede movement somewhat, but more accessible areas are available to recreationists on NFS lands nearby. The affected area would be small and impacts to recreationists and recreation opportunities would be minor, overall.

## 3.7 Grazing Management

### 3.7.1 Affected Environment

The project area is in the Oxbow Allotment between the Lower Salt Creek and Upper Salt Creek pastures. Casey Anderson, Manager/Authorized Representative for the OX Ranch and permittee on the Oxbow Allotment, is authorized to graze 324 cattle from March 16 through December 15 for 1,933 AUMs. In your previous table, you have identified 1,934 AUMs. The allotment includes approximately 20,341 acres of public land (66%) and 10,630 acres of private and state lands (34%). The permit allows almost nine months of use, but cattle would not be on the entire allotment for that period of time due to the rest rotation grazing system and use of multiple pastures. Through the Oxbow Coordinated Resource Management Plan (OCRMP), an additional 110,509 acres of forest service, private, state, and leased lands are included into the management of the Oxbow Allotment. Annual spring meetings are held to discuss allotment planning, management issues and/or concerns.

### 3.7.2 Environmental Consequences

Alternative A – The lack of a drift fence would make it difficult to effectively implement the two year rest rotation grazing system between the Lower and Upper Salt Creek pastures. Livestock would continue to stay in the Summer Creek or Limestone Gulch drainages longer, and remain difficult to gather and sort.

Alternative B – Construction of this fence to separate pastures would allow the permittee to effectively manage the allotment and improve cattle distribution. The drift fence would also allow use of two separate pastures and herds which would improve the efficiency and effectiveness of the permittee's livestock operations.

## 3.8 Cumulative Impacts

### 3.8.1 Scope of Analysis

The Snake River Breaks Brownlee MA encompasses approximately 78,551 acres; 31,049 (41%) are public lands. This unit includes seven livestock grazing allotments. The Oxbow Allotment comprises 20,341 acres of the MA. The temporal scope considered for analysis primarily includes grazing permit renewals for the MA scheduled for 2012.

### 3.8.2 Environmental Consequences-Cumulative Impacts

#### 3.8.2.1 Vegetation

The Snake River Breaks Brownlee MA is characterized by long, steep ridges intersected by deep canyons. In general, vegetation is diverse with annual grass dominated plant communities on gentler slopes below 3,000 feet, native shrub communities with a mixture of native and annual grasses above 3,000 feet, and native shrub communities dominated by native grasses above 3,000 feet where terrain is rocky. South slopes are very steep and dominated by bluebunch wheatgrass with sparse shrub cover. North slopes are also steep and vegetated mainly by Idaho fescue and bluebunch wheatgrass at mid elevations (3,000 to 5,000 feet), and mountain shrubs at higher elevations (>5,000 feet). There are patches of conifers in some of the deep canyons and north slopes. There are also pockets of aspen in the upper reaches of riparian areas and north slopes, and some mountain mahogany and hackberry on steep rocky ridges. Rock outcrops are also common.

Prior to enactment of the Taylor Grazing Act in 1934, livestock grazing had significant impacts to the vegetation resources within the impact analysis area by eliminating or greatly reducing native perennial grasses and forbs. Cheatgrass was introduced to the area in the early 1900's. The primary successional understory plant species are lacking on gentle slopes where livestock have concentrated in the past. The present management systems have reduced past vegetation impacts by improving grazing systems via monitoring and limiting the amount and duration of forage utilization.

Vegetation conditions throughout the impact analysis area are similar to those described in section 3.2 and are generally related to elevation, precipitation, and animal use levels. Lower elevation areas characterized by low precipitation are dominated by shrubs with annual grass understories and annual grass-dominated shrub interspaces. Upper elevation areas with higher precipitation are dominated by shrubs and perennial grasses. Within the upper elevation areas, less desirable grasses (cheatgrass, Sandberg bluegrass, squirreltail) are more prevalent in areas receiving moderate to heavy use from livestock, and more desirable grasses (Idaho fescue and bluebunch wheatgrass) are more prevalent in areas receiving no use to light use.

Future livestock grazing and related range projects would continue to slightly affect the vegetation within the impact assessment area. Impacts from grazing are likely to change and continue to improve from present conditions following the rangeland health assessments scheduled in 2011 for these allotments. These assessments are conducted to assess current

vegetative conditions on the allotments. Subsequent determinations and management actions would be made to ensure progress towards attaining the standards for rangeland health.

Improved management of livestock grazing as proposed would result in minor to moderate improvements in vegetation conditions over the long term. The smallest improvement would be expected at lower elevations where annual species dominate and livestock use is most prevalent. The greatest improvement would be expected at mid and upper elevations where perennials persist and where livestock use is less prevalent.

### **3.8.2.2 Wildlife**

Construction of approximately 1.5 miles of fence (1.25 mile on public lands) would be a minor addition to movement restrictions caused by existing fences. The area is characterized by mixed ownership and a substantial number of fences already exist. Impacts from the proposed fence would be less than the existing fences because of the design and operational requirements.

Improvements in upland conditions from the proposed project would be minor relative to the overall area. Changes in grazing management based on the 2002 grazing decisions were expected to help upland conditions, and consequently wildlife habitat, make progress toward meeting standards over the long term.

### **3.8.2.3 Grazing Management**

Livestock grazing has a long history in the region dating back to the late 1800's. Today, it remains the dominant use of the cumulative impact assessment area. Throughout its history, ranching has remained a dispersed activity characterized by localized areas of more intensive use. The grazed acreage on private holdings is not subject to administration by the Federal government.

In order to support grazing management in the analysis area, a variety of range improvement projects have been implemented through the years. Several springs have been developed and many miles of permanent fencing (both public and private), several troughs and cattleguards have been constructed in support of grazing management objectives in the assessment area. Fences and livestock grazing exist in the analysis area. New construction of 1.25 miles of fence on the public lands is expected to have a negligible impact.

## **4.0 Consultation and Coordination**

The OX Ranch has mentioned the need for a drift fence at the Coordinated Resource Management Plan (CRMP) meetings since 2002 (in meeting notes). The CRMP group includes the BLM, Forest Service, Natural Resources Conservation Service, Idaho Department of Lands, Idaho Department of Fish and Game, and the University of Idaho Cooperative Extension Service. Casey Anderson again addressed the need for a drift fence on March 10, 2009. Christina Handy (Rangeland Management Specialist) and Adam Nelson (Range Technician) followed up with a meeting to consult with the permittee to discuss the proposed fence construction. On April 30, 2009, all necessary clearances were conducted with Casey Anderson by Adam Nelson, Amy Stillman (Biological Technician - Botany), Craig Carpenter (Biological Technician - Wildlife), and Dean Shaw (Archaeologist). On February 5, 2010, Christina Handy,

Michael O'Donnell (Acting Field Manager), Jill Holderman (Wildlife Biologist), Adam Nelson, and Casey Anderson met to discuss BLM standards on fence construction for big game. The project went before Wings and Roots on March 8, 2010 for tribal consultation. Ted Howard, Director of Cultural Resources Protection Authority of the Shoshone-Paiute Tribes, requested additional information and that the permittee construct the fence to accommodate bighorn sheep.

#### 4.1 Public Participation

The Boise District Office NEPA database represents the primary method of notification and opportunity for involvement. This project is posted on the web at (<http://www.id.blm.gov/planning/nepa/databases/index.php>).

#### 4.2 List of Agencies, Organizations, and Individuals Consulted

Individuals consulted included BLM Permittee: Casey Anderson, Manager/Authorized Representative for the OX Ranch (DBA- Rocky Comfort Cattle Co., LLC). Agencies and Organizations consulted are identified in section 4.0 (Consultation and Coordination) above.

#### 4.3 List of Preparers

Resource	Resource Specialist
Botany	Mark Steiger
Cultural Resources	Dean Shaw
Recreation/Visual Resource Management	Larry Ridenhour
Soils/Vegetation/Ecology	Lara Hannon
Wildlife	Jill Holderman
Riparian/Fisheries & Water Quality	Al Tarter
Grazing Management	Christina Handy, Team Lead
Noxious Weeds	Lonnie Huter

## 5.0 Map