

Proposed Decision
 U.S. Department of the Interior
 Bureau of Land Management, Spokane District
 Wenatchee Field Office
 915 Walla Walla Avenue
 Wenatchee, WA 98801

1. Background

The lessee for the Titchenal Allotment has applied to the Bureau of Land Management (BLM) to renew the existing term grazing lease. The proposal is to renew grazing lease 3600774 with the same terms and conditions as the expiring lease. The Titchenal Canyon allotment is located approximately 7 miles southeast of Waterville in Douglas County, Washington. The allotment is in the Moses Coulee management area. See attached map. The legal description of the allotment is T. 23 N., R. 22 E., Sec 1, N½SW¼, part of NW¼SE¼; Sec 2, E½NE¼, part of NW¼NE¼, Lot 1; and T. 24 N., R. 22 E., Sec 36, N½NE¼, SW¼NE¼, W½, NW¼SE¼, Willamette Meridian.

2. Decision

I am issuing a proposed decision to renew and issue a 10-year grazing lease for allotment number 0773. This decision implements the Proposed Action as described in Categorical Exclusion (CX) DOI-BLM-ORWA-W020-2016-0002-CX. This Proposed Decision continues current grazing management and there is no change between the existing and renewed grazing lease. The mandatory terms and conditions of the lease are as follows:

Allotment Name	Allotment Number	Authorization Number	Livestock Type	Livestock Number	Season of Use	Active Animal Unit Months (AUMs)
Titchenal Canyon	0773	3600773	Cattle	55	4/1-10/30	65

3. Authority and Rationale for Decision

The BLM has disclosed in the CX the relevant and applicable information available to the agency. The information in the CX is a summary of the information used to support the conclusions made in the CX. The following is the rationale I used to support my decision.

Grazing Lease: The grazing lease being renewed under this CX meets the following requirements in accordance with Section 402 of Federal Lands Policy and Management



Act (FLPMA) of 1976 (43 U.S.C. 1752) as amended by the Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act:

- The lease continues the current grazing management of the allotment and is consistent with applicable land use plans objectives;
- A land health assessment and evaluation was completed in accordance with BLM Manual Handbook H-4180-1; and
- The findings from the evaluation report disclose that allotment 0774 is meeting land health standards or where “not meeting”, current livestock grazing is not the causal factor.

There will be no new impacts or effects as a result of issuance of a new lease. The proposed grazing lease was screened for the extraordinary circumstances contained in 43 CFR 46.215 and none of them apply (see CX DOI-BLM-ORWA-W020-2016-0002-CX). This Proposed Decision does not individually or cumulatively have a significant effect on the human environment; therefore, neither an environmental assessment nor an environmental impact statement is required (40 CFR 1508.4).

Record of Performance: Pursuant to 43 CFR part 4110.1(b)(1), a grazing lease may not be renewed if the lessee seeking renewal has an unsatisfactory record of performance with respect to the previous grazing lease. Accordingly, I have reviewed the record for the grazing lease holder for allotment 0773, and have determined that the lessee has a satisfactory record of performance relative to compliance with terms and conditions of the existing lease. The lessee is a qualified applicant for the purposes of a lease renewal.

Rangeland Health: A land health evaluation was completed in 2014 and indicated the allotment was achieving standards one through four of the Oregon/Washington Standards for Rangeland Health and not achieving but “making significant progress” towards meeting standard 5 due to the lack of sagebrush cover. Current livestock grazing is not a causal factor. The allotment is conforming to the Guidelines for Livestock Grazing Management.

Greater Sage-Grouse: The greater sage-grouse is a locally important species. The BLM utilized the Habitat Assessment Framework (HAF) to assess greater sage-grouse habitat in the Titchenal Canyon allotment. As noted in the CX, the results of that assessment are described in Appendix C of the Douglas Creek Watershed Land Health Evaluation. Based on the HAF analysis of site conditions in the assessment area and influences at larger spatial scales, Allotment 0773 is providing habitat for sage-grouse and supports healthy, productive and diverse populations of native plant and animals. Through the Land Health Evaluation process, BLM considered and disclosed the impacts of current grazing management on sage-grouse. Based on the fact that current grazing management has played a role in maintaining suitable conditions for sage-grouse, I have determined that continuing current grazing management (the proposed action) would not have a significant effect on sage-grouse.

My decision is being issued under the authorities included in the Taylor Grazing Act of 1934 as amended, the FLPMA as amended, and 43 CFR Subpart 4100 Grazing Administration – Exclusive of Alaska, and 43 CFR 1601.0-5(b). My decision is issued under the following specific regulations:

- 4100.0-8 Land use plans: The Spokane RMP designates allotment 0774 available for livestock grazing and the lease is in conformance with the land use plan as defined at 43 CFR 1601.0-5(b).
- 4130.2 Grazing leases or leases: Grazing leases may be issued to qualified applicants on lands designated as available for livestock grazing. Grazing leases shall be issued for a term of 10 years unless the authorized officer determines that a lesser term is in the best interest of sound management;
- 4130.3 Terms and conditions: Grazing leases must specify the terms and conditions that are needed to achieve desired resource conditions, including both mandatory and other terms and conditions;
- 4160.1 Proposed Decisions; and
- 4180 Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration: The allotment(s) covered in this decision are meeting Standards and Guidelines.

4. Public Involvement

The proposal to renew the grazing lease for allotment 0774 was posted via the BLM's NEPA Register. No comments were received.

5. Coordination and Consultation

On January 14, 2016, the BLM issued consultation letters regarding proposed 2016 allotment lease renewals, including the Titchenal Canyon allotment (#0773). Intensive, Class III cultural resource inventory proposed to be undertaken by the BLM in areas of the 'highest sensitivity' for cultural resources, and those areas potentially most vulnerable to grazing impacts, would be considered adequate to capture the nature of cultural resources within the allotment. The Washington State Department of Archaeology and Historic Preservation (DAHP), the Colville Confederated Tribes, and the Yakama Indian Nation concurred with that determination on January 20, January 28, and February 25, 2016, respectively.

The BLM completed inventory as proposed and identified and recorded a single cultural resource site. The site is not considered significant under any of the National Register criteria; permit renewal will have no adverse effect to Historic Properties. On May 31, 2016, the DAHP, the Colville Confederated Tribes, and Yakama Indian Nation were consulted regarding inventory results and the BLM determination of No Adverse Effect; the DAHP concurred with that determination June 1, 2016; no response was received from the Colville Confederated Tribes or Yakama Indian Nation.

The lessee has applied to the Bureau of Land Management (BLM) to renew the existing grazing lease under the same terms and conditions of the expiring lease for a period of ten years.

6. Protest and Appeal Procedures

Protest

Any applicant, lessee, or other interested public may protest a proposed decision under 43 CFR 4160.1 and 4160.2, in person or in writing to Linda Coates-Markle, Field Manager, Wenatchee Field Office, 915 Walla Walla Ave., Wenatchee, WA, 98801 within 15 days after receipt of such decision. Any protest should clearly and concisely state the reason(s) why the proposed decision is in error.

A written protest must be printed or typed on paper and delivered to BLM in person or by mail; an electronically transmitted (e.g., email, facsimile, or social media) protest will not be accepted. A written protest must be received by the BLM no later than the end of the protest period by the ordinary close of business for the day. A protest made in person must be made to the Authorizing Official, or designee, by the end of the protest period by the ordinary close of business for the day.

In the absence of a protest, the proposed decision will become the final decision of the authorized officer without further notice unless otherwise provided in the proposed decision.

Appeal

Any applicant, lessee, or other person whose interest is adversely affected by the Final Decision may file an appeal of the decision. An appellant may also file a petition for stay of the decision pending final determination on appeal. The appeal and petition for stay must be filed in the office of the authorized officer, in person or in writing to Linda Coates-Markle, Field Manager, Wenatchee Field Office, Bureau of Land Management, 915 Walla Walla Ave., Wenatchee, WA, 98801, within 30 days after the proposed decision becomes final or 30 days following receipt of the Final Decision in the event of a protest.

The appeal must be in writing and shall clearly and concisely state the reasons why the appellant thinks the Final Decision is in error and also must comply with the provisions of 43 CFR 4.470. The appellant must also serve a copy of the appeal by certified mail on the Office of the Solicitor, U.S. Department of the Interior, 805 SW Broadway, Suite 600, Portland, Oregon 97205 and person(s) named in the Final Decision in the Copies sent to: section. A petition for stay, if filed, shall show sufficient justification based on the following standards (43 CFR 4.471(c)).

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

As noted above, the petition for stay must be filed in the office of the authorized officer. The appellant must also serve a copy of the petition for stay by certified mail on the Office of the Solicitor, U.S. Department of the Interior, 805 SW Broadway, Suite 600, Portland, Oregon 97205, and person(s) named in the Final Decision in the Copies sent to: section.

A notice of appeal and/or request for stay electronically transmitted (e.g., email, facsimile, or social media) will not be accepted. A notice of appeal and/or request for stay must be on paper.

/s/ Linda Coates-Markle
Linda Coates-Markle
Field Manager

7/6/16
Date

Attached: Project Map
Categorical Exclusion Documentation

Copies sent to:
Robert, Sylvia & Randall Mittelstaedt
15471 U.S. Highway 2
Waterville, WA. 98858

Kevin E. Kane
200 S. Kent Pl.
East Wenatchee, WA. 98802