

Proposed Decision
 U.S. Department of the Interior
 Bureau of Land Management, Spokane District
 Border Field Office
 1103 N. Fancher Rd.
 Spokane Valley, WA 99212

1. Background

The grazing lessee has applied to the Bureau of Land Management (BLM) to renew the existing term grazing lease. The BLM is proposing renew the term grazing lease to continue the current grazing management of allotment 0542. The proposed action would authorize grazing by livestock under the grazing lease as shown in the following table for a term not to exceed 10 years. Allotment 0542 was created from a base property split of allotment 0678 in 2001. The allotment is approximately 3 miles east of Odessa, WA, south of Highway 28 and east of South Coyote Heights Road (T.21N, R.33E, section 12, W1/2NE1/4SW1/4 and remaining portion east of South Coyote Heights Road & T.21N, R.34E, section 6, S1/2SW1/4, NE1/4SW1/4, SE1/4NW1/4, S1/2NE1/4). The allotment consists of approximately 265 acres, split into two parcels. The northern parcel is located east of Coal Creek and is approximately 240 acres. The southern parcel is located east of South Coyote Heights Road and is approximately 25 acres. The two parcels are approximately 0.75 miles apart and managed as two separate units.

2. Decision

I have decided to issue a proposed decision to renew and issue a 10-year grazing lease for allotment 0542. This decision implements the Proposed Action as described in the categorical exclusion DOI-BLM-ORWA-W030-2016-00010-CX. This Proposed Decision continues current grazing management. The terms and conditions of the lease are as follows:

Allotment Number	Livestock Type	Livestock Number	Season of Use	Active Animal Unit Months
0542	Cattle	7	05/20-10/31	36

3. Authority and Rationale for Decision

The BLM has disclosed in the categorical exclusion (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 National Defense Authorization Act:

- The lease continues the current grazing management of the allotment and is consistent with applicable land use plan objectives;
- A land health assessment and evaluation have been completed in accordance with BLM Manual Handbook H-4180-1; and
- The findings from the evaluation report disclose that allotment 0542 is meeting land health standards, or is not meeting standards due to factors other than current livestock grazing.

There will be no new 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-W030-2016-0010-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 0542, 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 assessment and evaluation was completed in 2016 and indicated the allotment was achieving the Oregon/Washington Standards for Rangeland Health or existing grazing management or levels of grazing use on public land are not significant causal factors for non-achievement of the land health standard and was conforming to the Guidelines for Livestock Grazing Management.

Greater Sage-Grouse: This allotment is in the Crab Creek Priority Area for Conservation (PAC) for sage-grouse. The Border Field Office used the Sage-Grouse Site-Scale Habitat Suitability Worksheet. The results of the worksheet suggest that the allotment provides marginal breeding, upland summer/late brood-rearing, and winter habitats. The capability of the allotment to support a wide diversity of species is limited by its sagebrush mortality and absence due to galls and wildfire.

The public land subject to the evaluation of allotment 0542 is categorized as a C2 allotment to remain under custodial management. C2 allotments are mostly unfenced, small tracts which are intermingled with much larger acreages of non-BLM rangelands which limit BLM management opportunities. Also, the public lands are meeting land health standards, or the existing grazing management or levels of grazing use on public land are not significant causal factors for non-achievement of the land health standards. Continuing current grazing management by renewing the grazing lease (i.e. the proposed action) would not have a significant effect on sage-grouse.

My decision is being issued under the authorities include in the Taylor Grazing Act of 1934 as amended, the FLPMA as amended, and Title 43 of the Code of Federal Regulations (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 3600542 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 covered in this decision is meeting Standards and Guidelines.

4. Public Involvement

The grazing lessee was notified of the land health assessment and grazing lease renewal procedures in October 2015. The grazing lessee was invited and encouraged to participate in this process. The land health assessment was completed and mailed to the grazing lessee on March 7, 2016 for review and request for any additional information. There are no additional interested publics for this allotment.

5. Coordination and Consultation

Consultation for the lease renewal was initiated with the Spokane Tribe of Indians, the Colville Confederated Tribes, and the Department of Archaeology and Historic Preservation on March 17, 2016. The Spokane Tribe of Indians concurred with the area of potential effects on March 26, 2016 and the Department of Archaeology and Historic Preservation concurred with the finding of No Effect to Historic Properties on May 18, 2016. Because no sites were located within the survey area and no concerns were raised by the tribes, there would be no impacts to cultural resources.

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 Lindsey Babcock, Field Manager, Border Field Office, 1103 N. Fancher Rd., Spokane Valley, WA, 99212 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 Lindsey Babcock, Field Manager, Border Field Office, Bureau of Land Management, 1103 N. Fancher Rd., Spokane Valley, WA, 99212 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 this Final Decision, including in the Copies sent to: section of the Final Decision [43 CFR 4.470(a)].

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 this Final Decision, including in the Copies sent to: section of the Final Decision [43 CFR 4.471(b)].

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/ Lindsey Babcock
Lindsey Babcock
Field Manager

6/15/2016
Date

Copies sent to:
Wes King

Attached:
Categorical Exclusion Document