

**Notice of Field Manager's Final Grazing Decision
For the
Canyon-Big Timber Land Health Environmental Assessment
DOI- BLM-ID-I040-2011-0001-EA**

Introduction and Background

In 2010, an interdisciplinary team (IDT) assessed the following eight Idaho Standards for Rangeland Health on BLM administered lands in the Canyon-Big Timber Watershed Assessment (CBT) Area: 1) Watersheds, 2) Riparian areas and wetlands, 3) Stream channel/floodplain, 4) Native plant communities, 5) Seedings, 6) Exotic plant communities, other than seedings, 7) Water quality, and 8) Threatened and endangered plants and animals. The assessment covered uplands, riparian/wetland areas and forested habitats and was conducted in accordance with the 4180 Land Health Standards Manual. The CBT Assessment Report was completed and released to the public in 2010.

Following the assessment, the BLM completed the CBT Land Health EA (DOI-BLM-ID-I040-2011-0001-EA) which analyzed and disclosed environmental impacts of implementing five management alternatives on the BLM administered lands in the CBT area. The EA included management alternatives to address resource issues identified in the CBT Assessment Report.

Management alternatives are aimed at improving land health. The alternatives fully analyzed in the EA were developed by the BLM in consultation with the grazing permittees, local landowners, conservation groups, state agencies and other federal agencies. Because livestock grazing is authorized on public land, grazing allotment boundaries were used to delineate the CBT Land Health EA analysis area. Additional information is available in the CBT Assessment Report and the CBT Land Health EA which are available at the Salmon Field Office or on the Internet at <https://www.blm.gov/epl-front-office/eplanning/projectSummary.do?methodName=renderDefaultProjectSummary&projectId=7903>. The Proposed Grazing Decision incorporated the CBT Assessment Report and the CBT Land Health EA by reference.

The Proposed Grazing Decision was signed on June 28, 2012 and sent to grazing permittees, Interested Publics, Tribes, and state and federal agencies. In accordance with federal grazing regulations (43 CFR 4160.1 and 4160.2) a 15-day protest period began on the date each individual or group received their copy of the decisions. Two timely protests were received and three untimely (one written and two verbal) protests were received. All protests were considered and are included in this final decision. Additions were made to the EA as a result of the protests; the document with additions may be viewed at the website listed above.

I met with the Inter-Disciplinary (ID) team on August 29th to determine the points of protest from the three protest letters. The protest points and my responses are as follows:

Wagenknecht Protest

Protest Point 1:

An EA is inadequate for analyzing management alternatives and disclosing their effects for a land area of this size. To reissue so many grazing permits, and authorize such various projects over such a wide area, with only an EA, is not sufficient under NEPA.

Response:

The BLM NEPA Handbook (H-1790-1) states on Page 69 that, "Actions are analyzed in an EA if the actions are not categorically excluded, not covered in an existing environmental document, and not normally subject to an EIS. Use the EA analysis to determine if the action would have significant effects; if so, you would need to prepare an EIS. If the action would not have significant effects, prepare a Finding of No Significant Impact (FONSI)." The Salmon Field Office analyzed the impacts of the actions described in the proposed decision in the Canyon-Big Timber Land Health Environmental Assessment (EA). As discussed in the FONSI dated June 28, 2012" I have reviewed the CBT Land Health EA including the explanation and resolution of any potentially significant environmental impacts, and reviewed and thoroughly considered public comments regarding the EA. I have also reviewed the ten Intensity Factors for significance listed in 40 CFR 1508.27 and have determined that the proposed action (Alternative 3), along with the design features and terms and conditions described, will not result in significant impacts. Therefore, an Environmental Impact Statement has not been prepared." In the same FONSI I stated that, "I find that implementing Alternative 3 does not constitute a major federal action that would significantly affect the quality of the human environment in either context or intensity. I have made this determination after considering both positive and negative effects, as well as the direct, indirect and cumulative effects of this action and reasonably foreseeable future actions. I have found that the context of the environmental impacts of this decision is limited to the local area and I have also determined that the severity of these impacts is not significant. This document is adequate and in conformance with the Lemhi Resource Management Plan (RMP), as amended and as required by 43 CFR 4100.0-8."

Protest Point 2:

Since so much of the analysis area overlaps critical sage-grouse habitat, another alternative that would not have harmed sage-grouse and other sagebrush obligates should have been chosen.

Response:

The EA considered a range of alternatives that would have varying degrees of impacts to sage-grouse and other resources. Some alternatives would minimize impacts to sage-grouse; others would result in greater impacts to sage-grouse and/or their habitats. As described in the rationale for the proposed decision, I considered the overall impacts to all resources in selecting the alternative for the Proposed and Final Decisions.

Specific comments on individual allotments follow:

Protest Point 3: Bull Creek Allotment:

Doubling cattle numbers increases the possibility of nest disturbance for sage-grouse, and removal of cover for chicks.

Response:

As stated in the decision, “There will be no difference in the number of AUMs removed, but the season of use will be 5 days shorter than it has been. The number of cattle that could be on the allotment at any one time will be increased to 350, compared to the current situation, but the amount of forage removed will not change (remains at 150 AUMs) and the number of days the cattle will be on the allotment (within the maximum grazing period) could be decreased. Impacts of this proposed decision will not be discernible and this allotment will continue to meet Standard 4 (EA Page 81).” The permittee, while able to graze up to 350 cattle, will have to decrease the number of days on the allotment so that the 150 AUMs of authorized use are not exceeded. For instance, if the allotment is utilized by 150 cattle, then cattle will be on the allotment for 57 days, if the allotment is utilized by 350 cattle then cattle will only be on the allotment for 24 days. The maximum amount of forage removal during the sage-grouse nesting would be the same under the Proposed Action and the Actual Use Alternative since at maximum cattle numbers all AUMs could be utilized during the nesting season under both alternatives. The allotment will continue to meet all applicable Standards for Rangeland Health.

Protest Point 4: Center Ridge Allotment:

Decreasing the AUMs from 2,336 to 1,947 is an increase in actual use since the actual use average has only been 1,151 over the past five years. Putting twice as many cattle in the allotment in the early season would result in increased bank damage and soil erosion, and would harm sage-grouse that attempt to nest and rear chicks under twice as many cow hooves.

Response:

See response to Protest Point 3. In addition, the table on page 11 shows the maximum number of cattle that could be on the allotment under the current permit. The maximum cattle numbers that the permittee turned out in the last five years was 675 cattle. If he were to turn out that many cattle from 5/10 all 1151 AUMs would have been removed during the nesting season, under the proposed decision a maximum of approximately 620 AUMs could be removed during the greater sage-grouse nesting season.

Protest Point 5: Chamberlain Creek Allotment:

This is another case of actually increasing the number of cattle under the guise of reducing the AUMs.

Response:

The AUMs will be reduced from the current permit (1249 AUMs) to 1081 AUMs; however it will still be 47 AUMs more than were utilized on average for the last five years. The maximum number of cattle on the allotment will increase from the 337 maximum in the last five years to 410. If cattle numbers are increased, the grazing period will have to be decreased to assure that the yearly AUMs are not exceeded. The impacts of the change in AUMs were described in the EA and cited under the Chamberlain Creek portion of the Proposed Decision and are again cited in the rationale for the Final Decision below. Under Alternative 2 (the Actual Use alternative) a maximum of 472 AUMs could be utilized during the greater sage-grouse nesting season, under the proposed decision only 271 AUMs can be utilized during the nesting season.

Protest Point 6: Free Strip:

Since this allotment does not meet standards for riparian areas and wetlands, and stream channel/floodplain, why increase the number of cows?

Response:

Both the proposed decision and EA conclude that, “Grazing for the next ten years under the proposed decision will result in the allotment meeting, or making significant progress towards meeting, all applicable Idaho Standards for Rangeland Health. Riparian conditions are expected to be maintained or improved. Terms and Conditions on the permit are expected to improve riparian conditions on Canyon, Chippie, and Whiskey Springs Creeks. Resting the Freestrip Pasture one out of four years, early season grazing on Bell Field and Freestrip Pastures, and not exceeding 35 AUMs in the Bell Field Pasture are expected to increase riparian plant vigor and decrease bank trampling, and eventually increase deep-rooted riparian vegetation along Canyon, Chippie, and Whiskey Springs Creeks. Adding these Terms and Conditions to the permit will maintain or improve wetland/riparian conditions and the allotment will continue to make significant progress toward meeting Standards 2 and 3 (EA Page 108).” In addition, the increase in cattle will match the cattle permitted on the adjacent USFS managed allotment which the same herd utilizes. Also, as stated, the permitted AUMs will decrease from both the current permit and the average use over the last five years; the cattle numbers will be similar to the previous five years.

Protest Point 7: Hawley Creek:

Increasing numbers of cattle on this allotment may be harmful to pygmy rabbits, which inhabit this allotment and others.

Response:

As stated in the Proposed Decision and EA, the total maximum cattle permitted on the allotment at one time will decrease from 643 to 616 and the total AUMs will be reduced by 160. The maximum number of cattle on the allotment over the last five years has been 752. The maximum number of cattle on the allotment will decrease under this decision. Impacts to wildlife were discussed in the EA on pages 159-166.

Protest Point 8: Jakes Canyon:

Also, more than doubling the number of cattle from current actual use will result in increased trampling and hoof damage.

Response:

As stated in the Proposed Decision and EA, while the total number of cattle on the allotment may increase, the number of AUMs is within 2 AUMs of the current use. If the cattle numbers are increased, then the amount of time that the cattle are on the allotment will decrease. See the EA on page 56-66 for a discussion of the impacts of trampling and hoof damage to soils.

Protest Point 9: Leadore:

On page 26 of the Decision Notice, paragraph 4, is the statement, “Compared to the current situation, the AUM use on the Leadore Allotment will increase 250%.” How can this possibly be anything but damaging to vegetation and wildlife?

Response:

The allotment was found to be meeting, or making significant progress toward meeting, all of the applicable Standards. As stated in the proposed decision and EA the allotment is currently permitted for 30 AUMs. My proposed decision is to reduce this to 28 AUMs, which is a large percentage (250%) increase from the average actual use (8 AUMs) over the last five years, but a fairly small increase in actual number of AUMs (20). The EA (Page 37 and Appendix A) concludes that even with the increased AUMs on the allotment it will continue to meet, or make progress toward meeting, all applicable Standards.

In addition to the above, it appears that the protest wrongly equates actual use with the number of cattle that the allotment can actually support in a sustainable fashion. In fact, our analysis shows that the allotment can support more cattle than the permittee has actually been using. While it has undoubtedly been good for the environment that the permittee has been a good steward and often used less AUMs than he could have, that does not mean that we must artificially reduce the permittee's use of the allotment. Indeed, we are allowing AUMs above what the permittee has used in the last 5 years because the allotment can support it.

Protest Point 10: Leadore Hill:

Adding more cows here would harm sage-grouse habitat on the lower slopes. Although the Decision Notice (page 27) holds in abeyance the 21 AUMs that were removed from the current permit when the sheep use on the allotment was changed to cattle use, these should be permanently removed.

Response:

The Leadore Hill Allotment is currently meeting all applicable standards and the EA concluded that this will continue to be the case even with the additional AUMs. There would be less cover for sage-grouse and other wildlife left on the allotment after the cattle leave but the habitat will continue to support a healthy population of greater sage-grouse and other wildlife. The number of AUMs that can be utilized during the sage-grouse nesting season will increase from an average of 83 in the past five years to 114. Average utilization on the allotment in 2012 was slight in nesting sage-grouse habitat and light on the allotment as a whole.

Protest Point 11: Leadville:

May 1 is far too early to start grazing in the Leadore area. Often the grass has barely started growing at that date, soil moisture is high and compaction occurs. I should think you would want to lower them, especially after the NOAA determination that the proposed decision will adversely affect steelhead.

Response:

NOAA was concerned with the possibility of cattle stepping on steelhead redds in the Canyon Creek Pasture. The use in that pasture is early in the season, before Steelhead should be spawning. While the allotment is not meeting all standards, it was concluded that current livestock management was not a significant causal factor in not meeting those standards. The proposed decision was for the same AUMs as the current permit; the EA concludes that under the Proposed Action current grazing management would not prevent the allotment from moving towards meetings standards, if the other causal factors, which are outside of the BLM's jurisdiction (Page 40 and Appendix A), were addressed.

Protest Point 12: Powderhorn:

The EA clearly states that the increased AUMs will harm sage-grouse, yet you chose this Alternative anyway.

Response:

The EA states that the increase AUMs could decrease cover for sage-grouse. The EA considered a range of alternatives that would have varying degrees of impacts to sage-grouse and other resources. Some alternatives would minimize impacts to sage-grouse; others would result in greater impacts to sage-grouse and/or their habitats. As described in the rationale for the proposed decision, I considered the overall impacts to all resources in choosing the proposed decision.

Protest Point 13: Timber Creek:

If the permitted number is 425, how did they get up to 440 cattle actual use, and why are you increasing it to 448 cows?

May 6 is also too early to put cows on this allotment, especially since its spring habitat for sage grouse and has two leks.

Response:

The actual use alternative was based on actual use reporting by the permittees. We made a mistake when developing the alternative and in this case the actual use number should have been 420 cattle. The small increase in cattle numbers came from adjusting the season on one permit (C); the fall use was reduced and the cattle numbers in the spring were increased with the remainder of the fall AUMs. The EA analyzed the impacts that were expected if the full numbers that are proposed were utilized. The EA concluded that the allotment would continue to meet all applicable Standards.

Protest Point 14:

The EA contains no viable cost/benefit analysis for the additional fences and water developments, or indeed for any of the projects or management alternatives listed.

Response:

There is no requirement for a cost/benefit analysis for any projects or management alternatives (see CEQ Sec. 1502.23 Cost-benefit analysis- *For purposes of complying with the Act (NEPA), the weighing of the merits and drawbacks of the various alternatives need not be displayed in a monetary cost-benefit analysis and should not be when there are important qualitative considerations.*).

WWP – Fite Protest

Protest Point 1:

BLM refuses to issue draft EAs, and has unlawfully moved forward with a parallel Decision, base[d] on this same flawed EA, authorizing harmful sagebrush destruction for livestock forage, and logging to kill trees to promote livestock forage under the guise of fuels treatments, to try to eke out more AUMs for ranchers in depleted allotments.

Response:

The CEQ regulations direct agencies to encourage and facilitate public involvement in the NEPA process to the fullest extent possible (40 CFR 1500.2(d), 40 CFR 1506.6). This means that while some public involvement is required in the preparation of an EA, the BLM has the discretion to determine how much, and what kind of involvement works best for each individual EA. The need for the vegetative treatments is outlined in the Watershed Assessment, EA and decision. Permitted AUMs were not increased on any of the allotments where the treatments will occur, in fact on all but the Jake's Canyon Allotment the AUMs will be reduced from the current permits.

Protest Point 2:

The RHA and assessment are based on limited, old, and often non-existent data.

Response:

The Salmon Field Office establishes sites for monitoring that represent the pasture or allotment as a whole. The data used in the preparation of the Watershed Assessment and NEPA document was the best available data the Salmon Field Office had at the time the Watershed Assessment was developed.

Protest Point 3:

There is no risk assessment or balanced consideration of the impacts of grazing, facilities and treatments and their impacts on the susceptibility of the affected lands to invasive species proliferation and/or dominance.

There is no adequate ecological baseline provided for any element of the environment, nor is there adequate current site-specific information on the areas of invasive species occurrence, as well as those sites susceptible to them under all components of all alternatives.

Response:

The EA discusses the current situation (baseline) by program in the Affected Environment on pages 54-177 and the impacts of the Proposed Decision on Invasive and Non-Native Species on pages 121-127.

Protest Point 4: Reliance on Lemhi RMP

WWP requests that all comments, protests by WWP and/or CHD on the LUP amendment process related to livestock grazing and facilities and important species and cultural, recreational issues be carried forward and incorporated as a full part of this 2012 Protest.

Response:

The Lemhi RMP is the current Land Use Plan for the Salmon Field Office. The BLM received protests on the Amendment from the City of Salmon and the Idaho Department of Lands. We did not receive protests from WWP or CHD.

Protest Point 5: Wilderness Study Areas/Roadless Lands - Adverse Impacts of CBT EA are ignored

BLM has failed to examine the adverse impacts of the disturbance caused by imposing large herds of livestock on the values of the WSA (naturalness, primitive and unconfined recreation, solitude untrammelled wild lands, etc.).

Response:

The Wilderness resource, Eighteenmile WSA, and the effects to them from the alternatives are described on pages 175-177 of the EA.

Protest Point 6: Disastrous Impacts of Spring-Early Summer Use Swept Under the Rug

Salmon BLM has greatly ignored serious harms and long-established ecological concerns related to grazing when soils are moist compacting soils — both in uplands, as well as soils in the margins of riparian and spring/meadow areas — as occurs with this very damaging large-scale spring grazing.

Response:

The impacts of spring grazing on Soil Resources, Vegetation, Wetland and Riparian Zones, Threatened, Endangered, and Sensitive Plants, Threatened, Endangered, and Sensitive Animals and Migratory Birds are discussed in the EA under their respective headers.

Protest Point 7: Aspen Concerns

BLM greatly ignores the adverse impacts of cattle grazing on aspen loss, as well as conifer expansion.

Response:

The Watershed Assessment describes the aspen stands and what impacts are occurring within them. The impacts of the proposed decision to aspen stands are described in the EA on pages 67-72.

Protest Point 8:

BLM throughout this flawed EA has failed to adequately examine the beneficial effects of large-scale reductions or removal of livestock in promoting widespread and rapid recovery.

Response:

The conditions of uplands and riparian areas are described in the Watershed Assessment and the EA. The EA describes the impacts to those areas from the Proposed Decision, as well as what the impacts would occur if there were no cattle (Alternative 4), or reduced cattle grazing (Alternative 5) in the area.

Protest Point 9:

The actions for crossing as proposed by BLM represent a violation of FLPMA.

Response:

The protest does not describe how WWP believes that crossing violates FLPMA. Accordingly, it is impossible for us to respond. In addition, as stated on page 52 of the Proposed Decision, the portions of the Decision pertaining to Crossing Permits are not subject to protest or appeal in accordance with Section 123 of the 2012 Appropriations Omnibus Act. Nevertheless, we believe the crossing decisions comply with FLPMA.

Protest Point 10:

Claims that “depauperate” bluebunch would increase or “slowly increase” in Jakes Creek have not been separated from livestock effects, BLM has not adequately considered the increase of

bluebunch that would occur from removal of livestock. Nor has it adequately addressed significant removal periods for livestock in association with any “treatment”.

Response:

The Proposed Decision states that after seeding, the allotment will not be grazed until bluebunch wheatgrass is established. Bluebunch will be considered established when the plants are well-rooted (not easily pulled out of ground by hand) and/or are producing reproductive stems. The seeding may require two or more growing seasons for establishment. The increase of bluebunch in the absence of cattle was analyzed in Alternative 4, the No Grazing Alternative.

Protest Point 11: Center Ridge:

Please see WWP 2000s comments and appeal re: Bull Creek, Powderhorn, Chamberlain. All concerns should be carried forward. We do not Protest the conversion, but the rate is greatly flawed, and BLM’s assessment and this analysis greatly fail to examine the adverse impacts of livestock disturbance on sage-grouse, watersheds, recreation, and all native biota.

Plus there is no assessment at all of the miles of existing barbed wire and other fencing strung across this allotment and all the others, as well as adjacent forest and private lands, in the assessment area — or across the sage-grouse population and sub-population.

Response:

While this proposed decision overlaps the same landscape as the Bull Creek, Powderhorn, Chamberlain Allotments, the two EAs are different. My selection of Alternative 3 from the CBT Land Health EA is a separate independent decision from the above decisions, issued a decade apart. I understand that it is easier to just take everything you did with respect to previous proposed decisions and simply apply it to this proposed decision. But the EAs are different, and many of your comments and protests with respect to the previous NEPA documents were specifically tailored to those proposed decisions. Thus, if we were to do what you have asked it would require us to interpret your extensive points and make determinations as to whether each paragraph was "applicable" or not to this proposed decision. That is a heavy burden to the agency, and we would run the risk of not applying your filings correctly. For this reason I will not carry forward any of your comments pertaining to the Bull Creek, Powderhorn, or Chamberlain decisions.

We are unsure of the “conversion” you reference. The sheep AUMs were cancelled and not converted to cattle AUMs. Range projects in the area are described within the Range Resources Section for projects within the CBT area and within the Cumulative Impact Section for the surrounding area.

Protest Point 12: Hawley Creek:

BLM greatly ignores consideration of mima mound and other very important habitats for pygmy rabbit as well as nesting sage-grouse in this and other allotments.

Response:

Impacts to wildlife are described in the EA in the Wildlife Resources Section on pages 159-166.

Protest Point 13: Jakes Canyon:

Specific criteria must be established — and not the “percent cover’ that BLM Uses here and in assessments is largely is meaningless.

Response:

There is no “percent cover” criterion as part of this decision and specific criteria were established as Terms and Conditions of the grazing permit. As described in the Proposed Decision and EA, “After seeding, the allotment will not be grazed until bluebunch wheatgrass is established. Bluebunch will be considered established when the plants are well-rooted (not easily pulled out of ground by hand) and/or are producing reproductive stems. The seeding may require two or more growing seasons for establishment.” The permittee on the allotment does not possess a permit to graze other BLM allotments within the SFO. If it takes more than two years for the seeding to establish, then the allotment will be rested for additional years. The aeration will not remove all of the sagebrush within the seeding, but will allow microsites for establishment of bluebunch wheatgrass and forbs within the sagebrush habitat that is present on the site.

Protest Point 14: Leadville:

This imposes cattle numbers significantly above actual use —415 AUMs actual use to 528 AUMs actual use. It also imposes 0.5 miles of harmful fence, without any assessment of the adverse direct, indirect and cumulative effects of all the existing fencing on native biota including sensitive species, recreational uses, cultural sites, etc.

Response:

The impacts of Alternative 3 relate to the maximum numbers described under that Alternative and not the lower numbers in the Actual Use Alternative (Alternative 2). Active AUMs on the allotment would increase from the average actual use of the last five years but would remain the same as the current permit. Our analysis shows that the allotment can support use of 528 AUMs (see impacts analysis for Alternative 3 throughout the EA). The impacts from the fence are described in the EA under the appropriate section.

Protest Point 15: Nez Perce:

BLM never assess[e]d the destructive impacts to sagebrush habitats and biota of the extremely destructive Negro Green pipeline and other livestock facilities. See CD WWP concerns about Negro Green.

Response:

We do not have a Negro Green Pipeline within the Salmon Field Office area. The only pipeline in the allotment is the Nez Perce Pipeline which was analyzed under the NEPA in EA number ID-340-2007-EA-3388. We did not receive a CD from WWP with additional concerns. This project, as well as other existing projects within the CBT area, are considered as part of the existing environment and described there.

Protest Point 16: Powderhorn:

As we discuss elsewhere — there has been an endless series of piecemeal fencing and pipeline projects constructed over the years in and surrounding the assessment area — so why hasn’t BLM fully considered the adverse impacts of all of these facilities and developed alternatives that remove many of them, while significantly cutting AUMs?

Response:

Impacts from the range projects are analyzed throughout the EA. Alternative 4 analyzed the elimination of grazing and 5 analyzed significant reductions in AUMs within the area.

Protest Point 17:

We strongly oppose allowing the “flexibility” of earlier turnout (EA at [page] 20).

Response:

The EA on page 20 describes the No Action alternative, and is not the alternative that was selected in the Proposed Decision. In addition, it is not clear why you protest or oppose flexibility. Without knowing why flexibility is a problem, it is impossible for me to provide a cogent answer.

Protest Point 18:

BLM must provide full and detailed analysis of the ecological conditions of sage-grouse and pygmy rabbit habitats and watersheds, on Forest lands.

Response:

Impacts to wildlife, including migratory birds, for all alternatives are described in the Wildlife Resources Section of the EA on pages 159-166. The Forest Service permits the grazing occurring on lands they manage. Cumulative impacts on wildlife associated with past, present and reasonably foreseeable future actions are discussed on pages 190-192 of the EA.

Protest Point 19:

BLM relies on the long-outdated RMP to make stocking decisions in 2012. It has no current site-specific information of any kind to base this on. Nor is sufficient site-specific information provided to understand the condition of riparian and meadow areas across center ridge.

Response:

The basis for stocking levels is the current Land Use Plan, which is the Lemhi RMP, as amended. Rangeland Health Assessments, Proper Functioning Condition Assessments and other data were collected to determine if the allotments, under the current permits, were meeting, or making significant progress towards meeting, applicable Standards. The riparian conditions are described in the both the Watershed Assessment and the EA, and the Center Ridge Allotment is currently meeting Standard 2 (Riparian and Wetlands).

Protest Point 20:

There is no real visual analysis of any kind for existing or proposed projects, the existing and proposed treatment blemishes, etc. There is greatly inadequate analysis of the adverse impacts of fencing to recreational and aesthetic uses as well throughout the EA.

Response:

My staff agreed that no additional design features were needed to reduce visual impacts to meet the management objectives for Visual Resource Management Class II and III designations. Adding a linear feature such as a fence to a rural and agricultural landscape will not cause a significant visual contrast with the existing character of the landscape. The EA concluded that Visual Resource impacts resulting from implementing the Proposed Action or alternatives would be negligible.

Protest Point 21:

BLM must commit to monitoring weekly during this period and must place more conservative bank trampling standards and limits on willow/riparian shrub browse, as well.

Response:

The ID team felt that the Term and Condition described in the proposed decision was adequate, “If in-season monitoring on any key area in the Clear Creek Pasture finds >15% alteration or <6” of stubble height livestock will be removed from the pasture for the rest of the season.”

Monitoring will be completed while cattle are in the pasture. This was analyzed in the EA and, in combination with the other changes to the permit, will lead to the allotment making progress towards meeting Standards 2, 3 and 8.

Protest Point 22:

We strongly oppose the 18 Mile pipeline. As with all the projects here, there is greatly inadequate analysis of the adverse effects of this pipeline that will destroy important sage-grouse, pygmy rabbit and other rare and sensitive species habitats.

Instead of this destructive pipeline, BLM must consider removal of livestock from the pasture impacting the stream or removal of water gap fencing, and placing mandatory stubble height, trampling and other triggers on Eighteenmile Creek.

Response:

Impacts to wildlife are described in the EA under the Wildlife Resources Section on pages 163-164. The impacts of “No grazing” were analyzed under Alternative 4 of the EA.

Protest Point 23:

There is no need for the Clear Creek Division fence — BLM should not be grazing this pasture in winter, anyway. It disrupts and harms wintering big game, sage-grouse, pygmy rabbit habitat, etc.

Response:

Impacts to wildlife are described in the EA under the Wildlife Resources Section on pages 163-164. As described on page 41 of the EA, the fence would protect bull trout redds from livestock trampling during the winter months.

Protest Point 24:

In its discussion of Spring Canyon allotment BLM has to honestly reveal that sheep have not been being grazed for a long time here, and so ending sheep grazing should simply retire all AUMs allocated for sheep, and not increase cattle disturbance impacts.

Response:

The Proposed Decision and the EA discuss sheep grazing and the effects on native Rocky Mountain bighorn sheep in Appendix C. Cattle AUMs were not increased the sheep AUMs were suspended from the Active Use.

Protest Point 25:

BLM has also failed to examine the full footprint of the livestock operations - including those that graze multiple BLM as well as Forest allotments or other lands.

Response:

The EA analyzes all the direct and indirect impacts to public lands managed by the BLM. Cumulative Impacts, including those to the Forest Service managed lands are described in the EA on pages 182-210. Cattle use on the BLM lands cannot exceed the active preference of the permits, despite what occurs on lands managed by others.

Protest Point 26:

BLM has also greatly failed to consider the potential repeated grazing bouts that would occur. This would result in “double dipping” of forage —where grasses could be grazed to very low levels in the spring, re-grow, then get grazed again in the summer-fall.

Response:

The impacts to upland vegetation from the proposed action are fully described and detailed on pages 81-89 of the EA. Cumulative impacts from the proposed action are found on pages 194-210 of the EA.

Protest Point 27:

We strongly Protest BLM relying on the local sage-grouse Working Group.

Response:

This protest point does not explain why I should not rely on the Local Working Group, and therefore it is unhelpful. Without knowing exactly why you believe reliance upon the local working group would be a mistake, I cannot address your true concern. Moreover, it is our policy to work with our partners, and that it includes working with sage-grouse local working groups wherever possible.

In this case, the LWG has only made recommendations through their plan. The habitat mapping provided by the group is displayed in the EA (Figure 22), as is the key habitat and PPH maps for the State and BLM (Figure 23).

Protest Point 28:

For Tex Creek, BLM would allow an alarming number of livestock (5000) to cross the allotment in a year. This is a violation of FLPMA.

Response:

I am not proposing to allow cattle to cross the Tex Creek Allotment, EA page 45. As stated on page 52 of the Proposed Decision, the portions of the Decision pertaining to Crossing Permits are not subject to protest or appeal in accordance with Section 123 of the 2012 Appropriations Omnibus Act.

Protest Point 29:

EA at [page] 46 shows BLM is trying to manage bull trout habitats on the basis of pastures, not on the basis of watersheds.

Response:

Livestock are managed by pasture, in order to control the time, timing, and intensity of grazing. This type of livestock management allows BLM to manage bull trout by watersheds.

Protest Point 30:

There is no valid analysis of the real No Grazing Alt., or Alt. 5.

Response:

This protest point is unhelpful because it does not explain how the analysis was deficient. Analysis of Alternatives 4 (no grazing) and 5 (reduced grazing) occurs throughout the EA.

Protest Point 31:

BLM fails to adequately define mid and long term impacts of g[r]azing, facilities, veg treatments.

Response:

The impacts of the Proposed Decision and alternatives are described throughout the EA. The EA concludes that the allotments will meet or make significant progress towards meeting all applicable standards where current grazing management was a significant causal factor.

Protest Point 32:

Pygmy rabbits, and their habitat needs, are greatly ignored by BLM.

Response:

Impacts to wildlife are described in the EA under the Wildlife Resources Section on pages 159-166.

Protest Point 33: Economics Analysis Is Inadequate

There is no valid analysis of the cost of administering these permits, the cost of all the existing facilities, the damage to important recreational and the resources caused by grazing and facilities, the costs of herbicides and all measures to attempt to mitigate livestock impacts.

Response:

Economic and Social Values are described on pages 169-173 of the EA. The level of analysis is commensurate with the issues raised during public scoping.

Protest Point 34: Sage Grouse - A Mountain of Concerns

BLM must provide detailed allotment-level maps showing how all existing and foreseeable livestock facilities, salting/supplement sites, roading (often related to facilities) etc. affects key, priority and general habitats or any other habitats.

There are many direct indirect and cumulative threats faced by this population and sub-population that are not examined by BLM.

Response:

Maps of all allotments were included in the EA as Figures 2-3, 5-11, 14-15, and 19. The maps portrayed all existing range projects, as well as the ones being implemented under my Proposed Decision. The USGS backgrounds on the maps also show many of the roads in the allotments. Habitat for greater sage-grouse is shown for the entire area on Figures 22 and 23. Figure 23 displays the PPH and PGH for the entire subpopulation for cumulative effects analysis. Under the Cumulative Impacts Section (page 192) the EA describes “To help manage livestock there are 786 miles of fence in the GSGCIAA, with a minimum of 85 of those miles within 1.25 miles

of an active greater sage-grouse lek, and while a sage-grouse strike has not been recorded within the GSGCIAA it could happen, especially near leks.”

Habitat in the CBT area is described in both the watershed assessment and the EA. The cumulative impact area for sage-grouse is the subpopulation, as described by Connelly in 2004 and then expanded to include the mapped habitat outside of the polygon they depicted (see Figure 23). The cumulative impact section of the EA describes the number of projects within the CBT CIAA and the greater sage-grouse CIAA on pages 177-210.

Protest Point 35: BLM Ignores Necessary Raptor Surveys and Other Vital Habitat and Population Information

BLM ignores necessary baseline data collection and can have no understanding of the adverse impacts of its spring grazing, sagebrush killing, deforestation and other schemes, as well as West Nile virus promoting livestock facilities, on any bird or other animal species.

On page 163, BLM claims the McGinty Creek fence would not be in sage-grouse nesting habitat (by whose definition hopefully BLM is not again relying on the CWG)- the McGinty pipeline is certainly would be, and it is also likely that any fences would be as well. BLM appears to purposefully omit analysis of the pipeline impacts to which the McGinty fence is also tied.

Response:

The Watershed Assessment and EA describe the number of species records for individual species that have been recorded in the area. The BLM, as well as IDFG and USFS, biologists are part of the CSGLWG and helped produce the habitat map. In addition, members of ICL and WWP have been members of the group. Impacts from the proposed range projects are described in the EA, specifically on pages 163-165 for impacts to wildlife species.

Protest Point 36: BLM Ignores Requirements of the Old RMP

The Lemhi RMP envisioned only 15.5 miles of riparian fencing — BLM has drastically exceeded that, and must conduct a LUP amendment to build, or continue forward with, much of the riparian stringer fencing in these allotments alone that has sprawled across the landscape as the agency refused to conduct integrated management and just flung piecemeal livestock projects all over the place.

Response:

The RMP also described 63 miles of fencing on page 11. Impacts to wildlife species are presented in the EA, which concludes that habitat, both upland and riparian, as well as the species themselves will meet, or make progress towards meeting, all applicable standards where current livestock management was a significant causal factor for not meeting.

Protest Point 37: Bighorn Sheep and other Big Game

Figure 3 shows a horrifying number of cattle troughs amid bighorn sheep habitat in Center Ridge and other areas. BLM must fully assess the habitat disturbance impacts of cattle to bighorns and their use of food, cover and space — including displacement of bighorn sheep and impacts to habitat components throughout all season of the year.

Response:

Impacts to wildlife are described in the EA under the Wildlife Resources Section on pages 159-166.

Protest Point 38: Consultation and Other Concerns

And BLM never adequately considers the cumulative adverse effects of grazing, roading, treatment and other activities on upstream Forest lands, as well as impacts on private and state lands. It never adequately assess the impacts of continued chronic grazing disturbance on top of all the grazing damage, loss and reduction of flows from grazing and diversions and other factors, and what amounts to significant desertification across these watersheds that are now faced with serious expanding threats from global warming. Careful weighing of all of these disturbances and threats, based on systematically collected site specific data from across the watersheds must be compiled before BLM can actually make a valid Effects determination and NEPA analysis. The conditions of habitats, and threats facing populations of bull trout, salmon and steelhead must be fully examined, and population data laid out. Population viability analyses must be provided for rare aquatic species.

Response:

Cumulative impacts from the proposed action are found on pages 177-210 of the EA.

Consultation for the Proposed Action has been completed with both the USFWS and NOAA.

The BA can be located on the ePlanning web site at: https://www.blm.gov/epl-front-office/eplanning/other_view.do?projectId=7903¤tPageId=17453&documentId=39002

Impacts of the Proposed Decision are described in the EA which concludes that the allotments will meet, or make progress towards meeting, all applicable standards where current livestock management was a significant causal factor for not meeting Idaho Standards for Rangeland Health.

The science on predicting future climate conditions is continuously evolving. Land management actions might contribute to changes in atmospheric greenhouse gas levels, which can affect global climate. Addressing effects on greenhouse gas (GHG) levels within the scope of NEPA is difficult due to the lack of explicit regulatory guidance on how to meaningfully apply existing NEPA regulations to this evolving issue, and due to the continuously evolving science available at varying levels.

Climate change does not have a clear cause-and effect-relationship with the proposed decision or alternatives. It is currently beyond the scope of existing science to identify a specific source of greenhouse gas emissions or sequestration and designate it as the cause of specific climate or resource impacts at a specific location.

The proposed action and alternatives, when implemented, would not have a clear, measurable cause-and-effect relationship to climate change because the available science cannot identify a specific source of greenhouse gas emissions such as those from livestock grazing and tie it to a specific amount or type of changes in climate.

Protest Point 39:

Please incorporate each and every concern raised in each paragraph in the Attached comments, appeals, etc. in the documents on the cd into this current Protest. These include the following documents:

This current process that must be undertaken with an EIS, and it must fully address all of the concerns raised.

Again, attached to this Protest is an Alternative that we ask BLM fully consider in a drastically revised watershed assessment process.

Response:

We did not receive a CD with the protest. No additional documents were included with the protest.

WWP – Marvel Protest

Protest Point 1:

The size of the landscape covered by this decision and the scope of the decisions requires that the BLM withdraw these Decisions and reanalyze this proposal through an Environmental Impact Statement (EIS). WWP Protests the failure of the BLM to prepare an EIS.

Response:

See Response to Wagenknecht Protest Point 1.

Protest Point 2:

Western Watersheds Project is concerned that this Canyon-Big Timber Land Health EA will prejudice the completion and analysis of the Idaho and Southwestern Montana Sub-Regional Greater Sage-Grouse Planning Strategy EIS (SEIS), and that by doing so will prejudice the outcome of the larger analysis which includes the entire area subject to the June 29, 2012 Proposed Decisions.

Response:

The proposed decision will not prejudice the EIS. When the EIS is completed, it would override this decision where there are conflicts between the two decisions.

Protest Point 3:

We Protest the failure of BLM to fully consider the adverse impacts of its Decision on Priority Habitat and General Habitat for Greater sage-grouse, Please review the Attached mapping that shows Idaho BLM Preliminary Priority Habitat (PPH) and Preliminary General Habitat (PGH). The interrelated grazing, livestock facility, and treatment actions will have significant adverse impacts on this habitat.

Response:

The BLM describes the PPH and PGH within the area in the EA. Impacts to wildlife, including greater sage-grouse, from the Proposed Action are described in the EA on pages 162-165.

Protest Point 4:

We Protest the failure of BLM to provide detailed mapping and analysis of pygmy rabbit occupied and potential habitat in the Project area and surrounding lands so that the full effects of the grazing scheme, facilities, and treatments on this threatened native lagomorph can be full understood.

Response:

On page 153 in the EA pygmy rabbit populations are described. The CBT area has been surveyed multiple times and pygmy rabbits have been found in all but three allotments, Dump, Leadore and Tex Creek. Impacts to wildlife from the Proposed Decision are described on pages 162-165 and include the impacts from those allotments also in case pygmy rabbits do occur in the allotments and just have not been located with the surveys.

McRea Protest

Protest Point 1:

With only 9 AUMs authorized for utilization in the South Pasture I would have to bring my herd home before I could utilize the North Pasture in two out of three years. This would be turning out 40 cattle from 5/20 to 5/26 and then returning home until I could run on the North Pasture on 7/1.

Response:

The ID team recommended, and the EA supported, a delayed turnout in the North Pasture to continue the improvement of the density of native vegetation, especially bunchgrasses, on the allotment. Given the size of the South Pasture the ID team recommended a maximum of 9 AUMs be utilized. The permit would allow a delayed turnout which would allow you to move directly to the North Pasture instead of leaving the allotment in between pasture use.

Whittaker Protest

Protest Point 1:

I protest the decrease in cattle AUMs on the Center Ridge Allotment from 2,170 to 1,947.

Response:

The long-term AUMs available on the allotment according to the Lemhi RMP are 1,947. The decrease from the current permit brings the permit into conformance with the RMP. It will still allow an increase in utilization from your average use of 1,151 AUMs over five years.

Protest Point 2:

I protest the name of Highway Spring; it has always been referred to as Railroad Spring. I also protest the modifications to the enclosure at the spring. The current enclosure fence is working.

Response:

The name of the spring can be changed to Railroad Spring. As described on pages 112 and 113 of the EA, "Excluding livestock from a larger portion of Highway Spring would be expected to increase riparian plant vigor, eliminate trampling, and eventually improve riparian condition to PFC. The proposed projects on the allotment would be expected to result in an improvement over present riparian conditions and the allotment would continue to make significant progress toward meeting Standards 2 and 3."

Final Decision

It is my final decision to implement Alternative 3 to address resource issues and concerns analyzed in the CBT Land Health EA, DOI-BLM-ID-I040-2011-0001-EA, including all design criteria described in Appendix A. My decision includes issuing ten-year term permits on sixteen allotments: Bull Creek, Center Ridge, Chamberlain Creek, Dump, Free Strip, Hawley Creek, Jakes Canyon, Leadore, Leadore Hill, Leadville, Nez Perce, Powderhorn, Purcell Creek, Spring Canyon, Tex Creek and Timber Creek (Figure 1).

To address livestock management resource concerns and requests from permittees to adjust their operations and to improve land health and enhance habitat conditions I will implement Alternative 3. The term grazing permits (for cattle and horses) will be modified and issued for a period of ten years with new terms and conditions and the range improvement projects will be implemented as described in the EA. I cancel all Active Sheep AUMs on the Center Ridge, Spring Canyon and Timber Creek Allotments.

All grazing permits in the CBT area will be subject to the following *Other Terms and Conditions*:

1. Cattle numbers shown under the Mandatory Terms and Conditions above reflect the maximum number of livestock, the maximum allowable season of use, and the maximum number of AUMs of forage that can be used in any given year. The number of livestock may be reduced within the season indicated, or the season of use may be shortened, in order to not exceed the maximum number of AUMs indicated. A reduced number of AUMs may be used in any given year to allow flexibility to respond to weather conditions, etc. Under no circumstances may Active AUMs be exceeded.
2. As provided in Title 43 of the Code of Federal Regulations (43 CFR) 4130.3-2(d), you are hereby required to submit an actual grazing use report within 15 days after completion of your annual grazing use. Failure to comply could result in penalties as described at 43 CFR 4170.1.
3. Exclosures in the allotment cannot be grazed by livestock at any time.
4. All range improvements will be maintained prior to turn-out, and all water developments and associated pipelines will be drained and winterized.
5. Supplemental feeding is authorized and is limited to salt, mineral, and/or energy/protein in block, granular, or liquid form. If used, these supplements must be placed at least one-quarter (1/4) mile away from any stream and 500 feet away from any spring.

Rationale for Final Decision

My final decision is based on the CBT Watershed Assessment Report (2010), the CBT Land Health EA (DOI-BLM-ID-I040-2011-0001-EA), detailed reports, site-specific monitoring and assessments in the related allotment files, first-hand knowledge of the Salmon Field Office staff, and review of public comments. I have reviewed the alternatives analyzed in detail to determine if they were responsive to the purpose and need for this proposal and the issues relevant to it. I have also reviewed the actions that were considered but not analyzed in detail to help me decide if the analysis had considered a reasonable range of alternatives. I find that the alternatives considered addressed the key issues and provided a reasonable range to consider.

I reviewed recent BLM Instruction Memorandums, including number 2012-043: Greater Sage-Grouse Interim Management Policies and Procedures. As stated in the IM, the EA includes a reasonable range of alternatives including a no grazing, significantly reduced grazing and the current grazing. After the EA was completed and the Proposed Decisions were issued I further considered the 2012 utilization data on the allotments impacted by this decision. The average utilization on the pastures in the CBT watershed was 26%, which does not include the 6 rested pastures or 11 pastures where utilization data was not recorded. In pastures with greater sage-grouse PPH average utilization was 26%, in nesting habitat utilization was 18%.

I have determined that the following allotments **meet, or are making significant progress toward meeting**, all eight Standards for Rangeland Health.

- | | | |
|---------------|------------------|-----------------|
| 1. Bull Creek | 2. Leadore | 3. Timber Creek |
| 4. Dump | 5. Leadore Hill | |
| 6. Free Strip | 7. Purcell Creek | |

In addition, while the following allotments **do not meet** one or more of the Standards for Rangeland Health, I have determined that current BLM authorized activities, including livestock management, are not significant causal factors in failing to meet those standards. Significant causal factors include: private irrigation practices, grazing management on non BLM managed lands, road networks and historic grazing practices.

- | | | |
|-----------------|-----------------|------------------|
| 1. Center Ridge | 2. Jakes Canyon | 3. Nez Perce |
| 4. Hawley Creek | 4. Leadville | 6. Spring Canyon |

The following allotments **do not meet** one or more of the Standards for Rangeland Health and don't conform to the guidelines established for livestock grazing management. I have determined that current livestock management is a significant contributing factor in at least one of these standards not being met.

- | | | |
|----------------------|---------------|--------------|
| 1. Chamberlain Creek | 2. Powderhorn | 3. Tex Creek |
|----------------------|---------------|--------------|

It is necessary to change livestock management in these three grazing allotments to be consistent with the BLM's Standards and Guidelines for Rangeland Health and to ensure progress is made toward achieving the objectives. Implementing the management strategies as detailed below authorizes sustainable use of public lands while making progress toward meeting the land health standards and site-specific resource objectives identified for BLM managed public lands within specified CBT allotments.

I have chosen to implement numerous grazing management changes, including: changes to grazing period, Active AUMs, livestock numbers, % public land (AUMs), removing sheep grazing, and the construction of range improvement projects. Implementation of these changes will enhance upland and riparian herbaceous plant vigor, increase plant production and residual cover, and restore riparian vegetative vigor and diversity on public land within the watershed. Overall, these changes are also expected to maintain or improve sagebrush habitat conditions for sagebrush obligate species, and enhance habitat for big game and many other wildlife species. Functional-at risk and non-functional riparian and wetland habitats are expected to trend toward proper functioning condition under these livestock management strategies. Improved riparian

habitat will benefit wildlife and fish. These changes are described below by individual allotment.

Under this decision there will potentially be less cover on 90% of the nesting habitat for greater sage-grouse than under the current conditions. It is impossible to predict how much the stubble heights of grasses will change in greater sage-grouse nesting habitat with the increased utilization by livestock. Nesting habitat in the Bull Creek, Dump, Hawley Creek, Leadore and Leadville allotments is expected to continue to improve as additional young grass and shrub species continue to become established due to past changes in grazing management that will continue, and the seeding in the Leadville Allotment. Nesting habitat in the Powderhorn and Tex Creek allotments will remain marginal due to the lack of forb diversity and canopy in the crested wheatgrass seedings. The portion of the Powderhorn Allotment dominated by little sagebrush will continue to be marginal habitat based on sagebrush heights. Center Ridge, Spring Canyon, Timber Creek, Leadore Hill and portions of the Powderhorn allotments will continue to provide nesting habitat for greater sage-grouse but with potentially reduced grass for cover, though still meeting the requirements for sage-grouse nesting habitat, which could lead to more sage-grouse nests or chicks being lost to predation than under the current condition for these allotments.

I have determined that all grazing permittees currently permitted on the CBT allotments have satisfactory records of performance and are in substantial compliance with the terms and conditions of their existing Federal grazing permits that are being renewed with this decision.

This decision is in conformance with the Lemhi Resource Management Plan (RMP) as amended. It is in conformance with the Federal Land Policy and Management Act, the Taylor Grazing Act, the Standards for Rangeland Health and Guidelines for Grazing Management (43 CFR 4180), the Interim Management Policy for Lands Under Wilderness Review, and with the other statutes, regulations and plans listed on page 5 and 6 of the EA.

I appreciate the input and interest received from the public during the process of renewing the permits in the Canyon to Big Timber watershed. The assigned ID team and I have considered the comments prior to making this decision.

Allotment-Specific Livestock Management and Projects

The following section describes the allotment-specific livestock management changes and projects. The projects are shown on individual Maps in the CBT Land Health EA.

Bull Creek #06305

Grazing Management:

The current 10-year term permit on the allotment has the following Mandatory and Other Terms and Conditions:

Permit	Number/Kind	Grazing Period	% Public Land	Active Use (AUM)s	Active AUMs	Suspended AUMs	Grazing Preference
A	150 Cattle	4/20-5/11	69%	75	150	0	150
	150 Cattle	9/15-10/6	69%	75			

Other Terms and Conditions:

1. As provided in Title 43 Code of Federal Regulations (CFR) 4130.3-2(d), you are hereby required to submit a certified actual grazing use report within 15 days after completion of

your annual grazing use. Failure to comply could result in the cancellation of your permit in whole or part.

2. BLM management of the allotment will continue to emphasize maintenance or improvement of riparian communities.

The level of use over the last five years (actual use) has been:

Permit	Maximum Number/Kind	Maximum Grazing Period	Average Active Use
A	230 Cattle	5/1-9/20	150

My decision is to renew the grazing permit with a term of 10-years from March 1, 2012 to February 28, 2022 with the following Mandatory and Other Terms and Conditions for the Bull Creek Allotment:

Permit	Maximum Number/Kind	Maximum Grazing Period	% Public Land	Active AUMs	Suspended AUMs	Grazing Preference
A	350 Cattle	5/1-9/15	53%	150	0	150

Other Terms and Conditions:

1. The corral in the northwest corner of the Bull Creek Pasture can be used for two days to sort cattle.

Rationale:

As described in the EA (Page 33 and Appendix A), the Bull Creek Allotment is currently meeting all applicable standards. The health of the allotment as reflected in the CBT Watershed Assessment Report is the result of grazing management under the current grazing permit. In other words, the current grazing permit is working.

This decision for the Bull Creek Allotment differs from the current grazing permit in the following manner: (1) The grazing period for cattle will change from a split season of 4/20-5/11 and 9/15-10/6 to an inclusive period of 5/1-9/15 and (2) The percent public land will be changed to 53 to reflect the proportion of AUMs authorized on BLM managed lands versus the AUMs available on State and private lands fenced with the BLM lands.

I am changing grazing management from a split season to an inclusive season because the permittee also grazes on an adjoining USFS managed allotment and private lands. The inclusive season allows more flexibility to adjust use on BLM as it relates to adjacent lands. While this will henceforth allow grazing from 5/12 to 9/14, a period in which the allotment was previously closed to grazing, it will not result in a material change to the allotment because the use after the critical growing period (CGP) will be during the dormant season for upland grasses which will be a benefit to the vegetation and subsequently wildlife using the allotment. As noted above, the primary reason for the change to an inclusive season is flexibility while working with adjacent land managers. Also, it is important to note that AUMs are not being increased on the allotment. The result is that if the permittee chooses to graze between 5/11 and 9/15, he will have to substantially reduce numbers or not graze at other times.

The change to percent public land numbers is the result of recalculating the AUMs available within the allotment. In addition to the BLM managed public land in the allotment the permittee also has a permit to remove 64 AUMs from State of Idaho managed land and produces 70 AUMs on private land that he controls. However, this change will have no effect on resources, as it is

merely an administrative issue and the same number of AUMs will be removed from the BLM managed public lands.

Grazing for the next ten-years under this decision will result in the allotment continuing to meet all of the applicable Idaho Standards for Rangeland Health. Riparian conditions in the Bull Creek Allotment are expected to maintain and continue to meet Standard 2 due to the limited AUMs authorized on the permit. Bull Creek will continue to be Non-Riparian because of the irrigation ditch/diversion (EA Page 110).

On the Bull Creek Allotment there will be no difference in the number of AUMs removed compared to the existing situation. The number of cattle that could be on the allotment at any one time will increase from 230 to 350; however, the amount of forage removed will not change and the number of days the cattle will be on the allotment will be decreased if full numbers were turned out. Under either scenario, existing condition or my decision, all AUMs could be removed prior to June 1, leaving a portion of the CGP for plants to recover from grazing; alternately all AUMs could be removed after the CGP, resulting in very little impact to upland vegetation in the allotment. For example, under the existing situation, 230 cattle could graze the allotment for 29 days (to reach 150 AUMs) and under my decision, 350 could graze the allotment for 25 days (to reach 150 AUMs). The full season of use allowed on the permit will be 5 days shorter, although this will be in the fall and will not affect upland vegetation in a discernible manner. Impacts of this decision will be difficult to discern from the existing situation and the allotment will continue to meet Standard 4 (EA Page 82-83).

Because there is no fish-bearing stream habitat on the allotment this decision will not impact fish or their habitats (EA Page 136). Nesting habitat for greater sage-grouse in the Bull Creek Allotment is expected to continue to improve as additional grass and shrub species continue to become established due to past changes in grazing management that will continue (EA Page 162). Biologists on my staff have determined that this decision will have no effect to species listed under the Endangered Species Act (ESA).

In 2012, 68 AUMs were removed from the two pastures in the Bull Creek Allotment. Utilization was recorded at 15% in the Ellsworth Pasture.

Center Ridge #06309

Grazing Management:

The current 10-year term permits on the allotment have the following Mandatory and Other Terms and Conditions:

Permit	Number/Kind	Grazing Period	% Public Land	Active Use (AUM)s	Active AUMs	Suspended AUMs	Grazing Preference
A	1200 Sheep	5/22-6/12	90%	156	166	0	166
	1200 Sheep	7/13-7/13	90%	7			
B	407 Cattle	5/24-10/31	100%	2154	2170	1361	3531
	500 Cattle	11/1-11/1	100%	16			

Other Terms and Conditions (Permits A and B):

1. As provided in Title 43 Code of Federal Regulations (CFR) 4130.3-2(d), you are hereby required to submit a certified actual grazing use report within 15 days after completion of your annual grazing use. Failure to comply could result in the cancellation of your permit in whole or part.

2. BLM management of the allotment will continue to emphasize maintenance or improvement of riparian communities.
3. All range improvements will be maintained prior to turn-out, and all water developments and associated pipelines will be drained and winterized.
4. To allow flexibility, an earlier turn-out date may be applied for annually, and may be approved when range readiness has been determined to be appropriate.
5. Salt and/or mineral supplements will be placed in areas agreed upon by BLM and the permittee.

Other Terms and Conditions (Permit B):

1. Active trailing will be permitted for one day between 11/1 and 12/31 for up to 500 head of cattle.

The level of use over the last five years (actual use) has been:

Permit	Maximum Number/Kind	Maximum Grazing Period	Average Active Use
A	Sheep	NA	0
B	675 Cattle	5/10-10/22	1151

My decision is to renew the grazing permits with terms of 10-years from March 1, 2012 to February 28, 2022 with the following Mandatory and Other Terms and Conditions for the Center Ridge Allotment:

Permit	Maximum Number/Kind	Maximum Grazing Period	% Public Land	Active AUMs	Suspended AUMs	Grazing Preference
A	Sheep	NA	NA	0	0	0
B	500 Cattle	5/24-11/1	98%	1947	1361	3308

Other Terms and Conditions (Permits A and B):

1. Livestock grazing of the A Pasture will not occur after 7/15.

Range Improvement Projects:

In addition, my decision is to construct the following range improvement project:

- Construct an enclosure fence around the Poison Spring complex. The enclosure fence will encompass approximately 4.5 acres and will be constructed using jacks and poles. The man-made pond will remain open for livestock access.

Rationale:

As described in the EA (Page 33 and Appendix A), the Center Ridge Allotment is currently meeting all applicable standards except for Standard 7 (Water Quality). The significant factors leading to Standard 7 not meeting are grazing management on private and state managed lands, the road network, and private irrigation practices. BLM grazing management is not the cause of the allotment not meeting Standard 7. The health of the allotment as reflected in the CBT Watershed Assessment Report is the result of grazing management under the current grazing permit.

The decision for the Center Ridge Allotment differs from the current grazing permit in the following manner: (1) The 1200 sheep permitted on the current permit will no longer be permitted, (2) The grazing period for cattle will remain the same, but the maximum number of

cattle on the allotment will be increased to 500 for the entire grazing period instead of allowing only 407 cattle for most of the period, (3) The Active AUMs on the allotment will decrease from 2,336 AUMs (2,170 of these AUMs are cattle) to 1,947 AUMs (all of these AUMs are cattle), (4) The percent public land will be changed to 98% to reflect the proportion of AUMs authorized on BLM managed lands versus the AUMs available on State and private lands fenced with the BLM lands, and (5) Livestock grazing in the A Pasture will not occur after 7/15.

The CBT Land Health EA described an issue with potential disease transfer from domestic sheep to Rocky Mountain bighorn sheep. The permittee has not utilized the sheep AUMs for over 25 years and a risk to bighorn sheep in three population management units (North Beaverhead, North Lemhi and South Lemhi) will exist if those AUMs are utilized. Accordingly, my decision is to cancel all of the sheep AUMs.

While authorizing 500 cattle will allow an additional 93 cattle on the allotment from 5/24-10/31 it will not result in a material change to the allotment because the AUMs are not being increased. The result is that if the permittee chooses to graze with more cattle, he will have to reduce the grazing period. During the greater sage-grouse nesting season, which coincides largely with the critical growth period, the maximum authorized utilization on the allotment will be 620, as opposed to 1,170 under Alternative 2.

The long-term AUMs described in the Lemhi RMP for the Center Ridge Allotment are 1,947. The change to percent public land numbers is the result of recalculating the AUMs available within the allotment with the reduction of BLM AUMs. In addition to the BLM managed public lands in the allotment the permittee also has a permit for 18 AUMs from State of Idaho lands and 12 AUMs on private lands that he controls.

By eliminating livestock grazing in the A Pasture after 7/15 the riparian community will have time during the growing season to recover from most of the impacts from livestock including bank trampling and vegetative removal. With no grazing use during the hot season, the riparian greenline condition will continue to remain in Proper Functioning Condition (PFC). Streambank stability is expected to be maintained and improved due to early use and the heavily wooded nature of the channel, limiting livestock impacts to streambank stability.

Grazing for the next ten years under this decision will result in the allotment continuing to meet all of the applicable Idaho Standards for Rangeland Health, with the exception of Standard 7. Despite changes in grazing management, water quality on the allotment will continue to be influenced by grazing management on private and state lands outside of the allotment, road issues, and private irrigation practices that limit the amount of water in Eighteenmile Creek. The decision will allow the other standards to continue to be met and will allow conditions overall to remain stable and improve.

The Center Ridge Allotment authorized use will be substantially increased relative to the reduced actual use in the past five years. However, livestock can only use Eighteenmile Creek in the A pasture until July 15th (early season). Early use on the stream is expected to maintain or improve wetland/riparian conditions and maintain Eighteenmile Creek's PFC rating in the A Pasture. In the C pasture, the Eighteenmile Creek segment will continue to be excluded and remain in PFC. Fencing Poison Springs in the A Pasture to exclude livestock is expected to increase riparian-

wetland conditions around the springs. Early season use on Eighteenmile Creek and excluding Poison Springs is expected to maintain or improve wetland/riparian conditions and the allotment will continue to meet Standards 2 and 3. In 2011, the cattle used the segment on Eighteenmile Creek with a maximum bank alteration measured at 17% and hydric herbaceous height at 13 inches in July. At the end of the growing season, bank alteration improved to 13% and the hydric herbaceous height was 16 inches. Even with twice as many cattle in the early season, allowing time for riparian plants to regrow after grazing, along with the good existing ecological conditions, will reduce negative impacts to an insignificant level (EA Page 111).

The Center Ridge Allotment is currently meeting Standard 4 and was rated as having a “none-to-slight” departure from the reference for the RHA Biotic Attribute, meaning the allotment is producing the kinds and amounts of vegetation expected (as described on the ecological site descriptions). The AUMs under this decision will be in conformance with those authorized in the Lemhi RMP; current situation use is approximately half of what was authorized in the Lemhi RMP and the allotment is producing the kinds and amounts of vegetation expected for the sites. It is expected that because the allotment is meeting Standard 4, and shows no departure from the reference state, the use levels authorized under the Lemhi RMP will not impact the ability of the allotment to meet Standard 4. This is not only due to the findings of the RHA, but, compared to the current situation, cattle numbers will be reduced by 175 to a maximum of 500 and the grazing period will be delayed 14 days, which will reduce potential impacts to upland vegetation during the CGP. The reduction in cattle numbers and 14 day turn-out delay will benefit native plant communities by reducing grazing during the period of most active plant growth. The use period will also be extended into the dormant season by 10 days; use during this period will increase plant vigor, reproduction, and seedling establishment of key native species. The stocking rate for this allotment under this decision will be 8.1 acres/AUM and will be in conformance with the Lemhi RMP, as amended (EA Page 84).

Reduced grazing impacts to stream/riparian habitat and associated parameters are expected on the allotment. This is expected to improve water quality conditions by increasing streamside vegetative cover and bank stability, reducing erosion and sedimentation and decreasing water temperatures (EA Page 128).

Even with the increase in AUMs compared to actual use, conditions are expected to remain in PFC. This is because most of the grazing will take place in the upland habitat with off-site water troughs away from the stream and the limited use of the A Pasture to before July 15. This will give the riparian community time during the growing season to recover from most of the impacts from livestock including bank trampling and vegetative removal. With no grazing use during the hot season, the riparian greenline condition will continue to remain in PFC. Streambank stability is expected to be maintained and improve due to early use and the heavily wooded nature of the channel, limiting livestock impacts to streambank stability. Substrate is expected to improve with the increases in riparian shrub cover and a reduction in seasonal bank alteration. Impacts from upstream of the allotment are expected to remain the same and contribute to higher than expected fine sediment in the substrate, potentially resulting in decreased survival of incubating eggs. With the recovery of riparian vegetation, particularly woody species, an increase in water temperatures is not expected (EA Page 146).

The allotment will continue to provide nesting habitat for greater sage-grouse but with reduced grass for cover which could lead to more sage-grouse nests or chicks being lost to predation than under the current condition (EA Page 163). During the greater sage-grouse nesting season, the maximum authorized utilization on the allotment will be 620 AUMs, as opposed to 1,170 AUMs under Alternative 2.

Biologists on my staff have determined that this decision may affect, but is not likely to adversely affect Chinook salmon, steelhead trout, bull trout or their designated critical habitat. If this decision has an effect on those species, the effect will be through the impacts of cattle grazing on riparian vegetation or through introduction of sediment to Eighteenmile Creek through hoof action on streambanks. However, the effect is not likely to be adverse because the pasture with the stream will only be used prior to 7/15 allowing time for regrowth of riparian plants. NOAA and USFWS have concurred with this finding. Biologist on my staff have also determined that this decision will have no effect on Canada lynx, sockeye salmon or sockeye salmon designated critical habitat or adverse effect on Chinook salmon essential fish habitat.

Chamberlain Creek #06308

Grazing Management:

The current 10-year term permit on the allotment has the following Mandatory and Other Terms and Conditions:

Permit	Number/Kind	Grazing Period	% Public Land	Active Use (AUM)s	Active AUMs	Suspended AUMs	Grazing Preference
A	309 Cattle	6/1-9/30	100%	1239	1249	1331	2580

Other Terms and Conditions:

1. As provided in Title 43 Code of Federal Regulations (CFR) 4130.3-2(d), you are hereby required to submit a certified actual grazing use report within 15 days after completion of your annual grazing use. Failure to comply could result in the cancellation of your permit in whole or part.
2. BLM management of the allotment will continue to emphasize maintenance or improvement of riparian communities.
3. Use in the Chamberlain Creek Allotment will be in accordance with the Chamberlain Creek Allotment Management Plan (AMP).

The level of use over the last five years (actual use) has been:

Permit	Maximum Number/Kind	Maximum Grazing Period	Average Active Use
A	337 Cattle	5/20-9/25	1033

My decision is to renew the grazing permit with a term of 10-years from March 1, 2012 to February 28, 2022 with the following Mandatory and Other Terms and Conditions for the Chamberlain Creek Allotment:

Permit	Maximum Number/Kind	Maximum Grazing Period	% Public Land	Active AUMs	Suspended AUMs	Grazing Preference
A	410 Cattle	6/1-9/30	66%	1081	1331	2412

Other Terms and Conditions:

1. Only the Big Bend Pasture can be grazed after 9/15.
2. If in-season monitoring on any riparian key area finds > 15% alteration or <4" of stubble height livestock will be removed from the pasture with the key area for the remainder of

the season in accordance with the *Biological Assessment for BLM Actions in the Canyon to Big Timber Watershed Assessment Area*.

3. The McGinty Creek Pasture will not be grazed after 6/30.

Range Improvement Projects:

In addition, my decision is to construct the following range improvement projects:

- Construct a new 3.3 mile barbed wire division fence to separate the Big Bend Pasture into two new pastures, the Big Bend and McGinty Creek Pastures. Approximately 2.75 miles of the new fence will run near and parallel to an existing two-track road on the ridge to the south of McGinty Creek. The remainder of the fence will run off of the ridge through the sagebrush to the west, and tie in with the division fence between the Chamberlain Creek and Center Ridge Allotments.
- Construct a pipeline running northwest approximately 1.25 miles from McGinty Creek, then southwest another one mile. There will be one trough installed at the end of the pipeline. A hydro-screen water collector or headbox will be installed at the point of diversion in McGinty Creek on private land. The landowner will transfer a 0.02 cubic foot per second water right to the BLM for the pipeline project. The landowner will also grant the BLM an easement for the distance the pipeline crosses private land (approximately 0.75 mile).

Rationale:

As described in the EA (Page 34 and Appendix A), the Chamberlain Creek Allotment is currently not meeting Standards 2, 3, 7 and 8. I have determined that the existing grazing management is not a significant causal factor for not meeting Standard 7. The failure to achieve Standard 7 is most likely due to grazing management on state and private lands, private irrigation practices and the road system. Standards 2, 3 and 8 are due to current grazing management that have resulted in poor regeneration survival in the allotment, riparian habitat along Clear Creek that is Functional-at-Risk with a downward trend, riparian habitat along Pass Creek that is FAR-static and riparian habitat along McGinty Creek that is Non-Functional.

This decision for the Chamberlain Creek Allotment differs from the current grazing permit in the following manner: (1) The maximum cattle number permitted for the allotment will increase from 309 to 410, (2) The percent public land will be changed to 66 to reflect the proportion of AUMs authorized on BLM managed lands versus the AUMs available on State and private lands fenced with the BLM lands, (3) The Active AUMs on the allotment will decrease from 1,249 AUMs to 1,081 AUMs, (4) Livestock grazing in the McGinty Creek Pasture will not occur after 6/30, nor will grazing occur after 9/15 in the other pastures with riparian habitat, and (5) If utilization on key areas leads to more than 15% alteration or less than 4" of stubble height cattle will be removed from the pasture.

I am increasing the maximum number of cattle to 410 as applied for by the permittee. While this will allow an additional 99 cattle on the allotment it will not result in a material change to the allotment because the AUMs are being decreased. The result is that if the permittee choses to graze with more cattle, he will have to substantially reduce the grazing period.

The change to percent public land numbers is the result of recalculating the AUMs available within the allotment with the reduction of BLM AUMs. In addition to the BLM managed public

lands in the allotment the permittee also has a permit for 162 AUMs from State of Idaho lands and produces 398 AUMs on private lands that he controls.

By eliminating livestock grazing in the new McGinty Creek Pasture after 6/30 the riparian community will have time during the growing season to recover from most of the impacts from livestock including bank trampling and vegetative removal. If monitoring during the grazing season finds > 15% alteration or <4" of stubble height at the key areas in the So. 18 Mile or 18 Mile Pastures the cattle will be removed from that pasture for the rest of the grazing period. This will further assure that riparian habitat improves over time.

Grazing for the next ten years under this decision will result in the allotment meeting, or making significant progress towards meeting, all of the applicable Idaho Standards for Rangeland Health, with the exception of Standard 7. Despite changes in grazing management, water quality on the allotment will continue to be influenced by grazing management on private and state lands outside of the allotment and road issues that increase sediment in Eighteenmile Creek.

Riparian conditions are expected to improve under this decision. Cattle numbers are similar to current management, but Terms and Conditions on the permit are expected to improve riparian conditions on Eighteenmile, Pass, McGinty, and Divide Creeks. Limited use on Eighteenmile Creek is expected to maintain its good riparian-wetland conditions and PFC rating. The new division fence will separate the Big Bend Pasture into two new pastures, the Big Bend and McGinty Creek Pastures. The McGinty Creek Pasture will only be grazed in the early season, with cattle off by June 30th. Early use on this pasture will improve riparian-wetland conditions on McGinty Creek. The only pasture to be used after September 15th will be the new Big Bend Pasture, which consists of upland vegetation and the intermittent, diverted channel of Divide Creek. Divide Creek is expected to remain FAR-static and dry in the Big Bend Pasture due to the irrigation diversion and its naturally dry/intermittent state. The new terms and conditions on the permit are expected to result in the improvement of wetland/riparian conditions and make significant progress toward meeting Standards 2 and 3 (EA Page 112).

Use on the Chamberlain Creek Allotment will begin 12 days later compared to the current situation, which will slightly reduce impacts to upland native vegetation in the turn-out pasture during the CGP. Because the McGinty Creek Pasture will only be grazed between 6/1 and 6/30, it will likely be the turn-out pasture on most years. This pasture contains McGinty Creek, along which much of the productivity of the pasture is found. Much of the use each year will be along this riparian area, which will have the remainder of the season (post-6/30) to recover (see riparian section). This will help minimize grazing of upland plants during the CGP to some degree, particularly towards the later part of June. Grazing in the remaining pastures will mostly occur near the end or after the CGP and impacts to upland vegetation will be similar to the existing situation. The permit end date will be 5 days later, which will allow for small amount of use to be shifted to the fall. The Chamberlain Creek Allotment is currently meeting, and will continue to meet, Standard 4; it's stocking rate will be 15.2 acres/AUM under this decision (EA Page 83).

Reduced grazing impacts to stream/riparian habitat and associated parameters are expected on the allotment from the Terms and Conditions limiting grazing during key seasons (EA Page 128). The fences will benefit water quality by reducing grazing impacts. This will include

maintaining/improving vegetative cover and decreasing bank trampling. This is expected to increase water quality conditions by increasing streamside vegetative cover, increasing bank stability, reducing erosion and sedimentation and decreasing water temperatures (EA Page 129).

Impacts to fish will decrease due to the seasonal limitations on Eighteenmile and Pass Creeks. Eighteenmile and Pass Creeks are currently occupied by bull trout only in the headwaters. Historically, livestock have grazed along both streams as late as into October. This decision will eliminate bull trout spawning conflicts and redd disturbance by not allowing grazing after September 15.

Streambank stability on Eighteenmile and Pass Creeks is expected to be maintained and improve due to early season use and the extensive woody vegetation. Due to the heavily wooded nature of the Eighteenmile Creek channel, livestock will have limited potential to impact streambank stability. Substrate is expected to improve with the increase in riparian shrub cover and a reduction of seasonal bank alteration. With the recovery of riparian vegetation, particularly woody species, water temperatures are expected to decrease. The allotment will make significant progress toward meeting Standards 2, 3 and 8. As a result, it is likely that instream cover for fish will increase which will reduce predation on juvenile fish and reduce stress on juvenile and adult fish. Increased riparian vegetation is likely to increase terrestrial macro invertebrate input to the stream and maintain cool water temperatures which have the potential to increase fish growth and survival. Improved riparian condition will result in decreased fine sediment input which will improve survival of incubating eggs. In addition, improved riparian condition will create velocity refuge areas for juveniles and adults during flood flows which will likely increase survival during high flow events.

Biologists on my staff have determined that this decision may affect, but is not likely to adversely affect Chinook salmon, steelhead trout, their designated critical habitat or bull trout. The USFWS and NOAA have concurred with this determination. If this decision has an effect on those species, the effect will be through the impacts of cattle grazing on riparian vegetation or through introduction of sediment to Eighteenmile or Pass Creeks through hoof action on streambanks. Cattle will be removed from the pasture if utilization results in more than 15% alteration or less than 4" of stubble height at the key areas. This decision will have no effect on Canada lynx, sockeye salmon, sockeye salmon designated critical habitat or bull trout designated critical habitat. This decision will have no adverse effect on Chinook salmon essential fish habitat.

Dump #06219

Grazing Management:

The current 10-year term permit on the allotment has the following Mandatory and Other Terms and Conditions:

Permit	Number/Kind	Grazing Period	% Public Land	Active Use (AUM)s	Active AUMs	Suspended AUMs	Grazing Preference
A	460 Cattle	6/1-6/2	100%	30	30	0	30

Other Terms and Conditions:

1. As provided in Title 43 Code of Federal Regulations (CFR) 4130.3-2(d), you are hereby required to submit a certified actual grazing use report within 15 days after completion of

your annual grazing use. Failure to comply could result in the cancellation of your permit in whole or part.

2. Livestock numbers may increase and/or number of days may decrease as long as the total AUM use does not exceed the permitted 30 AUMs.

The level of use over the last five years (actual use) has been:

Permit	Maximum Number/Kind	Maximum Grazing Period	Average Active Use
A	86 Cattle	5/20-6/15	30

My decision is to renew the grazing permit with a term of 10-years from March 1, 2012 to February 28, 2022 with the following Mandatory and Other Terms and Conditions for the Dump Allotment:

Permit	Maximum Number/Kind	Maximum Grazing Period	% Public Land	Active AUMs	Suspended AUMs	Grazing Preference
A	90 Cattle	6/1-7/15	100%	25	0	25

Other Terms and Conditions:

None for this Allotment

Rationale:

As described in the EA (Page 35 and Appendix A), the Dump Allotment is currently meeting all applicable standards. The current health of the allotment is the result of grazing management under the current grazing permit.

This decision for the Dump Allotment differs from the current grazing permit in the following manner: (1) The grazing period for cattle will change from 6/1-6/2 to 6/1-7/15, (2) The maximum number of cattle on the allotment will decrease from 460 to 90, and (3) The maximum Active AUMs are being decreased from 30 to 25 AUMs.

I am increasing the grazing period to allow the permittee to use the allotment in a manner that works better with his operation. While this will henceforth allow grazing from 6/3 to 7/15, a period in which the allotment was previously closed to grazing, it will not result in a material change to the allotment because much of the later use will be a benefit to the vegetation and subsequently wildlife using the allotment. As noted above, the primary reason for the change is flexibility for the permittee. Also, it is important to note that Active AUMs are being decreased on the allotment and the maximum number of cattle on the allotment is being decreased to 90. The active use on the allotment is being reduced to 25 AUMs as described in the Lemhi RMP

Grazing for the next ten years under this decision will result in the allotment continuing to meet all of the applicable Idaho Standards for Rangeland Health. Riparian-wetlands do not exist on the Dump Allotment. Impacts to riparian and stream channels from livestock use on the allotment will not occur (EA Page 101). Impacts to water quality will not occur.

This decision will maintain or improve native plant community health within the next 3-5 years through changes in grazing management. The number of AUMs removed will be less than the current situation (-16.7%). There will be slight but detectable improvement on the Dump (5 fewer AUMs) Allotment. The improvement is not entirely due to the decrease in AUMs, but because livestock will no longer graze during the month of May, which comprises a large portion

of the CGP. The allotment is currently meeting and will continue to meet Standard 4 (EA Page 82).

The allotment is currently meeting Standard 8. Because there is no stream/riparian habitat or fish impacts, it will continue to meet the standard. There is no fish-bearing stream habitat on the allotment (EA Page 136). Nesting habitat for greater sage-grouse in the allotment is expected to continue to improve as additional young grass and shrub species continue to become established due to past changes in grazing management (EA Page 162), in addition the maximum AUMs that are authorized for utilization under this decision is 25, as compared to 30 under Alternative 2. Biologists on my staff have determined that this decision will have no effect to species listed under the ESA.

Free Strip #06301

Grazing Management:

The current 10-year term permit on the allotment has the following Mandatory and Other Terms and Conditions:

Permit	Number/Kind	Grazing Period	% Public Land	Active Use (AUM)s	Active AUMs	Suspended AUMs	Grazing Preference
A	158 Cattle	6/1-10/31	92%	731	728	310	1038

Other Terms and Conditions:

1. As provided in Title 43 Code of Federal Regulations (CFR) 4130.3-2(d), you are hereby required to submit a certified actual grazing use report within 15 days after completion of your annual grazing use. Failure to comply could result in the cancellation of your permit in whole or part.
2. Management of the allotment will continue to maintain or improve riparian communities found within the allotment, as well as, continue to achieve or make significant progress toward the Idaho Standards of Rangeland Health.
3. Use in the Free Strip Allotment will be limited to a maximum of four weeks, not to exceed 481 AUMs.
4. Free Strip Allotment can be used in conjunction with the USFS Grizzly Hill Allotment as a pasture, and will be rested in the rotation with the other four Grizzly Hill pastures in the Canyon Creek watershed. Free Strip will not be utilized more than three years out of four.
5. Unless permitted by the Authorized Officer, the west side of the Free Strip Allotment may be used for trailing only. Livestock are to stay on the Railroad Canyon Road, and shall not be left in this corridor during pasture changes.

The level of use over the last five years (actual use) has been:

Permit	Maximum Number/Kind	Maximum Grazing Period	Average Active Use
A	535 Cattle	6/19-7/24	487

My decision is to renew the grazing permit with a term of 10-years from March 1, 2012 to February 28, 2022 with the following Mandatory and Other Terms and Conditions for the Free Strip Allotment:

Permit	Maximum Number/Kind	Maximum Grazing Period	% Public Land	Active AUMs	Suspended AUMs	Grazing Preference
A	550 Cattle	6/1-10/31	79%	475	310	785

Other Terms and Conditions:

1. The Free Strip Pasture will not be grazed more than three years out of four.
2. Use in Free Strip and Bell Field Pastures will only occur between 6/1 and 7/15.
3. Livestock grazing in the Bell Field Pasture will not exceed 35 AUMs in a year.

Rationale:

As described in the EA (Page 36 and Appendix A), the Free Strip Allotment is currently meeting all applicable standards except for Standards 2 and 3, but significant progress is being made towards those standards. The health of the allotment as reflected in the CBT Watershed Assessment Report is the result of grazing management under the current grazing permit.

This decision for the Free Strip Allotment differs from the current grazing permit in the following manner: (1) The grazing period for cattle will remain the same, but the maximum number of cattle on the allotment will increase from 158 to 550, (2) The percent public land will be changed from 92 to 79 to reflect the proportion of AUMs authorized on BLM managed lands versus the AUMs available on State lands fenced with the BLM lands, (3) The Active use on the allotment will decrease from 728 AUMs to 475 AUMs, and (4) Livestock grazing in the Free Strip and Bell Field Pastures will only occur between 6/1 and 7/15 and the use in Bell Field will not exceed 35 AUMs per year.

I am increasing the maximum number of cattle from 158 to 550 to coincide with the maximum cattle allowed on the USFS allotment that the permittee also utilizes. While this will henceforth allow an additional 392 cattle on the allotment, the active use for the allotment is being decreased from 728 to 475 AUMs. This will force the permittee to limit the season of use; the permittee will not be able to graze the entire season of use if he turns out all 550 head. The permittee has only used approximately 487 AUMs on average over the last 5 years.

The long-term AUMs described in the Lemhi RMP for the Free Strip Allotment are 475. The change to percent public land numbers is the result of recalculating the AUMs available within the allotment with the reduction of BLM AUMs. In addition to the BLM managed public lands in the allotment the permittee also has a permit for 127 AUMs from State of Idaho lands.

By eliminating livestock grazing in the Bell Field and Free Strip Pastures after 7/15 the riparian community will have time during the growing season to recover from most of the impacts from livestock including bank trampling and vegetative removal. In addition, resting the Free Strip Pasture once every four years will allow a full season's growth of upland and riparian vegetation in the pasture. Streambank stability is expected to be maintained and improved due to early use and the heavily wooded nature of the channel, limiting livestock impacts to streambank stability.

Grazing for the next ten years under this decision will result in the allotment meeting, or making significant progress towards meeting, all applicable Idaho Standards for Rangeland Health. Riparian conditions are expected to be maintained or improved. Terms and Conditions on the permit are expected to improve riparian conditions on Canyon, Chippie, and Whiskey Springs Creeks. Resting the Freestrip Pasture one out of four years, early season grazing on Bell Field and Freestrip Pastures, and not exceeding 35 AUMs in the Bell Field Pasture are expected to increase riparian plant vigor and decrease bank trampling, and eventually increase deep-rooted riparian vegetation along Canyon, Chippie, and Whiskey Springs Creeks. Adding these Terms

and Conditions to the permit will maintain or improve wetland/riparian conditions and the allotment will continue to make significant progress toward meeting Standards 2 and 3 (EA Page 108).

This decision will maintain or improve native plant community health within the next 3-5 years through changes in grazing management. The number of Active AUMs authorized will be less than the current situation (-1.2%). Beneficial effects to native plant communities will occur, but will be difficult to detect in the short-term. The Freestrip Pasture will be rested 1 of every 4 years, which will benefit upland vegetation in that pasture. The allotment is currently meeting and will continue to meet Standard 4 (EA Page 82).

Grazing activities on the allotment have had limited impacts that influence water quality in Canyon Creek. The allotment has limited grazing on the stream segments listed as water quality-impaired in the Lemhi River TMDL (EA Page 128).

Livestock grazing will be limited to a maximum of 475 AUMs. Additionally, use will be limited in the Bell Field Pasture along upper Canyon Creek and the Freestrip Pasture will be rested once every four years. Grazing will occur early in the season in a similar fashion to the past ten years which has improved stream/riparian conditions. This will reduce potential fish habitat impacts. Due to the PFC/FAR conditions on the allotment and the limited grazing, impacts to fish habitat are expected to be minimal. Conditions are expected to be maintained or improved on Canyon Creek and the allotment will continue to meet, or make significant progress toward meeting, Standards 2, 3 and 8 related to fish and their habitats. As a result, it is likely that instream cover for fish will increase which will reduce predation on juvenile fish and reduce stress on juvenile and adult fish. Increased riparian vegetation will increase terrestrial macro invertebrate input to the stream and maintain cool water temperatures which will have the potential to increase fish growth and survival. Improved riparian condition will also result in decreased fine sediment input which will improve survival of incubating eggs. In addition, improved riparian condition creates velocity refuge areas for juveniles and adults during flood flows which will likely increase survival during high flow events.

Biologists on my staff have determined that this decision may affect, but is not likely to adversely affect Chinook salmon, their designated critical habitat, steelhead trout or bull trout. If this decision has an effect on those species, the effect will be through the impacts of cattle grazing on riparian vegetation or through introduction of sediment to tributaries of Canyon Creek through hoof action on streambanks. However, the effect is not likely to be adverse because the pasture with the streams will only be used prior to 7/15 allowing time for regrowth of riparian plants. NOAA and USFWS have concurred with this finding. Biologists on my staff have also determined that this decision will have no effect on Canada lynx, sockeye salmon or sockeye salmon, steelhead trout and bull trout designated critical habitat. This decision will have no adverse effect on Chinook salmon essential fish habitat.

Hawley Creek #06304

Grazing Management:

The current 10-year term permits on the allotment have the following Mandatory and Other Terms and Conditions:

Permit	Number/Kind	Grazing Period	% Public Land	Active Use (AUM)s	Active AUMs	Suspended AUMs	Grazing Preference
A	450 Cattle	6/1-6/1	100%	15	30	0	30
	450 Cattle	9/10-9/10	100%	15			
B	193 Cattle	5/15-6/30	100%	298	598	4	602
	193 Cattle	9/15-10/31	100%	298			

Other Terms and Conditions (A and B):

1. As provided in Title 43 Code of Federal Regulations (CFR) 4130.3-2(d), you are hereby required to submit a certified actual grazing use report within 15 days after completion of your annual grazing use. Failure to comply could result in the cancellation of your permit in whole or part.
2. Management of the allotment will continue to maintain or improve riparian communities found within the allotment, as well as, continue to achieve or make significant progress toward the Idaho Standards of Rangeland Health.

Other Terms and Conditions (A):

1. Livestock use will occur for trailing to and from the FS Hawley Creek C&H Allotment. Trailing use will not exceed the 30 permitted AUMs.

Other Terms and Conditions (B):

1. Cattle numbers in the Hawley Creek Allotment may be increased up to a maximum of 296 cattle for a maximum of 6 weeks (maximum 438 AUMs). Use on the allotment can occur in the spring or the fall as long as the use is within the permit dates. In the third year only fall use will be allowed unless authorized by the Authorized Officer.

The level of use over the last five years (actual use) has been:

Permit	Maximum Number/Kind	Maximum Grazing Period	Average Active Use
A	500 Cattle	6/1-9/8	15
B	252 Cattle	5/19-7/1	259

My decision is to renew the grazing permits with terms of 10 years from March 1, 2012 to February 28, 2022 with the following Mandatory and Other Terms and Conditions for the Hawley Creek Allotment:

Permit	Maximum Number/Kind	Maximum Grazing Period	% Public Land	Active AUMs	Suspended AUMs	Grazing Preference
A	316 Cattle	6/1-10/1	100%	30	0	30
B	300 Cattle	5/15-6/30	100%	438	4	442
	300 Cattle	9/15-10/31	100%			

Other Terms and Conditions (A):

1. Cattle will not be left on the allotment overnight; they will be actively trailed across the allotment.
2. Trailing will only occur in the Hawley Creek Pasture.
3. The two corrals at the mouth of the Hawley Creek Canyon can be used for two days to sort cattle.

Other Terms and Conditions (B):

1. Livestock grazing in the Eighteenmile Creek Pasture will not occur after 6/30.

2. The two corrals at the mouth of the Hawley Creek Canyon can be used for two days to sort cattle.

Rationale:

As described in the EA (Pages 36-37 and Appendix A), the Hawley Creek Allotment is currently not meeting Standards 2, 3, 4, 7 and 8. I have determined that the existing grazing management is not a significant causal factor for not meeting Standard 2, 3, 7 or 8. The failure to achieve Standard 7 is most likely due to grazing management on state and private lands and the road system. The failure to achieve Standards 2, 3 and 8 is due to private irrigation diversions dewatering streams. The allotment is making significant progress toward meeting Standard 4. The health of the allotment as reflected in the CBT Watershed Assessment Report is the result of grazing management under the current grazing permit.

This decision for the Hawley Creek Allotment differs from the current grazing permits in the following manner: (1) The grazing period for permit A will change from two days to 6/1-10/1 (though the cattle will only be allowed to cross the allotment during the time period, they will not be allowed on the allotment overnight); the grazing period for permit B will stay the same, (2) The maximum cattle on permit A will decrease from 450 to 316 and increase on Permit B from 193 to 300, (3) The Active AUMs on the allotment will remain the same for Permit A and decrease from 598 AUMs to 438 AUMs for permit B, though Permit B was held at 438 through a Term and Condition, and (4) Livestock grazing in the Eighteenmile Creek Pasture will not occur after 6/30.

I am changing the maximum grazing period on Permit A from a split season to an inclusive season because the permittee also grazes on an adjoining USFS managed allotment and private lands. The inclusive season allows more flexibility to adjust use on BLM as it relates to adjacent lands. Permittee A will not be permitted to leave the cattle on the allotment overnight but the permit allows him to move the herd across the allotment to the adjoining USFS and privately managed lands.

I am decreasing the maximum number of cattle for permit A and increasing the number for Permit B. While this will henceforth allow additional cattle on the allotment it will not result in a material change to the allotment since the AUMs on authorized on the allotment will stay the same. The result is that if the permittee choses to graze with more cattle, he will have to reduce the grazing period.

By eliminating livestock grazing in the Eighteenmile Creek Pasture after 6/30 the riparian community will have time during the growing season to recover from most of the impacts from livestock grazing including bank trampling and vegetative removal. This will assure that riparian habitat improves over time.

Grazing for the next ten years under this decision will result in the allotment continuing to meet, or make progress towards meeting, all of the applicable Idaho Standards for Rangeland Health, with the exception of Standards 2 (Riparian), 3 (Stream Channel), 7 (Water Quality) and 8 (Threatened and Endangered Plants and Animals), which will still be influenced by grazing management on private and state lands outside of the allotment, road, and private irrigation practices that limit the amount to water in Eighteenmile and Hawley Creeks. While Standard 4

is not being met with the Active AUMs and grazing period shown above, the allotment will continue to make significant progress towards meeting the standard as described in the EA.

Due to private irrigation diversions on Hawley Creek, the Hawley Creek Allotment will continue to not meet Standards 2 and 3 (EA Pages 104-105). Grazing Eighteenmile Creek only during the spring will increase riparian plant vigor and decrease bank trampling, and eventually increase deep-rooted riparian vegetation along the stream. Early season and fall use is expected to maintain or improve wetland/riparian conditions on the allotment, but it will continue to not meet Standards 2 and 3 due to private irrigation withdrawal on Hawley Creek (EA Page 110).

The Hawley Creek Allotment is currently not meeting Standard 4, but is making significant progress toward meeting the Standard because BLM grazing management was changed in 2007. The Hawley Creek Allotment is currently not meeting Standard 4, but is making significant progress toward meeting the Standard because BLM grazing management was changed in 2007. The allotment was rated as having a “slight-to-moderate” departure from the reference state for the RHA Biotic Attribute, meaning the allotment is producing slightly to moderately less of the kinds and amounts of vegetation expected (as described on the Ecological Site Descriptions). The AUMs under this decision will be approximately 75% of the long-term maximum authorized in the Lemhi RMP; current situation use is approximately 45% of what was authorized in the Lemhi RMP. It is expected that because the allotment is making significant progress towards Standard 4, and shows only a slight-to-moderate departure from the reference state, the use levels (less than those authorized under the Lemhi RMP) will not impact the future ability of the allotment to meet Standard 4. This is not only due to the findings of the RHA, but, compared to the current situation, cattle numbers will be reduced by 136 to a maximum of 616. The use period will be extended into the dormant season; use during this period will increase plant vigor, reproduction, and seedling establishment of key native species. Regular grazing use during the CGP (5/15-6/30) will be restricted to 300 cattle. Limited use (up to 30 AUMs) will occur in the Hawley Creek pasture from 6/1-10/31; this limited use will be for trailing of cattle only. The stocking rate under this decision will be 15.7 acres/AUM, a lower stocking rate than that authorized in the Lemhi RMP, as amended (EA Page 85).

Grazing activities on the Hawley Creek Allotment have had limited impacts that influence water quality in Eighteenmile Creek. The allotment has limited grazing on the stream segments listed as water quality-impaired in the Lemhi River TMDL (EA Pages 127-128). The dewatered segments of Hawley Creek will remain in Non-Functioning static condition due to irrigation withdrawal not related to BLM grazing management. The BLM has no discretion over this activity (EA Page 128).

The allotment will continue to not meet Standard 8 due to the irrigation withdrawal (EA Page 138). The dewatered segments of Hawley Creek will remain in Non-Functioning static condition due to irrigation. The BLM has no discretion over water being diverted (EA Page 138). No current use by ESA-listed anadromous fish species has been documented in any of the streams in the allotment. This is mostly due to barriers and dewatered segments Eighteenmile and Hawley creeks. It is unlikely that the BLM stream segments will provide for spawning and rearing of Chinook salmon or steelhead trout in the next ten years. It is unlikely that livestock grazing will have measureable impacts to adult spawning downstream in the Lemhi River. This is a result of

the small volume of each tributary as it is combined with the much larger volume of the Lemhi River (EA Page 138).

Fish and their habitats are expected to be maintained or improve on Eighteenmile and Hawley creeks. The upper portion of Hawley Creek on BLM above the diversion will continue to be in PFC with a thick riparian and a boulder controlled channel with very little cattle use. Due to the early season of use and limited fall grazing, the stream channels are expected to have a long recovery time after grazing and continue the upward trends and streambank stability under this decision. Additionally, grazing will not occur after June 30 in the Eighteenmile Creek Pasture along Eighteenmile Creek. Impacts are expected to result in the continuation of the maintenance or improvement of fisheries habitat; however private irrigation practices will prohibit Standards 2, 3, and 8 from being met (EA Pages 146-147).

Upland habitat will continue to improve in the Hawley Creek Allotment. Greater sage-grouse nesting habitat in the Hawley Creek Allotment is expected to continue to improve as additional young grass and shrub species continue to become established due to past changes in grazing management that will continue (EA Page 162). The Hawley Creek Allotment will continue providing poor riparian habitat along portions of the streams that are dewatered by private irrigation practices (EA Page 163).

Biologists on my staff have determined that this decision may affect, but is not likely to adversely affect Chinook salmon, steelhead trout, bull trout or their designated critical habitat. If this decision has an effect on those species, the effect will be through the impacts of cattle grazing on riparian vegetation or through introduction of sediment to Eighteenmile or Hawley Creeks through hoof action on streambanks. NOAA and USFWS have concurred with this finding. Biologists on my staff have also determined that this decision will have no effect on Canada lynx, sockeye salmon or sockeye salmon designated critical habitat or adverse effect on Chinook salmon essential fish habitat.

Jakes Canyon #06241

Grazing Management:

The current 10-year term permit on the allotment has the following Mandatory and Other Terms and Conditions:

Permit	Number/Kind	Grazing Period	% Public Land	Active Use (AUM)s	Active AUMs	Suspended AUMs	Grazing Preference
A	15 Cattle	5/15-7/15	100%	31	31	31	62

Other Terms and Conditions:

1. As provided in Title 43 Code of Federal Regulations (CFR) 4130.3-2(d), you are hereby required to submit a certified actual grazing use report within 15 days after completion of your annual grazing use. Failure to comply could result in the cancellation of your permit in whole or part.
2. The total active use is not to exceed 31 AUMs. Number of cattle on the allotment can be increased as long as the dates are decreased and the total number of cow/calf pairs does not exceed 40. This change will occur through the application process and will be approved by the Authorized Officer.

The level of use over the last five years (actual use) has been:

Permit	Maximum Number/Kind	Maximum Grazing Period	Average Active Use
A	21 Cattle	5/20-7/14	29

My decision is to renew the grazing permit with a term of 10-years from March 1, 2012 to February 28, 2022 with the following Mandatory and Other Terms and Conditions for the Jakes Canyon Allotment:

Permit	Maximum Number/Kind	Maximum Grazing Period	% Public Land	Active AUMs	Suspended AUMs	Grazing Preference
A	40 Cattle	5/20-7/15	100%	31	31	62

Other Terms and Conditions:

1. Livestock grazing of the South Pasture will be limited to a total of 9 AUMs and will not occur after 7/1.
2. If an adult steelhead or steelhead redd is found in the allotment, livestock will not be allowed in the South Pasture after 5/31 for that year in accordance with the *Biological Assessment for BLM Actions in the Canyon to Big Timber Watershed Assessment Area*.
3. In two out of three years, grazing of the North Pasture will not occur before 7/1.
4. After seeding, the allotment will not be grazed until bluebunch wheatgrass is established. Bluebunch will be considered established when the plants are well-rooted (not easily pulled out of ground by hand) and/or are producing reproductive stems. The seeding may require two or more growing seasons for establishment.

Rationale:

As described in the EA (Pages 37-38 and Appendix A), the Jakes Canyon Allotment is currently not meeting Standards 4 and 7. I have determined that the existing grazing management is not a significant causal factor for not meeting the standards. The failure to achieve Standard 7 is most likely due to grazing management on state and private lands and the road system. The failure to achieve Standard 4 is due to historic grazing management. The health of the allotment as reflected in the CBT Watershed Assessment Report is the result of grazing management under the current grazing permit.

This decision for the Jakes Canyon Allotment differs from the current grazing permit in the following manner: (1) The maximum cattle will increase from 15 to 40 and the grazing period will decrease from 5/15-7/15 to 5/20-7/15, (2) Livestock grazing in the South Pasture will not occur after 7/1 and will be limited to 9 AUMs, if steelhead are found in the allotment use in the pasture will not occur after 5/31, (3) The North Pasture will not be grazed before 7/1 in two out of three years, and (4) The allotment will be rested after seeding until bluebunch wheatgrass is established.

I am increasing the maximum number of cattle from 15 to 40 as applied for by the permittee. While this will henceforth allow an additional 25 cattle on the allotment it will not result in a material change to the allotment because the AUMs are only increasing slightly.

By eliminating livestock grazing in the South Pasture after 7/1 the riparian community will have time during the growing season to recover from most of the impacts from livestock including bank trampling and vegetative removal. In addition, if steelhead spawn in the pasture the cattle will be removed by 5/31 to eliminate any potential impacts to spawning fish. By deferring

grazing in the North Pasture until 7/1 in two out of three years upland vegetation will increase in vigor and density.

Grazing for the next ten years under this decision will result in the allotment continuing to meet all of the applicable Idaho Standards for Rangeland Health, with the exception of Standards 4 (Native Plant Communities) and 7 (Water Quality), which will still be influenced by grazing management on private and state lands outside of the allotment. Early season use is expected to improve riparian conditions on the allotment as compared to hot season grazing and continue to meet Standards 2 and 3 (EA Page 110).

Although the number of AUMs removed from the Jakes Canyon Allotment will be slightly higher (2 AUMs) than the current situation, vegetative health will still improve because of the aeration and seeding treatment and associated rest that will occur. The aeration, seeding, and rest will move the allotment towards meeting Standard 4 because it will increase the kinds and amounts of vegetation expected for the site; specifically, bluebunch wheatgrass and native forbs will increase. Additionally, the North Pasture will not be grazed before July 1st in two out of three years, which will reduce the amount of grazing that will occur during the CGP; beneficial effects to upland native plant communities will be readily apparent in this pasture. With a stocking rate of 17.6 acres/AUM (lower than the Lemhi RMP long-term stocking rate of 8 acres/AUM), delayed grazing in the North Pasture, the aeration, seeding and two years rest, the allotment will be expected to make significant progress toward meeting Standard 4 (EA Pages 83).

Grazing activities on the Jakes Canyon Allotments have had limited impacts that influence water quality in Canyon Creek. The allotment has grazing on the stream segment listed as water quality-impaired in the Lemhi River TMDL (EA Pages 127-128). Reduced grazing impacts to stream/riparian habitat and associated parameters are expected on Jakes Canyon from changes in management and permit Terms and Conditions limiting grazing during key seasons. Jakes Canyon will have Terms and Conditions to limit grazing to the early season. This is expected to improve water quality conditions by increasing streamside vegetative cover and bank stability, reducing erosion and sedimentation and decreasing water temperatures. The allotment is expected to continue to not meet Standard 7, but not due to BLM grazing management (EA Page 128).

Livestock will graze on Canyon Creek for less time and intensity. They will be off the riparian pasture by July 1 and use only 9 AUMs in that pasture. Habitat conditions are expected to be maintained and most likely improve over time. There is a small chance that grazing could damage spawning redds constructed by redband trout. Additionally, with migration barriers and flows restored in recent years on lower Canyon Creek, it is possible but not likely, that steelhead will use lower Canyon Creek and have similar spawning conflict potential as redband trout. Spawning redband and steelhead trout may be disturbed by cattle and abandon partially constructed redds, and incubating eggs within redds will be at risk of being trampled by cattle and killed. Conditions are expected to be maintained or improve on Canyon Creek and the allotment will continue to meet Standards 2, 3 and 8 related to fish and their habitats (EA Page 145).

Resting the Jakes Canyon Allotment will help improve the semi-desert shrubland habitat in that allotment. The nesting habitat for greater sage-grouse on the Jakes Canyon Allotment will improve with the rest of the allotment (EA Page 162).

Biologists on my staff have determined that this decision may affect, but is not likely to adversely affect Chinook salmon, steelhead trout, bull trout or their designated critical habitat. In their Biological Opinion NOAA determined that this decision was likely to adversely affect steelhead trout due to the possibility of cattle disturbing redds or adult steelhead during the spawning season. I have received a Take Statement for the potential effects of this decision on steelhead trout. NOAA and USFWS have concurred with the biologists on my staff on the determination for the other species. If this decision has an effect on those species, the effect will be through the impacts of cattle grazing on riparian vegetation or through introduction of sediment to Canyon Creeks through hoof action on the streambank. Biologists on my staff have also determined that this decision will have no effect on Canada lynx, sockeye salmon or sockeye salmon designated critical habitat or adverse effect on Chinook salmon essential fish habitat. Limiting the grazing period and use levels in the South Pasture where the stream/riparian habitat exists will maintain and improve habitat conditions for listed fish species and minimize take of steelhead trout.

Leadore #06302

Grazing Management:

The current 10-year term permit on the allotment has the following Mandatory and Other Terms and Conditions:

Permit	Number/Kind	Grazing Period	% Public Land	Active Use (AUM)s	Active AUMs	Suspended AUMs	Grazing Preference
A	22 Cattle	7/15-8/5	100%	16	30	20	50
	41 Cattle	6/16-7/15	34%	14			

Other Terms and Conditions:

1. As provided in Title 43 Code of Federal Regulations (CFR) 4130.3-2(d), you are hereby required to submit a certified actual grazing use report within 15 days after completion of your annual grazing use. Failure to comply could result in the cancellation of your permit in whole or part.
2. Management of the allotment will continue to maintain or improve riparian communities found within the allotment, as well as, continue to achieve or make significant progress toward the Idaho Standards of Rangeland Health.
3. Supplemental Feed is limited to salt, mineral, and/or energy/protein in block, granular, or liquid form. If used on Public Land, these supplements must be placed at least one-quarter (1/4) miles away from any riparian area, spring, stream, meadow, aspen stand, sensitive plant populations, playa, or water development located on Public Land unless variance is approved by the Authorized Officer.
4. Livestock grazing in the (North Pasture) will not occur until 2011. The season of use will not occur before July 15. Grazing Actual Use will not Exceed 16 AUMs.
5. Livestock grazing in the (South Pasture) and (Middle Pasture) will not occur after July 15th and will not exceed 14 AUMs total.

The level of use over the last five years (actual use) has been:

Permit	Maximum Number/Kind	Maximum Grazing Period	Average Active Use
A	48 Cattle	6/6-7/1	8

My decision is to renew a grazing permit with a term of 10-years from March 1, 2012 to February 28, 2022 with the following Mandatory and Other Terms and Conditions for the Leadore Allotment:

Permit	Maximum Number/Kind	Maximum Grazing Period	% Public Land	Active AUMs	Suspended AUMs	Grazing Preference
A	60 Cattle	6/16-8/5	29%	28	20	48

Other Terms and Conditions:

1. The North Pasture will not be grazed before July 15.

Range Improvement Projects:

In addition, my decision is to construct the following range improvement projects:

- Construct an enclosure fence to prevent cattle from accessing Big Timber Creek on BLM managed lands. The enclosure will be in the South Pasture and measure 1880 feet in length and exclude 3 acres from cattle grazing. The enclosure fence will be constructed of barbed wire and will follow the BLM/private boundary on the north and west sides.

Rationale:

As described in the EA (Pages 38-39 and Appendix A), the Leadore Allotment is currently meeting, or making significant progress toward meeting, all of the applicable Standards. The current health of the allotment is the result of grazing management under the current grazing permit.

This decision for the Leadore Allotment differs from the current grazing permit in the following manner: (1) The maximum cattle on the allotment will increase from 41 to 60, (2) The percent public land will be changed to 29, reflecting the allotment as a whole and not specific to pasture, to reflect the proportion of AUMs authorized on BLM managed lands versus the AUMs available on private lands fenced with the BLM lands, (3) The Active AUMs for the allotment will be decreased from 30 to 28, and (4) The Middle and South Pastures can be used at any time during the grazing period, not just before July 15th. In addition, constructing the *Big Timber Enclosure* will eliminate livestock impacts and improve ecological conditions of the riparian area.

I am increasing the maximum number of cattle to 60 as applied for by the permittee. While this will henceforth allow an additional 19 cattle on the allotment it will not result in a material change to the allotment because the AUMs are being decreased. The result is that if the permittee chooses to graze with more cattle, he will have to reduce the grazing period. Furthermore, during the sage-grouse nesting season and the critical growth period the number of AUMs authorized on the allotment will only be 1 AUM higher than under Alternative 2.

The change to percent public land numbers is the result of recalculating the AUMs available within the allotment with the reduction of BLM AUMs. In addition to the BLM managed public lands in the allotment the permittee also has 69 AUMs on private lands that he controls.

The impacts to riparian habitat are expected to improve on the short segment of lower Big Timber Creek with the implementation of the exclusion fence. Grazing will be eliminated on the stream/riparian habitat, giving the riparian plant community the ability to fully recover from livestock impacts including bank trampling and vegetative removal. Livestock will not have access to Big Timber Creek and the associated riparian area which is expected to result in an upward trend in conditions. The allotment will continue to make significant progress toward meeting Standards 2 and 3 (EA Page 112).

The Leadore Allotment is currently not meeting Standard 4, but is making significant progress toward meeting the Standard because BLM grazing management was changed in 2008. Two sites were evaluated during the RHA; the allotment was rated as having a “none-to-slight” and “slight-to-moderate” departure from the reference state for the RHA Biotic Attribute at the two sites. The AUMs will be the long-term maximum authorized in the Lemhi RMP; current use (existing situation) is approximately 25% of what was authorized in the Lemhi RMP. It is expected that because the allotment is making significant progress towards Standard 4, and shows only a none-to-slight and slight-to-moderate departure from the reference state, the use levels (2 AUMs fewer than the current permit) will not impact the future ability of the allotment to meet Standard 4. The grazing period will be delayed 10 days compared to the current situation, which will reduce impacts to upland vegetation during the CGP, depending on temperature and timing and amounts of precipitation. More grazing will occur outside the CGP under this decision than under the existing situation, which will help offset any impact from the increase in AUMs. The stocking rate under this decision will be 15 acres/AUM, a lower stocking rate than the average authorized in the Lemhi RMP, as amended (EA Page 85).

In the Leadore Allotment, fish and their habitats are expected to improve on the short segment of lower Big Timber Creek with the implementation of the exclusion fence. Grazing will be eliminated on the stream/riparian habitat, giving the riparian plant community the ability to fully recover from livestock impacts and decrease sedimentation and water temperatures. Livestock will not have access to Big Timber Creek and the associated riparian area which is expected to result in an upward trend in conditions and not adversely affect listed species or their habitat. The allotment is expected to continue to meet Standard 7 for livestock grazing management on public lands managed by the BLM (EA Page 128). Additionally, the allotment will continue to make significant progress toward meeting Standards 2, 3 and 8 (EA Page 148).

Upland habitat in the Leadore Allotment will continue to improve (EA Page 162). Nesting habitat for greater sage-grouse in the Leadore Allotment is expected to continue to improve as additional young grass and shrub species continue to become established due to past changes in grazing management that will continue (EA Page 162). Furthermore, during the sage-grouse nesting season the number of AUMs authorized on the allotment will only be 1 AUM higher than under Alternative 2. The *Big Timber Exclosure* will provide improved diversity and density of riparian habitat for migratory birds and small mammals that prefer that habitat (EA Page 164).

Biologists on my staff have determined that this decision will have no effect to species listed under the ESA.

Leadore Hill #06225
Grazing Management:

The current 10-year term permit on the allotment has the following Mandatory and Other Terms and Conditions:

Permit	Number/Kind	Grazing Period	% Public Land	Active Use (AUM)s	Active AUMs	Suspended AUMs	Grazing Preference
A	39 Cattle	5/16-7/31	94%	93	93	39	132

Other Terms and Conditions:

1. As provided in Title 43 Code of Federal Regulations (CFR) 4130.3-2(d), you are hereby required to submit a certified actual grazing use report within 15 days after completion of your annual grazing use. Failure to comply could result in the cancellation of your permit in whole or part.
2. BLM management of the allotment will continue to emphasize maintenance or improvement of riparian communities.
3. 21 AUMs will be held in temporary suspension due to the conversion from sheep to cattle. These AUMs may be adjusted to active if it is deemed appropriate by the authorized officer after three years.

The level of use over the last five years (actual use) has been:

Permit	Maximum Number/Kind	Maximum Grazing Period	Average Active Use
A	58 Cattle	5/13-7/31	83

My decision is to renew a grazing permit with a term of 10-years from March 1, 2012 to February 28, 2022 with the following Mandatory and Other Terms and Conditions for the Leadore Hill Allotment:

Permit	Maximum Number/Kind	Maximum Grazing Period	% Public Land	Active AUMs	Suspended AUMs	Grazing Preference
A	85 Cattle	5/15-6/30	91%	114	18	132

Other Terms and Conditions:

None for this allotment.

Rationale:

As described in the EA (Page 39 and Appendix A), the Leadore Hill Allotment is currently meeting all applicable Standards. The current health of the allotment is the result of grazing management under the current grazing permit. While the permittee did utilize the allotment with more cattle than permitted one year out of the five, the allotment is still meeting all applicable standards.

This decision for the Leadore Hill Allotment differs from the current grazing permit in the following manner: (1) The grazing period will change from 5/16-7/31 to 5/15-6/30 (a shorter season), (2) The maximum cattle will increase from 39 to 85, (3) The Active AUMs on the allotment will increase from 93 AUMs to 114 AUMs to reauthorize AUMs that were suspended when the allotment was converted from sheep to cattle, and (4) The percent public land will be changed to from 94 to 91 to reflect the proportion of AUMs authorized on BLM managed lands versus the AUMs available on private lands fenced with the BLM lands.

In 2005, the allotment was converted from sheep to cattle, at that time 21 AUMs were held in suspense as required by the Lemhi RMP. At this time the 21 AUMs are being returned to Active use, and will conform to the allocation established by the Lemhi RMP. I am also reducing the

maximum grazing period and increasing the maximum cattle numbers as applied for by the permittee. The change to percent public land numbers is the result of recalculating the AUMs available within the allotment. In addition to the BLM managed public land in the allotment the permittee has 11 AUMs on private land that he controls. However, this change will have no effect on resources, as it is merely an administrative issue and the same number of AUMs will be removed from the BLM managed public lands except for the additional 21 AUMs.

Early season use in the Leadore Hill Allotment is expected to maintain or improve riparian conditions because use will occur prior to June 30th. Early use on the allotment is expected to maintain or improve wetland/riparian conditions. The short segment of Little Timber Creek that is dewatered in the allotment will remain static but overall, the allotment will continue to meet Standards 2 and 3 (EA Page 113).

The Leadore Hill Allotment is currently meeting Standard 4 and was rated as having a “none-to-slight” departure from the reference for the RHA Biotic Attribute, meaning the allotment is producing the kinds and amounts of vegetation expected (as described on the ecological site descriptions). The 114 AUMs will be in conformance with those authorized in the Lemhi RMP; current use is 72% of what was authorized in the Lemhi RMP and the allotment is producing the kinds and amounts of vegetation expected for the sites. It is expected that because the allotment is meeting Standard 4, and shows little departure from the reference state, the long-term use levels authorized under the Lemhi RMP will not impact the ability of the allotment to meet Standard 4. The overall grazing season will change from 5/13-7/31 to 5/15-6/30, a reduction of 33 days. Grazing during the first approximate 1/3 of the CGP will not occur, which will be similar to the current situation, although there will be a delay of 2 days, providing a negligible benefit during the CGP. Because grazing will not occur during the entire CGP through and into the hot season, plants will be better able to fix carbon and will have an increased opportunity for successful reproduction as compared to the current condition where grazing will occur earlier in the CGP and well into the hot season. The stocking rate under this decision will be approximately 13 acres/AUM, a lower stocking rate than the average authorized in the Lemhi RMP, as amended (EA Page 85).

Fish and their habitats are expected to be maintained or improve on Big Timber and Little Timber Creeks. Slightly more cattle will be allowed on the allotment, but the season of use will be reduced to prior to June 30. Conditions are expected to remain in PFC because most of the grazing will take place in the upland habitat with off-site water away from the streams and the limited season of use. This will give the riparian community time during the growing season to recover from most of the impacts from livestock including bank trampling and vegetative removal. With no grazing use during the hot season, the riparian greenline condition will continue to remain in PFC. Streambank stability is expected to be maintained and improve due to early season use and the extensive woody vegetation. Due to the heavily wooded nature of the stream channels, livestock will have limited potential to impact streambank stability. The allotment will continue to meet Standards 2, 3 and 8 (EA Page 148).

Leadore Hill Allotment will continue to provide nesting habitat for greater sage-grouse but with reduced grass for cover which could lead to more sage-grouse nests or chicks being lost to predation (EA Page 163). Average utilization in the allotment in 2012 was light, and slight in the pasture with mapped sage-grouse nesting habitat. Even with the increased utilization that

will be authorized during the nesting season, utilization will not be more than moderate on the allotment.

Biologists on my staff have determined that this decision may affect, but is not likely to adversely affect Chinook salmon, steelhead trout, bull trout or their designated critical habitat. If this decision has an effect on those species, the effect will be through the impacts of cattle grazing on riparian vegetation or through introduction of sediment to Big or Little Timber Creeks through hoof action on streambanks. NOAA and USFWS have concurred with this finding. Biologists on my staff have also determined that this decision will have no effect on Canada lynx, sockeye salmon or sockeye salmon designated critical habitat or adverse effect on Chinook salmon essential fish habitat.

Leadville #06303

Grazing Management:

The current 10-year term permit on the allotment has the following Mandatory and Other Terms and Conditions:

Permit	Number/Kind	Grazing Period	% Public Land	Active Use (AUM)s	Active AUMs	Suspended AUMs	Grazing Preference
A	500 Cattle	5/10-5/31	100%	362	528	398	926
	500 Cattle	10/1-10/10	100%	164			

Other Terms and Conditions:

1. As provided in Title 43 Code of Federal Regulations (CFR) 4130.3-2(d), you are hereby required to submit a certified actual grazing use report within 15 days after completion of your annual grazing use. Failure to comply could result in the cancellation of your permit in whole or part.
2. Management of the allotment will continue to maintain or improve riparian communities found within the allotment, as well as, continue to achieve or make significant progress toward the Idaho Standards of Rangeland Health.
3. Supplemental Feed is limited to salt, mineral, and/or energy/protein in block, granular, or liquid form. If used on Public Land, these supplements must be placed at least one-quarter (1/4) miles away from any riparian area, spring, stream, meadow, aspen stand, sensitive plant populations, playa, or water development located on Public Land unless variance is approved by the Authorized Officer.
4. Livestock grazing will not occur in the Canyon Creek Pasture from October 1 – October 10.

The level of use over the last five years (actual use) has been:

Permit	Maximum Number/Kind	Maximum Grazing Period	Average Active Use
A	535 Cattle	5/6-6/30	415

My decision is to renew a grazing permit with a term of 10-years from March 1, 2012 to February 28, 2022 with the following Mandatory and Other Terms and Conditions for the Leadville Allotment:

Permit	Maximum Number/Kind	Maximum Grazing Period	% Public Land	Active AUMs	Suspended AUMs	Grazing Preference
A	500 Cattle	5/1-9/30	96%	528	398	926

Other Terms and Conditions:

1. Livestock grazing will only occur in the Canyon Creek Pasture from May 1 to May 31 with a maximum of 115 AUMs.
2. The Lower Pasture of the allotment will not be grazed, except for trailing, until 2013 to allow establishment of the Leadville seeding.

Range Improvement Projects:

In addition, my decision is to construct the following range improvement projects:

- Relocate the *Rocky Canyon Fence* approximately 0.5 miles to the west; the new fence will be approximately 0.75 miles in length. The existing southern pasture division fence (0.5 mi) will be removed.

Rationale:

As described in the EA (Page 40 and Appendix A), the Leadville Allotment is currently not meeting Standards 2, 3, 4, 7 and 8. I have determined that the existing grazing management is not a significant causal factor for not meeting Standards 2, 3, 7 or 8. The failure to achieve Standard 7 is most likely due to grazing management on state and private lands. The failure to achieve Standards 2, 3 and 8 is due to private irrigation diversions dewatering streams. The allotment was seeded in 2010 and is now making significant progress toward meeting Standard 4.

This decision for the Leadville Allotment differs from the current grazing permit in the following manner: (1) The grazing period will change from a split period of 5/10-5/31 and 10/1-10/10 to an inclusive period of 5/1-9/30, (2) The percent public land will be changed to from 100 to 96 to reflect the proportion of AUMs authorized on BLM managed lands versus the AUMs available on State lands fenced with the BLM lands, and (3) The Lower Pasture will not be grazed until 2013 to allow establishment of the Leadville Seeding.

I am changing grazing management from a split season to an inclusive season because the permittee also grazes on an adjoining USFS managed allotment and private lands. The inclusive season allows more flexibility to adjust use on BLM as it relates to adjacent lands. While this will henceforth allow grazing from 6/1 to 9/30, a period in which the allotment was previously closed to grazing, it will not result in a material change to the allotment because the later use will be during the dormant season for upland grasses which will be a benefit to the vegetation and subsequently wildlife using the allotment. As noted above, the primary reason for the change to an inclusive season is flexibility while working with adjacent land managers. Also, it is important to note that AUMs are not being increased on the allotment. The result is that even if the permittee chose to graze between 6/1 and 9/30, he will have to substantially reduce numbers or not graze at other times.

The change to percent public land numbers is the result of recalculating the AUMs available within the allotment. In addition to the BLM managed public land in the allotment the permittee also has a permit for 22 AUMs from State of Idaho managed land and 1 AUM on private land that he controls. However, this change will have no effect on resources, as it is merely an administrative issue and the same number of AUMs will be removed from the BLM managed public lands.

Due to private irrigation diversions on Hawley Creek, the Leadville Allotment will continue to not meet Standards 2 and 3 (EA Page 105). The Leadville Allotment is expected to maintain or improve riparian conditions because grazing in the Canyon Creek Pasture will only occur from May 1st until May 31st with a lower maximum number of AUMs authorized. Early season use is expected to improve riparian conditions on the allotment as compared to hot season grazing, but continue to not meet Standards 2 and 3 due to private irrigation withdrawal on Hawley Creek (EA Page 110).

Although the Leadville Allotment was not meeting Standard 4 at the time of the determination (not due to current livestock management), the 2010 Leadville vegetation treatment project and associated rest is helping the allotment make significant progress toward meeting the Standard. The allotment was rated as having a “moderate” departure from the reference state for the RHA Biotic Attribute, meaning the allotment was producing moderately less of the kinds and amounts of vegetation expected (as described on the ecological site descriptions). The AUMs will be approximately 93% of the long-term maximum authorized in the Lemhi RMP; current use is approximately 73% of what was authorized in the Lemhi RMP. It is expected that because the allotment is now making significant progress towards Standard 4, the use levels (less than the long-term AUMs authorized under the Lemhi RMP) will not impact the future ability of the allotment to meet Standard 4. Compared to the current situation, cattle numbers will be reduced by 35 to a maximum of 500 and the use period will be extended by three months; this will allow for less use during the CGP, which will benefit upland vegetation. Limited early season use (a maximum of 115 AUMs from 5/1-5/31) in the Canyon Creek Pasture will benefit upland vegetation by reducing the amount of biomass removed during the period of most active growth and susceptibility to water deficit. Under this decision, the stocking rate will be 12.3 acres/AUM, a stocking rate below the average long-term stocking rate described in the Lemhi RMP, as amended (EA Pages 85-86).

The *Rocky Canyon Fence Relocation* will have negligible effects to native vegetation in the allotment because the area is currently grazed as a part of another pasture. Vegetation impacts will be mainly due to fence removal and relocation effects (EA Page 88). The new location of the fence will allow cattle access to the creek from both pastures, for better management on the riparian and upland vegetation.

Grazing activities on the Leadville Allotment have had limited impacts that influence water quality in Canyon Creek. The allotment has had limited grazing on the stream segment listed as water quality-impaired in the Lemhi River TMDL (EA Pages 126-127). The dewatered segments of Hawley Creek will remain in Non-Functioning static condition due to irrigation withdrawal not related to BLM grazing management. BLM has no discretion over this activity. The allotment is currently not meeting Standard 7 due to irrigation withdrawal and is expected to continue to not meet the standard (EA Page 128).

Reduced grazing impacts to stream/riparian habitat and associated parameters are expected on the allotment from changes in management and permit Terms and Conditions limiting grazing during key seasons. Leadville will have Terms and Conditions to limit grazing to the early season. This is expected to improve water quality conditions by increasing streamside vegetative cover and bank stability, reducing erosion and sedimentation and decreasing water temperatures (EA Page 129).

The Leadville Allotment is not meeting Standard 8 due to irrigation withdrawal and is expected to continue to not meet the standard (EA Page 145). Livestock grazing on Canyon Creek will only be permitted until May 31 with a maximum of 115 AUMs. The additional use will occur on the remainder of the allotment on upland habitat. Early season use on the Canyon Creek Pasture and the stream/riparian habitat will maintain PFC. Conditions are expected to be maintained or improved on Canyon Creek; however the allotment will continue to not meet Standards 2, 3 and 8 related to fish and their habitats due to private irrigation practices (EA Page 145).

Upland habitat will continue to improve in the Leadville Allotment (EA Page 161). Nesting habitat for greater sage-grouse in the Leadville Allotment is expected to continue to improve as additional young grass and shrub species continue to become established due to past changes in grazing management that will continue and the seeding in the Leadville Allotment (EA Page 162). The increase in grass and forbs will improve both cover and foraging habitat for sage-grouse. The Leadville Allotment will continue providing poor riparian habitat along portions of the streams that are dewatered by private irrigation practices (EA Page 162).

The new fence could be used by birds of prey to hunt from and may pose a strike hazard to upland game birds, such as the greater sage-grouse, especially during movement to and from leks or during periods where migratory movements are most likely to occur. The fences will be flagged to help reduce the risk of collision by wildlife species, including greater sage-grouse. The *Rocky Canyon Fence Relocation* will be within 1.25 miles of a known greater sage-grouse lek. The fence to be removed is also within 1.25 miles of the same lek. The new fence will be easier for big game to pass over or under and will have fewer wires for greater sage-grouse to strike than the existing fence (EA Page 164).

Biologists on my staff have determined that this decision may affect, but is not likely to adversely affect Chinook salmon, steelhead trout, bull trout or their designated critical habitat. In their Biological Opinion NOAA determined that this decision was likely to adversely affect steelhead trout due to the possibility of cattle disturbing redds or adult steelhead during the spawning season; I have received a Take Statement for the potential effects of this decision on steelhead trout. NOAA and USFWS have concurred with my biologist's determination for the other species. If this decision has an effect on those species, the effect will be through the impacts of cattle grazing on riparian vegetation or through introduction of sediment to Canyon Creeks through hoof action on the streambank. Biologists on my staff have also determined that this decision will have no effect on Canada lynx, sockeye salmon or sockeye salmon designated critical habitat or adverse effect on Chinook salmon essential fish habitat. Changing the grazing period and limiting AUMs in the Canyon Creek Pasture will improve stream/riparian habitat for listed fish species and minimize take of listed steelhead trout.

Nez Perce #06317

Grazing Management:

The current 10-year term permits on the allotment have the following Mandatory and Other Terms and Conditions:

Permit	Number/Kind	Grazing Period	% Public Land	Active Use (AUMs)	Active AUMs	Suspended AUMs	Grazing Preference
A	125 Cattle	5/20-10/1	26%	144	144	119	263
B	600 Cattle	5/20-5/31	26%	62	833	687	1520
	750 Cattle	6/1-9/29	26%	776			

Other Terms and Conditions:

1. As provided in Title 43 Code of Federal Regulations (CFR) 4130.3-2(d), you are hereby required to submit a certified actual grazing use report within 15 days after completion of your annual grazing use. Failure to comply could result in the cancellation of your permit in whole or part.
2. The allotments shown on this permit shall meet the requirements as described in 43 CFR subpart 4180—Fundamentals of Rangeland Health and the Standards and Guidelines for grazing administration. Any changes in management will be based upon the resource evaluations and analysis as scheduled and completed by the area manager.

The level of use over the last five years (actual use) has been:

Permit	Maximum Number/Kind	Maximum Grazing Period	Average Active Use
A	94 Cattle	5/24-9/10	76
B	536 Cattle	5/24-9/10	433

My decision is to renew two grazing permits with terms of 10-years from March 1, 2012 to February 28, 2022 with the following Mandatory and Other Terms and Conditions for the Nez Perce Allotment:

Permit	Maximum Number/Kind	Maximum Grazing Period	% Public Land	Active AUMs	Suspended AUMs	Grazing Preference
A	142 Cattle	5/20-10/1	11%	69	119	188
B	722 Cattle	5/20-10/1	15%	397	687	1084

Other Terms and Conditions:

None for this allotment.

Rationale:

As described in the EA (Pages 40-41 and Appendix A), the Nez Perce Allotment is currently not meeting Standards 7 and 8. I have determined that the existing grazing management is not a significant causal factor. The failure to achieve standards is most likely due to grazing management on private lands for Standard 7 and private irrigation diversion dewatering Deer Creek for Standard 8 in relation to bull trout.

This decision for the Nez Perce Allotment differs from the current grazing permits in the following manner: (1) The grazing period will now be 5/20 to 10/1 for both permits and the maximum cattle on the allotment will decrease from 875 to 864, (2) the Active AUMs on the allotment will decrease from 977 to 466, and (3) The percent public land will be changed from 26 on both permits to 11 on one permit and 15 on the other to reflect the proportion of AUMs authorized on BLM managed lands versus the AUMs available on private and State lands fenced with the BLM lands.

I am changing the maximum grazing period so that both permits have the same period and the maximum number of cattle on the allotment will be decreased to 864. The Active AUMs on the allotment are also being decreased from 977 to 466.

The long-term AUMs described in the Lemhi RMP for the Nez Perce Allotment are 466, though the AUMs on the permit have remained at the active level at the time of the RMP. The change to percent public land numbers is the result of recalculating the AUMs available within the allotment due to the reduced BLM active use. In addition to the BLM managed public land in the allotment the permittees also have permits for the State of Idaho managed land and AUMs on private land that they control. However, this change will have no additional effect on resources, as it is merely an administrative issue and only 466 AUMs will be removed from the BLM managed public lands.

In the previous five years, cattle have been rotated in the Nez Perce Allotment to minimize use on Texas Creek. Most of the riparian habitat on the allotment is on private land with only about 15% of Texas Creek on public lands managed by the BLM. Riparian conditions are expected to be maintained and potentially improved over current conditions. The use levels will be much less of an impact on the public lands managed by the BLM. The reduced number of cattle and AUMs are expected to maintain the PFC riparian conditions in the allotment. The allotment wetland/riparian habitat are expected to improve and the allotment will continue to meet Standards 2 and 3 (EA Page 112).

Native plant community health will maintain or improve within the next 3-5 years through changes in grazing management. The number of AUMs authorized will be less than the current situation (-8.4%). Beneficial effects to native plant communities will occur, but will be difficult to detect in the short-term. There will be slight but detectable improvement on the Nez Perce (43 fewer AUMs) Allotment. The allotment is currently meeting and will continue to meet Standard 4 (EA Page 82).

Grazing activities on the Nez Perce Allotment have had limited impacts that influence water quality in Texas Creek. The allotment has had limited grazing on the stream segment listed as water quality-impaired in the Lemhi River TMDL (EA Page 127). The allotment is currently not meeting Standard 7 due to irrigation withdrawal and is expected to continue to not meet the standard (EA Page 128).

The allotment is not meeting Standard 8 due to irrigation withdrawal on Deer Creek and is expected to continue to not meet the standard (EA Page 136). The impacts to fish and their habitat are expected to be maintained or improve on Texas Creek (EA Page 148). Decreased use could slightly increase survival of juvenile and adult fish over current conditions. Use on the riparian shrub community could decrease along Texas Creek and enhance the riparian shrub community, increase shading and instream cover and decrease erosion and sedimentation to the stream channel which will decrease fine sediment in the substrate. Overall, the public lands managed by the BLM have received light to moderate grazing in a pasture rotation system that has maintained PFC. The allotment will continue to meet Standards 2 and 3 and will continue to not meet Standard 8 due to private irrigation practices on Deer Creek (EA Page 148).

Biologists on my staff have determined that this decision may affect, but is not likely to adversely affect Chinook salmon, steelhead trout, bull trout or their designated critical habitat. NOAA and USFWS have concurred with this finding. If this decision has an effect on those species, the effect will be through the impacts of cattle grazing on riparian vegetation or through introduction of sediment to Texas Creek through hoof action on the streambank. Biologists on my staff have also determined that this decision will have no effect on Canada lynx, sockeye salmon or sockeye salmon designated critical habitat or adverse effect on Chinook salmon essential fish habitat.

Powderhorn #06307

Grazing Management:

The current 10-year term permits on the allotment have the following Mandatory and Other Terms and Conditions:

Permit	Number/Kind	Grazing Period	% Public Land	Active Use (AUM)s	Active AUMs	Suspended AUMs	Grazing Preference
A	350 Cattle	4/15-5/1	96%	188	4212	3065	7277
	37 Cattle	5/1-12/12	96%	264			
	625 Cattle	5/1-6/30	96%	1203			
	782 Cattle	7/1-7/15	96%	370			
	734 Cattle	7/16-7/31	96%	371			
	635 Cattle	8/1-9/15	96%	922			
B	332 Cattle	9/16-12/10	96%	901	802	592	1394
	200 Cattle	6/16-9/15	100%	605			
	200 Cattle	11/1-11/30	100%	197			

Other Terms and Conditions:

1. As provided in Title 43 Code of Federal Regulations (CFR) 4130.3-2(d), you are hereby required to submit a certified actual grazing use report within 15 days after completion of your annual grazing use. Failure to comply could result in the cancellation of your permit in whole or part.
2. BLM management of the allotment will continue to emphasize maintenance or improvement of riparian communities.

The level of use over the last five years (actual use) has been:

Permit	Maximum Number/Kind	Maximum Grazing Period	Average Active Use
A	552 Cattle	4/21-12/13	1963
B	159 Cattle	5/20-12/16	656

My decision is to renew two grazing permits with terms of 10-years from March 1, 2012 to February 28, 2022 with the following Mandatory and Other Terms and Conditions for the Powderhorn Allotment:

Permit	Maximum Number/Kind	Maximum Grazing Period	% Public Land	Active AUMs	Suspended AUMs	Grazing Preference
A	782 Cattle	4/15-12/12	80%	2954	3065	6019
B	200 Cattle	4/15-12/12	97%	563	592	1155

Other Terms and Conditions:

1. The Clear Creek Pasture will be grazed for a maximum of 3 weeks and no grazing will occur after 8/15 in the pasture.

2. If in-season monitoring on any key area in the Clear Creek Pasture finds >15% alteration or <6" of stubble height livestock will be removed from the pasture for the rest of the season in accordance with the *Biological Assessment for BLM Actions in the Canyon to Big Timber Watershed Assessment Area*.

Range Improvement Projects:

In addition, my decision is to construct the following range improvement projects:

- Construct a pipeline approximately four miles long. Three troughs will be installed with one being placed in the Steer Pasture, one in the Center Field Pasture, and one in the 18 Mile Flat Pasture. The landowner at the point of diversion will transfer a 0.02 cubic foot per second water right to the BLM. The BLM will obtain an easement from the landowner for the portion of pipeline crossing the private land, approximately 7,500 feet.
- Remove the current fence (approximately 0.3 miles) on the south side of the 18 Mile Flat Pasture and construct a new 0.3 mile barbed wire fence to the north of the existing fence. The cattleguard will also be moved from its present location and reinstalled where the new fence will meet the road.
- Construct a new 0.5 mile fence in the Clear Creek Pasture. The new fence will include 0.1 mile of barbed wire fence that will be constructed to the north of the existing fence. The new fence will prevent cattle from accessing Clear Creek from the Winter Range Pasture. The rest of the fence, crossing Clear Creek and along the road will be constructed of wooden jack and/or post and poles.

Rationale:

As described in the EA (Pages 41-42 and Appendix A), the Powderhorn Allotment is currently not meeting Standards 2, 3, 7 or 8. I have determined that existing grazing management is a significant factor in not achieving Standards 2, 3 and 8. The failure to achieve Standard 7 is most likely due to grazing management on private and state lands and the road system.

This decision for the Powderhorn Allotment differs from the current grazing permits in the following manner: (1) The maximum grazing period for both permits will be changed to 4/15-12/12, (2) The percent public land will be changed from 96% to 80% on permit A and 100% to 97% on Permit B, to reflect the proportion of AUMs authorized on BLM managed lands versus the AUMs available on State and private lands fenced with the BLM lands, (3) The Active Use on the allotment will decrease from 5014 AUMs to 3,517 AUMs, (4) Livestock grazing in the Clear Creek Pasture will not occur after 8/15 and will not exceed three weeks, and (5) If utilization on key areas within the Clear Creek Pasture leads to more than 15% alteration or less than 6" of stubble height cattle will be removed from the pasture for the rest of the season. Note that AUMs will increase by 898 compared to what the permittees have actually used over the last 5 years.

I am adjusting the maximum grazing period so that both permits have the same period for easier coordination on the allotment. The Active AUMs on the allotment are being reduced to 3,517 AUMs as described in the Lemhi RMP. If monitoring during the season finds > 15% alteration or <6" of stubble height at key areas in the Clear Creek Pasture the cattle will be removed from that pasture for the rest of the grazing period. This will further assure that riparian habitat improves over time.

The change to percent public land numbers is the result of recalculating the AUMs available within the allotment with the reduction of BLM AUMs. In addition to the BLM managed public lands in the allotment one permittee has a permit for 183 AUMs from State of Idaho lands and 561 AUMs on private lands that he controls.

On the Powderhorn Allotment, riparian conditions are expected to improve. The Terms and Conditions on the permit and projects are expected to improve riparian conditions on Clear, Eighteenmile, Poison, and upper Tenmile Creeks. The *Clear Creek Division Fence* will be constructed to keep livestock off of the spring complex riparian-wetland area on Clear Creek during the winter months to protect riparian habitat. The Clear Creek Pasture will also be modified with the new fence, and use limited to three weeks with an off date of August 15th. The limited use in Clear, Poison, and upper Tenmile Creeks is expected to increase riparian plant vigor and decrease bank trampling, and eventually increase deep-rooted riparian vegetation. The Eighteenmile water gap at McFarland Boulevard will also be fenced to prevent cattle from accessing Eighteenmile Creek from the allotment. Excluding cattle is expected to improve riparian-wetland conditions on this segment of Eighteenmile Creek. The Terms and Conditions and improvement projects will improve riparian conditions on the allotment, and make significant progress toward meeting Standards 2 and 3 (EA Page 111).

The Powderhorn Allotment is currently meeting Standard 4. At the time of the RHA, the assessment sites were rated as having a “none-to-slight”, “slight-to-moderate” and “moderate” departure from a reference for the Biotic Attribute. The “slight to moderate” departure was due to a lower than expected amount of bluebunch wheatgrass, although it was noted that forb abundance and diversity was high and prairie Junegrass, a perennial native grass, cover was 14%. The “moderate” departure at the third site was due to a crested wheatgrass seeding that was implemented in the 1960’s. The AUMs will be 34% above those utilized over the last 5 years. The stocking rate will be 9.3 acres/AUM and will allow the allotment to continue to meet Standard 4. The *18 Mile Pipeline* will provide water sources in the Steer, Center Field, and 18 Mile Flat Pastures, which will increase use in these pastures. The impacts will be greater than they have been under the current condition as water has been a limiting factor in the distribution of cattle into these areas. The number of AUMs will be in conformance with those long-term AUMs authorized in the Lemhi RMP. Under this decision, the stocking rate will be 9.3 acres/AUM, a stocking rate just below the average long-term stocking rate described in the Lemhi RMP, as amended (EA Page 86).

The *Clear Creek Division Fence*, located at the mouth of Clear Creek, will prevent cattle from accessing the Clear Creek Springs area after June 15. Negligible effects will occur to upland native plant communities because the fence will not exclude upland areas from grazing; trailing impacts could occur along the fence line (EA Page 88).

Grazing activities on the Powderhorn Allotment have had limited impacts that influence water quality in Eighteenmile Creek. The allotment has had limited grazing on the stream segments listed as water quality-impaired in the Lemhi River TMDL (EA Pages 127-128). The dewatered segments of Tenmile and Clear creeks will remain in Non-Functioning static condition due to irrigation withdrawal not related to BLM grazing management. BLM has no discretion over this activity. The allotment is currently not meeting Standard 7 due to irrigation withdrawal and is expected to continue to not meet the standard (EA Page 128). Reduced grazing impacts to

stream/riparian habitat and associated parameters are expected on Powderhorn Allotment from changes in management and permit Terms and Conditions limiting grazing during key seasons (EA Page 129).

The fence and enclosure proposals will have no adverse effect on water quality. The fences built in the Powderhorn Allotment will benefit water quality by reducing grazing impacts. This will include maintaining/improving vegetative cover and decreasing bank trampling. This is expected to increase water quality conditions by increasing streamside vegetative cover, increasing bank stability, reducing erosion and sedimentation and decreasing water temperatures. For excluded areas, grazing will be eliminated on the stream/riparian habitat, giving the riparian plant community the ability to fully recover from livestock impacts and decrease sedimentation and water temperatures (EA Page 130).

Fish and their habitats are expected to be maintained or improve on Eighteenmile and Clear Creeks. With the fence along Eighteenmile Creek, livestock will no longer have access to the stream/riparian habitat and conditions will improve and move toward PFC. Due to the PFC conditions on Clear Creek below the private mine site and the light grazing, impacts are expected to be minimal on habitat and key indicators and not adversely affect listed species or their habitat. With regard to bull trout and habitat, use in the Clear Creek Pasture (the majority of the stream on BLM) will be limited to a maximum of three weeks and no grazing after August 15 to ensure no conflicts with spawning bull trout. The remainder of the free-flowing stream on BLM will be fenced out of the Winter Range Pasture and not allow livestock access to the stream. With the fence along Clear Creek and the reduced time and earlier season for the upper reaches, conditions are expected to rapidly improve and provide suitable habitat conditions for fish. The allotment will make significant progress toward meeting Standards 2, 3 and 8. As a result, it is likely that instream cover for fish will increase which will reduce predation on juvenile fish and reduce stress on juvenile and adult fish. Increased riparian vegetation will also be likely to increase terrestrial macro invertebrate input to the stream and maintain cool water temperatures which will have the potential to increase fish growth and survival. Improved riparian condition will also result in decreased fine sediment input which will improve survival of incubating eggs. Also, improved riparian condition will create velocity refuge areas for juveniles and adults during flood flows which will likely increase survival during high flow events (EA Page 147).

Riparian habitat will improve in the Powderhorn Allotment (EA Page 162). Nesting habitat for greater sage-grouse in the Powderhorn Allotment will remain marginal due to the lack of forb diversity and canopy in the crested wheatgrass seeding. The portion of the Powderhorn Allotment dominated by short statured sagebrush will continue to be marginal habitat based on sagebrush heights. Portions of the Powderhorn Allotment will continue to provide nesting habitat for greater sage-grouse but with reduced grass for cover which could lead to more sage-grouse nests or chicks being lost to predation (EA Page 162). Utilization of the allotment in 2012 was light in all pastures and within pastures with sage-grouse nesting habitat. With the increase in authorized AUMs utilization will increase but will remain at a moderate level.

The new fences could be used by birds of prey to hunt from and may pose a strike hazard to upland game birds, such as the greater sage-grouse, especially during movement to and from leks or during periods where migratory movements are most likely to occur. The *Clear Creek Division Fence* (less than a half mile) could be a harder fence for big game to move through

given the location between the road and the stream, but will be constructed of wood to prevent wildlife from becoming ensnared as they might with a wire fence (EA Pages 164).

The *18 Mile Flat Fence Relocation* will increase the size of the enclosure on Eighteenmile Creek which will improve riparian habitat for wildlife; in addition the fence will be moved from the riparian to the adjacent semi-desert shrubland habitat, which will make it easier for wildlife to move through because of the conversion from a four strand to a three strand (EA Page 164).

Wildlife could be displaced during the construction phases of the projects. There could be a slight effect on habitat due to weed expansion, though weeds will continue to be treated in the area. There will be removal of vegetation around the troughs resulting in a loss of native, upland habitat. The troughs will lead to a change in the grazing patterns in the allotment. In the Powderhorn Allotment, the troughs will move use to the south, decreasing the amount of grazing that occurs near greater sage-grouse leks and the surrounding nesting habitat. The troughs will provide a potential for small mammals and birds to drown, however small animal escape ramps will be placed in all troughs to allow the animals a method for escape (EA Page 165).

Biologists on my staff have determined that this decision may affect, but is not likely to adversely affect bull trout or the designated critical habitat for Chinook salmon or steelhead trout. The USFWS and NOAA have concurred with this determination. If this decision has an effect on those species, the effect will be through the impacts of cattle grazing on riparian vegetation or through introduction of sediment to Eighteenmile Creek, or its tributaries, through hoof action on streambanks. However, the effect is not likely to be adverse because the Clear Creek Pasture will only be used prior to 8/15 allowing time for regrowth of riparian plants. In addition, the cattle will be removed from the pasture if utilization results in more than 15% alteration or less than 6” of stubble height at the key areas. This decision will have no effect on Canada lynx, Chinook salmon, steelhead trout, sockeye salmon, sockeye salmon designated critical habitat or bull trout designated critical habitat. This decision will have no adverse effect on Chinook salmon essential fish habitat.

Purcell Creek #06316

Grazing Management:

The current 10-year term permit on the allotment has the following Mandatory and Other Terms and Conditions:

Permit	Number/Kind	Grazing Period	% Public Land	Active Use (AUM)s	Active AUMs	Suspended AUMs	Grazing Preference
A	21 Cattle	5/1-6/30	50%	21	28	0	28

Other Terms and Conditions:

1. As provided in Title 43 Code of Federal Regulations (CFR) 4130.3-2(d), you are hereby required to submit a certified actual grazing use report within 15 days after completion of your annual grazing use. Failure to comply could result in the cancellation of your permit in whole or part.
2. The allotments shown on this permit shall meet the requirements as described in 43 CFR subpart 4180—Fundamentals of Rangeland Health and the Standards and Guidelines for grazing administration. Any changes in management will be based upon the resource evaluations and analysis as scheduled and completed by the area manager.

The level of use over the last five years (actual use) has been:

Permit	Maximum Number/Kind	Maximum Grazing Period	Average Active Use
A	235 Cattle	6/1-6/16	19

My decision is to renew a grazing permit with a term of 10-years from March 1, 2012 to February 28, 2022 with the following Mandatory and Other Terms and Conditions for the Purcell Creek Allotment:

Permit	Maximum Number/Kind	Maximum Grazing Period	% Public Land	Active AUMs	Suspended AUMs	Grazing Preference
A	200 Cattle	5/1-6/30	100%	28	0	28

Other Terms and Conditions:

None for this allotment.

Rationale:

As described in the EA (Pages 42-43 and Appendix A), the Purcell Creek Allotment is currently meeting all of the applicable Standards. The current health of the allotment is the result of grazing management under the current grazing permit.

My decision for the Purcell Creek Allotment differs from the current grazing permit in the following manner: (1) The maximum cattle on the allotment will increase from 21 to 200, and (2) The percent public land will be change from 50 to 100 as the non-BLM managed forage has been fenced out of the allotment.

I am increasing the maximum number of cattle from 21 to 200 as applied for by the permittee. While this will henceforth allow more cattle on the allotment, it is important to note that AUMs are not being increased on the allotment. The result is that if the permittee chose to graze with more cattle he will have to decrease the grazing period.

The change to percent public land numbers is the result of recalculating the AUMs available within the allotment. Private land was fenced in with the allotment in the past, which is no longer the case.

Riparian-wetlands do not exist on the Purcell Creek Allotment. Impacts to riparian and stream channels from livestock use on the allotment will not occur (EA Page 105).

The Purcell Creek Allotment is meeting Standard 4; the allotment was rated as having a “none-to-slight” departure for the Biotic Attribute in the RHA. The stocking rate will be 22.8 acres/AUM. Although AUMs will be increased by 47.4% compared to the current situation, the actual increase will only be 9 AUMs and will be in conformance with long-term AUMs authorized in the Lemhi RMP. The number of AUMs will be the same as what are authorized under the current permit. Under this decision, the stocking rate will be much lower than the average long-term stocking rate described in the Lemhi RMP, as amended. The allotment will continue to meet Standard 4 (EA Page 86).

The allotment is currently meeting Standard 8. Because there is no stream/riparian habitat or fish impacts, it will continue to meet the standard. There is no fish-bearing stream habitat on the allotment and this decision will not impact fish or their habitats (EA Page 137).

Biologists on my staff have determined that this decision will have no effect to species listed under the ESA.

Spring Canyon #06310

Grazing Management:

The current 10-year term permit on the allotment has the following Mandatory and Other Terms and Conditions:

Permit	Number/Kind	Grazing Period	% Public Land	Active Use (AUMs)	Active AUMs	Suspended AUMs	Grazing Preference
A	220 Cattle	5/15-5/31	83%	102	3329	988	4317
	420 Cattle	6/1-6/17	83%	195			
	720 Cattle	6/18-7/24	83%	727			
	720 Cattle	7/25-9/5	83%	845			
	399 Cattle	8/24-10/24	83%	675			
	1200 Sheep	6/14-10/11	83%	786			

Other Terms and Conditions:

1. As provided in Title 43 Code of Federal Regulations (CFR) 4130.3-2(d), you are hereby required to submit a certified actual grazing use report within 15 days after completion of your annual grazing use. Failure to comply could result in the cancellation of your permit in whole or part.
2. Salt and/or mineral supplements will be placed in areas agreed upon by the BLM and the permittee. Placement will emphasize mitigating impacts to streams and undeveloped springs or seeps (including Texas Creek and Poison Springs), pygmy rabbit burrow sites, and critical sage grouse habitat.
3. The maximum allowable cattle use in the Spring Canyon Allotment is 2,544 BLM AUMs.
4. All range improvements will be maintained prior to turn-out, and all water developments and associated pipelines will be drained and winterized.

The level of use over the last five years (actual use) has been:

Permit	Maximum Number/Kind	Maximum Grazing Period	Average Active Use
A	560 Cattle	5/16-10/18	1400

My decision is to renew a grazing permit with a term of 10-years from March 1, 2012 to February 28, 2022 with the following Mandatory and Other Terms and Conditions for the Spring Canyon Allotment:

Permit	Maximum Number/Kind	Maximum Grazing Period	% Public Land	Active AUMs	Suspended AUMs	Grazing Preference
A	720 Cattle	5/15-10/31	79%	2542	988	3530

Other Terms and Conditions:

None for this allotment.

Range Improvement Projects:

In addition, my decision is to construct the following range improvement projects:

- The existing enclosure at All Hands Spring will be removed and replaced with a larger enclosure that will run along the upland vegetated banks of the draw from above the spring and downhill to the toe of the slope. The new enclosure fence will encompass approximately 1/2 acre, and will be constructed using jack and poles.

- The existing jack and pole enclosure at Railroad Spring will be adjusted to include the spring source while leaving two water gaps below the source for livestock access.

Rationale:

As described in the EA (Pages 43-45 and Appendix A), the Spring Canyon Allotment is currently not meeting Standards 2, 3 and 7. I have determined that existing grazing management is not a significant causal factor for not meeting Standard 7 which is most likely due to grazing management on private lands. An enclosure fence was constructed in 2010 which has led to the allotment making significant progress toward meeting Standards 2 and 3.

This decision for the Spring Canyon Allotment differs from the current grazing permit in the following manner: (1) The maximum grazing period will increase from 5/15-10/24 to 5/15-10/31, (2) The percent public land will be changed from 83% to 79%, to reflect the proportion of AUMs authorized on BLM managed lands versus the AUMs available on State and private lands fenced with the BLM lands, (3) The Active AUMs will decrease from 3,329 to 2,542, and (4) Sheep use will no longer be authorized on the allotment. Note that the decision allows up to 2,542 AUMs, which is more AUMS than what the permittee actually used on average over the last 5 years.

The CBT Land Health EA described an issue with potential disease transfer from domestic sheep to Rocky Mountain bighorn sheep. The permittee has not utilized the sheep AUMs for over 25 years and a risk to bighorn sheep in three population management units (North Beaverhead, North Lemhi and South Lemhi) will exist if those AUMs are utilized. Accordingly, my decision is to cancel the sheep AUMs.

I am adjusting the maximum grazing period for the allotment to align with the adjoining USFS managed allotment. While this will henceforth allow an additional 7 days on the allotment, the active use will be lower and if the permittee uses the entire grazing period on a given year the number of cattle on the allotment will have to be lowered.

The change to percent public land numbers is the result of recalculating the AUMs available within the allotment with the reduction of BLM AUMs. In addition to the BLM managed public lands in the allotment the permittee also has a permit for 325 AUMs from State of Idaho lands and 347 AUMs on private lands that he controls.

On the Spring Canyon Allotment, riparian conditions are expected to be maintained or improve. The projects are expected to improve riparian conditions. Excluding livestock from a larger portion of Railroad Spring is expected to increase riparian plant vigor, eliminate trampling, and eventually improve riparian condition to PFC. The projects on the allotment are expected to result in an improvement over present riparian conditions and the allotment will continue to make significant progress toward meeting Standards 2 and 3 (EA Page 112).

The Spring Canyon Allotment is meeting Standard 4. The RHA assessment sites were rated as having “none-to-slight” and “slight-to-moderate” departures for the Biotic Attribute. Authorized AUMs will increase by 1,142 (81.6%) from the last 5 years’ average actual use, but will be 787 fewer AUMs than are authorized under the current permit. The impacts will be greater than they have been under the current condition; however, the stocking rate under this decision will be 9.1

acres/AUM, which is slightly lower than, and in conformance with, the Lemhi RMP, as amended. The allotment will continue to meet Standard 4 under this decision (EA Pages 86-87).

The allotment is currently meeting Standard 8. Because it has no stream/riparian habitat or fish impacts, it will continue to meet the standard. There is no fish-bearing stream habitat on these allotments and this decision will not impact fish or their habitats (EA Page 137). Spring Canyon will continue to provide nesting habitat for greater sage-grouse but with reduced grass for cover which could lead to more sage-grouse nests or chicks being lost to predation (EA Page 163). Where utilization was taken in 2012 it was basically non-use with a measurement of less than 5%, with the increase in AUMs that will be authorized the allotment will continue to be utilized at a moderate level or less.

The expansion of the *All Hands Spring Exclosure* will allow increased diversity and density of riparian vegetation within the exclosure. The larger size will allow a greater variety of wildlife to utilize the habitat. The small size of the current exclosure prevents big game from moving into and out of the exclosure (EA Page 164).

Biologists on my staff have determined that this decision will have no effect to species listed under the ESA.

Tex Creek #06306

Grazing Management:

The current 10-year term permits on the allotment have the following Mandatory and Other Terms and Conditions:

Permit	Number/Kind	Grazing Period	% Public Land	Active Use (AUM)s	Active AUMs	Suspended AUMs	Grazing Preference
A	112 Cattle	5/12-7/11	100%	225	224	174	398
B	20 Cattle	5/13-6/30	100%	32	38	49	87
	3 Horse	5/1-6/30	100%	6			

Other Terms and Conditions:

1. As provided in Title 43 Code of Federal Regulations (CFR) 4130.3-2(d), you are hereby required to submit a certified actual grazing use report within 15 days after completion of your annual grazing use. Failure to comply could result in the cancellation of your permit in whole or part.
2. The allotments shown on this permit shall meet the requirements as described in 43 CFR subpart 4180—Fundamentals of Rangeland Health and the Standards and Guidelines for grazing administration. Any changes in management will be based upon the resource evaluations and analysis as scheduled and completed by the area manager.

The level of use over the last five years (actual use) has been:

Permit	Maximum Number/Kind	Maximum Grazing Period	Average Active Use
A	134 Cattle	5/12-7/26	202
B	38 Horse	5/5-7/12	55

My decision is to renew two grazing permits with terms of 10-years from March 1, 2012 to February 28, 2022 with the following Mandatory and Other Terms and Conditions for the Tex Creek Allotment:

Permit	Maximum Number/Kind	Maximum Grazing Period	% Public Land	Active AUMs	Suspended AUMs	Grazing Preference
A	150 Cattle	5/12-7/15	100%	224	174	398
B	25 Cattle	5/12-7/15	100%	38	49	87

Other Terms and Conditions:

1. Until the Tex Creek Pond Exclosure is constructed, livestock will not graze the allotment after 6/15.

Range Improvement Projects:

In addition, my decision is to construct the following range improvement projects:

- Construct a new exclosure fence to prevent cattle from accessing the Tex Creek ponds except at a small water gap, which will be left on the north side of the biggest pond. The exclosure will be approximately 45 acres in size and be constructed of approximately 1.36 miles of barbed wire fence and 400 feet of jack and pole fence. The water gap will be constructed with jack and pole fence and will extend along either side of the water gap pond for 200 feet before turning to barbed wire fence for the remainder of the exclosure.

Rationale:

As described in the EA (Page 45 and Appendix A), the Tex Creek Allotment is currently not meeting Standards 2, 3, 7 and 8. I have determined that existing grazing management is not a significant causal factor for not meeting Standard 7 which is most likely due to grazing management on private and state lands and the road system in the watershed. Changes in private irrigation have allowed the allotment to make significant progress toward meeting Standards 3 and 8. I determined that Standard 2 is not being met and that current livestock management is a significant factor.

This decision for the Tex Creek differs from the current grazing permits in the following manner:

- (1) The maximum number of cattle will increase from 132 to 175, the 3 horses will no longer be permitted and the maximum grazing period for both permits will be changed to 5/12-7/15, and
- (2) Livestock grazing will not occur after 6/15 until the Tex Creek Pond Exclosure is constructed.

I am increasing the maximum number of cattle to 175 and adjusting the maximum grazing period to 5/12 to 7/15 as applied for by the permittees. While this will henceforth allow an additional 33 cattle on the allotment it will not result in a material change to the allotment because the AUMs have not increased. The result is that if the permittee chooses to graze with more cattle, he will have to substantially reduce the grazing period. Constructing the Tex Creek Pond Exclosure will allow the vegetation around the ponds to increase in density and diversity.

The Tex Creek ponds will be fenced and livestock grazing eliminated except for a small water gap. The early season use and fence are expected to improve riparian conditions and make significant progress toward meeting Standard 2 and continue making significant progress toward Standard 3 (EA Page 111).

On the Tex Creek Allotment, impacts to vegetation will be difficult to discern compared to the existing situation. The increase will only be 4 AUMS and the grazing period will be delayed by

8 days, which could slightly benefit upland plants. Within the Tex Creek Ponds Exclosure, the upland native plants will benefit, with impacts similar those described in Alternative 4. The Tex Creek Allotment is currently meeting, and will continue to meet, Standard 4; it's stocking rate will be 10.3 acres/AUM under this decision (EA Pages 83-84).

Water quality impacts have been determined to be mostly from multi-ownership roads, and private agricultural land practices. The allotment will continue to not meet Standard 7 (EA Pages 127-128).

Fish and their habitats are expected to be maintained or improve on Eighteenmile Creek. This area will receive moderate grazing until July 15; allowing the riparian area time during the growing season for vegetative recovery and streambanks to stabilize. Eighteenmile Creek on the allotment has improved in the past ten or more years in vegetative condition, substrate quality and water temperature. The BLM segments are in overall good condition and are expected to remain in PFC/FAR-static to upward trend. Due to the limited grazing use on Eighteenmile Creek, the stream channels and streambank stability are expected to continue the static to upward trends. The grazing management strategy is expected to result in continuation of this trend and result in the desired conditions. Impacts are expected to be minimal on habitat and key indicators and the allotment will make significant progress toward meeting Standards 2, 3 and 8 on the allotment (EA Page 146). Riparian habitat will improve in the Tex Creek Allotment (EA Page 162). Nesting habitat for greater sage-grouse in the Tex Creek Allotment will remain marginal due to the lack of forb diversity and canopy in the crested wheatgrass seedings (EA Page 162).

The ponds within the *Tex Creek Ponds Exclosure* will provide improved habitat for some waterfowl and shore birds, providing additional cover around the edge of the ponds as the vegetation increases, and less suitable habitat for waterfowl that prefer banks without the vegetation diversity and height (EA Page 164).

Biologists on my staff have determined that this decision may affect, but is not likely to adversely affect Chinook salmon, steelhead trout, bull trout or their designated critical habitat. The USFWS and NOAA have concurred with this determination. If this decision has an effect on those species, the effect will be through the impacts of cattle grazing on riparian vegetation or through introduction of sediment to Eighteenmile Creek through hoof action on streambanks. However, the effect is not likely to be adverse because the grazing period allows time for regrowth of riparian plants. This decision will have no effect on Canada lynx, sockeye salmon or sockeye salmon designated critical habitat. This decision will have no adverse effect on Chinook salmon essential fish habitat.

Timber Creek #06224

Grazing Management:

The current 10-year term permits on the allotment have the following Mandatory and Other Terms and Conditions:

Permit	Number/Kind	Grazing Period	% Public Land	Active Use (AUMs)	Active AUMs	Suspended AUMs	Grazing Preference
A	100 Cattle	5/6-6/15	100%	135	134	52	186

Permit	Number/Kind	Grazing Period	% Public Land	Active Use (AUMs)	Active AUMs	Suspended AUMs	Grazing Preference
B	75 Cattle	5/6-6/30	100%	138	138	17	155
C	245 Cattle	5/6-6/15	100%	330	398	163	561
	245 Cattle	10/1-10/5	100%	40			
	5 Horse	5/6-10/31	100%	29			
D	1200 Sheep	5/1-6/6	82%	239	239	0	239

Other Terms and Conditions:

1. As provided in Title 43 Code of Federal Regulations (CFR) 4130.3-2(d), you are hereby required to submit a certified actual grazing use report within 15 days after completion of your annual grazing use. Failure to comply could result in the cancellation of your permit in whole or part.
2. BLM management of the allotment will continue to emphasize maintenance or improvement of riparian communities.

The level of use over the last five years (actual use) has been:

Permit	Maximum Number/Kind	Maximum Grazing Period	Average Active Use
A	120 Cattle	4/12-6/19	160
B	75 Cattle	5/7-7/10	139
C	245 Cattle	5/12-6/20	244
D	Sheep	NA	0

My decision is to renew four grazing permits with terms of 10-years from March 1, 2012 to February 28, 2022 with the following Mandatory and Other Terms and Conditions for the Timber Creek Allotment:

Permit	Maximum Number/Kind	Maximum Grazing Period	% Public Land	Active AUMs	Suspended AUMs	Grazing Preference
A	100 Cattle	5/6-6/15	100%	134	52	186
B	75 Cattle	5/6-6/30	100%	138	17	155
C	268 Cattle	5/6-6/15	100%	398	163	561
	245 Cattle	8/15-9/30	100%			
	5 Horse	5/6-10/31	100%			
D	Sheep	NA	NA	0	0	0

Other Terms and Conditions:

1. If annual AUMs for the allotment are increased above the average actual use (543) and utilization exceeds the moderate level then the total authorized level of use for all permits will be reduced to 543 for the remainder of the ten-year permit.

Other Terms and Conditions (C):

1. After 6/15 cattle cannot be left on the allotment overnight. All cattle must be actively trailed across the allotment.

Rationale:

As described in the EA (Page 46 and Appendix A), the Timber Creek Allotment is currently meeting all applicable Standards. The current health of the allotment is the result of grazing management under the current grazing permit.

This decision for the Timber Creek Allotment differs from the current grazing permits in the following manner: (1) The maximum grazing period will remain the same for all permits except a portion of Permit C, where it will change from 10/1-10/5 to 8/15-9/30, (2) Any use after 6/15 on Permit C cannot leave cattle on the allotment overnight, (3) The Active AUMs will decrease from 909 to 670, (4) Sheep use will no longer be authorized on the allotment, and (5) I have added a Term and Condition to make sure that utilization will not result in more than moderate utilization on the allotment.

The CBT Land Health EA described an issue with potential disease transfer from domestic sheep to Rocky Mountain bighorn sheep. The permittee has not utilized the sheep AUMs for over 25 years and a risk to bighorn sheep in three population management units (North Beaverhead, North Lemhi and South Lemhi) will exist if those AUMs are utilized. Accordingly, my decision is to cancel the sheep AUMs.

Impacts to the Timber Creek Allotment will result in the maintenance or improvement of present riparian conditions. The short segment of Little Timber Creek that is dewatered in the allotment will remain static but overall, the allotment will continue to meet Standards 2 and 3 (EA Page 113).

The Timber Creek Allotment is meeting Standard 4. The RHA assessment sites were rated as having “slight-to-moderate” departure for the Biotic Attribute. The stocking rate will be 10.5 acres/AUM and will allow the allotment to continue to meet Standard 4. Authorized AUMs will increase by 23.4% from the current situation (last 5 years actual use), but will be 239 fewer AUMs than are authorized under the current permits. The 670 AUMs will be in conformance with long-term AUMs authorized in the Lemhi RMP (EA Page 87).

The dewatered segment of Little Timber Creek will remain in Non-Functioning static condition due to irrigation withdrawal not related to BLM grazing management. BLM has no discretion over this activity. The allotment is currently meeting Standard 7. (EA Page 128).

Fish and their habitats are expected to be maintained or improve on Big Timber, Little Timber and Swan Basin Creeks. Conditions are expected to remain in PFC because most of the grazing will take place in the upland habitat with off-site water away from the streams and the limited season of use. This will give the riparian community time during the growing season to recover from most of the impacts from livestock including bank trampling and vegetative removal. With no grazing use during the hot season, the riparian greenline condition will continue to remain in PFC. Streambank stability is expected to be maintained and improve due to early season use and the extensive woody vegetation. Due to the heavily wooded nature of the stream channels, livestock will have limited potential to impact streambank stability. The allotment will continue to meet Standards 2, 3 and 8 (EA Page 148).

Timber Creek Allotment will continue to provide nesting habitat for greater sage-grouse but with reduced grass for cover which could lead to more sage-grouse nests or chicks being lost to predation (EA Page 163).

Biologists on my staff have determined that this decision may affect, but is not likely to adversely affect Chinook salmon, steelhead trout, bull trout or their designated critical habitat. The USFWS and NOAA have concurred with this determination. If this decision has an effect on those species, the effect will be through the impacts of cattle grazing on riparian vegetation or through introduction of sediment to Big and Little Timber Creeks through hoof action on streambanks. However, the effect is not likely to be adverse because the grazing period allows time for regrowth of riparian plants. This decision will have no effect on Canada lynx, sockeye salmon or sockeye salmon designated critical habitat. This decision will have no adverse effect on Chinook salmon essential fish habitat.

Authority

The authority under which this decision is made is found in the Lemhi Resource Management Plan, the Federal Land Policy and Management Act, and within the following 43 CFR citations:

- 4110.2-2 - Specifying permitted use
- 4110.3 - Changes in permitted use
- 4130.2 - Grazing permits or leases
- 4130.3 - Terms and conditions
- 4130.3-3 - Modification of permits or leases
- 4160 – Administrative Remedies
- 4180 - Fundamentals of Rangeland Health and S&G for Grazing Administration

RIGHT OF APPEAL

Any applicant, permittee, lessee or other person whose interest is adversely affected by the final decision may file an appeal in writing in accordance with 43 CFR 4.470 and 4160.3 and 4160.4. The appeal must be filed within 30 days following receipt of the final decision. The appeal may be accompanied by a petition for a stay of the decision in accordance with 43 CFR 4.471 and 4.479, pending final determination on appeal. The appeal and petition for a stay must be filed in the office of the authorized officer, as noted above. Appeals and Petitions for Stay will not be accepted by fax or email. The appellant must also serve a copy of the appeal by certified mail on the U.S. Department of the Interior, Boise Field Solicitor's 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 clearly and concisely state the reasons why the appellant thinks the final decision is in error, and otherwise complies with the provisions of 43 CFR 4.470.

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

1. The relative harm to the parties if the stay is granted or denied.
2. The likelihood of the appellant's success on the merits.

3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

As noted above, the petition for stay must be filed in the office of the authorized officer and served in accordance with 43 CFR 4.471. Any person named in the decision from which an appeal is taken (other than the appellant) who wishes to file a response to the petition for a stay may file with the Hearings division a motion to intervene in the appeal, together with the response, within 10 days after receiving the petition. Within 15 days after filing the motion to intervene and response, the person must serve copies on the appellant, the office of the Solicitor and any other person named in the decision (43 CFR 4.472(b))

If you have any questions, feel free to contact Craig Nemeth at (208) 756-5425, Vincent Guyer at (208) 756-5403 or myself at (208) 756-5410.

/s/ Linda R. Price
 Salmon Field Manager

09/03/2013
 Date

Copies Sent To:

Shoshone-Bannock Tribes
 Pima Drive
 P.O. Box 306
 Fort Hall, Idaho 83203

Natural Resources Conservation Service
 Mark Olson
 District Conservationist
 945 Riverfront Drive
 Salmon, ID 83467

Shoshone-Bannock Tribes
 Claude Broncho
 Fisheries and Wildlife Policy Representative
 Pima Drive
 P.O. Box 306
 Fort Hall, Idaho 83203

Idaho Department of Agriculture
 Ron Kay
 Range Program Manager
 P.O. Box 7249
 Boise, ID 83707

Shoshone-Bannock Tribes
 Chad Colter
 Fish and Wildlife Director
 Pima Drive
 P.O. Box 306
 Fort Hall, Idaho 83203

Idaho Department of Fish and Game
 Steve Schmidt
 Regional Supervisor
 P.O. Box 1336
 Salmon, Idaho 83467

Shoshone-Bannock Tribes
 Yvette Tuell
 Environmental Program Manager
 Pima Drive
 P.O. Box 306
 Fort Hall, Idaho 83203

Idaho Department of Fish and Game
 Steve Schmidt
 Regional Supervisor
 4279 Commerce Circle
 Idaho Falls, ID 83401

Idaho Department of Lands
Pat Brown
Eastern Idaho Supervisory Area Manager
3563 Ririe Highway
Idaho Falls, ID 83401

Idaho Department of Lands
Julianne Shaw
Assistant Planner
300 N. 6th Street, Ste. 103
Boise, ID 83720

Idaho Department of Parks & Recreation
Jeff Cook
Outdoor Recreation Analyst
P.O. Box 83720
Boise, ID 83720

Lemhi County
Wildland Urban Interface Coordinator
Karen Drnjevic
200 Fulton St. Ste. 105
Salmon, ID 83467

Committee for the High Desert
1320 West Franklin
Boise, ID 83702

Idaho Conservation League
Jonathan Oppenheimer
Senior Conservation Associate
P.O. Box 844
Boise, ID 83701

Idaho Conservation League
John Robison
Public Lands Director
P.O. Box 844
Boise, ID 83701

Western Watersheds Project
Katie Fite
P.O. Box 2863
Boise, ID 83701

Western Watersheds Project
Jon Marvel
E.G. Lewis Building, Suite B-2
126 South Main Street
Hailey, ID 83333

Beyeler Ranches, L.L.C.
Merrill Beyeler
P.O. Box 62
Leadore, ID 83464

Kurt and Janet Bird
56 Lower Texas Creek Road
Leadore, ID 83464

Ellsworth Angus Ranch
Carl Ellsworth
P.O. Box 60
Leadore, ID 83464

Steven and Susan Johnson
1019 Lee Creek Road
Leadore, ID 83464

Leadore Land Partners Limited Partnership
Karl Tyler
P.O. Box 16025
Missoula, MT 59808

James C. Malcom
P.O. Box 124
Leadore, ID 83464

McFarland Livestock Company Inc.
Tex Kauer
P.O. Box 50
Lemhi, ID 83465

Ralph L. and/or Earl McRea
P.O. Box 21
Leadore, ID 83464

Ox Bow Ranches Wilson Ranches
Lonell Wilson
650 18 Mile Road
Leadore, ID 83464

Allan Purcell
P.O. Box 15
Leadore, ID 83464

Milton E. Slavin
Bill Slavin
P.O. Box 255
Carmen, ID 83462

Udy Ranches, L.L.C.
Les Udy
P.O. Box 923
Challis, ID 83226

James and Paula Whittaker
P.O. Box 240
Leadore, ID 83464

Y Livestock
Leslie Ellsworth
P.O. Box 5023
Twin Falls, ID 83303

Robert and Teresa Breshears
3740 Ashue Rd.
Wapato, WA 98951

Tom and Evelyn Carlson
P.O. Box 206
Leadore, ID 83464

Glenn Embree
485N 4154E
Rigby, ID 83442

Boyd Foster
P.O. Box 118
Leadore, ID 83464

Ann Marie Harmon
350 Yale Ave
Rexburg, ID 83440

Howard Taylor and Sons, Inc.
Carl Taylor
P.O. Box 51780
Idaho Falls, ID 83405

Bruce R. Horton
220 E. Shelly Street
Idaho Falls, ID 83402

Shiner Ranch, Inc.
Dean Shiner
P.O. Box 26
Lemhi, ID 83465

Larry W. Simmons
8523N 25E
Idaho Falls, ID 83401

Randy Snyder
P.O. Box 49
Lemhi, ID 83465

Jay Stokes
P.O. Box 642
Salmon, ID 83467

Vicki Van Sickle
P.O. Box 55
Tendoy, ID 83468

Louise Wagenknecht
Board Member
P.O. Box 104
Leadore, ID 83464

Larry Zuckerman
Central Idaho Director
PO Box 1322
Salmon, ID 83467

