CERTIFIED MAIL – 7020-1810-0001-9180-9788
RETURN RECEIPT REQUESTED

Tom Davis Livestock
Paul Davis
46008 Alvord Ranch Lane
Princeton, OR 97721

NOTICE OF PROPOSED DECISION
To Accept an Allotment Management Plan (AMP), Issue a Grazing Permit,
Reinstate Suspended Animal Unit Months (AUM),
and Construct and Maintain Range Developments

Dear Mr. Davis:

You are receiving this proposed decision because you are the grazing preference holder of record for the Alvord Allotment #6012.

BACKGROUND

The Andrews Field Office, Bureau of Land Management (BLM) Burns District has prepared the enclosed environmental assessment (EA) (DOI-BLM-ORWA-B060-2014-0019-EA, which can be found at: https://eplanning.blm.gov/eplanning-ui/project/2014716/510) to analyze possible actions developed through interdisciplinary team (IDT) recommendations, public comments, and in coordination with you, the grazing preference holder, to aid in accomplishing allotment resource objectives and conform to (or continue conforming to) all Oregon and Washington Standards for Rangeland Health (further referred to as Standards) and Guidelines for Livestock Grazing Management (further referred to as Guidelines; Standards and Guidelines together are referred to as S&Gs). Possible actions are grazing permit renewal with modified terms and conditions, including reinstatement of suspended AUMs, use of nonrenewable (NR) AUMs, range developments, including water developments, and approval of the Alvord AMP.

A final decision related to a prior version of this EA was signed on March 31, 2022, and appealed by Western Watershed Project, as well as WildLands Defense and Wild Horse Education. In reviewing the appeals, the BLM determined that the appellants provided substantive comments that the BLM had not previously received during the public comment or protest periods associated with the proposed decision. Therefore, the BLM asked the Office of Hearings and Appeals, Departmental Cases Hearings Division, to remand and vacate the decision back to the BLM so that BLM could make certain adjustments to the documents in response to the appeals. This request was granted on July 27, 2022. This proposed decision is based on the adjusted EA.

AUTHORITY AND COMPLIANCE

The proposed decision and alternatives are in conformance with the Andrews Management Unit (AMU) and Steens Mountain Cooperative Management and Protection Area (CMPA) Resource Management Plans (RMP) and Records of Decision (ROD), dated August 2005, and, as applicable, with the Southeastern Oregon (SEO) RMP/ROD dated September 2002,[1] as amended by the 2015 Oregon Greater Sage-Grouse (GRSG) Approved RMP Amendment (ARMPA)/ROD, even though they are not specifically provided for, because they are consistent with all the RMP/ROD resource objectives and the GRSG ARMPA goals, objectives, and management decisions (MD), the most relevant of which are identified in Alvord AMP EA Appendix C: Resource Objectives.

The proposed decision has been designed to conform to the following documents that direct and provide the framework for management of BLM-managed lands within BLM Burns District:

- Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703-712), 1918
- Taylor Grazing Act (43 U.S.C. 315), 1934
- National Historic Preservation Act (16 U.S.C. 470 et seq.), 1966
- The National Environmental Policy Act (NEPA) (42 U.S.C. 4320–4347), 1970
- The Wild Free-Roaming Horses and Burros Act (Public Law 92-195), 1971
- Federal Land Policy Management Act (FLPMA) (43 U.S.C. 1701), 1976, as amended
- Public Rangelands Improvement Act (43 U.S.C. 1901), 1978
- Areas of Critical Environmental Concern (ACEC), Manual 1613, 1988
- S&Gs for Public Lands Administered by the BLM in the States of Oregon and Washington, August 12, 1997
- Steens Mountain Cooperative Management and Protection Act of 2000
- Maintenance of Range, Wildlife, and Wild Horse Improvements in Wilderness Study Areas in the Burns District (EA OR-020-05-080), 2005
- Oregon/Washington National Landscape Conservation System 3-year Strategy: Fiscal Years 2013–2015 (September 14, 2012)
- Conducting Wilderness Characteristics Inventory on BLM Lands, Manual 6310, 2021

[1] The Andrews RMP states that "Alvord-Tule Springs HMA (BLM Burns District) is combined with Coyote Lake HMA (BLM Vale District) and managed under guidelines and decisions of the SEORMP" (RMP-51). The only aspect of the proposed action and alternatives governed by the SEORMP is the management of wild horses.

- Management of Wilderness Study Areas, Manual 6330, 2012
- Management of Designated Wilderness Areas, Manual 6340, 2012
- U.S. Geological Survey (USGS) Report Conservation Buffer Distance Estimates for GRSG – A Review (Open File Report 2014-1239)
- Integrated Invasive Plant Management for the Burns District Revised EA (DOI-BLM-OR-B000-2011-0041-EA), 2015
- Greater Sage-Grouse Land Use Plan Implementation Guide, 2016
- Washington Office Instruction Memoranda (IM) 139–145, 2016
- Oregon Greater Sage-Grouse Approved Resource Management Plan Amendment, 2015
- Final OR/WA BLM Director's List of Special Status Species, 2021
- State, local, and tribal laws, regulations, and land use plans, and
- All other Federal laws that are relevant to this document, even if not specifically identified

PROPOSED DECISION

Having considered all alternatives and associated impacts based on analysis in DOI-BLM-ORWA-B060-2014-0019-EA, it is my decision to implement selected actions described below. The proposed decision selected is similar to Alternative B: Proposed Action - Permit Renewals, Management Changes, and Range Developments, with some modifications, specifically in the *Reinstatement of Suspended Use AUMs to Active Use* and *Non-Renewable (NR) Authorization* sections of the EA, with additional changes related to the pipeline in the Desert #6 Pasture, fence construction and removal, and water hauling.

The selected actions are: the approval of the AMP, grazing permit renewal for the Alvord Allotment with changes to mandatory terms and conditions, reinstatement of a portion of suspended use,[2] new pasture establishment, changes to the grazing management, some water hauling,[3] fence construction to divide the current Alvord Seeding Pasture,[4] seeding maintenance, development maintenance, well construction (including the construction of a road to one well location), road closure, and trough installation[5] for Alvord Allotment. This proposed decision is not selecting non-renewable (NR) authorizations.

Approval of the Alvord AMP

The proposed decision was developed by the BLM IDT in coordination with external requests from the permittee. The proposed decision conforms to all Guidelines including providing periodic growing season rest to all areas of the allotment. In addition to AMP components discussed under EA Section 2.1, management below will be incorporated as part of the new Alvord AMP. While the entire AMP will become a term and condition of the

[2] This proposed decision is selecting to reinstate a reduced number of AUMs compared to what was analyzed under Alternative B.
[3] This proposed decision is selecting to allow water hauling only in the Desert, Table Mountain, Alvord Seeding, and Alvord Seeding South pastures, not all pastures as described in the EA under Alternative B.
[4] This proposed decision is not selecting the relocation of the pasture boundary fence between the Alvord Seeding South and Desert pastures. Fence removal and fence construction associated with this relocation will not occur.
[5] This proposed decision is selecting to maintain the existing pipeline how it was historically constructed where it drains into the existing reservoir within wilderness study area (WSA). However, if the reservoir is found not to hold water to the extent needed, the trough at the end of this pipeline would be installed.

Alvord Allotment grazing permit, only the components that are within the permittee's management ability will be the responsibility of the permittee.

Permit Renewal

The proposed decision includes renewal of the existing preference-based 10-year livestock grazing permit #3602552 in the Alvord Allotment,[6] the extension of permitted season of use, and the reinstatement of a portion of suspended AUMs (255 suspended AUMs will remain on the permit as suspended), as well as developments and AMP. Terms and conditions associated with this grazing permit are described below. Mandatory terms and conditions will include:

Table 1: Proposed Decision - Grazing Authorizations within the Alvord Allotment

Authorization	Pasture	Livestock #	Begin Date	End Date	% PL	Active AUMs
3602552	Desert #6 – Non-WSA	141	10/15	6/15	100%	1,415[7]
	All	651	3/1	2/28	97%	7,577
					TOTAL	**8,992**

Other terms and conditions will include:

- The AMP is a term and condition of your permit as provided for in 43 CFR 4120.2(a) and (b).
- This permit/lease is subject to modification if necessary to achieve compliance with the standards for rangeland health & guidelines for livestock grazing management (43 CFR 4180).
- Actual livestock numbers may vary dependent on length of annually authorized grazing. AUMs are not allowed to be exceeded.
- Annual period of use and AUMs (not to exceed the permitted total amount) within each pasture can be adjusted for annual grazing, within the bounds of the grazing permit and AMP.
- Actual use billing is authorized per the AMP. An actual use record will be submitted within 15 days after completion of annually authorized grazing per 4130.3-2(d) unless other arrangements are made with the BLM.
- Percent public land (%PL) for billing will be dependent on best available estimates of forage production on BLM-managed land compared to that on land controlled by the permittee within each pasture. Pastures will be billed at these %PL under this authorization: Alvord Seeding North #1 – 100%, North Foothills #2 – 70%, South Foothills #3 – 60%, Table Mountain #4 – 100%, Desert #6 – 99%, Desert #6 non-WSA - 100%, Pike Creek #9 – 95%, Alvord Seeding South #11 – 99%, and Indian Creek #12 – 100%. If private property within these pastures increases or decreases, or

[6] Any base property leases of this preference would meet all terms and conditions of this grazing permit and the associated AMP.
[7] These AUMs would be reinstated suspended use and would be available only in the non-WSA portion of the Desert #6 Pasture. Of the previously suspended AUMs, 222 AUMs of suspended use will be assigned to the Indian Creek Pasture. This area was previously added to the allotment and authorized for grazing, but the associated AUMs were not added to the grazing permit at that time. Assigning those AUMs will correct this oversight. Those AUMs are included in the second row of the permit. The remaining 255 suspended AUMs will remain suspended on the grazing permit.

more accurate estimates of forage production become available, these values will be recalculated as appropriate, and this term and condition updated.

- There is a 50 percent utilization (as measured using the Ocular Landscape Appearance/Key Species Method) threshold on upland native key species and a 60 percent utilization threshold on upland desirable nonnative key species. The response of reaching this threshold will be the immediate removal of livestock, even if the number of annually authorized AUMs within the pasture has not been reached. The 60 percent threshold on desirable nonnative species may be exceeded once every five years to allow upland vegetation management through the grazing of wolfy plants to reduce residual dry matter and fuel loading. This use must be authorized by the BLM in advance and be for ecologically based reasons. If utilization thresholds in the uplands are exceeded rest may be required during the next grazing season.
- No salt or supplements will be permitted within 0.25-mile of a natural water source or within 1.2 miles of the perimeter of an occupied or pending lek.
- The permittee is required to maintain all developments unless there is an agreement in place documenting an improvement as a BLM responsibility. Maintenance activities that involve ground-disturbing activities need to be approved by the BLM prior to beginning work.
- Active trailing (actively moving with limited grazing) is allowed to occur through rested pastures. Trailing will be documented on actual use forms for each pasture and labelled as trailing.
- The permittee will coordinate with the BLM to ensure required monitoring outlined in the AMP is completed in a timely manner.
- Permittee may haul water to portable water troughs in predetermined locations within the Desert, Table Mountain, Alvord Seeding, and Alvord Seeding South pastures to distribute livestock when it is needed to meet management goals.
- Any supplements/salt placed in the Indian Creek Pasture will be on the opposite side of the pasture from the Pike Creek Pasture boundary to reduce livestock pressure on the pasture boundary.
- When grazing the Indian Creek Pasture, livestock must be turned into the southern part of the pasture to minimize livestock pressure on the Pike Creek Pasture boundary.
- Any livestock authorized in Indian Creek, that cross the pasture boundary into the Pike Creek Pasture and associated riparian area, must be pushed back into Indian Creek Pasture. If livestock are found within the Pike Creek Pasture a second time, livestock within the Indian Creek Pasture will be required to be fully removed within 7 days of notification. Any livestock found in Pike Creek after this will be considered to be in trespass.
- When livestock start to congregate in any Lahontan Cutthroat Creek (LCT) streams, and observations and/or monitoring suggest use in the riparian area is moderate, the permittee will be notified that livestock must be removed from the pasture. If cattle are not fully removed within 7 days of notice, livestock will be in trespass. If livestock continue to use the riparian area, and utilization exceeds 50 percent in upland areas, the permittee will be required to rest the identified pasture containing the specific LCT stream for an additional year (for a total of two years) before the pasture is grazed again.

- BLM will follow all U.S. Fish and Wildlife Service (USFWS) guidance in any biological opinion (BO) or letter of concurrence, including reductions in season of use, AUMs, and/or complete removal of livestock.

Reinstatement of Suspended Use AUMs to Active Use[8]

Under the proposed decision, 1,415 AUMs of suspended use will be reinstated onto the grazing authorization as active use (Reinstated Non-WSA AUMs).[9] These AUMs have previously been used by the permittee in the Desert #6 Pasture as NR AUMs. The process for reinstating the suspended AUMs (referred to as Reinstated Non-WSA AUMs) is intended to ensure there is no increase in livestock grazing within the WSAs as outlined below.

1. Drill wells and install troughs within the non-WSA portion of the Desert Pasture. To reinstate non-WSA AUMs, at least one but no more than two will be developed within a calendar year (see Wells Section). The planned wells for Reinstated Non-WSA AUMs are identified as PW1, PW2, and PW6 in the Proposed Decision Map.
2. Use remote sensing and other applicable data to determine how many of the total Reinstated Non-WSA AUMs will be available within a 3-mile diameter around the drilled well(s).
3. Authorize annual grazing in the non-WSA area for the additional available AUMs (as determined in Step 2), or 500 AUMs, whichever is less. Based on the planned turnout date and number of Reinstated Non-WSA Livestock that will be grazing, calculate the date on which the associated AUMs will be utilized.[10]
4. Turn on new well(s) drilled in Step 1, and turn out livestock authorized in Step 3, at the new well location(s). Wells at other locations within the pasture will not be turned on at this time, in order to better hold livestock within the non-WSA area.
5. Following first turnout and prior to the date calculated in Step 3 when all the Reinstated Non-WSA AUMs will be utilized, BLM will conduct use supervision[11] monitoring to determine use within the non-WSA area and adjacent WSA areas.[12]
6. On (or after) the date calculated in Step 3, when all Reinstated Non-WSA AUMs are utilized (as identified in Step 3), other wells throughout the pasture will be turned on, and Active Use Livestock will be distributed across the pasture as appropriate. During this stage, use will not be limited to the non-WSA area.[13]
7. While livestock are utilizing the entire pasture, BLM will conduct use supervision monitoring to determine use occurring within the non-WSA area, with a focus on new

[8] Currently, use of suspended AUMs is occurring due to a January 19, 1988, BLM decision authorizing temporary use of suspended AUMs. This would formalize the use as active and establish specific terms and conditions.
[9] Reinstated Non-WSA AUMs or Livestock are the AUMs and animals associated with utilizing the reinstated AUMs within the non-WSA portion of the Desert Pasture. Active Use AUMs or Livestock are AUMs and animals associated with grazing the Desert Pasture as a whole, both within WSA and outside of it. This level of active use would be a continuation of what has occurred in the past.
[10] This process is assuming all AUMs determined in Step 2 would be available for use and would not be limited by drought. However, as annual conditions are variable, fewer AUMs may be utilized due to drought and/or hitting the utilization threshold in the area around the new well(s).
[11] Use supervision monitoring "monitors livestock management such as: pasture moves; gathering; salt placement; herding practices; and livestock locations and seasonal movements" (AMU RMP-25). Monitoring would be dependent upon available labor and may occur more than once during this period.
[12] While the use of water to hold livestock in certain areas is well documented in the scientific literature (Vallentine 2001, George et al. 2007, Ganskopp 2011, Holechek et al. 2004, etc.) livestock are animals with a mind of their own, therefore, the BLM recognizes that some animals may travel into WSA areas during this time.
[13] At the time of WSA designation, there were four existing wells within the Desert Pasture that resulted in a larger portion of the WSA being utilized. The use of currently permitted AUMs within WSAs was grandfathered in at the time of designation and would not be increased under this alternative.

use areas associated with other new wells, identified as PW3, PW4, PW5, and/or PW7 (see EA Map 5: Alternative B Desert Pasture Use Areas[14]), and within the WSA.

8. After livestock have been gathered, BLM will conduct utilization monitoring to confirm the use in WSA is not higher than what historically occurred. BLM will also compare use supervision to determine if livestock presence in WSA when utilizing the non-WSA AUMs is more or less than the livestock presence outside of the WSA during the use of the entire pasture.
9. If monitoring shows that there is no net increase in use within the WSAs compared to what occurred prior to reinstatement, BLM will continue to reinstate suspended AUMs in the non-WSA area using a phased in approach. In the second year of reinstating AUMs, up to 1,000 total Reinstated Non-WSA AUMs could be authorized, in year three up to 1,207 total Reinstated Non-WSA AUMs could be authorized, and in year four, the full 1,415 Reinstated Non-WSA AUMs could be authorized.[15] If monitoring is inconclusive or suggests that there is a net increase in livestock use in the WSAs, Reinstated Non-WSA AUMs will remain at the level of use specified in Step 3, and BLM will conduct two additional years of use supervision monitoring.[16] After two years, if monitoring still suggests there is a net increase in livestock use in the WSAs, the reverse of this process will occur, with BLM decreasing Reinstated Non-WSA AUMs until such a time as monitoring suggests that there is no net increase in livestock use in WSAs; any Reinstated Non-WSA AUMs above this level will be resuspended. If monitoring continues to be inconclusive, Reinstated Non-WSA AUMs will remain at the level authorized in Step 3 and additional years of use supervision monitoring will occur.
10. This process will be followed each time one of the three wells (PW1, PW2, or PW6) is constructed, or until the BLM determines that additional wells will not appreciably aid in redistributing livestock. The BLM will continue monitoring livestock use annually, as outlined above, for three additional years. If monitoring continues to show no net increase in use in WSAs, Reinstated Non-WSA AUMs will be available to use concurrently with the Active AUMs.[17]

Only PW1, PW2, and/or PW 6 will be utilized in the reinstatement of AUMs. While the other planned wells (PW3, PW4, PW5, and PW7) will also increase the available use area into non-WSA portions of the pasture, they will not be used to hold livestock within the non-WSA area as they are located on WSA borders. Wells PW3, PW4, PW5, and PW7 are meant to improve distribution of livestock across the pasture as a whole, both inside and outside of the WSAs. As these four wells will make new use areas available within the non-WSA, they will help ensure that there is no net increase in livestock use within the WSAs.[18]

[14] In EA Map 5, the current use areas have been adjusted for slope, while use areas for new developments have not been as this would change based on exact location.
[15] This increase in AUMs would be dependent upon the carrying capacity determined after construction of well developments and on monitoring showing no net increase in livestock use in WSAs.
[16] If this occurs during year 2, or subsequent years, reinstated AUMs would remain at the number identified in Step 2 for that year, up to the associated maximum identified in Step 9.
[17] Concurrent use would result in all wells being utilized during the entire authorized season of use.
[18] The additional non-WSA use areas created by these other wells would result in fewer active AUMs being removed from WSAs, where current use largely occurs. This use of active AUMs in newly available non-WSA areas would ensure no net increase in livestock use is occurring within the WSAs, by decreasing the amount of use occurring in the WSAs during the active use period, which is expected to be large enough to account for any increased use in WSAs that may occur during use of the Reinstated Non-WSA AUMs.

Water developments are a known tool for controlling livestock distribution. Research has found that "[t]he location and number of watering points on grazing lands are important in controlling the movement, distribution and concentration of grazing animals" (Vallentine 2001). George et al. 2007, Ganskopp 2011, and Holechek et al. 2004, all suggest that in general, livestock do not graze further than two miles from water, though based on observation of livestock movement within the Desert Pasture, the BLM estimates that conditions allow livestock to move up to 3 miles from water. The BLM and the permittee will work together utilizing other tools such as supplementation or herding to encourage livestock to stay within the non-WSA portion of the allotment. Monitoring and AUM authorization as described above will ensure no net increase in livestock grazing within the WSA occurs. Utilization within the Desert Pasture use areas resulting from available water will continue to be limited to 50 percent even if not all AUMs are utilized.[19]

LIVESTOCK GRAZING MANAGEMENT

New Pasture Establishment

To implement the grazing system in Table 2, Alvord Seeding #1 will be divided into two pastures. The northern portion of the seeding will retain the name *Alvord Seeding #1* and the southern portion of the seeding will be named *Alvord South Seeding #11*. This pasture will be created with the construction of a new fence (see Range Developments Section).

Currently, the Pike Creek Pasture includes two use areas, the area around Pike Creek itself, including the lower elevations along the East Steens Road and the lower elevations of Indian Creek to the south, and the higher elevation Indian Creek area that is largely separated from the rest of the pasture due to topography and existing gap fences. In some years, the higher elevation Indian Creek use area of the Pike Creek Pasture is not accessible in spring or early summer due to snow or saturated soil conditions. This action will officially designate the Indian Creek use area as the Indian Creek #12 Pasture (2,735 acres) and reduce the Pike Creek Pasture to 2,545 acres. By separating this use area into a designated pasture, it will allow for management that will protect the Pike Creek riparian area by grazing early when upland vegetation is green and palatable in the Pike Creek Pasture, while utilizing the higher elevation Indian Creek Pasture later in the year when it is accessible. Due to the increase in elevation in the Indian Creek Pasture, vegetation in this pasture will be green and palatable later in the year (summer and fall). Existing gap fences and steep topography will continue to create the pasture boundary between the Indian Creek and Pike Creek pastures. In addition, the Indian Creek Pasture has off-creek water available for livestock, which will help keep livestock permitted in the Indian Creek Pasture from trespassing into Pike Creek Pasture (and the associated LCT area). The Indian Creek Pasture will not contain any streams with LCT.

Since no AUMs were added to the grazing permit when the Indian Creek area was incorporated into the allotment, 222 AUMs[20] of suspended use will be reinstated within this area to cover the available AUMs within this pasture and correct the administrative error.

[19] Utilization thresholds within crested wheatgrass seedings is 60 percent.
[20] This number was determined by looking at historic actual use and utilization levels for the identified area.

The AUMs allocated to the Indian Creek Pasture will be reactivated suspended non-use AUMs and not from the 700 AUMs typically used in the Pike Creek and South Foothills pastures.

Grazing System

Livestock grazing management is designed to provide periodic growing season rest for plant species within each pasture. Use periods may vary annually, with the general grazing systems shown in Table 2. Livestock numbers may also vary annually as outlined under "Adaptive Management" (EA Section 2.1. Actions Common to All Grazing Alternatives); however, total permitted AUMs will not exceed those permitted on the allotment. Annual livestock grazing management is based on grazing treatments (i.e., early, graze, and defer; see EA Appendix H: Grazing Treatment Descriptions) that correspond with general dates. The general grazing treatments in Table 2 are guidelines recognizing the large variability of climatic conditions from year to year and in different parts of the allotment. This variation results in key forage species entering vegetative states on differing dates, annually. Using grazing treatments instead of specific dates allows for flexibility and adaptive management. Specific annual livestock use dates for the allotment will be determined on an annual basis during permittee meetings and annually authorized in a letter of authorization. Adaptive management may result in the grazing systems being modified, within the terms and conditions of the grazing permits, if periodic growing season rest occurs. Prior to authorizing annual grazing, monitoring data and current climatic conditions, such as drought, will be taken into consideration. This may result in changes to stocking levels and timing of grazing to best meet objectives. Any modifications to the grazing system will conform to the utilization threshold of 50 percent for native key forage species and 60 percent for desirable nonnative key forage species.

Table 2: Proposed Decision – General Grazing System

			YEAR 3
Alvord Seeding #1	Winter-Early-Graze	Winter-Early-Graze	Winter-Early
North Foothills #2	Rest	Early-Graze	N/A (2-Year Rotation)
South Foothills #3	Early-Graze	Rest	N/A (2-Year Rotation)
Table Mountain #4	Early-Graze	Early-Graze	Defer-Winter
Desert #6[21]	Winter-Early-Graze	Winter-Early	Winter-Early-Graze
Pike Creek #9	Early-Graze	Rest	N/A (2-Year Rotation)
Alvord South Seeding #11	Winter-Early-Graze	Winter-Early	Winter-Early-Graze
Indian Creek #12	Graze-Defer	Rest	N/A (2-Year Rotation)

The Pike Creek Pasture is at a lower elevation than the Indian Creek Pasture; therefore, grazing rotation in this pasture will be early-graze treatments followed by a complete year of rest. Grazing management will encourage livestock use of the uplands, with green vegetation pulling them away from the riparian areas. The Indian Creek Pasture (upper elevations of the existing Pike Creek Pasture) will be grazed separately from the lower elevations (as was done in 2013, 2016, and 2020) in the same year as the rest of the Pike Creek Pasture. This use in the Indian Creek Pasture will be later in the grazing season due to snow or wet conditions at

[21] During the Reinstatement of Non-WSA AUMs, the non-WSA portion of the allotment would be utilized first, during the winter, to ensure more accurate monitoring of the impacts of non-WSA AUMs on WSAs.

the higher elevations during the Pike Creek Pasture grazing treatment. Within Indian Creek Pasture, 222 AUMs of suspended use will be reinstated within this area to cover the available AUMs within this pasture and correct the administrative error that failed to add these AUMs onto the Alvord Allotment grazing permit when the area was added into the allotment.

The South Foothills Pasture and the Pike Creek Pasture will be used concurrently with approximately 700 AUMs. In alternating years, these AUMs will be used within the North Foothills Pasture, as these pastures will follow a 2-year rest rotation (see Table 2). Use in these pastures will be prior to and during the growing season, when upland vegetation is green and highly palatable, air temperatures are low/moderate, and upland grasses have a high water content. This will facilitate livestock distribution in the uplands and minimize use in riparian areas.

Grazing within the LCT pastures will be dependent upon livestock utilizing the uplands for the majority of their forage needs and accessing riparian areas for water. The BLM will monitor riparian areas, as staffing allows, to determine if use is occurring in riparian areas accessible to cattle and check use on willows and streambank alteration. Due to the presence of a trail along Pike Creek (not present along the other creeks), increased monitoring (approximately once every two to three weeks) will occur by the BLM, staff availability dependent, within the Pike Creek drainage when livestock are present in the Pike Creek Pasture, and to a lesser extent when in the Indian Creek Pasture,[22] to observe livestock use in the Pike Creek drainage. If BLM monitoring begins to see livestock use within the Pike Creek area resulting in increased use on willows and streambank alteration nearing 20 percent prior to full AUMs being utilized, the permittee will be given an opportunity to actively herd livestock out of the Pike Creek area. If monitoring suggest herding is being effective in limiting livestock use within the Pike Creek drainage, the permittee will be allowed to continue grazing until all permitted AUMs are removed or utilization levels reached, whichever comes first. If herding is found not to be effective, livestock will be removed. Specific grazing terms and conditions will be implemented to manage livestock use in pastures with LCT streams (see other terms and conditions above).

Within the Alvord Seeding #1 and Alvord South Seeding #11, when the BLM determines the desirable non-native plants are becoming wolfy[23] with buildup of residual vegetation accumulating in the crown of the plant, the BLM may authorize additional grazing, during a period when grasses are dormant, to reduce this build up, thus reducing the fuel loading and shading, resulting in healthier and more vigorous plants.

Water Hauling

Water hauling would be authorized within the Table Mountain, Desert, Alvord Seeding, and Alvord Seeding South pastures if needed to promote proper livestock distribution and ensure permitted AUMs are available when water in that area is limited. The minimum number of

[22] While the Indian Creek Pasture is topographically separate from Pike Creek, without the presence of solid fences, there is potential livestock could find a way down into the Pike Creek Pasture, and therefore, Pike Creek. Increased monitoring would continue when livestock are present in Indian Creek Pasture to ensure trespass livestock have not entered the Pike Creek Pasture and associated riparian area.

[23] An individual plant that is generally considered palatable but is not grazed by livestock or an isolated plant growing to extraordinary size, usually from lack of competition or utilization (Society for Range Management 1998).

water haul sites that would meet the objective of livestock distribution would be authorized in any given year. Water would be hauled to existing disturbed areas such as troughs or reservoirs or historic salting locations along roads. Existing water developments are identified in Appendix B: Map 3 – Existing Range Developments. If any proposed developments are completed, they would also be considered water hauling locations if needed. At these sites, temporary troughs would be placed in the disturbed area to reduce water loss through absorption. Portable water troughs must be temporary in nature and removed at the end of the grazing season. Water hauling will only be authorized in years when drought is limiting water availability and will be used as a tool to improve management of livestock. Any water hauling will be approved by the BLM, with specific water hauling locations identified. Hauling will not be authorized within wilderness, ACECs, or research natural areas (RNA). In emergency situations, water hauling could be used to support wild horses and wildlife.

RANGE DEVELOPMENTS

The locations of all planned range developments are estimated locations. Exact, on-the-ground locations of any planned range developments will be determined by those responsible for constructing the developments and may be modified based on clearances. Generally, all range developments will occur within 0.25 mile of the current planned location. Changes to locations will be made through coordination between appropriate BLM specialists and the grazing permittee and approved by the field manager.

Fence Construction

Alvord Seeding #1 will be divided using a 1.7-mile-long division fence (Proposed Decision Map). The fence will likely be constructed within T. 33 S., R. 34 E., Section 13 and T. 33 S., R. 35 E., Section 8. However, the placement and design will be based on the most suitable location to allow a better distribution of livestock in the northern part of the pasture and the specific location may vary. The fence will not be located in WSA or wilderness and will be located in an area predominantly seeded with crested wheatgrass.

Seeding Maintenance

Alvord Seeding #1 (including the proposed Alvord South Seeding #11) would be brush beat to remove sagebrush encroaching into the seeding in order to maintain this pasture as a crested wheatgrass seeding. Brush beating would occur in strips or mosaics, no larger than 25 acres each, maintaining at least 10 percent sagebrush cover in the pastures. Brush beating would occur using heavy equipment, such as a backhoe with rubber tires or a bulldozer with metal tracks pulling a mower. In areas that have become dominated by annual grasses, annual grasses would be sprayed with an herbicide as approved in the Integrated Invasive Plant Management for the Burns District Revised EA (BLM 2015d). The seeding will be reseeded as necessary utilizing desirable non-native species to compete with annual grasses, meeting site-specific resource objectives of the crested wheatgrass seeding. Seeding will be

completed using heavy equipment, such as a backhoe with rubber tires or a bulldozer with metal tracks pulling a rangeland drill. Seeded areas will be rested from grazing for two growing seasons.

No more than once every five years within the Alvord Seeding #1 and Alvord South Seeding #11 pastures, the 60 percent utilization threshold may be exceeded, to allow vegetation management through the grazing of wolfy plants to reduce residual dry matter and fuel loading. Supplementation will be strategically placed in areas with the most wolfy plants to encourage livestock utilization in those areas. By maintaining this seeding and creating a site with abundant forage, livestock would be able to use it in case of a wildfire, if a vegetation treatment that requires rest from grazing takes place somewhere else in the allotment, or to help address resource concerns in other locations. In these situations, this seeding may be used at a higher stocking level to offset the loss of AUMs from those pastures that were affected. This will only be a temporary use and would cease once those affected areas were available to grazing. This use must be authorized by the BLM in advance and be for ecologically based reasons. Periodic growing season rest will still occur.

Development Maintenance

Within the Alvord Seeding #1 and Alvord South Seeding #11 pastures, 1.7 miles of existing, non-functional pipeline will be reconstructed. New pipe will be laid in the same location as the existing pipelines in T. 33 S., R. 35 E., Section 8, SW¼SW¼ to T. 33 S., R. 35 E., Section 18, NE¼SE¼ and in T. 33 S., R. 35 E., Section 8, SW¼SW¼ to Section 6, SE¼SW¼. This pipe will be laid using heavy equipment such as a backhoe with rubber tires or a bulldozer with metal tracks. Pipelines will be buried 18 inches below ground level, when rocks do not limit trench depth. Soil disturbed during pipe placement will be hand or utility terrain vehicle (UTV) seeded with a desirable non-native species as site potential is low and success with native species would be expected to be minimal.

A 3.1-mile currently non-functioning pipeline in the Desert #6 Pasture will be repaired. This pipeline begins in T. 34 S., R. 36., Section 9, NE¼SE¼ at Pipeline Well and travels south parallel to the Mickey-Alvord Well Loop Road where it ends in T. 34 S., R. 36 E., Section 28 NE¼SW¼, draining into the existing reservoir just inside the WSA boundary (by approximately 100 feet located in T. 34 S., R. 36 E., Section 28, SWNE), as it did after initial construction. Repairs and restoration will be conducted in the same manner as described above.

In addition to pipelines, all other developments will be maintained to ensure continued functionality. Machinery, such as dozers or excavators, will be used to clean water developments. These are transported with a truck and lowboy as close to the worksite as they can be then driven cross-country to the actual location to do the work. Graters or other heavy equipment would be used to maintain, but not improve roads, within the existing road prism. Maintenance activities will result in surface disturbance at the site; however, this will be no greater than the disturbance caused during the initial construction of the development.

Wells

Seven new wells are planned in the Desert #6 Pasture (Proposed Decision Map). All of these wells are located on non-WSA designated land and are not subject to the WSA non-impairment standard. Two wells (PW4 and PW5) are in the northwestern part of the pasture in T. 31 S., R. 35 E., Section 25, SW¼ (PW4) and T. 31 S., R. 36 E., Section 32, NW¼ (PW5). While there is a spring on the allotment boundary that is currently providing reliable water, the spring is mostly on private property and access could be limited at any time. Two other wells (PW3 and PW7) will be located in non-WSA near the WSA boundary. PW3 will be located in T. 33 S., R. 36 E., Section 10, NE¼, just east of the Nowhere Mickey Road. PW7 will be located in T. 34 S., R. 36 E., Section 5, NW¼. The purpose of these four wells is to improve overall livestock distribution of Active Use AUMs[24] within the Desert #6 Pasture.[25] These wells will help increase the available use area for livestock and will not increase the number of AUMs taken from WSA-managed lands. Instead, they will expand the area from which those AUMs are being taken into areas that are currently unavailable to livestock grazing due to lack of water availability. The goal of improving distribution is to decrease use in currently accessible areas and increase use in areas currently receiving little to no use. See Appendix B: Map 5 - Alternative B Desert Pasture Use Areas for an estimate of the use areas associated with each proposed well.

The remaining three wells (PW1, PW2, and PW6) are planned off the Mickey-Alvord Wells Road in T. 33 S., R. 37 E., Section 9 NW¼ (PW2), Section 14 NW¼ (PW6), and Section 17 SE¼ (PW1). A road will be constructed to the well in Section 14 (see Roads Section) to allow access for a drilling rig and maintenance of the development. The purpose of these three wells will be to support the reinstatement of Non-WSA AUMs. However, if these wells remain on while grazing the Active Use AUMs, they could also promote pasture distribution. See Section *Reinstatement of Suspended Use AUMs to Active Use* for a description of how and when wells will be utilized.

Access for well-drilling equipment will use the following roads: Mickey-Alvord Wells Loop Road, Nowhere Mickey Road, Sulfur Springs-Mickey Road, and the Table Mountain Well Road, as well as the new planned road. The only off-road travel will be at the actual well site and will be no more than 500 feet from an existing road. Any materials needed for well drilling will be hauled in with a dump truck and/or trailer. The well site will consist of an area disturbed during construction of approximately 0.2 acre, within approximately 500 feet of a route. Following seeding/rehabilitation of the disturbed site, the permanent footprint will be no more than 0.01 acre (see rehabilitation seeding project design element (PDE)). Only native species will be seeded at these disturbed sites. In general, an 8-inch to 12-inch-diameter hole will be drilled at the well site to accommodate 6-inch casing (pipe). Casing

[24] Currently authorized AUMs are allowed to be grazed within WSA areas, as well as non-WSA areas. Of the currently authorized 7,577 AUMs, typically around 5,606 AUMs are utilized within the Desert Pasture, including WSAs. This use would continue under this alternative. Only the Reinstated Non-WSA AUMs would be required to be utilized outside of WSAs.

[25] There is no guarantee water would be found at any well location. The Alvord Basin is part of the larger tectonic geomorphic Basin and Range province, a region of alternating narrow faulted mountains and flat arid valleys with abrupt elevation changes. This structure, along with lithology, is the principal control on the occurrence and movement of groundwater in Basin and Range aquifers (Robson and Banta 1995). Faults can act as aquitards, with the fault core creating less permeable zones incapable of transmitting useful quantities of water (Turndage, et.al. 2018); this further isolates the sequences and distinct volcanic strata that underlay the Alvord Basin. In the Alvord Basin this occurs beneath 100 to 275 meters of unconsolidated Pliocene alluvium (Cleary 1976). This makes predicting groundwater patterns and flows difficult as it is a challenge to find the isolated aquifers beneath the Alvord Basin area.

will be used for the entire depth of the hole unless solid rock is encountered. Pump size will be dependent upon depth of well and location of storage tank (if needed).

Wells will be powered by a generator, or by solar power with the ability to connect a fuel generator as a secondary power source, if needed. A generator will be hauled to the well site on a trailer. Panels for solar energy will be installed using a tractor with an auger. Poles will be installed with concrete in the ground and solar panels mounted upon the poles. Pole height will be as low as possible, while still allowing panels to clear vegetation. Solar panels vary in size from 16 to 40 inches in length by 40 to 70 inches in width. The number of panels needed will depend on the characteristics of each well. Vegetative and topographic screening will be utilized as much as possible to minimize visual disturbance. The well and power source will be fenced, enclosing the minimum area needed to protect the well and energy source, with a maximum perimeter of 0.1 mile, following the fencing PDE. If a barbed wire fence is not effective at keeping livestock and wild horses from causing damage, metal fence panels may be used. If well production is low enough that a storage tank is required to store water, it will be at most 8 feet in height by 28 feet in length and hold 10,000 gallons of water. Tank size will be based on water production of the well (a higher producing well will require a smaller storage tank than described above and may eliminate the need completely). The storage tank will be placed aboveground, with perch deterrents, and painted to blend in with the surrounding landscape. The color will be chosen from the BLM Standard Environmental Color Chart and will be approved by BLM prior to painting. Equipment for installation may include an excavator or backhoe and a low-boy truck and trailer to haul the tank.

Wells will be constructed using a phased in approach with no more than two new wells being drilled in any given year. Wells will primarily be used to distribute livestock and will not regularly be turned on for wild horses.

Troughs

Within the Alvord Seeding #1 and Alvord South Seeding #11 two troughs will be installed on the maintained pipeline to replace two existing metal 4x10 troughs at T. 33 S., R. 35 E., Section 18, NE¼SE¼ and T. 33 S., R. 35 E., Section 6, SE¼SW¼. These troughs will be outside of the WSA.

Within the Desert #6 Pasture, one new trough will be placed on the maintained pipeline. It will be in T 34 S., R. 36 E., Section 15, SWSW. The pipeline will end by draining into a currently existing reservoir in T. 34 S., R. 36 E., Section 28, SWNE. If the BLM determines that this reservoir is not able to hold adequate water during the grazing season, a trough will be placed at the end of the pipeline. This trough would be placed outside of WSA, but within the Alvord Desert Lands with Wilderness Character Unit in T. 34 S., R. 36 E., Section 28, SWNE.

In addition to the new pipeline trough, a new trough will be installed at each new well location. Troughs will be a 30-foot round bottomless style. However, a smaller bottomless trough, a tire trough, or a smaller rectangular galvanized trough may be used instead to address site characteristics. The disturbance for these smaller troughs will always be less than

for the 30-foot bottomless trough. Bottomless troughs are circular, with a 4- to 6-inch concrete bottom and a 2- to 4-foot concrete apron to aid in erosion control. The sides of the trough will be 2-feet high and constructed of galvanized metal. A tractor will be used to scrape dirt to level the area for a trough within approximately 30 feet of an existing route. A concrete truck will haul concrete to the site to construct the apron and concrete bottom. The area disturbed during installation of the trough will be approximately 0.2 acre. This trough will also act to store water, and may eliminate the need for a storage tank, though that determination will be dependent on the rate of water produced by the well. The trough may have floats installed to prevent water from overflowing, as well as an overflow pipe to a small catchment basin to protect the site in the event the float valve is damaged or unusable, and water continuously flows into the trough. Bird escape ramps will be installed in all troughs. Water troughs will have coarse rock placed around them to reduce soil compaction by livestock and assist in blending the site into the surrounding area.

Roads

A new road will be constructed to planned well PW6 in T. 33 S., R. 37 E., Section 14 (Proposed Decision Map). This road will be approximately 2 miles long and will primarily be constructed by the passage of vehicles. If a portion of this road is too rough to be constructed by vehicle passage, a tractor with a blade will be used to clear rough areas to ensure a well drilling rig could access the site.

The road will have a minimum 12-foot-wide driving surface. There will also be an up to 4-foot-wide berm on either side of the road in areas where a tractor is needed to construct the road, from the material cleared off the road surface. In steep areas, ditches approximately 4 feet wide will need to be built to address any anticipated drainage issues. The maintenance level of this road will be assigned as level 1. According to BLM Manual 9113 - Roads (2015b), a maintenance level 1 road is defined as a route where minimum (low intensity) maintenance is required to protect adjacent lands and resource values. Emphasis is given to maintaining drainage and runoff patterns as needed to protect adjacent lands. Grading, brushing, or slide removal is not performed unless route bed drainage is being adversely affected, causing erosion, and route surface and other physical features are not maintained for regular traffic. Maintenance of the road will occur as needed to ensure the road remains passable for maintenance and operation needs. All changes to roads will be documented in the appropriate BLM road management systems.

To ensure a net decrease in the total miles of roads within the Alvord Allotment, approximately 5.9 miles of existing roads will be closed (see Proposed Decision Map), and reclamation will occur where needed to allow the roads to revegetate. Road closure will follow Instruction Memorandum OR-2011-074, Incorporating Road and Sediment Delivery Best Management Practices into Resource Management Plans for full decommission, and would be seeded with natives following rehabilitation seeding PDEs as described under EA Section 2.3.4.3. Road closed signs would be placed at the road entrances. Road closed signs will be placed at the road entrances.

All changes to roads will be documented in the appropriate BLM road management systems, GIS, and future travel management plans.

GENERAL PROJECT DESIGN ELEMENTS (PDE), REQUIRED DESIGN FEATURES (RDF) FROM THE GRSG ARMPA, AND BEST MANAGEMENT PRACTICES (BMP) FROM THE GRSG ARMPA

General PDEs

- Maintenance on all range developments and roads will be done to ensure the continued functioning of the developments. Maintenance activities will be the minimum necessary to ensure continued functionality of the improvement and will not exceed the original disturbance footprint of the improvement.

- Upon affirmative final decision to implement proposed range developments, and prior to development, Cooperative Range Improvement Agreements (Form 4120-6) between the Alvord Allotment permittee and BLM Burns District will be completed to address each partner's responsibilities for labor, construction, maintenance, and/or supplies.

- The Industrial Fire Precaution Levels will be followed during construction.

- Proposed rangeland improvement sites, including sites of temporary range developments, will be surveyed for cultural resources prior to implementation. Where cultural sites are found, developments will be relocated, and site condition and National Register of Historic Places (NRHP) eligibility will be evaluated. If sites are determined to be NRHP eligible and under threat of damage, mitigation measures to protect cultural materials will be determined. Mitigation plans will be developed in consultation with the Oregon State Historic Preservation Office and the appropriate Indian tribes, as necessary. Mitigation measures could include avoidance, construction of protective fence exclosure, surface collection and mapping of artifacts, or complete data recovery (full-scale excavation).

- Proposed rangeland improvement sites, including temporary sites, will be surveyed for plant special status species (SSS) prior to implementation. Plant SSS sites will be avoided.

- Proposed range improvement sites, including temporary sites, will be surveyed for noxious weed populations prior to implementation. Weed populations identified in or adjacent to the proposed projects will be treated using the most appropriate methods, in accordance with the Integrated Invasive Plant Management for the Burns District Revised EA (DOI-BLM-OR-B000-2011-0041-EA) (2015d), which this document is tiered to, or subsequent decision.

- Proposed range improvement sites, including temporary sites, will be surveyed by a BLM wildlife biologist, as needed and dependent upon time of year, to identify occupied nest sites within the work area prior to construction in order to avoid harm to nests, eggs, and nestlings. Should nests be located on the site, construction will either be delayed until nesting is complete, or nest sites will be identified and avoided.

- Fences will be constructed to BLM specifications for a 4-strand, barbed wire fence. Post spacing will be up to 22 feet and the maximum fence height will be 42 inches. Wire spacing will be 16 inches, 22 inches, 30 inches, and 42 inches up from the ground, with a smooth bottom wire. As many as two metal stays will be used in each section of fence. Posts will be standard metal posts and solid green in color. Green, brown, or gray steel braces and stretch panels will be used, instead of wood braces and rock cribs, when they will not affect the structural integrity of the fence. Spot removal of rocks or vegetation will only occur when necessary, during construction. Pickups or UTVs will be used in fence construction; off-road travel will occur to haul materials. Anti-strike markers will be used as described under "Required Design Features" from the GRSG ARMPA section. The grazing permittee will be responsible for all fence maintenance.

- To minimize impacts to visual resources, chemical treatment or vinegar will be used to reduce sheen on troughs if needed; non-reflective material will be used for solar panels if available.

- Disturbed areas will be seeded with native, or desirable nonnative species outside of WSAs, where the site is at immediate risk of annual grass invasion to increase the rate of recovery. Seeding will be completed using a UTV to broadcast seed, pulling chains to cover the seed, or by hand with a whirlybird seeder. Seeding method will be dependent on the size of the disturbed area. Reseeding would occur if monitoring suggested it was not successful. Seeding will occur in the fall or winter.

Required Design Features (RDF) from the GRSG ARMPA[26]

- Restrict the construction of fences and tall structures to the minimum number and amount needed (GRSG ARMPA, Appendix C, Common to All RDF 3, p. C-1).

- Remove, modify, or mark fences identified as high risk for collisions, generally within 1.2 miles of occupied or pending leks (GRSG ARMPA, MD LG 9, p. 2-20). Refer to the model by Bryan Stevens (2011) to identify fences that pose a threat to GRSG. Remove any unneeded or unused fences and mark needed fences with anti-strike markers if they pose a threat to the GRSG. Remove or mark fences within 1.2 miles of newly discovered leks that were not included in the model. Update the model when new leks are found (priority habitat management area (PHMA) only) (GRSG ARMPA, Appendix C, Common to All RDF 5, p. C-2).

[26] These are the most relevant RDFs and BMPs from the GRSG ARMPA, however, all RDF and BMPs that are applicable would be applied, even if not specifically listed here.

- Power wash all vehicles and equipment involved in land and resource management activities prior to allowing them to enter the project area to minimize the introduction and spread of invasive plant species (GRSG ARMPA, Common to All RDF 11, p. C-2).

- Use native plant species, locally sourced where available, recognizing that use of nonnative species may be necessary, depending on the availability of native seed and prevailing site conditions (GRSG ARMPA, Common to All RDF 12, p. C-2).

- Ensure proposed sagebrush treatments are planned with interdisciplinary input from the BLM or state wildlife agency biologist and promote use by GRSG (GRSG ARMPA, Common to All RDF 13, p. C-2).

- There will be no disruptive activities two hours before sunset to two hours after sunrise from March 1 through June 30 within 1.0 mile of the perimeter of occupied leks, unless brief occupancy is essential for routine ranch activities (e.g., herding, or trailing livestock into or out of an area at the beginning or end of the grazing season). Disruptive activities are those that are likely to alter GRSG behavior or displace birds such that reproductive success is negatively affected or an individual's physiological ability to cope with environmental stress is compromised. Examples of disruptive activities are noise, human foot or vehicle traffic, or other human presence (GRSG ARMPA, Common to All RDF 19, p. C-3).

- Restore disturbed areas at final reclamation and duplicate roads to the pre-disturbance landforms and desired plant community (GRSG ARMPA, Reclamation RDF 2, p. C-3).

- Use native plant species, locally sourced where available, recognizing that use of nonnative species may be necessary to achieve site-specific management objectives (GRSG ARMPA, Vegetation and Fuels Management RDF 4, p. C-4).

- Do not place salt or mineral supplements within 1.2 miles of the perimeter of an occupied lek (GRSG ARMPA, Livestock Grazing RDF 1, p. C-6).

- Do not concentrate livestock in nesting habitat or leks from March 1 through June 30. The timing and location of livestock turnout and trailing should not contribute to livestock concentrations on leks during the GRSG breeding season (GRSG ARMPA, Livestock Grazing RDF 2, p. C-6).

- Locate new or relocate existing livestock water developments within GRSG habitat to maintain or enhance habitat quality (GRSG ARMPA, Livestock Grazing RDF 3, p. C-6).

- Ensure wildlife accessibility to water and install escape ramps in all new and existing water troughs (GRSG ARMPA, Livestock Grazing RDF 6, p. C-7). Ramps will be

installed in each trough, including temporary troughs. Escape ramps will be fabricated of metal or may be a pile of rocks in one part of the trough.

- Construct new livestock facilities, such as livestock troughs, fences, corrals, handling facilities, and "dusting bags," at least 1.2 miles from leks or other important areas of GRSG habitat (i.e., wintering and brood-rearing areas) to avoid concentrating livestock, collision hazards to flying birds, or avian predator perches (GRSG ARMPA, Livestock Grazing RDF 7, p. C-7).

Best Management Practices (BMP) from the GRSG ARMPA

- Use ecological site descriptions to determine appropriate seed mixes. Seed mixes should include a diversity of forbs that maximize blooming times when pollinators are most active and include nectar and pollen-producing plants (GRSG ARMPA, Post-Fire and Restoration Seeding BMP 1, p. C-9).

- When using nonnative grasses, do not mix crested wheatgrass (*Agropyron cristatum* or *A. desertorum*) with native perennial grass species. If crested wheatgrass is needed to compete with invasive annual grasses, use a nonnative grass mix (GRSG ARMPA, Post-Fire and Restoration Seeding BMP 3, p. C-9).

- Prefer minimum-till and standard drill seeding to aerial or broadcast seeding, particularly to control invasive annual grasses. Where possible, prefer minimum-till drill seeding to standard drill seeding (GRSG ARMPA, Post-Fire and Restoration Seeding BMP 4, p. C-10).

- Rest seeded and planted areas from grazing by livestock for at least two growing seasons. When possible, exclude seeded or planted areas from wild horses and burros as well. Grazing should not resume until vegetation objectives have been met. Plans must clearly describe the vegetation objectives and how attainment will be measured and determined. (GRSG ARMPA, Post-Fire and Restoration Seeding BMP 12, p. C-10).

GOALS AND OBJECTIVES FOR ALVORD ALLOTMENT[27]

- Manage the rangelands of the Alvord Allotment for the next 10 years in a manner that promotes native forage species and rangeland health. Objective: Increase or maintain current abundance of native forage species such as bottlebrush squirreltail (*Elymus elymoides*), bluebunch wheatgrass (*Pseudoroegneria spicatum*), and needle-and-thread grass (*Hesperostipa comata)*, along with shadscale saltbrush (*Atriplex confertifolia*) and winterfat (*Krascheninnikovia lanata*). Measure[28]: Utilization, Pace 180°, and photo monitoring.

[27] These are goals and objectives that are in addition to goals and objectives already identified in the AMU and Steens Mountain CMPA RMPs and RODs, dated August 2005, as amended by the 2015 Oregon GRSG ARMPA/ROD.
[28] These are the most likely monitoring methods to be utilized; however, the BLM may use all available information to determine if these goals and objectives are achieved.

- Manage desirable nonnative forage species in a way that promotes sustainability and a long-term forage base. Objective: Increase or maintain crested wheatgrass abundance and vigor in the Alvord Seeding. Measure: Utilization, Pace 180°, and photo monitoring.

- Maintain utilization levels at 50% for native forage species. Objective: Adjust the number of AUMs authorized annually in order to stay at or below the 50% utilization level. Measure: Utilization. During years of low precipitation available forage will be assessed on the Desert #6 Pasture by inspecting established utilization points, and areas in between, that livestock have access to. Available water will also be checked in order to determine where livestock can access forage.

- Maintain WSAs and wilderness characteristics within the Alvord Allotment. Objective: Maintain Alvord Desert, East Alvord, Table Mountain, Wildcat Canyon, Winter Range, and High Steens WSAs, as outlined through FLPMA and Manual 6330 Management of Wilderness Study Areas. Measure: Site visits, patrol logs, surveillance reports, photographs, and observation. Includes on-the-ground surveillance conducted at a minimum of once per month during months the area is accessible to the public, depending on workload and budget. Surveillance can be initiated more frequently if potential use activities or resource conflicts indicate a need.

- Maintain or improve LCT habitat within the Alvord Allotment. Objectives: 1) Utilize monitoring to document the condition and direction of change (trend) of stream habitat and riparian areas. 2) Utilize monitoring to determine whether management practices are effective in maintaining or improving the structure and function of riparian habitat. 3) Change grazing management as needed to achieve management goals on occupied LCT habitat. Measure: MIM, PFC, Aquatic AIM (Assessment, Inventory, Monitoring), temperature thermographs, photo monitoring, greenline, streambank alteration, and browse alteration.

MONITORING

Monitoring, by BLM staff[29] in coordination with the permittees, of the success in meeting resource objectives and goals would continue to occur in the allotment. All monitoring within the AMU/Steens CMPA follows the direction provided in the AMU Monitoring Plan dated May 4, 2011 (or subsequent plan), and the 2005 AMU/Steens CMPA RMPs, as amended by the 2015 Oregon GRSG ARMPA/ROD.

Grazing management will be monitored following periods of grazing and include utilization studies for each pasture grazed by livestock, along with use supervision reports and actual use reports. The modified Key Forage Plant Method will be used to measure utilization in each pasture (Utilization Studies and Residual Measurements (TR 1734-3), 1999). The target utilization levels for key forage plant species are no more than 50 percent utilization[30] on key

[29] While monitoring would occur on the allotments, the extent and timeliness of it would depend on internal BLM factors such as funding and workforce and may not occur exactly when planned.
[30] BLM Burns District measures utilization percentage using an ocular method, not a weight method.

native upland perennial species and 60 percent utilization on desirable nonnative species, such as crested wheatgrass (AMU/Steens CMPA RMPs 2005, p. 54). These utilization limits help to ensure that proper plant cover, litter, and distribution of bare ground are achieved in the uplands to maintain proper watershed function. Utilization limits also ensure that above-ground vegetation of plants is not removed to a detrimental level that would cause long-term ecological damage or decreased plant vigor. It will also ensure that enough above-ground vegetation remains to meet wildlife habitat requirements. Utilization monitoring is typically performed along a route transect by vehicle, foot, and/or horseback, with utilization being calculated on a pasture average basis. When possible, utilization data should be collected prior to livestock turnout to document wild horse use in the Desert Pasture. Upland trend will be monitored approximately every 5-10 years using Pace 180° methodology (Johnson and Sharp 2012; TR 4400-4 1985) and permanent photo points to measure the occurrence of key forbs, shrubs, and perennial grass species in order to assess trend in rangeland condition. Soil Surface Factor (SSF) methodology will be used to measure soil stability and Observed Apparent Trend (OAT) will be assessed at each upland trend plot. Currently, there are 18 upland trend monitoring plots within the Alvord Allotment. As needed, upland assessments using the Interpreting Indicators of Rangeland Health (IIRH, TR 1734-6 2020) will also be completed. IIRH is qualitative assessment of ecological processes based on 17 observable indicators that are categorized into three attributes of rangeland health which emphasize soil/site stability, hydrologic function, and biotic integrity. These indicators are rated based on whether they are in agreement with, or have or departed from, what is expected for the ecological site[31] of the assessment area. IIRH information helps to provide a preliminary evaluation of the three attributes of Rangeland Health, identify future information needs, helps with monitoring site selection, and should be used as one piece of information to support S&Gs.

Riparian trend monitoring and condition assessments will be completed approximately every 5-10 years and methods may include using PFC (USDI 2015), MIM (BLM 2011), Aquatic AIM[32] (BLM 2017), photo monitoring, temperature thermographs (10-year intervals), and greenline monitoring. Water temperature monitoring will be conducted through deploying HOBO temperature probes for two to three years in LCT streams and will continue documenting that parameter for water quality purposes. This will occur on a rotational basis so all streams would be monitored at least once over a six-to-nine-year period, or as time and staffing allow. Additional annual monitoring by the BLM has been implemented in the riparian areas of Pike Creek (from the Pike Creek Trail) when cattle are present on the pasture. Monitoring of the Pike Creek drainage every 2-3 weeks will occur when livestock are in the Pike Creek and proposed Indian Creek pastures, when staff are available, to monitor use in that drainage at locations accessible to livestock and to let the permittee know to remove livestock when observed in the drainage per terms and conditions described in EA Section 2.3. In addition, the BLM will monitor LCT creeks for browse on willows and streambank alteration in areas accessible to livestock (where slope and vegetation do not limit access) after livestock are removed, dependent upon staff availability. Monitoring of livestock use of riparian vegetation (willows, sedges, and

[31] Ecological Site is a "conceptual division of the landscape that is defined as a distinctive kind of land based on reoccurring soil, landform, geological, and climate characteristics that differs in its ability to produce distinctive kinds and amounts of vegetation and in its ability to respond similarly to management actions and natural disturbances" (IIRH, TR 1734-6, 2020). Characteristics of Ecological Sites, including reference conditions, are found in ecological site descriptions (ESDs), which are available at: https://edit.jornada.nmsu.edu/.

[32] Aquatic AIM field measurements include pH, specific conductance, water temperature, total nitrogen and phosphorus, stream substrate, pool dimensions, bank stability/cover, stream width/depth, large woody debris, floodplain connectivity, canopy cover, riparian vegetation, and macroinvertebrates. Also included is the greenline component of MIM.

rushes) will be conducted as soon as possible after livestock removal from pastures with LCT streams. For all pastures, the end of season riparian objective is 35% riparian vegetation[33] use or less. Bank alteration transects will be established on LCT streams, in areas accessible to livestock, to document hoof action on streambanks after livestock have been removed, annually, or as staffing allows. For all pastures, the end of season riparian objective is 20% streambank alteration or less.

The BLM has completed a Biological Assessment for LCT within the Alvord Allotment (Dec. 1, 2021), working in coordination with the USFWS. The USFWS provided the BLM with a Biological Opinion on March 29, 2022, and the BLM incorporated all conservation measures from the BO as grazing terms and conditions, thresholds, and/or monitoring protocols. The BLM will continue to conduct any additional compliance, implementation, and effectiveness monitoring that may be required as a condition of consultation with USFWS and identified in any future Biological Opinion or Letter of Concurrence on all three pastures containing streams with LCT (*Oncorhynchus clarki henshawi*). Implementation and effectiveness monitoring would be conducted annually in accordance with the USFWS Biological Opinion, in all LCT pastures where grazing occurs. The BLM will share the results of implementation and effectiveness monitoring with the USFWS annually. The BLM will submit monitoring reports (including implementation, effectiveness, and compliance information) to the USFWS for all pastures containing streams with LCT in Alvord Allotment by December 31 each year.

Other monitoring that includes the Alvord Allotment within a larger scale landscape will follow the GRSG Monitoring Framework (GRSG ARMPA, Appendix D, p. D-1). This includes an ongoing Terrestrial AIM project, which was initiated in 2016 within the Burns District in conformance with the monitoring framework. New AIM plots on the District continue to be added annually, and plots established in 2016 were read in 2021. AIM and Landscape Monitoring Framework (LMF) plots are used to support the findings of the Habitat Assessment Framework (BLM 2015c) reports, when available. AIM and LMF monitoring includes monitoring of many indicators including perennial grass height. There are 15 AIM[34] plots and 42 LMF plots located within the Alvord Allotment[35]. During each allotment visit, monitoring for noxious weed establishment will occur as well as observation of overall rangeland condition.

ADAPTIVE MANAGEMENT AND FLEXIBILITY

Adaptive management is a system of management practices based on clearly identified objectives (identified in relevant RMPs and this document) and monitoring to determine if management actions are meeting desired objectives and, if not, facilitating management changes that will best ensure objectives are met. Adaptive management recognizes knowledge about natural resource systems is sometimes uncertain and, in this context, adaptive management affords an opportunity for improved understanding. Due to the uncertainties inherent in managing for sustainable ecosystems, some changes in management may be authorized, which include (but are not limited to) adjusting the rotation, timing, annual season of use of grazing,

[33] Herbaceous and/or woody vegetation.
[34] AIM plots follow a random sample design and are not located within key areas. Therefore, an individual AIM plot cannot be extrapolated from in the same manner as a monitoring plot located within a key area.
[35] General habitat suitability determinations were made during the S&G Assessment using all data currently available.

and livestock numbers within the constraints of the grazing permit based on numerous factors including (but not limited to) the following:

- A finding that one or more standards are not being achieved and livestock are a causal factor.[36]
- The previous year's monitoring results, considering weather conditions (temperature and precipitation).
- The current year's forecasted weather conditions.
- Persistent drought causing reduced forage production and/or a lack of available water in areas originally scheduled to be used.
- Occurrence of wildfire.
- To balance utilization levels.

Rangeland monitoring described above is a key component of adaptive management. As monitoring data indicates changes in grazing management are needed to meet resource objectives, changes are implemented in coordination with the grazing permittee. Flexibility in grazing management will be authorized, and changes in rotations will only be allowed as long as they continue to meet resource objectives. Flexibility is dependent upon the demonstrated stewardship and cooperation of the permittee and occurs within the confines of the grazing permit. Additional flexibility may occur within the terms and conditions of the annual grazing authorization.

Thresholds, or use indicators, and responses take time to develop and validate because short-term indicators of grazing use may or may not reflect the meeting of long-term management objectives. General thresholds and responses related to grazing management in this allotment will include those described in Table 3 and will be applied as described in the Monitoring Section. These thresholds may adjust over time through adaptive management based on short- and long-term monitoring and assessment of objectives.

[36] Currently (as with the previous S&G assessments) livestock is not a causal factor.

Table 3: Thresholds and Responses

Activity	Threshold/Indicators	Response
Wildfire	Over 25% of acres in pasture is burnt and severity is high enough to remove existing deep-rooted perennial vegetation and require seeding.	Remove livestock grazing from burned area, or temporarily fence burned area, to exclude livestock grazing for two growing seasons. BLM retains discretion to close areas of any size due to fire depending on resource concerns.
Upland Grazing	50% utilization level on key native upland perennial species.	If livestock are still present when monitoring shows the utilization threshold is met, permittee will be required to remove livestock in a timely manner. Adjust livestock timing and/or duration of use for the following season. Reduce AUMs the following year if utilization was over 50%[37]. If under 50%, consider increasing annually authorized AUMs (within total permitted AUMs).
	60% utilization level on desirable non-native species (e.g., crested wheatgrass).	If livestock are still present when monitoring shows the utilization threshold is met, permittee will be required to remove livestock in a timely manner. Adjust livestock timing and/or duration of use for the following season. Reduce AUMs the following year if over 60% utilization. If under 60%, consider increasing annually authorized AUMs (within total permitted AUMs).
Riparian Grazing (LCT Pastures)	35% utilization on willows, sedges (*Carex* spp.) and rushes (*Juncus* spp.).	For all pastures, the end of season riparian objective is 35% on riparian vegetation or less. If use is higher, an additional year of rest (two full years) will be required prior to resuming grazing in the pasture.
Streambank Alteration along LCT Creeks	20% streambank alteration.	Bank alteration transects in areas accessible to livestock will be used to document hoof action on streambanks after livestock have been removed, annually, or as staffing allows. If alteration is higher, an additional year of rest (two full years) will be required prior to resuming grazing in the pasture.

BILLING

Actual use (after-the-fact) billing will be authorized as part of this AMP because of the variability in forage production from year to year, the unreliability of water sources, and a past record of paying bills on time. Annual grazing will be authorized with a letter of authorization prior to turnout. Accurate records will be kept, and an actual use grazing report will be submitted within 15 days after the authorized use was completed within the allotment, unless other arrangements are made with the BLM. Advanced billing will be allowed at the discretion of the BLM. If the terms and conditions of actual use billing are not met, actual use billing will no longer be allowed, and advanced billing will occur.

GRAZING PREFERENCE

The permittee currently authorized under authorization #3602552 will continue to hold all the grazing preference within the Alvord Allotment. The number of AUMs of preference will be increased to 8,992[38] following a final decision.

[37] This should not occur often as BLM works with the permittee to monitor and livestock should be removed prior to hitting this threshold. This response is only in place if for unseen reasons, this does not occur.

[38] The amount of preference may decrease, dependent upon the number of wells drilled for the reinstatement of non-WSA AUMs. If not all wells are drilled, and it is determined they won't be drilled, this number would be reduced to match the increase in use area and calculated carrying capacity.

MAINTENANCE

Existing reservoirs and waterholes within the Alvord Allotment will be cleaned, in accordance with their ability to currently hold water and to help distribute livestock (if grazing is continued) and wild horses. Roads will be maintained in accordance with their maintenance levels. All maintenance will occur in accordance with the AMU/Steens RMP, as amended, and the Maintenance of Range, Wildlife, and Wild Horse Improvements in Wilderness Study Areas in The Burns District EA (EA OR-05-020-080, 2005), and this document.

GATE MANAGEMENT FOR WILD HORSES

A term and condition of the permit is gate management for wild horse movement. In the areas of the allotment that lie within a herd management area (HMA), permittees are required to open gates when livestock are not present on either side of the fence. Coordination with adjacent permittees will be required. This allows horses to move freely between water and forage within seasonal habitats.

UTILIZATION LEVELS

Total utilization by grazing animals (e.g., domestic livestock, wild horses, and wildlife) in all native pastures should not exceed 50 percent of available current year forage in each pasture. In desirable non-native seedings, utilization should not exceed 60 percent of available current year forage.[39]

DESERT #6 PASTURE WELLS

In the Desert #6 Pasture, Pipeline well and/or Ancient Lake well will be turned on to fill the associated troughs, in the absence of livestock, for use by wild horses and wildlife only during drought conditions when other water sources within the HMA are limited. The selected well will be turned on periodically to fill the trough and the overflow pond. The water level in these will be maintained by the BLM, in coordination with the permittee, as needed throughout the drought. The well will not continuously pump water or provide water to wild horses when other water sources are available. This will work to encourage wild horses to move throughout their HMA and not rely upon these two wells.

CHANGES IN THE ALVORD AMP EA FOLLOWING THE SEPTEMBER 2, 2022 VERSION RELEASED FOR PUBLIC COMMENT

- Updated EA Section 1.1 Background to show S&G date as 2017/2018.
- Updated EA Section 1.6 Public Involvement to include information on the comment period.
- Added Wild Horses to EA Section 1.8 Issues for Analysis

[39] The Proposed Decision includes seeding maintenance through grazing, which will allow temporary and occasional use above this level when needed to address residual vegetation and wolf plants. This would be an authorized exception to utilization levels.

- Updated EA Section 2.1.2 Monitoring to provide additional information about *Interpreting Indicators of Rangeland Health*
- Added a Term and Condition about avoiding livestock congregation on leks during the breeding season under EA Section 2.3.1.
- Updates EA Section 2.3.3.4 Water Hauling to specify in emergency situations water could be hauled for wild horses.
- Provided clarification in EA Section 2.3.4.2 to specify brush beating in the Alvord Seeding would not reduce sagebrush below 10% cover.
- Updated headings in Section 3 to include resource name for clarification.
- Updated Section 3 to ensure resources included information on maintenance.
- Updates EA Section 3.1.1 to include citations and definitions related to carrying capacity determination and piosphere modelling.
- Added clarifying footnote (#55) to EA Section 3.1.2.4
- Added clarifying information to EA Section 3.3.1.2 GRSG
- Updates EA Section 3.3.1.3 Big Game to include additional information about populations.
- Updates EA Section 3.3.2.4 to include additional information on water developments and wildlife and clarified impacts to GRSG.
- Moved Wild Horses from Issue Considered but Not Fully Analyzed (Previously EA Section 11.13) to a fully analyzed resource (EA Section 3.6).
- Made clarifications and updates to EA Section 3.7.1.3 Lands with Wilderness Characteristics.
- Made clarifications to environmental effects for Lands with Wilderness Characteristics in EA Section 3.7.2.4 Alternative B: Proposed Action – Permit Renewals, Management Changes and Range Developments.
- Updated EA Section 3.8.2.3 to provide information on expected level of road use.
- Added additional citations to Appendix A: References.
- Updated Appendix E: BLM Response to Public Comments to include BLM Responses to the comment period ending September 19, 2022.
- Added additional information to EA Appendix G: Issues Considered but not Fully Analyzed, Sections 11.4 and 11.11.
- Made clarifications and updates in EA Appendix J: Consideration of Increasing AML in Coyote Lake-Alvord-Tule Springs HMA.
- Changed “road abandonment” to “road closure” throughout document.
- Made general clarifications and edits throughout the document to improve readability and understanding but did not change context.

RATIONALE

A Finding of No Significant Impact (FONSI) found Alternative B, including all parts of the proposed decision, components of which are analyzed in DOI-BLM-ORWA-B060-2014-0019-EA, did not constitute a major Federal action that will adversely impact the quality of the human environment. The FONSI determined an environmental impact statement is not necessary and will not be prepared.

The actions and alternatives proposed in the EA have been prepared in consultation with the permittee as described in 43 CFR 4120.2(a). The BLM also consulted with interested American Indian Tribes, the USFWS, and the Steens Mountain Advisory Council prior to issuing the previous March 31, 2022, decision. The EA, along with an unsigned Finding of No Significant Impact (FONSI) was released for a 30-day public comment period, which ended August 25, 2021. The BLM received four comment letters from 5 different organizations. All substantive comments were addressed in EA Appendix E: BLM Response to Public Comments. This document was released again with a proposed decision and signed FONSI dated February 9, 2022. A final decision related to this EA was signed on March 31, 2022, and appealed by Western Watershed Project, as well as WildLands Defense and Wild Horse Education. In reviewing the appeals, the BLM determined that the appellants provided some substantive comments that the BLM had not previously received during the public comment or protest periods associated with the proposed decision. Therefore, the BLM asked the Office of Hearings and Appeals, Departmental Cases Hearings Division to remand and vacate the Decision back to the BLM to allow the BLM to make certain adjustments to the documents in response to the appeals. This request was granted on July 27, 2022. Changes made to the documents following the Appeals are listed in EA Appendix F. The adjusted EA was released for a 15-day public comment period which ended on September 19, 2022. The BLM received 17 unique comment letters from 3 organizations and 14 individuals. All substantive comments were addressed in EA Appendix E: BLM Response to Public Comments. An additional letter was received from an organization that had provided timely comments; however, as these additional comments were received after the comment period ended, they are not considered timely and are not directly addressed in the EA.

This proposed decision is based on public comments on both the original and adjusted EAs, discussions with the grazing permittee, interested parties, consultation with interested American Indian Tribes, other state and federal agencies, and is in conformance with applicable laws and regulations. The proposed decision meets the purpose to respond to an external request by the permittee for renewal of a 10-year grazing permit and to implement changes in current grazing practices and related activities and to respond to the permittee's request to analyze moving 1,892 suspended AUMs to active use AUMs within the Desert #6 Pasture as agreed upon in the 1967 AMP. It also improves livestock distribution to spread grazing effects on vegetation more evenly throughout the allotment, reduce catastrophic wildfire risk and reduces the net miles of roads within the allotment. It responds to the permittee's request to be allowed the use of the Indian Creek area at a later season of use with specifically allocated AUMs. The need for the action is: 1) the BLM has a responsibility to respond to external requests for renewal of the grazing permits and consider modification of grazing management related activities; 2) the need to continue to improve grazing management practices and related activities is consistent with the BLMs need to manage livestock grazing in the most ecologically sound manner in conformance with the S&Gs; 3) and the need to continue to manage for multiple resources, including wilderness characteristics.

This proposed decision includes the approval of the AMP, grazing permit renewal for the Alvord Allotment with changes to mandatory terms and conditions, reinstatement of a portion of suspended use, new pasture establishment, changes to the grazing management, some water hauling, fence construction to divide the current Alvord Seeding Pasture, seeding maintenance,

development maintenance, well construction (including the construction of a road to one well location), road closure, and trough installation. This action is most similar to what was analyzed under Alternative B in the EA. This proposed decision will result in fewer impacts than Alternative B since fewer suspended AUMs will be reinstated to active use. The piosphere model was used to adjust AUMs that could be reinstated at any given point in the allotment and will be used following the development of each well to determine the associated increase in available AUMs. This proposed decision also has fewer developments than Alternative B (no fence relocation involving fence construction and removal, and potentially one fewer trough installation) resulting in decreased ground disturbance. Water hauling will be authorized in fewer pastures, and no non-renewable (NR) authorizations would occur under this proposed decision.

The last grazing permit for Alvord Allotment that was fully processed expired on February 28, 2018. Since then, the grazing permit has been renewed without NEPA analysis under the authority of Section 402(C)(2) of FLPMA, 1976, as amended, with the same terms and conditions as the previous grazing permits. This proposed decision will allow for the grazing permit for Alvord Allotment to be renewed and fully processed with adequate NEPA analysis. Pursuant to 43 CFR 4110.1(b)(1), a grazing permit may not be renewed if the permittee seeking renewal has an unsatisfactory record of performance with respect to the previous grazing permit. Accordingly, I have reviewed your record as a grazing permit holder for the Alvord Allotment and have determined that you have a satisfactory record of performance relative to compliance with terms and conditions of your existing permit and are a qualified applicant for the purpose of a permit renewal.

Utilization (with an annual utilization limit of 50% on natives and 60% on desirable nonnatives even if full use of authorized AUMs is not utilized and when suspended use AUMs were utilized as NR use) and other monitoring, as well as demonstrated permittee flexibility, and sound decisions, have helped to maintain ecological conditions in the past. These same management decisions will continue to protect the area from ecological damage in the future. The utilization level as measured at the end of the growing season will not exceed 60% on non-native seedings and 50% on native herbaceous forage plants, on a pasture average basis, as stated in the AMU/Steens Mountain CMPA RMP/ROD, page 53.

This proposed decision will only reinstate 1,415 AUMs instead of the 1,670 AUMs analyzed in the EA under Alternative B. EA analysis found through the piosphere model that when considering the three wells to be utilized to hold livestock in the non-WSA area, the increase in use area outside the WSA areas is estimated to provide 1,415 AUMs to livestock that were previously suspended. This is based on estimated utilization levels around water and is reduced to account for the removal of AUMs for other allocations and the 50 percent utilization threshold. While installing all developments selected in this proposed decision would result in 1,900 AUMs being available in non-WSA areas throughout the Desert Pasture, the BLM seeks to ensure there is no net increase in grazing within the WSA. Therefore, I have decided to reinstate a lesser number of suspended AUMs in this proposed decision.

As a response to ongoing drought in southeastern Oregon, this proposed decision does not select non-renewable (NR) authorization. Within the past five years Harney County, including the Alvord Allotment, has experienced dry conditions. The BLM does not believe that conditions in

the short term (1-3 year) would result in increased AUMs being available for NR use. Therefore, this action was not selected at this time. If conditions change and increased AUMs become available in the future, a separate decision would be made to authorize NR use.

Water hauling was selected in specific pastures because those are the pastures that are most water limited during the grazing season and are the most accessible to water trucks. As the other pastures are not as water limited, water hauling would not be expected to provide the benefit of improved distribution. Therefore, a reduced level of water hauling was selected.

The pasture boundary fence relocation between the Alvord Seeding South #11 and the Desert #6 pastures (fence construction and removal) was not selected. While relocating the fence would provide livestock better access to a portion of the allotment, water in the area proposed to become part of the Alvord Seeding South Pasture is still limiting. Due to the limited water in that area, improvement to livestock distribution would be minimized. Therefore, the effects of relocating the fence at this time were deemed not to be worth the benefit.

This proposed decision includes an adaptive management approach to the pipeline within the Desert Pasture. The BLM will utilize the existing reservoir at the end of the pipeline to provide water to livestock, as the pipeline was originally designed. However, if the BLM determines the reservoir is not able to store an adequate amount of water and meet the need of livestock water in that location, the BLM will install a trough at the end of the maintained pipeline. The trough would be located outside of WSA, but within (though near the boundary of) the Alvord Desert Lands with Wilderness Characteristics unit.

Wilderness, WSA, and Lands with Wilderness Characteristics were appropriately disclosed and analyzed in the Alvord AMP EA.

The BLM found that assigning AUMs to the Indian Creek Pasture would not impact wilderness, as these AUMs have been utilized within this area historically, including prior to wilderness and WSA designation, and this only corrects an administrative error that did not apply AUMs associated with this area to the Alvord grazing permit when the area was added to the allotment. The proposed decision does not include any new developments in wilderness but would continue to allow for the maintenance of existing developments. Grazing has been determined be meeting S&Gs and would continue to maintain or improve ecological conditions within wilderness areas. Therefore, the BLM determined that the proposed decision is in conformance with all required laws and policy pertaining to Wilderness and there would be no additional impacts to wilderness under this decision beyond what is currently occurring and authorized.

Alvord AMP EA analysis found that as livestock can be held in certain areas with water. The addition of wells PW #1, PW #2, and PW #6 would allow for the reinstatement of suspended AUMs within the Desert Pasture without creating a permanent increase in active use within the WSAs. This proposed decision selects to reinstate fewer AUMs based on the piosphere modelling associated with only those wells. In addition, the EA outlines a phased process for reinstatement of the suspended AUMs that ensures there is no net increase within the WSA. Pairing this process with additional monitoring and identified responses if increased grazing in the WSA is detected by monitoring, I am confident that the BLM can implement the

reinstatement of suspended AUMs while meeting the direction provided in BLM Manual 6330. In addition, analysis has found that additional water sources (PW #3, PW #4, PW #5, and PW #7, PT #1 and PT #2) within the Desert Pasture will improve livestock distribution, better manage fine fuels, and provide other ecological benefits to vegetation. Reductions of fine fuels have been shown to reduce the risk of catastrophic wildfire in various studies (Davies et al. 2009, Diamond et al. 2009, Davies et al. 2010, Schmelzer et al. 2014, Davies et al. 2021b). Extending the fire return interval or decreasing the severity of wildfire will benefit vegetation, wildlife habitat, wilderness character, cultural resources, and watershed values. While proposed developments are all located outside of the WSAs and not subject to the non-impairment standard, the BLM recognizes that users could experience indirect impacts due to noise of generators and presence of developments observable from viewpoints in the WSAs. The BLM analysis leads to the conclusion that the benefits of developments to multiple resource values, including wilderness characteristics, outweigh these minor and indirect negative impacts.

This proposed decision will result in maintenance of an existing pipeline and install one, and possible up to two troughs within, but along the border of, the Alvord Desert Lands with Wilderness Characteristics (LWC) unit. Also, within LWC unit, the closure of an existing road (approximately 1.3 miles) would occur. This will reduce road density in the area and improve wilderness character. As the maintenance of the existing pipeline and the development of up to two troughs would impact fewer acres than the existing road, there would be a net increase in wilderness characteristics (naturalness) within this unit. Continued maintenance of all other developments and roads would ensure the BLM and permittee continue to be able to utilize developments to promote proper management of the rangelands, and that public land users continue to have access into these areas.

The BLM also considered wilderness characteristics outside of designated wilderness, WSA, and identified LWC units, and found that the proposed actions would not result in these areas being unable to be designated as wilderness in the future. In addition, the BLM reviewed its wilderness characteristics inventory for those areas and found that nothing has changed on site that would result in these areas having outstanding opportunities for solitude or primitive and unconfined recreation, and the public has not provided the BLM with additional information on wilderness characteristics since the 2003 inventory. In addition, the 2003 inventory and LWC determinations made in the 2005 AMU/Steens CMPA RMP/ROD was upheld by the 9th Circuit Court of Appeals (ONDA v. Shuford 2007). Therefore, it has been determined that there is no need for the BLM to conduct an update to the wilderness characteristics inventory for this area at this time.

A rangeland health determination was completed in 2017 found that Standards 1 (Watershed Function – Uplands), 2 (Watershed Function – Riparian), and 3 (Ecological Processes) are being achieved. The other two Standards, 4 (Water Quality) and 5 (Native, Threatened or Endangered, and Locally Important Species), were found to not be achieved in Willow Creek, Big Alvord Creek, and the lower elevation portion of Cottonwood Creek (below 4,800 feet) due to stream temperatures above the Oregon Department of Environmental Quality (ODEQ) water temperature standard for LCT. The causal factors for not achieving these standards were determined to be geomorphic constraints and past disturbance from wildfires. Current livestock grazing management was not considered a causal factor for non-attainment. Creeks containing

known populations of LCT that are meeting the standards for stream temperature include Mosquito Creek, Little Alvord, Pike Creek, and the upper elevation of Cottonwood Creek (above 5,000 feet). Standards 4 and 5 were found to be achieved on Mosquito Creek, Cottonwood Creek (above 5,000 feet), Little Alvord Creek, and Pike Creek. Standard 5 was also achieved for GRSG and other terrestrial wildlife. See EA Table 4 for a summary of the 2017 Standards Determination. Current grazing management is conforming to Guidelines throughout the allotment. Monitoring and professional observations since 2017 have identified no changes within the allotment that would result in changes to the 2017 determination. This proposed decision will allow the allotment to maintain or improve ecological processes within the allotment and continue to achieve Standards (or if not achieved livestock will continue not to be a causal factor) and ensure livestock grazing conforms to Guidelines.

The 2017 S&G Determination found that Standard 5 was achieved for GRSG. BLM has determined that this proposed decision is in conformance with the Oregon Greater Sage-Grouse Approved Resource Management Plan Amendment (GRSG ARMPA 2015). The BLM considered and disclosed the potential impacts on GRSG and found that improved distribution and reduced risk of catastrophic wildfire protected GRSG habitat more than any specific developments would impact it. Lek buffer distances listed in Table 2-3 of the GRSG ARMPA (page 2-8) as well as direction to not concentrate livestock in nesting habitat or leks from March 1 through June 30 and that the timing and location of livestock turnout and trailing should not contribute to livestock concentrations on leks during the GRSG breeding season (GRSG ARMPA, Livestock Grazing RDF 2, p. C-6) will be followed under this proposed decision. Analysis also found that continued proper grazing of livestock would not have a negative impact on the habitat or population of GRSG within the Alvord Allotment. Overall, the BLM found there would be a net conservation gain within the allotment through implementation of the proposed decision.

The no action alternative was not selected as it will not result in livestock grazing being managed with increased flexibility allowing for improved grazing management practices within the allotment.

RIGHT OF PROTEST

Any applicant, permittee, lessee, or other interested public may protest a proposed decision under 43 CFR §§ 4160.1 and 4160.2, in person or in writing, within 15 days after receipt of such decision to: Don Rotell, Andrews/Steens Field Manager, BLM Burns District Office, 28910 Hwy 20 W, Hines, OR 97738.

Any protest, if filed, should clearly and concisely state the reason(s) why the proposed decision is in error. Hard copy protests must be delivered to BLM in person or by mail and must be received by the BLM no later than the end of the protest period by the ordinary close of business for the day (43 CFR §§ 4.22(a) and 4160.2). Written protests that are electronically transmitted (e.g., facsimile, email, or social media) will not be accepted. We cannot accept filing of electronic protest documents (e.g., compact discs, DVDs, thumb drives, etc.) due to the Federal Information Systems Security Awareness guidance.

In accordance with 43 C.F.R. § 4160.3(a), in the absence of a protest, the proposed decision will become the final decision of the authorized officer without further notice unless otherwise provided in the proposed decision. In accordance with 43 CFR § 4160.3(b), upon a timely filing of a protest, after a review of protest received and other information pertinent to the case, the authorized officer shall issue a final decision.

APPEAL PROCEDURES

Any applicant, permittee, lessee, or other person whose interest is adversely affected by the final decision may file an appeal of the decision in accordance with 43 CFR §§ 4160.3(c), 4160.4, and 4.470. The appeal must be filed within 30 days following receipt of the final decision or within 30 days after the date the proposed decision becomes final. The appeal may be accompanied by a petition for a stay of the decision in accordance with 43 CFR § 4.471. The appeal and petition for a stay must be filed in the office of the authorized officer, as noted above. In accordance with 43 CFR § 4160.4, "Appeals and petitions for stay of the decision shall be filed at the office of the authorized officer." As defined in 43 CFR § 4.22(a), "A document is filed in the office where the filing is required only when the document is received in that office during its regular business hours and by a person authorized to receive it. A document received after the office's regular business hours is considered filed on the next business day." Therefore, any notice of appeal and/or petition for stay must be sent or delivered in hard copy (paper) form to the office of the authorized officer by mail or personal delivery. BLM does not accept facsimile, email, or social media filing of notices of appeal or petitions for stay and does not accept electronic appeal documents (e.g., compact disks, thumb drive, etc.) due to the Federal Information Systems Security Awareness guidance.

Within 15 days of filing the appeal, the appellant must provide BLM with proof of service to the other persons named in the Copies Sent To section of this decision in accordance with 43 CFR § 4.470(a). A copy of the appeal must also be served to the Office of the Solicitor located at the address below in accordance with 43 CFR 4.413(a).

Office of the Solicitor
U.S. Department of the Interior
601 SW 2nd Avenue, Suite 1950
Portland, Oregon 97204-3172

In accordance with 43 CFR 4.413(b), failure to serve a notice of appeal will subject the appeal to summary dismissal as provided in 43 CFR 4.402. The appeal shall state the reasons, clearly and concisely, 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 stay, see 43 CFR 4.471(a) and (b). In accordance with 43 CFR 4.471(c), a petition for 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 that receives a copy of a petition for stay and/or an appeal is directed to 43 CFR 4.472(b) for procedures to follow if you wish to respond.

If you have any questions, please contact me at 541-573-4400.

Don Rotell
Andrews/Steens Field Manager

10/21/2022
Date

Alvord AMP EA
Proposed Decision