NOTICE OF PROPOSED DECISION FOR
TERM GRAZING PERMIT 3601407 RENEWAL FOR THE
ROSEBUD ALLOTMENT (#00421)

INTRODUCTION AND BACKGROUND

The Rosebud Allotment (#00421) is located approximately 4 miles east of Summer Lake, Oregon (see EA map 1). There is one grazing permit associated with this allotment. The allotment consists of one pasture used under a winter grazing management system.

The National Environmental Policy Act (NEPA) directs that an environmental analysis be conducted on all proposed Federally-authorized actions. The renewal or initial issuance of term grazing permits is a Federal action to authorize livestock grazing on public land for a specified period of time, and under a set of specified terms and conditions.

The Lakeview Resource Management Plan/Record of Decision (RMP/ROD; 2003) identified the public land within this allotment as available for livestock grazing and specified the initial forage allocation, period of use, grazing system, and management objectives for the allotment (see Table 5, Appendix E, and Map G-3). Additional clarification of this initial management direction has been provided through plan maintenance conducted in accordance with 43 CFR Part 1610.5-4.

PROPOSED DECISION

It is my proposed decision to reauthorize livestock grazing use in the Rosebud Allotment (#00421), to the 24 Ranch Inc, and to renew this grazing permit for a term of 10 years, as described for Alternative 4 (see pages 5-7 in the EA). Table 1 shows the permit dates, active preference, and grazing system, which would be authorized under this permit renewal. This includes a forage increase of 45 animal unit months (AUMs) and a grazing season that is 17 days longer than the current permit.

Table 1

Permit Dates	***Active preference***	***Grazing System***
11/15-1/30	203 AUMs	Winter*

*A winter grazing system is grazing that generally occurs between November 1 and February 28, when most plant species are dormant.

In addition, the existing Emery Well will be maintained by the permittee to provide reliable livestock and wildlife water in the northeastern part of the allotment (see Map 2 of the EA). Wildlife escape ramps will be placed in the troughs at this well. Herding will be used to move livestock around the allotment and improve overall livestock distribution.

RATIONALE/AUTHORITY

Grazing permits are subject to issuance or renewal in accordance with the provisions of the Taylor Grazing Act (1934), Federal Land Policy and Management Act (1976), Public Rangelands Improvement Act (1978), and applicable grazing regulations at 43 Code of Federal Regulations (CFR) Part 4100 (2005).

The primary authority for this decision is contained in the BLM grazing regulations, which outlines in pertinent parts: 43 CFR 4110.1 Mandatory qualifications, 4110.2-1 Base Property, 4110.2-2 Specifying permitted use, 4130.2 Grazing permits or leases, 4130.3(1) through 4130.3(2) Mandatory and Other terms and conditions, 4160.1 Proposed Decisions, and 4180.2 Standards and guidelines for grazing administration.

Grazing permittees who wish to graze livestock on public land must have a grazing permit issued to them under the grazing regulations (43 CFR 4130.1(a)). Grazing permits or leases shall be issued to qualified applicants to authorize use on the public lands and other lands under the administration of the Bureau of Land Management that are designated as available for livestock grazing through land use plans (43 CFR 4130.2(a)). The permit applicant, 24 Ranch Inc., controls the base property associated with the grazing preference on the allotment and has been determined to be a qualified applicant. Grazing permits shall be issued for a term of ten years unless there is some reason which requires a term of less than 10 years under the grazing regulations (43 CFR 4130.2(d)). In addition, grazing permits need to be issued with appropriate terms and conditions designed to "achieve management and resource condition objectives for the public lands… and to ensure conformance with part 4180"(43 CFR Part 4130.3).

Prior to issuing this proposed decision, an ID Team prepared an Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) in conformance with the National Environmental Policy Act of 1969. The EA analyzed the impacts of four alternatives including: (1) no action (continued grazing under the current permit terms and conditions), (2) no grazing (not renewing the 10-year permit) (3) renewing the 10-year permit with the same terms and conditions, but implementing management to improve livestock distribution, and (4) renewing the 10-year permit with an increase in forage allocation, season of use, herding, and well maintenance (optimized grazing). A fifth alternative (spring grazing) was also considered, but dropped from detailed analysis (Pages 5-7 of the EA). The results of the Rangeland Health Assessment (RHA), completed in 2004, were considered during this analysis. As noted in the FONSI, the selected alternative (Alternative 4) would not have any significant effects on the human environment. Potentially interested public, agencies, tribes, and the permittee were provided a 30-day review period on the EA and FONSI. The BLM received no comments for consideration during that review period.

DECISION FACTORS

Decision factors are a set of criteria used by the decision maker to choose the alternative that best meet the purpose and need for the proposal. These include:

a) How well does the decision conform to laws, regulations, and policies related to

grazing use and protecting other resource values?

b) How well does the decision conform to the resource management and allotment management plans?
c) How well does the decision promote the maintenance of rangeland health standards?
d) How well does the decision conform with those Oregon Department of Fish and Wildlife (ODFW) 2005 sage-grouse guidelines that were specifically incorporated into the Lakeview RMP/ROD through plan maintenance?
e) How well does the decision conform with IM 2012-043 regarding interim sage-grouse management?

A discussion addressing these decision factors as they relate to Alternative 4 from the Rosebud Allotment # 0421 Livestock Grazing Permit Renewal EA follows. Generally implementation of Alternatives 1, 3, and 4 will conform with all applicable laws, regulations, land use plan direction, activity plan direction, and applicable sage-grouse management guidance.

Under Alternative 1, grazing would occur primarily in the south western portion of the allotment. Although this strategy would continue to meet rangeland health standards, forage within much of the northern portion of the allotment would continue to be under-utilized (page 24-25 of the EA). Livestock are currently not herded or distributed evenly throughout the allotment, as livestock tend to congregate in the south. In addition, reliable water in not always available in the northern part of the allotment due to a recent lack of maintenance of the Emery Well and associated troughs.

Alternative 2 was considered within the EA analysis to provide a full range of alternatives and comply with grazing management permit renewal guidance (BLM 2000, 2008b). While this alternative would also continue to meet rangeland health standards into the foreseeable future, as explained below, implementation of Alternative 2 would only be appropriate if an analysis or evaluation of monitoring data or rangeland health assessment identified a need for adjustment (e.g. reduction) to meet management objectives. In this instance, complete removal of grazing or closing the allotment to grazing use for a ten year period would not be consistent with the management goals and direction contained in the land use plan, because current livestock grazing is not causing any violations of rangeland health standards (BLM 2004; page 24 of the EA). Neither the RHA nor other monitoring data have indicated any resource conflict or problem on the allotment that would require or justify complete removal of livestock. Therefore, BLM has no rational basis for adopting this alternative as the proposed decision.

Alternative 3 would provide for some improved distribution of livestock and more even forage utilization across the allotment. However, without maintenance of the Emery Well, livestock will not disperse as far east in the northern portion of the allotment as would be possible under Alternative 4, due to lack of water.

Alternative 4 was selected over Alternatives 1 and 3 because it provides more flexible livestock management, better livestock distribution, and more even forage utilization across the allotment. The increase in AUMs on the allotment is supported by historical light use combined with the carry capacity and forage production analysis performed in the EA (see pages 25-27). This analysis supports the determination that the carrying capacity of the allotment is higher than the

number that is currently grazed. Based upon the analysis in the EA, this forage increase will not conflict with any other resource values or uses within the allotment (pages 10-38). This alternative is expected to result in rangeland resources that meet the desired ecological conditions, as well as the existing management goals and objectives for the allotment. The forage increase would also benefit the permittee by providing more forage for livestock. This alternative also complies with the grazing regulations (43 CFR Part 4100).

Conformance with the Federal Land Policy and Management Act (1976) and the Lakeview RMP/ROD (2003)

The Federal Land Policy and Management Act requires that all management decisions be consistent with the approved land use plan (43 CFR 1610.5-3). Renewing this permit and maintain the Emery Well project are in conformance with following management goals and direction contained within the Lakeview RMP/ROD (2003; as maintained):

> All public land within this allotment has been identified as open and available for livestock grazing use in Table 5, Appendix E1, and (pages 47, A- 59, and Map G-3 of RMP/ROD).
>
> **Livestock Grazing Management Goal**—***Provide for a sustainable level of livestock grazing consistent with other resource objectives and public land-use allocations***
>
> "*The current licensed grazing levels (presented in Appendix E1) will be maintained until analysis or evaluation of monitoring data or rangeland health assessments identify a need for adjustments to meet objectives. Applicable activity plans (including existing allotment management plans, agreements, decisions and/or terms and conditions of grazing use authorizations) will be developed, revised where necessary, and implemented to ensure that resource objectives are met. The full permitted use level for each allotment has been and continues to be analyzed through individual allotment assessments, such as rangeland health and livestock grazing guidelines*…." (Page 52 of RMP/ROD).

While Table 5 and Appendix E1 of RMP/ROD specified the initial forage allocation, period of use, grazing system, and management objectives for the allotment, the above land use plan direction allows for making subsequent changes in grazing use (including changes to forage allocation and season of use) in the future based upon the results subsequent allotment-specific analyses or evaluations. The EA included an analysis of current allotment conditions and potential carrying capacity (pages 10-38) and serves as the analytical basis under which these management changes are being made. The BLM determined that adequate forage is available to support the increased stocking rate. The increased forage allocation (AUMs) and season of use, in combination with the improved distribution of livestock on the Rosebud Allotment is expected to result in slight to light utilization levels across the entire allotment and is expected to continue to meet rangeland health standards into the foreseeable future (page 26 of the EA). This will be verified by continued utilization monitoring and additional long-term trend monitoring (as described in pages 5-7, and 26 of the EA). If the authorized officer determines objectives have not been met, appropriate management changes will be made through a future grazing decision (page 7 of the EA).

Operation and Maintenance Actions

"*Maintenance of existing and newly constructed facilities or projects will occur over time… Such*

activities could include, but are not limited to, routine maintenance of existing…water control structures…, wells, pipelines, waterholes, fences,… and other similar facilities/projects" (Page 100 of RMP/ROD).

The maintenance of the Emery Well and associated troughs is consistent with the above management direction.

Appendix E1 – Allotment Specific Management Direction

Livestock distribution/management - Improve livestock management and distribution through improved management practices, installation of livestock management facilities (such as fences and water sources), and/or other actions as opportunities arise (Page A-59 of RMP/ROD).

Improve/maintain range condition - Use management practices and/or better animal distribution; develop range improvements when appropriate: adjust permitted use as needed (Page A-59 of RMP/ROD).

Wildlife/Wildlife Habitat - Follow the greater sage-grouse Livestock Grazing guidelines (pages 75-76 of ODFW 2005), where appropriate (Page A-60 of RMP/ROD, as maintained). (This is discussed under the sections addressing sage-grouse management conformance below).

Continue existing management under the ***Rosebud/Edmunds Well Habitat Management Plan*** (HMP; BLM 1993a) which contains the following two goals, (along with more specific objectives) designed to improve or enhance wetland and upland habitats on private and BLM lands:

Goal 1- to reestablish a functioning wetland ecosystem, containing both wetland and associated upland components on the public land within the HMP area.

Goal 2 – to improve or enhance the overall biotic diversity of the wetland and associated upland ecosystems on the public land within the HMP area by providing habitats for the greatest diversity of water-related (wildlife) species a the highest densities consistent with maintaining that diversity.

Appendix E5 – Grazing Systems within the Planning Area

Established an annual utilization standard of up to 65% for allotments with winter grazing systems (Page A-142 of RMP/ROD).

Adoption of Alternatives 4, as described in this decision and in the EA (Pages 5-7), would also comply with the above allotment-specific management direction contained within Appendix E of the *Lakeview RMP/ROD*. Livestock distribution would be improved using some of the techniques described above. Forage utilization levels would not exceed 65% and are expected to be closer to 50% (page 26 of the EA).

Though only portions of the HMP have been implemented to date, all wetlands and riparian areas within the allotment are in proper functioning condition (Page 18 of the EA). Further, all rangeland health standards, including those associated with wildlife habitat, have been met under current management (Pages 17, 19, and 24 of the EA). Alternatives 1-4 would all be consistent with the HMP goals (listed above) of promoting wildlife and wetland habitat. Wetland areas would be expected to continue in proper functioning condition and both wetland and upland

wildlife habitats would continue to meet rangeland health standards under all alternatives (Pages 17-23 of the EA).

Conformance with Rangeland Health Standards and Guidelines (43 CFR 4180)

An ID team completed a Rangeland Health Assessment on this allotment in 2004, in conformance with the requirements of 43 CFR 4180 and determined that all applicable Standards for Rangeland Health were being met (Page 24 of the EA).

Authorizing grazing as described under Alternative 4 (Pages 5-7 of the EA) is expected to result in soil, vegetation, wildlife habitat, and rangeland conditions that remain relatively stable over time (see pages 12-38 of the EA). Long-term monitoring study plots have been established in the allotment and include Pace-180 trend, photo trend, observed apparent trend, and utilization. These studies will continue in the future and determine whether management objectives, including Rangeland Health Standards, are continuing to be attained. If objectives are not attained, this will be addressed through future grazing management modification.

Conformance with Greater Sage-Grouse Conservation Assessment and Strategy for Oregon (ODFW 2005)

A substantial portion of this ODFW strategy was adopted by the *Lakeview RMP/ROD* through plan maintenance. This strategy states "*where livestock grazing management results in a level of forage use (use level) that is consistent with Resource Management Plans, Allotment Management Plans, Terms and Conditions of Grazing Permits or Leases, other allotment specific direction, and regulations, no changes to use or management are required if habitat quality meets Rangeland Health Standard and Guidelines*" (Page 75 of ODFW).

Since current grazing (Alternative 1) has been documented as meeting all five rangeland health standards, and Alternatives 2-4 are also expected to continue to meet all five rangeland health standards into the foreseeable future, all alternatives were found to comply with the above ODFW guideline (Pages 22-27 of the EA).

The ODFW strategy also provides guidelines on how to construct or maintain range improvement projects to minimize impacts to sage-grouse habitat (Page 76 of ODFW). Since the Emery Well is located outside of sage-grouse habitat, the ODFW (2005) livestock facility guidelines do not apply. However, wildlife escape ramps will be installed in the water troughs, consistent with these guidelines to minimize impacts to other wildlife (Pages 7, 22, and 23 of the EA).

Conformance with Greater Sage-Grouse Interim Management Policies and Procedures (IM 2012-043)

This IM represents the current BLM Washington Office interim policy for sage-grouse habitat management until such time as plan amendments can be completed throughout the range of the species that address a comprehensive conservation strategy. This policy addresses proposed grazing permit renewals and proposed water developments as follows:

Permit Renewals - Plan and authorize livestock grazing and associated range improvement projects on BLM lands in a way that maintains and/or improves Greater Sage-Grouse and its habitat. Analyze through a reasonable range of alternatives any direct, indirect, and cumulative effects of grazing on Greater Sage-Grouse and its habitats through the NEPA process:

Incorporate available site information collected using the *Sage-Grouse Habitat Assessment Framework* when evaluating existing resource condition and developing resource solutions,

Incorporate management practices that will provide for adequate residual plant cover (e.g., residual grass height) and diversity in the understories of sagebrush plant communities as part of viable alternatives. When addressing residual cover and species diversity, refer to the ESD (ecological site data) and "*State and Transition Model*," where they are available, to guide the analysis.

Evaluate and implement grazing practices that promote the growth and persistence of native shrubs, grasses, and forbs. Grazing practices include kind and numbers of livestock, distribution, seasons of use, and livestock management practices needed to meet both livestock management and Greater Sage-Grouse habitat objectives.

Evaluate the potential risk to Greater Sage-Grouse and its habitats from existing structural range improvements. Address those structural range improvements identified as posing a risk during the renewal process.

Balance grazing between riparian habitats and upland habitats to promote the production and availability of beneficial forbs to Greater Sage-Grouse in meadows, mesic habitats, and riparian pastures for Greater Sage-Grouse use during nesting and brood-rearing while maintaining upland conditions and functions. Consider changes to season-of-use in riparian/wetland areas before or after the summer growing season.

To ensure that the NEPA analysis for permit/lease renewal has a range of reasonable alternatives:

Include at least one alternative that would implement a deferred or rest-rotation grazing system, if one is not already in place and the size of the allotment warrants it.

Include a reasonable range of alternatives (e.g., no grazing or a significantly reduced grazing alternative, current grazing alternative, increased grazing alternative, etc.) to compare the impacts of livestock grazing on Greater Sage-Grouse habitat and land health from the proposed action.

Water Developments

NEPA analysis for all new water developments must assess impacts to Greater Sage-Grouse and its habitat.

Install escape ramps and a mechanism such as a float or shut-off valve to control the flow of water in tanks and troughs.

Design structures in a manner that minimizes potential for production of mosquitoes which may carry West Nile virus.

With regards to compliance with interim sage-grouse management policy:

The EA analyzed the effects of a reasonable range of alternatives (ranging from no grazing to increased grazing) and a variety of grazing practices designed to promote the growth and persistence of native shrubs, grasses, and forbs. While the grazing season of use analyzed in all alternatives was limited to the winter season (outside of the summer growing season), one alternative considered increasing the length of the grazing season. Alternatives varied in livestock numbers, distribution, and management practices (Pages 5-7 of the EA).

Very few range improvement structures (4.6 miles of fence) occur within the portions of the allotment identified as sage-grouse habitat and these were determined to pose very little risk to the species due to the limited and marginal quality of the habitat under all alternatives (Pages 22 of the EA).

The allotment contains only one pasture, so a true rest-rotation grazing system could not be addressed. However, herding was considered within two of the four alternatives as one means of moving livestock to different parts of the allotment, much like what could be accomplished with a two-pasture rest-rotation system.

Even though the Emery Well maintenance activities would be located outside of sage-grouse habitat, escape ramps will be installed as a general safeguard to all wildlife that may use the troughs as a watering source. This would be consistent with sage-grouse guidelines within both ODFW 2005 (page 76) and IM-2012-043 (page 5).

Conformance with Conducting Wilderness Characteristics Inventory on BLM Lands (2012)

An inter-disciplinary team completed wilderness characteristics inventories within the allotment in accordance with current inventory guidance that existed at the time (USDI-BLM 2007a, 2008a). While *Conducting Wilderness Characteristics Inventory on BLM Lands* (BLM 2012a) was not available at the time the inventories in the area were completed, this latest guidance contains the same requirements to address the same key elements of wilderness character as what was addressed in BLM's inventory updates. BLM found some lands with wilderness characteristics to be present within the allotment, but determined that there would be no significant effects to these values (BLM 2009, 2010) (see pages 33-34 of the EA).

Conformance with Management of Wilderness Study Areas (2012)

The allotment contains approximately 6,622 acres of the 118,799-acre Diablo Mountain Wilderness Study Area (WSA) (OR-1-58). Existing WSAs must be managed in accordance with the *Management of Wilderness Study Areas* manual so as not to impair suitability for preservation as wilderness (BLM 2012c). However, the manual specifically identifies livestock grazing as a "grandfathered use" and permits this use to "continue in the same manner and degree as on that date (October 21, 1976), even if this impairs wilderness suitability". The EA contains an analysis of livestock grazing use and determined that Alternatives 1, 3, and 4 all represented less livestock use than what was occurring in October 1976 and, therefore, met the definition of "grandfathered use". In contrast, Alternative 2 (No Grazing) was found to meet the non-impairment criteria. The EA also documented that Emery Well was constructed prior to this date, was also a "grandfathered use", and, therefore, could be maintained in conformance with this policy (Pages 31-33 of the EA).

RIGHT OF PROTEST AND/OR APPEAL

Any applicant, permittee, lessee or other affected interest may protest this proposed decision under Section 43 CFR 4160.1 and 4160.2, either in person or by writing to me at the following address:

Bureau of Land Management
Lakeview District Office
1301 South G Street
Lakeview, OR 97630

within 15 days after receipt of the decision. A written protest that is electronically transmitted (e.g., email, facsimile, or social media) will not be accepted. A written protest must be on paper. The protest should clearly and concisely state the reason(s) as to why the proposed decision is in error. Any protest received will be carefully considered and then a final decision will be issued. In the absence of a protest, the proposed decision will become my final decision without further notice.

Any applicant, permittee, lessee, or other person whose interest is adversely affected by the final grazing decision may appeal the decision to an administrative law judge in accordance with 43 CFR 4.470 and 43 CFR 4160.3 and 4160.4. The appeal must be in writing and filed in my office, at the address above, within 30 days following receipt of the final decision, or within 30 days after the date the proposed decision becomes final. A notice of appeal that is electronically transmitted (e.g., email, facsimile, or social media) will not be accepted. A notice of appeal must be on paper.

The appellant must serve a copy of the appeal, by certified mail, to the:

Office of the Solicitor
U.S. Department of the Interior
805 SW Broadway, Suite 600
Portland, OR 97205

The appellant must also serve a copy of the appeal on any person named in the decision or listed in the "copies sent to" section at the end of this decision.

The appeal must state the reasons, clearly and concisely, why you believe the final decision is in error, and comply with all other provisions of 43 CFR 4.470.

An appellant may also petition for a stay of the final decision by filing a petition for stay together with the appeal in accordance with the provisions of 43 CFR 4.471. Should you wish to file a petition for a stay, you must file within the appeal period. In accordance with 43 CFR 4.471, a petition for a stay must show sufficient justification based on the following standards:

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

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

You bear the burden of proof in demonstrating that the decision is in error and that a stay should be granted.

The petition for stay must be filed in my office, at the address above, and be served in accordance with the requirements of 43 CFR 4.473. A petition for stay that is electronically transmitted (e.g., email, facsimile, or social media) will not be accepted. A petition for stay must be on paper.

Any person named in the decision that receives a copy of a petition for stay and/or an appeal should refer to 43 CFR 4.472(b) for the procedures to follow should you wish to respond.

If you should have any questions regarding this decision, please contact me at 541-947-2177.

Thomas E. Rasmussen
Lakeview Resource Area, Field Manager

9/19/2012
Date

FINDING OF NO SIGNIFICANT IMPACT

ROSEBUD ALLOTMENT #00421 LIVESTOCK GRAZING PERMIT RENEWAL

DOI-BLM-OR-L050-2012-0028-EA

The Bureau of Land Management, Lakeview District, Lakeview Resource Area (BLM), has analyzed several alternative proposals related to renewing term grazing permit number 3601407 for the Rosebud Allotment. The Rosebud Allotment is located about 4 miles east of Summer Lake, Oregon, and encompasses approximately 16,086 acres (including 14,191 acres of BLM-administered lands). An environmental assessment (EA) was prepared that analyzed the potential direct, indirect, and cumulative environmental impacts of four alternatives (see attachment). The alternatives analyzed included No Action (continue current grazing), No Grazing, Improved Distribution, and Optimized Livestock Grazing (see pages 5-7 of attached EA).

The Council on Environmental Quality (CEQ) regulations state that the significance of impacts must be determined in terms of both context and intensity (40 CFR 1508.27). The context of the proposed project is the Rosebud grazing allotment (0421). For this reason, the analysis of impacts in the attached Environmental Assessment (EA) is focused appropriately at this scale. The CEQ regulations also include the following ten considerations for evaluating the intensity of impacts:

1) Would any of the alternatives have significant beneficial or adverse impacts (40 CFR 1508.27(b)(1)?
( ) Yes (X) No

Rationale: Based on the analysis contained in the attached EA, none of the four alternatives would have either significant beneficial or adverse impacts on the human environment. There are no prime or unique farmlands, wild horse management areas, wild and scenic rivers, significant caves, designated wilderness areas, ACEC/RNAs, or hazardous waste sites located in the project area. No measureable impacts would occur to climate, low income or minority populations, air quality, floodplains, land tenure, or mineral and energy resources (pages 10-11).

Potential impacts to soils, biological soil crusts, upland vegetation, wetlands, riparian areas, water quality, wildlife, special status species, livestock grazing management, native American concerns, cultural resources, recreation, visual resources, wilderness study areas, other areas with wilderness characteristics, or social and economic values, and anticipated by the various alternatives have been analyzed in detail within Chapter 3 of the attached EA and found not to be significant (pages 11-38).

2) Would any of the alternatives have significant adverse impacts on public health and safety (40 CFR 1508.27(b)(2)? ( ) Yes (X) No

Rationale: None of the four alternatives analyzed in detail in the attached EA would have significant impacts on public health or safety because the project area is not located near any populated rural or urban area. For this reason, there would also be no impacts to low income or minority populations (Table 2, page 11). Further, there are no known hazardous waste sites in the project area (Table 2, page 11). There would be no measureable impacts to air quality within and surrounding the project area (Table 2, page 11). There are no drinking water sources located in the project area (page 18). Potential impacts to water quality in the project area have been analyzed in the attached EA and found not to be significant (pages 18-19).

3) Would any of the alternatives have significant adverse impacts on unique geographic characteristics (cultural or historic resources, park lands, prime and unique farmlands, wetlands, wild and scenic rivers, designated wilderness or wilderness study areas, or ecologically critical areas (*ACECs, RNAs, significant caves*)) (40 CFR 1508.27(b)(3)? ( ) Yes (X) No

Rationale: There are no park lands, prime or unique farmlands, wild and scenic rivers, significant caves, designated wilderness areas, or ACEC/RNAs located in the project area (Table 2, page 11).

Impacts to wetland and riparian areas (pages 18-19), wilderness study areas (pages 31-33), and lands with wilderness characteristics (pages 33-34).

4) Would any of the alternatives have highly controversial effects (40 CFR 1508.27(b)(4)? ( ) Yes (X) No

Rationale: The BLM has extensive expertise planning, analyzing impacts, and implementing range management actions such as those proposed by the four alternatives addressed in the attached EA. The potential impacts of these range management actions on soils, biological soil crusts, upland vegetation, wetlands, riparian areas, water quality, wildlife, special status species, livestock grazing management, native American concerns, cultural resources, recreation, visual resources, wilderness study areas, other areas with wilderness characteristics, or social and economic values can be reasonably predicted based on existing science and professional expertise. The attached EA analyzed these impacts (pages 11-38). The nature of these impacts is not highly controversial, nor is there substantial dispute within the scientific community regarding the nature of these effects.

The public has been given an opportunity to review and comment on the analysis of effects. The BLM is not currently aware of any potential highly controversial effects, as defined under 40 CFR 1508.27(b)(4), but will review any comments received and address any substantive comments prior to signing this FONSI.

5) Would any of the alternatives have highly uncertain effects or involve unique or unknown risks (40 CFR 1508.27(b)(5)? ( ) Yes (X) No

Rationale: The BLM has extensive expertise planning, analyzing impacts, and implementing range management actions such as those proposed by the four alternatives addressed in the attached EA. The potential impacts of these range management actions on soils, biological soil crusts, upland vegetation, wetlands, riparian areas, water quality, wildlife, special status species, livestock grazing management, native American concerns, cultural resources, recreation, visual resources, wilderness study areas, other areas with wilderness characteristics, or social and economic values can be reasonably predicted based on existing science and professional expertise. The attached EA analyzed these impacts (pages 11-38). The nature of these impacts is not highly uncertain nor does it involve unique or unknown risks.

6) Would any of the alternatives establish a precedent for future actions with significant impacts (40 CFR 1508.27(b)(6)? ( ) Yes (X) No

Rationale: The BLM has extensive expertise planning, analyzing impacts, and implementing range management actions such as those proposed by the four alternatives addressed in the attached EA. None of the alternative actions represents a new, precedent-setting range management technique or would establish a precedent for future similar actions with potentially significant effects.

7) Are any of the alternatives related to other actions with potentially significant cumulative impacts (40 CFR 1508.27(b)(7)? ( ) Yes (X) No

Rationale: Based on the analysis contained within the Cumulative Effects section of Chapter 3 of the attached EA, none of the four alternatives would have significant cumulative effects within the project area, even when added to the effects of other past, present, and reasonably foreseeable future actions (pages 35-38).

8) Would any of the alternatives have significant adverse impacts on scientific, cultural, or historic resources, including those listed or eligible for listing on the National Register of Historic Resources (40 CFR 1508.27(b)(8)? ( ) Yes (X) No

Rationale: There are no areas of native American religious concern in the project area (page 27). Potential impacts to cultural resources have been analyzed in Chapter 3 of the attached EA and found not to be significant (pages 27-29).

9) Would any of the alternatives have significant adverse impacts on threatened or endangered species or their critical habitat (40 CFR 1508.27(b)(9)? ( ) Yes (X) No

Rationale: There are no threatened or endangered species or designated critical habitat within the project area (Table 2 page 11 and page 21).

10) Would any of the alternatives have effects that threaten to violate Federal, State, or local law or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10)? ( ) Yes (X) No

Rationale: All of the four alternatives analyzed in the attached EA comply with all Federal, State, and local environmental laws or other environmental requirements, including the requirements of the National Environmental Policy Act.

The Federal Land Policy and Management Act requires that any action that BLM implements must also conform with the current land use plan and other applicable plans and policies. The purpose and need for the proposed action conforms with the management direction contained in the *Lakeview Resource Management Plan/Record of Decision* (BLM 2003b). The alternatives that were analyzed in the EA conform to the management direction requirements of this plan and the *Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Public Lands Administered by the Bureau of Land Management in the States of Oregon and Washington* (BLM 1997), the *Greater Sage-Grouse Conservation Strategy and Assessment for Oregon* (ODFW 2005), the *Rosebud/Edmunds Well Habitat Management Plan* (BLM 1993a), the *Greater Sage-Grouse Interim Management Policies and Procedures* (BLM 2011), and the grazing regulations (43 CFR Part 4100) in varying degrees (EA pages 7-10). Conformance with this direction will be addressed in more detail within the proposed decision as it represents important decision factors that must be considered in making the final decision (EA page 4).

Finding

On the basis of the analysis contained in the attached EA, the consideration of intensity factors described above, and all other available information, my determination is that none of the alternatives analyzed would constitute a major federal action which would have significant adverse or beneficial impacts on the quality of the human environment. Therefore, an Environmental Impact Statement (EIS) is unnecessary and will not be prepared.

Thomas E. Rasmussen, Field Manager
Lakeview Resource Area

9/19/2012
Date