

**UNITED STATES DEPARTMENT OF THE INTERIOR
BLM, BOISE DISTRICT**

EA # DOI-BLM-ID-130-2008-312-EA Scoping Document

Applicant (if any): BLM Action		Proposed Action: Renewal of Grazing Permit(s) for the Fossil Butte, Sinker Butte, Montini Fenced Federal Range (FFR), Con Shea, Joyce FFR and Murphy FFR Allotments			EA No. # DOI-BLM-ID- 130-2008-312-EA
State: Idaho	County: Owyhee	District: Boise	Field Office: Owyhee	Authority: NEPA, FLPMA, PRIA, & Taylor Grazing Act	
Prepared By : BLM Owyhee Field Office		Title: Fossil Butte Group - Grazing Permit Renewals			Report Date: March 30, 2009

LANDS INVOLVED

Meridian	Township	Range	Section(s)	Acres
Boise	1,2 S	1E	Various	75,854

This information package summarizes a Bureau of Land Management (BLM) proposal to authorize livestock grazing on the Fossil Butte (0535), Sinker Butte (0578), Montini Fenced Federal Range (FFR) (0654), Con Shea (0571), Joyce FFR (0487) and Murphy FFR (0486) Allotments in accordance with the Owyhee Resource Management Plan (RMP) and the Snake River Birds of Prey National Conservation Area (NCA) RMP. Federal actions must be analyzed in accordance with the National Environmental Policy Act (NEPA) and other relevant Federal and State laws and regulations to determine potential environmental consequences.

The purpose of this report is to inform the interested public and affected parties of the proposal and to solicit comments to assist with the NEPA review for the proposal. Analysis of the proposal is ongoing, and will be documented in an Environmental Assessment (EA) with an estimated completion date of May 15, 2009. Comments received in response to this solicitation will be used to identify potential environmental issues related to the proposed action and to identify alternatives to the proposed action that meet the purpose of and need for the project.

Purpose and Need for Action

The Resource Management Plans (RMPs) identify the Fossil Butte (0535), Sinker Butte (0578), Montini Fenced Federal Range (FFR) (0654), Con Shea (0571), Joyce FFR (0487) and Murphy FFR (0486) Allotments as available for livestock grazing. Where consistent with the goals and objectives of RMPs, and Idaho Standards for Rangeland Health (Attached) and Guidelines for Livestock Grazing Management (1997), it is BLM policy to authorize allocation of forage for livestock grazing to qualified operators. The purpose of the proposed action is to respond to applications for permit renewal, authorize the continuation of livestock grazing and related management facilities consistent with BLM policy. This includes managing the authorized use in a manner that will provide for meeting or making progress toward meeting standards to the extent that livestock grazing is a key limiting factor.

Rangeland Health Assessments were completed for each of the allotments and documented in an Evaluation and Determination (June 16, 2003). The Evaluation/Determination identified where standard(s) are not being met; whether significant progress toward meeting the standard(s) is or is not occurring; and whether or not current livestock grazing is a significant factor contributing to the current condition. Where standards are not being met due to current livestock management, modifications to grazing management practices are necessary to make significant progress towards meeting rangeland health standards. The following summarizes the findings in the assessment.

- **Fossil Butte**— Standards 1, 4 and 8 are not being met. It was determined that current livestock grazing management practices are a significant factor in not meeting the standards. Important causal agents for not meeting these standards included the presence of invasive plants, drought, historic livestock management and use levels, and current livestock use levels. Standards 2, 3 and 7 are not being met; however, it was determined that current livestock management practices are not a significant factor. Standards 5 and 6 do not apply to this allotment.
- **Sinker Butte**—Standards 1, 2, 3, 4 and 5 are not being met; however, it was determined that current livestock grazing management practices are not a significant factor in not meeting the standards. Standard 7 is not being met. At the time of the assessment, cause was not determined due to a lack of monitoring data. Standard 8 is being met, and Standard 6 does not apply to this allotment.
- **Montini FFR** – Standards 1, 2, 3, 6 and 8 are not being met; however, it was determined that current livestock grazing management practices are not a significant factor in not meeting the standards. Standard 7 is not being met. At the time of the assessment, cause was not determined due to a lack of monitoring data. Standards 4 and 5 do not apply to this allotment.
- **Con Shea**—Standards 1,4,5,7 and 8 are not being met. It was determined that current livestock grazing management practices are not a significant factor in not meeting Standards 1, 4, 5, and 7. Standards 2, 3 and 6 are being met. However, it was determined that current livestock grazing management is a significant factor in not meeting Standard 8 – sensitive plants. The determination stated that the standard was not being met in pasture 2 due to severe livestock trampling of Mulford’s milkvetch habitat. Prior to the start of the 2003 fall/winter grazing season, a drift fence was reconstructed to eliminate

livestock grazing impacts to Mulfords milkvetch habitat and to eliminate livestock access to the Snake River in the northwest corner of pasture 2 (see Map). Use of the drift fence constituted taking appropriate action before the start of the next grazing year and allows for making significant progress towards meeting Standard 8.

- **Joyce FFR** – Standard 4 is not being met. It was determined that current livestock grazing management practices are a significant factor in not meeting the standard. Important causal agents for not meeting this standard included concerns regarding the current season of use and level of livestock use. Standard 7 is not being met. It was determined that current livestock grazing management practices are not a significant factor in not meeting the standard. Standard 8 is partially meeting standards and current livestock grazing management practices are a significant factor. It was determined that the standard is being met for sage grouse habitat, but not for other upland dependent special status animal species due to increased plant mortality and low vigor of desirable vegetation in pasture 1. Standards 1, 2 and 3 are being met. Standards 5 and 6 do not apply in this allotment. Since 2002, authorized use has ranged from 87 to 246 AUMs, with both cattle and horse use being authorized. However, prior to the start of the 2003-2004 grazing season, the permittee agreed to eliminate March 1 through March 31 grazing in this allotment in order to make significant progress towards meeting Standards 4 and 8.
- **Murphy FFR** –Standard 8 is not being met; however, it was determined that current livestock grazing management practices are not a significant factor. Standards 1 and 6 are being met. Standards 2, 3, 4, 5, and 7 do not apply to this allotment.

The environmental assessment (EA) will analyze the impacts of renewing grazing permits for the allotments listed above by analyzing livestock grazing management and associated projects or facilities. In addition, the EA will help the Bureau of Land Management (BLM) authorized officer formulate informed grazing management decisions that are in conformance with the land use plan objectives, in compliance with Idaho Standards for Rangeland Health, and consistent with the Guidelines for Livestock Grazing Management.

Affected Environment

Fossil Butte Allotment is located approximately two miles northeast of Oreana, Idaho in Owyhee County. Elevations range between 2,700 to 3,600 feet. Landforms are generally composed of terraces and slopes with shallow to very deep loamy soils and scattered badlands.

Sinker Butte Allotment is located on the bench west of the Snake River approximately seven miles east of Murphy, Idaho. Elevations range from 2,300 to 3,400 feet. Landforms are generally composed of table lands and plug domes. Soils are very fine sandy and silty loams that vary in subsurface rock fragments. In 1981, a portion of pasture 1 was burned in the Guffey Butte Fire. The burned portion of the pasture was seeded shortly after the fire; however, due to drought conditions, the seeding was not successful.

Montini FFR is located approximately nine miles east of Murphy, Idaho in Owyhee County. Elevations within the allotment range from 2,400 feet to 2,600 feet. The Snake River borders the

northeast portion of the allotment. Landforms are generally bottomland and structural benches. The majority of the soils are sands to sandy loams.

Con Shea Allotment is located approximately three miles northeast of Oreana, Idaho in Owyhee County. Elevations range between 2,300 to 3,400 feet. The landforms are generally composed of terraces and slopes with shallow to very deep loamy soils and scattered badlands.

Joyce FFR is located approximately five miles northeast of Oreana, Idaho in Owyhee County. Elevations range between 3,000 to 5,200 feet. The landforms are terraces and slopes with shallow to very deep loamy soils and scattered badlands.

Murphy FFR is located approximately 3 miles northeast of Oreana, Idaho in Owyhee County. Elevations range between 3,000 to 3,100 feet. The landforms are terraces and slopes with shallow to very deep loamy soils and scattered badlands.

Table 1. Season of use and AUMs by allotment.

Allotment (Name & No.)	Season of Use	Active AUMs	Suspended AUMs	Permitted AUMs
Fossil Butte (0535)	10/01-02/28	1622	0	1622
Sinker Butte (0578)	11/15-02/28	707	0	707
Montini FFR (0554)	03/01-02/28	140	0	140
Con-Shea (0571)	11/01-02/28	990	0	990
Joyce FFR (0487)	03/01-02/28	87	0	87
Murphy FFR (0486)	03/01-02/28	5	0	5

Management Common to all Allotments in Alternative A, B and C

Management items listed below are common to all allotments; *unless different management is described in the respective Alternative description.*

- The livestock grazing permits would be reissued for a term of ten years and would expire on February 28, 2019.
- The permitted number of Active AUMs would not be exceeded in a given year.
- Permits would be primarily for cow/calf operations. Calves are defined by 43 CFR 4130.8-1 as being less than six months of age. Animals over the age of six months at the time of entering the public lands, weaned (regardless of age), or those becoming 12 months of age during the authorized period of use would be considered animal units.
- Livestock turnout dates are subject to Boise District Range Readiness Criteria.

- Properly complete, sign and date an Actual Grazing Use Report Form (BLM Form 4130-5) annually for each allotment. The completed form(s) must be submitted to BLM, OFO within 15 days from the last day of authorized annual grazing use.
- Supplemental feeding is limited to salt, mineral, and/or protein in block, granular, or liquid form. If used, these supplements must be placed at least one-quarter (1/4) mile away from any riparian area, spring, stream, meadow, aspen stand, sensitive plant species, playa, or water development.
- Pursuant to 43 CFR 10.4(b), BLM OFO Field Manager must be notified by telephone with written confirmation, immediately upon the discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (as defined in 43 CFR 10.2) on federal lands. Pursuant to 43 CFR 10.4(c), any ongoing activities connected with such discovery must be stopped immediately and a reasonable effort to protect the discovered remains or objects must be made.
- Livestock numbers and duration of use may vary annually with prior approval from the BLM Authorized Officer, as long as total active AUMs on the permit are not exceeded and use occurs within the authorized season of use.
- Grazing use would not exceed the maximum utilization levels identified under the following Annual Grazing Use Indicators. Stubble height, streambank alteration, and forage utilization are all examples of Annual Grazing Use Indicators (in accordance with BLM - Idaho Instruction Memorandum No. ID-2005-074). An example of an indicator would be “50% utilization of herbaceous forage species.” Annual Grazing Use Indicators would be incorporated into this analysis and the Final Decision(s). This would be done to provide a meaningful basis for environmental analysis and to ensure progress toward meeting standards for rangeland health and RMP objectives. Although Annual Grazing Use Indicators are not Terms and Conditions on the term permit, they can provide useful information for interpreting the cause of unsatisfactory trend in rangeland conditions and for adaptive management adjustments. Annual grazing use indicators, both within-season and end-of-season, along with other required management practices, when implemented and adhered to, will result in a reasonable expectation that long-term desired condition objectives will be achieved. A failure to achieve Annual Grazing Use Indicators could stimulate management adjustments or action against the permit in accordance with the 43 CFR 4100.
- An indicator common to all allotments would be upland utilization would not exceed 50% of the current year’s growth on key upland herbaceous species in accordance with the Owyhee RMP.
- Monitoring studies would be conducted and periodically evaluated in the allotment to determine if progress is being made towards meeting Standards for Rangeland Health and multiple use objectives. Monitoring studies would include, but would not be limited to the following: nested plot frequency, upland utilization and browse, photo plots, riparian greenline studies, stubble heights, bank alteration, riparian woody browse, and water quality.
- Pasture use flexibility would be authorized allowing five days before and five days after the annually scheduled pasture move dates, provided pastures are cleared of cattle within the five days following the scheduled pasture move date and as long as the Active AUMs are not exceeded.

- Additional impacts of the BLM actions on public lands resulting from the issuance of this grazing permit would be addressed on a project-by-project basis for compliance with Section 106 of the National Historic Preservation Act and NEPA / FLPMA. As a result of the 106 process, adverse effects would be avoided or mitigated to an acceptable level of impact.
- Projects on BLM administered public lands require site-specific clearances prior to construction or re-design.
- Site-specific surveys would be conducted prior to implementation of any projects on public lands, including but not limited to water-haul sites and fence realignments/construction. In the event of discovery of resource values that may be impacted by a project the project would be relocated or modified to such an extent the impacts would be avoided or mitigated to an acceptable level.
- Any new interior pasture fences located on public lands would conform to the specifications for standard livestock fences in deer/elk/antelope habitat which consist of a two-barbed upper strands and a smooth bottom strand. Any enclosure fences would conform to specifications for livestock fences in deer/elk/ antelope habitat where extreme restrictions are required that consist of three upper barbed strands and one lower smooth strand.
- All livestock troughs would be equipped with an approved wildlife escape ladder at the time of trough installation and it would be the responsibility of the permittee(s) to ensure that these ramps are maintained and/or replaced as necessary to insure the continued safe use of troughs by wildlife. The BLM would provide replacement ramps upon request by the permittee(s).
- Travel is restricted to existing roads and trails. If off-road travel is required for construction or maintenance of projects, prior authorization from the BLM authorized officer is required, and would be granted on a case-by-case, site-specific basis.
- Motorized travel for survey, design, construction, or maintenance of projects (i.e. fences) would be limited to existing, authorized roads and trails. Any off-road or off-trail travel would require prior consultation and approval by the BLM authorized officer. If an approved project requires cross-country access for motorized equipment, the following requirements apply:
 - No heavy equipment would be used to clear fence lines, and fence lines would not be bladed or scraped.
 - Vehicle traffic would be limited to one pass of a rubber-tire vehicle for material distribution along the proposed fence route.
 - Vegetation clearing associated with proposed projects would be kept to the minimum needed for construction.

Alternative A - Current Management

Associated grazing permits would be renewed without modification to the mandatory terms and conditions at the same levels found on the 1997 term grazing permits. Other terms and conditions would continue to include Judge B. Lynn Winmill's [interim] terms and conditions as follows:

On February 29, 2000, Judge B. Lynn Winmill, United States District Court for the District of Idaho, issued a Memorandum Decision and Order with the following interim terms and conditions that currently apply to the allotments and permits listed in this alternative:

1. Key herbaceous riparian vegetation, where streambank stability is dependent upon it, will have a minimum stubble height of 4 inches on the streambank, along the greenline, after the growing season;
2. Key riparian browse vegetation will not be used more than 50% of the current annual twig growth that is within reach of the animals;
3. Key herbaceous riparian vegetation on riparian areas, other than the streambanks will not be grazed more than 50% during the growing season, or 60% during the dormant season; and
4. Streambank damage attributable to grazing livestock will be less than 10% on a stream segment.

Fossil Butte (0535)

A total permitted use of 1,622 AUMs of fall/winter use is authorized for cattle (1,519 AUMs) and horses (103 AUMs) (Table 2). This one pasture allotment has three permittees operating in common (Map 1).

Table 2. Permitted Use for the Fossil Butte Allotment, Owyhee Co, ID.

Operator Name (Number)	Livestock		Season of Use	Federal Land	AUMs		
	Num.	Kind			Active	Suspended	Permitted
Joyce Livestock (1101423)	190 ¹	Cattle	10/01-02/28	94%	888	0	991
	31 ¹	Horses	11/01-02/15	94%	103	0	
Nick Nettleton (1101482)	76 ¹	Cattle	10/01-02/28	100%	380	0	380
Miller/Kershner (1101486)	51 ¹	Cattle	10/01-02/28	100%	251	0	251
Total					1622	0	1622

¹ Annually, with prior approval by the authorized officer, livestock numbers could vary as long as season of use and active AUMs are not exceeded.

Sinker Butte (0578)

A total permitted use of 707 AUMs of fall/winter use would be authorized for cattle (Table 3). The allotment has one permittee operating in three pastures (Map 2). Specific pasture use periods are coordinated annually with BLM personnel before turn out.

Table 3. Permitted Use for the Sinker Butte Allotment, Owyhee County, ID.

Operator Name (Number)	Livestock		Season of Use	Federal Land	AUMs		
	Num.	Kind			Active	Suspended	Permitted
Sierra Del Rio (1100242)	203 ¹	Cattle	11/15-02/28	100%	707	0	707

¹Annually, with prior approval by the authorized officer, livestock numbers could vary as long as season of use and active AUMs are not exceeded.

Montini FFR (0654)

A total permitted use of 140 AUMs is authorized for cattle (Table 4). Use occurs at the permittee’s discretion. The allotment has one permittee (Map 3).

Table 4. Permitted Use for Montini FFR Allotment, Owyhee County, ID.

Operator Name (Number)	Livestock		Season of Use	Federal Land	AUMs		
	Num.	Kind			Active	Suspended	Permitted
Sierra Del Rio (1100242)	11 ¹	Cattle	03/01-02/28 ¹	100%	140	0	140

¹Annually, with prior approval by the authorized officer, livestock numbers and season of use could vary at the permittees discretion as long as resource degradation doesn’t occur on public land.

A minimum of four inches of median stubble height must remain on key hydric herbaceous species at the end of the grazing season along Sinker Creek as measured at key areas where appropriate for stream channel stability.

Con-Shea (0571)

A total permitted use of 990 AUMs of fall/winter use is authorized for cattle (Table 5). The allotment has one permittee operating in five pastures. The permittee would continue to be responsible for using and maintaining the drift fence eliminating livestock grazing and trailing through the Mulfords milkvetch populations located in the northwest corner of pasture 2 (Map 4).

Table 5. Permitted Use for the Con-Shea Allotment, Owyhee County, ID.

Operator Name (Number)	Livestock		Season of Use	Federal Land	AUMs		
	Num.	Kind			Active	Suspended	Permitted
Joyce Livestock (1101423)	251 ¹	Cattle	11/01-02/28	100%	990	0	990

¹Annually, with prior approval by the authorized officer, livestock numbers could vary up to 325 cattle as long as season of use and active AUMs are not exceeded.

Joyce FFR (0487)

A total permitted use of 87 AUMs of fall/winter use is authorized for cattle (Table 6). The allotment has one permittee operating in two pastures (Map 5).

Table 6. Permitted Use for Joyce FFR Allotment

Operator Name (Number)	Livestock		Season of Use	Federal Land	AUMs		
	Num.	Kind			Active	Suspended	Permitted
Joyce Livestock (1101423)	85 ¹	Cattle	12/01-12/31 ¹	100%	87	0	87

¹ Permitted dates of 12/01-12/31 are for billing purposes only. Annually, with prior approval by the authorized officer, livestock numbers and season of use could vary at the permittees discretion as long as resource degradation doesn't occur on public land.

Murphy FFR (0486)

A total permitted use of 5 AUMs of fall/winter use is authorized for cattle (Table 7). The allotment has one permittee (Map 6).

Table 7. Permitted Use for the Murphy FFR Allotment, Owyhee County, ID.

Operator Name (Number)	Livestock		Season of Use	Federal Land	AUMs		
	Num.	Kind			Active	Suspended	Permitted
Joyce Livestock (1101423)	5 ¹	Cattle	12/01-12/31 ¹	100%	5	0	5

¹ Permitted dates of 12/01-12/31 are for billing purposes only. Annually, with prior approval by the authorized officer, livestock numbers and season of use could vary at the permittees discretion as long as resource degradation doesn't occur on public land.

Preliminary Alternative Development

Alternative B

Grazing permits for the Con Shea Allotment (0571) would be issued as described in Alternative A.

Fossil Butte (0535)

A total permitted use of 1,622 AUMs of fall/winter use would be authorized for cattle (1,519 AUMs) and horses (103 AUMs) (Table 8). This one pasture allotment would have three permittees operating in common.

Table 8. Permitted Use for the Fossil Butte Allotment, Owyhee Co, ID.

Operator Name (Number)	Livestock		Season of Use	Federal Land	AUMs		
	Num. ¹	Kind			Active	Suspended	Permitted
Joyce Livestock (1101423)	190	Cattle	10/01-02/28	94%	888	0	991
	22	Horses	10/01-02/28	94%	103	0	
Nick Nettleton (1101482)	76	Cattle	10/01-02/28	100%	380	0	380
Miller/Kershner (1101486)	51	Cattle	10/01-02/28	100%	251	0	251
Total					1622	0	1622

¹ Annually, with prior approval by the authorized officer, livestock numbers could vary as long as season of use and active AUMs are not exceeded.

Livestock grazing in the Fossil Butte Allotment would be managed so that at least 250 pounds/acre of total plant biomass would remain at the end of a grazing season to provide watershed protection.

For the first three years of grazing, a clip and weigh method would be used before turnout to determine the amount of livestock use for that grazing season needed to ensure at least 250 lbs/acre of total plant biomass or 100 lbs/acre of herbaceous plant biomass remains after the grazing season. In subsequent years, BLM personnel would monitor during unfavorable growth years prior to turnout to determine stocking levels based on ocular estimates of annual production. After three years, if utilization levels have been exceeded and/or inadequate plant biomass remains, modifications would be made to the grazing permit to move towards meeting rangeland health standards. Modifications would be made in accordance with the Federal Grazing Regulations (43 CFR § 4100s).

Five existing and six new water haul sites would be allowed (Map 7). Permittees would be responsible for hauling water on designated routes and providing and maintaining BLM approved wildlife escape devices in each tank.

Sinker Butte (0578)

BLM recently acquired 640 acres within the Sinker Butte Allotment. This pasture and the associated 64 AUMs would be incorporated into the allotment. A total of 771 AUMs of permitted use consisting of 671 active AUMs of fall/winter use and 100 active AUMs of spring use would be authorized for cattle in this allotment (Table 9). The allotment would be divided into 5 pastures (Map 8).

Table 9. Permitted Use for the Sinker Butte Allotment, Owyhee County, ID.

Operator Name, Number	Livestock		Season of Use	Federal Land	AUMs		
	Num.	Kind			Active	Suspended	Permitted
Sierra Del Rio (1100242)	149 ¹	Cattle	10/15-02/28	100%	671	0	771
	101 ¹	Cattle	04/01-04/30	100%	100	0	

¹Annually, with prior approval by the authorized officer, livestock numbers could vary up to 150 cattle during the fall/winter season of use as long as the season of use and active AUMs are not exceeded; and livestock numbers could vary up to 101 cattle during the spring season of use as long as the season of use and active AUMs are not exceeded.

A five pasture rest rotation system would be implemented as outlined in Table 10. The grazing prescription would involve one year of spring use followed by a year of rest and three years of winter use. This prescribed use would be rotated throughout the five pastures.

Utilization of key riparian browse vegetation along Sinker Creek would be measured in terms of incidence of use. The incidence of use on shrubs such as willow, alder and dogwood would not exceed 25% on those plants generally less than 3 feet in height in any given year. Stream bank damage attributable to livestock grazing would not exceed 10% on segments of Sinker Creek.

At least a 4-inch median stubble height would be attained for key hydric herbaceous species such as Nebraska sedge and beaked sedge at the end of the grazing period in the riparian areas along Sinker Creek.

Water temperatures and bacterial concentration data would be monitored on a 5 year cycle on Sinker Creek in accordance with the water quality restoration plan.

A 1.5 mile pasture division fence would be constructed to divide pasture 1 into two pastures (Map 8). This division fence would be a barbed three-wire fence constructed to BLM/Boise District-Big Game specifications.

Table 10¹. Grazing Management for the Sinker Butte Allotment, Owyhee County, ID.

Pastures	Year 1	Year 2	Year 3	Year 4	Year 5
Pasture 1	Spring	Rest	Winter	Winter	Winter
Pasture 2	Winter	Spring	Rest	Winter	Winter
Pasture 3	Winter	Winter	Spring	Rest	Winter
Pasture 4	Winter	Winter	Winter	Spring	Rest
Pasture 5	Rest	Winter	Winter	Winter	Spring

¹Spring use would occur between 4/1-4/30. Winter use would occur between 10/15-2/28.

A water quality restoration plan (to be included in the final Fossil Butte Group environmental assessment) would be implemented for Sinker Creek in the Sinker Butte Allotment.

Montini FFR (0654)

A total permitted use of 140 AUMs would be authorized for cattle (Table 11). Use would occur at the permittee’s discretion. The allotment would have one permittee.

Table 11. Permitted Use for Montini FFR Allotment, Owyhee County, ID.

Operator Name (Number)	Livestock		Season of Use	Federal Land	AUMs		
	Num.	Kind			Active	Suspended	Permitted
Sierra Del Rio (1100242)	11 ¹	Cattle	03/01-02/28 ¹	100%	140	0	140

¹Annually, with prior approval by the authorized officer, livestock numbers and season of use could vary at the permittees discretion as long as resource degradation doesn’t occur on public land.

A water quality restoration plan (to be included in the final Fossil Butte Group environmental assessment) would be implemented for Sinker Creek in the Montini FFR Allotment.

Utilization of key riparian browse vegetation along Sinker Creek would be measured in terms of incidence of use. The incidence of use on shrubs such as willow, alder and dogwood would not exceed 25% on those plants generally less than three feet in height in any given year.

Stream bank damage attributable to livestock grazing would not exceed 10% on segments of Sinker Creek.

At least a 4-inch median stubble height would be attained for key hydric herbaceous species such as Nebraska sedge and beaked sedge at the end of the grazing period in the riparian areas along Sinker Creek.

Water temperatures and bacterial concentration data would be monitored on a 5 year cycle on Sinker Creek in accordance with the water quality restoration plan.

Joyce FFR (0487)

Total authorized active AUMs on public land will be limited to 87 AUMs for cattle use only (Table 12). The allotment has one permittee operating in two pastures.

Table 12. Permitted Use for Joyce FFR Allotment

Operator Name (Number)	Livestock		Season of Use	Federal Land	AUMs		
	Num.	Kind			Active	Suspended	Permitted
Joyce Livestock (1101423)	7 ¹	Cattle	03/01-02/28 ¹	100%	87	0	87

¹Annually, with prior approval by the authorized officer, livestock numbers and season of use could vary at the permittees discretion as long as resource degradation doesn't occur on public land.

Murphy FFR (0486)

A total permitted use of 5 AUMs of fall/winter use is authorized for cattle (Table 13). The allotment has one permittee.

Table 13. Permitted Use for the Murphy FFR Allotment, Owyhee County, ID.

Operator Name (Number)	Livestock		Season of Use	Federal Land	AUMs		
	Num.	Kind			Active	Suspended	Permitted
Joyce Livestock (1101423)	1 ¹	Cattle	03/01-02/28 ¹	100%	5	0	5

¹Annually, with prior approval by the authorized officer, livestock numbers and season of use could vary at the permittees discretion as long as resource degradation doesn't occur on public land.

Alternative C

Grazing permits for the Sinker Butte (0578), Montini FFR (0654), and Murphy FFR (0486) allotments would be issued as described in Alternative B.

Fossil Butte (0535)

A total permitted use of 1,622 AUMs of fall/winter use would be authorized for cattle (1,519 AUMs) and horses (103 AUMs) (Table 14). This one pasture allotment would have three permittees operating in common.

Table 14. Permitted Use for the Fossil Butte Allotment, Owyhee Co, ID.

Operator Name (Number)	Livestock		Season of Use	Federal Land	AUMs		
	Num. ¹	Kind			Active	Suspended	Permitted
Joyce Livestock (1101423)	190	Cattle	10/01-02/28	94%	888	0	991
	22	Horses	10/01-02/28	94%	103	0	
Nick Nettleton (1101482)	76	Cattle	10/01-02/28	100%	380	0	380
Miller/Kershner (1101486)	51	Cattle	10/01-02/28	100%	251	0	251
Total					1622	0	1622

¹Annually, with prior approval by the authorized officer, livestock numbers could vary as long as season of use and active AUMs are not exceeded.

Livestock grazing in the Fossil Butte Allotment would be managed to achieve utilization objectives prescribed in the Owyhee RMP by water hauling and salting but without the more labor intensive clip and weigh method (to determine a minimum 250 lbs/acre of total plant biomass) as described in Alternative B.

Four existing and four new water haul sites would be allowed (Map 7). Permittees would be responsible for hauling water on designated routes and providing and maintaining BLM approved wildlife escape devices in each tank.

Permittees would coordinate with BLM when salting upland areas to protect sensitive plant species. Salting would further enhance the benefits of water hauling.

Con-Shea (0571)

A total permitted use of 917 AUMs of fall/winter use would be authorized for cattle (Table 15). The allotment would have one permittee operating in one pasture. Pastures 1, 2, and 5 would be combined and renamed pasture 1 (Map 10). Pastures 3 and 4 would become part of the Joyce FFR (0487) Allotment (Map 9). A total of 943 acres of public land and 73 AUMs would be removed from the Con Shea Allotment (and associated grazing permit) and added to the Joyce FFR Allotment (and associated grazing permit) (see Table 16).

The grazing permittee would continue using and maintaining the drift fence to eliminate livestock use of the Mulfords milkvetch populations located in the northwest corner of pasture 1 (Map 10). Use of the drift fence would ensure that livestock grazing management practices continue to allow for making significant progress towards meeting Standard 8.

Table 15. Permitted Use for the Con-Shea Allotment, Owyhee County, ID.

Operator Name (Number)	Livestock		Season of Use	Federal Land	AUMs		
	Num.	Kind			Active	Suspended	Permitted
Joyce Livestock (1101423)	251 ¹	Cattle	11/01-02/28	100%	917	0	917

¹Annually, with prior approval by the authorized officer, livestock numbers could vary up to 325 cattle as long as season of use and active AUMs are not exceeded.

Joyce FFR (0478)

A total permitted use of 160 AUMs of fall/winter use would be authorized for cattle only (Table 16). The allotment would have one permittee operating in two pastures. Pastures 3 and 4 from the Con Shea (0571) Allotment would become part of the Joyce FFR (0487) Allotment (Map 9). A total of 943 acres of public land and 73 AUMs would be removed from the Con Shea Allotment (and associated grazing permit) and added to the Joyce FFR Allotment (and associated grazing permit). Pastures 3 and 4 (from Con Shea Allotment) would be combined with pasture 1A (and would continue to be referred to as pasture 1A). No changes would be made to pasture 1B.

Table 16. Permitted Use for Joyce FFR Allotment

Operator Name (Number)	Livestock		Season of Use	Federal Land	AUMs		
	Num.	Kind			Active	Suspended	Permitted
Joyce Livestock (1101423)	40 ¹	Cattle	11/01-02/28	100%	160	0	160

¹Annually, with prior approval by the authorized officer, livestock numbers could vary as long as season of use and active AUMs are not exceeded on public land.

Decision to be Made

The Owyhee Field Manager is the official responsible for decisions regarding management of these allotments. Based on the results of the NEPA analysis, the Field Manager will issue decision documents that include a determination of the significance of the environmental effects and whether an environmental impact statement (EIS) will be prepared. If the Field Manager determines that it is not necessary to prepare an EIS, the Manager will decide which management actions, mitigation measures, and monitoring requirements will be prescribed for the allotments, including permitted number of animals, seasons of use, allowable utilization standards, and the term of the permits.

Public Input Needed

Comments are specifically requested on the proposed action, preliminary issues, and alternatives. Comments are due by April 30, 2009. For due consideration in developing the final EA, comments must be directly relevant to the proposal and project areas. The BLM will not reject public feedback outside established public involvement timeframes; however, these comments

may be considered secondary to comments received in a timely manner and may only be assessed to determine if they identify concerns that would substantially alter the assumptions, proposal, design, or analysis presented in the EA. Comments sent electronically should be sent to Field Office Manager Buddy Green (buddy_green@blm.gov) with the title of this project in the subject line. Please identify whether you are submitting comments as an individual or as the designated spokesperson on behalf of an organization. Issues that are outside the scope of the proposal will not be addressed at this planning level.

Attachments

Allotment Maps 1-10

Idaho Standards for Rangeland Health

IDAHO STANDARDS FOR RANGELAND HEALTH
And
GUIDELINES FOR LIVESTOCK GRAZING MANAGEMENT

Standard 1: Watersheds provide for the proper infiltration, retention, and release of water appropriate to soil type, vegetation, climate, and landform to provide for proper nutrient cycling, hydrologic cycling, and energy flow.

Indicators may include, but are not limited to, the following:

1. The amount and distribution of ground cover, including litter, for identified ecological site or soil-plant associations are appropriate for site stability.
2. Evidence of accelerated erosion in the form of rills and/or gullies, erosional pedestals, flow patterns, physical soil crusts/ surface sealing, and compaction layers below the soil surface is minimal for soil type and landform.

Standard 2: Riparian-wetland areas are in proper functioning condition appropriate to soil type, climate, geology, and landform to provide for proper nutrient cycling, hydrologic cycling and energy flow.

Indicators may include, but are not limited to, the following:

1. The riparian/wetland vegetation is controlling erosion, stabilizing streambanks, shading water areas to reduce water temperature, stabilizing shorelines, filtering sediment, aiding in floodplain development, dissipating energy, delaying floodwater, and increasing recharge of groundwater appropriate to site potential.
2. Riparian/wetland vegetation with deep strong binding roots is sufficient to stabilize streambanks and shorelines. Invader and shallow rooted species are a minor component of the floodplain.
3. Age class and structural diversity of riparian/wetland vegetation is appropriate for the site.
4. Noxious weeds are not increasing.

Standard 3: Stream channels and floodplains are properly functioning relative to the geomorphology (e.g., gradient, size, shape, roughness, confinement, and sinuosity) and climate to provide for proper nutrient cycling, hydrologic cycling, and energy flow.

Indicators may include, but are not limited to, the following:

1. Stream channels and floodplains dissipate energy of high water flows and transport sediment. Soils support appropriate riparian-wetland species, allowing water movement, sediment filtration, and water storage. Stream channels are not entrenching.
2. Stream width/depth ratio, gradient, sinuosity, and pool, riffle and run frequency are appropriate for the valley bottom type, geology, hydrology, and soils.
3. Streams have access to their floodplains and sediment deposition is evident.

4. There is little evidence of excessive soil compaction on the floodplain due to human activities.
5. Streambanks are within an appropriate range of stability according to site potential.
6. Noxious weeds are not increasing.

Standard 4: Healthy, productive, and diverse native animal habitat and populations of native plants are maintained or promoted as appropriate to soil type, climate, and landform to provide for proper nutrient cycling, hydrologic cycling, and energy flow.

Indicators may include, but are not limited to, the following:

1. Native plant communities (flora and microbiotic crusts) are maintained or improved to ensure the proper functioning of ecological processes and continued productivity and diversity of native plant species.
2. The diversity of native species is maintained.
3. Plant vigor (total plant production, seed and seedstalk production, cover, etc.) is adequate to enable reproduction and recruitment of plants when favorable climatic events occur.
4. Noxious weeds are not increasing.
5. Adequate plant litter and standing dead plant material are present for site protection and for decomposition to replenish soil nutrients relative to site potential.

Standard 5: Rangelands seeded with mixtures, including predominately non-native plants, are functioning to maintain life form diversity, production, native animal habitat, nutrient cycling, energy flow and the hydrologic cycle.

Indicators may include, but are not limited to, the following:

1. In established seedings, the diversity of perennial species is not diminishing over time.
2. Plant production, seed production, and cover are adequate to enable recruitment when favorable climatic events occur.
3. Noxious weeds are not increasing.
4. Adequate litter and standing dead plant material are present for site protection and for decomposition to replenish soil nutrients relative to site potential.

Standard 6: Exotic plant communities, other than seedings, will meet minimum requirements of soil stability and maintenance of existing native and seeded plants. These communities will be rehabilitated to perennial communities when feasible cost effective methods are developed.

Indicators may include, but are not limited to, the following:

1. Noxious weeds are not increasing.
2. Perennial species numbers are being maintained.
3. Native and introduced perennial species are vigorous enough to reproduce when climatic and other environmental conditions are favorable.
4. Litter and standing dead plant material is adequate to replenish soil nutrients relative to site potential.

Standard 7: Surface and groundwater on public lands comply with the Idaho Water Quality Standards.

Indicators may include, but are not limited to, the following:

1. Physical, chemical, and biologic parameters described in the Idaho Water Quality Standards.

Standard 8: Habitats are suitable to maintain viable populations of threatened and endangered, sensitive, and other special status species.

Indicators may include, but are not limited to, the following:

1. Parameters described in the Idaho Water Quality Standards.
2. Riparian/wetland vegetation with deep, strong, binding roots is sufficient to stabilize streambanks and shorelines. Invader and shallow rooted species are a minor component of the floodplain.
3. Age class structure diversity or riparian/wetland vegetation is appropriate for the site.
4. Native plant communities (flora and microbiotic crusts) are maintained or improved to ensure the proper functioning of ecological processes and continued productivity and diversity of native plant species.
5. The diversity of native species is maintained.
6. The amount and distribution of ground cover, including litter, for identified ecological site(s) or soil-plant associations are appropriate for site stability.
7. Noxious weeds are not increasing.

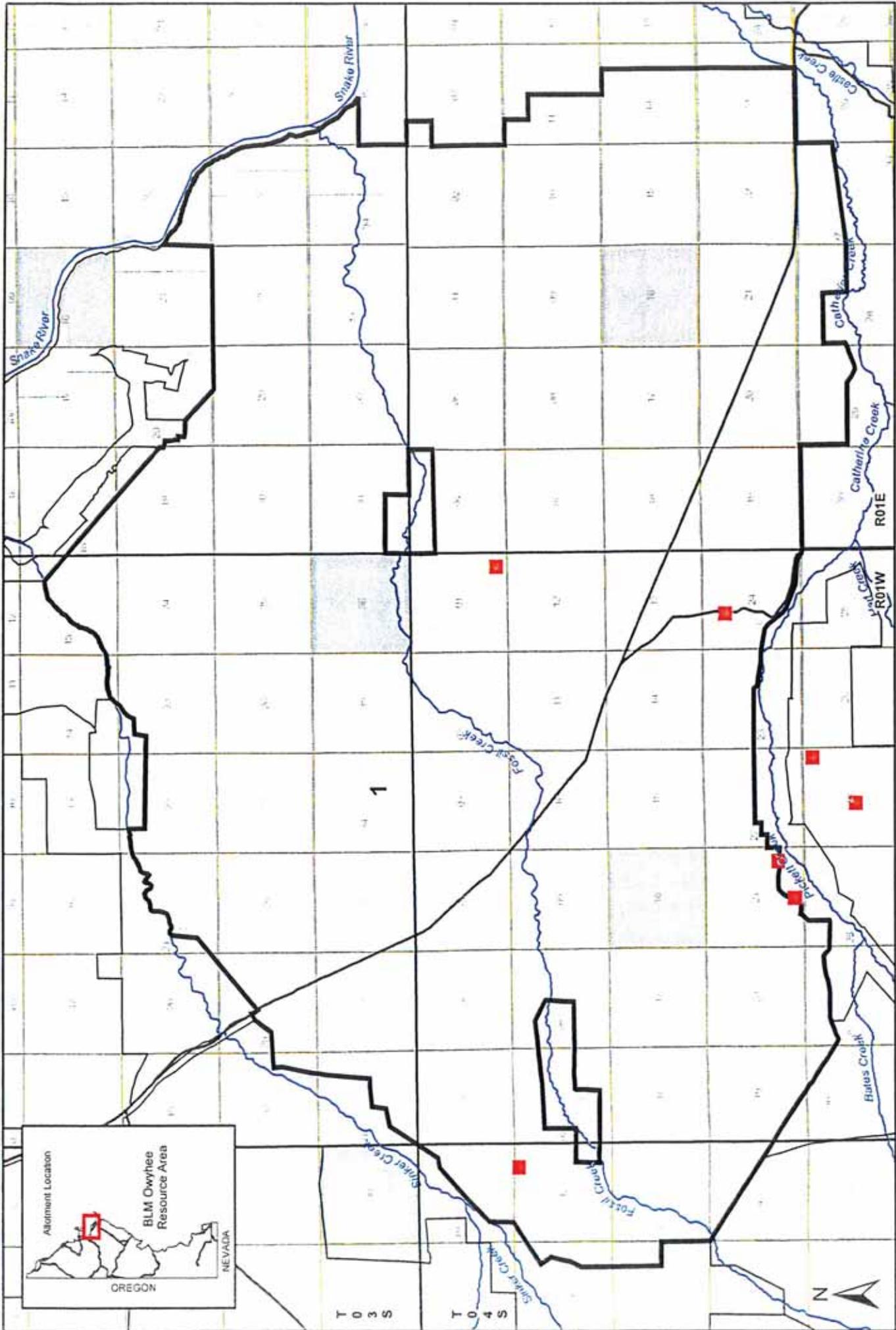
Guidelines:

1. Use grazing management practices and/or facilities to maintain or promote significant progress toward adequate amounts of ground cover to support infiltration, maintain soil moisture storage and stabilize soils.
2. Locate livestock management facilities away from riparian areas wherever they conflict with achieving or maintaining riparian-wetland functions.
3. Use grazing management practices and/or facilities to maintain or promote soil conditions that support water infiltration, plant vigor, and permeability rates and minimize soil compaction appropriate to site potential.
4. Implement grazing management practices that provide periodic rest or deferment during critical growth stages to allow sufficient regrowth to achieve and maintain healthy, properly functioning conditions, including good plant vigor and adequate vegetative cover appropriate to site potential.
5. Maintain or promote grazing management practices that provide sufficient residual vegetation to improve, restore, or maintain healthy riparian-wetland functions and structure for energy dissipation, sediment capture, ground water recharge, streambank stability, and wildlife habitat appropriate to site potential.
6. The development of springs, seeps or other projects affecting water and associated resources shall be designed to protect the ecological functions, wildlife habitat, and significant cultural and historical/ archaeological/ paleontological values associated with the water source.

7. Apply grazing management practices to maintain, promote, or progress toward appropriate stream channel and streambank morphology and functions. Adverse impacts due to livestock grazing will be addressed.
8. Apply grazing management practices that maintain or promote the interaction of the hydrologic cycle, nutrient cycle, and energy flow that will support the appropriate types and amounts of soil organisms, plants and animals appropriate to soil type, climate and landform.
9. Apply grazing management practices to maintain adequate plant vigor for seed production, seed dispersal, and seedling survival of desired species relative to soil type, climate and landform.
10. Implement grazing management practices and/or facilities that provide for complying with the Idaho Water Quality Standards.
11. Use grazing management practices developed in recovery plans, conservation agreements, and Endangered Species Act, Section 7 consultations to maintain or improve habitat for federally listed threatened, endangered, and sensitive plants and animals.
12. Apply grazing management practices and/or facilities that maintain or promote the physical and biological conditions necessary to sustain native plant populations and wildlife habitats in native plant communities.
13. On areas seeded predominantly with non-native plants, use grazing management practices to maintain or promote the physical and biological conditions to achieve healthy rangelands.
14. Where native communities exist, the conversion to exotic communities after disturbance will be minimized.
15. Use non-native plant species for rehabilitation only in those situations where:
 - a. native species are not readily available in sufficient quantities;
 - b. native plant species cannot maintain or achieve the standards; or
 - c. non-native plant species provide for management and protection of native rangelands

Include a diversity of appropriate grasses, forbs, and shrubs in rehabilitation efforts.
16. On burned areas, allow natural regeneration when it is determined that populations of native perennial shrubs, grasses, and forbs are sufficient to revegetated the site. Rest burned or rehabilitated areas to allow recovery or establishment of perennial plant species.
17. Carefully consider the effects of new management facilities (e.g., water developments, fences) on healthy and properly functioning rangelands prior to implementation.
18. Use grazing management practices, where feasible, for wildfire control and to reduce the spread of targeted undesirable plants (e.g., cheatgrass, medusahead wildrye, and noxious weeds) while enhancing vigor and abundance of desirable native or seeded species.
19. Employ grazing management practices that promote natural forest regeneration and protect reforestation projects until the Idaho Forest Practices Act requirements for timber stand replacement are met.
20. Design management fences to minimize adverse impacts, such as habitat fragmentation, to maintain habitat integrity and connectivity for native plants and animals.

Map 1: Fossil Butte 0535



- Fossil Butte Allotment
- Existing Water Haul Sites
- BLM
- Private
- State
- Other
- Streams



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Allotment Location

 BLM Owyhee Resource Area

 NEVADA

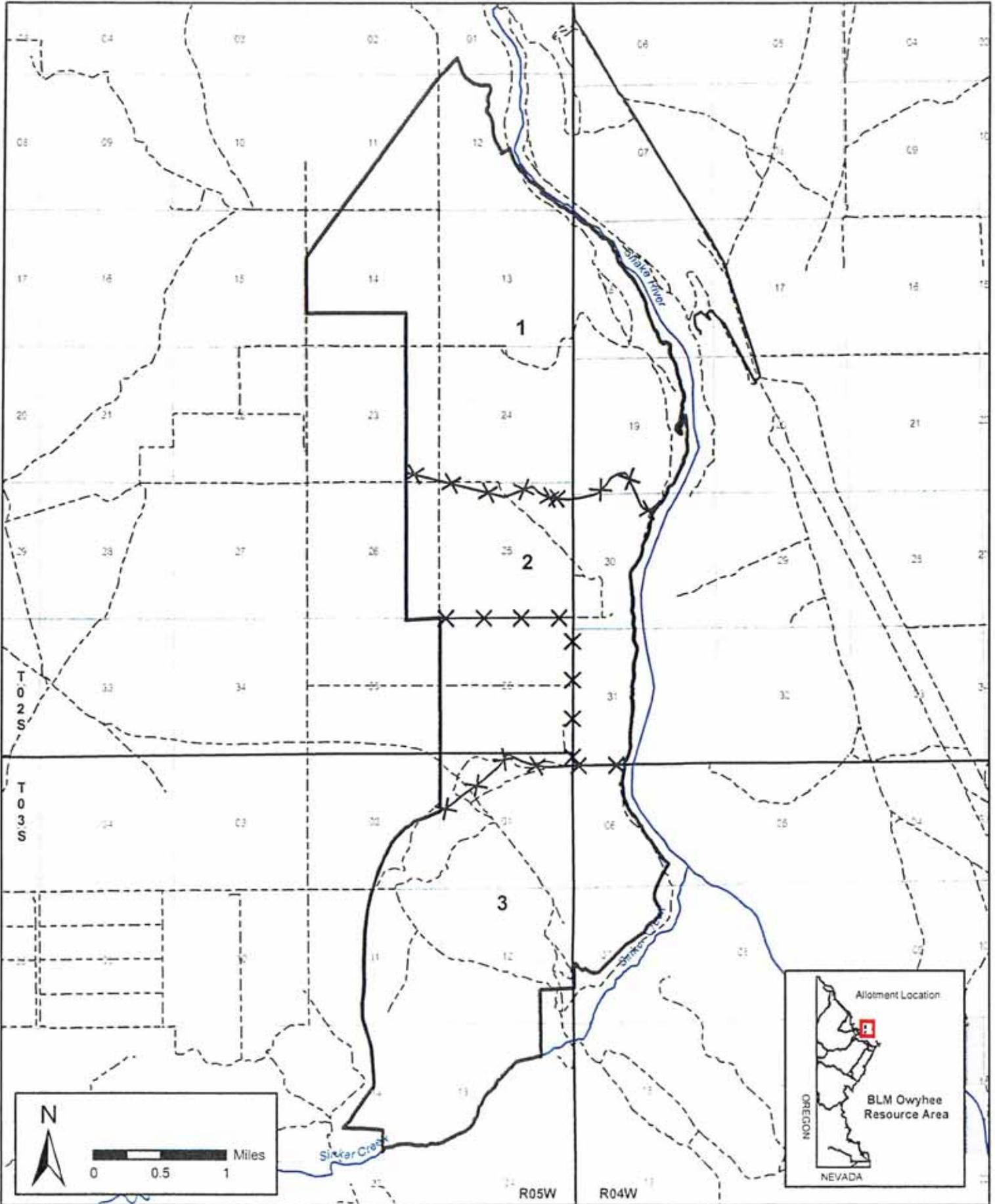
 OREGON

T 0 3 S

T 0 4 S



Map 2: Sinker Butte 0578

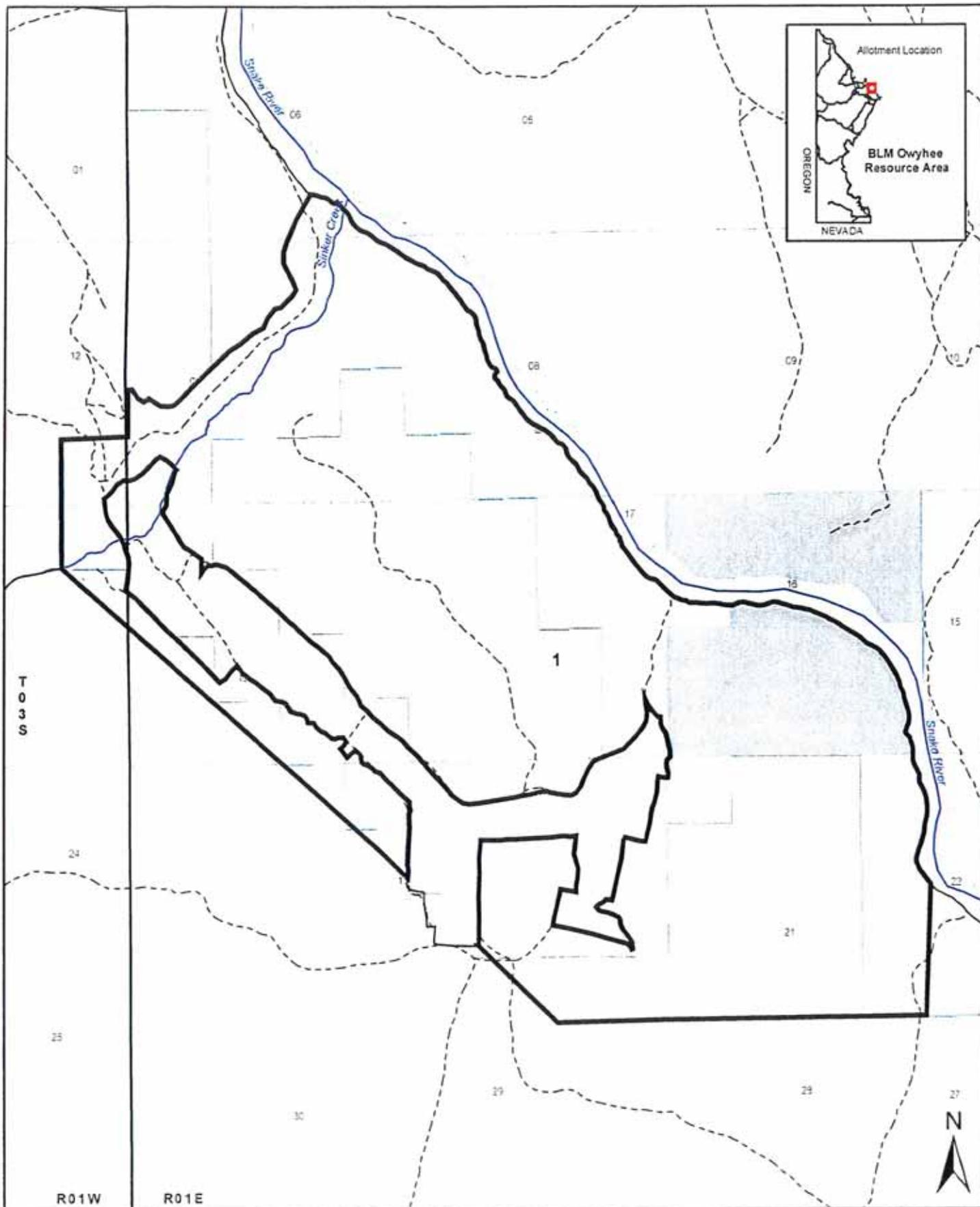


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- | | |
|---|--|
|  BLM |  Sinker Butte Allotment Boundary |
|  Private |  Other |
|  State |  Streams |

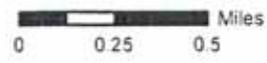
Map 3: Montini FFR 0654



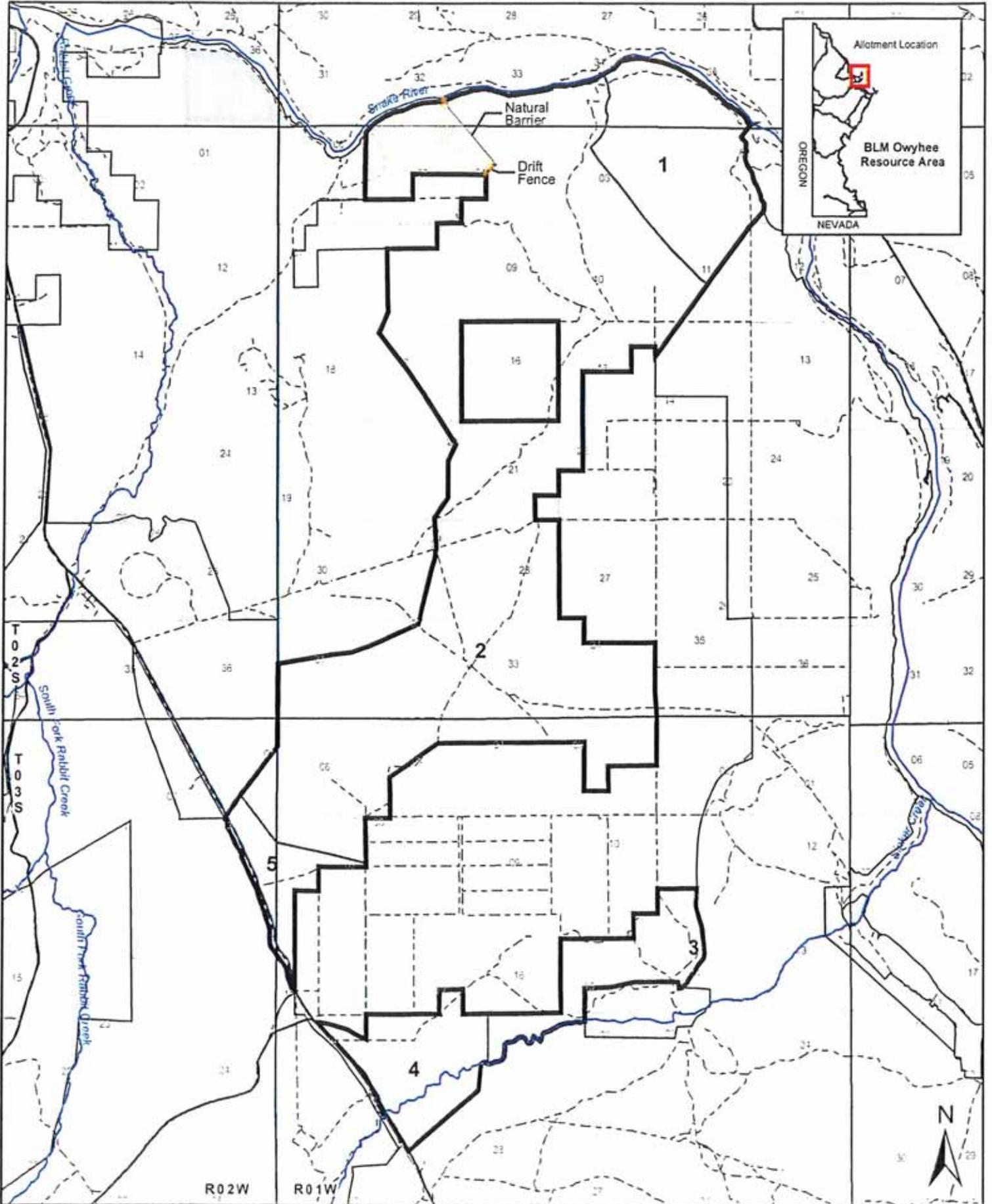
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- BLM
- Private
- State
- Montini FFR
- Other
- Streams



Map 4: Con Shea 0571



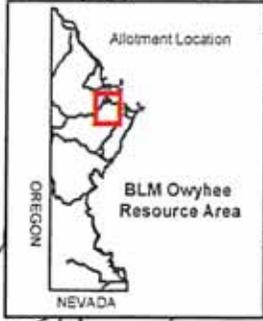
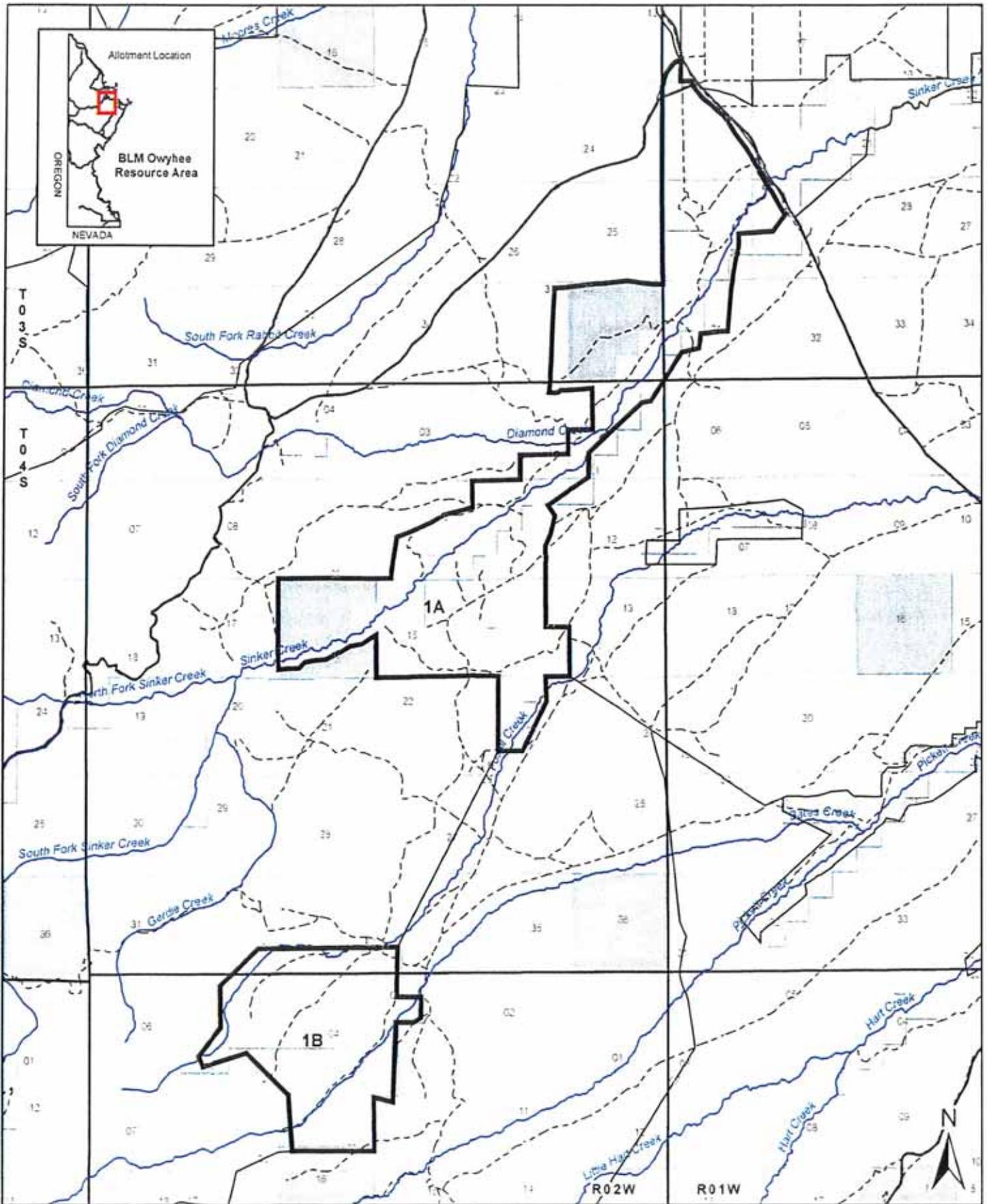
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- BLM
- Private
- State
- Con Shea
- Other
- Fence
- Streams



Map 5: Joyce FFR 0487



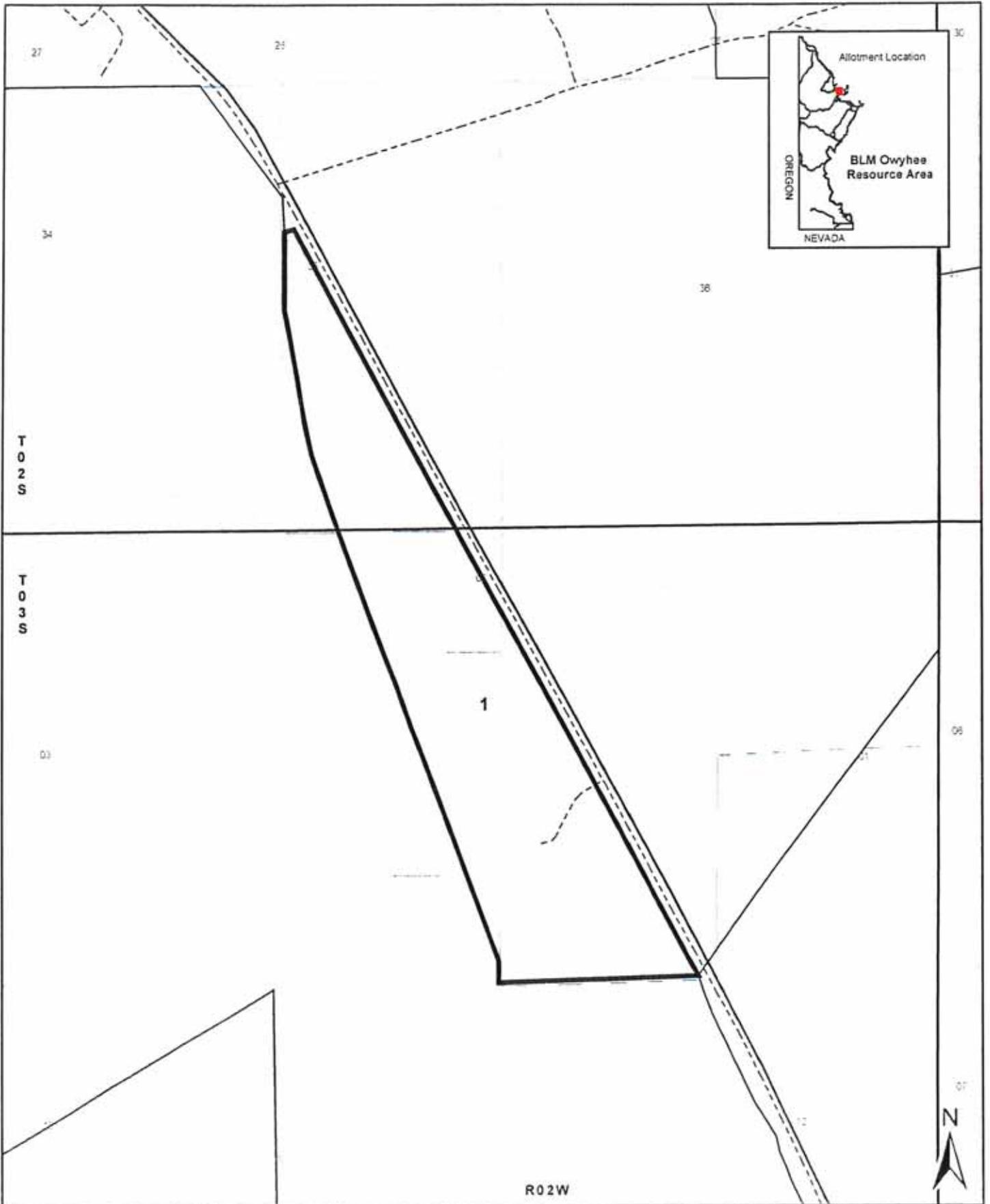
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- BLM
- Private
- State
- Joyce FFR
- Other
- Streams



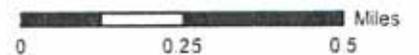
Map 6: Murphy FFR 0486



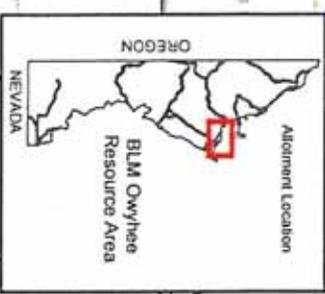
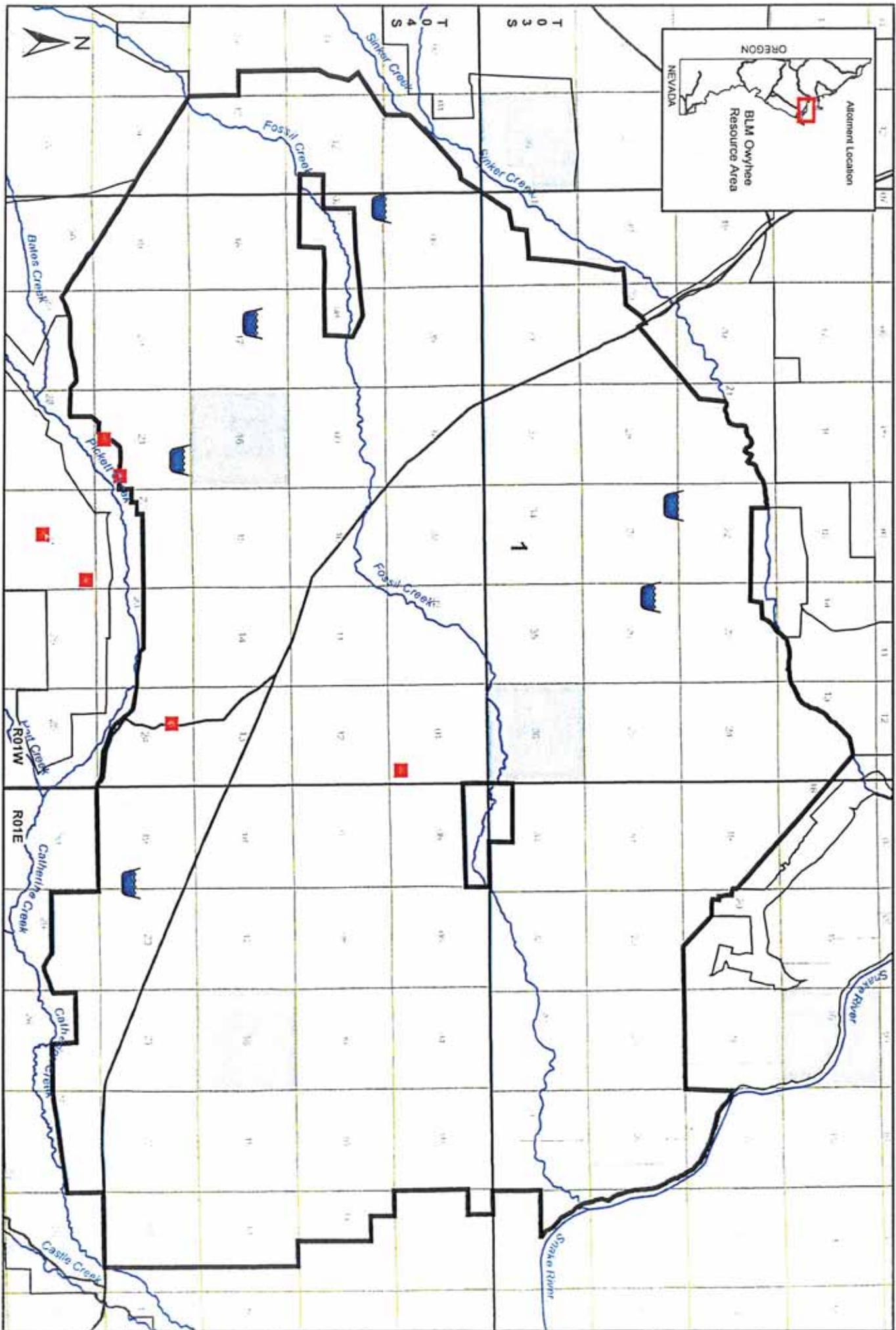
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- | | |
|---------|------------|
| BLM | Murphy FFR |
| Private | Other |
| State | Streams |



Map 7: Fossil Butte 0535

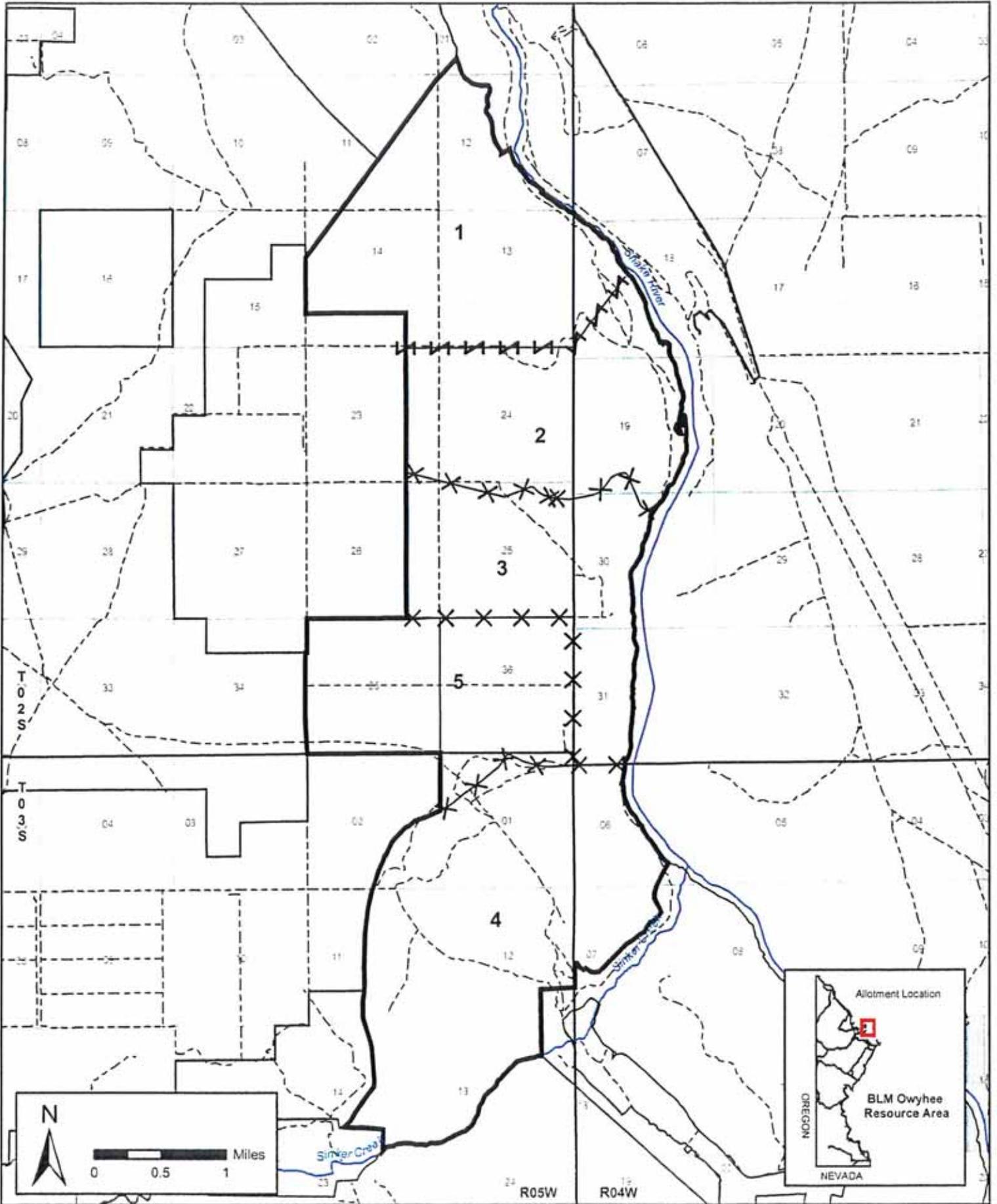


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- BLM
- Private
- Fossil Butte Allotment
- Streams
- Planned Water Haul Site
- Existing Water Haul Sites



Map 8: Sinker Butte 0578

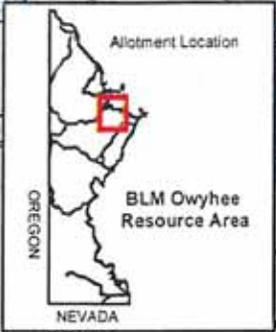
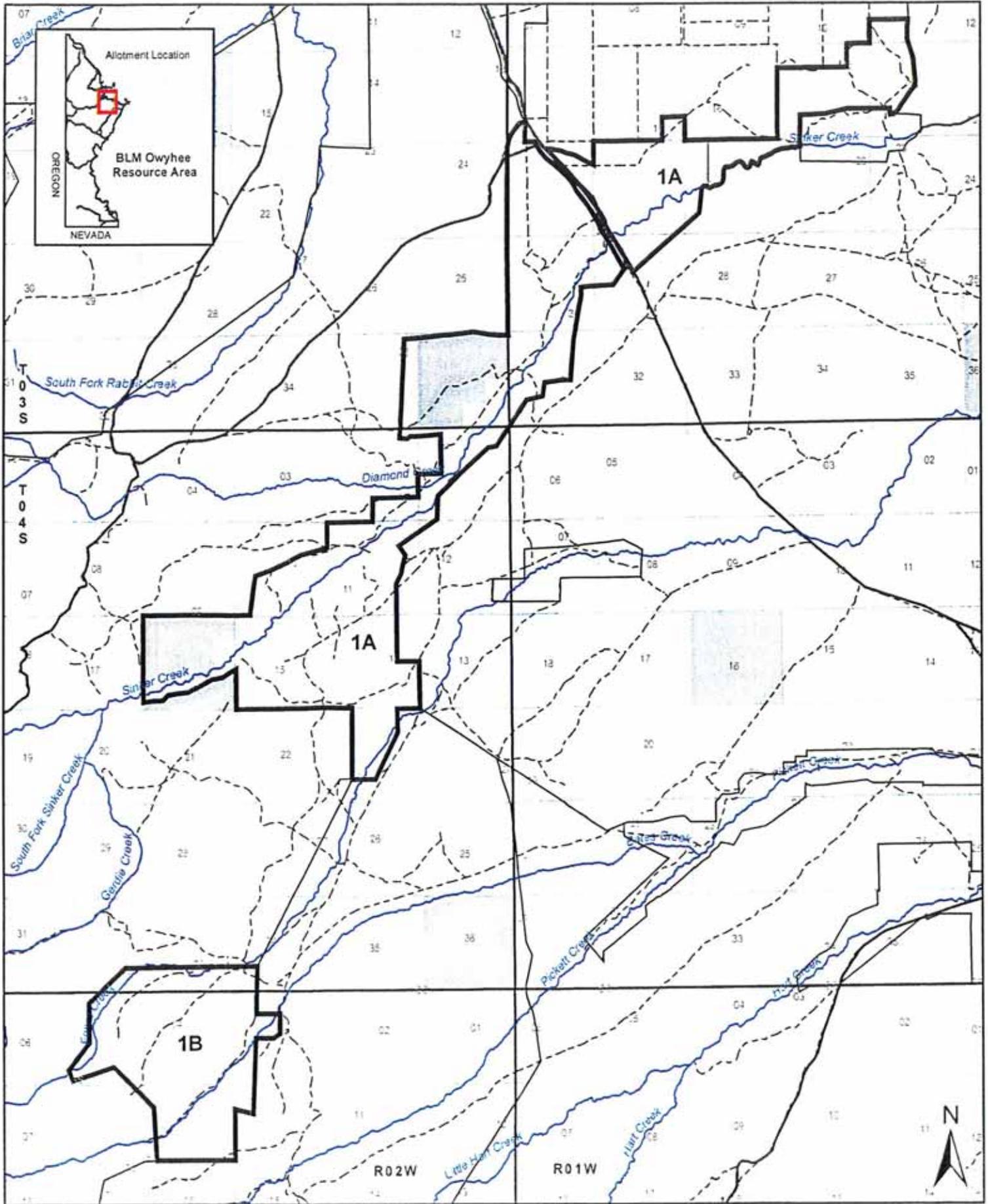


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| BLM | Proposed Sinker Butte Allotment Boundary | Existing Fence |
| Private | Other | Proposed Fence |
| State | Streams | |

Map 9: Joyce FFR 0487



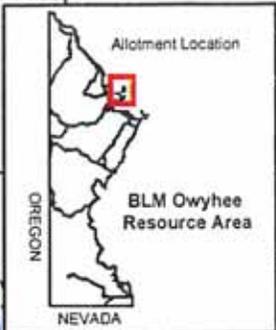
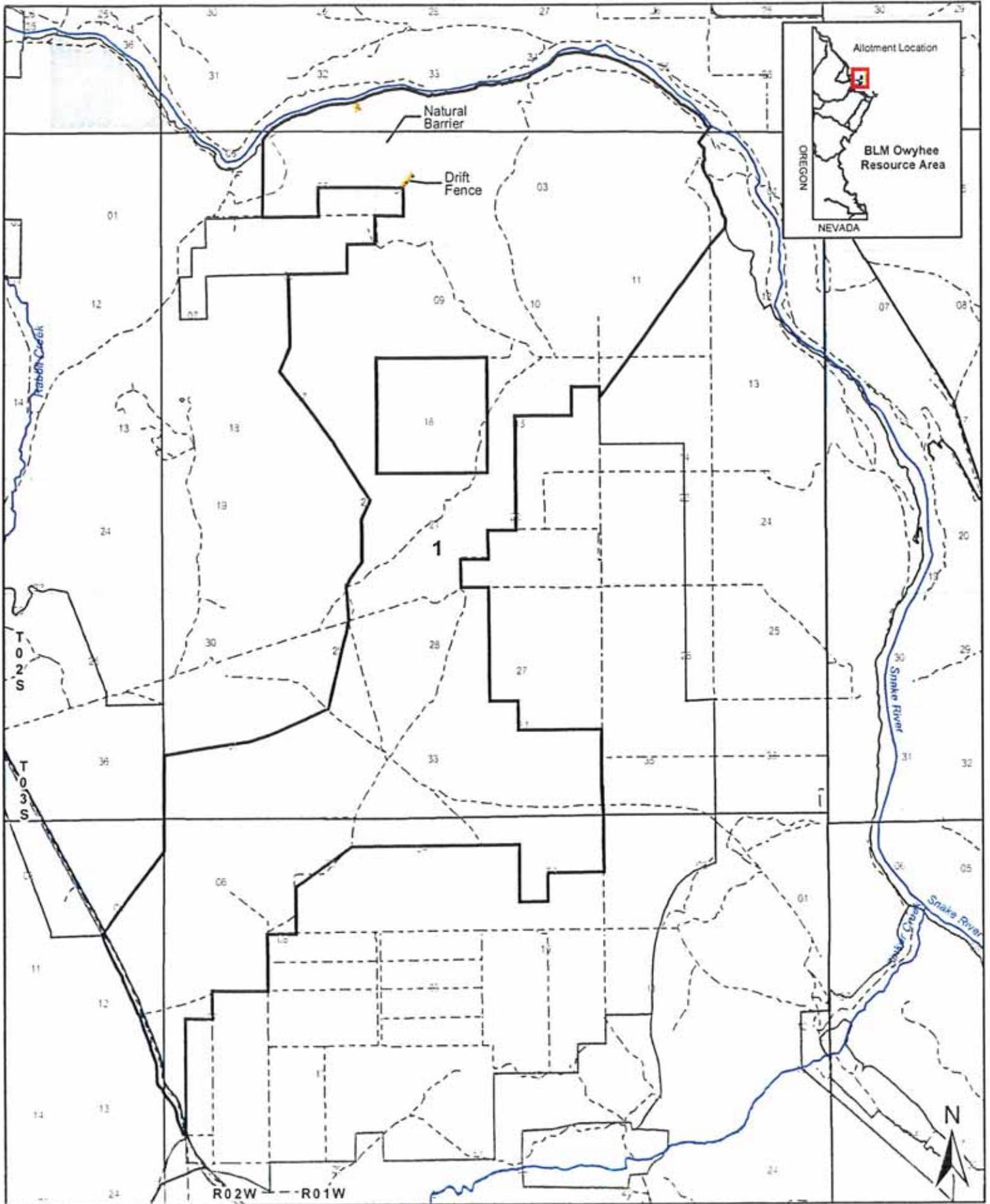
- BLM
- Joyce FFR
- Private
- Other
- State
- Streams



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Map 10: Con Shea 0571



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- BLM
- Private
- State
- Con Shea
- Other
- Fence
- Streams

