

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Burns District Office
Three Rivers Resource Area
Finding of No Significant Impact

Cluster Allotment Management Plan
Environmental Assessment
DOI-BLM-OR-B050-2011-0017-EA

INTRODUCTION

Three Rivers Resource Area, Burns District, has prepared an Environmental Assessment (EA) to analyze recommended management actions developed through an Interdisciplinary Team (IDT) and the 2006 evaluation process for Cluster Allotment to aid in accomplishing resource objectives, Standards for Rangeland Health and Guidelines for Livestock Grazing Management, and land use plan objectives for Cluster Allotment set forth in the 1992 Three Rivers Resource Management Plan/Record of Decision (RMP/ROD)/Rangeland Program Summary.

Cluster Allotment #07017 is located approximately 21 air miles west of Burns, Oregon. There are 7,700 acres of Bureau of Land Management (BLM)-managed land plus 3,048 acres of privately-owned land within the allotment for a total of 10,749 acres.

During the 2006 Cluster Allotment Evaluation, an IDT of Burns District BLM staff determined that the allotment is not fully meeting the objectives to "[i]mprove range condition from fair to good within 10 years on big sagebrush sites" and to "[p]revent significant risk to sage-grouse and their habitat by Bureau-authorized actions" that were brought forth from the 1991 AMP. The objectives are being met on mountain big sagebrush sites, but are not being met on the sites dominated by Wyoming big sagebrush (*Artemisia tridentata* spp. *wyomingensis*) with a cheatgrass (*Bromus tectorum*) understory. Current livestock use is not a causal factor for this objective not being fully met.

The evaluation also determined that Ecological Processes (Standard 2) is not being fully achieved due to cheatgrass being the dominant grass on a portion of the allotment, which indicates that a decrease in the functional diversity of plant communities has occurred. The increase in less desirable plant species and a corresponding decrease in plant community functional diversity are artifacts of historic (prior to 1985) grazing practices coupled with other disturbance regimes and is not being perpetuated and/or caused by grazing management during the last 25 years. All other Standards are fully achieved or not applicable. See Table 1 in the attached EA for more information on Standards for Rangeland Health Determinations.

Guidelines for Livestock Management are being achieved since current grazing is a graze/rest rotation that was developed for the South Pasture to allow livestock to graze when water is available within the allotment and provide growing season rest. This grazing rotation has afforded periodic growing season rest to desirable grasses and forbs and conforms to guidelines for grazing management. The North Pasture is managed as a custodial pasture due to the small amount of BLM-managed land within it. This pasture is authorized to be grazed annually.

SUMMARY OF THE PROPOSED ACTION

The following would be the result of the Proposed Action.

1. Livestock Grazing Management:

Livestock grazing management is designed to provide periodic growing season rest for plant species, while utilizing the South Pasture annually. Livestock numbers may vary annually as outlined under Adaptive Management, (Chapter II, A. Actions Common to All Alternatives); however, total permitted AUMs will not exceed 548. There will be no change to grazing management in the North Pasture, which is managed as a custodial pasture.

Current permitted season of use would be changed from April 1 through July 31 in the South Pasture to April 1 through September 30 for Permit #3601627 to carry out the proposed grazing management. This would result in the entire allotment having the season of use of April 1 to September 30. The South Pasture would follow a graze/defer rotation, providing periodic growing season rest every other year and remaining in conformance to Guidelines. This grazing management would require new water developments, and/or the permittee to haul water late in the season.

2. Permit Renewal

One 10-year term grazing permit (#3601524) would be renewed with no changes in Active Use AUMs in Cluster Allotment. The permit would be issued with changes to the terms and conditions, encompassing all changes within this AMP including a change to the season of use.

3. Proposed Range Improvements

Refer to attached AMP/EA Map E: Proposed Range Improvements. General Project Design Elements for Proposed Range Improvements would be implemented as described in the AMP/EA.

a. Pipeline Construction

A pipeline, approximately 2.6 miles long, would be constructed. This pipeline would begin at an existing well on private, east of the allotment. Two troughs (aluminum or steel with approximately 1,200-gallon capacity) would be placed along the pipeline; one trough would be located at the end of the pipeline, and the other trough would be located near the middle of the BLM portion of the pipeline. Currently, water sources within this allotment consist of dugouts and reservoir, which are unable to hold water past July, except in very wet years. This pipeline would provide two water sources that would allow the pasture to be utilized later in the season. The two troughs would be placed so that the majority of the allotment (96 percent) is within 2 miles of water, which is the furthest cattle tend to graze from water (George 2007, Ganskopp 2011), allowing the entire pasture to be used with good livestock distribution.

Heavy equipment (i.e., trenchers) and manual labor would be used during construction of these developments. Water troughs would be installed with float valves, and would follow project design elements. The required design for the proper function of the water supply would vary to accommodate the associated water troughs. Maintenance of the pipeline and associated troughs would occur, as needed, after initial construction.

b. Reservoir and Dugout Maintenance

Reservoir and dugout maintenance is not currently needed; however, it would likely be needed sometime in the next 10 years. Reservoir and dugout maintenance would include the cleaning and maintenance of the reservoirs, dams, and dugouts to ensure continued functioning. The application of bentonite would occur, as needed.

c. Water Hauling

The hauling of water and the placement of temporary water troughs would be allowed at three locations placed throughout the allotment. These locations are at current reservoirs or at road junctions. When water is placed at all three locations at the same time, distribution across the allotment would be even. If water is hauled to only one location at a time, then the location would be moved every 15 to 30 days to allow the pasture to be used evenly. Water hauling would occur prior to the pipeline being built and during times the pipeline was out of service or being repaired.

d. Brushbeating and Seeding

Brushbeating would occur in two areas currently dominated by big sagebrush and have a cheatgrass understory. The first area would be approximately 900 acres and the second area is approximately 1,800 acres. The brushbeating would occur in strips 12 to 50 feet wide (parallel strips of natural areas would be three times as wide as treated (brushbeat) strips). In the areas that are brushbeat, a mixture of native grasses, crested wheatgrass (*Agropyron cristatum*), and forbs, including dryland alfalfa (*Medicago sativa*) and lewis flax (*Linum lewisii*), would be drill seeded. The brushbeating and subsequent seeding would occur in three phases of approximately 900 acres each¹. This would increase the chance of success of the seedings by spreading them over multiple years. The second area would not be treated prior to monitoring showing an increase in desirable species within the first treated area. Brushbeating would not occur in playas or dry lakebeds, these areas would be avoided and at least one strip of current vegetation would be left in place along the edges. Maintenance of the brushbeating and seeding areas would occur as needed after initial actions, including reseeding the area if the original seeding did not result in an overall increase in desirable vegetative species. Adaptive Management would be used to modify the timing, size of units, and machinery in response to climatic conditions as well as to monitoring information gathered from previous brushbeating in the area.

4. Monitoring: Monitoring by BLM staff, in coordination with the livestock operator, of the success in achieving allotment-specific resource objectives would take place following implementation.

FINDING OF NO SIGNIFICANT IMPACT

Consideration of the Council on Environmental Quality (CEQ) criteria for significance (40 CFR 1508.27), both with regard to context and intensity of impacts, is described below:

Context

The Proposed Action would occur in Cluster Allotment and would have local impacts on affected interests, lands, and resources similar to and within the scope of those described and considered in the Three Rivers Proposed RMP/Final Environmental Impact Statement (PRMP/FEIS). There would be no substantial broad societal or regional impacts not previously considered in the PRMP/FEIS. The actions described represent anticipated program adjustments complying with the Three Rivers RMP/ROD, and implementing range management programs within the scope and context of this document.

¹ While the areas of treatment would not change, the size and number of treatments within the areas may change in relation to funding.

Intensity

The CEQ's ten considerations for evaluating intensity (severity of effect):

1. Impacts that may be both beneficial and adverse. The EA considered potential beneficial and adverse effects. Project Design Features were incorporated to reduce impacts. None of the effects are beyond the range of effects analyzed in the Three Rivers PRMP/FEIS, to which the EA is tiered.

Cultural Heritage: Under the Proposed Action, cultural resources would not be affected by grazing effects except in existing and new congregation areas that might arise near proposed range developments. New pipeline, troughs, and water hauling locations would create new congregation areas where existing or undiscovered cultural resources would be affected by livestock. Brushbeating and seeding with rangeland drills would affect cultural resources during application of the seeds. All range developments would be inventoried prior to construction and the best method eliminate effects to nearby cultural resources would be employed.

Grazing Management/Rangelands: Changes to livestock grazing management would be made which would continue to conform to Guidelines and achieve Standards currently being achieved. The permitted season of use would be changed to April 1 through September 30; this extension would allow for a defer grazing treatment to occur every other year instead of a rest treatment, resulting in a graze/defer grazing rotation. This would allow the permittee to use the South Pasture annually. During the defer treatment years, the key forage plant species would be given the opportunity to complete their life cycles, store carbohydrates, and produce the maximum amount of cover and herbage prior to grazing occurring. The construction of the pipeline, placement of troughs, and the ability of the permittee to haul water into the allotment would enhance livestock distribution within the allotment. The pipeline, in addition to current reservoirs, would provide two reliable water sources, located so that the majority of the allotment (96 percent) would be within 2 miles of water. The proposed brushbeating would decrease the size and amount of sagebrush in the treatment areas, reducing competition for key forage species. In addition, it would also make drill seeding possible in the brushbeat areas. The seeding would provide a seed source for key perennial species, which may be lacking in the treatment areas, which are currently dominated, or close to being dominated, by cheatgrass. Reestablishing key perennial species would move the allotment toward meeting the Ecological Processes Standard while increasing the amount of forage available to livestock and wildlife.

Migratory Birds: Deferred grazing would result in less residual vegetation carryover for hiding and nesting cover the following year prior to livestock turnout in the spring. Establishment of reliable late season water sources would shift livestock concentration to the new troughs in years when pastures are deferred, but areas further from the trough would receive lighter utilization and provide more diverse nesting and hiding cover.

Migratory birds may avoid the area during pipeline installation and trough placement, but effects would be temporary lasting only a few days during construction; the same would be true for reservoir and dugout maintenance and water hauling. Late season open water may attract and benefit some migratory birds, and escape ramps would be placed in the new water sources to minimize the risk of drowning. Mowing would not occur during the nesting season, and most migratory birds would easily fly away from the area as mowers pass. Mowing would increase the structural diversity of vegetation and create more edge habitat, which improves foraging habitat for migratory birds that prefer to hunt and forage in edge habitat. Sagebrush cover would be reduced in treated areas, decreasing the amount of nesting substrates for species that prefer to nest in shrubs and potentially increasing nest predation or parasitism. Seeding resulting in increases in herbaceous vegetation would benefit migratory bird habitat by increasing the amount of vertical and horizontal screening cover for ground nests compared to ground cover within existing cheatgrass dominated sagebrush communities.

Noxious Weeds: The Proposed Action would increase short-term disturbances during pipeline installation activities and brushbeating/seeding activities; however, if Design Elements are followed and follow-up monitoring and treatments occur in a timely manner, over the long term (five or more years) the potential for persistent weed issues in the allotment would be less than the No Action Alternative. Applying "adaptive management principles" to the brushbeating/seeding work may result in higher success rates of seeding establishment and hence, resistance to noxious weeds introduction and spread. Water hauling activities increase the opportunities for weed introduction and spread, due to increased vehicle use within the allotment. The water developments would assist in lessening disturbance from concentrating cattle at watering sources. Lessening the level of concentrated livestock disturbance would lessen the vulnerability of those sites to weed invasion. Any noxious weeds that are found should be treated using the most appropriate methods. The graze-defer treatments should promote vigorous, productive plant communities, which would better utilize the resources of the site, lessening opportunities for noxious weed introduction and spread.

Recreation/Visual Resources: Visual intrusions created by development of range improvements are acceptable under the Visual Resource Management Class of the allotment. None of the proposed developments are adjacent to any known campsites or other features associated with prolonged visitor use. Overall, recreational opportunities such as hunting and wildlife viewing would be enhanced by improvements in rangeland conditions.

Social and Economic Values: Construction of new water developments, range improvements including brushbeating and seeding, and performing maintenance on existing facilities would provide economic opportunities to the local communities through the purchase of supplies and services. Developments are designed to achieve Rangeland Health Standards by providing better cattle distribution and reduce competition for key forage species by brushbeating and seeding. This improved condition would subsequently enhance recreational opportunities such as hunting and wildlife viewing.

Soils and Biological Soil Crusts: Effects to soils and soil compaction from hoof impact would be better distributed throughout the allotment and, as a result, reduced. Soils could be disturbed, and Biological Soil Crusts (BSCs) reduced, in localized areas from mechanized equipment used for implementation of the Proposed Action. However, rubber-tired vehicles would ease the amount of compaction disturbance, and this would not be expected to influence soils or BSC productivity or recruitment. Mechanical impacts would be primarily considered short term in nature (1 to 3 years). Within areas immediately adjacent to new permanent and temporary water troughs, increased livestock concentration would increase soil compaction and reduce BSC cover and limit recruitment for the duration of the increased use.

Special Status Species: Deferred grazing would decrease competition for forbs, but would also result in less residual vegetation carryover for hiding and nesting cover in the spring the following year. Establishment of reliable late season water sources would shift livestock concentration to the new troughs in years when pastures are deferred, but areas further from the trough would receive lighter utilization and provide more structurally diverse nesting and hiding cover. Special Status Species (SSS) would avoid the area during pipeline installation and trough placement, but disturbance effects would be temporary, lasting only a few days during construction. The route of the pipeline would be inventoried prior to installation to ensure pygmy rabbit burrows and sage-grouse nests are avoided. Pipeline installation would not be allowed during the breeding and nesting seasons. Disturbance from reservoir and dugout maintenance and water hauling activities would also be temporary, causing the temporary displacement of some individuals from the immediate area. Escape ramps would be placed in the new water sources to minimize the risk of drowning. Mowing would not occur during the nesting season, and any sage-grouse present would easily avoid the area. Sagebrush cover would be reduced in mowed strips separated by strips that are not mowed to increase the structural diversity of sagebrush and creating more edge habitat but potentially decreasing the quality of habitat until sagebrush approaches pre-treatment cover and height measurements. However, the understory vegetation in the areas proposed for mowing are currently dominated by cheatgrass, which degrades the quality of habitat for pygmy rabbits and sage-grouse, particularly in the spring and early summer when both are raising young and foraging on succulent new growth. Reducing the sagebrush cover and seeding would create more open areas and potentially increase herbaceous vegetation important in the spring and summer diets of the SSS. Increasing the cover and vigor of herbaceous vegetation would improve habitat by increasing the amount of screening cover. As new seedlings establish and mowed sagebrush recovers in treated areas, the quality of habitat for sage-grouse and pygmy rabbits would improve over current conditions.

Upland Vegetation: Proposed grazing management would continue to provide periodic growing season rest from livestock grazing for key forage species. The placement of the troughs would allow for better distribution of livestock throughout the allotment which would reduce the grazing pressure on the areas which currently experience heavy use. The proposed pipeline construction would result in short-term (1 to 5 years) disturbance to the vegetation; however, disturbed areas would be seeded to restrict noxious weed establishment and reduce surface erosion. In the places where the two troughs are installed, some vegetation would be permanently lost. Livestock utilization would be spread more evenly across the pasture, resulting in fewer key forage species receiving heavy, damaging levels of use and more species receiving light to moderate use which is easier to recover from. By decreasing fine fuels, the likelihood of a wildfire burning a large area of the allotment would be reduced, decreasing the chance of increased cheatgrass establishment and domination. Brushbeating would occur in strips, instead of entire areas, which would ensure that the sagebrush component within the allotment is not lost. The brushbeat strips would also act as a fire buffer, making it harder for a wildfire to spread across them; since wildfire would remove a large portion of the sagebrush, this also works to protect the sagebrush. In the brushbeat strips, the understory would be released from competition with the dense sagebrush, opening up areas for grass and forb establishment. Seeding in these areas would decrease the risk that these strips would become established and dominated by cheatgrass or other undesirable species. Desirable species would increase in abundance and vigor, increasing cover on the site, reducing erosion, and capturing more precipitation. As key forage species increased in abundance, the overall utilization on each plant would decrease due to more plants being available for grazing. Crested wheatgrass would be a main component of the seeding mixture. Crested wheatgrass seedings can be established and maintained on cheatgrass ranges; while crested wheatgrass is not a native species, it is a deep-rooted perennial bunchgrass, which promotes ecological processes on the site in the same manner a native grass would. This alternative would move the allotment toward meeting the Ecological Processes Standard, currently not achieved due to cheatgrass.

Wildlife: Grazing after the growing season would result in less residual vegetation carryover for hiding and nesting cover the following year before livestock are turned out in the spring. Wildlife would avoid the area during pipeline installation and trough placement, but effects would be temporary lasting only a few days during construction. Disturbance from reservoir and dugout maintenance and water hauling activities would also be temporary, causing the temporary displacement of some animals from the immediate area. Late season open water would attract and benefit some wildlife species. Escape ramps would be placed in the new water sources to minimize the risk of drowning. Most wildlife would move out of the area or seek shelter as mowing occurred. Sagebrush cover would be reduced in mowed strips separated by strips that are not mowed. This would increase the structural diversity of vegetation and create more edge habitat, which would improve habitat for species that hunt and forage in edge habitat.

Drill seeding the mowed areas would immediately introduce competition with the released cheatgrass community and improve the chance of successfully eliminating cheatgrass dominance. Increases in herbaceous native vegetation would benefit wildlife by providing additional forage for grazing species and more robust hiding cover for prey species compared to existing cheatgrass dominated sagebrush communities.

2. Degree to which the Proposed Action affects public health and safety. No aspect of the Proposed Action or alternatives would have an effect on overall public health and safety.
3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas. There are no unique characteristics within or around the Cluster Allotment.
4. The degree to which effects on the quality of the human environment are likely to be highly controversial. Controversy in this context means disagreement about the nature of the effects, not expressions of opposition to the Proposed Action or preference among the alternatives. No unique or appreciable scientific controversy has been identified regarding the effects of the Proposed Action or alternatives.
5. Degree to which possible effects on the human environment are highly uncertain or involve unique or unknown risks. The analysis has not shown there would be any unique or unknown risks to the human environment nor were any identified in the Three Rivers PRMP/FEIS to which this proposal is tiered.
6. Degree to which the action may establish a precedent for future actions with significant impacts or represents a decision in principle about a future consideration. This project neither establishes a precedent nor represents a decision in principle about future actions. No long-term commitment of resources causing significant impacts was noted in the EA or RMP.
7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. The environmental analysis did not reveal any significant cumulative effects beyond those already analyzed in the Three Rivers PRMP/FEIS which encompasses the Cluster Allotment. The EA described the current state of the environment (Affected Environment by Resource, Chapter III) which included the effects of past actions. Continued livestock grazing, weed treatments, road maintenance, recreation activities, and rangeland improvement construction are all Reasonably Foreseeable Future Actions. The cumulative effects of these actions were thoroughly addressed throughout Chapter III by resource as applicable.
8. Degree to which the action may adversely affect districts, sites, highways, structures or objects listed in or eligible for listing in the National Register of Historic Places. There are no features within the project area listed or eligible for listing in the National Register of Historic Places.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat. There are no known Threatened and Endangered species or their habitat affected by the Proposed Action or alternatives.
10. Whether an action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment. The Proposed Action and alternatives do not threaten to violate any law. The Proposed Action is in compliance with the Three Rivers RMP/ROD, which provides direction for the protection of the environment on public lands.

On the basis of the information contained in the EA and all other information available to me, it is my determination that:

1. The implementation of the Proposed Action or alternatives will not have significant environmental impacts beyond those already addressed in the Three Rivers PRMP/FEIS (September 1991);
2. The Proposed Action and alternatives are in conformance with the Three Rivers RMP/ROD (1992);
3. There would be no adverse societal or regional impacts and no adverse impacts to affected interests; and
4. The environmental effects, together with the proposed Project Design Features, against the tests of significance found at 40 CFR 1508.27 do not constitute a major Federal action having a significant effect on the human environment.

Therefore, an EIS is not necessary and will not be prepared.

/signature on file/
Richard Roy
Three Rivers Resource Area Field Manager

August 24, 2011
Date

4160 (ORB050)

NOTICE OF PROPOSED DECISION

To Implement
Cluster Allotment Management Plan
Environmental Assessment
DOI-BLM-OR-B050-2011-0017-EA
and Renew Term Grazing Permit

Dear _____ :

You are receiving this Proposed Decision because you are an interested public, permit holder of record or lien holder of record.

A. BACKGROUND

The Cluster Allotment Management Plan/Environmental Assessment (AMP/EA) analyzed issues emerging from the 2006 Cluster Allotment Evaluation process, to aid in accomplishing resource objectives, achieving Standards for Rangeland Health and Guidelines for Livestock Grazing Management in Cluster Allotment, and to address the permittee's request to issue a new 10-year term grazing permit.

B. PROPOSED DECISION

Having considered the Proposed Action, No Action Alternative, other alternatives and associated impacts and based on analysis in the Cluster AMP/EA, it is my Proposed Decision to authorize implementation of Alternative B: Proposed Action – Management Changes and Project Development, which includes the following elements:

- Adaptive management and monitoring
- Management Changes
- Season of Use Changes
- Pipeline Construction
- Water Hauling
- Reservoir Maintenance
- Brushbeating and Seeding
- Renewal of one 10-year term grazing permit

Additionally, a Finding of No Significant Impact (FONSI) found the Proposed Action and alternatives analyzed in the Cluster AMP/EA did not constitute a major Federal action that will adversely impact the quality of the human environment. Therefore, an Environmental Impact Statement (EIS) will not be prepared.

Implementation of Alternative B will provide measurable progress toward achieving Standards for Rangeland Health (August 12, 1997) determined as not met in the 2006 Cluster Allotment Evaluation and demonstrate significant progress¹ toward fulfilling fundamentals of rangeland health. Alternative B was also designed to achieve Cluster Allotment resource objectives brought forth and revised from the 2006 Cluster Allotment Evaluation.

1. Proposed Management

a. Livestock Grazing Management

- (1) Livestock grazing management is designed to provide periodic growing season rest for plant species, while utilizing the South Pasture annually. Table 4 shows the proposed grazing management. Livestock numbers may vary annually as outlined under Adaptive Management (Chapter II, A. Actions Common to All Alternatives); however, total permitted AUMs will not exceed 548. There will be no change to grazing management in the North Pasture, which is managed as a custodial pasture.

¹ **Significant Progress:** Used in reference to achieving a standard as outlined in the Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Public Lands Administered by the BLM in the States of Oregon and Washington (1997). The use of the word "significant" in this document does not meet the Council on Environmental Quality's definition of the word.

Table 4: Proposed - General Livestock Grazing Management

Year	Pasture Name	Livestock #	Approximate Use Dates	Approximate AUMs	Season of Use (Grazing Treatment Description)
1	South	145	04/01 - 07/15	505	Graze
2	North	7	04/01 - 09/30	42	Seasonlong – Custodial
2	South	199	07/16 - 09/30	504	Defer
2	North	7	04/01 - 09/30	42	Seasonlong – Custodial

- (2) Current permitted season of use will be changed from April 1 through July 31 in the South Pasture to April 1 through September 30 for Permit #3601524 to carry out the proposed grazing management. This will result in the entire allotment having the season of use of April 1 to September 30; extending the season of use for the South Pasture will not increase the permitted number of AUMs of active use on public land within the allotment above the 548 AUMs currently permitted. Refer to Map C for proposed grazing schematic and Appendix A for Grazing Treatment Descriptions.

The South Pasture will receive a defer grazing treatment every other year, providing periodic growing season rest, resulting in conformance to Guidelines. As discussed below in Proposed Range Improvements, this will require new water developments or require the permittee to be allowed to haul water to the allotment.

2. Permit Renewal

The Proposed Action also includes renewal of the existing livestock grazing permit (#3601524) in Cluster Allotment for the current permittee. A new 10-year term livestock grazing permit will be issued to continue 548 active preference AUMs of livestock grazing on public land as outlined in Table 4. No changes to AUM numbers will occur. The permit will be issued with changes to the terms and conditions, encompassing the change in season of use from April 1 through July 31 in the South Pasture to April 1 to September 30 for the entire allotment. The changes in terms and conditions will encompass this AMP.

3. Proposed Range Improvements

Refer to Map D for the location of existing range improvements.

a. Pipeline Construction

A pipeline, approximately 2.6 miles long, will be constructed. This pipeline will begin at an existing well on private, east of the allotment. The pipeline will enter Bureau of Land Management (BLM) lands in T. 24 S., R. 27 E., Section 22, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and will end in T. 24 S., R. 27 E., Section 19, NE $\frac{1}{4}$ SE $\frac{1}{4}$. Two troughs (aluminum or steel with approximately 1,200-gallon capacity) will be placed along the pipeline; one trough will be located at the end of the pipeline, and the other trough will be located near the middle of the BLM portion of the pipeline in T. 24 S., R. 27 E., Section 21, SE $\frac{1}{4}$ NW $\frac{1}{4}$. Currently, water sources within this allotment consist of dugouts and reservoir, which are unable to hold water past July, except in very wet years. This pipeline will provide two water sources that will allow the pasture to be utilized later in the season. The two troughs will be placed so that the majority of the allotment (96 percent) is within 2 miles of water, which is the furthest cattle tend to graze from water (George 2007, Ganskopp 2011), allowing the entire pasture to be used with good livestock distribution.

Heavy equipment (i.e., trenchers) and manual labor will be used during construction of these developments. Water troughs will be installed with float valves, and will follow project design elements. The required design for the proper function of the water supply will vary to accommodate the associated water troughs. Maintenance of the pipeline and associated troughs will occur, as needed, after initial construction.

b. Reservoir and Dugout Maintenance

Reservoir and dugout maintenance is not currently needed; however, it will likely be needed sometime in the next 10 years. Reservoir and dugout maintenance will include the cleaning and maintenance of the reservoirs, dams, and dugouts to ensure continued functioning. The application of bentonite will occur, as needed.

c. Water Hauling

The hauling of water and the placement of temporary water troughs will be allowed at three locations placed throughout the allotment. These three places are at the reservoir in T. 24 S., R 27 E., Section 17, SW $\frac{1}{4}$ NE $\frac{1}{4}$, at the road junction located in T. 24 S., R 27 E., Section 19, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and at the road junction located in T. 24 S., R 27 E., Section 30, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

When water is placed at all three locations at the same time, distribution across the allotment will be even. If water is hauled to only one location at a time, then the location will be moved every 15 to 30 days to allow the pasture to be used evenly. Water hauling will occur prior to the pipeline being built and during times the pipeline was out of service or being repaired.

d. Brushbeating and Seeding

Brushbeating will occur in two areas currently dominated by big sagebrush and have a cheatgrass understory. The first area will be approximately 900 acres and is located in T. 24 S., R 26 E., Sections 24, 25, and 26. The second area is approximately 1,800 acres, and is located in 24 S., R 27 E., Sections 21, 22, 27, and 28. The brushbeating will occur in strips 12 to 50 feet wide (parallel strips of natural areas will be three times as wide as treated (brushbeat) strips). In the areas that are brushbeat, a mixture of native grasses, crested wheatgrass (*Agropyron cristatum*), and forbs, including dryland alfalfa (*Medicago sativa*) and lewis flax (*Linum lewisii*), will be drill seeded. The brushbeating and subsequent seeding will occur in three steps of approximately 900 acres each². This will increase the chance of success of the seedings by spreading them over multiple years. The second area will not be treated prior to monitoring showing an increase in desirable species within the first treated area.

Brushbeating will not occur in playas or dry lakebeds, these areas will be avoided and at least one strip of current vegetation will be left in place along the edges. Maintenance of the seeded areas will occur as needed after initial actions. Reseeding of the area will occur if the original seeding did not result in an overall increase in desirable vegetative species. Adaptive management will be used to modify the timing, size of units, and machinery in response to climatic conditions as well as to monitoring information gathered from previous brushbeating in the area. Adaptive management will allow the vegetation treatment the best possible chance of reducing sagebrush cover in mowed strips while increasing the age and structural diversity of sagebrush and promoting desirable herbaceous grass and forb species.

Refer to Map E for the Proposed Range Improvement locations.

² While the areas of treatment will not change, the size and number of treatments within the areas may change in relation to funding.

e. General Project Design Elements for Proposed Range Improvements

- (1) Proposed rangeland improvement sites will be surveyed for cultural values prior to implementation. Where cultural sites are found, their condition and National Register eligibility will be evaluated. If determined National Register eligible and under threat of damage, mitigation measures to protect cultural materials will be determined. Mitigation plans will be developed in consultation with the State Historic Preservation Office if necessary. Mitigation measures can include protective fencing, surface collection and mapping of artifacts, subsurface testing and complete data recovery (full-scale excavation).
- (2) Proposed rangeland improvement sites will be surveyed for Special Status plant species prior to implementation. Special Status plant sites will be avoided.
- (3) No range improvement projects will be constructed within 0.6-mile of known sage-grouse lek sites.
- (4) Proposed range improvement 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 1998 Burns District Noxious Weed Management Program EA/Decision Record (DR) OR-020-98-05.
- (5) The risk of noxious weed introduction will be minimized by ensuring all equipment (including all machinery, 4-wheelers, and pickup trucks) is cleaned prior to entry to the sites, minimizing disturbance activities, and completing follow-up monitoring, to ensure no new noxious weed establishment. Should noxious weeds be found, appropriate control treatments will be performed in conformance with the 1998 Burns District Noxious Weed Program Management EA/DR OR-020-98-05.
- (6) All watering troughs installed will be equipped with escape ramps for birds and small mammals.

- (7) Reseeding will take place in areas disturbed by implementation of rangeland improvement projects. Soil displaced for pipeline installation will be pulled in and returned to original slope and grade then seeded with a whirlybird seeder and drag. The seed mix used for these rangeland improvement projects will be a mixture of native and nonnative species including crested wheatgrass, bluebunch wheatgrass, squirreltail (*Elymus elymoides*), and native forbs. Crested wheatgrass will be used in the seed mix because it is drought tolerant, competitive with invasive species, has a long seed viability period, and aggressive germination characteristics; therefore, reducing the chance of noxious weed establishment.
- (8) One to two-inch diameter plastic pipe is generally used for pipelines. The pipeline is buried with a pipe-laying device consisting of a modified ripper tooth mounted on a tractor. The pipe is generally laid as deeply as possible under the ground, but no deeper than 36 inches. Where obstructions (e.g., rock) prohibit burying, the pipe will be laid on the surface and covered with borrowed soil.
- (9) No brushbeating will occur during nesting season (April 1 to July 31).
- (10) Brushbeating and seeding operations will occur using rubber-tired equipment.
- (11) All treatments and construction that requires motorized equipment will follow the Industrial Fire Precaution Levels requirements.

C. PUBLIC COMMENTS AND RESPONSES

A copy of the original EA and unsigned FONSI were mailed to Federal, State and County Agencies and other interested public on June 29, 2011. In addition, a public notice was posted in the *Burns Times-Herald* newspaper on July 6, 2011.

The Burns District BLM received no public comments on the Cluster AMP/EA.

D. RATIONALE

This Proposed Decision best meets the Purpose and Need for the Action because it:

1) allows implementation to continue to achieve Standards currently being achieved and moves the allotment toward achieving those Standards not currently achieved; 2) it implements rangeland improvement projects to provide for better cattle distribution and utilization; 3) provides flexibility for annual variation in environmental conditions, including drought; and 4) responds to the permittee's request to issue a new 10-year term grazing permit (#3601627) under 43 Code of Federal Regulations (CFR) 4130. In addition the Proposed Decision was based on consultation with affected grazing permittee, local Harney County Government, and conformance with applicable laws and regulations.

I also selected Alternative B: Proposed Action - Management Changes and Project Development based on the following decision factors (outside laws and regulations). Decision factors are additional questions or statements used by the decision maker to choose between alternatives that best meet project goals and resource objectives. These factors generally do not include satisfying legal mandates, which must occur under all alternatives. Rather decision factors assess, for example, the comparative cost, applicability, or adaptability of the alternatives considered.

Will the Proposed Decision to implement Alternative B:

1. Improve livestock distribution across the allotment and encourage more uniform utilization patterns?

Yes, proposed construction of pipelines and strategic placement of troughs, along with the ability to haul water, will enhance livestock distribution within the allotment and away from areas of historical heavy use. This will promote more uniform utilization patterns, thus reducing forage competition between all grazers.

2. Promote economic stability for the local and rural economy dependent upon public land grazing and public lands uses?

Yes, the proposed grazing management will provide economic benefits to the Harney County economy through the purchase of supplies, equipment, and labor to construct pipelines, install troughs, brushbeat, seed, and maintain reservoirs.

There will also be economic benefits through taxes and goods and services purchased by the ranch and employees that utilize this allotment. Alternative B is designed to improve conditions for uplands areas, which could maintain or increase forage production and provide improved water sources for livestock and wildlife. In addition, providing sustainable grazing management that improves habitat conditions for wildlife will in turn increase economic opportunities for recreational activities such as hunting.

Renewing the current 10-year term permit, with Alternative B of this AMP as a term and condition of the permit, will provide for a continued viable ranching livelihood for the livestock operators and employees of this ranch.

3. Employ adaptive management strategies in order to assure success in achieving project objectives?

The AMP/EA employs adaptive management strategies in order to ensure success in achieving project objectives and preventing damage to the resources within the allotment. This is seen in the development of new monitoring transects which will allow the brushbeat and seeded areas to be monitored, and the success measured. The AMP/EA also allows for the adjustment: 1) of rotation/timing of grazing based on previous year's monitoring and current year's climatic conditions; 2) of grazing due to drought causing lack of available water in certain areas originally scheduled to be used; 3) of changes in use periods to balance utilization levels per pasture; and 4) due to damages to the riparian and water resources.

4. Promote resistance to noxious weed invasion and establishment by encouraging diverse, productive, vigorous plant communities?

Alternative B will provide growing season rest in the South Pasture every other year, in the form of a defer grazing treatment, and lifecycle completion will occur for key forage plant species during these defer treatments. Vigorous, productive plant communities, which better utilize the resources of the site, lessen opportunities for noxious weed introduction and spread. The proposed range improvements will facilitate grazing management which should maintain or improve upland plant communities. Livestock distribution will be improved with development of pipelines and new watering locations. In addition, by brushbeating and seeding, the sagebrush in those areas will be reduced to a level that will allow a healthy understory to develop, replacing the current understory of cheatgrass, and decreasing the risk of noxious weeds invading the allotment.

Alternative B will improve overall rangeland health by encouraging productivity, vigor, and diversity of plant communities within Cluster Allotment. Current carrying capacity for all demands (wildlife and livestock) will be maintained or improved as plant communities remain in stable to upward trend in rangeland condition.

I did not select the No Action Alternative because the continuation of current management under the No Action Alternative will not (1) ensure livestock grazing management moves the allotment toward achieving all Standards for Rangeland Health; and (2) address the goals and objectives of the AMP and the Purpose and Need.

E. AUTHORITY

The enclosed Cluster AMP/EA DOI-BLM-OR-B050-2011-0017-EA is tiered to the September 1991 Three Rivers Proposed Resource Management Plan (PRMP)/Final EIS. Relevant information contained within this document is incorporated by reference. Alternative B is in conformance with the Three Rivers RMP, September 1992, even though it is not specifically provided for, because it is clearly consistent with the following RMP decision(s):

1. Protect Special Status Species (SSS) or its habitat from impact by BLM-authorized actions (Appendix 9, pg. Appendices 132).
2. Maintain or improve rangeland condition and productivity through a change in management practices and/or a reduction in active use. (Note: Upon completion of the Ecological Site Inventory on the Three Rivers Resource Area, ecological status objectives will be developed) (Appendix 9, pg. Appendices 132).
3. Utilize rangeland improvements, as needed, to support achievement of multiple-use management objectives for each allotment as shown in Appendix 9. Range improvements will be constrained by the Standard Procedures and Design Elements shown in Appendix 12 (GM 1.3, pg. 2-36).
4. Adjust overall grazing management practices as necessary to protect SSS and to maintain or enhance their habitat (SSS 2.1, pg. 2-57). Currently, sage-grouse, or their habitat, are known to exist within the allotment.
5. Implement a rotation or deferred grazing system on all allotments within big game ranges (WL1.2, pg. 2-66).

Alternative B has also been designed to conform to the following documents, which direct and provide the framework for management of BLM lands within Burns District:

- Taylor Grazing Act (43 U.S.C. 315), 1934
- The National Environmental Policy Act (42 U.S.C. 4320-4347), 1970
- Federal Land Policy and Management Act (43 U.S.C. 1701), 1976
- Public Rangelands Improvement Act (43 U.S.C. 1901), 1978
- August 12, 1997 Standards for Rangeland Health and Guidelines for Livestock Management for Public Lands Administered by the BLM in the States of Oregon and Washington
- 1998 Burns District Noxious Weed Management Program EA (OR-020-98-05)
- Greater Sage-grouse and Sagebrush-steppe Ecosystems Management Guidelines (BLM-2000)
- BLM National Sage-grouse Habitat Conservation Strategy (2004)
- Greater Sage-grouse Conservation Assessment and Strategy for Oregon, August 2005
- Draft Greater Sage-grouse Conservation Assessment and Strategy for Oregon, March 2011
- State, local, and Tribal laws, regulations, and land use plans

F. RIGHT OF PROTEST AND/OR APPEAL

Any applicant, permittee, lessee or other interested public may protest a proposed decision under Section 43 CFR 4160.1 and 4160.2, in person or in writing to Richard Roy, Three Rivers Resource Area Field Manager, Burns District Office, 28910 Hwy 20 West, Hines, Oregon 97738, within 15 days after receipt of such decision. The protest, if filed should clearly and concisely state the reason(s) as to why the Proposed Decision is in error.

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. Any protest received will be carefully considered and then a Final Decision will be issued.

Any applicant, permittee, lessee or other person whose interest is adversely affected by the Final Decision may file an appeal in accordance with 43 CFR 4.470 and 43 CFR 4160.4. The appeal must be filed within 30 days following receipt of the Final Decision. The appeal may be accompanied by a petition for a stay of the decision in accordance with 43 CFR 4.471, pending final determination on appeal. The appeal and petition for a stay must be filed in the office of the authorized officer, as noted above. 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. Within 15 days of filing the appeal and any petition for stay, the appellant must serve a copy of the appeal and any petition for stay to any person named in the decision and listed at the end of the decision (43 CFR 4.471(b)). The petition for a stay and a copy of the appeal must also be filed with the Office of Hearing and Appeals at the following address:

United States Department of the Interior
Office of Hearings and Appeals
405 South Main Street, Suite 400
Salt Lake City, Utah 84111

Should you wish to file a petition for a stay, you must file within the appeal period. In accordance with 43 CFR 4.21(b)(1), 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.

As noted above, the petition for stay must be filed in the office of the authorized officer and served in accordance with 43 CFR 4.471.

Any person named in the decision from which an appeal is taken (other than the appellant) who wishes to file a response to the petition for a stay may file with the Hearings Division in Salt Lake City, Utah, a motion to intervene in the appeal, together with the response, within 10 days of receiving the petition. Within 15 days after filing the motion to intervene and response, the person must serve copies on the appellant, the Office of the Solicitor and any other person named in the decision (43 CFR 4.472(b)).

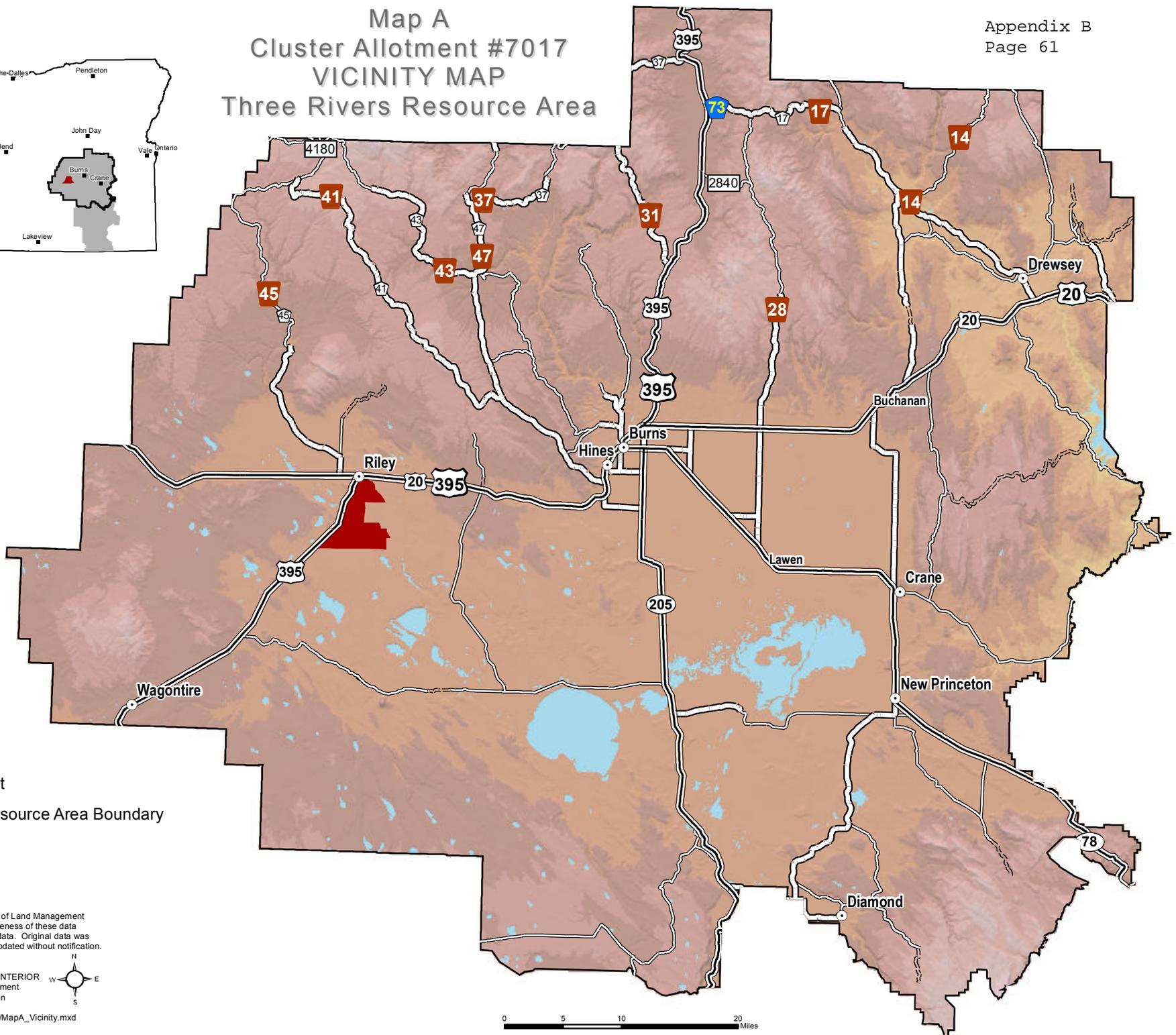
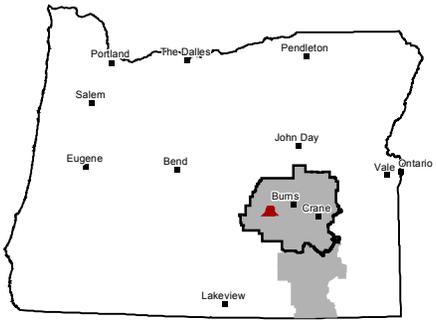
If you have any questions, contact either Autumn Toelle at (541) 573-4461, or me at (541) 573-4425.

Sincerely,

/signature on file/

Richard Roy
Three Rivers Resource Area Field Manager

Map A Cluster Allotment #7017 VICINITY MAP Three Rivers Resource Area

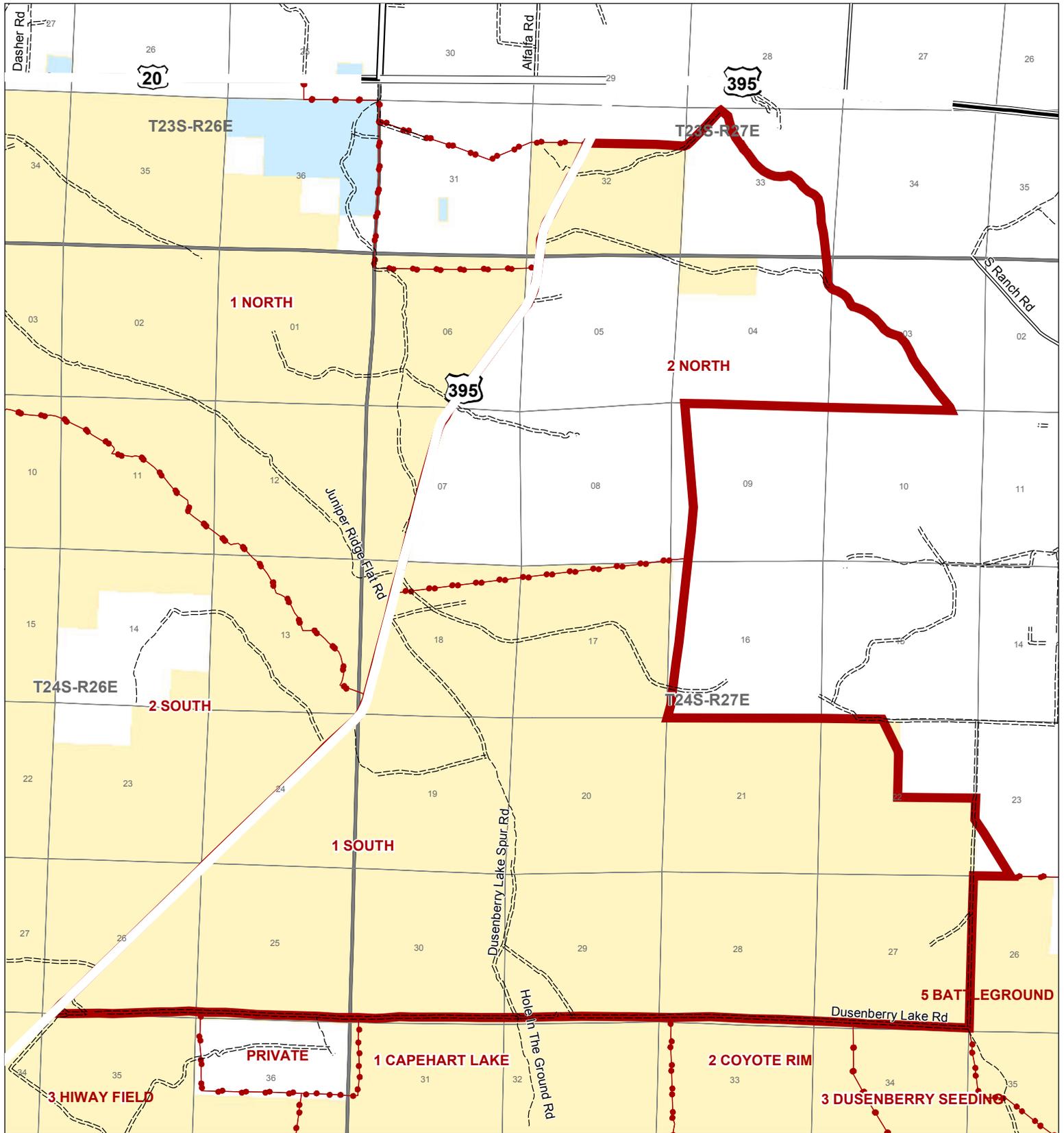


Legend

-  Cluster Allotment
-  Three Rivers Resource Area Boundary

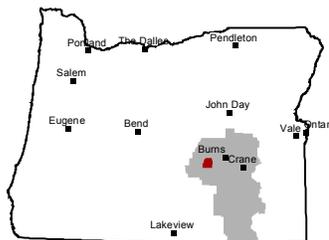
Note: No warranty is made by the Bureau of Land Management as to the accuracy, reliability or completeness of these data for individual or aggregate use with other data. Original data was compiled from various sources and may be updated without notification.





Legend

- Allotment Boundary
- Pasture Boundary
- Perennial Streams
- Intermittent Streams
- Bureau of Land Management
- State
- Private/Unknown



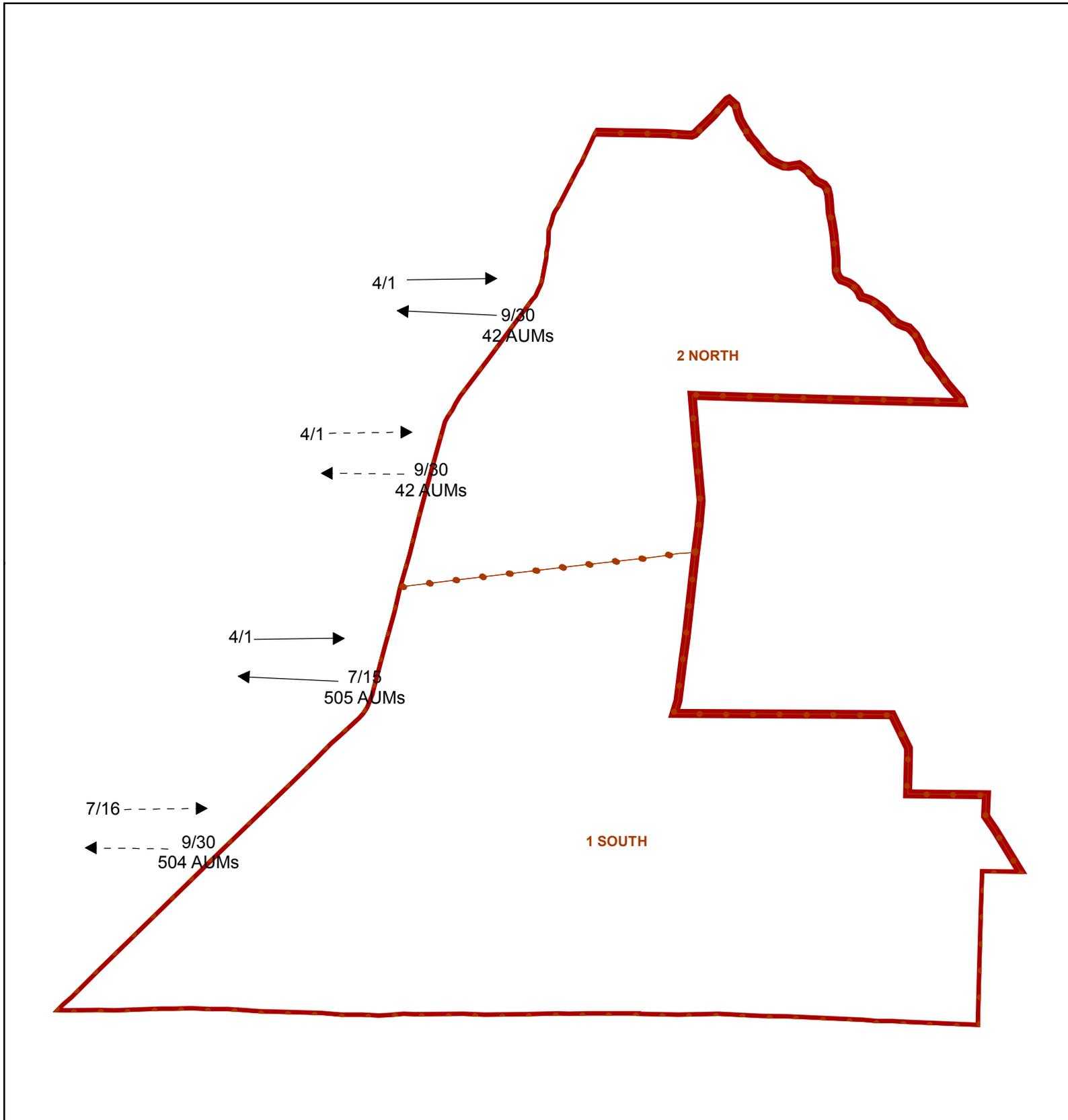
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Burns District, Oregon



Cluster Allotment #7017 GRAZING SCHEMATIC



Legend

-  Pasture Boundary
-  Allotment Boundary

-  Year 1
-  Year 2

Note: No warranty is made by the Bureau of Land Management as to the accuracy, reliability or completeness of these data for individual or aggregate use with other data. Original data was compiled from various sources and may be updated without notification.



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Bureau of Land Management
Burns District, Oregon

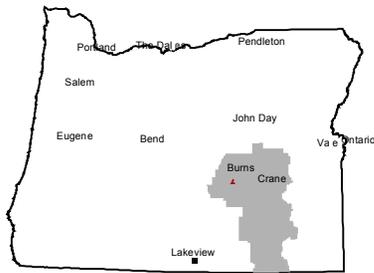


Map D Cluster Allotment #7017 RANGE IMPROVEMENTS

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Legend

-  Highways
-  Paved Road
-  Non-Paved Improved Road
-  Natural/Unknown Road Surface
-  Allotment Boundary
-  Pasture Boundary
-  Perennial Streams
-  Intermittent Streams
-  Trend Sites
-  DUGOUT
-  RESERVOIR
-  FENCE
-  Bureau of Land Management
-  State
-  Private/Unknown

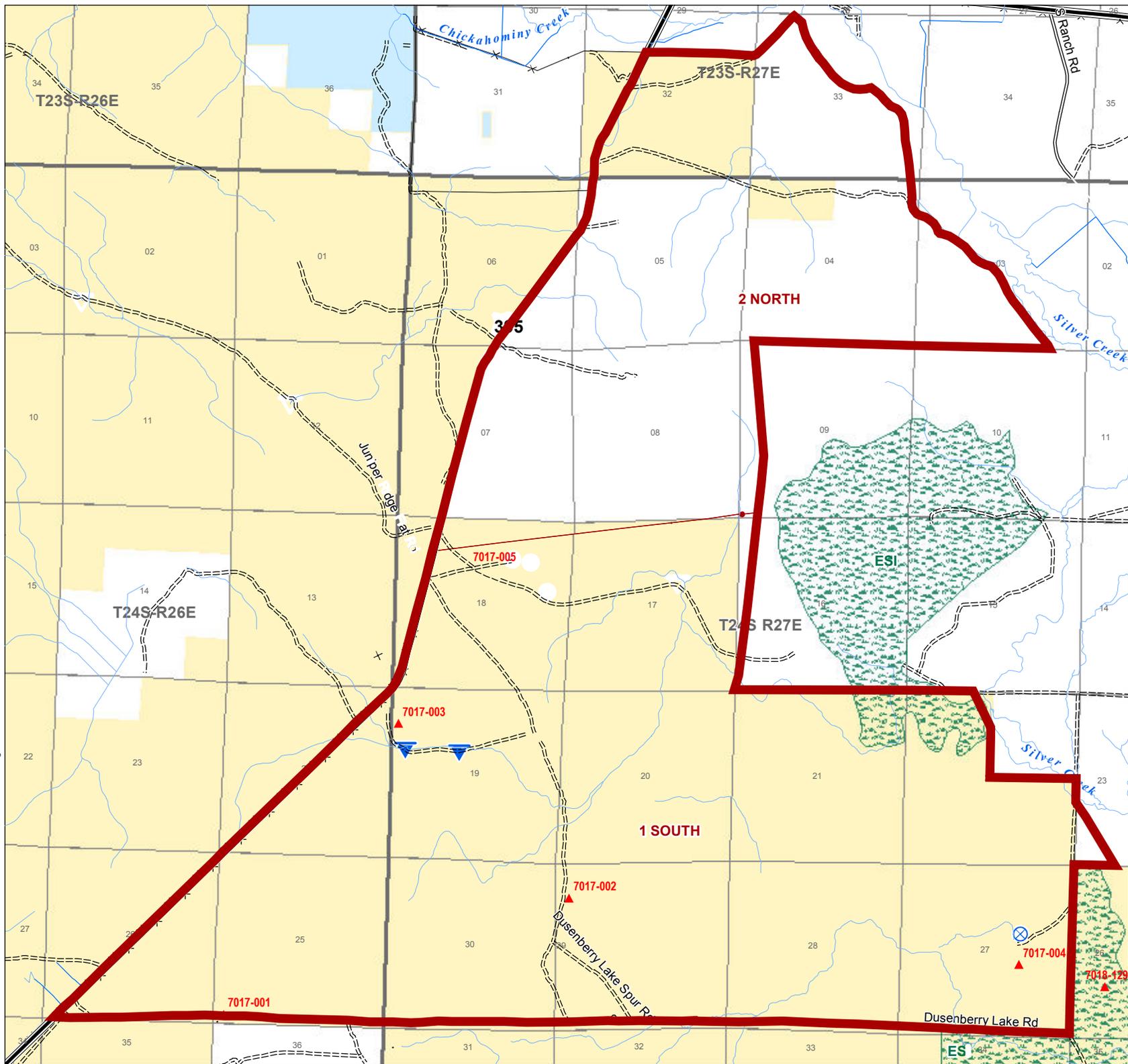
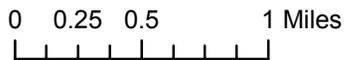


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January 31, 2011

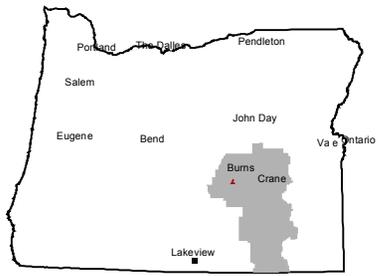


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Map E Cluster Allotment #7017 PROPOSED RANGE IMPROVEMENTS

Appendix B
Page 65

- Legend**
-  Highways
 -  Paved Road
 -  Non-Paved Improved Road
 -  Natural/Unknown Road Surface
 -  Allotment Boundary
 -  Pasture Boundary
 -  Intermittent Streams
 -  DUGOUT
 -  RESERVOIR
 -  Proposed Brushbeating
 -  Proposed Water Haul Locations
 -  Proposed Troughs
 -  Proposed Pipeline
 -  Bureau of Land Management
 -  State
 -  Private/Unknown



Note: No warranty is made by the Bureau of Land Management as to the accuracy, reliability or completeness of these data for individual or aggregate use with other data. Original data was compiled from various sources and may be updated without notification.

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Burns District, Oregon



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January 31, 2011

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