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RETURN RECEIPT REQUESTED

Rob Sanders
Roaring Springs Ranch
985 NW 2nd Street
Kalama, Washington 98625

NOTICE OF FINAL DECISION

To Issue a Grazing Permit, Accept an Allotment Management Plan (AMP), Protect Springs, and Relocate a Fenceline within the South Steens Allotment and Bureau of Land Management

Dear Mr. Sanders:

You are receiving this Final Decision because you are the permit holder or an interested public of record for the South Steens Allotment #6002. This Final Decision is being issued per 43 Code of Federal Regulations (CFR) 4160.3, in response to receiving two protests on the Proposed Decision. One protest was filed by Western Watersheds Project (WWP). The Proposed Decision was received by WWP on June 6, 2014 and WWP's protest was received by the Bureau of Land Management (BLM) on June 19, 2014. The WWP's protest is therefore considered timely. The second protest was received by Harney County Court on June 20, 2014. The Harney County Court's protest was not filed in a timely manner. The Court received the Proposed Decision on June 2, 2014 and BLM did not receive the protest until June 20, 2014, which was three days after the 15-day protest period had expired. Regardless, we have addressed Harney County Court's protest points since a timely protest was filed by WWP and a Final Decision needs to be issued. Prior to issuing this Final Decision, BLM considered the protest points and prepared a written response to each individual point. Those written responses are included as an attachment to this Final Decision. In light of the submitted protest points and statement of reasons, as the authorized officer I reconsidered my Proposed Decision. At the conclusion of my review, I found the statement of reasons for the protest points are not substantive, and found they do not require any adjustment to the associated Environmental Assessment (EA). It is also my determination no changes were warranted between the Proposed and Final Decisions. Therefore, this Final Decision is being issued with no changes as a result of the protests received.

BACKGROUND

The Andrews Resource Area, Burns District of the BLM, prepared the enclosed EA (OR-06-027-060) to analyze possible actions developed through Interdisciplinary Team (IDT) recommendations, Steens Mountain Advisory Council (SMAC) recommendations, public comments, and in coordination with you, the grazing permit holder, to aid in accomplishing allotment resource objectives and conform to (or continuing conforming to) all Oregon and Washington Standards for Rangeland Health (further referred to as Standards) and Guidelines for Livestock Grazing Management (further referred to as Guidelines; Standards and Guidelines together are referred to as S&Gs). Possible actions are grazing management, grazing permit renewal, range improvements, including water developments, and approval of the AMP.

AUTHORITY AND COMPLIANCE

2005 ANDREWS MANAGEMENT UNIT (AMU)/STEENS MOUNTAIN COOPERATIVE MANAGEMENT AND PROTECTION AREA (CMPA) RESOURCE MANAGEMENT PLAN (RMP): The enclosed EA, *South Steens Allotment Management Plan/Environmental Assessment OR-06-027-060*, is tiered to the 2004 AMU/Steens Mountain CMPA Proposed RMP and Final Environmental Impact Statement (EIS) and relevant information contained therein is incorporated by reference. The Final Decision also complies with the below objectives.

- Manage impaired waters on public lands listed under Section 303(d) of Clean Water Act (CWA) to restore beneficial uses and to improve water quality so that listing is no longer warranted (Water Resources, RMP-18)¹.
- Achieve or maintain a rating of Proper Functioning Condition (PFC) for perennial and intermittent flowing and standing water bodies relative to site capability, site potential, and BLM management jurisdictions. Maintain, restore, or improve riparian/wetland vegetation communities relative to ecological status, site potential and capability, or site-specific management objectives. Manage riparian/wetland areas to maintain, restore, or improve soil moisture content and retention of alluvial ground water to augment base flow conditions during warm summer months (Vegetation, RMP-24).
- Maintain or restore native vegetation communities through sound landscape management practices. Increase species and structural diversity at the plant community and landscape levels in big sagebrush communities. Provide multiple successional stages within the landscape (Vegetation, RMP-30).
- Manage big sagebrush, quaking aspen, and western juniper plant communities to meet habitat requirements for wildlife. Manage big sagebrush communities to meet the life history requirements of sagebrush dependent species (Vegetation, RMP-31).

¹ Within the South Steens Allotment, Home Creek is currently considered impaired due to not meeting the temperature requirements.

- Maintain, restore or improve habitat (for fish and wildlife). Manage forage production to support wildlife population levels identified by Oregon Department of Fish and Wildlife (ODFW) (Fish and Wildlife, RMP-33).
- Manage plant Special Status Species (SSS) and their habitats so management actions do not contribute to their decline or listing as Threatened & Endangered (T&E). Conserve animal SSS and the ecosystems on which they depend. Manage big sagebrush communities to meet the life history requirements of sagebrush-dependent SSS (SSS, RMP-35).
- Protect, maintain, improve, or restore Visual Resource values by managing all public lands in accordance with Visual Resource Management (VRM) system (Visual Resources, RMP-45).
- Work cooperatively with private and community groups, local government, and Burns Paiute tribal, or other tribal governments, to provide for customary uses consistent with other resource objectives and to sustain or improve local economies. Maintain and promote the cultural, economic, ecological, and social health of the Steens Mountain Area (Social and Economic Values, RMP-46).
- Provide for a sustained level of livestock grazing in the CMPA, while meeting resource objectives and requirements for the S&Gs. Implement administrative solutions and rangeland projects to provide proper management for livestock grazing while meeting resource objectives and requirements for S&Gs (Grazing Management, RMP-53).
- Manage public visitation in the wilderness to provide outstanding opportunities for solitude, primitive and unconfined recreation, naturalness, and other features including ecological, geological, scientific, educational, scenic, and historic features. (Wilderness, RMP-73).
- Manage livestock grazing in wilderness under the stipulations of the Congressional Grazing Guidelines (House Report 101-405 Appendix A) (Wilderness, RMP-75).
- Manage existing Wilderness Study Areas (WSAs) so as not to impair their suitability for preservation as wilderness (WSA and Parcels with Wilderness Characteristics, RMP-80).

The following management objectives are from the August 2005 AMU and Steens Mountain CMPA RMP/Record of Decision (ROD) Appendix J – Allotment Management Summaries, J-10.

- Improve the ecological condition of upland vegetation communities.
- Maintain the ecological condition of upland vegetation communities.
- Maintain/improve the condition of riparian vegetation communities.

STEENS MOUNTAIN COOPERATIVE MANAGEMENT AND PROTECTION ACT OF 2000 (STEENS ACT): Multiple sections of the Steens Act provide direction to manage for social and ecological health, and for economic purposes. The following is a summarized list of pertinent sections.

SEC. 1 (b) Purposes: (1) To maintain the cultural, economic, ecological, and social health of the Steens Mountain area in Harney County, Oregon; (5) To provide for and expand cooperative management activities between public and private landowners in the vicinity of the wilderness area and surrounding lands; (10) To maintain and enhance cooperative and innovative management practices between public and private land managers in the CMPA; (11) To promote viable and sustainable grazing and recreation operations on private and public lands; and (12) To conserve, protect, and manage for healthy watersheds and the long-term ecological integrity of Steens Mountain.

TITLE I, Subtitle A, SEC. 102: (a) The purpose of the CMPA is to conserve, protect, and manage the long-term ecological integrity of Steens Mountain for future and present generations; (b)(1) to maintain and enhance cooperative and innovative management projects, programs and agreements between tribal, public, and private interests in the CMPA; (b)(2) to promote grazing, recreation, historic, and other uses that are sustainable; (b)(4) to ensure the conservation, protection, and improved management of the ecological, social, and economic environment of the CMPA, including geological, biological, wildlife, riparian, and scenic resources; and (b)(5) to promote and foster cooperation, communication, and understanding and to reduce conflict between Steens Mountain users and interests.

TITLE I, Subtitle B, SEC. 112: (b)(2) Exceptions - Paragraph (1) does not prohibit the use of motorized or mechanized vehicles on Federal lands included in the CMPA if the Secretary determines that such use: (A) is needed for administrative purposes or to respond to an emergency; or (B) is appropriate for the construction or maintenance of agricultural facilities, fish and wildlife management, or ecological restoration projects, except in areas designated as wilderness or managed under the provisions of section 603(c) of the Federal Land Policy and Management Act (FLPMA) of 1976 .

(d)(1) No new road or trail for motorized or mechanized vehicles may be constructed on Federal lands in the CMPA unless the Secretary determines that the road or trail is necessary for public safety or protection of the environment.

TITLE I, Subtitle B, SEC. 113: (e)(1) Except as otherwise provided in this section and title VI, the laws, regulations, and executive orders otherwise applicable to the BLM in issuing and administering grazing leases and permits on lands under its jurisdiction shall apply in regard to the Federal lands included in the CMPA.

(e)(2) The Secretary shall be responsible for installing and maintaining any fencing required for resource protection within the designated no livestock

grazing area.

(f) No new facilities may be constructed on Federal lands included in the CMPA unless the Secretary determines that the structure: (1) will be minimal in nature; (2) is consistent with the purposes of this Act; and (3) is necessary (A) for enhancing botanical, fish, wildlife, or watershed conditions; (B) for public information, health, or safety; (C) for the management of livestock; or (D) for the management of recreation, but not for the promotion of recreation.

TITLE I, Subtitle C, SEC. 122: Development on public and private lands within the boundaries of the CMPA which is different from the current character and uses of the lands is inconsistent with the purposes of this Act.

TITLE I, Subtitle D, SEC. 132: (a) The advisory committee shall utilize sound science, existing plans for the management of Federal lands included in the CMPA, and other tools to formulate recommendations for the Secretary regarding: (1) new and unique approaches to the management of lands within the boundaries of the CMPA; and (2) cooperative programs and incentives for seamless landscape management that meets human needs and maintains and improves the ecological and economic integrity of the CMPA.

TITLE II, SEC. 202: (b) Where a wilderness boundary exists along a road, the wilderness boundary shall be set back from the centerline of the road, consistent with the BLM's guidelines as established in its Wilderness Management Policy.

TITLE II, SEC. 204: (a) Except as provided in section 502, any WSA, or portion of a WSA, within the boundaries of the CMPA, but not included in the wilderness area, shall remain a WSA notwithstanding the enactment of this Act.

(b) The WSAs referred to in subsection (a) shall continue to be managed under section 603(c) of the FLPMA [43 United States Code (U.S.C.) 1782(c)] in a manner so as not to impair the suitability of the areas for preservation as wilderness.

BLM MANUAL 6330 – MANAGEMENT OF WSAs: Multiple sections of BLM Manual 6330 are directly relevant to the proposed actions discussed within the South Steens Allotment Management Plan/Environmental Assessment. The following is a summarized list of pertinent sections.

1.1 (Purpose). To provide policy on the non-impairment standard to the BLM's personnel for use when managing WSAs, which is part of the BLM's National Landscape Conservation System. This manual is not the only policy that governs the management of WSAs. The BLM operates under many other laws and policies that may affect whether and how an activity may take place on WSAs.

1.2 (Objectives) A. Consistent with relevant law, manage and protect WSAs to preserve wilderness characteristics so as not to impair the suitability of such areas for designation by Congress as wilderness.

1.6 (Policy) A.1. Wilderness preservation is part of the BLM's multiple-use mandate, and the wilderness resource is recognized as one of the array of resource values considered in the land-use planning process. Section 603(c) of FLPMA provides direction to the BLM on the management of WSAs and states that with some exceptions (explained more fully below in Section 1.6.C.2): "During the period of review of such areas and until Congress has determined otherwise, the Secretary shall continue to manage such lands according to his authority under this Act and other applicable law in a manner so as not to impair the suitability of such areas for preservation as wilderness." This language is referred to as the "non-impairment" mandate. The BLM developed a non-impairment standard (see 1.6.C in this manual) to meet this mandate.

1.6.B. The BLM's policy will protect the wilderness characteristics of all WSAs in the same or better condition than they were on October 21, 1976 until Congress determines whether or not they should be designated as wilderness. When managers are in doubt as to a course of action in a WSA, this should serve as a guiding principle.

1.6.B.3.b. The BLM may remove structures and other facilities that impair wilderness characteristics, do not meet any of the exceptions to non-impairment, or are not permissible uses as detailed in section 1.6.D of this policy.

1.6.B.6. FLPMA requires the BLM to manage all WSAs "so as not to impair the suitability of such areas for preservation as wilderness." If wilderness characteristics have improved since 1976 for a particular WSA it is the policy of the BLM to not allow actions that would cause the regression of the WSA to its 1976 condition. The benchmark for the non-impairment standard is the condition in 1976 or current condition of the WSA, whichever is the better condition of wilderness characteristics.

1.6.C.1. The BLM will review all proposals for uses and/or facilities within WSAs to ascertain whether the proposal would impair the suitability of the WSA for preservation as wilderness. Unless excepted under 1.6.C.2, all uses and/or facilities must meet the non-impairment standard (i.e. must be both temporary and not create surface disturbance), as described in the following detailed criteria:

1.6.C.1.a. The use or facility is needed for a defined time period to respond to a temporary need, and would be terminated and removed prior to or upon wilderness designation. A chronic, repeated short-term use does not meet this definition of "temporary." Uses, activities, or facilities

that create a demand for uses that would be incompatible with wilderness management also do not meet the definition of temporary.

1.6.C.1.b. There is no new disruption of the rock, soil, or vegetation, including vegetative trampling, that would necessitate reclamation, rehabilitation, or restoration in order for the site to appear and function as it did prior to the disturbance. Uses or facilities that would require only passive natural restoration may still be considered surface disturbing. Certain activities allowed in wilderness areas, such as recreational hiking, use of pack stock, or domestic livestock grazing, are recognized as acceptable within a WSA, although, in the literal sense, they cause surface disturbance.

1.6.C.2: There are seven classes of allowable exceptions to the non-impairment standard defined in section 1.6.C.1. When a use and/or facility that does not meet the non-impairment standard meets one of these exceptions, the BLM will endeavor to allow only the least impairing activities that facilitate the use and/or facility in order to avoid unnecessary impacts to wilderness characteristics. If an impairing proposed project—even one that meets an exception—can be implemented outside of a WSA and accomplish the objectives identified in the purpose and need statement prepared under National Environmental Policy Act (NEPA), the BLM should endeavor to ensure that the project is implemented outside the WSA.

1.6.C.2.e. Grazing, mining, and mineral leasing uses and facilities that were allowed on the date of approval of FLPMA (October 21, 1976) are grandfathered, i.e. allowed as a preexisting use. As provided for in FLPMA Section 603(c), these uses and facilities may continue in the same manner and degree as on that date, even if this impairs wilderness suitability. Grandfathered uses may be acquired by a new operator, but cannot be transferred to a different location.

1.6.C.2.f. As described in section 1.6.A.2 of this manual, Section 2(c) of the Wilderness Act of 1964 outlines the characteristics required of every wilderness. Actions that clearly benefit a WSA by protecting or enhancing these characteristics are allowable even if they are impairing, though they must still be carried out in the manner that is least disturbing to the site.

1.6.C.2.g. Activities required to meet obligations imposed by other laws are allowed even though they may violate the non-impairment standard. Such activities should, however, be carried out in the least impairing manner practicable.

1.6.D.3.a.i. Livestock management developments existing or under construction on October 21, 1976 (or the designation date for Section 202 WSAs not reported to Congress), may continue to be used and maintained in the same manner and to the same degree as such use was being conducted on that date. In other words, they can have the same, but not more, physical or visual impact as they did at that time.

1.6.D.3.a.ii. New livestock management developments may only be approved if they meet the non-impairment standard or one of the exceptions, such as protecting or enhancing wilderness characteristics. In determining whether a development meets the protecting or enhancing wilderness characteristics exception, the BLM will determine if the structure's benefits to the natural functioning of the ecosystem outweigh the increased presence of human developments and any loss of naturalness or outstanding recreational opportunities caused by the new development. In addition, the BLM should consider whether or not the development will be substantially unnoticeable. The project must not require new motorized access since this would constitute surface disturbance and so would not meet the non-impairment standard. In order to allow new grazing development under the grandfathered use exception, there can be no increase in the AUMs existing prior to the new development as the result of any new permanent livestock management development.

1.6.D.3.c. As a grandfathered use, grazing management practices (e.g. level of use, season of use etc.) authorized during the 1976 grazing fee year including levels of use, may not be changed solely because the use may impair a WSA's suitability for preservation as wilderness. Section 603(c) of FLPMA, provides for the continuation of grazing on lands under wilderness review, "[p]rovided that in managing the public lands, the BLM shall by regulation or otherwise take any action required to prevent unnecessary or undue degradation of the lands and their resources or to afford environmental protection." If rangeland within a WSA is failing to Standards, the significant² factors contributing to this failure will be determined through monitoring and a review of existing uses. If existing grazing management practices are found to be a significant factor in the failure to achieve Standards, new grazing management practices may be established as needed if they meet the non-impairment standard or one of the exceptions.

1.6.D.3.c.ii. While there will be no reduction in grazing use levels due to impacts to wilderness characteristics, grandfathered grazing use is not necessarily frozen at the October 21, 1976 (or date of designation for a 202 WSA not reported to Congress) level, but may be subject to general BLM grazing management policy. As described above, if the rangeland is

² The word "significant" used in reference to S&Gs as outlined in the S&Gs for Public Lands Administered by the BLM in the States of Oregon and Washington (1997) and 43 CFR 4180.1, does not meet the Council on Environmental Quality's definition of the word.

failing to achieve Standards established by the BLM, the significant factors that contribute to those conditions should be ascertained and temporary or permanent reductions may be implemented as needed.

1.6.D.7.a. Section 102 of FLPMA sets forth Congress' declaration of policy that "the public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values". FLPMA more specifically directs that the management of the public lands be on the basis of multiple use and sustained yield unless otherwise specified by law.

1.6.D.7.c. Measures required for watershed rehabilitation may be permitted if they satisfy the non-impairment criteria or one of the exceptions. Watershed rehabilitation activities to address natural successional processes that have been disrupted by past human activity may be allowed. Intervention will be limited to what is necessary to allow the system to return to a natural process and to what is necessary to address situations where stabilization through natural processes would take longer than one growing season and the impacted area would be susceptible to significant soil loss during that time or further ecological departure would occur. (See also section 1.6.D.8). Approaches that do not restore natural processes should not be approved.

1.6.D.8.a. Whenever possible, natural processes will be relied on to maintain native vegetation and to influence natural fluctuations in populations. Manipulation of vegetation through management-ignited fire, chemical application, mechanical treatment, or human controlled biological means is allowed only where it meets the non-impairment standard or one of the exceptions. Exceptions that may pertain to vegetative treatment include emergencies, the protection or enhancement of wilderness characteristics, grandfathered uses, valid existing rights, and actions taken to recover a federally listed T&E, or candidate species.

1.6.D.8.b.iii.B. Where it meets the non-impairment standard or one of the exceptions, management action may be taken to restore vegetation to characteristic conditions of the ecological zone in which the area is situated where:

1.6.D.8.b.iii.B.I. Natural successional processes have been disrupted by past human activity, to the extent that intervention is necessary in order to return the ecosystem to a condition where natural process can function;

1.6.D.8.b.iii.B.II. Restoration through natural processes would require lengthy periods of time during which the impacted area would receive unwanted human use or be susceptible to significant soil loss without intervention, or further ecological departure would occur; or,

1.6.D.8.b.iii.B.III. It is necessary to maintain fire-dependent ecosystems when adjacent land uses do not allow for natural fire occurrence.

1.6.D.10.c. New wild horse and burro developments. Proposed new facilities and their potential impacts must be evaluated in conformance with NEPA (see section 1.6.E). If a portion of the Herd Management Area (HMA) is outside the WSA, any new development should be placed there, where practicable.

1.6.D.10.c.i. *Water developments.* As surface disturbing developments, new water sources for wild horse or burro herds can only be allowed where they meet one of the exceptions to the non-impairment standard. Water developments that are incorporated into the protection of springs or riparian areas (including water developments created to replace water lost elsewhere in the HMA) may be permitted if they meet an exception to the non-impairment standard.

1.6.D.10.c.ii. *Fences.* New fences may be allowed where necessary to protect springs or other water sources from impairment by wild horses or burros. Such enclosure fences must be visually minimized and large enough to avoid making native animals susceptible to predation.

The Final Decision has 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
- NEPA (42 U.S.C. 4320-4347), 1970
- Wild Free-Roaming Horses and Burros Act (16 U.S.C. 1331-1340), 1971
- FLPMA (43 U.S.C. 1701), 1976
- Public Rangelands Improvement Act (43 U.S.C. 1901), 1978
- BLM Manual 6330 Management of WSAs (2012)
- August 12, 1997 S&Gs 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)
- Steens Mountain Cooperative Management and Protection Act (16 U.S.C. 460nnn), 2000
- BLM National Sage-grouse Habitat Conservation Strategy (2004)
- Steens Mountain Wilderness and Wild and Scenic River (WSR) Plan (August 2005)
- Steens Mountain Travel Management Plan (TMP; EA OR-05-027-021), 2007
- North Steens Ecosystem Restoration Project (North Steens Project) ROD, 2007
- Protection, Management, and Control of Wild Free-Roaming Horses and Burros (43 CFR 4700), 2009
- Greater Sage-Grouse Conservation Assessment and Strategy for Oregon (Hagen 2011)

- Washington Office Instruction Memorandum 2012-043 Greater Sage-Grouse Interim Management Policies and Procedures
- Maintenance of Range, Wildlife, and Wild Horse Improvements in WSAs in the Burns District (EA OR-020-05-080), 2005
- Oregon Department of Environmental Quality (ODEQ) Laws and Regulations
- State, local, and Tribal laws, regulations, and land use plans
- All other Federal laws that are relevant to this document, even if not specifically identified

FINAL DECISION

Having considered all alternatives and associated impacts based on analysis in EA# OR-06-027-060, it is my final decision to implement the actions described below. The actions below have been selected from multiple alternatives, specifically Alternatives B, D, and E.

The selected actions are: approval of the AMP, easement acquisition, grazing permit renewal, livestock grazing management, and range improvements, specifically spring protection, way relocation, a fence relocation, and a well and associated trough located outside of WSA and Wilderness. At this time, no decision is being made on water developments within WSAs. The implementation of these actions will result in significant progress being made toward achieving, or continuing to achieve S&Gs.

Approval of the South Steens AMP

Upon issuance of a final decision, the final decision and all of the components described below will become the AMP for the South Steens Allotment.

Grazing Permit Renewal

The Final Decision includes renewal of the existing livestock grazing permit for South Steens Allotment for the current grazing permittee. The current livestock grazing permit (#3602570) has five allotments on it, including South Steens Allotment. All discussion in this Final Decision regarding renewal of the grazing permit only applies to South Steens Allotment. This Final Decision renews the grazing permit for only South Steens Allotment. It removes South Steens Allotment from the current grazing permit authorization #3602570, places it on a separate grazing permit, assigning a new authorization number. The remaining allotments will remain on the existing grazing permit, and renewal of that grazing permit will follow current policy³. If an updated grazing permitting system allows NEPA information and expiration dates for each allotment on an authorization, these authorizations may be combined.

³ Fully processing the grazing permit, making it active, will require complete NEPA analysis; if this occurs for other allotments on the current grazing permit, those allotments may also be placed under the new authorization number since they would both be active grazing permits and have the same expiration dates.

A new 10-year term livestock grazing permit will be issued to continue 9,577 active use Animal Unit Months (AUMs) of livestock grazing on public land within the South Steens Allotment. No changes to permitted AUMs will occur. The season of use will be shortened, from April 1 through October 31 to April 15 through October 31. The percentage public land based on forage production (%PL), will remain at 94% for the allotment; however, the %PL for each pasture will be added as a term and condition of the grazing permit, and the pasture %PL is what will be used for billing purposes in each pasture. The %PL for each pasture is currently calculated at: Hollywood Pasture - 93%, Tombstone and Steens pastures - 99% and Home Creek Pasture - 76%. The %PL will be adjusted, as necessary, following any land sales or purchases, exclusion of private property (fences), allotment/pasture boundary adjustment or correction, or new production information occurring within South Steens Allotment.

Terms and conditions on the grazing permit will include:

- A shortened season of use and adjusted number of livestock to keep AUMs at 9,577.
- %PL by pasture for billing purposes.
- Authorization of actual use billing
- Statement requiring that the grazing permittee open gates, not only within the allotment interior, but also between South Steens Allotment and the portion of the HMA within the Steens Mountain Wilderness, following livestock removal each year, to aid the free movement of wild horses throughout the HMA.
- Utilization maximum of 50% for native key forage species, requiring livestock to be removed, even if full use of authorized AUMs has not yet been taken.
- Conformance with the AMP.

Actual use billing is authorized as part of this AMP because of the variability in forage production from year to year and the unreliability of water sources. Annual grazing will be authorized with a Letter of Authorization prior to turnout. Accurate records must be kept and an Actual Use Grazing Report is to be submitted within 15 days after the authorized use is completed within the allotment. Advance billing will be allowed at the discretion of the BLM. If the terms and conditions are not met, including the timely submission of an Actual Use Grazing Report, actual use billing will no longer be allowed, and advanced billing will occur.

The grazing permit will be issued with changes to the terms and conditions, encompassing all changes within this AMP.

Livestock Grazing Management

Livestock grazing management is designed to provide periodic growing season rest for plants. Use periods in each pasture may vary annually in order to provide for recommended rest periods as described in the Grazing System (Table 1). Approximate

use dates are not provided for the grazing system due to the location of the allotment on the western edge of Steens Mountain, where climatic conditions can vary greatly from year to year. This variation results in key forage species entering vegetative states on different dates, which is why livestock grazing management is based on grazing treatments and not specific dates (see EA Appendix A: Grazing Treatment Descriptions). Livestock use dates for each pasture will be determined annually based on the vegetative stages of key forage species and the prescribed grazing treatment, and will be authorized through the Letter of Authorization issued prior to livestock turnout.

Permitted season of use will be April 15 through October 31, which will be adequate to carry out grazing management. Livestock numbers may vary annually (as outlined under Adaptive Management); however, total permitted AUMs will not exceed 9,577. Prior to authorizing grazing each year, monitoring data and current climatic conditions, such as drought, will be taken into consideration. This may result in changes to stocking levels, pasture rotations and timing of grazing in order to best meet objectives. Any modifications to the grazing system will conform to the utilization maximum of 50% for native key forage species (averaged within each pasture and including wild horse and wildlife use), and care will be taken to ensure all pastures receive periodic growing season rest. If utilization reaches the 50% maximum before livestock have used all permitted AUMs, livestock will be required to be removed. Temporary, non-renewable, annual extension of the permitted season of use, not to exceed 14 days prior to or following the permitted season of use, may be allowed to provide flexibility in meeting resource objectives, dependent on annual climate and growing conditions. The permittee will still be limited to the 9,577 AUMs, and this season of use extension is at the discretion of the BLM and is in no way guaranteed.

Hollywood Pasture receives high levels of wild horse use in the winter and spring. Therefore, Hollywood Pasture will primarily be used as a turnout and gather pasture to get cattle to and from Tombstone Pasture, resulting in early (spring) and defer (fall) grazing treatments⁴. Utilization in the early spring will be limited to 30% on native key forage species (livestock and wild horse utilization combined) in order to provide enough forage for livestock during fall gathering, and fall and winter wild horse use. Overall annual utilization will be limited to 50% (livestock and wild horse utilization combined). Defer use will only be authorized if maximum utilization levels will not be exceeded during the livestock use period, based on utilization determinations made prior to defer use occurring. In one year out of four, Hollywood Pasture will receive complete livestock rest, with livestock being allowed to trail through the pasture when being moved between Tombstone Pasture and private property.

Tombstone Pasture will rotate between an early/graze and a defer treatment, every other year. Steens Pasture will also rotate between an early/graze and defer treatment; however, it will be on an opposite rotation from Tombstone Pasture. Home Creek Pasture will generally be given an early treatment, with one year of complete rest every

⁴ See EA Appendix A: Grazing Treatment Descriptions for definitions of prescribed grazing treatments.

fourth year. This is due to the presence of Home Creek within the pasture and the need to protect the riparian area from late season use.

Under this rotation, Tombstone and Steens pastures will receive growing season rest (graze treatment rest) from livestock every other year, and Hollywood and Home Creek pastures will receive growing season rest from livestock every year. Providing periodic growing season rest for all pastures will result in continued conformance to Guidelines.

Table 1: Grazing System

Pasture	Cows	Year 1	Year 2	Year 3	Year 4	AUMs
Hollywood	500	Early/Defer	Rest	Early/Defer	Early/Defer	510
Tombstone	1,200	Early/Graze	Defer	Early/Graze	Defer	3,900
Steens	1,200	Defer	Early/Graze	Defer	Early/Graze	3,307
Home Creek	1,000	Early	Early	Early	Rest	1,860

Range Improvements

The Final Decision will construct spring protection exclosures, with route realignment occurring at Broken Leg Spring in order to further protect the spring and associated vegetation. In addition, the cistern at Burnt Car Spring will have access modified to reduce the risk of entrapment, a portion of the Steens Pasture and Home Creek Pasture boundary fence will be relocated, and one well and associated 30-foot bottomless trough will be constructed. No new pipelines, spring developments, riparian meadow exclosure, reservoirs, or watergaps along Donner und Blitzen River will be constructed under this Final Decision. No existing reservoirs will be abandoned, and maintenance activities will continue as currently authorized. Table 2 shows the type of action, by WSA, for the Final Decision.

Table 2: Type of Action, by WSA, for the Final Decision

Blitzen River WSA		South Fork Donner und Blitzen WSA		Home Creek WSA	
Type of Action	Number /Miles	Type of Action	Number/Miles	Type of Action	Number/Miles
Spring Protection	0	Spring Protection	2	Spring Protection	0
Route Realignment	0	Route Realignment	1/<0.1 Mile	Route Realignment	0
Fence Removal	0	Fence Removal	1/5.4 Miles	Fence Removal	0
Fence Construction	0	Fence Construction	0.3 Mile (Within)	Fence Construction	1/2.6 Mile (Boundary)
Cistern Access Modification	1	Cistern Access Modification	0	Cistern Access Modification	0
Well	0	Well	0	Well	0
Trough	0	Trough	0	Trough	0

The locations of all range improvements are estimated locations. All range improvements will occur within one-quarter mile of the current proposed location. Exact, on-the-ground locations of any range improvements will be determined by those responsible for constructing the developments, prior to actual construction, and will be determined taking into account physical factors such as topography and rockiness. Any range improvements not currently shown within WSAs or wilderness will remain outside WSAs and wilderness.

Spring Protection/Route Realignment/Cistern Access Modification

Spring protection will occur at Three Springs and Broken Leg Springs since they are the only two springs currently not achieving S&Gs. Spring protection will include fencing of the riparian area to reduce damage caused by wild horses and livestock. The loss of Three Springs and Broken Leg Spring as water sources could result in higher levels of congregation by wild horses and livestock at Weaver and Burnt Car springs, and other existing water developments. Juniper trees may be cut within the spring exclosures in order to further protect the spring source and promote riparian vegetation; old growth trees will remain standing. Cut trees may be used for the exclosure fence; trees not used for the fence will be hand piled (outside the exclosure and riparian area) and burned.

The specific spring exclosure size will be dependent on the size of the riparian areas around the springs. The fences will be located approximately 20 feet outside the riparian areas to reduce livestock and wild horse pressure on them. Fences around springs and riparian areas will be wood, which is stronger and more aesthetically pleasing than a wire fence. These fences will include gates, as appropriate, to allow access for administration and recreational use. The wood fence will be approximately 48 inches tall and made of juniper removed from within the exclosure and surrounding area, when practical. The wood fence will be designed to allow wildlife to access the riparian area. Only spot removal of rocks or vegetation will occur, when necessary, during construction. Pickups and four-wheel All-Terrain Vehicles (ATVs) will be used in construction. Travel will be done in a manner that reduces establishment of tracks and any tracks adjacent to a road or way will be hand raked the distance necessary to deter the establishment of unauthorized routes.

The fence at Three Springs (S1) located on BLM-managed land is expected to enclose approximately five acres. The exclosure will require approximately 0.5 mile of fence, approximately half of which will be on BLM-managed land, with the other half being on the boundary between BLM-managed and private land.

Spring protection at Broken Leg Spring (S3) will include realigning the existing route approximately 150 feet west of the spring for a distance of approximately 250 feet. The new portion of this route will be created passively, only by passage of a vehicle. No heavy equipment will be used to remove large boulders. The old route will be barricaded by the exclosure and using downed juniper from the

immediate area (if needed outside the enclosure) and reseeded using native seed if the site appears unable to recover naturally. The CMPA TMP will be updated to reflect the reroute, following completion of route realignment.

At Burnt Car Spring, natural materials found in the vicinity (i.e. rocks and juniper) will be used to reduce accessibility to the historic cistern and/or to allow for escape, reducing the risk of entrapment.

Any disturbed area that appears unable to recover naturally will be reseeded; within WSAs only native species will be used.

Fence Relocation (Removal and Construction)

The partial relocation of the Steens/Home Creek pastures boundary fence will occur, resulting in the removal of approximately 5.5 miles of fence and construction of approximately 5.8 miles of new fence. Approximately 5.4 miles of the pasture boundary fence will be removed from within the interior of the South Fork Donner und Blitzen WSA and 0.1 mile will be removed from private property. However, approximately 0.3 mile of new fence will be constructed within the WSA to connect the remaining portion of the existing fence to the new fence located along the wilderness boundary.

Fence removal will be completed by hand using pack animals and existing roads. All posts and wire will be removed from the site. Removal of existing fences will occur within one year of constructing replacement fences.

The new fence will be located west of Lauserica Road and along Home Creek portion of Steens Mountain Wilderness and South Fork Donner und Blitzen WSA boundary, Home Creek portion of Steens Mountain Wilderness and Home Creek WSA boundary, and Home Creek WSA and private property boundary. The fence will be placed within the 30 foot wilderness buffer that follows the wilderness boundary roads, effectively placing it on BLM-managed land that has no special designation.

The fence that will be constructed on Home Creek WSA and private property boundary will be placed outside WSAs where possible; however, it is not expected the new fence will follow exactly on the boundary. Topographic features will likely result in the fence being built at least partially on BLM-managed land as well as on private property. There is currently a verbal agreement the grazing permittee will cooperate on this fence, allowing it to be located at least partially on private property. However, this document is in no way binding to the landowner and a formalized Cooperative Range Improvement Agreement (Form 4120-6) between the South Steens Allotment grazing permittee and Burns District BLM will be completed, as appropriate, to address specific

fence locations and each partner's responsibilities for labor, construction, maintenance, and/or supplies⁵. See the Final Decision Map for a visual depiction.

Of the new fence, approximately:

- 1.9 miles will be within the wilderness 30-foot buffer between the Home Creek portion of Steens Mountain Wilderness and South Fork Donner und Blitzen WSA;
- 0.9 mile will be within the 30-foot wilderness buffer between the Home Creek portion of Steens Mountain Wilderness and Home Creek WSA;
- 2.6 miles will be along the boundary between private property and Home Creek WSA;
- 0.1 mile will be located fully on private property; and
- 0.3 mile will be located within South Fork Donner und Blitzen WSA.

Fence relocation will create a new western and southern boundary of Steens Pasture, and new eastern boundary of Home Creek Pasture.

The northern 0.25 mile portion of this fence relocation was proposed under Alternative D in the EA and tied into the existing fence approximately 0.3 mile east of Lauserica Road within South Fork Donner und Blitzen WSA. The rest of the fence relocation was proposed under Alternative E. The alternatives were designed this way in order to ensure Lauserica Reservoir #3 remained part of Home Creek Pasture. There was not an alternative that analyzed relocating the entire fence to the west side of Lauserica Road. Due to this, there is approximately 0.7 mile of fence that will be constructed in a location not specifically analyzed. Approximately 0.4 mile will be located west of Lauserica Road, within the 30-foot wilderness buffer, connecting the portions of the fence analyzed under Alternatives D and E. The additional 0.3 mile will connect the new fence to the existing fence, crossing WSA. Both Alternatives D and E analyzed the fence crossing WSA, with 0.5 mile and 0.3 mile being analyzed, respectively. If the fence was constructed in the locations proposed in Alternatives D and E, it would require 0.5 more miles of fence than is being authorized under this Final Decision. Therefore, fence relocation in this Final Decision is essentially similar to what has already been analyzed. It is within 0.5 mile of the original analysis area, with geographic and resource conditions sufficiently similar to what have been analyzed. While designing the new fence in this method removes Lauserica Reservoir #3 from within the Home Creek Pasture, it does allow for Lauserica Reservoir #1 and #2 to remain within the pasture. Effects that will result from construction of this fence are the same as those analyzed in the EA. The physical disturbance of this fence will be less than

⁵ All agreements completed between the BLM and grazing permittee and/or private landowner are voluntary and cooperatively completed to provide mutual benefit.

analyzed, as the total distance is less, and there are no substantial differences; no mitigation will be necessary. Where the new fence crosses Lauserica Road a cattleguard will be installed to allow for continued vehicular access. There will be no extraordinary circumstances involved with this.

The fence will be constructed following BLM standards. The fence height will be approximately 42 inches. The bottom wire will be smooth, and placed approximately 16 inches from the ground. The third and bottom wires will be placed approximately six inches apart, the second and third wire will be placed approximately eight inches apart, and the top and second wire placed approximately 12 inches apart. Metal stays will be used in each section of fence, to keep wires spaced appropriately. Posts will be standard metal posts, solid green in color. Green steel braces and stretch panels will be used where needed, instead of wood braces and rock cribs. Juniper trees may be used to support the fence when practical. Only spot removal of rocks or vegetation will occur, when necessary, during construction. Pickups and ATVs will be used in construction. Travel will be done in a manner that reduces establishment of tracks and any tracks adjacent to a road or way will be hand raked the distance necessary to deter the establishment of unauthorized routes. Any disturbed area that appears unable to recover naturally will be reseeded; within WSAs only native species will be used.

Well and Trough Installation

One well will be drilled, and an associated trough will be placed on BLM-managed land with no special designation (outside of WSAs and wilderness). The well and trough will be located within the 110 acre Roaring Butte Mineral Materials Source boundary, west of the Lauserica Road. Any disturbance that will result from the well, trough, and associated grazing will not be greater than what disturbance is currently allowed to occur as a result of the mineral materials source.

The well site will consist of an original disturbance area of approximately 100 by 100 feet. The entire disturbed area will be seeded with a native/non-native seed mix to increase the rate of recovery. Following seeding/rehabilitation of the disturbed site, the permanent footprint will be no more than 20 by 20 feet. An eight to 12 inch diameter hole will be drilled to accommodate six inch casing (pipe). Casing will be used for the entire depth of the hole unless solid rock is encountered. Pump size will be dependent upon depth of well. The pump in the well will be powered using solar power if solar power will meet the power requirements of the pump. This is dependent on well depth and water production, and the determination will be made by an engineer or other expert. Panels for solar energy will be installed using a tractor with an auger. Poles will be eight inches in diameter and concreted in the ground; solar panels will be mounted upon the poles. Pole height will be as low as possible, while still allowing panels to clear vegetation. Solar panels vary in size from 16 to 40 inches in length by 40

to 70 inches in width. Reduced glare solar panels, with camouflage netting applied to the back of the solar panels, will be used when available. If solar power was not an adequate power source a fuel generator will be used. If a fuel-powered generator is used, it will be 5,000 kilowatts, or smaller, with the exact size determined by well characteristics and availability. The generator will be located within a small trailer painted to blend in with the surrounding environment. The generator will be covered or enclosed to protect the generator and reduce noise pollution. The generator will be expected to run four to 16 hours a day, depending on water consumption, and may be audible up to one-quarter mile under some conditions. When the well is not in use, the generator will be removed.

The well and power source will be fenced to protect them from wild horses, livestock, and large wildlife species. The fence enclosure will be as small as possible, no more than 0.1 mile, while still providing adequate protection of the well and power source. The fence will be constructed to BLM specifications. Vegetative and topographic screening will be utilized as much as possible to minimize visual disturbance within the allotment.

One 10,000 gallon bottomless trough will be installed. This trough will be circular, up to 30 feet in diameter, with a four to six inch concrete bottom, and a two to four foot concrete apron to aid in erosion control. The sides of the trough will be two feet high and constructed of galvanized metal. A backhoe will be used to scrape dirt and form the area for the trough. A concrete truck will haul concrete to the site to construct the apron and concrete bottom. The area disturbed during installation of the trough will be approximately 100 by 100 feet. The trough metal will be painted to blend in with the surrounding environment.

Wildlife escape ramps fabricated from metal will be installed in the trough. The trough will have a trough float installed to prevent water from overflowing, as well as an overflow pipe to protect the site in the event the float valve is damaged and water continues to flow. The trough will be located far enough away from the well to minimize pressure on the fence around the well and power source; however, it will be within 250 feet of the water source.

General Project Design Elements (PDEs)⁶

PDEs were developed to aid in meeting project goals and objectives. All projects implemented within WSAs will be constructed to reduce impacts to wilderness values on a site-specific basis, and measures will be taken to ensure a more natural appearance, considered on a case-by-case, site-specific basis. If new methods of increasing the natural appearance of any developments are found prior to construction, these new methods may be used as long as the level of

⁶ Only the PDE's specific to actions selected in this Final Decision are below. Therefore, the letter corresponding to each PDE represents the letter it was associated with in the EA, resulting in gaps in lettering.

disturbance from utilizing these methods is not greater than the methods currently analyzed. The Industrial Fire Precaution Levels will be followed during construction. Maintenance on all range improvements will be done to ensure the continued functioning of the improvement; maintenance activities will be the minimum necessary to ensure continued functionality of the improvement and will not exceed the original disturbance footprint of the improvement.

- a. Rangeland improvement sites will be surveyed for cultural values prior to implementation. Where sites could potentially be adversely affected by grazing, or development, consultation between the BLM and State Historic Preservation Office (SHPO) shall be initiated to determine site significance, document effects, and evaluate means for site protection in accordance with procedures specified in the Oregon Protocol Agreement between the BLM and SHPO, *Protocol for Managing Cultural Resources on Lands Administered by the BLM in Oregon*.
- b. Rangeland improvement sites will be surveyed for plant SSS prior to implementation. Plant SSS sites will be avoided.
- e. No project construction or major maintenance activities will occur April 1 through June 15 during Greater Sage-Grouse nesting. Annual fence maintenance will still be allowed to occur during this period.
- f. Range improvement sites will be surveyed for noxious weed populations prior to implementation. Weed populations identified in or adjacent to the 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 or subsequent weed treatment decision.
- g. 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 prevent no new noxious weed establishment occurs. 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 or subsequent weed treatment decision.
- h. The grazing permittee will be responsible for fence maintenance, except for the fences that border the No Livestock Grazing Area, between Steens Mountain Wilderness and WSA on the eastern side of the allotment. Proper fence maintenance will be a stipulation

for turnout each year. BLM will continue to be responsible for the portion of the fence bordering the No Livestock Grazing Area and enclosure fence.

Goals and Objectives for the South Steens Allotment

Use associated ecological site descriptions (ESDs) for comparison, where appropriate.

- a. *Goal:* Maintain or improve riparian functioning condition of perennial and intermittent streams, and restore and maintain natural, free-flowing characteristics of springs and associated wet meadows.
 - *Objective:* Maintain PFC of 1.4 miles of two unnamed perennial tributaries to Donner und Blitzen River in Tombstone Pasture assessed for PFC in 1999. *Measure:* PFC.
 - *Objective:* Maintain an upward trend in riparian vegetation on 2.4 miles of Home Creek in Home Creek Pasture so wetland plant species continue to replace upland species within the Greenline. *Measure:* greenline, PFC.
 - *Objective:* Improve vigor of woody riparian species (as appropriate) on 2.4 miles of Home Creek, in Home Creek Pasture, so all age classes are present for the five willow species established in the greenline, and potential shade can be achieved within the next decade in order to maintain or reduce stream temperature⁷ for redband trout habitat, and address ODEQ 303d list concerns. *Measure:* greenline, temperature, photo points.
 - *Objective:* Restore riparian areas around springs within Steens Pasture, to reach potential extent within one decade, and achieve presence of at least 75% wetland species in the greenline within two decades (presence of woody riparian species is not expected or required at these sites, based on ESDs). *Measure:* greenline, photo points.
- b. *Goal:* Manage uplands in a mosaic of native plant communities and seral stages.
 - *Objective:* Maintain or increase the relative frequency of key species, such as Idaho fescue (*Festuca idahoensis* Elmer), bluebunch wheatgrass [*Pseudoroegneria spicata* (Pursh) Á. Löve ssp. *Spicata*], mountain big sagebrush [*Artemisia tridentata* Nutt. ssp. *vaseyana* (Rydb.) Beetle], and forbs species that provide food for Greater Sage-Grouse, in Tombstone, Steens, and Home Creek pastures over the next 10 years. Current relative frequency is plot

⁷ The current ODEQ Temperature Standard for redband trout is 20° C (68° F).

- specific and historic trend data should be used for comparison.
Measure: Pace 180° (Johnson and Sharp 2012), photo points.
- *Objective:* Maintain the relative frequency of key species, such as Indian rice grass [*Achnatherum hymenoides* (Roem. & Schult.) Barkworth], needle-and-thread grass [*Hesperostipa comata* (Trin. & Rupr.) Barkworth], Thurber's needlegrass [*Achnatherum thurberianum* (Piper) Barkworth], bluebunch wheatgrass, Wyoming big sagebrush (*Artemisia tridentata* Nutt. ssp. *wyomingensis* Beetle & Young) and forbs species, which provide food for Greater Sage-Grouse, in Hollywood Pasture over the next 10 years. *Measure:* Pace 180°, photo points.
 - *Objective:* Maintain frequency and distribution of antelope bitterbrush [*Purshia tridentata* (Pursh) DC.] in Steens and Tombstone pastures over the next 10 years. *Measure:* Pace 180°, Cole Browse [Technical Reference (TR) 4400-3, Utilization Studies], photo points.
- c. *Goal:* Manage forage and water resources to provide and maintain a thriving natural ecological balance within South Steens Allotment portion of South Steens HMA.
- *Objective:* Manage wild horse populations at an Appropriate Management Level (AML) range of between 159 and 304 animals to provide and maintain a thriving natural ecological balance with all resource uses. *Measure:* wild horse census, utilization, Pace 180°.
 - *Objective:* Improve wild horse distribution across the HMA, reducing areas of heavy utilization around current reliable water sources. *Measure:* wild horse census, utilization, wild horse observations.
- d. *Goal:* Maintain wilderness characteristics within Steens Mountain Wilderness (Home Creek portion) and Home Creek, Blitzen River, and South Fork Donner und Blitzen River WSAs.
- *Objective:* Maintain wilderness in a manner consistent with the Steens Mountain Wilderness and WSRs Management Plan (August 2005), Steens Act, Wilderness Act, and FLPMA. *Measure:* wilderness monitoring.
 - *Objective:* Maintain Home Creek, Blitzen River, and South Fork Donner und Blitzen River WSAs within South Steens Allotment in a manner consistent with the Steens Act and FLPMA. *Measure:* WSA monitoring.

Adaptive Management and Flexibility

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

- Based on the previous year's monitoring and current year's climatic conditions.
- Based on the previous year's monitoring of bitterbrush utilization, Cole Browse transects, and/or other appropriate monitoring methods to ensure that at least 85% of existing deer winter range within this allotment remains intact (not grazed by livestock).
- Due to drought, causing a lack of available water in areas originally scheduled to be used.
- To balance utilization levels.
- To protect the riparian and water resources.

Rangeland monitoring is a key component of adaptive management. As monitoring indicates changes in grazing management are needed to meet resource objectives, changes are implemented annually, working with the grazing permittee. Flexibility in grazing management will be authorized, and changes in rotations will only be allowed as long as they continue to meet resource objectives. Flexibility is dependent upon the demonstrated stewardship and cooperation of the permittee and occurs within the confines of the grazing permit. A additional two-week period of flexibility will be allowed, prior to and following the permitted season of use, in order to adjust grazing in response to annual climate and vegetative conditions, using adaptive management. This is a non-renewable extension of the authorized season of use, and there is no guarantee to the permittee this will be authorized in any given year. Total AUMs annually authorized will not exceed the amount permitted (9,577 AUMs), even in years when the season of use is extended.

Monitoring⁸

Monitoring, by BLM staff, in coordination with the grazing permittee, of the success in meeting allotment specific resource objectives and goals will take place within South Steens Allotment. All monitoring will follow the direction provided in the CMPA Monitoring Plan dated March 17, 2011 (or subsequent plan) and the 2005 CMPA RMP.

⁸ While monitoring will occur on the allotment, the extent and timeliness of it will depend on internal BLM factors such as funding and workforce, and may not occur exactly when planned.

Grazing management will be monitored annually and may include utilization studies for each pasture grazed, along with use supervision reports and actual use reports. The modified Key Forage Plant Method will be used to measure utilization in each pasture. The target utilization levels for key forage plant species will be no more than 50% utilization⁹ on native upland perennial species (2005 CMPA RMP, p. 53). Utilization monitoring is performed after livestock leave pastures, along a route transect performed by vehicle and/or horseback. Upland trend will be monitored approximately every five years (as priorities, time, and budget constraints allow) using Pace 180° methodology (Johnson and Sharp 2012; Rangeland Monitoring: Trend Studies TR 4400-4, 1984) and permanent photo points to measure the relative frequency of occurrence of key forbs, shrubs, and perennial grass species in order to assess trend in rangeland condition. Soil Surface Factor methodology will be used to measure soil stability and Observed Apparent Trend will be assessed at each upland trend plot. Currently, there are 18 upland trend monitoring plots within the allotment.

The Cole Browse Method will monitor antelope bitterbrush, an important browse species for mule deer, on fall and winter range as often as possible. This method documents livestock use of bitterbrush to determine level of utilization occurring during different grazing treatments. There are two existing Cole Browse transects established, one in Home Creek Pasture and one in Steens Pasture, but none have been established in the Tombstone or Hollywood pastures. Some additional transects will be established in each pasture, where antelope bitterbrush is present, to determine utilization rates and document reproductive status.

Wilderness areas will be monitored at least twice a year and WSAs will be monitored at a minimum of once per month (across the district), when accessible to the public, as directed in the 2005 CMPA RMP (RMP-81).

Wild horses will be monitored at least annually. Monitoring may be done using wild horse actual use data, observations, and/or utilization data with censuses occurring approximately every two to four years.

Riparian monitoring will be completed approximately every five years using the greenline and/or PFC methods, along with photos and stream sensors. Cultural resources, SSS, soils, recreation activities, and numerous other resources will be monitored periodically, throughout the allotment. An allotment evaluation of management objectives and actions is planned approximately five years after implementation of the Final Decision.

⁹ Burns District BLM measures utilization percentage using an ocular method, not a weight method.

New Monitoring includes establishing:

- New upland monitoring plots, as needed to ensure plots are providing an accurate picture of what is happening across the allotment.
- Two to three Cole Browse transects in suitable bitterbrush stands.
- At least one new photo point at each spring/riparian area. One photo will be taken immediately after exclosure construction and retaken annually for the first five years after exclosure construction, then on a five to 10-year interval.

Previously Approved Projects

The North Steens Project is a landscape-level project, the goal of which is to reduce juniper-related fuel loading and improve the ecological health of the area by encouraging a healthy functioning ecosystem through approved land treatments. Treatment techniques include a combination of prescribed fire, juniper treatments, fencing, seeding and planting, in order to reduce fuel loads, restore vegetative communities, improve habitat, and increase forage for wildlife, wild horses, and livestock. Project activities primarily occur above 4,500 feet and below 7,200 feet, concentrating on the "juniper belt." The North Steens Project Area includes the entire South Steens Allotment. Juniper treatments authorized under the North Steens Project will continue to be implemented.

Easement Acquisition

The BLM will work with the private landowner, within the South Steens Allotment, to obtain a legal right by an easement, memorandum of understanding or cooperative management agreement to any Federal developments on private land, to ensure the ability to locate, construct, use, control, maintain, improve, relocate, and repair the developments located on private property. These Federal developments will include both those already existing on the ground, as well as any developments constructed on private property. This will be done cooperatively and voluntarily to ensure mutual benefit to the BLM and private landowner.

CHANGES IN THE SOUTH STEENS AMP/EA FOLLOWING THE JULY 11, 2013 VERSION RELEASED FOR PUBLIC COMMENT

- Andrews Resource Area changed to Andrews/Steens Resource Area throughout.
- Grammatical mistakes have been corrected throughout.
- Clarifications were made where needed; these did not change context.
- Improved document organization.
- Removed one instance of "invasion" as related to juniper.
- Removed "Decision Factors" from *Table of Contents* (EA page ii).
- Corrected acreages of public land in the CMPA within the allotment (EA page 1).
- Added clarification and statement support in S&G discussion stating: BLM TR 1737-20 states: Reducing stocking rates may reduce the percentage of area in unsatisfactory condition, but impacts around the foci of highly used areas (e.g.,

riparian areas or other water) will remain the same until few, if any, animals remain. While this reference is specifically addressing livestock, it would also apply to wild horses (EA page 7).

- Made statement saying that juniper can currently be managed under the North Steens Project (EA page 10).
- Added: All other Federal laws that are relevant to this document, even if not specifically identified (EA page 16).
- Added: National Historic Preservation Act (16 U.S.C. 470 et seq.), 1966 (EA page 16).
- Updated *Scoping* section to include information about comment period (EA page 19).
- Added statement about Wild Horse and Burro Program (EA page 24).
- Made clarifications to adaptive management and flexibility section (EA page 24 and 25).
- Added clarification that “intact” bitterbrush was not grazed by livestock (EA page 25).
- Added a footnote under Monitoring stating: While monitoring will occur on the allotment, the extent and timeliness of it will depend on internal BLM factors such as funding and workforce, and may not occur exactly when planned (EA page 25).
- Added sentence under *Easement Acquisition* stating: This would be done cooperatively and voluntarily to ensure mutual benefit to the BLM and private landowner (EA page 29).
- Made clarification on maintenance activities allowed during Greater Sage-Grouse nesting (specifically annual, minor fence maintenance would be allowed) (EA page 30).
- Made clarification on fence maintenance responsibility (EA page 30).
- Added a footnote stating: All agreements completed between the BLM and permittee and/or private landowner are voluntary and cooperatively completed to provide mutual benefit (EA page 31).
- Corrected to say that for proposed developments, materials (i.e. rock and soil) that are a by-product of construction could be used, but additional materials needed for proposed developments would be hauled in (EA pages 32-34).
- Added clarification to Spring Development PDE: Spring development would only occur at springs productive enough to support the water development while maintaining a functioning riparian area (EA page 38).
- Added clarification stating: While the entire AMP would become a term and condition of the grazing permit, only the components that are within the permittees management ability would be the permittees responsibility (EA page 40).
- Clarification made on proposed use in Home Creek Pasture, adding: This is due to the presence of Home Creek within the pasture and the need to protect the riparian area from late season use (EA page 41).
- Added information on cistern at Burnt Car Spring (EA page 43, 67, 78, 80, 99, 104, 118, 119, 123, 124, and 169).

- Updated proposed fence construction miles in Tables 5 and 6 (EA pages 50 and 53, respectively).
- Inserted footnote on AUMs proposed under Alternative F stating: Between 2003 and 2012, 7,875 AUMs were the maximum livestock actual use reported. However, it is important to note that there were extenuating circumstances during many of those years, including planned prescribed fire, a settlement agreement, over-population of wild horses, and drought (EA page 54).
- Changed “suspended use AUMs” to “removed from the permit” based on clarification of regulation 4110.3-2(b) which no longer allows for long-term suspension of AUMs (EA page 54).
- Changed column title in Table 8 from “Range Improvement” to “Proposed” (EA page 55).
- Changed value from 16 to 8 in sentence: Based on field observations by BLM cultural resources staff over the last 16 years...” (EA page 65).
- Removed sentence: As a result, current grazing practices have little effect on cultural resource sites, except when sites fall within congregation areas. Added: Archaeological sites are essentially databanks of prehistoric behavior. In order for archaeologists to study and interpret this data, it has to remain in the same horizontal and vertical position it was in when deposited in the past. Once the horizontal and vertical positions of these bits of data are scrambled by whatever outside force, the data can no longer be reliably retrieved and interpreted. In essence, once the top 12” of sediment at an archaeological site is churned, it no longer retains data potential and the site has lost integrity in that portion of the deposit. If outside forces (e.g. frost heave, rodents, etc...) again churn the deposit, the net effect on the site is zero because it is already disturbed. Therefore, disturbance of the already disturbed deposit is not an effect from a scientific or regulatory perspective. Where outside forces continue to disturb deposits deeper than 12” an effect is occurring. This type of effect is what is seen in or adjacent to livestock congregation areas but not in generalized grazing areas of this allotment (EA page 65).
- Deleted part of sentence stating: livestock being permitted to graze the area. Replaced with: to the late 1970s when archaeologists were first employed by the BLM and inventory and monitoring began (EA page 67).
- Added additional references into the *Grazing Management and Rangelands* section (EA pages 69-95).
- Added information about grazing from 1976 when FLPMA was passed (EA page 69).
- Added clarification stating: decreasing the level of herd congregation around any given water source (EA page 81).
- Added: However, by limiting use in this pasture to early use and by using monitoring and adaptive management, BLM would be able to determine if damage was beginning to occur and make appropriate changes, preventing further long-term damage from occurring. The new location of the boundary fence and removal of reservoirs from that pasture is expected to change livestock grazing patterns, and may decrease the potential for livestock to access the southern area of Home Creek without being actively pushed. In addition, the fence would also

be expected to improve the ability to manage livestock along the creek by limiting the ability of livestock to access the riparian area (EA page 89).

- Added “and associated effects” to sentence under Environmental Consequences Alternative G in *Grazing Management and Rangelands* section (EA page 93).
- Added supporting documentation to *Riparian Zones, Wetlands, and Water Quality* section’s Affected Environment (EA pages 109-115).
- Changed “increase the” to “provide” (EA page 124).
- Changed “Viable ranching operation” to “a viable and sustainable grazing operation” (EA page 124).
- Added: The ranch would be responsible for finding replacement forage for the AUMs lost or would have to cut livestock numbers increasing their costs and decreasing their profits. If livestock numbers were cut, the production of beef would be reduced, reducing the economic value the ranch would be able to put into the economy (EA page 125).
- Added: There would be a loss to the economy due to the reduced beef production in the area (EA page 126).
- Added additional clarifying information on Biological Soil Crusts (EA page 128).
- Added clarification stating: Hoof action encompasses compressional disturbances which break sheaths and filaments and drastically reduces the ability of the soil organisms to function, particularly in providing nitrogen and soil stability (<http://soilcrust.org/crust101.htm>) (EA page 129). Also added reference.
- Added Greater Sage-Grouse connectivity information (EA page 134).
- Added additional background information about WNV (EA page 140). Added associated reference.
- Added Centers for Disease Control (CDC) reference (EA page 141).
- Added clarification on lek status (EA page 142).
- Added clarification sentence to SSS section stating: By spreading out livestock grazing, more cover would be remaining after grazing in current congregation areas; however, there would be fewer (or smaller) non-grazed areas throughout the allotment (EA page 146).
- Added footnote about the pre-settlement fire return intervals and references stating: Research on pre-settlement fire return intervals has a large range, but it has traditionally been considered to be 20-160 years, dependent on specific site characteristics. However, some research suggests the pre-settlement fire return is much longer and could be up to 450 years (Baker 2006 and Floyd et al. 2008). Added appropriate references (EA page 153).
- Corrected information on West Nile Virus (WNV) in the wild horse section about transmission (EA page 166).
- Clarified that North Steens 230-kV Transmission line and Echanis Project Site are outside of all Cumulative Effect Analysis Areas (CEAAs), even though there is a small paragraph that mentions its potential effects on elk which may move into the CEAA (EA page 197).
- Made date correction of April 1 to March 1 in Appendix A early grazing treatment to better describe flexibility within this treatment due to plant life-cycle stage (EA page A-1).

- Drainages have been removed from maps; only major intermittent drainages are shown to reduce confusion and clutter (EA pages C-2, 3, 4, 7, 8, 9, and 10).

RATIONALE

A Finding of No Significant Impact (FONSI) found the Final Decision, components of which are analyzed in EA# OR-06-027-060, did not constitute a major Federal action that will adversely impact the quality of the human environment. The FONSI determined that an EIS is unnecessary and will not be prepared.

This Final Decision is based on public comments, discussions and previous official recommendations of the SMAC, consultation with local governments and State agencies, discussions with the grazing permittee, requirements to make significant progress toward achieving Standards, and conformance to applicable laws and regulations. It also meets the Purpose of and Need for Action to: manage livestock and reduce wild horse impacts to riparian areas; develop a comprehensive AMP for South Steens Allotment; and consider an external request to renew a 10-year grazing permit. In addition, this Final Decision begins to meet the Purpose of and Need for additional sources of reliable, late-season water for wild horses and livestock within South Steens Allotment and decreases risk to wild horses in drought years. However, the location of the well along the Lauserica Road does not replace water historically used from Donner und Blitzen River or provide for better wild horse and livestock distribution.

This Final Decision includes issuing the grazing permit with the same number of AUMs (9,577) as currently authorized, developing only one new water source. This action is most similar to what was analyzed under the No Action Alternative, with some modification in terms and conditions, including a change in the season of use, which is not expected to modify livestock distribution. Utilization monitoring (with an annual utilization limit of 50% even if full use of authorized AUMs is not utilized) as well as demonstrated permittee flexibility and sound decisions have helped to maintain ecological conditions in the past. These same management decisions will continue to protect the area from ecological damage resulting from a lack of reliable water, as it has in the past. However, there will be no improvement in livestock distribution or ecological condition related to it. The grazing permit expired on February 28, 2014, and was renewed, without NEPA analysis, under the authority of Section 411, HR 3547 (Public Law 113-76), with the same terms and conditions as the previous grazing permit. This Final Decision will allow for the grazing permit for South Steens Allotment to be renewed and fully processed with adequate NEPA analysis.

This Final Decision will allow the allotment to make significant progress toward achieving Standards by constructing exclosures around the two springs not currently meeting Standards, and rerouting a way at Broken Leg Spring. The exclosure will remove year-round wild horse and seasonal livestock grazing from the spring areas, providing riparian vegetation protection from grazing and allowing it to improve in vigor, increase in abundance, and achieve PFC. In addition, juniper trees (excluding old growth trees) will be removed from the spring areas. These two treatments will result in all three of the casual factors currently responsible for the Standards not being achieved, to be removed. Due to the Final Decision to protect springs using exclosures, two springs on BLM-managed land will be removed from available water sources for

wild horses and livestock. This is offset by the installation of a well and trough, in a different location, which will provide a reliable, year-round water source.

The No Action alternative was not selected as it would not result in the allotment achieving all S&Gs, which is required by regulation. Further discussion on how the No Action Alternative does not meet resource objectives can be found in Table 3.

Consistency with BLM Manual 6330 – Management of WSAs

The Final Decision involves relocating a fence from within a WSA to outside of or along the boundary of WSAs, building two spring enclosures and passively rerouting a way to protect the riparian areas, allowing the areas, and the allotment as a whole, to achieve Standards, and reduce the risk of entrapment at the Burnt Car Spring Cistern. None of the improvement will result in an increase in permitted AUMs. The Final Decision's consistency with management direction for WSAs is described below.

Spring Protection

The construction of enclosure fences will only affect naturalness in the immediate vicinity of the fence, decreasing further away. The use of a wood fence will provide a more natural, aesthetically pleasing feeling than a metal and wire fence, and will blend in with surrounding juniper trees, when present. The location of these fences in areas of rolling topography with a large juniper component will ensure that they are substantially unnoticeable. In addition, by providing these spring areas, the riparian areas will improve in ecological condition, increasing the feeling of naturalness. Maintenance for these enclosures will not require motorized equipment.

Spring protection is consistent with exceptions to the non-impairment mandate as outlined in Section 1.6.C.2.f. *Protect or enhance wilderness characteristics or values*, which states that: “actions that clearly benefit a WSA by protecting or enhancing these characteristics are allowable even if they are impairing.” Spring protection, including passive way relocation, will allow for associated riparian areas to be protected from over-grazing by wild horses and livestock and damage by vehicles, improving their ability to function properly and enhancing ecological condition, improving naturalness in the area.

Spring protection is also consistent with 1.6.C.2.g. *Other legal Requirements*, which states that: “activities required to meet obligations imposed by other laws are allowed even though they may violate the non-impairment standard.” The riparian areas around some of the springs are currently resulting Standards not being achieved. Through the analysis in the associated EA it was determined that since wild horses are present year-round within the allotment and one of the causal factors for not achieving Standards (along with livestock and juniper), the only practical solution is to protect the springs by the construction of enclosure

fences. Through regulation, specifically 43 CFR 4180.2.c. the BLM is legally required to take appropriate action to achieve S&Gs.

In addition, spring protection is in compliance with Section 1.6.D.3.a.ii. *New Livestock Developments*, which states that “in determining whether a development meets the protecting or enhancing wilderness characteristics exception, the BLM will determine if the structure’s benefits to the natural functioning ecosystem outweigh the increased presence of human developments and any loss of naturalness.” Through the associated EA, BLM has determined the benefit of protecting the springs outweighs any unnatural effects to wilderness characteristics. Naturalness at these sites will be enhanced by increasing ecological functioning and mitigating effects through use of natural materials.

Spring protection is further supported by Section 1.6.D.10.c.ii. *Fencing* which states that: “new fences may be allowed where necessary to protect springs or other water sources from impairment by wild horse or burros.” Analysis has determined that due to the year-round presence of wild horses, spring protection in the form of a fence is required to protect these areas from impairment.

The passive route realignment associated with Broken Leg Spring is also consistent with Section 1.6.D.7.c. which says:

Measures required for watershed rehabilitation may be permitted if they satisfy...one of the exceptions. Watershed rehabilitation activities to address natural successional processes that have been disrupted by past human activity may be allowed. Intervention will be limited to what is necessary to allow the system to return to a natural process and to what is necessary to address situations where stabilization through natural processes would take longer than one growing season and the impacted area would be susceptible to significant soil loss during that time or further ecological departure would occur.

This activity will move a motorized travel way from crossing through a typically wet portion of the spring and riparian area. In the past, the spring and riparian area have been disrupted by vehicles being maneuvered to avoid muddy areas or ruts in the road, resulting in multiple areas of damage where riparian vegetation is continuously damaged or pulled up. The protection of this area will decrease disturbance and assist the area in returning to its natural ecological processes without continuous disruption.

Cistern Access Modification

At Burnt Car Spring, an existing concrete cistern is an entrapment risk for animals, including livestock and wild horses, and potentially humans, making it a public safety risk. Ingress to the cistern will be decreased, and egress will be increased using juniper and rocks in the vicinity. With the exception of cutting

junipers, which requires the use of a chainsaw, all work will be done by hand, requiring to motorized access for initial modification or maintenance. As the cistern and the materials to be used are currently present at the site, modification activities will be substantially unnoticeable. As a public safety risk, that is a result of a human caused hazard in the WSA, disturbance of rock and vegetation is allowed under 1.6.C.2.b. of BLM Manual 6330.

Fence Relocation

Relocating 5.5 miles of fence currently within the interior of South Fork Donner und Blitzen WSA mostly (5.0 miles) outside South Fork Donner und Blitzen WSA, and along the boundary of Home Creek WSA, will effectively remove a portion of a structure currently impairing wilderness characteristics. This is consistent with section 1.6.B.3.b. in BLM Manual 6330 allowing the BLM to remove structures and other facilities impairing wilderness characteristics.

As fences can impair wilderness characteristics, specifically naturalness, removing the fence from the interior will result in an increase in naturalness of the WSA and enhance wilderness characteristics. Since the relocation of this fence will enhance wilderness characteristics, it is also allowed under 1.6.C.2.

Exceptions to non-impairment class f. Protect or enhance wilderness characteristics or values. As the new fence will be constructed in a manner similar to the fence that will be removed, and with PDEs that promote its blending into the surrounding area, the new fence will be substantially unnoticeable except when in close proximity to it. Maintenance on the reconstructed fence will not require motorized equipment.

The ability to continue to maintain all existing range improvements is supported by Section 1.6.D.3.a.i. which allows for maintenance activities in the same degree and manner as was being conducted on October 21, 1976.

Based on associated analysis and consistency with BLM Manual 6330, as described above, the Final Decision is not expected to impair any of the WSAs' suitability for preservation as wilderness by Congress, and as such will comply with Section 603(c) of FLPMA.

Table 3 provides a comparison of how the Final Decision and all of the alternatives meet the resource objectives associated with South Steens Allotment. Objectives (first column) have been pulled from the Steens Act, BLM Manual 6330 Management of WSAs, CMPA RMP/ROD including Appendices J and P, and the 1995 South Steens Wild Horse HMA Plan Update. This table can be used to show both why the Final Decision was selected and why other alternatives were not selected. For complete analysis of the alternatives see Chapter III of the South Steens AMP/EA.

Table 3: Resource Objective Comparison by Alternative

Resource Objectives	Final Decision	Alt. A: No Action	Alt. B: Proposed Action	Alt. C: Maximum Water Dev.	Alt. D: Along Road Dev.	Alt. E: Edge Dev.	Alt. F: Reduced Grazing w/ No Dev.	Alt. G: Complete Removal of Livestock Grazing
Steens Mountain Cooperative Management and Protection Act of 2000								
1. To maintain and enhance cooperative and innovative management projects, programs and agreements between tribal, public, and private interests in the Cooperative Management and Protection Area [Section 102(b)(1)].	This decision has been created through a collaborative process between the BLM, permittee, private landowner, SMAC, ODFW Burns Paiute Tribe, and non-profit organizations. While it may not be the desired result for all interested parties, it is a compromise that balances multiple-uses.	This alternative would not include any cooperation between interested parties and may damage existing cooperative potential with the permittee/private landowner. However, this alternative may improve cooperative efforts between the BLM and non-profit organizations.	This alternative shows cooperation between the permittee/private landowner, SMAC, ODFW, BLM, and other interested parties, but is lacking in cooperation from non-profit groups.	This alternative shows cooperation between the BLM and the permittee/private landowner. While some other individuals may support this alternative, it was negatively looked upon by other members of the interested public.	This alternative attempts to cooperate with non-profit organizations while trying to meet the need of the permittee/private landowner. However, support for this alternative was minimal.	This alternative attempts to cooperate with non-profit organizations while trying to meet the need of the permittee/private landowner. Support for this alternative by non-profit groups was higher than support of any other action alternative.	Reducing grazing would not maintain or enhance cooperation between the BLM and the permittee, and may damage cooperation between the BLM and other permittees in the district.	Grazing removal would not maintain or enhance cooperation between the BLM and the permittee, and may damage cooperation between the BLM and other permittees in the district, as well as with Harney County as ranching is a large component of the local economy/culture.
2. To promote grazing, recreation, historic, and other uses that are sustainable [Section 102(b)(2)].	Grazing will be maintained at the current level, with the permittee unable to regularly take full use due to a lack of reliable water and limited use areas. Effects to recreation will only occur during construction.	Similar to the Final Decision, only there would be no effects on recreation of other historic uses.	Sustainable grazing would be promoted. Recreation would be affected during construction activities.	Similar to Alt. B but with increased promotion of grazing.	Similar to Alt. B but with less promotion of grazing.	Similar to Alt. D but with less promotion of grazing.	Sustainable grazing would be reduced. There would be no effects to recreation of other historic uses.	No sustainable grazing would be promoted. There would be no effects to recreation of other historic uses.

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3. To conserve, protect and to ensure traditional access to cultural, gathering, religious, and archaeological sites by the Burn Paiute Tribe on Federal lands and to promote cooperation with private landowners [Section 102(b)(3)].	No effect on traditional access. See #1 above for discussion of cooperation.	No effect on traditional access. See #1 above for discussion of cooperation.	No effect on traditional access. See #1 above for discussion of cooperation.	No effect on traditional access. See #1 above for discussion of cooperation.	No effect on traditional access. See #1 above for discussion of cooperation.	No effect on traditional access. See #1 above for discussion of cooperation.	No effect on traditional access. See #1 above for discussion of cooperation.	No effect on traditional access. See #1 above for discussion of cooperation.
4. To ensure the conservation, protection, and improved management of the ecological, social, and economic environment of the Cooperative Management and Protection Area, including geological, biological, wildlife, riparian, and scenic resources [Section 102(b)(4)].	The Final Decision will meet this objective, as it relates to the ecological component because it will allow for continued grazing while providing for protection of riparian resources. There will not be effects to the social environment. The economic environment may be benefited due to construction of improvements.	This objective would not be met since riparian resource would continue to be damaged and management of the ecological resources would not improve. Social and economic environment would not change.	Similar to the Final Decision but with increased conflict in the social environment and increased economic benefits due to the construction of more range improvements and the ability of the grazing permittee to regularly use all permitted AUMs.	Similar to Alt. B but with more increased conflict in the social environment and increased economic opportunities.	Same as Alt. B.	Same as Alt. B.	Similar to the No Action Alternative but with increased conflict in the economic environment due to the loss of AUMs.	Similar to No Action Alternative but with more social, ecological, and economic conflict.

Resource Objectives	Final Decision	Alt. A: No Action	Alt. B: Proposed Action	Alt. C: Maximum Water Dev.	Alt. D: Along Road Dev.	Alt. E: Edge Dev.	Alt. F: Reduced Grazing w/ No Dev.	Alt. G: Complete Removal of Livestock Grazing
5. To promote and foster cooperation, communication, and understanding, and to reduce conflict between Steens Mountain users and interests [Section 102(b) (5)]	See #1 for discussion on cooperation. Objective met by minimizing conflict by moving towards common goals.	See #1 for discussion on cooperation. As no changes are made, issues are not addressed and conflict is not reduced.	See #1 for discussion on cooperation. Alternative does not reduce conflict between may increase conflict due to WSA related issues.	Similar to Alt. B only with more conflict.	Similar to Alt. B only with slightly less conflict.	Similar to Alt. D, but with increased conflict over WSR and wilderness issues.	Similar to No Action Alternative but with increased conflict.	Similar to Alt. F but with even more conflict.
BLM Manual 6330 Management of WSAs (2012)								
6. Consistent with relevant law, manage and protect WSAs to preserve wilderness characteristics so as not to impair the suitability of such areas for designation by Congress as wilderness.	Naturalness will increase since removing an unnatural feature (fence) from the interior of WSAs and improving the natural condition of riparian areas will more than offset the loss of naturalness due to exclosure construction. Preserves other wilderness characteristics at the current level. The Final Decision is not expected to impair the suitability of the area for designation by Congress as wilderness.	This will preserve wilderness characteristics as they are and is not expected to impair the suitability of the area for designation by Congress as wilderness.	Would preserve wilderness characteristics. However, proposed developments would have a small negative effect due to the increase in unnatural features and a positive effect due to improved distribution patterns. These effects would not be expected to affect suitability of the area for designation by Congress as wilderness.	The large number of developments proposed under this alternative would affect wilderness characteristics more than any other alternative. The combined effects may be large enough to affect the suitability of the area to be designated by Congress as wilderness.	Similar to Final Decision, but would not benefit naturalness as much since there would be fewer miles of fence removed from within WSAs, and more range improvements constructed.	Same as Alt. D.	Same as the No Action Alternative.	Same as the No Action Alternative.
August 2005 CMPA RMP/ROD								

Resource Objectives	Final Decision	Alt. A: No Action	Alt. B: Proposed Action	Alt. C: Maximum Water Dev.	Alt. D: Along Road Dev.	Alt. E: Edge Dev.	Alt. F: Reduced Grazing w/ No Dev.	Alt. G: Complete Removal of Livestock Grazing
7. Manage impaired waters on public lands listed under Section 303(d) of CWA to restore beneficial uses and to improve water quality so that listing is no longer warranted (Water Resources, RMP-18).	No effect on 303(d) listing.	No effect on 303(d) listing.	No effect on 303(d) listing.	No effect on 303(d) listing.	No effect on 303(d) listing.	No effect on 303(d) listing.	No effect on 303(d) listing.	No effect on 303(d) listing.

Resource Objectives	Final Decision	Alt. A: No Action	Alt. B: Proposed Action	Alt. C: Maximum Water Dev.	Alt. D: Along Road Dev.	Alt. E: Edge Dev.	Alt. F: Reduced Grazing w/ No Dev.	Alt. G: Complete Removal of Livestock Grazing
<p>8. Achieve or maintain a rating of PFC for perennial and intermittent flowing and standing water bodies relative to site capability, site potential, and BLM management jurisdictions. Maintain, restore, or improve riparian/wetland vegetation communities relative to ecological status, site potential and capability, or site-specific management objectives. (Vegetation, RMP-24).</p>	<p>Spring protection will make significant progress towards achieving PFC and meeting Standards. Grazing management in Home Creek Pasture may result in Home Creek moving from Functioning at Risk to PFC. Fence relocation resulting in some reservoirs no longer being within Home Creek Pasture may result in livestock utilizing Home Creek riparian area more, and could move it away from meeting PFC. Monitoring and adaptive management will be able to determine if this is occurring and prevent long-term damage along Home Creek.</p>	<p>No movement towards PFC would be occurring within the allotment. Areas not in PFC would continue to not be in PFC.</p>	<p>Similar to the Final Decision but without effects caused by fence relocation.</p>	<p>Similar to the Final Decision but without effects caused by fence relocation.</p>	<p>Similar to the Final Decision but without effects caused by fence relocation.</p>	<p>Same as the Final Decision.</p>	<p>Same as the No Action Alternative.</p>	<p>Same as the No Action Alternative.</p>

Resource Objectives	Final Decision	Alt. A: No Action	Alt. B: Proposed Action	Alt. C: Maximum Water Dev.	Alt. D: Along Road Dev.	Alt. E: Edge Dev.	Alt. F: Reduced Grazing w/ No Dev.	Alt. G: Complete Removal of Livestock Grazing
<p>9. Maintain or restore native vegetation communities through sound landscape management practices. Increase species and structural diversity at the plant community and landscape levels in big sagebrush communities. Provide multiple successional stages within the landscape (Vegetation, RMP-30).</p>	<p>Will meet objectives through spring protection, improved grazing management, and PDEs.</p>	<p>Would continue to meet objectives as currently occurring. Damaged areas around springs would not meet this objective.</p>	<p>Same as the Final Decision.</p>	<p>Same as the No Action Alternative.</p>	<p>Same as the No Action Alternative.</p>			

Resource Objectives	Final Decision	Alt. A: No Action	Alt. B: Proposed Action	Alt. C: Maximum Water Dev.	Alt. D: Along Road Dev.	Alt. E: Edge Dev.	Alt. F: Reduced Grazing w/ No Dev.	Alt. G: Complete Removal of Livestock Grazing
<p>10. Manage big sagebrush, quaking aspen, and western juniper plant communities to meet habitat requirements for wildlife. Manage big sagebrush communities to meet the life history requirements of sagebrush dependent species (Vegetation, RMP-31).</p>	<p>Objective will be met as it relates to livestock grazing management. Other management is outside the scope of this document.</p>	<p>Current heavy use of forage resources near existing springs is affecting wildlife habitat in these areas and wild horse use of these springs may preclude wildlife use in the area. These affects would continue and result in this objective not being met.</p>	<p>New water developments available for late season use would affect bitterbrush stands, important mule deer forage in fall-winter, and may reduce some wildlife resources. Monitoring would prevent bitterbrush and forage from being over-utilized and affecting overall wildlife habitat. Spring protection would protect these areas and make them more suitable for wildlife use. This objective would be met as it relates to livestock grazing management. Other management is outside the scope of this document.</p>	<p>Same as Alt. B only with more risk to bitterbrush due to increased number of improvement.</p>	<p>Same as Alt. C.</p>	<p>Same as Alt. C.</p>	<p>Same as the No Action Alternative.</p>	<p>Same as the No Action Alternative.</p>

Resource Objectives	Final Decision	Alt. A: No Action	Alt. B: Proposed Action	Alt. C: Maximum Water Dev.	Alt. D: Along Road Dev.	Alt. E: Edge Dev.	Alt. F: Reduced Grazing w/ No Dev.	Alt. G: Complete Removal of Livestock Grazing
<p>11. Maintain, restore or improve habitat [for fish and wildlife]. Manage forage production to support wildlife population levels identified by ODFW (Fish and Wildlife, RMP-33).</p>	<p>Spring protection will improve riparian habitat for wildlife species. Grazing management with monitoring will allow forage required for wildlife to continue to be available throughout the allotment.</p>	<p>Riparian habitat around springs would continue to be degraded by wild horses and livestock and would not provide quality habitat. Management of forage production to support wildlife would continue with no changes or improvement.</p>	<p>Similar to the Final Decision. However, the increased presence of water developments would work to even out livestock distribution and utilization patterns, resulting in fewer areas being heavily grazed, and more lightly to moderately grazed, resulting in more even forage availability for wildlife.</p>	<p>Similar to Alt. B, only with improved livestock distribution.</p>	<p>Similar to Alt. B, only with locations of water developments limiting the ability to distribute livestock grazing.</p>	<p>Same as Alt. D.</p>	<p>More forage available for wildlife and wild horses since livestock would remove fewer AUMs. However, no spring protection would occur and these areas would continue to provide degraded riparian habitat for wildlife.</p>	<p>Similar to Alt. F, only all AUMs previously available for livestock would be available for wild horse and wildlife use.</p>

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12. Manage plant SSS and their habitats so management actions do not contribute to their decline or listing as T&E. Conserve animal SSS and the ecosystems on which they depend. Manage big sagebrush communities to meet the life history requirements of sagebrush-dependent SSS (SSS, RMP-35).	Objective will be met through PDEs and by following BLM policy and the Greater Sage-Grouse Conservation Assessment and Strategy for Oregon recommendations. Spring protection will result in quality riparian habitat available for wildlife. Plant SSS will not be affected by this alternative.	Riparian areas around springs would continue to be degraded, limiting their benefit to wildlife.	Same as the Final Decision.	Same as the Final Decision.	Same as the Final Decision.	Same as the Final Decision.	Same as the No Action Alternative.	Same as the No Action Alternative.

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<p>13. Protect, maintain, improve, or restore Visual Resource values by managing all public lands in accordance with VRM (Visual Resources, RMP-45).</p>	<p>Visual resources will be slightly changed following spring protection due to the increase in vertical and horizontal lines associated with fence construction. PDEs will mitigate visual disturbance. Visual resources will be improved where fence removal occurs, but affected where the new fence is constructed.</p>	<p>No changes to visual resource values would occur under this alternative.</p>	<p>Similar to the Final Decision only with more effects to visual resources due to increased construction of water developments. However, these features require only minor excavation and would follow PDEs that would result in the developments not noticeably modifying landscape features.</p>	<p>Similar to Alt. B; however, more effects to visual resources would occur due to the increased number of water developments that would be constructed.</p>	<p>Effects would be between those described for Alt. B and C, though with effect to visual resources caused by fence removal and construction.</p>	<p>Same as Alt. D.</p>	<p>Same as the No Action Alternative.</p>	<p>Same as the No Action Alternative.</p>

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<p>14. Work cooperatively with private and community groups and local government, Burns Paiute tribal, or other tribal governments to provide for customary uses consistent with other resource objectives and to sustain or improve local economies. Maintain, and promote the cultural, economic, ecological, and social health of the Steens Mountain Area (Social and Economic Values, RMP-46).</p>	<p>Spring protection will allow the ecological health of the Steens Mountain Area to be improved, while PDEs and the continuation of grazing will protect the cultural/social health. The economic health of the area will continue as it has been over the last decade. All customary uses will be sustained. Actions taken will be the result of numerous cooperative discussions.</p>	<p>No action as a result of cooperative discussions would occur. There would be no improvement in ecological condition and degraded areas would remain degraded. The economic health of the area would continue as it has been over the last decade. All customary uses would be sustained.</p>	<p>Similar to the Final Decision only the ability to properly manage grazing within the allotment due to the increase in water developments would further increase the ecological health of the area, while construction of developments would improve the economic health of the area.</p>	<p>Similar to Alt. B only increased due to the increase in water developments.</p>	<p>Similar to Alt. B, with some decreased improvement due to location of water developments limiting benefits associated with improved livestock distribution.</p>	<p>Similar to Alt. D, only with less improvement in ecological health since location of water developments would further limit benefits associated with improved livestock distribution.</p>	<p>The reduction in grazing would result in a decrease in cultural/social and economic health of the area. Ecological improvement would be limited since springs would not be protected and more fine fuels would accumulate.</p>	<p>Similar to Alt. F only with a greater loss to the cultural/social and economic health of the area.</p>

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<p>15. Maintain a thriving natural ecological balance within HMAs. Maintain/improve year-round water sources to sustain wild horse herds (Wild Horses and Burros, RMP-50).</p>	<p>As maintenance of existing water sources will continue as currently authorized, these areas will continue to provide water for wild horses. In drought year, year-round water sources may still be limited, but the risk is decreased due to the construction of a well and trough. Spring protection will promote ecological balance in these areas, but they will no longer provide water to wild horses. This will slightly increase congregation at remaining water sources, especially late in the year when water is limited.</p>	<p>No ecological benefit would occur since springs would not be protected. All current water sources would continue to be accessible to wild horses.</p>	<p>Year-round, reliable water would be developed resulting in a decreased risk of wild horses running out of water during drought years. Distribution would be improved since wild horses would have more options for water late in the year and large numbers congregating at any given water source would be reduced. This improved distribution, increase in use areas, and protection of springs would result in a thriving ecological balance within the HMA</p>	<p>Similar to Alt. B but the benefits would be increased since more water developments would be constructed, providing additional reliable water sources.</p>	<p>Similar to Alt. C only with fewer benefits since fewer developments would be constructed and development location would limit distribution.</p>	<p>Same as Alt. D.</p>	<p>Same as the No Action Alternative.</p>	<p>Same as the No Action Alternative.</p>

Resource Objectives	Final Decision	Alt. A: No Action	Alt. B: Proposed Action	Alt. C: Maximum Water Dev.	Alt. D: Along Road Dev.	Alt. E: Edge Dev.	Alt. F: Reduced Grazing w/ No Dev.	Alt. G: Complete Removal of Livestock Grazing
<p>16. Provide for a sustained level of livestock grazing in the CMPA, while meeting resource objectives and requirements for the S&Gs. Implement administrative solutions and rangeland projects to provide proper management for livestock grazing while meeting resource objectives and requirements for S&Gs (Grazing Management, RMP-53).</p>	<p>Spring protection and grazing management will result in the allotment achieving S&Gs, or eliminating livestock as a causal factor. Grazing will continue to occur as it has in the past decade, with the ability of the permittee to utilize all permitted AUMs regularly limited due to the lack of late-season water and limited use areas. Moving the fenceline may provide for improved management of the Home Creek Pasture, ensuring S&Gs continue to be achieved. Removal of water sources from this Pasture may result in livestock increasing pressure on Home Creek, moving it away from PFC. Monitoring and adaptive management will</p>	<p>No spring protection or other developments would occur to move the allotment towards fully achieving S&Gs. Grazing would continue to occur as it has in the past decade, with the ability of the permittee to utilize all permitted AUMs regularly limited due to the lack of late-season water. A sustained level of livestock grazing would not occur as grazing would be very variable and dependent on availability of water.</p>	<p>Spring protection and grazing management would result in S&Gs being achieved, or at a minimum removing livestock as a causal factor. The new water developments would provide for improved livestock distribution and grazing management across the allotment, providing late-season reliable water and ensuring that they permitted AUMs are able to be sustained except in years of extreme drought.</p>	<p>Similar to Alt. B only the number of new water developments, including numerous wells, would result in the permitted AUMs being sustainable in all years, even those of extreme drought. Also, the additional developments would further improve distribution within the allotment.</p>	<p>Similar to Alt. B, but less since the location of new water developments would limit the distribution of livestock.</p>	<p>Same as Alt. D.</p>	<p>Similar to No Action Alternative, only the reduced number of AUMs permitted would be regularly sustainable and the ability to take full use would not be as dependent on the availability of water since less water would be required by livestock.</p>	<p>No sustainable livestock grazing would be provided for. Since no spring protection would occur, S&Gs would continue to not be achieved; only wild horses and juniper would be causal factors.</p>

Resource Objectives	Final Decision	Alt. A: No Action	Alt. B: Proposed Action	Alt. C: Maximum Water Dev.	Alt. D: Along Road Dev.	Alt. E: Edge Dev.	Alt. F: Reduced Grazing w/ No Dev.	Alt. G: Complete Removal of Livestock Grazing
	<p>be able to determine if and limit or prevent long-term damage from occurring in along Home Creek. A sustained level of livestock grazing will not occur as grazing will be very variable and dependent on availability of water.</p>							

Resource Objectives	Final Decision	Alt. A: No Action	Alt. B: Proposed Action	Alt. C: Maximum Water Dev.	Alt. D: Along Road Dev.	Alt. E: Edge Dev.	Alt. F: Reduced Grazing w/ No Dev.	Alt. G: Complete Removal of Livestock Grazing
<p>17. Manage public visitation in the wilderness to provide outstanding opportunities for solitude, primitive and unconfined recreation, naturalness, and other features including ecological, geological, scientific, educational, scenic and historic (Wilderness, RMP-73).</p>	<p>Spring protection will allow the ecological condition of those areas to improve, resulting in an increase in the appearance of naturalness. The relocation of the fenceline from within WSAs will also increase naturalness in these areas. The affect to naturalness by the construction of protection fences will be negated by the overall improvements.</p>	<p>Not affected by this alternative.</p>	<p>Visitors may have a feeling of reduced wilderness characteristics during construction, but would return to pre-construction levels after completion. The ability to improve livestock distribution throughout the allotment would improve ecological conditions, and increase naturalness. Spring protection would also increase naturalness at these locations. While naturalness would be slightly decreased in the area of development, it is not expected that this decrease would be substantially noticeable by the casual observer.</p>	<p>Similar to Alt. B; however, the large number of developments would have a greater cumulative impact on naturalness which may result in effects being noticeable by the casual observer.</p>	<p>Similar to the Final Decision; however, the benefit from fence relocation would be reduced since only a portion of the fence within WSAs would be relocated. However, additional water developments would result in an improvement in distribution and ecological condition, but this would be limited by the location of the developments. The location of developments along roads would make these developments more visible to the casual observer and may result in decreased feelings of naturalness.</p>	<p>Similar to Alt. D, only the location of developments would be along the edge of WSAs and would not be as effective and improving distribution and providing the associated ecological benefits.</p>	<p>Not affected by this alternative.</p>	<p>Visitors to the allotment may have increased feelings of solitude since there would be no activities related to grazing management occurring. No other affects would occur.</p>

Resource Objectives	Final Decision	Alt. A: No Action	Alt. B: Proposed Action	Alt. C: Maximum Water Dev.	Alt. D: Along Road Dev.	Alt. E: Edge Dev.	Alt. F: Reduced Grazing w/ No Dev.	Alt. G: Complete Removal of Livestock Grazing
18. Manage livestock grazing in wilderness under the stipulations of the Congressional Grazing Guidelines (HR 101-405 Appendix A) (Wilderness, RMP-75).	This alternative will comply with the guidelines.	Same as the Final Decision.	Same as the Final Decision.	Same as the Final Decision.	Same as the Final Decision.	Same as the Final Decision.	This alternative would not meet the objective as the reduction in AUMs would not meet the purpose and need and is not required in order to fully achieve S&Gs, or at a minimum to remove livestock as a causal factor in not achieving them.	Same as Alt. F.
19. Manage existing WSAs so as not to impair their suitability for preservation as wilderness (WSAs and Parcels with Wilderness Characteristics, RMP-80).	No actions will impair WSA suitability for preservation wilderness. Spring protection and fence relocation will provide for better management, improved ecological condition, and overall increased naturalness.	No changes to WSAs would occur.	While naturalness would be slightly affected within some of the WSAs, the decrease in naturalness would not be substantial enough to make the areas unsuitable for designation as wilderness. There would be an increase in naturalness associated with the improved ecological conditions due to improved distribution.	Similar to Alt. B but naturalness would be affected to a larger degree due to the increased number of developments. While there is no threshold for when a WSA would become unsuitable for wilderness designation, the total area of WSA affected by developments would be expected to be near the limit for some of the WSAs within the allotment.	Similar to Alt. C, but overall slightly less since fewer developments would be constructed.	Same as Alt. D.	Same as the No Action Alternative.	Same as the No Action Alternative.
August 2005 AMU and Steens Mountain CMPA RMP/ROD Appendix J – Allotment Management Summaries, J-10								

Resource Objectives	Final Decision	Alt. A: No Action	Alt. B: Proposed Action	Alt. C: Maximum Water Dev.	Alt. D: Along Road Dev.	Alt. E: Edge Dev.	Alt. F: Reduced Grazing w/ No Dev.	Alt. G: Complete Removal of Livestock Grazing
20. Improve the ecological condition of upland vegetation communities.	Improved grazing management will allow for ecological conditions to be maintained or improved.	No changes would occur to the ecological condition.	Ecological condition would be improved by improved grazing management and water development which would allow for improved livestock distribution.	Similar to Alt. B only greater since more water developments would allow for improved distribution and management.	Similar to Alt. B but slightly less since the location of developments would limit distribution and associated benefits.	Similar to Alt. D but less since development locations are even more limiting.	Similar to the No Action Alternative. However, fuel accumulation could reduce ecological benefits and increase the risk of catastrophic wildfire.	Similar to the No Action Alternative except no vegetation would be removed by livestock at any time of year, which may result in some ecological benefit as grasses may be allowed to complete reproduction cycles annually. However, fuel accumulation could reduce ecological benefits and increase the risk of catastrophic wildfire. The benefit would be reduced since wild horses would still be present within the allotment.
21. Maintain the ecological condition of upland vegetation communities.	See #20 above.	See #20 above.	See #20 above.	See #20 above.	See #20 above.	See #20 above.	See #20 above.	See #20 above.

Resource Objectives	Final Decision	Alt. A: No Action	Alt. B: Proposed Action	Alt. C: Maximum Water Dev.	Alt. D: Along Road Dev.	Alt. E: Edge Dev.	Alt. F: Reduced Grazing w/ No Dev.	Alt. G: Complete Removal of Livestock Grazing
<p>22. Maintain/improve the condition of riparian vegetation communities.</p>	<p>Spring protection will improve riparian communities in these areas. Relocation of the fence will also allow for improved management of Home Creek which may improve riparian condition in that area. However, removal of water sources in Home Creek Pasture due to fence relocation may result in livestock increasing pressure along the riparian area, which may move it away from PFC. Monitoring will ensure no long-term negative effects occur to the Home Creek Riparian area following fence relocation.</p>	<p>Riparian condition would continue to be degraded around unprotected springs. The riparian community along Home Creek would be maintained.</p>	<p>Similar to the Final Decision, only the riparian community along Home Creek would be affected by relocation of the fenceline.</p>	<p>Same as Alt. B.</p>	<p>Same as Alt. B.</p>	<p>Same as the Final Decision.</p>	<p>Same as the No Action Alternative.</p>	<p>Similar to the No Action Alternative, but the riparian area along home creek and some springs may slightly improve since livestock would no longer graze it. Since wild horses would still graze these areas the benefit would be reduced, especially in the more common congregation areas around springs.</p>
<p>August 2005 AMU and Steens Mountain CMPA RMP/ROD Appendix P - Steens Mountain Wilderness and WSR Plan</p>								

Resource Objectives	Final Decision	Alt. A: No Action	Alt. B: Proposed Action	Alt. C: Maximum Water Dev.	Alt. D: Along Road Dev.	Alt. E: Edge Dev.	Alt. F: Reduced Grazing w/ No Dev.	Alt. G: Complete Removal of Livestock Grazing
<p>23. To maintain or improve ground water recharge and holding capacity of riparian/wetland areas to maintain or increase base flow conditions of water sources (streams and springs) (Water Resources, P-30).</p>	<p>Moving the fence may limit the ability of livestock to enter Home Creek since draw to that area will be reduced due to fewer reservoirs. This will allow for improved conditions along the creek. However, there is potential livestock will increase their preference for the riparian area since it is the only water source in the south end of the pasture. This may move the area away from PFC. Monitoring will ensure no long-term damage occurs. Conditions at springs will be improved.</p>	<p>No affect.</p>	<p>Protection would improve conditions at springs.</p>	<p>Same as Alt. B.</p>	<p>Same as Alt. B.</p>	<p>Same as the Final Decision.</p>	<p>No affect.</p>	<p>No affect.</p>

Resource Objectives	Final Decision	Alt. A: No Action	Alt. B: Proposed Action	Alt. C: Maximum Water Dev.	Alt. D: Along Road Dev.	Alt. E: Edge Dev.	Alt. F: Reduced Grazing w/ No Dev.	Alt. G: Complete Removal of Livestock Grazing
24. To manage soils to maintain, restore, or improve soil erosion classes, watershed health, and areas of fragile soils (Soils and Biological Soil Crusts, P-31).	See #23.	See #23.	See #23.	See #23.	See #23.	See #23.	See #23.	See #23.
25. Maintain or restore ecological status of native plant communities. Increase species and structural diversity at the plant community and landscape levels in the big sagebrush communities. Provide multiple successional stages within the landscape (Vegetation, P-35).	See #9, #10, #14, #20, and #22.	See #9, #10, #14, #20, and #22.	See #9, #10, #14, #20, and #22.	See #9, #10, #14, #20, and #22.	See #9, #10, #14, #20, and #22.			

Resource Objectives	Final Decision	Alt. A: No Action	Alt. B: Proposed Action	Alt. C: Maximum Water Dev.	Alt. D: Along Road Dev.	Alt. E: Edge Dev.	Alt. F: Reduced Grazing w/ No Dev.	Alt. G: Complete Removal of Livestock Grazing
26. To maintain, restore, or improve riparian/wetland vegetation communities toward an advanced ecological status condition at the reach or scale relative to wilderness management and other resource specific management objectives (Vegetation, P-36).	See #8, #22 and #23.	See #8, #22 and #23.	See #8, #22 and #23.	See #8, #22 and #23.	See #8, #22 and #23.			
27. To maintain, restore, or improve SSS habitats. To conserve animal SSS and the ecosystems on which they depend (Fish, P-41).	See #7, #8, #11, #12, and #22.	See #7, #8, #11, #12, and #22.	See #7, #8, #11, #12, and #22.	See #7, #8, #11, #12, and #22.	See #7, #8, #11, #12, and #22.			

Resource Objectives	Final Decision	Alt. A: No Action	Alt. B: Proposed Action	Alt. C: Maximum Water Dev.	Alt. D: Along Road Dev.	Alt. E: Edge Dev.	Alt. F: Reduced Grazing w/ No Dev.	Alt. G: Complete Removal of Livestock Grazing
28. To continue cooperation and coordination with other State and Federal agencies on the management of wildlife, wildlife habitat, and protection of the character of the wilderness and WSRs. To manage forage protection to support wildlife population levels identified by ODFW, while minimizing effects to wilderness resources (Wildlife, P-42).	Cooperation and coordination will continue to occur.	Cooperation and coordination will continue to occur.	Cooperation and coordination will continue to occur.	Cooperation and coordination will continue to occur.	Cooperation and coordination will continue to occur.	Cooperation and coordination will continue to occur.	Cooperation and coordination will continue to occur.	Cooperation and coordination will continue to occur.
29. To protect, maintain, enhance, or restore visual resources by managing all BLM-managed lands in Wilderness and WSR corridors in accordance with VRM Class I objectives (Visual Resources, P-47).	No changes will affect visual resources within the wilderness or WSR corridor because no range improvements will be constructed in those areas.	Same as Final Decision.	Watergaps that would be constructed in the wilderness and the WSR corridor would have an effect on visual resources in those areas.	Same as Final Decision.	Same as Final Decision.			

Resource Objectives	Final Decision	Alt. A: No Action	Alt. B: Proposed Action	Alt. C: Maximum Water Dev.	Alt. D: Along Road Dev.	Alt. E: Edge Dev.	Alt. F: Reduced Grazing w/ No Dev.	Alt. G: Complete Removal of Livestock Grazing
30. To maintain a thriving natural ecological balance within the HMA. To maintain / improve year-round water sources to sustain the wild horse herd (Wild Horses, P-49).	See #15.	See #15.	See #15.	See #15.	See #15.	See #15.	See #15.	See #15.
31. Provide for a sustained level of livestock grazing in Steens Mountain Wilderness, while providing for S&Gs for Public Lands in Oregon and Washington, as described in the CMPA RMP. Implement administrative solutions and rangeland projects to provide proper management for livestock grazing while meeting resource objectives and requirements for S&Gs (Grazing, P-53).	See #16.	See #16.	See #16.	See #16.	See #16.	See #16.	See #16.	See #16.
1995 South Steens Wild Horse HMA Plan Update								

Resource Objectives	Final Decision	Alt. A: No Action	Alt. B: Proposed Action	Alt. C: Maximum Water Dev.	Alt. D: Along Road Dev.	Alt. E: Edge Dev.	Alt. F: Reduced Grazing w/ No Dev.	Alt. G: Complete Removal of Livestock Grazing
<p>32. Manage wild horse populations at an AML of between 159 and 304 animals to maintain a thriving natural ecological balance within the HMA. Provide adequate quality forage for 3,648 AUMs of wild horse use. Wild horses will be managed in a manner that maintains satisfactory riparian condition and improves riparian conditions where less than satisfactory condition exists (1995 South Steens Wild Horse HMA Plan Update, <i>In</i>: 1995 South Steens AMP, Appendix E Pg. 74).</p>	<p>Allocated AUMs will be available for wild horse use. Spring protection will allow wild horses to be excluded from riparian areas, improving riparian condition. Management of wild horses within the AML is outside the scope of this document. When wild horses are over the AML and require increased AUMs, they may not be available. Late-season reliable water may be lacking for wild horses, especially in drought years, but risk will be slightly decreased due to the construction of one well and trough.</p>	<p>Similar to the Final Decision only riparian areas would not improve in condition and no new reliable water would be developed.</p>	<p>Similar to the Final Decision only water would not be as likely to be lacking in drought years due to constructed water developments, improving habitat.</p>	<p>Similar to the Alt. B only with improved habitat due to multiple constructed water developments.</p>	<p>Similar to Alt. C only with fewer constructed water developments.</p>	<p>Similar to Alt. B only with improved habitat due to watergaps along Donner und Blitzen River which would provide year-round water.</p>	<p>Same as the No Action Alternative.</p>	<p>Same as the No Action Alternative.</p>

RIGHT OF APPEAL

Any applicant, permittee, lessee or other person whose interest is adversely affected by the Final Decision may file an appeal of the decision. An appellant may also file a petition for stay of the decision pending final determination on appeal. The appeal and petition for stay must be filed in the office of the authorized officer, in person or in writing to Rhonda Karges, Andrews/Steens Resource Area Field Manager, Bureau of Land Management, Burns District Office, 28910 Hwy 20 West, Hines, Oregon 97738, within 30 days following receipt of the Final Decision. The petition for a stay and a copy of the appeal must also be filed with the Office of Hearings and Appeals at the following address:

United States Department of the Interior
Office of Hearings and Appeals
351 South West Temple, Suite 6.300
Salt Lake City, Utah 84101

The appeal must be in writing and shall state the reasons, clearly and concisely, why the appellant thinks the Final Decision is in error and also must comply with the provisions of 43 CFR 4.470. The appellant must also serve a copy of the appeal by certified mail on the Office of the Solicitor, U.S. Department of the Interior, 805 SW Broadway, Suite 600, Portland, Oregon 97205, and person(s) named [43 CFR 4.421 (h)] in the Copies sent to: section of this Decision.

A petition for stay, if filed, shall show sufficient justification based on the following standards (43 CFR 4.21(b)).

- (1) The relative harm to the parties if the stay is granted or denied.
- (2) The likelihood of the appellant's success on the merits.
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

As noted above, the petition for stay must be filed in the office of the authorized officer.

A notice of appeal and/or request for stay electronically transmitted (e.g., email, facsimile, or social media) will not be accepted. A notice of appeal and/or request for stay must be on paper.


Rhonda Karges
Andrews/Steens Resource Area Field Manager


Date

Attachment

Copies Sent To (by certified mail):

The Honorable Steven E. Grasty (CM# 7010 1870 0002 7993 1924)
Harney County Courthouse
450 N. Buena Vista #5
Burns, Oregon 97720

Oregon Department of Fish and Wildlife (CM# 7010 1870 0002 7993 1931)
P.O. Box 8
Hines, Oregon 97738

Burns Paiute Tribe (CM# 7010 1870 0002 7993 1948)
100 Pasigo Street
Burns, Oregon 97720

Stacy Davies (CM# 7010 1870 0002 7993 1955)
Roaring Springs Ranch, Inc.
31433 Hwy 205
Frenchglen, Oregon 97736

Fred Otley (CM# 7010 1870 0002 7993 1962)
Otley Brothers, Inc.
20926 S. Diamond Lane
Diamond, Oregon 97722

Daniel Ekblaw (CM# 7010 1870 0002 7993 1979)
Casilla 1240
Valdivia XIV Region
Chile

The Cloud Foundation (CM# 7010 1870 0002 7993 1986)
107 S. 7th Street
Colorado Springs, Colorado 80905

Oregon Natural Desert Association (CM# 7010 1870 0002 7993 1993)
50 SW Bond, Suite 4
Bend, Oregon 97702

Oregon Natural Desert Association (CM# 7010 1870 0002 7993 2006)
917 SW Oak Street, Suite 419
Portland, Oregon 97205

Western Watersheds Project (CM# 7010 1870 0002 7993 2013)
P.O. Box 1602
Hailey, Idaho 83333

Western Watersheds Project (CM# 7010 1870 0002 7993 2020)
126 NE Alberta Street, Suite 208
Portland, Oregon 97219

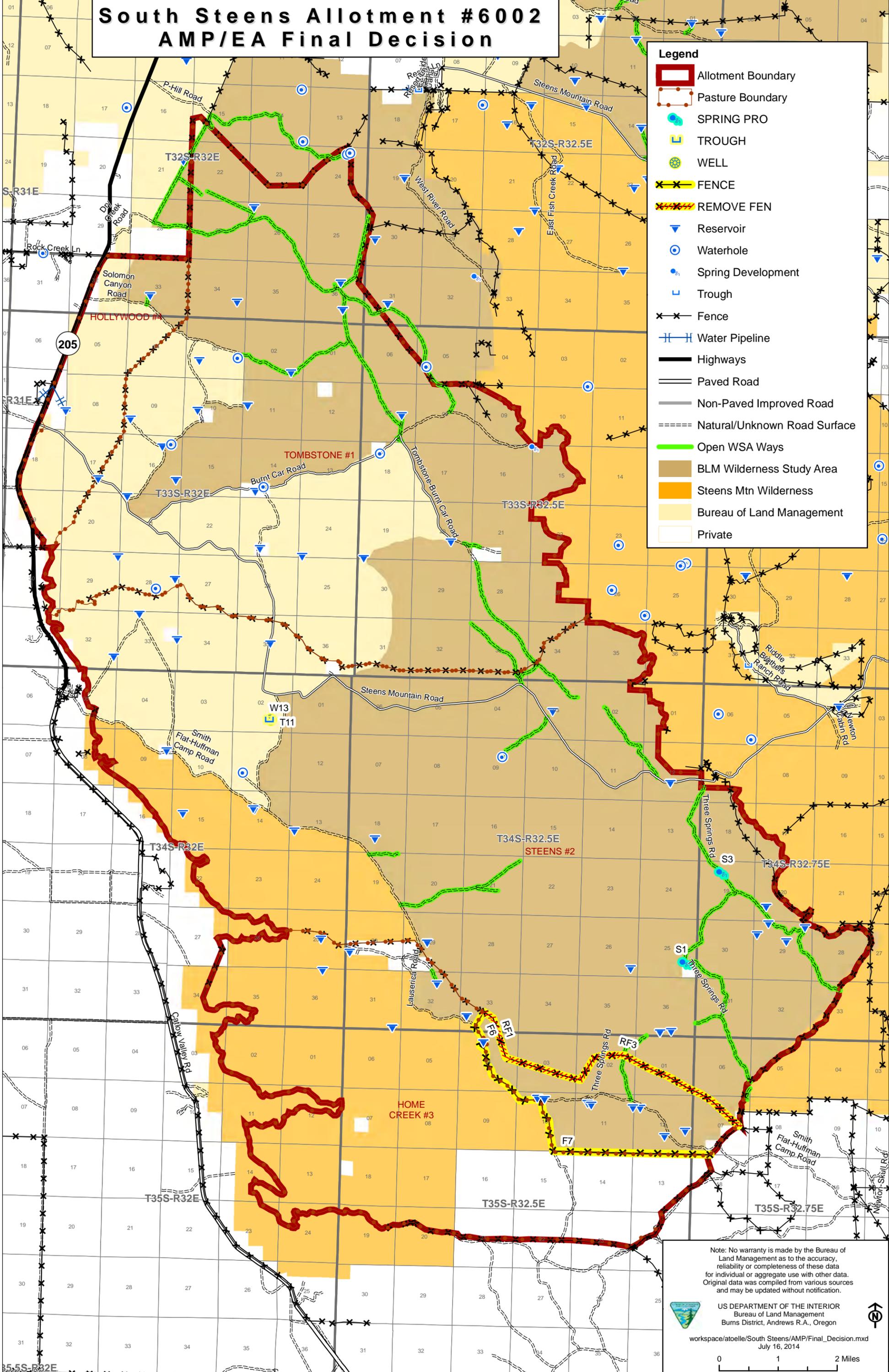
George Wuerthner (CM# 7010 1870 0002 7993 2037)
Western Watersheds Project
P.O. Box 8359
Bend, Oregon 97708

ATOELLE:md 05/29/14:ANDREWS

South Steens Allotment #6002 AMP/EA Final Decision

Legend

- Allotment Boundary
- Pasture Boundary
- SPRING PRO
- TROUGH
- WELL
- FENCE
- REMOVE FEN
- Reservoir
- Waterhole
- Spring Development
- Trough
- Fence
- Water Pipeline
- Highways
- Paved Road
- Non-Paved Improved Road
- Natural/Unknown Road Surface
- Open WSA Ways
- BLM Wilderness Study Area
- Steens Mtn Wilderness
- Bureau of Land Management
- Private



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.

US DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Burns District, Andrews R.A., Oregon

workspace/atoelle/South Steens/AMP/Final_Decision.mxd
July 16, 2014

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**USDI, Bureau of Land Management
Andrews/Steens Resource Area, Burns District**

**Bureau of Land Management Response to Protest Rationale Filed on South Steens
Allotment Management Plan/Environmental Assessment #OR-06-027-060**

Two Protests were received on the South Steens Allotment Management Plan (AMP) / Environmental Assessment (EA) Proposed Decision dated May 30, 2014. One protest was filed by Western Watersheds Project (WWP). The Proposed Decision was received by WWP on June 6, 2014 and WWP's protest was received by the Bureau of Land Management (BLM) on June 19, 2014. The WWP's protest is therefore considered timely. The second protest was received by Harney County Court on June 20, 2014. The Harney County Court's protest was not filed in a timely manner. The Court received the Proposed Decision on June 2, 2014 and BLM did not receive the protest until June 20, 2014, which was three days after the 15-day protest period had expired. Regardless, we have addressed Harney County Court's protest points since a timely protest was filed by WWP and a Final Decision needs to be issued. Prior to issuing this Final Decision, BLM considered the protest points and prepared a written response to each individual point. Below you will find the Bureau of Land Management (BLM) responses to protest points.

Protest Point 1 (WWP): Increase of actual grazing despite violations of rangeland health standards.

The WWP protests that continuing to authorize livestock grazing at the currently permitted level of 9,577 AUMs is actually an increase in grazing since recent actual use has not exceeded 7,875 AUMs. If current use (less than permitted) is resulting in Rangeland Health Standards not being achieved, then permitted AUMs need to be reduced to allow Rangeland Health Standards to be achieved and to be consistent with the current availability of water within the allotment.

BLM Response 1: The Proposed Decision to continue grazing at the current permitted level of 9,577 AUMs will not increase grazing. While recent actual use has been less than permitted, this was due to many different circumstances including drought, prescribed fire, and non-resource related issues, as well as limited water availability. The large range (2,046-7,875 AUMs) in actual use over the past ten years shows that different factors affect the use in any given year. The BLM believes that in some years, conditions may allow for full use to be taken. Livestock grazing will continue to be monitored and follow a utilization maximum of 50% on native vegetation that will require livestock to be removed when utilization (livestock and wild horse) reaches that level, even if full use of authorized AUMs has not been taken. This limitation on utilization requires livestock to be removed when this threshold is hit, even if permitted AUMs have not been used; therefore, acting as a check and balance to ensure AUMs are not over-allocated and long-term ecological damage does not occur even in years of low production or drought. Under the Proposed Decision, actual use will continue to fluctuate annually based on all terms and conditions. While there will be one water development, the location of this development makes it unlikely the livestock use area will be expanded within the South Steens Allotment because the well will be located in an area of the allotment where use is not limited by water availability. Therefore, livestock grazing will continue as analyzed within the EA under the No Action Alternative.

The two Rangeland Health Standards not currently being achieved are limited to small riparian areas associated with two springs. The Proposed Decision included actions that will address the issue of over-grazing by wild horses and livestock in these areas by constructing enclosure fences around them, completely excluding all livestock and wild horses. Simply reducing livestock grazing will not result in these Standards being achieved as wild horses are also a factor for non-achievement. With respect to reducing stocking rates to address overuse of small riparian areas in large pastures, BLM TR 1737-20 states: “Reducing stocking rates may reduce the percentage of area in unsatisfactory condition, but impacts around the foci of highly used areas (e.g., riparian areas or other water) will remain the same until few, if any, animals remain.” Due to the presence of wild horses within the allotment, any reduction in livestock AUMs will not be sufficient to meet the Standards at these sites. On all other areas of the allotment, all Standards are currently being achieved under current livestock grazing management. Therefore, BLM believes Standards will continue to be achieved if the same limitations to grazing are continued. See BLM Response to Comments 10 and 11 in Appendix E of the EA.

Protest Point 2 (WWP): Lack of mandatory residual grass height standard necessary to meet Greater Sage-Grouse nesting and security needs. WWP protests the lack of a seven-inch residual vegetation standard in Greater Sage-Grouse habitat. According to the scientific literature, vegetation heights of greater than seven inches are necessary for successful Greater Sage-Grouse nesting. BLM’s IM-2012-043 directs BLM to manage grazing to ensure residual vegetation height appropriate for Greater Sage-Grouse habitat needs. IM-2012-043 also directs BLM to use Stiver et al. (2010) Habitat Assessment Framework (HAF) which includes a nesting habitat parameter of at least seven inches residual grass cover. BLM’s utilization maximum of 50% does not measure residual vegetation height.

BLM Response 2: France et al. (2008) found on more arid sites sagebrush cover provides the bulk of screening cover (for wildlife including Greater Sage-Grouse), which is contradictory to other research (Connelly et al. 1991; Delong et al. 1995; Sveum et al. 1998) that emphasizes the role of herbaceous cover for screening. While some research does suggest that one characteristic of a successful nest site is grass/forb cover of over seven inches, this research focuses on the area immediately adjacent to the nest site, located under a shrub. While the utilization method used by the BLM does not include grass height measurements, it does consider the amount of use occurring under the shrub canopy. France et al. (2008) found with light utilization levels, less than 10% of the key forage species under the shrub canopy have been grazed and under moderate utilization less than 15% have been grazed. Moderate utilization is considered 41-60% use. As the BLM has a utilization maximum of 50% for native rangelands, as long as moderate utilization is not exceeded, research suggests at least 85% of grasses found under the shrub canopy will remain at the maximum height allowed by current ecological conditions, and provide sufficient cover for Greater Sage-Grouse nesting.

BLM IM 2012-043 Greater Sage-Grouse Interim Management Policies and Procedures has the following to say about livestock grazing: “Grazing can have localized adverse effects on Greater Sage-Grouse habitat depending on the condition of the habitat and the grazing practices used.” This IM also recognizes that appropriate livestock grazing can be compatible with Greater Sage-Grouse habitat needs:

Depending on design and application, grazing practices can also be used as a tool to protect intact sagebrush habitat and increase habitat extent and continuity which is beneficial to Greater Sage-Grouse and its habitat. Given the potential financial constraints in addressing the primary threats identified by the [US]FWS, enhanced management of livestock grazing may be the most cost-effective opportunity in many instances to improve Greater Sage-Grouse habitat on public lands.

BLM IM 2012-043 directs BLM offices to:

- Complete habitat inventories/assessments using the Sage-Grouse Habitat Assessment Framework in a timely manner so that data are available for consideration in livestock grazing permit renewals and other management decisions.
- Incorporate available site information collected using the *Sage-Grouse Habitat Assessment Framework* when evaluating existing resource condition and developing resource solutions.
- Incorporate management practices that will provide for adequate residual plant cover (e.g., residual grass height) and diversity in the understories of sagebrush plant communities as part of viable alternatives. When addressing residual cover and species diversity, refer to the ESD [Ecological Site Description] and “*State and Transition Model*,” where they are available, to guide the analysis.

This IM specifically states to “refer to the ESD and ‘*State and Transition Model*’ where they are applicable, to guide analysis” when addressing residual cover and species diversity. The Greater Sage-Grouse Habitat Assessment Framework is not required to determine if adequate residual grass height is present within the allotment. The BLM considers ESD and State and Transition Models when completing monitoring activities. This is important because ecological and climatic variations can result in the same species having different growth patterns in different areas. For instance, a grass plant in areas of high precipitation can be over 12 inches tall while the same species in a lower precipitation area can have a height that is less than seven inches tall. Use of ESD and specific site characteristics allow the BLM to compare monitoring data to vegetation characteristics appropriate on the site.

While the HAF (Stiver et al. 2010) does include a perennial grass and forb height indicator, with the habitat characteristic of greater than or equal to seven inches being the average maximum heights in land cover type (Stiver et al. 2010 Table II-4), this is only one indicator considered in determining habitat suitability. On Page II-15 (Stiver et al. 2010) the following descriptors for habitat suitability are provided.

Suitable: Seasonal habitat has preponderance of sagebrush cover types with sufficient shrub and herbaceous cover to protect sage-grouse from predators and weather and successfully raise young. Food resources are present or in close proximity to cover.

Marginal: Seasonal habitat has preponderance sagebrush cover types with sparse shrub and/or herbaceous cover that do not provide the shelter needs for protection from predators and weather. Food resources are present but are either not at levels expected for ecological site potential or not in close proximity.

Unsuitable: Seasonal habitat has preponderance of land cover types that do not provide sufficient cover or food resources to meet the life requisite needs though there is potential to meet them in the future.

Notice these definitions do not include specific requirements to be met, but allow for evaluation based on multiple indicators. On page II-25 they state, “Individual indicator values cannot be used independently to describe habitat; site suitability is described using all of the appropriate indicators” (Stiver et al. 2010). The HAF recognizes that “individual indicator values do not define site suitability and that overall site suitability descriptions require an interpretation of the relationships between the indicators and other factors. Professional expertise and judgment are required for these steps” (Stiver et al. 2010 Page II-25).

The Greater Sage-Grouse Conservation Assessment and Strategy for Oregon (further referred to as the Oregon Strategy; Hagen 2011) has an action item to:

Promote vegetation that supports nesting, brood-rearing, and winter habitats including maintenance or recovery of shrub and herbaceous (native grasses and forbs) cover. Retain residual cover adequate to conceal Greater Sage-Grouse nests and broods from predation, and plant communities that provide a diversity of plant and insect food sources.

Neither the USFWS 12-month Finding, IM-2012-043, Oregon Strategy, or the Habitat Assessment Framework specifically require a residual vegetation height of greater than seven inches, but all focus on the importance of adequate residual vegetation. As explained above, current monitoring activities are sufficient to ensure adequate residual vegetative cover is, and remains, present within the allotment without relying on just one, specific indicator suggesting a residual vegetation height of seven inches.

Protest Point 3 (WWP): Lack of protective standards for riparian areas; specifically, residual stubble height and percentage of allowable bank alteration. WWP protests the lack of protective standards for riparian areas. Under BLM’s proposed use standards, livestock may graze 50% of riparian vegetation, and trampling along streams is not limited. This is likely to result in areas of highly degraded riparian habitat and is not sufficiently protective of riparian areas, provides for wildlife or water quality, and is deficient with respect to protection of redband trout. Mandatory, measurable, objective use standards such as stubble height and percentage of bank alteration should be required.

BLM Response 3: The Rangeland Health Standards determination documents only two small spring riparian areas are not meeting the riparian and water quality Standards. The Proposed Decision removes grazing from these two small areas by fencing. The BLM expects these two areas to make significant progress towards achieving the riparian and water quality Standards; therefore, the BLM sees no need to modify livestock grazing terms and conditions within riparian areas. The BLM currently does riparian monitoring, including photo monitoring, trend monitoring, Proper Functioning Condition, greenline assessments, shade and temperature monitoring, flow data, and riparian inventory. Additional monitoring techniques will be applied if BLM determines there is a need. The BLM believes our proposed management and current

monitoring is sufficient to adequately protect riparian areas, prevent degradation, maintain adequate water quality, and provide for wildlife, including redband trout. See BLM Response to Comments 56 and 57 in Appendix E of the EA for more discussion on water quality.

Protest Point 4 (WWP): Grazing during critical Greater Sage-Grouse periods. WWP protests the significant overlap of grazing with the Greater Sage-Grouse breeding and nesting seasons. Livestock may directly conflict with breeding birds by flushing and displacing grouse, trampling, and depredating nests. Recent research concluded that Greater Sage-Grouse are more stressed when livestock are present. Livestock also directly compete for forbs and grasses. In order to avoid conflicts with sage-grouse, grazing should be avoided from lekking through nesting season.

BLM Response 4: Anderson and McCuistion (2008) found grazing management, when upland birds are present, should be flexible, but limited to a light to moderate use (30-50% utilization), using deferred or rest-rotation grazing to limit grazing disturbances during critical bird life stages such as nesting. They concluded light to moderate use can increase forb quality and quantity since grazing can delay the maturation of forbs, extending their availability throughout the growing season (Anderson and McCuistion 2008). Adams et al. (2004) suggests grazing encourages the height and cover of sagebrush and other native species during nesting seasons, and light grazing is used to create patches in the vegetation, increasing the herbage of species preferred by Greater Sage-Grouse, especially during nesting and brood-rearing. Greater Sage-Grouse often prefer the lightly grazed areas and desired grazing intensity should be light to moderate to meet their needs for litter and cover (Adams et al. 2004). As long as utilization standards are being met, there should be no detrimental effects to Greater Sage-Grouse from grazing.

The Oregon Strategy (Hagen 2011) recognizes that appropriate livestock grazing can be compatible with Greater Sage-Grouse habitat needs and has the following conservation guidelines for livestock grazing (pg. 103-104):

- 1) Where livestock grazing management results in a level of forage use (use levels) that is consistent with Resource Management Plans, Allotment Management Plans, Terms and Conditions of Grazing Permits or Leases, other allotment specific direction, and regulations, no changes to use or management are recommended if habitat quality meets Rangeland Health Standard and Guidelines.

The allotment is currently meeting the Standard associated with wildlife habitat. Some research has documented livestock can damage nests (Coates 2007); however, livestock typically walk around shrubs, not through them, which limits the likelihood of nest damage occurring. Coates (2007) also found video evidence of a cow depredating an egg that was displaced from the nest; however, he also acknowledges that though the cow sniffed the other eggs, they were all left intact. The other five cattle-nest encounters all resulted in cattle sniffing eggs, but none were depredated upon (Coates 2007). While this suggests that depredation may occur, it also suggests it is not a preferred food by livestock and is not expected to be common. If livestock did prefer it, Coates should have found more depredations occurring during cattle-nest encounters. Based on this data, cattle depredation is not a common occurrence that needs to be limited by removing

livestock grazing during the nesting period. While Coates (2007) found that livestock may result in nest abandonment, but does not always occur. Depredation by predators (not livestock) is more common, with depredation by common ravens occurring most frequently (Lockyer et al. 2013). While livestock grazing was present during the nesting season in Lockyer's et al. (2013) study, that research documented no depredation of Greater Sage-Grouse nests by livestock.

The BLM analyzed effects of livestock grazing on Greater Sage-Grouse and decided complete livestock removal during these periods is not necessary. The BLM will continue to monitor current research as it relates to Greater Sage-Grouse and livestock grazing and modify management as appropriate.

Protest Point 5 (WWP): Removal of juniper within spring enclosures. WWP protests the removal of juniper within spring areas to be excluded from livestock. Juniper trees provide important wildlife habitat, especially for birds, which congregate around water sources.

BLM Response 5: While the removal of juniper within the constructed spring enclosures is included as part of the Proposed Decision, the BLM currently has the authority to remove juniper within the South Steens Allotment under the North Steens Ecosystem Restoration Project ROD dated September 2007. The BLM agrees juniper trees can provide important habitat for wildlife; however, with the density of juniper trees currently present on the allotment, removal of these trees will not negatively impact the habitat for juniper-dependent species. Juniper removal is expected to increase spring flow, groundwater, and soil moisture at the sites while improving opportunities for riparian vegetation growth and decreasing bare ground, overall improving the ecological integrity at the site. All juniper treatments require that old growth juniper remain on site, which will allow for wildlife habitat.

Protest Point 6 (WWP): Apparent failure to consider most sensitive species. With the exception of bats and Greater Sage-Grouse, BLM does not consider effects to any other special status species that may be present within the allotment, such as pygmy rabbit and sagebrush dependent birds. The EA provides no baseline information on the status of these populations within the allotment, nor any analysis about the effects of the proposed decision on these species. BLM has failed to meet its obligations for managing sensitive species and failed to comply with NEPA.

BLM Response 6: Special status species occurring within the allotment were listed and discussed in the EA. The species mentioned in this protest point are not known to exist within the allotment, according to monitoring and inventories conducted, and as such were not discussed in the EA.

Protest Point 7 (HCC): Range of Alternatives. The EA does not consider a reasonable range of alternatives. The BLM should have considered alternatives that would have increased permitted AUMs.

BLM Response 7: The BLM analyzed a full range of alternatives to meet the Purpose and Need of the document. While many circumstances have resulted in the permittee utilizing fewer than permitted AUMs over the past decade, the availability of water within the allotment has also

been a factor. While the BLM has yet to determine how much this limited water availability is affecting the ability to utilize full permitted AUMs, BLM does not believe increasing AUMs would be a viable alternative. In addition, the permittee did not request an increase in AUMs to be analyzed.

Protest Point 8 (HCC): Wild Horses. BLM should have considered options for reducing wild horse numbers and preventing or reducing wild horse impacts to resources.

BLM Response 8: Management of wild horse populations is not within the scope of the analysis of the EA. However, an EA is currently in progress to manage wild horse numbers within Appropriate Management Level (AML) within South Steens Herd Management Area (HMA). This EA is scheduled to be out for public review in 2014. Managing wild horse numbers within AML is a priority for the BLM Burns District. See BLM Response to Comment 59 in Appendix E of the EA.

Protest Point 9 (HCC): Fence Relocation. The Proposed Decision does not adequately explain or address how the fence relocation is consistent with the purpose and need or how the removal of fencing may negatively impact the permittee or livestock management options in the future. By removing this fence BLM is limiting future options for livestock management.

BLM Response 9: Analysis of how the fence relocation affects livestock management is found in the associated EA pages 87-90. The effects of moving this fence are centered on the redistribution of water developments within pastures of the allotment. However, care was taken with the design of the fence in the Proposed Decision to ensure this redistribution will not result in large modifications to livestock distribution. Maintenance of the fence will become easier due to its new location along a road. The permittee was consulted about and requested this fence relocation.

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