UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Burns District Office
Three Rivers Resource Area

Finding of No Significant Impact
West Wagontire Allotment Tired Horse Butte Fence
Environmental Assessment
OR-08-025-030

INTRODUCTION

The Three Rivers Resource Area, Burns District, has prepared an Environmental Assessment (EA) to analyze the Proposed Action to modify current grazing practices within Tired Horse Pasture by adjusting the timing and distribution of livestock grazing to ensure continuance of achieving Standards for Rangeland Health. Based on utilization records, a need exists to improve livestock distribution and utilization patterns. Currently, the eastern half of Tired Horse Butte Pasture gets more use than the western side. This is due to larger areas of lower elevation, more gradual slopes, and more area with south and west facing aspects allowing for more sunlight.

A division fence, as recommended in the 2003 West Wagontire Allotment Evaluation to address concerns based on the Standards for Rangeland Health and Guidelines for Livestock Management for Oregon and Washington (S&G, August 12, 1997), is needed to implement timing of use and manage livestock distribution and utilization patterns. Though S&Gs were achieved at the time the evaluation was written, a concern was they might not be achieved in the future due to uneven distribution of livestock. This fence was not addressed in the 2005 Allotment Management Plan (AMP). The AMP changed the season of use to winter grazing and created additional sources of water to improve livestock distribution throughout the allotment. While this improved distribution in some areas of the allotment, it had minimal impact in the Tired Horse Butte Pasture.

The proposed fence would increase control over the timing of spring and winter use, allowing management to decrease use on the east side of the Tired Horse Butte Pasture and increase use on the west side of the pasture, which would improve livestock distribution and utilization patterns.

SUMMARY OF THE PROPOSED ACTION

The Proposed Action is to install approximately 4.5 miles of fence in Tired Horse Butte Pasture of West Wagontire Allotment #7004. The fence would begin from the east-west pasture boundary fence between Tired Horse Butte and Chandler Butte Pastures, just west of where the existing fence crosses Sand Hollow Lost Creek Road (beginning in T. 25 S., R. 22 E., Sec. 25, SE¼NE¼). It would then extend north along the west side of Tired Horse Road and end at the northern Tired Horse Butte Pasture boundary fence (ending in T. 25 S., R. 22 E., Sec. 1, NE¼NW ¼). The north end of the fence would veer slightly to the northwest in order to avoid private property. The fence would run between the southern trough filled by Sand Hollow Well and the Tired Horse Road. This would allow the southern trough to service the proposed West Tired Horse Butte Pasture and the northern trough to service the proposed East Tired Horse Butte Pasture. The fence would be constructed in accordance with Bureau Manual 1714. One gate would be needed when the fence crosses Tired Horse Reservoir Road in the center of the pasture (approximately T. 25 S., R. 22 E., Sec. 13, NE¼SE¼). The permittee would construct and maintain the fence and the Bureau of Land Management would provide materials. This would be documented in a Cooperative Agreement developed for the proposed rangeland improvement. Construction of the fence would not occur from March to May in order to reduce possible stress to sage-grouse during the strutting season. The fence would allow an improved grazing system as follows:

Year 1

Rams Butte Pasture	10/15 – 01/15 and 05/15 – 05/20
West Chandler Butte Pasture	11/16 – 01/15
East Chandler Butte Pasture	04/01 – 05/15
West Tired Horse Butte Pasture (proposed)	03/01 – 04/01
East Tired Horse Butte Pasture (proposed)	01/16 – 02/28

Year 2

Rams Butte Pasture	10/15 – 01/15
West Chandler Butte Pasture	11/16 – 01/15
West Tired Horse Butte Pasture (proposed)	03/01 – 05/05
East Tired Horse Butte Pasture (proposed)	01/15 – 02/28
East Chandler Butte Pasture would be rested	

FINDING OF NO SIGNIFICANT IMPACT

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

Context

The Proposed Action would occur in the West Wagontire Allotment and would have local impacts on affected interests, lands, and resources similar to and within the scope of those described and considered in the 1991 Three Rivers Proposed Resource Management Plan/Final Environmental Impact Statement (PRMP/FEIS). There would be no substantial broad societal or regional impacts not previously considered in the PRMP/FEIS. The actions described represent anticipated program adjustments complying with the RMP/Record of Decision (ROD), and implementing range management programs within the scope and context of this document.

Intensity

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

1. *Impacts that may be both beneficial and adverse.* The EA considered potential beneficial and adverse effects (Chapter III of the EA). Project design features were incorporated to reduce potential adverse impacts. None of the effects is beyond the range of effects analyzed in the September 1991 Three Rivers PRMP/FEIS, to which the EA is tiered.

2. *Degree to which the Proposed Action affects public health and safety.* No aspect of the Proposed Action or No Action Alternative would have an effect on public health and safety.

3. *Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.* Effects on cultural sites located near (within 100 yards) or within proposed development locations can be mitigated through various means such as avoidance, surface collection, mapping, test or full-scale excavation and would be applied as appropriate. No other unique characteristics have been identified within West Wagontire Allotment.

4. *The degree to which effects on the quality of the human environment are likely to be highly controversial.* Controversy in this context means disagreement about the nature of the effects, not expressions of opposition to the proposed action or preference among the alternatives. No unique or appreciable scientific controversy has been identified regarding the effects of the Proposed Action.

5. *Degree to which possible effects on the human environment are highly uncertain or involve unique or unknown risks.* The analysis has not shown there would be any unique or unknown risks to the human environment nor were any identified in the September 1991 Three Rivers PRMP/FEIS to which this proposal is tiered.

6. *Degree to which the action may establish a precedent for future actions with significant impacts or represents a decision in principle about a future consideration.* This project neither establishes a precedent nor represents a decision in principle about future actions. In addition, range improvements, implementation of AMPs and issuance of 10-year grazing permits are ongoing and expected actions as outlined in the Three Rivers RMP/ROD and as analyzed in other EAs. No long-term commitment of resources causing significant impacts was noted in the EA or RMP.

7. W*hether the action is related to other actions with individually insignificant but cumulatively significant impacts.* The environmental analysis did not reveal any cumulative effects beyond those already analyzed in the September 1991 Three Rivers PRMP/FEIS, which encompasses the West Wagontire Allotment. Reasonably Foreseeable Future Actions (RFFA) include two rights-of-ways issued for wind energy testing on Round Top Butte and Glass Butte, averaging approximately 6 air miles northeast of the proposed fence. The only resource of concern *potentially* affected by all three projects would be sage-grouse. However:

    1) The eastern portion of the Tired Horse Butte Pasture currently provides low quality sage-grouse habitat due to concentrated grazing pressure and heavy utilization of herbaceous vegetation. Enhanced vegetative conditions in the area would benefit sage-grouse by increasing forbs, which are important for females in the spring, and potentially provide more cover. The Three Rivers RMP/ROD (page 2-63) states, "Implement grazing systems on all sage grouse ranges to improve forb production and availability;"
    2) The proposed fence is being constructed according to Conservation Guidelines found in the Greater Sage-grouse Conservation Assessment and Strategy for Oregon (Strategy);
        a. The proposed fence location is 1.2 and 2.5 miles from the nearest leks which is well outside the 0.6-mile radius for projects of this nature as described in the Strategy (page 76);
    3) To reduce the likelihood of mortalities from collision, white plastic clips would be applied at regular intervals to all fence strands and between every fencepost;
    4) Construction of the fence would not occur from March to May in order to reduce possible stress to sage-grouse during the strutting season;
    5) No permanent impairment to sage-grouse habitat in the area would occur from implementation of the Proposed Action as there would be minimal surface disturbance as no blading would occur;
    6) The Round Top Butte wildfire in 2007 eliminated most of the suitable habitat in the area near the met towers;
    7) Yearlong habitat for sage-grouse would not be available for at least 15 years due to the Round Top Butte wildfire;

8) No permanent impairment to sage-grouse habitat in the area of the met towers would occur as the met towers are temporary in nature and would have minimal surface disturbance;
9) The met tower locations also comply with Instruction Memorandum OR-2008-014 which requires met towers to be located outside a 2-mile radius from leks or known concentration areas. The sage-grouse leks within 2 miles of the proposed met towers are inactive;
10) The met tower testing locations are in different water- and viewsheds.

Therefore, the Proposed Action when combined with wind testing would have no cumulative effects to sage-grouse habitat. The residual effects to sage-grouse after applying guidance from the Oregon Strategy and other mitigation would not be measurable.

Another RFFA is a geothermal lease sale; however, lease issuance alone does not authorize any ground-disturbing activities to explore for or develop geothermal resources without site-specific approval for the intended operation. Therefore, if there are no effects from sale of a lease there cannot be cumulative effects. The only other known RFFA within the geographic scope and timeframe of this analysis is continued livestock grazing.

8. *Degree to which the action may adversely affect districts, sites, highways, structures or objects listed in or eligible for listing in the National Register of Historic Places.* There are no features within the project area listed or eligible for listing in the National Register of Historic Places. Sites eligible for listing to the National Register of Historic Places within the area of effect of range improvements would be avoided to mitigate potential effects. If avoidance is not a viable mitigation option, other measures such as surface collecting and mapping, testing and full-scale excavation could be used.

9. *The degree to which the action may adversely affect an endangered or threatened species or its habitat.* There are no known threatened or endangered species or their habitat affected by the Proposed Action or the No Action Alternative. Special Status Species occurring within the allotment include greater sage-grouse. However, the Proposed Action incorporates project design elements to minimize impacts to sage-grouse. Please also refer to #7 above regarding effects to sage-grouse.

10. *Whether an action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.* The Proposed Action and No Action Alternative do not threaten to violate any law. The Proposed Action is in compliance with the 1992 Three Rivers RMP/ROD, which provides direction for the protection of the environment on public lands.

On the basis of the information contained in the EA and all other information available to me, it is my determination that: 1) The implementation of the Proposed Action or No Action Alternative will not have significant environmental impacts beyond those already addressed in the PRMP/FEIS, 2) The Proposed Action or No Action Alternative are in conformance with the 1992 Three Rivers RMP/ROD, 3) There would be no adverse societal or regional impacts and no adverse impacts to affected interests; and 4) The environmental effects, together with the proposed project design features, against the tests of significance found at 40 CFR 1508.27 do not constitute a major Federal action having a significant effect on the human environment. Therefore, an EIS is not necessary and will not be prepared.

/signature on file/ *February 20, 2009*

Richard Roy
Three Rivers Resource Area Field Manager Date

West Wagontire Allotment
Tired Horse Butte Fence

Environmental Assessment
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Bureau of Land Management
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ENVIRONMENTAL ASSESSMENT
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CHAPTER I: INTRODUCTION: PURPOSE OF AND NEED FOR ACTION

A. Introduction

The West Wagontire Allotment is located 60 miles southwest of Burns, Oregon (Map A – Vicinity Map). This allotment is in Lake County and lies within the Burns District Bureau of Land Management (BLM). It is managed by the Three Rivers Resource Area. This allotment contains 42,036 acres of BLM-managed land and 3,102 acres of private land. It is managed as an "I" (Improve) category allotment. This allotment is divided into four pastures with one permittee currently authorized for livestock grazing (cattle) and a permitted active use of 4,958 Animal Unit Months (AUMs), of which 1,884 AUMs are in voluntary nonuse, which provides 3,074 AUMs of current active use. Other forage allocations include 73 AUMs for mule deer and 9 AUMs for pronghorn antelope.

Tired Horse Butte Pasture consists of approximately 15,797 acres of BLM-managed land. Currently, the permittee is authorized to use up to 1,009 AUMs in the Tired Horse Butte Pasture, one of four pastures within West Wagontire Allotment. A 50 percent target utilization level is designated for Thurber's needlegrass and Idaho fescue within the Tired Horse Butte Pasture.

The 2005 West Wagontire Allotment Management Plan (AMP) changed the timing of livestock grazing to a winter/spring grazing season. The permitted season of use is from October 1 through May 20. The grazing rotation and approximate use dates, within the permitted season of use and established in the AMP are shown in Table 1.

Table 1: Current Grazing Management

Pasture	Year 1	Year 2
Rams Butte	10/15 – 11/15	10/15 – 11/15 05/01 – 05/15
Chandler Butte	11/16 – 02/15	02/01 – 04/30
Tired Horse Butte	02/16 – 04/30	11/16 – 01/31
Edes Private	05/01 – 05/15	Rest

Tired Horse Butte Pasture varies in elevation from approximately 4,600 feet in the northern part to 5,400 feet in the southeast part of the pasture and provides better winter range than the remainder of West Wagontire Allotment. While both sides of the pasture have a similar range of elevation, the east side increases more gradually in elevation (less slope) than the west side. This means there are larger areas of lower elevation in the eastern half of the pasture. The east side of the pasture also has a larger area of south and west aspects slopes receiving more sunlight than the west side of the pasture, especially in winter months. Since the east side of the pasture has more lower elevation areas and more south and west aspects slopes, it experiences earlier plant growth and development than the west side of the pasture. This means a larger percentage of plants on the east side become green and palatable before plants on the west side. Due to a combination of the above factors, spring use disproportionately occurs on the east side of the pasture, resulting in uneven utilization patterns. Currently, the pasture is rested from spring grazing every other year; however, periods of spring grazing are followed by periods of winter grazing with only 6 months of recovery time in between. During most years, plants grazed in the spring lack resources (i.e., soil moisture) to respond with adequate regrowth to sustain sufficient forage through the winter grazing period. Plants may be reduced in size and vigor during the winter grazing period, reducing quality of winter range for both livestock and wildlife.

Within Tired Horse Butte Pasture, there are four possible sources of water. On the western side of the pasture, there is one reservoir and one waterhole. In the center of the pasture, there are two troughs. The southern trough is located just west of Tired Horse Road and is serviced by Sand Hollow Well located in Chandler Butte Pasture. The northern trough is located near and filled by Tired Horse Butte Well, and is located just east of Tired Horse Road. Despite water sources being present on the west side of the pasture, livestock prefer to graze the east side of the pasture and travel to the center of the pasture for water. Since water is available on the west side of the pasture, additional water sources on this side would not improve livestock distribution within the pasture. Therefore, a fence to divide the east and west sides of Tired Horse Butte Pasture is proposed. The fence would leave the Tired Horse Butte Well and associated trough in the proposed East Tired Horse Butte Pasture, and would provide a sufficient water source for livestock. This fence would promote even distribution and utilization patterns. It would also allow for control of timing of grazing between winter and spring treatments.

B. Purpose of and Need for Action

The purpose of the Proposed Action is to modify current grazing practices within Tired Horse Pasture by adjusting the timing and distribution of livestock use to ensure continuance of achieving Standards for Rangeland Health. Based on utilization records, a need exists to improve livestock distribution and utilization patterns. Currently, the eastern half of Tired Horse Butte Pasture gets more use than the western side. This is due to larger areas of lower elevation, more gradual slopes, and more area with south and west facing aspects allowing for more sunlight.

A division fence, as recommended in the 2003 West Wagontire Allotment Evaluation to address concerns based on the Standards for Rangeland Health and Guidelines for Livestock Management for Oregon and Washington (S&G, August 12, 1997), is needed to implement timing of use and manage livestock distribution and utilization patterns. Though S&Gs were achieved at the time the evaluation was written, a concern was they might not be achieved in the future due to uneven distribution of livestock. This fence was not addressed in the 2005 AMP. The AMP changed the season of use to winter grazing and created additional sources of water to improve livestock distribution throughout the allotment. While this improved distribution in some areas of the allotment, it had minimal impact in the Tired Horse Butte Pasture.

The proposed fence would increase control over the timing of spring and winter use, allowing management to decrease use on the east side of the Tired Horse Butte Pasture and increase use on the west side of the pasture, which would improve livestock distribution and utilization patterns.

1. Project Goals and Objectives

Action alternatives must meet the project objectives listed below, which translates pertinent Resource Management Plan (RMP) direction.

- Utilize rangeland improvements, as needed, to support achievement of multiple-use management objectives (Grazing Management Program, 1992 Three Rivers RMP page 2-36). The Rangeland Program Summary (RPS) of the RMP identifies that there are potentially 20 miles of fence to be completed within in West Wagontire Allotment, which would help the allotment move toward the management objectives defined in the RMP (Appendix 14. Potential Range Improvements, 1992 Three Rivers RMP page 184). Currently, 7 miles of fence (excluding the current proposed fence) have been built within the allotment, since 1992.

- Maintain or improve rangeland condition and productivity through a change in management practices and/or reductions in active use to address the current range condition, level, or pattern of utilization (Appendix 9. Allotment Management Summaries, 1992 RMP page 120).

- Maintain, restore or enhance the diversity of plant communities and plant species in abundances and distributions, which prevent the loss of specific native plant community types or indigenous plant species (Vegetation Program, 1992 Three Rivers RMP page 2-51).

- Maintain, restore, or enhance the habitat of sensitive species to maintain the populations at a level that will avoid endangering the species (Special Status Species (SSS), Three Rivers RMP 2-57). Currently, sage-grouse, or its habitat, is known to exist within the allotment (Appendix 9. Allotment Management Summaries, 1992 RMP page 120).

- Implement a rotation or deferred grazing system on all allotments within big game ranges (Wildlife Habitat, Three Rivers RMP page 2-66).

- Adjust overall grazing management practices as necessary to protect SSS and to maintain or enhance their habitat (Wildlife Habitat, Three Rivers RMP page 2-75).

- Maintain browse on at least 85 percent of the acreage in winter ranges currently supporting browse (Wildlife Habitat, Three Rivers RMP page 2-76).

- Maintain viable populations of native plants and animals well distributed throughout their geographic range (Biological Diversity, Three Rivers RMP page 2-200).

- Provide for sustainable livestock grazing that meet allotment management (natural resource) objectives and the Standards for Rangeland Health and Guidelines for Livestock Grazing Management.

2. Decision Factors

The Three Rivers Resource Area Field Manager is the responsible official who will decide which alternative analyzed in this document best meets the purpose and need for action based on the interdisciplinary analysis presented in this Environmental Assessment (EA). Any decision will specify construction specifications of range improvements and measures (terms and conditions) intended to mitigate any environmental effects.

Decision factors are additional questions or statements used by the decision maker to choose between alternatives that best meet project goals and resource objectives. These factors generally do not include satisfying legal mandates, which must occur under all alternatives. Rather, decision factors assess, for example, the comparative cost, applicability, or adaptability of the alternatives considered. The following decision factors will be relied upon by the Authorized Officer in selecting a course of action from the range of fully analyzed alternatives that best achieves the goal and objectives of the project:

- Would the alternative provide rangeland resources to grazing permittees and other users of the public land?
- Would the alternative balance the 1992 Three Rivers RMP Wildlife objectives (including conservation guidelines and life history needs for greater sage-grouse) with management direction for Vegetation and Grazing Management?
- Would the alternative be effective in achieving project objectives?
- Does the alternative promote conservation of cultural resources?
- Does the alternative improve livestock distribution?

- Does the alternative achieve project objectives in a reasonable timeframe (1 to 5 years)?
- Does the alternative apply livestock grazing management that improves desirable plant communities by:
  a. allowing plants periodic opportunity to recover vigor?
  b. allowing plants periodic opportunities for seed ripen?
  c. allowing plants periodic opportunity for seedling establishment (i.e., recruitment)?
  d. allowing litter to accumulate between plants?
- Does the alternative employ adaptive management strategies in order to assure success in achieving project objective?
- Does the alternative promote economic stability for the local and rural economy dependent upon public land grazing and public land uses?
- Does the alternative promote resistance to noxious weed invasion and establishment by encouraging diverse, productive, and vigorous plant communities?
- Does the alternative maintain or restore diverse plant populations and communities that fully utilize site resources by occupying the potential rooting volume of the soil and that promote photosynthesis throughout the potential growing season?

C. Issues Considered but not Analyzed Further

1. Wilderness Characteristics

The issue of impacts to potential wilderness characteristics was raised by the Oregon Natural Desert Association (ONDA) for the project area. The BLM reviewed the submitted information as part of updating its original wilderness characteristics inventory. Using field knowledge and onsite verification (where necessary), BLM determined that its original inventory finding that no wilderness characteristics exist in the project area remains valid. As such, wilderness characteristics will not be analyzed further in this document. Both the BLM's findings and the ONDA-proposed inventory information are available to the public upon request.

D. Conformance with Land Use Plans, Laws, Regulations, and Policy

The Proposed Action was designed to conform to the following documents, which direct and provide the framework and official guidance for management of BLM lands within Burns District:

- Taylor Grazing Act (43 U.S.C. 315), 1934
- National Environmental Policy Act (NEPA) (42 U.S.C. 4321-4347), 1970
- Endangered Species Act (16 U.S.C. 1544), 1973
- Federal Land Policy and Management Act (43 U.S.C. 1701), 1976
- Public Rangelands Improvement Act (43 U.S.C. 1901), 1978

- Three Rivers RMP/Record of Decision (ROD)/RPS, 1992
- Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Public Lands Administered by the Bureau of Land Management in the States of Oregon and Washington,1997
- Burns District Noxious Weed Management Program EA (OR-020-98-05), 1998
- Bureau of Land Management National Sage-grouse Habitat Conservation Strategy, 2004
- Greater Sage-grouse Conservation Assessment and Strategy for Oregon, 2005
- West Wagontire AMP, 2005
- State, local, and Tribal laws, regulations, and land use plans

CHAPTER II: ALTERNATIVES INLUDING THE PROPOSED ACTION

A. No Action Alternative

Livestock grazing for up to 1,009 AUMs would continue in Tired Horse Butte Pasture, with grazing from February 2 to April 30 in Year 1 and from November 16 to January 31 in Year 2, rotated between odd and even years in this fashion, as established in the 2005 West Wagontire AMP. No control on timing of spring grazing following winter use would occur. Utilization would be continued and analyzed, and would likely continue to show a poor distribution pattern with more utilization occurring in the eastern half of the pasture. Livestock would continue to graze all 15,797 acres within Tired Horse Butte Pasture, and would have unrestricted access to the east side of the pasture. No fence dividing Tired Horse Butte Pasture would be constructed.

B. Proposed Action

The Proposed Action is to install a fence in Tired Horse Butte Pasture of West Wagontire Allotment #7004 (see Map A for general vicinity). The fence would begin from the east-west pasture boundary fence between Tired Horse Butte and Chandler Butte Pastures, just west of where the existing fence crosses Sand Hollow Lost Creek Road (beginning in T. 25 S., R. 22 E., Sec. 25, SE¼NE¼). It would then extend north along the west side of Tired Horse Road and end at the northern Tired Horse Butte Pasture boundary fence (ending in T. 25 S., R. 22 E., Sec. 1, NE¼NW¼). The north end of the fence would veer slightly to the northwest in order to avoid private property. See Map B for proposed fence location. The fence would run between the southern trough filled by Sand Hollow Well and Tired Horse Road. This would allow the southern trough to service the proposed West Tired Horse Butte Pasture and the northern trough to service the proposed East Tired Horse Butte Pasture (see Map B for trough and pipeline locations).

Construction of the fence would consist of approximately 4.5 miles of fence that meets the standards for cattle, deer, and antelope in a multiple-use area, as described in BLM Handbook H-1741-1 – Fencing. The proposed fence would be a 38-inch tall, 3-strand barbed wire fence, with a smooth bottom strand. The wire spacing would also follow the standards with the bottom strand 16 inches off the ground, the middle and bottom strands would be 10 inches apart and there would be 12 inches between the top and middle strands. In accordance with the 1992 Three Rivers RMP, the fence would be designed to prevent passage of livestock without stopping movement of wildlife. All fences would be constructed in accordance with Bureau Manual 1714. In accordance with the Visual Resource Management (VRM) practices, found in the BLM Handbook H-1741-1 – Fencing, the proposed fenceline would not be bladed or scraped, and the most practical and unobtrusive materials would be used. In addition, when practical and consistent with the need for fencing, the fence would be located parallel to natural features, where the impact to wildlife is minimized, and the fence would be constructed in a straight line(s). Where the fence crosses an existing road, a gate would be installed. One gate would be needed when the fence crosses Tired Horse Reservoir Road in the center of the pasture (approximately T. 25 S., R. 22 E., Sec. 13, NE¼SE¼).

The construction of the fence would also follow Conservation Guidelines found in the Greater Sage-grouse Conservation Assessment and Strategy for Oregon, August 2005. Specifically, the fence would not be constructed within 0.6-mile of the closest lek, and permanent plastic tabs, visible in low light, would be placed on all three strands of the fence at regular intervals between fenceposts to reduce the chance of sage-grouse mortalities. Construction of the fence would also follow the Standard Design Features. The Standard Design Features include that the risk of noxious weed introduction would be minimized by ensuring all equipment (including all machinery, 4-wheelers, and pickup trucks) used for fence construction is cleaned prior to entry to the site, minimizing disturbance activities, and completing follow-up monitoring for at least 3 years, to ensure no new noxious weed establishment. Should noxious weeds be found, appropriate control treatments would be performed in conformance with the Burns District Noxious Weed Program Management EA/Decision Record OR-020-98-05, and monitoring would continue.

Every effort would be made to avoid adverse impacts to cultural resources and SSS. Minimal equipment would be utilized, as the only mechanical equipment needed is a vehicle to access the site. Other equipment needed consists of hand tools (i.e., steel post driver, fencing pliers, and wire grippers) and would have little to no effect on the site. The permittee would construct and maintain the fence and the BLM would provide materials. This would be documented in a Cooperative Agreement developed for the proposed rangeland improvement. The proposed fenceline would be surveyed for cultural and botanical resources prior to project implementation. The fence location would be adjusted to avoid archaeological sites and sensitive plant populations.

Any Woven-spore Lichen (*Texosporium sancti-jacobi*) populations discovered during botanical surveys would be flagged and avoided. Additional mitigation would be required if the lichen populations were at risk of herbivore concentration; this mitigation could include exclusion of the entire population from domestic herbivory. The Woven-spore Lichen has a BLM Sensitive ranking in the Oregon State Director's SSS list of January 2008. Construction of the fence would not occur from March to May in order to reduce possible stress to sage-grouse during the strutting season.

The proposed fence would allow management to manipulate the east-west livestock distribution within Tired Horse Butte Pasture by allowing implementation of an improved grazing rotation (see Table 2 for the proposed grazing rotation). The proposed grazing system would amend the grazing system established in the 2005 AMP.

Table 2: Proposed Grazing Rotation

Pasture	Year 1	Year 2
Rams Butte	10/15 – 01/15 05/15 – 05/20	10/15 – 01/15
West Chandler Butte*	11/16 – 01/15	11/16 – 01/15
East Chandler Butte*	04/01 – 05/15	Rest
West Tired Horse Butte (Proposed)	03/01 – 04/01	03/01 – 05/05
East Tired Horse Butte (Proposed)	01/16 – 02/28	01/15 – 02/28
Edes Private	Rest	05/06 – 05/20

*Note: There is no fence separating West and East Chandler Butte Pastures. However, the area is managed as two pastures by controlling livestock distribution using the manipulation of water (i.e., turning water on and off in certain troughs at specific times).

C. Alternatives Considered but Eliminated from Further Analysis

1. Removal of Livestock Grazing from Tired Horse Butte Pasture

This alternative would remove livestock grazing from the Tired Horse Butte Pasture and would eliminate the need to construct the proposed fence. This alternative was eliminated from detailed analysis for the following reason:

a. The 2005 West Wagontire AMP/EA fully analyzed and implemented livestock grazing within the Tired Horse Butte Pasture. This AMP also identified allotment-specific resource objectives for West Wagontire Allotment. By implementing the Tired Horse Butte Fence (Proposed Action) in this EA, the BLM is simply taking a proactive approach to ensure livestock grazing (as analyzed in the 2005 AMP) continues to meet allotment resource objectives and rangeland health standards.

b. The 2003 West Wagontire Allotment Evaluation and an updated Rangeland Health Standards Assessment (2008) indicate current grazing management is achieving all applicable Rangeland Health Standards within the Tired Horse Butte Pasture. According to the Code of Federal Regulations, published in August 1995 Subchapter D – Range Management (4000) Subpart 4100 – 4110.3-3, Implementing Reductions in Permitted Use, the BLM would implement changes in active use…When the authorized officer determines that the soil, vegetation, or other resources on the public lands require immediate protection because of conditions such as drought, fire, flood, or insect infestation, or when continued grazing poses a significant risk of resource damage…the authorized officer shall close allotments or portions of allotments to grazing by any kind of livestock or modify authorized grazing use. Because current management is achieving all Rangeland Health Standards, there is no rationale to support removal of livestock grazing from this pasture. The Purpose and Need for action does not originate from problems with livestock carrying capacity, rather, livestock distribution.

2. Reducing Stocking Rate and Using Herding to Control Distribution

This alternative would reduce livestock numbers and employ herding management (in lieu of the proposed fence) to meet the Purpose and Need for action. This alternative was eliminated from detailed analysis for the following reasons:

a. Simply reducing livestock numbers, and maintaining the current grazing rotation, would not resolve the issue of disproportionate utilization in the east side of the pasture. Spring use disproportionately occurs on the east side of the pasture because the topography of this area provides for earlier plant development (green up) to occur. Although reducing livestock numbers would reduce utilization within this pasture, spring grazing would continue to be focused on the east side of the pasture. The east side of this pasture has larger areas of lower elevation which provides land more suitable for winter grazing. Because spring grazing treatments are followed by winter grazing treatments (the following year), repeat defoliation of forage plant species would continue, without critical growing season rest between grazing treatments. This would not meet the Purpose and Need for adjusting the timing and distribution of livestock use to ensure continuance of achieving Standards for Rangeland Health.

b. It is the experience of the BLM that active herding is only successful in situations where reliable water sources and desired forage are well distributed throughout a given pasture. In this instance, the two reliable water sources located in the west side of the pasture have failed to prevent disproportionate utilization in the east side, even when water is turned off at the two troughs located in the middle of this pasture. During the spring, livestock will seek out areas containing the most palatable forage. In this case, the low elevation and earlier plant growth in the east side of this pasture will naturally draw livestock to this area. Actively herding livestock away from this area would likely only be successful for a matter of hours before livestock drift back. This would not meet the Purpose and Need for adjusting the timing and distribution of livestock use to ensure continuance of achieving Standards for Rangeland Health.

CHAPTER III: AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

A. Critical Elements

The following critical elements of the human environment have been analyzed in the 1992 Three Rivers RMP/ROD/RPS and are not known to be present or would not be affected by the Proposed Action or No Action Alternative, and will not be discussed further in the EA:

Air Quality
American Indian Traditional Practices
Areas of Critical Environmental Concern
Farmlands (prime or unique)
Flood Plains
Hazardous Materials
Special Status Species – Flora
Water Quality
Wetlands/Riparian Zones
Wild and Scenic Rivers
Wilderness and Wilderness Study Areas

1. Cultural Resources

Current discussion and analysis of potential effects on cultural resources are tiered to the 1992 Three Rivers RMP/ROD/RPS and relevant information contained in the following section is incorporated by reference: Chapter 2 page 2-152.

Affected Environment

Only two cultural resources surveys have occurred near the south end of the proposed fence. Both were associated with pipeline projects and cultural resources were not found in either. Nonetheless, the entire fenceline follows an ephemeral stream course that is a natural travel way between the playa lakes and Sinks of Lost Creek area to the north and south. As such, it is likely to contain cultural material, dating to at least 13,000 years ago and associated with the earliest inhabitants of the northern Great Basin. It is likely the watercourse was perennial during certain periods in the last 13,000 years.

Clovis period artifacts have been found to the north at Swan Lake and near Lost Creek and to the south at Alkali Basin in Lakeview District. Perennial water and early sites to the north and south are good indicators for the same type and age of materials to be found in the vicinity of the project area. Other sites such as later prehistoric and historic homesteading sites are likely to occur within the project vicinity as well.

Environmental Consequences

No Action Alternative

Based on the grazing analysis livestock tend to congregate in areas on the eastern half of Tired Horse Butte Pasture. These congregation areas, especially where water is present, have likely been affected by livestock trampling. Any cultural sites located within or near these congregation sites are likely to be affected by trampling as well. The No Action Alternative would not mitigate effects on cultural sites, especially within the eastern half of the pasture. Since the allotment has not been inventoried for cultural resources, no quantitative or qualitative data are available to more precisely describe livestock grazing effects on cultural resources.

Proposed Action

Construction of the fence is designed to spread livestock use in the allotment and allow the eastern half of Tired Horse Butte Pasture to recover during the growing season to allow winter grazing the following winter. Thus, the fence is likely to alleviate some use intensity on congregation areas in the east half of the pasture, reducing possible effects on cultural resources located in those congregation areas. Spreading use to the west half of the allotment, though, would possibly increase use intensity in congregation areas in the west half.

If cultural sites occur within or near those congregation areas, they could be affected more by trampling than prior to fence construction. Even though fence construction makes good resource management sense in terms of plant vigor and growth, it may not reduce intensity of grazing effects to cultural resources in the pasture overall. In a sense, construction of the fence may result in a cumulative effect to cultural sites in general. However, because the allotment has not been inventoried for cultural resources, no quantitative or qualitative data are available to more precisely describe livestock grazing effects on cultural resources in this pasture.

2. Noxious Weeds

Current discussion and analysis of potential effects of noxious weeds are tiered to the 1992 Three Rivers RMP/ROD/RPS vegetation sections and relevant information contained in the following section is incorporated by reference: Chapter 2 page 2-51.

Affected Environment

There are currently no known infestations of noxious weeds in the project area. In general, this area is known to be free of weeds.

If any new populations of noxious weeds were found during the site-specific clearances for the project, they would be treated using the best available methods prior to instigating the project.

Environmental Consequences

No Action Alternative

If the No Action Alternative is selected, there would continue to be uneven distribution and utilization in the eastern half of the pasture. This could cause resource degradation, which would increase risk of invasion by noxious weeds.

Proposed Action

Since the Proposed Action would encourage better distribution of livestock, fewer disturbances should occur due to a lighter utilization pattern in the eastern side of the pasture. This would result in fewer opportunities for noxious weed establishment and spread.

Some disturbance would occur on the fence site during construction; however, this disturbance would be minimal and risk would be reduced by incorporating Standard Design Features. Standard Design Features would reduce the likelihood of transporting noxious weeds to the site.

3. Migratory Birds

Current discussion and analysis of potential effects to migratory birds are tiered to the 1992 Three Rivers RMP/ROD/RPS wildlife sections and relevant information contained in the following section is incorporated by reference: Chapter 2 page 2-66.

Affected Environment

Tired Horse Butte Pasture is a mix of grass with low and big sagebrush and increasing numbers of juniper on the eastern and southern portions. The common species of birds preferring open grass-dominated habitats that may be found within this allotment are vesper sparrow and horned lark. Species associated with sagebrush habitats that are likely present include sage sparrow, sage thrasher, Brewer's sparrow, and loggerhead shrike. Species that use juniper woodlands include chipping sparrow, gray flycatcher, white-crowned sparrow, American robin, Townsend's solitaire, and western wood-peewee. Other migratory landbird species that may inhabit or use the area on a seasonal basis include western bluebird, western meadowlark, and Oregon junco.

Environmental Consequences

No Action Alternative

With selection of this alternative, there would be no potential impacts to migratory landbirds and there would be no potential benefits realized from project implementation.

Proposed Action

There is little likelihood of impacts to migratory birds from installation of the proposed pasture fence because the fence would affect a small area of habitat. Overall, negative impacts to migratory birds are expected to be minimal. There may be some benefits to birds with implementation of the Proposed Action. With better control of livestock grazing and some pastures being rested at different times of the year, plants throughout the area may express greater vigor and provide better habitat for migratory birds.

4. Special Status Species – Fauna

Current discussion and analysis of potential effects to SSS – fauna are tiered to the 1992 Three Rivers RMP/ROD/RPS and relevant information contained in the following sections is incorporated by reference: Chapter 2 page 2-56, specifically Special Status Species Sections SSS1, SSS2, and SSS3.

Affected Environment

Threatened, Endangered, and Special Status Species

There are no Federally listed Threatened or Endangered wildlife species known to occur in the area. The Project Area does support populations of SSS, which are discussed below.

Greater Sage-grouse (*Centrocercus urophasianus*)–

Greater sage-grouse is a species currently being reviewed by the U.S. Fish and Wildlife Service for listing under the Endangered Species Act of 1976. At this time, Oregon BLM considers sage-grouse as a sensitive wildlife species. Greater sage-grouse are considered sagebrush obligates, relying on the plant for food and cover throughout the year. Sage-grouse may require an extensive home range with specific sagebrush habitat types required seasonally for mating or lekking, nesting, brood-rearing, and wintering. Sage-grouse generally locate leks in open areas near sagebrush-dominated plant communities. There are two lek sites, Tired Horse Leks 1 and 2, existing within Tired Horse Butte Pasture.

Tired Horse Lek 1 is approximately 1.2 miles west of the proposed fence (T. 25 S., R. 22 E., Sec. 10, NE¼NW¼) and Tired Horse Lek 2 is approximately 2.5 miles west of the proposed fence (T. 25 S., R. 22 E, Sec. 11, SW¼SE¼). There are several other leks within 10 miles of the project area; however, these are not in West Wagontire Allotment. See Map B for specific lek location.

Sage-grouse generally use big sagebrush for nesting habitat, although some have been known to nest in low sagebrush and other habitats. For the brood-rearing stage and pre-nesting period for hens, areas rich in forbs are important. Riparian areas, and low and stiff sagebrush flats within the Project Area could be optimal foraging areas during these life stages as these plant communities are generally rich in forbs. In winter, sage-grouse congregate in areas where sagebrush is available above the snow or on windswept ridges. By late fall, sage-grouse forage almost exclusively on sagebrush and do so until spring.

Land where construction activities would take place within the Project Area is mostly classified as unoccupied by sage-grouse and it is likely there is little use of the area by sage-grouse. Though classified as unoccupied, the area of the proposed fence and the surrounding area are classified as potential habitat.

Table 3: Lek Counts and History

Lek Name	Proximity to Project (Approx Miles)	Historic High Count/yr	Last Year Birds Observed on Lek	Number of Years Lek was Visited Since Zero Birds Observed	If Active, Last Count of Birds
Tired Horse 1	1.2	7/1999	1999	N/A	7
Tired Horse 2	2.5	N/A	N/A	N/A	NA

Bats -

Eight species of SSS bats could inhabit areas in and around the Project Area. These include the long-eared myotis (*Myotis evotis*), long-legged myotis (*Myotis volans*), pallid bat (*Antrozous pallidus*), silver-haired bat (*Lasionycteris noctivagans*), spotted bat *Euderma maculatum*), Townsend's big-eared bat (*Corynorhinus townsedii*), western small-footed myotis (*Myotis leibii*), and Yuma myotis (*Myotis yumanensis*). These bats use a variety of habitats for roosting and foraging. Roosting habitats include crevices in rock cliffs and rimrock, abandoned mines, abandoned structures and in trees with loose bark such as older cottonwood and juniper trees. Foraging habitats include open grasslands, shrub-steppe, and in and around trees. Most species fly some distance from their day roosts to forage for insects and drink water, then use a temporary roost to rest for a couple of hours sometime during the night. After resting, they return to foraging then return to their day roosts. There is little suitable roosting habitat for bats within the project area, and the level of foraging in this area is unknown. There would be no known impacts to bats from project activities; therefore, these species will not be discussed further.

Other sensitive species that may be found within the allotment include several species of owls and songbirds, which could use the area as foraging or nesting habitat, and the Columbia spotted frog. Pygmy rabbits may also be found within the allotment. Prior to fence construction a survey would be performed to determine if pygmy rabbits are present in the project area.

<u>Environmental Consequences</u>

No Action Alternative

While habitat is currently in satisfactory condition for greater sage-grouse, improvements to habitat would not be realized with selection of this alternative. There would be no expected impacts to other SSS.

Proposed Action

The Proposed Action would likely have little impact on greater sage-grouse in the area. Construction would occur outside the time of lek activities (mid-March to mid-May). Enhanced vegetative conditions in the area would benefit sage-grouse by increasing forbs, which are important for females in the spring, and potentially by providing more cover. New fences often cause sage-grouse deaths until birds recognize the fence exists; however, the fence is being constructed according to Conservation Guidelines found in the Greater Sage-grouse Conservation Assessment and Strategy for Oregon. The specific guideline for fences is to construct fences at least 0.6 mile from existing leks. This fence would be located 1.2 miles from the closest lek. In addition, to reduce the likelihood of mortalities, white plastic clips would be applied at regular intervals to all fence strands and between every fencepost.

There are no expected impacts to bats or other SSS.

B. Noncritical Elements

1. Grazing Management

Current discussion and analysis of potential effects to livestock grazing management are tiered to the 1992 Three Rivers RMP/ROD/RPS and relevant information contained in the following section is incorporated by reference: Chapter 2 page 2-33.

Affected Environment

One cattle grazing permit exists in this allotment. The permitted active use for the entire allotment is for 650 cattle from October 1 through May 20, which equals 4,958 AUMs. However, there is currently a voluntary nonuse agreement of 1,884 AUMs, which provides for a current active use of 3,074 AUMs. The 2005 AMP for the West Wagontire Allotment outlines the parameters for the voluntary nonuse. Cattle numbers can fluctuate annually as long as the permitted active use (minus the voluntary nonuse) is not exceeded. Currently, within Tired Horse Butte Pasture, the permittee is authorized to use up to 1,009 AUMs.

The 2005 AMP planned for grazing management in the winter/spring grazing season with growing season rest. The grazing rotation and the approximate use dates established in the AMP for the current grazing management are shown in Table 1: Current Grazing Management.

Environmental Consequences

No Action Alternative

Livestock grazing management would remain the same as current management. Livestock would continue to graze the east side of Tired Horse Butte Pasture disproportionately to the west side of the pasture. The S&Gs, though currently achieved, may not be achieved in the future due to livestock distribution resulting in slight to light (6 to 40 percent) utilization in the western part of the pasture and heavy (61 to 80 percent) utilization in the eastern portion of the Tired Horse Butte Pasture.

No range improvement projects would be implemented that may aid in improved livestock distribution with utilization patterns of moderate (41 to 60 percent) utilization through most of the pasture.

Proposed Action

Effects of the Proposed Action would be centered on improved livestock grazing management. Under this action, grazing management would be adjusted to achieve an improved utilization pattern. The proposed Tired Horse Butte Pasture fence would accomplish this by controlling livestock distribution and timing of grazing between both sides of the pasture allowing an improved grazing management rotation system to be implemented. The proposed grazing rotation system is outlined in Table 2: Proposed Grazing Rotation. This action would improve the likelihood S&Gs would continue to be achieved within the allotment by providing growing season rest for key forage plants within Tired Horse Butte Pasture. With the Proposed Action, upland health would be maintained or invigorated with native plant communities that have enhanced weed resistance due to their vigor and productivity.

2. Soils

Current discussion and analysis of potential effects to soils are tiered to the 1992 Three Rivers RMP/ROD/RPS and relevant information contained in the following section is incorporated by reference: Chapter 2 page 2-15.

Affected Environment

General Soil Series Present: Ninemile-Westbutte-Carryback is the only general series represented. This well drained, shallow to moderately deep soil is formed of residuum and colluvium. It is usually found on plateaus, hills, and mountains that receive 12 to 16 inches of precipitation.

Specific Series Present:

a. Gradon

Gradon is a gravelly fine sandy loam, usually found on fan terraces of 0 to 8 percent slopes. It has a depth of 20 to 40 inches to a hardpan and more than 60 inches to bedrock. This series is well drained, has a moderately slow permeability, an available water capacity of about 4 inches, and has a slight hazard of water erosion with a moderate hazard of wind erosion.

b. Ninemile-Reluctan

Ninemile-Reluctan is a cobbly clay loam, usually found on plateaus and hills of 0 to 15 percent slopes. It has a depth of 2 to 7 inches to a claypan and 10 to 20 inches to bedrock for ninemile, and a depth of 20 to 40 inches to bedrock for Reluctan. This series is well drained, has a very slow to moderately slow permeability, an available water capacity of 2 to 4 inches, and has a slight hazard of water and wind erosion. The ninemile series also has high shrink-swell potential.

c. Ninemile-Edemaps

Ninemile-Edemaps is a cobbly clay loam, usually found on plateaus and hills of 2 to 10 percent slopes. It has a depth of 2 to 7 inches to a claypan and 10 to 20 inches to bedrock for ninemile, and a depth of 20 to 30 inches to a duripan and 24 to 40 inches to bedrock. This series is well drained, has a very slow to slow permeability, an available water capacity of 2 to 4 inches, and has a slight hazard of water and wind erosion. There is also high potential for shrink-swell in this series.

Environmental Consequences

No Action Alternative

Current management would continue under the No Action Alternative. Impacts from cattle grazing would continue to occur in areas experiencing increased spring use. Under this scenario, soils could experience greater impacts as the site-specific vegetation is modified thereby allowing for greater movement of soils (particularly in high wind or precipitation events).

Proposed Action

Over the short term (less than 3 years), some small-scale localized disturbance of the soil horizon would occur where fenceposts and rock cribs are installed. This disturbance would be localized and would not modify the soil compaction in the overall area to any measurable degree.

Herbivore concentration along the fenceline would cause limited soil disturbance and compaction in site-specific areas in both the short term and long term (more than 3 years).

Long-term potential impacts would be dependent upon the degree and constancy of potential short-term impacts. Increased animal concentration along the fenceline would likely compact soil in that area. However, greater control of cattle distribution would occur because of the Proposed Action, reducing compaction and other impacts in current high use areas and allowing for recovery in areas previously experiencing increased winter and spring use. Recovery would allow current high use areas to increase the amount of vegetative cover, which would protect the soil from wind and rain erosion and increase soil stability.

3. Biological Soil Crusts

Affected Environment

Identification of biological soil crusts at the species level is very difficult and is often not practical for fieldwork. The use of some basic morphological groups simplifies the situation. Morphological groups are also useful because they are somewhat representative of the ecological function of the organisms (TR-1730-2).

The morphological groups are:

1. Cyanobacteria - Perimorphic/cryptomorphic
2. Algae - Perimorphic/cryptomorphic
3. Micro-fungi - Cryptomorphic/perimorphic
4. Short moss (under 10mm) - Hypermorphic
5. Tall moss (over 10mm) - Hypermorphic
6. Liverwort - Hypermorphic
7. Crustose lichen - Perimorphic
8. Gelatinous lichen - Perimorphic
9. Squamulose lichen – Perimorphic
10. Foliose lichen - Perimorphic
11. Fruticose lichen - Perimorphic

The area in and around the proposed fence location has potential for supporting biological soil crusts. The lower elevation portions of Burns District appear to support a variety of the morphological groups listed above. The allotment itself has a considerable amount (approximately 8 percent ground cover) of short moss (morphological group 4), but would also support groups 1, 5, 7, and 8 equally well where site-specific soil chemistry is optimal for their growth.

Historically (pre-1930s), erosion and loss of biological soil crust cover occurred on upland soils and in drainage channels because of uncontrolled land use, prolonged drought, and catastrophic storms. Ephemeral drainages were deeply incised by gully erosion during this time. Some geologic and localized erosion as well as loss of biological soil crust cover, caused by concentrated uses, still occurs within this allotment. Current soil productivity and biological soil crust cover reflects site-specific natural conditions and past management practices. Current management practices have reduced erosion and have likely reduced loss of biological soil crust cover. These practices include proper stocking rates for livestock, rotation of grazing, improved designs of roads, rehabilitation of severely disturbed areas, restriction of vehicles to roads and trails, and control of concentrated recreational activities.

The area of the proposal is potential habitat for Woven-spore Lichen (*Texosporium sancti-jacobi*), which has a BLM Sensitive ranking on the Oregon State Director's SSS list of January 2008. This lichen is found in sagebrush habitats and is dependent upon organic material for a growing substrate, dead Sandberg's bluegrass (*Poa secunda*) is the preferred substrate. Woven-spore Lichen has not been documented in this area, but is suspected to be present. Botanical clearances would be conducted prior to implementation of the proposal.

Environmental Consequences

No Action

Future condition of soil and biological soil crust resources would be dependent on the condition of other resources, primarily upland and riparian vegetation. Actions or lack of management actions (in the case of the No Action Alternative) affect condition of these vegetation resources and would affect soils and biological soil crusts. Fencing would not take place and the associated benefits from better cattle distribution would not occur. Due to slow soil recovery processes, disruption of soils can lead to long-term changes (exist for over 10 years) in soil ecology and productivity. Implementation of the No Action Alternative would not protect and manage soil and biological soil crusts as well as the Proposed Action.

Proposed Action

The future condition of soil and biological soil crust resources would be dependent on the condition of other resources, primarily upland and riparian vegetation. Management actions affecting the condition of these resources would also affect soils and biological soil crusts. Any activities that increase vegetation cover and decrease the erosion rate would affect soils and biological soil crusts.

Implementation of the Proposed Action would help to protect and manage soil and biological soil crusts by reducing erosion, protecting water quality, increasing vegetation cover, and preventing noxious weeds or undesirable plant introductions.

Similarly, any management activities that disturb soils where biological soil crust communities have developed could deplete soil productivity, increase erosion, and increase potential for noxious weeds and other invasive species to degrade the site. Installation of fence would temporarily (less than 3 months) disturb soils and biological soil crusts in site-specific locations where equipment was used and fenceposts are placed.

An improvement in soil and biological soil crusts would be anticipated through the implementation of the proposal. Over the long term (10+ years), grazing impact patterns in Tired Horse Butte Pasture would be better distributed and would restore historic soil, biological soil crust cover, and vegetation characteristics.

Texosporium sancti-jacobi populations would be flagged and avoided if discovered during botanical surveys. This mitigation by project design would eliminate any potential effects of the proposal.

4. Vegetation

Current discussion and analysis of potential effects of vegetation is tiered to the 1992 Three Rivers RMP/ROD/RPS vegetation sections and relevant information contained in the following section is incorporated by reference: Chapter 2 page 2-51.

Affected Environment

Vegetation communities within the project area contain significant physical and biological diversity that provide valuable wildlife habitat, watershed protection, and livestock forage. Past land management practices have shaped the plant community composition in the southeastern portion of Oregon.

Sagebrush species (*Artemisia* sp.) dominate the plant communities within Tired Horse Butte Pasture although western juniper does also occur in portions of West Wagontire Allotment.

Big Sagebrush/Perennial Grassland

Big sagebrush plant communities below approximately 4,500 feet are dominated by Wyoming big sagebrush (*Artemisia tridentata* ssp. wyomingensis). These sagebrush plant communities are some of the most productive plant communities within Burns District and are important habitat for greater sage-grouse. A number of other shrubs are often found within the Wyoming big sagebrush plant community. Rubber rabbitbrush and green rabbitbrush are often found in association with Wyoming big sagebrush while wax currant (*Ribes cereum*) is less represented. Idaho fescue (*Festuca idahoensis*) and Thurber's needlegrass (*Achnatherum thurberianum)* are the dominant grasses. Numerous species of forbs are found in this community. Wild onion (*Allium sp.*), sagebrush mariposa lily (*Calochortus macrocarpus*), phlox (*Phlox sp.*), buckwheat (*Eriogonum sp.*), milkvetch (*Astragalus sp.*), and lupine (*Lupinus sp.*) are common.

Low Sagebrush/Grassland

Low sagebrush (*Artemisia arbuscula*) plant communities are found on shallow soils or soils with a heavy clay layer within 16 inches of the soil surface. Rubber rabbitbrush and green rabbitbrush are also found in association with low sagebrush. These larger shrubs are often found on slightly deeper soil islands within the low sagebrush plant community. Herbaceous vegetation is similar to the neighboring Wyoming big sagebrush plant communities with Idaho fescue and Thurber's needlegrass dominating.

Low sagebrush communities tend to have a complex forb component usually comprised of biscuitroot (*Lomatium sp.*), fleabane *(Erigeron sp.),* milkvetch *(Astragalus sp.),* balsamroot (specifically *Balsamorhiza sagittata* and *B. serrata*), and other associated forbs.

Environmental Consequences

No Action

Tired Horse Butte Pasture is lower in elevation and provides better winter range than the remainder of the allotment. In addition, the eastern half of Tired Horse Butte Pasture experiences earlier plant growth and development than the west side of the pasture. Consequently, spring use disproportionately occurs on the east side of the pasture. Even though the pasture is rested from spring grazing every other year, those years it is spring grazed it is also subsequently winter grazed with use predominantly occurring on the best winter range in the allotment. During most years, plants spring-grazed lack resources (i.e., soil moisture) to respond with adequate regrowth to sustain sufficient forage through winter grazing. In addition, because the west and east sides of the pasture differ in elevation, plant growth and development differences cause disproportionate spring use in certain areas of the pasture.

Selecting the No Action Alternative would allow the disproportionate use of early developing plant communities to continue.

Proposed Action

Constructing the proposed fence would mitigate undesirable effects to plant communities resulting from uneven livestock distribution by splitting Tired Horse Butte Pasture into two pastures. The proposed fencing in Tired Horse Butte Pasture would allow the proposed grazing rotation shown in Table 2 (above). The proposed rotation would allow the Rangeland Management Specialist and the permittee to control timing of grazing, as well as improve distribution, which would benefit vegetation by providing growing season rest and allowing plants to complete reproductive cycles.

5. Visual Resources

Current discussion and analysis of potential effects to visual resources are tiered to the 1992 Three Rivers RMP/ROD/RPS and relevant information contained in the following section is incorporated by reference: Chapter 2 page 2-148.

Affected Environment

The visual setting in the project area consists of gently rolling hills and flat lands with vegetation dominated by sagebrush and grasses with widely scattered juniper. Observable developments within the vicinity of the project area consist of roads, fences, and water developments (wells, troughs, and waterholes). Most of these developments are located along the outer edges of the project area. Most of the West Wagontire Allotment, including Tired Horse Butte Pasture, is not visible from any highway or main road. The 1992 Three Rivers RMP/ROD/RPS classifies the Tired Horse Butte Pasture area as VRM Class IV Management objectives for VRM Class IV allows for modifications to the existing character of the landscape. Management activities may dominate the view and be the major focus of viewer attention.

Environmental Consequences

No Action Alternative

Effects to visual resources under the No Action Alternative would be minimal. However, current livestock grazing management in Tired Horse Butte Pasture has potential to move the upland areas in the eastern side of the pasture toward a downward trend in rangeland condition. This situation may be visually noticeable to the casual observer. Overall, with no change in grazing management or additional range improvements, landscape conditions have potential to be degraded in the future, influencing visual resources.

Proposed Action

No changes to land form component of the landscape character is expected given that no major excavation activities are needed to install the fence. While the proposed fence would add a linear and vertical shaped feature to the landscape that would be observable, changes to the landscape character are expected to be low given that the fence would be located along an existing road. The proposed fence would divide Tired Horse Butte Pasture, allowing an improved grazing management rotation to be implemented. This would improve the vegetation component of the landscape character in the upland areas on the east side of the pasture by providing for the recovery of native herbaceous and woody vegetation and improving the overall stability of the system.

The proposed fence would comply with VRM Class IV Management Objectives and would help improve the overall rangeland health of the allotment while achieving multiple resource objectives. The overall benefit to rangeland health resulting from improved livestock management would outweigh the visual effects associated with the addition of the fence as observable development.

6. Wildlife

Current discussion and analysis of potential effects to wildlife is tiered to the 1992 Three Rivers RMP/ROD/RPS wildlife sections and relevant information contained in the following section is incorporated by reference: Chapter 2 page 2-66.

Affected Environment

Several wildlife species likely use habitat within the Project Area on either a seasonal or a limited basis. While only a very small portion (less than 150 acres) of the north-east corner of the Tired Horse Butte Pasture is considered winter habitat for mule deer (*Odocoileus hemionus*) and none of the allotment is classified as winter range for elk (*Cervus elaphus*) or pronghorn antelope (*Antilocapra Americana*), there is likely some use by these species. Deer most likely use the area mainly during winter months and antelope likely use the area more in spring and summer although it is possible to see them at any time. Elk use is expected to be light as it likely only occurs in winter and early spring months. Other wildlife species that use the area are mountain lion (*Felis concolor*), bobcat (*Felis rufus*), coyote (*Canis latrans*), badger (*Taxidea taxis*), and a myriad of small mammals.

Environmental Consequences

No Action Alternative

With this alternative, the best winter range in the pasture would continue to get a disproportional amount of use by cattle due to the uneven distribution. This would continue to decrease the amount of forage available to mule deer in the winter.

Proposed Action

The Proposed Action would benefit wildlife by increasing vegetative cover and forage for some species. Habitat conditions would likely improve to some extent by implementing the proposed rest rotation for the pasture being fenced. New fences can affect wildlife until they learn the fence exists. To reduce the likelihood of wildlife mortalities, white plastic clips would be attached to the fence at regular intervals, on every fence strand, and between all fenceposts. Additional design features, such as the height of the top strand, bottom strand, and type of wire, as outlined under the description of the alternative, would also aid in reducing affects to wildlife movement.

7. Recreation

Current discussion and analysis of potential effects to recreation are tiered to the 1992 Three Rivers RMP/ROD/RPS and relevant information contained in the following section is incorporated by reference: Chapter 2 page 2-107.

Affected Environment

The recreation setting would be similar to that described for the visual setting. The primary recreation activities in Tired Horse Butte Pasture are upland game bird (e.g., chukar) and big game (e.g., mule deer, pronghorn antelope) hunting. Other recreation opportunities present, some of which may occur in association with, include wildlife viewing, camping, hiking, horseback riding, and Off-Highway Vehicle use. Target shooting may also occur within the pasture.

Environmental Consequences

No Action Alternative

Hunting big and upland game is a main form of recreation in this pasture. The No Action Alternative would make no effort to improve upland areas that get a disproportionate level of livestock use. If no changes are made in livestock grazing management, a reduction in available forage for big game and livestock could occur because of uneven livestock distribution. Reductions in big game habitat would diminish recreational hunting opportunities.

Proposed Action

No changes to the types of recreation opportunities present in the project area would occur. Visual changes to the recreation setting would be the same as those described in the Visual Resources section of this chapter. The Proposed Action is designed to improve livestock grazing management. This would improve overall habitat for wildlife and provide for the recovery of native herbaceous and woody vegetation. As habitat function improves, recreational activities related to upland bird and big game hunting and viewing wildlife, the primary activities taking place in the project area would be enhanced. Improvements to vegetation would enhance all recreational activities. Occasional increases in traffic and noise associated with construction of range improvements could disrupt recreational activities, but would be for a short period (days) during fence construction. The fence would restrict some visitor access for activities such as horseback riding, but the proposed fence includes a gate, which would help facilitate continued access for these activities. No new roads would be constructed so no changes to public motorized access are expected.

8. Social and Economic Values

Affected Environment

The West Wagontire Allotment is located in Lake County, Oregon, but managed by Burns District BLM in Harney County. Economic information for both counties is provided.

Livestock raising and associated feed production industries are major contributors to the economies of Harney and Lake Counties. The highest individual agricultural sales revenues in the counties are derived from cattle production, which is inextricably linked to the commodity value of public rangelands. The cattle industry provided $48,782,000 in sales in Harney County and $28,200,000 in Lake County in 2007 (Oregon State University, Extension Service 2007).

Those engaged in ranching and forage production make up a strong component of the fabric of the local societies. Livestock grazing operations on public and private lands can have a stabilizing influence on local employment and standards of living. Hunting, hiking, and other types of dispersed outdoor recreation also contribute to the local economies on a seasonal basis. The undeveloped, open spaces in the counties are a tourist attraction and contribute to a share of revenue for local business.

Environmental Consequences

No Action Alternative

Under this alternative, no contracts for construction of a fence would be granted and no supplies would be purchased from local vendors.

The value of livestock in the allotment is expected to remain at current levels as rangeland conditions remain stable. However, potential exists for rangelands to move toward a downward trend if uneven distribution of livestock continues. Reduced forage conditions could lead to lower weaning weights or a reduction in overall cattle numbers.

The Federal government would continue to collect grazing permit fees from the permittee and this commodity use on public lands would continue to generate revenues for the Federal government and private sector in each local economy. However, this amount may decrease over time if downward trend in rangeland condition results in reduced stocking levels with an adjusted lower permitted use.

At the same time, public lands in and around the project area would also continue to contribute social amenities such as open space, scenic quality and recreational opportunities (including hunting). These amenities enhance local communities and tourism, though the specific contribution of the project area is not known. A visitor's experience could be affected if rangeland health deteriorates without construction of the fence to facilitate improved livestock distribution. Declining rangeland health conditions could also decrease hunting opportunities. However, since the fence would not be constructed, no additional linear visual effects would occur.

Proposed Action

The Proposed Action would utilize contracts to construct the proposed fence within the allotment. The project would cost approximately $6,800 (based on current market cost/mile for supplies and labor). Implementing the project would provide economic opportunities for local fence contractors or suppliers. Economic effects from collection of grazing permit fees would be the same as the No Action Alternative.

The proposed fence is designed to improve rangeland conditions, which could maintain or increase forage production for livestock and wildlife. Providing for sustainable grazing management that improves habitat conditions for wildlife would in turn increase economic opportunities and foster more desirable social opportunities such as hunting. However, some visitors may feel additional range improvements would detract from their recreational experience.

By maintaining a viable ranching operation and improving rangeland conditions in West Wagontire Allotment, the traditions associated with the ranching communities of Harney and Lake Counties would be maintained.

C. Cumulative Effects Analysis

As the Council on Environmental Quality (CEQ), in guidance issued on June 24, 2005, points out, the "environment analysis required under NEPA is forward-looking," and review of past actions is required only "to the extent that this review informs agency decision-making regarding the Proposed Action." Use of information on the effects on past action may be useful in two ways according to the CEQ guidance. One is for consideration of the Proposed Action's cumulative effects, and secondly as a basis for identifying the Proposed Action's effects.

The CEQ stated in this guidance that "[g]enerally, agencies can conduct an adequate cumulative effects analysis by focusing on the current aggregate effects of past actions without delving into the historical details of individual past actions." This is because a description of the current state of the environment inherently includes the effects of past actions. The CEQ guidance specifies that the "CEQ regulations do not require the consideration of the individual effects of all past actions to determine the present effects of past actions." Our information on the current environmental condition is more comprehensive and more accurate for establishing a useful starting point for a cumulative effects analysis, than attempting to establish such a starting point by adding up the described effects of individual past actions to some environmental baseline condition in the past that, unlike current conditions, can no longer be verified by direct examination.

The second area in which the CEQ guidance states that information on past actions may be useful is in "illuminating or predicting the direct and indirect effects of a Proposed Action." The usefulness of such information is limited by the fact that it is anecdotal only, and extrapolation of data from such singular experiences is not generally accepted as a reliable predictor of effects.

However, "experience with and information about past direct and indirect effects of individual past actions" have been found useful in "illuminating or predicting the direct and indirect effects" of the Proposed Action in the following instances: the basis for predicting the effects of the Proposed Action and its alternatives is based on the general accumulated experience of the resource professionals in the agency with similar actions.

The environmental consequences discussion described all expected effects including direct, indirect and cumulative on resources from enacting the proposed alternatives. A distinction between direct and indirect effects is not made and in many cases cumulative effects are only described as effects. All effects are considered direct and cumulative; therefore, use of these words may not appear. In addition, the Introduction Section of this EA, specifically the Purpose of and Need for Action, identifies past actions creating the current situation.

Reasonably Foreseeable Future Actions (RFFA) include those Federal and non-Federal activities not yet undertaken, but sufficiently likely to occur, that a Responsible Official of ordinary prudence would take such activities into account in reaching a decision. These Federal and non-Federal activities that must be taken into account in the analysis of cumulative impact include, but are not limited to, activities for which there are existing decisions, funding, or proposals identified by the bureau. These RFFAs must *fall within the geographic scope and timeframe* of the analysis being prepared. Rights-of-ways have been issued for wind energy testing on Round Top Butte and Glass Butte, averaging approximately 6 air miles northeast of the proposed fence. The only resource of concern *potentially* affected by all three projects would be sage-grouse. However:

1) The eastern portion of the Tired Horse Butte Pasture currently provides low quality sage-grouse habitat due to concentrated grazing pressure and heavy utilization of herbaceous vegetation. Enhanced vegetative conditions in the area would benefit sage-grouse by increasing forbs, which are important for females in the spring, and potentially provide more cover. The Three Rivers RMP/ROD (page 2-63) states, "Implement grazing systems on all sage grouse ranges to improve forb production and availability;"
2) The proposed fence is being constructed according to Conservation Guidelines found in the Greater Sage-grouse Conservation Assessment and Strategy for Oregon (Strategy);
    a. The proposed fence location is 1.2 and 2.5 miles from the nearest leks which is well outside the 0.6-mile radius for projects of this nature as described in the Strategy (page 76);
3) To reduce the likelihood of mortalities from collision, white plastic clips would be applied at regular intervals to all fence strands and between every fencepost (J. Connelly, et al. 2000);
4) Construction of the fence would not occur from March to May in order to reduce possible stress to sage-grouse during the strutting season;
5) No permanent impairment to sage-grouse habitat in the area would occur from implementation of the Proposed Action as there would be minimal surface disturbance as no blading would occur;
6) The Round Top Butte wildfire in 2007 eliminated most of the suitable habitat in the area near the met towers;
7) Yearlong habitat for sage-grouse would not be available for at least 15 years due to the Round Top Butte wildfire;
8) No permanent impairment to sage-grouse habitat in the area of the met towers would occur as the met towers are temporary in nature and would have minimal surface disturbance;
9) The met tower locations also comply with Instruction Memorandum OR-2008-014 which requires met towers to be located outside a 2-mile radius from leks or known concentration areas. The sage-grouse leks within 2 miles of the proposed met towers are inactive;
10) The met tower testing locations are in different water- and viewsheds.

Therefore, the Proposed Action when combined with wind testing would have no cumulative effects to sage-grouse habitat. The residual effects to sage-grouse after applying guidance from the Oregon Strategy and other mitigation would not be measurable.

Another RFFA is a geothermal lease sale; however, lease issuance alone does not authorize any ground-disturbing activities to explore for or develop geothermal resources without site-specific approval for the intended operation. Therefore, if there are no effects from sale of a lease there cannot be cumulative effects. The only other known RFFA within the geographic scope and timeframe of this analysis is continued livestock grazing.

CHAPTER IV: CONSULTATION AND COORDINATION

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B. Persons, Groups, and Agencies Consulted

Harney County Court
Oregon Department of Fish and Wildlife
West Wagontire Allotment Permittee