

NOTICE OF PROPOSED DECISION FOR RENEWAL OF THE HARMAN TERM GRAZING PERMIT FOR THE HICKEY INDIVIDUAL (#00202), SAGEHEN (#00208), FISHER LAKE (#00222 AND HICKEY FRF (#00223) ALLOTMENTS

INTRODUCTION AND BACKGROUND

The Hickey Individual (#00202), Sagehen (#00208), and Hickey FRF (#00223) Allotments are located approximately 6-8 west miles west of Adel, Oregon (refer to EA Map 1). The Fisher Lake (#00222) Allotment is located about 7 miles northeast of Adel, Oregon on the east side of Crump Lake. The Hickey Individual Allotment has five pastures and has been operated under a rest rotation grazing system. The Sagehen Allotment contains two pastures and is operated under a deferred grazing system. The Fisher Lake Allotment has 4 pastures and has been operated under a winter grazing system. The Hickey FRF Allotment is one pasture containing a majority of private land and the permittee pays for the AUMs on the public land and typically uses the allotment in the spring in conjunction with private land.

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

PROPOSED DECISION

It is my proposed decision to issue a 5 year grazing permit to Bud Harman. This permit would authorize livestock grazing use in the Hickey Individual (#00202), Sagehen (#00208), and Hickey FRF (#00223) Allotments as described in Alternative 1 in the EA. This permit would also authorize livestock grazing use in the Fisher Lake (#00222) as described in Alternative 3 in the EA. Table 1 shows the permit dates, active preference, and grazing system for the allotments, which would be authorized under this permit renewal.

Table 1.

Allotment	LIVESTOCK		GRAZING PERIOD		TYPE USE	% Public Land	AUMs
	Number	Kind	Begin Date	End Date			
Hickey Individual (00202)	100	CATTLE	04/16	9/20	Active	100	519
Sagehen (00208)	132	CATTLE	06/20*	10/05	Active	57	267
Fisher Lake (00222)	180	CATTLE	11/20	2/28	Active	100	598
	180	CATTLE	3/01	3/31		100	183
Hickey FRF (00223)	65	CATTLE	5/15	6/13	Active	100	64

- Table 2 of the EA incorrectly stated the begin date as 6/15 and it should have been 6/20

The Hickey Individual Allotment would continue with the current rest rotation grazing system as described under Alternative 1. The two riparian pastures will be grazed every other year in the spring while the other three pastures will be grazed two years and rested one year (see Table 3, page 9 of the EA) .

The Sagehen Allotment would continue with the current 2 pasture deferred grazing system, resting the Butte pasture every third year as described under Alternative 1. The Deep Creek pasture will be grazed late in the season every year but the use is managed under criteria in the Biological Opinion, developed in consultation with the Fish and Wildfire Service. (see Table 4, page 10 of the EA).

The Fisher Lake Allotment would continue with the current number of AUMs and 4 pasture rotation in the winter, but extending the season by 3 weeks until March 31st as described under Alternative 3. (see Table 7 of the EA).

The Hickey FRF Allotment would continue with the current authorized grazing as described in Alternative 1 (see Table 2 of the EA).

RATIONALE/AUTHORITY

Decision Factors

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

- a) How well does the decision conform to laws, regulations, and policies related to grazing use and protecting other resource values?
- b) How well does the decision conform to the resource management and allotment-specific management direction?
- c) How well does the decision promote maintenance of rangeland health standards?
- d) How well does the decision conform with Oregon Department of Fish and Wildlife (2005) sage-grouse guidelines?
- e) How well does the decision conform with IM 2012-043 regarding interim sage-grouse management?

A discussion addressing these decision factors as they relate to Alternative 1 from the Harman Grazing Permit Renewal EA for the Hickey Individual (#00202), Sagehen (#00208), and Hickey FRF (#00223) Allotments and for Alternative 3 from the Harman Grazing Permit Renewal EA for the Fisher Lake (#00222) Allotment follows.

Conformance with Grazing Management Laws, Regulations, and Policies

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

Regulations (CFR) Part 4100 (2005).

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

Grazing permittees who wish to graze livestock on public land must have a grazing permit or lease issued to them under the grazing regulations (43 CFR 4130.1(a)). Grazing permits or leases shall be issued to qualified applicants to authorize use on the public lands and other lands under the administration of the Bureau of Land Management that are designated as available for livestock grazing through land use plans (43 CFR 4130.2(a)). The permit applicant, Bud Harman, controls the base property associated with the grazing preference on the allotment and has been determined to be a qualified applicant. Grazing permits shall be issued for a term of ten years unless the base property lease is less than 10 years, in which case the permit shall coincide with the term of the base property lease (43 CFR 4130.2(d)(3)). The base property lease to Bud Harmon expires in 2018, so the term grazing permit shall be for 5 years. In addition, grazing permits need to be issued with appropriate terms and conditions designed to “achieve management and resource condition objectives for the public lands... and to ensure conformance with part 4180”... (43 CFR Part 4130.3).

Conformance with Federal Land Policy and Management Act

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

All public land within this allotment has been identified as available for livestock grazing in Table 5 (Page 46), Appendix E1 (pages A-18, A-26, A-40, A-41), and Map G-3. Table 5 and Appendix E1 also specify the initial forage allocation, period of use, grazing system, and management objectives for the allotment. Additional clarification of this initial management direction has been provided through periodic plan maintenance conducted in accordance with 43 CFR 1610.5-4.

Livestock Grazing Management Goal—*Provide for a sustainable level of livestock grazing consistent with other resource objectives and public land-use allocations* (Page 52).

“The current licensed grazing levels (presented in Appendix E1) will be maintained until analysis or evaluation of monitoring data or rangeland health assessments identify a need for adjustments to meet objectives. Applicable activity plans (including existing allotment management plans, agreements, decisions and/or terms and conditions of grazing use authorizations) will be developed, revised where necessary, and implemented to ensure that

resource objectives are met. The full permitted use level for each allotment has been and continues to be analyzed through individual allotment assessments, such as rangeland health and livestock grazing guidelines....” (Page 52).

Operation and Maintenance Actions

“Maintenance of existing and newly constructed facilities or projects will occur over time... Such activities could include, but are not limited to, routine maintenance of existing...water control structures..., wells, pipelines, waterholes, fences,... and other similar facilities/projects” (Page 100).

Appendix E1 – Allotment Specific Management Direction – Hickey Individual Allotment (pageA-18)

Range Livestock Management – *Continue livestock management practices under the 1975 allotment management plan. Revise the following objectives as needed to meet multiple use objectives.*

1. To reduce accelerated and potential accelerated gully soil erosion in the several short side drainages along Camas Creek and moderate sheet erosion on the table land in the Fish Creek Rim area by increasing litter accumulation, vegetative cover, and vigor by 50% from that recorded in photo plots 475, 477-479 and 484-485.
2. To increase the availability and the amount of forage for deer in the months of January-March in Seeding Pasture of the allotment by maintaining the crested wheatgrass seeding, yet not allowing crested wheatgrass wolf plants to develop, and increase the density of Idaho fescue and bluebunch wheatgrass and composition of Idaho fescue and bluebunch wheatgrass from that recorded in photo trend plot 474 and indicated by observance of photo trend station 475. To have available for deer use in those 3 months 80% of the current year’s growth of bitterbrush in the allotment.
3. Increase vegetative cover and vigor of Idaho fescue, bottlebrush squirreltail and bluebunch wheatgrass from that recorded in photo trend plots 473-474,476, 509A and indicated by observance of photo stations 475, 477-479, 484-485 and 510A.

The key species are crested wheatgrass, Idaho fescue and bluebunch wheatgrass.

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

Improve/maintain range condition - *Use management practices and/or better animal distribution; develop range improvements when appropriate: adjust permitted use as needed.*

Plant communities/vegetation – *Protect special status plant species/habitat from BLM authorized activities.*

Watershed/riparian/fisheries-

Where BLM –authorized activities are determined to be impacting water quality, modify management to improve surface water quality to meet/exceed state standards.

Continue maintenance of existing exclosures to comply with/implement biological opinion for Warner sucker.

Wildlife/Wildlife Habitat - *Follow the greater sage-grouse Livestock Grazing guidelines (pages 75-76 of ODFW 2005), where appropriate*

Intensively monitor utilization of browse in winter range areas. Avoid livestock utilization levels that reduce the long-term viability of browse plants.

Monitor elk population expansion to ensure sufficient forage and habitat are available.

Special Management Areas –*Fish Creek Rim ACEC/RNA and Fish Creek WSA occurs within the Allotment*

Adjust allotment management, including levels and areas of authorized use, season of use, and grazing system, if required by future ACEC management plan.

Manage grazing to protect wilderness values.

Appendix E1 – Allotment Specific Management Direction – Sagehen Allotment (page A-26)

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

Improve/maintain range condition - *Use management practices and/or better animal distribution; develop range improvements when appropriate: adjust permitted use as needed -*

Watershed/riparian/fisheries-

Where BLM –authorized activities are determined to be impacting water quality, modify management to improve surface water quality to meet/exceed state standards.

Continue maintenance of existing exclosures to comply with/implement biological opinion for Warner sucker.

Wildlife/Wildlife Habitat - Intensively monitor utilization of browse in winter range areas. Avoid livestock utilization levels that reduce the long-term viability of browse plants.

Monitor elk population expansion to ensure sufficient forage and habitat are available.

Special Status Species/Habitat – *Protect special status species/habitat from BLM authorized activities*

Follow the greater sage-grouse Livestock Grazing guidelines (pages 75-76 of ODFW 2005), where appropriate.

Implement recovery plan for other listed fish in the Warner Basin

Appendix E1 – Allotment Specific Management Direction –Fisher Lake Allotment (Page A-40)

Range Livestock Management – *Continue livestock management practices under the 1975 allotment management plan*

The key species are crested wheatgrass, saltgrass and bottlebrush squirreltail in Fisher Lake.

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

Improve/maintain range condition - *Use management practices and/or better animal distribution; develop range improvements when appropriate: adjust permitted use as needed.*

Continue to manage for forage production in seeded areas through season of use adjustments, possible vegetation treatments, fencing, water developments, and/or other actions.

Wildlife/Wildlife Habitat - *Follow the greater sage-grouse Livestock Grazing guidelines (pages 75-76 of ODFW 2005), where appropriate.*

Appendix E1 – Allotment Specific Management Direction – Hickey FRF Allotment (Page A-41)

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

Wildlife/Wildlife Habitat –

Monitor elk population expansion to ensure sufficient forage and habitat are available.

Follow the greater sage-grouse Livestock Grazing guidelines (pages 75-76 of ODFW 2005), where appropriate.

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

An ID team completed a Rangeland Health Assessment for the Hickey Individual and Sagehen Allotment in 1999 and for the Fisher Lake and Hickey FRF Allotments in 2002, in conformance with the requirements of 43 CFR 4180, and determined that all standards applicable to livestock grazing management on the allotment were being met or grazing management was not the casual factor for the failure to meet the standard.

Under Alternative 1, continuing to authorize grazing under the existing terms and conditions in the Hickey Individual, Sagehen and Hickey FRF Allotments as shown in Table 1, is expected to result in soil, vegetation, wildlife habitat, and rangeland conditions remaining relatively stable or improving over time (see pages 15-90 of the EA). Under Alternative 3, in the Fisher Lake Allotment, extending the grazing season by three weeks until March 31st, is expected to result in soil, vegetation, wildlife habitat, and rangeland conditions remaining relatively stable or improving over time (see pages 15-90 of the EA). Long-term monitoring study plots have been established in the allotments and include nested frequency trend, photo trend, and utilization (pages 13-14 of EA). These studies will continue in the future and be used to determine whether management objectives, including Rangeland Health Standards are continuing to be attained. If objectives are not attained, this can be addressed through future grazing management modification.

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

A substantial portion of this strategy was adopted by the Lakeview RMP/ROD through plan maintenance. In particular, this strategy states “where livestock grazing management results in a level of forage use (use level) that is consistent with Resource Management Plans, Allotment Management Plans, Terms and Conditions of Grazing Permits or Leases, other allotment specific direction, and regulations, no changes to use or management are required if habitat quality meets Rangeland Health Standard and Guidelines” (Page 75). The ODFW strategy also provides guidelines on how to construct or maintain range improvement projects to minimize impacts to sage-grouse habitat (Page 76). Since the Rangeland Health Assessment found no violation of standards related to grazing use, renewing the permit under Alternative 1 for Hickey Individual, Sagehen and Hickey FRF Allotments (which continues grazing under the current terms and conditions) and Alternative 3 for Fisher Lake Allotment (extends grazing season 3 weeks) will be consistent with this strategy.

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

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

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

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

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

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

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

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

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

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

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

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

The EA analyzed the effects of a reasonable range of alternatives (see EA pages 8-12). These alternatives addressed residual cover in terms of utilization standards and goals for key plant species (EA pages 13 and 14). Sage-grouse habitats were assessed in accordance with several protocols, including the *Sage-Grouse Habitat Assessment Framework* (see EA pages 83-88). Grazing practices addressed within the range of alternatives considered both livestock management and Greater Sage-Grouse habitat objectives. The allotments are meeting Rangeland Health Standard 5 and would continue to do so under Alternative 1 (EA pages 62-72 and 83--88) for Hickey Individual, Sagehen and Hickey FRF Allotments and under Alternative 3 for the Fisher Lake Allotment.

About 1.0 mile of existing fence in the Hickey Individual Allotment poses a high risk to sage-grouse. There are no high risk fences identified in the other 3 allotments. This section of fence would be inspected by BLM biologists and anti-strike markers installed in accordance with criteria outlined in IM No. 2012-043. This would mitigate the potential risk of future fence collisions within this allotment (see EA pages 83-84).

Conformance with National Environmental Policy Act

Prior to issuing this proposed decision, an ID Team prepared an environmental assessment (EA) and Finding of No Significant Impact (FONSI) in conformance with the National Environmental Policy Act of 1969. The EA analyzed the impacts of three alternatives including: (1) no action (continued grazing under the current permit terms and conditions), (2) renewing the 5-year with a 50% reduction in livestock numbers, (3) renewing the 5-year permit under the current permit terms and conditions on the Hickey Individual and Hickey FRF Allotments, creating a new FRF pasture in the Sagehen Allotment and extending the grazing season by 3 weeks in the Fisher Lake Allotment, (4) no grazing (not renewing the 5-year permit). The results of the Rangeland Health Assessments (RHA), completed in 1999 and 2002, were considered during this analysis. As noted in the FONSI, the selected alternatives (Alternative 1) for Hickey Individual, Sagehen and Hickey FRF Allotments, and alternative 3 for the Fisher Lake Allotment, would not have any significant effects on the human environment. Potentially interested public, agencies, tribes, and the permittee were provided a 30-day review period on the EA and FONSI. The BLM received no comments for consideration during that time.

Rationale

Generally, implementation of Alternatives 1-3 would conform with all applicable laws, regulations, land use plan direction, allotment management plan direction, and applicable sage-grouse management guidance. However, Alternative 1 was selected over Alternatives 2 and 3 in the Hickey Individual, Sagehen and Hickey FRF Allotments because the current grazing meets

the desired ecological conditions and management goals and objectives for the allotment, as well as provide for continuance of the permittee's livestock operation. The 50% reduction in alternative 2 for these Allotments would not significantly improve or change ecological processes or range conditions. Alternative 3 was selected for the Fisher Lake Allotment because it meets the desired ecological conditions and management goals and objectives for the allotment, while improving the permittee's livestock operation. Alternative 3 for the Saghen Allotment was not selected because the creation of an FRF pasture might result in not meeting the desired ecological conditions and management goals and objectives for the allotment.

Alternative 4 was considered within the EA analysis to provide a full range of alternatives and comply with grazing management permit renewal guidance. However, implementation of Alternative 4 would only be appropriate if an analysis or evaluation of monitoring data or rangeland health assessment identified a need for adjustments (e.g. reduction) to meet management objectives. In this instance, complete removal of grazing or closing the allotments to grazing use for a five year period would not be consistent with the management goals and direction contained in this land use plan, as current livestock grazing is not causing any violations of rangeland health standards. Neither the RHA nor other monitoring data have indicated any resource conflict or problem on the allotments that would require or justify complete removal of livestock. Therefore, BLM has no rational basis for adopting this alternative as the proposed decision.

RIGHT OF PROTEST AND/OR APPEAL

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

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

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

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

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

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

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

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

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

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

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

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

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

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



Thomas E. Rasmussen
Lakeview Resource Area, Field Manager

2/4/13
Date

Copies sent to:

Bud Harmon
123 Country Club Drive
Colusa, CA 95932

Peter Lacy
Oregon Natural Desert Association
917 SW Oak Street, Suite 408
Portland, OR 97205

David Tracy
635 NW Linsay Court
Bend, OR 97701-2410

FINDING OF NO SIGNIFICANT IMPACT

Harman Grazing Permit Renewal for Hickey Individual (00202), Sagehen (00208), Fisher Lake (00222) and Hickey FRF (00223) Allotments DOI-BLM-OR-L050-2012-0027-EA

The Bureau of Land Management, Lakeview District, Lakeview Resource Area (BLM), has analyzed several alternative proposals related to renewing at 10-year term grazing permit number 3600173 for the Hickey Individual (00202), Sagehen (00208), Fisher Lake (00222), and Hickey FRF (00223) Allotments. The allotments are located about 7-13 miles east of Lakeview, Oregon, and encompass approximately 22,600 acres of BLM-administered and private lands. An environmental assessment (EA) was prepared that analyzed the potential direct, indirect, and cumulative environmental impacts of four alternatives (attached). The alternatives analyzed included No Action (continue current grazing), a 50% reduction in grazing, Adjust Grazing Season on Fisher Lake Allotment and Create FRF Pasture in Sagehen Allotment, and No Grazing (see Chapter 2 of attached EA).

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

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

Rationale: Based on the analysis contained in the attached EA, none of the alternatives would have either significant beneficial or adverse impacts on the human environment. There are no prime or unique farmlands, low income or minority populations, paleontology, wild horse management areas, wild and scenic rivers, significant caves, designated wilderness areas, lands with wilderness characteristics, or hazardous waste sites located in the project area. No measureable impacts would occur to climate, air quality, floodplains, land tenure, or mineral and energy resources (Tables 12 and 13).

The potential impacts to soils, biological soil crusts, water quality and hydrology, wetland and riparian areas, upland vegetation, noxious weeds, wildlife, special status species, livestock grazing management, native American concerns, cultural resources, recreation, visual resources, social and economic values, ACEC/RNAs, and wilderness study areas anticipated by the various alternatives have been analyzed in detail within Chapter 3 of the attached EA and found not to be significant.

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

Rationale: None of the alternatives analyzed in detail in the attached EA would have significant impacts on public health or safety because the project area is not located near any populated rural or urban area. For this reason, there would also be no impacts to low income or minority populations (Table 12). Further, there are no known hazardous waste sites in the project area (Table 13). There would be no measureable impacts to air quality (Table 12). There are no municipal drinking water sources located in the area.

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

Rationale: There are no park lands, prime or unique farmlands, wild and scenic rivers, significant caves, designated wilderness areas, located in the project area (Tables 12 or 13). None of the alternatives analyzed in detail would have significant impacts on wetlands or riparian areas, ACEC/RNA values, or wilderness study areas (Chapter 3 of

attached EA).

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

Rationale: The BLM has extensive expertise planning, analyzing impacts, and implementing range management actions such as those proposed by the alternatives addressed in the attached EA. The potential impacts of these range management actions on soils, biological soil crusts, water quality and hydrology, wetland and riparian areas, upland vegetation, noxious weeds, wildlife, special status species, livestock grazing management, native American concerns, cultural resources, recreation, visual resources, social and economic values, ACEC/RNA values, and wilderness study areas can be reasonably predicted based on existing science and professional expertise. The attached EA analyzed these impacts in detail in Chapter 3. The nature of these impacts is not highly controversial, nor is there substantial dispute within the scientific community regarding the nature of these effects.

The public has been given an opportunity to review and comment on the analysis of effects. No comments were received.

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

Rationale: The BLM has extensive expertise planning, analyzing impacts, and implementing range management actions such as those proposed by the alternatives addressed in the attached EA. The potential impacts of these range management actions on soils, biological soil crusts, water quality and hydrology, wetland and riparian areas, upland vegetation, noxious weeds, wildlife, special status species, livestock grazing management, native American concerns, cultural resources, recreation, visual resources, social and economic values, ACEC/RNA values, and wilderness study areas can be reasonably predicted based on existing science and professional expertise. The attached EA analyzed these impacts in detail in Chapter 3. The nature of these impacts is not highly uncertain nor does it involve unique or unknown risks.

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

Rationale: The BLM has extensive expertise planning, analyzing impacts, and implementing range management actions such as those proposed by the alternatives addressed in Chapters 2 and 3 of the attached EA. None of the alternative actions represents a new, precedent-setting range management technique or would establish a precedent for future similar actions with potentially significant effects.

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

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

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

Rationale: There are no known areas of native American religious or other traditional uses in the project area. Potential impacts to cultural resources have been analyzed in Chapter 3 of the attached EA and found not to be significant (Chapter 3 of attached EA).

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

Rationale: There are no Federally-listed threatened or endangered plant or animal species or designated critical habitat within any of the allotments. However, habitat for the federally threatened Warner Sucker is located

downstream of the allotments and impacts to this species were analyzed in the Special Status Species section of the EA and were not significant. Impacts to the Greater Sage-grouse, a Federal candidate species, were analyzed in the Special Status Species section of the EA and were not significant. Impacts to other special status species were also analyzed and were not significant (Chapter 3 of attached EA).

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

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

The Federal Land Policy and Management Act requires that any action that BLM implements must also conform with the current land use plan and other applicable plans and policies. The purpose and need for the proposed action conforms with the management direction contained in the *Lakeview Resource Management Plan/Record of Decision* (BLM 2003b). The alternatives that were analyzed in the EA conform to the management direction requirements of this plan and the *Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Public Lands Administered by the Bureau of Land Management in the States of Oregon and Washington* (BLM 1997), the *Greater Sage-Grouse Conservation Strategy and Assessment for Oregon* (ODFW 2005), the *Greater Sage-Grouse Interim Management Policies and Procedures* (BLM 2011c), and the grazing regulations (43 CFR Part 4100) in varying degrees (Chapter 1). Conformance with this direction will be addressed in more detail within the proposed decision as it represents an important decision factor that must be considered in making the final decision (EA page 2).

Finding

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


Thomas E. Rasmussen, Field Manager
Lakeview Resource Area

2/4/13
Date