



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Spokane District
Wenatchee Field Office
915 Walla Walla Avenue
Wenatchee, Washington 98801

IN REPLY REFER TO:

4160 (ORW020)
(3600778)

January 9, 2015

Certified Mail Return Receipt Request#: 7012 1010 0001 4374 0366

NOTICE OF THE FIELD MANAGER'S PROPOSED DECISION

Dear Interested Public:

INTRODUCTION AND BACKGROUND

The Bureau of Land Management (BLM) has received an application to renew a livestock grazing lease in the Douglas Creek allotment (0778), with an additional request to add 440 acres adjacent to the allotment into the allotment boundary and management plan, as outlined in the *Douglas Creek Allotment Management Plan (AMP) Revision and Douglas Creek Canyon Restoration Environmental Assessment (DOI-BLM-OR-134-2014-0008)*. A revised allotment management plan (AMP), which includes range improvements and upland restoration projects, has been developed in response to this application and incorporates management actions to address concerns raised by the BLM and the current grazing lessee.

The Douglas Creek allotment lies approximately four miles north of Palisades in Douglas County, Washington. The legal description of the current allotment includes portions of T.23 N. R.23 E., sections 14-16, and 21-23. Additional acreage proposed to be added to the allotment boundary includes portions of BLM-administered lands in T23N R23E sections 8 and 9.

PROPOSED DECISION

Under the authority of the Code of Federal Regulations (43 CFR 4120.2, 43 CFR 4120.3, 43 CFR 4130.2, and 43 CFR 4160.1), it is my proposed decision to implement the revised AMP portion of the proposed action analyzed in DOI-BLM-OR-134-2014-0008-EA, which authorizes livestock grazing on allotment 0778 under authorization number 3600778 for a term of ten years (2015 to 2025), as well as upland restoration and range improvement projects.

Implementation of the revised AMP will include the terms and conditions described in Section 2.1.1 of the EA and the addition of 440 acres to the allotment boundary. The management objectives, livestock management, and monitoring will be used to set the parameters in the development of the

annual grazing system. Up to 530 Animal Unit Months (AUMs) will be authorized with a permitted season of use of April 1st to September 15th.

Upland restoration of shrub-steppe vegetation in the allotment, intended to enhance and improve shrub steppe habitat, will also be implemented.

This proposed decision is to implement only the revised AMP portion of the proposed action (including upland restoration, and range improvements) analyzed in the EA. A separate decision record was developed for implementation of restoration in Douglas Creek canyon, and for weed treatments in both the Douglas Creek allotment and Douglas Creek canyon, available at the BLM Spokane District website: <http://www.blm.gov/or/districts/spokane/plans/index.php>.

RATIONALE

The proposed action best meets the purpose and need for action by implementing a revised AMP for the allotment, while maintaining and improving upland health, and is in conformance with the Record of Decision (ROD) for the Spokane Resource Management Plan (1987) and its amendment (1992). The Resource Management Plan provides for multiple uses, including grazing, and also provides guidance for developing AMPs to establish livestock use levels, grazing systems, seasons of use, and range improvements.

The revised AMP and proposed upland restoration is in conformance with the ROD for the Spokane Resource Management Plan and amendment. The ROD (p. 21) specifies that management actions within habitat for endangered, threatened, or sensitive species would be designed specifically to benefit those species through habitat improvement.

Implementing the proposed action will also meet federal grazing objectives for promoting healthy sustainable rangeland ecosystems (43 CFR 4100.0-2), as outlined in the Fundamentals of Rangeland Health (43 CFR 4180.1) and the Standards for Rangeland Health (BLM 1997), as described in the EA. A Finding of No Significant Impact (FONSI) was prepared to document the factors considered to determine the significance of the effects on the human environment. Implementing the proposed action analyzed in the EA does not constitute a major federal action and will not lead to significant impacts to the human environment. Therefore, an Environmental Impact Statement is not required and will not be prepared.

RIGHT OF PROTEST AND/OR APPEAL

Any applicant, permittee, lessee or other interested public may protest a proposed decision under Sec. 43 CFR 4160.1 and 4160.2, in person or in writing to Linda Coates-Markle, Field Manager at 915 Walla Walla Ave, Wenatchee, WA 98801 within 15 days after receipt of such decision. The protest, if filed, should clearly and concisely state the reason(s) why the proposed decision is in error.

In accordance with 43 CFR 4160.3 (a), in the absence of a protest, this proposed decision will become the final decision of the authorized officer without further notice.

In accordance with 43 CFR 4160.3 (b) upon a timely filing of a protest, after a review of protests received and other information pertinent to the case, the authorized officer shall issue a final decision.

Any applicant, permittee, lessee or other person whose interest is adversely affected by the final decision may file an appeal in accordance with 43 CFR 4.470 and 43 CFR 4160.3 and 4160 .4. The appeal must be filed within 30 days following receipt of the final decision, or within 30 days after the date the proposed decision becomes final. The appeal may be accompanied by a petition for a stay of the decision in accordance with 43 CFR 4.471 and 4.479, pending final determination on appeal. The appeal and petition for a stay must be filed in the office of the authorized officer, as noted above. A notice of appeal electronically transmitted (e.g. email, facsimile, or social media) will not be accepted as an appeal. Also, a petition for stay that is electronically transmitted will not be accepted as a petition for stay.

The appellant must serve a copy of the appeal by certified mail to the Office of the Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 805 SW Broadway, Suite 600, Portland, OR 97205 and person(s) named [43 CFR 4.421(h)] in the Copies sent to: section of this decision.

The appeal shall clearly and concisely state the reasons why the appellant thinks the final decision is in error, and otherwise comply with the provisions of 43 CFR 4.470.

Should an appellant wish to file a petition for a stay, see 43 CFR 4.471 (a) and (b). In accordance with 43 CFR 4.471(c), 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, and
- (4) Whether the public interest favors granting the stay.

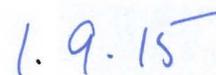
As noted above, the petition for stay must be filed in the office of the authorized officer and served in accordance with 43 CFR 4.473.

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

If you have any questions, feel free to contact Angela Link, Range Management Specialist, or me at 509-665-2100.



Linda Coates-Markle
Field Manager



Date

Copies sent to:

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Colville Confederated Tribes
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The Honorable Mr. Jim Boyd
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DECISION RECORD

Douglas Creek Allotment Management Plan (AMP) Revision and Douglas Creek Canyon
Restoration Environmental Assessment
DOI-BLM-OR-134-2014-0008

Bureau of Land Management
Wenatchee Field Office
915 Walla Walla Avenue
Wenatchee, Washington

1. Background

In May 2014, a Bureau of Land Management (BLM) Interdisciplinary Team (IDT) conducted a land health evaluation and determination of land health standards for the Douglas Creek Watershed (analysis area) in Douglas County, Washington. The evaluation concluded that BLM-administered lands in the analysis area were meeting or making significant progress towards meeting most standards. However, it also identified portions of the action area where land health improvements could be made.

As a result of these findings, the IDT analyzed effects of measures to improve land health and watershed conditions on BLM-administered lands in the analysis area (action area), in the *Douglas Creek Allotment Management Plan (AMP) Revision and Douglas Creek Canyon Restoration Environmental Assessment (DOI-BLM-OR-134-2014-0008)*.

2. Decision

It is my decision to implement the riparian restoration and weed treatment portions of the proposed action as described in Environmental Assessment (EA) DOI-BLM-OR-134-2014-0008. Implementation will include riparian restoration projects in Douglas Creek canyon including stream bank and water quality protection and dispersed camp area rehabilitation. Non-native species (weeds) would be treated in the Douglas Creek allotment and Douglas Creek canyon.

This decision record only implements Douglas Creek canyon riparian restoration and action area weed treatment portions of the proposed action analyzed in the EA. A separate decision has been developed for implementation of a revised allotment management plan (AMP) in the Douglas Creek allotment, available at the BLM Spokane District website: <http://www.blm.gov/or/districts/spokane/plans/index.php>.

3. Authority

The BLM manages land health and watershed function as directed by the Spokane District Resource Management Plan and Federal Grazing Administration regulations (EA, Section 1.1). The Agricultural Risk Protection Act of 2000 (Public Law 106-224) authorizes the BLM to manage noxious weeds and to coordinate with other federal and

state agencies in activities to eradicate, suppress, control, prevent, or retard the spread of any noxious weeds on federal lands. The Federal Noxious Weed Act of 1974 directs federal agencies to control or contain undesirable plant species using methods including biological agents.

4. Rationale

The proposed action best meets the purpose and need through riparian restoration in Douglas Creek canyon and weed treatments in Douglas Creek canyon and Douglas Creek allotment (EA, Section 2).

The RMP ROD directs BLM to: a) preserve, protect, and restore natural functions in riparian and wetland areas (USDI BLM 1987, p. 19); and b) design vegetation management projects to improve wildlife habitat and to plant shrubs and control noxious weeds in the Douglas Creek Management Area (USDI BLM 1987, p. 20). The need for maintaining or improving riparian and upland health in the action area is to meet federal objectives for promoting healthy sustainable ecosystems (43 CFR 4100.0-2), as outlined in the Fundamentals of Rangeland Health (43 CFR 4180.1) and the Standards for Rangeland Health (BLM 1997).

Implementing the proposed action analyzed in the EA does not constitute a major federal action and will not lead to significant impacts to the human environment. Therefore, an Environmental Impact Statement is not required and will not be prepared.

5. Public Involvement

On May 30, 2014 the BLM posted a scoping letter on its public NEPA website describing the proposed action and purpose and need for action, as well as notified the Colville Confederated Tribes and the Yakama Indian Nation and adjacent landowners including, The Nature Conservancy, United States Fish and Wildlife Service, and Washington State Department of Fish and Wildlife. No comments were received in response to this posting.

6. Coordination and Consultation

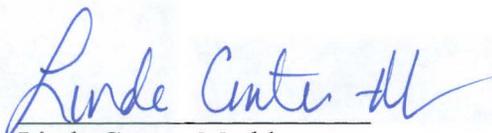
A copy of the public scoping notice and cover letters were individually addressed and sent to the tribal Chairs, as well as the Cultural Resources Program managers and Tribal Historic Preservation Officers (THPOs) of the Colville Confederated Tribes and the Yakama Indian Nation. Formal National Historic Preservation Act (NHPA) Section 106 consultations were initiated with the Washington State Department of Archaeology & Historic Preservation (DAHP), the Colville Confederated Tribes and the Yakama Indian Nation. The DAHP concurred with the Area of Potential Effect and with a determination of no adverse effect to cultural resources, provided that site protection and archaeological monitoring takes place as recommended. No response was received from tribes contacted.

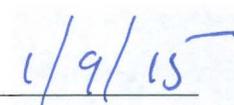
7. Protest and Appeal

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4. To appeal you must file a notice of appeal at the BLM Wenatchee Field Office, 915 N. Walla Walla Ave., Wenatchee, Washington 98801, within 30 days from receipt of this decision. The appeal must be in writing and delivered in person, via the United States Postal Service mail system, or other common carrier, to the Wenatchee Field Office as noted above. The BLM does not accept appeals by facsimile or email. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. Except as otherwise provided by law or other pertinent regulation, a petition for a stay of decision pending appeal shall show sufficient justification based on the following standards: (a) The relative harm to the parties if the stay is granted or denied, (b) The likelihood of the appellant's success on the merits, (c) The likelihood of immediate and irreparable harm if the stay is not granted, and (d) Whether the public interest favors granting the stay.

Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the Office of the Solicitor (see 43 CFR 4.413); Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 805 SW Broadway, Suite 600, Portland, OR 97205; at the same time the original documents are filed with this office.


Linda Coates-Markle
Field Manager


Date

FINDING OF NO SIGNIFICANT IMPACT

Douglas Creek Allotment Management Plan (AMP) Revision and Douglas Creek Canyon Restoration Environmental Assessment

DOI-BLM-OR-134-2014-0008-EA

Bureau of Land Management

Wenatchee Field Office
915 Walla Walla Avenue
Wenatchee, WA 98801

Background

The *Douglas Creek Allotment Management Plan (AMP) Revision and Douglas Creek Canyon Restoration Environmental Assessment (EA)* considers requests to graze livestock in the Douglas Creek grazing allotment and unleased adjacent areas, and simultaneously considers measures to improve land health and watershed conditions in action area (as described on page 5 of the EA).

The action area is located approximately 18 miles east-northeast of Wenatchee, Washington in south-central Douglas County. The legal description of the action area includes portions of T.23 N. R.23 E., sections 8-11, 13-16, and 21-24. Additional Bureau of Land Management (BLM) administered portions of Douglas Creek canyon in T.23 N. R.23 E., Section 5 and T.24 N. R.23 E., Sections 19, 29, 30, and 32 are also analyzed in this EA.

Finding of No Significant Impact (FONSI)

Based upon the review of the test for significance and the environmental analyses conducted, I have determined that the actions analyzed in the EA (DOI-BLM-OR-134-2014-0008) do not constitute a major federal action and that their implementation will not significantly affect the quality of the human environment. Accordingly, I have determined that an Environmental Impact Statement need not be prepared for this project.

Implementing regulations for National Environmental Policy Act (NEPA) (40CFR 1508.27) provide criteria for determining the significance of effects. *Significantly*, as used in NEPA requires consideration of both context and intensity. The text below cites 40 CFR 1508.27, with an explanation following each, stating how the proposed action conforms to this regulation.

Pursuant to 40 CFR 1508.13 and 1508.27, the potential “significance” of all reasonable alternatives was evaluated and it was concluded that there will be no significant effect on the human environment (including the natural and physical environment and the relationship of people with that environment). No significant irreversible or irretrievable resource commitments have been made, and long-term productivity has not been sacrificed in order to meet the project objectives, therefore, an Environmental Impact Statement is not needed. This determination is based on:

a) Context: This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant:

The disclosure of effects in the EA found the actions limited in context. The proposed action is site-specific in nature and its effects are limited in size. The activities described in the EA are limited to ten years in duration. Therefore, effects are local in nature and are not likely to significantly affect regional or national resources.

b) Intensity: This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following are considered in evaluating intensity:

1. *Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effects will be beneficial.*

Impacts associated with the proposed action are discussed in affected environment and environmental effects section of the EA. The proposed action will result in both beneficial and negative impacts to the human environment; however the impact on any resource is not expected to be significant.

2. *The degree to which the proposed action affects public health or safety*

The proposed action is not expected to have any impacts related to public health or 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.*

Although approximately 200 acres of prime farmland (aggregated to include irrigated and/or drained farmland), and 570 acres of Farmland of Statewide Importance exist in the action area, action alternatives would not preclude future agricultural uses (EA, p.11). Therefore, no impacts to Prime and Unique Farmlands are expected. In addition, there are no ecologically critical areas associated with the project area.

Formal National Historic Preservation Act (NHPA) Section 106 consultations for projects discussed in the EA were initiated with the Washington State Department of Archaeology & Historic Preservation (DAHP), the Colville Confederated Tribes and the Yakama Indian Nation. The DAHP concurred with the Area of Potential Effect and with a determination of no adverse effect to cultural resources, provided that site protection and archaeological monitoring takes place as recommended (EA, p.9). No response was received from tribes contacted.

4. *The degree to which the effects on the quality of the human environment are likely to be highly controversial.*

Any effects on the quality of the human environment are not highly controversial.

5. *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*

The proposed action does not contain any unique or unknown risks to the human environment.

6. *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.*

The proposed action does not set a precedent for future actions with significant effects in the action area.

7. *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.*

A review of the cumulative impacts associated with the proposed action and reasonably foreseeable future actions found there would be no significant cumulative effects on the environment. The proposed action's direct and indirect effects on resources in the project area are minor and generally benign, with some exceptions. The incremental contribution of this project's relatively benign effects to the effects of other past, present, and reasonably foreseeable future action is not anticipated to result in any significant cumulative effects.

8. *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.*

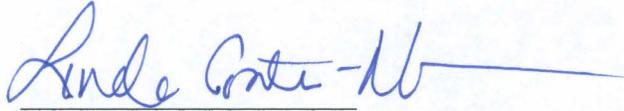
The proposed action has been designed to curtail effects to cultural resources (EA, Section 2). Therefore, there would be no adverse impacts to cultural resources identified in the action area. Consultation with the DAHP concurs with this determination.

9. *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*

Although pygmy rabbit were not found in the action area during surveys, the proposed action's design features include avoiding activities that would affect this species if found. Therefore, the proposed action is not expected to adversely affect endangered or threatened species or their critical habitat.

10. *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

The proposed action does not violate any Federal, State, or local laws or requirements imposed for the protection of the environment.



Linda Coates-Markle
Field Manager

1/9/15
Date