

Scoping Background and Issues – February 2010

Trout Creek Geographic Management Area (TCGMA)

Federal Grazing Permit Renewal Actions and Impending Environmental Impact Statement (EIS)

Relevant background information

The purpose and need for this Bureau of Land Management (BLM) Environmental Impact Statement (EIS) is related to public land grazing permit renewal and the following guidance:

- Federal grazing permit renewal and the Fundamentals of Rangeland Health, or FRH, as described in 43 CFR § 4180 grazing regulations (USDI BLM 1996).
- The Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Public Lands in Oregon and Washington, or S&Gs (USDI BLM 1997).
- The Federal Land Policy and Management Act of 1976, or FLPMA, wherein the BLM is charged with responsibility to balance multiple uses and demands in accordance with existing laws and regulations
- The Southeastern Oregon Resource Management Plan and Record of Decision (ROD 2002). Also known as the land use plan.

The rangeland health field assessment and subsequent evaluation forms the basis for this EIS. The analysis area includes all or part of the following Vale BLM Geographic Management Areas (GMA): (a) Trout Creek (b) Rattlesnake and (c) Barren Valley. See page 5 map. The analysis area incorporates about 628,000 acres of co-mingled federal, private, and state owned land. About 580,500 acres (~ 92.4%) is BLM administered land.

Grazing allotments and grazing permits involved

10 BLM grazing permits currently active within 9 grazing allotments including: Fifteen Mile Community (01201), McCormick (01202), McDermitt Creek (01205), Zimmerman (01203), Whitehorse Butte (01206), Campbell (11306), Albusu-Alcorta (01304), Tenmile (01308), and Barren Valley (10801).

Previous scoping

Through previous public meetings, grazing permittee meetings, and newspaper notices, the BLM has already gathered scoping information for the analysis area. However, for reasons related to ongoing litigation, BLM will now conduct its analysis of potential actions under an EIS instead of an EA as originally planned. Public scoping has been “re-opened” for this analysis area to comply with National Environmental Policy Act (NEPA) procedural requirements.

Field work completed and follow-up meetings that have been held

BLM initiated field work for a rangeland health assessment in this analysis area in 2001. Field work was completed by 2005. Following completion of rangeland health assessment field work, BLM described preliminary rangeland health determinations in two public meetings; one held in McDermitt, NV (September 19-20-21, 2005) and the other in Vale, OR (September 22, 2005). The purpose of the preliminary determinations meetings was two-fold: (1) seek out any other information about the assessment area that might have been overlooked or not considered and (2) disclose to the interested public and permittees what the determinations would be in the final published 2006 evaluation.

The *Trout Creek Geographic Management Area Standards of Rangeland Health Evaluation* (June 2006) was published in hardcopy and posted on the official Oregon and Washington BLM web site at: <http://www.blm.gov/or/districts/vale/plans/files/TCGMA%20Evaluation%20Chapters%201%20through%20>

[05_X.pdf](#) For this analysis area, the Jordan Field Manager determined that 22 grazing allotment pastures out of 74 evaluated (~29.7%) did not meet “standards” as described in the S&Gs. For these scoping meetings in February 2010, BLM has provided tables of information that show where the S&Gs were not met and why they were not met. The subject EIS will explore alternative ways BLM may remedy problem areas as described in its 2006 evaluation.

In response to the Field Managers’ determinations and other circumstances¹, grazing permittees in the 10 Mile, Campbell, Fifteen Mile Community, McCormick, and Whitehorse Butte Allotments have voluntarily reduced their grazing use and/or instituted grazing rest periods to help remedy rangeland health issues. Several pastures within the analysis area (see maps provided) have been treated under the Wildland/Urban Interface, or WUI, fire fuels program between 2000 and 2009. These actions have involved a combination of active management measures including application of prescribed fire, brush-beating, seeding with native species and seeding with non-native species (crested wheatgrass). Periods of grazing rest are associated with each of the WUI projects completed.

The Trout Creek Mountain Working Group (TCMWG), an active coalition of federal and state agencies, environmental organizations, and grazing permittees, has been informed about the assessment and evaluation preceding this EIS. For information on how you may become a participant in the TCMWG please contact the Jordan Resource Area Field Manager.

Known Issues from Previous Internal (BLM) and External (Public) Scoping

Grazing Use

1. 1990 riparian grazing management changes intended to conserve and recover Lahontan cutthroat trout (LCT – Federal Threatened) have progressed favorably. However, since that time permittees have operated under a substantial downward livestock grazing adjustment in the Fifteen Mile Community and Whitehorse Butte Allotments. For example, before the 1990 BLM final grazing decision, 1,900 cow/calf pairs grazed upper elevation rangeland every year in the Whitehorse Butte Allotment from June 15 to September 30. After the 1990 BLM decision, only 700 cow/calf pairs were allowed and the Whitehorse Butte permittee was required to rest upper elevation pastures for two consecutive years following two consecutive years of grazing use. Similar adjustment was made for the 15 Mile Community Allotment.

See Table below taken from the April 1990 District Manager’s decision

<u>Upper Elevation Pastures</u>		<u>Lower Elevation Pastures</u>	
<u>Historic Use</u>	<u>Decision</u>	<u>Historic Use</u>	<u>Decision</u>
1,900 cattle	700 cattle	1,900 cattle	1,500 cattle
6,650 AUMS used	1,400 AUMS used	5,700 AUMS used	6,900 AUMS used

2. In addition, because lower elevation Whitehorse Butte pastures received an overall 21% increase in grazing pressure after 1990, several crested wheatgrass seedings have suffered plant health decline. Soil and climate limitations likely contributed to these declines as did impacts from grasshoppers, crickets and rabbits. McDermit weather station data indicates that about 44% of the

¹ The Whitehorse Ranch recently sold and a new permittee now holds the federal grazing privileges for the Whitehorse Butte Allotment (01206). The new permittee livestock herd is below the number of cattle that have been grazed over the last 20 or more years.

years between 1990 and 2005 were drought periods (defined as 75% of mean crop year precipitation). 2002 to 2004 were consecutive drought years.

3. The academic community and BLM staff both believed the crested wheatgrass grazing systems allowed since 1990 would be sustainable. Experience now shows that judgment to be incorrect and an adjustment is now needed. In the EIS, BLM must find a multiple use compromise solution that would be expected to: (1) maintain the upper elevation rangeland and riparian area recovery now in place and (2) promote lower elevation rangeland recovery. A balanced and sustainable level of grazing use throughout the entire analysis area is needed.
4. Because of 1990 grazing decision limitations, several permittees are unable to make full use of their grazing preference (animal unit months, or AUMs) under current management.
5. Permittees have expressed the desire to enter into livestock grazing systems with flexibility tied to rangeland plant phenology (e.g. the annual and normal phases of grass growth, seed set, and so on that vary annually in response to temperature and moisture conditions) instead of date-certain livestock moves.
6. Two permittees have expressed desire to practice “twice-over²” grazing as a way to recover plant vigor in Basque Seeding East, Basque Seeding West, Etchart Seeding, and Twelve Mile Seeding which are all crested wheatgrass seedings.
7. BLM financial capabilities to construct new projects or re-construct existing rangeland developments (e.g. from grazing receipt dollars and Department of Interior appropriations) is limited and funding for such endeavors has dwindled over the years. Although some level of rangeland development may result from this EIS, BLM cannot afford to “build its way out” of rangeland health problem areas.
8. The Malheur County Court and Malheur County Natural Resources Committee has asked that BLM address socio-economic impacts more clearly than it has done in the past. To the extent practical, BLM will do so on the basis of recent publications and general knowledge about the ranching operations involved. BLM does not plan to conduct detailed economic impact analyses on the permittees affected by the EIS. Instead, BLM will allude to additional costs likely to be incurred under different alternative remedies to rangeland health problems.

Other Identified Resource Issues

1. As a result of Oregon Natural Desert Association (ONDA) litigation carried to the United States Court of Appeals for the 9th Circuit, BLM must now consider wilderness characteristics (WCs) on land outside of Wilderness Study Areas (WSAs) as a multiple use value. A WCs “re-inventory” of all land units within this analysis area has now been completed. A final internal report summarizing the WC findings is nearly completed. The findings will be posted on BLM’s official web site when the documents are completed and signed.
2. Part of the Coyote Lake wild horse Herd Management Area (HMA) is within TCGMA and its Appropriate Management Level (AML) is currently set at 125 to 250 horses. The HMA includes parts of the Vale and Burns BLM Districts.
3. Streams and meadows present within several TCGMA pastures are not being managed to attain Proper Functioning Riparian Condition (PFC). Renewed permits will need to incorporate these areas into long-term riparian management prescriptions.

² Grazing management promoted by Dr. Llewellyn Manske, North Dakota State University, Dickinson Research Extension Center.

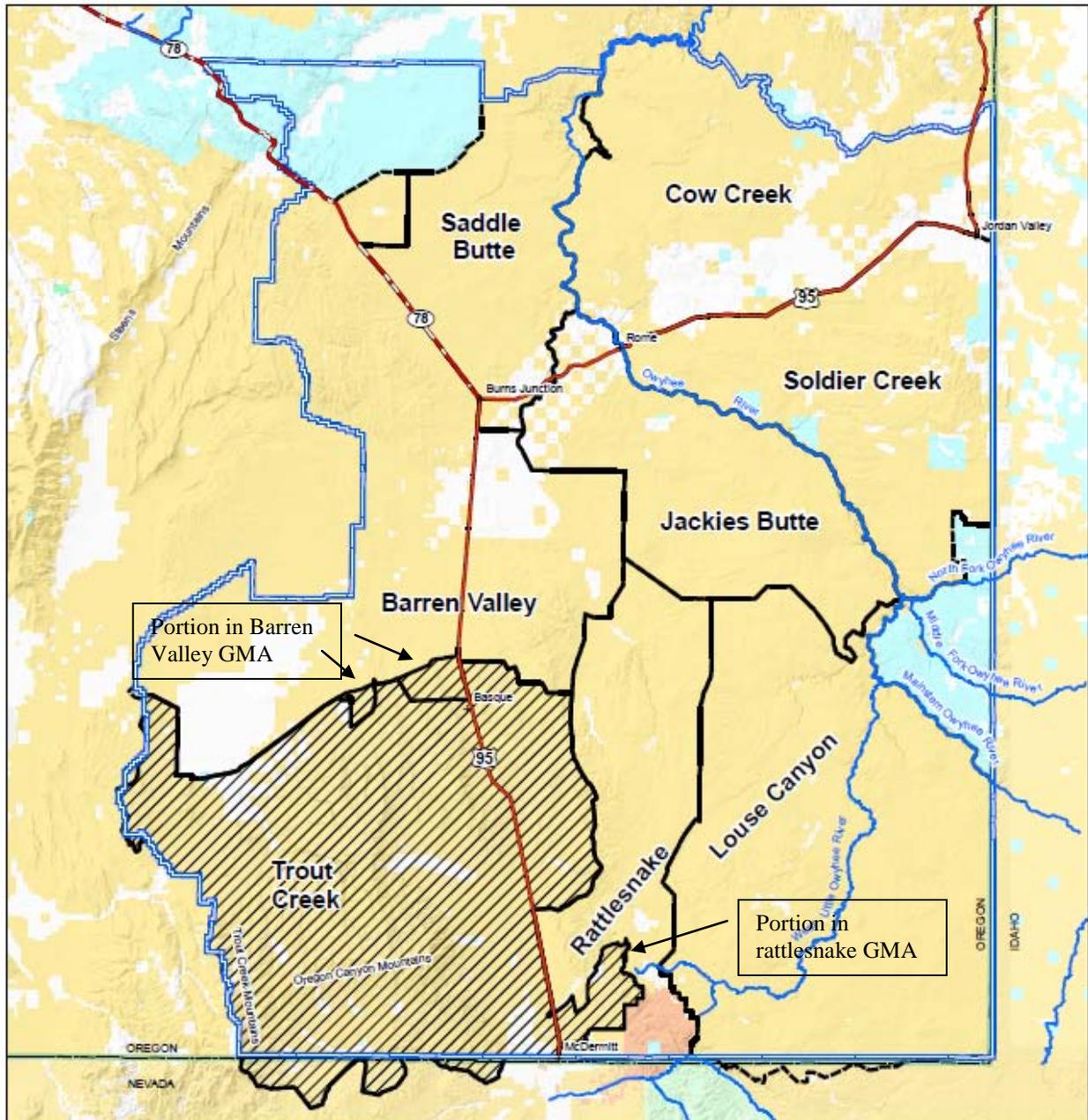
4. Crested wheatgrass seedings below 5,000 feet elevation are producing forage volume below desired expectations. Low site potential, drought conditions, insects, and rabbits are all considered contributing factors.
5. Microbiotic soil crust health issues will need to be incorporated into upland management: especially in rangeland below 5,000 feet elevation.
6. TCGMA is rich in cultural sites and paleontological material (fish and plant fossils).
7. McDermitt Creek basin (including the Bretz Mine and Opalite Mine) supports an unusual assemblage of special status plant species growing at the northern limit of their range.
8. BLM will not adjust existing Wilderness Study Area (WSA) boundaries in the EIS. This is a matter for the U.S Congress to decide, not Vale BLM.
9. There are three BLM Areas of Critical Environmental Concern (ACECs) within the analysis area representing riparian, mountain shrub and playa natural values.
10. There are six WSAs within the analysis area including Disaster Peak, Bowden Hills, Twelvemile Creek, Oregon Canyon, Willow Creek and 15 Mile.
11. Four citizen wilderness proposals overlap with the analysis area including Tenmile Creek, Battle Mountain, Black Point and Tule Springs Rim.
12. There are no western juniper issues associated with the analysis area.
13. The analysis area is highly productive for sagebrush obligate species including greater sage-grouse (BLM Sensitive Species). A total of 72 sage-grouse leks have been identified within the analysis area and another 89 leks are located in relatively close proximity to the Oregon state line. FWS will announce its opinion on sage-grouse ESA listing sometime in February 2010; the outcome of their decision may affect the BLM proposed action and alternatives.
14. The cumulative impacts of historic (prior to 2000) and recent (after 2000) impacts cause by wildfire, prescribed fire and brush mowing will be analyzed in the EIS. Fragmentation of sagebrush steppe habitat in relation to sagebrush-dependent species will be addressed.
15. Rock-hounding for petrified wood has recently become an issue in the McDermitt basin for several reasons including safety and illegal collection volume.
16. Plans are underway to mitigate Bretz Mine hazardous waste.
17. Commercial flagstone collection on Jackson Summit has been an issue.

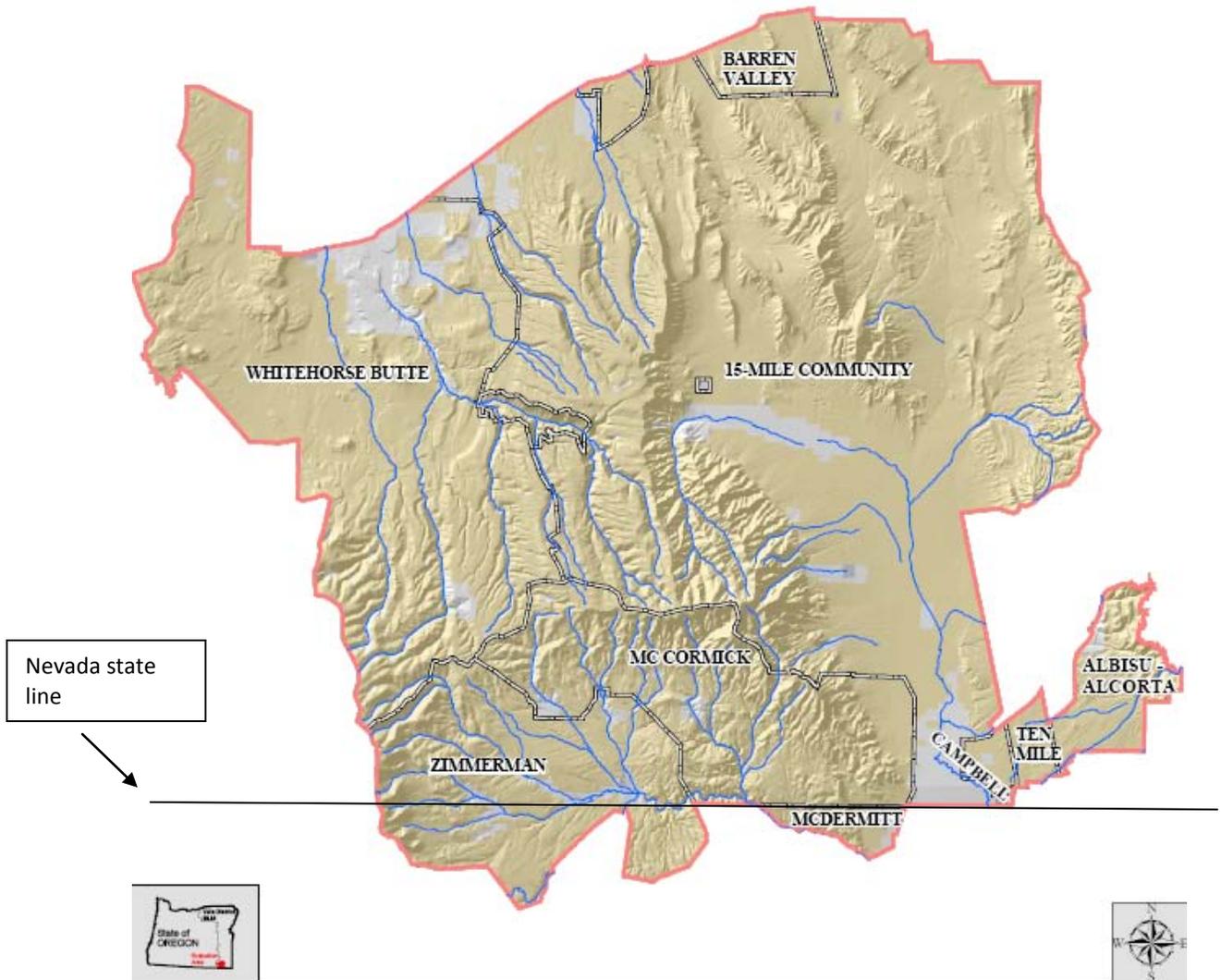
Trout Creek GMA EIS Contributors

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Rangeland Management / Rangeland Vegetation	Richard White
Rangeland Improvement Projects	Manuel Berain
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Soils/Microbiotic Crusts / Hydrology	To be determined
Terrestrial Wildlife and Wildlife Habitat	Jon Sadowski
Cultural/Paleontology	Diane Pritchard

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Wild Horses	Shaney Rockefeller
Noxious Weeds / Invasive Plants	Gillian Wigglesworth
Wilderness Study Areas / Wilderness Characteristics / Recreation	Kari Frederick

Map 1 – Environmental Impact Statement “analysis area” shown in crosshatching. Portions of the barren valley and rattlesnake GMA are indicated with arrows.





Map 2 – Grazing allotments and topographic relief for the EIS