

**ENVIRONMENTAL ASSESSMENT
(OR-030-99-013)**

BLM OFFICE: Vale

PROPOSED ACTION: Temporary Nonrenewable Grazing Application

LOCATION OF PROPOSED ACTION: East Cow Creek Allotment (10903)

APPLICANT: Rich Bennett, Jim Elordi and Jeff Anderson Estate, Inc.

CONFORMANCE WITH APPLICABLE LAND USE PLAN

This proposed action is subject to the following land use plans:

Name of Plans: Southern Malheur MFP (1983)

Southern Rangeland Program Summary (RPS) (1984)

East Cow Creek Allotment Management Plan (AMP) (1972)

The plans have been reviewed to determine if the proposed action conforms with the land use plan terms and conditions as required by 43 CFR 1610.5. Within the Southern Malheur RPS and East Cow Creek AMP, the primary management objective for the allotment is to maintain the current condition of the crested wheatgrass seedings and native range pastures. East Cow Creek allotment is classified as an “M” allotment.

REMARKS

This project is in conformance with the MFP and RPS and the objectives of maintaining vegetative and soil conditions to benefit watershed, wildlife and livestock.

NEED FOR PROPOSED ACTION

Grazing applications were received from Rich Bennett, Jim Elordi and Jeff Anderson Estate requesting temporary nonrenewable (TNR) grazing use for 40 AUMS, 97 AUMS and 38 AUMs, respectively. The permittees are applying for additional forage in the Jordan Valley (JV) seeding North and Bennett North pastures.

The TNR AUMs applied for are suspended AUMs within the total grazing preference of the permits for the three permittees. More importantly, these AUMs have been temporarily authorized on an annual basis since 1972. In addition, the East Cow Creek AMP was revised in 1974 to reflect the restoration of the suspended nonuse AUMs on a “temporary basis”, and the normal operating plan specified in the AMP includes the suspended nonuse AUMs for each permittee. For the past 26 years, these AUMs have been used on an annual basis but were never included as active preference. The Southern Malheur Grazing Management Program Environmental Impact Statement (1983-page 68) analyzed the use of these suspended AUMs along with the active preference for the allotment under the preferred alternative. With the issuance of the new grazing regulations in 1995, as outlined in 43 CFR 4130.6-2, TNR permits would be authorized on an annual basis when forage is temporarily available, provided this use is consistent with multiple-use objectives and does not interfere with existing livestock operations on public land.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES

A. Proposed Action

The proposed action would be to authorize temporary nonrenewable grazing use for 135 AUMs over approximately 17 days predominately occurring from 5/21 to 6/7 for Anderson and Elordi in the JV seeding North pasture. In addition another 40 AUMs over a 25 day period would be authorized from 7/5 to 7/29 for Bennett in the Bennett North pasture (see attached map).

Livestock will be removed from the JV Seeding North pasture by the first week in June allowing for regrowth to occur with subsequent seed production and carbohydrate root reserve storage before the end of the growing season. The Bennett North pasture will be grazed during and after seed production this year. Next year, the Bennett North pasture will be grazed early and allowed to regrow, produce seed, and replenish root carbohydrate reserve. The grazing authorization would continue during the late spring and early summer which would be within the season of use for this allotment, as determined by the Southern Malheur MFP (1983)

B Alternative 1- No Action

This alternative would be denial of the TNR application which would result in no grazing beyond the authorized Active Preference. The additional 175 AUMs of suspended use would not be used.

AFFECTED ENVIRONMENT

A. The Bennett North Pasture:

The Bennett North pasture consists of 945 acres and is an excellent stand of native range that is in late seral condition. It is a complex of low sagebrush and big sagebrush communities with a very good composition and diversity of grasses and forbs.

It is grazed in rotation with the Bennett South pasture which is also in late seral condition. The management objective of the pasture is to maintain the native range in late seral condition.

The pasture is managed under a deferred grazing system to meet the physiological requirements of the key forage plants and promote rangeland health. This year the North pasture is being grazed late (6/1-7/05) and the South pasture is being grazed early (4/01-6/01).

The average total actual utilization for the past 10 years, which included use of the suspended AUMs, was 27%.

The Bennett North pasture provides some Wyoming sagebrush habitat that is probably used for nesting sage grouse (about one third of the pasture). Most of the pasture is a low sagebrush type which is not typically used for nesting because of limited hiding cover from predators and other disturbances. There are no leks identified within the allotment. However, 10 leks have been located to the west within a 10 mile radius of this pasture.

Riparian habitat is supported within the Bennett North pasture. Riparian and meadow habitats are dominated by perennial grasses, rushes and other herbaceous species. Although there are pockets of white top and raw soils associated with some of the riparian habitat, these conditions are not the dominant aspect of the system. Riparian habitat in the pasture would not be expected to support much of a woody component because it sets within a small sub-watershed that is generally free from scouring events characteristics in woody riparian systems.

Wildlife habitat conditions exceed minimum Rangeland Health standards under current grazing within the Bennett North pasture. Grazing use has been generally light and limited in scope. The Bennett North pasture supports pronghorn and mule deer use. The low sagebrush community is considered to be good quality mid-elevation pronghorn spring-summer-fall range. Big sagebrush and bitterbrush communities provide mature shrub structure and an understory of forbs typically sought by mule deer.

Shrub and herbaceous cover characteristics in the Bennett North pasture are favorable to other sagebrush obligates identified in Wildlife in Managed Rangelands (Thomas et. al. 1984). Furthermore, there are no herbaceous or shrub cover fragmentation problems within this pasture.

B. The Jordan Valley (JV) Seeding North Pasture:

The JV Seeding North pasture consists of 1,430 acres and 50% of the pasture consists of a homogenous stand of crested wheatgrass that is in excellent condition. The management objective is to maintain the crested wheatgrass seeding in excellent condition.

The other 50% of the seeding is comprised of a topographically complex rangeland which supports Wyoming sagebrush and bitterbrush. There is good quality moderate and heavy shrub structure suitable for sagebrush obligate species throughout this portion of the pasture. Bitterbrush stands are healthy and show evidence of reproduction in most areas. Growth forms show limited impacts from livestock grazing which has been authorized in the past.

The pasture is managed under a deferred grazing system to meet the physiological requirements of the key forage plants and promote rangeland health. This year the North pasture is being grazed late (5/12-5/21) and the South pasture is being grazed early (4/01- 5/12).

The average total actual utilization for the past 10 years, which included use of the suspended AUMs, was 38%.

The following table shows annually authorized Total Active Preference, Active Preference and Suspended AUMs by permittee and pasture. The table also shows average utilization for the previous 10 year period by pasture.

Permittee	Pasture	Total Active Preference AUMs	Active AUMs	Suspended AUMs (Authorized under TNR)	Ave. Actual Utiliz.
Bennett	Bennett North	195	155	40	27%

Jeff Anderson Estate	JV Seeding North	183	145	38	38%
Kathym Elordi	JV Seeding North	484	387	97	
	Total	862	687	175	

In general, the two pastures are in the 10 to 12 inch precipitation zone and consists of gently sloping and rolling lava plateau uplands underlain by recent basaltic flows. Average precipitation for the winter period of 1998 to 1999 has been well above normal resulting in above normal forage production. Three dominant soil types exist in the area: 1)shallow, clayey, very stony and well drained, 2) shallow, clayey, well drained soils but are less stony and generally have thicker silty surface layers, and 3) very shallow, very stony, rocky well drained, gravelly loam soils located on slightly steeper slopes.

According to Aldrich and Durall (1955) sage grouse in this geographic area are identified as the eastern subspecies (Centrocercus urophasianus urophasianus). Although this taxonomic determination is about to be changed based on genetic research throughout the west, sage grouse within the analysis area are not former federal candidates and they have no special status under current OR/WA special status species policy. They are nevertheless an important indicator species of rangeland health and have high priority in assessing habitat quality.

ENVIRONMENTAL IMPACTS (Proposed Action)

Mandatory Elements

The following mandatory elements are either not present or would not be affected by the proposed action or alternative:

<u>CRITICAL ELEMENTS</u>	<u>AFFECTED</u>	
	<u>YES</u>	<u>NO</u>
Air Quality		X
ACECs		X
Cultural Resources		X
Farmlands, Prime/Unique		X
Floodplains		X
Nat. Amer. Rel. Concerns		X
T&E Species		X
Wastes, Hazardous/Solid		X
Water Quality		X
Wetlands/Riparian Zones		X
Wild & Scenic Rivers		X
Wilderness (WSA)		X
Wildlife		X

Short-term environmental impacts would include the partial removal of annual above ground biomass from lightly utilized crested wheatgrass plants. Although this use would occur during the critical growing season

within the JV seeding North, plant vigor should be maintained because the expected annual utilization level would not be expected to exceed 40%. The average annual utilization the past 10 years for the Jordan Valley North seeding has been 38%. This 38% utilization level was obtained when the permittees used their total preference, including the suspended AUMs, during the past 10 years. Therefore, the expected utilization level should not exceed 40% over a 17 day period with the additional 135 AUMs of use in the JV Seeding North pasture this year.

Although this additional livestock use would occur during the peak flowering stage within the Bennett North pasture, plant vigor should not be adversely impacted because the expected annual utilization level would not exceed 30%. The average annual utilization for the past 10 years in the Bennett North pasture has been 27%. This 27% average utilization level was obtained when the permittee used his total preference, including the suspended AUMs. Therefore, the expected utilization level should not exceed 30% over a 25 day period with the additional 40 AUMs of use in the Bennett North pasture.

Based on field observations in April 1999, there is evidence of considerable mature residual grass and forb cover for sage grouse nesting within Wyoming sage brush types of the Bennett North pasture. It is estimated that 30-50% of the pasture shows little or no evidence of livestock grazing. This observation would support the conclusion that the bulk of the Wyoming sagebrush habitat within this pasture is a defacto nesting cover reserve for sage grouse nesting. It is likely that livestock grazing has some adverse effects to nesting where cattle have access, but certainly the impacts are limited in extent. The low utilization level data considered in this assessment are consistent with herbaceous cover conditions that were observed in the field.

Within areas influenced by livestock grazing, bitterbrush communities showed very limited effects from browsing in the Bennett North pasture. Cole form classes of bitterbrush showed signs of predominately light and moderate use. Young and seedling bitterbrush plants were commonly observed with livestock use areas, indicating that reproduction is ongoing under the current grazing system. Wildlife habitat conditions are not a limitation to big game populations within the Bennett North pasture.

Riparian habitat should not be adversely impacted with the authorization of this additional livestock use. The alternating grazing cycle and potential for regrowth of herbaceous cover after July 30th is consistent with the definition of a properly functioning watershed. The lack of weed dominance and limited exposed soil surface indicated grazing has been moderately favorable for riparian management requirements.

For the past 15 years these pastures have been managed under a deferred system of livestock use to ensure that the proper intensity, timing and duration of defoliation on crested wheatgrass and native range are followed. Through pasture rotation, subsequent grazing the following year will provide for periodic deferment to meet the physiological requirements of the key forage plants. Enough residual vegetation will be left to meet soil and watershed objectives and provide forage and cover for wildlife.

There are no federally listed fish or wildlife species present within this allotment. There is no requirement to consult with the US Fish and Wildlife Service under Section 7 of the Endangered Species Act.

Overall, the issuance of this TNR would impact only 5 % of the East Cow Creek allotment. In addition, this grazing would occur at the same levels of TNR grazing that has been authorized on an annual basis for the past 26 years in pastures that are in excellent condition and have been maintained in this condition

under similar grazing schemes over this period of time. Consequently, cumulative impacts should be negligible.

Additionally, the issuance of TNR would not interfere with existing livestock operations (i.e succeeding years use) and, most importantly, there are no known irreplaceable or irretrievable impacts.

The TNR use has been analyzed in the Southern Malheur MFP/EIS (1983) and no new resource issues exist.

Environmental Impacts (Alternative 1 “No Action”)

Resource impacts would be similar to the preferred alternative except livestock utilization levels would be the same or lower than the preferred alternative.

Post grazing season wildlife habitat conditions in upland and riparian areas would be better under the no action alternative than the proposed action. This would be true because livestock grazing impacts to wildlife cover, forage and nesting activity would occur over a smaller area and be less intense. However, in view of the planned utilization levels and the generally good quality wildlife habitat conditions present, the level of impact reduction would not be warranted from a wildlife habitat standpoint. Based on what was observed in the field, the character of grazing use being considered would substantially meet wildlife needs for both game and nongame species.

DESCRIPTION OF MITIGATION MEASURES AND RESIDUAL IMPACTS

The authorization of 175 AUMs of TNR would require additional periodic monitoring of average utilization and distribution to insure management objectives and utilization criteria (i.e. 60% crested wheatgrass and 40% native range) are not exceeded.

LITERATURE CITED

Aldrich, J.W. and A.J. Durall. 1955. Distribution of American Gallinaceous Game Birds. US Fish and Wildlife Service.

Thomas et. al. 1984. Wildlife in Managed Rangelands.

PERSONS/AGENCIES CONSULTED

Jeff Anderson Estate, Inc. (Gertrude Anderson) - Permittee

Rich Bennett - Permittee

Kathryn Elordi (Jim Elordi) - Permittee

Jon Sadowski - Wildlife Biologist

Alice Bronsdon - Archeologist

Jean Findley - T&E Species

Jeff Wilbanks - Outdoor Recreation Planner - P&E Coordinator

Tom Hilken - Rangeland Management Specialist/Ecologist

Tom Forre - Acting Supervisory Rangeland Management Specialist/Ecologist

Tom Miles - Supervisor Rangeland Management Specialist/Ecologist

Jon Marvel - Idaho Watersheds Project- EA mailed 4/28/99-No Comment

Doug Heiken and Wendell Wood - Oregon Natural Resources Council - EA mailed 4/28/99- No Comment

Argus Observer - Published 5/2/99-No Comment

FINDING OF NO SIGNIFICANT IMPACTS

I have reviewed EA, OR-030-99-13 and determined that the proposed action with the mitigating measures will not have any significant impacts on the human environment and that an EIS is not required. I have determined that the proposed project is in conformance with the land use plan.

S/Jerry L. Taylor
Authorized Official

04/27/99
Date

DECISION/RATIONALE

I have determined that implementation of the proposed action and mitigation to authorize 175 temporary nonrenewable AUMs as outlined in EA OR-030-99-013 in the East Cow Creek Allotment (#10903) is in conformance with the land use plan for the Jordan Resource Area and allotment management objectives.

My decision is to authorize the temporary nonrenewable grazing permits for a total of 175 AUMs in the East Cow Creek allotment. Livestock will be removed if a maximum of 60% utilization is reached during the temporary nonrenewable grazing period in the JV seeding North and 40% utilization in the Bennett North pasture.

Grazing will be done in such a manner to ensure that the proper intensity, timing and duration of defoliation on crested wheatgrass and native range are followed. Through pasture rotation, these pastures will be grazed early next year to allow the key forage plants to produce seed. Enough residual vegetation will be left to meet soil and watershed objectives and provide forage and cover for wildlife.

S/Jerry L. Taylor
Authorized Official

05/20/99
Date