

**ENVIRONMENTAL ASSESSMENT
(OR-030-99-019)**

BLM OFFICE: Vale

PROPOSED ACTION: Temporary Nonrenewable Grazing Application

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

APPLICANT: Cow Lakes Grazing Assoc., Tim Freeman, Dave Terry, Terry Warn, and Mat Bowen.

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 Cow Lakes Grazing Assoc., Tim Freeman, Dave Terry, Terry Warn, and Mat Bowen requesting temporary nonrenewable (TNR) grazing use for 110 AUMs, 300 AUMs, 58 AUMs, 642 AUMs and 428 AUMs, respectively. The permittees are applying for additional forage in the Lava, Cowgill, Big Ridge North and Hooker Creek South pastures. The Lava and Cowgill pastures consist of native range while the Big Ridge North and Hooker Creek South pastures consist of crested wheatgrass seedings.

The TNR AUMs applied for are suspended AUMs within the total grazing preference of the permits for the five permittees. More importantly, these AUMs have been authorized on an annual basis since 1972, as TNR use. The East Cow Creek AMP was revised in 1974 to recommend 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 the requested temporary nonrenewable grazing use as follows:

Permittee	Season of Use — (Total Days)		Total AUMs	Pasture
Cow Lakes Grazing Assoc.	09/08 - 10/17	(40 days)	110 AUMs	Lava
Tim Freeman	08/03 - 09/29	(58 days)	300 AUMs	Lava
Dave Terry	08/25 - 09/28	(35 days)	58 AUMs	Lava
Terry Warn	08/23 - 09/26	(35 days)	642 AUMs	Big Ridge North and Hooker Creek South
Mat Bowen	09/05 - 10/12	(37 days)	428 AUMs	Cowgill

Livestock will be grazed in the Lava, Big Ridge North, Hooker Creek South and Cowgill pastures after seedripe thus allowing the perennial grass plants to replenish their carbohydrate reserves. The grazing authorization would continue during the late summer and early fall which would be within the season of use for this allotment, as determined by the Southern Malheur MFP (1983). Pasture location is identified on the attached map.

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 1,528 AUMs of suspended use would not be used.

AFFECTED ENVIRONMENT

A. The Lava and Cowgill Pastures

The Lava and Cowgill pastures consists of 11,906 and 4,484 acres, respectively. The Cowgill pasture is in mid seral condition and the Lava pasture is in late seral condition. Both pastures are a complex of low sagebrush and big sagebrush communities with a very good composition and diversity of native grasses, forbs and shrubs

The Lava pasture is grazed in rotation with the Boulder East and West pastures while the Cowgill pasture is grazed in rotation with the Little Sandy Seedings and Downey Canyon seeding. The management objective of the pastures is to maintain the native range in mid to late seral condition.

The pastures are managed under a deferred grazing system to meet the physiological requirements of the key forage plants and promote rangeland health. This year the Lava pasture is being grazed late (7/15 to 10/15) and the Boulder East and West pastures are being grazed early. The Cowgill pasture is always grazed late (8/1- 9/30) after the cattle have grazed the Little Sandy and Downey Canyon seedings.

The average total actual utilization for the past 10 years, which included use of the suspended AUMs, was 37% in the Lava pasture and 31% in the Cowgill pasture.

The pastures provide some Wyoming sagebrush habitat that is probably used for nesting sage grouse. Most of the pastures are 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.

No known riparian habitat is supported within the pastures.

Wildlife habitat conditions exceed minimum Rangeland Health standards under current grazing within the pastures. The pasture supports pronghorn and mule deer use. The low sagebrush community is considered to be good quality mid-elevation pronghorn spring-summer-fall range.

Shrub and herbaceous cover characteristics in the pastures 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 these pastures.

B. The Big Ridge North and Hooker Creek South Seedings:

The Hooker Creek South pasture consists of 1,661 acres and the Big Ridge Seeding North pasture consists of 1,752 acres. Both pastures consist of a homogenous stand of crested wheatgrass that is in excellent condition intermixed with low sagebrush plant communities. The management objective is to maintain the crested wheatgrass seeding in excellent condition.

These pastures are managed under a deferred grazing system to meet the physiological requirements of the key forage plants and promote rangeland health. This year the Big Ridge North and Hooker Creek South pastures are being grazed late (7/15 - 9/30) and the Big Ridge South and Hooker Creek North are being grazed early (4/15 - 7/15). The average total actual utilization for the past 10 years, which included use of the suspended AUMs, was 41% in the Big Ridge North pasture and 48% in the Hooker Creek South pasture.

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.
Cow Lakes Grazing Assoc.	Lava	555	445	110	37%
Tim Freeman	Lava	940	640	300	37%
Dave Terry	Lava	300	242	58	37%
Terry Warn	Hooker Creek Big Ridge	3290	2648	642	48% 41%
Mat Bowen	Cowgill	2193	1765	428	38%
Total		7,278	5,740	1,538	

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. 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. This livestock use would occur after seedripeness within all the pastures and plant vigor should be maintained because the expected annual utilization level would not be expected to exceed 50%. The average annual utilization the past 10 years for the Hooker Creek and Big Ridge North seedings has been 48 and 41%, respectively. These utilization levels were 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 50% over a 35 day period with the additional 642 AUMs of use in the Big Ridge North and Hooker Creek south pastures.

The additional livestock use would occur after seed ripeness within the Lava and Cowgill pastures and plant vigor should not be adversely impacted because the expected annual utilization level would not exceed 40%.

The average annual utilization for the past 10 years in the Cowgill and Lava pastures has been 38 and 37%, respectively. These average utilization levels were obtained when the permittee used his total preference, including the suspended AUMs. Therefore, the expected utilization level should not exceed 40% over a 58 day period with the additional 896 AUMs of use in the Lava and Cowgill pastures.

Based on field observations in June 1999, there is evidence of considerable mature residual grass and forb cover for sage grouse nesting within Wyoming sage brush types of the Cowgill and Lava pastures. It is estimated that 25 to 30% of the pastures 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.

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 38% of the total acres and 20% of the total AUMs within 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 good to 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 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

Cow Lakes Grazing Associatio - Permittee

Tim Freeman - Permittee

Dave Terry- Permittee

Terry Warn-Permittee

Mat Bowen-Permittee

Jon Marvel - Idaho Watersheds Project-

Doug Heiken and Wendell Wood - Oregon Natural Resources Council -

Argus Observer -

BLM STAFF SPECIALISTS

Jon Sadowski - Wildlife Biologist

Alice Bronsdon - Archeologist

Jean Findley - Botanist

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

FINDING OF NO SIGNIFICANT IMPACTS

I have reviewed EA, OR-030-99-19 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

06/30/99
Date

DECISION/RATIONALE

I have determined that implementation of the proposed action and mitigation to authorize 1,538 temporary nonrenewable AUMs as outlined in EA OR-030-99-019 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 1,538 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 Big Ridge North and Hooker Creek South seedings and 40% utilization in the Lava and Cowgill pastures.

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

07/20/99
Date