

Vale District Bureau of Land Management
Freezeout Allotment Management Plan Revision
(10404)
Environmental Assessment
EA No. OR-030-02-002

Decision Record

This Decision Record documents my decision to select the proposed alternative for implementation of the Freezeout Allotment Management Plan. This action was analyzed in the attached Environmental Assessment (EA OR-030-02-002). This proposed action is tiered to and is consistent with the Northern Malheur Management Framework Plan dated March 1983, the Southern Malheur Rangeland Program Summary dated January 1984, the Malheur County Land Use Plan, and BLM policy. Additionally, it is consistent with the proposed alternative of the Proposed Southeastern Oregon Resource Management Plan and Final Environmental Impact Statement dated April 2001.

My decision is to divide Freezeout Allotment in accordance with areas-of-use defined in the 1989 allotment management plan to create Dry Creek and Sourdough allotments. Terms of livestock grazing in Sourdough Allotment would be carried forward from the revised Freezeout Allotment Management Plan whereas terms of livestock grazing in Dry Creek Allotment would be in accordance with the Dry Creek Allotment Management Plan (attachment 1).

Additionally, it is my decision to authorize the construction of approximately 0.1 miles of four-strand barbed wire fence, with the bottom strand smooth, within the Canyon Pasture of Sourdough Allotment (T. 20S., R. 44E., W.M. Sections 7 and 8). The proposed fence (Willow Springs Well Riparian Fence) would exclude livestock from an additional 100 yards of Negro Rock Canyon Creek and 2 acres of upland sagebrush-greasewood/native bunchgrass vegetation communities adjacent to the existing Willow Spring Well Riparian Exclosure.

_____/s Tom Dabbs
Tom Dabbs
Acting Field Manager
Malheur Resource Area

04/03/2002
Date

Vale District Bureau of Land Management
Freezeout Allotment Management Plan Revision
(10404)
Environmental Assessment
EA No. OR-030-02-002

Finding of No Significant Impact

The Malheur Resource Area of the Bureau of Land Management, Vale District has analyzed a proposal for division of Freezeout Allotment to create two allotments, Dry Creek Allotment and Sourdough Allotment. Additionally, the above identified environmental assessment analyzed the consequences if implementing the Dry Creek Allotment Management Plan and the construction of approximately 0.1 miles of fence adjacent to Willow Spring to exclude livestock from approximately 100 yards of stream riparian vegetation communities and two acres of upland vegetation communities. The analysis included a no action alternative and alternatives considered though not analyzed.

Based on the following summary of consequences and as discussed in the environmental assessment, I have determined that the proposed action will best meet resource management objectives defined in the Northern Malheur Management Framework Plan and the Southern Malheur Rangeland Program Summary, both of which constitute the land use plan for Malheur Resource Area.

- Riparian vegetation communities and thus riparian function would be improved with implementation of fall/winter grazing adjacent to Dry Creek, Twin Springs Creek, and additional unidentified riparian communities in Dry Creek Allotment as compared to spring/summer/early fall grazing as currently scheduled. Opportunities to implement additional actions, such as site-specific livestock exclusion, at a later date is not forgone with implementation of the proposed action.
- The quality of habitats of special status aquatic species, including Columbia spotted frogs and redband trout, are expected to improve with improvement of riparian vegetation communities and function.
- Indirect impacts on sage grouse nesting and brood rearing habitats are not anticipated to increase and with improved livestock distribution anticipated with the proposed change from hot-season to cool-season grazing, those impacts are anticipated to be lessened. Direct impacts to sage grouse strutting habitats, as well nesting habitats, are anticipated to be lessened with removal of livestock during early spring from Hurley Springs and South Freezeout pastures.
- Negative impacts to desired perennial vegetation communities and thus watershed stability are not anticipated to increase with the proposed change in season of livestock use in Dry Creek

Allotment and would likely be reduced.

- Construction of approximately 0.1 miles of permanent fence to exclude livestock from riparian vegetation communities would improve riparian function within a short reach of Negro Rock Canyon Creek adjacent to Willow Springs.
- Impacts to critical elements of the human environment, including ten points of significance identified in 40 CFR 1508.27(b), are not determined to be in excess of limits requiring the development of an environmental impact statement.

Additionally, management direction provided in the selected proposed action alternative is more consistent with the resource management direction proposed in the soon to be completed Southeastern Oregon Resource Management Plan.

Thus, on the basis of the information contained in this environmental assessment and all other information available, it is my determination that the proposed action does not constitute a major federal action significantly affecting the quality of the human environment and that an environmental impact statement is not required.

_____ s/ Tom Hilken _____	_____ 02/15/02 _____
(for) Tom Dabbs	Date
Acting Field Manager	
Malheur Resource Area	

Freezeout Allotment Management Plan Revision
and Allotment Division
(10404)
Environmental Assessment
EA No. OR-030-02-002

Table of Contents

Purpose of and Need for Action	1
Alternatives Including the Proposed Action	2
Proposed Action	2
No Action	5
Affected Environment	7
Vegetation, Soils and Watershed	7
Noxious Weeds	8
Livestock Grazing	8
Wildlife	11
Fisheries and Aquatic Species	12
Recreation and Visual Resources	12
Cultural Resources	12
Special Status Plants	13
Riparian Values	14
Wilderness Study Areas	14
Wild and Scenic Rivers	14
Areas of Critical Environmental Concern	14
Wild Horse and Burro	14
Climate/Topography	15
Other Mandatory Elements	15
Environmental Consequences	15
Proposed Action Alternative	15
Vegetation, Soils and Watershed	15
Noxious weeds	16
Livestock Grazing	17
Wildlife	17
Fisheries and Aquatic Species	18
Recreation and Visual Resources	18
Cultural Resources	19
Special Status Plants	19
Riparian Values	19
Wilderness Study Areas	19

Wild and Scenic Rivers	19
Areas of Critical Environmental Concern	20
No Action Alternative	20
Vegetation, Soils and Watershed	20
Noxious weeds	20
Livestock Grazing	20
Wildlife	20
Fisheries and Aquatic Species	21
Recreation and Visual Resources	21
Cultural Resources	21
Special Status Plants	21
Riparian Values	21
Wilderness Study Areas	21
Wild and Scenic Rivers	21
Areas of Critical Environmental Concern	21
Adverse Effects	22
Short Term and Long Term Impacts	22
Irreversible or Irretrievable Commitment of Resources	22
List of Preparers	22
List of Agencies, Organizations, and Persons to Whom Copies of the EA are Sent ...	23
Literature Cited	23
Figure 1	24
Figure 2	25
Figure 3	26

1 Purpose of and Need for Action

- 1.1 Standards for Rangeland Health and Guidelines for Grazing Management (S&G) were incorporated in revisions to Federal grazing regulations (43 CFR 4180) in 1995. The Vale District strategy for S&G implementation, as described in a letter to livestock operators and interested publics dated March 3, 1999, was to group allotments in geographic areas to prioritize data collection followed by analysis and determination of conformance with those standards and guidelines based on resource issues such as land health, resources at risk, threatened and endangered species, special management areas, and social/political issues. As identified in that letter, Freezeout Allotment (Figure 1) was scheduled for the start of assessment in 2000 as part of the Dry Creek Geographic Management Area (GMA). Subsequent delays in implementing this strategy have postponed that start until 2002 with subsequent assessment of S & G's and allotment evaluation beginning in 2003.

With increasing interest in appropriate management of riparian communities, in addition to management of all public land resources in accordance with S&G's, Dan Probert and Bill Loring, two livestock operators authorized to graze cattle in Freezeout Allotment, requested the opportunity to revise livestock grazing schedules and implement more appropriate livestock management practices within Freezeout Allotment in advance of collection of S&G specific data and assessment. Additionally, they requested that the allotment be divided based on the area-of-use boundaries which have been implemented for more than 10 years. Bill Loring has additionally requested authorization to construct approximately 0.1 miles of permanent fence to protect additional stream riparian communities at Willow Spring (T.20S., R.44E., Section 7 SENE). This EA is the analysis of those proposals.

- 1.2 Allotments division and implementation of livestock grazing practices consistent with the improvement/maintenance of public land resource values, in addition to fence construction and maintenance to provide barriers to livestock movement, are fully consistent with decisions in the Northern Malheur Management Framework Plan (MFP) dated March 14, 1983, the Southern Malheur Rangeland Program Summary (RPS) dated January 1984, the Malheur County Land Use Plan, and BLM policy. Dry Creek, Twin Spring Creek, and Negro Rock Canyon Creek of Freezeout Allotment were identified in Appendix D5 in the SEORMP as having riparian values. Management direction provided in the current land use plan, the MFP, as well as that proposed in the BLM's effort to update land use planning for Vale District, includes management of riparian communities to attain proper functioning condition as well as meeting additional upland rangeland, wildlife, fisheries, aquatic, and water quality objectives.
- 1.3 Possible decisions to be made as a result of information provided in this environmental assessment include whether to divide Freezeout Allotment to create two independent BLM grazing allotments, whether to implement Dry Creek Allotment Management Plan defining terms

of livestock grazing, and whether to authorize construction of approximately 0.1 miles of livestock exclusion fencing. Although implementation of Dry Creek Allotment Management Plan is dependent on the division of Freezeout Allotment, construction of the exclusion fencing could occur independent of the other decisions. No other federal, state or local government is involved in the NEPA analysis of the proposed actions, beyond issue identification, review, and comment on content of the draft document.

- 1.4 Internal scoping of issues relevant to the proposed action identified the need to ensure livestock management actions implemented did not impair meeting riparian, upland vegetation, watershed, special status species, and cultural resource management objectives presented in the land use plan. The level of controversy of livestock management actions implemented in Freezeout Allotment is moderate with one national environmental organization requesting to be informed of proposed changes. Additionally, the Oregon Department of Fish and Wildlife is typically informed of proposed livestock management changes as is the Malheur County Court. Memoranda of Understanding between BLM and a number of Tribes (The Burns Paiute Tribe, The Confederated Tribes of the Umatilla Reservation) are in place to define coordination.
- 1.5 The proposed division of Freezeout Allotment would be implemented with a Range Line Agreement (form 4120-10) signed by livestock operators authorized to graze livestock within Freezeout Allotment and the BLM authorized officer. Revised Cooperative Agreements for Rangeland Improvement for existing projects in Dry Creek and Sourdough allotments would divide and assign project maintenance responsibilities between the operators in the two allotments. Similarly, the Dry Creek Allotment Management Plan would be implemented by the affected livestock operator and BLM authorized officer signing that document and revised grazing permits which would be offered with termination dates not to extend beyond those of currently valid permits. Construction of approximately 0.1 miles of permanent fence would be authorized by the affected livestock operators and BLM authorized officer signing a Cooperative Agreement for Rangeland Improvements (form 4120-6).

2 **Alternatives Including the Proposed Action**

- 2.1 This section describes the proposed action and the no action alternative as well as alternatives considered though not analyzed .

2.2 **Alternatives**

- 2.2.1 **Proposed Action:** Freezeout Allotment would be divided in accordance with areas-of-use defined in the 1989 AMP as follow (figure 2):

Dry Creek Allotment (operators: Probert Family Trust – 4,786 AUM’s cattle; Frank Shirts Jr. – 266 AUM’s sheep)

Cow Hollow Seeding Pasture
 Double Mountain Pasture
 South Freezeout Pasture
 Hurley Spring Pasture
 Russell FFR
 Freezeout Creek FFR
 Twin Spring Reservoir Enclosure
 Double Mountain Botanical Exclosure
 DM Spring and Reservoir Exclosure
 Little DM Spring Exclosure
 Twin Spring Exclosure

Sourdough Allotment (operators: Loring Land Company – 5,901 AUM’s cattle; Calvin Haueter – 371 AUM’s; Frank Shirts Jr. – 266 AUM’s sheep)

West Sand Hollow Pasture
 Sand Hollow Pasture
 Double Mountain Seeding Pasture
 North Kane Springs Pasture
 South Kane Springs Pasture
 Canyon Pasture
 Freezeout Lake Pasture
 Bishop FFR
 Rye Field FFR
 HooDoo State FFR
 Willow Spring Well Riparian Exclosure
 Kane Spring Reservoir Exclosure
 Upper Flowing Well Exclosure
 Lower Flowing Well Exclosure

The following grazing schedule would annually be implemented within Dry Creek Allotment:

Probert Family Trust (Dry Creek Allotment; 779 cattle; 10/1 to 3/31 annually; 4661 AUM’s)

Hurley Springs	10/1 to 11/31	1562 AUM’s	21.2 acres/AUM
South Freezeout	12/1 to 12/31	794 AUM’s	15.9 acres/AUM
Double Mountain/ Cow Hollow Seeding	1/1 to 3/31	2305 AUM’s	6.1 acres/AUM

An allotment management plan would be developed and implemented (attachment 1). Flexibility would be provided to allow 7 days before and after the scheduled move dates between public land pastures to allow time to complete moves and provide for adverse weather conditions.

Authorization would be provided to allow trailing through Sourdough and Nyssa allotments, adjacent to Twin Spring Road, to complete the move to Hurley Springs Pasture approximately 10/1 and from South Freezeout Pasture about 12/31, so long as any over-night stops do not occur on public land outside Dry Creek Allotment.

Additionally, Probert Family Trust would be authorized to continue to graze scattered tracts of public land intermixed with private land as follows, so long as grazing use is not detrimental to public land resource values:

Russell FFR	custodial use	99 AUM's
Freezeout Creek FFR	custodial use	26 AUM's

Those portions of the 1989 revised Freezeout AMP which address management of livestock in what would become Sourdough Allotment would continue to be implemented, including the following three year deferred rotation grazing schedule defined in that activity plan:

Loring Land Company (Sourdough Allotment; 836 cattle; 4/1 to 10/31 with flexibility to extend use to 12/31; 5852 AUM's)

Calvin Haueter (Sourdough Allotment; 53 cattle; 4/1 to 10/31 with flexibility to extend use to 12/31; 371 AUM's)

Pasture:	Year 1 (02, 05, etc)	Year 2 (03, 06, etc)	Year 3 (04, 07, etc)
Canyon Field	9/1 – 10/31	04/01 – 05/31	9/1 – 10/31
Sand Hollow Seeding	4/1 – 6/15	6/1 – 6/30	9/1 – 10/31
West Sand Hollow Seeding	4/1 – 6/15	6/1 – 6/30	7/1 – 10/31
Double Mountain Seeding	4/1 – 6/15	6/1 – 6/30	7/1 – 10/31
North Kane Spring	6/16 – 7/1	7/1 – 10/31	4/1 – 6/30
South Kane Spring	7/1 – 10/31	7/1 – 10/31	4/1 – 6/30
Freezeout Lake	7/1 – 10/31	6/1 – 10/31	7/1 – 10/31

Scheduled move dates prior to 7/1 have limited flexibility so as to provide scheduled deferment of use provided by the three year schedule. Move dates after 7/1 have flexibility provided in the schedule.

Additionally, Loring Land Company would be authorized to continue to graze scattered tracts of public land intermixed with private land as follows, so long as grazing use is not detrimental to public land resource values:

Bishop FFR	custodial use	28 AUM's
------------	---------------	----------

Rye Field FFR
 HooDoo State FFR

custodial use 14 AUM's
 custodial use 7 AUM's

Approximately 0.1 miles of four-strand barbed wire fence, with the bottom strand smooth, would be constructed within the Canyon Pasture of Sourdough Allotment (T. 20S., R. 44E., W.M. Sections 7 and 8). The proposed fence (Willow Springs Well Riparian Fence) would exclude livestock from an additional 100 yards of Negro Rock Canyon Creek and 2 acres of upland sagebrush-greasewood/native bunchgrass vegetation communities adjacent to the existing Willow Spring Well Riparian Enclosure (figure 3).

2.2.2 **No Action:** Freezeout Allotment would be retained with scheduled livestock management in two areas-of-use in accordance with the 1989 Freezeout AMP revisions, including grazing schedules as follow:

Probert Family Trust

Pasture:	Year 1 (88, 91, etc)	Year 2 (89, 92, etc)	Year 3 (90, 93, etc)
Double Mountain	4/1 – 6/30	7/1 – 10/31	7/1 – 10/31
Cow Hollow Seeding	4/1 – 6/30	7/1 – 10/31	7/1 – 10/31
South Freezeout	7/1 – 10/31	4/1 – 6/30	7/1 – 10/31
Hurley Spring	7/1 – 10/31	7/1 – 10/31	4/1 – 10/31

Loring Land Company - Calvin Haueter

Pasture:	Year 1 (88, 91, etc)	Year 2 (89, 92, etc)	Year 3 (90, 93, etc)
Canyon Field	4/1 – 5/31	9/1 – 10/31	9/1 – 10/31
Sand Hollow Seeding	6/1 – 6/30	9/1 – 10/31	4/1 – 6/15
West Sand Hollow Seeding	6/1 – 6/30	7/1 – 10/31	4/1 – 6/15
Double Mountain Seeding	6/1 – 6/30	7/1 – 10/31	4/1 – 6/15
North Kane Spring	7/1 – 10/31	4/1 – 6/30	6/16 – 7/1
South Kane Spring	7/1 – 10/31	4/1 – 6/30	7/1 – 10/31
Freezeout Lake	6/1 – 10/31	7/1 – 10/31	7/1 – 10/31

Individual operators would retain flexibility to extend grazing to December 31 provided that a reduction in authorized livestock numbers is implemented during the active growing season (April, May, June) and active authorized use listed in grazing permits is not exceeded.

Authorization to construct additional fencing would not be granted.

- 2.3 The Bureau did not develop additional alternatives beyond the proposed action and the no action alternatives. Other alternatives to implement additional management actions to meet objectives, including those to improve or maintain suitable riparian vegetation communities, will be considered when assessment of rangeland S&G's is completed in the near future.

A verbal request was received from Bill Loring and defined through conversations to change a portion of his authorized grazing to winter use as summarized in the annual schedule below:

Pasture	Grazing use annually
Freezeout Lake	6/1 – 8/30
Sand Hollow Seeding	11/1 – 3/31
West Sand Hollow Seeding	11/1 – 3/31
Double Mountain Seeding	11/1 – 3/31
North Kane Spring	11/1 – 3/31
South Kane Spring	11/1 – 3/31
Canyon Field	11/1 – 3/31

A grazing rotation for pastures scheduled for use between 11/1 and 3/31 would be required to prevent annual compaction of wet soil during early spring and to provide deferment when concurrent summer use by Calvin Haueter is implemented. This alternative was not considered for further analysis when the need for water development on private land was identified, an action required to make these pastures suitable for use during periods when livestock are not grazing public land pastures identified above. With assessment and evaluation of management actions in Dry Creek GMA scheduled to begin in 2002-03, followed by necessary activity plan revision and/or development, this alternative will be carried forward as an opportunity during that process.

The BLM considered postponing a response to the requests to change the season of grazing in one area-of-use of Freezeout Allotment until completion of S & G's and allotment evaluation scheduled for 2003. Based on preliminary analysis, it was determined that potential benefits to riparian resources, primarily adjacent to Dry Creek, and the opportunity to implement beneficial actions cooperatively with livestock operators and interested publics, warranted complete analysis and a decision outside the established GMA process. Potential benefits included those to a number of riparian related resources including special status fish, special status amphibians, administratively suitable WSR, and proposed ACEC. Consideration of this request is not intended to replace S & G assessment nor allotment evaluations as scheduled. Upon completion of those assessments and evaluations, activity plans would be adjusted as found appropriate to meet S & G's and resource management objectives defined in the land use plan.

3 **Affected Environment**

3.1 This section presents relevant resource components of the existing environment, that is the baseline environment.

3.2 **Vegetation, Soils and Watershed:** Vegetation in Freezeout Allotment consists of shrub steppe plant communities dominated by sagebrush species and bunchgrasses. The vegetation type which covers the majority of the allotments is dominated by Wyoming big sagebrush (*Artemisia tridentata ssp wyomingensis*) with an understory of perennial grass species, primarily Bluebunch wheatgrass (*Pseudoroegneria spicata*), Sandberg bluegrass (*Poa secunda*), Thurber's needlegrass (*Stipa thurberiana*), basin wildrye (*Leymus cinereus*) and sparse cheatgrass (*Bromus tectorum*). Depleted rangelands within five pastures were seeded to adapted nonnative species, primarily crested wheatgrass (*Agropyron cristatum*) and now have varying levels of sagebrush reestablishment. Microbiotic crusts composed of cyanobacteria, green algae, lichens, mosses, microfungi, and other bacteria occupy many open spaces between higher plants.

The soils found in the Freezeout Allotment were surveyed and described in Oregon's Long Range Requirements for Water 1969, Appendices I-10 Malheur River Drainage Basin, I-11 Owyhee Drainage Basin, and I-12 Malheur Lake Drainage Basin. The major soils found in the allotment are listed below.

Nyssa series consists of moderately deep, well drained soils with a weakly cemented pan formed on higher terraces along river drainages underlain by lacustrine materials or old alluvium and mantled by thin loess. The terraces are dominantly gently sloping, but range to steeply sloping where dissection has occurred.

Unit 55 is made up of shallow, loamy, well drained soils with cemented pans. They occur on very extensive to moderately steep old fans and high terrace remnants.

Unit 60 is made up of moderately fine-textured, well drained soils on gently sloping to hilly uplands underlain by old lacustrine sediments of the Idaho, Payette, and similar formations.

Unit 75 soils are loamy, shallow, very stony, well drained soils. Unit 76 soils are shallow, clayey, very stony, well drained soils. Unit 77 soils are very shallow, very stony, rocky, well drained soils. All of these units occur over basalt, rhyolite, or welded tuff on gently undulating to rolling lava plateaus and some very steep faulted and dissected terrain.

Unit 94 is a miscellaneous land unit that is found in combination with all of the other major soil types listed above. This unit consists of gently sloping to moderately steep raw old lake sediments where active erosion has prevented soil formation.

Watersheds within Freezeout Allotment drain north to Malheur River in the Lower Malheur River subbasin (17050117) and south to Dry Creek in the Lower Owyhee River subbasin (17050110). Both subbasins drain into the Snake River and subsequently to the Columbia River.

3.3 **Noxious Weeds:** Perennial pepperweed (*Lepidium latifolium*) and saltcedar (*Tamarix ramosissima*), aggressive, long-lived perennials, are present in Negro Rock Canyon, Twin Springs Creek and Dry Creek as well as many of their tributaries and associated seeps. Kane Springs Reservoir and drainage is heavily populated with Russian olive (*Elaeagnus angustifolia*). These three perennials may occur at other isolated sites throughout the allotment and are little affected by healthy, perennial vegetation. Scotch thistle (*Onopordum acanthium*), an aggressive biennial, dominates a small acreage at a number of locations within the allotment. Whitetop or hoary cress (*Cardaria spp.*), another perennial noxious weed is also present, especially adjacent to roads and other routes of seed distribution. Medusahead (*Taeniatherum caput-medusae*), an aggressive annual grass, is present at limited sites with clay layers present in the soil. Rush Skeleton weed (*Chondrilla juncea*) has also been recently treated in Double Mountain Pasture adjacent to the Twin Springs Road. Noxious weed distribution in the allotment is more significant at lower elevation adjacent to cultivated lands and areas of greater historical livestock impacts. Noxious weed presence is sparse in areas dominated by healthy perennial species.

3.4 **Livestock Grazing:** Freezeout Allotment is located approximately 20 miles southwest of Vale, Oregon (figure 1), and is part of the Harper Basin Management Unit. Boundaries of the allotment are approximately defined by Dry Creek to the south, Cow Hollow and the Twin Springs Road to the east, agricultural land adjacent to Malheur River to the north, and Freezeout Ridge to the west.

All allotments within Harper Basin Management Unit (0400) were classified as “T” (Improve) category allotments for management in the January 1984 Southern Malheur Rangeland Program Summary (RPS). By agreement, Harper Basin Management Unit was divided to form separate allotments in 1984. Freezeout Allotment was reclassified as an “M” allotment at the time of allotment division of the Harper Basin Management Unit, as documented in the 1986 Northern Malheur Rangeland Program Summary Update. Livestock grazing authorization within Harper Basin Management Unit was set at 38,539 AUMs within the RPS. Livestock grazing authorization within Freezeout Allotment was set at 11,655 AUMs by the allotment division agreement. Custodial use in Chalk Butte Allotment (00128) was divided from Freezeout Allotment in 1990, with 65 AUMs of use permitted. No grazing authorization for use in Freezeout Allotment is currently held in suspension. Preference to graze livestock within the community allotment is shared by the following operators:

Operator

Authorized Active Use

Loring Land Company	5,901 AUMs cattle
Probert Family Trust	4,786 AUMs cattle
Calvin Haueter	371 AUMs cattle
Frank Shirts, Jr.	<u>532 AUMs sheep</u>
Total	11,590 AUMs

Permitted use for all cattle operators is between 4/1 and 10/31 annually with flexibility to extend use to 12/31 with reduced use during the growing season. Permitted use for the one sheep operator is 4/1 to 5/3.

The 147,162 acre community allotment is currently divided into eleven pastures with planned grazing defined in the AMP. A number of small enclosures/exclosures and custodially managed pastures are also present. Pastures are as follow:

Pasture	BLM	Other Federal	Private	State	Total
Cow Hollow Seeding ¹ (pasture #9)	1,549	0	Trace	0	1,549
Double Mountain ¹ (pasture #1)	12,425	0	240	0	12,665
West Sand Hollow Seeding ¹ (pasture #10)	905	0	0	0	905
Sand Hollow Seeding ¹ (pasture #2)	3,219	0	66	0	3,285
Double Mountain Seeding ¹ (pasture #11)	891	0	0	0	891
Canyon ¹ (pasture #3)	21,252	0	276	0	21,528
North Kane Springs ¹ (pasture #4)	10,451	0	200	0	10,651
South Kane Springs ¹ (pasture #5)	8,101	0	0	13	8,114

Freezeout Lake ¹ (pasture #6)	21,444	0	92	1	21,537
South Freezeout ¹ (pasture #7)	12,610	147	14	0	12,771
Hurley Spring ¹ (pasture #8)	33,075	0	505	74	33,654
Bishop FFR ² (pasture #22)	1,518	0	5,015	0	6,533
Russell FFR ² (pasture #21)	963	0	4,480	0	5,443
Rye Field FFR ² (pasture #24)	1,202	0	1,143	0	2,345
Freezeout Creek FFR ² (pasture #26)	487	0	1,652	0	2,139
Hoo Doo State FFR ² (pasture #25)	279	0	163	2,613	3,055
Twin Spring Reservoir Enclosure ³ (pasture #23)	13	0	0	0	13
Willow Spring Well Riparian Exclosure ^{4, 5} (no pasture #)	Mapped within Sand Hollow Seeding (pasture #2)				
Double Mountain Botanical Exclosure ^{4, 5} (no pasture #)	Mapped within Double Mountain (pasture #1)				
DM Spring and Reservoir Exclosure ^{4, 5} (no pasture #)	Mapped within Double Mountain (pasture #1)				
Little DM Spring Exclosure ^{4, 5} (no pasture #)	Mapped within Double Mountain (pasture #1)				

Kane Spring Reservoir Exclosure ⁴ (pasture #18)	66	0	0	0	66
Upper Flowing Well Exclosure ^{4,5} (no pasture #)	Mapped within Canyon (pasture #3)				
Lower Flowing Well Exclosure ^{4,5} (no pasture #)	Mapped within Canyon (pasture #3)				
Twin Spring Exclosure ⁴ (pasture #15)	18	0	0	0	18
Total	130,468	147	13,846	2701	147,162
¹ Pastures with planned livestock grazing defined in the AMP ² Custodially managed pastures ³ Enclosures available for livestock use ⁴ Enclosures where livestock use is excluded ⁵ Enclosures not delineated in the BLM GIS system, thus no acreage is presented					

Shortly after division of the Harper Basin Management Unit in 1984, an allotment management plan (AMP) was developed and implemented for Freezeout Allotment. That AMP was revised in 1988 to implement recommendations from a 1988 allotment evaluation. Grazing by cattle was divided into two areas-of-use. Sheep grazing authorization held by Frank Shirts was not addressed in the AMP.

- 3.5 **Wildlife:** Freezeout Allotment includes year-long and summer only range for mule deer and pronghorn antelope. Elk also make limited seasonal use. Other wildlife species found in the area include neotropical migratory song birds, small mammals and reptiles.

No known wildlife species listed as threatened or endangered under the Endangered Species Act of 1973 are present within or adjacent to Freezeout Allotment. Bureau Sensitive, Assessment and Tracking species include western toad, ferruginous hawk, loggerhead shrike, western burrowing owl, western sage grouse, pygmy rabbit, desert horned lizard, Mohave black-collared lizard, and northern sagebrush lizard. Little information is currently available on numbers and distribution of these species.

Habitats within Freezeout Allotment supporting sage grouse include those supporting leks, nesting and brood rearing. Sage grouse are seasonally present in a number of the pastures with six known lek sites in Freezeout Lake Pasture, two additional known lek sites adjacent to the division fence between North and South Kane Springs pastures, and one lek adjacent to Hurley Spring Pasture. There is no information on winter use areas by sage grouse.

- 3.6 **Fisheries and Aquatic Species:** Redband/rainbow trout (*Oncorhynchus mykiss ssp*) occur in the upper reaches of Dry Creek, where pools and lower water temperatures provide some refuge through most of the year. Genetic analysis of Dry Creek trout in 1996 showed that redband trout alleles were dominant in this population but with some coastal rainbow introgression.

Columbia spotted frogs, a federal Candidate species, are also present in Dry Creek with their greatest concentration upstream of the Twin Spring Road crossing.

- 3.7 **Recreation and Visual Resources:** Dispersed outdoor recreation in and near Freezeout Allotment consists primarily of occasional off highway vehicle use within designated open areas and the hunting of upland birds and big game animals. Some dispersed general sightseeing occurs. The public land portion of the allotment is within visual resource management (VRM) Class I (Dry Creek Wilderness Study Area) and IV areas. The objective of each class is as follows:

- Class I is to preserve the existing character of the landscape. This class provides for natural ecological changes, however it does not preclude very limited management activities. The level of change to the characteristic landscape should be very low and must not attract attention.
- Class IV is to provide for management activities that require major modification of the landscape. These management activities may dominate the view and become the focus of viewer attention. However, every effort should be made to minimize the impact of these projects by carefully locating activities, minimizing disturbance, and designing the projects to conform to the characteristic landscape.

- 3.8 **Cultural Resources:** Pre-European contact Native American peoples were extremely well adapted to their environment. The subsistence economy was strongly oriented toward gathering and collecting because plant foods were more abundant and dependable than fowl, fish or mammals. Mammals provided skins, furs, tools and many other by-products of aesthetic and practical value. Insects were often eaten. Beetles, grasshoppers, locusts, crickets, ants and caterpillars were consumed, as well as most eggs and larva. Historic documents indicate that several hundred plants were used by the Indians of the Great Basin for medicinal purposes, fiber sources and food. The Native people of the Great Basin, who practiced the ancestral lifeways into the 19th century were heirs to an extremely ancient cultural tradition with a

technology both effective and efficient, with many multi-functional, light-weight and expendable tools.

Exploration into this area during the Historic period began with the expeditions of John Jacob Aster, after he heard the stories from the Lewis and Clark Expedition of 1804-1806. The first written observations of southeastern Oregon can be found in journals kept by men involved in the expansion of fur trapping territory. Trapping occurred along the major and minor tributaries in the area: Owyhee, Snake, Malheur, North Fork Malheur and South Fork Malheur Rivers. The era of the fur trade provided the basis for American families to travel west. For Native Americans, increased use of the Oregon Trail burdened grazing resources, killed off game, and displaced resident bands.

The Malheur Reservation located north of Juntura covered 1,778,560 acres and extended east almost to Westfall. The Reservation was established at Fort Harney in 1872, to contain "all the roving and straggling bands" in southeastern Oregon after the ending of hostilities in 1868. However, the area was only occupied between 1871 and 1878 when through a series of circumstances, groups abandoned the locality to participate in the Bannock War of 1878. Those who participated in the war and some who did not were interned for several years on the Yakima Reservation. On May 21, 1883, the president issued an order restoring to the public domain the Malheur reservation except 320 acres on which the old military post of Camp Harney stands. The reservation went on the market and was sold to Euro-American livestock ranchers in 1883.

Cultural resource surveys conducted in adjacent areas have been limited to areas where surface disturbing projects have been proposed. The diverse geomorphology and perennial water sources provide habitat for a variety of floral and faunal species that would have been attractive to Native Americans and settlers alike.

- 3.9 **Special Status Plants:** No plant species listed or proposed for listing under the Endangered Species Act of 1973 are known to be present within Freezeout Allotment. Habitats known to support special status plant species within Freezeout Allotment include a number of sandy soil sites in Double Mountain Pasture and a few sites in Cow Hollow Seeding, Sand Hollow Seeding, and Canyon Field pastures where Malheur forget-me-not (*Hackelia cronquistii*) and/or Mulford's milkvetch (*Astragalus mulfordiae*) are present. A few sites of Biddle's lupine (*Lupinus biddlei*) are known to be located in Freezeout Lake, Canyon Field, and South Kane Springs pastures. One site of Cusick's chaenactis (*Chaenactis cusickii*) is known to be present on the east edge of South Freezeout Pasture.

- 3.10 **Riparian Values:** Although the primary management objectives to improve riparian habitat listed in the Southern Malheur Rangeland Program Summary are limited to a number of exclosures (Dry Creek Riparian, Kane Springs Reservoir, Sponge Spring, Flowing Wells, DM Spring, Freezesum Reservoir, and DM Reservoir), riparian resources were identified adjacent to Sand Hollow Creek in North Kane Spring Pasture, Negro Rock Canyon Creek in West Sand Hollow Seeding and Canyon Field, Twin Springs Creek in South Freezeout Pasture, and Dry Creek in South Freezeout and Hurley Springs pastures. Management actions to enhance or protect riparian resources and associated values in each pasture have been implemented cooperatively with the livestock operator on a site specific basis
- 3.11 **Wilderness Study Areas:** The Dry Creek Wilderness Study Area is located in the southern portion of South Freezeout Pasture and the eastern portion of Hurley Springs Pasture. The Oregon Wilderness Environmental Impact Statement (December 1989) identified livestock management as a grandfathered use within Dry Creek WSA. The recommendation of the 1991 Wilderness Study Report was to recommend 0 acres of Dry Creek WSA for Wilderness designation. Congress has not acted on that recommendation to date. Pending Congressional action on BLM wilderness designation for this area, BLM manages these lands in accordance with the Interim Management Policy for Lands Under Wilderness Review (H-8550-1).
- 3.12 **Wild and Scenic Rivers:** A corridor one-half mile wide along approximately 17 miles of Dry Creek, east of the state blocks and down stream to Malheur County's Dry Creek Road (#674), within portions of Hurley Springs and South Freezeout pastures, was found administratively suitable with a tentative wild river designation as a part of the National Wild and Scenic Rivers System (NWSR) within the SEORMP. Outstanding Remarkable Values (ORVs) for which it may be recommended for inclusion in the NWSR system are geology, fish, hydrology, and wildlife.
- 3.13 **Areas of Critical Environmental Concern:** Dry Creek Gorge Area of Critical Environmental Concern (ACEC), within portions of Hurley Springs and South Freezeout pastures, is recommended for designation within the SEORMP based on its special status redband trout and habitat, candidate Columbia spotted frogs and habitat, scenic values, and geologic values.
- 3.14 **Wild Horse and Burro:** Two active Wild Horse Herd Management Areas (HMA) are located proximate to Freezeout Allotment although no portion of either is within the boundaries of the allotment. The northern boundary of Cold Springs HMA is located approximately three miles west of the southwest boundary of Freezeout Allotment while Three Fingers HMA is located across Owyhee Reservoir approximately three miles east of the southeast boundary of

the allotment. The allotment does not include any inactive herd areas. Thus, actions implemented in Freezeout Allotment will have no direct impact on wild horses.

3.15 **Climate/Topography:** Freezeout Allotment is composed of rolling hills and steep talus slopes where the elevation above sea level ranges from approximately 2600 feet at the north end of the allotment in Cow Hollow and Sand Hollow pastures to 5100 feet in the west end of Daisy Basin in Freezeout Lake Pasture. Semi desert shrub steppe vegetation communities result from cold winters and hot dry summers. The long term average annual precipitation is between ten and twelve inches, dependent of elevation, aspect, and typical storm tracks. Precipitation occurs primarily as snow fall during the winter with occasional mid summer thunder storms. Climate and topography would not be affected by the proposed action or the no action alternative.

3.16 **Other Mandatory Elements:** The following mandatory elements are either not present or would not be affected by the proposed action or alternatives:

- Air Quality
- Water Quality
- Native American Religious Concerns
- Hazardous Wastes
- Prime or Unique Farmlands
- Wetlands/Flood Plains
- Environmental Justice
- Actions to Expedite Energy-Related Projects (Executive Order No. 13212 of May 18, 2001)

4 **Environmental Consequences**

4.1 This chapter is organized by alternatives to illustrate the differences between the proposed action and the no action alternatives.

4.2 **Proposed Action Alternative:** Consequences of implementing the proposed alternative; allotment division, construction of 0.1 miles of permanent fence and implementation of the Dry Creek Allotment Management Plan, would result as summarized in the following sections.

4.2.1 **Vegetation, Soils and Watershed:** Proposed grazing schedule changes in Hurley Springs, South Freezeout, Double Mountain and Cow Hollow Seeding pastures would continue to meet

pasture management objectives listed in the RPS as well as proposed vegetation management objectives identified in the SEORMP. As analyzed in Appendix R of the SEORMP, annual late fall, winter, and early spring grazing, which defers use to periods outside the active growing season, is anticipated to allow for the maintenance of or improvement toward desired future conditions within native vegetation communities and desirable nonnative seedings. Microbotic crusts found in less disturbed areas of the allotment would be less impacted when grazed during winter when wet as compared to their brittle dry condition during summer and early fall (U.S. Department of the Interior Technical Reference 1730-2). Retention of the current grazing schedule in Freezeout Lake, North and South Kane Springs, West Sand Hollow Seeding, Sand Hollow Seeding, Double Mountain Seeding, and Canyon Field pastures is anticipated to continue recent trends toward upland vegetation objectives as recorded in the 1988 allotment evaluation. Impacts to vegetation resources from scheduled annual sheep use, unchanged with frequent moves during the active growing season, is anticipated to continue within acceptable limits. Cumulative grazing impacts from sheep and cattle use is anticipated to decrease in Hurley Springs and South Freezeout pastures with the elimination of concurrent and overlapping growing season use by both species. The proposed change in seasons of scheduled use, with greater emphasis away from seasons with hot climatic conditions, is anticipated to provide for greater livestock distribution within pastures and reduce tendencies for livestock impacts in localized areas of concentration adjacent to water and shade.

Impacts to soils and watershed values would be minimally changed from those which have occurred in recent years, as analyzed in Appendix R of the SEORMP. The potential for localized soil compaction in areas of livestock concentration in Dry Creek Allotment would be increased, resulting from early spring use when soils are typically saturated. Impacts to soil and watershed values are not anticipated to be changed in Sourdough Allotment with the continuation of current livestock management actions.

Limited fence construction to exclude livestock use of an additional portion of Negro Rock Canyon Creek would minimally increase traffic on existing roads and impacts to soil and vegetation resources during the construction phase and minimally in successive years for maintenance during a short period on the route chosen for access and to transport material. Minor disturbance of vegetation would occur within the 0.1 mile route of the fence as shrubs are clipped. Livestock impacts to vegetation adjacent to the fence would increase as trailing is directed by the fence. Riparian and upland vegetation communities within the enlarged Willow Spring Well Riparian Enclosure would benefit from rest from livestock grazing.

- 4.2.2 **Noxious weeds:** Ground disturbance and dispersal of noxious weeds and undesirable species is anticipated to be little changed with proposed changes toward greater fall, winter, and early

spring cattle grazing within portions of Freezeout Allotment. The need for surveys and treatment of sites invaded by these species would be unchanged.

Traffic and ground disturbance during construction and maintenance of the proposed 0.1 mile fence would slightly increase risk for dispersal of weed seed and other undesirable plant materials along roads and routes of access as well as the area of project construction, providing sites for weed establishment. The anticipated increase in noxious weed presence or dominance due to fence construction or maintenance, as well as implementation of proposed grazing schedules, is small with limited cumulative consequences when added to existing threats.

4.2.3 **Livestock Grazing:** Established levels of livestock grazing use within Freezeout Allotment would be unchanged with implementation of the proposed actions. Exclusion of livestock from additional riparian vegetation communities in Willow Springs Well Riparian Enclosure would not necessitate a reduction as a result of its insignificant size when compared to the allotment and adjacent pastures. Opportunities to integrate livestock management actions in Freezeout Allotment in coordination with year-round practices on adjoining private land and outside the immediate area would benefit desired changes for one livestock operator. Allotment division may result in limitations to flexibility of developing future grazing schedules to meet management objectives and S & G's since fewer pastures, each with a different mix of resource values, would be available to provide for needed grazing rotations and possibly annual deferment of use during specific seasons to avoid unacceptable impacts to life cycles of specific wildlife species or other resource values

4.2.4 **Wildlife:** Shifting livestock use from spring or summer to winter grazing usually increases the competition for bitterbrush and other plants important to wintering big game. Due to the absence of inventory information there is limited ability to determine the severity of the impact to deer, pronghorn and/or elk in Hurley Spring, South Freezeout and Double Mountain/Cow Hollow Seeding pastures. Reduced availability of key forage species can affect big game at any time of year they are present, and can affect breeding success, fawn survival, and winter survival.

Winter grazing reduces direct impacts to breeding songbirds by eliminating disturbance, but the success of nesting songbirds also is dependent upon the quality and quantity of vegetation. The analysis of impacts to native communities doesn't separate the grass, forb or shrub components but it appears that the upland conditions are expected to stay the same or only slowly improve with the new system, based on individual pastures. Small mammals generally respond similarly.

Negative impacts to wildlife would be minimal as a result of constructing the proposed 0.1 mile of permanent fence. Potential for entanglement of animals in the new fence, especially during late winter when energy reserves of wildlife are low, would slightly increase with additional fencing. The fence would be constructed in accordance with BLM policy so as to provide for wildlife passage to the extent possible. Exclusion of livestock from riparian communities would benefit many wildlife species as riparian habitats are improved.

Special Status Species: Sage grouse have complex life histories and often require large home ranges to survive. Other than the location of leks there is no information in BLM files concerning sage grouse habitat use in this allotment. The proposed system may benefit the sage grouse population by removing conflicts during the nesting season or may increase conflicts by placing livestock in pastures used by wintering birds. A key element for sage grouse populations is the amount of residual herbaceous vegetation is potential nesting and early brood-rearing habitat. The shift to winter use should increase the vigor of herbaceous species but the height and density of residual herbaceous vegetation can't be predicted with the information provided. In Bully Creek GMA the utilization level was set at 40% to insure nest sites were available in pastures within 2 miles of known leks. The amount of residual vegetation isn't addressed in this EA and would need to be revisited when the Dry Creek GMA is assessed.

4.2.5 **Fisheries and Aquatic Species:** Change of the season of livestock grazing use from mid-summer to fall-winter in Hurley Spring and South Freezeout pastures would benefit riparian resources adjacent to Dry Creek and Twin Springs Creek, also benefitting the habitats of fish and aquatic species. As summarized in Appendix R of the SEORMP, winter use is expected to avoid concentration of livestock within riparian communities for water, shade and desired forage/browse.

4.2.6 **Recreation and Visual Resources:** Recreation values would be little changed by the proposed change in seasons of use in identified pastures. Concurrent annual fall/winter use by cattle and hunters of pastures in the proposed Dry Creek Allotment may result in additional impacts to one or the other use as livestock or game animals are disturbed or hunters interact with livestock between early January and late March.

Visual impacts resulting from proposed changes to livestock seasons of use would be consistent with the management objectives for VRM Class I and IV. Similarly, the proposed four-strand barbed wire fence would be consistent with the management objectives for VRM Class IV. Visual impacts from disturbance of vegetation and soil resources would be minimally changed from existing conditions on public lands.

- 4.2.7 **Cultural Resources:** Cultural resources would not be affected by the proposed allotment division, changes to seasons of livestock use, or fence construction. A Class III cultural Resource Survey of the flagged fence-line would be conducted prior to fence construction. Impacts to cultural values would be avoided or mitigated by design changes or fence placement.
- 4.2.8 **Special Status Plants:** Special status plant species would not be affected by the proposed actions. Although the site of proposed fence construction does not include habitat of known special status species, surveys would be conducted to locate any unknown special status plant sites prior to fence construction. The fence would be located to mitigate potential negative impacts.
- 4.2.9 **Riparian Values:** As identified above, riparian resources adjacent to Dry Creek and its tributaries in South Freezeout and Hurley Springs pastures are expected to improve with a change from summer, hot season use to fall and winter periods when livestock are less inclined to concentrate in riparian communities for water, shade, and desired forage/browse. Similarly, small riparian communities adjacent to springs in Double Mountain Pasture of Dry Creek Allotment would benefit from the proposed change in season of use from a deferred rotation summer use to winter/early spring use annually. The benefits of grazing pastures containing riparian communities in seasons other than summer are provided in the SEORMP, Appendix R.
- Construction of approximately 0.1 mile of permanent fence at Willow Spring and exclusion of livestock from an estimated 100 yard reach of riparian communities adjacent to Negro Rock Canyon Creek would provide opportunities for improved riparian function.
- 4.2.10 **Wilderness Study Areas:** With the exception of benefits to riparian resources identified above, proposed changes to the season of grazing use in Dry Creek Allotment are not anticipated to negatively affect and may benefit wilderness values in Dry Creek WSA. With no change in the numbers or kind of grandfathered livestock use, there would be no increase in adverse impacts to the soils and natural ecological condition of vegetation resources, the visual condition of the lands and water, or in the numbers or natural diversity of fish and wildlife in the WSA. The proposed action would not impair the suitability for the WSA to be preserved as wilderness.
- 4.2.11 **Wild and Scenic Rivers:** With the exception of benefits to riparian resources identified above, proposed changes to the season of grazing use in Dry Creek Allotment are not anticipated to affect identified ORV's adjacent to Dry Creek in those portions found to be administratively suitable for inclusion in the NWSR system.

4.2.12 **Areas of Critical Environmental Concern:** With the exception of benefits to riparian resources identified above, proposed changes to the season of grazing use in Dry Creek Allotment are not anticipated to affect identified relevant and important values adjacent to Dry Creek in those areas that are proposed for designation as Dry Creek Gorge ACEC.

4.3 **No Action Alternative:** Consequences of implementing the no action alternative, retention of Freezeout Allotment with terms of livestock management defined in the allotment management plan revised in 1989, would result as summarized in the following sections.

4.3.1 **Vegetation, Soils and Watersheds:** The no action alternative would not affect vegetation resources in ways other than are currently occurring. Upland management objectives identified in the RPS would continue to be met, although localized areas of livestock concentration, primarily adjacent to water sources in pastures used during mid-summer, would hold vegetation communities in less than desired conditions. Microbiotic crusts would continue to receive compressional disturbances from livestock trampling during mid summer when dry and brittle, a period when more susceptible to impacts.

The no action alternative would not affect soils or watershed values in ways other than are currently occurring.

4.3.2 **Noxious weeds:** The no action alternative would not change noxious weed distribution or dominance in ways other than are currently occurring. Localized soil disturbance and existing vectors of distribution of noxious weed plant material, including those associated with livestock grazing, would continue. The need for continued surveys and localized treatment would continue.

4.3.3 **Livestock Grazing:** Livestock management in Freezeout Allotment would continue as defined in the revised allotment management plan dated 1988, pending completion of assessment of standards and guidelines and evaluation scheduled within the next few years. No change in levels or seasons of livestock use would occur in the short-term.

4.3.4 **Wildlife:** Wildlife habitat values would remain unchanged with no additional direct impacts to wildlife species. Potential benefits from riparian improvement associated with reductions in hot-season grazing adjacent to Dry Creek would not be realized. Potential adverse impacts to big game winter range would be avoided.

- 4.3.5 **Fisheries and Aquatic Species:** Mid-summer grazing use of pastures containing riparian resources would continue to have localized impacts to fisheries and aquatic species habitats in areas of livestock concentration during mid-summer use. Those types of impacts are summarized in Appendix R of the SEORMP.
- 4.3.6 **Recreation and Visual Resources:** The no action alternative would not change current recreation opportunities or visual resources.
- 4.3.7 **Cultural Resources:** The no action alternative would not affect cultural resources in ways other than are currently occurring.
- 4.3.8 **Special Status Plants:** The no action alternative would continue to affect special status plant species as has occurred since implementation of the 1989 revisions to the AMP.
- 4.3.9 **Riparian Values:** Mid-summer grazing of pastures containing riparian resources would continue to have localized impacts to those public land values in areas of livestock concentration. Potential impacts to riparian values from hot season livestock use are summarized in Appendix R of the SEORMP.
- 4.3.10 **Wilderness Study Areas:** No incidence of impacts to wilderness values caused by livestock grazing practices within Dry Creek WSA have been documented in recent years. Continuation of current livestock grazing practices is anticipated to impact wilderness values in Dry Creek WSA in the same manner and degree as has occurred in recent years. These impacts would not impact the WSA's suitability to be preserved as wilderness.
- 4.3.11 **Wild and Scenic Rivers:** Although no site specific data are available concerning current livestock grazing impacts to ORV's for which Dry Creek may be recommended administratively suitable for inclusion in the NWSR system, mid-summer grazing use of pastures containing riparian resources would continue to have localized impacts to those public land values in areas of livestock concentration, as identified above.
- 4.3.12 **Areas of Critical Environmental Concern:** Although no site specific data are available concerning current livestock grazing impacts to relevant and important values for which Dry Creek Gorge ACEC may be designated, mid-summer grazing use of pastures containing riparian resources would continue to have localized impacts to those public land values in areas of livestock concentration, as identified above.

- 4.4 **Adverse Effects:** Unavoidable adverse effects from implementation of the proposed or no action alternative are limited to those impacts to soils, vegetation and riparian function described in the text above.
- 4.5 **Short Term and Long Term Impacts:** Short-term impacts to vegetation resources during construction of 0.1 miles of permanent fence would be offset by long-term benefits to riparian resources including water quality and timing of discharge, wildlife habitat, and watershed stability. Similarly, the change in season of livestock use adjacent to Dry Creek and other riparian vegetation communities in Dry Creek Allotment would result in long-term benefit to riparian resources. No short-term nor long-term change of grazing use and subsequent impact to local or regional economies is anticipated as a result of the proposed action or no action alternatives.
- 4.6 **Irreversible or Irretrievable Commitment of Resources:** In the event that implementation of the proposed actions are found to not meet current land use plan objectives, objectives identified in the Proposed SEORMP, or S&G's, existing grazing schedules or revised grazing schedules could be implemented with no irreversible or irretrievable loss of resources. Similarly, should the proposed fence not function as expected to protect riparian resources or should it have unforeseen negative impacts, it could be removed or redesigned with no irreversible or irretrievable commitment of resources.

5 **List of Preparers:**

Steve Christensen	Rangeland Management Specialist
Ron Rembowski	Rangeland Management Specialist
Tom Hilken	Rangeland Management Specialist;
“	Planning and Environmental Coordinator
Jim Johnson	Wild Horse Specialist
Bob Alward	Outdoor Recreation Planner, Wilderness
Jean Findley	Botanist
Diane Pritchard	Archaeologist
Shaney Rockefeller	Hydrologist/Soil Scientist
Al Bammann	Wildlife Biologist
Cynthia Tait	Fisheries Biologist
Lynne Silva	Range Technician, Weeds
Jon Freeman	Realty Specialist
Tom Dabbs	Acting Field Manager, Malheur Resource Area

6 **List of Agencies, Organizations, and Persons to Whom Copies of the EA are Sent:**

Livestock operators; Freezeout Allotment

Western Watersheds Project; Interested Public

Northwest Environmental Defense Center, Interested Public

Walt Van Dyke, Oregon Department of Fish and Wildlife

Albert Teeman, Tribal Chairperson, Burns Paiute Tribe

Edward Potaws, Chairman, Confederated Tribes of the Umatilla Reservation

A file search completed March 28,2002, identified no additional requests by members of the public to be considered an interested public for Freezeout Allotment.

7 **Literature Cited:**

USDI-BLM 1984. Southern Malheur Rangeland Program Summary (RPS). U.S. Bureau of Land Management, Vale District, Oregon. 24 p.

USDI-BLM 1989. Oregon Wilderness Environmental Impact Statement. U.S. Bureau of Land Management, Oregon State Office, Oregon. 4 v.

USDI-BLM. 1997. Grazing Management for Riparian-Wetland Areas. U.S. Bureau of Land Management Technical Reference 1737-14. Denver, Colorado. 63 p.

USDI-BLM. 2000. Proposed Southeastern Oregon Resource Management Plan and Final Environmental Impact Statement (April 2001). U.S. Bureau of Land Management, Vale District, Oregon. 3 v.

USDI-BLM 2001. Biological Soil Crusts: Ecology and Management. U.S. Bureau of Land Management Technical Reference 1730-2. Denver, Colorado. 110 p.





