

USDI, Bureau of Land Management  
Andrews Resource Area, Burns District

Notice of Proposed Decision  
and  
Finding of No Significant Impact  
for  
Basque Hills Allotment Management Plan  
Environmental Assessment  
OR-026-06-030

## INTRODUCTION/SUMMARY OF PROPOSED ACTION

The Bureau of Land Management (BLM) is proposing to change the season of use in the Basque Hills Allotment (#6042) from April 1 to June 30 every year to February 15 to May 1 and August 1 to November 15 (2 to 3 weeks water dependant) every other year. Along with a change of grazing season, a new water well with 1-mile of pipe and a trough is proposed in the northwest portion of the allotment next to the Civilian Conservation Corp. (CCC) road that transverses the allotment from east to west. The well is a critical factor in making the necessary changes to the grazing system work. A change of season of use will allow for critical growing season rest for native upland forage species.

The goal of the project is to address deficiencies in Standards for Rangeland Health while providing for sustainable livestock grazing that meets allotment management objectives and Standards for Rangeland Health Guidelines for Livestock Management (S&Gs).

In addition to the proposed action which is essentially a partial livestock removal, the BLM also analyzed a no action alternative.

The allotment is located in Andrews Management Unit (AMU) in the southern portion of Harney County, Oregon. Basque Hills Allotment borders Pueblo Mountains to the east and Beaty Butte to the west and Catlow Valley on the north. The term permit is currently authorized for 1,147 Animal Unit Months (AUMs) for Basque Hills Allotment (April 1 to June 15). All authorized livestock grazing is by cattle. Other forage allocations include 5 AUMs for mule deer and 2 AUMs for pronghorn. Basque Hills is a Management Category "I" (Improve) allotment. The "Improve" category identifies allotments with management and resource concerns. These allotments receive priority for implementation, effectiveness, and performance monitoring.

### Project Goals and Objectives

The goal of the project is to maintain the ecological condition of the upland vegetation community within the Basque Hills Allotment by changing the grazing season of use (Resource Management Plan [RMP] Appendix J-42) in a manner consistent with AMU RMP management direction for Social and Economic Values, Vegetation, and Grazing Management, including:

1. Resource Use - Provide for sustainable livestock grazing that meets allotment management (natural resource) objectives and the S&Gs (Social and Economic Values, RMP p. 45).
2. Resource Enhancement – Maintain, restore or improve the integrity of desirable vegetation communities including perennial, native, and desirable introduced plant species. Provide for their continued existence and normal function in nutrient, water, and energy cycles (Vegetation, RMP p. 30).
3. Resource Use - Implement administrative solutions and rangeland projects to provide proper management for livestock grazing while meeting resource objectives and requirements for S&Gs (Grazing Management, RMP pp. 54-56).

Specifically, the objective is to increase diversity and vigor of upland plant species within the Basque Hills Allotment. Post-season utilization monitoring, photo points and long-term trend monitoring should be able to recognize the following potential indicators (BLM Technical Reference 1734-6 2000, p. 7-38):

1. The capacity of the site to limit redistribution and loss of soil resources (including nutrients and organic matter) by wind and water.

#### FINDING OF NO SIGNIFICANT IMPACT

This attached Environmental Assessment (EA) is tiered to the AMU/Steens Mountain Cooperative Management and Protection Area Proposed RMP and Final Environmental Impact Statement (EIS) and relevant information contained therein is incorporated by reference. The proposed action has been designed to conform to the following documents, which direct and provide the legal framework for management of BLM lands within the Burns District:

- Taylor Grazing Act (43 U.S.C 315 - 1934)
- National Environmental Policy Act (42 U.S.C. 4321-4347)1970
- Federal Land Policy Management Act (43 U.S.C. 1701, 1976)
- Public Rangelands Improvement Act (43 U.S.C. 1901. 1978)
- Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Public Lands Administered by the Bureau of Land Management in the States of Oregon and Washington (1997)
- Greater Sage-Grouse and Sagebrush-Steppe Ecosystems Management Guidelines (interagency - 2000)
- Bureau of Land Management National Sage-Grouse Habitat Conservation Strategy (2004)
- Local Integrated Noxious Weed Control Plan (2004)
- Andrews Management Unit Resource Management Plan/Record of Decision (August 2005)

Based on the analysis of potential environmental impacts contained in the EA and all other information, I have determined the proposal and alternatives analyzed do not constitute a major Federal action that would significantly impact the quality of the human environment. Therefore, an EIS is not necessary and will not be prepared.

## Rationale:

This determination was based on the following: The following critical elements of the human environment and other potential concerns were considered and determined not to be known to be affected nor impacted by the proposed action or alternatives:

Areas of Critical Environmental Concerns, Air Quality, American Indian Traditional Practices, Environmental Justice, Farmlands (prime or unique), Flood Plains, Hazardous Materials, Paleontology, Special Status Species – Flora, Water Quality (drinking or ground water), Wild and Scenic Rivers, Wilderness, Cultural Heritage, Water Quality, Wetlands/Riparian Areas, and Soils.

All potential impacted resources were analyzed in the EA specific to the proposed action. The following resources were analyzed in the EA:

Wilderness Study Areas (WSAs), Cultural Resources, Migratory Birds, Noxious Weeds, Special Status Species – Fauna, Grazing Management, Recreation, Social and Economic Values, Vegetation, Visual Resources, Biological Soil Crusts, and Wildlife.

Impacts to these resources are all considered to be nonsignificant (based on the definition of significance in 40 CFR 1508.27) for the following reasons:

### Critical Elements

#### Special Status Species – Fauna (Greater Sage-Grouse, Bighorn Sheep)

The proposed graze/defer system would allow for periodic rest from grazing of key forbs and perennial grass species preferred by sage-grouse allowing for improved vigor, reproduction, and productivity of these plant species. Although during years when the allotment is grazed early, key sage-grouse forbs could be used by livestock during the time when prebreeding and prenesting nutritional needs for female sage-grouse are high. This system allows for livestock to be present every other year during the breeding, nesting, and early brood-rearing seasons, causing fewer disturbances to sage-grouse during these critical periods. During defer grazing period, sage-grouse are probably not present since there are few wet meadows in this allotment. Livestock utilization levels would remain at or below the target level of 50 percent which would leave residual vegetation for forage and cover.

Bighorn sheep should not be affected by this change in season of use. There could be some increased competition for green forage every other year during the early grazing season when bighorn sheep would more likely be using the lower elevations at the base of South Catlow Rim.

The proposed well, 1-mile of pipeline and trough, in the northwest portion of the allotment may cause some disturbance to sage-grouse if they are present during the construction phase.

To help expedite any loss of vegetation, a 2-foot wide disturbance area from installation of the well, trough, and pipeline would be seeded with native species to mitigate soil exposure. Water would be left in the trough at the end of the grazing season to provide water for Special Status Species and other wildlife. Escape ramps for small wildlife that might get into the trough would be installed.

The proposed action would improve and/or maintain the good range condition present in the allotment for the foreseeable future, thereby improving conditions for sage-grouse and other wildlife species as well.

The cumulative effects of the well, pipeline, and trough should be minimal in sage-grouse habitat in the allotment. The use of the generator when running to fill troughs, should also be minimal in sage-grouse habitat since use would be every other year.

### Migratory Birds

The proposed graze/defer system with rest every other year is designed to maintain or improve vegetation conditions. This would also provide rest during the breeding and nesting to fledging season every other year which could improve productivity through less disturbance by livestock and improved forage resources for migratory birds.

The proposed well may cause some disturbance to migratory birds, if they are present during drilling of the well, placement of 1-mile of pipeline and trough, but this is not likely to affect migratory birds. To help expedite any loss of vegetation, a 2-foot wide disturbance area from installation of the well, trough, and pipeline would be seeded with native species to mitigate soil exposure. Water would be left in the trough at the end of the grazing season to provide water for migratory birds and other wildlife. Escape ramps for small wildlife would be installed into the trough.

The cumulative effects of the well, pipeline, and trough should be negligible to migratory birds and their habitat in the allotment since use would be every other year, along with the use of the generator when it is temporarily running to fill troughs.

### Noxious Weeds

This system which provides periods of rest to rangeland vegetation allowing it to remain vigorous, productive, and competitive would also help prevent noxious weed introduction.

### Cultural Resources

The proposed change of season is not likely to further affect cultural resources within the allotment to any discernable degree. Because much of the allotment soils are loam to loamy sand, early grazing would not result in livestock trampling affects to cultural resources as would be expected if soils were finer in grain size.

The proposed well, pipeline, and trough would have cultural clearances conducted prior to construction to avoid any archaeological sites.

### Wilderness Study Areas

Overall, wilderness characteristics would be enhanced by the change in grazing system. Changes associated with installation of the well would be localized and any aboveground features could be easily removed if required as part of the designation of the area as wilderness. There are no other known reasonably foreseeable actions that would contribute to effects to wilderness characteristics in either of the WSAs.

### Noncritical Elements

#### Grazing Management

Periodic rest during the critical growth season for rangeland vegetation (proposed action alternative) would maintain or improve the resources associated with meeting these standards in the foreseeable future.

#### Vegetation

This action conforms to guidelines for grazing management taking into consideration the health and life cycle requirements of rangeland vegetation.

This alternative would allow for periodic rest during critical growth periods. Typical results from this type of system are increased vigor, reproduction, and productivity of most plant species. The expected response of the current vegetative community would be increased vigor on those plants more readily available to livestock and maintained condition of those already in good condition. A majority of the allotment is in good condition, but those small patches in fair to poor condition would be given the chance to improve by providing forage species an opportunity to reproduce and maintain plant vigor.

The proposed action avoids all of the results described under the no action alternative and conforms to the guidelines for grazing management. The foreseeable future with the proposed action is a continuous upward trend in rangeland condition. This would be accomplished by establishing and maintaining an upward trend in Wyoming big sagebrush/bluebunch wheatgrass range sites over the next 10 years. Trend would be measured by relative frequency of occurrence of forbs, shrubs, and perennial grass species as compared with relative total ground cover.

Vegetation at the site of the well and trough would temporarily be removed in an area totaling about 0.2-acre. To help expedite any loss of vegetation, a 2-foot wide disturbance area from installation of the well, trough and 1-mile of pipeline would be seeded with native species to mitigate soil exposure.

## Wildlife

The proposed action would increase vigor and productivity of native rangeland vegetation resulting in improved habitat for domestic and wildlife species.

If the health of rangeland vegetation was to decline, wildlife would move to find habitat in other areas, thus increasing pressure and causing a chain reaction in the foreseeable future. This can be avoided by outlining a grazing system for this allotment that maintains and/or improves the rangeland trend.

The proposed well, 1-mile of pipeline and trough, in the northwest portion of the allotment may cause some disturbance to wildlife species if they are present during construction. To help expedite any loss of vegetation, a 2-foot wide disturbance area from installation of the well, pipeline, and trough would be seeded with native species to mitigate soil exposure. The use of the generator when running to fill troughs, is temporary, and should have minimal effects to wildlife species, and will only be used every other year.

Water would be left in the trough at the end of the grazing season to provide water for wildlife. Escape ramps for small wildlife would be installed in the trough.

No long-term effects of this project are foreseen to affect wildlife or its habitat in the area of the well, pipeline, and trough.

## Recreation

The proposed spring grazing period (2 to 3 weeks between February 15 and May 1) would generally not affect recreation, since use of the area during this time period is very light because of wet and muddy road conditions. There could be effects to recreation from the proposed fall grazing period (2 to 3 weeks between August 1 and November 5). Because hunting seasons for pronghorn antelope, bighorn sheep, and mule deer overlap with the proposed fall grazing period, big game hunters could be displaced by the presence of livestock in areas where they have not been in the past. However, in alternate years when no grazing occurs, the recreation experience would be enhanced for hunters looking for areas without livestock presence.

## Social and Economic Values

Implementing the proposed action would increase the efficiency of the livestock operation in this allotment. Improvement would result from better cattle distribution and, therefore, healthier rangelands. The social and economic values of the ranching operation would improve thereby increasing those values for the local economies and social structure.

If the health of rangeland vegetation were to decline with either action, this area would become increasingly devalued by ranchers and cause a chain reaction in the foreseeable future. This can be avoided by outlining a grazing system for this allotment that maintains and/or improves the rangeland trend.

## Biological Soil Crust

With the proposed change in livestock management within the allotment, the biological soil crust community is expected to be maintained or even improved with time.

Current management practices such as proper stocking rates for livestock, rotation of grazing, improved designs of roads, rehabilitation of severely disturbed areas, restriction of motorized and mechanized vehicles to roads and ways, and control of concentrated recreational activities help to reduce loss of biological soil crusts.

The future condition of soil and biological soil crust resources would be dependent on the condition of other resources, primarily upland and riparian vegetation. Management actions that affect the condition of these resources would also affect soils and biological soil crusts.

## Visual Resources

No changes to the landscape character would be expected from the proposed change of grazing system. The proposed well development would occur on BLM-administered lands that fall within a Class I category. When the well is not in operation, only the well, pipe, and trough would be observable for a few minutes as visitors pass by. When in operation, the portable generator would be observable, but it would not be unlike encountering a vehicle. From a distance, the portable generator would not likely draw attention, because it would be of a size and scale of a vehicle, which can be found present along routes in the area associated with recreation use.

There are no other known reasonably foreseeable actions that would contribute to effects to visual resources in the allotment.

## COMMENTS RECEIVED

The Burns District BLM received comments from two Interested Publics dated April 13 and 14, 2006. A summary of the comments along with responses are as follows.

Comment #1. The BLM did not provide a range of alternatives.

Response: In the original EA the BLM analyzed the proposed action and the no action alternative. The Burns District BLM has now provided three alternatives: 1) No Action, 2) Proposed Action, 3) Alternatives Considered but not Analyzed Further. Please see Chapter II: Alternatives Including the Proposed Action.

Comment #2. We would like to see wildlife escape ramps installed.

Response: The Burns District BLM is in the process of inventorying and installing ramps where necessary. See a description of the grazing system in the Proposed Action section of the EA.

Comment #3. The EA lacks any detailed discussion of the potential impacts to sage-steppe habitat of the proposed action for sage-grouse, sagebrush obligates, and pygmy rabbits.

Response: A discussion of sage-grouse and pygmy rabbits and their habitats are discussed in Chapter III: Affected Environment.

Comment #4. The BLM is under continuing duty to manage the public lands for multiple-use and to prevent unnecessary or undue degradation to the public land and their resources, with wilderness values being one of the many resources. Despite the overlap of two existing WSAs (Rincon and Basque Hills), BLM states "that there would not be any effects to wilderness characteristics" as it pertains to "special features."

Response: Additional analysis has been presented throughout the EA as it pertains to the change in season of use for livestock management from April 1 to June 30 every year to February 15 to May 1 and August 1 to November 15 (2 to 3 weeks water dependant) every other year. Along with a change of grazing season, a new water well with 1-mile of pipe and a trough is proposed in the northwest portion of the allotment next to the CCC road that transverses the allotment from east to west. The well is a critical factor in making the necessary changes to the grazing system work. This analysis can be found in Chapter 4: Environmental Consequences.

Comment #5. The EA is short on cumulative impacts analysis.

Response: Due to the comments and concerns from the interested public the BLM has reanalyzed the cumulative impact section of the EA, and the BLM believes the level of cumulative effects analysis is commensurate with potential effects of the proposed action.

Comment #6. The EA should have considered the potential effects to sage-grouse leks nearby the allotment.

Response: The leks you speak of are not in the allotment and are not affected by the proposed action.

Comment #7. It is unclear whether or not the propose action will help or hurt sage-grouse.

Response: Sage-grouse should benefit from the proposed action.

Comment #8. Is there any sage-grouse monitoring data from this allotment?

Response: The Oregon Department of Fish and Wildlife flew this area during April 2001, conducting a systematic aerial search for new sage-grouse leks. None were found. There are no other sage-grouse monitoring data or casual observances of sage-grouse known in this office for this area.



Comment #9. There is no discussion of the presence of or potential impacts to pygmy rabbits.

Response: See Chapter III: Description of the Affected Environment.

## PROPOSED DECISION RECORD

A copy of the original EA was mailed to permittees and interested publics. In addition, a notice was posted in the Burns Times-Herald newspaper.

Having considered a range of alternatives and associated impacts and based on analysis in the Basque Hills Allotment Management Plan EA OR-06-026-030, it is my decision to implement the proposed action.

The proposed action is to change the season of use from growing season use every year to time limited use spring and fall every other year, thereby building in growing season rest for native upland grass species to help promote a sustainable grazing system. Along with a change of grazing season, a new water well with 1-mile of pipe and a trough is proposed in the northwest portion of the allotment next to the CCC road that transverses the allotment from east to west. The well and associated improvements are critical factors in making the necessary changes to the grazing system work. A change of season of use will allow for critical growing season rest for native upland forage species.

Rationale:

I have selected the proposed action for the reason it best meets the decision factors among all alternatives.

### Decision Factors

1. The proposed action achieves RMP management direction for Social and Economic, Vegetation and Grazing Management objectives (cited earlier) in a balanced manner without placing greater importance on one over the other three.
2. The proposed action is likely to achieve Standards for Rangeland Health and Guidelines for Livestock Management for Oregon and Washington in accordance with 43 CFR 4180.2(b).
3. The proposed action does not have unreasonable management cost to the livestock grazing permit holder.

Implementing the proposed action would increase the efficiency of the livestock operation in this allotment. Improvement would result from better cattle distribution and, therefore, healthier rangelands. The social and economic values of the ranching operation would improve thereby increasing those values for the local economies and social structure.

If the health of rangeland vegetation were to decline with either action, this area would become increasingly devalued by ranchers and cause a chain reaction in the foreseeable future. This can be avoided by outlining a grazing system for this allotment that maintains and/or improves the rangeland trend.

I did not select the no action alternative on the basis that it did not satisfy the purpose and need of the proposed action.

The goal of the project is to maintain the ecological condition of the upland vegetation community within the Basque Hills Allotment by changing the grazing season of use (Resource Management Plan [RMP] Appendix J-42) in a manner consistent with AMU RMP management direction for Social and Economic Values, Vegetation, and Grazing Management, including:

1. Resource Use - Provide for sustainable livestock grazing that meets allotment management (natural resource) objectives and the S&Gs (Social and Economic Values, RMP p. 45).
2. Resource Enhancement – Maintain, restore or improve the integrity of desirable vegetation communities including perennial, native, and desirable introduced plant species. Provide for their continued existence and normal function in nutrient, water, and energy cycles (Vegetation, RMP p. 30).
3. Resource Use - Implement administrative solutions and rangeland projects to provide proper management for livestock grazing while meeting resource objectives and requirements for S&Gs (Grazing Management, RMP pp. 54-56).

Specifically, the objective is to increase diversity and vigor of upland plant species within the Basque Hills Allotment. Post-season utilization monitoring, photo points and long-term trend monitoring should be able to recognize the following potential indicators (BLM Technical Reference 1734-6 2000, pp. 7-38):

1. The capacity of the site to limit redistribution and loss of soil resources (including nutrients and organic matter) by wind and water.

Any applicant, permittee, lessee or other interested public may protest a proposed decision under Section 43 CFR 4160.1 and 4160.2, in person or in writing to Karla Bird, Field Manager, Andrews Resource Area, Burns District Office, 28910 Hwy 20 West, Hines, Oregon 97738, within 15 days after receipt of such decision. The protest, if filed should clearly and concisely state the reason(s) as to why the proposed decision is in error.

In the absence of a protest, the proposed decision will become the final decision of the authorized officer without further notice unless otherwise provided in the proposed decision. Any protest received will be carefully considered and then a final decision will be issued.

Any applicant or other person whose interest is adversely affected by the final decision may file an appeal in accordance with 43 CFR 4.470 and 43 CFR 4160.3(a) and 4160.4. The appeal may be accompanied by a petition for a stay of the decision in accordance with 43 CFR 4.21, pending final determination on appeal. The appeal and petition for a stay must be filed in the office of the authorized officer, as noted above, within 30 days following receipt of the final decision, or within 30 days after the date the proposed decision becomes final.

This appeal shall state the reasons, clearly and concisely, why the appellant thinks the final decision is in error and otherwise comply with the provisions of 43 CFR 4.470 which is available at the BLM office.

Should you wish to file a petition for a stay, you must file within the appeal period. In accordance with 43 CFR 4.21(b)(1), a petition for a stay must show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied.
2. The likelihood of the appellant's success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted.
4. Whether or not the public interest favors granting the stay.

As noted above, the petition for stay must be filed in the office of the authorized officer.

/signature on file/  
Karla Bird  
Andrews Resource Area Field Manager

May 9, 2007  
Date