

**United States Department of the Interior
Bureau of Land Management**

U.S. Department of the Interior
Bureau of Land Management
Twin Falls District
Shoshone Field Office
400 West F Street
Shoshone, Idaho 83352
Telephone: (208) 732-7200
FAX: (208) 732-7317

Environmental Assessment DOI-BLM-ID-T030-2011-0029-EA

Final Sun Valley Management Framework Plan Amendment

Prepared by:
MPE, Inc.
For the Department of the Interior
Bureau of Land Management
Shoshone Field Office

Sun Valley Management Framework Plan
May 2013



**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT**

Shoshone Field Office
400 West F Street
Shoshone, ID 83352

Sun Valley Framework Plan Amendment

DOI-BLM-ID-T030-2011-0029-EA

INTRODUCTION

The Bureau of Land Management, Shoshone Field Office (BLM) has conducted an environmental assessment (EA, DOI-BLM-IDT030-2011-0029-EA) to analyze the environmental effects and document the findings of a proposal submitted to the BLM by the Point of Rocks Ranch (PORR) to dispose of a 3.39-acre parcel of public land adjacent to private property owned by PORR in Blaine County, Idaho through a direct sale. The subject parcel of public land is not identified for disposal in the Sun Valley Management Framework Plan (MFP) and requires an amendment to the Sun Valley MFP to change that designation. Disposal of public lands is allowable on BLM administered lands pursuant to Title II of the Federal Land Policy and Management Act of October 21, 1976 as amended (FLPMA), and the BLM regulations at 43 CFR 2700, at the discretion of the Secretary of the Interior or their delegated officer.

The subject parcel proposed for disposal is difficult and uneconomical to manage since it is currently fenced in with the surrounding private lands owned by PORR. The Proposed Action for disposal would serve the public objective by allowing the BLM to formally resolve an inadvertent trespass. The disposal would allow for the road to become the boundary between public and private lands in the area allowing for a more identifiable boundary and improving efficiencies in the management of both the public and private lands in the area. The disposal of the 3.39-acre subject parcel in fee simple would allow PORR to formally consolidate the parcel with the adjacent ranch property. A contiguous parcel of approximately 526 acres of private land would be created.

The Sun Valley MFP Amendment and Point of Rocks Ranch Land Sale EA (DOI-BLM-IDT030-2011-0029-EA) was completed and issued to the public on October 29, 2012. A copy of the EA is available at the BLM's eplanning website or at the Shoshone Field Office, and is incorporated by reference for this Decision Record. It has been determined that the project is not a major federal action and will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. Because there would not be any significant impact, an environmental impact statement is not required. The Finding of No Significant Impact (FONSI) for the project can also be located at the above-referenced website.

Two alternatives were considered in the Sun Valley MFP Amendment and Point of Rocks Ranch Land Sale EA. The alternatives analyzed are:

- Proposed Action – The proposed plan amendment would identify a 3.39-acre parcel of public land for disposal resulting in a BLM sale offer of the land to the PORR using direct (non-competitive) sale procedures pursuant to Sections 203 and 209 of FLPMA and the BLM regulations at 43 CFR 2700. The 3.39-acre subject parcel has no known mineral value and the disposal would include conveyance of both the surface and mineral estates for the subject parcel of public land. The purchase price would be no less than fair market value determined by an appraisal completed under the direction of the Office of Valuation Services.
- Alternative 1 - No Action: Under the No Action alternative the 3.39-acre subject parcel would remain under Federal ownership and be subject to all applicable federal land laws and regulations.

The proposed plan amendment was prepared under the regulations implementing the FLPMA and the National Environmental Policy Act of 1969 (40 CFR 1500-1509).

DECISION

It is my decision to approve the Sun Valley MFP amendment as identified in the proposed action described and analyzed in the Sun Valley MFP Amendment and Point of Rocks Ranch Land Sale EA. This amendment validates that the 3.39-acre subject parcel has been screened according to the process outlined in the Amendment and has been found to meet the criteria for a sale in FLPMA. Therefore, in accordance with Sections 203 and 209 of the FLPMA and the BLM regulations the BLM will offer to the PORR the 3.39-acre subject parcel of public land via a direct sale for not less than fair market value. This disposal would include both the surface and mineral estates for the 3.39-acre subject parcel of public land described as follows:

Boise Meridian, Idaho
T. 1 S., R 20 E.,
sec. 15, lot 6.

RATIONALE FOR THE DECISION

The Sun Valley MFP amendment meets the criteria for the sale of public land and minerals contained in Sections 203 and 209 of the FLPMA. This Act allows disposal of tracts of public land that due to their location or other characteristics are difficult and uneconomic to manage as part of the public land in the area.

The subject parcel is difficult and uneconomical to manage since it is currently fenced in with the surrounding private lands owned by PORR. The disposal would serve a public objective by allowing the BLM to formally resolve an inadvertent trespass. The disposal would allow for the road to become the boundary between public and private lands in the area allowing for a more identifiable boundary and improving efficiencies in the management of both the public and private lands in the area. It has been determined that the lands are not needed for Federal purposes and that conveyance is consistent with current BLM land use planning and would be in the public interest. Use of the subject parcel in conjunction with PORR's fee land could be achieved prudently and feasibly compared to other public objectives uses, including recreation and scenic values, which would be served by maintaining the subject parcel in federal management.

A mineral potential report was completed for the 3.39-acre subject parcel with a determination that no "known mineral values" were identified. As provided for pursuant to Section 20 of the

FLPMA, all minerals will be conveyed in the land sale to avoid splitting surface and mineral ownership of the subject parcel.

The Greater Sage-Grouse Interim Management Policies and Procedures identified in Instruction Memorandum No. 2012-043 guides the BLM to incorporate the following principles to protect and manage greater sage-grouse habitat: 1) protect unfragmented habitats; 2) minimize habitat loss and fragmentation; and 3) manage habitats to maintain, enhance, or restore conditions that meet greater sage-grouse life history needs. The Preliminary Priority Habitat (PPH) GIS data, as updated in 2012 (Idaho Sage-grouse Preliminary Priority Habitat, Version 2), identified 0.137 acres of PPH on the subject parcel. The subject parcel also includes 1.192 acres of Preliminary General Habitat (PGH), as shown by the updated GIS data. The process used to develop the GIS data intended to exclude agricultural lands from the data set. However, the resolution of the GIS data used to filter agricultural land did not lend itself to accurately map PPH or PGH for uses at the scale relevant to the proposed action.

The Point of Rocks Ranch land disposal would not result in a loss of sage-grouse habitat or further fragment sage-grouse habitat. The parcel has historically been planted with alfalfa and is bordered by both private land (agriculture) and a public road. There would be no value in restoring the parcel to sagebrush due to the small size of the parcel and its proximity to private lands and a public road.

BLM policy requires “*Planning decision...be developed in concert with sustainable development concept. These concepts include a vision of economic prosperity, a healthy environment, and a just and equitable society.*” Consolidation of the subject parcel with the PORR’s private lands will allow for the parcel to be farmed along with the adjacent private property.

PUBLIC INVOLVMENT

A Notice of Realty Action was published in the Federal Register on October 26, 2010 (FR Vol. 75, No. 206, pp. 65649-65650), segregating the subject parcel from appropriation under the public land laws, including the mining laws, except the sale provisions of the FLPMA. Publication of this notice in the Federal Register initiated a 45-day public comment period for the BLMs consideration of disposal of the subject parcel that provided for acceptance of comments through December 10, 2010. A copy of the notice was also published in the Times-News and Idaho Mountain Express on December 1, 2010, December 8, 2010, and December 15, 2010. A Notice of Intent to Prepare a Land Use Plan Amendment was published in the Federal Register on November 10, 2011 (FR Vol. 76, No. 218, pp. 70162-70163); initiating a 30-day public comment period which provided for the acceptance of comments through December 12, 2011.

A scoping package dated January 12, 2011, and containing information related to the proposal, preliminary issues and alternatives as well as a copy of the Notice of Realty Action was sent to interested parties. See Chapter 5 of the EA for a listing of the interested parties. In February 2011, the proposed land use plan amendment and subsequent land sale were listed as actions for which the BLM Shoshone Field Office was preparing an EA on the BLM Idaho National Environmental Policy Act database webpage.

As part of tribal consultation, the Shoshone-Bannock and Shoshone-Paiute Tribes were presented with information regarding the BLMs consideration of the disposal of the subject parcel to solicit comments. The Shoshone-Bannock Tribes were sent a scoping notification letter on January 12, 2011, and information was presented at a meeting on January 20, 2011. The Tribes are not in

support of the disposal of any public lands, no matter how small. The BLM Shoshone Field Office regularly meets with the Shoshone-Paiute Tribes on projects throughout the field office. Information on the BLMs consideration of the disposal of the subject parcel was initially presented to the Tribes on October 27, 2011. In general, the Tribes have expressed their opposition to any public land disposals. None of the Tribes have provided information about, or expressed interest in, any particular historic properties of religious and cultural significance on the subject parcel.

On October 29, 2012 the Sun Valley MFP Amendment and Point of Rocks Ranch Land Sale EA was completed and issued to the public. Notification of the availability of the document was made via letter to interested parties and was posted on the BLM Idaho NEPA website. At the conclusion of the 30-day protest period and the Governor's Consistency Review, no protests were received and the proposed plan amendment was found to be consistent with State of Idaho plans, policies, and programs.

APPROVAL

The Sun Valley MFP Amendment as described and analyzed in the September 2012 EA as part of the proposed action is approved. This decision is not subject to administrative appeal and in accordance with Resource Management Planning regulations at 43 CFR 1610.5-5, the amendment may be implemented 30 days after issuance of public notice of this decision.

Prepared by:	/s/ Holly Hampton	5/8/2013
	Holly Hampton, Acting Field Manager	Date
Recommended by:	/s/ Jenifer Arnold	5/9/2013
	(for) Mel M. Meier, District Manager	Date
Approved by:	/s/ Steven Ellis	5/22/2013
	Steven Ellis, State Director	Date