

Proposed Amendment to the Cascade Resource Management Plan

NEPA Register No.: DOI-BLM-ID-B010-2011-0048-EA

Proposed Decision – Off-Highway Vehicle Area Designation

I propose to amend the 1988 Cascade Resource Management Plan (RMP) provisions pertaining to off-highway vehicle (OHV) area designations in the Big Willow area. This plan amendment is a combination of alternatives B and C described in the Big Willow Packard's Milkvetch Management Environmental Assessment (EA) #DOI-BLM-ID-B010-2011-0048-EA. Based on my review of the EA and project record, I have concluded that the alternatives were analyzed in sufficient detail to allow me to make an informed decision. I am proposing to amend the Cascade RMP because the area designation would provide the most protection for Packard's milkvetch, a candidate species under the Endangered Species Act, and its habitat from impacts associated with OHV use while continuing to allow a limited amount of motorized recreational use in the area. The planning area consists of 7,366 acres and is located in Payette County, Idaho.

My decision complies with the *Federal Land Policy and Management Act* of 1976 to manage public lands to protect the ecological and environmental resources while providing for other uses; the *Endangered Species Act* (ESA) of 1973 to conserve federally listed species and their habitats; the *Special Status Species Management Manual for the Bureau of Land Management* (BLM Manual 6840) to mitigate adverse impacts to species listed or proposed for listing under the ESA; *Executive Order 11644* (1972) to manage OHV uses to protect public land resources and monitor impacts associated with such uses; *Executive Order 11989* (1977) to close areas where OHV use is having adverse impacts to resources until measures have been implemented to prevent further recurrence; and the *Code of Federal Regulations* (43 CFR subpart 8342) to designate areas as either open, limited, or closed to motorized use.

The proposed area designation would modify the existing limited designation by:

- Designating a 127-acre area as open (Alternative C). In this area, motorized use would be allowed both on and off of trails.
- Closing 5,620 acres to motorized use (Alternative B). In these areas, motorized vehicle use would not be allowed.
- Retaining 1,619 acres as limited (Alternative B). In areas designated as limited, motorized vehicle use would be allowed only on designated trails. Alternative B in the EA identified 1,651 acres as limited; however, because the open area designation from Alternative C is being proposed, 32 acres would be subtracted from the limited area designation.

Map 5 in the EA shows the proposed area designations in the 7,366-acre Big Willow Packard's Milkvetch area.

Authority

Designation of the Big Willow area for motorized use is pursuant to 43 CFR 8342 - Designation of Areas and Trails.

NEPA Compliance

The Four Rivers Field Office conducted public scoping in 2012. The public scoping included a scoping letter sent to interested publics, and public meetings in Payette and Emmett, Idaho (EA Section 1.6). Comments received from OHV users (primarily related to providing a variety of user experiences, including an open area) and the U. S. Fish and Wildlife Service (related to the BLM's ability to effectively enforce trail closures necessary to protect Packard's milkvetch habitat) were used to develop alternatives in the EA. Five alternatives were analyzed: Alternative A - Resume Use of Designated Trails (7,366 acres would remain limited to motorized use), Alternative B - Limited Motorized Access (1,651 acres would be designated limited, 95 acres would be designated open, and 5,620 acres would be designated closed to motorized use), Alternative C - Maximum Motorized Access (5,965 acres would be designated limited, 127 acres would be designated open, and 1,275 acres would be designated closed to motorized use), Alternative D - Moderate Motorized Access (2,697 acres would be designated limited, 95 acres would be designated open, and 4,575 acres would be designated closed to motorized use), and Alternative E - No Motorized Access (227 acres would be designated limited and 7,139 acres would be designated closed to motorized use).

Based on my review of the EA and consideration of comments received, I determined that the proposed area designation would not result in any significant impacts to the human environment. The impacts to recreational opportunities would not be significant because OHV uses would be provided for in the Big Willow area (1,746 acres would be designated as limited or open to OHV use) and substantial OHV opportunities would be available on adjacent BLM-administered lands. The area designations would also help ensure long-term viability of Packard's milkvetch which would help preclude listing it as threatened or endangered under the Endangered Species Act. The EA and Finding of No Significant Impact (FONSI) are available upon request to the Four Rivers Field Office, and will be available with this proposed plan amendment on the BLM NEPA Register internet site at https://www.blm.gov/epl-front-office/eplanning/nepa/nepa_register.do.

Rationale for the Proposed Plan Amendment

The Cascade RMP identified all public lands within the land use planning area as either "open", "limited", or "closed" to off-highway motor vehicle use. The 7,366 acres considered in this management planning process are currently designated as "limited to existing and designated roads and trails." The trail designation decision is being issued concurrently with this area designation amendment to the RMP.

The proposed area designation addresses the Purpose and Need (Section 1.1) of DOI-BLM-ID-B010-2011-0048-EA and meets the objectives of the Cascade RMP in that it would:

- *Provide for [off-road vehicle] ORV recreation activity on public lands by designating roads and trails (routes) for use by motorized vehicles (Cascade RMP).* The area designation would enhance recreation opportunities beyond the trail designations (described in a separate decision) by providing a 127-acre open area that would meet the needs of both inexperienced and experienced riders (EA Section 3.4.2.2). The larger open area (32 acres more than alternatives B or D) would provide a safer user experience (EA Section 3.4.2.3). Fencing associated with the open area delineation in alternatives B and D would be near a ridgeline which would cause a safety hazard for hill climbing users. Fencing associated with the proposed open area would be near a drainage which would be more visible and easily avoided.
- *Protect candidate or sensitive plants (Cascade RMP).* OHV disturbance would not occur in Packard's milkvetch element occurrences (EOs; areas where plants are known to occur) or in the 400-yard buffers around the EOs, which are considered important pollinator habitat (EA Section 3.1.2.3). Providing an adequate buffer between OHV use and vegetation treatment areas (EOs, pollinator habitat, and adjacent areas) would have major long-term benefits by reducing or

eliminating direct and indirect impacts of OHVs including physical impacts to EOs, habitat disturbance and degradation, spread of noxious or invasive weeds, and nutrient-rich dust. With the above-described protections, OHV activities would not affect the long-term viability of Packard's milkvetch.

Alternatives A, C, and D proposed larger limited areas, but would not adequately protect Packard's milkvetch EOs and associated pollinator habitat and would also likely result in more private land trespass (EA sections 3.1.2.2 and 3.1.2.4). Alternatives B and D proposed a smaller open area that would provide a reduced user experience relative to the proposed 127-acre open area (EA sections 3.4.2.2 and 3.4.2.4). Alternative E would not provide OHV opportunities in the 7,366 acre area (EA Section 3.4.2.5).

Administrative Remedies

Protest Information

This Proposed Plan Amendment is subject to protest under procedures described at 43 CFR 1610.5-2. Any person who participated in this planning process may protest the approval of the above described plan amendment. A protest may raise only those issues that were submitted for the record during the planning process. The 30-day protest period will begin with public notification of the proposed plan amendment. Public notification of this proposed decision will be considered to have occurred on July 1, 2013, when this proposed plan amendment is posted to the BLM NEPA Register and a press release is issued. During this period, the BLM will take no action to implement the proposed decision. Protests must be filed with the Director, Bureau of Land Management. Regular mail protests should be sent to:

Director, Bureau of Land Management (210)
Attention: Brenda Hudgens-Williams
P.O. Box 71383
Washington, DC 20024-1383

Overnight mail protests should be mailed to:

Director, Bureau of Land Management (210)
Attention: Brenda Hudgens-Williams,
20 M Street SE, Room 2134LM,
Washington, DC 20003

Emailed and fax protests will not be accepted as valid protests unless the protesting party also provides the original letter by either regular or overnight mail postmarked by the close of the protest period. Under these conditions, BLM will consider the emailed or faxed protest as an advance copy and it will receive full consideration. If you wish to provide BLM with such advance notification, please direct faxed protests to the attention of the BLM protest coordinator at (202) 452-5112 or via email at bhudgens@blm.gov.

All protests must be written and must be postmarked on or before the 30th day following public notification of the proposed decision. Protests must contain the following information:

- The name, mailing address, telephone number, and interest of the person filing the protest;
- A statement of the issue or issues being protested;
- A statement of the part or parts of the document being protested;
- A copy of all documents addressing the issue or issues previously submitted during the planning process by the protesting party, or an indication of the date the issue or issues were discussed for

the record; and to the protesting party by certified mail, return receipt requested. The decision of the Director shall be final.

- A concise statement explaining precisely why the Proposed Plan Amendment is believed to be wrong.

If protests are filed, the Director will issue a decision in writing. The decision will be sent to the protesting parties.

Approval



Steven A. Ellis
State Director



Date

Contact: For questions concerning this proposed plan amendment, please contact Larry Ridenhour, Outdoor Recreation Planner, Four Rivers Field Office, 208-384-3334 or at lridenhour@blm.gov.