

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

Four Rivers Field Office  
3948 Development Avenue  
Boise, Idaho 83705-5339

**DECISION RECORD  
For the  
Big Willow Packard's Milkvetch Management  
Trail Designation  
NEPA No. DOI-BLM-ID-B010-2011-0048-EA**

**Decision - Trail Designation**

I have decided to implement Alternative B, the Limited Motorized Access alternative of the Big Willow Packard's Milkvetch Management Environmental Assessment #DOI-BLM-ID-B010-2011-0048-EA (see attached map). The following actions will occur:

- 9.3 miles of roads and trails will be designated for motorized use (Map 1). Routes not designated (163 miles) would be closed to motorized use.
- A parking area (approximately 1-2 acres) will be constructed adjacent to Big Willow Road.
- Closed routes will be treated using various means, including physically blocking trails, ripping, placing rocks across routes, erecting short sections of fence, and reseeding to discourage use.
- Motorized administrative access on closed routes will require prior approval from a BLM authorized officer.

**Authority**

The authority for the OHV trail designations is located in the Code of Federal Regulations (CFR). Designation of trails for motorized use is authorized under 43 CFR 8342 - Designation of Areas and Trails. These designations will be effective upon issuance of the Decision Record.

The trail designations are consistent with Executive Order 11644 (1972), which directed federal agencies "to establish policies and procedures that will ensure the use of off-road vehicles on public lands will be controlled and directed to protect the resources of those lands, to promote the safety of all users of those lands, and to minimize the conflict among various users of those lands and to ensure the compatibility of such uses with existing conditions in populated areas, taking into account noise and other factors."

These trail designations are also consistent with Executive Order 11989 (1977), which directs federal land managers to immediately close areas or trails to off-road vehicles whenever the land manager determines that "the use of the off-road vehicle will cause or is causing considerable adverse effects on the soil, vegetation, wildlife, wildlife habitats or cultural or historic resources of particular areas or trails until such adverse effects have been eliminated and that measures have been implemented to prevent further recurrence."

## Compliance and Monitoring

Use and condition monitoring will be conducted as described in Appendix 1 (DOI-BLM-ID-B010-2011-0048-EA). Changes in management will be made as necessary, based on monitoring results.

### NEPA Compliance

The Four Rivers Field Office conducted public scoping in 2012 including 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) and the U. S. Fish and Wildlife Service (related to potential OHV impacts to Packard's milkvetch and southern Idaho ground squirrel) were used to develop alternatives. Five alternatives were analyzed, including Alternative A - Resume Use of Designated Trails (44 miles of designated routes), Alternative B - Limited Motorized Access (9 miles of designated routes), Alternative C - Maximum Motorized Access (59 miles of designated routes), Alternative D - Moderate Motorized Access (24 miles of designated routes), and Alternative E - No Motorized Access (2 miles of designated routes).

Based on my review of the EA and consideration of comments received, I determined that the proposed actions will not result in any significant impacts to the human environment. The EA and Finding of No Significant Impact (FONSI) is available upon request to the Four Rivers Field Office, and is available with this Decision Record on the BLM NEPA Register internet site at [https://www.blm.gov/epl-front-office/eplanning/nepa/nepa\\_register.do](https://www.blm.gov/epl-front-office/eplanning/nepa/nepa_register.do)

### Rationale for the Decision

The Proposed Action (Alternative B) is in conformance with the Cascade RMP issued July 1, 1988, because the 7,339 acres considered in this management area lies within an area designated as "limited to existing and designated roads and trails". The proposed action implements trail designations as required by the RMP.

Adoption of Alternative B effectively 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 will:

- *Provide for ORV [Off-Road Vehicle] recreation activity on public lands by designating roads and trails (routes) for use by motorized vehicles (Cascade RMP).* The nine miles of designated trails will provide a variety of single track trail riding opportunities (ridgelines and drainage bottoms) for users seeking these types of experiences (EA Section 3.4.2.2). A 33-mile reduction in total number of trail miles available for use from the current designation in the Big Willow area represents a relatively small amount compared to the total number of miles of roads and trails within 10 miles of the Big Willow area (500+ miles; EA Section 3.4.3.3).
- *Protect candidate or sensitive plants (Cascade RMP).* OHV disturbance will not occur in Packard's milkvetch element occurrences (EOs; areas where plants are known to occur) or in the 400-yard buffers around 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) will 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 will not affect the long-term viability of Packard's milkvetch.

Alternatives A, C, and D designated more trails, which would provide a greater diversity of OHV opportunities than Alternative B (EA sections 3.4.2.1, 3.4.2.3, and 3.4.2.4); however, each alternative would likely result in more private land trespass. In alternatives A and C, the proximity of OHV use and associated impacts to EOs and pollinator habitat would adversely affect long-term viability of Packard's milkvetch (EA sections 3.1.2.2 and 3.1.2.4). Alternative D trail designations would have benefits to Packard's milkvetch EOs and pollinator habitat similar to Alternative B with the exception of an EO and associated pollinator habitat on State land (EA Section 3.1.2.6). Alternative E would provide the greatest protection to Packard's milkvetch and pollinator habitat from OHV impacts (EA Section 3.1.2.6), but would not provide OHV opportunities in a 7,166 acre area (EA Section 3.4.2.5).

I conclude that Alternative B will best meet the requirements of Executive Orders 11644 and 11989, 43 CFR 8342, and BLM policy to conserve sensitive species (BLM Manual 6840). The proposed action will not have a significant impact to the human environment; therefore, an environmental impact statement is not required (FONSI for DOI-BLM-ID-B010-2011-0048-EA). The impacts to recreational opportunities will not be significant because OHV uses will be provided for in the Big Willow area (9 miles of trails will be designated) and substantial OHV opportunities will be available on adjacent BLM-administered lands. The trail designations will also help ensure long-term viability of Packard's milkvetch which will help preclude listing it as threatened or endangered under the Endangered Species Act.

### **Administrative Remedies**

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4. Public notification of this decision will be considered to have occurred on July 1, 2013. Within 30 days of this decision notification, a notice of appeal must be filed in the office of the authorized officer at *Bureau of Land Management, Boise District Office, 3948 Development Ave., Boise, ID 83705*. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the authorized officer.

If you wish to file a petition for stay pursuant to 43 CFR Part 4.21 (b), the petition for stay should accompany your notice of appeal and shall 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 irreparable harm to the appellant or resources if the stay is not granted, and
- 4) Whether the public interest favors granting the stay.

If a petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the authorized officer.

A copy of the notice of appeal, any statement of reasons and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken and on the Boise Field Solicitors Office, *U.S. Department of the Interior, University Plaza, 960 Broadway Avenue, Suite 400,*

Boise, Idaho 83706 not later than 15 days after filing the document with the authorized officer and/or IBLA.

**Approval of Authorized Officer**

/s/ *Matthew McCoy*

7/1/2013

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Terry A. Humphrey – Four Rivers Field Manager

Date

**Contact:** For questions concerning this decision, please contact Larry Ridenhour, Outdoor Recreation Planner, Four Rivers Field Office, 208-384-3334 or at [lridenhour@blm.gov](mailto:lridenhour@blm.gov).