

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



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**Finding of No Significant Impact (FONSI)**

**Shoshone Field Office Livestock Trailing Permit EA**

**Environmental Assessment No. DOI-BLM-ID-T030-2012-0004-EA**

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I have reviewed the Council on Environmental Quality Regulations (CEQ) for significance (40 CFR 1508.27) and have determined the actions analyzed in Environmental Assessment (EA) No. DOI-BLM-ID-T030-2012-0004-EA will not have any significant impact, individually or cumulatively, on the quality of the human environment. Because the actions analyzed in the EA will not have any significant impact, an environmental impact statement is not required. The BLM Shoshone Field Office has selected to implement Alternative 1– Issue Livestock Trailing Permits with Modifications and Stipulations.

My finding was made after considering both the context and intensity of the effects, as described in the above EA. I considered the following factors in determining significance:

1. The activities described in Alternative 1 of EA No. DOI-BLM-ID-T030-2012-0004-EA do not include any significant beneficial or adverse impacts (40 CFR 1508.27(b)(1)), as described below:

- a. There are not any significant beneficial impacts from Alternative 1 to the livestock operators who are issued crossing permits. Without authorization to trail, some livestock operators may not be able to get to the allotment for which they hold a grazing permit.
- b. There are not any significant beneficial impacts of Alternative 1 to species listed as threatened under the Endangered Species Act (ESA), candidate species for listing under ESA, and BLM special status species.
- c. There are not any significant adverse impacts of Alternative 1 on candidate species for listing under the ESA. For example:

Under Alternative 1, three-hundred and fifty-two (352) trailing events would be authorized. The total number of trailing events have been reduced by 14% and the number of AUMs permitted for trailing have been reduced by 23% from what was originally applied for by the livestock operators. The length of many trailing events have also been reduced. For example, the number of livestock trails that are three to five days long have decreased by 12% (from 18 events to 6); almost all of these are now one day in duration. Thus, impacts to wildlife habitat caused by livestock consumption of forbs and grasses would be reduced. The increase in the number of one day trails (13%) would reduce impacts to wildlife habitat caused by bedding and overnighting of livestock (Section 4.2.4).

Under Alternative 1, livestock trailing would result in minor trampling and grazing of vegetation. Sufficient vegetation would remain after trailing to allow for nesting, escape, and thermal cover for greater sage-grouse during breeding and brood-rearing activities.

The cumulative impacts to greater sage-grouse and other candidate species in regards to livestock trailing are minimal when the stipulations described in Section 2.3 of the EA are applied.

Alternative 1 would have only minimal direct and indirect effects and there would be no measurable impacts to sage-grouse or other candidate species populations. Alternative 1 would have few consequences to sage-grouse and other candidate species due to timing and location restrictions. Cumulatively, effects to sage-grouse and other candidate species would not be significant.

- d. There are no significant adverse effects of Alternative 1 of EA No. DOI-BLM-ID-T030-2012-0004-EA on BLM special status species. For example:

Alternative 1 includes several stipulations to minimize environmental effects to BLM special status species (refer to Section 2.3). These stipulations include timing restrictions as well as Terms and Conditions that affect specific resources. The direct and indirect effects to BLM special status species are minor as disclosed in Sections 4.2.3 (Vegetation, including BLM Sensitive Species, Noxious Weeds & Invasive Plants), 4.2.4 (Wildlife, including BLM Sensitive Species), and 4.2.5 (Fisheries, Including BLM Sensitive Species) of the EA.

BLM sensitive plant species are in proximity to 21 trails during the spring months. Spring is anticipated to be the time of the year when the impacts to special status plants and their habitats could take place due to the seasonally moist conditions and potential for soil compaction and disturbance, which can impede growth and development of plants, plus create a niche for invasive plants to establish and compete. This potential impact to BLM sensitive plant species would be minimized by following existing roads and/or utilizing range readiness criteria.

Alternative 1 has incorporated Terms and Conditions in regard to the authorization of livestock trailing and special status wildlife species and their habitat. These Terms and Conditions are listed below.

Terms and Conditions on all Livestock Trailing Permits:

- Livestock trailing will occur along the route outlined in the attached map and in accordance with Field Manager's Final Decision EA No. DOI-BLM-ID-T030-2012-0004-EA.

Terms and Conditions where trailing occurs adjacent to known pygmy rabbit burrows:

- In the A Allotment, livestock trailing will not be permitted to occur off of designated routes to prevent incidental trampling of pygmy rabbit burrows. Bedding or overnighting of livestock will not be permitted to occur on designated areas to prevent disturbance to pygmy rabbits and trampling of pygmy rabbit burrows.

Terms and Conditions where trailing occurs adjacent to or through known raptor nests:

- In the A Allotment, livestock trailing will not be permitted to occur off of designated roads to prevent disturbance to known raptor nests from February

1 to July 31. Also, bedding of sheep will not be permitted within a half-mile of known raptor nests. Permittees will be notified of current raptor nesting locations annually.

Terms and Conditions where trailing occurs adjacent to known sage grouse leks:

- In the A Allotment, bedding or overnighting of livestock will not be permitted to occur within 0.6 miles of occupied or undetermined status sage-grouse leks from March 15 to May 1 from 6 pm to 9 am. In higher elevations, the timeframe is March 25 to May 15. Permittees will be notified annually of current sage-grouse lek locations and if they are in higher elevations. **AND**
- Livestock trailing will not be permitted to occur within 0.6 miles of occupied or undetermined status sage-grouse leks from March 15 to May 1 from 6 pm to 9 am except on designated roads. In higher elevations, the timeframe is March 25 to May 15. Those permittees trailing livestock on designated roads or in higher elevations near sage-grouse leks will be notified.

Terms and Conditions where trailing occurs adjacent to or across riparian areas and/or fish-bearing streams:

- Overnighting livestock on or adjacent to riparian areas is prohibited. **OR**
- Livestock trailing along western trail route in the A Allotment will be limited to 1 day trail events only. No overnighting permitted. The eastern trail route through Long Canyon may be authorized for 2 days with one overnight per trailing event.

2. The activities included in Alternative 1 would not significantly affect public health or safety (40 CFR 1508.27(b)(2)).

A majority of the livestock trailing would occur along and adjacent to roads. The public may occasionally encounter livestock on roads during trailing activities; however, these encounters would not significantly affect public health and safety because the number of encounters along roads is expected to be low and the duration of the encounters would be limited in time. Furthermore, livestock trailing has occurred throughout this area for several decades and is not a new or unusual event that the public would encounter.

3. The activities under Alternative 1 would not significantly affect any unique characteristics (40 CFR 1508.27(b)(3)) of the geographic area such as prime and unique farmlands, caves, wild and scenic rivers, designated wilderness areas, wilderness study areas, or areas of critical environmental concern.

No prime and unique farmlands, caves, wild and scenic rivers or designated wilderness areas are found within the trailing corridors under Alternative 1. However, livestock trailing would occur through WSAs in eight allotments and ACECs in eight different allotments. There are also livestock trailing events through Craters of the Moon National Monument and Preserve in four allotments.

Under Alternative 1, less livestock trailing would be authorized through WSAs than the manner and degree that was authorized in 1976. Therefore, the existing livestock trail routes in WSAs would not impair their suitability for preservation as wilderness. Impacts to WSAs from livestock trailing in the form of soil compaction and vegetation removal would be negligible. The likelihood of these existing livestock trail routes impacting WSAs in a manner so as to impair their suitability for preservation as wilderness was low with the continuation of the current situation but is even lower in Alternative 1 due to the 41% reduction in livestock trailing activity.

In WSAs, changes in livestock grazing, and subsequent trailing, in both grandfathered and non-grandfathered grazing may be allowed following the preparation of an EA if the effects are found to be negligible (refer to DOI, Bureau of Land Management, Interim Management Policy and Guidelines for Lands under Wilderness Review, H-8550-1, 1987).

The likelihood of these existing livestock trail routes impacting ACECs and causing irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources, or other natural systems or processes is negligible under Alternative 1. The likelihood of these ACECs to continue to preserve natural processes that dominate the landscape for the primary purpose of research and education is high.

The five livestock trailing events in Craters of the Moon National Monument and Preserve do not have the potential to impact the Monument because all of the trailing events occur on maintained roads. Under Alternative 1, the combined impacts to Special Designation Management Areas from livestock trailing are negligible (Sections 3.3.7, 4.1.7, 4.2.7, and 4.3.7).

4. The activities described in Alternative 1 do not involve effects on the human environment that are likely to be highly controversial (40 CFR 1508.27(b)(4)).

Livestock trailing is a routine activity and the effects of livestock trailing are well understood as described in detail in Chapters 3 and 4 of EA No. DOI-BLM-ID-T030-2012-0004-EA. The Shoshone FO Interdisciplinary (ID) team for this Livestock Trailing EA met in 2011 and 2012 to identify issues internally and develop management actions for these trailing applications. This project was listed on the Idaho NEPA Register on December 23, 2011. A scoping information package was mailed to interested and affected publics on December 23, 2011 and comments were due January 17, 2012. The Shoshone FO received nine responses from interested publics by or after the due date. Below is a list of the letters received.

- 1) Elden Thompson, Bliss Highway District
- 2) John Robison, Idaho Conservation League
- 3) Kenneth Reid, Idaho State Historic Society
- 4) Peter Janss
- 5) Roger Nielson
- 6) John Apel, Dept of the Interior, National Park Service
- 7) Julie Randell, Prairie Falcon Audubon
- 8) David Skinner, North American Grouse Partnership
- 9) Kate Fite, Western Watersheds Project

Comments included suggestions for additional alternatives (Section 2.5). Two comment letters were received by permittees applauding the BLM's efforts of permitting this activity but they were also concerned about not being able to trail to privately owned land and other federal parcels. Relevant issues from scoping expressed concerns over the effects to livestock grazing, sensitive plant and animal species, native vegetation, riparian and wetland areas, wildlife, cultural resources, soils and the introduction and spread of noxious weeds and invasive plants. Comments in response to these scoping efforts did not reveal any controversy related to the size, nature, or effects of livestock trailing activities (Section 1.5.2 of the EA).

Although the act of trailing on public land is considered controversial by some groups and individuals, the effects on the quality of the human environment from this activity are not considered highly controversial based on: 1) the number and content of comments received from the public, and 2) our review of the scientific literature while conducting the impacts analysis (Section 1.5.2 Comments from Scoping Package and Section 6.0 References).

5. Livestock trailing does not involve any effects that are highly uncertain or involve unique or unknown risks (40 CFR 1508.27(b)(5)).

Livestock trailing has occurred throughout the Shoshone FO for several decades, and the effects are well understood. The EA (Section 4.0 Environmental Impacts) discloses the expected environmental effects on the human environment; no unique or unknown risks have been identified.

Grazing has been the primary use in this area for at least 78 years (Taylor Grazing Act, 1934). Trailing and grazing management similar to those proposed by this decision have been completed in other parts of the Shoshone Field Office. Several published documents (Section 6.0) were used to complete EA # DOI-BLM-ID-T030-2012-0004-EA and to verify effects from various alternatives. Different trailing and grazing management strategies have been in place throughout the field office for decades. This research and decades of grazing management has given the BLM and public good knowledge of anticipated effects from livestock trailing and livestock grazing. Therefore, the effects of Alternative 1 on the human environment are not highly uncertain, and do not involve unique or unknown risks.

6. My decision to authorize livestock trailing does not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration (40 CFR 1508.27(b)(6)).

No significant cumulative impacts were identified within the EA No. DOI-BLM-ID-T030-2012-0004-EA. Implementation of this decision would not trigger other actions, nor will it represent a decision in principle about future considerations.

7. The effects of livestock trailing would not be significant, individually or cumulatively, when considered with the effects of other actions (40 CFR 1508.27(b)(7)).

The EA discloses that there are no other connected or cumulative actions that would cause significant cumulative impacts. Alternative 1 was designed to lessen environmental impacts relative to the routes originally applied for under the Proposed Action; the EA also contains general and route-specific Terms and Conditions that will be used to lessen environmental impacts. The cumulative effects analysis in the EA does not reveal any known significant cumulative impacts. Any adverse impacts identified as a result of livestock trailing, when added to impacts of other past, present, or reasonably foreseeable future actions, will overall result in negligible to minor impacts to natural resources.

8. I have determined that the activities described in Alternative 1 will not adversely affect or cause loss or destruction of scientific, cultural, or historical resources, including those listed in or eligible for listing in the National Register of Historic Places (40 CFR 1508.27(b)(8)).

Based on the livestock trailing activities under Alternative 1, including watering and overnighting, an Area of Potential Effects (APE) was identified. Past inventory efforts within the APE were reviewed to identify sites that may be affected by the trailing activities. Where needed (e.g., overnight areas), additional field inventories for cultural resources have been completed to prevent adverse impacts to any NRHP-eligible sites found through the inventories. The EA (Section 4.2.8) discloses that trailing activities are not expected to adversely affect cultural resources. Consultation with the State Historic Preservation Office was initiated on March 1, 2012 and has been completed.

A Class I inventory, involving a review of existing cultural resource and site data, was conducted to identify cultural resources that may be affected in Alternative 1. In addition to the Class I inventory, some intensive (Class III) surveys were completed in areas where livestock will be concentrated, including bed grounds. In many cases, livestock trailing has been restricted to improved roadways. In areas with potential cultural resource conflicts, trails have been rerouted to avoid those sites where possible and restrictions were placed on overnighting. Given these provisions and changes, implementation of Alternative 1 has no potential to affect historic properties.

Alternative 1 has incorporated Terms and Conditions in regard to the authorization of livestock trailing in regard to sites eligible for listing in the National Register of Historic Places. These Terms and Conditions are listed below.

Terms and Conditions on Livestock Trailing Permits where trailing occurs through a portion of the Oregon National Historic Trail:

- In the A allotment and B allotments, no bed grounds will be located within 0.5 miles of the Oregon National Historic Trail segments.

9. The activities identified in Alternative 1 are not likely to adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act (40 CFR 1508.27(b)(9)).

As disclosed in the EA (Sections 3.3.4 and 3.3.5), trailing will not adversely affect any threatened or endangered species because even though habitat for these federally threatened or endangered fish and aquatic species is present within the Shoshone FO, no livestock trails occur in, by or through their known habitats. A Biological Assessment has been prepared and concluded the livestock trailing events would have No Effect on ESA-listed or BLM sensitive aquatic snails or BLM sensitive fish or their habitat in the Snake River.

10. The trailing activities identified in Alternative 1 will not threaten any violation of Federal, State, or local law or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10)).

Chapter 1 of EA No. DOI-BLM-ID-T030-2012-0004-EA (Section 1.4 Relationship to Statutes, Regulations or Other Plans) describes how trailing activities conform to relevant laws, regulations, and policies.

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Date