



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Twin Falls District Office
Jarbidge Field Office
2536 Kimberly Road
Twin Falls, ID 83301



In Reply Refer To:
4160

November 21, 2012

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Devil Creek Ranch, Inc.
c/o Ronda K. Macaw
5594 S. Basalt Avenue
Boise, ID 83716

Notice of Field Manager's Decision

Dear Ms. Macaw:

I have received your request for a temporary crossing permit to trail livestock across public lands in the following allotments: Grassy Hills AMP (#01121), Grassy Windmill (#01134), Grassy Hills (#01029), Camas Slough (#01095), and Signal Butte (#01092). Upon review, and in accordance with 43 CFR 4130.6-3, 43 CFR 4160.1(a) and Section 123 of the 2012 Appropriations Omnibus Act, your application for a temporary crossing permit is approved, with conditions.

Background

Your crossing permit application requested authorization to trail 580 cattle from the Buck Flat AMP (#01122) allotment through the Grassy Hills AMP (#01121), Grassy Windmill (#01134), Grassy Hills (#01029), Camas Slough (#01095), and Signal Butte (#01092) allotments and down the Three Creek Highway to private land. Trailing activities are scheduled to occur for one day between December 1 and December 3, 2012, depending on weather conditions. The BLM prepared Environmental Assessment (EA) No. DOI-BLM-ID-T010-2012-0004-EA¹ to analyze the environmental consequences of trailing livestock throughout the Jarbidge Field Office. After reviewing EA No. DOI-BLM-ID-T010-2012-0004-EA, I determined that livestock trailing would not result in any significant impacts and issued a Finding of No Significant Impact on November 16, 2012.

¹ EA No. DOI-BLM-ID-T010-2012-0004-EA and its associated Finding of No Significant Impact are available through https://www.blm.gov/epl-front-office/eplanning/nepa/nepa_register.do. Select State = **Idaho**, Office = **ID-Jarbidge FO**, Document Type = **EA**, Fiscal Year = **2012**, Program = **All**, then click **Search**. Once you arrive here, click on **DOI-BLM-ID-T010-2012-0004-EA**. If you are unable to view the documents on the website, you may request that hard copies be sent to you.

Decision and Rationale

I have decided to issue you a crossing permit to trail cattle across public lands. The authorized trailing route will cross through portions of the Grassy Hills AMP (#01121), Grassy Windmill (#01134), Grassy Hills (#01029), Camas Slough (#01095), and Signal Butte (#01092) allotments along a trailing route (see attached map) analyzed under the Proposed Action of EA No. DOI-BLM-ID-T010-2012-0004-EA. As described in the Finding of No Significant Impact for the EA, I found none of the impacts associated with the trailing event to be significant either individually or cumulatively. Therefore, you are authorized to conduct crossing activities for up to 1 day between December 1 and December 3, 2012 in accordance with the terms and conditions listed in the attached permit. My reasons for approving your application with the additional terms and conditions are to minimize potential impacts to soils, riparian areas, wildlife habitat, cultural resources, and noxious weeds and invasive plants.

My decision is in conformance with the 1987 Jarbidge Resource Management Plan (RMP). The RMP authorizes livestock grazing within the grazing allotments of the Jarbidge Field Office. Livestock trailing is an action connected to livestock grazing management and, therefore, trailing is in conformance with the RMP. This action would not result in a change in the scope of resource use or a change in the terms, conditions, and decision of the approved RMP.

BLM analyzed four alternatives (Proposed Action and Alternatives 1-3) and considered one additional alternative that was not analyzed in detail (see Chapter 2 of EA No. DOI-BLM-ID-T010-2012-0004-EA). The Proposed Action included the proposed trailing activities as submitted in crossing permit applications. Alternative 1 was the no action alternative and would have denied all applications for crossing permits. Alternative 2 established 1-mile wide trailing corridors across the Jarbidge Field Office. Alternative 3 was developed in response to public comments and reduced the trailing corridor width and locations across the Jarbidge Field Office.

All terms and conditions described in the temporary crossing permit are incorporated by reference into this decision and must be followed. Terms and conditions that are specifically identified to reduce environmental effects are:

Terms and Conditions

- Trailing will occur along the route outlined on the attached map. Overnighting on BLM-administered lands will not be authorized.
- Trailing will not be authorized during times when soils are saturated. Environmental conditions will be monitored for trailing within high potential slickspot peppergrass habitat to ensure trailing does not occur during times of saturated soils.
- Livestock trailing across canyons, live streams, riparian areas, and wetlands will be restricted to pre-determined locations as shown on the attached map.
- Active herding/trailing is required within riparian areas and all livestock will be removed from the Riparian Conservation Area following the trailing event.

- Areas used for staging vehicles, horse trailers, fence panels, etc. will avoid sagebrush areas; if this is not possible, previously disturbed sites will be used, such as areas around stock ponds or troughs, past seedings, or other grassland sites.
- Use of motorized vehicles associated with trailing is restricted to existing roads.
- The use of certified noxious-weed-free forage is required for any horses used for the herding of livestock or supplemental feeding of livestock.

The temporary crossing permit will be signed by the applicant and the Jarbidge Field Manager, or his authorized representative, prior to the trailing event.

Authority

My decision is issued under the authority found in:

Title 43 of the Code of Federal Regulations (CFR) Subpart 4100 Grazing Administration, specifically sections 4100.0-3, 4130.6-3, 4130.3, 4160.3(a), 4130.8-1(b), and 4130.8-1(c);

the 2012 Appropriations Omnibus Act Sec. 123; and

the 1987 Jarbidge Resource Management Plan which allocates livestock uses in the affected allotments.

Protest and/or Appeal

My decision is not subject to protest or appeal in accordance with Section 123 of the 2012 Appropriations Omnibus Act.

If you have any questions, please contact me at (208) 736-2380 or Dan Strickler at (208) 736-2356.

Sincerely,

/s/ Brian W. Davis

Brian W. Davis
Field Manager

Enclosures:

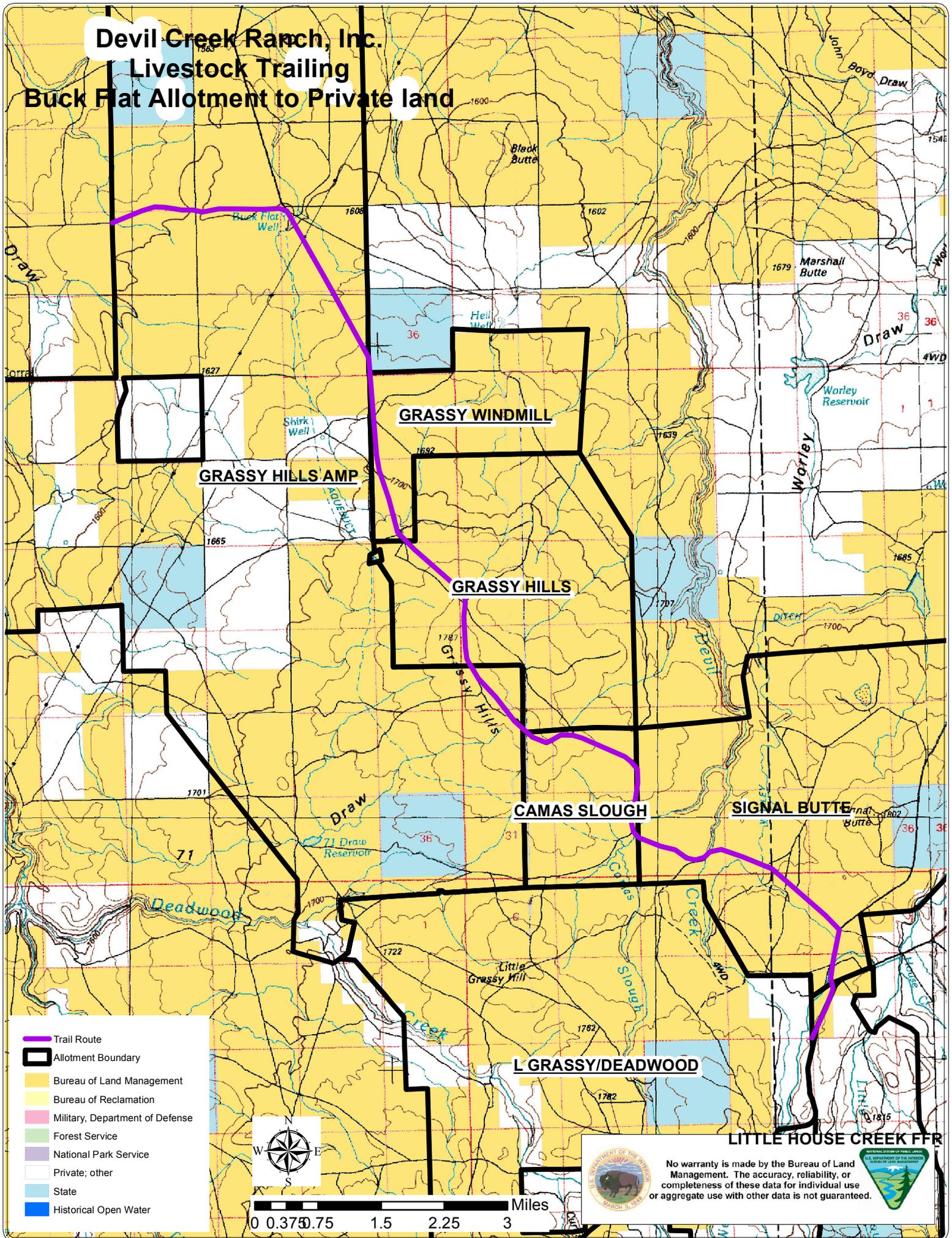
Crossing Permit (2 pp.)

Map of trailing route (1 p.)

Copies sent to:

Camas Creek Cattle Association, LLC
Ronnie Jones
Cedar Creek Cattle Company
Guerry, Inc.
Jerome Hansen, Idaho Department of Fish and Game
Timothy C. Duffner, Idaho Department of Lands
Jon Marvel, Western Watersheds Project
Katie Fite, Western Watersheds Project, Idaho Office
Stan T. Boyd, Boise District Grazing Board
Scott Jensen, Owyhee Cattlemen's Association
Michael Stanford
Gary Holmstead, Idaho Power Company
Robert and Sabrina Amidon
DJ Schubert, Animal Welfare Institute
Kyle Prior, Tribal Chairman Shoshone-Paiute Tribes
John Robison, Idaho Conservation League
Brett Stevenson, Idaho Conservation League
Marty Marzinelli, Sierra Club (Mid Snake)
Craig Gehrke, The Wilderness Society
Sean Woodhead, Idaho Department of Environmental Quality
Balthasar (Sonny) Buhidar, Supervisor Idaho Department of Environmental Quality
Steve Jakubowics, Committee for the High Desert
Allen Jenne, Nevada Department of Wildlife
Steve Russell, Bruneau Dunes State Park
Jerry Hoagland, Owyhee County Board of Commissioners
Jim Desmond, NRC Owyhee County Board of Commissioners
Ron Kay, Idaho Department of Agriculture
Ray Mitchell, R&S Enterprises
Jeff Cook, Idaho Department of Parks and Recreation
Randy Stowell
Meghan Brown, Nevada Cattlemen's Association
Gus Brackett, 71 Livestock Association
Jared Brackett
Barry Duelke

Devil Creek Ranch, Inc. Livestock Trailing Buck Flat Allotment to Private land



UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

CROSSING PERMIT

Bureau of Land Management
Jarbidge Field Office
2536 Kimberly Road
Twin Falls, ID 83301

Devil Creek Ranch, Inc.
c/o Ronda K. Macaw
5594 S. Basalt Avenue
Boise, ID 83716

This crossing permit is offered to you under 43 CFR Part 4100. You are authorized to cross lands that are under the jurisdiction of the Bureau of Land Management and covered by this permit, upon acceptance of ALL terms and conditions of this permit and payment of fees when due. Contact your local BLM office at 736-2350 if you have any questions.

MANDATORY TERMS AND CONDITIONS:

Allotment Number	Allotment Name	Livestock Number	Livestock Kind	Crossing Begin	Crossing End	% PL	Number of Days	AUMs
01121	Grassy Hills AMP	580	Cattle	12/01/12	12/03/12	100	0.2	4
01134	Grassy Windmill	580	Cattle	12/01/12	12/03/12	100	0.2	4
01029	Grassy Hills	580	Cattle	12/01/12	12/03/12	100	0.2	4
01095	Camas Slough	580	Cattle	12/01/12	12/03/12	100	0.2	4
01092	Signal Butte	580	Cattle	12/01/12	12/03/12	100	0.2	4

OTHER TERMS AND CONDITIONS:

- Trailing will occur along the route outlined on the attached map. Overnighting on BLM-administered lands will not be authorized.
- Trailing will not be authorized during times when soils are saturated. Environmental conditions will be monitored for trailing within high potential slickspot peppergrass habitat to ensure trailing does not occur during times of saturated soils.
- Livestock trailing across canyons, live streams, riparian areas, and wetlands will be restricted to pre-determined locations as shown on the attached map.
- Active herding/trailing is required within riparian areas and all livestock will be removed from the Riparian Conservation Area following the trailing event.
- Areas used for staging vehicles, horse trailers, fence panels, etc. will avoid sagebrush areas; if this is not possible, previously disturbed sites will be used, such as areas around stock ponds or troughs, past seedings, or other grassland sites.

This permit: 1. Conveys no right, title or interest held by the United States in any lands or resources and 2. is subject to (A) modification, suspension or cancellation as provided by land plans and applicable law; (B) review and modification of terms and conditions as appropriate; and (C) the Taylor Grazing Act, as amended, the Federal Land Policy and Management Act, as amended, the Public Rangelands Improvement Act, and the rules and regulations now or hereafter promulgated thereunder by the Secretary of the Interior.

- Use of motorized vehicles associated with trailing is restricted to existing roads.
- The use of certified noxious-weed-free forage is required for any horses used for the herding of livestock or supplemental feeding of livestock.

STANDARD TERMS AND CONDITIONS:

- Billing notices are issued which specify fees due. Billing notices, when paid, become part of the crossing permit. Fee payments are due on the date specified on the billing notice and **MUST** be paid in full prior to livestock crossing activities.
- This permit is issued solely for the purpose of moving livestock across public lands for proper and lawful purposes, as needed for the orderly administration of rangelands. This permit confers no priority for renewal, and cannot be transferred or assigned.
- The allotment(s) listed on this crossing permit is subject to requirements 43 CFR 4180 – Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration. This permit shall be modified, if necessary, to meet these requirements upon completion of a Standards and Guidelines Assessment and Determination.

Accepted Signature of Permittee: _____

Date: _____

Approved BLM Authorized Officer: _____

Date: _____