



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

March 7, 2013

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: Signal Butte (#01092), Camas Slough (#01095), Grassy Hills (#01029), Grassy Windmill (#01134), Grassy Hills AMP (#01121), and Coonskin (#1123). 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 540 cattle across the Signal Butte (#01092), Camas Slough (#01095), Grassy Hills (#01029), Grassy Windmill (#01134), Grassy Hills AMP (#01121), and Coonskin (#1123) allotments to the Buck Flat AMP (#1122) allotment. Trailing activities are scheduled to occur for one day between March 15 and March 31, 2013, 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

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 Signal Butte (#01092), Camas Slough (#01095), Grassy Hills (#01029), Grassy Windmill (#01134), Grassy Hills AMP (#01121), and Coonskin (#1123) allotments along a trailing route (see attached map) analyzed under Alternative 2 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 March 15 and March 31, 2013 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.
- Trailing near the occupied sage-grouse lek in T14S; R12E; Section 34 will be timed to occur between 9:00 am and 6:00 pm.
- Trailing through areas occupied by pygmy rabbits will be restricted to existing roads.

- Trailing near isolated junipers will be restricted to existing roads to minimize disturbing nesting ferruginous hawks.
- 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.
- 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.

Rationale

Authorizing the trailing of livestock across BLM-administered lands would facilitate proper grazing management of BLM grazing allotments; as well as facilitate movements of livestock to and from private, state, or other federally administered lands. Issuance of the crossing permit authorizing the trailing of livestock across BLM-administered lands is in accordance with 43 CFR 4130 and 4160, and is consistent with the provisions of the Taylor Grazing Act and the Federal Land Policy and Management Act.

The authorized trailing route avoids occupied slickspot peppergrass Element Occurrences, California bighorn sheep year-round habitat, occupied golden eagle nests, areas recently burned by wildfires, and recent vegetation treatments.

Sage-grouse could be disturbed by livestock trailing activities during the breeding and nesting seasons. However, the authorized trail route is more than 0.62 miles away from all occupied sage-grouse leks except for the lek in T14S; R12E; Section 34. Restricting the timing of trailing near this lek to only occur between 9:00 am and 6:00 pm will minimize potential disturbance of breeding sage-grouse. Very little key sage-grouse habitat is located along the trail route and trailing in these areas will occur on existing roads.

Ferruginous hawks could be disturbed by livestock trailing if it occurs near their nest during the nesting period. However, restricting trailing to existing roads near isolated junipers will minimize disturbing nesting ferruginous hawks. Furthermore, the isolated juniper and associated nest in T15S; R12E; Section 2 burned in the Murphy Fire of 2007 and is no longer an active nest site. The other two isolated junipers and associated nests along the trail route are on the other side of fences from the trailing route.

Livestock trailing activities could affect potential slickspot peppergrass habitat through trampling or introduction of nonnative invasive species to slickspots. However, by not authorizing livestock trailing within occupied slickspot peppergrass Element Occurrences, avoiding livestock trailing in potential habitat when soils are saturated, and restricting the majority of trailing activities to existing roads, potential effects to slickspot peppergrass would be reduced.

Cultural resource inventories have been conducted along these routes.

The authorized trail route utilizes existing roads and trails to the maximum extent possible.

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
Jarbidge Field Office

Enclosures:

Crossing Permit (2 pp.)

Map of trailing route (1 p.)

Copies sent to:

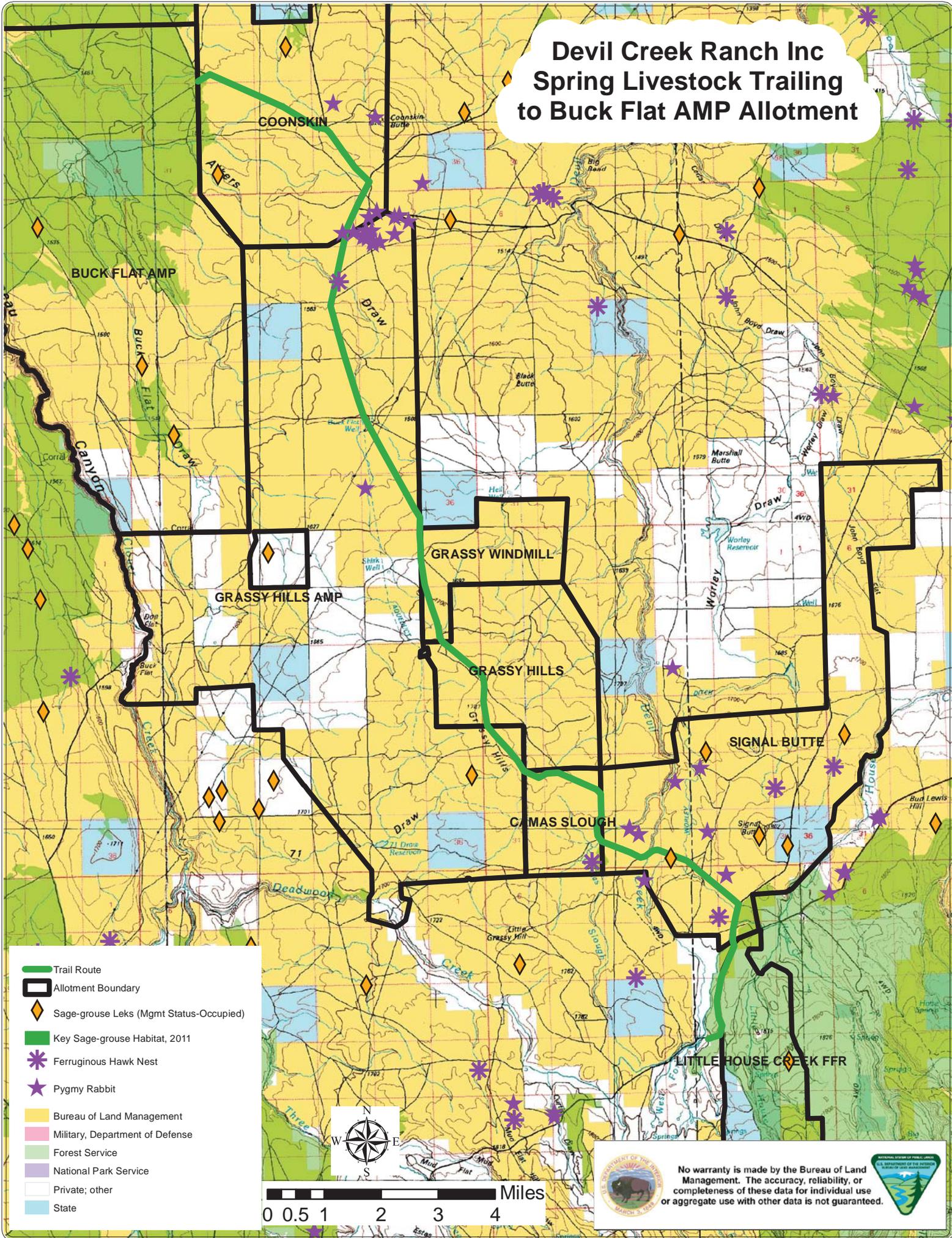
Camas Creek Cattle Association, LLC

Ronnie Jones

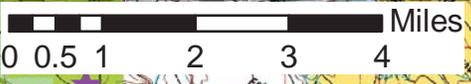
Cedar Creek Cattle Company

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
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 (Courtney Washburn)
Marty Marzinelli, Sierra Club (Mid Snake)
Craig Gehrke, The Wilderness Society
Sean Woodhead, Idaho Department of Environmental Quality
Balthasar (Sonny) Buhidar, Supervisor Ida Dept 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
Idaho Chapter Wild Sheep Foundation
Friends of the Jarbidge

Devil Creek Ranch Inc Spring Livestock Trailing to Buck Flat AMP Allotment



- Trail Route
- Allotment Boundary
- Sage-grouse Leks (Mgmt Status-Occupied)
- Key Sage-grouse Habitat, 2011
- Ferruginous Hawk Nest
- Pygmy Rabbit
- Bureau of Land Management
- Military, Department of Defense
- Forest Service
- National Park Service
- Private; other
- State



No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or aggregate use with other data is not guaranteed.



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 Name and Number	Livestock Number	Livestock Kind	Crossing Begin	Crossing End	% PL	Number of Days	AUMs
Signal Butte (1092), Camas Slough (1095), Grassy Hills (1029), Grassy Windmill (1134), Grassy Hills AMP (1121)	540	Cattle	03/15/2013	03/31/2013	100	1	18

OTHER TERMS AND CONDITIONS:

- Livestock trailing will be in accordance with the Notice of Field Manager's Decision dated March 7, 2013.
- Dates may vary based on weather and soil conditions. The Field Manager or his authorized representative shall be notified prior to any changes in the schedule.
- 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.
- Trailing near the occupied sage-grouse lek in T14S; R12E; Section 34 will be timed to occur between 9:00 am and 6:00 pm.
- Trailing through areas occupied by pygmy rabbits will be restricted to existing roads.
- Trailing near isolated junipers will be restricted to existing roads to minimize disturbing nesting ferruginous hawks.

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.

- 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.
- 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: _____