



United States Department of the Interior  
BUREAU OF LAND MANAGEMENT

Boise District Office  
Owyhee Field Office  
20 first Ave. West  
Marsing, ID 83639



In Reply Refer To:  
4130.6-3 & 4160 (ID-130)

April 17, 2012

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**  
Cert# 7008 1140 0004 6331 8280

Rohl and Faye Hipwell  
18125 Oreana Loop Rd  
Oreana ID, 83650

**Notice of Field Manager's Decision**

Dear Mr. and Mrs. Hipwell:

I have received your request for a temporary crossing permit to trail livestock across public lands. Upon review, and in accordance with 43 CFR 4130.6-3 and Section 123 of the 2012 Appropriations Omnibus Act, your application for a temporary crossing permit is approved.

**Background**

October 2011, you filed an application for a crossing permit. You requested authorization to trail cattle through the following allotments: Fossil Butte, Hart Creek, Browns Creek, Red Mountain, Box T and Toy. In response to your application and several others, the BLM prepared Environmental Assessment (EA) No. DOI-BLM-ID-B030-2012-0011-EA<sup>1</sup> to analyze the environmental consequences of trailing livestock throughout the Owyhee Field Office.

BLM analyzed three alternatives (Alternatives A-C) and considered one additional alternative that was not analyzed in detail (see Chapter 2 of EA No. DOI-BLM-ID-B030 -2012-0011-EA). Alternative A included the proposed trailing activities as submitted in the crossing permit applications. Alternative B was developed in response to public comments and potential environmental consequences. Alternative C was the no action alternative and would have denied all applications for crossing permits.

After reviewing EA No. DOI-BLM-ID-B030-2012-0011-EA, I determined that livestock trailing as identified in Alternative B would not result in any significant impacts and issued a Finding of No Significant Impact on April 12, 2012.

<sup>1</sup>EA No DOI-BLM-ID-B030-2012-0011-EA and its associated Finding of No Significant Impact are available through [https://www.blm.gov/epl-front-office/eplanning/nepa/nepa\\_register.do](https://www.blm.gov/epl-front-office/eplanning/nepa/nepa_register.do) Select State=**Idaho**, Office=**ID-Owyhee FO**, Document Type= **EA**, Fiscal Year=**2012**, Program=**All** then click **Search**. Once you arrive here, click on DOI BLM-ID-B030-2012-0011-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 livestock across public lands in the Fossil Butte, Hart Creek, Browns Creek, Red Mountain, Box T and Toy allotments as described in Table 1 and the attached Map(s). Specific dates will be shown and final authorization will be granted in a grazing bill.

**Table 1. Crossing Permit**

Allotment Number	Allotment Name	Livestock Number	Livestock Kind	Crossing Begin	Crossing End	Duration	% PL	AUMs	Comments
<b>Trailing Route 1</b>									
535	Fossil Butte	844	Cattle	10-15	2-28	1 day	100	7	SW
<b>Trailing Route 2</b>									
532	Hart Creek	844	Cattle	3-28	5-15	1 day	100	28	SW TL
588	Red Mountain	844	Cattle	10-1	12/31	1 day	100	28	
588	Red Mountain	844	Cattle	3-28	6/15	1day	100	28	
<b>Trailing Route 3</b>									
532	Hart Creek	844	Cattle	3-28	6-15	1 day	100	28	SW TL
585	Browns Creek								
588	Red Mountain	844	Cattle	10-1	12-31	1 day	100	28	
<b>Overnight in corral within Browns Creek Allotment</b>									
<b>Trailing Route 4</b>									
588	Browns Creek	844	Cattle	10-1	12-31	1 day	100	28	NW SW TL
532	Hart Creek								
<b>Trailing Route 5</b>									
534	Box T	844	Cattle	5-1	6-15	1 day	100	28	SW
588	Red Mountain	844	Cattle	10-1	12-31	1 day	100	28	
<b>Trailing Route 6</b>									
553	Toy	844	Cattle	5-25	7-1	1 day	100	28	NW SW
		844	Cattle	10-1	12-31	1 day	100	28	

NW=Narrow Width (240 foot corridor)

SW=Standard Width (.25 mile corridor)

TL=Timing Limitation (10:00 am-6:00 pm)

Terms and Conditions identified to reduce environmental effects are:

- Livestock Grazing - Terms and Conditions
  - Trailing will be active with livestock moving toward their final destination, except at night.
  - 90% of the livestock (sheep and cattle) will complete their move within the duration as described in the crossing permit. Sick, weak or injured livestock that are not able to finish trailing may be left behind but must be moved to the final destination or private land within 3 days after the end date on the final authorization/grazing bill.
  - 90% of the livestock will stay within the required 0.25-mile and or 240-foot corridor.
  - The permittee will contact the Owyhee Field Office if natural events such as heavy rain or fire would not allow the permittee to complete the trailing event during the permitted time. The BLM would work with the permittee in these instances to mitigate resource impacts using all the applicable terms and conditions and design criteria.
  - Per the Final Supplementary Rules published in the *Federal Register* on July 21, 2011 (76 FR 43706), all supplemental feeding of livestock during trailing, including feeding of horses used for the purposes of herding, will use certified noxious-weed-free forage to prevent the spread of noxious weeds on BLM-administered public lands in Idaho.
  - Areas used for staging vehicles, horse trailers, fence panels, etc. will avoid sagebrush areas. If this is not feasible, previously disturbed sites will be used, such as areas around stock ponds or troughs, or in past seedings, or other grassland sites.
  
- Soils - Terms and Conditions
  - Trailing will only be authorized during times when soils are firm enough to support trailing livestock with little to no pugging/hummocking to minimize impacts to soils, as per Boise District Range Readiness soil criteria.
  
- Wildlife - Terms and Conditions
  - From March 1 to May 15, livestock trailing will be routed at least 0.62 miles (1 km) from occupied and undetermined sage-grouse leks; if this is not possible, trailing events would be timed to occur between 10:00 am and 6:00 pm. If applicable, these routes are identified on attached trailing map(s) by Trailing Hour Limitation.
  - From March 1 to July 15, trailing routes will avoid areas known to be occupied by pygmy rabbits in order to avoid impacts to natal burrows; if this is not possible, then livestock are to be kept within 120 feet of trailing routes in those areas. If applicable, these areas are included in the Narrow Width buffer as shown on attached map(s).
  - From March 1 to June 30, temporary water sites and over-night areas will not be located in sagebrush habitat within 4.0 miles of occupied or undetermined sage-grouse leks in order to avoid impacts to lekking or nesting sage-grouse (and/or hens with early broods); if this is not possible, 90% of watering and overnighing livestock are to be kept within a 35-acre area or in previously disturbed sites, such as areas around stock ponds or troughs, corrals, past seedings, or other grassland sites.
  
- Special Status Plants - Terms and Conditions
  - Livestock trailing will be narrowed to within 120 feet on either side (240 feet total width) of the identified trailing route within pastures containing special status plants

within the otherwise 0.25-mile corridor. If applicable, these areas are included in the Narrow Width buffer as shown on attached map(s).

- Riparian - Terms and Conditions
  - Livestock trailing adjacent to perennial streams or springs will require 90% of the livestock to be kept out of riparian areas for resource protection.
  
- Cultural - Terms and Conditions
  - Bedding or other congregation areas will not be allowed within at least 0.25 miles of known National Register of Historic Places eligible sites.
  - Trailing will not occur over wet soils to avoid mixing of undisturbed stratified cultural deposits, as per Boise District Range Readiness soil criteria.
  
- Travel Management and Off Highway Vehicles - Terms and Conditions
  - Motorized vehicles incorporated with trailing activities will remain on existing vehicle routes. Cross country use of motorized vehicles will not be authorized.

Furthermore, additional Class III inventories would be conducted at select locations in the project area and some site monitoring would also be done. Based on current information, no impacts to National Register of Historic Places (NRHP)-eligible sites are known to occur. However, if monitoring and additional inventories find that impacts from trailing livestock are occurring to NRHP-eligible sites, additional mitigation measures will be identified and implemented.

### **Rationale**

My decision is in conformance with the 1999 Owyhee Resource Management Plan.

My reason for approving your application with additional Terms and Conditions are to:

- Provide for the orderly movement of livestock to and from the allotments or private land.
- Reducing the potential effect to sage-grouse habitat
- Reducing the potential effect to special status plants
- Reducing the potential effect to riparian areas

As described in the Finding of No Significant Impact for EA No. DOI-BLM-ID-B030-2012-0011-EA, I found none of the impacts associated with these trailing events to be significant either individually or cumulatively.

### **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, 4160.1, 4160.3, and 4130.8-1 (3) b;  
The 2012 Appropriations Omnibus Act Sec. 123; and  
The 1999 Owyhee Resource Management Plan which allocates livestock uses in the affected allotments.

## **Protest and/or Appeal**

Pursuant to Section 123 of the Consolidated Appropriations Act, 2012 (Pub. L. 112-74), this BLM final decision is not subject to protest and/or administrative appeal under subpart E of Part 4 of Title 43, Code of Federal Regulations and subpart 4160 of part 4100 of such title.

If you have any questions, please contact me at (208) 896-5913 or Peter Torma at (208) 896-5916.

Sincerely,

/s/ Peter Torma for

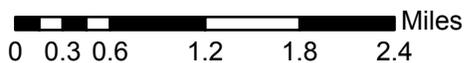
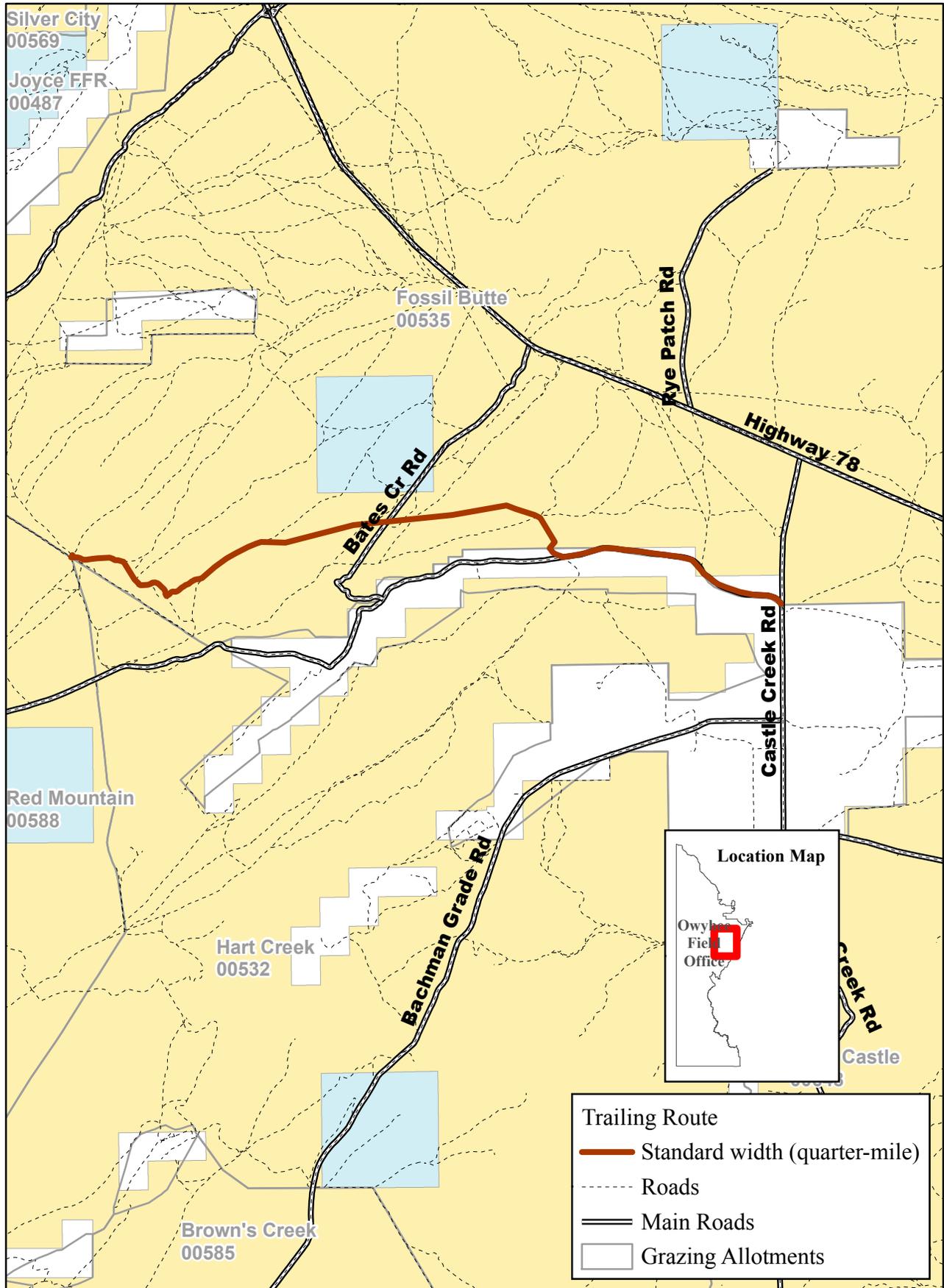
Loretta V. Chandler  
Field Manager

Enclosures:

Map of trailing event

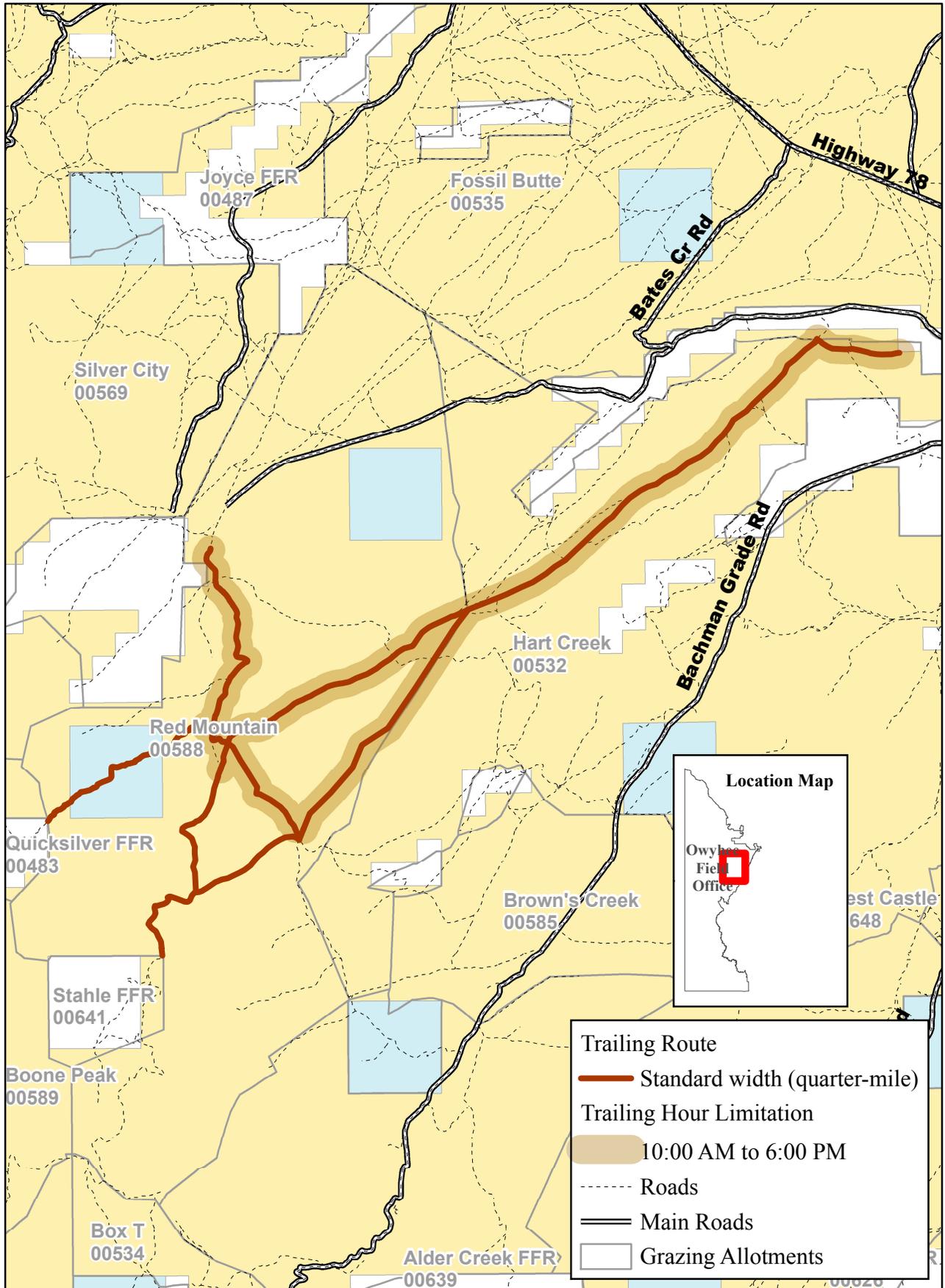
Mailing List

# Rohl and Faye Hipwell Trail Route 1



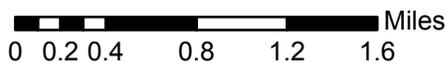
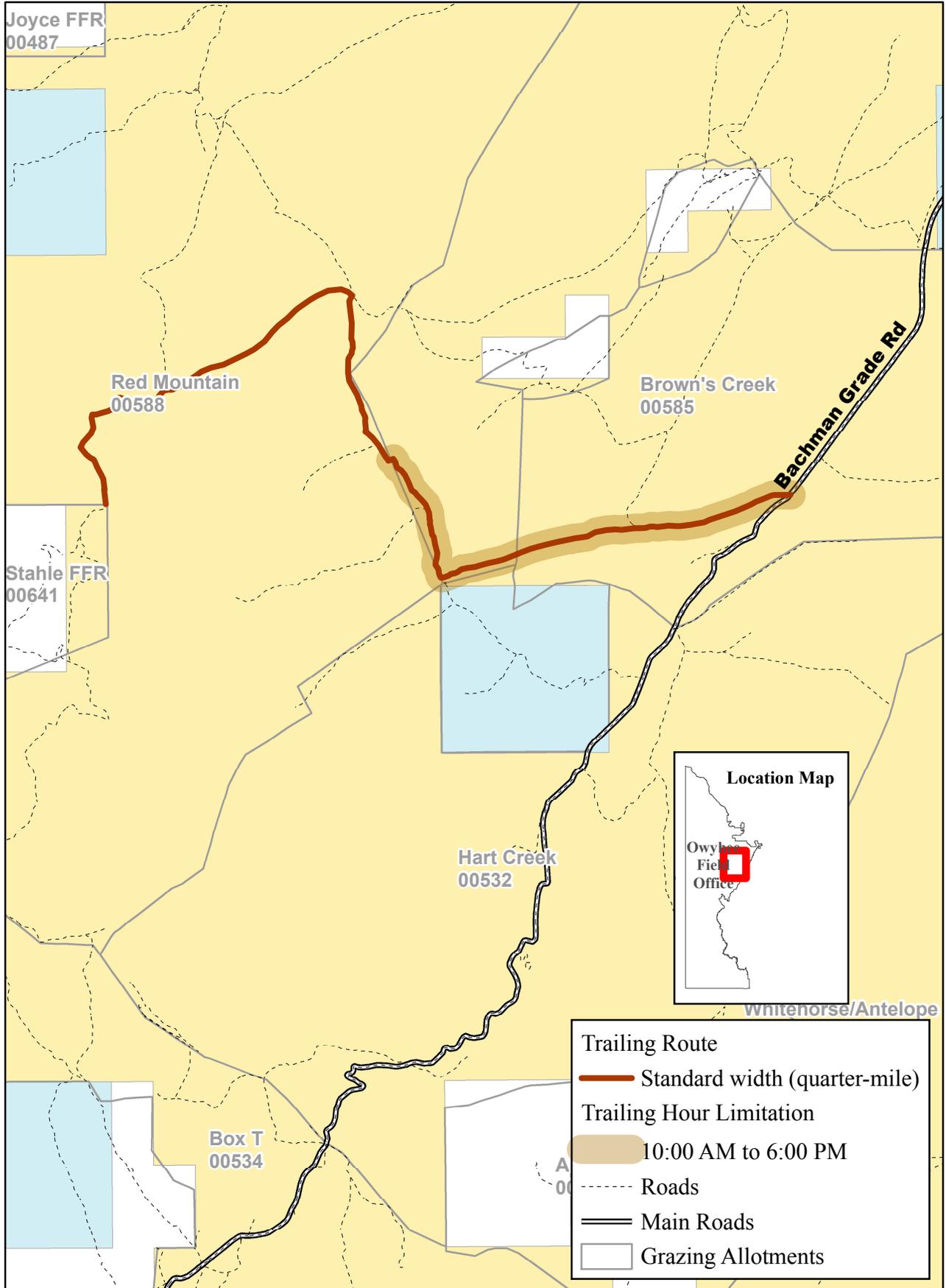
No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use with other data is not guaranteed.

# Rohl and Faye Hipwell Trail Route 2



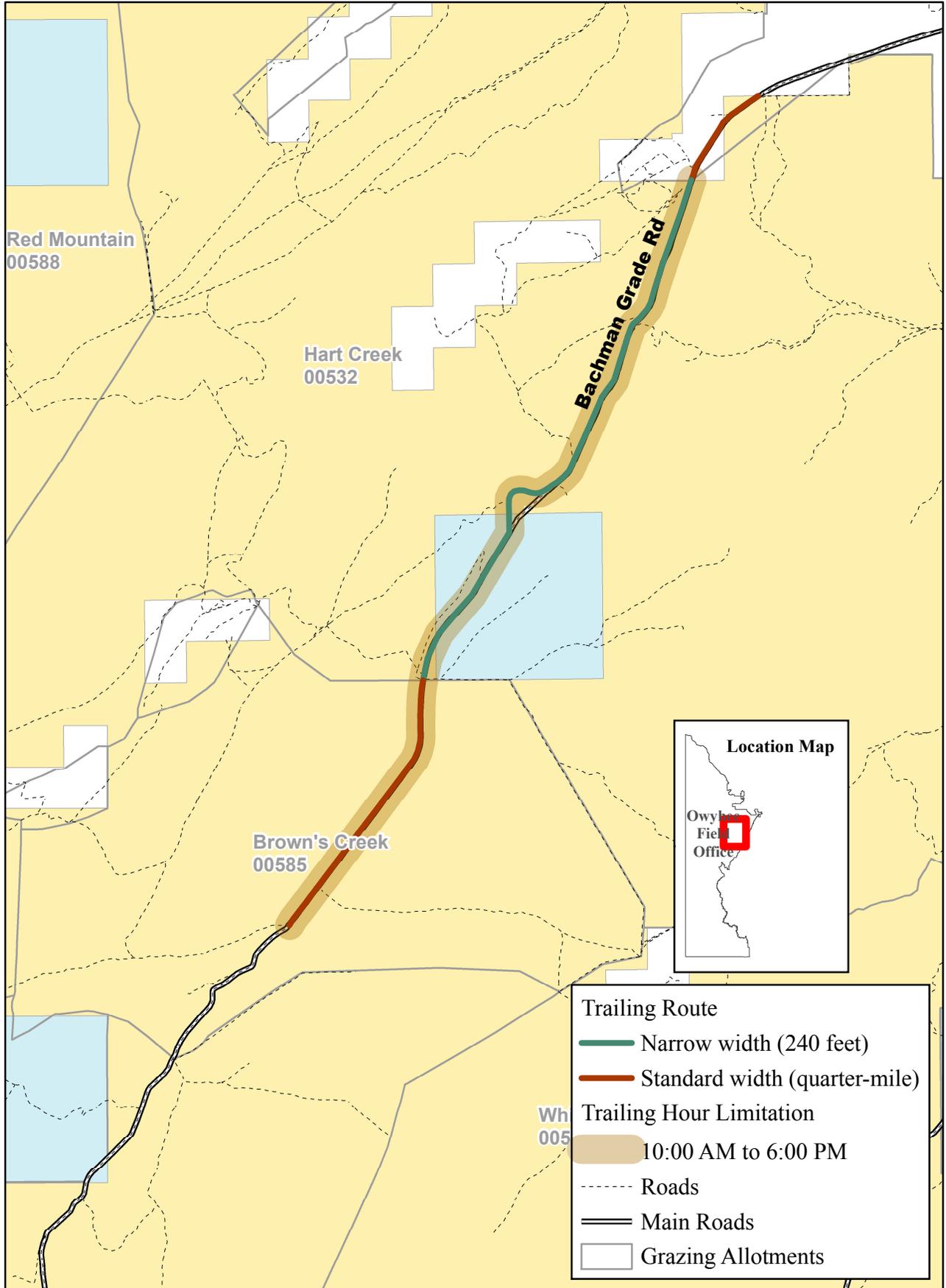
No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use with other data is not guaranteed.

# Rohl and Faye Hipwell Trail Route 3



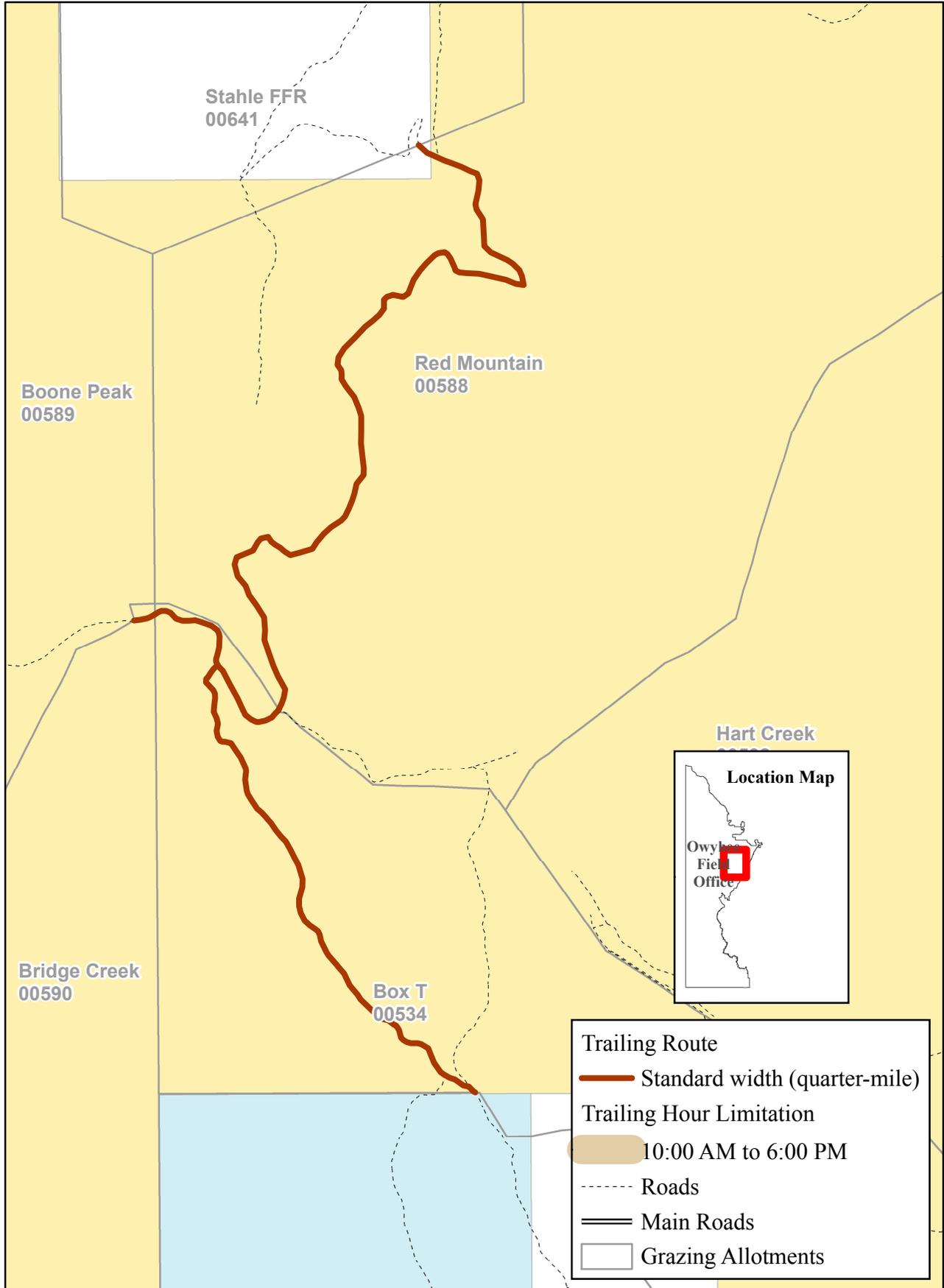
No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use with other data is not guaranteed.

# Rohl and Faye Hipwell Trail Route 4



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

# Rohl and Faye Hipwell Trail Route 5

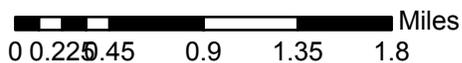
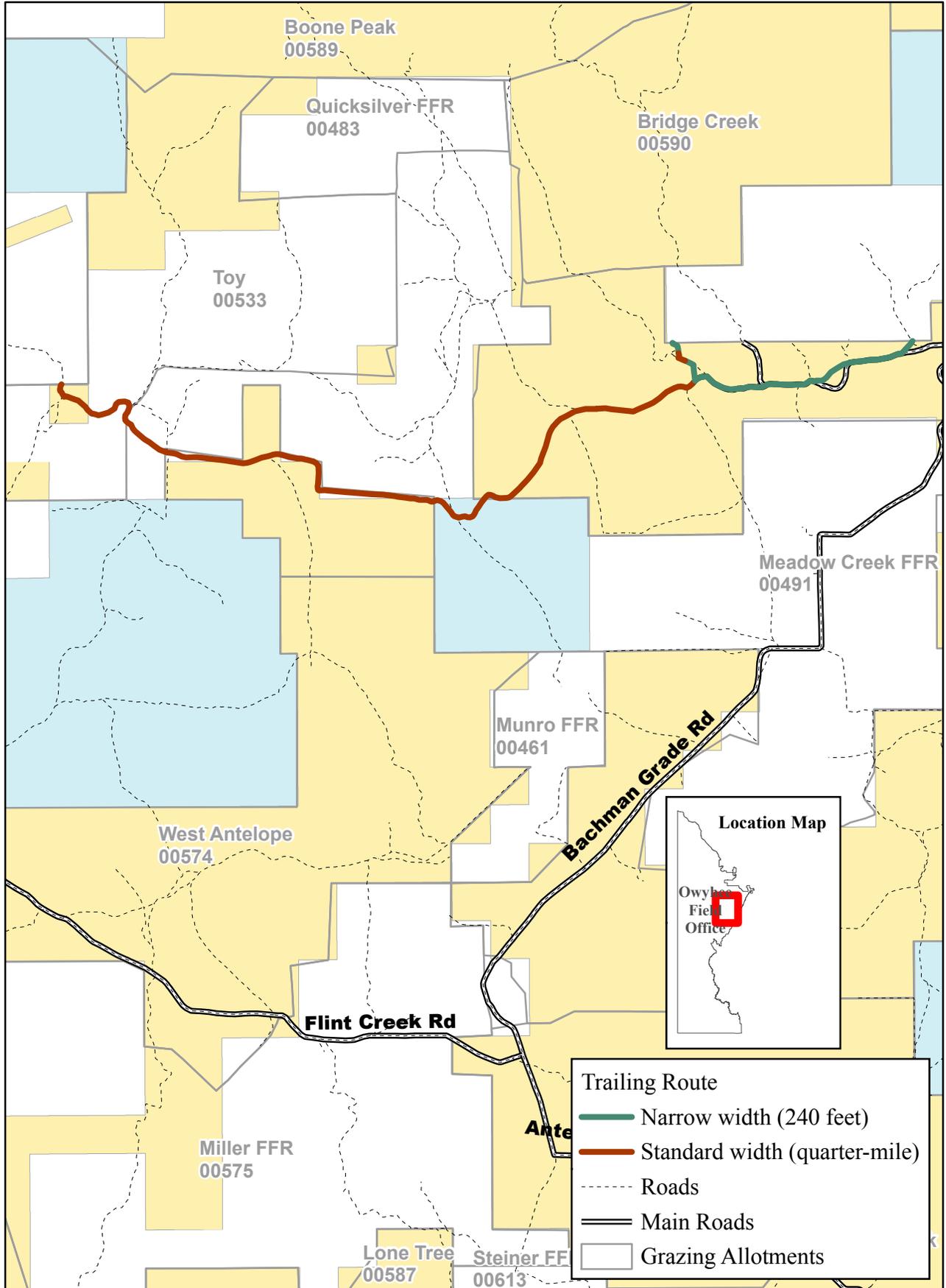


0 0.15 0.3 0.45 0.6 Miles



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# Rohl and Faye Hipwell Trail Route 6



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