



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Shoshone Field Office
400 West F Street
Shoshone, Idaho 83352-5284
(208) 732-7200



In Reply Refer To:
(T030)

April 15, 2013

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DECISION RECORD
for the

Star Lake Cattle Guards
NEPA No. DOI-BLM-ID-T030-2012-0017-
CX

Kinzie Butte Center Cattle Guards
NEPA No. DOI-BLM-ID-T030-2012-0023-
CX

Timmerman Hills Cattle Guards
NEPA No. DOI-BLM-ID-T030-2012-0016-
CX

Sid Butte Cattle Guards
NEPA No. DOI-BLM-ID-T030-2012-0015-
CX

Dear Permittees and Interested Publics:

Introduction

The Shoshone Field Office has identified ten sites where the installation of cattle guards would provide safe public access and use of public lands while maintaining the integrity of grazing management plans. The cattle guards would be located in existing allotment and pasture boundary fences. The Sid Butte, Timmerman Hills, Star Lake and Kinzie Butte Center Cattle Guard projects would be located on Bureau of Land Management (BLM) maintained roads, as well as, county maintained roads. These sites have been identified as high traffic routes with public safety concerns and grazing management considerations.

Background

The implementation of ten cattle guards has been proposed in the Shoshone Field Office. The Timmerman Hills Cattle Guards would include two cattle guards located at T.2S, R. 20E, Section 31, SW4SW4 and T.3S, R. 20E, Section 9, NE4SW4. The Star Lake Cattle Guards would include two cattle guards (East Star Lake/Camp II C.G. & Owinza RR Crossing C.G.) located at T.7S, R. 19E, Section 14, SE4SW4; T.6S, R. 20E, Section 15, NW4SE4. The Sid Butte Cattle Guards would include four cattle guards (East Crater Lake, Kimama Well & NW Lombard cattle guards) located at T.7S, R. 21E, Section 23, SE4SE4 & NW4SW4; T.8S, R. 22E, Section 5, SE4SE4 & Section 6, NE4NE4. The Kinzie Butte Center Cattle

Guards would include two cattle guards located at T.4S, R. 17E, Section 13, NE4NE4; T.4S, R. 18E, Section 6, SE4SE4.

The installations would require the digging of a shallow pit in the existing road bed and placing metal grates on precast concrete bases. In most cases the area disturbed during installation would be less than .01 acre per cattle guard. The project would also incorporate an additional gate to one side where livestock, wide loads and metal tracked equipment could pass. Occasionally, minor additional excavation would be needed to provide for adequate drainage and maintenance.

Categorical Exclusion Records (DOI-BLM-ID-T030-2012-0017-CX, DOI-BLM-ID-T030-2012-0016-CX, DOI-BLM-ID-T030-2012-0023-CX and DOI-BLM-ID-T030-2012-0015-CX) have been completed under Department of Interior Manual 516 11.9 (G.2).

Finding of No Significant Impact (FONSI)

The proposal has been reviewed in accordance with Extraordinary Circumstances criteria and it has been determined that the proposal would not involve any significant environmental effects. Therefore, it does not represent an exception, and is categorically excluded from further environmental review.

Decision

The decision is to authorize the installation of ten cattle guards within the next five years. The cattle guards will be in existing grazing allotment fences as described in the March 7, 2013 Star Lake, Timmerman Hills, Kinzie Butte Center and Sid Butte Cattle Guard categorical exclusions. Based on the review of the categorical exclusions and consideration of extraordinary circumstances it has been concluded that the actions were analyzed in sufficient detail to allow for an informed decision.

Rationale

The decision to implement the Star Lake Cattle Guards, Timmerman Hills Cattle Guards, Kinzie Butte Center Cattle Guards and Sid Butte Cattle Guards will provide safe public access and use of public lands while maintaining the integrity of grazing management plans.

Authority

Authority under which this decision is being issued is found in Title 43 of the Code of Federal Regulations (CFR) Subpart 4.410 – Appeals to the Board of Land Appeals.

Right of Appeal

Any applicant, permittee, lessee or other interested public may appeal a final decision under Sec. 43 CFR 4.410, 4.411, 4.412, and 4.413 in person or in writing to the Shoshone Field Office Manager, at 400 West F Street, Shoshone, Idaho 83352-5284 within 30 days after receipt of such decision. The Shoshone Field Office does not accept the filing of a notice of appeal by fax or email. The notice of appeal, if filed must include a statement of reasons for the appeal, a statement of standing if required by 43 CFR 4.412(b), and any arguments the appellant wishes to make. The person/party must also serve a copy of the appeal on the Office of

the Solicitor, Boise Field Solicitors Office, University Plaza, 960 Broadway Ave., Suite 400, Boise Idaho, 83706 and person(s) named [43 CFR 4.421(h)] in the copies sent to: section of this decision. The Interior Board of Land Appeals must decide an appeal of this decision within 60 days after all pleadings have been filed, and within 180 days after the appeal was filed as contained in 43 CFR 4.416.

Notwithstanding the provisions of 43 CFR 4.21(a)(1), filing a notice of appeal under 43 CFR Part 4 does not automatically suspend the effect of the decision. If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal.

A petition for a stay is required to 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 immediate and irreparable harm if the stay is not granted; and
- (4) Whether the public interest favors granting the stay.

In the event a request for stay or an appeal is filed, the person/party requesting the stay or filing the appeal must serve a copy of the appeal on the Office of the Field Solicitor, 960 Broadway Ave., Suite 400, Boise ID, 83706.

For additional information concerning this project, contact: Ray Pease, Rangeland Management Specialist/ Project Lead at (208) 732-7266.

Sincerely,

/s/ Brandon Brown

Brandon Brown
Acting Shoshone Field Manager

Enclosures:

DOI-BLM-ID-T030-2012-0017-CX
CATEGORICAL EXCLUSION REVIEW SHEET DOI-BLM-ID-T030-2012-0017-CX
DOI-BLM-ID-T030-2012-0016-CX
CATEGORICAL EXCLUSION REVIEW SHEET DOI-BLM-ID-T030-2012-0016-CX
DOI-BLM-ID-T030-2012-0023-CX
CATEGORICAL EXCLUSION REVIEW SHEET DOI-BLM-ID-T030-2012-0023-CX
DOI-BLM-ID-T030-2012-0015-CX
CATEGORICAL EXCLUSION REVIEW SHEET DOI-BLM-ID-T030-2012-0023-CX

cc:

William Arkoosh, 2005 US Hwy 26, Gooding, ID 83330
Kevin Gergen, 2884 State Hwy 26, Hazelton, ID 83335
Lava Lake Land & Livestock LLC, P.O. Box 2240, Hailey, ID 83333
Bryan MC Kay, 601-A East 750 North, Jerome, ID 83338

Oneida Farms, Inc., 372-A North 400 East, Jerome, ID 83338
Justin Posey, 327-A East 400 North, Jerome, ID 83338
PRES CO Livestock Assn., c/o Roy Prescott, 110 North 800 East, Jerome ID 83338
James M. Ritchie, 1749 East 400 South, Jerome, ID 83338
William Shaw, 411 South 750 East, Dietrich, ID 83324
Tim Waters, 1931 Hunt Rd., Jerome, ID 83338
Sabala Farms, Inc., 1819 East 1550 South, Gooding, ID 83330
Heart Rock Ranch LLC, c/o Harry Hagey, P.O. Box 3724, Hailey, ID 83333
Denis and Laurie Kowitz, 171 North Hwy. 77, Declo, ID 83323
Picabo Livestock Co., L.N. Purdy, P.O. Box 688, Picabo, ID 83348
Timmerman Grazing Association, c/o Peter Van Der Muelen, P.O. Box 537, Hailey, ID 83333
Alecia Dredge, P.O. Box 245, Rupert, ID 83350
Flat Top Grazing Assn., c/o John Peavey, P.O. Box 99, Carey, ID 83320
Audubon Society, Prairie Falcon Chapter, Attn: Julie Randall, 3952 North 3600 East, Kimberly, ID 83341
Blaine County Commissioners, 206 1st Avenue South Ste 300, Hailey, ID 83333
Committee for the High Desert, P.O. Box 2863, Boise, ID 83701
ICL Public Lands Office, P.O. Box 844, Boise, ID 83701
Idaho Department of Fish and Game, 324 S. 417 E., Suite 1, Hwy 93 Business Park, Jerome, ID 83338
Idaho State Department of Agriculture, Division of Animal Industries,
Attn: Celia R. Gould, Director, 2270 Penitentiary Road, P.O. Box 790, Boise, ID 83701-0790
Idaho Wildlife Federation, P.O. Box 6426, Boise, ID 83707
Shoshone-Bannock Tribes, P.O. Box 306, Fort Hall, ID 83203
The Wilderness Society, Idaho Regional Office, 950 W. Bannock St., Suite 605, Boise, ID 83702
Western Watersheds Project, P.O. Box 1770, Hailey, ID 83333
Western Watersheds Project, P.O. Box 2863, Boise, ID 83701
David Skinner, P.O. Box 664, Fairfield, ID, 83327
Paul McClain, 619 Elm Circle, Gooding, ID 83330-1863
Ellen Navik, P.O. Box 3412, Hailey, ID 83333
Wood River Land Trust, 119 E. Bullion St., Hailey, ID 83333
Idaho Chapter Wild Sheep Foundation, c/o Jim Jeffress, P.O. Box 8224, Boise, ID 83707-2224
Shoshone Highway District, Attn: Dave Davidson, 27 W. 420 N. Shoshone, ID 83352