United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Boise District Office
Bruneau Field Office
3948 Development Avenue
Boise, Idaho 83705
http://www.blm.gov/id/st/en/fo/bruneau.html

In Reply Refer To:
4160 (120)

March 26, 2013

CERTIFIED MAIL - 7011 2970 0002 6304 4475 - RETURN RECEIPT REQUESTED

John Anchustegui
3054 E. Rivernest Drive
Boise, ID 83706

Notice of Field Manager's Decision

Dear Mr. Anchustegui:

In 2012, I issued a final decision that authorized the issuance of crossing permit B02012026 to you. The crossing permit expired 2/28/2013. You indicated that you will need a crossing permit that has a term that coincides with the term of your grazing permit. The purpose of this decision is to authorize issuance of a new crossing permit that coincides with the term of your existing grazing permit.

Background

On November 1, 2011, you submitted an application for a crossing permit as shown in Table 1 below.

Table 1. Application for Crossing Permit.

Route[A]	Map[A]	Allotments Crossed	Total # of Cattle	Timeframe		# of Groups[B]	Days per Group[C]	Herding Method
				Begin	End			
216A	2A	Battle Creek	500	3-28	4-15	2	1 day	Horse
217A	3A	East Castle Creek Battle Creek	500	9-15	11-15	2	2 days	Horse

[A] Route and map numbers correspond to routes and maps depicted as Alternative A in EA No. DOI-BLM-ID-B020-2012-0003-EA.
[B] Indicates the number of groups in which the total number of livestock would be split for trailing. For example, 500 total cattle being trailed in 2 groups would result in 2 groups averaging 250 cattle each.
[C] Indicates how long it would take each group of livestock to travel the length of the trailing route.

In response to your application and several others, the Bureau of Land Management (BLM) prepared Environmental Assessment (EA) No. DOI-BLM-ID-B020-2012-0003-EA[1] to analyze the environmental consequences of trailing livestock throughout the Bruneau Field Office.

BLM analyzed three alternatives (Alternatives A-C) and considered one additional alternative that was not analyzed in detail (see Chapter 2 of the EA). Alternative A included the proposed trailing activities as submitted in the crossing permit applications (Table 1). Alternative B was the No Action Alternative and would have denied all applications for crossing permits. Alternative C was developed in response to public comments and in consideration of potential environmental consequences of the trailing activities depicted in Alternative A (Table 2).

After reviewing the EA, I determined that livestock trailing would not result in any significant impacts and issued a Finding of No Significant Impact on March 26, 2012.

In Determination of NEPA Adequacy (DNA) DOI-BLM-ID-B020-2013-007-DNA[2], I concluded that the issuance of a crossing permit for the term of 3/1/2013 to 2/28/2018 conforms to the 1983 Bruneau Management Framework Plan (MFP) and that EA No. DOI-BLM-ID-B020-2012-0003-EA fully covers this action and constitutes BLM's compliance with the requirements of NEPA.

Decision and Rationale

I have decided to approve your application and issue you a crossing permit with some adjustments as shown in Table 2 and the attached maps. Specific dates will be shown and final authorization will be granted in a grazing bill. The term of the new crossing permit will be 3/1/2013 to 2/28/2019.

[1] EA No. DOI-BLM-ID-B020-2012-0003-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-Bruneau FO**, Document Type = **EA**, Fiscal Year = **2012**, Program = **All**, then click **Search**. Once you arrive here, click on **DOI-BLM-ID-B020-2012-003-EA**. If you are unable to view the documents on the website, you may request that hard copies be sent to you.

[2] DNA No. DOI-BLM-ID-B020-2013-007-DNA is available through https://www.blm.gov/epl-front-office/eplanning/nepa/nepa_register.do. Select State = **Idaho**, Office = **ID-Bruneau FO**, Document Type = **DNA**, Fiscal Year = **2013**, Program = **All**, then click **Search**. Once you arrive here, click on **DOI-BLM-ID-B020-2013-007-DNA**. If you are unable to view the document on the website, you may request that a hard copy be sent to you.

Table 2. Crossing Permit with Stipulations.

Route[A]	Map[A]	Allotments Crossed	Total # of Cattle	Timeframe		# of Groups[B]	Days per Group[C]	Herding Method	Stipulations under Alternative C[D]
				Begin	End				
216C	2C	Battle Creek	500	3-28	4-15	2	1 day	Horse	Adjust route to location shown on map. Check with Wildlife Biologist before trailing. Keep on route where shown on map.[E]
217C	3C	East Castle Creek Battle Creek	500	9-15	11-15	2	2 days	Horse	Adjust route to location shown on map. Keep on route where shown on map. [E]

[A] Route and map numbers correspond to routes and maps depicted as Alternative C in EA No. DOI-BLM-ID-B020-2012-0003-EA.
[B] Indicates the number of groups in which the total number of livestock would be split for trailing. For example, 500 total cattle being trailed in 2 groups would result in 2 groups averaging 250 cattle each.
[C] Indicates how long it would take each group of livestock to travel the length of the trailing route.
[D] Stipulations indicate changes relative to your application analyzed under Alternative A.
[E] "Keep on route" indicates livestock should be actively herded to stay on the route; any strays should be kept to within 50 feet of the route.

All terms and conditions described in the 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 off paved roads (except when crossing a paved road) and will not congest roadways or cause a hazard to motorized vehicles. Cross-country travel by livestock will be authorized as shown on Maps 2C and 3C.
- Trailing will be active, with livestock moving toward their final destination, except at night.
- Overnighting will occur at locations displayed on Maps 2C and 3C.
- Motorized vehicles will remain on existing vehicle routes. Cross-country use of motorized vehicles will not be authorized.
- Livestock trailing on routes in or adjacent to burned areas that have been temporarily closed to grazing will be kept on the route until the criteria for reopening the burned area to grazing are met. If the burned area has also had Emergency Stabilization and Rehabilitation (ESR) treatments, livestock will be kept on the route until ESR objectives were met.

- Livestock trailing on routes in or adjacent to vegetation treatments (e.g., fuels projects or restoration treatments) will be kept on the route until the treatment objectives are met, unless the specific trailing event would not conflict with treatment objectives.
- From April 1 to June 30, temporary water troughs will not be placed in sagebrush habitat to avoid impacts to nesting sage-grouse (and/or hens with early broods); 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. Summer through fall (June 1 through November 30), sage-grouse leks may be used for temporary water sites to maintain shorter vegetation for the lek.
- Areas used for staging vehicles, horse trailers, fence panels, etc. will avoid sagebrush habitats; 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.
- 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, must use certified noxious-weed-free forage to prevent the spread of noxious weeds on BLM-administered public lands in Idaho.

Furthermore, per Section 3.19 of EA No. DOI-BLM-ID-B020-2012-0003-EA, in 2012, the BLM conducted Class III cultural resource inventories focusing on stream crossings and overnight areas to further consider effects to cultural resources resulting from the issuance of the crossing permit. One site, 10OE-1852 that is potentially eligible for the National Register of Historic Places (NRHP) was found to occur within the area of potential effect (Idaho State Historic Preservation Office concurrence received March 11, 2013). If this site is determined to be NRHP-eligible and if impacts from trailing livestock are found to be occurring, additional mitigation measures will be identified and implemented.

Rationale

My decision is in conformance with the Bruneau MFP (1983).

My reasons for approving your application with additional terms and conditions are to:

- Provide for the orderly movement of livestock to and from the allotments where you hold an active grazing preference;
- Reduce the potential effect of trailing on vegetation by avoiding burned areas and recent vegetation treatments;
- Reduce the potential risk of introducing or spreading noxious weeds; and
- Reduce the potential effect to sage-grouse and sage-grouse habitat.

Relative to the specific trailing events in your application, Route 216C was designed to reduce impacts to the biological soil crust area, nesting ferruginous hawks, special status plants, and cultural resources relative to the spring trailing route in your application, depicted in Table 1 as Route 216A. Similarly, Route 217C was designed to reduce impacts to the biological soil crust area, riparian areas, water quality, special status plants, and cultural resources relative to the fall trailing route in your application, depicted in Table 1 as Route 217A.

As described in the Finding of No Significant Impact for EA No. DOI-BLM-ID-B020-2012-0003-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 4130.8-1b.
- The 2012 Appropriations Omnibus Act Sec. 123.
- The Bruneau MFP (1983), 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 Mike Boltz at (208) 384-3346 or me at (208) 384-3331.

Sincerely,

/s/ Aimee Betts for Arnold L Pike

Arnold L. Pike
Field Manager
Bruneau Field Office

Enclosures:
Maps of trailing events (Maps 2C and 3C)

Copies sent by mail to:
Allotment permittees
Other Interested Publics

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Idaho Department of Fish & Game
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Stowell Ranches
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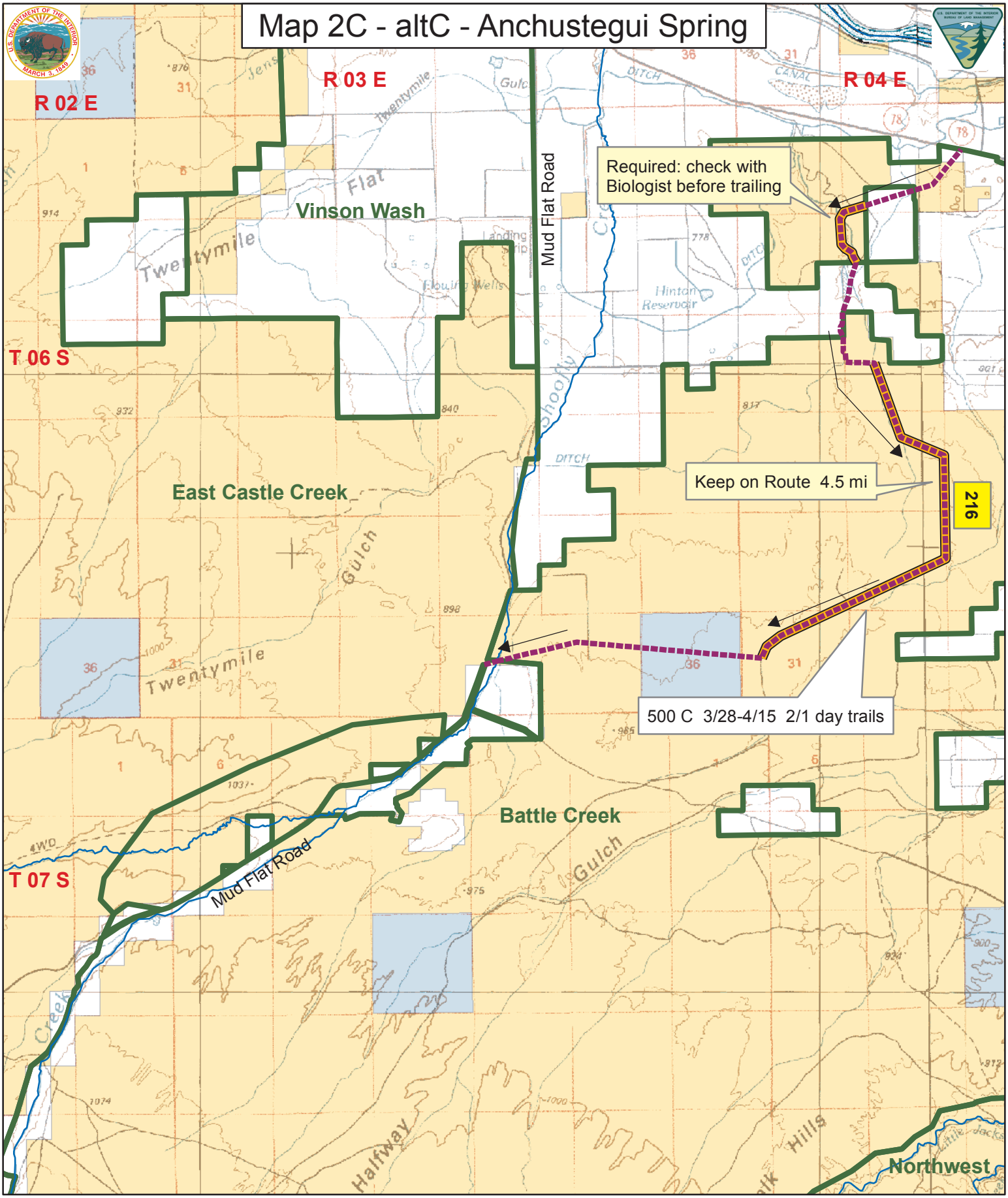
Map 2C - altC - Anchustegui Spring



Legend

- Trailing
- Restrictions
- Allotment
- BLM
- State
- Private

0 1 2 Miles

1:80,000

N

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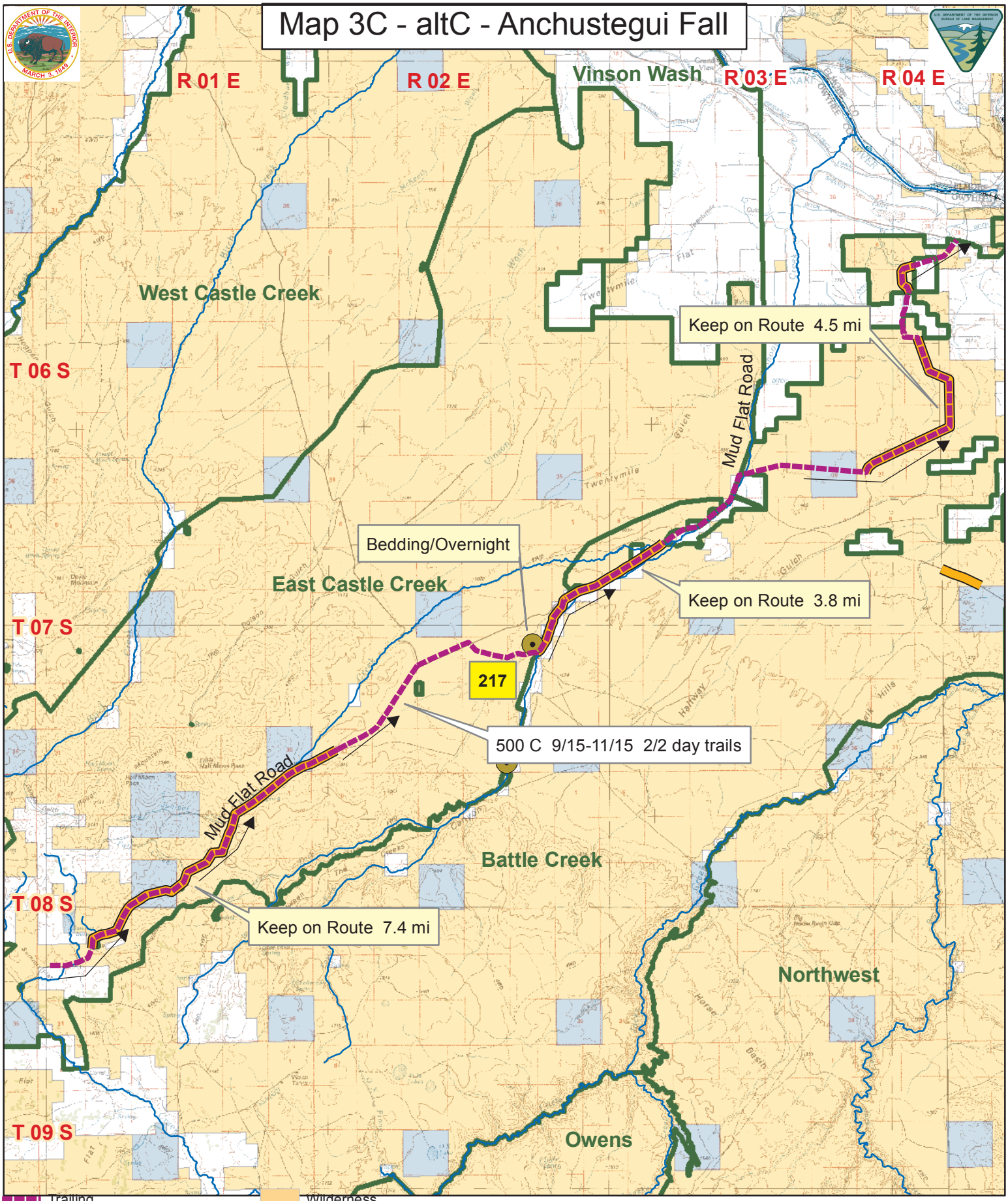
Map 3C - altC - Anchustegui Fall



Trailing
Bedding/Overnight
Restrictions
BDO_CR_SurveyBoundaries
Allotment
Wilderness
BLM
State
Private

0 1 2 Miles

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N

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