



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Bruneau Field Office
3948 Development Avenue
Boise, Idaho 83705



DECISION RECORD
Categorical Exclusion Documentation
CX No. DOI-BLM-ID-B020-2013-0004-CX
Hot Well Wildlife Tract Temporary Route Closures

It is my decision to temporarily close all existing routes in the Hot Well Wildlife Tract (approximately 1 mile of routes total) to motorized vehicle use. The affected routes are found in T. 7 S., R. 5 E., Section 6, W1/2SE1/4, Boise Meridian, Idaho. The Hot Well Wildlife Tract is open for pedestrian access.

In order to implement this closure, BLM will place a locked metal gate at the north entry point of the Wildlife Tract on Cattle Drive Road. Ground disturbance may include a 5-foot radius at each side of the gate where metal posts may be installed to support the gate.

Authorities and Compliance: The authority for this decision is contained in Section 303(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1733(a)), 43 CFR 8360.0-7, and 43 CFR 8364.1. Under this authority, the BLM will enforce the following rule within the Hot Well Wildlife Tract:

Motorized vehicles must not be used on closed routes.

Exemptions: Exempt from this closure are contractors hired by the BLM to work in the area; search and rescue personnel; Federal, State or local law enforcement officials; other BLM employees in the performance of their official duties; and persons with written authorization from the BLM.

Penalties: Any person who violates the above rule may be tried before a United States Magistrate and fined no more than \$1,000, imprisoned for no more than 12 months, or both. Violators may also be subject to the enhanced fines provided for in 18 U.S.C. 3571.

PLAN CONFORMANCE AND CONSISTENCY:

The proposed action has been reviewed and found to be in conformance with the following BLM Land Use Plan: 1983 Bruneau Management Framework Plan (MFP). Even though the proposed action is not specifically provided for, it is clearly consistent with the following MFP decisions:

- W/L-4.2 Manage public lands in the vicinity of irrigated agricultural areas to maintain or improve the habitat for pheasants, Hungarian partridge, valley quail and cottontails. Specifically, retain the following tracts of public land as wildlife habitat. These tracts are known to have high wildlife values and should be managed for them. T7S, R5E, S6

- Objective RM-5: Provide for protection and conservation of rare and endangered plants within the planning unit.

Rationale for Decision:

The Hot Well Wildlife Tract has been identified as the only location in Idaho for a BLM Sensitive plant, alkali cleomella (*Cleomella plocasperma*). The public's use of this wildlife tract as a local party spot is in conflict with the Bruneau MFP direction to manage the site for wildlife values and with MFP direction to protect and conserve special status plants. The documented high level of recreational use associated with the adjacent geothermal well and the associated large quantities of trash have resulted in the need for temporary route closures to protect threatened natural resources. These activities are damaging habitat for the sensitive plant and increasing the risk for population decline. Future route management will be evaluated in the forthcoming travel management plan.

As documented in Categorical Exclusion Documentation (CX) No. DOI-BLM-ID-B20-2013-0004-CX, this action is in conformance with the 1983 Bruneau MFP and is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9 G(3), Temporary closure of roads and trails, as none of the extraordinary circumstances described in 516 DM 2 apply.

Appeal Language:

Any person whose interest is adversely affected by this decision may file an appeal and petition for stay of the decision pending final determination on appeal. Within 30 days following receipt of the decision, the appeal and petition for stay must be filed in writing in the office of the authorized officer at the above address. The appeal shall state clearly and concisely why the appellant thinks the decision is in error.

An appellant filing a motion for stay shall 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.



Authorized Officer

3/12/14

Date

Tanya M. Thrift
Field Manager
Bruneau Field Office

Attachments: Map