

# U.S. Department of the Interior Bureau of Land Management

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June 2013

## Proposed Decision Record and Finding of No Significant Impact

### CDCTMP Travel Management Plan

DOI-BLM-ID-I020-2012-0070-EA



U.S. Department of the Interior  
Bureau of Land Management  
Pocatello Field Office  
4350 Cliffs Drive  
Pocatello, Idaho 83204-2105  
(208) 478-6340

<http://www.id.blm.gov/offices/pocatello>



## NOTICE OF FIELD MANAGER'S PROPOSED DECISION

### Decision

After a careful consideration of the comparative environmental analysis presented in EA# DOI-BLM-ID-I020-2012-0070-EA, it is my proposed decision to implement Alternative E as the travel management plan for the Curlew/Deep Creeks Travel Management Plan (CDCTMP). Under this alternative, approximately 490 miles of routes would be designated for motorized travel. There would also be approximately 20 miles of designated seasonal routes, approximately 2 miles of designated routes restricting the size of vehicles of 50 inches or less in width, and approximately 18 miles of designated seasonal routes with vehicle size restrictions of 50 inches or less in width. Alternative E limits Over Snow Vehicles (OSV) to designated routes within big game winter range and sage-grouse winter habitat. No cross country travel would be authorized for wheeled motorized vehicles and no cross-country would be authorized for OSVs within big game winter range and sage-grouse habitat.

The following actions and conditions also apply to this alternative:

- **Routes:** A comprehensive motorized travel is sought in this plan. The route system has been designed to create loop trails, maximize recreation while protecting resources. To meet the purpose and need of this plan, some routes not designated are reserved for administrative or permitted access only. A system of designated routes would be defined with motorized travel restricted to these designated routes.
- **Designated Travel Routes:** A system of designated routes would be defined with motorized travel restricted to these designated routes, with the exception of tracked over-snow machines.
- **Nonmotorized Routes:** Nonmotorized routes were not detected in the inventory. However, nonmotorized use, (bicycles, hiking, horseback riding, cross-country skiing, snowshoeing, etc.) is not restricted within the travel plan.
- **Travel Variance:** The Authorized Officer may issue a written travel variance for any motorized vehicle whose use is expressly authorized by the authorized officer, or otherwise officially approved. Travel variances on existing routes may be consolidated for several routes or a season of use.
- **Road-Side Use Limitation:** Pulling a motorized vehicle off a designated route (e.g., for parking, camping, and other dispersed recreational activities would be limited to a single perpendicular distance of 200 feet from the edge of the route (no travel parallel to a route).
- **Game Retrieval:** Motorized use off of designated motorized routes (cross-country travel), including game and shed antlers retrieval, would not be permitted.
- **Mapping Errors:** Despite the efforts of personnel to “ground truth” existing routes within the planning area in the 2011 inventory, some errors may still be identified on the maps and they would be corrected as they are found. Correction of mapping errors would not change the effects of any of the alternatives and routes would not be added to the alternatives. Maps would be corrected as necessary to accurately reflect the routes on the landscape.
- **Future Routes:** Future development of new routes would also be evaluated and implemented through separate environmental analysis.

- **Roads with Legal Access:** There is legal access for use of roads leading to BLM lands. Examples of roads with legal access include but are not limited to: highways, county roads, public easements, etc.
- **Roads with Physical Access:** There are existing roads leading to BLM lands, however there is official no legal access. The BLM cannot guarantee access will be allowed in the future on roads with no legal access. As long as the public is allowed to access public lands, the BLM will consider designating routes beyond these private lands.
- **Roads with No Access:** There is an existing road, however access to BLM is physical blocked by some type of barrier, such as a locked gate or “no trespassing” sign. BLM will generally not designate routes where public access is physically blocked prior to reaching BLM.
- **Cross-Country Travel:** Cross-country travel is prohibited. No motorized travel would be allowed off any route unless written authorization is provided by the authorized officer.
- **Emergency Use:** Motorized emergency use would be available (i.e., in accordance with appropriate federal regulations) throughout the planning area regardless of the area or route designation. When possible, emergency vehicles will attempt to utilize existing routes, however there may be instances where traveling off-route would be necessary (i.e. wildland fire, search and rescue operations, etc.).
- **Route Maintenance:** Motorized route segments could receive periodic maintenance including smoothing of tread, removal of rocks or other obstacles, installation of rolling dips or water bars, cleanout of water bars, and repair of gullies and rills on the route surfaces. Maintenance of motorized routes may require mechanized equipment.
- **Future closures or restrictions:** Future closures or restrictions to designated routes to prevent resource damage or user conflicts would be evaluated and implemented as needed through emergency closure authorities provided under 43 CFR §8340 - Off-Road Vehicles. Road and trail closures involving ground disturbance (e.g. road rehabilitation) proposed under any of the alternatives would be reviewed by the BLM archaeologist on a case-by-case basis prior to implementation to assess potential effects to: cultural resources in compliance with Section 106 of the NHPA, sage-grouse, Threatened and Endangered Plants, Fish, and Animals.
- **Over Snow Vehicles: (OSV):** OSVs are defined as tracked vehicles solely intended for over-snow travel. OSVs would be limited to designated routes within big game winter range, sage-grouse winter range, and are not allowed in ACEC’s. OSV’s are allowed without restriction in areas outside of big game winter range, sage-grouse winter range, and ACEC’s.
- **Travel Variance:** The Authorized Officer may issue a written travel variance or other written authorization for motorized travel off designated routes. Travel variances for use of existing roads can be issued for extended periods of time, or for specific types of uses (e.g. permittees may receive written authorization to drive on existing roads to access range improvements during their season of operation). Travel variances for cross-country travel will be considered on a case-by-case basis.

The development and approval of this proposed travel management plan constitutes a federal action subject to the provisions of the National Environmental Policy Act (NEPA). In the preparation of the Environmental Assessment (EA), the potential direct, indirect, and cumulative impacts associated with the Proposed Action and alternatives have been analyzed. Preparation of the document has been in accordance with the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 Code of Federal Regulations [CFR] § 1500 et. seq.), BLM

guidelines for land use planning in BLM Handbook H-1601-1, BLM guidelines for implementing NEPA in BLM Handbook H-1790-1, and the Idaho Falls District Guide for Implementing NEPA (IM-ID-300-09-004).

## **Rationale**

The implementation of the Alternative E will provide for quality motorized recreational access while improving the health and condition of vegetation, soils, wildlife habitat, and water quality in the CDCTMP planning area by closing redundant and unnecessary routes. In the long-term, the implementation of Alternative E will provide the foundation to prevent unnecessary closures or restrictions stemming from preventable resource damage or user conflicts and will, therefore, protect rather than inhibit motorized travel in the CDCTMP planning area.

## **Public Involvement**

The PFO initiated the travel management planning process by issuing a press release on May 21, 2012 to local and regional newspapers inviting the public to participate in the development of the EA by providing written comments. The Idaho State Journal published an article on May 22, 2012, “BLM to host four public meetings on travel plan” and the Idaho Enterprise published an article on May 24, 2012, “Public input wanted on BLM roads and trails in Oneida County; meeting here on Wednesday, May 30.” Local News 8 reported a televised story on May 31, 2012, “BLM Creating Travel Plan for Deep Creek, Curlew.” The Idaho State Journal published another story on Monday, June 4, 2012, “Hearings start on trail-use proposals” and on August 9, 2012, “BLM studies trail network, Agency seeks public input.”

In conjunction with the press release, a mailing list was developed that included state and federal agencies, the Shoshone-Bannock Tribes, county commissioners, Mayors, non-governmental organizations, users groups, grazing associations, and organizations that might have a vested interest in the CDCTMP. A scoping letter was sent to 37 different interested parties on May 21, 2012.

The press release and scoping letter offered the public two ways to participate in the scoping process. They could attend one of four public scoping meetings or provide input online at [http://www.blm.gov/id/st/en/fo/pocatello/travel\\_management.html](http://www.blm.gov/id/st/en/fo/pocatello/travel_management.html). The 90-day scoping period started on May 31, 2012 and ended on August 31, 2012. The website provided an opportunity for the public to comment if they could not attend one of the scheduled scoping meetings identified below.

The four scoping meetings were held from 5:00 p.m. to 7:00 p.m. at the following locations from: the BLM-PFO conference room, Pocatello Idaho on May 29; the Malad Senior Citizen Center, Malad, Idaho on May 30, 2012; the Snowville Town Hall, Snowville, Utah on May 30, 2012; and the American Falls Public Library, American Falls, Idaho on May 31, 2012.

The Field Manager and staff met with County Commissioners from Bannock, Power, Oneida, and Cassia Counties prior to the scoping meetings to provide a briefing of the project and inform them of the scoping meetings.

The PFO received 37 individual comment letters expressing issues and concerns of the travel planning effort throughout the scoping period. Eleven letters were received which were identical and each signed by a different individual. The PFO considered it one comment.

Comments received were reviewed by the Pocatello Field Office Manager and the Idaho Falls District Planning and Environmental Coordinator for Planning. Each was tasked with identifying substantive comments and potential issues and concerns.

Substantive comments were identified by answering the question, does the comment:

- Have a reasonable basis and accuracy of information?
- Have a reasonable basis, adequacy, methodology for, or assumptions for environmental analysis?
- Present information relevant to the analysis?
- Present reasonable alternatives?

Potential issues were identified based upon the following criteria:

- Effects approach or exceed standards or a threshold
- Effects substantially change a resource
- Controversy exists over the effects
- Opportunities for a wide range of effects
- Disagreement about environmental effects of the preliminary proposed action

Comments, associated data and/or information identified as substantive or identifying a potential issue were entered into an access database for tracking and sorting purposes. Codes were then used to identify specific topic areas for each comment as follows:

<b>Code</b>	<b>Description</b>
1	Purpose and Need
2	Issue/Concern
3	Management Action – Alternative Component
4	Specific Route Information
5	Affected Environment
6	Environmental Analysis – Direct/Indirect/ Cumulative
7	Outside of Scope
8	Comment Noted
9	NEPA Process

After review of the comments, 22 different topic areas became evident as potential issues, coded as #2, to potentially be addressed through the travel management planning effort. The areas identified were:

Sage-grouse and habitat	Motorized travel
Wildlife migration corridors	No more roads
Loop trails	“Access Yes” program
Wildlife/Big game habitat	Coordinate route designations w/ USFS
Special Status Species	State Trust Lands

Clean water  
Increase in human caused fires  
Invasive species/noxious weeds  
Redundant routes  
Restricted access across private lands  
Trespass on private lands

User expansion of roads and trails  
Quiet recreation opportunities  
Ecological basis for TMP  
Separate and vehicle specific trail systems  
Land locked public lands  
Pioneer trails

## Issues

Issues identified by the public were presented to the Pocatello Field Office's Interdisciplinary Team (IDT) on October 29, 2012. The IDT was directed to review the comment database to gain a better understanding of the comments and the issues identified. On Nov 5, 2012, the IDT met to discuss and identified any additional issues.

The team also identified seven additional internal team issues to consider in this CDCTMP which included:

1. Access to existing range improvements/existing authorizations
2. Reducing the number of motorized routes
3. Roads for fire suppression
4. Bannock County's resolution for public lands access
5. Opportunity to acquire access
6. Potential routes designated motorized/nonmotorized
7. Tribal Treaty Rights & Interests /Ceded Lands

Of the 29 issues identified, 22 external and 7 internal, several were found to be similar while others were considered to be opposing with other identified issues. The IDT grouped the issues based upon similarities in how they believed the 29 various issues could be addressed. The IDT used a variety of ideas in grouping the issues. Examples of how the IDT initially grouped the issues included using relationships such as: natural resources, resource uses, access/access routes, more or less motorized roads, habitat fragmentation, motorized road density, recreational, environmental/ social conservation/habitat/wildlife, resource protection, resource damage/affects, access to/from public lands or administrative/exceptions.

Each IDT member's grouping was captured on a flip chart resulting initially in the identification of 20 different groups. As each team member described their rationale for combining issues, it became apparent there was agreement among the team in how certain issues were consistently grouped together. After more discussion, the team combined the 20 groupings into 7 groups as follows:

1. Conservation/reduced roads/restrictions
2. Utilization/increase roads
3. Compromise/give-take
4. Environmental
5. Social/recreational opportunities
6. Resources protected
7. Access oriented

Discussing these seven groups, the IDT agreed they could be further refined into two distinct groups. Group C comprised of groups 1, 4, and 6 and Group D comprised of groups 2, 3, 5, and 7. These two final groupings resulted in the identification of two action alternatives to be addressed in the CDCTMP with the No Action – Alternative A and the Preliminary Proposed Action – Alternative B. Each alternative described in this EA addresses the issues raised through public scoping while meeting the purpose and need statement for this TMP effort.

### **Route Designation Criteria**

In order to develop the alternatives, the BLM compared the distribution of existing routes with various natural resource data layers in GIS. These resource data layers included: sage-grouse Preliminary Priority Habitat and Preliminary General Habitat and winter habitat, fisheries habitat, steep slopes, big game winter range, erodible soils, streams, riparian areas, and the distribution of sensitive plant species. Areas of overlap between existing routes and natural resource distributions provided the BLM with an idea of which routes were most likely to create adverse environmental impacts.

Environmental impacts associated with the use of individual routes were weighed against the perceived value of the route for transportation and access. By varying the perceived value of routes for transportation against the likelihood of environmental impacts, alternatives were created that designated different combinations of routes as either designated or not designated to motorized use across the planning area. For example, redundant and user –created routes, dead ends, and short cuts (those having low transportation and access value) in areas of high natural or cultural resource values would likely be proposed for closure under one of the alternative travel management scenarios.

Similarly, user-defined routes (those resulting from ad-hoc cross country travel) on steep side slopes might be considered for closure due to public safety and soil erosion concerns. On the other hand, routes that provided access to recreational facilities (those having high transportation and access value) would not likely be considered for closure unless the route was redundant or represented a short cut regardless of the type of habitat in which it was located.

### **Land Use Plan Conformance**

Alternative E is in conformance with the Comprehensive Trails and Travel Management (TM) management direction in the approved Pocatello Resource Management Plan (April 2012). The current management direction for the travel plan is as follows:

#### **Goal TM-1: Establish a comprehensive approach to travel planning and management.**

**Objective TM-1.1.** Provide on-the-ground travel management operations and maintenance programs to sustain and enhance recreation opportunities and experiences, visitor access and safety, and resource conservation, pg. ARMP -135.

**Action TM-1.1.5.** Travel management plans will consider the following criteria in designating routes and uses:

- Environmental conditions
- User conflicts
- Administrative purposes
- Public purposes
- Route, vehicle type and size limitations

**Action TM -1.2.5.** Until travel management planning/route designation is completed, travel will be managed in the following manner:

1. Limit motorized/mechanized travel to establish designated routes in the Chinese Peak/Blackrock area.
2. Continue to recognize and implement existing seasonal closures.
3. Continue to recognize and implement site specific closures for WSA's, ACEC's, and RNA's.
4. Prohibit cross-country travel for motorized vehicles.
5. Limit motorized travel to existing routes in areas where no designated routes have been established.
6. Limit mechanized travel to existing routes within SRMAs and WSAs.
7. Recognize existing routes that can be identified on:
  - Most current Digital Ortho Quads (DOQs) as of 2004
  - 2004 National Agricultural Imagery Program (NAIP) digital color aerial photos.
  - Most current existing US Geological Survey (USGS) topographical maps as of January 1, 2005.

**Action TM -1.2.6.** For the development of travel management plans, baseline and/or preliminary road/trail networks will be identified using any one of the following available sources:

- Most current existing DOQs as of 2004,
- 2004 NAIP digital color aerial photos,
- Most current existing USGS topographical maps as of January 1, 2005.

**Action TM -1.2.7.** During travel management planning, provide intensive use areas for valid motorized activities (e.g., rock crawling, motocross riding) by designating appropriate routes for these activities in front country or rural settings. These areas will not exceed a “footprint” larger than 80 acres.

Routes may be designated during travel management planning only if they are consistent with the following criteria:

- Area is suitable for intensive OHV use,
- No compelling resource issues or protection needs, as identified through the NEPA process,
- No user conflicts or public safety issues to warrant restricting intensive use.

**Action TM -1.2.8.** Cross country travel using motorized vehicles is not allowed. Once travel management plans have been completed, motorized travel will be restricted to designated routes, travel on routes that have not been recognized as a designated route is not allowed.

Authorized/permitted activities may have allowances for travel off designated routes if it is obtained in writing from the authorized officer in the form of a letter or specifically stipulated or identified in the terms and conditions of the permit/authorization.

Activities such as wildland fire suppression and emergency services will not be limited to designated routes. Other activities related to public health and safety or cadastral survey may be exempt with approval of the authorized officer.

**Action TM -1.2.9.** Organized events will be compliant with established OHV designations and will be consistent with other resources and uses.

**Action TM -1.2.10.** Snowmobiling (including OSVs) will be managed with the following area restrictions: (Figure 18):

- WSAs - Not allowed
- ACECs - Not allowed
- RNAs - Not allowed
- Pocatello SRMA - Not allowed
- Soda Springs Hills Management Area - Not allowed
- Big Game Winter Range - Limited to designated routes
- All other areas - Allowed Without Restriction

My selection of Alternative E as the travel management plan for the CDCTMP planning area is *proposed*. This means the public is afforded approximately a 30-day period to provide written comments on the proposed decision prior to my making a final decision. Written comments should be mailed to the Pocatello Field Office, Attention: Chuck Patterson, 4350 Cliffs Drive Pocatello, Idaho 83204. In order for comments to be considered in my final decision, they must be received or post marked no later than July 26, 2013.

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David A. Pacioretty  
Pocatello Field Office Manager

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Date

## FINDING OF NO SIGNIFICANT IMPACT (FONSI)

I have reviewed the direct, indirect and cumulative effects of the alternatives documented in the EA (DOI-BLM-ID-I020-2012-0070-EA,) for the CDCTMP. I have also reviewed the project record associated with this analysis and the effects of the Preliminary Proposed Action and alternatives, as disclosed in the Affected Environment and Environmental Impacts and Cumulative Impacts sections of the EA. I have determined the travel management plan designated as Alternative E is in conformance with the Pocatello Resource Management Plan (April 2012) relating to: Access, Areas of Critical Environmental Concern, Cultural resources, Existing and Potential Land Uses, Fisheries, Forestry Invasive, Non-Native Species, Migratory Birds, Range Resources, Recreational Use, Soils, Threatened, Endangered, and Sensitive Animals, Threatened, Endangered, and Sensitive Fish, Threatened, Endangered, and Sensitive Plants, Vegetation, Water Quality, Wetland and Riparian Zones, and Wildlife Resources.

Implementing regulations for NEPA (40 CFR 1508.27) provide criteria for determining the significance of effects. Significant, as used in NEPA, requires consideration of both context and intensity.

***(a) Context. This requirement means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short-and long-term effects are relevant (40 CFR 1508.27):***

The disclosure of effects in the EA found the actions limited in context. Effects are local in nature and are not likely to significantly affect regional or national resources.

***(b) Intensity. This requirement refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following are considered in evaluating intensity (40 CFR 1508.27):***

1. *Impacts that may be both beneficial and adverse.*

The analysis documented in DOI-BLM-ID-I020-2011-0013-EA did not identify any individually significant short-or long-term impacts.

2. *The degree to which the proposed action affects public health or safety.*

No significant effects on public health and safety were identified in the EA.

3. *Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*

No significant effects on unique characteristics of the geographic area, historic or cultural

resources, park lands, prime farmlands, wetlands, wild and scenic rivers or ecologically critical areas were identified in the EA.

4. *The degree to which the effects on the quality of the human environment are likely to be highly controversial.*

Public and tribal comments gathered through the process did not identify effects on the quality of the human environment that were likely to be highly controversial. The comments received were helpful in identifying relevant issues, desired routes and desired future conditions of the natural resources. No significant individual or cumulative impacts are anticipated as a result of this action.

5. *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*

The analysis did not identify any effects on the human environment which are highly uncertain or involve unique or unknown risks. The use of off-highway vehicles on public lands has been well-established for decades, and has been documented on roads and trails throughout the field office.

6. *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.*

The analysis showed how the alternatives would implement direction in the Pocatelo RMP, and would not establish precedent for any future actions.

7. *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.*

The analysis did not identify any known significant cumulative effects

8. *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.*

Consultation under the National Historic Preservation Act (NHPA) of 1966 (as amended) has been conducted in accordance with the BLM National Programmatic Agreement and the implementing Protocol agreement between Idaho BLM and Idaho State Historic Preservation Office. The analysis showed that the alternatives would not result in adverse effects to cultural or historical resources.

9. *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*

The analysis revealed that there are no threatened or endangered species or their habitat within the travel management planning area.

*10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

The analysis in the EA shows that the alternatives are consistent with Federal, State, and local laws or requirements imposed for protection of the environment.

I have reviewed the Council on Environmental Quality Regulations (CEQ) for significance (40 CFR 1508.27) and have determined the actions analyzed in this EA would not constitute a major Federal action that would significantly affect the quality of the human environment; therefore an Environmental Impact Statement is not required.

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David A. Pacioretty  
Pocatello Field Office Manager

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Date