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Decision Record and Finding of No Significant Impact

Curlew/Deep Creek 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



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**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
POCATELLO FIELD OFFICE
Decision Record
For the
CURLEW/DEEP CREEK TRAVEL MANAGEMENT PLAN
DOI- BLM-ID-I020-2012-0070-EA**

Introduction and Background

Introduction

The development and approval of this 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 this document is 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 Policy for Implementing NEPA (IM-ID-300-2013-001).

The project area for the Curlew/Deep Creek Travel Management Plan (CDCTMP) includes approximately 371,290 acres of public lands in the western portion of the Pocatello Field Office (PFO), Idaho Falls District, and Bureau of Land Management (BLM). This travel management planning effort moves the PFO toward an appropriate network of designated motorized travel routes, which is required to provide reasonable and varied transportation routes for motorized and non-motorized travel on public lands, while reducing user conflicts and limiting impacts to important natural and cultural resources, as directed. In the long-term, a travel management plan will provide the foundation to prevent unnecessary closures or restrictions stemming from preventable resource damage.

The CDCTMP was developed consistent with the authority and guidance provided in *43 CFR 8340 – Off Road Vehicles*, which established Designation Criteria for motorized travel on Federal public lands. Route designations identified in this plan were based on the protection of the resources of the public lands, the promotion of the safety of all the users of the public lands, and the minimization of conflicts among various uses of the public lands; and in accordance with the following criteria:

- (a) Areas and trails shall be located to minimize damage to soil, watershed, vegetation, air, or other resources of the public lands, and to prevent impairment of wilderness suitability.

- (b) Areas and trails shall be located to minimize harassment of wildlife or significant disruption of wildlife habitats. Special attention will be given to protect endangered or threatened species and their habitats.
- (c) Areas and trails shall be located to minimize conflicts between off-highway vehicle use and other existing or proposed recreational uses of the same or neighboring public lands, and to ensure the compatibility of such uses with existing conditions in populated areas, taking into account the noise and other factors.
- (d) Areas and trails shall not be located in officially designated wilderness areas and primitive areas. Areas and trails shall be located in natural areas only if the authorized officer determines that off-highway vehicle use will not adversely affect their natural, esthetic, scenic, or other values for which such areas were established.

Public Involvement - Scoping

The travel planning effort started in May 2011 by conducting an extensive route inventory which ended November 2011. The inventory captured approximately 880 miles of existing routes (Table 2) and 123 miles of linear disturbances (Table 3). The PFO developed the Preliminary Proposed Action (PPA), January 2012 - April 2012, by evaluating the existing routes that intertwined with wildlife resources (sage grouse habitats and big game winter range), cultural resources, and other biological resources in GIS. Redundant routes within sage grouse habitats were specifically evaluated for route designation in the development of the EA.

The PFO initiated a 90-day scoping period starting May 31, 2012 and ending August 31, 2012 by sending out news releases in local papers, sending scoping notices to local stakeholders, and conducting scoping meetings to get the public involved. 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. Two additional public scoping meetings were held as requested from the public to address issues and concerns regarding the CDCTMP. The additional meetings were held from 4:00 p.m. to 7:00 p.m at the following locations: (1) the Arbon Vally School, Arbon, Idaho on July 25, 2012 and (2) the Rockland City Hall, Rockland, Idaho on August 20, 2012.

The PFO 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 public were given the option of either presenting written comments at the meetings or mailing comments prior to the conclusion of the scoping period. The PFO also worked with a sub-committee from the Idaho Falls District Resource Advisory Council (RAC) to help define planning strategies, addressing potential user conflicts, development of the alternatives for the EA, capturing and categorizing public scoping comments, and addressing potential resource concerns associated with the travel planning effort. The sub-

RAC-committee met with the PFO on various occasions in the field to identify issues relating to blocked private lands and road densities in association the resource base within the travel planning area. The sub-RAC-committee also met with the PFO in the field office to discuss travel management planning issues and offered recommendations relating to the specific issues of restricted access through private lands that preclude the public from accessing routes on adjoining public lands and the range of alternatives that were developed within the EA.

Scoping Issues

The PFO received 37 individual comment letters expressing issues and concerns of the travel planning effort throughout the scoping period. 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. After review of the comments, 22 different topic areas became evident as potential issues and ranged from, but is not limited to: wildlife issues, clean water issues, coordination of route designations with the Forest Service, user expansions of trails, access issues concerning private lands, redundant routes, creating loop trails, human caused fire issues, and there should not be more roads added to the network. The PFO Interdisciplinary Team (IDT) added seven internal issues to consider in the travel plan 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/non-motorized, and (7) Tribal Treaty Rights & Interests /Ceded Lands.

Public Involvement – Proposed Decision

Scoping comments received were used to develop a range of alternatives A – E for the Environmental Assessment (EA) during the months of September 2012 to April 2013. The PFO IDT went route by route, reviewing approximately 880 miles of existing routes and 123 miles of linear disturbances, and made determination for each route designation within each of the alternatives. As a courtesy to the public, the PFO sent out the EA with a Proposed Decision Record (to implement Alternative E) and a Finding of No Significant Impact statement for a 30 day commenting period beginning June 26, 2013 and ending on July 26, 2012. The PFO issued a public comment letter to all public entities that either attended one of the seven public scoping meetings held between May and August 2012, represented an interest group, and/or submitted written scoping comments on the Preliminary Proposed Action for travel plan. The comment letter came with an enclosed hardcopy of the Proposed Decision Record (DR) and Finding of No Significant Impact (FONSI), route maps for Alternatives A through E, and a DVD containing electronic versions (i.e., pdf) of the proposed DR/FONSI and the EA entitled, *Curlew/Deep Creek Travel Management Plan (CDCTMP)*, dated May 2013.

Proposed Decision Issues

A variety of issues were received from the public that stated concerns for both the EA and the proposed DR. Below are the main issues and concerns identified from public comment on the proposed decision:

- 1) Appeared that BLM was closing too many roads.
- 2) There would be an accumulative loss of motorized recreation opportunities.
- 3) BLM should consider seasonal uses for route designation vs. no route designations.
- 4) Appeared that routes within and adjacent to the Bowen Canyon Bald Eagle Sanctuary ACEC were not designated because of the presence of bald eagles.
- 5) BLM took the approach not to designate routes that are accessed through private lands because access was blocked to the general public.
- 6) The general public expressed it wasn't fair that private land owners adjacent to public lands had access but not the general public themselves.
- 7) Closing routes would reduce the ability for private land owners to suppress wildlife on public lands adjacent to their properties.
- 8) The proposed decision to implement Alternative E restricted a significant amount of snowmobile use within Arbon Valley.
- 9) BLM should implement the No Action Alternative, Alternative A, which allows for maximum use of inventoried routes.
- 10) BLM should implement Alternative C, or a modified version thereof, which will better protect sage grouse and its habitat, along with wildlife, water, and soil resources.
- 11) BLM should implement Alternative D, or a modified version thereof to maximize motorized recreation.

Notice of Field Manager's Decision

Decision

It is my decision to implement Alternative E, as modified, as the CDCTMP. Under this alternative, approximately 537 miles of routes would be designated for motorized travel (excluding over-snow vehicles (OSVs), which are addressed separately below). This decision includes the following designations for motorized vehicles:

- approximately 20 miles of routes with seasonal restrictions,
- approximately 2 miles of routes restricting the size of vehicles to 50 inches or less in width, and
- approximately 18 miles of seasonal routes with vehicles size restrictions of 50 inches or less in width.

This decision also limits winter travel by OSVs to designated routes within wildlife winter habitat. Designated routes for OSV use within wildlife winter habitat include approximately 215 miles of routes. Of these 215 miles, 11 miles are designated exclusively for OSV use. Approximately 218,957 acres are available for OSV use without restrictions.

Table 1 shows the mileage/acres of designated motorized routes and unrestricted OSV use.

Table 1. Summary of miles of designated motorized routes; routes with seasonal/size restrictions; routes of designated routes within wildlife winter habitat; and acreage of unrestricted OSV use.

Description	Route Designations Miles/Acreage
Miles of Designated Routes	537 miles
Miles of Designated Routes with Seasonal Restrictions	[20] miles
Miles of Designated Routes with Size/Width Restriction 50 inches or less	[2] miles
Miles of Designated Routes with Size/Width Restriction 50 inches or less and Seasonally Restricted	[18] miles
Miles of Designated Routes for winter travel by OSVs within Wildlife Winter Habitat	[215] miles
Miles of Designated Routes for winter travel by OSV use only	[11] miles
Acres of Unrestrictive Access for OSVs Outside of Wildlife Winter Habitat	218,957 acres
*Acres of Restricted Access for OSV's Inside wildlife Winter Habitat	152,333 acres

[] Denotes mileage is a subset of the total 537 miles of designated routes.

* Winter travel by OSVs is limited to designated routes within wildlife winter habitat.

For the following actions identified in the preliminary proposed action, this final decision also includes:

- Not designating any linear disturbances for motorized travel,
- Designating the Mine Canyon route ($\approx .75$ miles) for year round motorized travel,
- Designating the Dry Canyon route ($\approx .25$ miles) for year round motorized travel.

Finally, motorized route designations within the PFO portion of the American Falls Archaeological District (≈ 80 acres) is deferred until further inventory and analysis can be conducted. Motorized travel is restricted to existing roads and trails.

The following actions and conditions apply to this alternative:

- **Designated Routes:** The route system has been evaluated in an environmental analysis using Designation Criteria (8342.1) then determined to allow for access to BLM public lands while protecting resources.
- **Route-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).
- **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.
- **Routes with Legal Access:** There is legal access for use of roads leading to public lands. Examples of roads with legal access include but are not limited to: highways, county roads, public easements, etc.
- **Routes with Physical Access:** There are existing roads leading to public lands that may not have formal legal access. As long as the public is allowed to access public lands, the BLM will consider designating routes beyond these private lands.
- **Non-motorized Use:** Non-motorized use, (bicycles, hiking, horseback riding, cross-country skiing, snowshoeing, etc.) is not restricted within the travel plan.
- **Routes with No Access across private lands:** There is an existing road; however access to BLM land is physically blocked by some type of barrier, such as a locked gate or “no trespassing” sign on the private land. BLM will generally not recommend for route designation where public access is physically blocked on private lands prior to reaching public lands administered by the BLM.

- **Cross-Country Travel:** Motorized use off of designated routes (cross-country travel) is prohibited (including game retrieval and collecting antlers). No motorized travel would be allowed off any route unless written authorization is provided by the authorized officer in the form of a travel variance and kept on person or in vehicle.
- **Emergency Use:** Motorized emergency use would be available (i.e., in accordance with appropriate federal regulations) throughout the travel management planning area regardless of the area or route designations. When possible, emergency vehicles will attempt to utilize existing routes, however there may be instances where traveling off-routes would be necessary (i.e. wildland fire, law enforcement or search and rescue vehicles being used for emergency purposes).
- **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, installation and maintenance of culverts, 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:** ¹(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 restrictions 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.
- **(Transportation) Linear Disturbance:** Routes that are not part of the BLM's designated transportation network identified as "*Transportation Linear Disturbances.*" These human or animal-made linear features may include engineered (planned) as well as unplanned single and two-track linear features that are not part of the BLM's transportation system. These routes will usually be identified in a plan for

¹ Over Snow Vehicles (OSV) is the new terminology to represent motorized over snow **track** machines which may include, but is not limited to: snowmobiles, snow cats, and tracked UTVs. The new terminology replaces the term snowmobiles as identified in the 2012 Pocatello RMP.

decommissioning and rehabilitating unauthorized routes—a product of the TTM planning process. (pg. 21 HB 8342).

Plan Implementation

Education

The CDCTMP will be managed for multiple uses, including recreation. Education about accepted uses and rules of use are very important. In particular, information about closures and seasonal restrictions are critically important to the effective communication of the TMP decision. The field office endeavors to use emerging technology and up-to-date communication methods to convey information and obtain public participation and stewardship in on-the-ground management and evaluation of the Plan.

Key messages to communicate

The CDCTMP is an area for multi recreational opportunities, enjoyed by varied users. The area promotes shared use and has some specific designations. Resource protection land ethics are important in this area. Key message for this travel management plan is to identify a system of designated routes for motorized travel, which will be conveyed on map.

Enforcement

Currently, law enforcement coverage in the CDCTMP is provided by BLM Idaho Falls District Rangers. Enforcement actions are typically in response to violation complaints, and patrols are conducted on a periodic basis depending on priorities throughout the district.

Implementation of the plan may require installation of gates and barriers to prevent vehicle traffic in areas not designated for motorized travel. The location and design of gates and barriers would depend on site conditions where they are needed. Typically, gates would be made of steel and designed to be vandal resistant. Fencing may be used, including barb wire, post, and cable, or other materials. Barriers or barricades may be temporary or permanent, and may be made of stone, boulders, concrete, steel, or wood.

The CDCTMP restrictions would be enforced by the BLM Law Enforcement Rangers.

Signage

A signing plan map would be developed upon the designation of the routes through this plan. Various types of signs and markers would be installed according to current BLM policy and guidance for recreation and travel management signing. Signs would be placed along roads, primitive roads and trails, and would include:

- Area and public land identification.
- Entry kiosks and informational kiosks.
- Route numbers and the designation status of a route (open, closed, seasonal restriction, or size restriction).

Signing would be kept to the minimum necessary for visitor management and assistance and as a tool for resource protection, regulatory and informational purposes. Signing would be designed to provide the public with clear and correct information to avoid off-network travel, and to prevent use conflict. Through monitoring and ongoing public group input, strategies would be

developed to constantly improve the effectiveness of signing. Signs that are removed or destroyed would be replaced or updated depending on availability of funding.

Rehabilitation

Rehabilitation of closed primitive roads, trails, and linear disturbances include the following:

- 1) Install physical barriers blocking motorized vehicles;
- 2) Ripping compacted soil and seeding with an approved mixture;
- 3) Planting high value vegetation such as native trees, sagebrush, or other native plants;
- 4) Monitoring of rehabilitation progress; eventual removal of signs and barriers as visual evidence of past linear disturbance is succeeded by vegetation growth.

Rationale

The implementation of the Alternative E, as modified, will provide for reasonable recreational access while protecting and improving the health of the resources in the Curlew/Deep Creek travel management planning area by closing redundant and unnecessary routes. Also, Alternative E, as modified, both accommodates protection to wildlife resources and allows for motorized travel throughout the planning area.

In the long-term, the implementation of the CDCTMP 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 Curlew/Deep Creek travel management planning area.

Issues Addressed

Several comments expressed concern that approximately 50 percent of the routes in the travel management planning area were being closed to motorized travel. Upon review, it was found 1,003 miles of inventoried routes were inappropriately considered for route designation in the EA/Proposed Decision Record document. Of 1,003 miles, 880 miles inventoried are now categorized as existing roads or trails and 123 miles as linear disturbances.

Consequently, the modified Alternative E and this Decision Record, clearly identifies the difference between existing roads and trails and linear disturbances. Existing roads and trails (i.e., road, primitive road, and trails) are the travel routes considered for motorized designations. Linear disturbances are routes not intended to be part of the transportation system; although they may be considered for motorized designations on a case by case basis. Table 2 summarizes the 880 miles of inventoried routes (i.e., roads, primitive roads, and trails) available for designation, actually designated and not designated. Thus, 61 percent or 537 miles of 880 miles of available inventoried routes are being designated for motorized travel.

Table 2. Summary of miles of routes available for travel consideration and designated in Alternative E.

Route Type	Miles Available for Designation	Miles Designated	Miles Non-designated
Roads	84	84	0.0
Primitive Roads	723	420	303
Trails	73	33	40
Total Miles Combined	880	537	343

Table 2 shows 84 miles of roads, 420 miles of primitive roads and 33 miles of trails designated.

Table 3 shows 123 miles of linear disturbances not considered for designation in Alternative E.

The decision designates approximately 537 miles (61%) of routes, which includes:

- Approximately 38 miles of designated routes limited seasonally
- Approximately 2 miles of designated routes limited to vehicles 50” or less in width
- Approximately 486 miles of designated routes available for travel year round
- Approximately 11 miles of designated routes for winter travel OSV use only

Table 3. Summary of miles of routes identified as linear disturbances.

Linear Disturbance Type	Total Miles Of Linear Disturbance
Reclaimed fire lines and temporary timber sale roads	17
Animal/cow trail	14
Existing closures	37
Fence line	23
New Disturbance	4
Fire line	5
Ridgeline	23
Total Miles Combined	123

Within the Bowen Canyon Bald Eagle Sanctuary Area of Critical Environmental Concern (ACEC) no motorized routes are being designated. This decision is based upon the fact that there is no legal access across surrounding private lands to connect with identified routes within the ACEC; not due to the presence of Bald eagles. Having no designated routes in the ACEC is beneficial to bald eagles, during critical breeding and nesting periods. A potential route to the north of the ACEC which connects to a county road was considered. However, this route has been abandoned, evidenced by being heavily vegetated, and impassable with a motorized vehicle.

One comment identified a lack of consideration given to the “loss of opportunities” for motorized recreation. However, the comment lacked any additional information that could have

aided the team in understanding the context of the comment. It was thought the comment could be related to comments that expressed concern with 50% of inventoried routes not being designated for motorized travel as addressed in the EA/Proposed Decision Record document. As previously described, that document incorrectly identified 1,003 miles of inventoried routes being available for possible motorized travel designation. Accounting for 123 miles of linear disturbance not considered as part of the transportation network and not available for possible designation, the modified Alternative E, considered 880 miles of routes available for motorized travel designation. The selection of the modified, Alternative E, results in 61 percent of available routes being designated for motorized travel.

Table 4 identifies the considerations used as to why certain routes were not designated for motorized travel.

Table 4. Primary considerations for not designating routes.

Route Consideration Type	Miles Route Consideration
Abandoned	17
Dead end routes	13
No access	103
Linear Disturbance	123
Redundant Routes	88
Wildlife habitat	125
Total Miles Combined	461

Private land owners suggested designating routes blocked by private property with a unique color indicating the public would need to obtain permission from land owners to gain access was considered. However, it is not feasible to ensure private land owners would provide the public equal access to public lands blocked by private lands. The BLM cannot guarantee access across private lands where a formal legal means of access does not exist.

Private land owners concerns regarding closed routes located on public lands within their vicinity are used for access to combat wildland fires is addressed under Emergency Use (page 7) of routes.

Comments regarding no access for OSV use within Arbon Valley due to the amount of wildlife winter habitat and the desire to gain access to the Big Onion, the Deep Creeks, and the Crystal Summit areas were addressed. The PFO created opportunities in Arbon Valley under the modified Alternative E to allow OSV travel through wildlife winter habitat.

Alternative A is not a viable alternative and does not respond to the BLM’s management policy direction with Executive Order (EO) 11644 (1972) as amended by EO 11989 (1977) and codified at 43 CFR 8340.

After weighing the level of resource protection and allowing for motorized recreation associated with the modified Alternative E, this alternative provides a balanced approach to both motorized recreation and resource protection. The other alternatives favor one or the other motorized

recreation or resource protection resulting in potential impacts greater than the modified Alternative E.

Although Alternative C, or a modified version thereof, would be better to protect sage grouse and its habitat, along with wildlife, water, and soil resources, it would reduce motorized recreation and public access throughout the CDCTMP. This approach would not result in a balanced travel plan.

Although Alternative D, or a modified version thereof, would maximize motorized recreation, it would significantly reduce the protection of sage grouse and its habitat, along with wildlife, water, and soil resources.

Access to range improvements, permitted activities, and administrative uses would be considered through a travel variance associated with such permitted and/or administrative purposes.

Conformance with Land Use Plans and other Regulations and Guidance

I have determined that the implementation of Alternative E, as modified, is in conformance with the Comprehensive Trails and Travel Management (TM) management direction in the approved Pocatello Resource Management Plan (April 2012) 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-1.1.2. Designate all public lands in the planning area as Open, Limited, or Closed (Figure 18), pg. ARMP – 135, ARMP – 136. & ARMP – 139.

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

- ACECs - Not allowed
- Big Game Winter Range - Limited to designated routes
- All other areas - Allowed Without Restriction

Action TM -1.3.5. For each travel management planning area, the following will be identified as needed:

- Designated Routes for motorized vehicles.
- Seasonal Restrictions
- Routes needing to be redesigned, repaired, maintained, relocated, or closed.
- Exemptions for administrative and permitted activities.
- Allowance for parking/camping off designated routes.

Action TM – 1.3.6. Criteria that will be considered in travel management plans will include, but is not limited to:

1. Environmental conditions, such as:
 - a. soil stability
 - b. wildlife habitat (e.g., winter range, nesting/brooding rearing habitat. Calving/fawning areas)
 - c. special status species habitat
 - d. proximity to riparian areas and/or 303(d) streams
 - e. visual resources
 - f. cultural resources (including historic trails)
 - g. consistency with travel management direction on adjacent lands
2. User conflicts, such as:
 - a. motorized versus non-motorized
 - b. motorized/mechanized versus non-mechanized
3. Administrative purposes, such as:
 - a. wildland fire suppression activities
 - b. safety
 - c. resources management and permitted activities
4. Public purposes, such as:
 - a. accessing public or private land
 - b. destination for specific activities
 - c. types of desired use (motorized, mechanized, non-motorized/non-mechanized)
5. Route, vehicle type and size limitations, such as:
 - a. > 50" wheel base for (full size vehicles)
 - b. < 50" wheel base (all-terrain vehicles)
 - c. single track (motorcycles/mountain bikes)

Designation/Minimization Criteria

The Designation and Minimization Criteria's are one in the same. The CDCTMP is consistent with 43 *CFR 8342.1*, and uses the Designation Criteria found therein as the minimum set of criteria. The travel plan is also consistent with section 202(9) of the Federal Land Management and Policy Act (P.L. 94-579), as amended, states that "...to the extent consistent with the laws governing the administration of the public lands,...assure that consideration is given to those State, local, and tribal plans that are germane in the development of land use plans for public lands...." Section 102(8) of the FLPMA, as amended, further states: "It is the policy... that... the public lands be managed in a manner that will protect the quality of scientific, scenic...ecological, environmental...values; that, where appropriate, will preserve and protect certain public lands in their natural condition;...and that will provide for outdoor recreation..."

The CDCTMP was developed consistent with the guidance provided in 43 *CFR 8342.1 – Designation of Areas and Trails*. Route designations identified in this plan were based on the protection of the resources of the public lands, the promotion of the safety of all the users of the public lands, and the minimization of conflicts among various uses of the public lands; and in accordance with the following criteria:

- (a) Areas and trails shall be located to minimize damage to soil, watershed, vegetation, air, or other resources of the public lands, and to prevent impairment of wilderness suitability.
- (b) Areas and trails shall be located to minimize harassment of wildlife or significant disruption of wildlife habitats. Special attention will be given to protect endangered or threatened species and their habitats.
- (c) Areas and trails shall be located to minimize conflicts between off-highway vehicle use and other existing or proposed recreational uses of the same or neighboring public lands, and to ensure the compatibility of such uses with existing conditions in populated areas, taking into account the noise and other factors.
- (d) Areas and trails shall not be located in officially designated wilderness areas and primitive areas. Areas and trails shall be located in natural areas only if the authorized officer determines that off-highway vehicle use will not adversely affect their natural, esthetic, scenic, or other values for which such areas were established.

Clarification of Cultural Resource Considerations for Off-Highway Vehicle Designations and Travel Management

The travel plan is consistent with BLM IM 2012-067 and in compliance with Section 106 of the NHPA, a Class I Cultural Resource Inventory was completed for this project (BLM Report # 2013-PFO-3). This report was submitted and reviewed by the Idaho State Historic Preservation Office (SHPO) and they concurred with BLM's findings.

A Class III Cultural Resource Inventory would be conducted before any ground-disturbing activities associated with this plan, such as road rehabilitation or road re-routing. In addition, if adverse effects to NRHP eligible cultural sites are identified in the future, the BLM would work to reduce or remove effects (e.g. close or re-align designated routes).

Executive Order (EO) 11644 (1972) as amended by EO 11989 (1977)

The development of this travel management plan is in response to the BLM's management policy direction with Executive Order (EO) 11644 (1972) as amended by EO 11989 (1977), which states:

Section 1. Purpose. It is the purpose of this order to establish policies for the procedures that will ensure that the use of off-road vehicles on public lands will be controlled and directed so as to protect the resources of those lands, to promote the safety of all users of those lands, and to minimize conflicts among the various uses of those lands.

Section 2. Definitions. As used in this order, the term: (3) "off-road vehicle" means any motorized vehicles designed for or capable of cross-country travel on or immediately over land, water, sand, snow, ice, marsh, swampland, or other natural terrain, except that such term excludes (A) any registered boat, (B) any fire, military, emergency or law enforcement vehicle when used for emergency purposes, and any combat or combat support vehicle when used for national defense purposes, and (C) any vehicle whose use is expressly authorized by the respective agency head under a permit, lease, license, or contract.

Section 3. Zones of Use. (a) Each respective agency head shall develop and issue regulations and administrative instructions, within six months of the date of this order, to provide for administrative designation of the specific areas and trails on public lands on which the use of off-road vehicles may be permitted, and areas in which the use of off-road vehicles may not be permitted. Those regulations shall direct that the designation of such areas and trails will be based upon the protection of the resources of the public lands, promotion of the safety of all users of those lands, and minimization of conflicts among various uses of those lands.

The regulations shall further require that the designation of such areas and trails shall be in accordance with the following:

- (1) Areas and trails shall be located to minimize damage to soil, watershed, vegetation, or other resources of the public lands.
- (2) Areas and trails shall be located to minimize harassment of wildlife or significant disruption of wildlife habitats.
- (3) Areas and trails shall be located to minimize conflicts between off-road vehicle use and other existing or proposed recreational uses of the same or neighboring public lands, and to ensure the compatibility of such uses with existing conditions in populated areas, taking into account noise and other factors.

Section 9. Special Protection of the Public lands. (a) Notwithstanding the provisions of Section 3 of this order, the respective agency head shall, whenever he determines that the use of off-road vehicles will cause or is causing considerable adverse effects on the soil, vegetation, wildlife, wildlife habitat or cultural or historic resources of particular areas or trails of the public lands, immediately close such areas or trails to the type of off-road vehicle causing such affects, until such time as he determines that such adverse effects have been eliminated and that measures have been implemented to prevent future recurrence.

Code of Federal Regulations

The authority for the Travel Management Plan designations is provided in the Code of Federal Regulations (CFR). Designations of areas and trails open, closed, or limited to motorized use is required and authorized under 43 CFR §8342 - Designation of Areas and Trails. These designations would be effective upon issuance of the Decision Record. The designation of areas open, closed, or limited for motorized travel or conditions of use, is authorized under 43 CFR§ 8364.1. Closure and restriction orders are described under 43 CFR§ 8365.1-6 Supplementary Rules. Designations under 43 CFR §8364.1 and 43 CFR §8365.1-6 require publication in the Federal Register and local media and are not effective until such publication. The entire 43 CFR §8340 is consistent with the Executive Orders outlined above. The regulation was developed as required as Section 3 of the EO.

Fort Bridger Treaty of 1868 (15 Stat. 673)

The Fort Bridger Treaty of 1868 (15 Stat. 673) specifically reserves the right of the Shoshone-Bannock Tribes to hunt, fish, and gather natural resources located on unoccupied lands of the United States, including lands managed by the Pocatello Field Office. The BLM has a federal trust responsibility to honor treaty rights and to make land management decisions that take treaty rights, treaty resources and other tribal interests into consideration. Part of the federal trust responsibility entails conducting government-to-government consultation with Indian groups when a project has the potential to impact the exercise of treaty reserved rights. The Pocatello Field Office conducted a staff to staff meeting with the Shoshone-Bannock Tribe on February 20, 2013. Discussions were about the BLM's travel management planning efforts regarding this EA. Tribal staff did not recommend formal government to government consultation. However, tribal staff remained engaged throughout the process.

BLM-Washington Office IM-2012-43 sage grouse Interim Management Policies and Procedures

BLM Washington Office IM-2012-43 sage grouse Interim Management Policies and Procedures: “provides interim conservation policies and procedures to the Bureau of Land Management (BLM) field officials to be applied to ongoing and proposed authorizations and activities that affect the sage grouse (*Centrocercus urophasianus*) and its habitat. This direction ensures that interim conservation policies and procedures are implemented when field offices authorize or carry out activities on public land while the BLM develops and decides how to best incorporate long-term conservation measures for sage grouse into applicable land use plans (LUP). This direction promotes sustainable sage grouse populations and conservation of its habitat while not closing any future options before the planning process can be completed.”

Policy/Action: As summarized in the BLM's National Strategy, emphasis for protecting and managing sage grouse habitat incorporates the following principles:

1. Protection of unfragmented habitats;
2. Minimization of habitat loss and fragmentation; and
3. Management of habitats to maintain, enhance, or restore conditions that meet a sage grouse life history needs.

Interim Conservation Policies and Procedures for “Preliminary Priority Habitat” Through these policies and procedures, you should seek to maintain, enhance, or restore conditions for sage

grouse and its habitat. These policies and procedures apply to PPH only. Separate policies and procedures for PGH are provided in Section II of this IM.

Travel Management

Ongoing Authorizations/Activities

- Evaluate authorizations and use and implement seasonal road/primitive road/trail restrictions if continued use would result in habitat alterations or other physical disturbances that impair life history functions of the sage grouse, such as breeding, brood-rearing, migration patterns, or winter survival, as appropriate.
- Place a high priority on closing and reclaiming unauthorized motor vehicle routes.
- Limit and enforce motorized vehicle use to existing or designated roads, primitive roads, and trails and seasons of use to prevent habitat loss or other physical disturbance that impair life history functions of the sage grouse, such as breeding, migration patterns, or winter survival.

Proposed Authorizations/Activities

- Route construction should be limited to realignments of existing or designated routes to enhance other resources only if that realignment conserves or enhances sage grouse habitat. Use of existing roads, or realignments as described above, to access valid existing rights that are not yet developed. If valid existing rights cannot be accessed via existing roads, then any new road constructed will be built to the absolute minimum standard necessary. No improvement to existing routes will occur that would change route category (i.e., road, primitive road, or trail) or enhance capacity.

This travel plan is consistent with the current guidance for sage grouse. Within areas identified as PPH and PGH the BLM evaluated existing routes and implemented motorized travel seasonal restrictions, reduced redundant routes, and focused on the minimization of habitat loss and fragmentation.

Other Laws, Regulations, Policies & Program Guidance

- BLM Instruction Memorandum 2006-173, *Implementation of Roads and Trails Terminology Report*.
- BLM Instruction Memorandum 2008-174, *Road Maintenance Agreements*.
- BLM Instruction Memorandum 2008-091, *Guidance for Signing When Implementing Comprehensive Travel and Transportation Management Planning*.
- BLM Instruction memorandum 2012-067 *Clarification of Cultural Resource Considerations for Off-Highway Vehicle Designations and Travel Management*.
- BLM Handbook H-8342-1, 2011, *Travel and Transportation Management Handbook*.
- BLM Manual 1626, 2011, *Travel and Transportation Manual*.

Protest and Appeals Information:

A person who wishes to appeal to the Interior Board of Land Appeals must file in the office of the officer who made the decision (not the Interior Board of Land Appeals) a notice that he

wishes to appeal. Information on taking appeals to the Interior Board of Land Appeals is available in General guidance for appeals in 43 CFR Part 4.

/s/ David A. Pacioretty, Field Manager
Field Manager

Date: January 27, 2014

Authenticated by: Charles Patterson

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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, as modified, 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-I020-2012-0070-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 Pocatello 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.

/s/ David A. Pacioretty, Field Manager
Date: January 27, 2014

Authenticated by: Charles Patterson