



Bureau of Land Management
Boise District Office
Bruneau Field Office
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<http://www.id.blm.gov>

Determination of Land Use Plan Conformance and NEPA Adequacy (DNA)
U.S. Department of the Interior - Bureau of Land Management

A. BLM Office: Bruneau Field Office

NEPA Log Number: DOI-BLM-ID-B020-2013-0014-DNA

Lease/Serial Case File No.: Crossing permit B02013057 to be filed in Tindall and Son Ranches LLC case file (1101668).

Proposed Action Title/Type: Tindall Livestock Trailing DNA

Location/Legal of Proposed Action: Bruneau Field Office

Applicant (if any): Tindall and Sons Ranches, LLC

Description of the Proposed Action and any applicable mitigation measures: The Proposed Action is to issue a crossing permit to Tindall and Sons Ranches LLC. The crossing permit would authorize trailing of 75 cattle for one day from Highway Field Allotment to James Place (Tindall's private land in Sheep Creek SE Allotment; see map) and for one day from James Place back to Highway Field Allotment. There are two routes shown on the map, but the 75 cattle will be trailed using the same route to and from James Place, or the cattle will be trailed to James Place on one route and from James Place on the other route. Both trailing events would occur between January 1 and January 31. The term of the crossing permit will be for the remaining term of their grazing permit that expires February 28, 2018. The crossing permit would also include relevant stipulations on page 14 of the Bruneau Field Office Livestock Trailing EA (DOI-BLM-ID-B020-2012-0003-EA).

B. Conformance with the Land Use Plan (LUP) and Consistency with Related Subordinate Implementation Plans

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP objective:

LUP/Document	Objective – allowable use	Date Approved
Bruneau MFP	Range Management Objective #3: “Allocate livestock forage in each of the allotments in the Bruneau Planning Unit within the limits necessary to maintain and/or enhance the range and soil resource.”	March 30,1983

This allows for livestock grazing on the public lands administered by the Bruneau Field Office (BFO). Trailing is one method by which operators can move their livestock to and from range allotments in the BFO in order to graze allotments. Although the Management Framework Plan (MFP) does not specifically mention trailing, trailing is a customary component of many livestock grazing operations, is not explicitly precluded by the MFP, and is consistent with other relevant objectives and actions within the Bruneau MFP.

C. Identify applicable NEPA documents and other related documents that cover the Proposed Action. List by name and date other documentation relevant to the proposed action (e.g., biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report).

NEPA/Other Related Documents¹	Sections/Pages	Date Approved
Bruneau Field Office Livestock Trailing Environmental Assessment DOI-BLM-ID-B020-2012-0003-EA known in this document as the “Trailing EA.”	All	FONSI signed March 26, 2012 Various dates on Final Decisions issued to trailing applicants.
Idaho Bureau of Land Management Archaeological and Historical Inventory Record for Trailing Permit Renewals, CRM Reports # 12-B-32; 12-B-33; 12-B-34; 12-B-36 & 13-B-03.	All	Various
Bruneau-Kuna Grazing EIS Final	4-2, 4-5, 4-8, 4-10, 4-12,13, 4-15	1982

¹List applicable NEPA documents that cover the proposed action or documentation relevant to the proposed action (i.e., source drinking water assessment, biological assessment, biological opinion, watershed assessment, rangeland health standard assessment and determination, or monitoring report).

D. NEPA Adequacy Criteria

- 1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?**

Yes, trailing of Tindall and Son Ranches LLC livestock in the Sheep Creek SE Allotment and other adjacent allotments was analyzed in the Trailing EA (DOI-BLM-ID-B020-2012-0003-EA). Routes 203, 218, and 220 in Alternative A of the Trailing EA correspond to the new proposed action, with the addition of a short (<0.5 mi) segment linking Route 218 to

Highway Field Allotment that was not analyzed in the Trailing EA. Trailing would be in the same analysis area. Geographic and resource conditions are sufficiently similar. The season when livestock would be trailed is similar to when trailing occurs on Route 201 in the northwest part of the Sheep Creek SE Allotment, as well as what was analyzed for Routes 203, 218, and 220.

In the Trailing EA, cultural resource field inventory and evaluations focused on stream crossings and overnight areas of potential effect from cattle trailing and associated activities. Cultural resource conditions were unknown at the time of the initial EA. Since then, cultural sites have been documented in the area of potential effect (APE), and National Register of Historic Places (NRHP) determination of significance and effect for Section 106 consultation with Idaho State Historic Preservation Office has been completed (SHPO concurrence March 11, 2013). The new proposed action does not include any stream crossings or overnight areas; therefore, no on-the-ground inventory was conducted.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, resource values, and circumstances?

Yes, to the extent known when the Trailing EA was prepared, trailing on unimproved (two-track roads) and cross-country was analyzed as a component of an alternative in the EA. Three alternatives were analyzed in the EA: an alternative that considered the permittees' trailing applications without modifications, an alternative that considered the permittee's trailing applications with modifications, and a No Action Alternative under which no crossing permits would be issued.

The range of alternatives analyzed in the Trailing EA is appropriate with respect to current environmental concerns, interests, resource values, and circumstances

3. Is the existing analysis adequate and are the conclusions adequate in light of any new information or circumstances (e.g., riparian proper functioning condition reports; rangeland health standards assessments; inventory and monitoring data; most recent USFWS lists of threatened, endangered, proposed, and candidate species; most recent BLM lists of sensitive species)? Can you reasonably conclude that all new information and all new circumstances would not substantially change the analysis of the new proposed action?

Yes, the analyses presented in the Trailing EA coincide with the conclusions currently reached for this proposed action. There are no changes in circumstances in the area of the new proposed action since the existing analysis was completed. The action proposed was analyzed in Alternative A of the Trailing EA, with the exception that Route 203 was described as being used during the first portion of February and Routes 218 and 220 were described as being used during the first portion of January. In addition, a short (<0.5 mi) segment linking Route 218 with Highway Field Allotment was not analyzed in the Trailing EA. However, there is no information suggesting the impacts of trailing along this route would be substantially different than the impacts along Routes 203, 218, and 220. Since only

75 cattle would be trailed east and west over a total of two days during January with this action, the timing would preclude any impacts to sage-grouse, pygmy rabbits, bighorn sheep, and raptors described in the Trailing EA.

Additionally, the action would primarily facilitate use of potential Columbia spotted frog habitat along Sheep Creek on private land with some possible use on BLM land to the north. Although not a formal survey, no spotted frogs were seen in Sheep Creek during a visit to the James Place and BLM land to the north on July 18, 2013. Occupancy of spotted frogs in this portion of Sheep Creek is still uncertain, but the lack of detection during the recent field visit and lack of measurable impacts identified for the entirety of Alternative A means that this action would not appreciably affect spotted frogs or any other wildlife species assessed in the Trailing EA. There are no changes in circumstances in the area of the new proposed action relative to wildlife since the existing analysis was completed.

BLM IM 2012-043 provides policy guidance to maintain and restore sage-grouse habitat in the interim prior to the completion of an EIS in 2014 to amend land use plans in sage-grouse habitat. The provisions in this IM for livestock management relative to sage-grouse conservation are in agreement with this proposed action, especially as it relates to timing.

The analysis in the Trailing EA remains valid for special status plants. No special status plants or suitable habitat are present within the trailing route.

The analysis in the Trailing EA also remains valid for special status fish species (redband and bull trout), and no new data have been collected in the Tindall trailing area since the Trailing EA was written.

The cultural resource field inventory and evaluations that followed the Trailing EA focused on stream crossings and overnight areas. As the new proposed action does not include any stream crossings or overnight areas, no additional on-the-ground inventory was conducted, and the information obtained in the cultural resource inventory and evaluations would not change the outcome of the existing analysis in the Trailing EA. The new proposed action would not likely have adverse effects to National Register-eligible sites, should they be present.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

Yes, direct, indirect, and cumulative impacts of the new proposed action would be similar to those analyzed in the Trailing EA. Cumulative impacts of other land uses were carefully considered in the Trailing EA. Since the decisions were signed in 2012, wildfire suppression occurred on 56,000 acres. Livestock grazing will be excluded from the burned areas until monitoring objectives are met. Emergency stabilization and rehabilitation (ESR) activities on the burned areas have occurred or will occur. Additionally, grazing on some unburned pastures surrounding the burned areas were modified to reduce impacts to sage-grouse and

their habitat during the 2013 grazing season. However, this proposed action does not include trailing through any of the burned areas.

The direct, indirect, and cumulative impacts to fish species were adequately analyzed in the Trailing EA and are of the same type, timing, and magnitude as those that would occur under the new proposed action. The effects and impacts of the new proposed action would involve 75 head of cattle and associated trailing on the two routes on the map. Federally listed fish species or their habitats are not present in the project area. Federally listed fish species or their habitat downstream of the project area would not be affected because there are no pathways for transmission of effects from the two trailing routes downstream to the bull trout critical habitat in the Bruneau River. Redband trout habitat in Sheep Creek could be affected in the same manner and intensity as previously described in the Trailing EA. Due to the low number of cattle and the distance of the trails from Sheep Creek, impacts to redband trout and their habitat should be negligible and incidental.

Modifications to the landscape from the 2012 wildfires represent a change in conditions since the Trailing EA was released, but the impacts analysis for wildlife described in Alternative A of the Trailing EA would be applicable to this new proposed action. Relative to sage-grouse, up to roughly 56,000 acres of sage-grouse nesting habitat was removed or degraded from the 2012 wildfires. However, the timing (January) and magnitude (75 cattle trailing over 2 days) of this proposed action would translate into no impacts from trailing to sage-grouse lekking or nesting activities. Likewise, timing and location of the 2 one-day trailing events would preclude impacts to pygmy rabbits, bighorn sheep, raptors, and migratory birds and would likely have no measurable impacts to spotted frogs. Overall, the effects from this proposed action would not incur direct, indirect, or cumulative effects greater than conveyed with Alternative A in the Trailing EA, and with the location and timing of this route, the effects would essentially be non-existent for all wildlife species analyzed.

The analysis of effects to upland vegetation from the new proposed action is the same as the effects of implementing Alternative A as described in the Trailing EA. The analysis in the EA describes the effects of trampling and grazing on perennial herbaceous, annual herbaceous, and woody vegetation.

The analysis of direct, indirect, and cumulative impacts to special status plants in the Trailing EA is still valid. No special status plants or habitat are located in or adjacent to the trailing route.

The analysis in the Trailing EA for direct, indirect, and cumulative impacts to visual resources, wilderness, Wild & Scenic Rivers, and recreation still applies.

5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current Proposed Action?

Yes, interested publics, tribal governments, permittees and agencies participated in the scoping for the trailing (crossing) permit process. A detailed summary of public involvement

is shown on pages 5-8 and pages 123-124 of the Trailing EA. The scoping process involved many interdisciplinary team meetings and full consideration of written comments.

E. Persons/Agencies /BLM Staff Consulted

Team Member	Discipline	Roles				
		Author	Editor	Field Manager	NEPA	Team Lead
Aimee Betts	Acting Field Manager		X	X		
Katie Wood	Acting Assistant Field Manager		X			
Lois Palmgren	Archaeologist	X				
Holly Beck	Botanist	X				
Dave Draheim	Outdoor Recreation Planner	X				
Jon Haupt	Rangeland Mgmt. Specialist	X	X			X
Bruce Schoeberl	Wildlife Biologist	X				
Jon Beck	P&EC				X	
Seth Flanigan	NEPA Specialist				X	
Dave Mays	Fisheries Biologist	X				

Note: Refer to page 123 of the Trailing EA for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

F. Mitigation Measures: None

G. Conclusion

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of NEPA.

/s/ Jon Haupt
Preparer

9/6/2013
Date

/s/ Seth Flanigan
NEPA Specialist

9/6/2013
Date

/s/ Aimee D K Betts
Bruneau Field Manager

9/6/2013
Date

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.