



United States Department of the Interior
BUREAU OF LAND MANAGEMENT

Boise District Office
Bruneau Field Office
3948 Development Avenue
Boise, Idaho 83705

<http://www.blm.gov/id/st/en/fo/bruneau.html>



In Reply Refer To:
4160 (ID120)

September 6, 2013

CERTIFIED MAIL – 7011 2970 0002 6310 6937 - RETURN RECEIPT REQUESTED

Tindall & Sons Ranches LLC
c/o David Tindall
48382 State Hwy 51
Bruneau, ID 83604

Notice of Field Manager's Decision

Dear Mr. Tindall:

In the spring of 2013, Tindall and Sons Ranches LLC requested that its November 1, 2011, application for a crossing permit to trail livestock through the Sheep Creek SE Allotment to Tindall and Sons Ranches LLC's private land known as James Place be modified to eliminate trailing in the Bruneau-Jarbidge Rivers Wilderness and the Sheep Creek Wild and Scenic River (WSR). The purpose of this decision is to approve Tindall and Sons Ranches LLC's modified application with additional terms and conditions described below (hereafter referred to as the "proposed action").

Background

In response to crossing permit applications from Tindall and Sons Ranches LLC and several others, the Bureau of Land Management (BLM) prepared Environmental Assessment No. DOI-BLM-ID-B020-2012-0003-EA¹ (hereafter referred to as the "Trailing EA") to analyze the environmental consequences of trailing livestock throughout the Bruneau Field Office.

In the Trailing EA, three alternatives (Alternatives A-C) were analyzed. Alternative A included the proposed trailing activities as submitted in the crossing permit applications. Alternative B was the No Action Alternative and would have denied all applications for crossing permits.

¹ EA No. DOI-BLM-ID-B020-2012-0003-EA is available through https://www.blm.gov/epl-front-office/eplanning/nepa/nepa_register.do. Select State = **Idaho**, Office = **ID-Bruneau FO**, Document Type = **EA**, Fiscal Year = **2012**, Program = **All**, then click **Search**. Once you arrive here, click on **DOI-BLM-ID-B020-2012-003-EA**. If you are unable to view the document on the website, you may request that a hard copy be sent to you.

Alternative C was developed in response to public comments and in consideration of potential environmental consequences of the trailing activities depicted in Alternative A.

Tindall and Sons Ranches LLC application dated November 1, 2011 (Table 1), included trailing through Sheep Creek SE Allotment to Tindall and Sons Ranches LLC’s private land known as James Place. This included trailing on Route 204A downstream of James Place private land and on the Tindall Trail, which would have been within the boundaries of the Bruneau-Jarbidge Rivers Wilderness and the Sheep Creek WSR. These trailing events were analyzed in Alternative A of the Trailing EA (Map 17A).

Table 1. November 1, 2011, Application for Crossing Permit.

Route ^A	Map ^A	Allotment Crossed	Total # of Cattle ^B	Timeframe		Time period for trailing ^C	Herding Method
				Begin	End		
203A	17A	Sheep Creek SE	75	Feb. 1	Feb. 10	1 day	Horse
204A	17A	Sheep Creek SE	75	Feb. 1	Feb. 10	1 day	Horse
218A	17A	Sheep Creek SE	75	Jan. 1	Jan. 10	1 day	Horse
220A	17A	Sheep Creek SE	75	Jan. 1	Jan. 10	1 day	Horse

^A Route and map numbers correspond to those in Alternative A in EA No. DOI-BLM-ID-B020-2012-0003-EA.

^B Only a total of 75 cattle would have been trailed to and from James Place, not 150 cattle.

^C Indicates how long it would take for each trailing event.

In the Trailing EA, the section *Environmental Consequences – Wilderness and Wild & Scenic Rivers - Alternative A* (p. 119) concluded that the livestock trailing proposed in Tindall and Sons Ranches LLC’s November 1, 2011, application, specifically Route 204A, would impact wilderness and recreation values downstream of James Place in the Bruneau-Jarbidge Rivers Wilderness and the Sheep Creek WSR. Consequently, trailing in Sheep Creek SE Allotment to and from James Place was not approved in the Field Manager’s decision dated March 27, 2012.

The proposed action (Table 2) as shown on the attached map titled “Trailing – Tindall & Sons, LLC” does not include Route 204A, thereby eliminating trailing and associated impacts within the boundaries of the Bruneau-Jarbidge Rivers Wilderness and the Sheep Creek WSR.

Table 2. Proposed Action

Route ^A	Map Name	Allotment Crossed	Total # of Cattle ^A	Timeframe		Time period for trailing ^B	Herding Method
				Begin	End		
North	Trailing – Tindall & Sons, LLC	Sheep Creek SE	75	Jan. 1	Jan. 31	1 day	Horse
South			75	Jan. 1	Jan. 31	1 day	Horse

^A Either route may be used to trail a total of 75 cattle to and from James Place in January, not 150 cattle.

^B Indicates how long it would take for each trailing event.

In Determination of NEPA Adequacy (DNA) No. DOI-BLM-ID-B020-2013-0014-DNA², I concluded that the proposed action conforms to the 1983 Bruneau Management Framework Plan (MFP) and that EA No. DOI-BLM-ID-B020-2012-0003-EA fully covers this action and constitutes BLM’s compliance with the requirements of NEPA.

² DNA No. DOI-BLM-ID-B020-2013-0014-DNA and its associated Finding of No Significant Impact are available through https://www.blm.gov/epl-front-office/eplanning/nepa/nepa_register.do. Select State = **Idaho**, Office = **ID-Bruneau FO**, Document Type = **DNA**, Fiscal Year = **2013**, Program = **All**, then click **Search**. Once you arrive here, click on **DOI-BLM-ID-B020-2013-0014-DNA**. If you are unable to view the documents on the website, you may request that hard copies be sent to you.

After reviewing the Trailing EA and DNA No. DOI-BLM-ID-B020-2013-0014-DNA, I determined that the proposed action would not have any significant impact, individually or cumulatively, on the quality of the human environment and issued a Finding of No Significant Impact (FONSI) on September 6, 2013.

Decision

I have decided to issue Tindall and Sons Ranches LLC a crossing permit with Mandatory Terms and Conditions as described in Table 3 and Other Terms and Conditions described below for the routes shown on the attached map titled “Trailing – Tindall & Sons, LLC.” The term of the crossing permit will be January 1, 2014, to February 28, 2018, which is the same as the expiration date on Tindall and Sons Ranches LLC’s grazing permit (1101668). Specific trailing dates will be shown and final authorization will be granted in a grazing bill.

Table 3. Mandatory Terms and Conditions for Crossing Permit for Tindall and Sons Ranches LLC.

Route ^A	Map Name	Allotment Crossed	Total # of Cattle ^A	Timeframe		Time period for trailing ^B	Herding Method
				Begin	End		
North	Trailing – Tindall & Sons, LLC	Sheep Creek SE	75	Jan. 1	Jan. 31	1 day	Horse
South			75	Jan. 1	Jan. 31	1 day	Horse

^A Either route may be used to trail a total of 75 cattle to and from James Place in January, not 150 cattle.
^B Indicates how long it would take for each trailing event.

All terms and conditions described in the crossing permit are incorporated by reference into this decision and must be followed. Terms and conditions specifically identified to reduce environmental effects are:

- Trailing will be active, with livestock moving toward their final destination, except at night.
- Motorized vehicles will remain on existing vehicle routes. Cross-country use of motorized vehicles is not authorized.
- Livestock trailing on routes in or adjacent to burned areas that have been temporarily closed to grazing will be kept on the route until the criteria for reopening the burned area to grazing are met. If the burned area has also had Emergency Stabilization and Rehabilitation (ESR) treatments, livestock will be kept on the route until ESR objectives were met.
- Livestock trailing on routes in or adjacent to vegetation treatments (e.g., fuels projects or restoration treatments) will be kept on the route until the treatment objectives are met, unless the specific trailing event would not conflict with treatment objectives.
- Areas used for staging vehicles, horse trailers, fence panels, etc. will avoid sagebrush habitats; if this is not possible, previously disturbed sites will be used, such as areas around stock ponds or troughs, past seedings, or other grassland sites.
- Per the Final Supplementary Rules published in the Federal Register on July 21, 2011 (76 FR 43706), all supplemental feeding of livestock during trailing, including feeding of horses used for the purposes of herding, must use certified noxious-weed-free forage to prevent the spread of noxious weeds on BLM-administered public lands in Idaho.

Rationale

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

My reasons for approving Tindall and Sons Ranches LLC's application with additional terms and conditions are to:

- Provide for the orderly movement of livestock to and from the allotments where Tindall and Sons Ranches LLC holds an active grazing preference and Tindall and Sons Ranches LLC's private land;
- Reduce the potential effect of trailing on vegetation by avoiding burned areas and recent vegetation treatments;
- Reduce the potential risk of introducing or spreading noxious weeds; and
- Reduce the potential effect to sage-grouse and sage-grouse habitat due to the timing (January) of the proposed action.

As described in the Finding of No Significant Impact for DNA No. DOI-BLM-ID-B020-2013-0014- DNA, I found none of the impacts associated with the proposed action to be significant either individually or cumulatively.

Authority

My decision is issued under the authority found in:

- Title 43 of the Code of Federal Regulations (CFR) Subpart 4100 Grazing Administration, specifically sections 4100.0-3, 4130.6-3, 4130.3, 4160.1, 4160.3, and 4130.8-1b.
- The 2012 Appropriations Omnibus Act Sec. 123.
- The Bruneau MFP (1983), which allocates livestock uses in the affected allotments.

Protest and/or Appeal

My decision is not subject to protest or appeal in accordance with Section 123 of the 2012 Appropriations Omnibus Act.

If you have any questions, please contact Jon Haupt at (208) 384-3371 or me at (208) 384-3341.

Sincerely,

/s/ Aimee D K Betts

Aimee D K Betts
Acting Field Manager
Bruneau Field Office

Enclosures:

Map
Crossing Permit (2 copies)

Copies sent by mail to:
Allotment permittees
Other Interested Publics, state and federal agencies (attached list)

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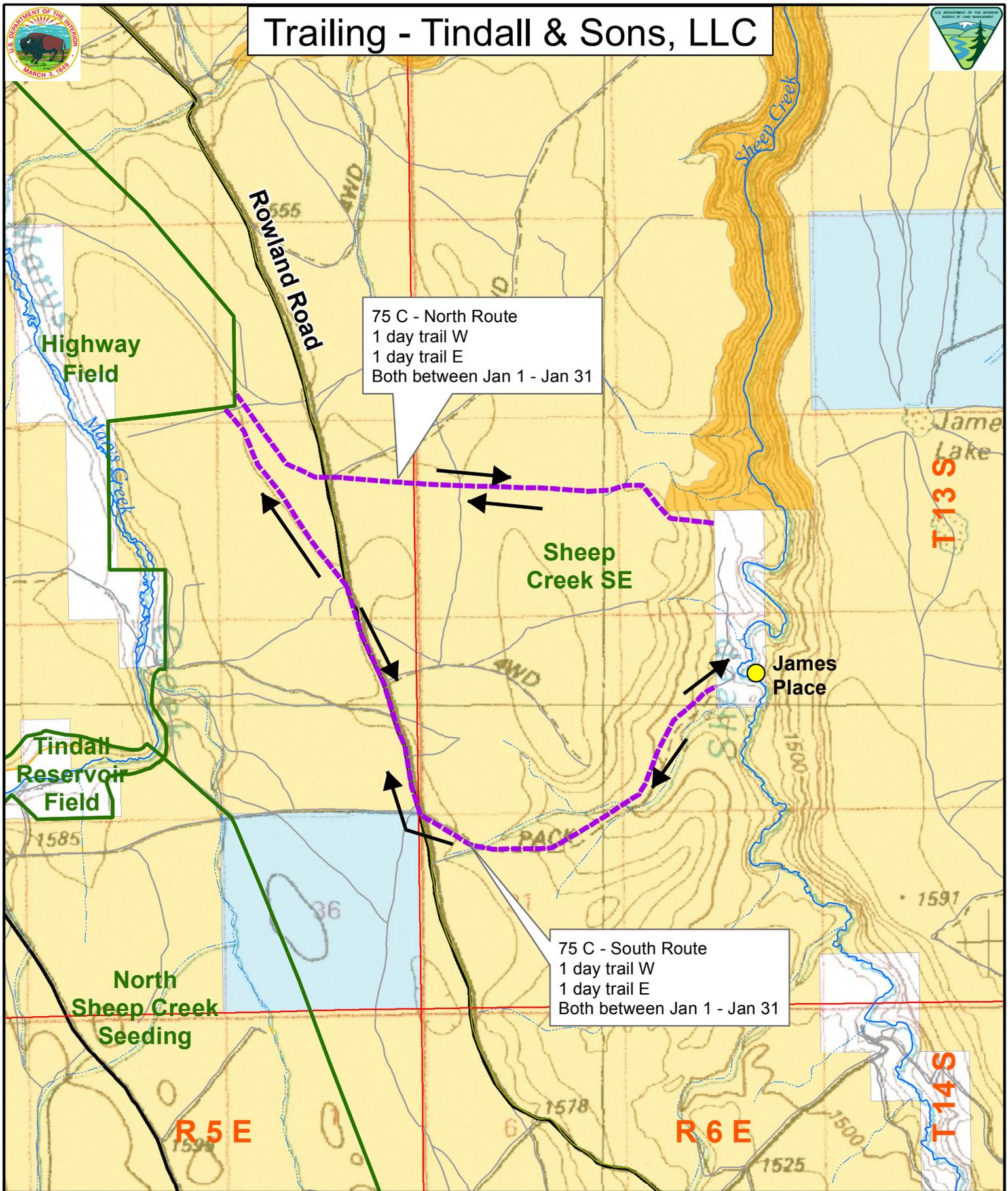
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Trailing - Tindall & Sons, LLC

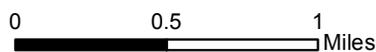


Legend

- Trailing
- Grazing Allotments
- Wilderness

Surface Management

- BLM
- State
- Private



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Map Date: 8/29/2013