



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Boise District Office
Four Rivers Field Office
3948 Development Avenue
Boise, ID 83705



In Reply Refer To:
4120 (ID-110)

October 8, 2014

CERTIFIED MAIL - RETURN RECEIPT REQUESTED 7010 3090 0000 9464 3244

Soulen Livestock Company
1760 Fairmont Drive
Weiser, ID 83672

Notice of Field Manager's Decision

Dear Mr. Soulen:

I have received your request for a crossing permit to trail livestock across public lands in the Bannister Basin (#00312) and Paddock Valley (#00370) allotments. Upon review, and in accordance with 43 CFR 4130.6-3 and Public Law 113-76 Consolidated Appropriations Omnibus Act of 2014, your application for a crossing permit is approved subject to the terms and conditions identified below.

Background

On September 13, 2013, you submitted an application for a crossing permit. In response to your application the Bureau of Land Management (BLM) prepared Environmental Assessment (EA) No. DOI-BLM-ID-B010-2014-0029-EA¹ to analyze the environmental consequences of trailing sheep across those public lands within the jurisdiction of the Four Rivers Field Office. This document incorporates by reference the EA and subsequent Finding of No Significant Impacts (FONSI).

BLM analyzed four alternatives (Alternatives A-D) and considered one additional alternative that was not analyzed in detail (see Chapter 2 of EA No. DOI-BLM-ID-B010-2014-0029-EA). Alternative A was the No Action Alternative and would have denied the application for a crossing permit. Alternative B included the proposed trailing activities as submitted in your crossing permit application. Alternatives C and D were developed in response to and in consideration of potential environmental consequences identified for Alternative B. The alternatives were designed to reduce potential impacts to Packard's milkvetch, a Candidate species under the Endangered Species Act, occurring along

¹ EA No. DOI-BLM-ID-B010-2014-0029-EA 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-Four Rivers FO**, Document Type = **EA**, Fiscal Year = **2014**, Program = **All**, then click **Search**. Once you arrive here, click on **DOI-BLM-ID-B010-2014-0029-EA**. If you are unable to view the documents on the website, you may request that hard copies be sent to you.

segments of the trail historically used by you to move your sheep from the Big Willow County Road to the Paddock Valley Allotment.

Decision

I have decided to issue you a crossing permit to trail up to 7,500 head of sheep across public lands in the Bannister Basin and Paddock Valley allotments as described in Alternative C of EA No. DOI-BLM-ID-B010-2014-0029-EA. A modification to the southern portion of the spring trailing route in Alternative C which shifts the trailing route from public lands along a ridge to a portion of Big Willow Road and private lands in Sheep Gulch will be implemented (see Rationale below). You are authorized to conduct crossing activities between October 15, 2014 and October 15, 2023 in accordance with the following schedule (Table 1), listed terms and conditions, and as indicated on the attached maps.

Table 1. Approved spring and fall sheep trailing routes for Soulen Livestock Company.

Route ^A	Map ^A	Allotments Crossed	Livestock		Approximate Timeframe		No. of Groups ^B	Days per Group ^C	% PL	Maximum AUMs	Herding Method
			Number	Kind	Begin	End					
Spring 01	#1	Bannister Basin	≤7,500	S	03/24	03/30	3-5 ¹	1	100	49	ATVs, Horses & Dogs
Fall 02	#2	Paddock Valley, Bannister Basin	≤7,500	S	10/27	11/09	2-3 ²	3	100	148	ATVs, Horses & Dogs
¹ Number of livestock per group will not exceed 1,500 head. ² Number of livestock per group will not exceed 2,500 head.											
^A Route and map numbers correspond to routes and maps depicted as Alternative C in EA No. DOI-BLM-ID-B010-2014-0029-EA, however the southern portion of the spring trailing route has been modified and this change is reflected in Map #1 of this decision. ^B Indicates the number of groups in which the total number of livestock will be split for trailing. ^C Indicates how long it will take each group of livestock to travel the length of the trailing route.											

All terms and conditions described in the temporary crossing permit are incorporated by reference into this decision and must be followed. Terms and conditions apply to both spring and fall trailing routes.

Terms and Conditions

- The trailing applicant will submit an application to the Authorized Officer describing the trail route to be followed, the number of sheep to be trailed, and the date(s) on which the trailing event(s) will occur at least seven working days prior to the intended date of initiation. Receipt of payment of the ensuing bill will constitute authorization to trail livestock across public land via the designated route.
- Trailing livestock will be authorized within 0.125 miles on either side of the designated trailing route.
- Trailing will be active, with livestock moving toward their final destination, except at night.
- Trailing will not be authorized during times when soils are saturated (i.e., there will be no evidence of puddles and soils will be firm).
- Bedding will occur only at designated locations as displayed on permit specific maps.

- No bedding will occur within burned and/or treated areas until ESR or other treatment objectives are met or criteria for opening the area to grazing are met.
- Motorized vehicles will remain on existing vehicle routes. Cross-country use of motorized vehicles will not be authorized.
- Sheep trailing on routes in or adjacent to burned areas will be kept within 50' of the identified route centerline until vegetation recovery objectives are met.
- Sheep trailing on routes in or adjacent to vegetation treatments (e.g., fuels projects, restoration treatments, or noxious weed spraying) will be kept within 50' of the identified route centerline until the treatment objectives are met, unless the specific trailing event will not conflict with treatment objectives.
- Trailing sheep will avoid identified priority noxious weed occurrences or stay within 50' of the identified route centerline.
- Temporary water troughs will not be placed in sagebrush stands; previously disturbed sites will be used, such as areas around stock ponds or troughs, past seedings, or other grassland sites.
- Staging, bedding, or portable trough areas will not be placed on known historic property sites.
- Per the Final Supplementary Rules published in the Federal Register on July 21, 2011 (76 FR 43706), all supplemental feeding of sheep 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.
- Any conflicts that occur due to livestock mixing will be the responsibility of the trailing applicant, in cooperation with the grazing permittee, to mitigate and resolve.
- The trailing applicant will contact all affected grazing permittees at least 24 hours prior to beginning trailing operations.
- For SSP plant species (i.e., Packard's milkvetch), trailing will avoid known element occurrences and the 400 yard pollinator habitat buffer zone surrounding them. If this is not feasible, trailing will be restricted to within 50' of the identified route centerline of improved or unimproved roads.
- When conducting livestock trailing on or across designated recreation trails, the trailing applicant will be required (to the extent practicable) to return trails to pre-trailing conditions, primarily removing rocks or other debris that are knocked down on the trail surfaces.

Rationale

My decision is in conformance with the 1988 Cascade Resource Management Plan (RMP).

My reasons for approving your application with additional terms and conditions and a modification to the spring route are to:

- Provide for the orderly movement of sheep to and from the allotments where you hold an active grazing preference. The approved routes closely represent the routes you applied for. Modifications to routes were made to address resource concerns and in cooperation with the affected landowner (see below).
- Reduce the potential effect to Special Status Plant species and habitat. The selected spring and fall routes would eliminate and/or minimize trailing impacts to Packard's Milkvetch (EA sections 3.3.2.4 and 3.3.2.5). No element occurrences of Packard's milkvetch would be

affected and only 124 acres of pollinator habitat would be affected (primarily during the fall when plants are dormant;

- Reduce the potential risk of introducing or spreading noxious weeds. The permit includes terms and conditions to minimize the chance of spreading noxious weeds (EA sections 2.3.2 and 3.3.2.4).
- Reduce the potential effect of trailing on vegetation by avoiding burned areas and recent vegetation treatments (EA sections 2.3.2 and 3.3.2.4).
- Reduce the potential effect to sage-grouse and southern Idaho ground squirrels and their habitats. The permit includes terms and conditions related to bedding, trough placement, and staging that will minimize these activities' impacts to sagebrush (EA sections 2.3.2 and 3.5.2.4). Trailing in sage-grouse habitats will occur during the fall, outside the nesting and brood-rearing periods.
- All actions presented herein were effectively analyzed in Environmental Assessment (EA) No. DOI-BLM-ID-B010-2014-0029-EA.

On June 20, 2014, the BLM met with Harry Soulen (Soulen Livestock Company, crossing permit applicant) and J.G. Schwarz (Bannister Basin Allotment grazing permittee and land owner of private lands in the Sheep Gulch drainage). The alternative spring and fall trailing routes through Bannister Basin Allotment were discussed. Mr. Schwarz agreed to allow Soulen Livestock Company to trail sheep across his private land in both the spring and fall seasons. Because Mr. Schwarz is willing to allow sheep to trail across his private lands in Sheep Gulch, both the spring and fall trailing routes through Bannister Basin Allotment will be easier for the shepherders and sheep to navigate and will include fewer acres of public land (see attached Map #1). This modification of the Alternative C spring trailing route does not include additional public land acres beyond those already analyzed and will reduce public land acres affected by spring trailing activities from 993 acres to 336 acres; therefore, it does not warrant the development and analysis of a new action alternative.

As described in the Finding of No Significant Impact for EA No. DOI-BLM-ID-B010-2014-0029-EA, I found none of the impacts associated with these trailing events 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; and the 1988 Cascade Resource Management Plan (RMP) 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 me at (208) 384-3430 or Sarah Garcia, Rangeland Management Specialist/Project Lead at (208) 384-3396.

Sincerely,

/s/ Tate Fischer

Tate Fischer
Field Manager
Four Rivers Field Office

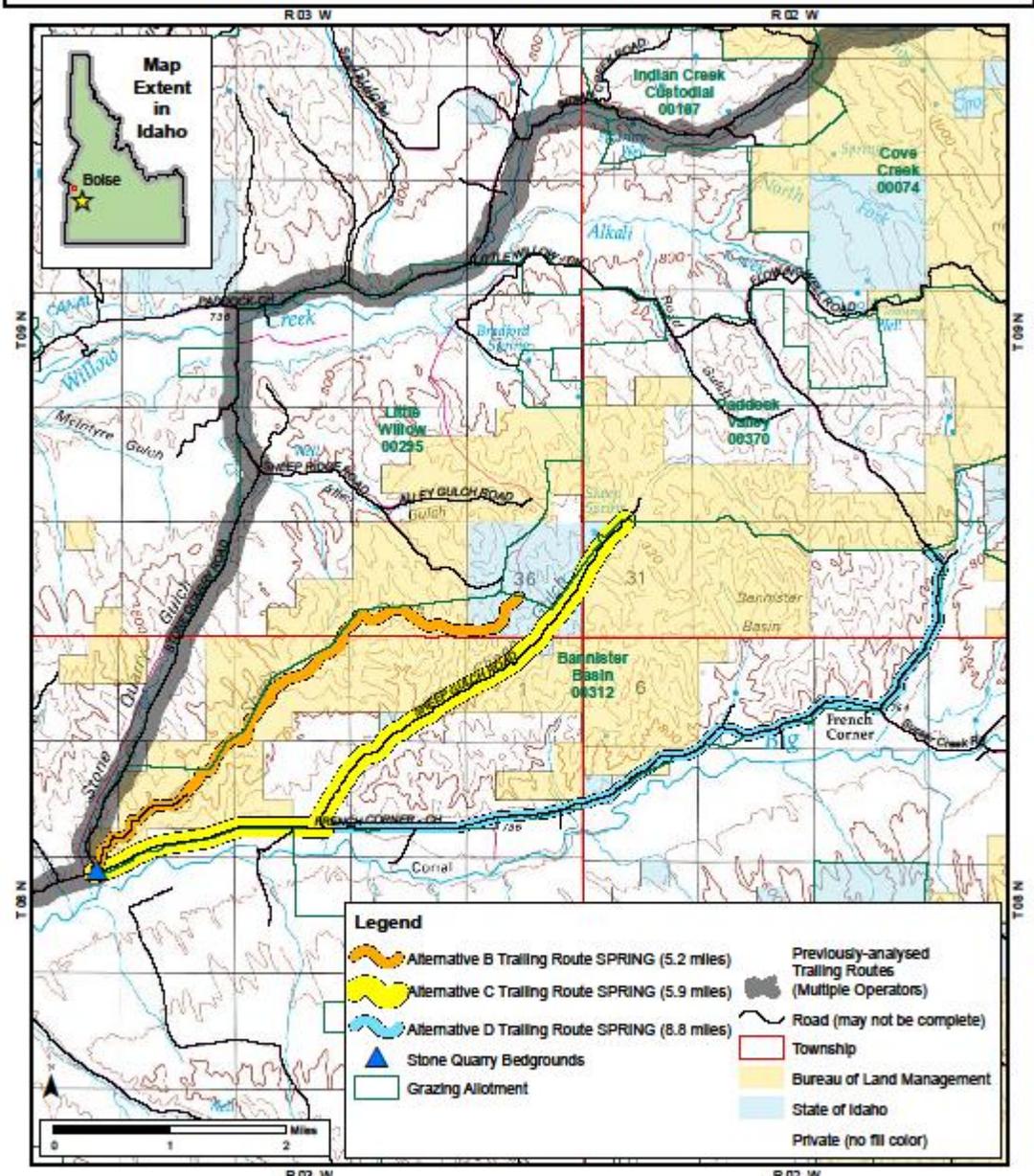
Enclosures:

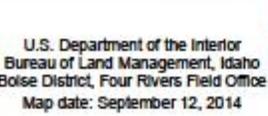
Maps of trailing events (2)

CC:

J.G. Schwarz	J.G. Schwarz	One Dixie Lane		Payette	ID	83661
H-Hook Ranch	Jack Burlile	10495 Stone Quarry Road		Payette	ID	83661-5134
Howard Grazing Association LLC	C/O Robert Howard		PO Box 123	Hammett	ID	83627
Burns Paiute Tribe	Tribal Chairman		100 Pasigo Street	Burns	OR	97720-2442
Grazing Board Resource Area Representative	Jay Branch		50 Jackass Creek Road	Horseshoe Bend	ID	83629-8052
Grazing Board Resource Area Representative	Stan Boyd		PO Box 2596	Boise	ID	83701-2596
Idaho Department of Agriculture			PO Box 790	Boise	ID	83701-0790
Idaho Department of Lands	C/O A.J. Mondor		PO Box 83720	Boise	ID	83720-0050
Idaho Department of Lands	C/O Diane Green	555 Deinhard Lane		McCall	ID	83638-4802
Nez Perce Tribe	Tribal Chairman		PO Box 305	Lapwai	ID	83540-0305
Payette County Commissioners		1130 3rd Avenue North		Payette	ID	83661-2400
Senator Jim Risch		350 N 9th Street	Suite 302	Boise	ID	83702-5470
Senator Mike Crapo		251 E Front Street	Suite 205	Boise	ID	83702-7312
Shoshone-Bannock Tribes	Tribal Chairman		PO Box 306	Fort Hall	ID	83203-0306
Shoshone-Paiute Tribes	Tribal Chairman		PO Box 219	Owyhee	NV	89832-0219
Confederated Tribes of the Umatilla Indian Reservation	Tribal Chairman		46411 Timine Way	Pendleton	OR	97801-9467
Washington County Commissioners		256 E Court Street		Weiser	ID	83672-2278
Western Watersheds Project			PO Box 1770	Hailey	ID	83333-1770
Congressman Raul Labrador		33 E Broadway Avenue	Suite 241	Meridian	ID	83642-2619
Blue Ribbon Coalition	Brian Hawthorne	4555 Burley Drive		Pocatello	ID	83202-1960
Idaho Conservation League		710 N 6th Street		Boise	ID	83702-5587
Idaho Governor's Office of Species Conservation	Dustin Miller	304 N 8th Street	Room 149	Boise	ID	83702-5833
Idaho Department of Fish & Game	C/O Scott Reinecker	3101 S Powerline Road		Nampa	ID	83686-8520
US Fish & Wildlife Services		1387 S Vinnell Way		Boise	ID	83709-1657
Idaho Woolgrowers Association		802 W Bannock Street	Suite 205	Boise	ID	83702-5839

Map #1 Soulen Spring Trailing Routes ~ Bannister Basin

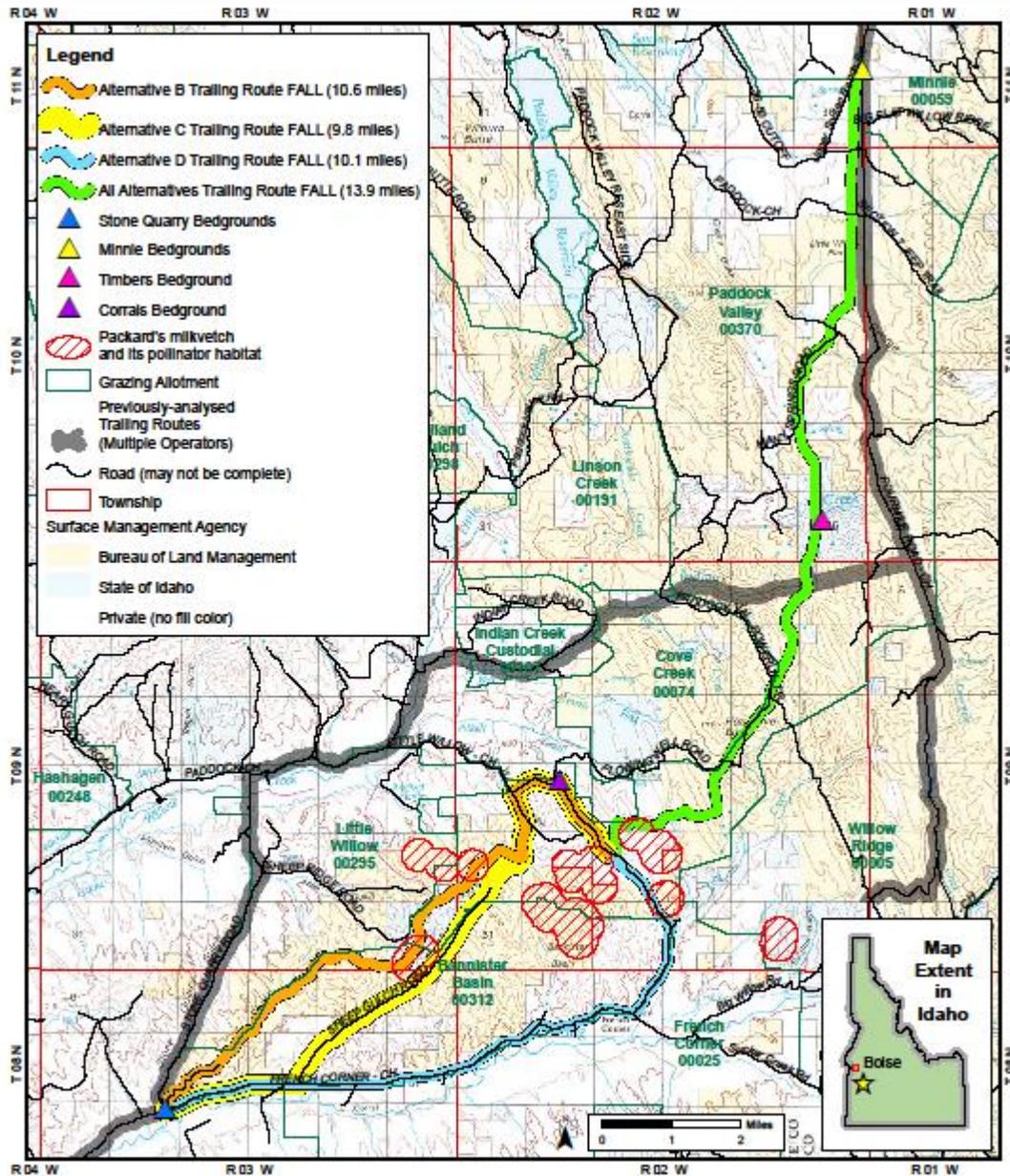



U.S. Department of the Interior
 Bureau of Land Management, Idaho
 Boise District, Four Rivers Field Office
 Map date: September 12, 2014

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Map #2 Soulen Fall Trailing Routes ~ Paddock Valley and Bannister Basin Allotments



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