

United States Department of the Interior
Bureau of Land Management
Cottonwood Field Office
1 Butte Dr. Cottonwood ID 83522

DECISION RECORD
Lolo Creek Acquisitions
DOI-BLM-ID-C020-2015-0003-DNA

1. Decision

It is my decision to acquire fee title ownership, for the federal government, of 2 parcels of private property (see attached maps). Parcel 1 consists of 9.3 Acres, more or less, lying in the NE¹/₄SW¹/₄ of Sec. 24, T. 34 N., R. 5 E., Boise Meridian, Idaho County Idaho. Parcel 2 is located in Clearwater County and adjacent to BLM managed lands and the Lolo Creek County Road. Parcel 2 consists of 12.6 Acres, more or less, lying in the E ¹/₂SE¹/₄SE¹/₄, EXCEPTING all that part lying East of the existing County Road, in Sec. 8, T. 34 N., R. 4 E., Boise Meridian, Clearwater County Idaho. After the acquisition is complete, the lands will be managed in accordance with the Cottonwood Resource Management Plan (RMP), including being added to the designated special management areas (Upper Lolo Creek Area of Critical Environmental Concern, Lolo Creek Special Recreation Management Area, and stream segments found suitable for designation as Wild and Scenic Rivers).

2. Authority

This is a general public land decision in accordance with The Federal Land Policy and Management Act of 1976 as Amended, Section 301.

3. Rationale

This decision complies with the direction in the Cottonwood RMP regarding acquisition of lands (see Section C of the attached Determination of NEPA Adequacy (DNA) Worksheet).

4. Protest and Appeal

This decision constitutes my final decision. Any party that is adversely affected by it may appeal to the Interior Board of Land Appeals in accordance with the regulations contained in 43 CFR, Part 4. A notice of appeal must be filed in this office (BLM Cottonwood Field Office, 1 Butte Dr., Cottonwood, ID 83522) within 30 days from receipt of this decision. The Notice of appeal must be sent certified mail. The appellant has the burden of showing that the decision is in error in a statement of reasons. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals (IBLA), Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300-QC, Arlington, VA 22203 within 30 days of filing the notice of appeal with the authorized officer. Any request for stay of this decision, in accordance with 43 CFR 4.21, must be filed with your notice of appeal.

/s/

3/19/15

Will Runnoe
Field Manager

Date

U.S. Department of the Interior
Bureau of Land Management
Cottonwood Field Office
1 Butte Dr. Cottonwood ID 83522

Determination of NEPA Adequacy (DNA) Worksheet

Lolo Creek Acquisitions
DOI-BLM-ID-C020-2015-0003-DNA

A. Description of the Proposed Action

The Bureau of Land Management (BLM) is proposing to acquire fee title interest of 2 parcels of private property. Parcel 1 is located in Idaho County within the upper portions of the BLM managed lands of Lolo Creek and is surrounded by public lands. Parcel 2 is located in Clearwater County and adjacent to BLM managed lands and the Lolo Creek County Road. Parcel 2 contains a documented trail tread of the Nez Perce (Nee-Me-Poo) and Lewis and Clark National Historic Trails. After the acquisition is complete, the lands would be managed in accordance with the Cottonwood Resource Management Plan (RMP), including being added to the designated special management areas (Upper Lolo Creek Area of Critical Environmental Concern [ACEC], Lolo Creek Special Recreation Management Area [SRMA], and stream segments found suitable for designation as Wild and Scenic Rivers) as a fee title ownership. The purpose of the acquisition would be to preserve the cultural resources of the National Historic Trails, enhance the recreational opportunities within the SRMA and to protect the values of the Upper Lolo Creek ACEC.

B. Location

Parcel 1: A parcel of land adjacent to Lolo Creek consisting of 9.3 Acres, more or less, lying in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 24, T. 34 N., R. 5 E., Boise Meridian, Idaho County Idaho.

Parcel 2: A parcel of land adjacent to Lolo Creek consisting of 12.6 Acres, more or less, lying in the E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPTING all that part lying East of the existing County Road, in Sec. 8, T. 34 N., R. 4 E., Boise Meridian, Clearwater County Idaho.

C. Land Use Plan Conformance

In accordance with the Federal Land Policy and Management Act (FLPMA), this proposed action has been reviewed for conformance with the Cottonwood RMP, approved December 2009. It is consistent with the following decisions from the RMP:

Objective LR-1.1—Use land ownership adjustments to improve resource management efficiency and provide public benefits.

Action LR-1.1.7—Utilize land exchange, purchase, and donation to acquire land, or interest in land, with high public resource values and to consolidate public ownership.

Objective RC-1.2—Provide intensive recreation management in SRMAs as shown in **Map 13**, Special Recreation Management Areas.

Action RC-1.2.4—Designate Lolo Creek as an SRMA (5,126 acres) and develop an activity plan for this area by 2012. Manage Lolo Creek SRMA as an undeveloped recreation-tourism market for residents and visitors.

Recreation Niche: Manage this area to provide backcountry, dispersed, nonmotorized recreation opportunities in an undeveloped setting with an emphasis on whitewater boating and fishing.

Action RC-1.2.4.1—Designate Lolo Creek as zoned for no commercial water-based recreation activities within the SRMA.

Action RC-1.2.4.2—Designate Lolo Creek as zoned for no competitive use within the SRMA.

Action RC-1.2.4.3—Establish parameters for organized group use in the SRMA Activity Plan.

Objective AR-1.8—Protect and conserve scenic values, cultural resources, ecological resources and special status fish, wildlife and plants through the designation of Upper Lolo Creek as an ACEC (1,625 acres) (Map 15, Designated ACECs and ACEC/RNAs).

Action AR-1.8.1—Identify and promote opportunities to acquire lands adjacent to Lolo Creek. **Action AR-1.8.2**—Allow no construction of hydroelectric facilities.

Action AR-1.8.3—Protect and enhance segments of the Nez Perce (Nee-Me-Poo) National Historic Trail and the Lewis and Clark National Historic Trail. Cooperate with partners in the management of these trails.

Action AR-1.8.4—Timber harvest activities on slopes over 35 percent will utilize yarding methods (such as aerial or high lead systems) that minimize ground disturbance).

Action AR-1.8.5—Roads not needed for long-term management will be decommissioned (partial obliteration, full obliteration).

Action AR-1.8.6—Assign high priority for control of undesirable nonnative vegetation utilizing integrated pest management.

Action AR-1.8.7—Develop and implement a management strategy that will support restoration of riparian area/flood-prone area in Cottonwood Flats. Emphasis on establishment of mature cottonwood stands.

Action AR-1.8.8—DFC for forest vegetation identified in **Appendix C**, Desired Future Conditions for Forest Vegetation/Wildlife Habitat.

Objective WR-1.2—To fulfill the BLM's obligations under Section 5(d)(1) of the WSR Act, the BLM has completed eligibility and suitability determinations of planning area river segments. Coordinate the BLM decision to recommend or not recommend suitable segments for inclusion in the NWSRS in conjunction with the Idaho Water Resource Board as described in the Memorandum of Understanding with the BLM, Forest Service and State of Idaho (State of Idaho 1991).

Action WR-1.2.1—For the four segments determined preliminarily suitable on Lolo, Lake, Hard, and Hazard Creeks, for congressional designation into the NWSRS, until a final congressional decision on designation or non-designation is made, the BLM will, to the extent of the BLM’s authority (which is limited to BLM lands within the corridor), maintain the free-flowing character, preserve or enhance the outstandingly remarkable values, and allow no activities within the river corridor that will alter the tentative classification (**Map 16**, Wild & Scenic River Segments and Wilderness & Wilderness Study Areas).

Action WR-1.2.2—Do not recommend the preliminarily suitable 27.19-mile Lolo Creek segment for congressional designation in the NWSRS. Coordinate management and designation with the Idaho Department of Water Resources and Forest Service when the Comprehensive State Water Plan is developed for this River Basin. Continue to coordinate with the Idaho Water Resources Board and Forest Service in accordance with the Memorandum of Understanding with the BLM, Forest Service and State of Idaho (State of Idaho 1991). In the interim, the BLM will coordinate management of the segment with the Idaho Department of Water Resources and protective management will be provided on BLM-administered lands in accordance with the following guidelines:

- Approve no actions altering the free-flowing nature of the suitable segment through impoundments, diversions, channeling, or installing riprap.
- Approve no actions that will measurably diminish the stream segment’s identified outstandingly remarkable value(s).
- Approve no actions that will modify the setting or level of development of the suitable river segment to a degree that will change its identified Scenic classification.

Objective WS-1.1—Protect, maintain, or restore habitat for threatened and endangered species in a manner that contributes to the delisting of the species.

Action WS-1.1.2—Before authorizing new federal actions within areas providing suitable habitat for federally listed, proposed, and candidate species (see **Appendix E**, Special Status Species), determine if direct, indirect or cumulative adverse impacts on the species potentially could occur as a result of BLM discretionary actions. If needed, modify the activity to avoid or minimize adverse impacts on the species and suitable habitats.

Action WS-1.1.3—Promote threatened, endangered, proposed, and candidate species (see **Appendix E**, Special status Species) conservation through land tenure adjustments, conservation easements, and cooperative planning.

Objective WS-1.5—Manage BLM sensitive species habitats so actions do not contribute to species decline or contribute to federal listing.

Action WS-1.5.3—For each new project, compile, develop and implement appropriate species and/or habitat-specific BMPs to avoid or minimize adverse impacts on sensitive species and their habitats. Compile and develop CFP programmatic-level activity BMPs for sensitive species that may be used as needed for ongoing projects or for new project development.

Action WS-1.5.5—Promote sensitive species conservation through land tenure adjustments, conservation easements, restoration projects, and cooperative planning (**Appendix E**, Special status Species).

Objective AF-1.1—Provide for diverse and healthy aquatic habitats that contribute to the recovery of listed fish species and conservation of BLM sensitive fish species.

Action AF-1.1.1—Ensure that all ongoing and new BLM management actions support or do not retard or preclude recovery for federally listed fish (Endangered Species Act), designated critical habitat, and important aquatic habitats (supporting spawning, incubation, larval development, rearing, migration corridors, and aquatic habitats for forage species) (see **Appendix F**, Federally Listed and Candidate Species Management, Conservation, and Restoration Measures).

Objective CR-1.3—Standardize cultural site record information and evaluation documentation to allocate sites to cultural use categories.

Action CR-1.3.1—Establish a schedule to update existing cultural records and allocate sites to cultural use categories within five years of the signing of the ROD for this RMP. Information needed to better allocate resource use categories includes site characteristics, chronological placement, geomorphic relationships, and overall data potential. Methodology to collect such information may include but not be limited to detailed photography, intensive mapping, excavations, geomorphic analysis, and other forms of analyses.

Action CR-1.3.2—Nominate eligible sites or areas to the National Register of Historic Places.

Objective CR-1.4—Develop cultural resource management plans for significant cultural resources or traditional cultural properties.

Action CR-1.4.2—Identify additional sites and/or areas requiring the development of cultural resource management plans.

Action CR-1.4.3—Coordinate with fire management activities through the use of resource advisors to avoid possible impact on cultural resources.

D. National Environmental Policy Act (NEPA) Documents

The following NEPA document(s) covers the proposed action:

The 2008 Proposed Cottonwood Resource Management Plan/Final Environmental Impact Statement, ID-420-2005-EIS-1058. (FEIS)

E. 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?*

Documentation of answer and explanation: Yes, The effective result of the acquisition would be that these lands would be managed in accordance with the RMP, to include the SRMA and ACEC designations, which was analyzed as the proposed RMP alternative in the FEIS. The acquired parcels occur within the Lolo Creek Management Block

Retention Area. These acquisitions would further support achievement of SRMA and ACEC management objectives.

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, and resource values?*

Documentation of answer and explanation: Yes, There was a range of alternatives analyzed in the plan that was acceptable and would be similar to any new analysis for acquisition of land. The acquired parcels occur within the Lolo Creek Management Block Retention Area.

3. *Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?*

Documentation of answer and explanation: Yes, There is no new information, standards, or species which should be analyzed. The FEIS analyzed all current available information and no new information or circumstances has substantially changed.

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?*

Documentation of answer and explanation: Yes, as described in the answer to Question 1 above, the effective result of the acquisition is implementation of the RMP, which was the proposed action in the FEIS, the effects would be the same as those analyzed in the FEIS.

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

Documentation of answer and explanation: Yes, the public was highly involved with the plan and input was given from several federal and state agencies, local, tribal communities and interested groups.

F. Persons/Agencies Consulted

During preparation of the 2008 Proposed Cottonwood RMP/FEIS, the BLM consulted with US Fish and Wildlife Service and the National Marine Fisheries Service in compliance with the Endangered Species Act. The BLM also consulted with interested Native American Tribes and the State Historic Preservation Office in accordance with the National Historic Preservation Act.

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 the NEPA.

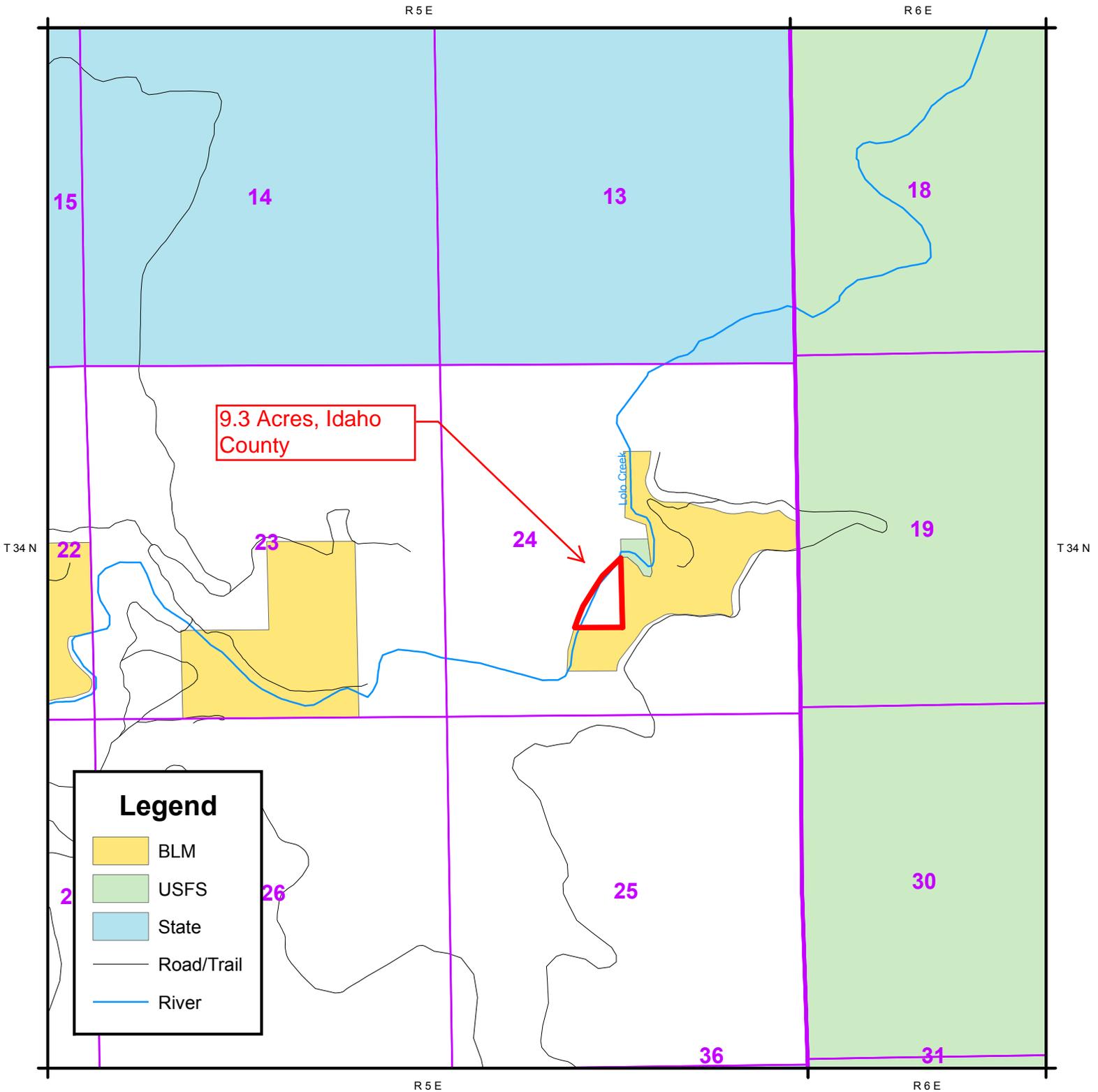
/s/

3/18/15

Will Runnoe
Field Manager

Date

Lolo Creek DNA Parcel No. 1



Legend

- BLM
- USFS
- State
- Road/Trail
- River



Map Created: 1/7/2015

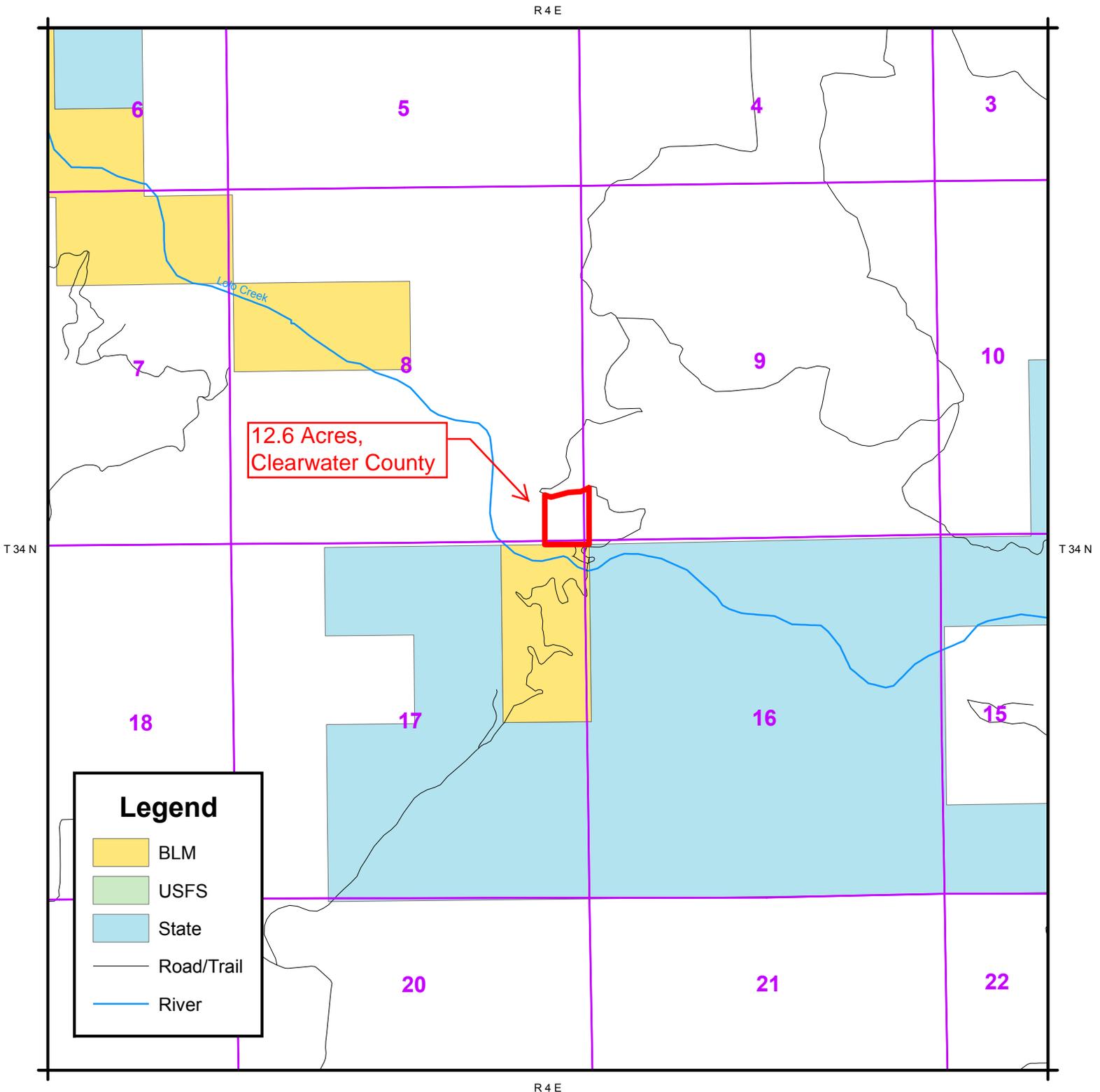
The surface management status ("land ownership") should be used as a general guide only. Official land records, located at the Bureau of Land Management (BLM) and other offices, should be checked for up-to-date information concerning any specific tract of land.

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 Map Projection: NAD 1983 UTM Zone 11N



Lolo Creek DNA Parcel No. 2



Map Created: 1/7/2015

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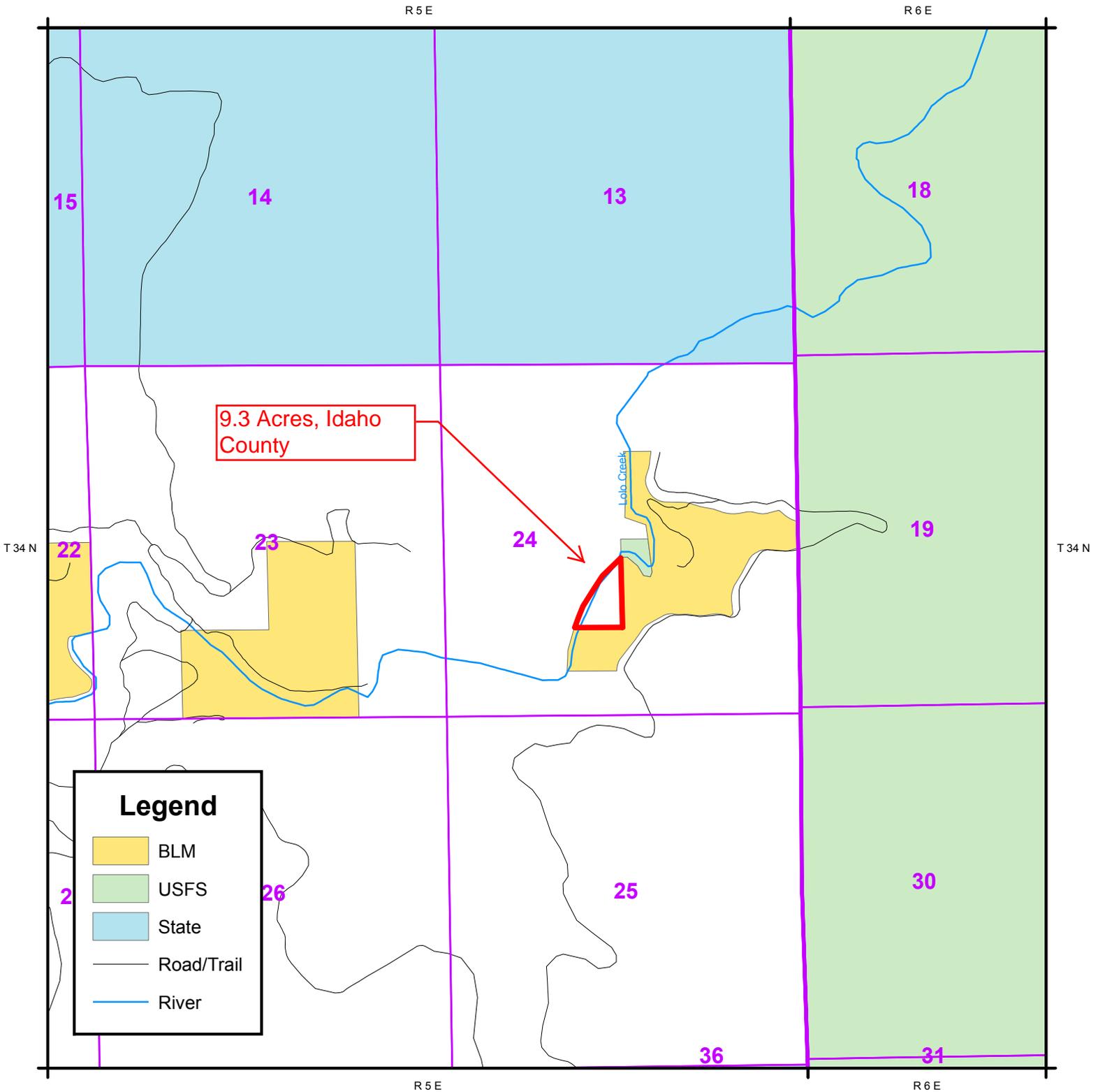
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Map Projection: NAD 1983 UTM Zone 11N



Lolo Creek DNA Parcel No. 1



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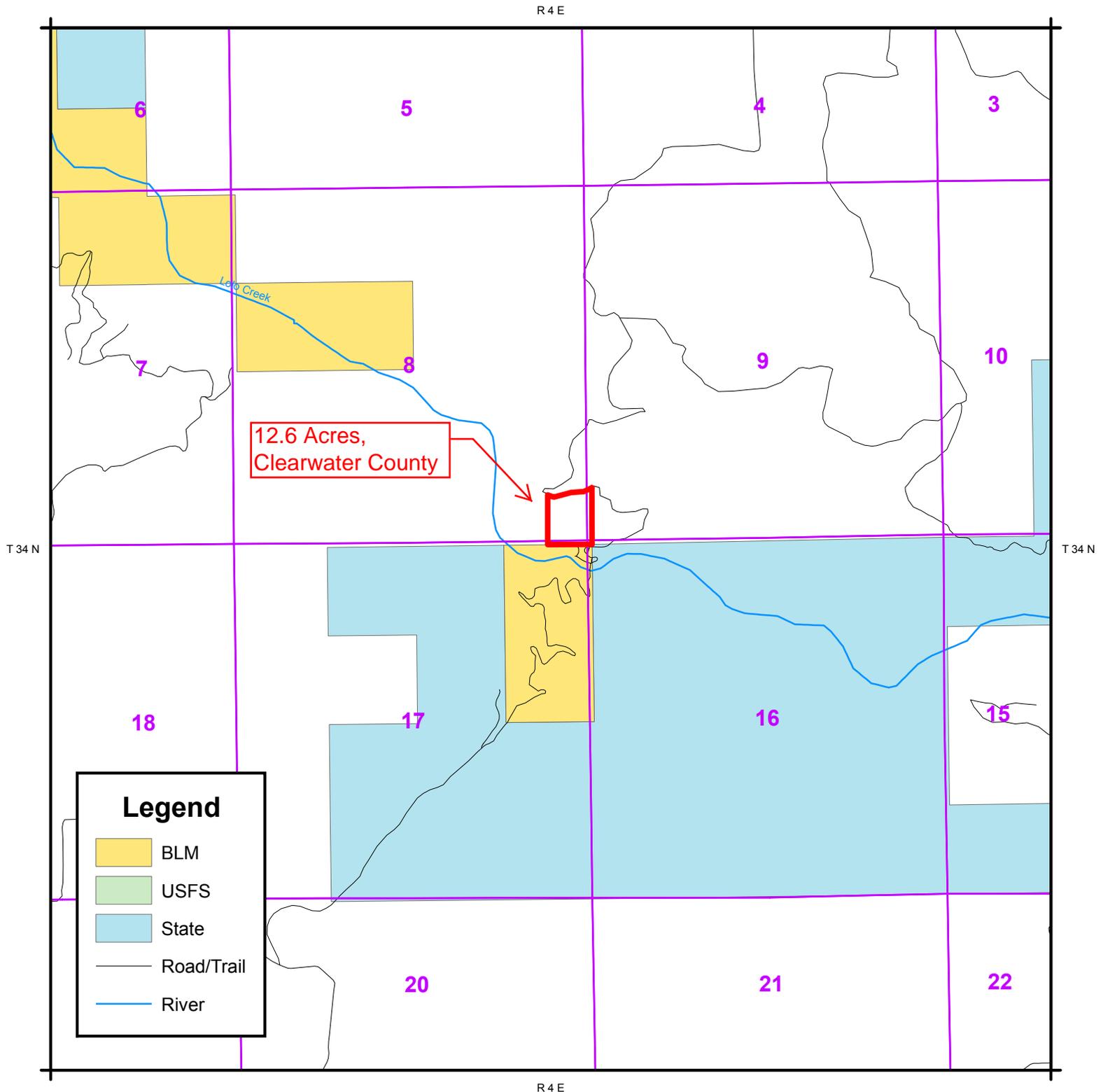
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Lolo Creek DNA Parcel No. 2



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