

**U.S. Department of the Interior
Bureau of Land Management**

**Environmental Assessment
DOI-BLM-ID-B010-2015-0036-EA**

**Dewey-Levie Land Exchange
Ada and Gem Counties, Idaho**

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U.S. Department of the Interior
Bureau of Land Management
Four Rivers Field Office
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**Environmental Assessment # DOI-BLM-ID-B010-2015-0036-EA
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1.0 Introduction

1.1 Need for and Purpose of Action

In 2014, the BLM Four Rivers Field Office received a land exchange proposal from Don L. Dewey and the Paul D. and Rae Levie Trust. The BLM objectives are to respond to the proposal and insure that applicable land use plan objectives (e.g., management of special designation areas), policies, and regulations are met.

1.2 Decision to Be Made

Following completion of the EA, the authorized officer will determine: 1) whether the Federal parcel is suitable for disposal; 2) whether the proposed exchange is in the public interest; 3) whether the proposed exchange complies with applicable laws and regulations; and 4) whether to approve or disapprove the exchange proposal.

1.3 Summary of Proposed Action

Don L. Dewey, a married man dealing with his sole and separate property, as to an undivided ½ interest, and Paul D. Levie and Rae Levie, Trustees of the Paul D. and Rae Levie Trust, dated November 20, 1973, as to an undivided ½ interest (Proponents) are proposing to exchange 78 acres of land (Dewey-Levie parcel) they own for 80 acres of BLM-administered land (BLM parcel).

1.4 Location and Setting

The Dewey-Levie parcel is located seven miles west of Emmett, Idaho in Gem County (Map 1). It is characterized by gently rolling to steeply sloped lands dominated by native perennial grasses and shrubs (Map 2). It is bordered on the north by the Black Canyon Canal and by BLM-administered lands on the south and west. The adjacent BLM-administered lands are part of the Long-billed Curlew Habitat Area of Critical Environmental Concern (ACEC). The ACEC was designated in the 1988 Cascade Resource Management Plan (RMP) to protect an important nesting area for long-billed curlews. Unimproved dirt roads on BLM-administered lands provide access. The BLM parcel is located eight miles southeast of Boise, Idaho in Ada County, near the Blacks Creek Exit on I-84 (Map 1). The gently rolling lands are vegetated by exotic annual and sagebrush communities (Map 4). It is surrounded by private land and has no legal road access.

1.5 Conformance with Applicable Land Use Plan

The exchange proposal is consistent with both the 1983 Kuna Management Framework Plan (MFP; USDI 1983), as amended in 2013 (USDI 2013), and the 1988 Cascade RMP (USDI 1988). The 2013 Kuna MFP Amendment identifies the BLM parcel as eligible for disposal pending site specific analysis under the requirements of the National Environmental Policy Act (NEPA).

Acquisition of the non-Federal land meets a Cascade RMP management guideline associated with the Curlew ACEC to “Pursue the acquisition of key habitat on state and private lands through land exchange.”

1.6 Relationship to Statutes, Regulations, and Other Requirements

The Proposed Action complies with Federal, State and local laws, regulations, and plans.

Realty Actions

The Federal Land Policy and Management Act (FLPMA) of 1976: The Proposed Action complies with Section 206 of the FLPMA of 1976 (90 Stat. 2776; 43 U.S.C. 1761), which states:

“A tract of public land or interests therein may be disposed of by exchange by the Secretary of the Interior (clarification added) under this Act. Provided, that when considering public interest the Secretary concerned shall give full consideration to better Federal land management and the needs of State and local people, including needs for lands for the economy, community expansion, recreation areas, food, fiber, minerals, and fish and wildlife and the Secretary concerned finds that the values and the objectives which Federal lands or interests to be conveyed may serve if retained in Federal ownership are not more than the values of the non-Federal lands or interests and the public objectives they could serve if acquired.”

On July 13, 2015, Kent C. Stevens, Review Appraiser for the DOI Office of Valuation Services, issued a Consultation Memorandum (copy in casefile) regarding the value of the two exchange parcels. The memo states in pertinent part the following:

“My understanding of 43 C.F.R. 2201.5 indicates it is reasonable and in the best interest of the U.S. Government to go forward with the proposed exchange based on an approximately equal value determination. Appropriate market data has been utilized in the 9/12/2013 reports. My analysis and gathering of data suggests that the same or similar values would likely be produced with new appraisal reports.”

Mr. Stevens’ conclusion was based, in part, on the fact that the Federal and non-Federal parcels have a number of important similarities:

- Both parcels are vacant land in rural locations;
- Both parcels are used for dry grazing;
- Both parcels are land locked and have no legal access; and
- Neither parcel has active water rights.

Based on the above analysis and conclusions, the Four Rivers Field Manager determined that the land exchange should be evaluated based on the approximately equal value provisions in 43 CFR § 2201.5. As such, if completed, the exchange would involve no acreage adjustments or cash equalization.

Fish and Wildlife

Endangered Species Act (ESA) of 1973 as amended (16 USC 1531): Section 7 of the ESA outlines the procedure for federal interagency cooperation to conserve federally listed species and their designated habitats. Section 7(a) (2) of the ESA states that each federal agency shall, in consultation with Secretary, ensure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of a listed species or result in the destruction or adverse modification of a listed species' habitat within the project area. There are no listed species in the project area.

Special Status Species Management Manual for the Bureau of Land Management (BLM Manual 6840): National policy directs BLM State Directors to designate sensitive species in cooperation with the state fish and wildlife agency. This manual establishes policy for management of species listed or proposed for listing pursuant to the ESA and Bureau sensitive species that are found on BLM-administered lands; this policy is to conserve and to mitigate adverse impacts to sensitive species and their habitats. Where relevant to the activities associated with this action, effects to special status species are analyzed in this EA.

Migratory Bird Treaty Act, Executive Order 13186, and BLM Memorandum of Understanding WO-230-2010-04 (between BLM and US Fish and Wildlife Service [USFWS]): Federal agencies are required to evaluate the effects of proposed actions on migratory birds (including eagles) pursuant to the *National Environmental Policy Act of 1969* (NEPA) “or other established environmental review process;” and restore and enhance the habitat of migratory birds, as practicable. Federal agencies are also required to identify where unintentional take reasonably attributable to agency actions is having, or is likely to have, a measurable negative effect on migratory bird populations. With respect to those actions so identified, the agency shall develop and use principles, standards, and practices that will lessen the amount of unintentional take, developing any such conservation efforts in cooperation with the Service. Effects to migratory birds are analyzed in this EA.

Bald and Golden Eagle Protection Act of 1940 as amended (16 USC § 668-668d): This act provides for the protection of bald and golden eagles by prohibiting, except under certain specified conditions, the taking, possession and commerce of such birds. Agencies are required to evaluate: 1) whether take is likely to occur from activities associated with the proposed activity and 2) the direct, indirect, and cumulative impacts the proposal may have on the ability to meet the preservation standard of the Act that the USFWS has interpreted to mean “compatible with the goal of stable or increasing breeding populations.” Effects to bald and golden eagles are analyzed in this EA.

Record of Decision and Approved Resource Management Plan Amendments for the Great Basin Region, Including the Greater Sage-Grouse Sub-Regions of Idaho and Southwestern Montana, and Northeastern California, Oregon, Utah: This document identifies different sage-grouse habitat classifications and identifies what kinds of BLM-authorized activities can occur in the habitats including land exchanges (USDI 2015). Neither parcel provides any of the identified habitats nor are sage-grouse known to occur in the parcels.

Cultural Resource Laws and Executive Orders

Idaho BLM has the responsibility to manage cultural resources on public lands pursuant to the National Historic Preservation Act of 1966 (as amended), the 2012 Programmatic Agreement Among the Bureau of Land Management, the Advisory Council on Historic Preservation, and the National Conference of State Historic Preservation Officers and the State Protocol Agreement Between the BLM Idaho State Director and the Idaho State Historic Preservation Officer (1998) and other internal policies.

1.7 Scoping and Development of Issues

Potential impacts on resources covered by statutes and regulation were considered as well as issues identified through agency and public scoping. The following issues were identified as relevant and are addressed in the EA:

Vegetation/Special Status Plants: The BLM is required to manage for plant community health, specifically, the long-term viability of special status plant species. How will changes in land uses on the identified parcels affect plant resources?

Wildlife/Special Status Animals: The parcels provide habitat for a variety of wildlife species including several special status species. How will changes in land uses on the identified parcels affect wildlife species?

Cultural Resources: Cultural resources may be present on the parcels which could be affected by changes in ownership and associated changes in land uses. What steps will be taken to avoid or minimized impacts to cultural resources? A Class III cultural survey was conducted on the BLM parcel on June 30, 2015, and revealed no historic or prehistoric cultural properties or sites. The Four Rivers Field Manager approved the survey report on July 16, 2015, and during subsequent consultation, the State Historical Preservation Office (SHPO) approved the cultural survey methodology, and had no objection to the proposed exchange. Therefore, cultural resources will not be discussed further.

Livestock Grazing: The BLM manages livestock grazing on public lands. How will the proposed exchange affect existing livestock grazing permits?

Mineral Resources: The BLM manages both surface and subsurface mineral resources and rights. How will changes in surface and subsurface mineral management affect public interests?

Recreation: Public lands provide a variety of recreational opportunities. How will the proposed exchange affect access to and recreational use of public lands?

Visual Resource Management (VRM): Both parcels occur in Class III VRM designations which has a moderate tolerance for modification. Because the designations and the types of changes that could occur are the same, VRM will not be discussed further.

Water Rights/Water Resources: Neither parcel has appurtenant water rights including adjacent water sources such as the irrigation runoff pond partially on the BLM parcel or the Black Canyon Canal adjacent to the Dewey-Levie parcel. A standpipe from a previous well exists near the southwest corner of the Dewey-Levie parcel. Since the parcel no longer has any adjudicated

water rights, the Proponents have agreed to cap the standpipe according to State standards prior to exchange completion. Therefore, water rights and resources will not be discussed further.

The following issues and resources were dismissed from analysis in this EA because they are either not present and/or would not be affected to a level requiring detailed analysis.

- Air Quality
- Areas with Wilderness Characteristics and Natural Areas
- Environmental Justice
- Farmlands
- Fish Habitat
- Forest Resources
- Paleontology
- Social and Economics
- Wastes (hazardous or solid)
- Wetlands and Floodplains
- Wild and Scenic Rivers
- Wild Horses and Burros
- Wilderness/Wilderness Study Area
- Woodland/ Forestry

2.0 Description of the Alternatives

2.1 Description of Proposed Action and Alternatives

2.1.1 Alternative A - Proposed Action

The BLM would transfer to the Proponents via a United States patent (IDI-37603) the surface and mineral estate in the following-described Federal land (segregated on October 21, 2013):

T. 1 N., R. 3 E., Boise Meridian, Ada County, Idaho
Section 3: N $\frac{1}{2}$ SW $\frac{1}{4}$ (Map1).
Containing 80 acres, more or less

Excepting and Reserving to the United States a right-of-way for ditches and canals constructed by the authority of the United States pursuant to the Act of August 30, 1890 (43 U.S.C. 945).

Subject to Valid Existing Rights, Including:

Those rights for livestock grazing purposes held by Murray Hansen in the Bryon's Run FFR Allotment (00881), under the authority of the Taylor Grazing Act and pertinent amendments thereto. Completion of the exchange would remove eight of 20 Animal Unit Months (AUMs) currently authorized in the allotment after a two-year period (43 CFR § 4110.4-2).

In exchange for the above-described Federal land, the Proponents would transfer to the United States via Warranty Deed the surface and mineral estate in the following-described non-Federal land:

That part of the S½NW¼ of Section 13 and that part of the N½SW¼ of Section 13 lying South of the Black Canyon Canal in T. 6 N., R. 3 W., Boise Meridian, Gem County, Idaho (Map 1).

Containing 78 acres, more or less.

Subject to the following exceptions noted in Schedule B of the Alliance Title & Escrow Corp. Title Commitment No. 288066, dated August 31, 2015.

1. Rights or claims of parties in possession not shown by the public record. **Note: Subject to Solicitor concurrence, this exception is acceptable, since the landowner has stated that no parties reside on or possess the parcel. Inspections by BLM staff have corroborated that fact.**
2. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the land. **Note: Subject to Solicitor concurrence, this exception is acceptable, as it will not interfere with management of the parcel.**
3. Easements, or claims of easements, not shown by the public records. **Note: Subject to Solicitor concurrence, this exception is acceptable, as it will not interfere with management of the parcel.**
4. Any lien or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records. **Note: Subject to Solicitor concurrence, this exception is acceptable, as it will not interfere with management of the parcel.**
5. (a) Unpatented mining claims, (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof, (c) water rights, claims or title to water whether or not the matters excepted under (a), (b), or (c) are shown by the public records. **Note: Subject to Solicitor concurrence, this exception is acceptable, as it will not interfere with management of the parcel.**
6. Taxes or special assessments which are not shown as existing liens by the public records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency, which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records. **Note: This exception will not appear on the title policy.**
7. General taxes for the year 2015 (or subsequent years), which are a lien not yet due and payable. **Note: This exception will not appear on the title policy.**

Right-of-way for the Black Canyon Canal, and the rights of access thereto for maintenance of said canal. **Note: Subject to Solicitor concurrence, this exception is acceptable, as it will not interfere with management of the parcel.**

8. Ditch, road, and public utility easements as the same may exist over said premises. **Note: No known easements exist on the parcel; therefore, this exception is acceptable, subject to Solicitor concurrence, as it will not interfere with management of the parcel.**

9. Rights, interests, or claims, which may exist or arise by reason of fact(s) shown on a survey plat entitled Record of Survey of Don Dewey Property.
Dated: January 26, 2006.
Prepared by: J.J. Howard Engineering/Surveying.
Recorded: March 8, 2006.
Instrument No. 249900.
Note: Subject to Solicitor concurrence, this exception is acceptable, as it will not interfere with management of the parcel.

10. Notwithstanding paragraph 4 of the covered risks of this policy, this policy does not insure against loss arising by reason of any lack of access to and from the land. **Note: Subject to Solicitor concurrence, this exception is acceptable, as it will not interfere with management of the parcel.**

The land would be incorporated into the ACEC and managed accordingly. The land would be available for grazing as part of the Silver Sage FFR Allotment (00400); however, no AUMs would be added and the grazing permit(s) would not be modified.

2.1.2 Alternative B - No Action/Continue Present Management

The land exchange would not occur. The BLM parcel would remain in Federal ownership and would continue to be managed under the provisions of the Kuna MFP and applicable Federal law and regulations. The Dewey-Levie parcel would continue to be managed consistent with State and local laws and zoning. Near term foreseeable use would be continued livestock grazing and recreation. Under Gem County ordinances, the offered parcel is currently zoned A-3, with 43 uses allowed in six categories: Residential, Agriculture, Sports Activities, Services, Cultural Facilities, and Transportation. County zoning currently allows one residence on 40 acres. More homes could be built if the 40 acres were subdivided.

2.2 Alternatives Considered But Not Analyzed in Detail

Two additional actions could possibly achieve some of the stated purposes of the exchange parties.

BLM's purchase of the non-Federal land is a possible, albeit unlikely, alternative. Private land acquisition funding is extremely limited, and it is unlikely that either Federal Land Transaction Facilitation Act or Land and Water Conservation funding would be available for this purchase, since many other BLM transactions are a higher priority and more competitive for those nationally allocated funds.

BLM could offer the Federal land for sale. While this alternative would allow BLM to dispose of a parcel of land that is small, isolated, and difficult to manage, it would not address the need to

protect the ACEC from the effects of future development and use of the adjacent non-Federal land.

3.0 Affected Environment and Environmental Consequences

Information relevant to all sections within *Affected Environment and Environmental Consequences* is presented below.

Common Analysis Assumptions

- If exchanged, the BLM parcel would be used in a similar manner for approximately five years and would be incorporated in development plans for adjacent private lands and development could occur in the long term (>5 years).
- If exchanged, the Dewey-Levie parcel would be managed in the same manner as adjacent BLM lands.

Impact Descriptors

Effects can be temporary (short-term) or long lasting/permanent (long-term). These terms may vary somewhat depending on the resource; therefore, each will be quantified by resource where applicable. Generally speaking:

- **Short-term** effects are changes to the environment during and following ground-disturbing activities that revert to pre-disturbance conditions, or nearly so, immediately to within a few years following the disturbance.
- **Long-term** effects are those that would remain beyond short-term ground disturbing activities.

The magnitude of potential effects is described as being major, moderate, minor, negligible, or no effect and is interpreted as follows:

- **Major** effects have the potential to cause substantial change or stress to an environmental resource or resource use. Effects generally would be long-term and/or extend over a wide area.
- **Moderate** effects are apparent and/or would be detectable by casual observers, ranging from insubstantial to substantial. Potential changes to or effects on the resource or resource use would generally be localized and short-term.
- **Minor** effects could be slight but detectable and/or would result in small but measurable changes to an environmental resource or resource use.
- **Negligible** effects have the potential to cause an indiscernible and insignificant change or stress to an environmental resource or use.
- **No effect** equates to no discernible effect.

Reasonably Foreseeable Actions

The cumulative impacts analysis area comprises the extent over which the combined direct, indirect, and cumulative effects are assessed for each resource. A direct impact is caused by the actions of the alternatives and occurs at the same time or place, whereas an indirect impact is caused by the project but occurs later in time or is further removed in distance, but is reasonably foreseeable. Cumulative effects are impacts on the environment that result from the incremental impact of an action when added to other past, present, and reasonably foreseeable future actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time.

The spatial scope of cumulative effects analyses will be a one-mile buffer from the parcels, an area that represents the typical extent of the impacts described below. The temporal scope considered will extend to the time identified for long-term impacts by resource. A variety of activities including livestock grazing, wildfire, vegetation treatments, residential/agricultural development, and recreation will be considered in those resource-specific analyses.

Livestock Grazing - The Sunnyside Spring/Fall and West Slater Flat allotments are adjacent to the Bryons Run Allotment (Map 4). The allotments are used in the spring and fall and have a combined 7,259 AUMs of active use. The Little Emmett Allotment is adjacent to the Silver Sage FFR Allotment (Map 2). The allotment is used primarily in the late fall through spring and has 4,951 AUMs of active use. The Sunnyside Spring/Fall Allotment permits were fully processed in 2007 to comply with Idaho Standards for Rangeland Health and Guidelines for Livestock Grazing Management (Idaho S&G). The remaining permits are expected to be fully processed by 2018.

Wildfire – Since 1957, all lands within one mile of the BLM parcel have burned one to five times, with the majority of the fires occurring since 1980 and fire sizes ranging from 240 to 7,200 acres. Approximately 75% of rangelands within one mile of the Dewey-Levie parcel have burned one to two times during the 1985-86 and 2011-12, with fire sizes ranging from 50 to 1,800 acres. The BLM has initial suppression responsibility in both areas, working in cooperation with other fire suppression entities.

Vegetation Treatments – Up to 300-foot wide fuel breaks will be planted with prostrate kochia or short-statured perennial grasses along I-84 and Blacks Creek Road during the next 1-3 years. The fuel breaks are expected to reduce fire frequency and size, especially along high ignition roads such as I-84.

Residential/Agricultural Development - Several planned communities have been approved in the vicinity of the BLM parcel; however, no work has been done on the ground. Initial construction work could begin within five years, but build out could take 20-50 years. Development could occur on private lands north of the Black Canyon Canal. Because of water limitations, agricultural uses are expected to remain relatively stable over the long term except where residential development displaces agricultural uses. Private lands south of the canal are zoned similarly to the Dewey-Levie parcel and, because of steep slopes and limited access, are expected to remain undeveloped over the long term.

Recreational Activities - Recreational off-highway vehicle (OHV) riding, target shooting, and hunting occurs primarily during the spring and fall on accessible public (and private) lands adjacent to the parcels. These activities can disturb or kill wildlife and fragment or eliminate habitat (e.g., user-created roads, human caused fires). More passive uses (e.g., hiking, birdwatching) also occur during those periods with primary impacts including wildlife disturbance.

3.1 Vegetation/Special Status Plants

3.1.1 Affected Environment – Vegetation/Special Status Plants

BLM Parcel – The parcel has burned one (2 acres), two (53 acres) or three (25 acres) times between 1958 and 1986. Vegetation is characterized by scattered sagebrush, Sandberg bluegrass, and perennial forbs (Hooker’s balsamroot). Exotic annual grasses (cheatgrass and some medusahead) and forbs dominate the majority of the area. A seasonal irrigation runoff pond supports early seral native and exotic water-tolerant grass-like species, forbs, and woody species. A Class 1 survey did not identify any slickspots; therefore the parcel is not classified as slickspot peppergrass habitat. No other special status plants are known to occur. Noxious weeds are not known to occur.

Dewey-Levie Parcel – Sagebrush and bitterbrush occur throughout the parcel. Native perennial grasses (Sandberg bluegrass, purple threeawn, bluebunch wheatgrass) and forbs dominate the understory. Cheatgrass, and to a lesser degree medusahead, are codominant understory plants in some areas. Approximately 19 acres burned in 1985 and native shrubs, forbs, and grasses have recovered to pre-burn levels. Although the parcel itself was not surveyed, adjacent BLM lands are considered slickspot peppergrass habitat (slickspots are present, but adequate surveys have not been conducted to determine if they are occupied). Slickspot peppergrass (*Lepidium papilliferum*) is proposed for listing under the ESA. Noxious weeds are not known to occur.

3.1.2 Environmental Consequences – Vegetation/Special Status Plants

3.1.2.1 Alternative A

BLM Parcel – Vegetation conditions would remain static over the short term. Vegetation conditions would be further degraded (low density rural residential ranchettes and grazing stock) or changed to irrigated suburban species (moderate to high density suburban development with landscaped lots) over the long term.

Dewey-Levie Parcel – Vegetation conditions would remain static over the short and long term. Periodic wildfires would remove shrub cover over the short term, but shrubs would recover if seed sources are available.

3.1.2.2 Alternative B

BLM Parcel – Vegetation conditions would remain static over the short term and degrade over the long term as high intensity recreational use and periodic human caused fires would favor exotic annual grasses.

Dewey-Levie Parcel - Vegetation conditions would remain static over the short term. Vegetation in developed areas would be altered to irrigated suburban species in the long term. Vegetation

conditions in the adjacent steep slopes would remain static or would be moderately to majorly altered by grazing domestic stock (e.g., horse grazing would eliminate most native species over the long term) or human caused fires (low frequency, low intensity fires would eliminate shrubs over the short term whereas high frequency and/or high intensity/severity fires would favor exotic annuals over the long term).

3.1.3 Cumulative Impacts - Vegetation/Special Status Plants

3.1.3.1 Alternative A

Static short term static conditions and altered (BLM parcel) or static (Dewey-Levie parcel) long term conditions would have minor additive impacts to vegetation conditions. Livestock use, especially annual spring use, would keep undeveloped areas in a degraded condition over the short and long term. Increased human activity would likely increase fire frequency and favor exotic annual species in undeveloped areas. Fuel breaks would have minor to moderate long-term benefits if wildfire frequency is reduced. Development of lands adjacent to the BLM parcel would convert vegetation to irrigated species or exotic annuals where intensive grazing of unirrigated areas occurs.

3.1.3.2 Alternative B

Static short term static conditions and degraded (BLM parcel) or static/degraded (Dewey-Levie parcel) long term conditions would have minor to moderate additive impacts to vegetation conditions. Impacts from livestock grazing, wildfires, vegetation treatments, and development would be as described above (Section 3.1.3.1). Increased recreation uses, especially of the BLM parcel, would destroy or degrade native vegetation and introduce noxious weeds.

3.2 Wildlife/Special Status Animals

3.2.1 Affected Environment – Wildlife/Special Status Animals

Record searches and field surveys indicate that there are no known threatened or endangered wildlife species on the BLM or Dewey-Levie parcels.

BLM Parcel – Upland areas provide marginal habitat for sagebrush obligate species including sage thrasher and Brewer’s sparrow. The degraded understories have limited forb and insect diversity. Small mammal populations (e.g., Piute ground squirrel, black-tailed jackrabbit), reptiles, and insects provide forage for golden eagle, ferruginous hawk, and burrowing owls. Exotic annual dominated grasslands provide marginal nesting and foraging habitat for long-billed curlew, western meadowlark, and horned lark. The area provides potential habitat for Woodhouse, western, and spadefoot toads and night and longnose snakes. The parcel is adjacent to mule deer and elk winter range to the north; however, I-84 limits access. The 1-acre seasonal pond provides migration stopover and potential nesting habitat for shorebirds and waterfowl.

Dewey-Levie Parcel – The parcel is on the northern boundary of the Long-billed Curlew Habitat ACEC. Curlew are a BLM Type 2 Special Status Species. The ACEC provides important curlew nesting and brood-rearing habitat March through August. Approximately 7 acres could be potential nesting habitat (gently rolling to flat grasslands); however, a powerline, and associated perching raptors, immediately south of the parcel and interspersed sagebrush likely makes it unsuitable. Sagebrush and bitterbrush stands provide nesting and foraging habitat for

northern harrier, red-tailed hawk, Swainson's hawk, great horned owl, and sage thrasher. The area provides potential habitat for Woodhouse, western, and spadefoot toads. The parcel provides suitable habitat for game birds and resident mule deer.

3.2.2 Environmental Consequences – Wildlife/Special Status Animals

3.2.2.1 Alternative A

The proposed exchange would have negligible to minor short-term (<5 years) and minor to major long-term (≥5 years) impacts to wildlife and wildlife habitat.

BLM Parcel – The parcel would continue to provide marginal to suitable habitat for a variety of species over the short term. Increased habitat fragmentation and human disturbance associated with adjacent land development would reduce habitat suitability over the short and long term. Development of the parcel would have major adverse impacts to wildlife species that currently use the area. Wildlife species diversity and abundance would shift to species that tolerate human disturbance, infrastructure, and habitat types (e.g., buildings, suburban landscaping).

Dewey-Levie Parcel – The parcel would provide marginal to suitable habitat for a variety of species over the short and long term. Lack of development would eliminate associated disturbance, habitat loss, predations, and other mortality factors over the long term which would have moderate to major benefits to curlew nesting and brood-rearing habitat in the immediate area (USDI 2010). Species that use the steeper slopes would also benefit from lack of disturbance associated with development.

3.2.2.2 Alternative B

BLM Parcel – The parcel would provide marginal to suitable habitat for a variety of species over the short and long term.

Dewey-Levie Parcel - The parcel would provide marginal to suitable habitat for a variety of species over the short and long term. Development of one house would cause minor to moderate increases in human-caused disturbance, mortality, and fragmentation impacts over the long term. Development of multiple units would cause moderate to major long-term adverse impacts (USDI 2010).

3.2.3 Cumulative Impacts - Wildlife/Special Status Animals

3.2.3.1 Alternative A

Maintaining the BLM and Dewey-Levie parcels in their current conditions would have minor to moderate benefits for wildlife over the short term. Development of the BLM parcel would have minor additive habitat loss impacts over the long term. Eliminating development potential on the Dewey-Levie parcel would have minor (habitat quality) to moderate (human disturbance) additive wildlife benefits over the long term. Spring and fall livestock use and periodic wildfires would keep the areas in a degraded state over the short and long term, favoring wildlife species adapted to exotic annual dominated communities. Fuel breaks would have minor to moderate long-term benefits in reducing wildfire frequency; however, habitat quality and structural diversity would not be expected to improve much beyond current conditions in the area surrounding the BLM parcel. Residential development would have major, long-term impacts to

habitat availability adjacent to the BLM parcel. Habitat for shrubsteppe and grassland species would be replaced by residential habitat and wildlife species use would shift accordingly.

3.2.3.2 Alternative B

Maintaining the BLM parcel in its current condition would have minor to moderate short-term and negligible long-term benefits to wildlife. Impacts from other activities would be as described above (Section 3.2.3.1) and habitat suitability would decline substantially as the BLM parcel becomes isolated from other undeveloped lands. Continuing current uses on the Dewey-Levie parcel would have minor short-term additive wildlife benefits, whereas long-term development would have moderate adverse additive impacts over the long term.

3.3 Livestock Management

3.3.1 Affected Environment – Livestock Management

The BLM parcel is in the Bryons Run FFR Allotment which is grazed primarily in the early spring, although some use can occur during most of the year (Table 1, Map 4). The 1,435-acre allotment has 233 acres of BLM-administered lands in four separate parcels (3 to 110 acres in size). The irrigation runoff pond provides water during the spring and summer. The Dewey-Levie parcel is in the Silver Sage FFR Allotment which is grazed during the spring (Table 1, Map 2). The 502-acre allotment has 268 acres of BLM-administered lands.

Table 1. Livestock grazing permits associated with the proposed exchange parcels, Ada and Gem Counties, Idaho.

Allotment	Livestock		Season of Use		% Public Land	AUMs
	Kind	Number	Begin	End		
Bryons Run	Cattle	1	03/01	01/10	100	10
		10	04/04	05/05		10
Silver Sage FFR	Cattle	16	04/16	06/23	68	25

3.3.2 Environmental Consequences – Livestock Management

3.3.2.1 Alternative A

BLM Parcel – The loss of 40% of the available BLM AUMs would have minor economic and operational costs over the long term. After two years, the replacement cost to provide AUMs on private lands would be approximately \$160 annually. Transportation to private lands would be an unknown additional cost.

Dewey-Levie Parcel – Acquisition of the parcel would have no effect on livestock grazing. Because the parcel is not fenced from the remainder of the allotment, livestock use would continue as it has occurred.

3.3.2.2 Alternative B

BLM Parcel – Retaining the AUMs associated with the parcel as part of the Bryons Run Allotment would have minor long term economic and operational benefits to the permittee. The AUMs would cost a minimum of \$11 annually and have no impact on operational costs.

Dewey-Levie Parcel – Impacts would be similar to those described in Section 3.3.2.1; however, development of four acres (relatively flat area suitable for building) would reduce AUM

availability by <1 over the long term. Fencing the private land boundary and excluding livestock use would not affect forage availability on BLM-administered lands, would cause minor to moderate operational impacts by making access between BLM-administered lands more difficult.

3.3.3 Cumulative Impacts - Livestock Management

3.3.3.1 Alternative A

Development of the BLM parcel would have minor additive adverse livestock management impacts over the short (>2 years) and long term. Eliminating development potential on the Dewey-Levie parcel would have minor additive livestock forage availability benefits over the long term. Fully processing livestock grazing permits to comply with Idaho Standards for Rangeland Health and Guidelines for Livestock Grazing Management will have minor (adjacent allotments that were processed recently and minimal permit changes occurred) to moderate (permits modified because allotments are not meeting standards) impacts on livestock operations (primarily timing and levels of use). Temporary closures or reductions associated with periodic wildfires would cause minor to moderate loss of forage availability for one or more years depending on post-fire treatments. Degraded post-wildfire vegetation conditions would have moderate adverse effects on forage availability and quality over the long term. Fuel breaks would have minor to moderate long-term benefits in reducing wildfire frequency and negligible short term adverse impacts on forage availability where seedings are closed to grazing until they are established. Residential development would have major, long-term impacts to forage availability adjacent to the BLM parcel.

3.3.3.2 Alternative B

Maintaining the BLM parcel in its current condition would have negligible additive long-term benefits to forage availability. Development of surrounding private lands would likely render the parcel unavailable for grazing over the long term. Developing the Dewey-Levie parcel would have negligible additive adverse impacts to forage availability over the long term. Impacts from other activities would be as described above (Section 3.3.3.1).

3.4 Mineral Resources

3.4.1 Affected Environment – Mineral Resources

The BLM completed a mineral report on August 25, 2015 addressing locatable (e.g., gold), leasable (e.g., geothermal, oil, and gas), and saleable (e.g., sand and gravel) minerals. Subsurface minerals are federally owned (BLM parcel) or privately owned (Dewey-Levie parcel). There are no current mineral claims, leases, or sales associated with the BLM parcel and no leases associated with the Dewey-Levie parcel. The report indicated both parcels had low (oil, gas, and geothermal) to no (coal) potential for leasable minerals, little to no potential for locatable minerals, and minimal potential for saleable minerals. Based on the above conclusions, the report recommended that the exchange could occur without mineral reservation on either parcel.

3.4.2 Environmental Consequences – Mineral Resources

3.4.2.1 Alternative A

The BLM would acquire 78 acres of surface and subsurface mineral rights associated with the Dewey-Levie parcel and would relinquish 80 acres of surface and subsurface mineral rights associated with the BLM parcel. Each owner would have the ability to lease or sell minerals according to applicable laws and regulations. Because the parcels have similar mineral potentials, there would be a negligible difference (2 acres) in value associated with the exchange.

3.4.2.2 Alternative B

Locatable, leasable, and salable mineral rights would be retained by the current owners and available for disposal according to applicable laws and regulations.

3.4.3 Cumulative Impacts - Mineral Resources

Because there would be no net change in mineral resources under either alternative, cumulative impacts will not be discussed.

3.5 Recreation

3.5.1 Affected Environment – Recreation

Both parcels provide primarily non-motorized recreational opportunities including hunting, hiking, and birdwatching. Use levels on both parcels are very low compared to surrounding lands. Access to the BLM parcel is limited by surrounding private lands, some of which are posted no trespassing. The Dewey-Levie parcel is not posted; however, access is restricted by an allotment boundary fence on the south side and the Black Canyon Canal on the north side.

3.5.2 Environmental Consequences – Recreation

3.5.2.1 Alternative A

BLM Parcel – Transfer to private ownership would have no short-term access or use impacts. Typical uses would occur at current levels. Development would improve access over the long term, but the types of uses would shift to those compatible with a suburban setting.

Dewey-Levie Parcel - Transfer to public ownership would have negligible short- and long-term access or use impacts. Access limitations (i.e., fencing, canal) would continue to be factors; therefore, use levels would be expected to remain relatively low.

3.5.2.2 Alternative B

BLM Parcel – Retaining the parcel in public ownership would have no short-term access or use impacts. Typical uses would occur at current levels. Development of adjacent private lands could improve access over the long term, potentially allowing more OHV and passive uses and eliminating hunting opportunities.

Dewey-Levie Parcel – Development of the parcel would increase recreational uses by residents, but would limit non-resident uses over the long term (USD1 2010).

3.5.3 Cumulative Impacts - Recreation

Because there would be negligible changes in recreational access and uses under either alternative, cumulative impacts will not be discussed.

4.0 Consultation and Coordination

4.1 List of Agencies, Organizations, and Individuals Consulted

Senator Mike Crapo
Senator Jim Risch
Congressman Raul Labrador
U.S. Fish and Wildlife Service
Idaho Department of Fish and Game
Idaho State Historic Preservation Office
Shoshone-Paiute Tribes
Gem County Commissioners
Murray Hansen

Native American Consultation

BLM is required to consult with Native American tribes to “help assure (1) that federally recognized tribal governments and Native American individuals, whose traditional uses of public land might be affected by a proposed action, will have sufficient opportunity to contribute to the decision, and (2) that the decision maker will give tribal concerns proper consideration” (U.S. Department of the Interior, *BLM Manual Handbook H-8120-1*). Tribal coordination and consultation responsibilities are implemented under laws and executive orders that are specific to cultural resources which are referred to as “cultural resource authorities,” and under regulations that are not specific which are termed “general authorities.” Cultural resource authorities include: the *National Historic Preservation Act of 1966*, as amended (NHPA); the *Archaeological Resources Protection Act of 1979*; and the *Native American Graves Protection and Repatriation Act of 1990*, as amended. General authorities include: the *American Indian Religious Freedom Act of 1979*; the NEPA; the FLPMA; and *Executive Order 13007-Indian Sacred Sites*. The proposed action is in compliance with the aforementioned authorities.

Southwest Idaho is the homeland of two culturally and linguistically related tribes: the Northern Shoshone and the Northern Paiute. In the latter half of the 19th century, a reservation was established at Duck Valley on the Nevada/Idaho border west of the Bruneau River. Today, the Shoshone-Paiute Tribes residing on the Duck Valley Reservation actively practice their culture and retain aboriginal rights and/or interests in this area. The Shoshone-Paiute Tribes assert aboriginal rights to their traditional homelands as their treaties with the United States, the Boise Valley Treaty of 1864 and the Bruneau Valley Treaty of 1866, which would have extinguished aboriginal title to the lands now federally administered, were never ratified.

Other tribes that have ties to southwest Idaho include the Bannock Tribe and the Nez Perce Tribe. Southeast Idaho is the homeland of the Northern Shoshone Tribe and the Bannock Tribe. In 1867 a reservation was established at Fort Hall in southeastern Idaho. The Fort Bridger Treaty of 1868 applies to BLM’s relationship with the Shoshone-Bannock Tribes. The northern

part of the BLM's Boise District was also inhabited by the Nez Perce Tribe. The Nez Perce signed treaties in 1855, 1863 and 1868. BLM considers off-reservation treaty-reserved fishing, hunting, gathering, and similar rights of access and resource use on the public lands for all tribes that may be affected by a proposed action.

The Shoshone-Paiute Tribes were consulted during the August 26, 2015 Wings and Roots Program, Native American Campfire meeting. The Tribe did not express any concerns about the proposed exchange.

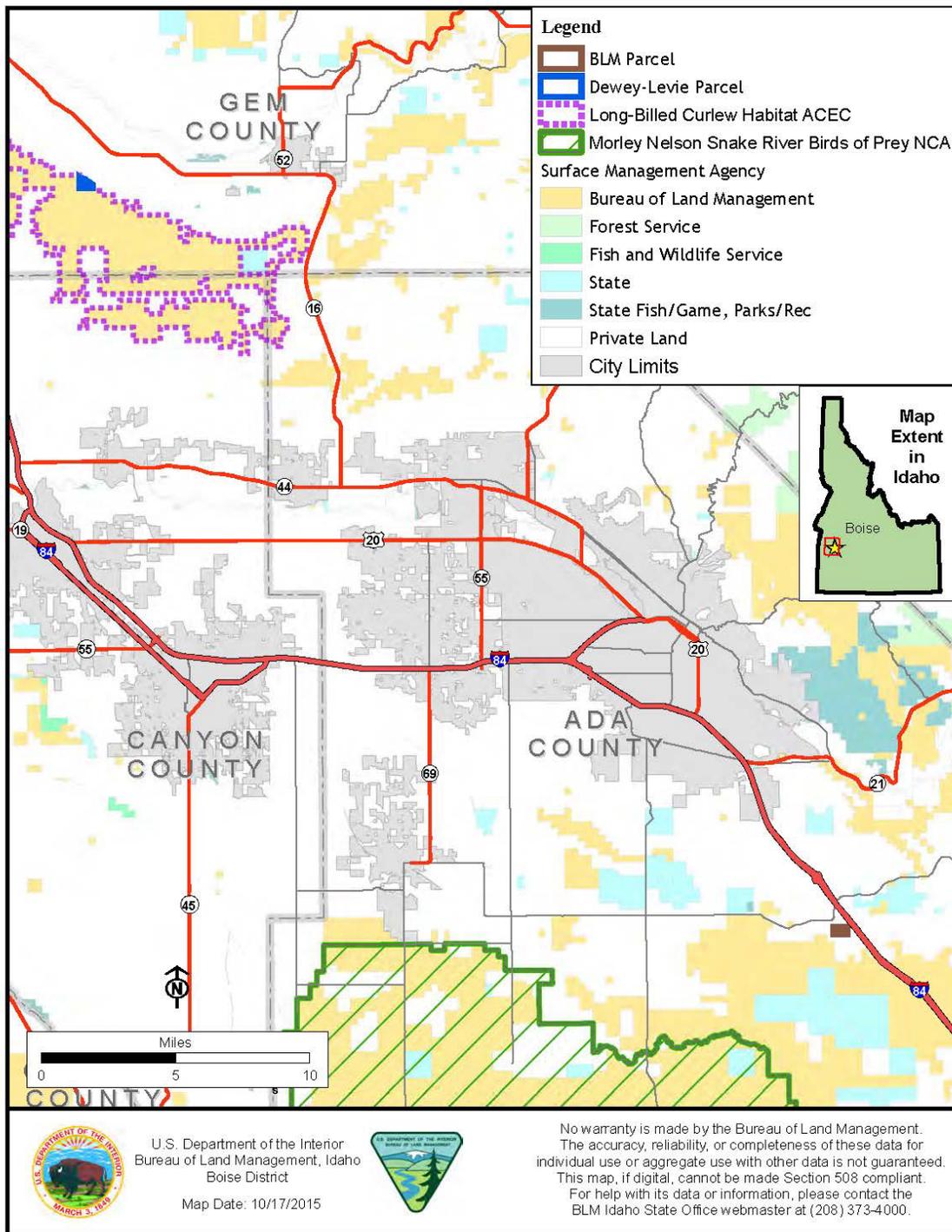
4.2 Public Participation

Notice of the exchange proposal (NOEP) was published in the Idaho Statesman newspaper once a week for four consecutive weeks beginning July 22, 2015 and ending August 12, 2015. No comments were received in response to the NOEP during the 45-day public comment period, which closed September 8, 2015. On September 15, 2015, the BLM provided Murray Hansen, the Bryon's Run Allotment permittee, official two-year notification of the proposed exchange in accordance with 43 CFR § 4110.4-2.

5.0 Literature Cited

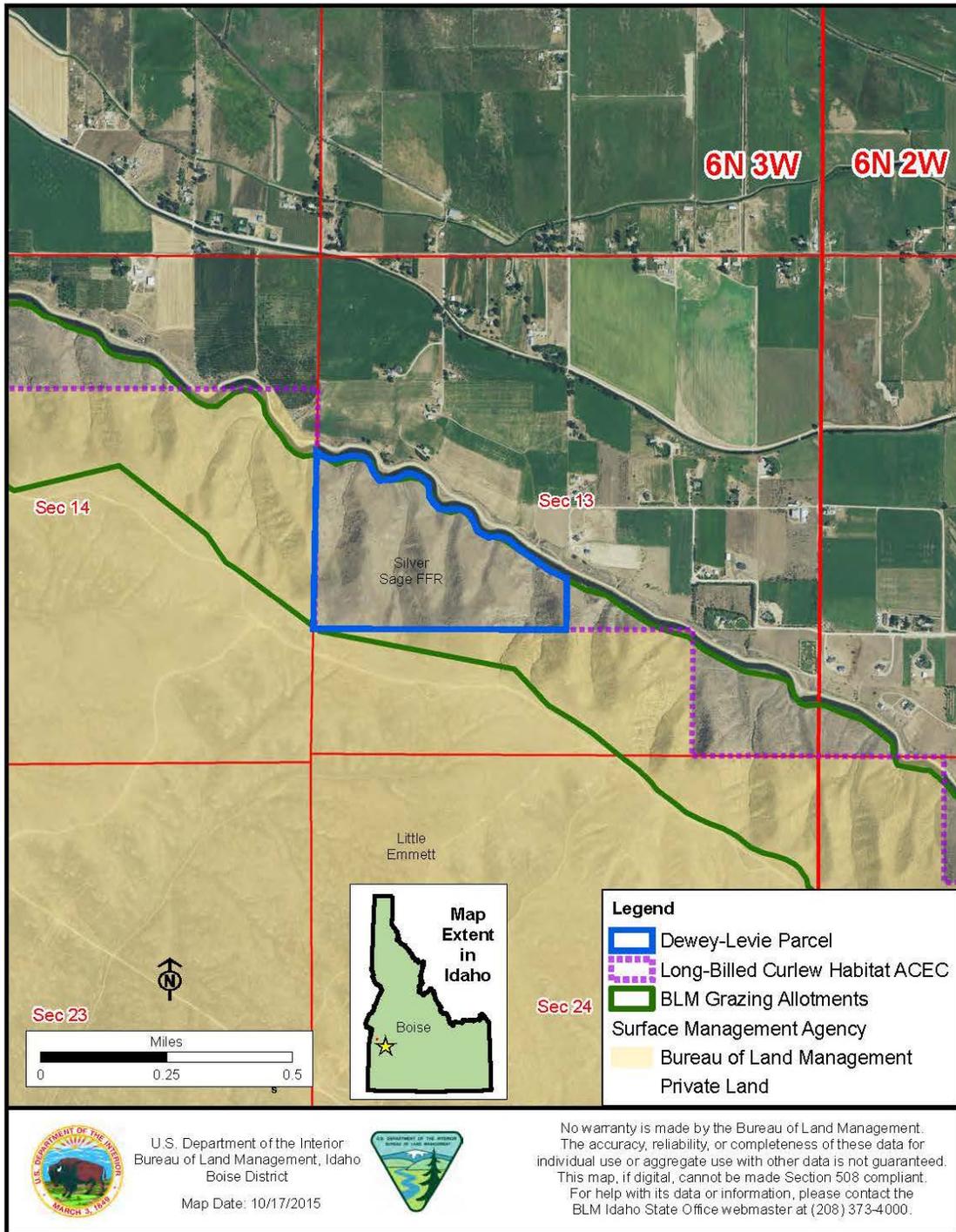
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- _____. 2010. Don Dewey road right-of-way application Gem County, Idaho, environmental assessment #DOI-BLM-ID-2008-006-EA. USDI, Bureau of Land Management, Boise, Idaho. 48 pp.
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- _____. 2015. Record of Decision and Approved Resource Management Plan Amendments for the Great Basin Region, Including the Greater Sage-Grouse Sub-Regions of Idaho and Southwestern Montana, and Northeastern California, Oregon, Utah. USDI, Bureau of Land Management, Boise, Idaho. 406 pp.

6.0 Maps



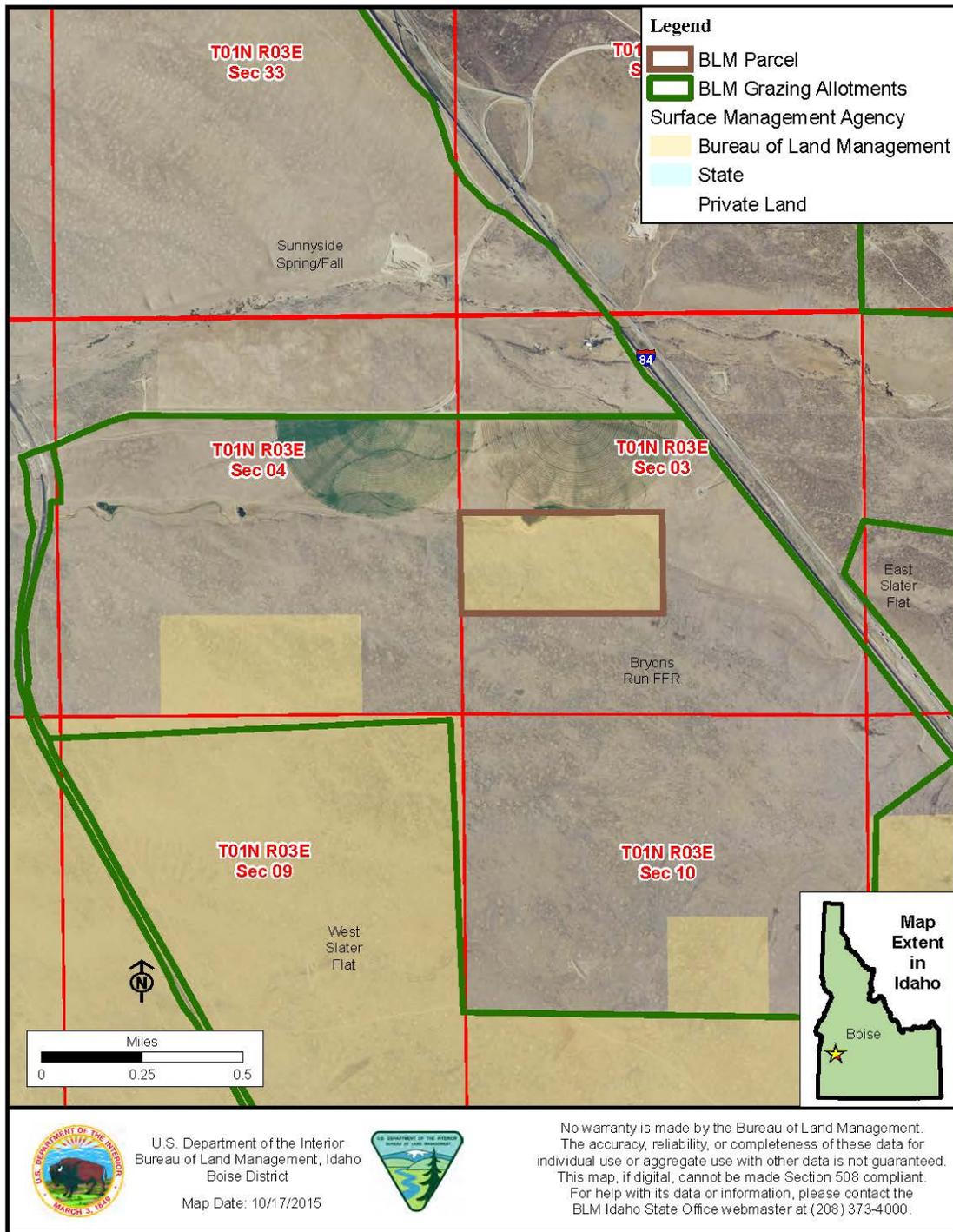
Map 1. General location of BLM and Dewey-Levie parcels, Ada and Gem counties, Idaho.

Map 2. Dewey-Levie parcel and livestock grazing allotments, Gem County, Idaho.



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Map 3. Dewey-Levie parcel and livestock grazing allotments, Gem County, Idaho.



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Map 4. BLM parcel and livestock grazing allotments, Ada County, Idaho.