

**United States Department of the Interior
Bureau of Land Management**

Environmental Assessment
DOI-BLM-ID-T030-2012-011-EA

Patterson Land & Livestock Trailing Permit EA
February 6, 2012

U.S. Department of the Interior
Bureau of Land Management
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1.0 PURPOSE & NEED

1.1. Introduction

This Environmental Assessment (EA) has been prepared to disclose and analyze the environmental consequences of authorizing a crossing permit, herein referred to as trailing permit, through four grazing allotments. This EA is a site-specific analysis of impacts expected with the implementation of the proposed action. The EA assists the BLM in determining whether any “significant” impacts could result from the analyzed actions. “Significance” is defined by the National Environmental Policy Act (NEPA) and is found in 40 Code of Federal Regulations (CFR) 1508.27 (2010).

An EA provides evidence for determining whether to prepare an Environmental Impact Statement (EIS) or a “Finding of No Significant Impact” (FONSI). If the decision maker determines that this project has “significant” impacts following the analysis in the EA, then an EIS would be prepared for the project. If not, a Decision Record (DR) may be signed for the EA selecting an alternative for implementation, whether the proposed action or another alternative. A DR, including a FONSI, documents the reasons why implementation of the selected alternative would not result in “significant” environmental impacts (effects) beyond those already addressed in the 1985 Monument Resource Management Plan (RMP).

1.2 Background

The purpose of the action is to respond to Patterson Land and Livestock’s application for a trailing permit to cross public lands administered by the Shoshone Field Office. The BLM is required, under the Federal Land Policy and Management Act and the Taylor Grazing Act to respond to requests for livestock trailing/crossing across BLM administered lands. Through this environmental analysis, a final decision will be rendered which will result in a specific season of use, number and kind of livestock, Animal Unit Months (AUMs), and management plan.

The trailing permit would be held by the individual livestock operator, similar to the issuance of grazing permits. Patterson Land & Livestock, in care of Jim Patterson, submitted a trailing application on October 31, 2011 for two trail routes. This EA considers only the trail route that crosses the Nasura, Pocket, Lava Pot and Shortline allotments. The other trail route is being analyzed in another EA. If issued, the trailing permit would resemble grazing permits with respect to terms and conditions, but does not include a preference for the permittee.

1.3 Purpose of and Need for the Proposed Action

The purpose of the action is to respond to Patterson Land and Livestock’s application for a trailing permit to cross public lands administered by the Shoshone Field Office. BLM is required, under the Federal Land Policy and Management Act and the Taylor Grazing Act to respond to requests for livestock trailing/crossing across BLM administered lands. Authorized trailing of livestock across BLM administered lands would be in accordance with 43 CFR 4130 and 4160, and would be consistent with the provisions of the Taylor Grazing Act and the Federal Land Policy and Management Act.

The applicant proposes to actively trail 200 head of cattle across public lands in the Nasura, Shortline, Pocket and Lava Pot allotments, to and from privately owned land. The livestock will

be herded within a 50-foot wide-designated corridor, which is depicted on a map that is attached to this EA. The proposed crossing route comprises less than one percent of the total acreage of all four allotments to be crossed. Trailing would follow two-track roads or power line road rights-of-ways. No trailing would occur on paved roads. As proposed, crossing will occur over a two-hour period sometime between February 6, 2012 and February 15, 2012. The flexibility in crossing dates is due to the applicant's desire to minimize stress on pregnant cows and new calves.

2.0 AFFECTED ENVIRONMENT

2.1 Introduction

This chapter presents the affected environment (i.e., the physical, biological, social and economic resources) of the allotments. This chapter provides the baseline for comparison of impacts/consequences described in Section 4.

2.2 General Setting

The Shoshone Field Office (FO) manages approximately 1.7 million acres of public land in south-central Idaho. The Field Office lies within seven counties in Idaho (Lincoln, Jerome, Gooding, Camas, Minidoka, Elmore, Blaine, and Butte). The Shoshone Field Office can be described as having several basins and mountain ranges, separated by broad valleys and vast agricultural lands. Most of the area is in the Great Basin. The Snake River (which is the southern boundary of the Field Office) is the main tributary flowing into the Columbia River.

The area subject to this request is located in the southwest portion of the Shoshone FO, approximately three miles northeast of Gooding, Idaho. All four allotments affected by the request have been included in the "C[ustodial]" Category of selective management in the 1985 Monument Resource Management Plan (RMP). The RMP describes "Category 'C'" allotments as:

"...[including] only small acreages of public lands or lands classified for transfer from Federal ownership. These allotments do not present management problems, regardless of condition. They present no significant potential for increasing production. Resource conflicts are either non-existent or are out-weighed by other considerations." RMP, p. 20.

The objective for custodial allotments is to manage public lands with minimal expenditure of funds and continue protecting existing rangeland resource value.

The following table shows the number of acres in each allotment proposed to be crossed, and the percentage of each allotment that would be trailed.

Table 1. Percentage of total allotment acres proposed to be used for trailing.

Allotment	Total Acres	Trail Acres	% of Allotment (Trail Acres / Total Allot Acres *100)
Lava Pot	1,096	7	0.64
Nasura	494	5	1.0
Pocket	2,346	18	0.77
Shortline	1,087	5	0.46
Grand Total	5,023	35	.7%

Within the allotments, elevation ranges from approximately 6,300 to 6,600 feet. Slopes range from 0-20 percent and aspect has virtually no influence in the area. The average annual precipitation in the area is 8-12 inches and most of the precipitation occurs during the fall, winter and spring months. Winter precipitation is typically in the form of snow. The soils on this site are mostly deep to very deep and are well or somewhat excessively drained. The overall hazard of wind erosion for these allotments is high due to the sandy soils.

Cheatgrass, Basin big sagebrush, and Wyoming big sagebrush are the dominant plant species present today. The allotments have adequate forage to accommodate the estimated seven AUMs that will be consumed or trampled during this trailing event.

There are no wild or scenic river corridors, floodplains, wetland or other ecologically significant or critical areas. There are no designated Wilderness areas within the Shoshone Field Office boundary. There are no Wilderness Study Areas, Areas of Critical Environmental Concern, historic trails, or sites listed or eligible for listing on the National Register of Historic Places within the four allotments. There is no known habitat or occurrences of any plant or animal species listed pursuant to the Endangered Species Act. Habitat is present for a BLM Sensitive Type 3 plant, Picabo milkvetch. There are no known Indian sacred sites within the allotments. There are no riparian areas located on the trailing route. The habitat within these allotments is not crucial migratory bird habitat, and no refuges are located within the allotments.

Records at the Shoshone Field Office show no occupied sage-grouse leks in or adjacent to the four allotments within eight air miles. The project area is designated as R2 sage-grouse habitat, which is classified as restoration habitat with an exotic understory. The shrub/steppe habitat that occurs in the allotments has the potential to provide sage-grouse winter habitat, but due to the allotments' close proximity to the town of Gooding, Idaho, this area is not widely used. The proposed route is outside of potential priority sage-grouse habitat and the proposed trailing occurs outside of lekking, breeding and nesting periods.

Primary recreational use consists of hunting and OHV travel. Non-motorized recreation consists of horseback riding and an occasional hiker. During this time of year, infrequent snowmobiling is the most common recreational activity.

2.3.1 Livestock Grazing

Permitted active use in the Shoshone Field Office is 202,878 AUMs. Permitted active use in the Lava Pot, Nasura, Pocket and Shortline allotments is 60 AUMs, 72 AUMs, 45 AUMs, and 59 AUMs respectively. Depending on the allotment, its location, and prescribed management, timing of grazing may occur during the spring, summer, fall, and winter or any combination of these seasons. Trailing of livestock occurs at different times throughout the year in the Shoshone Field Office but this trail has occurred in the past during February.

3.0 DESCRIPTION OF ALTERNATIVES, INCLUDING PROPOSED ACTION

3.1 Introduction

The alternatives were developed based upon issues identified through internal scoping. The alternatives were designed to address one or more of the identified issues as well as provide the opportunity for specific comparisons on which the decision maker can base a decision.

3.2 Applicant's Proposed Action – Issue Trailing Permit

The proposal is to issue BLM crossing permits to a livestock operator who submitted an application for trailing livestock across BLM-administered lands within the Shoshone Field Office. As stated above, the applicant proposes to trail 200 head of cattle across four allotments during a two-hour event sometime between February 6, 2012 and February 15, 2012. The applicant has identified the crossing route, which is depicted on a map identified as Attachment A.”

3.3 Alternative 1 – No Action

A crossing permit would not be issued and authorization for trailing of livestock across BLM administered lands would not be granted and trailing would not occur. The most likely option for the livestock operator would be to truck his livestock. This would require traveling twice the distance on local roads with four to five truckloads of cattle.

3.4 Alternatives Considered but Not Analyzed in Detail

BLM considered alternatives that modified crossing dates, or modified the proposed route. However, as the applicant's proposal is unlikely to result in any impacts to the environment, it was not necessary to consider modifications to the proposal. Because BLM has not identified unresolved conflicts concerning alternative uses of available resources, further study, development, and description of alternatives to the proposed action is not required under NEPA Section 102(2)(E).

4.0 ENVIRONMENTAL IMPACTS

Table 2. Issues Considered in Developing the EA

All the following issues have been considered. Issues denoted by a <input checked="" type="checkbox"/> are <i>not affected</i> by the proposed action or alternatives.	
<input checked="" type="checkbox"/> Air Quality	Threatened/Endangered Plants; Sensitive Plants—the proposed action may have an impact on Picabo milkvetch; that issue is discussed below.
<input checked="" type="checkbox"/> Areas of Critical Environmental Concerns	<input checked="" type="checkbox"/> Threatened/Endangered Fish; Sensitive Fish
<input checked="" type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Threatened/Endangered Animals; Sensitive Animals
<input checked="" type="checkbox"/> Environmental Justice (EO 12898)	<input checked="" type="checkbox"/> Wastes, Hazardous or Solid
<input checked="" type="checkbox"/> Farm Lands (prime or unique)	<input checked="" type="checkbox"/> Water Quality – Surface & Ground
<input checked="" type="checkbox"/> Floodplains	<input checked="" type="checkbox"/> Wetlands/Riparian Zones
<input checked="" type="checkbox"/> Invasive, Non-native Species	<input checked="" type="checkbox"/> Wilderness and WSAs
<input checked="" type="checkbox"/> Migratory Bird Treaty Act Species	<input checked="" type="checkbox"/> Wild & Scenic rivers – eligible, suitable and designated
<input checked="" type="checkbox"/> Native American Religious Concerns	<input checked="" type="checkbox"/> Tribal Treaty Rights

The proposal involves 200 head of livestock traveling on two-track roads or power-line roads. The livestock will be herded, and the entire event is unlikely to last more than one half-day. The livestock will originate from neighboring private lands, and will not require water or feeding. The permittee is well-known to the BLM, and has managed his livestock grazing permits in accordance with all applicable standards.

Due to the local origin of the livestock, frozen ground, and confinement to established routes, it is unlikely that the proposed trailing event will introduce or spread noxious weeds or invasive plants. The most likely invasive plant, cheatgrass, is already established within the allotments, and the proposed trailing event is unlikely to exacerbate its proliferation.

During winter months, the ground is typically frozen. Because of this, and because the livestock would travel on existing tracks, it is unlikely that soils will be compacted and/or vegetation trampled. Some vegetation (7 AUMs) is likely to be consumed or trampled during the trailing

event, but there is adequate forage within the trailing corridor to accommodate this *de minimus* consumption.

Trailing will occur off paved roads and will not congest roadways or cause a hazard to motorized vehicles. If trailing is not permitted, the cattle will be trucked. The trucking route is twice as long as the trailing route. As it would require up to five cattle trucks to transport 200 head of livestock, trucking would result in increased traffic on local roads, and may cause significant stress on the animals. All cows being trailed are in late-term pregnancy and stress or likelihood of injury from trucking has the potential to cause harm to the cows, and/or premature labor and delivery.

While habitat is present for a BLM Sensitive Type 3 plant, Picabo milkvetch, the plant is a deep tap-rooted perennial which is minimally impacted by shallow ground disturbing activities, as might be associated with this event. Terms and conditions, such as herded trailing in previously disturbed areas, will help to avoid potential impacts to Picabo milkvetch.

The livestock to be trailed will be the same kind as permitted in the allotments crossed. Therefore, it is unlikely there will be effects that are different in kind or scope than normal grazing activities, except that the intensity of all these impacts will be very minimal due to the extremely brief duration of the crossing activity and the nature of the area to be crossed by the livestock. Further, this livestock trailing event does not have the potential to affect the Nasura, Lava Pot, Pocket and Shortline allotments' ability to meet Idaho Standards of Rangeland Health in the future.

The proposed trailing event will not affect treaty rights, or have a disproportionately high and adverse effect on low income or minority populations.

There are no uncertain or potentially significant environmental effects that might be caused by the proposed trailing event. Nor are there unique or unknown environmental risks that need to be accounted for in the analysis.

4.1 Cumulative Impacts

Cumulative impacts, as defined in 40 CFR 1508.7 (2010), are the impacts on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. The geographic scope of the proposed crossing permit will be limited to those 35 acres which includes the federal, private and state lands within the livestock trailing buffer.

The bounds for cumulative impacts to soils, vegetation; including BLM Sensitive Species, wetland & riparian areas, rangeland health standards, noxious weeds, wildlife; including threatened and BLM sensitive species and livestock grazing are limited to those 5,023 acres within the Nasura, Lava Pot, Pocket and Shortline allotment boundaries. Since the potential direct and indirect impacts of the proposed action are negligible, the possibility of cumulative

impacts from this action of permitting livestock to cross the allotment over a period of two hours is negligible as well.

4.1.1 Reasonably Foreseeable Future Actions

The BLM currently does not have any range improvement projects planned within these four allotments or within any neighboring allotments. No future changes to the grazing management in these allotments is anticipated in the future since and the only reasonably foreseeable future action in the Nasura, Lava Pot, Pocket and Shortline allotments would be a grazing permit renewal at the end of the 10-year cycle or another 2-hour livestock trailing event by Jim Patterson next year, if needed. If an application is received for a trailing permit next year, this action would be analyzed through a separate NEPA document. When considered with past, present, and reasonably foreseeable future actions, there are no known incremental effects of the proposed action or alternative 1.

4.1.2 Cumulative Impacts Summary

No significant individual or cumulative impacts are anticipated in the Nasura, Lava Pot, Pocket and Shortline allotments as a result of the proposed action which allows 200 head of cattle to trail through the four allotments along existing roads.

5.0 CONSULTATION AND COORDINATION

The Shoshone-Paiute Tribes were consulted on January 26, 2012 and the Shoshone-Bannock Tribe were informed through a Scoping Package mailed on December 23, 2011. They expressed no concerns with the proposal. The permittee has communicated with staff regarding the progress of this application. This action is taken pursuant to the 2012 Appropriations Omnibus Act, Sec. 123. In accordance with Section 123, the BLM exercises its discretion to modify the NEPA review by issuing this EA contemporaneously with the authorizing official's decision.

This trail proposal was included in a Scoping Package for the Shoshone Livestock Trailing EA sent to all permittees, interested publics on December 23, 2011. Nine comments were received from the Scoping Package but there were no comments specific for this trailing event. All Rights-of-way holders were also notified through letter on January 4, 2012. No comments were received on this specific trailing event. The Livestock Trailing EA Scoping Package was also presented at a RAC Meeting on January 26, 2012 with no comments given to this specific livestock trailing event.

Copies of the December 23, 2011 Shoshone Livestock Trailing EA scoping document were sent to the addresses below.

CC:

William Arkoosh, 2005 US Hwy 26, Gooding, ID 83330
Goodtime Association, c/o John Faulkner, 1989 S. 1875 E., Gooding, ID 83330
Debbie Matthews, 2004 E. 1400 S., Gooding, ID 83330
Patterson Land & Livestock, c/o Jim Patterson, 1460 S. 2050 E., Gooding, ID 83330
Toone Ranches, c/o Mark Toone, 2096 E. 1500 S., Gooding, ID 83330
Committee for the High Desert, P.O. Box 2863boise, ID 83701
ICL Public Lands Office, P.O. Box 844, Boise, ID 83701
Idaho Department of Fish & Game, 324 S 417 E, Suite 1, Hwy 93 Business Park, Jerome, ID 83338
Idaho State Department of Agriculture, Division of Animal Industries, Attn: Ron Kay, P.O. Box 7249, Boise, ID 83707
Idaho Wildlife Federation, P.O. Box 6426, Boise, ID 83707
Shoshone-Bannock Tribes, P.O. Box 306, Fort Hall, ID 83203
The Wilderness Society, Idaho Regional Office, 950 West Bannock Street, Suite 605, Boise, ID 83702
Western Watersheds Project, P.O. Box 1770, Hailey, ID 83333
David Skinner, P.O. Box 664, Fairfield, ID 83327
Paul McClain, 619 Elm Circle, Gooding, ID 83330-1863
Mel Quale, Quale Electronics, 1730 Kimberly Road, Twin Falls, ID 83301
Dennis Crane, 360 S. 150 E., Burley, ID 83318
Chris J. Christiansen, 105 N. 740 W., Blackfoot, ID 83221
Gerald Orthel, 3604 B N 2100 E, Filer, ID 83328
Mike Henslee, 95-A Bell Rapids Road, Hagerman, ID 83332
Jeffrey Williams, 3446 E 3100 N, Kimberly, ID 83341
James Wills, 722 Cherokee Lane, Twin Falls, ID 83301
Scott Boettger, 119 E Bullion, Hailey, ID 83333
Hank Maryland, 569 Butte Drive, Twin Falls, ID 83301
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LaMar Orton, 867 Filer Avenue West, Twin Falls, ID 83301
Todd Wadsworth, 3162 E. 3600 N., Twin Falls, ID 83303
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