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1.1 INTRODUCTION

This document is the Final Resource Management Plan (RMP) and Environmental Impact Statement (EIS), which sets forth the future direction for the use and management of the Snake River Birds of Prey National Conservation Area (NCA). This Final RMP/EIS covers all public land within the NCA boundary, including the 138,000 acre Orchard Training Area, and addresses the direction set forth in the NCA enabling legislation (Appendix 1).

1.2 PURPOSE OF THE RMP

The NCA is managed in accordance with the Kuna and Bruneau Management Framework Plans (MFPs), and the Cascade, Jarbidge, and Owyhee RMPs. The 1996 NCA Management Plan is not a stand-alone land use plan, but rather a management plan composed of decisions carried forward from existing land use plans. The 1996 plan does not include legislatively required compatibility determinations for military training, grazing, and off-highway vehicle (OHV) use. In addition, the plan does not address in sufficient detail current Bureau of Land Management (BLM) policy for other program areas such as fire management and the Idaho Standards for Rangeland Health and Guidelines for Livestock Grazing Management (S&Gs) (Appendix 3) 1. In the years since the RMPs and the Management Plan were approved, new laws, regulations and policies have created additional considerations that affect the management of public lands. As a result, some of the decisions are no longer valid, or have been superseded by requirements that did not exist when the plans were prepared. These changes in management policy, coupled with new issues and concerns, and increasing demands on NCA resources drive the need for a comprehensive plan that provides clear direction to both BLM and the public.

The new RMP will provide the BLM with a stand-alone comprehensive framework for managing public lands in the NCA over the next 20+ years to meet the purposes of the enabling legislation (16 USC 460iii-2; 107 Stat. 304) (Appendix 1):

“...to provide for the conservation, protection, and enhancement of raptor populations and habitats and the natural and environmental resources and values associated therewith, and of the scientific, cultural, and educational resources and values of the public lands in the conservation area....”

The NCA’s enabling legislation and the management principles contained in the Federal Land Policy and Management Act (FLPMA) will guide the land use decisions within the NCA. In addition, authorized uses must be determined to be compatible with the purposes for which the NCA was established [Section 3(a) of the NCA-enabling Act], as well as with the management guidance provided in Section 1(5) and Section 4(b) of the Enabling Act. The NCA Final RMP/EIS will also meet the requirement to review the management plan at least every five years, as stated in Section 4((a)(1)(B) of the Enabling Act. Based on the RMP’s compatibility determinations, some uses may be excluded or limited on certain lands to protect specific resource values or to minimize conflicts with other uses or users.

1.3 NEED FOR THE RMP

According to BLM’s planning manual (1610), land use plans guide management actions on the affected public lands. Land use plan decisions establish goals and objectives for resource management [i.e., Desired Future Conditions (DFC)], the measures needed to achieve the goals and objectives, and parameters for using public lands. They identify lands that are open or available for certain uses, including any applicable restrictions, and lands that are closed to certain uses. Land use plan decisions ordinarily are made on a broad scale and customarily guide subsequent site-specific implementation decisions. Among the issues and concerns needing to be addressed in the NCA are:



- Landscape-level changes in ecological condition caused by the loss of shrub habitat.
- The need to recognize the role of fire in the NCA and identify appropriate fire and fuels management.
- The expansion of invasive and noxious weeds contributing to landscape-wide changes in plant communities and ecological processes.
- The burgeoning human population in the surrounding area, which has increased recreation demands and related impacts.
- The management of special status species including slickspot peppergrass and Snake River snails.
- Locations and size of military training areas.
- Areas available for Livestock grazing.

Because of the increasing demand for use of public land, there is a compelling need to develop an RMP that ensures that:

- Management is more proactive about conserving, protecting, and enhancing raptor populations and habitats, including raptor prey populations.
- Authorized uses are compatible with the purposes for which the NCA was established.
- Resource uses are balanced, and are sustainable over the long-term.
- Increasing demand for a comprehensive transportation plan, including OHV use, is addressed.
- Sensitive species habitats are protected and enhanced.



1.4 PUBLIC PARTICIPATION

BLM published the Federal Register Notice of Intent (NOI) to plan in both the NCA and the Bruneau Planning Area on August 7, 2001 and in November entered into an interagency agreement with the U.S. Institute for Environmental Conflict Resolution (Institute). The purpose of this partnership was to assess opportunities for collaboration in the development of two RMPs (including the NCA), suggest strategies based on this assessment, and provide neutral facilitation resources. Under the agreement, the Institute contracted the services of two neutral, private practice facilitators from the Boise area to design and facilitate public scoping meetings, and cooperatively develop and implement an all-inclusive collaborative strategy.

The Institute's assessment report, published in June 2002 and entitled *Assessing Prospects for Collaborative Planning and Public Participation for the Bruneau and Snake River Birds of Prey NCA Resource Management Plans*, identified the following seven principles for collaboration based on key themes heard during the assessment interviews:

1. Realistically match internal resources to commitments.
2. Identify what is fixed and what is open for input and influence by the public.
3. Be clear and consistent.
4. Educate about the RMP process and how it links to future site-specific decisions.
5. Link to national strategies and policies in order to focus on what is open for discussion and minimize debate on issues that are already decided.
6. Follow through on commitments, both procedural and substantive.
7. Be publicly accountable for seeking input from the public.

Based on preliminary findings from the assessment, the facilitators and BLM designed a process consistent with its seven principles for collaboration. This process was documented in *A Collaborative Process for Resource Man-*



agement Planning (April 2003). Generally, this iterative process followed a pattern of:

- Interdisciplinary (ID Team) team product development and internal agency review.
- Review from Boise District Resource Advisory Council (RAC).
- Review from Federal, State, local agencies, and cooperating agencies (Intergovernmental Coordination Group (ICG)).
- Formal government-to-government consultation with American Indian Tribes.
- Review and comment from the general public.
- Interdisciplinary team revisions based on this feedback.

The RAC is a 15-member advisory panel, which provides advice and recommendations to the BLM on resource and land management issues. Membership includes a cross section of Idahoans from the southwestern portion of the State representing energy, tourism and commercial recreation, environmental, and archeological or historic interests as well as elected officials, Tribes, and the public-at-large. Council members are selected for their ability to provide informed, objective advice on a broad array of public lands issues and their commitment to collaboration in seeking solutions to those issues. Members are appointed to three-year terms and may be reappointed to consecutive terms. Council members must be Idaho residents.

The ICG is a group of intergovernmental individuals meeting to increase two-way information sharing about natural resource guidance, documents, data and initiatives to ensure that information is considered, and to assist in resolving inconsistencies between Federal and State/local plans.

Section 202(c)(9) of FLPMA, requires BLM to provide for public involvement of other Federal agencies, and State and local government officials in developing land use decisions for public lands, including early public notice of proposed decisions that may have a significant effect on lands other than BLM administered Federal lands. Section 202(c)(9) of FLPMA also requires, to the extent practical, that BLM keep itself informed of other Federal agency and State and local land use plans, assure that consideration is given to those plans that are germane to the development of BLM land use plan decisions, and assist in resolving inconsistencies between Federal and non-Federal plans.

Meetings with individuals and interest groups occurred throughout the process. It should be noted that the interdisciplinary team included two cooperating agencies, the Idaho Army National Guard (IDARNG) and Owyhee County. Table 1.1 below lists the collaborative “events” associated with this planning process.



Table 1.1. Collaborative Events for NCA Resource Management Plan.

Topic (Number of Meetings)	Audience	When
Scoping (6) and stakeholder comment	All stakeholders (Tribes through consultation)	Nov 2001 – Jan 2002
Collaborative Process/ Issue Development (4)	All stakeholders (Tribes through consultation)	July 2002
Review and comment on issues	All stakeholders (Tribes through consultation)	July – August 2002
Issue Refinement (1)	ID Team/RAC/ICG with public observation and input	September 2002
Review and comment on Planning Criteria	All stakeholders (Tribes through consultation)	Fall 2002
Desired Future Conditions (3)	All stakeholders (Tribes through consultation)	December 2002
Data Fair (2 that included NCA)	All stakeholders	June 2003
Objectives and Management Actions (5 for NCA)	ID Team/RAC/ICG with public observation and input (Tribes through consultation)	Sept – Nov 2003
Preliminary Draft Alternatives (3 for NCA)	All stakeholders (Tribes through consultation)	June – July 2004
Draft Alternatives --- Traveling Coffee Shops (3 for the NCA)	All stakeholders/RAC/ICG (Tribes through consultation)	June – July 2005
Draft RMP – Preferred Alternative (4)	All Stakeholds/RAC/ICG (Tribes through consultation)	June 2006
Response to Comments on the Draft RMP (numerous) – Phone conversations and briefings	Organizations/RAC/ICG/ Congressional Staff (Tribes through formal consultation)	Jan – Mar 2007

1.4.1 Scoping/Issue Development

In early November 2001, nearly 600 newsletters were sent to individuals, agencies, and organizations informing them of the planning effort for the NCA and the adjacent Bruneau Planning Area, the location of public meetings, and the opportunity to comment. In addition, newspaper advertisements and press releases notified the public of the project, announced the five open houses (held November 2001 – January 2002), requested public comment, and provided contact information. Because winter weather conditions minimized attendance, a sixth meeting in Boise was added to the schedule, and additional news releases and advertisements were published.

This first round of open houses provided an opportunity for the public to receive information, ask questions, and provide input regard-

ing resources, resource uses, and management issues for the NCA. In addition to BLM and Boise District RAC representatives, a total of 128 people attended the open houses. Those attending represented a diverse set of interests in public land and resource management. In July 2002, a second round of public meetings provided public feedback on the issues identified earlier. Approximately 90 people attended 4 meetings.

In response to feedback from the July 2002 meetings, the BLM ID Team, RAC and ICG representatives participated in a September 10, 2002 workshop to review the latest public feedback and finalize the issues. Approximately 45 people participated in the workshop, including several members of the public who observed the process and provided comment. Once finalized, the issues were published in a



newsletter and posted on the BLM planning website (www.id.blm.gov).

Throughout the scoping and issue identification process, 52 individuals and/or organizations provided 1,031 distinct written scoping comments for both the NCA and Bruneau Planning Areas. These comments were analyzed and sorted according to topic and planning area. These comments were then posted on the BLM planning website.

1.4.2 Planning Criteria

BLM provided a synthesis of the Federal laws, and department/agency regulation and policy, which set the regulatory sideboards for the RMP. After tribal consultation and public review, the ID team incorporated feedback where appropriate and developed the planning criteria (Appendix 2) which were mailed with a newsletter and were posted on the BLM planning website.

1.4.3 Desired Future Conditions (DFC)

DFCs express the long-term goals for the NCA and are grouped by resource and resource use. The ID team, along with the RAC and ICG, developed preliminary DFC with tribal consultation and an opportunity for public review and comment. In addition to formal tribal consultation, three public meetings were held in December 2002 for this purpose. Feedback was incorporated where appropriate and the revised DFC were distributed by newsletter and posted on the BLM planning website.

1.4.4 Data Fair

BLM specialists assembled data and maps for specific resource areas within the NCA, and met with the public in an open house format in June 2003. The purpose of the open house was to share information the BLM intended to rely upon for analysis, and to invite the public to provide comments on BLM data, or share data of their own. BLM data and maps were revised appropriately based on feedback received during and following the data fairs.

1.4.5 Objectives and Management Actions

BLM ID team, RAC RMP subcommittee, and the ICG participated in a series of small group workshops in September and October 2003 to develop preliminary objectives and management actions. A large workshop was then convened with these same groups in November 2003 to integrate the preliminary objectives and management actions as a first step in developing preliminary draft alternatives.

1.4.6 Preliminary Draft Alternatives

The ID team took the product from the large group workshop and refined the information into preliminary draft alternatives. Following agency review, the BLM held three workshops in August and September 2004 to share the overall concept of the preliminary draft alternatives, as well as offering specific information on the key features of each alternative by resource and resource use. The ID team revised the preliminary draft alternatives based on feedback and these are detailed in Chapter 3 Alternatives. After the preliminary draft alternatives were developed, the Tribes were consulted and briefings were held with the RAC and ICG to identify inconsistencies with other planning efforts. In addition, a series of “traveling coffee shops” were held so interested organizations and individuals could see how their comments were incorporated and to ask questions relative to the alternatives. Upon distribution of the Draft RMP/EIS, BLM sponsored four community meetings to answer questions about management proposals and analysis. In addition to these community meetings, BLM held a field tour of the NCA for RAC and ICG members and also offered a field tour for the public so interested individuals could look at existing resource conditions and discuss the proposed management activities.

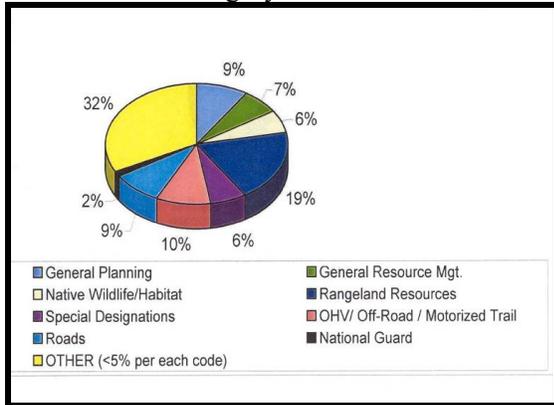
1.5 PLANNING ISSUES

From the 1,031 separate and distinct comments received as a result of the scoping process, BLM identified nine management issues that have been addressed in this RMP/EIS. These issues were validated with the public through additional public meetings and work-



shops. Figure 1.1 shows the distribution of comments by category.

Figure 1.1. Percentage of Comments by Category.



In addition to the issues agreed to with the public and RAC, Owyhee County and the Shoshone-Bannock and Shoshone-Paiute American Indian Tribes also provided their perspectives, which are shown on Table 1.2; no changes have been made to the wording. (Note: items in bold appeared that way when submitted).

Table 1.2. Relevant Issues Raised During Scoping.

Public, RAC and ICG	Owyhee County	Shoshone-Bannock	Shoshone-Paiute Tribes
Issue 1: Vegetation			
<ul style="list-style-type: none"> Loss of native shrub/perennial bunchgrass habitat has resulted in a decline of the raptor prey base, influencing some raptor populations. Livestock grazing, military training and other human uses have an effect on soil stability and watershed health. Existing land use plans do not adequately address the protection, enhancement and restoration of native plant communities (sagebrush, salt desert shrub) that provide unfragmented core habitat for dependent plant and animal species. 	Same as public.		<ul style="list-style-type: none"> The natural inhabitant needs to be mentioned. The comments provided address Ranching, Recreation, Military activities, etc., the BLM is an agency that is responsible for habitat, and there is no mention of protection of habitat for the natural inhabitant. The need for maintaining the natural vegetation for deer, antelope, rabbits, birds, and other animals needs to be addressed at the top of the list, along with areas that need to be maintained for gathering of food and medicinal plants (reserved rights).



Table 1.2. Relevant Issues Raised During Scoping.

Public, RAC and ICG	Owyhee County	Shoshone-Bannock	Shoshone-Paiute Tribes
<ul style="list-style-type: none"> • Livestock grazing, recreation, and other uses may be impacting water quality and riparian habitat conditions. • Fire management, including fuels treatments, need to protect the existing native habitats, wildland, and urban and rural interfaces. Fire use and other management tools need to be considered for enhancement and restoration of native plant communities. Rehabilitation considers use of native and adapted non-native plants as appropriate. 		<ul style="list-style-type: none"> • Describe the management of wildfires and how they would be contained, post-fire restoration plans, and what resources would be used to contain wildfires. 	
Issue 2: Socio-Economic			
<ul style="list-style-type: none"> • Current land use and recreation trends may affect traditional uses and values. <ul style="list-style-type: none"> ○ How does BLM manage public lands for sustainable use and resource health in order to maintain the custom, culture and economic health of local communities? ○ How can emerging activities and traditional uses be managed in order to maintain the sustainable use and resource health that supports local economies? 	<ul style="list-style-type: none"> • Current land use and recreation trends may affect traditional uses and values. <ul style="list-style-type: none"> ○ How does BLM manage <i>the allowable uses of</i> public lands for sustainable use and resource health in order to maintain the custom, culture and economic health of local communities? <p>All other issues are the same as public.</p>		<ul style="list-style-type: none"> • Current land use and recreation trends may affect traditional uses and values. (Traditional use (those protected by law)) • Treaty Tribes have reserved rights, which reserved hunting, fishing and gathering rights in their usual and accustomed places, which include many areas. • There are two treaties that were not ratified, and aboriginal land title was not extinguished, and Tribes have not relinquished their rights. • BLM must manage people related activities more closely; people are the greatest threat to the environment. Recreation, such as use of OHVs,



Table 1.2. Relevant Issues Raised During Scoping.

Public, RAC and ICG	Owyhee County	Shoshone-Bannock	Shoshone-Paiute Tribes
<ul style="list-style-type: none"> • Recreational use of public lands increases counties’ infrastructure costs. • What actions can BLM take to minimize adverse effects on local communities and governmental entities? 			<p>hunting, and grazing all have to be managed more strictly, and OHVs must be prohibited from some areas and restricted in others. The Owyhee Front provides more than enough space for OHV and other recreations.</p> <ul style="list-style-type: none"> • The values of the Native American people are protected by Federal laws, such as the American Indian Religious Freedom Act, E.O. 13007 (Sacred Sites), NAGPRA, and others, which were developed to protect Native American rights, traditions and values. We must not ignore or diminish Native American rights and values and focus only on the values and needs of ranchers, recreation and environmentalists. • Many of our people make a living tanning buckskin and manufacturing various arts and crafts. • Most of the wildlife including deer has declined and that has created a socio-economic impact to our people.
Issue 3: Tribal and Cultural Values			
<ul style="list-style-type: none"> • Historical, Tribal and cultural values may be affected by a variety of land use activities. • The Shoshone-Paiute and Shoshone-Bannock Tribes consider the area part of their aboriginal homelands and want to con- 	Same as public	<ul style="list-style-type: none"> • Describe the plan for the protection of cultural resources and traditional cultural properties that are of importance to the Tribes. Traditional cultural properties include but are not limited to plants, 	<ul style="list-style-type: none"> • Historical, Tribal and Cultural values may be affected by a variety of land use activities. Tribal values are deeply embedded in cultural, traditional and spiritual values. • The Shoshone-Paiute and Shoshone-Bannock Peo-



Table 1.2. Relevant Issues Raised During Scoping.

Public, RAC and ICG	Owyhee County	Shoshone-Bannock	Shoshone-Paiute Tribes
<p>tinue to have access to the land for ceremonial and religious purposes, as well as hunting, fishing and gathering.</p> <ul style="list-style-type: none"> At times, current management conflicts with both tangible and intangible Native American interests; therefore, the RMP needs to address the protection of cultural resources and traditional cultural properties, including plants, wildlife, sacred places, water, etc. Tribal governments are sovereign nations, which have special status through treaties, statutes, and executive orders that must be honored and protected. 		<p>fish, wildlife, sacred places, water, etc.</p> <ul style="list-style-type: none"> Federal statutes such as the Native American Graves Protection Act (NAGPRA), National Historic Preservation Act (NHPA), American Indian Religious Freedom Act (AIRFA), Archeological Resources Protection Act (ARPA) and others, needs to be considered. 	<p>ple consider the area a part of their homelands (the word “consider” needs to be removed. Tribes “would like to” continue to have access to the land for ceremonial and religious purposes, as well as hunting, fishing and gathering (these activities are guaranteed by law and treaties)).</p>
Issue 4: Recreation			
<ul style="list-style-type: none"> Demand for recreational opportunities in SW Idaho is increasing. There is a need to manage recreation use in a manner compatible with the protection and enhancement of raptor populations and their habitats. BLM needs to provide reasonable recrea- 	<ul style="list-style-type: none"> Same as public issue There is a need to provide for recreation use, through development of and implementation of effective planning and management strategies, while addressing the associated impacts to other resources and conflicts with other uses. BLM needs to provide reason- 	<ul style="list-style-type: none"> Elimination of unnecessary roads should be considered and restored to favorable habitat for area wildlife. This would also aid in the recovery of the endangered species that inhabit the area. There should also be a limit to areas where passenger vehicles and all-terrain vehicles are allowed for travel. Valuable vegetation shouldn't have to be destroyed by unnecessary vehicle traffic. 	<ul style="list-style-type: none"> Recreation must be closely managed, restrictions placed on certain recreational activities, and totally banned in certain areas with respect to the environment and wildlife.



Table 1.2. Relevant Issues Raised During Scoping.

Public, RAC and ICG	Owyhee County	Shoshone-Bannock	Shoshone-Paiute Tribes
<p>tional access consistent with private property rights and a range of recreational opportunities.</p>	<p>able recreational access consistent with private property rights and a range of recreational opportunities. However, reasonable recreational access does not include condemnation of private property in order to provide access.</p> <p>Recreation use must be managed in such a way as to be compatible with the protection and enhancement of raptors population and their habitats.</p>		
<p>Issue 5: Grazing</p>			
<ul style="list-style-type: none"> • Livestock grazing is an important component of multiple use management. • Livestock grazing practices need to be compatible with a sustainable environment for vegetation, wildlife and fish as well as providing sustained economic benefit to local communities. 	<ul style="list-style-type: none"> • Livestock grazing is an important component of multiple use management and sustained economic benefit to local communities. • Livestock grazing practices are complementary to and/or compatible with a sustainable environment for vegetation, wildlife and fish. 	<ul style="list-style-type: none"> • Livestock grazing needs to be carefully avoided in areas where culturally significant sites are located. Cattle can do a significant amount of damage to the vegetation and cultural resources if it isn't carefully managed. Overgrazing of livestock is an issue that should be considered. 	<ul style="list-style-type: none"> • Add “Cultural/traditional survival of Native American communities as provided by treaties and various laws. (Grazing is a human impact, livestock were brought by people).
<p>Issue 6: Wildlife</p>			
<ul style="list-style-type: none"> • Is management of the NCA consistent with the protection and enhancement of raptor populations and their habitat? 	<p>Same as public</p>	<p>The anadromous fisheries of the Snake River are an important historic cultural resource to the Shoshone Bannock Tribes. Restoration of this resource is</p>	<ul style="list-style-type: none"> • Reduce human activities such as grazing and recreation and riparian and upland habitat will revive on its own if given a chance.



Table 1.2. Relevant Issues Raised During Scoping.

Public, RAC and ICG	Owyhee County	Shoshone-Bannock	Shoshone-Paiute Tribes
		important to the tribal cultural heritage.	
Issue 7: Land and Realty			
<ul style="list-style-type: none"> • The planning area consists of scattered tracts of intermingled ownerships and a confusing boundary which presents challenges for management and use of public resources. • Purchases and exchanges should consider environmental, cultural, economic and social resource values. • An increasing demand for road, utility and communication services impacts public lands and users. • Where can utility corridors be located to prevent or lessen resource degradation caused by proliferation of rights-of-way? 	<ul style="list-style-type: none"> • The planning area consists of scattered tracts of intermingled ownerships including Federal, private and State lands which present challenges for management and for effective use of public, private and State resources. <p>The remainder is the same as public issues.</p>		<ul style="list-style-type: none"> • Land sales and exchanges should be approved by the Tribes each time any lands are taken out of Federal ownership – tribal (reserved) rights are diminished. • A thorough cultural resource inventory must be conducted and consultation with Tribes must be initiated and completed which may reveal TCPs, sacred sites, and other important areas.
Issue 8: Special Designations			
<ul style="list-style-type: none"> • Special designations, i.e., ACEC, WSA, and RNA, proposed for the protection of natural and cultural resources may impact current uses and conditions. • Special designations need to be monitored to see if the objectives are being met. 	<ul style="list-style-type: none"> • Same as public <p>Special designations need to be monitored to see if the objectives are being met and to quantify</p>		<ul style="list-style-type: none"> • Special designations need to be monitored and laws and regulations need to be enforced with all violators prosecuted.



Table 1.2. Relevant Issues Raised During Scoping.

Public, RAC and ICG	Owyhee County	Shoshone-Bannock	Shoshone-Paiute Tribes
	<p><i>the impacts to other uses of the area. They should only be imposed when the resource area or values under consideration meets statutory criteria and clearly require additional protective management that could not be implemented without special designations.</i></p>		
Issue 9: Idaho Army National Guard			
<ul style="list-style-type: none"> • Military activities need to be conducted in a way that is consistent with the protection and enhancement of raptor populations and their habitat. • BLM may receive future requests to authorize new types or increased levels of use. • Areas potentially affected by hazardous materials or unexploded ordnance should be evaluated for possible withdrawal to the Department of Defense. • A withdrawal would not change the use of the area, but would transfer the liability for clean-up and remediation to the agency responsible for the problem. 	Same as public.		<ul style="list-style-type: none"> • The Tribes are working closely with the Idaho Army National Guard. • Air Force activities have an impact on the entire area underlying their Military Operations Area (MOA), which includes, but is not limited to, noise, dropping of chaff and airplane accidents (which may destroy sacred sites or other important areas). Impacts may intensify as other aircraft, such as the F22 Raptor, are introduced to the MHAFB. (Note: Although there are MOAs near the NCA there are none within the NCA)



Table 1.2. Relevant Issues Raised During Scoping.

Public, RAC and ICG	Owyhee County	Shoshone-Bannock	Shoshone-Paiute Tribes
<p>Tribal Conclusion:</p> <ul style="list-style-type: none"> • Tribes understand and respect the multi-use concept, but do not agree with economics and curiosity of science being the driving force while wildlife, habitat, archaeological sites, tribal traditions, values, and reserved rights are diminished. Tribal rights are protected under the U.S. Constitution, Treaties, mandates, policies, and court decisions – all Federal agencies are mandated to protect these rights. • Tribes recognize that all things have a spirit and all things are connected. When a resource is removed or harmed it has a rippling affect, and other resources become sick and eventually disappear. • The greed driven need to harvest all Natural Resources through activities such as mining, timber harvest, grazing and hydro-electric dams and wind generation has impacted our environment to the point that many of the natural inhabitants are threatened or extinct, we must ask ourselves, “what are we leaving for our children?” <p><i>The planning area is located in the aboriginal use area of the Shoshone and Bannock people in which the Tribe maintains treaty rights under the Fort Bridger Treaty of 1868. The Tribe is concerned if treaty rights would be affected under this management plan.</i></p>			

A number of public comments raised issues concerning laws, regulations, or actions which are either beyond the scope of the RMP/EIS; inconsistent with laws, regulations, or policy; or are more appropriately addressed by an implementation plan. Examples of comments which are beyond BLM’s authority include:

- There should be no wilderness – *Wilderness designations are made by Congress; BLM only makes recommendations.*
- Reduce shooting restrictions on ravens and crows to reduce predation on nesting birds, like pheasants – *The Idaho Department of Fish and Game (IDF&G) determines which animals are allowed to be hunted or shot.*
- None of the rivers and streams should be considered for Wild and Scenic River designation – *BLM is required to consider Wild and Scenic River eligibility and suitability.*

Comments outside the scope of the RMP because they are either implementation decisions or are too specific:

- Fix the fence along Shaw Lane.
- Provide better trail markers.

Comments that were either not an issue, or could not be addressed in an RMP:

- Raptors are killing good birds.
- Fires create jobs.
- Use common sense when making OHV use decisions.
- BLM should have motorized recreation planners on the interdisciplinary team and establish a motorized recreation advisory board.

While BLM planning authority is limited to the lands within the NCA, the RMP/EIS will address the need for boundary changes to enhance the public’s ability to use the NCA and BLM’s ability to manage the area.

Many comments like those presented above will be addressed in future implementation plans or in the monitoring and implementation Chapter 5 of this document. The BLM has saved all comments and will use those in future planning efforts and/or day-to-day management.

In August 1980, the Council on Environmental Quality (CEQ) directed that Federal agencies must assess the effects of their actions on farmland soils classified as prime or unique by



the Natural Resource Conservation Service (NRCS) of the U.S. Department of Agriculture (USDA). There are no prime or unique farmlands in the NCA; therefore, the topic of prime and unique farmland was dismissed as an impact topic.

The final issues carried forward are within the scope of the RMP and are within BLM authority. These issues can all be affected either directly through BLM actions or indirectly through management of the natural resources.

Other resources or resource uses that were not identified as issues during the scoping process and are still discussed, although to a lesser degree, include: Geology, Paleontology, Hazardous Materials and Environmental Justice.

1.6 DESIRED FUTURE CONDITIONS AND STANDARDS FOR THE NCA

BLM, after consultation with the Tribes and with the assistance of the RAC, ICG, public and Cooperators (IDARNG and Owyhee County), developed the Desired Future Conditions (DFC). These DFC are the goals that specifically address the issues and perspectives identified by the public and others and are generally broad statements. DFCs describe the future condition of resources and/or land uses that BLM and the public identified as issues or concerns during the scoping process. The DFC does not, however, describe the actions needed to attain those conditions. The conditions are expressed in terms of DFC and standards. DFC aid BLM in identifying actions that will most effectively address unsatisfactory resource conditions as required by laws and regulations, national policy (i.e., BLM Strategic Plan Goals), State Director guidance, and resource or social considerations. The DFCs remain constant across all alternatives. Objectives and management actions, which were developed to meet the DFCs, may vary across alternatives.

Standards are descriptions of physical, chemical and biological conditions required to maintain healthy ecosystems. In addition, there are goals that have been set by the BLM for spe-

cific programs. Collectively they form the vision for future management of the area.

The wording of the DFCs identified below remains as written at these meetings. It should be noted that DFCs were developed early in the process and since that time, wind energy developments have been determined to be incompatible with the NCA-enabling legislation. While this wording remains in the narrative below, there will be no wind energy developments in the NCA.

Resources and/or resource uses not identified as issues will still be managed and information regarding the resource or resource use can be found in Affected Environment Chapter 2 and/or Alternatives Chapter 3.

Resources:

1.6.1 Air Quality

Tied to National and State Guidance.

1.6.2 Cultural and Tribal

DFC:

- Cultural and historic resources would be protected, and past, present, and future traditions and practices would be preserved.

Standard:

- Protection would be provided through administrative and physical measures, education, interpretation, and special designations.

1.6.3 Fish and Wildlife (includes Special Status Animals)

DFC:

- The distribution, abundance, and quality of wildlife habitats would be maintained or improved, to provide food, cover, and space for healthy populations of game and non-game wildlife through the seasons as well as through various life stages.



- Distribution and condition of habitats would contribute to the long-term viability of federally listed and BLM sensitive species and to the resilience to environmental change.
- Raptor nest sites would be protected, maintained, and enhanced.

Standards:

- Quality upland habitats would consist of plant communities would be provided for animals by plant communities with shrub, forb, and grass diversity and cover appropriate to the site.
- Quality habitat for riparian-dependent animals would be provided by streams and wetlands with plant species diversity and structure appropriate to the site.
- Connectivity between habitats for fish and wildlife populations would be maintained or enhanced.
- The number of large trees would be increasing to enhance raptor roosting and nesting habitat.

1.6.4 Soil Resources

Tied to National and State guidance.

1.6.5 Vegetation

1.6.5.1 Upland and Special Status Plants

DFC:

Areas 1, 2 and 3 (See Management Map 1)

- The uplands would support healthy sagebrush and salt desert shrub communities, and would provide habitats to sustain or increase raptor and raptor prey populations.
- The uplands would provide habitats to increase the populations of shrub obligate animals.
- Habitat conditions would contribute to long-term viability of special status species.

- Desirable native and adapted non-native plant communities would show an upward trend in species diversity, productivity and structure.
- Noxious weeds would only be present in small isolated areas.
- Plant communities would show an upward trend in species diversity, productivity and structure.

Area 1 Specific

- Sagebrush and salt desert shrub communities would be the dominant vegetation type and would include a mosaic of multi-aged shrubs, forbs, and native and adapted non-native perennial grasses.

Area 2 Specific

- Sagebrush and salt desert shrub communities would increase and would include a mosaic of multi-aged shrubs, forbs, and native and adapted non-native perennial species.

Area 3 Specific

- Sagebrush and salt desert shrub communities would increase, but the area would remain largely dominated by cheatgrass and other exotic annuals.
- Fire would continue to be a function of cheatgrass-dominated areas.

Area 1 and 2 Specific

- There would be a decrease in the severity, frequency, and size of wildfires.
- A mosaic of multi-aged shrubs, forbs, and native and adapted non-native perennial grasses would be present.



Standards:

Areas 1, 2 and 3:

- Healthy native and adapted non-native plant populations would minimize the establishment of invasive and noxious weeds. New infestations of noxious weeds would be eradicated, and existing populations of noxious and invasive weeds would be managed to prevent invasions of weed-free areas.
- The population size and habitat quality of special status plants would be maintained and/or improved.
- Special status plants would continue to exist at their present locations.
- The distribution, abundance, and vigor of special status plant species would be maintained or improved.

Area 1 Specific:

- A mixture of early to late seral sagebrush and salt desert shrub/grasslands, needed for raptor and raptor prey habitat, would exist in various size blocks in well-distributed patterns across the landscape (including disjunct islands and corridors).

Area 2 Specific:

- Early to mid seral sagebrush and salt desert shrub/grasslands, needed for raptor and raptor prey habitat, would exist in smaller sized and less contiguous blocks compared to Area 1.

Area 3 Specific:

- Small, non-contiguous stands of early to mid seral sagebrush and salt desert shrub/grasslands, needed for raptor and raptor prey habitat, would be increasing in size and connectivity.

1.6.5.2 Vegetation – Riparian and Water Quality

DFC:

- Upland and riparian conditions would support water quality that is consistent with State of Idaho Water Quality Standards.
- Riparian areas would provide habitats to sustain or increase raptor populations.
- Riparian areas would provide habitats to sustain riparian obligate species, especially those that are special status species.

Standards:

- Native riparian plant species would be the dominant vegetation type.
- The population, size and habitat quality of special status plants would be maintained and/or increased.
- Desirable native and nonnative plant populations would minimize establishment of invasive noxious weeds.

1.6.6 Visual Resources

No Specific DFC – See Recreation.

1.6.7 Water Quality

No Specific DFC – See Riparian and Water Quality.

Resource Uses

1.6.8 Idaho Army National Guard

Areas 1 and 2

DFC:

- The Idaho Army National Guard would continue to administer military activities in the Orchard Training Area in a manner that is compatible with the NCA-enabling legislation.



Areas 1 and 2

Standard:

- Military activities would not adversely impact raptor and raptor prey habitats.

1.6.9 Lands and Realty

DFC:

- Public lands would be consolidated to facilitate land management.
- Administrative and public access to the public lands would exist where needed and where consistent with resource values.
- All major utility and transportation right-of-ways would be located in designated corridors, and all wind energy sites would be located within an identified right-of-way use area.
- Resource values on public lands would be protected to prevent loss of revenue due for the use of public lands.

Standard:

- Consolidation would be accomplished through a combination of land exchange, purchase, and donation.

1.6.10 Livestock Grazing

DFC:

- Forage would be made available to support ranching operations to the extent compatible with the NCA-enabling legislation.

Standards:

- Livestock grazing would not adversely impact habitat requirements of raptors and their prey base.
- Grazing management programs would be planned and scheduled to control the timing, intensity, and duration of grazing use to pro-

tect and/or enhance the ecological integrity of plant communities.

1.6.11 Recreation

DFC:

- A range of motorized, non-motorized, undeveloped and developed recreation opportunities would exist in a manner compatible with the NCA-enabling legislation.
- Environmental impacts and user conflicts would be reduced by improving public awareness of birds and their prey.

Standard:

- New recreation facilities that are compatible with the NCA purposes would be designed to protect the natural and scenic landscape values.

1.6.12 Renewable Energy

See Lands and Realty.

1.6.13 Transportation

See Recreation.

1.6.14 Utility and Communication Corridors

See Lands and Realty.

Other

1.6.15 Fire Ecology

See Vegetation.

1.6.16 Special Designations

DFC:

- Special or unique natural, historic, cultural, scenic, and recreational values would be protected through special designations as needed.

Standard:

- Special designations would be used for intensive management of unique resources.



1.6.17 Social and Economic Conditions

DFC:

- Consumptive and non-consumptive uses, determined to be compatible with the purposes of the NCA, would contribute to the socio-economic well being of the region.

Standard:

- No standard identified.

Chapter 3 (Alternatives) will show the objectives and management actions identified under each alternative to achieve the DFC. Remember, all alternatives are intended to achieve the DFC.

Objectives are meant to address the DFC for the various resources, are based on law and regulation, and reflect the projected direction of future public land management. Objectives play a major role in alternative development and identify specific desired resource conditions for a given area. Objectives generally have established time frames, as appropriate, for achievement and are usually quantifiable and measurable.
(SMART = Specific, Measurable, Attainable, Relevant, and Trackable)

1.7 LAWS AND REGULATIONS THAT INFLUENCE THE SCOPE OF THIS PROPOSED RMP AND FINAL EIS

BLM planning regulations (43 Code of Federal Regulations {CFR} 1610) require identification of planning criteria to guide development of RMPs. Planning criteria are the constraints, or ground rules, which guide and direct the development of the RMP. They influence all aspects of the planning process, including inventory and data collection, formulation of alternatives, estimation of effects, and ultimately the selection of a proposed alternative. They ensure that RMPs are tailored to the identified issues and that unnecessary data collection and analyses are avoided. Planning criteria are based primarily on standards prescribed by applicable laws, regulations, and agency guidance. They are also based on consultation with American Indian Tribes and coordination with public, other

Federal, State, and local agencies and government entities; and analysis of information pertinent to the planning area.

Appendix 2 presents the planning criteria for the NCA and identifies the laws, regulations and policies that form the basis for these criteria and are relevant to each of the resource topics discussed in this Proposed RMP and Final EIS.

1.8 RELATIONSHIP TO OTHER PLANS, POLICIES, AND PROGRAMS

The Final RMP considers various approaches to land use and management, some of which may represent competing interests for the same resource base. As previously described, the final RMP and EIS Record of Decision (ROD) will replace the existing MFPs and affected portions of the Cascade, Jarbidge, and Owyhee RMPs. It covers a broad area; addresses a wide range of programs, concerns, and resources; and must, therefore, function at a general level. Those decisions that were made in previous plans, which are still valid, have been carried forward.

The more specific actions required to attain the goals and outcomes defined in the Final RMP/EIS are accomplished through monitoring and implementation plans. These plans apply to specific program areas, projects, or operational and development strategies for specific areas of the NCA. Future implementation plans will use the goals and DFC defined in this document as their starting point. Implementation plans with potential to affect the environment will require formal analysis in compliance with the NEPA and related legislation, including the National Historic Preservation Act.

FLPMA requires that: *“the Secretary shall, to the extent he finds practical, keep apprised of, State, local, and tribal land use plans; assure that consideration is given to those State, local and tribal plans that are germane in the de-*



velopment of land use plans for public lands; assist in resolving to the extent practical, inconsistencies . . . Land use plans of the Secretary under this section shall be consistent with State and local plans to the maximum extent he finds consistent with Federal law and the purposes of this act.”

Relevant plans, policies, or programs (e.g., State/local land use plans) that were considered in the preparation of this document are listed and discussed in the Environmental Consequences Chapter 4, as part of the cumulative impact scenario. In addition to all local, State and Federal regulations, the IDARNG must comply with internal Department of Defense (DoD), Department of Army (DA), and National Guard Bureau directives, policies, and regulations. The Integrated Natural Resources Management Plan (INRMP) and Integrated Cultural Resource Management Plan (ICRMP) guide IDARNG’s natural and cultural resource programs on the OTA and help ensure compliance with federal laws and regulations. These plans comply with the requirements of the BLM/IDARNG Memorandum of Understanding (MOU) and BLM policies. The MOU outlines the types of activities that are authorized, and identifies the requirements under which military activities are conducted, including wildfire suppression, law enforcement, habitat rehabilitation, etc.

As previously mentioned, BLM formed the ICG, which is composed of representatives from various Federal, state, and local agencies and government entities to ensure that, where practical, the Proposed RMP/FEIS was consistent with requirements in other agency plans. Since over 20% of the NCA occurs in Owyhee County, the Board of Commissioners signed a cooperating agency agreement, which allowed them to have representatives on BLM’s interdisciplinary team during RMP development. IDARNG also signed a cooperating agency agreement. IDARNG, as a cooperating agency, provided both natural resource and military training expertise on the interdisciplinary team for developing and analyzing the alternatives.

1.9 OVERVIEW OF THE BLM PLANNING PROCESS

As provided by FLPMA, BLM has the responsibility to plan for and manage public lands, which are defined as federally owned lands and interests in lands (e.g., mineral estate), that are administered by the BLM.

The process for the development, approval, maintenance, and amendment or revision of RMPs was initiated under the authority of Section 202(f) of FLMPA and Section 202(c) of the NEPA of 1969. BLM planning regulations in Title 43 of the CFR, part 1600 (43 CFR 1600), and the Council on Environmental Quality (CEQ) regulations in 43 CFR 1500 guide the process.

The pre-planning phase of the BLM process consists of (1) compiling and reviewing the current laws, regulations, policies, Executive Orders, and directives pertaining to the NCA; and (2) developing any needed guidance specific to the planning effort and the NCA RMP/EIS.

BLM decision-making relevant to land use planning includes the following:

- **Resource Management Planning.** The highest level of decision-making specific to land and resource use is in the management plan. RMPs generally (1) make land use allocations, (2) provide future management direction for managing specific areas of land, and (3) provide the framework for management of all natural resources under BLM authority. Once the EIS is completed the final decision is published as a Record of Decision (ROD)/Resource Management Plan, which will guide future BLM management.
- **Activity Planning.** For BLM, mid-level decisions are provided in implementation plans. These plans encompass more detailed management decisions than RMPs. Implementation planning addresses management of specific programs and usually ties to a specific location and usually se-



lects and applies best management practices (BMPs) to meet land use plan objectives.

- Project Decision. For BLM, individual projects proposed in a specific location are analyzed for localized or site-specific effects. For example, whether to put in a fence surrounding a grazing allotment.

As the highest level in the BLM planning process, the RMP will prescribe the allocation of and general future management direction for the resources and land uses of the public land in the NCA. In turn, the RMP will also guide lower tiers of the planning process; the implementation plans and project- or site-specific plans.

The NCA RMP is based on adaptive management, which is a continuing process of planning, implementation, monitoring, and evaluation to adjust management strategies to meet goals and objectives of ecosystem-based management. Adaptive management uses site-specific information/data, and professional judgment to select management strategies most likely to meet goals and objectives. The concept also acknowledges the need to manage resources under varying degrees of uncertainty as well as the need to adjust to new information. Also see Chapter 5, Monitoring and Implementation.

