

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

July 2011

**Proposed Decision Record and
Finding of No Significant Impact**

Bear Lake Travel Management Plan

DOI-BLM-ID-I020-2011-0013-EA

U.S. Department of the Interior
Bureau of Land Management
Pocatello Field Office
4350 Cliffs Drive
Pocatello, Idaho 83204-2105
(208) 478-6340
<http://www.id.blm.gov/offices/pocatello>



NOTICE OF FIELD MANAGER'S PROPOSED DECISION

Decision

After a careful consideration of the comparative environmental analysis presented in EA# DOI-BLM-ID-I020-2011-0013-EA, it is my proposed decision to implement Alternative B (the Proposed Action) as the travel management plan for the Bear Lake planning area. Under this alternative, 142 miles of routes would be designated as open for motorized or over snow travel and 68 miles of formerly open motorized routes would be closed to all motorized vehicles. No cross country travel would be authorized for wheeled motorized vehicles and no cross-country travel would be permitted within big game winter range.

The following actions and conditions also apply to this alternative:

- **Change in Designations:** The OHV Designations: “(3), (4), (6), and (8)”, including the “Un-numbered Areas that are open to all Vehicle Use” under the current management situation identified in the 1988 Pocatello RMP will be changed to “Wheeled Vehicles limited to designated routes, snowmobiles limited to designated routes within Big Game Winter Range.” The “Closed to all Vehicles” designation under the current management will remain in effect for the Pine Gap and Dairy Hollow Research Natural Areas and the Worm Creek Wilderness Study Area.
- **Road-Side Use Limitation:** Pulling a motorized vehicle off a designated route (e.g., for parking, camping, and other dispersed recreational activities) would be limited to a single perpendicular distance of 300 feet from the edge of the route (no travel parallel to a route).
- **Proposed Parking Areas:** The Loveland Lane parking area, which is associated with the section of trail just to the south of Fish Haven Creek, will be improved to accommodate multiple vehicles with trailers. The existing parking area was created by users over time to access two existing designated trails for motorized use 50 inches or less in width. The trail leading west out of the small parking area connects to other trails located on U.S. Forest Service public lands.

The parking area will be approximately 2 acres in size and will be constructed by leveling the site and hardening it with gravel or other hardening materials. Kiosks will be installed for informational purposes, such as the posting of rules and regulations and the displaying of maps and interpretive materials. Signs, barricades, and other parking area devices will be installed to direct and control the flow of traffic.

In addition, a parking area similar in size and construction will be developed at Maple Canyon. The proposed Maple Canyon parking area would be developed to serve as a staging area for cyclists accessing the designated bicycle trail in Maple Canyon managed by the U.S. Forest Service.

- **Game Retrieval:** Motorized use off of designated motorized routes (cross-country travel), including game retrieval, would not be permitted.

- **Emergency Use:** Motorized emergency use will be available (i.e., in accordance with appropriate federal regulations) throughout the planning area regardless of the area or route designation. When possible, emergency vehicles will attempt to utilize existing routes, however there may be instances where traveling off-route would be necessary.
- **Methods of Route Closure:** A variety of closure methods would be considered depending on site specific circumstances. In general, minimum closure techniques supporting resource needs would be used. Methods of closure may include one or more of the following activities: signing, natural rehabilitation, obscuring the road entrance, blocking the road entrance, and/or scarifying, seeding and/or planting the road surface. A BLM approved seed mix would be used when disturbances from route closures or rehabilitation are planted and seeded. Regardless of the method employed, closed roads would be monitored for the presence weeds on a periodic basis and treated as need to prevent their spread.
- **Route Maintenance:** Motorized route segments could receive periodic maintenance including smoothing of tread, removal of rocks or other obstacles, installation of rolling dips or water bars, cleanout of water bars, and repair of gullies and rills on the route surfaces. Maintenance of motorized routes may require mechanized equipment, whereas maintenance of single track trails could be carried out with the use of hand tools.
- **Permanent Closure:** In order to prevent adverse impacts to Bonneville Cutthroat trout habitat associated with user-defined crossings of Fish Haven Creek, a temporary closure to motorized vehicles, not to exceed 24 months, was instituted at these crossing areas in August 2010 under the emergency closure authorities provided under 43 CFR§8364 (Closures and Restrictions). Under Alternative B, the closure of these areas will become permanent.
- **Mapping Errors:** Despite the efforts of personnel to “ground truth” existing routes within the planning area in the 2010 inventory, some errors may still be identified on the maps and they would be corrected as they are found. Correction of mapping errors would not change the effects of any of the alternatives and routes would not be added to the alternatives. Maps would be corrected as necessary to accurately reflect the routes on the landscape.
- **Future closures or restrictions:** Future closures and restrictions on existing motorized routes to prevent resource damage or user conflicts would be evaluated and implemented as needed through separate individual environmental assessments or per emergency closure authorities provided under 43 CFR §8340 - Off-Road Vehicles. Future development of new routes would also be evaluated and implemented through individual environmental analysis.
- **Cultural Resource Inventories:** Prior to the implementation of any ground-disturbing activities associated with the improvement of the Loveland Lane and Fish Haven Creek parking areas or connected with the closure and rehabilitation of closed routes, a Class III cultural resource inventory will be conducted within a defined Area of Potential Effects (APE) in consultation with the Idaho SHPO and Shoshone-Bannock Tribes, as appropriate.

The development and approval of this proposed travel management plan constitutes a federal action subject to the provisions of the National Environmental Policy Act (NEPA). In the preparation of the Environmental Assessment (EA), the potential direct, indirect, and cumulative impacts associated with the Proposed Action and alternatives were analyzed. Preparation of the document has been in accordance with the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 Code of Federal Regulations [CFR] § 1500 et. seq.), BLM guidelines for land use planning in BLM Handbook H-1601-1, BLM guidelines for implementing NEPA in BLM Handbook H-1790-1, and the Idaho Falls District Guide for Implementing NEPA (IM-ID-300-09-004).

Rationale

The implementation of the Alternative B (the Proposed Action) will provide for quality motorized recreational access while improving the health and condition of vegetation, soils, wildlife habitat, and water quality in the Bear Lake planning area by closing redundant and unnecessary routes. In the long-term, the implementation of Alternative B will provide the foundation to prevent unnecessary closures or restrictions stemming from preventable resource damage or user conflicts and will, therefore, protect rather than inhibit motorized travel in the Bear Lake planning area.

Public Involvement

In December 2010, a BLM Interdisciplinary Team (IDT) was assembled to examine the completed inventory. This completed inventory represented the No Action Alternative for the purposes of the BLTMP because all of these routes are currently open for motorized travel under the current land use plan. If the BLM took no steps to change current management as described in this plan, this situation would not change. The definition of a No Action alternative is important because it provides a comparative baseline from which to evaluate the consequences of taking alternative courses of action.

In January and February 2011, the IDT began developing alternatives to No Action for the BLTMP. As discussed, management alternatives that alter the current open status of existing routes are needed to reduce or minimize natural and cultural resource impacts that are known to be occurring within the planning area. By altering the degree of management emphasis between resource protection and the need for public access, two alternative travel management scenarios in addition to the No Action alternative were developed (more detail on the development of the alternatives is provided under the section titled, **Alternative Development**).

After the development of the alternatives, the PFO sent a press release to local and regional newspapers on February 14, 2011, notifying the public that a scoping meeting was being held at the National Oregon/California Trail Center, Forest Service Conference Room, Montpelier, Idaho on February 24, 2011 to solicit public comments on the alternatives.

A scoping letter was also sent on February 17, 2011 to those on the 2009 mailing list, which also consisted of others that requested to be added on the mailing list. Both the newspaper article and scoping letter indicated that the public could either attend the meeting or visit the website to view

maps of the various alternatives at http://www.blm.gov/id/st/en/fo/pocatello/travel_management.html .

The official start of the 30-day public comment period began on February 24, 2011.

Issues

Once the comment period had concluded, the IDT examined the comments to derive common threads that could be used to delineate issues to further refine the range of alternatives. A wide range of comments and concerns were expressed. Several respondents expressed support for an alternative that would not reduce the present level of access. Other respondents were concerned about keeping open or closing individual routes or route segments for which they had a personal interest.

One group expressed a strong interest in the conservation of sage grouse and their habitat, while other respondents did not feel that there was insufficient information presented to provide an informed commentary.

An internal scoping process was also conducted by a BLM Interdisciplinary Team (IDT). The primary issue derived from this process was the observation that a large number of redundant routes, short cuts, and dead ends were located in areas of resource concern, such as big game winter range, key sage grouse habitat, on erodible soils, and crossing fish-bearing streams.

Designation and Closure Criteria

In order to develop the alternatives, the IDT compared the distribution of existing routes with various natural resource data layers in GIS. These resource data layers included: sage-grouse key habitat, fisheries habitat, pigmy rabbit habitat, steep slopes, big game winter range, erodible soils, streams, riparian areas, and the distribution of sensitive plant species. Areas of overlap between existing routes and natural resource distributions provided the IDT with an idea of which routes were most likely to create adverse environmental impacts.

Environmental impacts associated with the use of individual routes were weighed against the perceived value of the route for transportation and access. By varying the perceived value of routes for transportation against the likelihood of environmental impacts, alternatives were created that designated different combinations of routes as either open or closed to motorized use across the planning area. For example, redundant and user-created routes, dead ends, and short cuts (those having low transportation and access value) in areas of high natural or cultural resource values would likely be proposed for closure under one of the alternative travel management scenarios.

Similarly, user-defined routes (those resulting from ad-hoc cross country travel) on steep side slopes might be considered for closure due to public safety and soil erosion concerns. On the other hand, routes that provided access to recreational facilities (those having high transportation and access value) would not likely be considered for closure unless the route was redundant or represented a short cut regardless of the type of habitat in which it was located.

Land Use Plan Conformance

Alternative B (the Proposed Action) was been reviewed for conformance with the Pocatello Resource Management Plan and Environmental Impact Statement. Alternative B is consistent with the RMP decision that:

“Public lands will be designated as open, limited, or closed to motorized vehicles. In making these determinations, BLM will consider the following:

1. Public safety.
2. Resolving conflicts between uses of public lands.
3. Resource Protection requirements.
4. Public access requirements for recreational use (BLM 1988:13).”

My selection of Alternative B as the travel management plan for the Bear Lake planning area is proposed. This means that the public will be afforded a 30-day period to provide written comments on the proposed decision prior to making my final decision. This comment period will begin from the date in which the Environmental Assessment, Decision Record and Finding of No Significant Impact (FONSI) are posted on the BLM website at <http://www.blm.gov/id/st/en/info/nepa.html>. Written Comments may be posted on the website at http://www.blm.gov/id/st/en/fo/pocatello/travel_management.html. or mailed to 4350 Cliffs Drive Pocatello, Idaho 83204. Comments must be received or post marked by the ending date of the 30-day period to be considered in making my final decision.

/s/ David A. Pacioretty

7/15/11

David A. Pacioretty
Pocatello Field Office Manager

Date

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

I have reviewed the direct, indirect and cumulative effects of the alternatives documented in the EA (DOI-BLM-ID-I020-2011-0013-EA) for the Bear Lake Travel Management Plan. I have also reviewed the project record associated with this analysis and the effects of the Proposed Action and alternatives, as disclosed in the Affected Environment and Environmental Impacts and Cumulative Impacts sections of the EA. I have determined the travel management plan designated as Alternative B (the Proposed Action) is in conformance with the 1988 Pocatello RMP relating to: Access, Existing and Potential Land Uses, Fisheries, Invasive, Non-Native Species, Migratory Birds, Range Resources, Recreational Use, Soils, Threatened, Endangered, and Sensitive Animals, Threatened, Endangered, and Sensitive Fish, Threatened, Endangered, and Sensitive Plants, Vegetation, Water Quality (Surface and Ground), Wetland and Riparian Zones, and Wildlife.

Implementing regulations for NEPA (40 CFR 1508.27) provide criteria for determining the significance of effects. Significant, as used in NEPA, requires consideration of both context and intensity.

(a) Context. This requirement means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short-and long-term effects are relevant (40 CFR 1508.27):

The disclosure of effects in the EA found the actions limited in context. Effects are local in nature and are not likely to significantly affect regional or national resources.

(b) Intensity. This requirement refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following are considered in evaluating intensity (40 CFR 1508.27):

1. *Impacts that may be both beneficial and adverse.*
The analysis documented in DOI-BLM-ID-I020-2011-0013-EA did not identify any individually significant short-or long-term impacts.
2. *The degree to which the proposed action affects public health or safety.*
No significant effects on public health and safety were identified in the EA.
3. *Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*
No significant effects on unique characteristics of the geographic area, historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers or ecologically critical areas were identified in the EA.
4. *The degree to which the effects on the quality of the human environment are likely to be highly controversial.*

Public and tribal comments gathered through the process did not identify effects on the quality of the human environment that were likely to be highly controversial. The comments received were helpful in identifying relevant issues, desired routes and desired future conditions of the natural resources. No significant individual or cumulative impacts are anticipated as a result of this action.

5. *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*

The analysis did not identify any effects on the human environment which are highly uncertain or involve unique or unknown risks. The use of off-highway vehicles on public lands has been well-established for decades, and has been documented on roads and trails throughout the field office.

6. *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.*

The analysis showed how the alternatives would implement direction in the Pocatello RMP, and would not establish precedent for any future actions.

7. *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.*

The analysis did not identify any known significant cumulative effects

8. *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.*

Consultation under the National Historic Preservation Act (NHPA) of 1966 (as amended) has been conducted in accordance with the BLM National Programmatic Agreement and the implementing Protocol agreement between Idaho BLM and Idaho State Historic Preservation Office. The analysis showed that the alternatives would not result in adverse effects to cultural or historical resources.

9. *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*

The analysis revealed that there are no threatened or endangered species or their habitat within the travel management planning area.

10. *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

The analysis in the EA shows that the alternatives are consistent with Federal, State, and local laws or requirements imposed for protection of the environment.

I have reviewed the Council on Environmental Quality Regulations (CEQ) for significance (40 CFR 1508.27) and have determined the actions analyzed in the EA would not constitute a major Federal action that would significantly affect the quality of the human environment; therefore an Environmental Impact Statement is not required.

/s/ David A. Pacioretty

David A. Pacioretty
Pocatello Field Office Manager

7/15/11

Date