Proposed Decision Record

Amendments to Shoshone Field Office Land Use Plans for Land Tenure Adjustment and ACEC Designations (April 21, 2003)

Decision

The BLM's decision is to implement the land tenure adjustment management direction and Area of Critical Environmental Concern (ACEC) designations and management direction described in the Proposed Amendments to the Shoshone Land Use Plans (USDI-BLM, April 2003). The proposed amendments are very similar to the BLM's preferred alternative (Alternative 3) that was described and analyzed in the Draft Amendments to Shoshone Field Office Land Use Plans and Environmental Assessment # ID-076-2002-0004 (USDI-BLM, 2002). This direction amends the Magic Management Framework Plan (MFP) approved in 1975, the Bennett Hills/Timmerman Hills MFP (1976), the Sun Valley MFP (1982), and the Monument Resource Management Plan (RMP) (1985). The amendments apply to approximately 1.44 million acres of public lands managed by the Shoshone Field Office.

The BLM's decision includes designation of the King Hill Creek ACEC/RNA, which affects public lands management on about 840 acres of public lands managed by the Four Rivers Field Office – BLM. The King Hill Creek ACEC designation amends the Jarbidge RMP, approved in 1987.

A plan for monitoring and evaluating the amendments would be implemented as described on page 35 of the Proposed Amendments.

The amendments include the following changes in management direction:

Land Tenure Adjustment - Existing management limits land tenure adjustment through disposal to those tracts that were identified for potential disposal in the existing land use plans (approximately 50,000 acres). The amendments change land tenure adjustment guidance for the entire Shoshone Field Office area by defining land management areas or "zones" where public lands are emphasized for retention or can be considered for disposal. Zone 1 lands (approximately 14,000 acres) are identified for retention and would not be disposed of. Zone 2 lands (about 950,000 acres) would also be retained, except for public lands along a boundary with Zone 3, 4, or 5 that may be disposed of in order to acquire additional high resource value lands and/or consolidate public lands ownership. Zone 3 (127,000 acres) emphasizes land tenure adjustments that consolidate ownership and improve manageability of public lands. Zone 4 (62,000 acres) contains public lands that are isolated from one another and from other public lands tracts managed by the Shoshone Field Office; the emphasis in this zone is to dispose of appropriate tracts primarily through exchange, in order to improve resource values and consolidate ownership within Zones 1, 2, 3, and 5. Like Zone 3, Zone 5 (121,000 acres) stresses

consolidation of ownership; however, unique considerations of the Zone 5 area (Wood River Valley) must be evaluated prior to any land tenure adjustment.

In addition to utilizing a "zones" approach to defining retention and adjustment areas, the amendments identify criteria for evaluating land tenure adjustment proposals. These criteria are intended to help the BLM consistently review land tenure adjustment proposals and determine which lands are the highest priority for retention, acquisition, and disposal. The amendments also provide detailed direction for various specific aspects of land tenure, including acquisition priorities, emphasis on State and private land exchanges and sales, DLE/Carey Act disposals, R&PP Act leases and patents, aquifer recharge and communication site authorization, management of the Isolated Wildlife Tract Program, resolution of unauthorized use, split estate mineral situations, and acquisition of access. All land tenure adjustment actions would be required to comply with the guidelines in the Federal Land Policy Management Act (FLPMA), meet the criteria for land ownership adjustment and the emphasis of the applicable management zone(s), stand on their own merit through public review and comment, and be in compliance with NEPA.

ACEC Designations: The amendments designate three new Areas of Critical Environmental Concern/Research Natural Areas totaling 17,026 acres. These designations amend existing management direction for the Bennett Hills/Timmerman Hills MFP and the Jarbidge RMP. The King Hill Creek ACEC/RNA (approximately 2,500 acres) is designated to highlight management of scenic, fisheries, and riparian values. Unique management to maintain the pristine qualities of the ACEC includes closure to introduction of non-native genetic strains of trout, livestock grazing, mineral material sales/free use permits, new land use authorizations, and motorized vehicle use; weed treatment; a visual resource management Class I designation; and a focus on management which maintains or improves desirable habitat conditions for Interior redband trout. The McKinney Butte ACEC/RNA (3,764 acres) and the Tee-Maze ACEC/RNA (10,762 acres) both highlight management of scenic, wildlife, and cave resource values. Unique management for these cave ACECs includes additional activity planning to identify measures needed to protect cave resource values; seasonal cave access restrictions; motorized vehicle use limitations; and restrictions on new land use authorizations. The Tee-Maze ACEC/RNA would also have limitations on mineral material sales and free use permits.

Rationale for the Decision

Existing management plans for the Shoshone Field Office do not address some of the current resource management concerns within the planning area or provide flexibility to respond to changing public interests and needs. The proposed plan amendments resolve concerns relating to both of the identified planning issues: land tenure adjustment and ACEC designations.

Land Tenure Adjustment

Existing management limits land tenure adjustments through disposal (sale, exchange, R&PP patent, etc.) to the approximately 50,000 acres of disposal tracts that are listed in the approved MFPs and RMP. These tracts do not appear to meet the needs of private individuals or city, county, and State governments, since no applications for the transfer of these lands have been

submitted in recent years. Conversely, the Shoshone Field Office has more than 100 applications/proposals for land tenure adjustment of public lands that are not identified for disposal in the current land use plans. Amendments to the current land use plans are needed to achieve numerous objectives which cannot be attained under existing management:

- establish consistent direction for evaluating land tenure adjustment proposals;
- improve the time- and cost-efficiency of the lands program;
- make lands available for public purposes (city, county, State, and tribal) as future needs arise;
- resolve long-standing applications for Desert Land Entry and Carey Act disposals;
- resolve long-standing cases of unauthorized use;
- improve the BLM's ability to acquire high value lands and resources; and
- consolidate public lands, thereby improving management efficiency.

Although all three amendment alternatives considered in the Draft Amendments/Environmental Assessment would satisfy portions of these objectives, only the BLM's preferred alternative (Alternative 3) would meet **all** of the objectives to any great extent. For example, Alternative 2 would provide limited ability to resolve unauthorized uses on small, isolated tracts since land tenure adjustments would focus on consolidation of public lands through exchanges with the State of Idaho. Alternative 4 would provide limited ability to improve the time- and cost-efficiency of the lands program or acquire high value lands and resources, since land tenure adjustments would focus on disposal of isolated, unmanageable parcels of public lands that would primarily address the BLM's management efficiency and the needs of private landowners.

Alternative 3, as modified in the Proposed Amendments, would meet all of the land tenure management objectives stated above. The preferred alternative was developed to respond in a balanced manner to the numerous, and sometimes opposing, concerns raised during scoping for the amendments. Public comments on the Draft Amendments/Environmental Assessment indicate the BLM was successful at developing a balanced alternative, since comments were generally supportive of Alternative 3. The Environmental Assessment and Finding of No Significant Impact indicate Alternative 3 would have numerous beneficial impacts, including balancing the public's and BLM's needs by making lands available for disposal to communities, other entities, and the public; allowing the BLM to consolidate and protect lands that contain important habitats or watersheds; providing for the retention or acquisition of important public and tribal resources and values; and protecting ACEC values. Alternative 3, as modified slightly in the Proposed Amendments, would best meet all of the land tenure adjustment objectives.

Area of Critical Environmental Concern Designations

Alternative 3 is the BLM's preferred course of action for new Area of Critical Environmental Concern (ACEC) designations. The Environmental Assessment (pp. 105-111, and 113) indicated that existing management fails to provide sufficient management direction to fully protect resources within three of the areas that meet relevance and importance criteria for designation as ACECs. The BLM has chosen to implement these designations.

- The impacts analysis for the King Hill Creek ACEC (Environmental Assessment, pp. 105-107 and 113) indicated designation and management would protect and improve Interior

redband trout habitat and help insure the genetic purity of the existing strain of Interior redband trout, a BLM sensitive species. Protection of the genetic strain would help reduce the need to list Interior redband trout as a threatened or endangered species. Under existing management direction for King Hill Creek, this genetically pure population of Interior redband trout would continue to be at risk of hybridization. Designating the King Hill Creek ACEC and implementing the identified management direction would focus management attention on the identified ACEC values and reduce the risk of loss or damage to those values. For example, restrictions on introduction of non-native genetic strains of trout into King Hill Creek should preserve the genetic integrity of the existing Interior redband trout population.

- The BLM's Upper Snake River District, including the Shoshone Field Office area, contains the largest concentration of caves in the State of Idaho and one of the largest concentrations of caves within the BLM's national jurisdiction. The impacts analysis for the McKinney Butte and Tee-Maze ACECs (Environmental Assessment, pp. 108-113) indicated designation and management would reduce impacts to fragile and irreplaceable cave resources (physical, scenic, and biological). Under existing management direction, those resources would continue to be at risk of loss or damage. Designating these two areas as ACECs and implementing the identified management direction would focus management attention on the identified ACEC values and reduce the risk of loss or damage to those values. For example, restrictions on cave access should reduce human disturbance of bat hibernacula and reduce the potential for bat mortality which could lead to listing of the Townsend's Western big-eared bat, a BLM sensitive species.

Four additional ACECs were proposed for designation in Alternative 2: Bennett Hills, Camas Creek, Coyote Hills, and Dry Creek. The BLM has chosen not to implement these designations because either (a) the resource protection desired can be achieved under existing management, and/or (b) an ACEC designation would increase the risk of adverse impacts to the identified ACEC values.

- The impacts analysis for the Camas Creek and Dry Creek ACEC designations indicated little to no difference in impacts from continuing existing management versus designating the ACECs (Environmental Assessment, pp. 95-98 and 101-104). Management to maintain or enhance the identified scenic and ecological ACEC values has already been implemented or can be implemented if needed under existing management guidance in the Bennett Hills/Timmerman Hills MFP. An ACEC designation is not necessary in order to protect the ACEC values.

- The impacts analysis for the Bennett Hills and Coyote Hills ACECs disclosed that highlighting the cultural values in those areas through an ACEC designation may increase the potential for adverse impacts to occur (Environmental Assessment, pp. 92, 99-100, and 113). An ACEC designation would call attention to the general location of cultural resources and thereby increase the potential for vandalism or unauthorized excavation and collection. Existing management (Bennett Hills/Timmerman Hills MFP), law, regulation, and policy afford the BLM the ability to implement additional management actions to protect cultural values in those areas without an ACEC designation. Site-specific cultural clearances would

continue to be required prior to approval of mineral activities; which would insure cultural resources are not adversely affected. Currently, off-highway vehicle (OHV) use is light. If use increases to the point where cultural resources are affected, the BLM has the authority to restrict OHV use in order to protect cultural resources.

- The public lands nominated as the Bennett Hills ACEC, but not proposed for ACEC designation, will continue to be managed according to the management direction stated in the Bennett Hills/Timmerman Hills MFP (1976), including the following summary of actions: manage mule deer, elk, and antelope habitat to provide food and cover for specified populations; improve 283,000 acres of sage grouse brood rearing habitat; manage for a maximum diversity of vegetative species in order to meet the habitat requirements for a variety of wildlife species; provide for the protection and conservation of threatened or endangered plants; and implement management practices on all grazing lands in the Bennett Hills area to reach and maintain good range condition. This direction will enable the BLM to effectively manage vegetation and wildlife resources in the Bennett Hills area without an ACEC designation, including resources that were nominated as ACEC values (e.g., sagebrush ecosystem, sage grouse), but did not meet relevance and importance criteria for ACEC designation.

After careful review of the Environmental Assessment of and comments received on the Draft Amendments, the BLM has decided to implement Alternative 3, with slight changes in response to public comments. These amendments to existing management direction provide a framework for land tenure adjustment that will be flexible, efficient, and responsive to public, government, and tribal needs in the present and future. The amendments also improve resource protection for fragile fisheries and cave resources by designating three new Areas of Critical Environmental Concern in the Shoshone Field Office.

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