

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

MANAGEMENT FRAMEWORK PLAN - STEP 1  
ACTIVITY OBJECTIVES

Name (MFP)	Bennett Hills-Timmerman Hill
Activity	
Lands	
Objective Number	L-6

Objective:

Agricultural Trespass

Eliminate agricultural trespass situations within the planning units by F.Y.'78, by processing applications filed under the Act of September 26, 1968. Make further identification of trespass situations and initiate trespass action against trespassers by 1985.

Rationale:

The Act of September 26, 1968, expired on September 25, 1971; therefore, all applications filed under its provisions are at least 4 1/2 years old. Prompt processing of Public Sale applications under the Unintentional Trespass Act and the prompt identification and termination of illegal agricultural trespass not covered in the Act will serve to alert the public that the BLM will not condone this use. Only when these trespasses are cleared up will the BLM be able to effectively manage those lands.

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MANAGEMENT FRAMEWORK PLAN  
RECOMMENDATION-ANALYSIS-DECISION

B.H./T.H.

Name (MFP)

Bennett Hills-Timmerman Hil.

Activity

Lands

Overlay Reference

Step 1 TH 1 BH 1  
Step 3

AGRICULTURAL TRESPASS

RECOMMENDATION

L - 6.1 T1A

Process all unintentional trespass public  
sale applications by F.Y. '78'.

Support Needs

Reclassification from MUC  
Appraisal

RATIONALE

All applications filed under this act have  
been in backlog since 1971. Prompt pro-  
cessing of these applications will help to  
clear up a management problem and improve  
the BLM image.

Multiple-Use Analysis

No conflicts.

Multiple-Use Recommendation

Accept Step I Recommendation

Support Needs

Appraisal

Reasons

See Rationale

Alternatives Considered

1. Longer time frame for processing.

Decision

Adopt the Step 2 multiple use  
recommendation

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MANAGEMENT FRAMEWORK PLAN  
RECOMMENDATION-ANALYSIS-DECISION

R.H./T.H.	
Name (MFP)	
Bennett Hills-Timmerman Hill	
Activity	
Lands	
Overlay Reference	
Step 1	TH 1 - BH <sub>3</sub> 1

AGRICULTURAL TRESPASS

RECOMMENDATION

L - 6.2 T1 A

Dispose of these lands which were applied for under the Unintentional Trespass Act of 1968.

Support Needs

Classification, appraisal

RATIONALE

The Act (PL-90-516) made provisions for individuals who were occupying National Resource Lands to file for up to 120 acres of lands occupied or farmed in trespass. Disposal of these lands would satisfy the intent of the Act, remove a management problem, reduce the case file backlog, allow the applicants to fully develop and consolidate these lands into their farming operation and put these productive lands on the local tax rolls.

Multiple-Use Analysis

This recommendation conflicts in part with Lands (L-6.3 T1 A) and Wildlife WL 9.1, WL 9.2) which call for the management and/or retention of National Resource Lands along live streams and/or canals to insure access for recreation and water quality, and protect waterfowl nesting sites.

Multiple-Use Recommendation

Dispose of these lands which were applied for under the Unintentional Trespass Act of 1968 which do not lie adjacent to live streams.

Support needs

Classification, appraisal.

Reasons

Modified L-6.2 T1 A to exclude lands lying along live streams from disposal.

Alternatives Considered

Accept L-6.2 T1 A as proposed in Step I.

Note: Attach additional sheets, if needed

(Instructions on reverse)

Form 1600-21 (April 1975)

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Name (MFP)

Bennett Hills-Timmerman Hill

Activity

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Overlay Reference BH 1

Step 1 TH 1 Step 3

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L - 6.2 T1 A (Continued)

Decision

Adopt multiple use recommendation with the following modification:

Lands under application situated adjacent to live streams may be included for disposal, provided a determination is made they are not necessary recreation, waterfowl, or fish habitat, protection or support of another resource, i.e. buffer strips, or other public benefit.

Reason

"Live streams" should not be used as a single criteria for retention. Each tract should be considered for its value and support of a multiple use program to meet Bureau goals and objectives.

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B.H. - T.H.

Name (MFP)

Bennett Hills-Timmerman Hill

Activity

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Overlay Reference

Step BH 1/BH 1 Step 3

AGRICULTURAL TRESPASS

RECOMMENDATION

RATIONALE

L - 6.3 T1 A

Retain those lands in agricultural trespass, under Public Sale application, which lie adjacent to live streams.

Support Needs

Classification, appraisal.

Retention of lands along live streams for multiple use management would be consistent with Instruction Memo No. ISO 75-194 which states, in part, "as a general rule, no lands will be sold which contain live streams." Consideration must be made for fish habitat, access, and buffer strips.

Multiple-Use Analysis

Refer to L-6.2 T1 A. This recommendation is supported by Wildlife (WL 9.1 and WL 9.2).

Multiple-Use Recommendation

Reasons

Reject this recommendation and accept L-6.2 T1 A Step 2 multiple use recommendation

Refer to L-6.2 T1 A

Support Needs

Classification

Decision

Reasons

Adopt the Step 2 multiple use recommendation

(Refer to L-6.2 T1 A)

Note: Attach additional sheets, if needed

(Instructions on reverse)

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Name (MFP) Bennett Hills-Timmerman Hill	
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AGRICULTURAL TRESPASS

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RECOMMENDATION

L - 6.4 T1

Dispose of lands currently under agricultural trespass for which no applications exist under PL 90-516 when appropriate authority for disposal is available.

Support Needs. Classification, appraisal.determined suitable for agricultural develop

RATIONALE

The lands under agricultural trespass are usually fenced away from other National Resource Lands. This situation makes the lands unmanageable. The fact that they are currently being farmed is a pretty good indication of the agricultural potential. Lands ment can be expected to reach their most profitable legal use in private ownership. (43 CFR 2430.5(a)).

Multiple-Use Analysis

At the present time, no means for disposal is available for lands under agricultural trespass unless they have been applied for under PL 90-516 or are isolated and qualify for disposal under R.S. 2455.

Lands (L-6.5) proposes to "...initiate an active program of agricultural trespass identification...". Until this has been done the extent of conflicts with other activities cannot readily be determined.

Wildlife (WL 9.1) proposes to "...exclude livestock and other noncompatible uses from the areas identified for waterfowl nesting...". Special areas of identified conflict include:

T. 5 S., R. 11 E., Boise Meridian  
Section 25; S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$   
Section 26; SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$

These are lands which are traversed by canal laterals and include small pond areas which are used or suited to waterfowl nesting. Continued agriculture use and development would reduce nesting habitat.

Note: Attach additional sheets, if needed

(Instructions on reverse)

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Multiple-Use Analysis (continued)

Disposal of, as yet unidentified tracts, could also affect Range Management AMP implementation and use.

Multiple-Use Recommendation

Dispose of lands currently under agricultural trespass for which no applications exist under PL 90-516 except for the following:

T. 5 S., R. 11 E., B.M., Sec. 25; S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 26, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ .

Support Needs:

Legislation, classification and appraisal.

Reasons

Modified Step I to exclude specific parcels identified in conflict with Wildlife. Refer to Rationale and Analysis.

Alternatives Considered:

1. Disposal of all lands under agricultural trespass when authority is available.
2. Retain all lands under agricultural trespass and settle trespass.

Decision

Adopt the Step 2 multiple use recommendation

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MANAGEMENT FRAMEWORK PLAN  
RECOMMENDATION-ANALYSIS-DECISION

B.H./T.H.
Name (MFP) Bennett Hills-Timmerman Hill
Activity Lands
Overlay Reference Step 1 None Step 3

AGRICULTURAL TRESPASS IDENTIFICATION

RECOMMENDATION

RATIONALE

L - 6.5

Initiate an active program of agricultural trespass identification and update all current agricultural trespass files.

Proper land management can be effective only when proper land status and use are identified and measures to correct these conflicts have been taken.

Multiple-Use Analysis

No conflicts were identified for this recommendation.

Multiple-Use Recommendation

Reasons

Accept Step 1 Recommendation.

See Rationale.

Support Needs

District-wide up-to-date aerial photography.

Decision

Adopt the Step 2 multiple use recommendation.



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MANAGEMENT FRAMEWORK PLAN - STEP 1  
ACTIVITY OBJECTIVES

Name (MFP)	Bennett Hills-Timmerman Hill:
Activity	Lands
Objective Number	L-7

Objective:

Unauthorized Enclosures

Terminate unauthorized enclosures on National Resource Lands by 1980.

Rationale:

Termination of these unauthorized enclosures will serve to make more forage available for livestock and help to identify land ownership. This will reduce the possibilities of agricultural and/or occupancy trespasses occurring within these areas and will help to more accurately identify property lines.