

Resource Values

There are eight livestock operators that utilize the rangelands in the area. They graze both cattle and sheep on approximately 80,000 acres of state, private, and public lands. Grazing periods occur throughout the year with some operators grazing at various seasons of the year.

Recreation use on the area is divided into four areas. The area east of Little Freezeout is used by horse enthusiasts. In the past, some endurance rides have been held in this area. The area is also used by upland bird hunters in the fall. Limited ORV use also takes place. The area from Little Freezeout west to Sand Hollow is used by ORV enthusiasts. The Dewey ORV Park is located in this area. There is also some use by equestrians and upland bird hunters in the fall. The area west of Sand Hollow is heavily used by upland game hunters. There has also been some dog trials held in this area. Equestrians use the area while ORV use is heavy in the southwest corner of the area and a motorcross track is located in the northwest corner of the area. The areas north of the Black Canyon and west of the Sand Hollow freeway exits have dense populations of ground squirrels and are used by squirrel hunters in the spring.

Cause for Concern

Each year, Long-billed Curlew migrate into the area arriving about the third week in March. This large shore bird nests and raises its young in the annual grass habitat. The area supports about 1,000-nesting pairs, the largest nesting population in the western United States. Research on the population and habitat relationships was conducted in this area from 1977 to 1979. This research provided the base line information to manage this significant population.

A substantial decline in population and distribution of this species in the United States prompted its classification as a "Sensitive Species," by the BLM and a "Candidate Species" by the U.S. Fish and Wildlife Service. The Idaho Department of Fish and Game has designated this bird as a "Species of Special Concern." These classifications are an "early warning" that a species may be in trouble and if declines continue that official listing with maximum protection under the Endangered Species Act may be necessary. A habitat management plan was developed to assist in the conservation of crucial curlew habitat.

Management Guidelines

Resource Use Limitations

1. Motor vehicle use will be limited to designated roads and trails.
2. Seasonal occupancy stipulations will apply on all oil and gas and geothermal leases.
3. Rights-of-way construction activities for transmission lines, pipelines and other major projects will not be allowed during the nesting and brood-rearing periods.

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4. Road construction will be limited and evaluated on a site specific basis.
5. All lands within the ACEC will be retained in Federal ownership.

Management Emphasis

1. Maintain sufficient good curlew habitat to support 1,000 nesting pairs during the breeding season.
2. Pursue the acquisition of key habitat of state and private lands through land exchange.
3. Enforce the ORV use limitations during the curlew nesting and brood-rearing periods.
4. Encourage intensive grazing systems that would improve curlew habitat in areas where vegetation is too high and too dense.
5. Use controlled burns as a management tool to maintain and improve curlew habitat.
6. Give curlew habitat priority consideration in all range improvement projects.
7. Encourage domestic sheep use on the area.

RESOURCE MANAGEMENT GUIDELINES

The development of this plan and the implementation of the final decisions has been and will be guided by federal and state laws, federal rules and regulations, and cooperative and legal agreements. The following section describes the standard operating procedures (SOP), policies, and management guidelines which will be applicable regardless of which alternative plan (A, B, C, D, or E) is selected for implementation.

Public Land Management

The public lands will be planned and managed under the principles of multiple use and sustained yield as required by FLPMA and other principles as outlined in BLM planning regulations. Any valid use, occupancy, and development of the public lands, including, but not limited to those requiring rights-of-way, leases, and licenses will be considered, subject to applicable environmental review procedures, unless specifically excluded in the plan. In some areas, however, environmental values, hazards, or manageability considerations may require limitations on either the type or intensity of use, or both. Those limitations are identified in the plan's land use allocations and management objectives for specific areas within the public lands. BLM will include stipulations and special conditions as necessary in leases, licenses, and permits to ensure the protection and preservation of resources.

Although the following guidelines and procedures are the major tools to be used to minimize adverse impacts on public land and water resources, their

applications do not automatically equate to standards compliance (i.e., water quality standards, etc.). These guidelines are designed to ensure that beneficial uses are protected. The beneficial uses and the guidelines and procedures will be monitored so that if environmental degradation (impacts beyond what is expected as a result of decisions) occurs, revisions to SOPs will be made, adjustments to decisions will be made, or additional mitigating measures will be incorporated to reduce or eliminate these impacts to an acceptable level.

Lands

General

The public lands to be retained in Federal ownership will be managed by BLM according to the principles of multiple use and sustained yield. Those lands specifically identified in the plan as transfer areas will be managed on a custodial basis until transferred.

Public lands that are to be retained in federal ownership may be considered for Recreation and Public Purposes needs, private exchanges and state exchanges. Such action will follow amendment procedures as outlined in BLM Manual 1617.4.

Withdrawals

It is BLM policy to review all withdrawals on and classifications of public lands by October 20, 1991, and to eliminate all unnecessary withdrawals and classifications. Reviews will be made following the land use planning process and will consider the following:

1. For what purpose were the lands withdrawn?
2. Is that purpose still being served?
3. Are the lands suitable for return to the public domain (e.g., not contaminated land or "property" such as buildings)?

The environmental assessment or planning process will be followed to consider alternative methods such as rights-of-way or cooperative agreements for meeting the withdrawal/classification objectives.

Withdrawal modifications and extensions must provide for maximum possible multiple uses, with particular emphasis upon mineral exploration and development. When withdrawals are revoked, the lands continue to be in a retention category.

New withdrawals proposed will be handled on a case by case basis in accordance with Section 204 of the FLPMA, with full public participation.

Acquisitions

Lands to be acquired through exchange or purchase will be done in the furtherance of one or more of the resource programs including, but not limited to cultural, paleontologic, recreation, wildlife and soils.

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Transfers

Transfer areas are those public lands identified through the planning process which are available for transfer from federal ownership. Transfer of public land within a transfer area may be accomplished by any means authorized by law. Specific transfer methods may also be specified. Final transfer from BLM jurisdiction, however, is subject to a decision by the authorized officer, based on detailed analysis and such documentation as prescribed by law or regulation.

Lands may be acquired by BLM as authorized by law, but only within retention areas. Objectives for acquiring lands in connection with BLM programs are established in the RMP.

BLM will manage transfer areas until transfer of title occurs. Management actions will be taken as necessary to meet resource or user needs. Public investments in transfer areas will be kept to a minimum.

Land disposal actions are, primarily, accomplished under sale, agricultural entry, exchange, and Recreation and Public Purpose (R&PP) land laws. Miscellaneous transfers can also occur through Color of Title actions, airport conveyances, and State in lieu selections.

All disposals of public lands must be consistent with the planning requirements of FLPMA and must also be evaluated through the environmental assessment process as required by NEPA. Public notice will be given on each disposal action and each action may be protested or appealed.

A preliminary consideration in all disposal actions is to provide protection for existing rights, access, and future anticipated needs. This protection is provided for through the issuance of rights-of-way to existing users or reservations to the Federal government in areas of anticipated needs.

General considerations for the major types of disposal actions are discussed below:

Agricultural - Consideration for allowing the use of public lands for agricultural development under the Desert Land and Carey Acts generally fall into four steps. They are:

1. The lands must be identified for disposal through the land use planning process.
2. Pre-Classification

An economic analysis must show a high likelihood that the lands can be farmed at a profit over a long term.

3. Classification

The lands must be desert in character and physically suited for agricultural development by irrigation.

The following criteria are used to determine the suitability classification of potential agricultural lands:

- a. If there is 60% or more SCS Classes I, II, or III ^{1/} soils in a 40-acre ^{2/} parcel, the parcel may be classified suitable for agricultural development. If there is more than 40% SCS Class IV or poorer soils in each 40-acre parcel, the entire parcel is unsuitable for classification.
- b. Cropland in Capability Classes II through V (particularly subclass "e") that has an average annual erosion rate of more than three times that at which soil forms (4-5 tons per acre per year on the average for deep soils, lower for shallower soils) will be found unsuitable.
- c. Any public lands containing known archaeological, paleontologic, or historical values determined to be unique or possibly significant will be found unsuitable for disposal pending further analysis.
- d. Any public lands where rare, endangered, threatened, or sensitive species of plants or animals are known to live (or nest) will be found unsuitable for disposal, unless mitigation is possible.
- e. Certain tracts of land identified for community needs such as landfills, gravel pits, sewage plants, schools, etc., will be found unsuitable for disposal for agriculture.
- f. Certain tracts of land identified as valuable for wildlife habitat will be found unsuitable for disposal. The guidelines and analysis contained in the Environmental Statement (Agricultural Development for Southwest Idaho, February, 1980, Appendix 1-1), will be used to select the wildlife leave areas.
- g. Public land that does not qualify for agricultural use or disposal under Desert Land Act or Carey Act because of other public purpose will be found unsuitable for disposal under these laws.
- h. Certain tracts of land identified as having agricultural limitations based on slope and/or flood plain management will be found unsuitable.

^{1/} A minimum of 50 frost-free days (growing season) will be acceptable as the criteria for SCS Capability Class III soils when small grains and alfalfa is the typical cash crop grown in the area. All other criteria for Class III soils as defined by the SCS in Idaho will apply.

^{2/} Although land can be legally described in very small increments, the Department of Interior has long followed the practice of requiring disposals of the public lands to conform to the smallest regular legal subdivision (40 acres) or lot and of treating minor subdivisions as indivisible for administrative purposes. The authority of the Department to impose such a restriction by regulation has been upheld by the courts.

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4. Post Classification (Allowance or Rejection)

Applicant must show a legal right to appropriate water including a permit to drill a well if part of the operation. Application that would contribute to the mining of groundwater will not be allowed.

5. Compliance

The entryman must show compliance with cultivation, fund expenditure, irrigation system development, and publication requirements, and payment of required fees to obtain patent to the land.

The BLM will continue to work closely with the Idaho Department of Water Resources under terms of a cooperative agreement to process existing Desert Land Entry applications.

Public lands currently under DLE applications in this RMP disposal category that are relinquished or rejected will not be made available for further application for agricultural purposes but may be considered for sale or exchange.

Exchanges - Before an exchange can be consummated, the BLM must determine that the public interest will be well served by making the exchange as contemplated by Section 206 of FLPMA. Full consideration will be given to improved Federal land management and the needs of State and local publics through an evaluation of the needs for lands for economic development, community expansion, recreation areas or opportunities, food, fiber, minerals, and wildlife. Another consideration is that lands must be equal in value, or, if not equal, a cash payment not exceeding 25% of the total value of Federal lands may be made by the appropriate party to equalize the values. Any lands delineated for transfer in the exchange only category but not needed to consummate the exchange may be considered for other forms of transfer. The general criteria for exchange disposal is as follows:

1. Exchanges will not be considered that would isolate any public lands.
2. Exchanges will not be considered that would dispose of significant cultural, paleontologic or recreation resources.
3. Exchanges will be considered only if they maintain the natural function of the floodplain.

Sales - Sales of public lands can be made upon consideration of the following criteria found in Section 203 of FLPMA:

1. Such parcel, because of its location or other characteristics, is difficult and uneconomic to manage as part of the public lands, and is not suitable for management by another Federal department or agency; or
2. Such parcel was acquired for a specific purpose and is no longer required for that or any other Federal purpose; or