

**United States Department of the Interior
Bureau of Land Management**

Bonneville Off-Road Racing Enterprises (BORE)
Special Recreation Permit
(Jackpot 200)

Environmental Assessment DOI-BLM-ID-T020-2012-0011-EA

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CHAPTER 1, PURPOSE AND NEED FOR ACTION

BACKGROUND

Bonneville Off-Road Racing Enterprises (BORE), has applied for a Special Recreation Permit (SRP) to conduct off-highway vehicle (OHV) races on public lands near Jackpot, NV. Sporadic race events have occurred in the area from the 1970^s to 1989. Race events have occurred nearly annually since 1989. Types of vehicles used in this race include: high clearance buggies, cars, Volkswagens, jeeps, pick-up trucks, motorcycles, ATVs, UTVs, and other 4x4 vehicles. BORE has conducted the annual Jackpot 200 OHV race near Jackpot, NV, within Idaho (Burley Field Office): Township 15, 16 S. Range 15, 16 E., and Nevada (Wells Field Office): Township 47 N. Range 64, 65 E. The Burley Field Office has the lead for issuing the permit.

The course typically includes a 40 mile race route which is run 5 times for a total of 200 miles. The 40 mile track is selected from a network of trails totaling 90 miles. All 90 miles have been used for this event in previous years. Adjustments to the course through the years have been implemented generally to reduce congestion of vehicles, especially during the timed interval starts. Thus, allowing enough time for all vehicles to start the race at timed intervals before the first vehicles off the starting line complete their first lap. This has created a safer racing environment and reduced the impacts to the land by reducing the number of laps each vehicle would make.

PURPOSE AND NEED FOR ACTION

The purpose is to respond to a SRP request made by BORE. The Proposed Action would satisfy demand for competitive OHV racing within the region. The proposed start/stop staging site provides access for large vehicles not common in Burley BLM.

The need for the Proposed Action is to address the demand for competitive OHV race opportunities. Issuing a SRP for this OHV race would provide an opportunity for competitive OHV racing. Demand for competitive OHV races continues to be high, while opportunities for such events are becoming scarce due to conflicts with increasing development near urban areas and resource management restrictions in southern Utah, Nevada, and California. BORE would use the Jackpot 200 to help satisfy the demand for competitive OHV races. BORE only asks for 1 day during the year to race.

DECISION TO BE MADE

The Burley and Wells Field Offices would decide whether to authorize and issue BORE a SRP to conduct off-highway vehicle races on public lands near Jackpot, Nevada.

CONFORMANCE WITH APPLICABLE LAND USE PLAN(S)

The Proposed Action is in conformance with the Twin Falls Management Framework Plan (MFP), subject to the following management actions:

- Allow ORV use without restriction except during the period from March 15 through June 15 in critical sage-grouse nesting-brood rearing complexes. During this period, vehicular use will be limited to existing roads and trails (Twin Falls MFP - .38c Recreation Management - R 1.5).”
- “Permit oil and gas exploration, surface mining and other activities except during the following periods:
 - Within one-half mile from Salmon Falls Creek rim for the period March 1 through July 15;
 - Within one-half mile of known, active golden eagle eyries for the period March 1 through June 30;
 - Within one-half mile of active ferruginous hawk nests for the period March 1 through July 15. Do not permit ‘oil and gas exploration, surface mining, and other activities within ½ mile of Salmon Falls Creek rim from the period March 1 through July 15, to protect nesting raptors (Twin Falls MFP).”

The Proposed Action is in conformance with the Wells Resource Management Plan (RMP). The Record of Decision for the Wells RMP, Issue 4, Management Decision 3, classifies the entire resource area as “Open” for off-highway vehicles. 43 CFR 8340.0-5 defines “Open” as an area where all types of vehicle use is permitted at all times, anywhere in the area, subject to the operating regulations and vehicle standards set forth in 43 CFR sub-parts 8341 and 8342.

SCOPING, PUBLIC INVOLVEMENT, AND ISSUES

This project has been listed on the Idaho NEPA Register since February 10, 2012. A scoping package was sent out to interested publics, including the Eastern Region Supervising Habitat Biologist, Alan Jenne at the Nevada Department of Wildlife in Elko, Nevada and posted to the web on April 06, 2012. The Idaho Department of Fish and Game provided comments and recommendations and suggested that stipulations be provided for fire, noxious weeds and road rehabilitation, and recommended identifying an alternate race location. U.S. Fish and Wildlife Service (FWS) also provided comments. FWS suggested that stipulations be provided for fire, spark arrestors and noxious weeds, and recommended identifying an alternate race location.

Stipulations have been added as Terms and Conditions to the SRP specifically to address concerns about noxious weeds and wildfire. The wildlife resources subheading contains a description of wildfire in the existing environment and potential impacts thereof.

CHAPTER 2, PROPOSED ACTION AND ALTERNATIVE(S)

ALTERNATIVES CONSIDERED BUT NOT ANALYZED IN DETAIL

Alternatives considered, but not analyzed in detail, include analyzing alternate race locations outside of Greater sage-grouse habitat or other locations of reduced habitat quality and low restoration potential, such as the Berger tract of the Burley Field Office or northern Jarbidge Field Office. The aforementioned was not analyzed in detail because it does not meet the purpose and need of the event, which is to conduct a race in known diverse terrain near Jackpot, NV. The Jackpot course is proposed by BORE because of the convenience of the start/stop staging area which is a reclaimed dump owned by Elko County, NV. This site is located near Highway 93 and provides access for large RV's and trailers that is not common elsewhere. This site also provides a diversity of terrain in a sparsely populated area where user conflicts would be minimized. Moving the race may be feasible but Berger has too many fences and visitors to be safe, the terrain is flat and boring thus not providing the opportunity BORE is looking for and it is not readily accessible to RV's

Proposed Action

The Proposed Action is to issue a SRP to BORE, to conduct the annual Jackpot 200 OHV race on public lands near Jackpot, NV within Idaho (Township 15, 16 S., Range 15, 16 E) and Nevada (Township 47 N., Range 64, 65 E), refer to Attachment 1. The proposal would include up to 80 participants and 200 spectators. The proposal is to issue a new permit starting in 2014, which would authorize racing in the area for a maximum of 10 years. The race would be conducted according to the Terms and Conditions identified in Attachment 2.

The start/finish area, spectator parking, pit area, and camping areas would be located on approximately 7 acres at the south end of the old Jackpot landfill, which is owned and administered by Elko County (T. 47 N., R. 65 E., Sec. 6 NE ¼). BORE would be required to get a letter of permission from Elko County before the event each year, as they have for past races, for use of the old landfill area. The proposal is to hold the race on the Saturday either preceding or following the Fourth of July. The race would occur during daylight hours. Pre-running on the course would occur the Friday before the event. Most of the participants and spectators stay in local hotels. Approximately a dozen participants are expected to camp out on-site at the start/finish area on Thursday, Friday and Saturday nights.

On an annual basis the course would be selected from the previously used and authorized race routes indicated on Attachment 1. The entire course has been authorized under previous Special Recreation Permits and evaluated in numerous NEPA documents since 1989. If additional routes or alterations to the courses are needed a new Environmental Assessment (EA) would be required including clearances for cultural, wildlife and sensitive plants before approval of the event. The entire route network consists of approximately 90 miles of trail, all of which are located on public land except for 5.5 miles of road that passes through private land in Idaho and 1.25 miles of road that passes through state (ID) land.

The 40 mile course to be run five times is selected from these 90 miles. The start/finish area is located on Elko County land and approximately twenty miles of the racecourse route network is located on BLM administered land in Nevada. The entire course is on existing roads and trails, with the exception of the Lost Creek drainage where one half mile of a wash would be used. There is a road that parallels the wash that has been used in past races, which could be used in the event that the wash could not be used for any reason. At the intersection of the Lost Creek wash with the corner of sections 15/16, T. 47 N., R. 65 E., the racecourse route would leave the drainage and follow the existing adjacent vehicle route in order to avoid the drainage.

BLM personnel would inspect the racecourse prior to the event to ensure the course is clearly marked and follows the routes identified in the permit and to inspect pre-event conditions of the course. BLM personnel would be on-site during the event to monitor for compliance. Within 48 hours of race completion BLM personnel would confirm that all course markers have been removed. Within 30 days of race completion BLM personnel would confirm that requested rehabilitation work has been satisfactorily completed.

No Action

Under this alternative the SRP would not be issued. BORE would be denied the opportunity to conduct an off-highway vehicle race on BLM lands identified in the Proposed Action description.

CHAPTERS 3&4, AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

The no-action alternative reflects the current situation within the project area and will serve as the baseline for comparing the environmental effects of the analyzed alternatives.

During the analysis process, the interdisciplinary team considered several resources and supplemental authorities. The interdisciplinary team determined that the resources discussed below would be affected by the Proposed Action.

SOILS AND VEGETATION, INCLUDING SENSITIVE PLANTS

Soils:

The soils on the Nevada side of the racecourse are mapped in the Jackpot-Soughe association. The soil is a coarse-loamy Camborthid with sandy textures and moderately subject to wind erosion. The water erosion hazard is slight. Natural Resources Conservation Services (NRCS) 1998.

Soils on the Idaho side of the racecourse route network include the following series: Chuska (very stony or gravelly loam), Arbidge (sandy loam), Owsel (silt loam), Weash (gravelly, sandy loam), and Ackett (extremely gravelly, clay loam).

No Action

Direct and Indirect Effects:

No future racing would occur on public lands if the permit is denied. Existing roads and trails would remain open to all types of travel and vehicles and the potential for soil disturbance would remain the same as the current condition. Impacts to soils outside the roadbed are minimal. Impacts (i.e. compaction) to soils within the roadbed have largely manifested.

Cumulative Effects:

Refer to the cumulative effects description identified under the Proposed Action.

Proposed Action

Direct and Indirect Effects:

Although soils on the bladed dirt road and two-track/jeep trail sections of the course and in the start/pit areas have already been disturbed, there would be a large increase in the amount of vehicle use over the roads, washes, and old railroad grades during the races. The surface soil would be disturbed, loosening soil particles which would be more susceptible to wind and water erosion. Microbiotic soil crusts and vegetation are not likely present on roads, but may be destroyed if vehicles go off the permitted race routes which could result in increased wind and water erosion on approximately less than one acre. Rill erosion could occur, especially on steep slopes where the soil becomes compacted and increased runoff funnels down entrenched roads. Soil compaction could occur along the race route. The magnitude of compaction would be limited. Compaction is largely manifested because the proposed race route would predominately occur on well-established roads. Conducting the race on dry soils would increase dust generation over the short term. Dust is expected to settle within an hour of race completion.

Racing activities have not created any discernable lasting effects to the existing environment. Reclamation would fix any road damage attributed to annual racing. Rerouting of future events would help alleviate impacts in the future should they become a problem.

Cumulative Effects:

The cumulative effects analysis area for soils has been spatially bounded to include that portion of the landscape within 25 feet of centerline of the racecourse. This boundary was selected because it constitutes that portion of the landscape to which the direct and indirect impacts could be manifested. However, it is considered unlikely that impacts would be manifested at this scale.

By in large, impacts would be restricted to the racecourse. The cumulative impact analysis area would account for the occasional event in which a vehicle leaves the racecourse and disturbs soil.

Vegetation:

Approximately half of the vegetation on the Nevada side of the course is crested wheatgrass seedings. Native vegetation along the remainder of the racecourse routes consists of big sagebrush, low sagebrush, squirrel tail grass, and bluegrass.

The Idaho public lands consist of crested wheatgrass seedings on the majority of the racecourse. The remaining vegetation along the racecourse includes big sagebrush, low sagebrush, black sage, bitterbrush, serviceberry, rabbit brush, blue bunch wheatgrass, western wheatgrass, needle and thread grass, Indian rice grass, Sandberg's bluegrass and cheatgrass.

Sensitive plant species in relation to the racecourse in Nevada is limited to *Arabis falcatoria*. This species is identified near the racecourse, but not on the proposed route. Sensitive plant species in relation to the racecourse in Idaho is limited to *Townsendia scapigeria*. This species is also identified near the racecourse, but not on the proposed route. Goose Creek milkvetch, a FWS candidate species, could occur in the region. However, sensitive plant clearances have not identified this species in the region. The nearest known population is located approximately 20 miles southeast of the racecourse in the Goose Creek drainage of Nevada.

No Action

Direct and Indirect Effects

No future racing would occur on public lands if the permit is denied. Existing roads and trails would remain open to all types of travel and vehicles and the potential for soil and vegetation loss would remain the same as the current condition.

Cumulative Effects:

Same as the cumulative effects description identified under the Proposed Action.

Proposed Action

Direct and Indirect Effects:

Vegetation may be crushed, broken, or removed in the start/pit area and along the jeep trails/two-tracks. Vegetation at the old landfill would be temporarily matted down as a result of vehicle parking and camping. Past events have had minimal permanent damage to vegetation.

Drivers may disturb or remove vegetation along the racecourse by taking short cuts, avoiding obstacles, or passing other drivers, which may result in small areas of bare ground. Bare ground

could be colonized by invasive annuals. This would be minimized with the requirement in the Terms and Conditions of the permit to complete rehabilitation and reseeded with certified weed free seed within 30 days of approval by the authorized officer. Drivers generally stay on the course because it is the easiest route and drivers who take shortcuts or do not follow the marked course would be disqualified. The course would be routed to avoid 90 degree turns to the maximum extent possible, which would further reduce the possibility of resource damage off the designated course route.

The possibility of starting a wildfire could increase with an event such as this due to a higher concentration of human activity in the area, although, to date there have been no fire incidents associated with the Jackpot 200. The BLM would provide a fire crew on-site to increase response time in the event a fire occurs. Low elevation sagebrush sites are vulnerable to conversion to cheatgrass following wildfire. In the event of a wildfire, appropriate rehabilitation techniques would be employed to reduce the potential for cheatgrass invasion.

Cumulative Effects:

The cumulative effects analysis area for vegetation has been spatially bounded to include that portion of the landscape within 25 feet of centerline of the racecourse. This boundary was selected because it constitutes that portion of the landscape to which the direct and indirect impacts area could be manifested. However, it is unlikely that impacts would be manifested at this scale. By in large impacts would be restricted to the racecourse. The cumulative impact analysis area would account for the occasional event in which a vehicle leaves the racecourse and disturbs vegetation.

Other actions affecting vegetation in the cumulative effects analysis area includes ongoing livestock grazing and recreational use. Livestock grazing involves the annual removal of herbaceous vegetation. Therefore, vegetation height is annually reduced up to the next growing season. On-going recreation users may inadvertently crush vegetation. This impact would predominately occur along established roads. Additional actions which have impacted vegetation include: Highway 93 and the associated right-of-way area, two communication sites, one gravel pit, one power substation. The Southwest Intertie Project could be constructed within the next ten years and consequently would have impacts to vegetation. The combined effect of the Proposed Action with past, present, and foreseeable future actions is not expected to cause any long-term change to vegetation in the cumulative effects area. Since no new racecourse routes are proposed that would create new travel ways, the cumulative impacts associated with this event are anticipated to be minimal.

Figure 1. Photo of the start/finish, pit and camping area, located on the old Elko County Landfill in Nevada. Photo taken 3 weeks after the 2011 race.



Figure 2. Photo of race course located in Nevada, 3 weeks after the 2011 race.



NOXIOUS WEEDS AND INVASIVE PLANTS

There are two invasive plant species, cheat grass (*Bromus tectorum*) and halogeton (*Halogeton glomeratus*), known to exist within the proposed racecourse area. Noxious weeds in Nevada include: black henbane, with possibility of Russian knapweed and scotch thistle. Noxious weeds identified along the racecourse in Idaho include: whitetop/hoary cress, Russian knapweed, and black henbane.

Colonization of noxious and invasive weeds is most common along disturbed areas, including linear features such as roads. Linear feature also foster the presence of dispersal agents (i.e. vehicles). Proliferation of noxious and invasive weeds could radiate out from these source areas.

Noxious and Invasive weed proliferation is not restricted to disturbed sites and as such the threat of this impact is ubiquitous.

No Action

Direct and Indirect Effects:

Although no future racing on public lands would occur if the permit is denied. Existing roads and trails would remain open to all types of travel and vehicles. As such, the potential to exacerbate noxious weeds and invasive plants would not change. Weeds are currently spread and would continue to be spread due to vehicles transporting noxious weeds.

Cumulative Effects:

Under the no action alternative, weeds would continue to be spread due to vehicles, livestock, wildlife, and wind transporting noxious weeds. The Bureau of Land Management and Twin Falls County spray noxious weed infestations as necessary.

Proposed Action

Direct and Indirect Effects:

The presence of race vehicles could increase the threat of spreading noxious and invasive weeds throughout the racecourse and in the pit/staging areas. Weed seeds could be lodged in vehicles and transported to other areas. All of the race routes except for the Lost Creek drainage are on existing roads. During the weekend of the race, established roads would see increased use. The rehabilitation efforts required in the Terms and Conditions of the Special Recreation Permit are considered adequate to help prevent the establishment of invasive weed species in the proposed racecourse area. This includes requiring participants to wash race vehicles prior to arriving at the event, and reseeding specific areas with certified weed-free seed.

Cumulative Effects:

The cumulative effects analysis area for noxious and invasive weeds has been spatially bounded to include that portion of the landscape identified in Attachment 1. This boundary was selected because it is considered the most likely portion of the landscape to which the direct and indirect impacts area could be manifested.

The authorized action does not constitute a new threat. The presence and proliferation of noxious and invasive weeds is an active threat, which is exacerbated with time and exposure to dispersal agents. The Jackpot 200 would contribute to this threat. More vehicle and humans (i.e. dispersal agents) on the landscape facilitates the potential for noxious and invasive weeds to be transported. Recognizing this threat, BLM requires that all vehicles are washed prior to arrival.

Vehicular use from the event is not expected to appreciably increase impacts. After many years of previous race events, the race course remains relatively free of noxious weeds.

Other actions in the cumulative effects area which may affect the distribution of noxious weeds include livestock grazing and casual recreation use. Livestock grazing could affect noxious weeds in the project area if seeds were to be consumed and defecated in new areas, or if seeds were to attach to the animals and fall off in new areas. Also, the removal of vegetation through grazing could decrease the resiliency of desired perennial plants against weeds. The fact that most populations of noxious weeds occur along roads suggest that livestock are not an important contributor to spreading noxious weeds. On-going recreation activities may be the most likely contributor of the spread of noxious weeds since most recreation use occurs along roads and two tracks in the Jackpot area. The combined effect of the Proposed Action with other past, present, and foreseeable future actions would slightly increase the potential of the spread of noxious and invasive weeds, but is not expected to cause any long-term change in the presence of noxious weeds in the cumulative effects area. Since no new racecourse routes are proposed that would create new travel ways, the cumulative and residual impacts associated with this event would be anticipated to be minimal.

CULTURAL AND HISTORICAL RESOURCES

Intensive inventories of the racecourse area were conducted in 1989, 1990, 1991, 1992, 1995, 1996, and 1997. No historic properties were located within the area of potential effect. The 1998 protocol between Idaho State Historic Preservation Office (SHPO) and the Idaho BLM identifies an exemption for SRP's where the potential to cause ground disturbance or effect historic properties is negligible. Under the Idaho protocol, exemptions include undertakings that are excluded from project specific consultation with SHPO provided that no historic properties are suspected to be located within or have been previously identified within the undertaking's area of potential effect.

The town of Jackpot was not established until 1956. Prior to this time, the railroad was the only evidence of historic occupation in the area. This spur of the Oregon Short Line was closed in the 1970s along with other spurs of the Oregon Short Line to Hill City, Ketchum, and Strevel in Idaho. By about 1985 the train track, ties, sidings, signals, water towers, and property had been removed and the right-of-way either sold or exchanged for other parcels with federal or state agencies. Most of the remainder of the Oregon Short Line through southern Idaho was sold in the early 1990s to the Southern Idaho Railway. In some cases, the grade has been used for fill material or been superseded by road or highway construction; the grade to Ketchum, Idaho became a bicycle trail. At the time, the part of the grade used for the OHV race was determined ineligible for the National Register by the Idaho State Historic Preservation Office.

No Action

Direct and Indirect Effects:

No future racing on public lands would occur if the permit is denied. Existing roads and trails would remain open to all types of travel and vehicles and the potential for effects to cultural resources would remain the same as the current condition.

Proposed Action

Direct and Indirect Effects:

The race would not impact any sites eligible for listing on the National Register of Historic Places.

Cumulative Effects:

Other actions in the cumulative effects area which may affect cultural resources include livestock grazing and casual recreation use activities. Livestock grazing could affect cultural resources in the project area if the removal of soils or vegetation were to occur, especially around water troughs. Previously established roads including two tracks, has increased the potential for loss or destruction to cultural resources in the Jackpot area. The combined effect of the Proposed Action with the all other past present and foreseeable future actions would slightly increase the potential of damage or loss of cultural resources but is not expected to cause any long-term change to cultural resources in the cumulative effects area.

RECREATION

The town of Jackpot attracts many tourists that recreate on the surrounding public lands, which are part of the racecourse area. Activities in the region include casual OHV riding, upland game bird, and big game hunting, fishing, canoeing along Salmon Falls Creek and boating on Salmon Falls Creek Reservoir.

No Action

Direct and Indirect Effects:

Although no future racing on public lands would occur if the permit is denied. Existing roads and trails would remain open to all types of vehicle use.

Cumulative Effects:

Not holding the race would be expected to adversely impact the organized racing community by reducing opportunities to hold organized race events. Canceling the race would reduce revenue generated in the region, particularly in Jackpot, NV.

Proposed Action

Direct and Indirect Effects:

This event would provide a beneficial recreation opportunity for competitive OHV racers. Race activities would interfere with recreational activities of other casual users in the area, as the general public would not be allowed in the racecourse area on the day of the race. Course workers would be located at main access routes to keep casual users and spectators off the racecourse for their own safety and the safety of the participants.

Cumulative Effects:

Recreational use would remain the same as a result of the Proposed Action by issuing BORE a permit to race one day each year. The combined effect of the Proposed Action with other past, present, and foreseeable future actions is not expected to cause any appreciable long-term change to recreation use.

WILDLIFE RESOURCES

Threatened, Endangered, and Candidate Species

The Endangered Species Act (ESA) provides protection for federally listed species (Threatened/Endangered) and their habitats (FWS 2013). ESA prohibits the take of listed species and their habitats; take is defined as "...to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct (FWS 2013)." "The U.S. Fish and Wildlife Service (FWS) also maintain a list of Candidate species," candidate species are species identified "...as warranted for listing, but precluded due to greater listing priorities (FWS 2013)."

FWS maintains a web-based species list to inform resource managers of the presence of listed species within an action area. The subject action would occur in Twin Falls County, ID. There are two candidate species within Twin Falls County: Columbia spotted frog (*Rana luteiventris*), and Greater sage-grouse (*Centrocercus urophasianus*). There are three listed species within Twin Falls County: Bliss rapids snail (*Taylorconcha serpenticola*) [Threatened], Snake River Physa (*Haitia* (*Physa*) *natricina*) [Endangered], and Canada Lynx (*Lynx Canadensis*) [Threatened] (FWS 2014). The following describes the occurrence potential of the aforementioned species and provides rationale for the effects determination.

Table 1. ESA species identified within Twin Falls County, Idaho as identified using the FWS Information, Planning, and Conservation System (Version 1.4).

<u>Species</u>	<u>Occurrence Potential</u>	<u>Effects Determination</u>
Snake River Physa (<i>Haitia</i> (<i>Physa</i>) <i>natricina</i>)	See Fisheries Clearance	N/A

Bliss rapids snail (<i>Taylorconcha serpenticola</i>)	See Fisheries Clearance	N/A
Canada Lynx (<i>Lynx canadensis</i>)	<ol style="list-style-type: none"> 1. No critical habitat present within the subject counties or racecourse. 2. Racecourse area does not provide suitable habitat. 3. There are no known occurrences of this species within the racecourse area. 	No Effect

BLM Sensitive Species

The following are the BLM sensitive species, excluding migratory birds, which are known to occupy or potentially occur in the region and are potentially affected by the action: Greater sage-grouse, pygmy rabbit, Piute ground squirrel, prairie falcon, Columbian sharp-tailed grouse, loggerhead shrike, sage sparrow, Wyoming ground-squirrel, and kit fox. Migratory bird species recognized as BLM sensitive species are analyzed under the migratory bird subheading (i.e. loggerhead shrike and sage sparrow).

Table 2. BLM sensitive species potentially impacted by the Proposed Action.

<u>Species</u>	<u>Occurrence Potential</u>
Pygmy rabbit	Occurs. Pygmy rabbits have been documented within the vicinity of the racecourse (IDFG 2012a).
Greater sage-grouse	Occurs. This species is known to be locally abundant. Sage-grouse have been documented to use seasonal habitats near the racecourse, including nesting (IDFGa, Unpublished Data). There are 42 leks within ^A 4.0 miles of the proposed race route. The management status for these leks are: Occupied (10), Unoccupied (4), Not Verified (4), and Undetermined (24) (IDFGb, 2012).
Piute ground squirrel	Potential. There are no known occurrences of this species within the vicinity of the racecourse. Suitable habitat is present. The range of distribution for this species includes the region of the racecourse (Yensen and Sherman 2003).
Columbian Sharp-tailed Grouse	Occurs. This species is known to occur in the region. IDFG has released Columbia sharp-tailed grouse in the Shoshone Basin (SBLWG 2008). Sharp-tailed grouse have been documented to inhabit the region year round, including habitat adjoining the proposed race route (IDFGb, Unpublished Data). There is one documented lek site within ^B 4.0 miles of the racecourse, the management status of this lek is unoccupied (IDFG 2012c).
Wyoming ground squirrel	Potential. There are no known occurrences of this species within the vicinity of the racecourse. Suitable habitat is present. The range of distribution for this species encompasses the region where the racecourse would occur (Yensen and Sherman 2003).
Kit fox	Potential. Kit fox have been documented in Southern Idaho (IDFG 2012a). There are no element occurrence records of a kit fox in the vicinity of the racecourse.

^A 4.0 miles represents the spatial buffer afforded Columbian sharp-tailed grouse concerning potentially disruptive activities when sharp-tailed grouse leks are near Greater sage-grouse leks as identified in Idaho BLM Instruction Bulletin 2010-039 (BLM 2010).

^B 4.0 miles represents the spatial buffer afforded Greater sage-grouse concerning potentially disruptive activities as identified in Idaho BLM Instruction Bulletin 2010-039 (BLM 2010)

Greater sage-grouse:

Greater sage-grouse are classified as a candidate species for listing under the ESA (FWS 2010). Greater sage-grouse are known to occupy seasonal habitat in the region (IDFG 2012b, SBLWG 2008, IDFGa *Unpublished Data*). The Proposed Action would occur during the late nesting/early brood rearing season (ISAC 2006, Gillian et al. 2010). The aforementioned race dates have been proposed as is to avoid the core of the sage-grouse breeding season while avoiding high fire severity experienced during late summer and early fall. The Proposed Action would occur in the geographic region of southern Idaho commonly referred to as the Shoshone Basin. Greater sage-grouse inhabiting this region are part of the “NE Nevada S-Central ID/NW-UT” subpopulation of the “Great Basin Core” population (Connelly et al. 2004). This sub-population is also part of the “Snake River Plain sage-grouse management zone” (Stiver et al. 2006).

IDFG telemetry data has documented seasonal movements of Greater sage-grouse between seasonal habitats in the Shoshone Basin, Browns Bench, and northern Nevada (IDFGa *Unpublished Data*). As identified in their 2008 Coordinated Resource Management Plan the Shoshone Basin Sage-grouse Local Working Group suggests that sage-grouse inhabiting the Shoshone Basin are characteristic of a “one-stage migratory” population as defined by Connelly et al. (2000).

Key Habitat

Idaho BLM maintains a landscape scale Greater sage-grouse habitat map. This map is commonly referred to as the “key habitat map”. The key habitat map provides a spatial representation of five habitat classifications within the state. Habitat classifications include: key sage-grouse habitat (K), perennial native and non-native grassland (R1); annual grassland (R2); conifer encroachment (R3); and recently burned (RB) (ISAC 2006, BLM 2012). The majority of the racecourse intersects Key habitat. The remainder of the course is classified as perennial native and non-native grassland. Refer to Table 3 for an approximation of each habitat classification within the Shoshone Basin sage-grouse Local Working Group.

Table 3. Greater sage-grouse habitat classifications within the Shoshone Basin Sage-grouse Planning Area (ISAC 2006, BLM 2012).

<u>Habitat Classification</u>	<u>Acres (Circa)</u>
Key habitat (K)	203, 819
Perennial native and non-native grassland (R1)	90, 232
Conifer encroachment (R2)	0
Annual grassland (R3)	37
Recently burned (RB)	4,574

Preliminary Priority /General Sage-grouse habitat

The entire race route intersects preliminary priority sage-grouse habitat. PPH represents key habitat, known concentration areas, and important migration corridors (Makela and Major 2012, *Unpublished Data*). The Shoshone Basin sage-grouse Local Working Group planning area contains 294,217 acres of PPH.

Landscape Importance Model

The SBSGLWG contains sage-grouse habitat of greater relative importance as portrayed within the Landscape Importance Model. “Those habitats of greater relative importance represent portions of the landscape where the combination of lek connectivity, breeding bird density and/or population persistence appears to be comparatively high, relative to other areas of the map (Major 2011, *Unpublished Data*).” The entire racecourse intersects habitats of greater relative importance.

Migratory Birds

The following are the migratory bird species of conservation concern and focal species, which are known to occupy or suspected to occupy the racecourse area and are potentially affected by the Proposed Action: Brewer’s sparrow, golden eagle, long-billed curlew, burrowing owl, loggerhead shrike, grasshopper sparrow, prairie falcon, sage sparrow, sage thrasher, mourning dove , ferruginous hawk, short-eared owl, and green-tailed towhee.

Table 4. Migratory bird species potentially impacted by the action.

<u>Species</u>	<u>Occurrence Potential (Occurs, Likely, Potential)</u>
Brewer’s sparrow	Occurs. This species is frequently observed within sagebrush habitats throughout the region.
golden eagle	Occurs. Golden eagles are known to occupy the region year-round. Golden eagles have been documented to nest within the region. There are five known golden eagle territories within ^A one mile of the racecourse (BLM 2011a). Golden eagles are known to be winter transients to the region as well. Golden eagles are frequently observed in the region.
long-billed curlew	Potential. Long-billed Curlews are known to inhabit the region during the breeding season. There are no known occurrences of this species adjacent to the racecourse.
burrowing owl	Potential. This species is commonly observed throughout the region. There are no identified burrow locations for this species within one mile of the racecourse. If present this species would be expected to occur in areas with reduced topographic variation and reduced shrub canopy cover.
loggerhead shrike	Likely. This species is known to inhabit sagebrush habitats throughout the region.
grasshopper sparrow	Potential. Grasshopper sparrows may occupy early seral sagebrush habitat throughout the region. In particular that portion of the racecourse which burned in the 2010 Mule Creek Fire may provide suitable habitat for this species.

prairie falcon	Occurs. This species is known to inhabit the region. There is one documented nesting location in Nevada (IDFG 2011, Unpublished Data).
sage-sparrow	Likely. This species is known to occur within the region. Occurrence within the racecourse area would be limited to shrubland habitat.
sage thrasher	Likely. This species is known to occur within the region. Occurrence within the racecourse area would be limited to shrubland habitat.
mourning dove	Occurs. This species is commonly observed throughout the region.
Ferruginous hawk	Potential. There are no known nesting locations within one mile of the subject race route. However, this species is known to occur in the region and may utilize habitat in the subject area for foraging.
Short-eared owl	Occurs. This species is known to occur throughout the region, particularly in open areas with limited topographic variation.
Green-tailed towhee	Occurs. This species is known to occur in the region, particularly montane shrublands.

A A one mile buffer represents the greatest protective spatial buffer afforded nesting raptors as identified in Whittington et al. 2008 and adopted in BLM Instruction Bulletin 2010-039a. Golden eagles are only afforded a 0.50 mile buffer; however, a one mile buffer was used to simplify spatial analysis.

B **Region:** The term region is frequently used in this document. For the purpose of this document the Interdisciplinary team has defined region based on the following geographic boundary description. That portion of Twin Falls County south of Twin Falls to the Nevada/Idaho border, west of Deadline Ridge, east of Brown's Bench, and that portion of Elko County Nevada north of Gollaher Mountain.

WILDLIFE; OTHER THAN THREATENED, ENDANGERED, AND SENSITIVE

The racecourse area is occupied by a variety of non-sensitive species of wildlife, including big game, small game, upland game, and non-game species. Big game species known to occupy the region include mule deer and pronghorn. The racecourse intersects mule deer and pronghorn winter habitat.

Small game/upland game species known to occupy the racecourse area include: cottontail rabbit, black-tailed jackrabbit, gray partridge, coyotes, and badgers. A variety of nongame wildlife species, including migratory birds and small mammals, are known or suspected to inhabit the region as well.

No Action

Direct and Indirect Effects to Wildlife Resources:

Under this alternative the authorized officer would not authorize the Jackpot 200 event. Impacts to wildlife resources from this activity would not occur. Impacts to wildlife from ongoing activities (i.e. casual use and permitted use) would continue to cause impacts to wildlife. The impacts from these activities are described in greater detail below in the direct and indirect effects section of the Proposed Action alternative.

Cumulative Effects:

Refer to the Proposed Action alternative cumulative effects description.

Proposed Action

Direct and Indirect Effects to Wildlife Resources:

The Proposed Action would authorize up to 80 persons/vehicles to participate in the Jackpot 200 race. Impacts to wildlife from roads and vehicles can include noise pollution, disturbance (Cline and Stewart 2007), behavioral alterations, mortality, expansion of noxious weeds, and alteration/fragmentation of habitat (Trombulak and Frissell 2000).

Noise /Disturbance

Noise pollution and human activity attributed to race activities are expected to be the most prominent direct impact associated with the proposed activity. The Proposed Action represents a high intensity and concentrated activity that is dissimilar to the infrequent and wide-spread impacts associated with casual use. Impacts from casual use are predominately attributed to public recreation and operations from other permitted actions (e.g. livestock grazing, communication sites, and gravel pits). Motorized vehicle use, including OHVs, does occur in the region. Motorized vehicle use is largely concentrated to established road systems. BLM does not have an estimate of daily use within the racecourse. However, anecdotal evidence would suggest that noise emissions/human activity throughout the racecourse is relatively limited and infrequent. Conversely, the Proposed Action would represent an intense short term impact contributing to an abrupt increase in noise emissions and human activity. Moreover, the subject race vehicles are likely equipped with engine and exhaust modifications which could contribute to increased noise emissions that would exacerbate impacts from noise. Noise pollution from operation of up to 80 race vehicles would be pronounced relative to normal conditions.

Wildlife resources sensitive to noise emissions and human activity would be disturbed during race activities. Those species sensitive to these impacts would be expected to seek refuge from disturbance in adjacent areas of habitat that are either removed from the influence of the action or shielded. Those species displaced by disturbance would be expected to return to pre-race habitats and behavior subsequent to completion of race activities.

Several segments of the proposed racecourse intersect the recommended protective spatial buffers afforded nesting raptors. Portions of the proposed race route within Idaho would be, if nests are active, in conflict with the protective spatial buffer of a known golden eagle nest, red-tailed hawk nest, and Swainson's hawk nest. Portions of the proposed race segment within Nevada could be in conflict with a documented red-tailed hawk nest. Operation of race activities within the protective buffer of active nesting locations would be in conflict with applicable guidelines for the management of raptors. Race activities within protective spatial buffers (Table 5) would be expected to disturb nesting raptors. To ensure compliance with the Bald and Golden

Eagle Protection Act and Migratory Bird Treaty Act, all active raptor nesting locations should be avoided as per the protective spatial buffer identified in Table 5. The protective buffers identified in Table 5 reflect the most recent guidance for protection of raptors as identified in Whittington and Allen 2008 and adopted in BLM Instruction Bulletin 2010-039. Protective buffers are subject to change due to new guidance and may be modified to ensure compliance with law. Avoidance of active raptor nesting locations as per the recommended buffer is expected to be adequate to prevent unintentional take.

Table 5. Recommended protective spatial buffers afforded breeding raptors in non-urban areas (Whittington and Allen 2008, Adopted in BLM Instruction Memorandum 2010-039a).

<u>Species</u>	<u>Protective Spatial Buffer</u>
<i>Ferruginous hawk</i>	<i>1.0 mile</i>
<i>Golden eagle</i>	<i>0.5 mile</i>
<i>Red-tailed hawk</i>	<i>0.33 mile</i>
<i>Prairie falcon</i>	<i>0.5 mile</i>
<i>Swainson's hawk</i>	<i>0.25 mile</i>

Habitat Alteration

The Proposed Action is to occur on existing roads. Removal of and disturbance of vegetation would be limited as the effects of lost vegetation along the subject roads has largely manifested. The Proposed Action could cause degradation of vegetative resources through the spread of noxious/invasive weeds. Race vehicles could transport noxious/invasive weed seed. Race vehicles could transport seed from other areas to the racecourse. This threat is of particular concern due to the potential for new invasive/noxious weeds to become established in the region. There are documented occurrences of whitetop/hoary cress, Russian knapweed, and black henbane along portions of the proposed race route in Idaho.

Race activities and human activity associated with the race could increase the risk of starting a human caused wildfire. Habitat degradation attributed to fire could range from minor to substantial. Fire would be an unintentional consequence. Habitat degradation attributed to fire is hypothetical. There is no way of definitively predicting if a fire would occur and how prolific such fire would be. The impacts to wildlife resources from fire would likely increase proportionate with burn severity, acreage burned, and vegetative resources lost. The proposed race activity would occur over one day for approximately 10 hours. This particular race has been held at this location since 1989 and has not resulted in a wildfire to date. Terms and Conditions listed in Attachment 2 have been applied to the permit specifically to reduce the threat of wildfire. Terms and Conditions require appropriate installed spark arrestors, fire extinguishers, and the presence of a BLM fire engine.

Twin Falls District fuels staff annually collects live fuel moisture data throughout the district at various monitoring locations. Live fuel moisture content is a sampling method utilized to help inform predictions of fire behavior and risk. There is a fuel monitoring site located in the Shoshone Basin, approximately 12 miles from the action. ^ABased on samples collected at this monitoring site, the 10 year average live fuel moisture is 169% from June 16 through June 30 and 135% from July 1 through July 15. Referencing a fuel moisture matrix developed in Nevada, a live fuel moisture content of 169% is characteristic of low fire behavior and a live fuel moisture content of 135% is characteristic of moderate fire behavior (Pollet and Brown 2007). Pollet and Brown (2007) suggest that live fuel moisture is a methodology to assess fire risk, but in itself is not an adequate predictor of fire risk due to a number of other compounding factors. Fuel moisture data has been provided as a reference and reliance thereon for any other purpose is inadequate. The accuracy, reliability, and completeness of this data is not guaranteed.

If the action were to result in a large-scale fire within the region it could result in substantial adverse impacts to Greater sage-grouse inhabiting the Shoshone Basin/Browns Bench region. Wildfire is considered the greatest threat to sage-grouse in Idaho (ISAC 2006) and "... most pressing threat to sage-grouse and their habitats within the East Shoshone Basin Management Area (SBLWG 2008)." Past wildfire in the region has altered and limited the acreage of suitable sage-grouse habitat in the region which has resulted in 30,744 acres of sagebrush habitats burned in the Shoshone Basin sage-grouse planning area over the last ten years (BLM 2013). Occurrence of wildfire around the time of the core race dates (hereafter referred to as core dates) is not uncommon. The following table identifies fire incidents over the last decade within the Shoshone Basin sage-grouse planning area.

Table 6. Fire incidents within the Shoshone Basin Sage-grouse planning area over the last ten years ^A (BLM 2014). Days from core date are calculated based on the 2014 calendar year.

<u>Fire Year</u>	<u>Fire Name</u>	<u>Date Start</u>	<u>Acres</u>	<u>Days from Core date (June 28)</u>	<u>Days from Core date (July 05)</u>
2005	Shoshone Basin	8/23/2005	152	55	48
2007	Jack	7/16/2007	233	18	11
2007	^B West Basin	7/8/2007	3704	10	3
2008	Salmon Falls 1	8/8/2008	3	40	33
2008	Rock Creek	7/1/2008	162	3	-4
2008	Shoshone Basin	9/29/2008	6622	91	84
2008	Shoshone Basin	9/29/2008	152	91	84
2009	Sugarloaf	8/5/2009	30	37	30
2010	Shoshone Basin	7/9/2010	37	11	4
2010	Mule Creek	8/20/2010	13745	52	45
2011	Hwy93 MM2	8/4/2011	199	36	29
2011	Pointe	8/6/2011	917	38	31
2012	3 Mile Springs	7/22/2012	7	24	17
2012	3 Mile Springs	7/22/2012	1	24	17
2012	Cottonwood	8/5/2012	11	37	30
2012	Cottonwood Creek	6/21/2012	17	-7	-14
2012	Cottonwood Ranch	8/20/2012	30	52	45

2012	Norton's Bay	4/22/2012	46	-66	-73
2012	Hannah	8/6/2012	100	38	31
2012	Rabbit Springs	7/10/2012	1476	12	5
2013	South Point	7/1/2013	152	3	-4
2013	Point	7/1/2013	2948	3	-4

^A These data have been provided as a reference only. The accuracy, reliability, and completeness of these data are not guaranteed.

^B Acres are representative of that portion of the West Basin Fire within the Idaho Shoshone Basin Sage-grouse Local Working Group. The Nevada portion is not incorporated.

Cumulative Effects:

Effects of past and ongoing actions, such as habitat loss (e.g. fire), habitat fragmentation (e.g. fire & roads), and disturbance of wildlife would continue throughout the region. Past actions within the cumulative effects analysis area include: livestock grazing, vehicular travel, hiking, bird watching, hunting, camping, boating, fishing, mineral exploration, agriculture, communication towers, and power transmission operations. Present actions throughout the cumulative effects analysis area are synonymous with the past actions. Reasonably foreseeable actions would include all present actions and potentially several Proposed Actions, including the Southwest Intertie Project (SWIP). SWIP is a power transmission project which has been approved but not currently built. The approved route intersects portions of the Jackpot 200 racecourse. Construction activities associated with this project would contribute to impacts to wildlife in the region. Impacts would include habitat loss and fragmentation, disturbance, possible noxious invasive weed proliferation, and avoidance of infrastructure.

Impacts to wildlife from the aforementioned actions would be analyzed in the respective project specific NEPA document for each action. Under the Proposed Action alternative impacts from past, present, and foreseeable activities would continue to contribute to adverse impacts to wildlife in the race course area. The addition of the proposed race event is not anticipated to result in any appreciable adverse impacts.

CHAPTER 5, CONSULTATION AND COORDINATION

TRIBES, INDIVIDUALS, ORGANIZATIONS, OR AGENCIES CONSULTED

Shoshone Bannock Tribes
Shoshone Paiute Tribes
Idaho State Historic Preservation Office
Idaho Department of Lands
Twin Falls County Sheriff's Department
Twin Falls County Commissioners
Natural Resource Conservation Service

Permittees:

Lee Satterwhite, Point Ranch

Y-III Ranch
Tom Leno
Greg Hall - Pleasant Valley Grazing Association

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Blaine Potts– Recreation, Visual Resources

Julie Rodman - Cultural Resources

JoeyJames Giustino - Lands/Access

Clay Stott - Grazing Management, Vegetation

Bryan Muligan – Noxious Weeds

Cameron Collins – Wildlife, Threatened & Endangered

Plants/Animals, Migratory Birds, Wetlands/Riparian Zones

Mark Dean - Soil, Water & Air

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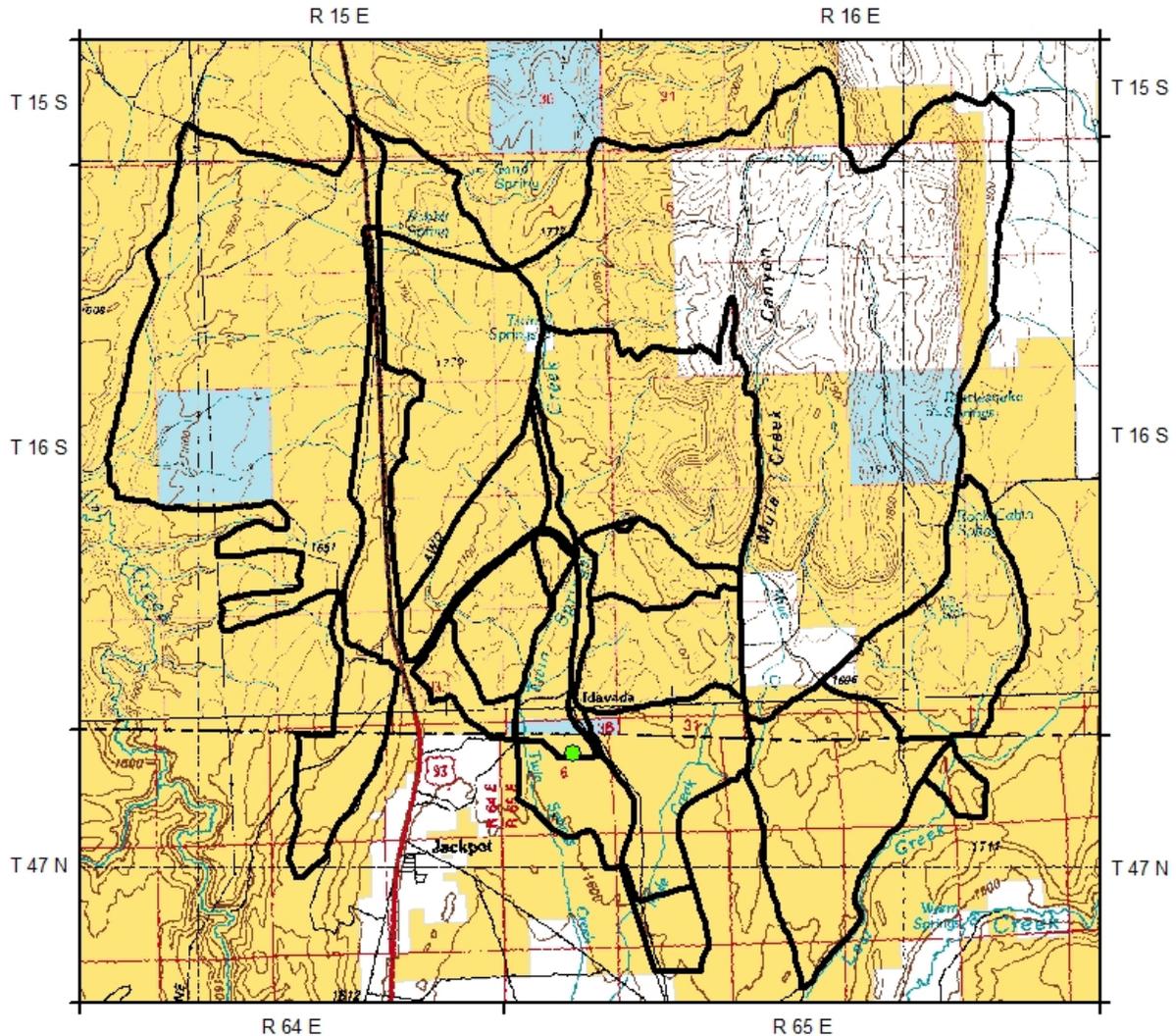
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Attachment 1
**COLLECTION OF PAST COURSES
 USED FOR JACKPOT 200 OFF-ROAD
 VEHICLE RACES 1989-2011**

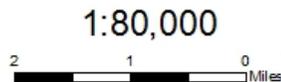


Quad Map Names: Jackpot, East of Jackpot, Magic Hot Springs and Norton Canyon

Legend

- Past courses used for Jackpot 200 Off-Road Races 1989-2011
- Bureau of Land Management
- Private; other
- State
- Staging, Pit and Camping Area

No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or aggregate use with other data is not guaranteed.



Attachment 2

TERMS AND CONDITIONS FOR JACKPOT 200 OFF-HIGHWAY-VEHICLE RACE JULY 2014-2023

B.O.R.E. agrees to the following:

1. General Safety Requirements

- A. Distribute written instructions or hold a pre-race briefing at the site to inform participants of routes, regulations, safety procedures, and other necessary directives.
- B. Make every effort to prevent, report, control, and suppress any fire burning on public lands as a result of the event (excluding campfires).
- C. Inspect all off-highway vehicles entering the race and support vehicles to ensure they have the proper spark arrestors.
- D. Ensure that all check stations have shovels and fire extinguishers readily available for immediate use in case of a fire.
- E. Confine all participating vehicles to marked racecourse, camping and start/finish areas.
- F. Ensure the safety of all race officials, contestants, spectators, concessionaire and/or support personnel, and casual bystanders. This includes:
 - a) Assuring that all permit actions are in conformance with local, State, and Federal health and safety standards.
 - b) Providing appropriate emergency medical personnel and facilities. At least one (1) emergency vehicle (ambulance) capable of off-highway travel and manned with qualified attendants will be on site during race activities.
 - c) Clearly separating, identifying, marking and patrolling pit, spectator, and parking areas.
 - d) Adequately marking the race route to keep contestants on the course and spectators off, and to caution contestants in the vicinity of hazards. Course markers shall be visible within line of sight of the previous marker.

** The permittee **WILL NOT USE PAINT OF ANY TYPE** as course markers on rocks or other natural areas (vegetation). Water soluble "poster" type paint that will fade away following rain and wind erosion **MAY** be used on the travel surface to mark hazardous rocks that cannot be moved and present a safety threat to participants.

** Any sharp corners will be heavily marked with ribbon or banners, for a minimum distance of 100 feet in each direction, to prevent racers from

cutting this corner and destroying vegetation and/or hidden cultural or historic resources. Permittee will address this sensitive area with all participants and course workers at the pre-race drivers meeting.

- G. Provide adequate communication facilities on-site to coordinate the event safely and cope with emergencies.
 - H. Provide a BLM fire crew on-site, a law enforcement official to monitor the event, and emergency assistance personnel ready for any accident that may occur.
 - I. All contestants are required to wear adequate head, eye, and body protection.
 - J. In the event of a wildfire on or near the racecourse, the Authorized Officer or his/her designated representative reserves the right to stop the race. Race participants and spectators may be required to move from the area if their safety is in jeopardy.
2. Assist BLM employees in inspection of the racecourse before and after the race. This includes:
- A. Submitting a map (or series of maps) clearly showing the racecourse route, pit area, and start/finish area.
 - B. Utilizing only those racecourse routes, pit areas and start/finish areas as shown on the maps provided to the permittee. Permittee will not mark or use any roads, trails, or washes for race routes other than those shown on these maps.
 - C. Ensuring that the racecourse is marked with brightly colored ribbon a minimum of 30 days in advance of the event. Ribbon shall be placed often enough along the course to allow BLM personnel to follow the course and to ensure the course can be followed with the course map. All intersections where the course changes direction shall be double ribboned. Permittee shall notify the BLM when the course has been preliminarily marked so that an inspection can be made.
3. Reroute and/or relocate use areas to avoid sensitive areas identified by the BLM before or during an event.
4. Take all reasonable measures to ensure that the participants, spectators, and casual users attracted by the event will not harass wildlife or livestock within the vicinity.
5. Take all reasonable measures, including publication of notices in the local news media, to inform other recreationists of the event and of associated temporary road restrictions. Cautionary signs to forewarn other motorists of the race are required on major access routes and intersections.
6. During the event, provide on-the-ground staff monitoring to ensure that all race-related activities are occurring in the authorized areas and according to the Terms and Conditions

stipulated in the permit. This will include:

- A. Providing flagmen at all major road crossings. Flagmen will be present to control traffic on public roads affected by the race.
 - B. Providing for control and safety of spectators
 - C. Patrolling the course during the race to account for all contestants. (This is mandatory.)
 - D. In addition, BLM personnel will monitor for compliance following the event.
7. Ensure that all authorized motorized use conforms to the Conditions of Use set forth in 43 CFR Sub-part 8341.1.
 8. Require all participants to wash race vehicles prior to arriving at the event to help prevent the introduction of undesirable plant species, including weeds.
 9. Furnish self-contained chemical sanitation facilities and trash receptacles at the start/finish area and other locations as necessary for disposal of all refuse and human waste generated from the event and to keep these areas serviced, neat, and clean during the event. This shall be in accordance with all applicable local, State, and Federal ordinances, laws, and regulations.
 10. Provide for the protection of, and limit the disturbance to, all cultural (archaeological and historical), visual, forage, woodland and watershed resources, and to livestock, wildlife and/or wild horse improvements (structures) that may be affected by the race. And to undertake any reasonable preventive and/or restorative measures as determined by the Authorized Officer. This will include:
 - A. Instructing monitors to discourage vehicle travel off of established roads and parking areas. Monitors also shall be instructed to discourage spectators from littering, vandalizing and cultural artifact collecting.
 - B. Instructing riders and pit crews to handle oil, gasoline, and other hydrocarbon products in accordance with Environmental Protection Agency and Idaho and Nevada State laws and regulations. Used hydrocarbons will not be dumped on the ground but will be removed for proper recycling or disposal. **Any hydrocarbon spill must be cleaned up** and spills of 25 gallons or more must be reported to the Nevada Department of Environmental Protection, the National Response Center and the BLM. Contaminated soil shall be dug up and placed in bags or buckets to be disposed of at a landfill permitted to take hydrocarbons. Many, but not all, landfills are permitted to take hydrocarbons; check with your local landfill for authorization. Following cleanup, the Permittee shall reclaim the site to BLM specifications. In addition, it is recommended that absorbent pads be placed under vehicles when refueling, particularly in designated fuel pit-stops. Pads contaminated with

- hydrocarbons must be disposed of legally, preferably at a landfill permitted to take hydrocarbons.
- C. Monitoring all gates opened along the race route to prevent passage by livestock and to ensure that the gates are shut following the passage of the last contestant.
11. Provide a water truck at the start/finish area for dust abatement.
 12. Obtain an affidavit of permission or permit to cross any non-public lands before the races. Any permit must address the legal rights granted by private or State landowners. The permittee understands that **THE SPECIAL RECREATION PERMIT ISSUED FOR THESE ANNUAL RACES DOES NOT AUTHORIZE USE OF ANY PRIVATE OR NON-PUBLIC LANDS CROSSED BY THE RACE ROUTES.**
 13. During the races and any subsequent reclamation activities, if any cultural properties, items, or artifacts (stone tools, projectile points, etc.) are encountered, such items are not to be collected. Cultural and Archaeological resources are protected under the Archaeological Resources Protection Act (16 U.S.C. 470ii) and the Federal Land Management Policy Act (43 U.S.C. 1701). In addition, although the possibility of disturbing Native American gravesites is extremely low, inadvertent discovery procedures must be noted. The Native American Graves Protection and Repatriation Act, Section (3)(d)(1), states that the discovering individual must notify the land manager in writing of such a discovery. If the discovery occurs in connection with an authorized use, the activity that caused the discovery is to cease and the materials are to be protected until the land manager can respond to the situation.
 14. If cultural resources (archaeological or historic sites) are discovered which may be damaged or destroyed by race activities, the proponent must ensure that such cultural resources are protected from damage and shall immediately notify the BLM Authorized Officer
 15. Because scientifically important archaeological/historical sites may occur along the race route, vehicles shall not deviate from roadbeds or dry washes approved for use by the BLM. In other words, vehicles shall not cut corners or leave the disturbed road bed/was bottom from the flagged route to pass one another. **Checkpoints and refueling stations are not to be located on recorded cultural resources. If historic or prehistoric sites are present at a checkpoint or refueling station, the checkpoint and/or refueling station must be moved to a new location at least 200 feet distant from the cultural site.**
 16. The proponent shall ensure that his employees, representatives, contractors, race participants, or race spectators do not damage or destroy cultural resource sites, collect or remove archaeological artifacts (either historic or prehistoric), or otherwise alter the condition of cultural resources on public lands. An archaeological/historical artifact is any object or item of over 50 years and includes arrowheads, spearheads, chipping debris,

cores, bifaces, grinding stones, scrapers, gravers, pottery and potsherds, baskets, spear and arrow shafts, atlatls, cordage, rope, etc. Historic examples include complete or fragmentary bottles, cans, tools, coins, clothing containers, equipment, building parts, etc. Should the condition of any cultural resources be altered during the race due to any of the preceding unauthorized activities, the proponent may be subject to penalties under the Archaeological Resources Protection Act and can be held responsible for the full cost of data recovery at said cultural resources sites.

17. Inform other pertinent agencies, groups, etc. prior to each year's event. This includes the Nevada Highway Patrol, Nevada Department of Transportation, grazing permittees and rights-of-way and land use authorizations through which the racecourse route passes.
18. Guarantee that the Federal Government, the Department of Interior, Bureau of Land Management and its representatives shall not be held responsible for personal injury and property damage that may occur as a result of the races. The Department of Interior, Bureau of Land Management **MUST** be named as an Additional Insured on all insurance documents associated with the event.
19. Submission of annual liability insurance coverage. Furnish evidence to BLM that minimum levels of liability insurance (\$30,000 property damage, \$300,000 per occurrence bodily injury or death and \$600,000 annual aggregate) are in effect. The *United States Government, its agencies and representatives* must be named as an Additional Insured on your insurance policy and shall not be held responsible for personal injury and/or property damage that may occur as a result of construction, maintenance or use of motocross racetrack and associated facilities. BLM must be notified at least 30 calendar days prior to cancellation or modification of such insurance.

Activities authorized by this permit shall be temporarily suspended during any period when evidence of liability insurance coverage has not been provided to BLM. This permit shall automatically terminate without the necessity of prior notice when liability insurance coverage has lapsed during a period when permit activities have been conducted on public lands.

20. Post User Requirements:
 - A. Permittee will ensure that all ribbons, lathe, arrows, and other markings are removed from the entire course within 48 hours of termination of the event. All garbage, toilets, pit and parking area markers, etc., must also be removed within this time frame. All litter, course markings, etc. must be disposed of at an authorized dumpsite. Materials **WILL NOT** be buried or burned. Inspection by the BLM official will be conducted to check compliance. If further inspections are needed, a fee of \$200 per inspection will be assessed against the permittee. This fee will be in addition to any fees assessed to mitigate resource damages.

- B. Permittee must provide the BLM with information to analyze the event. The Post Use Report attached to the Special Recreation Permit (Form 8370-1) must be completed and returned to the Authorized Officer within 30 days of permit expiration. Any bonds associated with this permit will not be released until the Post Use Report has been received
 - C. Permittee will complete all race route rehabilitation identified by BLM within 30 days after the race. All gates opened for the event shall be closed immediately following the event. Fences damaged during the event shall be repaired, course markers shall be removed, and clean-up shall be completed within 48 hours after the race. Berms shall be smoothed out and water bars constructed as needed within 30 days of the event. Any new trails that are developed as a result of the race will be rehabilitated following the event. Reseeding of specified areas identified by BLM Authorized Officer will be done in the fall. Seed will be of an approved mix, stipulated by the BLM. Any roads, trails or traveled paths used as part of the racecourse will be rehabilitated similar to prior conditions or until such work satisfies the Authorized Officer
21. Pay the United States a competitive fee of 3% of gross receipts of the event (income from the operation of the event before deducting costs such as prizes, taxes, insurance, etc., and to include income from participants and spectator fees, food and beverage concessions, etc.); or \$4.00 per entrant per day plus 3% from all food, beverage or other concession, whichever is greater. This recreation use fee will be calculated by BLM based on the Post Use Report that is due within 30 days after the conclusion of the annual race. Credit will be given for all advance fees paid. Fees must be made payable to "U.S. Dept. of the Interior - BLM".

Recreation use fees may be adjusted periodically to reflect increases or decreases in the Implicit Price Deflator Index (IPDI). It is likely that the use fees will increase over the ten-year life of this recreation use permit.

- 22. Nothing in this permit will be construed as license for BORE, employees, or clients to use the areas of public lands that are otherwise restricted or closed.
- 23. Any time during the duration of this permit, these stipulations may be revised and/or updated as deemed necessary by the BLM Authorized Officer.
- 24. The following actions may result in modification of this multi-year permit:
 - A. Change in fee structure;
 - B. Significant stipulation changes; or
 - C. Administrative program changes.

25. This permit is revocable at the discretion of the Authorized Officer of the BLM upon written notification to the permittee, no less than 24 hours in advance of the subject event, if in his/her judgment:
- A. On-site conditions within the permit area are such that the event would cause significant or irreparable resource damage.
 - B. Climatic factors will not allow use of the permit area for the intended event, i.e., extended rain which results in wet and saturated ground conditions.
 - C. BORE has not complied with any or all of the above stipulations and the stipulations listed on the reverse side of the special recreation permit.
 - D. Fire conditions are such that that holding the race would threaten resources or create a public hazard

CERTIFICATION

As Applicant for a Special Recreation Permit to conduct racing in the Jackpot area, and as the responsible party for all actions associated with this 10 year permit for the Annual Jackpot 200 Race, I certify that I have read, understand, and agree to all the Terms and Conditions listed above and on the reverse side of the Special Recreation Application and Permit (Form 2930-1).

Permittee's Signature

Date