

Decision Record

Idaho Outdoor Association Crater Crawl Special Recreation Permit

DOI-BLM-ID-B011-2014-0004-CX

I have reviewed the plan conformance and NEPA compliance record and have determined that the proposed project is in conformance with the approved land use plans and that no further environmental analysis is required. It is my decision to authorize a Special Recreation Permit to Sandy Epeldi for the Idaho Outdoor Association Crater Crawl walk/run race. This decision is contingent on the applicants complying with all terms and conditions described in the Proposed Action of the CX.

Authorities: The statutory authorities underlying the issuance of permits are the Federal Land Policy and Management Act, 43 U.S.C. 1701 et seq., and the Federal Land Recreation Enhancement Act, 16 U.S.C. 6801 et seq.

The Federal Land Policy and Management Act (FLPMA) contains the Bureau of Land Management's (BLM's) general land use management authority over the public lands, and establishes outdoor recreation as one of the principal uses of those lands (43 U.S.C. 1701(a)(8)). Section 302(b) of FLPMA directs the Secretary of the Interior to regulate through permits or other instruments the use of the public lands, which includes commercial and competitive recreation uses.

The Federal Land Recreation Enhancement Act (REA) authorizes the BLM to collect fees for recreational use in areas meeting certain criteria (16 U.S.C. 6802(f) and (g)(2)), and to issue special recreation permits for group activities and recreation events (16 U.S.C. 6802(h)).

Terms, Compliance and Monitoring:

Potential resource conflicts were resolved through required stipulations; these are fully described in the proposed action of the CX. These stipulations were developed during project planning involving BLM and the applicant. The BLM will have staff on-site to monitor the event to ensure adherence to all terms and conditions of the permit.

Rationale for Decision:

The decision to authorize a Special Recreation Permit to Sandy Epeldi for the Idaho Outdoor Association Crater Crawl walk/run race has been made in consideration of the need to respond to a Special Recreation Use Permit request for a walk/run race. FLPMA and BLM regulations and policies require the BLM to respond to these requests. The permit will allow BLM to actively manage recreation use on public lands in order to provide a quality recreational experience for current and future users. Issuing Special Recreation Permits (SRPs) allows the BLM to provide competitive racing opportunities while protecting important natural and cultural resources, and ensure procedures are in place to provide for participant and spectator health and safety.

Protest/Appeal Language:

43CFR Sec. 2931.8 - If you are adversely affected by a decision under this part, you may appeal the decision under parts 4 and 1840 of this title. This decision shall take effect immediately upon the date it is signed by the Authorized Officer and shall remain in effect while any appeal is

pending unless the Interior Board of Land Appeals issues a stay (43 CFR 2801.10(b)). Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4.21(b). Within 30 days of the decision, a notice of appeal and petition for a stay must be filed in the office of the Authorized Officer, Terry A. Humphrey, 3948 Development Avenue, Boise, Idaho 83705. The person/party must also serve a copy of the appeal on the Office of the Solicitor, Field Solicitor-U.S. Department of the Interior, University Plaza, 960 Broadway Avenue, Suite 400, Boise, Idaho 83706.

In accordance with 43 CRF 4.21 (b), a petition for a stay must show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied.
- (2) The likelihood of the appellant's success on the merits.
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether public interest favors granting the stay.

All decisions of the authorized officer under 43 CFR 2931.8 shall remain effective pending appeal unless the Secretary rules otherwise. Petitions for stay of decisions shall be filed with the Office of Hearing and Appeals, Department of the Interior.

Authorizing Official: /s/ Patricia Roller

Date: 5/23/2014

Name: Patricia Roller

Title: Morley Nelson Snake River Birds of Prey National Conservation Area Manager