



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Owyhee Field Office
20 First Ave West
Marsing, ID 83639
(208) 896-5912



May 14, 2015

Virgil Moore, Director
Idaho Department of Fish and Game
P.O. Box 25
Boise, ID 83707

NOTICE OF STATE DIRECTOR'S FINAL DECISION

**Idaho Department of Fish and Game Memorial Marker
DOI-BLM-ID-B030-2015-0008-EA**

The Bureau of Land Management's (BLM) Owyhee Field Office (OFO) recently completed an Environmental Assessment (EA) (42 USC §4321) that considered placement of a stone marker along the South Fork of the Owyhee River near "Bull Camp" to memorialize the deaths of William Pogue and Conley Elms. These Idaho Department of Fish and Game Conservation Officers were killed in the line of duty while protecting State wildlife resources on January 5, 1981.

Through the EA process, the BLM identified possible short-term effects to Wilderness Character and Wild River values. However, no cumulative effects were identified as there are few other activities in the area.

The decision to place a stone marker at the site of the above referenced event is neither prohibited by nor does it contradict the provisions of the 1999 Owyhee Resource Management Plan (RMP). In accordance with the EA, this Decision authorizes placement of a stone marker as outlined in Section 2.2.2 of that document.

-BACKGROUND-

On January 5, 1981, William Pogue and Conley Elms, Idaho Department of Fish and Game Conservation Officers, were killed in the line of duty on the banks of the South Fork of the Owyhee River near Bull Camp. The officers were killed as they attempted to protect wildlife resources managed by the State of Idaho; BLM acknowledges that memorial of their efforts is particularly important to the Idaho Department of Fish and Game, its employees, and the law enforcement community.

-FINAL DECISION-

In accordance with the Owyhee RMP, and upon my review of EA # DOI-BLM-ID-B030-2015-0008-EA and Minimum Requirement Analysis, I have decided to authorize the transport and placement of a stone marker to memorialize the deaths of William Pogue and Conley Elms, Idaho Department of Fish and Game Conservation Officers killed in the line of duty near Bull Camp. In this authorization, I have selected Alternative 2 of the EA. I authorize motorized transportation of the stone memorial and those unable to walk along the identified administrative route within the Owyhee River Wilderness area. I also authorize the placement of the stone marker at the site of Mr. Pogue's and Mr. Elms' deaths. This decision incorporates by reference the analysis set out in the EA No. DOI-BLM-ID-B030-2015-0008-EA and the Minimum Requirements Analysis completed on May 14, 2015.

This is a one-time authorization. It does not permit either future motorized travel within the wilderness or maintenance of the marker.

-RATIONALE-

I am making this decision in recognition of this historic and seminal event in Idaho's law enforcement and wildlife management history. The killing of William Pogue and Conley Elms while on duty protecting the State's natural resources serves as a vital reminder of the dangers law-enforcement personnel face each time they put on a uniform, and honoring these fallen law enforcement officers with a simple stone marker serves important educational and historic purposes unique to Idaho that are consistent with the Wilderness Act. *See* 16 U.S.C. § 1132(b) (noting that wilderness areas should be devoted to, among other things, educational and historical use). In light of that, I deem the marker appropriate to administer the area for historical and educational purposes that are unique to this area and its history and historical significance. 16 U.S.C. § 1132(c).

In making the decision to authorize the motorized transportation of the stone marker, I considered the safety of those involved if they were required to carry by hand, horseback or other non-motorized means the approximately 550-pound stone over 2 miles of rough terrain. The impacts of temporary one-time motorized access are minimal and isolated, but the possible injuries that could be sustained in carrying the marker could be significant and life-long.

-AUTHORITY-

Authority under which this decision is being issued is found in Title 43 of the Code of Federal Regulations (CFR) Subpart 4.410 – Appeals to the Board of Land Appeals.

-RIGHT of APPEAL-

Any applicant, permittee, lessee, or other interested publics may appeal a final decision under Sec. 43 CFR 4.410, 4.411, 4.412, and 4.413 in person or in writing to the Owyhee Field Office Manager, at 20 First Avenue West, Marsing, Idaho 83639 within 30 days after receipt of such decision. The notice of appeal, if filed, must include a statement of reasons for the appeal, a statement of standing if required by 43 CFR 4.412(b), and any arguments the appellant wishes to make. The person/party must also serve a copy of the appeal on the Office of the Solicitor, Boise Field Solicitors Office, University Plaza, 960 Broadway Ave., Suite 400, Boise Idaho, 83706 and person(s) named [43 CFR 4.421(h)] in the CC: section of this decision. The Interior Board of _____

Land Appeals must decide an appeal of this decision within 60 days after all pleadings have been filed, and within 180 days after the appeal was filed as contained in 43 CFR § 4.416.

If you have any questions, please contact the Owyhee Field Office Manager at 208-896-5912.

/s/ Jeffery L. Foss
Jeffery L. Foss
Acting State Director
BLM Idaho State Office

cc: Owyhee Mailing List

Company Name / Title	First Name	Last Name	Address	City	State	Zip
Boise District Grazing Board	Stan	Boyd	PO Box 2596	Boise	ID	83701
Nevada Department of Wildlife	Steve	Foree	60 Youth Center Rd.	Elko	NV	89801
Elordi Cattle Co.	Jim	Elordi	PO Box 55	Jordan Valley	OR	97910
Sierra Del Rio	Craig	Baker	PO Box 127	Murphy	ID	83650
Idaho Conservation League	John	Robison	PO Box 844	Boise	ID	83701
Idaho State Department of Agriculture: Div. of Animal Industries			2270 Old Penitentiary Rd., PO Box 7249	Boise	ID	83707-9985
Idaho Department of Lands: Grazing Program Manager			300 N. 6 th St., Suite 103	Boise	ID	83720-0050
Owyhee Farm Bureau Fed	John W.	Richard	8933 State Hwy. 78	Marsing	ID	83639-8206
Moore Smith Buxton & Turcke	Paul A.	Turcke	950 W. Bannock St., Suite 520	Boise	ID	83702
Owyhee Cattlemen's Association	Scott	Jensen	PO Box 400	Marsing	ID	83639
Owyhee County Commissioners			PO Box 128	Murphy	ID	83650
Schroeder & Lezamiz Law Offices	Alan	Schroeder	447 W. Myrtle St.	Boise	ID	83702
Sierra Club			PO Box 552	Boise	ID	83701
US Fish & Wildlife Service	Mike	Carrier	1387 S. Vinnell Way	Boise	ID	83709
The Wilderness Society			350 N. 9 th St.	Boise	ID	83702
Wildlands Defense	Katie	Fite	PO Box 125	Boise	ID	83701
Western Watersheds Project	Travis	Bruner	PO Box 1770	Hailey	ID	83333
Western Watersheds Project	Ken	Cole	PO Box 2863	Boise	ID	83701
Wilderness Watch			PO Box 9175	Missoula	MT	59807
Wintercamp Ranch Trust	Don	Barnhill	PO Box 1	Murphy	ID	83650
	Anthony & Brenda	Richards	8935 Whiskey Mtn. Rd.	Murphy	ID	83650
	Dr. Chad	Gibson	16770 Agate Ln.	Wilder	ID	83676
	Ed	Wilsey	16550 Hwy. 95	Marsing	ID	83639
Youngs Riverfront Ranch LP	J Lavar	Young	10547 Youngs Ln.	Melba	ID	83641
US Senator: James E. Risch	c/o Mike	Roach	350 N. 9th St., Suite 302	Boise	ID	83702
	Lloyd	Knight	PO Box 47	Hammett	ID	83627
	Mindy	Kershner	2904 Jones Rd.	Jordan Valley	OR	97910
Office of Species Conservation	Cally	Younger	304 N. 8 th St., Suite 149	Boise	ID	83639
Owyhee County Natural Resources Committee	Jim	Desmond	PO Box 128	Murphy	ID	83650
Owyhee Planning & Zoning	Connie	Brandau	9902 Wilson Cemetery Ln.	Wilson	ID	83641
The Nature Conservancy	Lou	Lunte	950 W. Bannock St., Suite 210	Boise	ID	83702
C Ranch	Jack	Payne	1500 Lazy Heart Ln.	Fallon	NV	89406
Payne Family Grazing Association LLC	Rick & Rena	Britton	4304 Hogg Rd.	Homedale	ID	83628
	Cody & Polly	Baldwin	300 N. 2 nd Ave. W.	Middleton	ID	83644
Owyhee Gem & Mineral Society	Ed	Moser	22901 N. Lansing Ln.	Middleton	ID	83644-6053
	John S.	Townsend	8306 Rd. 3.2 NE	Moses Lakes	WA	98837
Payne Family Grazing Assoc. LLC	Ted	Payne	41691 Juniper Mtn. Rd.	Jordan Valley	OR	97910
	Jerry	Hoagland	13528 Reynolds Creek Rd.	Wilson	ID	83641
KT Bar Ranch	Thomas	Gluch	Po Box 257	Jordan Valley	OR	97910
	Floyd E.	Breach	9674 Hardtrigger Rd.	Given Springs	ID	83641
	Craig & Rhonda	Brasher	4401 Edison Rd.	Marsing	ID	83639