

**UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT**

Twin Falls District  
Shoshone Field Office  
400 West F Street  
Shoshone, ID. 83352

**CATEGORICAL EXCLUSION REVIEW SHEET**  
NEPA No. DOI-BLM-ID-T030-2016-0008-CX

**Project Description**

The Shoshone and Four Rivers Field Offices received an application to amend Spring Cove Outfitters special recreation permit by adding pronghorn, bear, predator hunting, incidental fishing and horseback trail rides. Hunting and fishing would be within Idaho Department of Fish and Game Hunt Unit 45 and comply with Idaho Department of Fish and Game seasons, rules and regulations. Trail rides would occur in the spring, summer and fall. There would be approximately 2 – 8 trips/year with no more than 8 clients and 2 guides. The Special Recreation Permit would include additional stipulations that Spring Cove Outfitters would be required to adhere to, see appendix I.

**Consideration of Extraordinary Circumstances:**

This Consideration of Extraordinary Circumstances Review Sheet documents the review of the proposed action to determine if any of the extraordinary circumstances described in 516 DM 2, Appendix 2 apply. If any of the extraordinary circumstances apply to the proposed action, then an EA or EIS must be prepared. Any evidence or concerns that one or more of the exceptions may apply must be brought to the attention of the manager who is authorized to approve the proposed action.

1. The proposed action would not have any significant impacts on public health or safety.

The outfitted and guided hunts and trail rides would not impact public health or safety. Spring Cove Outfitters has been permitted by the Shoshone Field Office since 2009 to provide big game hunting services. Since that time they have had no public health or safety violations.

2. The proposed action would not have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.

There are no unique geographic characteristics, park, recreation or refuge lands or wilderness areas, wild or scenic rivers, national natural landmarks, sole or principal drinking water aquifers,

prime farmlands, national monuments, or other ecologically significant or critical areas within or at the hunt unit.

There are wetlands and floodplains within Idaho Department of Fish and Game Hunt Unit 45 however stipulations associated with the permit prohibit camping within 300 feet of perennial streams and 150 feet of wetlands and within riparian exclosures. In situations when this is not feasible based on topographical constraints notify the BLM a minimum of 30 days in advance so campsites can be considered and potentially approved on a case-by-case basis.

The proposed project area provides suitable habitat conditions for 11 migratory bird species of conservation concern that are not listed as Idaho BLM Sensitive species. The 11 affected landbird species are: golden eagle; Swainson's hawk; western burrowing owl; short-eared owl; long-billed curlew; Wilson's phalarope; sage thrasher; mountain bluebird; green-tailed towhee; lesser goldfinch; grasshopper sparrow. Stipulations are incorporated to mitigate impacts to migratory birds including:

- Standing trees (alive or dead) may not be cut for use in constructing temporary facilities.
- Standing dead trees may not be used for firewood. All firewood must be woody material that is dead and down.
- Camps should be located out of riparian areas with latrines a minimum of 300 feet from perennial streams, 150 feet from wetlands and no camping within riparian exclosures. In situations when this is not feasible based on topographical constraints notify the BLM a minimum of 30 days in advance so campsites can be considered and potentially approved on a case-by-case basis.

3. The proposed action would not have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].

The proposed action is not expected to cause public controversy since hunting would take place during an IDFG approved hunting season.

4. The proposed action would not have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

Impacts from the proposed action are predictable. Environmental impacts would be similar to a responsible unguided/outfitted hunter or individuals on a horseback ride. Stipulations would be incorporated to ensure Spring Cove Outfitters do not create impacts beyond those of normal use. They include:

- Vehicles must stay on existing roads and ways. No cross country use of motorized or mechanical vehicles is authorized except in an emergency situation, and
- Follow all Leave-No-Trace and Tread Lightly! Principles.

5. The proposed action would not establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.

It is not connected to a future action that would require further environmental analysis, nor does it establish a precedent for future actions. The proposed action would not significantly reduce other values/resources in the area.

6. The proposed action would not have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

This action does not have a direct relationship with any other actions that may have individually insignificant but cumulatively significant environmental effects.

7. The proposed action would not have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.

Because the proposed action does not authorize any ground disturbance, there would be no significant impacts to any NRHP listed or eligible sites.

8. The proposed action would not have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated critical habitat for these species.

The listed, proposed or candidate species that may occur in the proposed project area during the planned activity period are: Yellow-billed cuckoo and Greater Sage-Grouse.

A biological assessment was completed for an assessment of impacts and effects determination relative to Yellow-billed cuckoo and determined there would be No Effect from the proposed action.

Stipulations have been incorporated into the permit to address potential impacts to Sage-Grouse. These stipulations were incorporated from the 2015 Idaho and Southwestern Montana Greater Sage-Grouse Approved Resource Management Plan. Activities associated with guided hunting and trail rides are not expected to result in any detectable negative impact to the local population of Greater Sage-Grouse.

9. The proposed action would not violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.

The proposed action would be done in accordance with Federal and State laws.

10. The proposed action would not have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

This proposal would not disproportionately affect low income or minority populations within the project area or surrounding areas of Elmore, Camas or Gooding counties.

11. The proposed action would not limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).

The proposal would not limit access to or ceremonial use of Indian sacred sites on BLM-managed Federal lands.

12. The proposed action would not contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

There currently are noxious weeds in the project area, such as Canada thistle (*Cirsium arvense*) and diffuse knapweed (*Centaurea diffusa*). They exist primarily along existing roads, riparian areas, and heavily used areas. It is unlikely that the proposed project would result in introduction, or spread of weedy plants beyond the current level. It is unlikely that this level of activity will contribute to any measurable contribution to the noxious weed population and spread. There are no ground disturbing activities or route creation being authorized, and motorized vehicles will be limited to designated routes.

### **Participating Staff**

#### Shoshone Field Office

John Kurtz, Outdoor Recreation Planner

Lisa Cresswell, Archeologist

Katharine Crane, Fish Biologist

Eric Kriwox, Rangeland Management Specialist

Jesse Rawson, Wildlife Biologist

Gary Wright, Wildlife Biologist

Kasey Prestwich, Realty Specialist

Danelle Nance, Natural Resources Specialist

Lynn Pettingill, Natural Resource Specialist

Michael Callen, Natural Resource Specialist

Tom Askew, Physical Scientist

#### Four Rivers Field Office

Larry Ridenhour, Outdoor Recreation Planner

Joseph Weldon - Wildlife Biologist

Dean Shaw – Archaeologist

Mark Steiger – Botanist

## Appendix I

### BLM SRP Stipulations and Additional Stipulations

for

### Spring Cove Outfitters

This operating plan and stipulations are part of your Special Recreation Permit, and will describe the responsibilities, requirements, and administrative procedures pertinent to Special Recreation Use Permits issued by the BLM for outfitting and guiding in Hunt Unit 44.

Outfitter:

Official Name  
of Business:

Business Address:

Telephone Number:

E-mail Address: \_\_\_\_\_

I have reviewed the attached operating plan and agree to operate under its provisions.

Signature

Date

### **Stipulations as found on SRP Permit Form 2930-2 (March 2014)**

1. The permittee shall comply with all Federal, State, and local laws; ordinances; regulations; orders; postings; or written requirements applicable to the area or operations covered by the Special Recreation Permit (SRP or permit). The permittee shall ensure that all persons operating under the authorization have obtained all required Federal, State, and local licenses or registrations. The permittee shall make every reasonable effort to ensure compliance with these requirements by all agents of the permittee and by all clients, customers, participants, and spectators.
2. An SRP authorizes special uses of the public lands and related waters and, should circumstances warrant, the permit may be modified by the BLM at any time, including modification of the amount of use. The authorized officer may suspend or terminate an SRP if necessary to protect public resources, health, safety, the environment, or because of non-compliance with permit stipulations. Actions by the BLM to suspend or terminate an SRP are appealable.
3. No value shall be assigned to or claimed for the permit, or for the occupancy or use of Federal lands or related waters granted thereupon. The permit privileges are not to be considered property on which the permittee shall be entitled to earn or receive any return, income, price, or compensation. The use of a permit as collateral is not recognized by the BLM.
4. Unless expressly stated, the SRP does not create an exclusive right of use of an area by the permittee. The permittee shall not interfere with other valid uses of the federal land by other users. The United States reserves the right to use any part of the area for any purpose. The BLM reserves the right to close various sites and/or areas of the public land to prevent resource damage and use conflicts, and to promote visitor safety.
5. The permittee or permittee's representative may not assign, contract, or sublease any portion of the permit authorization or interest therein, directly or indirectly, voluntarily or involuntarily. However, contracting of equipment or services may be approved by the authorized officer in advance, if necessary to supplement a permittee's operations. Such contracting should not constitute more than half the required equipment or services for any one trip or activity and the permittee must retain operational control of the permitted activity. If equipment or services are contracted, the permittee shall continue to be responsible for compliance with all stipulations and conditions of the permit.
6. All advertising and representations made to the public and the authorized officer must be accurate. Although the addresses and telephone numbers of the BLM may be included in advertising materials, official agency symbols may not be used. The permittee shall not use advertising that attempts to portray or represent

the activities as being conducted by the BLM. The permittee may not portray or represent the permit fee as a special federal user's tax. The permittee must furnish the authorized officer with any current brochure and price list if requested by the authorized officer.

7. The permittee assumes responsibility for inspecting the permitted area for any existing or new hazardous conditions, e.g., trail and route conditions, landslides, avalanches, rocks, changing water or weather conditions, falling limbs or trees, submerged objects, hazardous flora/fauna, abandoned mines, or other hazards that present risks for which the permittee assumes responsibility.
8. In the event of default on any mortgage or other indebtedness, such as bankruptcy, creditors shall not succeed to the operating rights or privileges of the permittee's SRP.
9. The permittee cannot, unless specifically authorized, erect, construct, or place any building, structure, or other fixture on public lands. Upon leaving, the lands must be restored as nearly as possible to pre-existing conditions.
10. The permittee must present or display a copy of the SRP to an authorized officer's representative, or law enforcement personnel upon request. If required, the permittee must display a copy of the permit or other identification tag on equipment used during the period of authorized use.
11. The authorized officer, or other duly authorized representative of the BLM, may examine any of the records or other documents related to the permit, the permittee or the permittee's operator, employee, or agent for up to three years after expiration of the permit.
12. The permittee must submit a post-use report to the authorized officer according to the due dates shown on the permit. If the post-use report is not received by the established deadline, the permit will be suspended and/or late fees assessed.
13. The permittee shall notify the authorized officer of any incident that occurs while involved in activities authorized by this permit, which result in death, personal injury requiring hospitalization or emergency evacuation, or in property damage greater than \$2,500 (lesser amounts if established by State law). Reports should be submitted within 24 hours.

#### ADDITIONAL STIPULATIONS

14. The permittee, employees, and clients will not interfere with other valid uses occurring on the public land such as grazing, mining, and other recreational uses (including commercial and private).

15. The permittee will be responsible for the prompt repair of any damages to utilities, fences and other improvements. The permittee shall take every reasonable precaution to protect natural resource values and any improvement on both private and public lands. Gates will be left open or closed, as they were found.
16. The permittee will notify BLM of any accidents occurring on the public lands which result in loss of life, loss of consciousness, disabling of individuals in excess of 24 hours, having to secure medical treatment, or property damage in excess of \$100, and will submit a detailed written report to BLM within 10 days from the date of the accident. A Post Use Report will be submitted within 30 days after the end of your use season or no later than December 31. End of season use fee payments must be received by BLM when the Post Use Report is submitted.
17. The permittee is required to notify BLM of scheduled hunts, number of clients, and general area of use prior to the trip. This is to help BLM conduct possible compliance checks of the permit. A copy of any brochure or magazine advertisements and current schedule of fees must be provided to the BLM.
18. No collection/removal of archaeological resources is authorized under this permit. No vandalism, surface disturbance, or excavation of archaeological materials is allowed. All outfitters, guides, and clients shall abide by all current federal regulations pertaining to archaeological resources as provided in BLM Manual 8110 and the Archaeological Resources Protection Act (ARPA).
19. No flint knapping shall be conducted at any archaeological site, aboriginal quarry source, campsite, or non-site location that might be mistaken for an archaeological site as a result of such activities.
20. Should human remains be inadvertently discovered on BLM lands, the remains should be left in place, a GPS position recorded, and the find reported to the BLM authorized officer immediately as required by the Native American Graves Protection and Repatriation Act (NAGPRA). Recorded locations of such finds shall be kept confidential, reported to the BLM, and any subsequent records disposed of after reporting.
21. Should any illegal excavation or vandalism of BLM archaeological sites be discovered during the course of business, a GPS position will be recorded and reported to the BLM authorized officer immediately. Recorded locations of such finds shall be kept confidential, reported only to the BLM, and any subsequent records disposed of after reporting.
22. The outfitter is expected to work cooperatively with the Idaho Department of Fish and Game (IDFG) to address wildlife resource management goals.
23. Camps should be located out of riparian areas with latrines a minimum of 300 feet from perennial streams, 150 feet from wetlands and no camping within riparian enclosures. In situations when this is not feasible based on topographical

constraints notify the BLM a minimum of 30 days in advance so campsites can be considered and potentially approved on a case-by-case basis.

24. The permittee must adhere to the 14 day limit of camping on BLM land. Campsites established as an assigned site/exclusive use may be used for the entire hunting season. Use of assigned sites shall be considered temporary in nature, and any temporary structures or improvements shall be removed immediately upon the conclusion of the hunting season. Site fees are specified in the BLM Director's national recreation fee schedule (\$190 as of 11/20/09).
25. Notify the Shoshone Field Office prior to the hunting season of all exclusive use camp locations. Depending on the proposed location Botany clearances and Archeological clearances may have to be complete before the outfitter is authorized to establish a campsite.
26. Overnight areas must be away from popular general public areas unless otherwise authorized. Camps must be clean at all times and Leave No Trace principles followed. When camping in riparian areas all solid human waste must be carried out.
27. All Trash will be removed by the permit holder.
28. Operation and maintenance of all sanitation, food service, and water supplies, systems and facilities shall comply with the standards of the local department of health and the United States Public Health Service.
29. Food and/or equipment caches will not be allowed unless prior approval is obtained from BLM's authorized officer. Location of proposed caches must be described in the permit application.
30. Standing trees (alive or dead) may not be cut for use in constructing temporary facilities.
31. Standing dead trees may not be used for firewood. All firewood must be woody material that is dead and down.
32. Use certified "weed-free" feed for all livestock.
33. Construction of permanent fences or corrals is not permitted. Temporary improvement including frames, corrals or hitching racks may be constructed, provided they are dismantled when the camp is vacated.
34. When camping in riparian areas livestock must be restrained at least 100 feet away from camp. Consider highlines on dry hardened ground away from riparian vegetation and wet and boggy soil or a site where the least ground cover will be disturbed.

35. Because of the impacts campfires create, their use should be kept to a minimum. Using cook stoves is recommended as an alternative to cooking over campfires. When allowed, campfires shall be small and kept under control. Use existing fire rings, do not build new rock fire rings. Open fires may be prohibited during certain periods depending on fire danger.
36. No campfires will be left unattended. The permittee is solely responsible for all fires which permittee, employees or clients start.
37. The permittee may be held responsible for fire suppression costs resulting from wildfire caused by permittee, employees or clients.
38. Wildfire should be reported immediately to the Interagency Fire Dispatch Center in Shoshone or Boise. The permittee is responsible for informing employees and clients of the current fire danger and required precautions that may be placed in effect by the BLM.
39. The permittee is limited to one guide per two clients.
40. The permittee is limited to guide no more than 10% of the IDFG licenses available in Hunt Unit 45.
41. The permittee is limited to no more than 8 trail ride trips/year with no more than 8 clients and 2 guides/trip.
42. The permittee shall be restricted from vehicle use within 2 miles of occupied and undetermined status greater sage-grouse leks from 6 p.m. to 9 a.m., March 15 – May 1.
43. The permittee shall be restricted from camping within one mile of occupied and undetermined status greater sage-grouse leks from March 15 – June 15.
44. The permittee shall be restricted from camping or day use from February 1 – July 31 within:
  - 0.5 miles of golden eagle nest sites.
  - 0.5 miles of prairie falcon nest sites.
  - 0.33 miles of red-tailed hawk nest sites.
  - 0.125 miles of American kestrel nest sites.
  - 0.125 miles of long-eared owl nest sites.
  - 0.125 miles of northern saw-whet owl nest sites.
45. If nests of other raptors species are documented near the proposed permit area, the size of spatial buffers will follow Whittington and Allen (2008), per IM 2010-039.

46. Nesting sites may be monitored by BLM personnel annually to determine raptor presence. If raptors are not present, restrictions will be lifted until February 1st of the following year.
47. The permittee is restricted from camping or day use activities within 0.2 miles (300 meters) of pygmy rabbit burrows.
48. The permittee is prohibited from inhibiting, limiting or reducing access to public lands within the permit area.
49. Issuance of a permit by BLM does not guarantee legal access to public lands. Access to public land by the permittee is assured only when legal access for the general public is available. Where legal public access is not available it is the permittee's responsibility to obtain permission from the landowner(s) to travel through or use private lands.
50. Vehicles must stay on existing roads and ways. No cross country use of motorized or mechanical vehicles is authorized except in an emergency situation.
51. Issuance of a permit by BLM does not guarantee the permittee's use of specific public areas, nor does it grant the exclusive use of any area by the permittee.
52. If the permittee owns private property adjacent to public land the permittee shall provide reasonable administrative access across private and leased lands to the BLM for the monitoring of this permit.
53. The BLM recognizes and endorses the use of the principles of Leave No Trace and Tread Lightly as appropriate wildland ethical behavior for the recreating public. The principles of these two programs are listed below.

#### LEAVE NO TRACE

Reference the full LNT booklet at:

<http://www.lnt.org/TeachingLNT/LNTEnglish.php>

#### Plan Ahead and Prepare

Know the area and what to expect, travel in small groups, select appropriate equipment, and repackage food to reduce litter at the source.

#### Camp and Travel on Durable Surfaces

Concentrate use in popular areas, spread use in remote areas, avoid places where impact is just beginning.

#### Pack It In, Pack It Out

Reduce litter at the source by repackaging food, dispose of trash and garbage properly.

### Properly Dispose of What You Can't Pack Out

Dispose of human waste responsibly, minimize soap and food scraps in waste water, avoid contaminating water sources when washing, and dispose of fishing and hunting waste appropriately.

### Leave What You Find

Minimize site alterations, avoid damaging trees and plants, leave natural objects and cultural artifacts, avoid disturbing wildlife, reduce your impact on other users.

### Minimize Use and Impact From Fires

Be aware of regulations and weather conditions. Stoves are often the best option. If you must build a fire, use existing fire rings. Collect only dead and downed wood or bring your own.

## TREAD LIGHTLY!

Reference the details of principles at:

<http://www.treadlightly.org/edu.mv?edu=Recreation%20Tips>

Travel only where permitted.

Know what areas/roads/trails are open to vehicles.

Respect the rights of others.

Be considerate of others on the roads/trail that you travel. Vehicles yield the right-of-way to bicycles, hikers, and horses.

Educate yourself.

Obtain information on your destination before you go. If you have questions contact the managing agency of the area(s) you are visiting.

Avoid streams, meadows, wildlife areas, etc.

Be aware of wildlife habitat. Crashing through underbrush or across open meadows upsets the balance of nature, destroys nesting sites, and disturbs wildlife.

Drive and travel responsibly.

Use common sense. Avoid muddy roads and trails and stay out of meadows and wetlands.

These principles of Leave No Trace and Tread Lightly! programs are recommended as a guide to minimizing signs of visitation to the expansive and varied BLM-administered public lands. These principles are intended to support and complement BLM regulations. Additional information on the Leave No Trace and Tread Lightly! programs are available at the Shoshone Field Office or on their respective internet sites.