

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Idaho Falls District
Decision Record
For the
Predator Hunt Derby Environmental Assessment
DOI-BLM-ID-I000-2014-0002-EA**

Background

During the first week of December 2013, the Bureau of Land Management (BLM), Salmon Field Office received an application from Idaho for Wildlife to hold a predator hunt derby on private, state, U.S. Forest Service and BLM-managed lands within the Salmon area. This event was scheduled to take place the last week of December 2013. Given the short time frame between the request and the event, the BLM was unable to process a special recreation permit, and therefore the BLM denied the application. At that time, the BLM recommended that Idaho for Wildlife submit an application 180 days in advance (43 CFR 2932.22 (a)) for any events they would like considered in subsequent years. Consequently, the 2013 derby was held on private, state and U.S. Forest Service managed lands. Participants were advised that animals harvested from BLM-managed lands would not be eligible for prizes.

In June 2014, Idaho for Wildlife submitted a special recreation permit application for a five-year permit to hold an annual predator derby, with the first event to be held January 2-4, 2015. The BLM's purpose is to respond to an application submitted by Idaho for Wildlife to host a competitive event on public lands administered by the Idaho Falls District Office. The BLM needs to consider the Special Recreation Permit application from Idaho for Wildlife as the agency is responsible, under the Federal Land Management and Policy Act (FLPMA), to manage public lands for multiple uses in a manner which recognizes the nation's need for recreation opportunities on public land.

The public was notified of the proposed action on July 31, 2014, by a scoping letter. In addition, as is required by regulation, a Notice of Proposed Action in Wilderness Study Area (WSA) was mailed on August 1, 2014, to inform the interested public of the proposed action. On August 4, 2014, the BLM initiated a 15-day public scoping period. Approximately 56,500 comments were received during the scoping period. Roughly 56,490 commenters opposed the event; the majority of these letters were copies of nine different form letters that expressed general disapproval regarding the concept of a hunting derby in addition to the proposed hunting derby itself.

Approximately 500 unique/personalized comments were received as a result of scoping. The scoping comments, coupled with internal reviews by the BLM, led to the development of the two alternatives that were analyzed in detail in an environmental assessment (EA). EA DOI-BLM-ID-I000-2014-0002-EA was prepared to analyze the potential environmental impacts that could result from authorizing the application received by Idaho for Wildlife to host a predator hunt derby on BLM managed public lands as described in the proposed action. The EA assists the

BLM in project planning, ensures compliance with the National Environmental Policy Act (NEPA), and provides the analysis for making a determination of significance based on the consideration of context and intensity of the impacts.

Following the scoping period, and development of the EA, it was circulated for a 15-day public comment period beginning October 2, 2014. Due to interest from the public, the comment period was extended through October 23, 2014. Approximately 39,000 comments were received during the public comment period. The majority of these were copies of nine different form letters opposing the event. Approximately 500 unique comments were received and a portion of them were determined to be substantive comments using the criteria outlined in BLM Handbook H-1790-1. All of the comments received were considered and the BLM response to these comments can be found in Appendix C of the EA located on the BLM ePlanning site at <https://www.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=renderDefaultPlanOrProjectSite&projectId=39720&dctmId=0b0003e8807414d5> and are incorporated by reference in this decision record.

Decision

It is my decision is to authorize a Special Recreation Permit to Idaho for Wildlife as described in the Proposed Action of the Environmental Assessment DOI-BLM-ID-I000-2014-0002-EA.

The BLM will issue a five year special recreation permit (SRP) to Idaho for Wildlife to hold an annual competitive derby on public lands managed by the Challis, Salmon, and Upper Snake Field Offices of the Idaho Falls District, totaling approximately 3,100,000 acres. The permit is to allow an initial probationary event in January 2015, and if that event is successfully managed, Idaho for Wildlife will be able to hold a two-to-three day event each year through 2019. For the purposes of the competition, predators include a variety of species, including, wolves, coyotes, weasels, skunks, jackrabbits, raccoons, and starlings. Harvests of all the above-listed animals, including gray wolves are regulated within Idaho by the Idaho Department of Fish and Game (IDFG), not by the BLM. All rules and hunting regulations associated with a purchased wolf tag can be found at <http://fishandgame.idaho.gov/public/docs/rules/bgWolf.pdf>. Other than wolves, there is no limit on the number of predator species hunters can harvest. Predatory wildlife may be taken in any number year-round and at any time by holders of the appropriate valid Idaho hunting or trapping licenses, provided such taking is not in violation of state, county or city laws, ordinances, rules or regulations.

Idaho for Wildlife, will be responsible for registering participants and coordinating the event. Registration will occur online or in person at a private business in Salmon, Idaho. Up to 500 hunters may participate. Online registration will allow some competitors the opportunity to hunt from distant locations within the project area. No trapping for any species will be allowed as part of this event. Participants will bring their harvested predators to a location on private property within Salmon, where they will compete on a point system based on the number and types of predators harvested. Legal predators, as classified by Idaho Fish and Game that may be harvested as part of this event include wolves, coyotes, skunks, weasels, jackrabbits, raccoons and starlings. Idaho Fish and Game manages the populations of these species listed as predatory wildlife.

Idaho for Wildlife will be permitted to host a competitive event on public lands, and participants will be required to comply with all regulations associated with public lands, including travel designations, game retrieval laws, and shooting restrictions (i.e. campgrounds, buildings). In addition, the following design features/stipulations must be met:

1. All Idaho Fish and Game hunting rules will apply.
2. This event will occur on January 2-4, 2015. In subsequent years, this event may be scheduled for up to three days for any period between December 15 and January 15 inclusive. The SRP will be valid for 5 years, inclusive of a successful initial 1-year probation period. The permittee will complete the required annual permit maintenance and follow all applicable laws, regulations, and stipulations.
3. Up to 500 competitors may participate in the event.
4. Prior to each derby, the permittee must provide information to the competitors regarding regulations associated with the public lands which will include travel designations, game retrieval laws, and shooting restrictions in addition to providing information regarding state hunting laws.
5. A BLM representative will be present at the pre-meet and registration to ensure that the applicable rules and regulations are clearly communicated to the contestants. BLM will conduct random monitoring to ensure the permittee is implementing the stipulations and design features identified.
6. In the event any of the WSAs located within the action area are designated as wilderness, the permit will be amended to exclude the wilderness areas.
7. If the permit is extended for the full five-year period, the permittee will notify the Salmon Field Office of the intended derby 180 days in advance in subsequent years.
8. Hunters will be required to disclose the location of where they harvested their animals entered into the contest during the nightly check-in.
9. All vehicles and equipment associated with the event must be washed clean of mud and debris to reduce the spread of weed seed.

Rationale

I have determined the proposed action to issue a special recreation permit (SRP) to Idaho for Wildlife for a predator hunt derby on public lands managed by the Challis, Salmon, and Upper Snake Field Offices of the Idaho Falls District meets the factors associated with the issuance of a special recreation permit (43 CFR 2932.26) as described in the Environmental Assessment DOI-BLM-ID-I000-2014-0002-EA. The BLM needs to respond to the proposed action as the agency is responsible, under the Federal Land Management and Policy Act (FLPMA), to manage public lands for multiple uses in a manner which recognizes the nation's need for recreation opportunities on public land.

The proposed action is in conformance with the pertinent BLM land use plans as identified in the EA. Issuing special recreation permits is authorized within the land use plans covering the proposed permit area. Hunting is legal in Idaho and is a protected right under the Idaho Constitution. Competitive hunts are allowed by the state and there is no federal law that forbids this type of activity. Furthermore, FLPMA itself provides that hunting and fishing shall be allowed on public lands, consistent with state law. *See* 43 U.S.C. 1732(b) (“[N]othing in

[FLPMA] shall be construed as authorizing the Secretary concerned to require Federal permits to hunt and fish on public lands or on lands”, although the BLM may temporarily close public lands to hunting and fishing if public health and welfare warrants.)

The public can generally hunt anywhere on public lands and the BLM issues a multitude of outfitter and guide permits for hunting throughout Idaho. As participants disperse across state and federal land for the event, there is unlikely to be a concentration of hunters in any one area that might be a safety concern to the public

As analyzed in the environmental assessment, there will be no conflicts with other environmental resources as a result of authorizing the special recreation permit. Resources such as vegetation, air, water and soil will not be significantly impacted by participants of this event as described in the EA, Table 1, page 10. I have considered public health and safety and as documented in the environmental analysis under the Recreation section in Chapter 3, no major effects on public health and safety will occur. The BLM received many comments from individuals who prefer hunters did not target predators and are opposed to the BLM issuing this permit. The EA described the potential for user created conflicts between participants in the predator derby and other recreationists in the area. User conflicts are not expected to be any greater than those associated with the normal recreational hunting that occurs in the project area during the same time of year.

The BLM coordinated with the Idaho Department of Fish & Game (IDFG) during the processing of the application and environmental analysis and IDFG is not opposed to authorization of the SRP. The IDFG acknowledges individual animals will be harvested and determined the numbers harvested as a result of the derby will not affect the viability of the overall species’ populations.

The area potentially affected by the proposed action is governed by six land use plans: the Lemhi Resource Management Plan, as amended (April 1987); the Challis Resource Management Plan, as amended (July 1999); the Medicine Lodge Resource Management Plan (April 1985); the Little Lost/Birch Creek Management Plan (1981); the Big Desert Management Framework Plan (1981); and the Big Lost Management Framework Plan (1982). I have determined the proposed action to be in conformance the above land use plans. The section titled *Conformance with the applicable land use plan* of the EA DOI-BLM-ID-I000-2014-0002-EA outlines the conformance of the proposed action to the above land use plans.

The BLM has prepared a Finding of No Significant Impact (FONSI) for the proposed action. Based on the environmental analysis contained in DOI-BLM-ID-I000-2014-0002-EA it has been determined that the proposed action, along with the design features and terms and conditions described, does not constitute a major federal action significantly affecting the quality of the human environment or causing unnecessary or undue degradation of the natural environment. Therefore, an Environmental Impact Statement has not been prepared.

Authority

Authority for this decision is found in 43 CFR 2932.26.

Appeals Information:

Individuals who believe they are adversely affected by a BLM decision to issue or deny and SRP may appeal the decision. Appeals are made to the Interior Board of Land Appeals (IBLA) under Title 43 CFR, Part 4. The appellant's notice of appeal must be received by the authorized officer at the Bureau of Land Management, Idaho Falls District Office, 1405 Hollipark Drive, Idaho Falls, Idaho, 83401, within 30 days of receipt of the final decision or within 30 days of publishing the final decision in the Federal Register or a newspaper of general circulation. The authorized officer has 10 days to forward the Notice of Appeal along with the decision appealed and case file to the IBLA and provide a copy to the Office of the Solicitor.

Decisions to issue a permit take effect immediately upon execution if the BLM determines that the proposed use is in conformance with BLM plans, policies and programs, local zoning ordinances and any other requirements, and will not cause appreciable damage or disturbance to the public lands, resources or improvements. All final decisions of the authorized officer shall remain in effect pending the appeal unless the Secretary rules otherwise. Petitions for a stay of decisions may be made to the Secretary through the Director, Office of Hearings and Appeals (43 CFR 2931.8). The provisions of 43 CFR 4.21 (b) define the standards and procedure for filing a petition to obtain a stay pending appeal.

If you have any questions, feel free to contact Linda Price at (208) 756-5410 or myself at (208) 524-7540.

/s/ Joe Kraayenbrink, Idaho Falls District Manager

Date: November 13, 2014