

DECISION RECORD

Inland Empire Brittany Club Special Recreation Permit

OR-135-2015-005-CX

Bureau of Land Management

Border Field Office

1103 North Fancher Road

Spokane Valley, WA 99212

Location: Crab Creek, Lincoln County, WA, T. 21 N., R. 36 E., Sections 15, 16, 21 and 22, Willamette Meridian (see attached map)

Decision and Rationale

Based upon the attached Categorical Exclusion (OR-135-2015-005-CX), I have determined that the proposed action to authorize a 5-year (FY2015 - FY2019) Special Recreation Permit (SRP) and issue the 2015 annual permit for a hunting dog field trial event involves no significant impacts to the human environment and no further environmental analysis is required.

It is my decision to authorize a special recreation permit (OR-135-15-003) for a period of 5 years, and issue the 2015 Inland Empire Brittany Club Field Trail permit in the Crab Creek area as described above and displayed on the attached map. The action is consistent with the Spokane District land use plan and the BLM has the authority to grant such permits in accordance with 43 U.S.C. 1201; 43 U.S.C. 1701; 16 U.S.C. 460 L-6(a); and 43 CFR Group 2930.

Administrative Review or Appeal Opportunities

Any party that is adversely affected and determined to be a party to the case, may appeal the implementation of the proposed action to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4. A notice of appeal must be filed in this office (at the address below) within 30 days of receipt of this decision. The appellant has the burden of showing that the decision is in error.

An appellant may also file a petition for a stay (suspension) of this decision during the time that the appeal is being reviewed by the Board pursuant to Part 4, Subpart B, 43 CFR Part 4.21. The petition for a stay must accompany the notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must be submitted to each party named in this decision, to the Interior Board of Land Appeals, and the Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. The appellant has the burden of proof of demonstrating that a stay should be granted.

Standards for Obtaining a Stay:

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of decision pending appeal shall show sufficient justification based on the following standards:

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

/s/ Dennis Strange

March 18, 2015

Dennis Strange
Field Manager

Date

Attachments:

- Special Recreation Permit
- Categorical Exclusion Documentation
- Special Recreation Permit Map

Categorical Exclusion Documentation

Department of Interior
Bureau of Land Management, Spokane District
1103 North Fancher Road
Spokane Valley, WA 99212

A. Background

BLM Office: Border Field Office

Lease/Serial/Case File No.: OR-135-15-003

NPEA Log Number: OR-135-2015-005-CX

Proposed Action Title: **Inland Empire Brittany Dog Club Special Recreation Permit**

Location of Proposed Action: Crab Creek, Lincoln County, WA T. 21 N., R. 36 E., Sections 15, 16, 21 and 22, Willamette Meridian (see attached map)

Proposed Action:

The BLM proposes to authorize a 5-year (FY2015 - FY2019) Special Recreation Permit (SRP) and issue the 2015 annual permit. In December 2014, the Inland Empire Brittany Club applied for a 5-year competitive and commercial event SRP to conduct a Club-approved and licensed field trial for pointing bird dogs on BLM land in the Crab Creek (aka Goose Butte) area. The trials are on horseback, with riders utilizing two courses in the same general use area commonly used for this type of event. This club has previously been permitted and held this event at the same location, with a very similar operational plan, and practiced very good compliance for at least 10 consecutive years.

The two-day event would occur twice annually, typically in April and September, within the five year authorization period. Approximately one week total time within the permit authorization period would be authorized for event set up, the event, clean up, and post-event departure, for each event. Events would involve approximately 30 participants and 15 judges and non-participant spectators, 20 horses, and 40 - 50 dogs. In 2015 (the first year of the 5-year authorization period), the event would take place on April 14th - 15th, and again on September 8th - 9th.

- 150 - 200 live Chukar birds (or possibly quail) used in the competition would be purchased from a Washington Department of Fish and Wildlife-approved supplier and released on the property. During the competition, dog handlers work their dogs from horseback. The dogs are expected to point the birds and the handler dismounts the horse to flush and shoot. At the flush, the handler would fire a blank. Horses travel at a walking pace during the event.
- Participants would camp in existing camping areas in the Crab Creek dispersed camping area. Campers would utilize 15 to 20 recreational vehicles plus horse/dog trailers. Vehicle and horse trailer parking would be on mowed ground on the west side of the road just past the Crab Creek recreation site entrance, north of Crab Creek.
- Two permanent water troughs at the location would be used that have perennially running water flowing through them. Additional troughs as needed would be placed temporarily by the organizers along the roadside only, for horse access, and to cool dogs during the trials. The temporary troughs would be filled from water hauled in a 1,000 gallon tank in the back of a pickup truck that would stay on the road.
- A minimum of two chemical toilets would be brought in prior to the event, and no fewer than one outhouse per 50 attendees.
- Every year within the authorization period (FY2015 – FY2019), the permittee would ensure that all horse and dog manure is removed from BLM lands and disposed of in a lawful

manner which does not create an impact to BLM lands, i.e. at an authorized dumping station or via agreement with private land owner, contract, participant personal responsibility, or similar. The method of removal must be agreed to by BLM, with proof of contract or disposal agreement provided if requested.

- Beginning in FY2016 or later within the authorization period, BLM might decide to analyze the feasibility of allowing event participants under the direction of the permittee, to alternatively spread or dump manure on BLM lands at selected location(s) somewhere in the vicinity and via existing motorized route, where the manure would not pose a risk to Crab Creek water quality or impact the recreation site. The decision of whether to undertake that analysis would remain at the discretion of the BLM.
- After the event, organizers and participants would pick up hay and garbage, fill any holes dug by dogs or horses, and clean up the courses, camp and parking areas. The club practices both Leave No Trace and Tread Lightly.
- Emergency response procedures would be in place.
- Any year within the permit period, areas may be subject to closure to avoid impacts to sensitive species of plants or animals, or to protect cultural or archeological resources. Any subsequent course alterations would be made via consultation with Spokane BLM.
- In the event that any suspected archeological artifacts are uncovered during the permit authorization period, the permittee would leave them undisturbed and immediately contact the Spokane BLM office.
- All participants must act in a manner to avoid disturbing/stressing native wildlife. This includes restraining dogs from running free into bird and other wildlife habitat when the dogs are not under control of handlers during the event. When not participating in the event, dogs would be kept in camp or on a leash.
- The permittee would ensure that all attendees transport only certified weed free feed, hay, straw or mulch on BLM lands. All hay, hay cubes, straw, and mulch possessed, used, or stored on BLM lands in Washington must have proof of weed free certification or be subject to fine.
- Participants would not have open fires, unless via a self-contained gas-fueled fire ring.

B. Land Use Plan Conformance

Land Use Plan Name: Spokane Resource Management Plan

Date Approved/Amended: Approved 1987/Amended 1992

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s): Chapter 2; General Management Objectives: 7. Manage public lands to keep access routes open for a variety of recreational opportunities/experiences, including both motorized and nonmotorized recreation activities.

C. Compliance with NEPA

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM11.9H (1) Issuance of Special Recreation Permits for day use or overnight use up to 14 consecutive nights; that impacts no more than 3 staging area acres; and/or for recreational travel along roads, trails, or in areas authorized in a land use plan. This CX cannot be used for commercial boating permits along Wild and Scenic Rivers. This CX cannot be used for the establishment or issuance of Special Recreation Permits for “Special Area” management (43 CFR 2932.5).

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply, as shown in the following table:

Categorical Exclusions - Extraordinary Circumstances Documentation

THE PROPOSED CATEGORICAL EXCLUSION ACTION WILL:	YES	NO
2.1 Have significant impacts on public health or safety.		X
Rationale: The dog trial staging area, courses, and event area, within the Crab Creek Management Area, are located in a remote rural area, and the proposed action would not have an impact on public health or safety because its activities are non-threatening to any nearby populations, or concurrent or future visitors.		
2.2 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.		X
Rationale: None of the aforementioned resources are present on or proximate to the Crab Creek Management Area. Consequently, none of these resources would be affected.		
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		X
Rationale: The issuance of this SRP would not have any demonstrable environmental effects. Other similar SRPs have been in place for more than ten years and issuance of this new permit does not involve any unresolved conflicts over alternative resource uses and is not considered controversial. Based on interdisciplinary review, proposed activities would not have controversial environmental effects.		
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
Rationale: The effects of issuing similar permits have not been demonstrated to have highly uncertain or potentially significant effects, or involve unique or unknown risks, and none are expected with this proposal. Based on interdisciplinary review, proposed activities would not have uncertain or potentially significant environmental effects or involve unknown risks.		
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
Rationale: No precedence is being established by issuing a SRP to allow the proposed activities. Issuing SRPs is a customary and routine procedure, and as noted above, similar permits in this area have been issued in excess of ten years. All future requests would be independently reviewed and evaluated, and would be authorized under separate decisions that would consider the site-specific circumstances.		
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
Rationale: The issuance of this permit is not tied to any other federal actions, and as such, is not related to other actions with cumulatively significant environmental effects.		
2.7 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.		X
Rationale: The BLM has met its Section 106 responsibilities by conducting tribal and SHPO consultation, and has determined that no historic properties would be affected by the proposed action. If any objects of cultural value (e.g. historic or prehistoric ruins, graves, fossils, or artifacts) are found during the implementation of the proposed action, operations would be suspended until the site has been evaluated to determine the appropriate mitigation action.		
2.8 Have significant impacts on species listed, or proposed to be listed, as an Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		X

<p>Rationale: Issuing a permit for the proposed activities would not affect any Endangered or Threatened Species, as none currently exist, or are expected to exist, or have suitable habitat to support them within the area of the proposed action.</p> <p>The proposed actions would have no effect on stream bank stability, streamside shading or stream temperature because they would be removed from stream environments. There would be no degradation and erosion of stream banks so that there is no likelihood of sedimentation occurring. No effects to any species of salmon, critical habitat for any species of salmon, or Essential Fish Habitat for any species of salmon are expected.</p> <p>The project would occur in Spaulding's Catchfly, <i>Silene spaldingii</i> (SISP2) habitat. The area has been surveyed and no SISP2 occurs on the footprint of the project; and therefore no effects to SISP2 are expected. The project does not have habitat for water howellii, <i>Howellia aquatilis</i> (HOAQ) and none is suspected; and therefore no effects to HOAQ are expected.</p>		
2.9 Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
<p>Rationale: The proposed action is in conformance with the direction given for the management of public lands in the Spokane District ROD/RMP, which complies with all applicable laws, such as the Federal Land Policy Management Act, Endangered Species Act, Historic Preservation Act, Clean Water Act and others.</p>		
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 2898).		X
<p>Rationale: Implementing proposed actions would not have a disproportionately high or adverse effect on low income or minority populations.</p>		
2.11 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).		X
<p>Rationale: There are no identified sacred, ceremonial or religious Indian sites in the analysis area. Therefore, there would be no effects.</p>		
2.12 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).		X
<p>Rationale: The permit would include a stipulation requiring weed-free hay as required by BLM policy, and which would effectively eliminate the possibility of introducing materials that may be contaminated by weed seeds or propagules.</p>		

E. Signature

/s/ Dennis Strange

March 18, 2015

Dennis Strange
Field Manager
Border Field Office
Spokane District

Date

F. Contact Person & Reviewers

For additional information concerning this Categorical Review, contact:

Steve A. Smith,
Spokane District Office, Bureau of Land Management
1103 North Fancher Ave.
Spokane, WA 99212

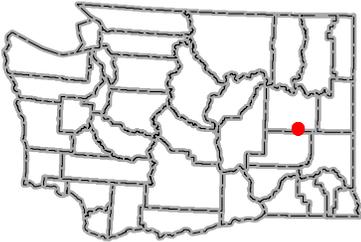
Reviewers	Resource	Initials	Date
Jason Lowe	Wildlife and Fisheries	JL	3/5/15
Kim Frymire	Botany	KF	3/3/15
Anne Boyd	Archaeology	AB	3/3/15
Steve Smith	Recreation /Team Leader	SS	3/17/15
Michelle Roberts	NEPA Planner	MR	3/17/15

Inland Empire Brittany Dog Club Event: 5 Year SRP OR-135-2015-005-CX Goose Butte Area, Lincoln County, Wash.

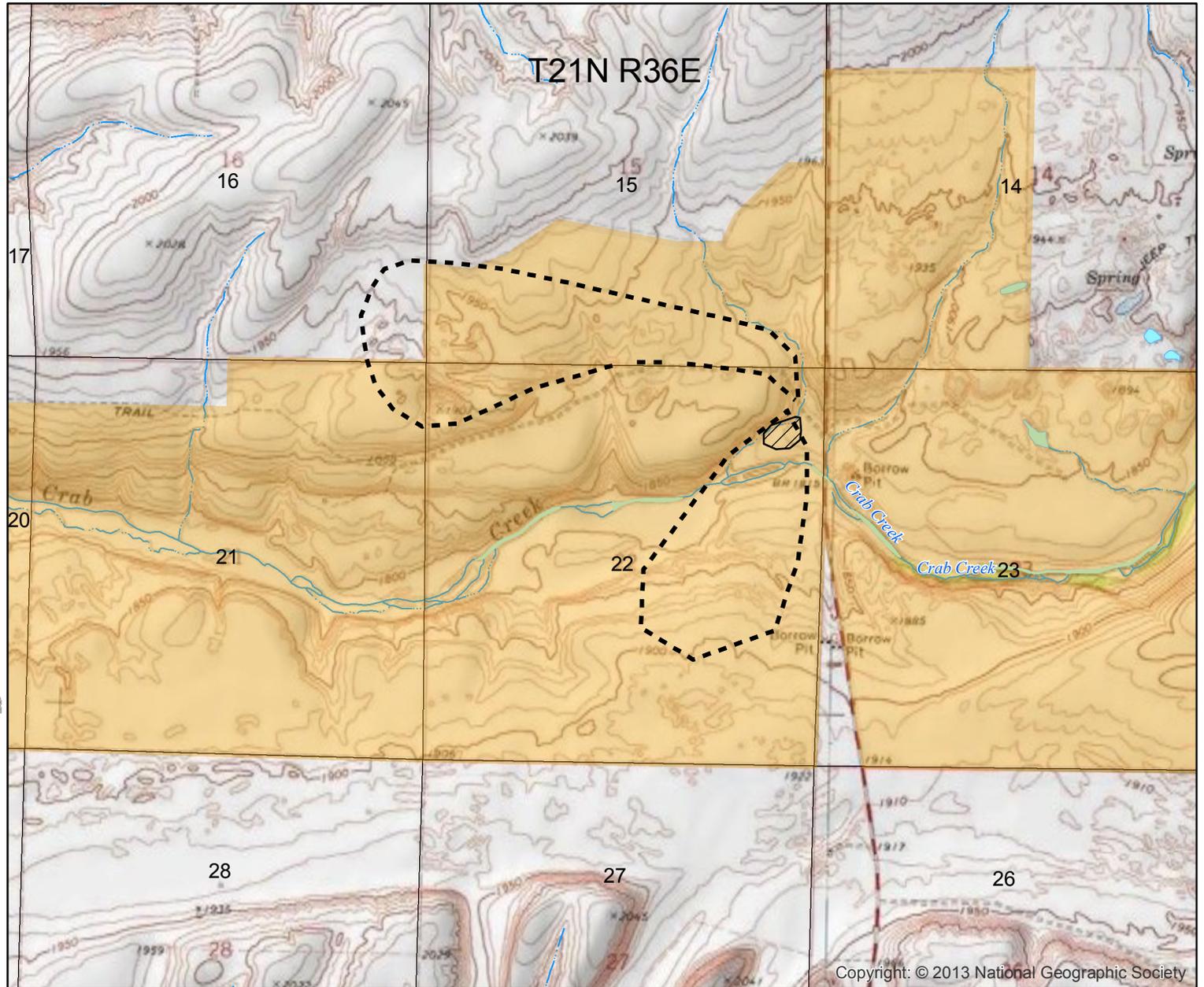


Legend

- Approx_Course
- Staging Area
- Township
- Section
- Bureau of Land Management



Project Location



No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources and may be updated without notification.

