

Environmental Assessment
TEMPORARY CLOSURE TO TARGET SHOOTING AT
KONNOWAC PASS
DOI-BLM-OR-134-2013-0012

U.S. Department of the Interior
Bureau of Land Management
Wenatchee Field Office
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1.0 Introduction

1.1 Background:

BLM is considering a temporary closure for recreational shooting and target practice at the Konnowac Pass parcel. In recent years, the area has become increasingly popular to target shooters. Public use has increased in the last several months and the BLM and nearby residents have mounting concerns that stray bullets (ricochet bullets) are affecting nearby homes. There is also a natural gas pipeline that passes along the ridgeline on BLM land. The pipeline is marked with “No Shooting” signs which have bullet holes in them. Shooting at the pipeline is a fire hazard and safety issue. The BLM has recently received a signed petition from residents bordering the parcel that expresses concerns about recreational shooting and target practice at Konnowac Pass and describes the decreased quality of life and safety concerns brought on by target shooting in the area.

The Konnowac Pass parcel (T. 12 N., R. 20 E., Section 30, Unnumbered lot in NW1/4NW1/4, Unnumbered lot in SW1/4NW1/4, Unnumbered lot in NW1/4SW1/4, E1/2NW1/4 and NE1/4SW1/4), is located in the Rattlesnake Hills, near Moxee, Washington. The approximately 200 acre parcel is managed by Bureau of Land Management (BLM) has been casually used for target shooting by the public for a number of years, although access to this property is not available via public land.

The target shooting area in question is adjacent to a residential area on Meadowlark Lane, where there are 8 homes; it is ¼ mile from a school bus stop. Public access is via dirt road on private land. The BLM does not have an easement across the private land. Visitors to the area turn off the main Konnowac Pass road onto a private dirt access road. The access road crosses onto BLM land after approximately 100 feet. Visitors target shoot from several points on BLM. In one area, target shooters are close to nearby residential homes. Among the homes near the shooting area, the closest home is 900 feet (1/17 of a mile) away, three homes are within 1300 feet (¼ mile), and 28 homes are within a mile radius of the shooting area. Bullets from many of the guns used by target shooters are capable of traveling distances of over a mile. When visitors are shooting on BLM land near the entrance to the dirt access road, bullets may not be adequately blocked by surrounding hills.

In 2000, after initial complaints from neighboring residents on Meadowlark Lane, BLM Ranger Shannahan was able to work with local Department of Corrections workers to clean up the site. The BLM also worked with the private landowner, situated at the entrance to the dirt access

road, to gate the road and post “No Trespassing” signs. These efforts were effective in curtailing recreational shooting on the parcel. Over time, the gate and posted signs have been removed and/or destroyed, and the private property sold. As a result, public activities have been increasing, allowing the target shooting to resume. BLM Ranger Nicoulin has made regular weekend visits to the area to interact with visitors about safe shooting. Ranger Nicoulin has also spoken to local residents and has made many attempts to encourage shooters to target-practice further up the road in a safer location removed from the nearby houses. These efforts have proven to be unsuccessful at curtailing unsafe shooting practices leading the Spokane District to consider other options, as directed in the IM 2013-035:

"Temporary closure or restriction orders under these authorities are enacted at the discretion of the authorized officer to resolve management conflicts and protect persons, property, and public lands and resources. A closure or restriction order should be considered only after other management strategies and alternatives have been explored including, but not limited to, increased law enforcement, cooperative efforts with local governments and organizations, engineering (e.g., fencing, barriers, or trail improvements), education, and outreach. The duration of temporary closure or restriction orders should be limited to 24 months or less; however, certain situations may require longer closures and/or iterative temporary closures."

The close proximity to the residential neighborhood with the resultant safety and quality of life issues creates the need for the BLM to address target shooting use. Currently no Federal, state or local laws, regulation or ordinances address the issue.

In addition, target-shooters are not removing debris from shooting activities and spent rounds and targets are often brought to and left in the area. The shooting areas are strewn with empty boxes of ammunition, shotgun hulls, brass casings, shot up target boards, plastic bottles, cans, plastic bags, clay pigeons, and other debris. The area is clearly marked as no dumping and there has never been any regular trash collection at the site.

The Bureau of Land Management is considering as a proposed action to temporarily close the Konnowac Pass area to recreational shooting and target practice under the authority 43 CFR 8364.

1.2 Purpose and Need:

The purpose and need for this action is to resolve use conflicts resulting from recreational shooting in the Konnowac Pass area that present immediate safety hazards to nearby people and property both on BLM-managed lands and in nearby residential areas.

1.3 Land Use Plan Conformance:

Guidance for the Konnowac Pass area is provided in the 1987 Spokane Resource Management Plan (Plan) Record of Decision. Although the Record of Decision does not specifically address closure to recreational shooting, the FEIS identifies its intent to “designate public lands open for use unless there is an overriding reason to restrict or eliminate some uses.” (FEIS pg. 21, Recreation). The ROD states that, “All protective measures and program design features, identified in the plan, will be taken to mitigate adverse impacts.” (RMP ROD pg. i). The safety and use conflicts in the Konnowac area reasonably constitute an “overriding reason” for closure.

Therefore, the intent of the plan, indicated in the ROD and supported by the FEIS, allows for this type of action.

1.4 Public Involvement and Issues:

BLM received a petition from the surrounding landowners asking for the BLM to take action against the unsafe shooting that is occurring at Konnowac Pass. This petition was signed by twelve households who live on Meadowlark Lane and Konnowac Pass Road, adjacent or nearby to the BLM land.

The BLM also received input from the local 4-H club that regularly used the area. They had offered their services in cleaning up the litter at the site but expressed interest in keeping the site open to target shooting and hunting.

Through public input, BLM identified the following related issues for considerations:

- *Hunting:* Concerns and conflicts at Konnowac Pass have been primarily associated with recreational shooting and target practice, not hunting. Any rules or decisions regarding recreational shooting and target practice should not inadvertently or unnecessarily restrict hunting. The proposed action does not apply to, or affect hunting.
- *Right to Bear Arms:* The right to bear arms is protected by the U.S. Constitution. BLM decisions must not interfere with the right to possess fire arms. The proposed action does not limit this constitutional right.
- *Future Management:* BLM should consider long-range management of federal lands in this area. Population and urban growth in the greater Yakima area will likely continue, as will the trend of increasing recreational use of public lands in the vicinity. Long-range management is specifically the purpose of a RMP and will be addressed through the RMP revision process.
- *Hazardous Materials:* Concentrated recreational shooting and target practice at specific sites could deposit enough lead in the soil to become hazardous. The BLM analyzed this and results are discussed in Section 3 (Affected Environment and Environmental Effects).
- *Available Resources:* The BLM Spokane District has finite funding and personnel available for managing public lands and enforcing applicable rules and regulations. The BLM has considered alternatives that could be reasonably implemented given anticipated budget and workforce in the near future.

2.0 Alternatives

2.1 Proposed Action (Temporary Closure to Target Shooting):

The BLM would issue a temporary closure order which would prohibit recreational shooting and target practice, for two years, on the approximately 200 acres of public land in the Konnowac Pass area. Hunting would still be allowed on all federal lands in the vicinity, in accordance with State hunting regulations. BLM would install signs and a kiosk to inform visitors of the new rule.

2.2 No Action Alternative:

BLM would not issue a closure for recreational shooting and target practice at Konnowac Pass. Under this alternative, BLM could increase public awareness through posting of signs and kiosks. Information regarding safe shooting practices and awareness of nearby homes would be posted.

3.0 Affected Environment and Environmental Effects

3.1 Public Safety

3.1.1 *Affected Environment*

Within the 200 acre parcel, there are 7 main areas that users are setting up targets to shoot at. As described in the Background, these areas face each other with a low gradient slope acting as the barrier. One area where people are shooting at is adjacent to a buried natural gas pipeline, there is a compressor station with bullet marks on the side as people vandalize this area, it posing a public safety and fire risk. The target shooting areas are within ¼ mile of 4 homes located on Meadowlark Lane and one is, or they are within a mile of many more homes. Residents have reported that they feel unsafe in their own backyards and the noise from firing guns has lowered their quality of life.

The primary danger is due to people shooting where no quality backstop with unobstructed view, such as a large hillside, exists. The danger is compounded by the predominantly treeless, bare, often flat landscape within the unit that provides no additional natural barriers to stray bullet flight path. Consequently, bullets from the guns reported in use at Konnowac Pass may travel unhindered up to 0.5 mile. Table 1 shows the types of guns reported by Rangers at Konnowac Pass and the effective ranges. The distance a bullet can ricochet depends on several factors including the trajectory of the bullet prior to hitting the object that causes it to ricochet, the velocity of the bullet prior to the ricochet and how much energy was absorbed when the bullet struck the object. In general, manufacturing companies report that bullets can ricochet up to 2.5 miles. BLM Ranger Nicoulin has reported standing on Meadowlark Lane when ricochet bullets fired from Konnowac Pass have gone over his head.

Table1. Guns and rounds reported in use at Konnowac Pass

Type of Gun	Effective Range
Semi-automatic Pistols <ul style="list-style-type: none">• 9mm• .40• .45	Less than 100m
AR-15 Type rifles firing .223 caliber rounds	600m
AK-47 style rifle firing 7.62x39 rounds	400m
M14 style rifles fire firing 7.62x54 rounds	800m

Additionally, a significant amount of shooting and target litter is regularly illegally left behind, including shotgun shell and bullet casings, clay pigeon fragments, and various materials used as targets. BLM does not have an estimate of the percentage of target shooters who litter when visiting Konnowac Pass.

3.1.2 Effects from the Proposed Action

Potential for accidental injury of visitors and surrounding residents, and property damage from recreational shooting and target practice would be drastically diminished because recreational shooting and target practice will not be allowed. There are 4 homes within ¼ mile and 13 homes within a half-mile radius of the target shooting staging areas. Closing the area to target shooting would diminish the risk of nearby homes and residents getting hit with stray bullets.

Since recreational shooting and target practice would not occur in the area, visitors would no longer be at risk while partaking in other uses on the land. There would still be a risk due to gun use from legal hunting activities.

Closing the area to target shooting will stop the repetitive, loud bangs of guns firing thus eliminating the noise that surrounding residents have complained about. Residents have identified target shooting occurring at all hours of the day and night affecting their sleep and rest patterns. Closing the area to target shooting will increase the quality of life for surrounding residents. The homes are all located in a rural, unincorporated development outside of Moxee, WA. The homes are set adjacent to public land and orchards. People move to these rural areas in search of a peaceful lifestyle or for their chosen profession (orchardist, farmer, etc). Having the level of noise that is currently occurring on Konnowac Pass is in direct opposition to this goal.

3.1.2.1 Cumulative Effects with the Proposed Action

There are a number of other factors that affect safety of visitors and residents of the area. These include, but are not limited to: vehicle accidents, injury from recreational activities, injuries from insects or animals, environmental injuries (e.g. heat injuries or frost bite) and the risk of drowning in one of the two lakes. It is not practical to directly compare the proportion that the proposed action would play when compared to other safety risks. However, as the number of visitors to the area is expected to continue to increase, the proposed action would reduce the potential for injuries related to recreational shooting and target practice, while the potential for injury from other factors will likely increase.

3.1.3 Effects from No Action Alternative

The increasing potential for injury to visitors and residents in the Konnowac Pass area from recreational shooting and target practice would continue. The noise that residents on Meadow Lark Lane complain about would continue.

3.1.3.1 Cumulative Effects with the No Action Alternative

The risk of injury to visitors or residents from recreational shooting and target practice would continue to exist and would increase with the expected increase of visitors to the area. The noise

from firing guns would not be diminished if no action was taken; residents would continue to lose sleep from firing guns and be objected to loud, repetitive noise that could impact that psychological state of mind.

3.2 Recreation

3.2.1 Affected Environment

Mostly dispersed recreation use occurs throughout the Konnowac Pass area. Recreational use currently consists primarily of recreational shooting and target practice and hunting. In previous years, before the area grew in popularity for target shooting, horseback riding, hiking, and wildlife and wildflower viewing also occurred at the site. The recreation setting is primitive, there is no developed picnicking or camping areas.

Recreational visitors come mostly from the Yakima area, approximately 12 miles and a 20-minute drive away. There is no data available for the numbers of visitors the area gets.

Ongoing BLM law enforcement patrols at Konnowac Pass have identified the significant increases in recreational shooting and target practice, to the point of having become the predominant recreational use at the area. As the number of target shooters has increased, other recreational have declined due to safety concerns. The Spokane District has received letters from surrounding residents describing the increased level of target shooting and stating that they are afraid for their own safety in their own backyards, which are adjacent to the BLM Konnowac Pass parcel. BLM Law Enforcement patrols have reported unsafe shooting practices.

Recreational shooting and target practice at Konnowac Pass occurs throughout the parcel, but is most concentrated within close walking distance from the roads. Shooters have set up targets and use tends to be concentrated to the 7 sites identified on the attached map.

3.2.2 Effects from the Proposed Action

The proposed action will significantly improve the safety, peace of mind, and quality of recreational experience for all types of recreational visitors (other than target shooters) when they visit the area. Visitors will be able to visit the site and experience, solitude, relaxation and an immersion in nature. Improved recreational experience would result from, first, substantially reduced fear of injury or death from stray bullets. Second, unsightly shooting and target litter, sometimes including hazardous materials would be reduced. Shooting/target litter in the proposed no shooting area has to date been left behind in significant amounts, requiring intensive cleanup by BLM and BLM volunteers. The third reason recreational experience would improve for non-shooters would be due to reduced noise from shooting. Another direct effect of the proposed action would be a significantly reduced shooting and target litter problem within the proposed no shooting area.

The occasion for social conflict between target shooters and people pursuing other forms of recreation within the proposed no shooting area would be removed. Existing social conflicts are usually non-shooting recreationists at odds with shooters due to concerns for their own or others' personal safety and/or because the non-shooters find the shooting noise annoying and disruptive to their own recreation activity. Because of the danger, litter and noise associated with

recreational shooting and target practice, and the high level of use of the area for target shooting has pushed out other forms of recreation. With the proposed action, the area will likely see an increase in other types of recreation use.

Target shooters would likely seek out other public or private (with permission) lands locations for shooting, if displaced from their favorite shooting spots by the proposed action. The Konnowac Pass parcel is the only BLM public lands location close to Yakima where target shooting is allowed. Yakima is an urban area with a population of 92,512 (US Census 2010), there is a high demand for recreation opportunities, including recreational shooting, located within a close driving distance of Yakima.

There are other BLM parcels in the Rattlesnake Hills as well as Washington Department of Natural Resources lands that are open to recreational shooting and target practice. There is also a private gun range located within a 10 minute drive of Konnowac Pass that is open to the public but charges admission.

3.2.2.1 Cumulative Effects with the Proposed Action

The cumulative effects of the Proposed Action on Recreation resources include consideration of the past, present and reasonably foreseeable future actions in the Konnowac Pass area. Past actions have been described in the Background section. No actions are reasonably foreseeable by other Federal or State agencies in the Konnowac Pass Area, and no large planned changes in private land use patterns are known. The private landowner has put in a gate on the property adjacent to the BLM parcel restricting motorized vehicle access to the parcel. BLM has no right-of-way and thus no public access to the parcel. Restricting the area to foot traffic only will likely decrease the level of recreational shooting. Prohibiting shooting at the area will further encourage other types of recreation to occur at the area such as hiking, wildlife and wildflower viewing, horseback riding, biking and picnicking.

A local 4-H group has demonstrated interest in cleaning up the area and keeping it open to target shooting. The proposed action may cause them to lose interest in the area and withdraw their offer to volunteer their time to regularly clean up the site.

Existing recreation opportunities are discussed in the Affected Environment section. Closing the area permanently to target shooting will be considered in the Spokane District BLM's Resource Management Plan, which is currently being developed. The proposed action will serve as the interim policy for the next two years.

3.2.3 Effects from No Action Alternative

There would be an increased chance for persons, animals (pets, livestock and wildlife) and private property to be hit by stray bullets fired by target shooters who are shooting irresponsibly, especially when not utilizing an appropriate backstop. Increased signage detailing safe recreational shooting and target practice practices and shooting regulations would help reduce the amount of irresponsible shooting, but their effectiveness would be limited.

Quality of recreational experience within the unit will continue to decline for non-shooting recreationists, mostly from fear of injury or death by stray bullets, but also due to experiencing

shooting/target litter, and shooting noise. Many recreational users come for solitude and an immersion in nature experience in a safe environment. Loss of safety and natural conditions would make the area considerably less attractive for these numerous users, and complaints would continue to increase that BLM is failing to adequately provide safe recreation opportunities for primary recreational activities in the area.

Social conflicts would increase, primarily non-shooting recreationists confronting target shooters about perceived irresponsible, unsafe, and annoying shooting practices. Because of competition between recreational shooting and target practice and non-shooting recreational activities within the same area, social conflict could eventually escalate to the point of straining BLM and partner law enforcement agencies' ability to respond effectively to the expected increasing level of complaints.

While BLM Law Enforcement would continue to enforce existing regulations, the number of BLM Law Enforcement personnel is limited, and the BLM's budget is unlikely to accommodate increased law enforcement capabilities.

3.2.3.1 Cumulative Effects with No Action Alternative

Past and ongoing BLM actions and activities affecting recreation would be the same as for the proposed action. However, none of the improvements in quality of experience by non-target shooting visitors would occur to off-set adverse impacts from other actions and activities.

3.3 Hazardous Materials

3.3.1 Affected Environment

An environmental concern associated with shooting areas is the potential for lead contamination. The primary sources of lead at shooting ranges are spent bullet projectiles and shot pellets. Typically, the greatest lead concentrations are measured near impact sources (impact and lateral berms and shotfall zones). Elemental lead from fragmented bullet slugs and shot can be transported as a particulate by the action of surface water, groundwater, and wind. The action of water and wind could distribute lead particulates and lead-enriched soil down slope or along the prevailing wind direction.

In addition, some targets utilized for practice such as unidentified bottles, drums, cans, electronic equipment, or appliances may release a hazardous material or waste when damaged.

3.3.2 Effects from the Proposed Action

The proposed temporary closure of recreational shooting at the site would likely reduce the potential for continued accumulation of lead contamination from spent bullet projectiles and shot pellets. Also, the action would minimize the possibility for a release of a hazardous material or waste by a reduction in target use.

3.3.2.1 Cumulative Effects with the Proposed Action

There are no other known contributors of lead within the area of the proposed action.

3.3.3 *Effects from No Action Alternative*

Under the no action alternative, it is likely that recreational shooting and target practice will continue to result in possible lead contamination and releases of hazardous materials or waste, of various levels, in numerous areas.

4.0 Consultation and Coordination

Federal regulations including the National Historic Preservation Act (NHPA), American Indian Religious Freedom Act (AIRFA) and Executive Order 13007 require federal agencies to consider the impacts of their actions upon cultural resources and traditional cultural values.

The project area lies within the ceded lands of the Confederated Tribes and Bands of the Yakama Nation which retains gathering, hunting and fishing rights (Yakima Treaty of 1855). The BLM initiated consultations regarding the closure on February 27, 2013; the Yakama Nation and the Washington Department of Archaeology & Historic Preservation (DAHP) were consulted. The BLM determined that the closure would not affect Historic Properties and informed the DAHP and the Yakama Nation of this conclusion in letters dated April 8, 2013. The Yakama Nation was also asked to consider and provide comments regarding the effects of the closure upon tribal interests. The DAHP concurred, in writing, with this determination of “no effect” on April 15, 2013. Responses were not received from the Yakama Nation.

5.0 List of Preparers

Chris Carlton	Planning and Environmental Coordinator
Holly Eagleston	Outdoor Recreation Planner
Elizabeth Earp	Physical Scientist
Françoise Sweeney	Archaeologist

6.0 References

BLM (Bureau of Land Management). 1987. Spokane Resource Management Plan and Rangeland Program Summary Record of Decision. U.S. Department of the Interior.

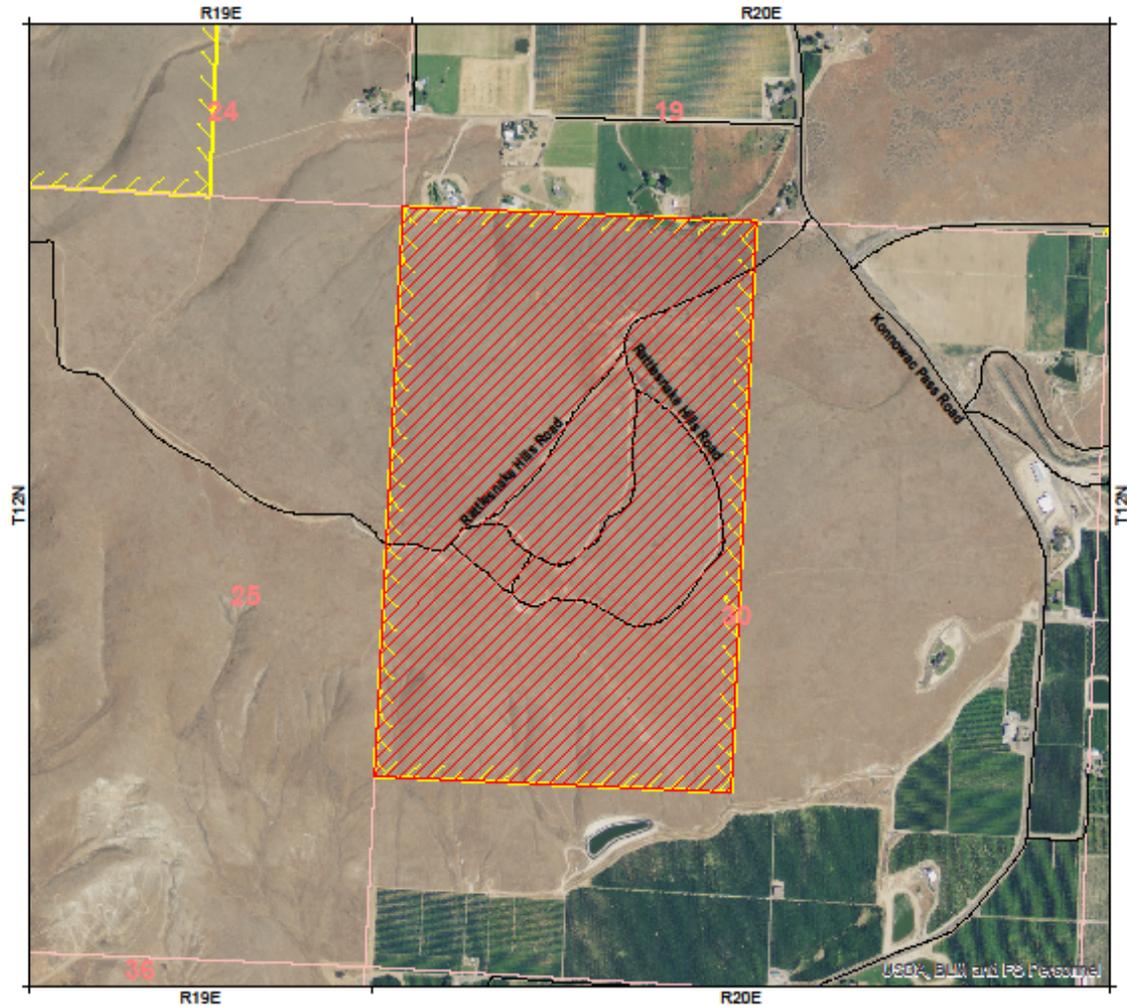
BLM. 2008. Instruction Memorandum 2012-035. Subj: Requirements for Processing and Approving Temporary Public Land Closure and Restriction Orders. U.S. Department of the Interior.

Council of Environmental Quality “Closure and Restriction Orders.” 43 CFR § 8364.1

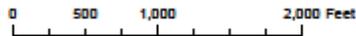
7.0 Attachment:

Map of the Proposed Action, “Exhibit A, Konnowac Pass Shooting Closure”
Vicinity Map of the Proposed Action, “Konnowac Pass Vicinity Map”

**Exhibit A
Konnowac Pass Shooting Closure
T. 12 N. R. 20 E., sec. 30**



Willamette Meridian,
Yakima County, Washington
T. 12 N., R. 20 E., sec. 30,
Unnumbered lot in NW¼NW¼,
Unnumbered lot in SW¼NW¼,
Unnumbered lot in NW¼SW¼,
E¼NW¼ and NE¼SW¼.
Total - 194.35 Acres



March 07, 2013



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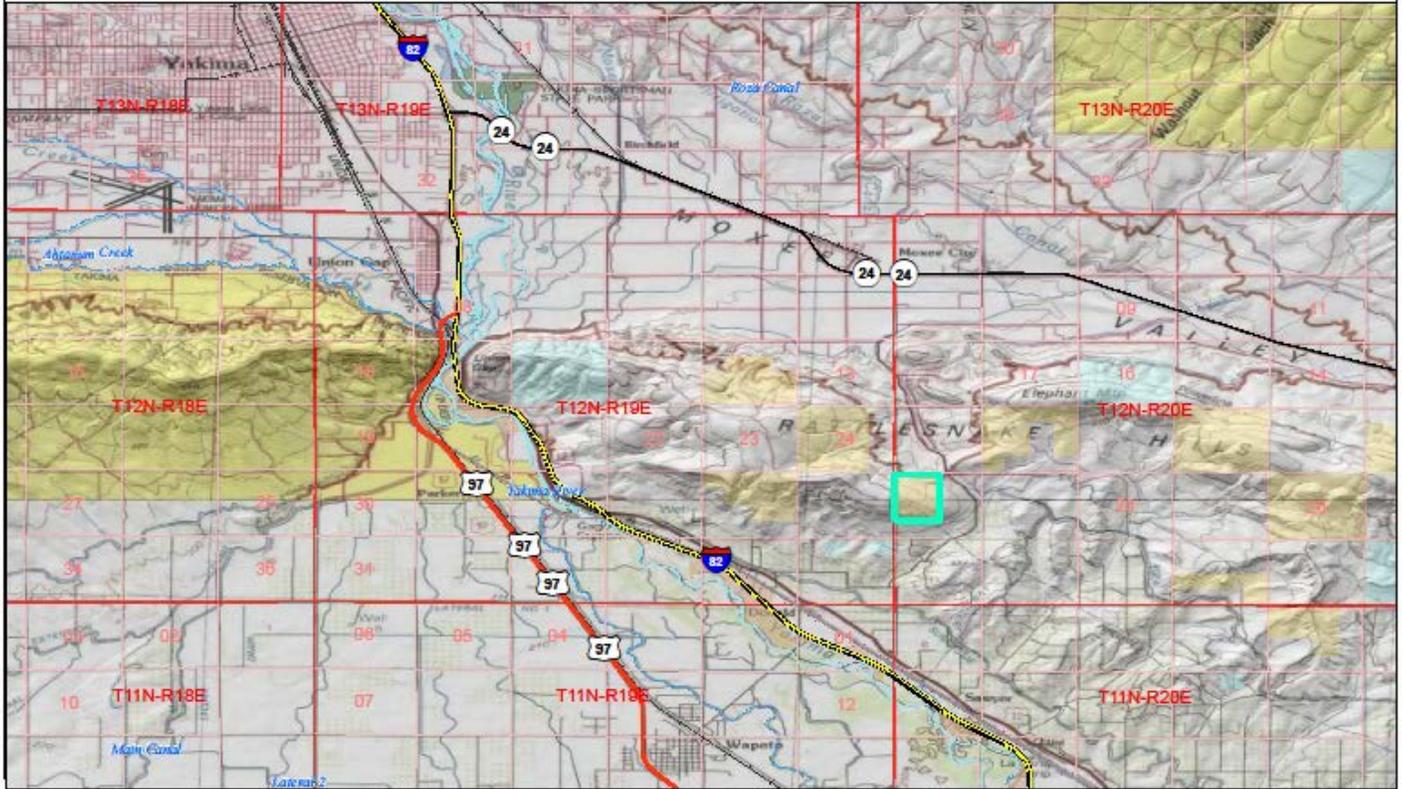
No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources and may be updated without notification.

Legend

- Closure Area
- Minor road
- BLM Lands



Konnowac Pass Vicinity Map



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Legend

- BLM
- Area of Interest



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