

**U.S. Department of the Interior  
Bureau of Land Management  
White River Field Office  
220 E Market St  
Meeker, CO 81641**

## **DETERMINATION OF NEPA ADEQUACY (DNA)**

NUMBER: DOI-BLM-CO-110-2013-006-DNA

CASEFILE/PROJECT NUMBER:

PROJECT NAME: Cur Dog Outfitting & The Legend Outfitting- Special Recreation Permits (Mountain Lion)

LEGAL DESCRIPTION: Cur Dog Outfitting and Legends Outfitting:

All portions of the following Game Management Units (GMUs) that lay within the boundaries of the White River Field Office only: GMUs 10, 11, 211, 12, 22, 23, 24, 31, 32, and 33

APPLICANTS: Christian Corbin (Cur Dog Outfitting), Richard Bloomquist, Jr. (The Legend Outfitting)

DESCRIPTION OF PROPOSED ACTION:

Christian Corbin, doing business as (dba) Cur Dog Outfitting, has applied for a new Special Recreation Permit (SRP) to conduct commercial mountain lion guided hunting operations on BLM lands within the White River Field Office (WRFO) (see Figure 1). Richard Blomquist, dba Legends Outfitting, has applied for a new SRP to conduct commercial mountain lion guided hunting operations on BLM lands within the WRFO (see Figure 1). The actions to be taken are the issuance of new annual SRPs Cur Dog Outfitting and The Legend Outfitting. The intended period of use for both permits is during mountain lion hunting season, generally late November through March 31 of each year.

Typical mountain lion hunting involves traveling on existing roads in search of mountain lion tracks. This initial tracking may also be done on snowmobiles, depending on snow and resource conditions, both on and off roads, except in Wilderness Study Areas (WSAs), Moosehead road closure area, and Oakridge State Wildlife Area. Once mountain lion tracks are identified, no more than eight off-leash dogs are typically used to track the mountain lion. Then the outfitter, guide, and/or client follow the dogs via motorized vehicles, or on foot or horseback until the dogs “tree’d” the mountain lion. Once the mountain lion is “tree’d”, the client approaches the tree or terrain to dispatch the animal with any legal method of take. The animal is then retrieved, dogs are placed back under physical control, and the hunt is over.

All usage will be casual and dispersed in nature within the permitted areas, for day use only. No drop camps will be authorized with the issuance of these permits and no new disturbance will

occur. Per the WRFO RMP, no motorized use is permitted in WSAs, designated road closure areas (i.e., Moosehead, Indian Valley), Oakridge State Wildlife Area, or in portions of certain ACECs (i.e., Deer Gulch, East Douglas, Ryan Gulch, Blacks Gulch, Yanks Gulch).

Decision to be Made: The BLM will decide whether or not to issue the two new SRPs for commercial guided lion hunting, and if so, under what terms and conditions.

PLAN CONFORMANCE REVIEW:

Name of Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

Date Approved: July 1, 1997

Decision Number/Page: 2-43

Decision Language: "Special recreation permits (SRPs) will be issued to qualified guides and outfitters based on need and demand for services."

REVIEW OF EXISTING NEPA DOCUMENTS:

List by name and date all existing NEPA documents that cover the Proposed Action.

Name of Document: White River Resource Area Proposed Resource Management Plan and Final Environmental Impact Statement (PRMP/FEIS).

Date Approved: June 1996

Name of Document: Special Recreation Permit Program,  
Environmental Assessment # CO-017-WR-070

Date Approved: August 2, 2002

NEPA ADEQUACY CRITERIA:

1. Is the new Proposed Action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document? If there are differences, can you explain why they are not substantial?

*Documentation of answer and explanation:* The new Proposed Action is essentially similar to the selected alternative analyzed in the EA CO-017-WR-070. It is within the same analysis area and there are no substantial differences.

2. Is the range of alternatives analyzed in the existing NEPA document appropriate with respect to the new Proposed Action, given current environmental concerns, interests, and resource values?

*Documentation of answer and explanation:* Two alternatives (Proposed Action and No Action Alternative) were analyzed in EA CO-017-WR-070. No reasons were identified to analyze additional alternatives and these alternatives are considered to be adequate and valid for the Proposed Action.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new Proposed Action?

*Documentation of answer and explanation:* Additional projects have been analyzed in the area but no known changes in circumstances or information have been found, thus the original analysis is still valid. Please see the comments below regarding cultural resources, wild horses, and threatened and endangered wildlife and plants species for further discussion.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new Proposed Action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

*Documentation of answer and explanation:* The direct, indirect, and cumulative effects that could result from implementing this Proposed Action would still remain similar to EA CO-017-WR-070.

5. Is the public involvement and interagency review associated with existing NEPA documents adequate for the current Proposed Action?

*Documentation of answer and explanation:* This project was posted on the WRFO online NEPA register on 10/24/2012. As of 11/20/2012 no comments or inquiries have been received. A copy of the completed DNA will also be posted to the online NEPA register.

**INTERDISCIPLINARY REVIEW:**

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 10/23/2012. A complete list of resource specialists who participated in this review is available upon request from the White River Field Office. The table below lists resource specialists who provided additional remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Michael Wolfe	Archaeologist	Cultural Resources, Native American Religious Concerns	11/20/2012

Melissa Kindall	Range Technician	Wild Horses	11/14/2012
Laura Dixon	Wildlife Biologist	Special Status Wildlife Species	11/16/2012
Zoe Miller	Ecologist	Special Status Plant Species	11/13/2012

REMARKS:

*Cultural Resources:* Because the proposed day use activities resulting from the issuance of this special recreation permit will be casual and dispersed in nature, there will be no effect to historic properties. No new disturbance will occur. No Native American religious concerns are known regarding the issuance of Special Recreation Permits for dispersed, casual use related to recreational hunting activities.

The following standard mitigation conditions of approval are required.

- 1) The permit holder is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts. If archaeological materials are discovered as a result of operations under this authorization, the permit holder must immediately contact the appropriate BLM representative.
- 2) Pursuant to 43 CFR 10.4(g), the permit holder must notify the AO, by telephone and written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony.

*Wild Horses:* Disturbance from lion hunting could be intensified should multiple lion hunting outfitters occur simultaneously in a given area, or if such occurs in an area where there are already other activities such as commercial construction, etc. The BLM may expect use of rarely used unimproved two track roads and cross country travel and then foot access into areas that previously received minimal or no recreational use which may have previously provided a “safe haven” destination for wild horses. These impacts may be of greater concern during the recognized foaling period, during a portion of the mountain lion hunting season, from March 1 to June 15.

*Threatened and Endangered Wildlife Species:* There are no issues or concerns related to threatened and endangered wildlife species associated with the Proposed Action.

*Threatened and Endangered Plant Species:* There are no issues or concerns related to special status plant species associated with the Proposed Action.

MITIGATION:

1. The permit holder is responsible for informing all persons who are associated with the project that the Wild Free-Roaming Horse and Burro Act of 1971 (Public Law 92-195) as amended by The Federal Land Policy and Management Act of 1976 (Public Law 94-579) and the Public Rangelands Improvement Act of 1978 (Public Law 95-514)

requires the protection, management, and control of wild free-roaming horses and burros on public lands. Section 8 states that any person who maliciously causes the death or harassment of any wild free-roaming horse or burro, or willfully violates a regulation issued pursuant to the Act, shall be subject to a fine of not more than \$2,000, or imprisonment for not more than one year, or both.

2. The permit holder is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts. If archaeological materials are discovered as a result of operations under this authorization, the permit holder must immediately contact the appropriate BLM representative.
3. Pursuant to 43 CFR 10.4(g), the permit holder must notify the AO, by telephone and written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony.

COMPLIANCE PLAN: On-going compliance inspections and monitoring will be conducted by the BLM White River Field Office staff before, during, and after the permitted seasons. The applicants will be placed on a probationary status for a minimum of two consecutive years prior to the conversion of the permits to a five year status. Annual reviews will be conducted of each applicant's operations to insure compliance with the agreed upon terms, stipulations, and conditions of the permit. WRFO recreation staff and law enforcement personnel will also conduct periodic, random on-site inspections of each permittee's operations to insure compliance. The issuance of these permits is discretionary and can be revoked by the WRFO Authorized Officer at any time.

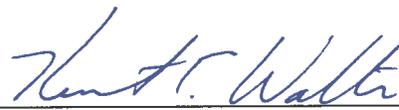
NAME OF PREPARER: Aaron Grimes, BLM WRFO Outdoor Recreation Planner

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

CONCLUSION

Based on the review documented above, I conclude that this proposal conforms to applicable land use plan and that the NEPA documentation fully covers the Proposed Action and constitutes BLM's compliance with the requirements of the NEPA.

SIGNATURE OF AUTHORIZED OFFICIAL:

  
Field Manager

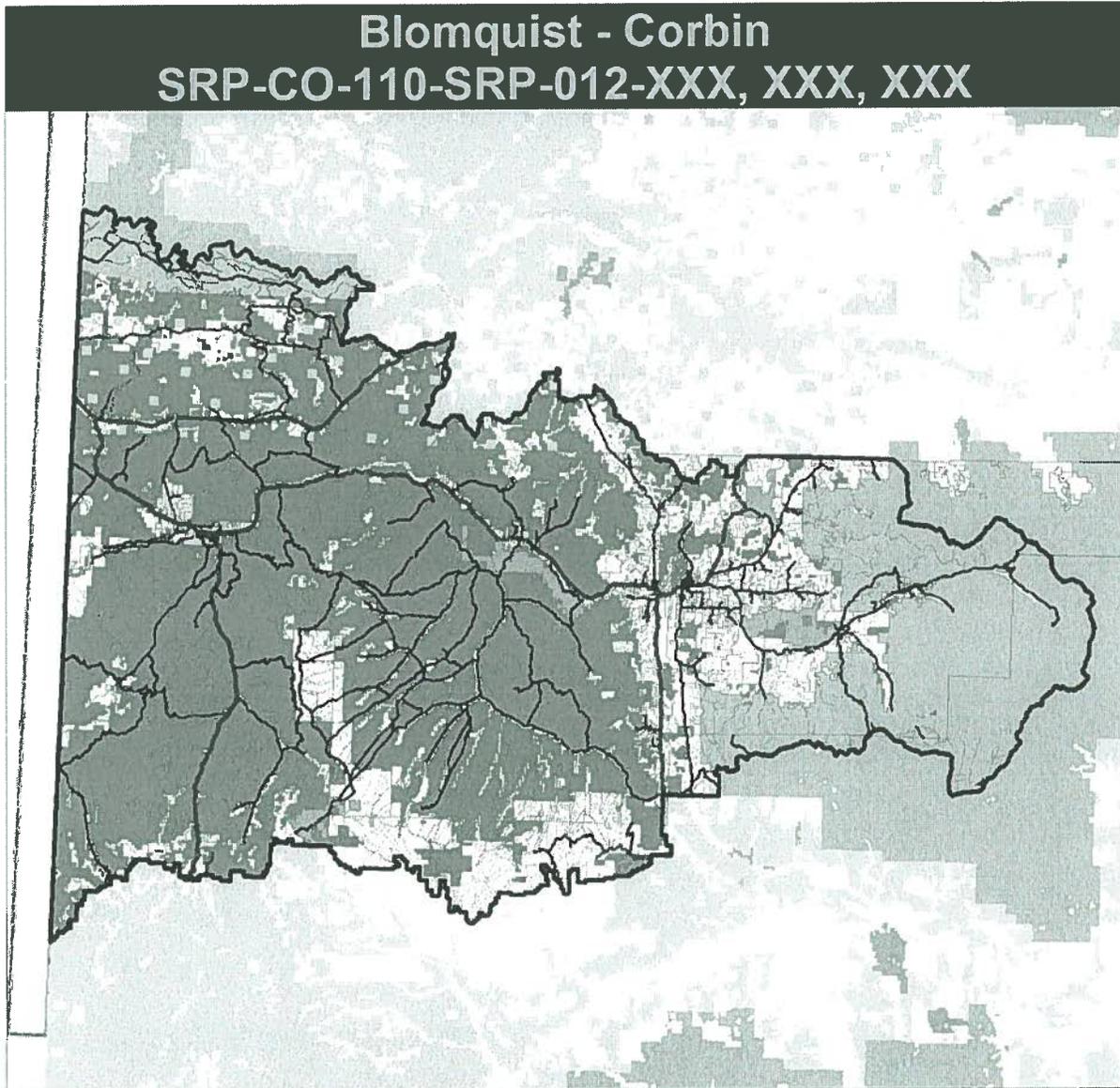
DATE SIGNED:

11/27/2012

ATTACHMENTS:

Figure 1. Proposed 2012 Permitted Area for Blomquist and Corbin

Figure 1. Proposed 2012 Permitted Area for Blomquist and Corbin:



 2012 Permitted Lion Area  
 FieldOffice\_Boundary\_WRFO

Sources:  
BLM, USGS, CDOW, etc.

Disclaimer:  
Although the data presented within this map, and the map itself, have been processed successfully on computers of BLM, no warranty, expressed or implied, is made by BLM regarding the use of this map or the data represented, nor does the fact of distribution constitute or imply any such warranty.



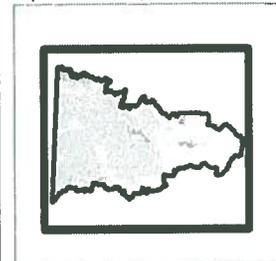
I agree that this image properly depicts my Special Recreation Permit boundaries as described in my operating plan.

Signature of Permittee or Authorized Party

Date

10/18/2012  
Scale: 1:850,000

0 5 10 Miles



Note: The signed Conclusion in this DNA Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

**U.S. Department of the Interior  
Bureau of Land Management  
White River Field Office  
220 E Market St  
Meeker, CO 81641**

**DECISION RECORD**

**PROJECT NAME:** Cur Dog Outfitting & The Legend Outfitting- Special Recreation Permits (Lion)

**DETERMINATION OF NEPA ADEQUACY NUMBER:** DOI-BLM-CO-2012-006-DNA

**DECISION**

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-2013-006-DNA, authorizing the issuance of Special Recreation Permits to Christian Corbin dba Cur Dog Outfitting and Richard Bloomquist, Jr. dba The Legend Outfitting for commercial lion hunting.

**Mitigation Measures**

1. The permit holder is responsible for informing all persons who are associated with the project that the Wild Free-Roaming Horse and Burro Act of 1971 (Public Law 92-195) as amended by The Federal Land Policy and Management Act of 1976 (Public Law 94-579) and the Public Rangelands Improvement Act of 1978 (Public Law 95-514) requires the protection, management, and control of wild free-roaming horses and burros on public lands. Section 8 states that any person who maliciously causes the death or harassment of any wild free-roaming horse or burro, or willfully violates a regulation issued pursuant to the Act, shall be subject to a fine of not more than \$2,000, or imprisonment for not more than one year, or both.
2. The permit holder is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts. If archaeological materials are discovered as a result of operations under this authorization, the permit holder must immediately contact the appropriate BLM representative.
3. Pursuant to 43 CFR 10.4(g), the permit holder must notify the AO, by telephone and written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony.

**COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN**

This decision is in compliance with the Endangered Species Act and the National Historic Preservation Act. It is also in conformance with the 1997 White River Record of Decision/Approved Resource Management Plan.

## **PUBLIC INVOLVEMENT**

The BLM informed the public about this project by listing it on the online WRFO NEPA Register on 10/24/2012 and a copy of the completed Documentation of NEPA Adequacy will also be posted on online NEPA register.

## **RATIONALE**

The proposal for issuing these Special Recreation Permits conforms to the land use plan and the NEPA documentation previously prepared fully covers the Proposed Action and constitutes BLM's compliance with the requirements of NEPA.

## **ADMINISTRATIVE REMEDIES**

### **Protest**

This decision may be protested. Protests shall be filed with the authorized officer at the Bureau of Land Management (BLM) White River Field Office. Protests must be postmarked by the 15th calendar day after the receipt of the proposed decision by the affected party. Protests postmarked more than 15 calendar days after notification of the decision will not be considered.

Protests must be in writing. E-mail and faxed protests will not be accepted. The protest letter must be postmarked by the close of the protest period. The protest must include:

1. The name, mailing address, telephone number, and interest of the person filing the protest;
2. A statement of the issue being protested;
3. A concise statement explaining why the authorized officer's proposed decision is believed to be incorrect (this is a critical part of your protest). Document all relevant facts; and
4. A permit number or other identification of the case (i.e. permittee name).

Upon filing of a protest, the authorized officer shall reconsider the decision in light of the evidence submitted by the protestor, and in view of other information pertinent to the case. At the conclusion of the review of the protest, the authorized officer shall prepare a recommended decision on the protest, and it shall be reviewed by the next higher level authority. If the authorized officer is the Field Manager, the higher level authority is the District Manager. If the authorized officer is subordinate to the Field Manager, the higher level authority is the Field Manager. The decision of the higher level authority shall be the final decision of the BLM. This final decision may be appealed. Final decisions on protests will be made by the 15th calendar day of the receipt of protests.

### **Process for Appeals**

An appeal is an opportunity for a qualified party to obtain a review of a BLM decision by an independent board of Administrative judges within the Department of Interior's Board of Land Appeals (IBLA). The IBLA determines whether the BLM followed applicable laws and regulations, adhered to established policies and procedures, and considered relevant information in reaching a decision.

Individuals, who believe they are adversely affected by a BLM decision to deny, modify or cancel a Special Recreation Permit (SRP) may appeal the decision. Appeals are made to the

IBLA under Title 43 C.F.R., Part 4, pursuant to 43 C.F.R. §4.411. A person who wishes to appeal to the IBLA must file in the office of the officer who made the decision a notice that he wishes to appeal. "Information on Taking Appeals to the Board of Land Appeals" is enclosed for your convenience.

**SIGNATURE OF AUTHORIZED OFFICIAL:**

  
\_\_\_\_\_  
Field Manager

**DATE SIGNED:**

11/27/12