United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Idaho Falls District Office
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UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT
Idaho Falls District
RESCISION OF DECISION RECORD AND ENVIRONMENTAL ASSESSMENT FOR
PREDATOR HUNT DERBY SPECIAL RECREATION PERMIT
DOI-BLM-I000-2014-0002-EA

On November 13, 2014, I signed a Decision Record authorizing the issuance of a Special Recreation Permit ("SRP") to Idaho for Wildlife ("IFW") to conduct a predator hunt derby ("Derby") on probationary status January 2-4, 2015, including approval, if IFW met all requirements in 2015, for subsequent derbies over the succeeding four years.

BLM has a statutory obligation to regulate the use and occupancy of the public lands (43 U.S.C. §1732(b)). BLM's regulations and policy require that all organized commercial and competitive events and contests to be held on public lands managed by the BLM be evaluated to determine whether a Special Recreation Permit ("SRP") is required, and if so, what terms and conditions should be included in the SRP. *See* 43 C.F. R. Subpart 2932; IM 2014-119 (June 29, 2014). SRPs are issued after compliance with all applicable laws and their implementing regulations, including National Environmental Policy Act (NEPA) (42 U.S.C. §§4321-4345).

BLM Salmon Field Office received an application submitted by IFW on June 27, 2014. The BLM worked diligently to understand and process the IFW SRP application first proposed on June 27 and amended on August 7 and September 18. BLM worked with IFW to resolve ambiguities identified in the permit application and its proposed operating plan to develop the Environmental Assessment. BLM completed an Environmental Assessment ("EA") on October 9, 2014, and a Finding of No Significant Impact ("FONSI") and circulated them for a 15-day public comment period with an additional seven-day extension. After completion of the public comment period and consideration of the comments received, on November 13, 2014, I signed a decision record ("Decision Record") authorizing issuance of a SRP to IFW.

On November 20, 2014, IFW contacted the BLM's Salmon Field Office notifying BLM of additional modifications to Derby rules and participation criteria. These changes include, eliminating the participation fee for contestants and how certain prizes are awarded to various Derby categories. These material and substantive informal modifications to the IFW proposal are examples of the sorts of factual uncertainties that prevent BLM from being able to determine whether to issue an SRP, and if so, what terms and conditions would be appropriate for an event scheduled to begin in less than 50 days. At this time, despite the foregoing good faith efforts by all involved, the details of the Derby operation are too unfocused to justify issuance of a SRP in this case. As IFW plans have more fully developed over time, our analyses did not fully appreciate and capture important aspects of how IFW envisions or ultimately intends the Derby to actually take place. Ambiguity about details of the Derby

operation make it difficult to conclusively determine whether an SRP is appropriate under our regulations, and if so, what terms and conditions would allow BLM to effectively manage and protect public lands and resources. No SRP has been issued for the Derby.

As allowed by 43 C.F.R. §2932.25, I am notifying IFW within 30 days of their November 20, 2014, modification that I am rescinding my November 13, 2014, decision due to the informal and substantive modifications of its proposal.

In light of the modifications proposed by IFW, I hereby rescind my original decision and withdraw the EA number DOI-BLM-I000-2014-0002-EA, FONSI, and Decision Record. No actions may be taken under the EA, FONSI, and Decision Record, and they have no further force or effect. BLM requests that IFW advise Derby participants not to utilize BLM-managed land for any competitive or organizational activities and that the Derby not offer competitive credit for wildlife taken on BLM-managed lands.

AUTHORITY
43 CFR § 2932.26

APPEALS INFORMATION—

This decision may be appealed to the Interior Board of Land Appeals, Office of Hearings and Appeals in accordance with 43 CFR Part 4. If an appeal is taken, your notice of appeal must be filed in the Idaho Falls District Office, 1405 Hollipark Drive, Idaho Falls, Idaho 83401, within 30 days of receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error. If you wish to file a petition for stay pursuant to 43 CFR 4.21, the petition for stay must accompany your notice of appeal. Copies of the notice of appeal and petition for stay (if any) must also be served on each party named in this decision and to the Interior Board of Land Appeal and the Office of the Field Solicitor at 960 Broadway Avenue, Ste. 400, Boise, Idaho, 83706 at the same time the original document are filed with the Idaho Falls District Office. If a petition for stay is filed, it 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

Joe Kraayenbrink
Idaho Falls District Manager
Date: November 25, 2014