

**U.S. Department of the Interior
Bureau of Land Management**

**Documentation of Categorical Exclusion
DOI-BLM-NV-L030-2011-0003-CX
January, 2011**

Las Vegas Bird Dog Club

**Lincoln County, NV
Kita Morris (president)**

Caliente Field Office
Caliente, Nevada
Phone: 775 726-8100
Fax: 775-726-8111



A. Background

BLM Office: **Caliente Field Office**

Lease/Serial/Case File No.: **NV-045-11-005**
Five Year

Proposed Action Title/Type: **AKC Bird Dog Field Trials**

Location of Proposed Action: **T. 12S R68E Sections 1, 2, 11 and 12**

Proposed Action:

The proposed action is to hold an AKC bird dog field trial, to showcase dogs ability and training. The dates for the dog trials are Feb 12, 13 2011. The event would be located adjacent to both sides of the road, which bisects the Mormon and East Mormon mountains. The club would camp on the west side of the road on previously disturbed ground and utilize the ground on the east side of the road for the dog trials. The birds used are hand raised Bob White Quail and Chucker (see biological opinion). Horses would be used to place the birds. Guns would be used in the advanced dog classes to show retrieval ability. Certified Weed free hay cubes would be used. The applicant anticipates 10-15 entrants and 10-15 spectators, mostly family members. The club would provide portable toilet facilities for the spectators and participants. The event would be permitted as a Special Recreation Permit (SRP) with the promoter following the same stipulations other SRP permit holders are required to follow. The permit issued by the BLM for this bird dog event will be valid for five years, assuming the event does not change significantly enough to require new National Environmental Policy Act (NEPA) analysis. The applicant had a five-year permit that had just expired and there have been no violations or issues. The proposed event does take place within tortoise habitat; however, the event occurs when tortoises are not active. In addition, the event is not within any Area of Critical Environmental Concern (ACEC). Educational information would be distributed to the participants and spectators on what is expected in tortoise habitat.

The event would take place within the Toquop Wash watershed, and would not occur in, or impact the Mormon Wilderness Area.

The only grazing area affected is the Gourd Spring Allotment.

B. Land Use Plan (LUP) Conformance

LUP Name: Ely Resource Management Plan Date Approved/Amended: August 20, 2008
In the 2008 Ely RMP under Recreation "REC-5 (p80)" the Ely District is to manage areas not designated as Special Recreation Management Areas as extensive recreation management areas. A majority of the planning area is available for dispersed, backcountry, and undeveloped recreational uses. And it was determined that the proposed action is in conformance with the Plan."

The proposed project is in conformance with the LUP, because it is clearly consistent with the following LUP decisions and objectives:

Goals: "Provide quality settings for developed and undeveloped recreation experiences and opportunities while protecting resources

Objectives: “To provide a wide variety of recreation opportunities to satisfy a growing demand by a public seeking the open, undeveloped spaces that are characteristic of the planning area. To provide visitor information to familiarize people with recreational opportunities throughout the planning area and encourage minimum impact or “Leave No Trace” and “Tread Lightly” recreational skills and ethics for recreational 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 DM 11.9H(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 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 because the potential for significant impacts to public and private resources will be mitigated through Special Stipulations for SRPs issued with the applicants permit attached to this document (See attachment B).

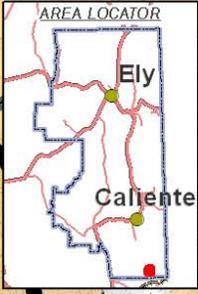
D: Signature

Authorizing Official: /s/Victoria Barr Date: 2/7/11
(Signature)

Name: Victoria Barr
Title: Field Manager, Caliente Field Office

Contact Person

For additional information concerning this CX review, contact Lisa Domina at Elizabeth_Domina@blm.gov Outdoor Recreation Planner, Caliente Field Office, P.O. Box 237 Caliente, NV 89008 (775)726-8116.

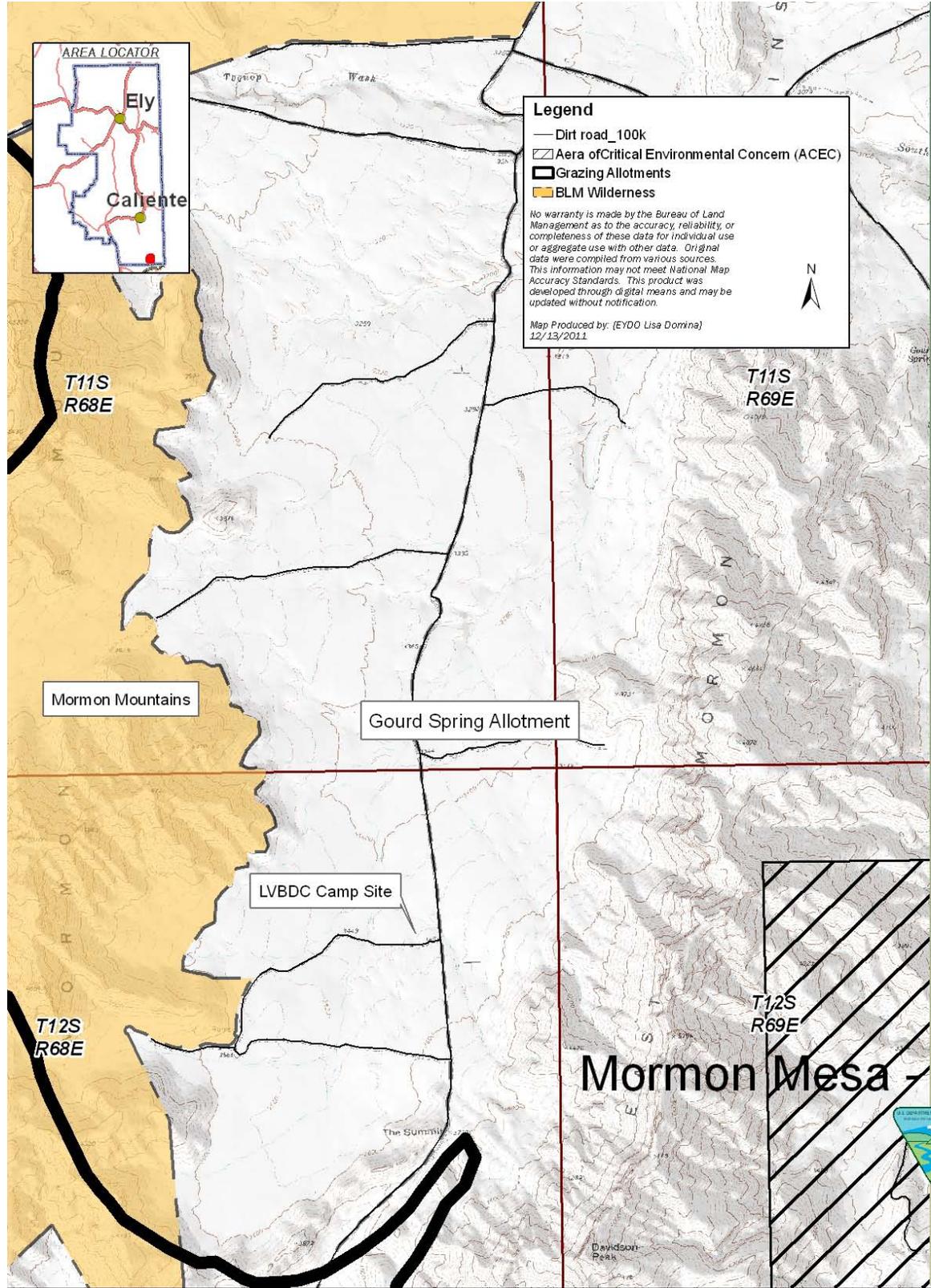


Legend

- Dirt road_100k
- ▨ Area of Critical Environmental Concern (ACEC)
- ▭ Grazing Allotments
- BLM Wilderness

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Map Produced by: (EYDO Lisa Domina)
12/13/2011



FEB 14 2011

Caliente Categorical Exclusion Review Record

Bureau of Land Management
Caliente, NV

Las Vegas Bird Dog Club		Resource Specialist/ID Team Member	Y/N or (NP*)	Initials/Date
DOI-BLM-NV-045-2011-003-CX				
Would the Proposed Action:				
Have significant impacts on public health or safety? (43 CFR 46.215 (a))		Melanie Peterson	N	MP 2/4/11
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? (43 CFR 46.215 (b)) *None within or near the Field Office.	Cultural/Historic Resources	Leslie Riley	N	LR 2/9/11
	Recreation Lands			
	Park or Refuge Lands	-----	NP	-----
	Wilderness/WSA	Sam Styles DS	NP	DS 2-4-11
	Drinking Water Aquifers	Mark D'Aversa	N	2/9/11 MSD
	Prime Farmlands	Mark D'Aversa	N	2/9/11 MSD
	Wetlands/Floodplains	Mark D'Aversa	N	2/9/11 MSD
	Migratory Birds		N	ADG/2-1-11
	ACECs/Cultural	Leslie Riley	N	LR 2/9/11
ACECs/Wildlife		NP	ADG/2-1-11	
Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau? (43 CFR 46.215 (g))		Leslie Riley		
Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species? (43 CFR 46.215 (h))				
Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)? (43 CFR 46.215 (j))		Sheri Wysong	N	SW 2/7/11
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)? (43 CFR 46.215 (k))		Elvis Wall	N	EW 2/4/11
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)? (43 CFR 46.215 (l))		Cameron Boyce	N	CB 2/3/2011
Concerns not Specifically Mentioned in the Extraordinary Circumstances				
Air Quality		Sheri Wysong	N	SW 2/7/11
Wastes, Hazardous or Solid		Melanie Peterson	N	MP 2/4/11
Forests and Rangelands		Domenic Bolognani		
Other				



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Caliente Field Office

P.O. Box 237 (1400 South Front St.)

Caliente, Nevada 89008-0237

http://www.blm.gov/nv/st/en/fo/ely_field_office.html

In Reply Refer To:
2930 (NVL0300)

DECISION

Project Las Vegas Bird Dog Club
Kita Morris
1495 Morning Sun Way
Las Vegas, NV 89110

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Special Recreation Permit
NV-045-11-045 Five Year
DOI-BLM-NV-L030-2011-0003CX

It is my decision to approve the Special Recreation Permit and implement the Las Vegas Bird Dog Club as described in the *Documentation of Land Use Plan Conformance and non-statutory Categorical Exclusion of Federal Action* associated with the proposal. *In accordance with 43 CFR 2931.8* this Decision is in full force and effective immediately

Background Information:

The Las Vegas Bird Dog Club has applied for a Special Recreation Permit to hold a two day competitive dog trial on February 12 and 13 2011. The event would be located adjacent to both sides of the road, which bisects the Mormon and East Mormon mountains. The club would camp on the west side of the road on previously disturbed ground and do the trials on the east side of the road. This event will be on BLM administrated land.

Scoping and Public Involvement:

An Interdisciplinary team scoped the proposed action for extraordinary circumstances in the Caliente Field Office on (1/04/2011). Team members determined that there would not be significant or otherwise unacceptable impacts to the resources and concerns identified in the attached *Extraordinary Circumstances Review Record*. In addition, the proposal would not:

Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)]. (43 CFR 46.215 (c))

Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. (43 CFR 46.215 (d))

Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. (43 CFR 46.215 (e))

Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. (43 CFR 46.215 (f))

Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment. (43 CFR 46.215 (i))

Rational For Decision:

As determined on the associated *Documentation of Land Use Plan Conformance and non-statutory Categorical Exclusion of Federal Action*, the proposed action is in conformance with the Ely District Approved Resource Management Plan (August 20, 2008) and the qualifications of a categorical exclusion. No further environmental analysis is required based on review of the proposal and the 12 exceptions to categorical exclusions.

Appeal:

This decision may be appealed to the Interior Board of Land Appeals (Board), U. S. Department of the Interior (DOI) Office of Hearings and Appeals, in accordance with the regulations contained in 43 CFR, Part 4. The appellant has the burden of showing that the decision appealed from is in error. If an appeal is taken, a notice of appeal must be filed at the Bureau of Land Management, Caliente Field Office, 1400 S Front St., Caliente, NV within 30 days of either of receipt of the decision if served a copy of the document, or otherwise within 30 days of the date of the decision. If sent by United States Postal Service, the notice of appeal must be sent to the following address:

Bureau of Land Management
Caliente Field Office
P O Box 237
Caliente, NV 89008-0237

The appeal may include a statement of reasons at the time the notice of appeal is filed, or the statement of reasons may be filed within 30 days of filing this appeal. At the same time the original documents are filed with this office, copies of the notice of appeal, statement of reasons, and all supporting documentation also must be sent to each party named in this decision and to the U. S. DOI Solicitor at the following address:

Regional Solicitor, Pacific Southwest Region
U.S. Department of the Interior
2800 Cottage Way, Room E-2753
Sacramento, CA 95825-1890

If a statement of reasons is filed separately from the notice of appeal, it also must be sent to the following location within 30 days after the notice of appeal was filed:

Interior Board of Land Appeals
Office of Hearings and Appeals
4015 Wilson Boulevard
Arlington, VA 22203

This Decision will remain in effect during the appeal unless a petition for Stay is granted. If the appellant wishes to file a petition pursuant to regulations at 43 CFR 4.21 for a stay of the effectiveness of this decision during the time that the appeal is being reviewed by the Board, 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. If the appellant requests a stay, the appellant has the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

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

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

Approved By: /s/Victoria Barr
Victoria Barr
Field Manager
Caliente Field Office

2/7/11
Date