

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

**Documentation of Categorical Exclusion
DOI-BLM-NV-L030-2011-0010-CX
February, 2011**

**Best in the Desert (BITD)
200 Non-Competitive Trail Ride**

Lincoln County, NV

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-045-11-003**

Proposed Action Title/Type: **BITD 200 Non-Competitive Trail Ride**

Location of Proposed Action:

T2S R65E Section 22, 23, 26, 27, 32-36

T2S R69E Section 8-18, 22-25 and 36

T2S R70E Section 30 and 31

T3S R64E Section 25, 35 and 36

T3S R65E Section 1-5, 9-16, 20, 24, 26,28, 30, 32,33,35 and 36

T3S R66E Section 17, 19, 21, 26-30, 33 and 36

T3S R67E Section 25, 29, 31-32, 35 and 36

T3S R68E Section 1-3, 10, 12, 13-15, 22, 23, 26, 27, 35 and 36

T3S R69E Section 1-5, 7, 8, 12, 13, 17-24, 30 and 31

T3S R70E Section 6-9, 14-16, 19-21, 23, 25, 26 and 29

T3S R71E Section 30 and 31

T4S R64E Section 2, 11-13, 23-25

T4S R65E Section 25-27, 30, 32-35

T4S R66E Section 5, 6, 10-12, 16, 19, 20 and 30

T4S R67E Section 1-14, 23-26 and 36

T4S R68E Section 1-4, 7-12, 18,-20

T4S R69E Section 5-8

T4S R70E Section 1, 2, 11, 14, 23, 26 and 34

T5S R67E Section 12-13

T5S R68E Section 4-9, 16-19, 25-31 and 35

T5S R69E Section 14-19, 24 and 30

T5S R70E Section 2, 3, 10, 11, 15, 16, 19-21

Proposed Action:

Casey Folks, of Best in the Desert (BITD), is proposing a three-day, non-competitive, escorted motorcycle trail ride on March 25-27, 2011. There will be an estimated 200-250 participants, with no spectators or pit crewmembers. Two separate routes are offered based on rider ability. The majority of the event occurs on pre-existing roads, active washes, and trails on BLM managed public lands (see map). A and C rides start and finish on private lands in Caliente at the Agua Caliente RV Park on all three days. Three fueling areas consist of one pick-up truck with an enclosed utility trailer carrying five-gallon fuel cans with approximately 50 gallons of fuel.

The race promoter and all participants would be required to abide by BLM stipulations (SRP Special Stipulations common to all Field Offices, Nevada). BLM recreation staff will conduct a post use inspection to evaluate any resource damage, and check all necessary rehabilitation of the roads and course clean up is completed. The proponent is required to obtain written permission from private landowners where the portions of the event cross private lands.

There are two classes for this event including the "A Ride" and the "C Ride" which are described further

below.

A- Ride – The A ride is more technical, for highly skilled riders. Pre-existing single-track trails, roads and active washes are marked with a different color with pink ribbons and pink arrows.

Gas Stops – A Ride:

- Day One - Friday, Borrow Pit, 2 miles west of Oak Springs Summit,
- Day Two - Saturday, cattle guard on Beaver Dam Road, approximately 14 miles from Highway 93.
- Day Three - Sunday, cattle guard on Beaver Dam Road, approximately 14 miles from Highway 93

C Ride – The C ride is for less skilled riders. This course would be on pre-existing single-track trails and two track roads, laid out with green and orange ribbon and green arrows.

Gas Stops - C Ride:

- Day One, Friday, 5-Points Road, one mile east of BLM signs on Barnes Canyon Road.
- Day Two – Saturday, cattle guard on Beaver Dam Road, approximately 14 miles from Highway 93.
- Day Three – Sunday, Dry Lake Valley six miles north on the power line road, by the old ranch house.

The event would take place within the following watersheds, Meadow Valley Wash North, Dry Lake Valley, Clover Creek South, Clover Creek North, Panaca Valley and Escalante Desert.

The affected range allotments include the Applewhite, Oak Springs, Cliff Springs, Ely Springs Cattle, Klondike, Bennett Spring, Caliente, Peck, Little Mountain, Clover Creek, Mustang Flat, Cottonwood, Sheep Flat, Barclay and Haypress, Enterprise, Oak Wells, Buckboard, Sheep Springs, Panaca Cattle, Rabbit Springs and Crestline.

The event is outside of Desert Tortoise habitat and wilderness areas.

The Project area is in portions of Lower Meadow Valley Wash Area of Critical Environmental Concern (ACEC) north of the City of Caliente on private property.

B. Land Use Plan (Plan) Conformance

LUP Name: **Ely Resource Management Plan** Date Approved/Amended: **August 20, 2008**

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

Goals: “Provide quality settings for developed and undeveloped recreation experiences and opportunities while protecting resources. Conduct an assessment of current and future off-highway vehicle demand, and plan for and balance the demand for this use with other multiple uses/users. Develop sustainable off-highway vehicle use areas to meet current and future demands, especially for urban interface areas.”

Caliente Categorical Exclusion Review Record

BITD 200 TRAIL RIDE 2011				
DOI-BLM-NV-L030-2011-0010-CX		Resource Specialist/ID Team Member	Y/N or (NP*)	Initials/ Date
Would the Proposed Action:				
Have significant impacts on public health or safety? (43 CFR 46.215 (a))		Melanie Peterson	N	See Attached
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))	Cultural/Historic Resources	Leslie Riley	N	LR 2/9/11
	Recreation Lands			
	Park or Refuge Lands	-----	NP	-----
	Wilderness/WSA	Dave Jacobson	N	DJ 2/4/22
	Drinking Water Aquifers	Mark D'Aversa	N	MD 2/9/11
	Prime Farmlands	Mark D'Aversa	N	MD 2/9/11
	Wetlands/Floodplains	Mark D'Aversa	N	MD 2/9/11
	Migratory Birds	Andrew Daniels	N	AD 2/1/11
	ACECs/Cultural	Leslie Riley	N	LR 2/9/11
ACECs/Wildlife	Andrew Daniels	N	AD 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	N	LR 2/9/11
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))		Andrew Daniels	N	AD 2/1/11
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 2/15/11
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 2/1/2011
Concerns not Specifically Mentioned in the Extraordinary Circumstances				
Air Quality		Sheri Wysong	N	SW 2/15/11
Wastes, Hazardous or Solid		Melanie Peterson	N	See Attached
Forests and Rangelands		Domenic Bolognani		
Other				

*NP-Not Present in the district and/or the area of effect of the proposed action



**Melanie
Peterson/EYFO/NV/BLM/DOI**
01/27/2011 03:15 PM

To Sheri Wysong/CFS/NV/BLM/DOI@BLM
cc Elizabeth Domina/CFS/NV/BLM/DOI@BLM
bcc
Subject Re: Caliente Scoping Meeting 

Yucca Chuckars - no comments or concerns

BITD - no comments or concerns

SNDR - no comments or concerns

Melanie Peterson
Environmental Protection Specialist/HazMat/Safety
Bureau of Land Management
Ely District Office
HC 33 Box 33500
Ely, NV 89301

(775)289-1829 work
(775)296-0375 cell
(775)289-1910 fax
Sheri Wysong/CFS/NV/BLM/DOI



**Sheri
Wysong/CFS/NV/BLM/DOI**
01/20/11 03:40 PM

To Alan Kunze/CFS/NV/BLM/DOI@BLM, Alicia Styles/CFS/NV/BLM/DOI@BLM, Benjamin Noyes/EYFO/NV/BLM/DOI@BLM, Cameron Boyce/CFS/NV/BLM/DOI@BLM, Dave Jacobson/EYFO/NV/BLM/DOI@BLM, Domenic Bolognani/CFS/NV/BLM/DOI@BLM, Elvis Wall/EYFO/NV/BLM/DOI@BLM, Mark D'Aversa/EYFO/NV/BLM/DOI@BLM, Melanie Peterson/EYFO/NV/BLM/DOI@BLM, Nicholas Pay/CFS/NV/BLM/DOI@BLM, Zachary Peterson/EYFO/NV/BLM/DOI@BLM, Kyle Teel/CFS/NV/BLM/DOI@BLM, Andrew Daniels/CFS/NV/BLM/DOI@BLM, Samuel Styles/CFS/NV/BLM/DOI@BLM, Emma Hansen/EYFO/NV/BLM/DOI@BLM, Kenneth Humphrey/EYFO/NV/BLM/DOI@BLM, Karen McAdams-Kunze/CFS/NV/BLM/DOI@BLM, Elizabeth Domina/CFS/NV/BLM/DOI@BLM, Michelle Campeau/CFS/NV/BLM/DOI@BLM
cc Nancy M Williams/EYFO/NV/BLM/DOI@BLM, Shirley Johnson/CFS/NV/BLM/DOI@BLM, Clinton Wertz/CFS/NV/BLM/DOI@BLM, Victoria Barr/CFS/NV/BLM/DOI@BLM
Subject Caliente Scoping Meeting

Hello All

We've got a scoping meeting scheduled at 10:30 a.m. on February 1. We have four projects scheduled, but Nancy isn't sure she will be able to attend, so if she can't we will postpone scoping the MVW tamarisk

treatment proposal. The other three are SRPs, one of which (Yuccachuckers) we tried to scope last time but ended up having to revise the proposal. So, we'll try it again.

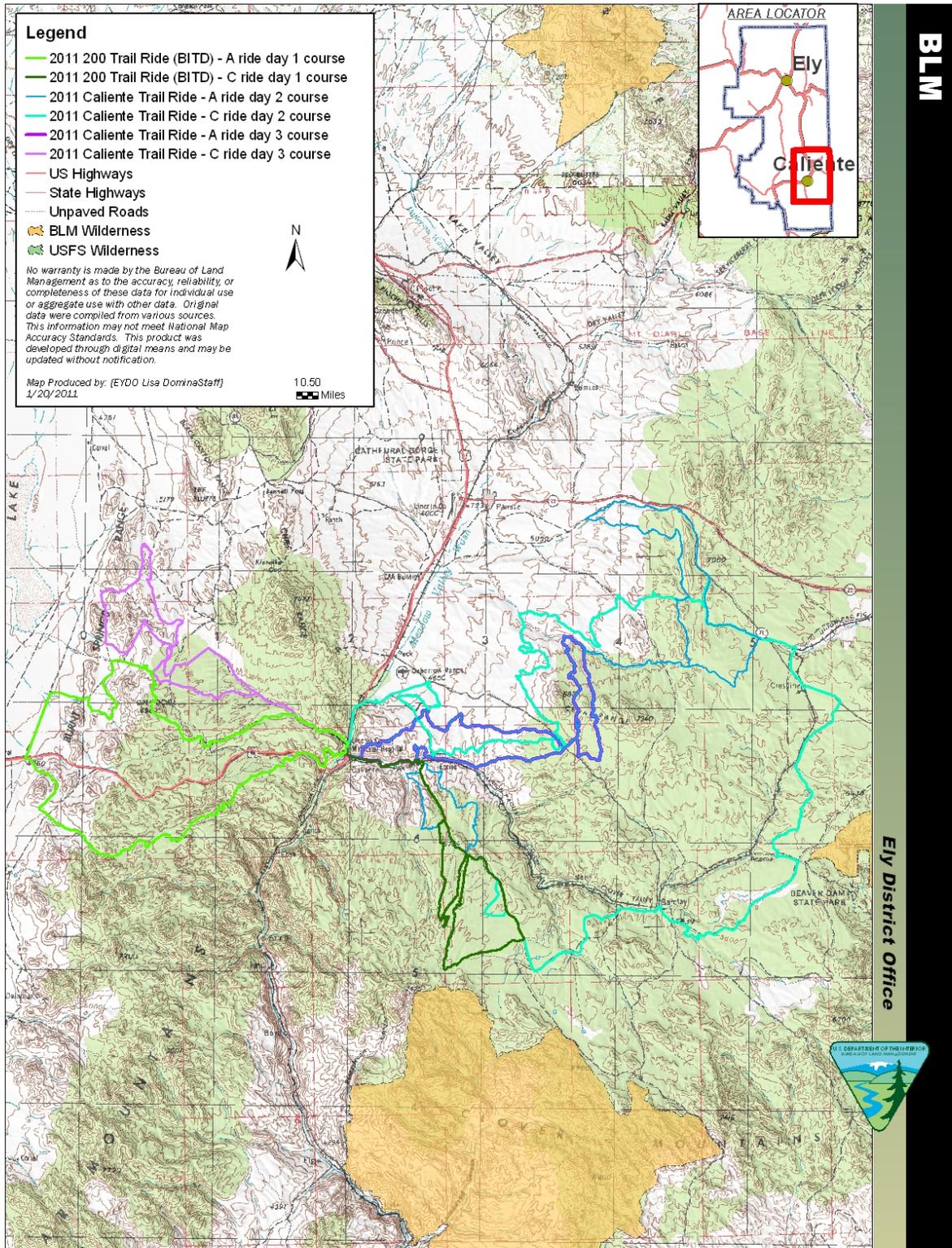
Shortcuts to the project files can be found at the url:

\\ilmnvca6na1\users\Public\NEPA\Scoping 02-01-11

Sheri Wysong
Planning and Environmental Coordinator
Caliente Field Office
775-726-8140

If you don't have time to do it right, when will you have time to do it over? John Wooden

Attachment B





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

BITD 200 Trail Ride	:	Special Recreation Permit
Casey Folks	:	NV-045-11-003
3475 Boulder HWY STE C	:	NEPA # DOI-BLM-NV-L030-2011-0010-CX
Las Vegas, NV 89121-1518	:	

It is my decision to approve the Special Recreation Permitting and implement of the BITD 200 Non-Competitive Trail Ride, 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 effect immediately.

Background Information:

Best in the Desert (BITD), is proposing a three-day, non-competitive, escorted motorcycle trail ride on March 25-27, 2011. There will be an estimated 200-250 participants, with no spectators or pit crewmembers. Two separate routes are offered based on rider ability. The majority of the event occurs on pre-existing roads, active washes, and trails on BLM managed public lands (see map).

Scoping and Public Involvement:

An Interdisciplinary team scoped the proposed action for extraordinary circumstances in the Caliente Field Office on 2/1/2011. Team members determined that there would not be significant or otherwise unacceptable impacts to the resources and concerns identified in the attached Categorical Exclusion Review Record and no *Extraordinary Circumstances* were identified. 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))

Rationale: The effects of overland OHV trail rides are well known. Decisions were made in the Ely RMP to resolve conflicts of racing with other resources.

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

Rationale: The proposed action does not have any highly uncertain or potentially significant environmental effects nor does it involve any unknown environmental risks.

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))

Rationale: The trail ride is a single event that will not determine the decisions for any future actions.

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

Rationale: There are no known actions that would cumulatively impact resources impacted by this action.

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))

Rationale: The proposed action would not violate any Federal, State, Local or Tribal Law. Nor would it violate any law or requirement imposed for the protection of the environment.

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/ Michael Dwyer Acting for
Victoria Barr
Field Manager
Caliente Field Office

2/14/2011
Date