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

Environmental Assessment NV-045-08-010
August, 16, 2008

Best in the Desert
Truck and Buggy Race

U.S. Department of the Interior
Bureau of Land Management
Caliente Field Office
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Environmental Assessment: NV-045-2008-010
Special Recreation Permit: NV-045-08-013

Prepared By: Chris Linehan
Outdoor Recreation Planner
August 16, 2008

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EA: NV-045-2008-010
SRP: NV-045-08-013

I. INTRODUCTION

Need for the Proposed Action

The purpose of the proposed action would be to respond to an application for a competitive race event on public lands by Casey Folks with Best in the Desert (BITD) Racing Organization and other racing organizations under appropriate terms and conditions needed to minimize impacts to other resource values and uses. The need for this action is in response to a demand for competitive motorized racing opportunities. The event would provide an organized racing opportunity for participants with motorcycles, all-terrain vehicles (ATVs) and full-size vehicles.

The BLM prepared this environmental assessment (EA) pursuant to the Code of Federal Regulations (CFR), implementing the National Environmental Policy Act (NEPA). The EA analyzes the site specific impacts of the proposed action and alternative actions to prevent undue and irreversible impacts to the resources found on BLM managed public land. This EA will address two alternatives; the proposed action and a no action alternative. The analysis of the proposed action contained in this EA would be sufficient for subsequent relevant events until the proposed action and/or land management issues change as to require new NEPA analysis.

Location of Proposed Action

The route proposed for use is located outside of Caliente, Alamo, and Mesquite Nevada in Lincoln County. The legal description for the route proposed for use is as follows:

T 06 S, R 61 E, Sections 21, 22, 27-29, 32-35
T 07 S, R 61 E, Sections 1, 2, 11-13
T 07 S, R 62 E, Sections 1-3, 9, 10, 12, 16-18, 20
T 07 S, R 63 E, Sections 6, 7
T 06 S, R 63 E, Sections 30, 31
T 06 S, R 62 E, Sections, 2, 3, 11, 14, 23, 24, 25
T 05 S, R 62 E, Sections, 1, 11, 12, 14, 23, 26, 34, 35
T 04 S, R 62 E, Sections, 1-3, 9-11, 16, 21, 22, 26, 27, 35, 36
T 03 S, R 62 E, Sections, 2, 11-13, 24, 25, 36
T 02 S, R 62 E, Sections, 24, 26, 35
T 03 S, R 63 E, Sections, 2, 5, 8-11
T 02 S, R 63 E, Sections, 1-3, 11, 14, 19, 22, 23, 26, 30-32, 35
T 01 S, R 63 E, Sections, 27, 33-36
T 02 S, R 64 E, Sections, 6-8, 17, 20, 29, 32

T 03 S, R 64 E, Sections, 3-5, 10-12
T 03 S, R 65 E, Sections, 4, 5, 7-9, 17, 18
T 02 S, R 65 E, Sections, 3, 10, 15, 22, 27, 32-34
T 01 S, R 65 E, Sections, 2, 11-13, 25-28, 34, 36
T 01 N, R 65 E, Sections, 25, 26, 35
T 01 N, R 66 E, Sections, 8-12, 17, 20, 29, 30
T 01 N, R 67 E, Sections, 7, 18, 19, 29-34
T 01 S, R 66 E, Sections, 18-22, 27, 31, 34
T 01 S, R 67 E, Sections, 1, 2, 12, 21-24, 25, 27, 28, 32, 33, 36
T 01 S, R 68 E, Sections, 7, 17-21, 28, 33, 34, 35
T 02 S, R 66 E, Sections, 1-4, 6-10, 13, 15, 17, 18,22-24
T 02 S, R 67 E, Sections, 1, 4-6, 10-12, 14-18, 20, 21
T 02 S, R 68 E, Sections, 2-4, 9, 10, 15, 16, 20, 21, 28, 29, 33
T 03 S, R 68 E, Sections, 3, 4, 10, 11, 13, 14, 21-23, 28, 29, 31, 32
T 03 S, R 67 E, Sections, 26-29, 32, 35, 36
T 04 S, R 67 E, Sections, 1, 5, 8-11, 13, 14, 24, 25
T 04 S, R 68 E, Sections, 6, 7, 30, 31
T 05 S, R 68 E, Sections, 4, 5, 9, 15, 22, 25-27, 35
T 05 S, R 69 E, Sections, 30-34
T 06 S, R 69 E, Sections, 3, 4, 9, 15, 16, 21, 22, 27, 28, 34-36
T 07 S, R 69 E, Sections, 1, 13, 24, 25, 35, 36
T 07 S, R 70 E, Sections, 6, 7, 18
T 08 S, R 69 E, Sections, 1, 2, 12, 13, 24, 25, 36
T 8.5 S, R 69 E, Sections, 35
T 09 S, R 69 E, Sections, 2, 3, 9, 10, 16, 17, 20, 28, 29, 33
T 10 S, R 69 E, Sections, 4, 9, 10, 15, 23, 26, 35
T 11 S, R 69 E, Sections, 1, 2, 12, 13, 36
T 11 S, R 70 E, Sections, 18, 19, 30, 31
T 12 S, R 70 E, Sections, 7, 17, 18, 20, 29, 32, 33
T 13 S, R 70 E, Sections, 4, 9, 17, 20, 21,29, 32

Conformance with Land Use Plan

The Proposed Action is guided by the following laws and regulations:

- The Migratory Bird Treaty Act of 1918, as implemented by the Ely District Policy Management Actions for the Conservation of Migratory Birds in accordance with Executive Order 13186.
    - This policy states that there is a "'no activity' period for all management actions in migratory bird habitat" from May 1 to July 15 "unless a survey is done to determine no migratory bird breeding or nesting is occurring in the area."
- The Endangered Species Act of 1973
- The Federal Lands Management Policy Act (FLPMA) of 1976
- Lincoln County Conservation, Recreation and Development Act of 2004
- The Fundamentals of Rangeland Health (43 CFR 4180.1)

The Proposed Action has been reviewed for conformance with the following plans as required by 43 CFR 1610.5 and BLM MS 1617.3:

- Caliente Management Framework Plan Tortoise Amendment (Sep. 19, 2000)
    - This plan directs the agency "to designate specific areas and trails on public lands on which the use of off-road vehicles may be permitted."

- Proposed Ely District Resource Management Plan (RMP)

The Proposed Action is consistent with the following plans and guidelines:

- Lincoln County Master Plan, (September 4, 2007)
- Lincoln County Public Land Management and Use Plan (1997)
- Ely BLM Field Office Recreation Plan (March 2003)
    - This plan identifies the need to "properly manage an OHV program," including the development of OHV use areas with trailheads and public access points.
- Lincoln County Elk Management Plan (2005)
- Lincoln County Sage Grouse Plan (2004)
- Northeastern Great Basin and Mojave/Southern Great Basin Resource Advisory Council Standards and Guidelines
- Meadow Valley/Clover Creek Watershed Management Plan (June 17, 2000)
- Nevada Northeastern Great Basin Resource Advisory Council "OHV Administration Guidelines for Nevada Public Lands"
- National Management Strategy for Motorized Off-Highway Vehicle Use on Public Lands (BLM 2001)

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II. PROPOSED ACTION AND ALTERNATIVES

Proposed Action

The event is an off-highway vehicle (OHV) race event.

BITD has applied for a Special Recreation Permit. The purpose of the action is to conduct their *2008 Silver State 300* on Saturday September 27th 2008 with a reconnaissance ride on September 13th – 14th 2008.

The race would be conducted using full size trucks, buggies, motorcycles and all terrain vehicles (ATVs). The proposed race course would be approximately 290 miles in length and is located entirely on existing roads, trails, washes and previously disturbed areas. The pit locations, start/finish, and primary concentration of spectators would be located on private land in Caliente, private land in Alamo, and on BLM land (see Appendix A for pit/start location).

This event would be a competitive race. The proponent expects that 250 event participants and 100 spectators would attend the event. It is anticipated that the popularity of the activity would increase in the future, increasing the number of spectators and participants. For analysis purposes it is estimated that up to 300 participants and 300 spectators would attend events in the future.

Per event stipulations the race permittee would be responsible for all clean-up efforts and any restoration measures required at pit locations and along the permitted courses following the event. The permittee would provide portable toilets for use by spectators and participants. On-site emergency medical services and communication would be provided by the permit holder.

As part of the operations plan and per event stipulations the proponent/permit holder would be required to ensure that participants wash their equipment prior to beginning the race to reduce the potential for the spread of noxious and invasive weed species.

A Cultural Resource Needs Assessment would be completed prior to the event in coordination with the cultural specialist to ensure that impacts to cultural resources are addressed and mitigated for. A Class III Cultural Resource survey would be completed for any sections of course not previously inventoried to ensure archeology resources are protected. Protection measures would include course adjustment, course marking, or other measures deemed necessary to protect cultural resources.

This event would be monitored in accordance with Ely District SRP policy to ensure impacts resulting from this event in regards to weeds and soils would be mitigated. Pre- and post-course inspections would be done of the course and photo monitoring points would be taken to document the impacts.

Included as part of the proposed action are the applicable BLM permit conditions checked on the reverse side of Special Recreation Permit form 2930-1 and special stipulations attached which are made a part of the race permit. The permit and stipulations are attached as Appendix B to this environmental assessment and have been incorporated at mitigating measures inherent to the proposed action for purposes of this environmental assessment.

Checkpoints would be located along the race course to assure entrants are limited to the authorized route only, and to radio in any accidents, injuries, or disabled vehicles. Participants caught short coursing or missing checkpoints would be disqualified. A sweep of the race course would be conducted after the leader crosses the finish line to check for disabled racers. An approved emergency response team consisting of a dedicated ambulance and EMTs would be onsite to provide emergency medical services.

A BLM outdoor recreation planner would monitor the event for compliance with all stipulations. The race promoter and all participants would be required to abide by BLM stipulations (SRP stipulations 1-16 and Special Stipulations for SRPs common to all Field Offices, Nevada). Post event, the permittee would be required to perform rehabilitation work on portions of the racecourse that utilize or cross major roads to pre-event conditions. All work, including the submittal of a post use report and payment of fees, must be performed within 15 days following the event. After 15 days, BLM

recreation staff would conduct a post use inspection to evaluate any resource damage and to check if the rehabilitation of the roads and course clean up has been completed.

No-Action Alternative

The no-action alternative would be to deny BITD this SRP to conduct an OHV race on BLM administrated lands. If this alternative is selected the purpose and need would not be met, and the demand for a competitive OHV event would continue.

Alternatives Considered by Eliminated From Detailed Analysis

No other alternatives were considered, as the mitigated proposed action was determined to best respond to the need for this motorized event while avoiding resource impacts.

Issues

Concerns regarding Cultural Resources, Migratory Birds, Fish and Wildlife, Threatened and Endangered Species, Noxious and Non-Native Invasive Weeds Species, were identified during internal scoping and are addressed in this EA.

III. AFFECTED ENVIRONMENT

Mandatory Items for Consideration

The following items have been evaluated for the potential for significant impacts to occur, either directly, indirectly or cumulatively, due to implementation of the proposed action. Consideration of some of these items is to ensure compliance with laws, statutes or Executive Orders that impose certain requirements upon all Federal actions. Other items are relevant to the management of public lands in general, and to the Ely BLM in particular.

Resource/Concern	Issue(s) Analyzed ? (Y/N)	Rationale for Dismissal from Analysis or Issue(s) Requiring Detailed Analysis
Air Quality	N	No long term impacts
Cultural Resources	Y	Proposed Project in Medium to High Sensitivity Area in the Great Basin Site Sensitivity Model.
Forest and Rangeland Health	N	Does not affect
Migratory Birds	Y	Migratory Birds are present within the Panaca Watershed.
Native American Religious Concerns	N	None present

FWS Listed or proposed for listing Threatened or Endangered Species or critical habitat.*	Y	Portions of this event are in desert tortoise habitat..
Wastes, Hazardous or Solid	N	No wastes are anticipated
Water Quality, Drinking/Ground	N	Does not have any water crossings
Wilderness	N	Does not impact wilderness
Environmental Justice	N	Not affected.
Floodplains	N	Does not change any watershed properties
Wetlands/Riparian Zones	N	Does not affect
Invasive Non-native Species	Y	Potential for the spread of weeds.
Special Status Animal Species, other than those listed or proposed by the FWS as Threatened or Endangered	Y	The Desert Bighorn Sheep, Gila Monster, and Burrowing Owl, occur within portions of the race course.
Special Status Plant Species, other than those listed or proposed by the FWS as Threatened or Endangered	N	None present
Wild Horses	N	Does not affect
Fish and Wildlife	Y	Potential impacts to species.
Vegetation/Soils/Watershed	N	No issues.
Special Designations other than Designated Wilderness	N	None present
VRM	N	Does not affect
Grazing Uses	N	Does not affect
Land Uses	N	Does not affect
Recreation Uses	N	Does not affect
Paleontological Resources	N	Does not affect
Water Resources (Water Rights)	N	Does not affect
Mineral Resources	N	Does not affect
Vegetative Resources (Forest or Seed Products)	N	Does not affect

Cultural Resources

The proposed race route is covered by the Great Basin Site Sensitivity Model, developed for the Ely District, which assists in determining probability of cultural site location. The

model indicates the majority of the proposed route is located in areas having a medium to high potential for containing cultural resources. Approximately 25 percent of the course has received Class III inventory.

A cultural needs assessment has been completed for this proposed project. The determination has been made that the proposed course, entirely located on previously disturbed routes, will not require additional further Class III survey. Monitoring and protection measure will occur for areas likely containing cultural resources to ensure no new impact will occur as a result of permitting this activity. The discovery of any cultural resources during the event will require analysis by an archeologist to determine eligibility. If the cultural resources discovered are potentially eligible, stopping and or re-routing the event will be necessary

Noxious and Non-native Invasive Weeds

The BLM defines a weed as a non native plant that disrupts or has the potential to disrupt or alter the natural ecosystem function, composition and diversity of the site it occupies. A weeds presence deteriorates the health of the site, it makes efficient use of natural resources difficult, and it may interfere with management objectives for that site. It is an invasive species that requires a concerted effort (manpower and resources) to remove from its current location, if it can be removed at all. "Noxious" weeds refer to those plant species which have been legally designated as unwanted or undesirable. This includes national, state and county or local designations.

No field surveys were completed for this project. Instead, the Ely District weed inventory data was consulted. There are currently no documented weed infestations along the proposed race route. The following noxious and non-native, invasive species are found in the surrounding areas:

Carduus nutans	Musk thistle
Centaurea stoebe	Spotted knapweed
Cirsium vulgare	Bull thistle
Lepidium draba	Hoary cress
Lepidium latifolium	Tall whitetop
Linaria dalmatica	Dalmatian toadflax
Onopordum acanthium	Scotch thistle
Tamarix spp.	Salt cedar

While not officially inventoried the following non-native invasive weeds probably occur along or near portions of the race course: cheatgrass (*Bromus tectorum*), Russian thistle (*Salsola kali*), halogeton (*Halogeton glomeratus)*, tumble mustard (*Sisymbrium altissimum*), and puncturevine (*Tribulus terrestris*). This area of the Ely District was last inventoried for weeds in 2003.

Threatened or Endangered Species

The Desert Tortoise is the only threatened species located near the proposed event. It is located Near the start area of the race and at the end of the proposed route.

Migratory Birds

The Migratory Bird Treaty Act (MBTA; 16 U.S.C. 703-711) protects all native birds found commonly in the United States, with the exception of native game birds. Executive Order 13186, signed January 10, 2001, directs federal agencies to protect migratory bird species by integrating bird conservation principles, measures, and practices.

Species protected by the MBTA with a potential to occur within or near the event route include: lesser nighthawk (*Chordeiles acutipennis*), common poorwill (*Phalaenoptilus nuttallii*), white-throated swift (*Aeronautes saxatalis*), black-chinned hummingbird (*Archilochus alexandri*), ladder-backed woodpecker (*Picoides scalaris*), Northern flicker (*Colaptes* sp.), Say's phoebe (*Sayornis saya*), ash-throated flycatcher (*Myiarchus cinerascens*), Cassin's kingbird (*Tyrannus vociferans*), Western kingbird (*Tyrannus verticalis*), Bell's vireo (*Vireo bellii*), gray vireo (*Vireo vicinior*), Western scrub-jay (*Aphelocoma californica*), common raven (*Corvus corax*), violet-green swallow (*Tachycineta thalassina*), cliff swallow (*Petrochelidon pyrrhonota*), verdin (*Auriparus flaviceps*), rock wren (*Salpinctes obsoletus*), canyon wren (*Catherpres mexicanus*), Bewick's wren (*Thryomanes bewickii*), blue-gray gnatcatcher (*Polioptila caerulea*), American robin (*Turdus migratorius*), Northern mockingbird (*Mimus polyglottos*), European starling (*Sturnus vulgaris*), Lucy's warbler (*Vermivora luciae*), yellow warbler (*Dendroica petechia*), yellow-rumped warbler (*Dendroica coronata*), common yellowthroat (*Geothlypis trichas*), yellow-breasted chat (*Icteria virens*), summer tanager (*Piranga rubra*), western tanager (*Piranga ludoviciana*), spotted towhee (*Pipilo maculatus*), black-chinned sparrow (*Spizella atrogularis*), black-throated sparrow (*Amphispiza bilineata*), song sparrow (*Melospiza melodia*), black-headed grosbeak (*Pheucticus melanocephalus*), blue grosbeak (*Guiraca caerulea*), Lazuli bunting (*Passerina amoena*), red-winged blackbird (*Agelaiua phoeniceus*), Western meadowlark (*Sturnella neglecta*), yellow-headed blackbird (*Xanthocephalus xanthocepha*), great-tailed grackle (*Quiscalus mexicanus*), brown-headed cowbird (*Molothrus ater*), Bullock's oriole (*Icterus bullockii*), house finch (*Carpodacus mexicanus*), lesser goldfinch (*Carduelis psaltria*), and house sparrow (*Passer domesticus*). The aforementioned species were recorded on the Meadow Valley North American Breeding Bird Survey Route, which is located south of the event route. Additionally, Meadow Valley Wash is a designated Important Bird Area of Nevada that provides habitat and a migration corridor for riparian and desert species. The wash contains habitat for year-round residents, seasonal breeding birds, and migrants.

Wildlife

BLM sensitive species that occur near the event route include *Desert Tortoise* (*Gopherus agassizii*)*:* The Mojave subspecies of the desert tortoise is a federally threatened species that occurs within the event area. This long-lived reptile was historically common throughout the Mojave Desert, but has declined substantially throughout much of its range. The decline is attributed to a number of factors, including upper-respiratory tract

disease, loss of habitat, and predation by the common raven, and direct disturbance by humans.
Other potential wildlife species along or near the event route include mule deer (*Odocoileus hemionus*), desert collared lizard (*Crotaphytus insularis*), elk (*Cervus elaphus*), pronghorn antelope, Desert bighorn sheep, Gila monster, bobcat, mountain lion, coyote, kit fox, jackrabbit, cottontail, burrowing owl, Gambel's quail, chukar, greater roadrunner, and various small mammals and reptiles. The area provides year-round habitat for deer and elk.

IV. ENVIRONMENTAL IMPACTS

Impacts of the Proposed Action

Cultural Resources

The proposed race route is covered by the Great Basin Site Sensitivity Model, developed for the Ely District, which assists in determining probability of cultural site location. The model indicates the majority of the proposed route is located in areas having a medium to high potential for containing cultural resources. Approximately 50 percent of the course has received Class III inventory, during which three archaeological sites were documented. These known, prehistoric, sites are located over 40 meters from the course, and will have a low likelihood of being adversely effected by the proposed activity.

A cultural needs assessment has been completed for this proposed project. The determination has been made that the proposed course, entirely located on previously disturbed routes, would not require additional further Class III survey. Monitoring and protection measure would occur for areas likely containing cultural resources to ensure no new impact would occur as a result of permitting this activity. The discovery of any cultural resources during the event would require analysis by an archeologist to determine eligibility. If the cultural resources discovered are potentially eligible, stopping and or re-routing the event would be necessary

Noxious and Non-native Invasive Weeds

A Noxious and Invasive Weed Risk Assessment was completed for this project (Appendix I). Due to the nature of the event and the tendency for vehicles to carry seeds from other sources, there is a moderate risk of areas along the course becoming infested by noxious or non-native invasive weeds. The primary concern for this project is the potential introduction of Sahara mustard (*Brassica tournefortii*) into the area from Las Vegas. Most of the participants will be coming from the Clark County area which is heavily infested with this noxious weed. Vehicles **must** be properly cleaned prior to racing to prevent spreading the infestation into Lincoln County. Most of the race route is considered to be weed-free. Any new weed infestations in this area could have adverse effects on the native vegetation. If cheatgrass becomes heavily established it could alter the fire regime of the area. Preventative measures to help mitigate the possible effects of the race on the native plant communities include:

Preventative measures: Take before and after observation photos of key impact and possible weed vector areas, as required by our OHV monitoring report. These photo points are repeated as the course is used in following years.

Active measures: Insure the promoter knows about and promotes the stipulation requiring the racers to wash their race vehicles before the event. Racers who do not comply will be subject to penalty and/or disqualification.

Reactive measures: Notify the proper weed control agency concerning treating any populations of noxious weeds observed following the race. Establish photo point sites at key locations (as outlined in the BLM rangeland guide) in relation to course impacts and existing or possible weed populations along the course. Revisit these monitoring points for three years to monitor any changes related to weeds. Monitor any known infestations and do follow up treatments as necessary.

In addition to these measures the following Ely District BMPs will be followed:

- Prior to entering public lands, the contractor, operator, or permit holder will provide information and training regarding noxious weed management and identification to all personnel who will be affiliated with the implementation of the project. The importance of preventing the spread of weeds to uninfested areas and importance of controlling existing populations of weeds will be explained.
- To eliminate the transport of vehicle-borne weed seeds, roots, or rhizomes all vehicles and heavy equipment used for the completion, maintenance, inspection, or monitoring of ground disturbing activities or for authorized off-road driving will be free of soil and debris capable of transporting weed propagules. All such vehicles and equipment will be cleaned with power or high pressure equipment prior to entering or leaving the work site or project area. Cleaning efforts will concentrate on tracks, feet and tires, and on the undercarriage. Special emphasis will be applied to axels, frames, cross members, motor mounts, on and underneath steps, running boards, and front bumper/brush guard assemblies.

Threatened or Endangered Species

The above action has a may affect determination for the threatened desert tortoise (Gopherus agassizii). This project will have no affect on any other federally listed species or designated critical habitat. Section 7 Consultation for this project is covered under the Biological Opinion # 84320-2008-F-0078.

Migratory Birds

Given the timing of the event and that it would occur on existing roads and trails, the potential impacts to individual birds, such as destruction of eggs, nests and nesting habitat, reduction in habitat patch size, and habitat fragmentation would be negligible. Human presence and noise from the event may cause some temporary displacement and/or avoidance of the area to some species. While there may be localized effects to individuals, given the scale and length of time of disturbance of the event, this action is not expected to adversely affect populations of migratory birds.

Wildlife

Given the incorporation of wildlife mitigation measures, the proposed action would not contribute to the need to list the aforementioned BLM sensitive species. It is important to note that there are multiple activities occurring on the date of the proposed action. There are multiple big game hunts that will be happening on the same day as the proposed event. This could create a conflict between a race participant and a hunter. For this purpose we have consulted with Nevada Department of Wildlife (NDOW), which stated that: "Pre-race, and race activities potentially could disrupt game out of the hunted areas precluding quality conditions and experience for hunters. Granted some benefit could come from race events by hazing game out of vegetated areas." (NDOW-SR#09-067) Other wildlife species along or near the event route could be displaced or have their normal behavioral patterns disrupted due to the event.

No-Action Alternative

The no-action alternative would deny BITD a SRP to conduct an OHV race on BLM-administered lands. Thus, there would be no new impacts to wildlife, cultural resources, or noxious weeds as a result of this event.

Mitigation Measures

Threatened or Endangered Species/Wildlife Species

1. All vehicles will be inspected prior to the event to ensure proper fluid containment. Any vehicles leaking fluid (oil, transmission fluid, etc.) will not be permitted to participate in the event.

Noxious Weeds

1. Courses and routes for all speed and non-speed events shall be inspected for weeds by recreational staff prior to scheduled events on that particular course. Any areas found to be infested will be marked and will be avoided until the weeds are either eradicated or under control. If weed infestations along courses and routes cannot be avoided or treatments cannot be done to control the weed infestations, then that portion of the course(s) and route(s) will be avoided entirely.

2. The project proponent shall locate pits and staging areas for the use of equipment storage, machine and vehicle parking or any other area needed for the temporary placement of people, machinery and supplies in areas that are relatively weed-free. The project proponent shall avoid or minimize all types of travel through weed-infested areas or restrict major activities to periods of time when the spread of seed or plant parts are least likely.

3. Prior to entering public lands, the contractor, operator, or permit holder will provide information and training regarding noxious weed management and identification to all personnel who will be affiliated with the implementation of the project. The importance of preventing the spread of weeds to uninfested areas and importance of controlling existing populations of weeds will be explained.

4. To eliminate the transport of vehicle-borne weed seeds, roots, or rhizomes all vehicles and heavy equipment used for the completion, maintenance, inspection, or monitoring of ground disturbing activities or for authorized off-road driving will be free of soil and debris capable of transporting weed propagules. All such vehicles and equipment will be cleaned with power or high pressure equipment prior to entering or leaving the work site or project area. Cleaning efforts will concentrate on tracks, feet and tires, and on the undercarriage. Special emphasis will be applied to axels, frames, cross members, motor mounts, on and underneath steps, running boards, and front bumper/brush guard assemblies.

5. The project proponent shall evaluate options, to regulate the flow of traffic on sites where native vegetation needs to be established.

Cumulative Impacts

According to the BLM NEPA Handbook (2008), the analysis can be focused on those issues and resource values identified during scoping that are of major importance. The issue and resource values of major importance or public concern, which would be analyzed for cumulative impacts, include Cultural Resources, Migratory Birds, Fish and Wildlife, Threatened and Endangered Species, Noxious and Non-Native Invasive Weeds Species.

Cumulative impacts result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency or person undertakes such other actions. Cumulative impacts could result from individually minor, but collectively significant actions, taking place over a period of time (Council on Environmental Quality, Regulations for Implementation of NEPA, 1508.7).

The cumulative effects study area is the Panaca Watershed. A general discussion of past, present, and reasonably foreseeable future actions follows:

Past Actions

This area has been used for short term motorized events both competitive and non-competitive including trucks and motorcycles. On average, three events have been held in the general area for past 20-25 years. Some portions of the proposed course were used on various years during some of these events, the most recent being the 2008 SNORE race. Authorized course located within the White River South, Delamar Valley, Dry Lake

Valley, Paterson Wash, Panaca Valley, Clover Creek North & South, Beaver Dam Wash, Tule Desert, and Toquop Wash Watersheds were also used during these events. This area has also been used for grazing, motorized and non- motorized recreation activities, and wood cutting. Large Floods in 2005 affected this area.

Present Actions

Currently, grazing and various recreation activities such as dispersed OHV riding, hiking, cultural tourism, hunting and trapping are the main actions taking place within the event area. There is continued motorized and non-motorized recreation occurring within the area.

Reasonably Foreseeable Actions

Various motorized and non-motorized recreation activities within the area will continue to increase as the communities and tourism grow in the overall area. OHV recreation and permitted OHV events would continue to be held within the Panaca Watershed. Other multiple use activities would continue to take place in the area in the future. BLM land use planning documents anticipate an increase of use in this area related to recreation activities due to the growing population centers of Las Vegas and the planned Coyote Springs development. Reasonable Foreseeable actions include the preparation and completion of planning documents directed by the proposed Ely BLM District Resource Management Plan, which will direct and influence how the public uses the area regarding recreation, development, and land sales and transfers into the future. Other reasonably foreseeable actions include the Toquop Energy Project, Yucca Mountain rail alignment and the selling and transfer of ownership of public lands to private land the LCLA groundwater Development Project, and the construction of 50 upland water developments over the next five years..

The proposed action, combined with the past, present, and reasonably foreseeable future actions discussed above, would not provide an incremental cumulative impact to Cultural Resources.

Migratory Birds would not be cumulatively affected by the proposed action, combined with the past, present, and reasonably foreseeable future actions discussed above.

Fish and Wildlife would not see a large incremental cumulative impact combined with the proposed action and the past, present, and reasonably foreseeable future actions discussed above.

The proposed action, combined with the past, present, and reasonably foreseeable future actions discussed above, would not provide an incremental cumulative impact to Threatened and Endangered Species.

Noxious and Non-Native Invasive Weeds Species would not see a large incremental cumulative impact combined with the past, present, and reasonably foreseeable future actions discussed above based upon included mitigation measures to the proposed action.

V. CONSULTATION AND COORDINATION

Persons and Agencies Consulted
Project Lead
Chris Linehan – BLM Outdoor Recreation Planner

Agencies
Nevada Department of Wildlife
U. S. Fish and Wildlife Service

BLM Resource Reviewers
Lynn Wulf – BLM Archaeologist
Rick Baxter – BLM Wildlife Biologist
Kari Harrison– BLM Soil/Air/Water/Riparian
Joseph David – BLM Environmental Coordinator
Troy Grooms – BLM Rangeland Management
Bonnie Million – BLM Noxious & Non-native Invasive Weeds

2 Appendices:
- A – BITD race map
- B – BITD race stipulations

United States Department of the Interior
Bureau of Land Management
FINDING OF NO SIGNIFICANT IMPACT
Best in the Desert
Environmental Assessment
NV-045-2008-010
Permit Number
NV-045-2008-013

Introduction

The proposed action is in response to the Best in the Desert application for a Special Recreation Permit. The purpose of the action is to conduct their *2008 Silver State 300* on Saturday September 27th 2008.

The race would be conducted using full size trucks, buggies, motorcycles and all terrain vehicles (ATVs). The proposed race course would be approximately 290 miles in length and is located entirely on existing roads, trails, washes and previously disturbed areas. The pit locations, start/finish, and primary concentration of spectators would be located on private land in Caliente, private land Alamo, and on BLM land (see Appendix A for pit/start location).

This event would be a competitive race. The proponent expects that 150 event participants and 100 spectators would attend the event. It is anticipated that the popularity of the activity would increase in the future, increasing the number of spectators and participants. For analysis purposes it is estimated that up to 200 participants and 200 spectators would attend events in the future.

Per event stipulations the race permittee would be responsible for all clean-up efforts and any restoration measures required at pit locations and along the permitted courses following the event. The permittee would provide portable toilets for use by spectators and participants. On-site emergency medical services and communication would be provided by the permit holder.

As part of the operations plan and per event stipulations the proponent/permit holder would be required to ensure that participants wash their equipment prior to beginning the race to reduce the potential for the spread of noxious and invasive weed species.

A Cultural Resource Needs Assessment would be completed prior to the event in coordination with the cultural specialist to ensure that impacts to cultural resources are addressed and mitigated for. A Class III Cultural Resource survey would be completed for any sections of course not previously inventoried to ensure archeology resources are protected. Protection measures would include course adjustment, course marking, or other measures deemed necessary to protect cultural resources.

This event would be monitored in accordance with Ely District SRP policy to ensure impacts resulting from this event in regards to weeds and soils would be mitigated. Pre- and post-course inspections would be done of the course and photo monitoring points would be taken to document the impacts.

Included as part of the proposed action are the applicable BLM permit conditions checked on the reverse side of Special Recreation Permit form 2930-1 and special stipulations attached which are made a part of the race permit. The permit and stipulations are attached as Appendix B to this environmental assessment and have been incorporated at mitigating measures inherent to the proposed action for purposes of this environmental assessment.

Checkpoints would be located along the race course to assure entrants are limited to the authorized route only, and to radio in any accidents, injuries, or disabled vehicles. Participants caught short coursing or missing checkpoints would be disqualified. A sweep of the race course would be conducted after the leader crosses the finish line to check for disabled racers. An approved emergency response team consisting of a dedicated ambulance and EMTs would be onsite to provide emergency medical services.

A BLM outdoor recreation planner would monitor the event for compliance with all stipulations. The race promoter and all participants would be required to abide by BLM stipulations (SRP stipulations 1-16 and Special Stipulations for SRPs common to all Field Offices, Nevada). Post event, the permittee would be required to perform rehabilitation work on portions of the racecourse that utilize or cross major roads to pre-event conditions. All work, including the submittal of a post use report and payment of fees, must be performed within 15 days following the event. After 15 days, BLM recreation staff would conduct a post use inspection to evaluate any resource damage and to check if the rehabilitation of the roads and course clean up has been completed.

Finding of No Significant Impact

I have reviewed Environmental Assessment (EA) NV-045-2008-010, dated August, 2008. After consideration of the environmental impacts as described in the EA, and incorporated herein, I have determined that the proposed actions with the standard operating procedures as described in the EA will not significantly affect the quality of the human environment and that an Environmental Impact Statement (EIS) is not required to be prepared. This finding and conclusion is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 Code of Federal Regulations 1508.27), both with regard to the context and the intensity of impacts described in the EA. I have determined the proposed action is in conformance with the Caliente Management Framework Plan Tortoise Amendment.

Context:

The Bureau of Land Management (BLM) has the authority to permit OHV races under the Federal Land Policy and Management Act of 1976 (43 United States Code 1701 et seq.) (FLPMA)

Intensity:

1) *Impacts that may be both beneficial and adverse:*

No significant impacts were noted after the completion of similar OHV events. The proposed action will result in improved economics and tourism of the surrounding communities. Any negative effects caused by the proposed action are thought to be short term and temporary. Negative effects such as damaged roads are required to be repaired as part of the special stipulations that the permit holder agrees to.

2) *The degree to which the proposed action affects public health or safety:*
The proposed action will not have significant negative effects to public health and safety. Coordination with county entities and stipulations to minimize any negative effects to the public health and safety of the area are agreed upon by the permit holder. The spread of invasive, non-native species will be minimal and not significant as identified by the weeds risk assessment completed for this event. Stipulations requiring the permittee to implement practices to prevent the spread of noxious weeds will be attached to the permit, and field inspectors will ensure that the stipulations are followed.
3) *Unique characteristics of the geographic area such as proximity to historical or cultural resources, parks lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas:*
The project area is representative of the Great Basin and Mojave systems. No significant impacts are anticipated from the proposed action to floodplains, wetlands, and riparian areas; wilderness values, ACECs, and wild and scenic rivers; Visual Resource Management; cultural, Paleontological, and historical resource values; prime or unique farmlands; environmental justice; water quality (drinking/ground); Native American religious concerns; or migratory birds.
4) *The degree to which the effects on the quality of the human environment are likely to be highly controversial:*
The effects of organized events such as this are well known and documented and are not highly controversial. Stipulations are agreed upon by the permit holder to enable any negative effects from the event to be minimized and rehabilitated.
5) *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks:*
There are no known effects of the proposed action which are considered uncertain or involve unique or unknown risks.
6) *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration:*
The proposed action does not establish a precedent for future actions with significant effects and does not represent a decision in principle about a future consideration. All future similar events would be subject to the same environmental assessment standards and independent decision making.
7) *Whether the action is related to other actions with individually insignificant, but cumulatively significant impacts:* Based on the conditions set forth in this Finding of No Significant Impact, no significant impacts will occur due to the proposed action. The subsequent land use would be regulated by local, state, and federal regulations as applicable; therefore, no significantly cumulative impacts are anticipated.
8) *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing on the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historic resources:*
The proposed action will not cause the loss or destruction of significant scientific, cultural or historical resources. A cultural needs assessment was completed for this event to determine the threat the proposed action will pose to cultural and historical resources. Mitigation actions identified to ensure cultural or historical resources will not be

damaged include avoidance through rerouting the proposed course and barriers to prevent off-road travel into any cultural sites near the proposed routes.

9) *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973:*

The EA has identified that no significant or adverse impacts will result to a threatened or endangered species from implementing the proposed action.

10) *Whether the action threatens a violation of Federal, State, local or tribal law or requirements imposed for the protection of the environment:* This action is consistent with federal, state, local, and tribal laws and other requirements for the protection of the environment. The proposed action will not violate or threaten to violate any Federal, State, or local law or requirement imposed for the protection of the environment.

United States Department of the Interior
Bureau of Land Management
Decision Record
Best in the Desert
Environmental Assessment
NV-045-2008-010
Permit Number
NV-045-2008-013

Decision Record

I have reviewed Environmental Assessment (EA) NV-045-2008-010, dated August, 2008. I have determined the proposed action is in conformance with the approved Caliente Management Framework Plan Tortoise Amendment. It is my decision to implement the proposal as described, subject to the attached permit conditions, and special stipulations. I hereby approve this proposal which was mitigated through route planning procedures, and requirements contained in permit conditions and special stipulations which are included as part of this decision.

Rationale for Decision

Approval of this proposal will allow the applicant to conduct the race, which is a legitimate, multiple use activity that will result in no significant impact to important resource values.

Public Involvement

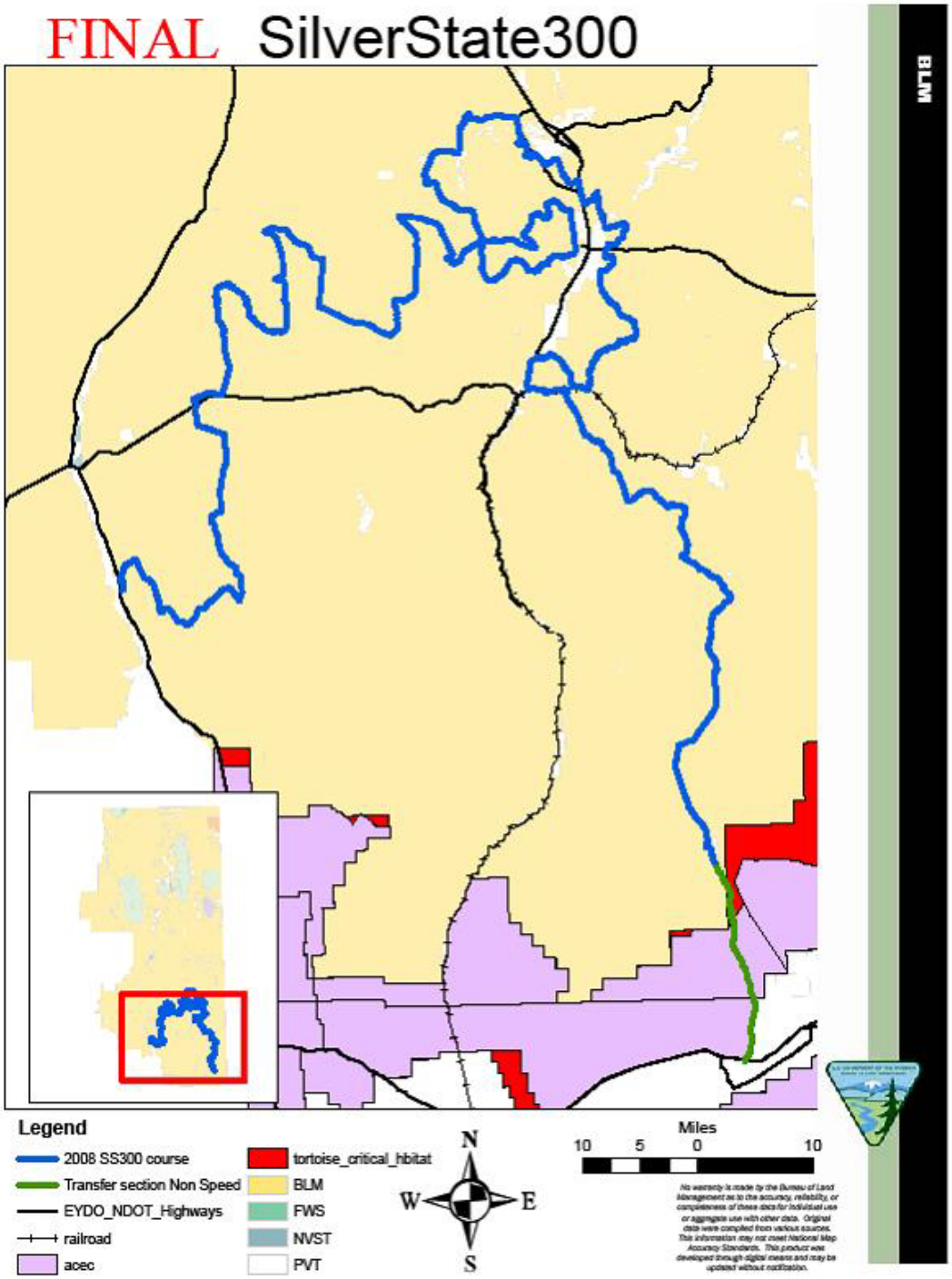
This document was made available for public review for 15 days on the BLM Ely district website.

__/s/Ron Clementson_____ _11/09/2008_____

Ron Clementsen
Field Manager
Caliente Field Office.

Date

FINAL SilverState300



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Caliente Field Office
1400 S. Front St.
P. O. Box 237
Caliente, NV 89008

SPECIAL RECREATION PERMIT STIPULATIONS

- ❑ 1. This permit is issued for the period specified herein. It is revocable for any breach of conditions hereof or at the discretion of authorized officer of the Bureau of Land Management, at any time upon notice. This permit is subjected to valid adverse claims heretofore or hereafter acquired.

- ❑ 2. This permit is subject to all applicable provisions of the regulations (43 CFR Group 2930) which are made a part hereof.

- ❑ 3. This permit is subject to the provisions of Executive Order no. 11246 of September 24, 1965, as amended, which sets forth the Equal Opportunity clauses. A copy of this order may be obtained from the signing officer.

- ❑ 4. This permit may not be reassigned or transferred by permittee.

- ❑ 5. Permittee **shall** pay the sum of estimated user fees in advance of permit issuance. Adjustments to use fee charges will based on actual use reported on the Post Use Report.

- ❑ 6. Permittee **shall** observe all Federal, State, and local laws and regulations applicable to the premises; to erection or maintenance of signs or advertising displays including the regulations for the protection of game birds and animals, and shall keep the premises in a neat, orderly manner, and sanitary condition.

- ❑ 7. Permittee **shall** take all reasonable precautions to prevent and suppress forest, brush, and grass fires, and to prevent polluting of waters on or in vicinity of the public lands.

- ❑ 8. Permittee **shall** not enclose roads or trails commonly in public use.

- ❑ 9. Permittee shall pay the United States for any damage to its property resulting from this use.

- ❑ 10. Permittee **shall** notify the authorized officer of address change immediately.

- ❑ 11. Permittee **shall** not cut any timber o the public lands without prior written permission from the authorized officer.

- ❑ 12. Permittee **shall** indemnify, defend, and hold harmless the United States and / or its agencies and representatives against and from any and all demands, claims, or liabilities of every nature whatsoever, including, but not limited to, damages to property, injuries to or death of persons, arising directly or indirectly from, or in any way connected with the permittee's use and occupancy of the public lands described in this permit or with the event authorized under this permit.

- ❑ 13. Authorized representatives of the Department of the Interior, other Federal agencies, and game wardens must at all times, have the right to enter the premises on official business.

- ❑ 14. Permittee **shall** abide by all special stipulations attached hereto.

- ❑ 15. Permittee **shall** not disturb archeological and historical values, including, but not limited to, petroglyphs, ruins, historic buildings, and artifacts.

- ❑ 16. Permittee **shall** leave in place any hidden cultural values uncovered through authorized operations.

Issuance of Permit

- ❑ 17. The permittee shall comply with all Federal, State, and local laws; ordinances; regulations; orders, postings; or written requirements applicable to the area or operations covered by the ***Special Recreation Permit*** (SRP). The permittee shall ensure that all persons operating under the authorization have obtained all required Federal, State, and local licenses or registrations. The permittee shall make every reasonable effort to ensure compliance with these requirements by all agents of the permittee and by all clients, customers, participants, or spectators under the permittee's supervision.

- ❑ 18. An SRP authorizes special uses of the public lands and related waters and, should circumstances warrant, the permit may be modified by the BLM at any time, including modification of the amount of use. The authorized officer may suspend or terminate a SRP if necessary to protect public resources, health, safety, the environment, or because of noncompliance with permit stipulations. Actions by the BLM to suspend or terminate a SRP are appealable.

- ❑ 19. No value shall be assigned to or claimed for the permit, or for the occupancy or use of Federal lands or related waters granted thereupon. The permit privileges are not to be considered property on which the permittee shall be entitled to earn or receive any return, income, price or compensation. The use of a permit as collateral is not recognized by the BLM.

- ❑ 20. Unless expressly stated, the SRP does not create an exclusive right of use of an area by the permittee. The permittee shall not interfere with other valid uses of the Federal land by other users. The United States reserves the right to use any part of the area for any purpose.

- ❑ 21. The permittee may not assign, contract, or sublease any portion of the permit authorization or interest therein, directly or indirectly, voluntarily or involuntarily. However, contracting of equipment or services may be approved by the authorized officer in advance, if necessary, to supplement a permittee's operations. Such contracting should not constitute more than half the required equipment or services for any one trip and the permittee must retain operational control of the permitted activity. If equipment or services are contracted, the permittee shall continue to be responsible for compliance with all stipulations and conditions of the permit.

- ❑ 22. All advertising and representations made to the public and to the authorized officer must be accurate. Although the addresses and telephone numbers of the BLM may be included in advertising materials, official agency symbols may not be used. The permittee shall not use advertising that attempts to portray or represent the activities as being conducted by the BLM. **The permittee may not portray or represent the permit fee as a special Federal user's tax.** The permittee must furnish the authorized officer with any current brochure and price list if requested by the authorized officer.

- ❑ 23. The permittee must assume responsibility for inspecting the permitted area for any existing or new hazardous conditions, e.g., trail and route conditions, land slides, avalanches, rocks, changing water or weather conditions, falling limbs or trees, submerged objects, hazardous wildlife, or other hazards that present risks for which the permittee assumes responsibility.

- ❑ 24. In the event of default on any mortgage or other indebtedness, such as bankruptcy, creditors, shall not succeed to the operating rights or privileges of the permittee's SRP.

- ❑ 25. Unless specifically authorized, an SRP does not authorize the permittee to erect, construct, or place any building, structure, or other fixture on the public lands. Upon leaving, the lands must be restored as nearly as possible to pre-existing conditions.

- ❑ 26. The permittee must present or display a copy of the SRP an authorized officer's representative, or law enforcement personnel upon request. If required, the permittee must display a copy of the permit or other identification tag on equipment used during the period of authorized use.

- ❑ 27. The authorized officer, or other duly authorized representative of the BLM, may examine any of the records or other documents related to the permit, the permittee

or permittee's operator, employee, or agent for up to 3 years after expiration of the permit.

- ❑ 28. The permittee must submit a Post Use Report to the authorized officer for every year the permit is in effect. If the post use report is not received by the established deadline, the permit will be suspended and/or fines assessed.

Permit Fees

- ❑ 29. Payment due to the government shall be in conformance with existing regulations. If the Special Recreation Permit minimum fee (currently $95.00) has been charged in advance it will be deducted from the fees due. Cost Reimbursement shall be actual costs to the government for processing the permit and monitoring all pre, actual and post permitted activities as reflected by charges, including salaries (direct and indirect costs), vehicle mileage, per diem, and administrative costs, made to a special account established to track event processing costs. Estimated fees or costs shall be provided to the applicant prior to permit approval and must be paid in advance.

Post Use

- ❑ 30. The permittee shall complete the post-event portion of the permit and return it to the Field Office issuing the permit within 15 calendar days of the completion of the event. In addition, the permittee will immediately notify the Field Manager, or his Authorized Officer of any serious injuries or fatalities, which occur in connection with the event. A written incident report will be submitted with the completed post-event portion of the permit. The *Authorized Officer* will provide permittee BLM's incident report form (DI-134) which details all necessary information to be furnished for any serious injuries or accidents.

Safety and Hazard Mitigation

- ❑ 31. The permittee will be responsible for public safety in the event area. The permittee is required to post warning signs, at all known mine shafts and other hazardous areas which occur within 100 feet of the race course or pit/spectator area and will verbally inform race participants of all hazards at the pre-race meeting.

- ❑ 32. The permittee shall prepare a written operations plan for BLM review and approval detailing permittees' plans for providing emergency services including aid to injured participants, evacuation of injured participants and the types and location of rescue equipment to be provided. This plan shall comply with the applicable medical stipulations and shall ensure that emergency aid personnel can access the scene of any accident or injury, at any location within the approved event area or on the course route, within 30 minutes of notification of an incident to evaluate the situation and begin to render aid.

Medical Attention

- ❑ 33. Permittee shall insure the provision of Emergency Medical Services, capable of locating, rendering aid to and evacuating any accident victims.

- ❑ **For NON-MOTORIZED, NON-COMPETITIVE** events with a small use area and attendance:
  Permittee shall insure that first aid services provided at this event have the capability to insure that any accident victim may be located, treated, and evacuated as needed. A reliable communication system shall be provided sufficient to provide immediate contact for the first aid provider (EMT) to local emergency dispatch centers.

- ❑ **For NON-MOTORIZED COMPETITIONS under 150 participants (entrants and spectators), and MOTORIZED NON-COMPETITIVE events, (Dual Sport Ride & Drives, Mountain bikes, Horse events, etc.):**

  Permittee shall insure the provision of first aid services capable of locating, rendering aid to, and evacuating any accident victim. First aid services shall include a person currently certified as an Emergency Medical Technician Basic (or higher) equipped with sufficient supplies for emergencies, including locally approved equipment for the immobilization of the cervical spine. A dedicated and reliable communication system shall be provided sufficient to provide immediate contact for the first aid provider (EMT) to local emergency dispatch centers.
  For NON-MOTORIZED events with over 150 participants, a minimum of one additional (EMT) per 150 participants (entrants and spectators)

- ❑ **For OPEN CANOPY COMPETITIVE MOTORIZED events (motorcycle and ATV races)**

  Permittee shall insure the provision of first aid services capable of locating, rendering aid to, and evacuating any accident victim. First aid service shall include a minimum of one ambulance unit, which is dedicated to the event and has no public call response responsibility, and is permitted by the local authority having jurisdiction. (Use of a public entity is permitted where no suitable private services capable of being "event dedicated" are available or located within 100 miles of the main event site.) This unit shall only be acceptable if staffed and equipped to the local standards as prescribed by the authority having jurisdiction. A dedicated and reliable means for the first aid provider to immediately contact emergency dispatch centers shall be required. Dedicated 4X4 (The 4X4 units may be any 4 Wheel Drive vehicle i.e. Truck's, and Jeep's,) units minimum 1 for every 25 track miles (races only) equipped for rendering aid to, and evacuating any accident victim. Staffed by an Emergency Medical Technician Basic (or higher) equipped with sufficient supplies for emergencies, including locally approved equipment for the immobilization of the cervical spine. (ATV's may be

used in place of the 4X4 units on Motorcycle, and ATV races provided they are staffed, by and equipped to the same standards as the 4X4 units.)

- ❑ **For COMPETITIVE MOTORIZED events involving enclosed canopy motor vehicles (Truck and buggy races, movie stunts).**

  Permittee shall insure the provision of first aid services capable of locating, rendering aid to, and evacuating any accident victim. First aid service shall include a minimum of one ambulance unit, which is dedicated to the event and has no public call response responsibility, and is permitted by the local authority having jurisdiction (Use of a public entity is permitted where no suitable private services capable of being "event dedicated" are available or located within 100 miles of the main event site.) This unit shall only be acceptable if staffed and equipped to the local standards as prescribed by the authority having jurisdiction. Dedicated 4X4 units minimum 1 for every 25 track miles equipped for rendering aid to, and evacuating any accident victim. Staffed by an Emergency Medical Technician Basic (or higher) equipped with sufficient supplies for emergencies, including locally approved equipment for the immobilization of the cervical spine. A means of suppression of a fire in the incipient stage, and for the extrication of victims from within a motor vehicle must be provided, and remain dedicated to the event. This includes the provision of a hydraulically operated gas or electric powered tool system for the cutting and spreading operations related to victim extrication from vehicles. A dedicated and reliable means for the first aid provider to immediately contact emergency dispatch centers shall be required

- ❑ **For LONG DISTANCE COMPETITIONS**, **AND EVENTS COVERING MORE THAN ONE JURISTICTION** where the provision of a single dedicated system would not be possible: (i.e. point to point or single lap races where the distance is greater than 150 miles)

  Permittee shall insure the provision of first aid services capable of locating, rendering aid to, and evacuating any accident victim. First aid service shall include a minimum of one ambulance unit, which is dedicated to the event and has no public call response responsibility, and is permitted by the local authority having jurisdiction. (Use of a public entity is permitted where no suitable private services capable of being "event dedicated" are available or located within 100 miles of the main event site.) This unit shall only be acceptable if staffed and equipped to the local standards as prescribed by the authority having jurisdiction. Dedicated 4X4 units minimum 1 for every 25 track miles equipped for rendering aid to, and evacuating any accident victim. Staffed by an Emergency Medical Technician Basic (or higher) equipped with sufficient supplies for emergencies, including locally approved equipment for the immobilization of the cervical spine. A means of suppression of a fire in the incipient stage, and for the extrication of victims from within a motor vehicle must be provided, and remain dedicated to the event. This includes the provision of a hydraulically operated gas or electric powered tool system for the cutting and spreading operations related to

victim extrication from vehicles. A dedicated and reliable means for the first aid provider to immediately contact emergency dispatch centers shall be required

Fuel and Fluids Management

❑ 34. The permittee is required to inform all persons associated with the SRP directly or indirectly of this stipulation requirement:

❑ ALL VEHICLES - A method of controlling and capturing fuel spilled during fueling must be placed under all dump cans and under each vehicle during fueling operations. Commercially available absorbent products are available but a piece of scrap carpet is acceptable as long as the carpet absorbs the fuels and doesn't simply allow the fuels to run off or drain through.

❑ ALL PITS WITH 50 OR MORE GALLONS OF FUEL - All pits that have 50 or more gallons of fuel available, whether in drums or dump cans, must provide for fuel containment. At a minimum this requires - 1) an impermeable membrane with raised edges capable of containing all fuels on site should the containment vessel fail and 2) absorbent materials (commercially produced spill pads, diapers) available to soak up spilled fuels. This does not apply to fuels located within fuel trucks or fuel drums <u>not in use</u> stored in trucks or trailers.

❑ FLUIDS (oil, transmission, etc.) - During vehicle maintenance and repairs all fluids must be contained in spill proof containers. Drop cloths and absorbent pads shall be used under vehicles when changing fluids or repairing engines and transmissions where fluids may be released.

❑ Known product suppliers that could be contacted for information (no requirement to use these companies, information only):

Fuel containment	New Pig Corporation	1-800-468-4647
Product suppliers	Lab Safety Supply	1-800-356-0783

Environmental Stipulations

❑ 35. The permittee shall inform the participants to yield to any horses or burros on or near the racecourse. The permittee shall clear the course before each run to ensure that no horses or burros have wondered onto the racecourse.

❑ 36. The permittee shall do everything possible to insure that event participants and spectators do not harass or collect wildlife, plants, livestock or archaeological features or artifacts. The event will avoid stock watering tanks, springs, wells, wildlife improvements, corrals, etc., by no less than one-quarter mile unless otherwise approved by the BLM authorizing officer. The event may not utilize, other than on designated roads passing through, for any activities, any burned area(s) which is/are recovering from the impacts of wildfire.

Racecourse Stipulations

- ❑ 37. Permittee shall monitor the race events to prevent damage from course cutting and participants traveling off course. The permittee shall establish racecourse checkpoints to prevent short coursing. Any participant caught short coursing or passing in no passing areas will be disqualified by race officials. The permittee will be responsible for keeping contestants on the designated route/course. Participants who violate any of the mitigation measures or stipulations shall be disqualified from the race. Additionally, any support personnel found in violation of the stipulations, associated with a participant shall result in the disqualification of that participant.

- ❑ 38. The event shall be confined entirely to a clearly defined and plainly marked area/route as shown on the authorized use area maps. Racecourses shall consist of existing roads, washes, old courses and trails. For linear events, passing shall be limited to the disturbed areas of these roads, washes, old courses and trails. Passing is not permitted in vegetated areas adjacent to the course. The maximum allowable width of courses shall be no greater than the existing disturbance (road, old course or trails).

- ❑ 39. Permittee is responsible for stationing monitors and/or post signs at road intersections, prohibiting public access, where the general public is likely to access the race course.

- ❑ 40. No less than 15 days prior to use (or earlier if required by the Authorized Officer), the requested use area, course route and/or spectator/pit area(s) shall be marked sufficiently to allow BLM personnel to easily determine the location, size and extent of the requested use area. The use area(s), race course(s) and spectator/pit area(s) shall be confined entirely to the designated areas as approved by BLM. Spectator area/pit boundaries shall be clearly marked and monitored to the extent necessary to restrict spectators, pit crews and others to the confines of the designated areas. All event staff must stay in areas assigned. The permittee will be responsible for marking the use area, racecourse and boundaries of spectator parking and pit areas to the satisfaction of the authorized officer. The permittee will not mark the course by painting rocks or plants or other land features.

- ❑ 41. The permittee will provide traffic control personnel at all public road crossings to ensure public safety.

Post Activity Stipulations

- ❑ 42. The permittee will be responsible for the prompt repair of any event-related damages to utility rights-of-way and related improvements within 72 hours after the event. If they are not returned to a condition that is satisfactory to the Authorizing Official and the appropriate utility company, the permittee will be assessed a fine to cover the cost of a contractor to get the work completed.

- ❑ 43. Staking, flagging materials, equipment, temporary facilities, litter and all other event related materials will be completely removed to an approved landfill by the permittee within 15 days following the event. If BLM post-race field checks reveal event related materials that have not been removed, BLM shall notify permittee and allow an additional 7 days for removal. Permittee shall be required to reimburse BLM for costs of subsequent field checks. If event materials remain after the second field check, BLM shall effect their removal by both contract or BLM personnel, and bill the permittee for any associated costs.

Spectator Areas

- ❑ 44. The permittee shall contain and monitor the spectator areas to ensure the safety of the spectators and the race participants. The permittee shall keep spectators from leaving the boundaries of the spectator areas.

Sanitation

- ❑ 46. Permittee shall provide a minimum of two (2) restrooms at every start/finish (S/F) area, pit location and/or spectator area on public lands which will be occupied for more than four (4) hours; and additional units if; 1) the S/F, pit, or spectator areas are split by the course route or a physical barrier, two restrooms shall be provided on either side; or if 2) the S/F, pit or spectator area is in excess of 1/4 mile (1,320 feet) in length, restrooms (2) shall be provided at both ends. Restrooms may be provided through rental of units, use of self-contained trailers or motor homes or any other means providing access to the general public in S/F and spectator areas and all crews in pit areas. If restrooms other than rental units are used, adequate signage must be provided to make their presence known. All refuse must be removed from the event area and deposited in an approved treatment facility or landfill. Exceptions to this stipulation include; 1) check points manned by only a few personnel; 2) S/F, pit or spectator areas adjacent to hotel or casino properties offering restroom facilities; 3) events where there are no specified S/F, pit or spectator areas (i.e. Tour and Trail rides); and 4) pit areas for point-to-point events where pit crews stay only long enough to service their vehicle then move on to the next point (S/F and spectator areas for these type events still require restrooms if used in excess of four (4) hours). **All restroom facilities must be removed from area within 24 hours after the event.**

- ❑ 47. At the discretion of the Authorized Officer, BLM Law Enforcement, or local law enforcement may cancel the event due to improper procedures for road crossings, actions placing the public in harms way, or race related conditions (dust over the roads and highways).

Activity Site Rehabilitation

- ❑ 48. The Authorized Officer will complete a Post Event/Race Evaluation. Upon inspection, a determination will be made on which portions of the event area or

racecourse, if any, need additional rehabilitation. The permittee may be required to grade, drag, disc or seed soil and vegetation areas within the course and pit areas that were significantly changed or impacted as a result of the event. Main access roads used by support or rescue vehicles where significant road damage occurs must be graded to pre-event status. Site-specific stipulations requiring rehabilitation of areas must be accomplished within 15 days following the event unless a shorter time frame is required for public safety. The permittee shall be responsible for all costs associated with rehabilitation required.

Media

- ❑ 49. All media personnel are to strictly adhere to the applicable Special Recreation Permit Stipulations issued to the permittee for the duration of the permit.

- ❑ 50. Pre-event use of event site or Media Pre-running of racecourses will not be allowed without written permission from the BLM Authorized Officer.

- ❑ 51. Media personnel must stay on existing roads and are not permitted to travel cross-country at any time. Media personnel driving on portions of the racetrack will be escorted off the racecourse and cited.

- ❑ 52. Media personnel must wear the appropriate safety vests, and displayed the proper credentials at all times. This includes have the vehicle pass properly affixed to the windshield of the media vehicle.

- ❑ 53. Stay off the track. Media personnel are allowed to stand near the track but please stay off. Media personnel seen on the track will be escorted off the race site and not be allowed back to the event.

- ❑ 54. **Media interfering with law enforcement or emergency personnel will be prosecuted under Federal and/or local laws.**

- ❑ 55. Any aircraft must use the designated helicopter pad for staging, refueling, and long term stationing. The designated helicopter pad must be on lands other than public unless authorized by the Special Recreation Permit.

- ❑ 56. Aircraft refueling operations occurring on public lands must conform to the "Fuel and Fluids Management" stipulations listed above.

Wildland Fire Precautions

- ❑ 57. The permittee or any participant may be held accountable for suppression of a wildland fire determined to be directly caused by those associated with the event.

Noxious Weed Prevention

- ❑ 58. The permittee will provide information regarding noxious weed management and identification to all personnel who will be affiliated with the implementation of the project. The importance of preventing the spread of weeds to uninfested areas and importance of controlling existing populations of weeds will be explained.

- ❑ 59. The permittee will inspect all race vehicles to ensure they have been cleaned prior to the race. This is an effort to prevent the introduction of any new weed populations. Any race vehicle not cleaned before the race will be subject to penalty and/or disqualification. The permittee will encourage those at the race to wash all vehicles at the nearest washing facility.

Compliance and Monitoring Standards

Non-compliance with any above permit stipulations will be grounds for denial of future permits, and/or race cancellation.

Performance evaluation, violations, and penalties:
Performance will be based upon:
Stipulation and Operating Plan Compliance;
Protection of Resource Values; and
Quality and safety of services provided to the public.

Performance levels are:
A= Acceptable: Permittee is in compliance with permit stipulations; has taken prompt steps to rectify any performance issues and complaints; does not repeatedly violate conditions, or show a disregard for stipulations.
P= Probationary: Where there have been repeated violations or disregards for permit stipulations.
U= Unacceptable: Permittee willfully and/or repeatedly violated permit conditions to provide substandard service to the public. Conduct is lacking in reasonableness or responsibility to the point that it becomes reckless or negligent.

Response to Violations and Penalties:
A= Complaints/issues may be discussed over the phone or in writing. When due dates or completion dates are established, the permittee will be afforded a 15-day grace period, unless otherwise specified.
P= A Notice of Noncompliance (Notice) will be issued by the Authorized Officer specifying in what respects the permittee has failed to comply, the terms of the probationary status, and the consequences of further noncompliance.
U= Permit privileges would be revoked for one to three years. The permittee would be allowed the opportunity to appeal the decision under Title 43 CFR, Part 4.

Critical Standards - a breach of critical standards can lead directly to administrative penalties, suspension or revocation of a permit. Critical standards are stipulations and

requirements necessary for the health and welfare of the public and protection of resources. The permit shall be suspended or revoked if required State or local licenses pertaining to public health and safety are revoked. Violation of mandatory Federal or State safety requirements will result in probationary status or loss of permit privileges.

The conviction of a violation of any Federal or State law or regulation pertaining to the conservation or protection of natural resources, the environment, endangered species or antiquities that is related to permit operations will result in probationary status or loss of permit privileges.

I declare I have read and understand all of the stipulations associated with this Special Recreation Permit. I acknowledge that as signee of the permit and these stipulations that I am fully responsible for all of the mitigation measures and compliance with stated permit stipulations and that non-compliance with any permit stipulations will be grounds for denial of future permits, and/or race cancellation, and/or prosecution of applicable Federal, State and/or Local laws.

_____	_____	_____
Applicant's Name (Print)	Signature	Date
_____	_____	_____
Authorized Officer (Print)	Signature	Date

Appendix I

RISK ASSESSMENT FOR NOXIOUS & INVASIVE WEEDS

2008 Best in the Desert OHV Race
Lincoln County, Nevada

On August 15th, 2008 a Noxious & Invasive Weed Risk Assessment was completed for the 2008 Best in the Desert – Silver State 300 race in Lincoln County, NV. The purpose of the action is to conduct their *2008 Silver State 300* on Saturday September 27th 2008 with a reconnaissance ride on September 13th 2008. The race would be conducted using full size trucks, buggies, motorcycles and all terrain vehicles (ATVs). The proposed race course would be approximately 290 miles in length and is located entirely on existing roads, trails, washes and previously disturbed areas. The pit locations, start/finish, and primary concentration of spectators would be located on private land in the city of Caliente, private land in the city of Alamo, and on BLM land. This event would be a competitive race. The proponent expects that 150 event participants and 100 spectators would attend the event. It is anticipated that the popularity of the activity would increase in the future, increasing the number of spectators and participants. For analysis purposes it is estimated that up to 200 participants and 200 spectators would attend events in the future.

No field surveys were completed for this project. Instead, the Ely District weed inventory data was consulted. The following noxious and non-native, invasive species are found along the race course and in the surrounding areas:

Acroptilon repens	Russian knapweed
Ailanthus altissima	Tree of heaven
Brassica tournefortii	Sahara mustard
Carduus nutans	Musk thistle
Centaurea stoebe	Spotted knapweed
Cirsium vulgare	Bull thistle
Conium maculata	Poison hemlock
Lepidium draba	Hoary cress
Lepidium latifolium	Tall whitetop
Linaria dalmatica	Dalmatian toadflax
Onopordum acanthium	Scotch thistle
Tamarix spp.	Salt cedar
Tribulus terrestris	Puncturevine

While not officially inventoried the following non-native invasive weeds probably occur along or near portions of the race course: red brome (*Bromus rubens*), cheatgrass (*Bromus tectorum*), Russian thistle (*Salsola kali*), halogeton (*Halogeton glomeratus)*, and tumble mustard (*Sisymbrium altissimum*). This area of the Ely District was last inventoried for weeds in 2005 and 2007.

Factor 1 assesses the likelihood of noxious/invasive weed species spreading to the project area.

None (0)	Noxious weed species are not located within or adjacent to the project area. Project activity is not likely to result in the establishment of noxious weed species in the project area.
Low (1-3)	Noxious weed species are present in the areas adjacent to but not within the project area. Project activities can be implemented and prevent the spread of noxious weeds into the project area.
Moderate (4-7)	Noxious weed species located immediately adjacent to or within the project area. Project activities are likely to result in some areas becoming infested with noxious weed species even when preventative management actions are followed. Control measures are essential to prevent the spread of noxious weeds within the project area.
High (7-10)	Heavy infestations of noxious weeds are located within or immediately adjacent to the project area. Project activities, even with preventative management actions, are likely to result in the establishment and spread of noxious weeds on disturbed sites throughout much of the project area.

For this project, the factor rates as Moderate (5) at the present time. Due to the nature of the event and the tendency for vehicles to carry seeds from other sources, there is a moderate risk of areas along the course becoming infested by noxious or non-native invasive weeds. The primary concern for this project is the potential introduction of Sahara mustard (*Brassica tournefortii*) into the area from Las Vegas. Most of the participants will be coming from the Clark County area which is heavily infested with this noxious weed. Vehicles **must** be properly cleaned prior to racing to prevent spreading the infestation into Lincoln County.

Factor 2 assesses the consequences of noxious weed establishment in the project area.

Low to Nonexistent (1-3)	None. No cumulative effects expected.
Moderate (4-7)	Possible adverse effects on site and possible expansion of infestation within the project area. Cumulative effects on native plant communities are likely but limited.
High (8-10)	Obvious adverse effects within the project area and probable expansion of noxious wee infestations to areas outside the project area. Adverse cumulative effects on native plant communities are probable.

For this project, the factor rates as High (8). Most of the race route is considered to be weed-free. Any new weed infestations in this area could have adverse effects on the native vegetation. If cheatgrass or red brome becomes heavily established it could alter the fire regime of the area.

The Risk Rating is obtained by multiplying Factor 1 by Factor 2.

None (0)	Proceed as planned.
Low (1-10)	Proceed as planned. Initiate control treatment on noxious weed populations that get established in the area.
Moderate (11-49)	Develop preventative management measures for the proposed project to reduce the risk of introduction of spread of noxious weeds into the area. Preventative management measures should include modifying the project to include seeding the area to occupy disturbed sites with desirable species. Monitor the area for at least 3 consecutive years and provide for control of newly established populations of noxious weeds and follow-up treatment for previously treated infestations.
High (50-100)	Project must be modified to reduce risk level through preventative management measures, including seeding with desirable species to occupy disturbed site and controlling existing infestations of noxious weeds prior to project activity. Project must provide at least 5 consecutive years of monitoring. Projects must also provide for control of newly established populations of noxious weeds and follow-up treatment for previously treated infestations.

For this project, the Risk Rating is **(Moderate, 40**). Based on this risk rating, preventative management measures are needed for this project. Preventative measures to help mitigate the possible effects of the race on the native plant communities include:

Preventative measures: Take before and after observation photos of key impact and possible weed vector areas, as required by our OHV monitoring report. These photo points are repeated as the course is used in following years.

Active measures: Insure the promoter knows about and promotes the stipulation requiring the racers to wash their race vehicles before the event. Racers who do not comply will be subject to penalty and/or disqualification.

Reactive measures: Notify the proper weed control agency concerning treating any populations of noxious weeds observed following the race. Establish photo point sites at key locations (as outlined in the BLM rangeland guide) in relation to course impacts and existing or possible weed populations along the course. Revisit these monitoring points for three years to monitor any changes related to weeds. Monitor any known infestations and do follow up treatments as necessary.

In addition to these measures the following Ely District BMPs will be followed:

- Prior to entering public lands, the contractor, operator, or permit holder will provide information and training regarding noxious weed management and identification to all personnel who will be affiliated with the implementation of the project. The importance of preventing the spread of weeds to uninfested areas and importance of controlling existing populations of weeds will be explained.
- To eliminate the transport of vehicle-borne weed seeds, roots, or rhizomes all vehicles and heavy equipment used for the completion, maintenance, inspection, or monitoring of ground disturbing activities or for authorized off-road driving will be free of soil and debris capable of transporting weed propagules. All such vehicles and equipment will be cleaned with power or high pressure equipment prior to entering or leaving the work site or project area. Cleaning efforts will concentrate on tracks, feet and tires, and on the undercarriage. Special emphasis will be applied to axels, frames, cross members, motor mounts, on and underneath steps, running boards, and front bumper/brush guard assemblies.

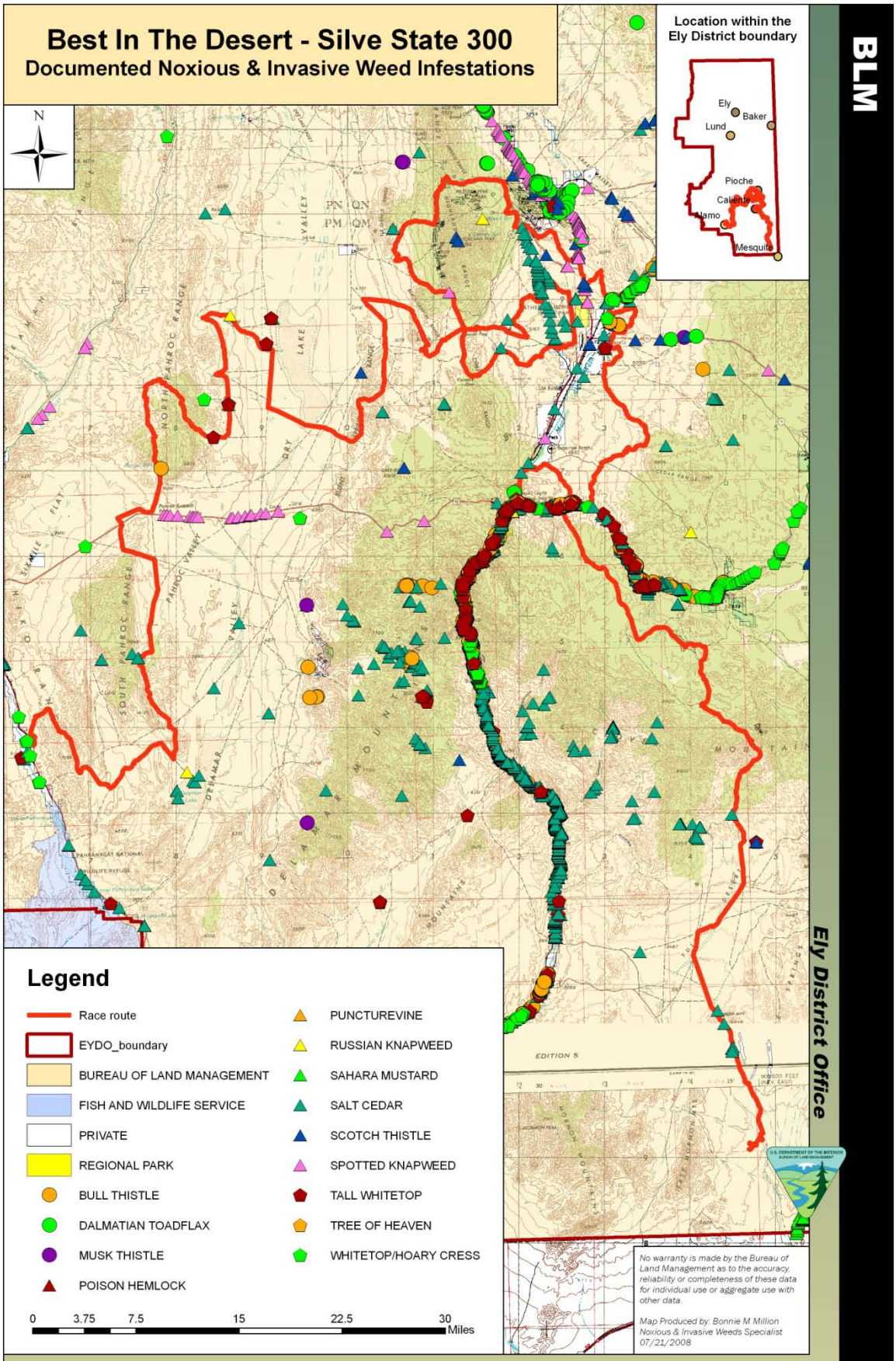
Reviewed by: _____ 8/15/2008

Bonnie M Million — Date

Ely District Noxious & Invasive Weed Coordinator

Best In The Desert - Silve State 300

Documented Noxious & Invasive Weed Infestations



BLM

Ely District Office