

**Determination of NEPA Adequacy (DNA)**  
U.S. Department of the Interior  
Bureau of Land Management

**OFFICE:** Lake Havasu Field Office (LHFO), AZ-330

**NEPA DOCUMENT NUMBER:** DOI-BLM-AZ-C030-2014-0010-DNA

**CASE FILE NUMBER:** 43 CFR Parts 2930 & (Subpart) 2932

**PROPOSED ACTION TITLE/TYPE:** Issue a Special Recreation Permit to the McMullen Valley Chamber of Commerce for a single day Poker Run event.

**LOCATION/LEGAL DESCRIPTION:** T5N R12W Sections 4, 5, 7-18, 21

**APPLICANT (if any):** McMullen Valley Chamber of Commerce, Linda Darland, Administrator

**A. Description of the Proposed Action and any applicable mitigation measures:**

Renew a one year Special Recreation Permit (SRP) authorization to McMullen Valley Chamber of Commerce to conduct a motorized Great Arizona Outback Chili Cook Off Poker Run fund raiser on an authorized route proximate to Salome, AZ. The event is scheduled from 9:00 a.m.- 2:00 p.m. on Saturday February 15, 2014. A Public Land Closure is not necessary and the authorized route will remain open to public use during the event. A maximum of 200 participants operating off highway vehicles including All Terrain Vehicles, Utility Terrain Vehicles, jeeps, and other 4 wheel drive vehicles would be expected to participate. La Paz County Sherriff's Department will be present during the event. Event staff will be available at the Poker Card stop locations to assist participants and contact emergency services if needed.

The proposed course would start at the Centennial Community Center in Wenden, AZ where participants would travel northeast to reach the first of four card stops (**See Attached Map**). Participants would then travel north to begin an eighteen mile loop composed of three additional card stops before returning back to Centennial Community Center. No food or water would be provided on the Poker Run. All trash would be carried out in motorized vehicles. No spectators would be allowed along the designated Poker Run route. Any temporary route markers would be removed within 24 hours of the end the event.

**B. Land Use Plan (LUP) Conformance**

LUP Name: Lake Havasu Field Office Resource Management Plan  
Date Approved: May 10, 2007

The Proposed Action is in conformance with the Lake Havasu Field Office RMP, even though it is not specifically provided for. It is clearly consistent with the following (RMP objectives, terms and conditions):

- Page 103, Special Recreation Permits... will be monitored for compliance and effectiveness on an as-needed basis through the NEPA process.

- Page 117, Monitoring: The interim route network includes the “Existing Roads and Trails” as defined by the Route Inventory Maps... new proposals will have prescriptions and monitoring strategies addressed in the NEPA process.

**C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.**

McMullen Valley Chamber of Commerce Poker Run Course Environmental Assessment (EA) signed February 12, 2010.

NEPA Number: DOI-BLM-AZ-C030-2010-0005-EA

Cultural Clearance Form AZ-8110-4 signed February 10, 2010.

Project Number BLM 330-10-04

McMullen Valley Chamber of Commerce Poker Run Course Determination of NEPA Adequacy signed on February 15, 2012.

NEPA Number: DOI-BLM-AZ-030-2012-0024-DNA

McMullen Valley Chamber of Commerce Poker Run Course Determination of NEPA Adequacy signed on **February 14, 2013**.

NEPA Number: DOI-BLM-AZ-C030-2013-0015-DNA

Management of commercial recreation uses on public lands is governed by **43 CFR 2930 and (Subpart) 2932** and policy is dictated in **BLM Manual 2930** and **BLM Manual Handbook H-2930-1**.

**D. NEPA Adequacy Criteria**

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

The new proposed action is exactly the same as the proposed action alternative analyzed in EA DOI-BLM-AZ-C030-2010-0005-EA. The proposed activity falls within the same environmental scope and setting analyzed in the referenced EA. There are no differences between this proposed action alternative and the referenced EA. Pages 3 and 4 of the EA, under the Proposed Action, describes the location and issuance of permits for these types of activities.

**2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource values?**

Yes, three alternatives were considered in the referenced NEPA document. The authorized routes are the same as reviewed in the referenced document: and south of Salome, AZ and of U.S. Highway 60 and north of Interstate 10. There are no changes in the proposed action, environmental concerns, interests, or resource values since the referenced NEPA analysis was completed. The public has proposed no new alternatives.

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

Yes, the analysis undertaken in the referenced EA is still valid. There is no new information or circumstances since that time that would change the analysis of the new proposal to issue a Special Recreation Permit to McMullen Valley Chamber of Commerce.

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

The environmental effects that would result from issuing a Special Recreation Permit to McMullen Valley Chamber of Commerce would be the same, both quantitatively and qualitatively, as those that were disclosed in the reference the 2010 EA.

**5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?**

The degree of public and interagency involvement that occurred in preparation of the reference EA is considered adequate for the current proposal. This project proposal was presented to the Lake Havasu Field Office (LHFO) interdisciplinary Project Coordination staff on February 11, 2013. Resource specialists who indicated an interest in evaluating the proposal are listed on the attached LHFO Scoping Form.

Note: Refer to the EA/EIS for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.



## DECISION RECORD

**Tracking Number:** DOI-BLM-AZ-C030-2014-0010-DNA

### **Description of the Proposed Action:**

Issue a one year Special Recreation Permit (SRP) authorization to McMullen Valley Chamber of Commerce to conduct a motorized Great Arizona Outback Chili Cook Off Poker Run fund raiser on an authorized route proximate to Salome, AZ. The event is scheduled from 9:00 a.m. - 2:00 p.m. on Saturday February 16, 2013. A Public Land Closure is not necessary and the authorized route will remain open to public use during the event. This is a non-speed, non-competitive event. A maximum of 200 participants operating 125 off highway vehicles including All Terrain Vehicles, Utility Terrain Vehicles, jeeps, and other 4 wheel drive vehicles would be expected to participate. Eight McMullen Valley Chamber of Commerce employees paired into four vehicles would be present on the tour route and prepared to perform first aid and contact emergency services if needed.

The proposed course would start at the Centennial Community Center in Wenden, AZ where participants would travel northeast to reach the first of four card stops (**See Attached Map**). Participants would then travel north to begin an eighteen mile loop composed of three additional card stops before returning back to Centennial Community Center. No food or water would be provided on the Poker Run. All trash would be carried out in motorized vehicles. No spectators would be allowed along the designated Poker Run route. Any temporary route markers would be removed within 24 hours of the end the event.

**LUP Name:** Lake Havasu Field Office Resource Management Plan. Approved: May 10, 2007

Based on the analysis of potential environmental impacts contained in the attached Determination of NEPA Adequacy and as analyzed in the previous environmental assessment, I have determined that the action will not have a significant effect on the human environment. An environmental impact statement is therefore not required.

It is my decision to approve the action as proposed, with the following stipulations (if applicable).

/s/ Jayson Barangan Authenticated: Amanda Deeds  
Signature of the Responsible Official  
Kimber Liebhauser  
Field Manager  
Lake Havasu Field Office

2-14-2013  
Date

### **Exhibits:**

- 1 ) Stipulations:
- 2 ) Authorized course map

**SPECIAL STIPULATIONS**  
**for**  
**2012 McMullen Valley Chamber of Commerce**  
**Special Recreation Permit**  
**# BLM-AZ-C030-2013-0015-DNA**

General

1. 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. 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.
2. A Special Recreation Permit 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 the amount of use. The authorized officer may suspend a SRP if necessary to protect public resources, health, safety, the environment, or noncompliance with permit stipulations.
3. 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.
4. 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.
5. The permittee or permittee's representative may not assign, contract, or sublease any portion of the permit authorization or interest therein, directly or indirectly, voluntarily or involuntarily. However, the authorized officer may approve contracting of equipment or services 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.
6. All advertising and representations made to the public and 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.

7. 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.
8. In the event of default on any mortgage or other indebtedness, such as bankruptcy, creditors shall not succeed to the operating rights or privileged of the permittee's SRP.
9. The permittee cannot, unless specifically authorized, erect, construct, or place any building, structure, or other fixture on public lands. Upon leaving, the lands must be restored as nearly as possible to pre-existing conditions.
10. The permittee must present or display a copy of the Special Recreation Permit to 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.
11. 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 the permittee's operator, employee, or agent for up to three (3) years after expiration of the permit.
12. The term of the permit shall be for one year from the issuance of the permit on February 15, 2013 and has the potential to be renewed for no more than ten years total with satisfactory performance of SRP.
13. A Yearly Use Report shall be submitted to the BLM Authorized Officer, and will include a detailed summary of the number of vehicles, along with the number of drivers and passengers involved. If the Yearly Use Report is not received by the established deadline of March 18, 2013 then the permit will be suspended and/or fines assessed.
14. The applicant/permittee is required to provide the Authorized Officer with a copy of a valid insurance policy or proof thereof covering the periods of use, before any use under this permit begins. The required minimum general liability limits are: \$500,000 per occurrence and \$1,000,000 annual aggregate for bodily injury; and \$30,000 annual aggregate for property damage. The U.S. Government must be named as additional insured on the policy. All liability policies are to specify that the insurance company shall have no right of subrogation (substitution) against the United States of America. The permittee shall indemnify and hold harmless the United States against any liability for personal injury, loss of life, or property damage arising in any way from activities under the permit.

15. The permittee shall pay BLM a Special Recreation Permit (SRP) fee of \$100, effective August 15, 2012. The permittee shall pay BLM 3% of the gross receipts; or the minimum SRP fee, whichever is greater. The minimum advance fee of \$100.00 will be required.
16. The permit will remain valid only if annual fees have been paid.
17. The permittee shall notify the authorized officer of any accident that occurs while involved in activities authorized by this permit which results in: death, personal injury requiring hospitalization or emergency evacuation, or in property damage greater than \$2,500 (lesser amounts if established by State law). Reports should be submitted within 48 hours in the case of death or injury, or 10 days in accidents involving property damage.
18. The permit shall not be construed in any way as preventing public use or access on any public lands except as expressly allowed under the permit.
19. Harassment of livestock, wildlife, wild burros, or destruction of private and public improvements such as fences and gates is prohibited. The taking of any threatened or endangered plant or animal is prohibited.
20. The collection of artifacts or disturbance of archaeological resources on Federal Lands is prohibited and is prosecutable under the Archaeological Resources Protection Act. Disturbance of human graves are also prohibited. Actions other than those explicitly approved by the Bureau of Land Management, which result in impacts upon archaeological or historical resources, shall be subject to the provisions of the Archaeological Resources Protection Act of 1979 as amended and the Federal Land Policy and Management Act of 1976. The permittee will immediately bring to the attention of the Authorized Officer any archaeological or historical resources encountered during permitted operations and maintain the integrity of such resources pending subsequent investigation.
21. Special collection of artifacts (either historic or prehistoric) or fossils, by permittee or participants on or near any designated route is prohibited. The definition of an artifact is anything over 50 years old that has been made, used or modified by a human. Permittee is required to inform all participants that collecting artifacts, theft or vandalism of any cultural property is a violation of the above mentioned Federal and/or State laws.
22. The permittee will practice Leave No Trace and Tread Lightly! Outdoor Ethics principles.
23. The permittee will remove any temporary course markings within 48 hours of event completion.
24. Failure to comply with permit stipulations may result in denial of future permit authorizations for these events, or revocation of permits already issued.

## Ride Operations

25. All motorized equipment activity associated with stopping areas, including Start/Finish, Photo Opportunity, Water, Lunch or Restroom Breaks will be conducted within the traveled portion of the road. No vehicle travel (including parking, turn-around, detours, etc.) outside of this corridor will be permitted unless authorized in advance by the BLM Authorized Officer.
26. All vehicles shall stay on the authorized routes. Straying from the course is prohibited. In the event of vehicle breakdown, vehicles shall be moved to the side of the road, but shall not be moved into areas of existing vegetation. All vehicles shall be removed from the site within 24 hours of the end of the event.
27. Vehicle Stops are only allowed at the stopping areas designated by the permittee as displayed in the map contained in this EA. Vehicle stops at other locations are prohibited.
28. No servicing of any motor vehicle will be permitted on any public land. In the event of mechanical trouble, vehicles will be transported to an appropriate service facility or location.
29. In the event of vehicles leaving the established road (for whatever reason), removal of the vehicle and reclamation of disturbed areas will be required to the satisfaction of the BLM Authorized Officer, including raking of surface disturbance, appropriate removal of spilled oil/fuel, re-vegetation, etc.
30. Nothing in this permit implies permission to use non-Federal land administered by the BLM. It shall be the responsibility of the permittee to coordinate the event with Arizona State Lands Department (ASLD) as necessary, and to obtain written authorization to cross or utilize non-BLM administered land such as ASLD, Mohave County Road Department, Arizona Department of Transportation and private property.
31. Under no circumstances shall the permittee permanently mark the routes by placing signs, painting rocks or painting plants.
32. All gates along the routes shall be left as they are found.
33. Permittee would be responsible for handling emergency situations by calling 911 and/or appropriate emergency services.
34. The permittee will coordinate a proposed schedule of touring operations with Black Mountain allotment permittee before commencing touring actions. This established line of communication would continue throughout the life of the permit.
35. In the event that a vehicle injures livestock, BLM personnel and/or the grazing permittee in the area will be immediately contacted to make an evaluation of the animal's condition. Under no circumstance will any person other than BLM personnel or the

animal's owner be permitted to make a final evaluation of the animal's condition, or to destroy an animal that appears to be suffering.

36. All migratory birds shall be observed from a distance. Any injured wildlife shall be reported to the Arizona Game & Fish Dept. at (928)342-0091.
37. Permittee will ensure that ride participants stay no less than 15 feet away from open mine features and historic buildings. Under no circumstances may the permittee or participants enter historic buildings or mine features.
38. All motor vehicle use will be conducted in a safe manner; reckless driving and/or excessive speed are permit violations.
39. The permittee must assume responsibility for inspecting the permitted area for any existing or new hazardous conditions, e.g., trail and route conditions, landslides, 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.
40. All motor vehicle use will comply with existing local off-highway vehicle regulations. "Local off-highway vehicle regulations" refer to BLM Off-highway vehicle designations on BLM administered lands as established in the Resource Management Planning process, or in emergency closures authorized by a BLM manager.

#### Roadway Surface Concerns

1. There would be no mechanized modification of the existing roadway by the permittee. Should mechanized maintenance be required, the permittee would notify BLM prior to conducting maintenance to the road.
2. BLM reserves the right to postpone or cancel the event if weather conditions create a soft road surface that would be conducive to unacceptable road damage by vehicles.