

**KINGMAN FIELD OFFICE SCOPING FORM**

DOI-BLM-AZ-C010-2014-0016-DNA  
NEPA Document Number

RR18/V S:\Blmshare\nepa\ea\_eis\SRPs  
RMP Implementation No.

Document  
Location

**Land Description:**

Applicant: Polaris Industries  
Authorization: SRP #AZ-310-14-004

INVOLVEMENT: Indicate in the left column which disciplines need to provide information into the EA.

Needed Input (X)	Discipline	Signature
	Lands	
	Minerals	
	Range	
X	Wild Horse and Burro	/s/ Chad Benson 1-21-14
X	General Recreation	/s/ Matthew Driscoll 1-21-14
X	Cultural and Paleontological Resources	/s/ Tim Watkins 1-21-14
	Wilderness	
	Soils	
	Surface and Groundwater Quality/Water Rights	
	Air Quality	
X	Wildlife	/s/ Rebecca Peck 1-21-14
X	Threatened and Endangered Plants and Animals	/s/ Rebecca Peck 1-21-14
X	Migratory Birds	/s/ Rebecca Peck 1-21-14
	Surface Protection	
	Hazardous Materials	
X	Areas of Critical Environmental Concern	/s/ Rebecca Peck 1-21-14
	Visual Resources	
	Socio-Economics/Environmental Justice	
	General Botany/Noxious Weeds	
	Energy Policy	

Writer:     /s/ Matthew Driscoll    

Date:     1-21-14    

Environmental Coordinator:     /s/ Don McClure    

Date:     1-21-14    

Field Manager:     /s/ Ruben Sanchez    

Date:     1-21-14

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

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**OFFICE:** Kingman Field Office (KFO), AZ-310

**NEPA DOCUMENT NUMBER:** DOI-BLM-AZ-C010-2014-0016-  
**DNA CASE FILE NUMBER:** SRP #AZ-310-14-004

**PROPOSED ACTION TITLE/TYPE:** Polaris Industries Special Recreation Permit

**LOCATION/LEGAL DESCRIPTION:** See Attachment 1

**APPLICANT (if any):** Polaris Industries

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

Issue a single year Special Recreation Permit to Polaris Industries to conduct calibration testing for company-owned Utility Terrain Vehicles (UTVs) and All-Terrain Vehicles (ATVs) on Kingman Field Office (KFO) administered public lands (**see attachments 1 and 2**). Polaris currently uses approximately 130 miles of approved routes, 16 miles of which are dirt roads maintained by Mohave County, within the KFO administrative area to test their UTVs and ATVs. The permit would be valid from February 12, 2014 until March 31, 2014, though calibration testing would only occur over a total of two weeks during this time period. Polaris would travel in groups of three with no more than a total of 15 vehicles per trip per day. UTVs and ATVs would travel up to 130 miles a day per vehicle utilizing the entire network of routes.

Mitigation Measures:

1. Motorized tour operations would be monitored by BLM staff for compliance with stipulations (**see attachment 3**) attached to the Special Recreation Permit and the Plan of Operations as provided by the permittee.
2. Desert tortoise handling guidelines (**attachment 4**) would be handed out and explained to all Polaris personnel prior to testing activities.

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

LUP Name: *Kingman Resource Management Plan/EIS*

Date Approved: March 1995

The proposed action is in conformance with the *Kingman Resource Management Plan* because it is specifically provided for in the following LUP decisions:

**Kingman RMP, Decision #RR18** - Commercial and competitive recreation uses would continue to be accommodated through the issuance of special recreation permits. Proposals for these permits would be analyzed on a case-by-case basis (Page 76)

The proposal is also in conformance with following Kingman RMP decisions:

**Kingman RMP, Decision #SM02** – “Manage the twelve "Areas of Critical Environmental Concern" designation according to the goals and objectives in the RMP pages 95 to 111. Evaluate land use authorizations, including all existing activity plans, for compatibility with goals and objectives of the area of critical environmental concern”.

**Kingman RMP, Decision #SM04** – Limit off-highway vehicle use in riparian areas to designated roads, trails, washes and river crossings (White Margined Penstemon ACEC, Burro Creek ACEC (includes Francis Creek), and Three Rivers (includes Big Sandy and Santa Maria Rivers).

**Kingman RMP, Decision #SM11** - Minimize surface disturbance (pg. 99, BLM 1995)

**Kingman RMP, Decision #TE03** – BLM will manage for conservation of candidate and BLM-sensitive species and their habitats (and State Listed species). BLM will ensure that actions authorized will not contribute to the need to list any of these species as threatened or endangered”

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

- *Polaris Industries OHV Test Routes*: EA-AZ-070-2002-0008 Issued January 17, 2003.
- Management of commercial recreation uses on public lands is governed by **43 CFR 2930** 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?**

Documentation of answer and explanation: Yes, the current proposed action is substantially the same type of action as that analyzed in the 2002 EA for *Polaris Industries OHV Test Routes*. Page 6 of the EA, under the Proposed Action, describes the types of activities that would be authorized and identifies a network of routes within the Kingman Field Office that would be approved under the current Proposed Action. Additionally, page 11 of the EA, under Appendix 1 – Legal Description explicitly lists the townships, ranges, and sections that would be authorized. The current Proposed Action includes a list of terms and conditions, which were substantially compiled from the 2002 EA.

**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?**

Documentation of answer and explanation: Yes, the range of alternatives analyzed in the 2002 EA for *Polaris Industries OHV Test Routes* is still valid in regards to present environmental concerns, interests, and resource values. The public has not submitted any 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?**

Documentation of answer and explanation: Yes, the analysis undertaken in the 2002 EA is still valid. Since the development of this EA, no changes have been made to the listing of “Critical Elements of the Human Environment” which must be addressed in each NEPA analysis. 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 Polaris Industries. There are no new endangered species listings or updated BLM Sensitive species or Arizona State Listed species.

**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?**

Documentation of answer and explanation: All direct, indirect, and cumulative effects that would result from implementation of the new proposed action are similar in both permit area and the scope of operations analyzed in the 2002 EA for Polaris Industries OHV Test Routes.

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

Documentation of answer and explanation: 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 at the Kingman Field Office interdisciplinary Project Coordination meeting on January 21, 2014. Resource specialists who indicated an interest in evaluating the proposal are listed on the attached KFO Scoping Form.

**E. Persons/Agencies/BLM Staff Consulted**

<u>Name</u>	<u>Title</u>	<u>Resource/Agency Represented</u>
Tim Watkins	Archaeologist	Bureau of Land Management
Rebecca Peck	Wildlife Biologist	Bureau of Land Management
Chad Benson	Wild Horse and Burro Specialist	Bureau of Land Management
Matthew Driscoll	Outdoor Recreation Planner	Bureau of Land Management

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.

**Conclusion**

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitute BLM’s compliance with the requirements of the NEPA.

\_\_\_\_\_/s/ Matthew Driscoll\_\_\_\_\_ 1-23-14\_\_\_\_\_  
Project Lead Date  
*Matthew Driscoll*

\_\_\_\_\_/s/ Don McClure\_\_\_\_\_ 1-23-14\_\_\_\_\_  
NEPA Coordinator Date  
*Don McClure*

\_\_\_\_\_/s/ Ruben Sanchez\_\_\_\_\_ 1-23-14\_\_\_\_\_  
Signature of the Responsible Official Date  
*Ruben Sanchez*  
Field Manager  
Kingman Field Office

## DECISION RECORD

**NEPA Document Number:** DOI-BLM-AZ-C010-2014-0016-DNA

**Decision:** It is my decision to authorize the Proposed Action as described in Determination of NEPA Adequacy **DOI-BLM-AZ-C010-2014-0016-DNA**. The decision will result in the issuance of a single year Special Recreation Permit to Polaris Industries to conduct calibration testing for company-owned Utility Terrain Vehicles (UTVs) and All-Terrain Vehicles (ATVs) on Kingman Field Office (KFO) administered public lands (**see attachments 1 and 2**). Polaris currently uses approximately 130 miles of approved routes, 16 miles of which are dirt roads maintained by Mohave County, within the KFO administrative area to test their UTVs and ATVs. The permit would be valid from February 12, 2014 until March 31, 2014, though calibration testing would only occur over a total of two weeks during this time period. Polaris would travel in groups of three with no more than a total of 15 vehicles per trip per day. UTVs and ATVs would travel up to 130 miles a day per vehicle utilizing the entire network of routes.

**Mitigation Measures:**

1. Motorized tour operations would be monitored by BLM staff for compliance with stipulations (**see attachment 3**) attached to the Special Recreation Permit and the Plan of Operations as provided by the permittee.
2. Desert tortoise handling guidelines (**attachment 4**) would be handed out and explained to all Polaris personnel prior to testing activities.

**Rationale:** The proposed action was previously analyzed in EA #AZ-070-2002-0008, *Polaris Industries OHV Test Routes*, with no significant impacts anticipated, thus no EIS was required.

Implementation of the proposed action provides Polaris Industries with authorization to pursue a recreation-based commercial venture on public lands managed by the BLM and fulfills one of BLM's FLPMA responsibilities to regulate, through permits or other instruments, the use of the public lands, which includes commercial recreation use.

The decision to allow the proposed action does not result in any undue or unnecessary environmental degradation, and is in conformance with the land use plans for both field offices as described in Section B of this DNA.

**Appeals:** This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4. If an appeal is taken, your notice of appeal must be filed in the Kingman Field Office, 2755 Mission Blvd., Kingman, AZ 86401 within 30 days from the date of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (request) for a stay (suspension) of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal (43 CFR 4.21). A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with the Kingman Field Office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.



**Attachment 1:**

**Legal Description**

**T12N R14W Sections 5, 6, 7**

**T12N R15W Sections 6, 7, 12, 13, 17, 18, 20, 22, 23, 24, 27, 28, 29, 31, 32**

**T12N R16W Sections 2, 3, 5, 8, 9, 10, 11, 14-16, 22, 27, 28, 31, 32, 33, 36**

**T13N R14W Sections 4, 9, 10, 15, 21, 22, 28, 32, 33**

**T13N R15W Sections 19, 30, 31**

**T13N R16W Sections 2-6, 10, 11, 13-18, 23-26, 30-32, 35**

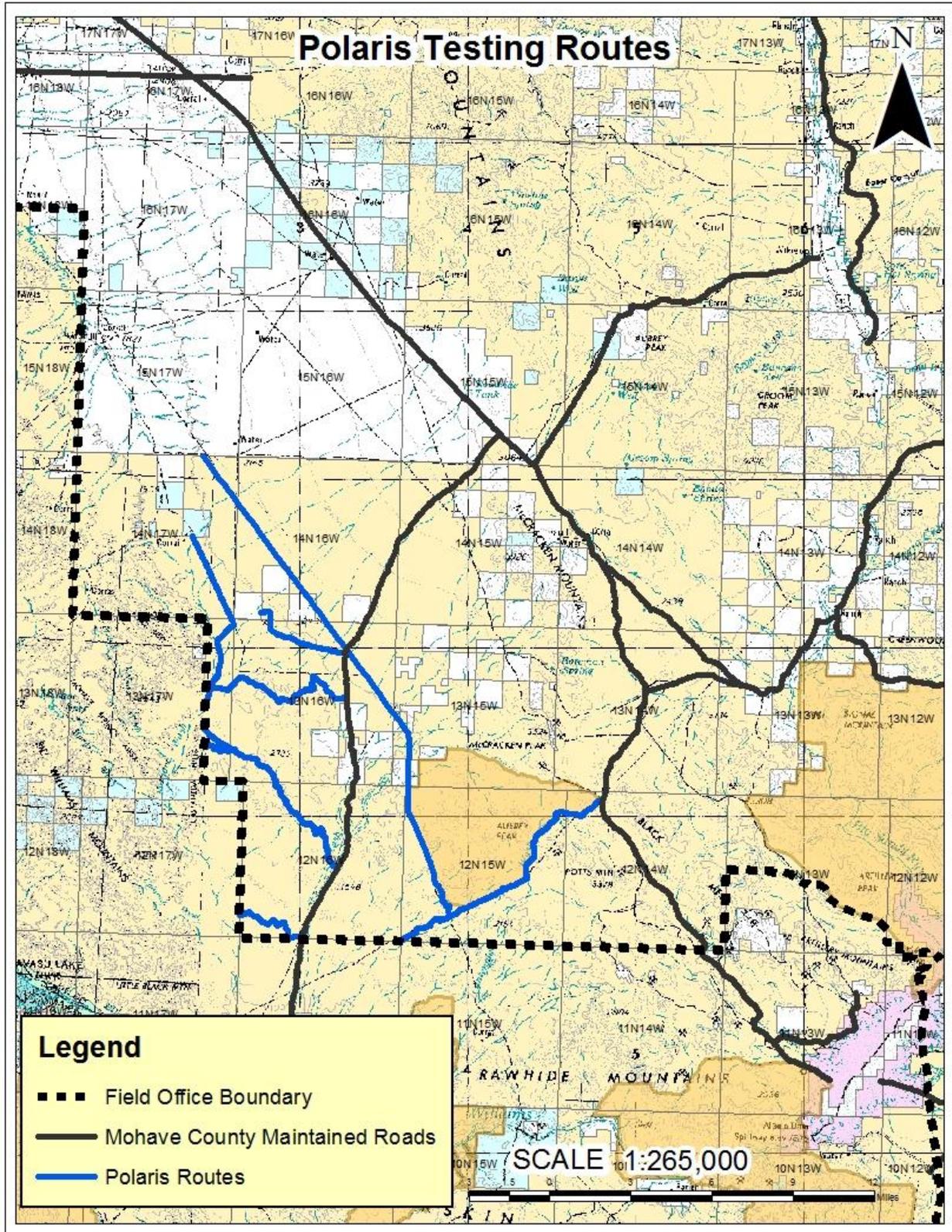
**T14N R14W Sections 7, 17, 18, 20, 28, 29, 33**

**T14N R15W Sections 1, 2, 4, 5, 7, 8, 12, 18**

**T14N R16W Sections 7, 13, 17, 18, 20, 24, 25, 28, 29, 31, 32, 33, 34, 35, 36**

**T14N R17W Sections 1, 2, 12, 30, 31, 36**

Attachment 2: Map



### Attachment 3

**KINGMAN FIELD OFFICE, BLM  
Commercial OHV SUPPLEMENTAL STIPULATIONS  
2014 Polaris Industries  
Special Recreation Permit # AZ-310-14-004  
2014**

**The following stipulations are included as part of the Special Recreation Permit and must be adhered to when conducting operations on lands under the jurisdiction of the Kingman Field Office  
Matthew Driscoll, Outdoor Recreation Planner, 928.718.3736, Kingman Field Office**

#### 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 47 days from the issuance of the permit on February 12, 2014 and has the potential to be renewed for no more than ten years total with satisfactory performance of SRP.
13. A Post 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 Post Use Report is not received by the established deadline of April 30, 2014 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 February 12, 2014. 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, 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. Harassment and/or destruction of wild burros is prohibited under the Wild Free-Roaming Horse and Burro Act of 1971, 43 CFR4770.1 (a, b, and c). Any violations of the prohibited acts under§4770.1 may result in suspension or cancellation of the permit (§4770.2 (a)) and/or criminal penalties under § 4770.5.
21. 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.
22. 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.
23. The permittee would practice Leave No Trace and Tread Lightly! Outdoor Ethics principles.

24. The permittee would mount a bright orange flag to the back of touring OHV's during hunting season to reduce the potential for shooting hazards.
25. 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

26. All motorized equipment activity associated with stopping areas, including Water, Lunch or Restroom Breaks will be conducted within a reasonable distance from 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.
27. All vehicles shall stay on the authorized routes. Straying from the testing area 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 occurrence.
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 (raking of surface disturbance, appropriate removal of spilled oil/fuel, re-vegetation) of disturbed areas will be required to the satisfaction of the BLM Authorized Officer.
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 mark the routes by placing signs, painting rocks or painting plants.
32. Testing would be limited to a total of 15 vehicles per trip per day in groups of two to three utilizing the entire network of routes to minimize dust.
33. All gates along the routes shall be left as they are found.
34. Permittee would be responsible for handling emergency situations by calling 911 and/or appropriate emergency services.
35. In the event that a vehicle injures livestock or wild burros 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. The speed limit for all vehicles involved shall be 25 miles per hour on public land.

38. All motor vehicle use will be conducted in a safe manner; reckless driving and/or excessive speed are permit violations.
39. 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

40. There would be no mechanized modification of the existing roadway by the permittee. Should mechanized maintenance be required, the permittee would submit a description of the proposed repair/maintenance for review and approval of the BLM prior to conducting maintenance to the road.
41. BLM reserves the right to postpone or cancel testing activities if weather conditions create a soft road surface that would be conducive to unacceptable road damage by testing vehicles.
42. Permittee would monitor road conditions for ruts greater than two inches deep. If such conditions occur during a run, the motorized operations would cease until weather and road conditions improve.



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
Colorado River District  
2610 Sweetwater Avenue  
Lake Havasu City, AZ 86406  
www.az.blm.gov



## GUIDELINES FOR HANDLING DESERT TORTOISE ENCOUNTERED ON ROADS, VEHICLE WAYS AND PROJECT AREAS

1. Stop your vehicle and allow the tortoise to move off the road.
2. If the tortoise is not moving, gently\*\* pick up the tortoise and move it approximately 200 feet off the road to a shaded location.
  - a. **Do not** turn the tortoise over.
  - b. Move the tortoise in the direction it was traveling. If it was crossing the road, move it in the direction it was crossing.
  - c. Keep the tortoise within 12-18 inches of the ground, move slowly so as not to cause it to become alarmed.
  - d. Release the tortoise under the shade of a bush or rock.

\*\* Tortoise store water in their bladder. If a tortoise becomes alarmed its defense is to void its bladder onto the captor. This could lead to dehydration of the tortoise and potentially to death.

3. Prior to moving any parked vehicle or equipment at project sites, check for tortoise under the vehicle.

