

Worksheet
Determination of NEPA Adequacy
(DNA)

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

Office: AZA010, AZA020, AZA030

Tracking Number: N/A

Casefile/Project number: DOI-BLM-AZ-A000-2014-0003-DNA

Proposed Action Title/Type: Elmer Guide Service and Arizona Desert Outfitter -SRPs

Location/Legal description: Vermilion Cliffs National Monument, Grand Canyon-Parashant National Monument and Arizona Strip Field Office.

Applicants: Elmer Guide Service and Arizona Desert Outfitter.

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

The proposed action is to authorize Special Recreation Permits (SRP) for Elmer Guide Service and Arizona Desert Outfitter to conduct commercial hunting guide activities.

Each SRP would be issued for a period of up to ten years. The Bureau of Land Management (BLM) requires that an annual letter of authorization be issued for each subsequent year under the permit to ensure that permit conditions are fulfilled on an ongoing basis. The letter of authorization would be signed by the appropriate authorized officers (i.e., Arizona Strip Field Office and Grand Canyon-Parashant National Monument Managers, or their acting), provided the following criteria are met: no changes are made to the permittees' operations plan; all permit stipulations are followed (see attached stipulations); fee payments and post-use reports are submitted in a timely manner; and appropriate insurance coverage is maintained. A permit holder who does not fulfill a permit condition would not receive a letter of authorization and, therefore, permitted activities would be suspended or terminated.

The proposed activities would occur throughout the Arizona Game and Fish Department's game management units 13A, 13B and 12B on public lands administered by the BLM's Arizona Strip Field Office, Grand Canyon-Parashant National Monument, and Vermilion Cliffs National Monument. Commercial outfitters guide for deer, mountain lion, bighorn sheep, and pronghorn on the Arizona Strip District. Applicants anticipate conducting anywhere from one to four trips per year, with average group sizes ranging from two to six, including both guides and clients. Maximum group size would be six. Average trip length would be one week or less.

Camp stays in a single location are limited to 14 consecutive days. Extensions beyond 14 consecutive days would require approval from the appropriate authorized officer prior to the last day of the 14-day camp limit.

Due to the unpredictability of hunting activity, the exact location of overnight campsites cannot be determined. Each permittee would be required to camp adjacent to existing roads (or along designated “open” roads within areas where the roads have been designated) in existing disturbed areas only and comply with all overnight camping stipulations. In Special Management Areas, i.e., Coyote Buttes and Paria Canyon, restrictions on overnight camping and group sizes apply. Refer to Vermilion Cliffs National Monument Resource Management Plan (RMP) for specific details. The applicable SRP fee (43 CFR 2930) would be charged.

Commercial photography or filming of the hunting activity by each permittee other than for use in the permittee’s own promotional material or given to guests as a memento of the trip, and any motion or still picture photography done by guests or using a guest’s camera equipment for non-commercial purposes would not require a separate 2920 film permit or filming fees and would be authorized under the SRP (see the Recreation Permit Administration Handbook, H-2930-1, pages 13 and 14) so long as the photography or filming takes place at the same time, location, and in association with the activity permitted under the SRP.

B. Land Use Plan (LUP) Conformance

The proposed action is in conformance with the following LUPs because it is specifically provided for in the LUP decisions listed.

Arizona Strip Field Office RMP Date Approved: 2008

MA-LR-06 – Individual land use authorizations (ROWs, permits, leases, easements) will be evaluated on a case-by-case basis in accordance with other RMP provisions and NEPA compliance. New land use authorizations will be discouraged within avoidance areas (i.e., ACECs, lands supporting listed species, NHTs, riparian areas, and areas managed to maintain wilderness characteristics) and allowed in such areas only when no reasonable alternative exists and impacts to these sensitive resources can be mitigated

MA-RR-12 - No person or persons shall occupy one area within the Arizona Strip Field Office for longer than 14 consecutive days in any 28-day period; however, extensions beyond the 14-day length of stay can be authorized for permitted uses on a case-by-case basis. Any site on public land within 30 air miles constitutes the same area for the purpose of this rule. Persons occupying a regular campsite within the Virgin River Canyon Recreation Area are exempt from this rule. To protect resources, for public safety, or for other administrative purposes, an authorized officer may, by posting notification, close a given site to occupancy.

MA-RR-13

- Camping may be limited in listed species and other sensitive habitats (see Special Status Species & Vegetation Management decisions).
- Camping may be restricted or limited to protect cultural and/or natural resources through campsite monitoring and LAC.
- Dispersed camping will be allowed, subject to Trail and Travel Management decisions.

MA-RR-24 - Special recreation permit (SRP) application packages (application, operating plan, maps, etc.) will be considered for authorization on a case-by-case basis upon receipt of application. (See 43 CFR 2930 for requirements)

MA-RR-28 - Commercial, competitive, organized group/event, and special area permits can be authorized when such uses accomplish or are compatible with management objectives and other plan provisions. Commercial services in designated wilderness shall meet guidelines for commercial activities within wilderness.

Grand Canyon-Parashant National Monument RMP and General Management Plan

Date Approved: 2008

MA-LR-07 – On BLM-administered lands, minimum impact permits within the Monument will be evaluated and authorized on a case-by-case basis where site-specific NEPA analysis determines that impacts to the objects or values for which the Monument were designated will be negligible.

DFC-RR-01 - Recreation and visitor services will be managed to provide varying levels of structured recreation opportunities that offer a range of specific benefits, activities, and experiences within outdoor settings (Special Recreation Management Areas [SRMAs]; See Map 11).

DFC-RR-13 - The primary strategy for the Parashant SRMA/NPS SMA will be to target a demonstrated undeveloped recreation-tourism market demand from local community and regional/national visitors for trophy hunting opportunities, guided backcountry tours, hiking, viewing and appreciating wildland landscapes and cultural sites, canyoneering and motorized/mechanized/non-mechanized exploring. This demand is supported by the area's distinctive remote, rugged landscape; its proximity to the Grand Canyon; its vast size; and the largely open and undeveloped character of its recreation settings. Regional and local recreation-tourism visitors value this area for the distinctive kinds of dispersed recreation it produces. (See RMP Appendix J for more information.)

MA-RR-12 - No person or persons should occupy one area on BLM-administered lands within the Monument for longer than 14 consecutive days in any 28-day period; however, extensions beyond the 14-day length of stay can be authorized for permitted uses on a case-by-case basis. Any site on public land within 30 air miles constitutes the same area for the purpose of this rule. To protect resources, for public safety, or for other administrative purposes, an authorized officer may, by posting notification, close a given site to occupancy.

MA-RR-27

- Commercial, competitive, organized group/event, and special area permits can be authorized when such uses accomplish or are compatible with management objectives and other plan provisions. Commercial services in designated or proposed wilderness should meet guidelines for commercial activities within wilderness.
- Recreation activities requiring use authorization can be limited in listed species and other sensitive habitats. (See Special Status Species and Vegetation Management decisions.)

Vermilion Cliffs National Monument RMP Date Approved: 2008

MA-LR-07 – Minimum impact permits within the Monument will be evaluated and authorized on a case-by-case basis where site-specific NEPA analysis determines that impacts to the objects or values for which the Monument was designated would be negligible.

DFC-RR-01 - Recreation and visitor services will be managed to provide varying levels of structured recreation opportunities that offer a range of specific benefits, activities, and experiences within outdoor settings (SRMAs; See Map 2.8).

MA-RR-12 - No person or persons shall occupy one area within the Monument for longer than 14 consecutive days in any 28-day period; however, extensions beyond the 14-day length of stay can be authorized for permitted uses on a case-by-case basis. Any site on public land within 30 air miles constitutes the same area for the purpose of this rule. To protect resources, for public safety, or for other administrative purposes, an authorized officer may, by posting notification, close a given site to occupancy.

MA-RR-27 - SRP application packages (application, operating plan, maps, etc.) will be considered for authorization on a case-by-case basis upon receipt of application. (See 43 CFR 2930 for requirements).

The proposed action also does not conflict with other decisions contained within these land use plans.

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

EA No. AZ-931-93-001: Special Recreation Permits for Commercial Activities on Public Lands in Arizona approved 1993.

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: The existing EA (AZ-931-93-001) was written specifically for this type of activity. The EA analyzes a large number of guided outdoor

activities including hunting, hiking and camping, which are the three main activities that would take place under the proposed action addressed in this DNA; these activities are mentioned specifically in page 1 of this EA as referenced below:

“This document generally covers the specific type of proposed action which involves 1) commercial recreation activities; 2) day-use or multi-day trips onto public lands; 3) base camps of 14 days or less; 4) spike camps, where relatively small groups (up to 6 people or 6 pack stock) would use a site for one or two nights and then move on; and 5) where general stipulations in this document are applied.”

This DNA (DOI-BLM-AZ-A000-2014-0003-DNA) clarifies the proposed action from the subject EA on one point. SRP holders using base camps under this current proposed action can request a base camp extension beyond the 14 day camp limit. Under the 2008 Arizona Strip Field Office, Grand Canyon-Parashant National Monument, and Vermilion Cliffs National Monument RMPs, no person or persons can occupy one area for longer than 14 consecutive days in any 28-day period; however, extensions beyond the 14-day camp limit to 28 days can be authorized for permitted uses on a case-by-case basis. EA-AZ-93-001 states “It is recognized that in some circumstances, such as delays to weather, emergencies, or tracking a wounded animal, guides may be required to extend stays to base and spike camps.” These types of extensions and a 14 day camp extension are deemed “substantially the same”; they were already analyzed and found to not substantially increase impacts to the land over those analyzed under EA-AZ-931-93-001.

Filming is an additional proposal by outfitters that is not specifically addressed in the existing EA. However, the use of small, hand-held cameras/video equipment by the permitted SRP holders with no film crews or sets, in conjunction with the guided hunting trips, would not result in impacts substantially different from those analyzed in the existing EA for guiding activities only.

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: There are two alternatives analyzed in the existing EA—the proposed action and no action.

Under the proposed action analyzed in the existing EA, SRPs would be issued on a case-by-case basis. The analysis states that resource impacts would be minimal because the BLM would have the ability to approve, deny, or modify a proposed operation, as well as modify or add to the list of stipulations that commercial operators must comply with.

The alternative to the proposed action (No Action) was to deny hunting and guide permits. The EA states, the denial of permits “would likely increase” illegal guiding activity and may hinder the BLM’s ability to work with outfitters and monitor commercial activities. Unregulated activity could have greater resource impacts and create additional enforcement problems (EA- AZ-931-93-001, p.8).

There are no other alternatives that are reasonable with respect to the current proposed action. The range of alternatives analyzed in the existing EA is therefore still valid under the current conditions and circumstances.

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: Two changes have occurred since EA-AZ-931-93-01 was completed. One was the designation of Grand Canyon-Parashant and Vermilion Cliffs National Monuments within the Arizona Strip District in 2000. The designation of these monuments has not changed the validity of the EA. The proposed guiding activities are consistent with the monument proclamations and the Vermilion Cliffs National Monument and Grand Canyon-Parashant National Monument RMPs. The management guidance in these documents does not preclude this proposal from being authorized or conflict with the analysis contained in the existing EA.

The second was the reintroduction of the endangered California condor to the Arizona Strip in 1996. This population is considered a non-essential experimental population under the Endangered Species Act's 10(j) rule for those areas south of I-15; north of I-15 the status of the California condor remains endangered. This action does not substantially change the analysis; however, stipulations are added to minimize potential impacts to California condors.

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?

These direct, indirect and cumulative effects are identical to those identified in the Environmental Impacts section (pages 5-8) of the existing EA. The nature of the proposed action is short-term and dispersed over a large area. The specificity of the existing analysis is adequate.

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

The existing EA was widely distributed, including 550 copies to agencies, organizations, and individuals, including those on the wilderness mailing list. That public involvement and interagency review was, and continues to be, adequate for the current proposed action.

E. Persons/Agencies /BLM Staff Consulted

Name, Resource

Gloria Benson, Tribal Liaison, Arizona Strip District Office
Diana Hawks, Recreation/Wilderness/Cultural Resources/ VRM Arizona Strip Field Office
Laurie Ford, Lands/Realty/Minerals, Arizona Strip Field Office
Jeff Young, Wildlife/T&E Wildlife, Grand Canyon Parashant National Monument
Lorraine Christian, Arizona Strip Field Office Manager, Project Oversight

John Herron, Cultural Resources, Arizona Strip Field Office
Jace Lambeth, Special Status Plants, Arizona Strip Field Office
Whit Bunting, Range/Vegetation/Weeds/S&G, Arizona Strip Field Office
Richard Spotts, Environmental Coordinator, Arizona Strip District Office
Ray Klein, Supervisory Law Enforcement, Grand Canyon Parashant National Monument
John Sims, Supervisory Law Enforcement, Arizona Strip District Office
Pamela D. McAlpin, Grand Canyon – Parashant National Monument Manager
Kevin Wright, Vermilion Cliffs National Monument Manager

Steve Rosenstock, Habitat Program Manager, Arizona Game and Fish Department
Daniel Bullets, acting Environmental Program Director, Kaibab Paiute Tribe
Peter Bungart, Cultural Staff, Hualapai Tribe
Dawn Hubbs, Cultural Staff, Hualapai Tribe

Conclusion

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

Lorraine M. Christian

Lorraine M. Christian
Arizona Strip Field Office Manager

9/24/2014

Date

RAYMOND A. KLEIN
ACTING

Pamela D. McAlpin
Grand Canyon – Parashant National Monument Manager

9/24/2014

Date

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the decision document to approve any lease, permit, or other authorization based on this DNA is subject to protest or appeals under 43 CFR Part 4 and program-specific regulations.

Permittees: Elmer Guide Service and Arizona Desert Outfitter

Arizona Strip District Office

SPECIAL RECREATION PERMIT STIPULATIONS

In order to protect and preserve the natural and cultural resource values on the Arizona Strip and provide for public safety, the attached terms and conditions/stipulations are incorporated as part of each special recreation permit (SRP). These stipulations are specific to the Arizona Strip District and are in addition to those found within Form 2930-1 (SRP Application Permit) and BLM H-2930-1 (Recreation Permit Administration). These stipulations are incorporated as part of each SRP and apply to the permittee and all employees working for him/her. Failure to comply can result in permit revocation.

GENERAL STIPULATIONS

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 (SRP). The permittee shall ensure that all persons operating under the authorization have obtained all required Federal, State, and local licenses or registrations. SRPs for commercial recreation uses requiring a State license (i.e., outdoor youth programs, hunting guides, etc.) will be valid only when accompanied by a valid State license. 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. Conviction of violating federal or state statutes relating to the resources on public land (cultural, wildlife laws, etc.) may cause existing permits to be suspended or cancelled. BLM may suspend or cancel an existing SRP if the permittee commits any of the acts prohibited in 43 CFR 8365 (Rules of Conduct), or violates any site specific rules posted in the area.
3. All advertising and representations made to the public and the authorized officer(s) 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 officers with any current brochure and price list if requested by the authorized officers.
4. The permittee must assume responsibility for inspecting the permitted area for any existing or new hazardous conditions, e.g., trail and route conditions, landslides, rocks, avalanches, changing water or weather conditions, falling limbs or trees, submerged objects, hazardous wildlife, or other hazards that present risks for which the permittee is responsible.
5. The permittee shall notify the authorized officer(s) of any accident which occurs while involved in activities authorized by this permit resulting in death, personal injury requiring hospitalization or emergency evacuation, or in property damage greater than

\$2,500 (lesser amount if established by state law). Reports must be submitted within 48 hours in the case of death or injury, or 10 days in accidents involving property damage. Contact BLM Ranger, John Sims at (435) 644-1211 or NPS Chief Ranger, Ray Klein at (435) 688-3280.

6. The permittee is at all times responsible for the actions of himself, his employees, spectators and guests in connection with the authorized operations, and shall not cause a public disturbance or engage in activities which create a hazard or nuisance.
7. "Leave No Trace" principles must be followed (see enclosed reference materials).
8. Within Vermilion Cliffs National Monument and Grand Canyon-Parashant National Monument, collection of Monument resources, objects, rocks, petrified wood, fossils, plants, parts of plants, fish, insects, or other invertebrate animals, and other items is prohibited. If in compliance with Arizona state statutes and AGFD regulations, recreational collection of animals and animal parts is allowed. This SRP does not give authorization to appropriate, injure, destroy, or remove any feature of either monument, or to locate or settle upon any of the lands thereof.
9. Permittee is responsible for knowing the location of special management areas, such as national monuments, areas of critical environmental concern (ACECs), and designated wilderness areas, as well as the use restrictions that apply, and complying with those use restrictions.
10. Adequate first aid and safety equipment (i.e. satellite phone, SPOT satellite GPS messenger, or radio), shall be in the possession of the permittee while performing the permitted activities. All guides must possess at minimum a current Standard First Aid (or Wilderness First Aid for activities conducted in remote areas) and CPR certifications. Copies of all certifications must be submitted to the BLM office.

SRP MANAGEMENT

11. The permittee is required to provide the authorized officers (or his/her representative) with a copy of a valid insurance policy or proof thereof covering the periods of use prior to being issued a SRP authorizing any use. The U.S. Government must be named as additional insured on the policy. Permittee must keep insurance in effect; during any period when the insurance is not in effect or cancelled, the SRP is suspended.
12. The permittee must submit a Post-Use Report and annual fees to the Arizona Strip District within 30 days of January 1 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. Additionally this report will be used to determine if additional fees are required of the permittee based upon total permitted use.
13. The authorized officer(s), 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 3 years after expiration of the permit.
14. The permittee and his/her agents must carry a copy of the SRP and Letter of Authorization while conducting operations on public lands. When contacted by law enforcement personnel, the permittee and his/her agents shall identify themselves as SRP holders or agents operating under such a permit. The permittee/agents must present or display a copy of the SRP to an authorized officers' representative, or law enforcement personnel

upon request. If required, the permittee must also display a copy of the SRP or other identification tag on equipment, especially full sized vehicles and ATVs, used during the period of authorized use.

15. This BLM issued SRP does not cover operations on the National Park Service (NPS) administered portion of Grand Canyon-Parashant National Monument (GCPNM), Glen Canyon National Recreation Area, or other NPS-administered lands; a separate NPS issued Commercial Use Authorization (CUA) is required for activities on NPS lands (including use of the Lee's Ferry trailhead to Paria Canyon).
16. An SRP authorizes special uses of the public lands and should circumstances warrant, the permit may be modified by the BLM at any time, including modification of the amount of use. The permittee shall request an amendment or modification of the permit to provide for changes in use areas or sites, season of use, services provided, or any substantive changes in the operating plan 90 days prior to the issuance of the permit. The authorized officer(s) may suspend or terminate an SRP if necessary to protect public resources, health, safety, the environment, or noncompliance with permit stipulations. Actions by the BLM to suspend or terminate a SRP are appealable.
17. No value shall be assigned to or claimed for the permit, or for the occupancy or use of Federal lands 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 BLM.
18. Unless expressly stated, the SRP does not create an exclusive right of use of an area by the permittee. This SRP does not in any way prevent public use of or access to any public lands, unless expressly identified under the permit. Public lands will generally remain available on a first-come, first served basis to commercial and private recreational users; nothing herein implies that the first permittee in any area has been granted exclusive use, or priority use. 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.
19. 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, authorized officer(s) 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.
20. Any filming/photography of permitted activities that takes place with the express intent to sell the product back to the guided client(s) as souvenirs or training videos, etc. would be subject to a vending permit being included as part of the Special Recreation Permit. A separate Land Use Permit would be required for other commercial filming on public lands, defined in IM No. 2004-73 as, "The use of motion picture, videotaping, sound recording, or other moving image or audio recording equipment on public lands that involves the advertisement of a product or service, the creation of a product for sale, or the use of actors, models, sets, or props, but not including activities associated with broadcasts for news programs. For purposes of this definition, creation of a product for

sale includes a film, videotape, television broadcast, or documentary of participants in commercial sporting or recreation event created for the purpose of generating income." Vending and commercial filming is not permitted in any designated wilderness area.

21. Filming is limited to the use of handheld and tripod mounted cameras. Construction or removal of vegetation for the creation of a camera platform or to clear a shot is not allowed. Filming is generally done using only ambient light sources. No more than two, battery-powered, auxiliary lighting sources may be used. In addition, if the permittee plans to film at times and locations that are not part of the activity authorized by the SRP, a separate film permit is required.
22. Food, water, and/or equipment caches will not be allowed unless prior approval is obtained from the BLM's authorized officers. Location of proposed caches must be identified in the permittee's approved operating plan.
23. Permittee shall not place signs, construct cairns or new trails, maintain existing trails, or use flagging or paint to mark trails, unless specified in their permit. All permitted signs and flagging must be removed from public lands at the end of the use period.
24. In time of severe fire danger or other emergencies, in order to protect public resources, the BLM may close large areas to the public. This permit does not entitle the holder to an exception to emergency closures. Permittee is responsible for informing employees and clients of the current fire danger and required precautions that may be placed in effect by the BLM or the State.
25. Wildfires caused by the permittee shall be reported immediately by calling 911 and the nearest BLM office (435-688-3200). Permittee may be held liable for fire suppression costs.

LANDS AND REALTY

26. The permittee may be required to furnish written permission from private property landowners whose property, land, or water is affected by the use associated with the permit. The SRP does not give permission to cross over or use any private lands. The permittee will be fully responsible for all trespass on and/or damage to private land which results from the conduct of their activities.
27. The permittee cannot, unless specifically authorized, erect, construct, or place any building, structure, or other fixture on public lands. Upon leaving the public lands, the lands must be restored as nearly as possible to pre-existing conditions.

CULTURAL RESOURCES

28. Employees and clients will be instructed that it is unlawful to disturb, deface, excavate or remove any archaeological or paleontological objects or structures. Look but don't touch! Rock art may be photographed but not touched. Collection of prehistoric or historic artifacts is prohibited on Federal Lands and is prosecutable under the Archaeological Resources Protection Act and other laws, both federal and state. Disturbance, defacement, or excavation of prehistoric and historic sites is also prohibited (see ARPA for additional prohibited acts).
29. Intentional removal or excavation of Native American human remains, funerary objects,

sacred objects or objects of cultural patrimony is a violation of the Native American Graves Protection and Repatriation Act.

TRAVEL MANAGEMENT

30. Permittee shall limit vehicle traffic to the designated routes contained within the Special Recreation Permit (SRP). No motorized cross-country travel is permitted.
31. All motor vehicle use will comply with applicable off-highway vehicle regulations.
32. The permittee will practice proper precautions to prevent the spread of noxious weeds/invasive species. Therefore, all machinery (street legal motorized vehicles, non-street legal all-terrain vehicles, trailers, etc.) that has been used outside the proposed use area must be cleaned prior to use and be free of accumulated plant parts (including the undercarriage) in order to prevent the possible introduction and spread of noxious weeds/invasive species.
33. Permittee is responsible for the proper cleanup of all vehicle fluid (including, but not limited to, fuel, motor oil, hydraulic fluid, gear oil, and coolants), vehicle parts, etc., prior to submission of the Post-Use Report and prior to the release of any required posted bond.

RANGELAND MANAGEMENT

34. SRP holders must adhere to 43 CFR 4140.1 which prohibits: installing, using, maintaining, modifying, and/or removing range improvements without authorization; cutting, burning, spraying, destroying, or removing vegetation without authorization; damaging or removing U.S. property without authorization; littering; failing to reclose any gate or other entry during periods of livestock use; and interfering with lawful uses or users including obstructing free transit through or over the public lands by force, threat, intimidation, signs, barriers, or locked gates.
35. Harassment of livestock or destruction of private and public improvements such as water catchments, pipelines, fences and gates is prohibited. Gates will be left open or closed, as they are found.

WILDLIFE

General Requirements

36. Harassment of wildlife, or destruction of private and public improvements such as wildlife catchments, is prohibited.

California condor

37. The permittee will notify the BLM Arizona Strip wildlife team lead (435-688-3373) within 5 days of the completion of the trip if California condors visit the participants while permitted activities are underway. Permittee and participants will be instructed to avoid interaction with condors. Subsequent activities will be modified if those activities are determined to have adverse effects on condors.
38. California condors are highly susceptible to the effects of micro-trash. Micro-trash includes small and easily ingestible materials such as bottle caps, broken glass, cigarette

butts, small plastic bits, bullets, and bullet casings, even food materials. Any sites used will be cleaned up at the end of each day of use (e.g., trash removed, scrap materials picked up) to minimize the likelihood of condors visiting the site. BLM staff may conduct site visits to the area to ensure adequate clean-up measures are taken.

Desert Tortoise

39. Desert tortoise / Mojave desert restrictions:
- a. During the Mojave desert tortoise active season (March 15 through October 15), the permittee must observe a 20 mph speed limit on BLM roads within Mojave desert tortoise critical habitat and 40 mph in desert tortoise habitat outside of critical habitat. (See attached map for the location of these areas.)
 - b. Uncontrolled (unleashed) domestic dogs will be prohibited in areas within the range of the Mojave desert tortoise. Use of firearms, except by law enforcement officers or licensed hunters during lawful hunting activities, will also be prohibited.
 - c. When parked in areas within the range of the Mojave desert tortoise during the tortoise active season (March 15 – October 15) please check underneath vehicles for tortoises before resuming travel.

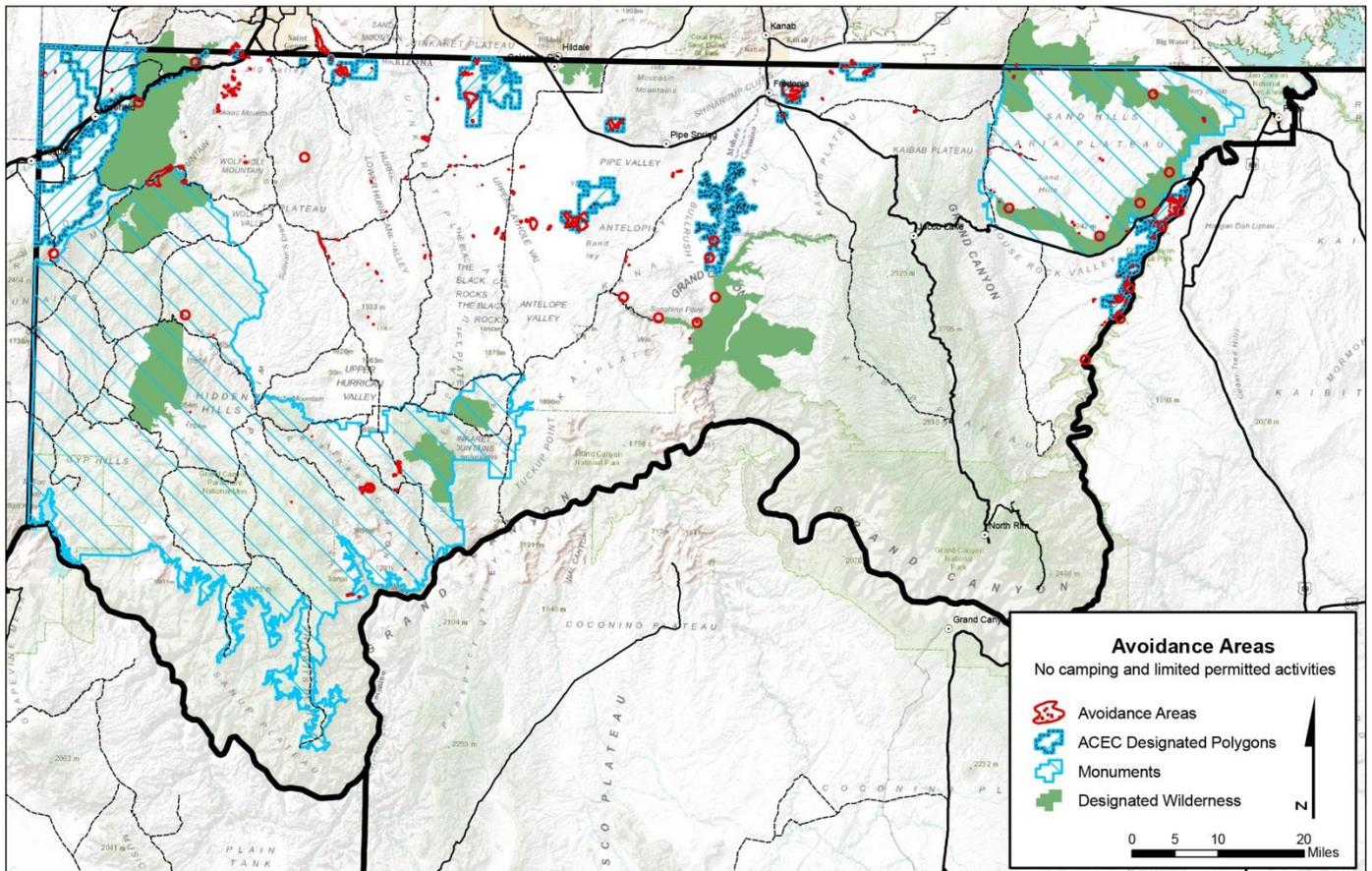
OVERNIGHT CAMPING

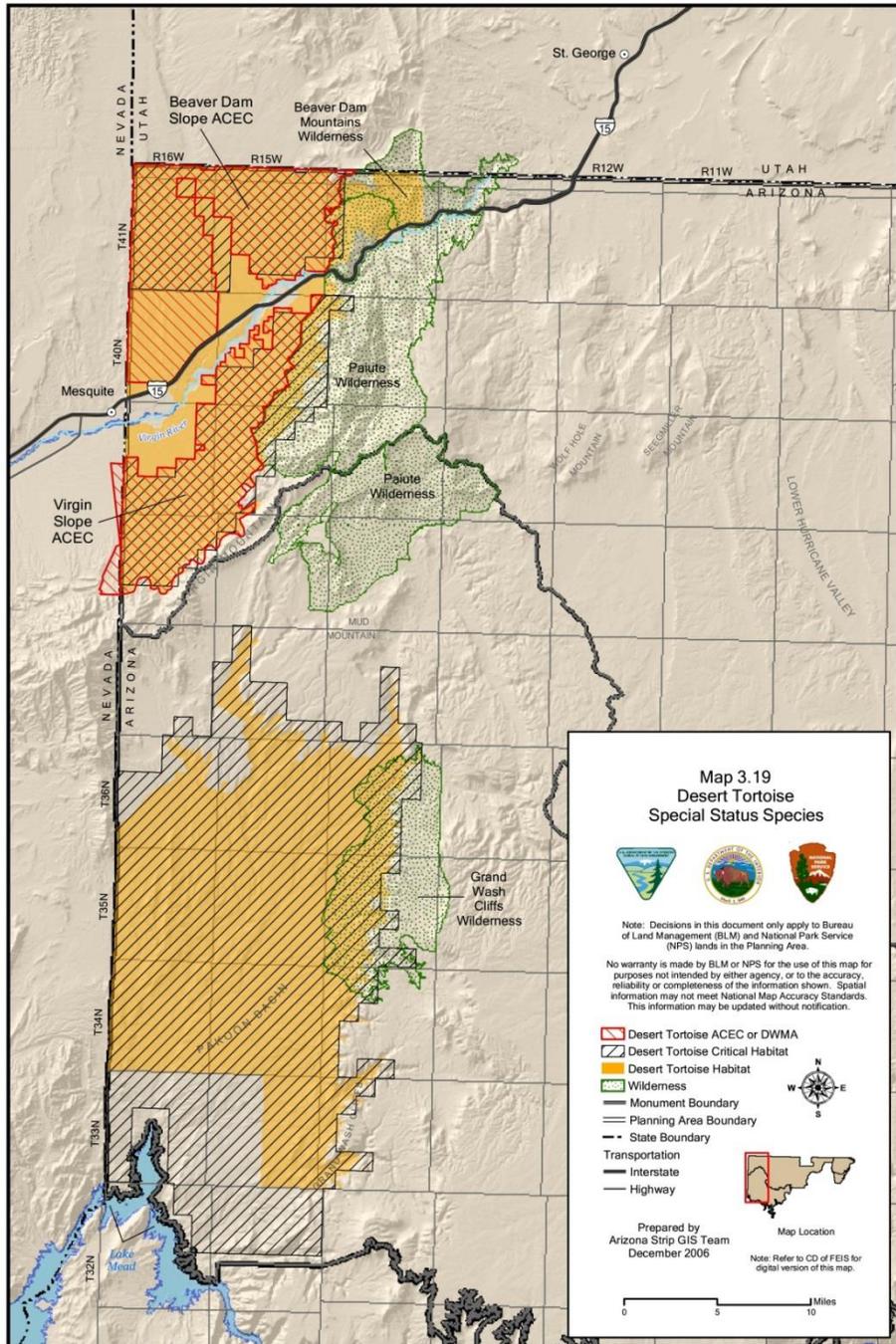
40. Camping is prohibited within ½ mile of active condor nests (2/1 to 11/30), golden eagle nests (2/1 to 11/30), peregrine nests (3/01 to 8/1), Mexican spotted owl nests (3/01 to 8/31), and golden or bald eagle winter roosts (10/15 to 4/15). See attached maps.
41. Camping is prohibited in areas of known special status plants (see attached map).
42. All camps will be prohibited within one-quarter mile of a natural water hole or man-made watering facility containing water, to allow wildlife or domestic stock access to water.
43. All camps will be located at least 200 feet from any known archaeological sites, including prehistoric camps, rock shelters, caves, and historic buildings.
44. Camp locations and other use areas shall be maintained in a sanitary condition at all times; waste material at those areas shall be removed and disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash and refuse. Burying garbage is prohibited.
45. Disposal of human waste:
- a. At vehicle accessible base camps, a portable toilet is required. Portable toilets must only be emptied at approved disposal sites.
 - b. At camps not accessible by vehicles, group latrines will be located on sites that maximize direct sunlight and no closer than 200 feet from water sources and dry washes. The hole excavated for the latrine will be 8-12 inches deep and will be completely filled in and disguised when camp is broken. SRP holders are required to pack out all toilet paper.
46. At a vehicle based camp, the permittee must camp along designated "open" roads, in existing disturbed areas only.

47. The permittee must use existing campfire circles when they exist, rather than construct new ones. If no existing fire circles, sites should be selected that can be "naturalized" at departure.
48. Camp fires will have a vegetation free barrier of five feet or more away from trees, shrubs and other vegetation. Fires shall not be built next to rocks or encircled with stones/rocks, in order to avoid fire scars.
49. The permittee may use only dead and down wood for campfires (unless otherwise directed). Cutting or removing any live vegetation or standing dead vegetation is prohibited.
50. The permittee must take all reasonable precautions to prevent wild land fires. Fires must be out and cold when camp is unattended.

PARIA CANYON-VERMILION CLIFFS WILDERNESS

51. A human waste bag will be provided for each customer at overnight camps in Paria Canyon. All bags must be packed out of the wilderness area and properly disposed of in a trash receptacle.
52. Campfires are prohibited.





Map 3.19 Desert Tortoise - Special Status Species

DECISION MEMORANDUM
DOI-BLM-AZ-A000-2014-0003-DNA
Elmer Guide Service and Arizona Desert Outfitter Special Recreation Permits
(SRPs)

U.S. Department of the Interior
Bureau of Land Management
Vermilion Cliffs National Monument, Grand Canyon-Parashant
National Monument and Arizona Strip Field Office.

Approval and Decision

Based on a review of the project described in the attached Determination of NEPA Adequacy (DNA) documentation and Field Office and Monument staff recommendations, we have determined that the project is in conformance with the Arizona Strip Field Office Resource Management Plan, Vermilion Cliffs National Monument Resource Management Plan and the Grand Canyon-Parashant National Monument Resource Management Plan. The DNA is based on EA-AZ-931-93-001. This EA specifically addresses outfitting and guiding services. It is our decision to approve the action as proposed.

Administrative Review or Appeal Opportunities

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 and the attached Form 1842-1. If an appeal is taken, your notice of appeal must be filed at the Arizona Strip Field Office, 345 East Riverside Drive, St. George, Utah 84790, within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

In accordance with 43 CFR 2931.8 (b) this decision remains in effect pending appeal unless a stay is granted. If you wish to file a petition (pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) (request) for a stay (suspension) of the effectiveness 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. 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 Office of the Solicitor (Department of the Interior, Office of the Field Solicitor, Sandra Day O'Connor U.S. Court House #404, 401 West Washington Street SPC44, Phoenix, AZ 85003-2151) (see 43 CFR

4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

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

Standards for Obtaining a Stay

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

Lorraine M. Christian
Lorraine M. Christian
Field Manager, Arizona Strip Field Office

9/24/2014
Date

ACTING RAYMOND H. KLEIN
Pamela D. McAlpin
Grand Canyon – Parashant National Monument Manager

9/24/2014
Date

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE INTERIOR BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you,
- AND
2. You believe it is incorrect

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

1. NOTICE OF APPEAL	A person who wishes to appeal to the Interior Board of Land Appeals must file in the office of the officer who made the decision (not the Interior Board of Land Appeals) a notice that he wishes to appeal. A person served with the decision being appealed must transmit the <i>Notice of Appeal</i> in time for it to be filed in the office where it is required to be filed within 30 days after the date of service. If a decision is published in the FEDERAL REGISTER, a person not served with the decision must transmit a <i>Notice of Appeal</i> in time for it to be filed within 30 days after the date of publication (43 CFR 4.411 and 4.413).	
2. WHERE TO FILE	Field Manager, Arizona Strip Field Office Bureau of Land Management 345 East Riverside Drive St. George, Utah 84790	
NOTICE OF APPEAL.....		
WITH COPY TO SOLICITOR...	Office of the Field Solicitor Sandra Day O'Connor US Courthouse, Suite 404 401 West Washington Street, SPC-44 Phoenix, Arizona 85003-2151	
3. STATEMENT OF REASONS	Within 30 days after filing the <i>Notice of Appeal</i> , file a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the <i>Notice of Appeal</i> , no additional statement is necessary (43 CFR 4.412 and 4.413).	
WITH COPY TO SOLICITOR.....	Office of the Field Solicitor Sandra Day O'Connor US Courthouse, Suite 404 401 West Washington Street, SPC-44 Phoenix, Arizona 85003-2151	AND COPY TO.....Field Manager, Arizona Strip Field Office Bureau of Land Management 345 East Riverside Drive St. George, Utah 84790
4. ADVERSE PARTIES	Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the <i>Notice of Appeal</i> , (b) the Statement of Reasons, and (c) any other documents filed (43 CFR 4.413).	
5. PROOF OF SERVICE	Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (43 CFR 4.401(c)).	
6. REQUEST FOR STAY	Except where program-specific regulations place this decision in full force and effect or provide for an automatic stay, the decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for a stay is timely filed together with a <i>Notice of Appeal</i> (43 CFR 4.21). If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Interior Board of Land Appeals, the petition for a stay must accompany your <i>Notice of Appeal</i> (43 CFR 4.21 or 43 CFR 2801.10 or 43 CFR 2881.10). A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the <i>Notice of Appeal</i> 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 (43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. Standards for Obtaining a Stay. Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards: (1) the relative harm to the parties if the stay is granted or denied, (2) the likelihood of the appellant's success on the merits, (3) the likelihood of immediate and irreparable harm if the stay is not granted, and (4) whether the public interest favors granting the stay.	

Unless these procedures are followed, your appeal will be subject to dismissal (43 CFR 4.402). Be certain that **all** communications are identified by serial number of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (43 CFR 4.401(a)). See 43 CFR Part 4, Subpart B for general rules relating to procedures and practice involving appeals.

(Continued on page 2)

43 CFR SUBPART 1821--GENERAL INFORMATION

Sec. 1821.10 Where are BLM offices located? (a) In addition to the Headquarters Office in Washington, D.C. and seven national level support and service centers, BLM operates 12 State Offices each having several subsidiary offices called Field Offices. The addresses of the State Offices can be found in the most recent edition of 43 CFR 1821.10. The State Office geographical areas of jurisdiction are as follows:

STATE OFFICES AND AREAS OF JURISDICTION:

Alaska State Office ----- Alaska
Arizona State Office ----- Arizona
California State Office ----- California
Colorado State Office ----- Colorado
Eastern States Office ----- Arkansas, Iowa, Louisiana, Minnesota, Missouri
and, all States east of the Mississippi River
Idaho State Office ----- Idaho
Montana State Office ----- Montana, North Dakota and South Dakota
Nevada State Office ----- Nevada
New Mexico State Office ---- New Mexico, Kansas, Oklahoma and Texas
Oregon State Office ----- Oregon and Washington
Utah State Office ----- Utah
Wyoming State Office ----- Wyoming and Nebraska

(b) A list of the names, addresses, and geographical areas of jurisdiction of all Field Offices of the Bureau of Land Management can be obtained at the above addresses or any office of the Bureau of Land Management, including the Washington Office, Bureau of Land Management, 1849 C Street, NW, Washington, DC 20240.

(Form 1842-1, September 2006)