

## **Decision Record**

### **Special Recreation Permit, Church of Jesus Christ of Latter Day Saints Sonoran Desert National Monument, Arizona**

**NEPA No.:** AZ-P040-2015-001-DNA

**Case File No.:** AZ-P040-SR15-001

U.S. Department of the Interior  
Bureau of Land Management  
Lower Sonoran Desert Field Office  
Sonoran Desert National Monument

#### **Purpose and Need for the Action**

The Sonoran Desert National Monument (SDNM) was established by Presidential Proclamation 7397 on January 17, 2001 which stated, in part, that “[t]he Sonoran Desert National Monument is a magnificent example of untrammeled Sonoran desert landscape. The area encompasses a functioning desert ecosystem with an extraordinary array of biological, scientific, and historic resources.” Continuing, the proclamation directed that “[t]he Secretary of the Interior shall manage the monument through the Bureau of Land Management, pursuant to applicable legal authorities, to implement the purposes of this proclamation.”

Primary among legal authorities governing the management of public lands administered by the Bureau of Land Management is the “Federal Land Policy and Management Act of 1976,” which declared Congress’ intent that “the public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values....and that will provide for outdoor recreation....” Thus, the Bureau of Land Management is directed to manage public lands for the multiple use and sustained yield of various resources, including the enjoyment of those resources through recreational activities.

The proposed action provides for the issuance of an Organized Group Special Recreation Permit (“SRP”) to the Church of Jesus Christ of Latter Day Saints, Maricopa Stake, and care of Rich Radford. Mr. Radford proposes to supervise a three night educational and camping event to commemorate a migration event of historical importance to the Mormon faith. Approximately 120 participants will push two-wheeled wooden carts by foot over the Mormon Battalion Trail (Anza National Historic Trail) between Hwy 238 and Gap Well, transporting camping equipment and supplies, and camping along the route, to reenact an event in Mormon history. The event organizers will provide “port-a-john” toilets and trash receptacles at camp sites, and first aid qualified individuals will accompany the participants. Prior to the event, access by motor vehicle to the route and camp sites may be required for event planning purposes. A motor vehicle may trail behind the participants during the trek to provide emergency supplies and access.

## **Plan Conformance**

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions:

The Sonoran Desert National Monument RMP page 2-75 states that:

RM-2.1.10: At the discretion of the authorized officer, SRPs will be authorized on a case-by-case basis as outlined in 43 CFR 2930.5; in subsequent policies and guidance (See Appendix D, Best Management Practices and Standard Operating Procedures); and in the decisions below. See also CH-2.1.5, WC-1.1.13.

RM-2.1.11: Organized groups numbering greater than 25 participants will require a special recreation permit. See also CH-2.1.6.

RM-2.1.12: To ensure protection of Monument objects, permits will not be issued for organized groups of more than 200 participants at one site.

## **Compliance with the National Environmental Policy Act, and Finding of No Significant Impact**

The proposed action—the establishment of a single site base camp to be used for a period of less than 14 consecutive days, non-mechanized and non-motorized camp activities, and hiking in the adjacent public lands—is substantially the same type of action for which the environmental analysis “Special Recreation Permits for Commercial Recreation Activities on Public Lands in Arizona” (E.A. No. AZ-931-93-001), August, 1993 was completed. All activities will remain within the scope of this document, and all standard commercial special recreation permit stipulations referenced in the environmental analysis will be attached to, and made a part of, the special recreation permit issued.

The BLM, Sonoran Desert National Monument, has completed a review of the proposed action with respect to the above-cited environmental analysis. This review (“Documentation of NEPA Adequacy, NEPA No. AZ-P040-2015-001-DNA”) determined that there were no substantive differences in the actions proposed and potential resultant impacts, nor was there new information or circumstances that would render the existing analysis invalid.

Based on the analysis of potential environmental impacts contained in the environmental analysis (NEPA No. AZ-931-93-001) and the subsequent review (NEPA No. AZ-P040-2015-001-DNA), attached to and incorporated herein; public involvement throughout the development of the analysis; and all other information available to me, it is my determination that impacts are not expected to be significant; therefore, an environmental impact statement is not required.

## Persons Consulted

David Scarbrough, BLM Arizona  
Dallas Meeks, BLM Arizona  
Ronald Tipton, BLM Arizona  
Andrea Felton, BLM Arizona  
Cheryl Blanchard, BLM Arizona

Monument Manager  
Outdoor Recreation Planner  
Wildlife Biologist  
Natural Resource Specialist  
Cultural Resources

## Decision and Rationale on Action

It is my decision to issue a special recreation permit for of the SDNM in the areas specified within the operations plan on file in this office to the Church of Jesus Christ of Latter Day Saints, Maricopa Stake, and care of Rich Radford. This authorization will be effective from December 29, 2014 through December 31, 2014.

The issuance of special recreation permit recognizes the dual role of the Bureau of Land Management in protecting the natural resources of the SDNM while also providing for outdoor recreational enjoyment of those resources. This special recreation permit is not expected to pose impacts to monument resources and is consistent with the purpose of protecting monument resources.

I have reviewed the plan conformance statement and have determined that the proposed action is in conformance with the approved land use plan and that no further environmental analysis is required.

This action is being taken pursuant to 43 CFR 2932. Failure to comply with the provisions of this permit as stipulated below will subject the permit holder to penalties described at 43 CFR 2932.57.

The following stipulations will be included as a condition of implementation:

1. All standard stipulations for commercial special recreation permits described on BLM Form 2930-1.
2. All standard stipulations for commercial special recreation permits as described in "Special Recreation Permits for Commercial Recreation Activities on Public Lands in Arizona" (E.A. No. AZ-931-93-001), August, 1993 and attached hereto.
3. The following specific stipulations identified by BLM staff resource specialists:
  - Lunch stop should be at Christmas Camp and off of AZ State land.
  - The camp labeled "Laser Camp" should shift to the North and East. All camping, handcart parking, and associated activities will be at least 100 feet north of the trail.

- All handcarts and vehicles to stay on existing identified routes. No pulling off the trail at Happy Camp.

### **Implementation Date**

This Special Recreation Permit will be effective for the period December 29, 2014 through December 31, 2014.

  
\_\_\_\_\_  
Edward Kender, Field Manager  
Lower Sonoran Field Office

11/20/14  
\_\_\_\_\_  
Date

### **Administrative Review of Appeal Opportunities**

This decision is subject to appeal per the procedures at 43 CFR 4.410-4.415. An appeal may be accompanied by a petition for stay of the decision in accordance with 43 CFR 4.21, pending final determination on appeal. The appeal and petition for stay must be filed in the office of the authorized officer, as noted below, within 30 days following receipt of this decision:

Bureau of Land Management  
Lower Sonoran Desert Field Office  
Sonoran Desert National Monument  
ATTN: Edward Kender, Field Manager  
21605 North 7<sup>th</sup> Avenue  
Phoenix, AZ 85027

The appeal shall state the reasons, clearly and concisely, why the appellant feels that the decision here is in error.

In accordance with 43 CFR 4.21(b) (1) a petition for stay, if filed, must 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.

### **Contact Person**

For additional information concerning this decision contact Edward Kender, Field Manager, or Dallas Meeks, Outdoor Recreation Planner; Lower Sonoran Desert Field Office; 21605 North 7<sup>th</sup> Avenue; Phoenix, AZ 85027; (623) 580-5500.