

**U.S. Department of the Interior
Bureau of Land Management
Little Snake Field Office
455 Emerson Street
Craig, CO 81625-1129**

CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-CO-N010-2015-0007-CX

PROJECT NAME: Special Recreation Permit for KillPecker Tours LLC.

LEGAL DESCRIPTION: Throughout the Western Region of the Little Snake Field Office

APPLICANT: Patricia Doak and John Vase

DESCRIPTION OF PROPOSED ACTION: The Proposed Action would authorize KillPecker Tours to conduct commercial vehicle tours on public lands managed by the Little Snake Field Office. The tours would take place throughout spring and summer. Tours would include day use only with no overnight camping and would only occur on designated roads and trails. Proposed routes would include Moffat County Roads 114, 34, 34 N., 12, 10 S., 10 N., and State Hwy 318 (see attached map). The destinations and stops include Browns Park, the Gates of Lodore, the Coke Ovens and Irish Canyon. Tours would include the use of a 1 ton 16 passenger van with no more than 10 clients per tour. The tours would provide a social, recreational and scenic experience.

LAND USE PLAN (LUP) CONFORMANCE REVIEW: The Proposed Action was reviewed for conformance (43 CFR 1610.5, BLM 1617.3) with the following plan:

Name of Plan: Little Snake Record of Decision and Resource Management Plan

Date Approved: October 2011

Results: The Proposed Action is in conformance with the LUP because it is specifically provided for in the following LUP goals, objectives, and management decisions:

Provide a diversity of recreational opportunities, activities, and experiences for various user groups, unorganized visitors and affected communities, their residences, economies, and the environment. Objectives for achieving this goal include:

- Manage for special recreation permit services.
- Provide legal public access opportunities for recreational uses.

Section/Page: Section 2.15 Recreation/ page RMP-50

CATEGORICAL EXCLUSION REVIEW: The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 43 CFR Part 46.210 and qualifies as a categorical exclusion under 516 DM 11.9H (1)

“Issuance of Special Recreation Permits for day use or overnight use up to 14 consecutive nights; that impacts no more than 3 staging area acres; and/or for recreational travel along roads, trails, or in areas authorized in a land use plan. This CX cannot be used for commercial boating permits along Wild and Scenic Rivers. This CX cannot be used for the establishment or issuance of Special Recreation Permits for “Special Area” management (43 CFR 2932.5)”.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 43 CFR Part 46.215 applies:

Extraordinary Circumstances	YES	NO
1. Have significant adverse effects on public health and safety.	<u> </u>	<u> X </u>
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.	<u> </u>	<u> X </u>
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].	<u> </u>	<u> X </u>
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	<u> </u>	<u> X </u>
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	<u> </u>	<u> X </u>
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	<u> </u>	<u> X </u>
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.	<u> </u>	<u> X </u>
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.	<u> </u>	<u> X </u>
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	<u> </u>	<u> X </u>
10. Have the potential for a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	<u> </u>	<u> X </u>
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely	<u> </u>	<u> </u>

affect the physical integrity of such sacred sites (Executive Order 13007).	___ X ___
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).	___ X ___

CULTURAL RESOURCES:

The issuance of a Special Recreation Permit is considered an undertaking subject to compliance with Section 106 of the National Historic Preservation Act (NHPA). The BLM has the legal responsibility to consider the effects of its actions on cultural resources located on federal land. BLM Manual 8100 Series; the Colorado State Protocol; and BLM Colorado Handbook of Guidelines and Procedures for Identification, Evaluation, and Mitigation of Cultural Resources provide guidance on Section 106 compliance requirements to meet appropriate cultural resource standards. In Colorado, the BLM's NHPA obligations are carried out under a Programmatic Agreement (PA) between the BLM, the Advisory Council on Historic Preservation, and the State Historic Preservation Officer (SHPO). Should an undertaking be determined to have "no effect" or "no adverse effect" by the BLM Little Snake Field Office archaeologist, the undertaking may proceed under the terms and conditions of the PA. If the undertaking is determined to have "adverse effects," project-specific consultation is then initiated with the SHPO.

The entirety of the permitted use-area has not been subject to a Class III cultural resource inventory, however, many of the permitted activities do not present potential impacts to cultural resources (no new ground disturbance) and, therefore, do not require formal assessment. Because activities authorized under the proposed Killpecker Tours Special Recreation Permit (the Proposed Action) are restricted to existing roads and trails, the undertaking poses *no potential to affect historic properties*. No further evaluations and/or consultations are required.

INTERDISCIPLINARY REVIEW:

Title	Resource	Date
Archaeologist	Cultural Resources	1/20/2015
Rangeland Mgmt Spec	T&E Plants	12/3/2014
Wildlife Biologist	T&E Animals	12/08/2014

COMPLIANCE PLAN: The Special Recreation Permit holder will be checked for compliance with terms, conditions and stipulations on a yearly basis. Responsibility for the compliance schedule and monitoring plan will be assigned to the recreation staff in the Little Snake Field Office. The primary inspector will be the Outdoor Recreation Planner.

NAME OF PREPARER: Dario Archuleta *Dario Archuleta 1-20-15*

NAME OF ENVIRONMENTAL COORDINATOR: *Kathy McKinstry 1/21/15*

DATE:

COMPLIANCE WITH NEPA

This action is listed in the Department Manual (516 DM 2, Appendix 1 and 516 DM 11) as an action that may be categorically excluded. I have evaluated the action relative to the 12 criteria listed above and have determined that it does not represent an exception and is, therefore, categorically excluded from further environmental analysis.

SIGNATURE OF AUTHORIZED OFFICIAL:


Wendy Reynolds, Field Manager

DATE SIGNED:

1/22/15

Contact Person

For additional information concerning this decision, contact Dario Archuleta, Outdoor Recreation Planner, Little Snake Field Office, 455 Emerson Street, Craig, CO 81625, Phone (970) 826-5008.

Attachment #1

Map of Routes

