Worksheet
Determination of NEPA Adequacy (DNA)

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

Offices: **Vermilion Cliffs National Monument**
Kanab Field Office

Tracking Number: **N/A**
Casefile/Project Number: **DOI-BLM-AZ-A020-2015-0003-DNA**

Proposed Action Title/Type: **Colorado Mountain College SRP**

Location/Legal Description: **The proposed action is within the Paria Canyon-Vermilion Cliffs Wilderness, Paria Special Recreation Management Area (SRMA)**

Gila and Salt River Meridian AZ, Coconino County, Townships 40, 41, 42 North, Ranges 03, 04, 05, 06, 07 East.

Salt Lake Meridian UT, Kane County, Townships 44, 43 North Ranges 01, 02 West

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

The proposed action is to authorize a Special Recreation Permit (SRP) for Colorado Mountain College to conduct backpacking trips from Wire Pass, White House, or Buckskin Gulch down Paria Canyon to Lee's Ferry.

These trips would take place in Paria Canyon-Vermilion Cliffs Wilderness, which is managed by Vermilion Cliffs National Monument and the Kanab Field Office. Travel would occur in Buckskin Gulch and/or Wire Pass, through Paria Canyon. The last three miles of Paria Canyon are within Glen Canyon National Recreation Area. However, the proposed action would only authorize activities on Bureau of Land Management (BLM)-administered land. If the applicant wishes to provide hikes at Lee's Ferry, they would need to obtain a Commercial Use Authorization from the NPS through Glen Canyon National Recreation Area for this activity.

Two backpacking trips are planned for mid-January. The applicant would utilize no more than two vehicles for the trips to transport equipment and participants between Buckskin Gulch, Wire Pass, and Lee's Ferry trailheads.

The maximum group size for these trips would be 10 people, including guides. Campsites would be located in previously established sites along with sites appropriate for high water safety. Campsites would not be located within 200 feet of cultural sites, springs or seeps.

Measures to reduce or eliminate impacts to resources and protect public health and safety would be attached to the permit as stipulations.

B. Land Use Plan (LUP) Conformance

LUP Name/Date Approved *Vermilion Cliffs National Monument Resource Management Plan (RMP), January 29, 2008*

The proposed action is in conformance with this RMP because it is specifically provided for in the following decisions:

- **DFC-RR-12:** The primary strategy for the Sand Hills SRMA is to target a demonstrated undeveloped recreation-tourism market demand from local community and regional/national visitors for hunting opportunities, guided backcountry tours, hiking, viewing, and appreciating wildland landscapes, and motorized/mechanized/nonmechanized exploring. This demand is supported by the area's distinctive remote, rugged landscape, its vast size, and the largely open, undeveloped character of its recreation settings. Regional and local recreation-tourism visitors value this area for the distinctive kinds of dispersed recreation it produces.

- **DFC-RR-15:** The primary strategy for the Paria SRMA would be to target a demonstrated destination recreation-tourism market demand from community resident, regional, national and international visitors for viewing unique geology and enjoying world-class slot canyon backpacking and hiking. This demand is supported by the area's distinctive landscape of spectacular geology and scenery, challenging terrain, and its connectivity to other world-class sites (Grand Staircase-Escalante National Monument, Glen Canyon NRA, and Kanab Field Office). Recreation-tourism visitors, ranging from local to international, highly value these public lands as recreation-tourism destinations

- **MA-RR-27:** SRP application packages--- would be considered for authorization on a case-by-case basis upon receipt of application.

- **MA-RR-31:** Commercial, competitive, organized group/event, and special area permits may be authorized when such uses accomplish or are compatible with management objectives and other plan provisions. Recreation activities requiring use authorization may be limited in listed species and other sensitive habitats.

LUP Name/Date Approved *Kanab Field Office Resource Management Plan, October, 2008*

The proposed action is in conformance with this RMP because it is specifically provided for in the following decisions:

- **REC 22:** Management responses to unacceptable resource and/or social conditions would range from least restrictive methods (e.g., information and education) to most restrictive (e.g., visitor limits, supplemental rules, or restrictions). Where feasible, the least restrictive methods would be the first priority.

- **REC 37:** Issue SRPs after evaluation of the various factors including the following:
    - Use conforms to the recreation goals and objectives outlines in the RMP

- Nature of proposed event or activity (i.e., commercial versus competitive)
- Size (acreage) and sensitivity of land and resources affected (ACEC, WSA, Wilderness)
- Compatibility with other uses, activities, and visitors in that area
- Proposed number of participants and group size
- Associated vehicle and equipment
- Time (daily, seasonally) and duration of proposed us
- Potential social impacts (crowding, group encounters, conflicting activities, and/or experiences)
- Specific resources impacted (e.g., wildlife, cultural, paleontology, visual, riparian, soil, air and water)
- Rehabilitation and monitoring needs and feasibility
- Support needs (people, equipment, supplies, vehicles)
- Safety issues

- **WL-29:** Non-permanent (short-term) activities would be allowed within the spatial buffer (¼ to ½ mile for general raptor species, 1 mile for peregrine) of nests during the nesting season as long as those activities are shown to be non-impacting to nesting raptors.

  Due to the topography of Paria Canyon, a restriction of one-half mile would protect nesting raptors, including peregrine.

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

Special Recreation Permits for Commercial Recreation Activities on Public Lands in Arizona (EA-AZ-931-93-001), August 24, 1993.

EA-AZ-010-97-16 Paria Canyon/Vermilion Cliffs Wilderness Management Plan Amendment – this EA amends recreation management within the wilderness from the Paria Canyon – Vermilion Cliffs Wilderness Management Plan (1986).

Other related documents: Paria Canyon – Vermilion Cliffs Wilderness Management Plan, September 1986.

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:

EA-AZ-010-97-16 analyzes the type of activity addressed in the proposed action, specifically within the same area in which the proposed action would occur. This EA states that, "Commercial services may be authorized for activities that are appropriate to realize recreational or other wilderness purposes of the area." Any activities authorized in the wilderness must meet the objectives set out in the Paria Canyon-Vermilion Cliffs Management Plan. The recreation objectives state:

> The area would be managed to provide a spectrum of outstanding opportunities for primitive recreation, featuring a natural wilderness environment, solitude, physical and mental challenge, and inspiration consistent with preservation of wilderness values. Commercial use would be managed to allow outfitters and guides to meet public needs as appropriate when that use is consistent with the protection of the wilderness resource.

The Paria Canyon-Vermilion Cliffs management plan also states that the BLM would continue to monitor any commercial use, the impacts of commercial use as it related to Limits of Acceptable Change (LAC) and adaptive management practices.

Within EA-AZ-931-93-001 it states:

> Recreation: BLM manages public lands for a full range of recreation activities, including hiking, mountain biking, rock-hounding, hunting, camping, off highway vehicle driving, nature study, and horseback riding. About 9 million visitor-use days occur on BLM land in Arizona. Many of these uses are by do-it-yourselfers who own the equipment and have the skills to participate on their own. Others who wish to experience the outdoors in natural settings rely on the services of commercial operators ("guides" or "outfitters") who lead trips onto public land for a fee.

The current proposed action is therefore essentially similar to that analyzed in the existing EAs, and covers the same area analyzed in these EAs.

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:

The Paria Canyon/Vermilion Cliffs Wilderness Management Plan Amendment (EA-AZ-010-97-16) has four alternatives, the proposed action, Alternative A, Alternative B, and No Action. The proposed action establishes use limits. It adds mandatory reservations, and limited number of permits. Alternative A is similar to this EA's proposed action, however would not change use limits. Alternative B would more aggressively and intensively manage the wilderness with greater use limits. The No Action Alternative would continue with current management where fees are collected without use limits or requiring permits.

The range of alternatives considered in the existing EA-AZ-931-93-001 is also appropriate with respect to the current proposed action. There are two alternatives analyzed in EA-AZ-931-93-001, the proposed action and no action. The analysis states that resource impacts would be minimal because the proposed action would provide the BLM with 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. Thus, should monitoring reveal that the proposed action is causing significant conflicts or adverse impacts to other resources or uses, special limits or rules would be developed and implemented through required procedures to mitigate those impacts. This is relevant to the current proposed action because specific stipulations would be included to minimize impacts to resources.

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:

Since the existing EA No. EA-AZ-931-93-001 was issued, Vermilion Cliffs National Monument was designated. Designation of the monument did not change the analysis contained within the existing EA because the EA analyzed impacts to resources that are now considered Monument objects, with the exception of the California condor reintroduction program. The condor reintroduction project began after the completion of the EA-AZ-931-93-001, in 1996. The U.S. Fish and Wildlife Service began releasing a non-essential, experimental population of California Condors (*Gymnogyps californianus*) as a part of a species recovery effort.

EA-AZ-010-97-16 states that the BLM would, "Restrict Bureau-permitted activities within known/occupied nesting and other crucial use areas of threatened or endangered raptors or other special status species." Commercial climbing would not be permitted in the canyons. Restrictions on activities that could affect raptors are included as part of the current proposed action and mitigating measures addressing special status species would be attached to the permit as stipulations. (The stipulations applicable for these SRPs can be located on Page 8.) Thus, the existing analyses are still valid.

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:

The impacts of the proposed action are similar to those contained within the existing EAs in that:

The Affected Environment and Environmental Consequences sections of EA-AZ-931-93-001 addressed the direct and indirect impacts of actions essentially similar to the current proposed action. The impacts are sufficiently site-specific and detailed in the EA for the level of the

current proposed project, and would not differ from the EA analysis. The current proposed action would not change the anticipated cumulative impacts that were analyzed in the EA.

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 nature of public involvement in the EAs remains in compliance with NEPA public involvement requirements. Consultation and coordination for these EAs was extensive. During the public review process, over 700 persons and/or organizations received information about EA-AZ-931-93-001, and interested individuals, groups and agencies received information about EA-AZ-010-97-16.

Public involvement and interagency review associated with the review of the EAs is adequate for the current proposed action as there is no deviation of the proposed action outside those areas and activities as stated and analyzed in the existing EAs.

E. Persons/Agencies /BLM Staff Consulted

Name, Title, Resource(s) Addressed

Gloria Benson, Tribal Liaison
Diana Hawks, Recreation/Wilderness/VRM
Laurie Ford, Lands/Realty/Minerals
Jeff Young, Wildlife/T&E Wildlife
John Herron, Cultural Resources
Jace Lambeth, Special Status Plants
Whit Bunting, Range/Vegetation/Weeds/Rangeland Health
Richard Spotts, Environmental Coordinator
John Sims, Supervisory Law Enforcement

Relevant Managers: Lorraine Christian- Arizona Strip Field Office Manager, Harry Barber-Kanab Field Office Manager

Steve Rosenstock, AZ Game and Fish Department
Daniel Bulletts, Acting Environmental Program Director for the Kaibab Paiute Tribe
Peter Bungart, Cultural Staff for the Hualapai Tribe
Dawn Hubbs, Cultural Staff for the 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 constitutes BLM's compliance with the requirements of the NEPA.

Acting for
Lorraine M. Christian
Arizona Strip Field Office Manager

1/16/15
Date

for Harry Barber
Kanab Field Office Manager

1-16-15
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 authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and program-specific regulations.

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 the 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 the 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 officers 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 officers 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.

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, 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 Arizona Game and Fish Department 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 the 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, 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 Arizona Strip Field Office.

SRP MANAGEMENT

11. The permittee is required to provide the Arizona Strip Field Office 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 Field Office 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 officers, 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 National Park Service (NPS) lands (i.e., Glen Canyon National Recreation Area); 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 officers 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 officers 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. will 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.

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.

CULTURAL RESOURCES

27. 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).

28. 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

29. Ingress and egress access to VCNM and KFO is permitted through Grand Staircase-Escalante National Monument (GSENM) roads and trails. No tour or trip elements would be conducted on GSENM except for parking at trailheads and hiking into the permitted resource area.

30. No overnight camping of SRP groups at GSENM trailheads i.e., Wirepass trailhead and Buckskin trailhead is authorized. Camping may only be accommodated at established campsites i.e., Whitehouse campground/trailhead. All campground fees must be paid over and above SRP fees.

RANGELAND MANAGEMENT

31. 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.
32. 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

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

California condor

34. 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.
35. 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.

OVERNIGHT CAMPING

36. 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).
37. Camping is prohibited in areas of known special status plants.

38. All camps will be prohibited within 200 feet of a natural water hole or man-made watering facility containing water, to allow wildlife or domestic stock access to water.
39. All camps will be located at least 200 feet from any known archaeological sites, including prehistoric camps, rock shelters, caves, and historic buildings.
40. 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.

PARIA CANYON-VERMILION CLIFFS WILDERNESS

41. 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.
42. Campfires are prohibited.

DECISION MEMORANDUM
DOI-BLM-AZ-A020-2015-0003-DNA

Colorado Mountain College SRP

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

Vermilion Cliffs National Monument
Kanab 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 Vermilion Cliffs National Monument Resource Management Plan and the Kanab Field Office Resource Management Plan. The DNA is based on EA-AZ-931-93-001, *Special Recreation Permits for Commercial Recreation Activities* and EA-AZ-010-97-16, *Paria Canyon/Vermilion Cliffs Wilderness Management Plan Amendment*, as these EAs specifically address 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:

<u>Standards for Obtaining a Stay</u>

NEPA Document: DOI-BLM-AZ-A020-2015-0003-DNA

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.

Acting for

Lorraine M. Christian
Field Manager, Arizona Strip Field Office

1/16/15
Date

for

Harry Barber
Field Manager, Kanab Field Office

1-16-15
Date

Attachment: Form 1842-1

Form 1842-1
(September 2005)

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 served with the decision being appealed must transmit the notice of appeal 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 notice of appeal 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 NOTICE OF APPEAL.....

Arizona Strip Field Office
Bureau of Land Management
345 E. Riverside Drive
St George, UT 84790

And

U.S. Dept. of the Interior
Office of Hearings & Appeals
Interior Board of Land Appeals
801 N. Quincy St., MS 300-QC
Arlington, VA 22203

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 Notice of Appeal, 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 Notice of Appeal, no additional statement is necessary (43 CFR 4.412 and 4.413).

WITH COPY TO .....

Office of the Field Solicitor
US Courthouse, Suite 404
401 W Washington Street, SPC-44
Phoenix, Arizona 85003-2151

And

Field Manager, Arizona Strip Field Office
Bureau of Land Management
345 E. Riverside Drive
St George, UT 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 Notice of Appeal, (b) the Statement of Reasons, and (c) any other documents filed (43 CFR 4.413). If the decision concerns the use and disposition of public lands, including land selections under the Alaska Native Claims Settlement Act, as amended, service will be made upon the Associated Solicitor, Division of Land and Water Resources, Office of the Solicitor, U.S. Department of the Interior, Washington, D.C. 20240. If the decision concerns the use and disposition of mineral resources, service will made upon the Associated Solicitor, Division of Mineral Resources, Office of the Solicitor, U.S. Department of the Interior, Washington, D.C. 20240.

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 *Notice of Appeal* (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 notice of appeal (43 CFR 4.21 or 43 CFR 2804.1). 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 (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 other 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.

(Continued on page 2)

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.

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.