

# CATEGORICAL EXCLUSION DOCUMENTATION

CX No. DOI-BLM-ID-B011-2013-0005-CX

## A. BACKGROUND

**BLM Office:** Morley Nelson Snake River Birds of Prey NCA

**Lease/Serial/Case File No.:** ID111- 13001

**Proposed Action Title/Type:** Idaho Outdoor Association Crater Crawl Special Recreation Permit

**Location of Proposed Action:** Crater Rings northeast of Mountain Home, Idaho. Township 2S, Range 5E Sections 33 and 34. Also Township 3S, Rang 5E Sections 3 and 4.

- 1. Description of Proposed Action:** The purpose of the action is to provide recreational opportunities while protecting important natural and cultural resources by issuing a special recreation permit to Idaho Outdoor Association (IOA) for July 20, 2013. Their purpose for the event is to encourage the values of low-impact non-motorized outdoor recreation, raise funds for IOA projects and to support the at-risk youth program at nearby Dream River Ranch. The Idaho Outdoor Association Crater Crawl is a supported 10 kilometer hiking/running race. Participants, and spectators, will be directed to park alongside Main Cinder Butte Road, which has been approved by the highway district board. The course will follow primary jeep tracks to, then around, the Crater Rings (see attached course map). The staging area and start/finish line will be located just a short distance up the jeep track that runs north/south from the Crater Rings (at the flat area that is commonly used for parking). At this location there will be a registration desk, two porto-potties and a first aid tent with a physician's assistant on duty. An all-terrain vehicle will be on site for course support and quick access in the event of an emergency. There will be 3 hydration stations located along the course, the first at 2.1 miles, 2nd at 3.4 miles, and 3rd at 5.1 miles. Each of these stations will be manned by a minimum of two volunteers. Race organizers estimate between 30 to 100 individuals (based on the participation level of similar events in the region). Very few spectators, if any, are expected (based on similar events.)

The event would be subject to the following conditions in order to minimize the impacts associated with the race event.

1. The Special Recreation Permit does not create an exclusive right of use of an area by the permittee. The permittee shall not interfere with other valid uses of the public lands by other users within the permit area.
2. Permittee will provide adequate staff to handle parking, crowd control, emergency first aid, and ensure that the event is safe as possible for participants and bystanders. Permittee will plan for adequate communication among course marshals, officials, and emergency rescue services during the event.
3. Parking should be located to minimize disturbance to vegetation and soil and reduce the risk of vegetation ignition by catalytic converters.
4. The granting of a permit in no way accepts or implies liability by the Bureau of Land Management (BLM) for loss of private property or for any injury to persons. The permittee assumes all risks for any and all injury, loss, or damages on lands involved, or costs incurred from

the suppression of fire resulting from carelessness of the permittee, his agent, or program participant. The permittee must have the required minimum insurance coverage under which the "United States Government/Bureau of Land Management" is named as additional insured on the insurance policy. Proof of insurance is required 14 days before race date.

5. The permittee shall indemnify, defend, and hold harmless the United States and/or its agencies and representatives from any and all demands, claims, or liabilities of every nature whatsoever, including, but not limited to damages to property, injuries to or death of persons, arising directly or indirectly from, or in any way connected with the authorized use and occupancy of the lands authorized for use under this permit.
6. Permittee will provide a written post-use report and pay additional fees owed for race participants and vendor fees to the BLM within 30 days after the event. Numbers of participants, spectators, and officials/volunteers will be included in this report.
7. The permittee must contact and receive concurrence from all state, county, and local governments (including the Elmore County Sheriff and State Land Department) having jurisdiction, prior to the scheduled event. The permittee will comply with all applicable federal, state and county laws and regulations in the conduct of a race event.
8. All mountain bikes, and all motorized vehicles which may be used in conjunction with the event, will be confined to the existing roads and trails. No cross-country travel by any vehicle will be allowed except in the case of emergencies. Aid stations for racers will be established in previously disturbed areas that are devoid of vegetation.
9. Current Leave No Trace practices will be followed.
10. The race course will be marked with colored flagging. All flagging will be removed from the race course on the day of the event.
11. Permittee will supply at least one portable chemical toilet and five trash receptacles for every 150 participants and spectators expected at the event. The portable toilets and litter receptacles must be removed from the area the day of the event. IOA will dispose of all trash and human waste in accordance with state and county laws.
12. When American antiquities or other objects of historic or scientific interest including, but not limited to historic or prehistoric ruins, vertebrate fossils or artifacts are discovered, the objects will be left intact. Collection of antiquities is prohibited by law. The permittee will also report any cultural discoveries to the BLM.
13. Failure to comply with permit stipulations may result in permit revocation and/or rejection of future permit applications.
14. Livestock and wildlife will not be harassed. Be sensitive to golden eagles that may be in the area. Do not approach cliff edges above golden eagles or golden eagle nests.

## **B. LAND USE PLAN CONFORMANCE**

**This proposed Action is subject to the following land use plan:** Snake River Birds of Prey National Conservation Area RMP

**Date Plan Approved:** September 30, 2008

**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 decision(s) (objectives, terms, and conditions):**

1. Requests for recreational special use permits will be evaluated on a case-by-case basis to determine compatibility with NCA management objectives.
2. Provide a range of developed and undeveloped recreational opportunities with existing and new amenities, while protecting resource values, minimizing user conflicts, and promoting public safety.

## **C: COMPLIANCE WITH NEPA:**

**The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9 X(X)**

**Category Description:** Recreation Management -

- *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 that would introduce potential effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM6 apply. .

**The following list of Extraordinary Circumstances (516 DM 2, Appendix 2) was considered:**

**1. Have significant impacts on public health or safety.**

*Comments/Explanation: The Proposed Action would not have any significant impacts to public health or safety. Adequate safety precautions would be implemented to ensure public safety including: race course would be signed and flagged, race officials would be posted throughout the course at strategic locations, local authorities, general public, and other permittees would be notified.*

Specialist Signature/Date: /s/ **Jared Fluckiger** – Outdoor Recreation Planner 04/04/13

**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; or ecologically significant or critical areas, or is not in compliance with the Fish and Wildlife Coordination Act.**

*Comments/Explanation: The authorization of this permit would not have any effect on natural resources or unique geographic characteristics such as those listed above.*

Specialist Signature/Date: /s/ **Jared Fluckiger** – Outdoor Recreation Planner 04/04/13

**3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].**

*Comments/Explanation: The authorization of this permit would not have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources. This event would be conducted on existing two-track. The race routes and timing of event*

would minimize resource concerns including sensitive plants, wildlife species, and riparian areas; avoid cultural resources, and other uses of this area including grazing of livestock.

Specialist Signature/Date: /s/ Jared Fluckiger – Outdoor Recreation Planner 04/04/13

**4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.**

*Comments/Explanation: The event has been reviewed and cleared by resource specialists with knowledge of the area. All race activity would take place on existing roads open for recreational uses. Refuse containers and restrooms will be provided. The Bureau has conducted and monitored similar events and the potential associated environmental impacts are well known.*

Specialist Signature/Date: /s/ Jared Fluckiger – Outdoor Recreation Planner 04/04/13

**5. Establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.**

*Comments/Explanation: Requests for competitive events are evaluated on a case-by-case basis and have been a recognized use in the 2008 Snake River Birds of Prey RMP. The SRP would be for a one point in time event and would not set a precedent for how the area could be used in the future or require other actions.*

Specialist Signature/Date: /s/ Seth Flanigan – NEPA Specialist 05/06/13

**6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant environmental effects.**

*Comments/Explanation: Other human-related activities occurring in the area include casual recreational non-motorized and motorized use. The race event is estimated to have about 30 to 100 participants. The race would not preclude regular use in the area. Issuance of this permit would have cumulative impacts from the additional use on race day but the impacts would be inconsequential compared to normal use.*

Specialist Signature/Date: /s/ Seth Flanigan - NEPA Specialist 05/06/13

**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.**

*Comments/Explanation: There are no known historic properties within the area of potential effect. The proposal is exempt from inventory and project specific review by ISHPO under the current BLM / ISHPO protocol (1998). Exemption # 20.a. which states “Issuance of recreation special-use permits where the potential to cause ground disturbance or affect historic properties is negligible. Periodic monitoring may be conducted to confirm that effects are negligible. Types of projects include but are not limited to: a. Well-established trails, and other specified areas where use is similar to previous permits for which environmental documents have been prepared, and which would not substantially increase the level of use or continues unsatisfactory environmental conditions.”*

Specialist Signature/Date: /s/ Dean Shaw – Archaeologist - 05/16/13

**8. Have significant impacts on species listed or proposed to be listed on the List of Endangered or Threatened Species, or on designated Critical Habitat for these species.**

*Plant Comments/Explanation: One proposed endangered plant is known to occur in the general location of the race; slickspot peppergrass (*Lepidium papilliferum* or LEPA). Authorized routes were reviewed by the Botanist and it was determined that the event would not adversely impact any special status plants because the race will be restricted to existing routes; none of which are known to contain individual LEPA plants.*

Plants Specialist Signature/Date: /s/ Mark Steiger – Botanist - 05/13/13

*Wildlife Comments/Explanation: No known threatened, endangered, or proposed to be listed wildlife species is known to occur in the area. Special status species could occur in the area. However, all activity would take place on existing roads, trails, and recreation sites after nesting season. No impact is expected to any of special status species that could occur in the area. No threatened or endangered animal species are known to inhabit the area.*

Wildlife Specialist Signature/Date: /s/ Gill Holderman – Wildlife Biologist - 05/21/13

*Aquatics Comments/Explanation: Authorization of this permit would not result in significant impacts to fish species listed or proposed to be listed on the List of Endangered or Threatened Species. The proposed routes do not support critical habitat for fish species listed under the Endangered Species Act.*

Aquatics Specialist Signature/Date: /s/ Allen Tarter – Natural Resource Specialist - 05/21/13

**9. Violate a Federal, State, local, or tribal law or requirement imposed for the protection of the environment.**

*Comments/Explanation: Implementation of this permit would not be in violation of federal, state, local, or tribal law, or requirements imposed for the protection of the environment.*

Specialist Signature/Date: /s/ Jared Fluckiger – Outdoor Recreation Planner 04/04/13

**10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).**

*Comments/Explanation: There are no low income or minority populations living in the project area. Low income or minority visitors to the area would not be affected any differently by the proposed activities than any other visitor.*

Specialist Signature/Date: /s/ Seth Flanigan – NEPA Specialist 05/16/13

**11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).**

*Comments/Explanation: This permitted event would not limit access to ceremonial use of sacred Indian sites on federal lands or adversely affect the physical integrity of known sacred sites.*

Specialist Signature/Date: /s/ **Jared Fluckiger** – Outdoor Recreation Planner 04/04/13

**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).**

*Comments/Explanation: The proposed project would not 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 species. No new ground-disturbing activities would take place. Race travel would be limited to existing roads. Cross country travel is prohibited.*

Specialist Signature/Date: /s/ Lonnie Huter - Noxious Weed Specialist - 04/17/13

**D: SIGNATURE**

I certify that none of the Departmental exceptions (Extraordinary Circumstances) listed in the above Part II (516 DM 2, Appendix 2) apply to this action; therefore, this categorical exclusion is appropriate for this situation.

Authorizing Official:

Date: 05/22/13

/s/ Patricia Roller

Patricia Roller  
Field Manager  
Morley Nelson Snake River Birds of Prey NCA

**Prepared By/Contact Person:**

Jared Fluckiger – Outdoor Recreation Planner