

United States Department of the Interior
Bureau of Land Management

Determination of NEPA Adequacy
DOI-BLM-UT-Y010-2015-0195

July 2015
Special Recreation Permit for
Green Mountain College

Location: Hiking: Corona Arch, Negro Bill Canyon, Mill Creek Canyon, Hidden Valley, And Moab Rim, with backpacking occurring in Negro Bill Canyon and the North Fork of Mill Creek Canyon.

Mountain biking: Kokopelli's trail, Bar M & Klondike Bluffs Mountain Bike Focus Areas, Gemini Bridges/ Magnificent Seven trails, *Pipe Dream*

Canyoneering: Rock of Ages in Behind the Rocks WSA

Applicant/Address: Andrew Bentley, One Brennan Circle, Poultney, VT 05764

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Worksheet Determination of NEPA Adequacy

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

The signed CONCLUSION at the end of this worksheet is part of an interim step in the BLM's internal analysis process and does not constitute an appealable decision; however, it constitutes an administrative record to be provided as evidence in protest, appeals and legal procedures.

OFFICE: Moab Field Office

PROJECT NUMBER: MFO-Y010-15-092R

PROPOSED ACTION TITLE: Special Recreation Permit for Green Mountain College

LOCATION/LEGAL DESCRIPTION: Hiking in Corona Arch, Negro Bill Canyon, Mill Creek Canyon, Hidden Valley and Moab Rim, with backpacking occurring in Negro Bill Canyon and Mill Creek Canyon, mountain biking on Kokopelli's trail, Bar M & Klondike Bluffs Mountain Bike Focus Areas, Gemini Bridges/ Magnificent Seven trails, and canyoneering at Rock of Ages.

APPLICANT: Andrew Bentley, One Brennan Circle, Poultney, VT 05764

A. Description of the Proposed Action and Any Applicable Mitigation Measures

Andrew Bentley, on behalf of Green Mountain College, has requested reauthorization of his Special Recreation Permit (SRP) to offer a hiking, backpacking, canyoneering and mountain biking trip within the Moab Field Office of the BLM. The proposed trip would have a maximum of twenty participants. Standard stipulations as well as canyoneering and mountain bike stipulations would apply to the SRP for Green Mountain College.

B. Land Use Plan (LUP) Conformance

LUP Name* Moab Resource Management Plan

Date Approved October, 2008

*List applicable LUPs (for example, resource management plans; activity, project, management or program plans; or applicable amendments thereto).

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

Page 97 of the Moab RMP reads as follows: "Special Recreation Permits are issued as a discretionary action as a means to: help meet management objectives, provide opportunities for economic activity, facilitate recreational use of public lands, control visitor use, protect recreational and natural resources, and provide for the health and safety of visitors." In addition, page 98 states: "All SRPs will contain standard stipulations appropriate for the type of activity and may include stipulations necessary to protect lands or resources, reduce user conflicts, or minimize health and safety concerns....Issue and manage recreation permits for a wide variety of uses to enhance outdoor recreational opportunities, provide opportunities for private enterprise, manage user-group interaction, and limit the impacts to such uses upon natural and cultural resources."

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

Environmental Assessment DOI-BLM-UT-Y010-2010-0063, *Special Recreation Permit for Southern Illinois University*, signed February 2010, covers Negro Bill Canyon from its mouth up to LPS and the USFS lands. Environmental Assessment UT 060-2007-010, SRP Renewal for Women's Wilderness Institute, signed December 1, 2006, covers the North Fork of Mill Creek as well as Negro Bill Canyon. Environmental Assessment DOI-BLM-UT-Y010-2012-0212, *Special Recreation Permit for Navtec*, signed December 28, 2012, analyzes canyoneering activities and locations. Environmental Assessment DOI-BLM-UT-Y010-2013-0224 *Special Recreation Permit Amendment For Western River Expeditions*, signed January 2, 2014. This covers the hiking locations requested. Environmental Assessment DOI-BLM-UT-Y010-2014-0076, *Special Recreation Permit for Idaho State University*, (signed March 6, 2014) analyzed use of designated mountain bike trails.

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?

Yes

No

Documentation of answer and explanation: Yes; the existing NEPA documents address the impacts of hiking and mountain biking trips on designated trails within the Moab Field Office.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action (or existing proposed action), given current environmental concerns, interests, and resource values?

Yes

No

Yes; Environmental Assessments DOI-BLM-UT Y010-2010-0063, UT-060-2007-010, DOI-BLM-UT-Y010-2012-0212, DOI-BLM-UT-Y010-2013-0224, and DOI-BLM-UT-Y010-2014-0076 contain analysis of the proposed action and a no action alternative. The environmental concerns, interests, resource values, and circumstances have not changed to a degree that warrants broader consideration.

3. Is existing analysis adequate in light of any new information or circumstances (such as, rangeland health standards assessment; recent endangered species listings, updated list 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?

Yes

No

Yes; the existing analysis and conclusions are adequate as there has been no new information or circumstances presented. It can be reasonably concluded that all new information and circumstances are insignificant with regard to analysis of the proposed action.

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?

- Yes
 No

Yes; the direct and indirect impacts are substantially unchanged from those identified in the existing NEPA documents. Yes; site-specific impacts analyzed in the existing document are the same as those associated with the current proposed action.

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

- Yes
 No

Documentation of answer and explanation: Yes. The public was notified of the preparation of Environmental Assessment DOI-BLM-UT-Y010-2010-0063, *Special Recreation Permit for Southern Illinois University*, signed February 2010, covers Negro Bill Canyon from its mouth up to LPS and the USFS lands signed January 28, 2010. This included the 30-day period for WSA use. Environmental Assessment UT-060-2007-010, *Special Recreation Permit Renewal for Women's Wilderness Institute* analyzed backpacking in Negro Bill and Mill Creek. It was posted on the ENBB on October 23, 2006 and included the 30 day period for WSA use. . Environmental Assessment DOI-BLM-UT-Y010-2012-0212, *Special Recreation Permit for Navtec*, was posted on the ENBB on August 24, 2012. Environmental Assessment DOI-BLM-UT-Y010-2013-0224 *Special Recreation Permit Amendment For Western River Expeditions* , was posted on the ENBB on August 2, 2013. This included the 30-day period for WSA use. Environmental Assessment DOI-BLM-UT-Y010-2014-0076, *Special Recreation Permit for Idaho State University*, was posted on the ENBB on January 2, 2012. These notifications provided sufficient time for public involvement and interagency review.

E. Persons/Agencies/BLM Staff Consulted:

<u>Name</u>	<u>Title</u>	<u>Resource Represented</u>
Ann Marie Aubry	Hydrologist	Air quality; Water resources; Floodplains, Soils, Wetlands/Riparian
Katie Stevens	Outdoor Recreation Planner	Areas of Critical Environmental Concern; Wild & Scenic Rivers, Recreation, Visual Resources
Jordan Davis	Rangeland Management Specialist	Invasive Weeds, RHS, Livestock Grazing, Vegetation, Woodland/forestry
Dave Williams	Rangeland Management Specialist	T&E Plants
Josh Relph	Fuels Specialist	Fuels/Fire Management
Don Montoya	Archaeologist	Cultural Resources; Native American Religious Concerns

David Pals	Geologist	Geology, Paleontology, Wastes
Pam Riddle	Wildlife Biologist	Threatened, Endangered, or Candidate Animal Species, Wildlife, Migratory Birds, Wildlife
Bill Stevens	Outdoor Recreation Planner	Wilderness, Natural Areas, Socioeconomics, Environmental Justice, Lands with Wilderness Characteristics
Rebecca Hunt-Foster	Paleontologist	Paleontology

CONCLUSION

Plan Conformance:

- This proposal conforms to the applicable land use plan.
- This proposal does not conform to the applicable land use plan

Determination of NEPA Adequacy

- Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.
- The existing NEPA documentation does not fully cover the proposed action. Additional NEPA documentation is needed if the project is to be further considered.

KC Stevens
Signature of Project Lead

7/10/15
Date

KC Stevens
Signature of NEPA Coordinator

7/10/15
Date

[Signature]
Signature of the Responsible Official

7/13/15
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 lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

ATTACHMENTS:

ID Team Checklist: WSA Evaluation

INTERDISCIPLINARY TEAM CHECKLIST

Project Title: Special Recreation Permit for Green Mountain College

NEPA Log Number: DOI-BLM-UT-Y010-2015-0195 DNA

File/Serial Number: MFO-Y010-15-092R

Project Leader: Katie Stevens

DETERMINATION OF STAFF: *(Choose one of the following abbreviated options for the left column)*

NP = not present in the area impacted by the proposed or alternative actions

NI = present, but not affected to a degree that detailed analysis is required

PI = present with potential for relevant impact that need to be analyzed in detail in the EA

NC = (DNAs only) actions and impacts not changed from those disclosed in the existing NEPA documents cited in Section D of the DNA form. The Rationale column may include NI and NP discussions.

The following elements are not present in the Moab Field Office and have been removed from the checklist:
Farmlands (Prime or Unique), Wild Horses and Burros.

Determination	Resource	Rationale for Determination*	Signature	Date
RESOURCES AND ISSUES CONSIDERED (INCLUDES SUPPLEMENTAL AUTHORITIES APPENDIX 1 H-1790-1)				
NC	Air Quality Greenhouse Gas Emissions		Am Allyn	6/30/15
NC	Floodplains		Am Allyn	6/30/15
NC	Soils		Am Allyn	6/30/15
NC	Water Resources/Quality (drinking/surface/ground)		Am Allyn	6/30/15
NC	Wetlands/Riparian Zones		Am Allyn	6/30/15
NC	Areas of Critical Environmental Concern		K Stevens	6/30/15
NC	Recreation		K Stevens	6/30/15
NC	Wild and Scenic Rivers		K Stevens	6/30/15
NC	Visual Resources		K Stevens	6/30/15
NC	BLM Natural Areas		K Stevens	6/30/15
NC	Socio-Economics		K Stevens	6/30/15
NC	Lands with Wilderness Characteristics		K Stevens	6/30/15
NC	Wilderness/WSA		K Stevens	6/30/15
NC	Cultural Resources		K Stevens	6/30/15

Determination	Resource	Rationale for Determination*	Signature	Date
NC	Native American Religious Concerns		<i>D. M. [Signature]</i>	6/30/15
NC	Environmental Justice		<i>J. Stevens</i>	6/30/15
NC	Wastes (hazardous or solid)		<i>[Signature]</i>	6/30/15
NC	Threatened, Endangered or Candidate Animal Species		<i>[Signature]</i>	6/30/15
NC	Migratory Birds		<i>[Signature]</i>	6/30/15
NC	Utah BLM Sensitive Species		<i>[Signature]</i>	6/30/15
NC	Fish and Wildlife Excluding USFW Designated Species		<i>[Signature]</i>	6/30/15
NC	Invasive Species/Noxious Weeds		<i>[Signature]</i>	6/30/15
NC	Threatened, Endangered or Candidate Plant Species		<i>[Signature]</i>	6/30/15
NC	Livestock Grazing		<i>[Signature]</i>	6/30/15
NC	Rangeland Health Standards		<i>[Signature]</i>	6/30/15
NC	Vegetation Excluding USFW Designated Species		<i>[Signature]</i>	6/30/15
NC	Woodland / Forestry		<i>[Signature]</i>	6/30/15
NC	Fuels/Fire Management		<i>[Signature]</i>	6/30/15
NC	Geology / Mineral Resources/Energy Production		<i>[Signature]</i>	6/30/15
NC	Lands/Access			
NC	Paleontology			

FINAL REVIEW:

Reviewer Title	Signature	Date	Comments
Environmental Coordinator	<i>KC Stevens</i>	7/10/15	
Authorized Officer	<i>[Signature]</i>	7/13/15	

**WILDERNESS INTERIM MANAGEMENT
IMPAIRMENT/NON-IMPAIRMENT EVALUATION FORM**

With the passing of the deadline for completion of reclamation activities in September of 1990, only temporary, non-surface-disturbing actions that require no reclamation; grandfathered uses, and actions involving the exercise of valid existing rights can be approved within WSA's. The reference document for evaluators and managers is Manual 6330, Management of Wilderness Study Areas (July, 2012).

DESCRIPTION OF ACTION

Name of action: DOI-BLM-UT-Y010-2015-0195-DNA

Proposed Action: Alternative Action: _____ (check one)

Proposed by: Green Mountain College

Description of action: Green Mountain College has requested authorization through a Special Recreation Permit (SRP) to offer canyoneering and hiking trips to participants on designated canyoneering and hiking trails in the Moab Field Office of the BLM. Trips are day use only. Two day hikes (Hidden Valley Trail, North Fork of Mill Creek and overland to Negro Bill Canyon) and two of the canyoneering routes (Negro Bill Canyon, Rock of Ages) are within Wilderness Study Areas (WSA). Green Mountain College will have a maximum group size of up to 12 people, with 2-3 staff, and two groups per trip. Standard stipulations would apply to the SRP for Green Mountain College. *The only portions of the permit to be analyzed in this document are those activities within the WSAs.*

Location: Negro Bill Canyon, North Fork of Mill Crack Canyon, Hidden Valley, Rock of Ages.

What BLM WSAs are included in the area where the action is to take place?

Negro Bill Canyon, Behind the Rocks, Mill Creek Canyon

VALID RIGHTS OR GRANDFATHERED USES (if any)

Is lease, mining claim, or grandfathered use pre-FLPMA? _____ Yes No

If yes, give name or number of lease(s), mining claim(s) or grandfathered use and describe use or right asserted:

Has a valid existing right been established? _____ Yes No

EVALUATION OF POTENTIAL FOR IMPAIRMENT OF WILDERNESS VALUES

Is the action temporary and non-surface disturbing? Yes _____ No

If yes, describe why action would be temporary and non-surface disturbing and identify the planned period of use:

Activity would consist of commercial guided hikes and canyoneering tours.

Commercial activities are permitted uses in wilderness, including WSA's. The Wilderness Act states: "Commercial activities may be performed within the wilderness areas designated by this Act to the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes of the areas." The BLM's Manual 6330, Management of Wilderness Study Areas (July, 2012), states that most recreational activities are allowed within WSA's. Failure to adhere to the permit's stipulations could result in non-renewal by the BLM's Administrative Officer.

When the use, activity, or facility is terminated, would the area's wilderness values be degraded so far as to significantly constrain the Congress's prerogative regarding the area's suitability for preservation as wilderness?

Naturalness: Effects to the natural environment would center on trails and natural travel routes where hikers would travel. Temporary impacts could involve soils and vegetation. The North Fork of Mill Creek Canyon and Negro Bill Canyon have well-established trails, with the lower segment of Negro Bill Canyon containing a signed and maintained route. The canyoneering in Negro Bill Canyon is on a heavily used marked and maintained trail which currently receives almost 40,000 hikers annually. The trail from Hidden Valley to Moab Rim follows a constructed and well-used hiking trail for a portion of the trip, and then follows a marked 4WD trail on the border of the WSA. Based on past use, any impacts would be minimal relative to total current use on these routes.

The route off Pritchett Canyon (Rock of Ages) in the Behind the Rocks WSA is on its very periphery, and in an area which receives little current public use, presumably because of its technical difficulty. If this was the only travel route in the area, there could be some concern for impacts to solitude. However, the 1991 EIS points out that the large number of fins and narrow canyons in this WSA provide numerous opportunities for selection of unused travel routes. Specifically, the above-mentioned report states: "Regardless of the outside influences (proximity to Moab, it is easy for a visitor to find seclusion within the WSA due to the screening and alternate travel paths afforded by the sandstone fins. In these areas, sights and sounds of others within the unit can easily be avoided".

Outstanding Opportunities for Solitude: These activities would not decrease opportunities for solitude; these trails have been popular since before establishment of the WSAs, and the original write-ups for the WSAs emphasized outstanding opportunities for solitude as being present in the backcountry of the units, but not necessarily in the more heavily used front country in which the hiking and biking trails are situated.

Outstanding Opportunities for Primitive and Unconfined Recreation: There is no reason to believe that the proposed action will reduce these opportunities. There are no plans for trail construction or other modifications of the area. These trails have been popular since before establishment of the WSAs, and the original write-ups for the WSAs emphasized outstanding opportunities for solitude as being present in the backcountry of the units, but not necessarily in the more heavily used front country in which the proposed activities are located.

Optional Supplemental values: No perceived negative impacts. The 1990 Final Environmental Impact Statement identified several threatened and endangered animal and plant species that may occur in the WSA. The current status is the presence of several plant species on the Utah state sensitive list. These species are all alcone plants, and do not occur along the hiking trail where the proposed action would occur.

Considered cumulatively with past actions, would authorization of the action impair the area's wilderness values? Yes X No

Rationale: Hiking, canyoneering and commercial activities are permitted not only in WSA's, but in officially-designated wilderness.

RESULTS OF EVALUATION

Non-impairment Standard

The only actions permissible in study areas are temporary uses that do not create surface disturbance, require no reclamation, and do not involve permanent placement of structures. Such temporary or no-trace activities may continue until Congress acts, so long as they can be terminated easily and immediately.

The only exceptions to the non-impairment standard are:

- 1) emergencies such as suppression activities associated with wildfire or search and rescue operations,
- 2) reclamation activities designed to minimize impacts to wilderness values created by IMP violations and emergencies;
- 3) uses and facilities which are considered grandfathered or valid existing rights as defined in Manual 6330,
- 4) uses and facilities that clearly protect or enhance the land's wilderness values or that are the minimum necessary for public health and safety in the use and enjoyment of the wilderness values, and
- 5) reclamation of pre-FLPMA impacts.

MAJOR CONCLUSION OF NON-IMPAIRMENT EVALUATION

Action clearly fails to meet the non-impairment standard or any exceptions, e.g. VER, and should not be allowed: Yes X No

Action appears to meet the non-impairment standard: X Yes No

Action may be allowable, pre-FLPMA grandfathered use: Yes No X N/A

Action may be allowable, pre-FLPMA VER: Yes No X N/A

OTHER CONCLUSIONS

Restrictions proposed may unreasonably interfere

with pre-FLPMA rights or grandfathered uses: Yes No N/A

Reasonable measures to protect wilderness values and to prevent unnecessary or undue degradation of the lands are incorporated: Yes No N/A

Environmental Assessment required: Yes No

Plan of Operations Required: Yes No N/A

Discovery verification procedures recommended: Yes No N/A

Consider initiating reclamation through EA: Yes No N/A

RELATED ACTIONS

Dated copy of Electronic Notification Board notice attached to case file: Yes No

Media notification appropriate: (optional) Yes No

Federal Register Notice appropriate: (optional) Yes No

Information copy of case file sent to USO-933: Yes No

Evaluation prepared by: William P. Stevens July 9, 2015
Name (s) Date

FINDING OF NO SIGNIFICANT IMPACT
AND
DECISION RECORD

Green Mountain College (mountain biking and hiking trips)

DOI-BLM-UT-Y010-2015-0195 DNA

FONSI: Based on the analysis of potential environmental impacts contained in the present document, I have determined that the action will not have a significant effect on the human environment and an environmental impact statement is therefore not required.

DECISION: It is my decision to issue the Special Recreation Permit for Green Mountain College to operate in the areas listed under the Proposed Action. This decision is contingent upon meeting all stipulations and monitoring requirements attached.

RATIONALE: The decision to issue this Special Recreation Permit for Green Mountain College has been made in consideration of the environmental impacts of the proposed action. The action is in conformance with the Moab Resource Management Plan, which allows for recreation use permits for a wide variety of uses to enhance outdoor recreational opportunities, provide opportunities for private enterprise, manage user-group interaction, and limit the impacts to such uses upon natural and cultural resources.



Authorized Officer

7/13/15
Date