BLM

United States Department of the Interior
Bureau of Land Management

Determination of NEPA Adequacy
DOI-BLM-UT-Y010-2015-0243 DNA

Special Recreation Permit for Lightbulb Media
November 2015

Location: *Designated mountain bike trails and roads within the Moab Field Office*: LPS/Porcupine Rim, Klondike Bluffs Mountain Bike Focus Area, Monitor and Merrimac, Hurrah Pass, Slickrock, Amasa Back area, Navajo Rocks, Pipe Dream, Gemini Bridges/ Gold Bar/Poison Spider, Magnificent Seven, Bar M Mountain Bike Focus Area/ Moab Brand trails, Moab Canyon Paved Path, Jackson Hole/Ladder, BLM Portion of Sovereign Trail, Steelbender/Flat Pass, Pritchet/Behind the Rocks, Hunter Canyon Rim, Fins and Things.

Canyoneering: Negro Bill Canyon, Behind the Rocks, Big Cave, Culvert Canyon, Mary Jane Canyon, Mill Creek (Entrajo), Granary, Onion Creek, Cable Arch

Climbing: Wall Street, Ice Cream Parlor, King's Hand, Elvis Hammer, Rhino Horn, Dewey Bridge Area (Fear More Beer, Loathing Less Clothing, Spite Wider, Peasant Pucker, Albino Groove, Greed Dirty Deed), Bounce Test, Take-out Crag, Looking Glass Rock, Cable Arch, Big Bend Bouldering, Castleton Group, Fisher Towers

Off Width city, Shipyard, Reptilian Wall (Long Canyon) permitted from August 16 through March 31 ONLY

Applicant/Address: Caleb Weaver, 2854 Orchard Ave., Grand Junction, CO

Moab Field Office
82 East Dogwood
Moab, Utah 84532
Phone: 435-259-2100
Fax: 435-259-2158

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-Y010-15-0104R
PROPOSED ACTION TITLE: Special Recreation Permit for Wasatch Academy
LOCATION/LEGAL DESCRIPTION: Location: Designated mountain bike trails and roads within the Moab Field Office: LPS/Porcupine Rim, Klondike Bluffs Mountain Bike Focus Area, Monitor and Merrimac, Hurrah Pass, Slickrock, Amasa Back area, Navajo Rocks, Pipe Dream, Gemini Bridges/Gold Bar/Poison Spider, Magnificent Seven, Bar M Mountain Bike Focus Area/ Moab Brand trails, Moab Canyon Paved Path, Jackson Hole/Ladder, BLM Portion of Sovereign Trail, Steelbender/Flat Pass, Pritchet/Behind the Rocks, Hunter Canyon Rim, Fins and Things.

Canyoneering: Negro Bill Canyon, Behind the Rocks, Big Cave, Culvert Canyon, Mary Jane Canyon, Mill Creek (Entrajo), Granary, Onion Creek, Cable Arch

Climbing: Wall Street, Ice Cream Parlor, King's Hand, Elvis Hammer, Rhino Horn, Dewey Bridge Area (Fear More Beer, Loathing Less Clothing, Spite Wider, Peasant Pucker, Albino Groove, Greed Dirty Deed), Bounce Test, Take-out Crag, Looking Glass Rock, Cable Arch, Big Bend Bouldering, Castleton Group, Fisher

APPLICANT: Caleb Weaver, 2854 Orchard Ave., Grand Junction, CO

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

Caleb Weaver, on behalf of Lightbulb Media, has requested authorization through a Special Recreation Permit (SRP) to offer photographic services to clients on mountain bike, climbing, and canyoneering tours on designated trails and areas within the Moab Field Office of the BLM. All use would be day use only with any overnight use occurring in designated campgrounds or private facilities. Lightbulb Media has not held an SRP with the Moab BLM previously. Standard stipulations as well as mountain bike specific, and hiking, and climbing stipulations would apply to the SRP for Lightbulb Media.

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-Y010-2010-0082 *Special Recreation Permit for Jackson Hole Mountain Guides*, signed February 2010. This covers the climbing locations Environmental Assessment DOI-BLM-UT-Y010-2012-0212 *Special Recreation Permit For Navtec Expeditions, Inc.*, signed December 28, 2012. This covers the canyoneering 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. Environmental Assessment DOI-BLM-UT-Y010-2013-0141, *Special Recreation Permit for Bret Edge Photography*, signed April 25, 2013 analyzed commercial photo tours.

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 permitted mountain bike, climbing and hiking tours 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

Documentation of answer and explanation: Yes; Environmental Assessments DOI–BLM-UT-Y010-2010-0082,DOI-BLM-UT-Y010-2012-0212, DOI-BLM-UT-Y010-2013-0141 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

Documentation of answer and explanation: 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

Documentation of answer and explanation: 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-Y010-2010-0082 *Special Recreation Permit for Jackson Hole Mountain Guides*, when it was posted on ENBB January 6, 2010. *Special Recreation Permit for Navtec Expeditions, Inc.*, was posted on the ENBB on August 24, 2012. 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. Documentation of answer and explanation: Public involvement for Environmental Assessment DOI-BLM-UT-Y010-2013-0141, *Special Recreation Permit for Bret Edge Photography*, included a posting on the ENBB on March 29, 2013 with a 30 day IMP notification. These notifications provided sufficient time for public involvement and interagency review.

E. Persons/Agencies/BLM Staff Consulted:

Name	Title	Resource Represented
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, Woodland/forestry, T&E Plants
Kim Allison	Rangeland Management Specialist	RHS, Livestock Grazing, Vegetation
Jordan Davis	Rangeland Management Specialist	Invasive Plants, Woodlands

ReBecca Hunt Foster	Paleontologist	Paleontology
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

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.

Heidi Ebelenstrup — 10/22/15
Signature of Project Lead — Date

K C Stevens — 10/22/15
Signature of NEPA Coordinator — Date

[illegible] — 10/23/15
Signature of the Responsible Official — 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 IMP

INTERDISCIPLINARY TEAM CHECKLIST

Project Title: Special Recreation Permit for Lightbulb Media

NEPA Log Number: DOI-BLM-UT-Y010-2015-0243 DNA

File/Serial Number: MFO-Y010-15-104R

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.

Determi-nation	Resource	Rationale for Determination*	Signature	Date
RESOURCES AND ISSUES CONSIDERED (INCLUDES SUPPLEMENTAL AUTHORITIES APPENDIX 1 H-1790-1)				
NC	Air Quality Greenhouse Gas Emissions		A.Aubry AMA	9.15.15
NC	Floodplains		A.Aubry AMA	9.15.15
NC	Soils		A.Aubry AMA	9.15.15
NC	Water Resources/Quality (drinking/surface/ground)		A.Aubry AMA	9.15.15
NC	Wetlands/Riparian Zones		A.Aubry AMA	9.15.15
NC	Areas of Critical Environmental Concern		K.Stevens KS	9/15/15
NC	Recreation		K.Stevens KS	9/15/15
NC	Wild and Scenic Rivers		K.Stevens KS	9/15/15
NC	Visual Resources		K.Stevens KS	9/15/15
NC	BLM Natural Areas		B. Stevens BS	9-15-15
NC	Socio-Economics		B. Stevens BS	9-15-15
NC	Lands with Wilderness Characteristics		B. Stevens BS	9-15-15
NC	Wilderness/WSA		B. Stevens BS	9-15-15
NC	Cultural Resources		J. Lundell JL	10-22-15

Determi-nation	Resource	Rationale for Determination*	Signature	Date
NC	Native American Religious Concerns		J. Lundell	10-22-15
NC	Environmental Justice		B. Stevens	9-15-15
NC	Wastes (hazardous or solid)		D. Pals	9/15/15
NC	Threatened, Endangered or Candidate Animal Species		P. Riddle	9/15/15
NC	Migratory Birds		P. Riddle	9/15/15
NC	Utah BLM Sensitive Species		P. Riddle	9/15/15
NC	Fish and Wildlife Excluding USFW Designated Species		P. Riddle	9/15/15
NC	Invasive Species/Noxious Weeds		J. Davis	9/15/15
NC	Threatened, Endangered or Candidate Plant Species		D. Williams	9/15/15
NC	Livestock Grazing		D. Williams/ J. Davis/ K. Allison	9/15/15
NC	Rangeland Health Standards		D. Williams/ J. Davis/ K. Allison	9/15/15
NC	Vegetation Excluding USFW Designated Species		D. Williams/ J. Davis/ K. Allison	9/15/15
NC	Woodland / Forestry			9/15/15
NC	Fuels/Fire Management		J. Relph	
NC	Geology / Mineral Resources/Energy Production		D Pals	9/24/15
NC	Lands/Access		J. Denney	
NC	Paleontology		R. Hunt-Foster	

FINAL REVIEW:

Reviewer Title	Signature	Date	Comments
Environmental Coordinator	Katie. Stevens	10/22/15	
Authorized Officer	J. Rockford Smith	10/23/15	

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-Y010-2015-0243 DNA

Proposed Action: X **Alternative Action:** _____ (check one)

Proposed by: Lightbulb Media

Description of action: Lightbulb Media has requested authorization through a Special Recreation Permit (SRP) to offer camera rental, photo and video services to clients accompanying existing permittees on biking, canyoneering and hiking trails in the Moab Field Office of the BLM. Trips are day use only. One of the bike routes and two of the canyoneering routes are within Wilderness Study Areas (WSA). The only additional permitted activity would be providing hand held photo and video services for the otherwise permitted activities. *The only portions of the permit to be analyzed in this document are those activities within the WSAs.*

Location: Negro Bill Canyon, Pritchett Canyon, Porcupine Rim, Hidden Valley.

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

Negro Bill Canyon, Behind the Rocks

VALID RIGHTS OR GRANDFATHERED USES (if any)

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

EVALUATION OF POTENTIAL FOR IMPAIRMENT OF WILDERNESS VALUES

Is the action temporary and non-surface disturbing? X 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 providing photo and film services for commercial guided canyoneering trips and mountain bike 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 two constructed marked and well-used trails. Impacts could involve soil, vegetation, and water quality (in Negro Bill Canyon). The canyoneering and hiking in Negro Bill Canyon is on a heavily used marked and maintained trail which currently receives almost 35,000 hikers annually. Based on past use, any impacts would be minimal relative to total current use on this trail. The Porcupine Rim mountain biking route averages 28,000 bikers 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. The canyoneering routes off Pritchett Canyon in the Behind the Rocks WSA are on its very periphery, and in an area which receives little current public use, presumably because of its technical difficulty. If these were the only travel routes 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".

(1991 Utah Statewide Wilderness Study Report, Volume IIB, p. 706)

Naturalness as an ingredient in wilderness is defined as lacking evidence of man's impacts on a relatively permanent basis. None of the potential effects described above would affect significantly this aspect of naturalness essential to wilderness character.

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 canyoneering 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 alcove 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 X	N/A
Reasonable measures to protect wilderness values and to prevent unnecessary or undue degradation of the lands are incorporated:	X Yes	____	No ____	N/A
Environmental Assessment required:	X Yes	____	No	
Plan of Operations Required:	____ Yes	____	No X	N/A
Discovery verification procedures recommended:	____ Yes	____	No X	N/A
Consider initiating reclamation through EA:	____ Yes	____	No X	N/A

RELATED ACTIONS

Dated copy of Electronic Notification Board notice attached to case file:	X Yes	____	No
Media notification appropriate: (optional)	____ Yes	X	No
Federal Register Notice appropriate: (optional)	____ Yes	X	No
Information copy of case file sent to USO-933:	____ Yes	X	No

Evaluation prepared by: William P. Stevens — October 23, 2015

Name(s) — Date

FINDING OF NO SIGNIFICANT IMPACT
AND
DECISION RECORD

Lightbulb Media
(Permitted photographing on mountain bike rides, canyoneering, and climbing)

DOI–BLM-UT-Y010-2015-0243 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 to Lightbulb Media, 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 authorize a Special Recreation Permit for Lightbulb Media 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

10/22/15
Date