



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Color Country District Office

176 East D.L. Sargent Drive

Cedar City, Utah 84721

(435)865-3000

<http://www.blm.gov>



In Reply Refer To:

2931

UTU-38905

(UTC010)

Date: August 3, 2016

DECISION

Iron Mine Race Course, SRP Issued

Iron Mine Race Course
Steve Hansen
9205 West Antelope Rd.
Cedar City, UT 84720

Re: Issuance of a Special Recreation Permit for Iron Mine Race Course (DOI-BLM-UT-C010-2016-0013-CX)

Dear Mr. Hansen:

Enclosed is a copy Special Recreation Permit issued to the Iron Mine Race Course, in your care, which has been approved by the Bureau of Land Management (BLM). The initial application fee has been paid, and will be off-set against use fees for the term of the permit.

The issuance of this permit constitutes a final decision by the Bureau of Land Management in this matter.

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 enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) or 43 CFR 2932.8 for a stay 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, to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (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.

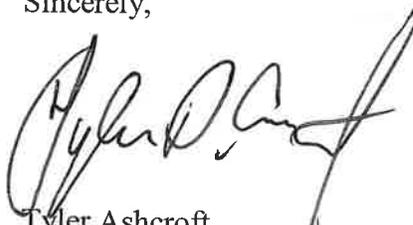
Standards for Obtaining a Stay

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:

- (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.

If you have any questions, please contact Tyler Ashcroft, Acting Field Office Manager, Cedar City Field Office, at the above address or call (435) 865-3006.

Sincerely,



Tyler Ashcroft
Acting Field Office Manager

Enclosure:

1 - SRP

**United States Department of the Interior
Bureau of Land Management**

Categorical Exclusion Not Established By Statute

DOI-BLM-UT-C010-2016-0013-CX

July 26, 2016

**Iron Mine Race Course
Special Recreation Permit 2016**

Location: Iron County, Utah

Applicant/Address: Steve Hansen, 9205 West Antelope Rd. Cedar City, UT 84721

Cedar City Field Office
176 E. DL Sargent Dr.
Cedar City, UT 84720
435-865-3000



CATEGORICAL EXCLUSION DOCUMENTATION FORMAT WHEN USING CATEGORICAL EXCLUSIONS NOT ESTABLISHED BY STATUTE

A. Background

BLM Office: LLUTC0100, Cedar City Field Office Lease/Serial/Case File No: DOI-BLM-UT-C010-2016-0013-CX

Proposed Action Title/Type: Issuance of Special Recreation Permit to Iron Mine Race Park

Location of Proposed Action: Iron County, UT/Cedar City, UT/ Iron Mine Race Park

Description of Proposed Action: Steve Hansen with Iron Mine Race Park has applied for a one year Special Recreation Permit to hold a maximum of five motocross races/events on the BLM portion of the existing Iron Mine Race Course. The course is about 3.8 miles long and incorporates about 200 acres on Public Land. The majority of the course is on private land and includes dirt jumps and other racing features. The course could be temporarily upgraded on public land by adding dirt features which would be removed at the end of the races. No disturbance would occur outside of previously disturbed areas. Races will not be authorized within areas established for "Special Area" management, including Wilderness Study Areas. The operating plan further describes the plan of operations. The attached stipulations are a part of the application package and must be followed closely by the applicant. Stipulations will further eliminate potential for significant impacts to natural and cultural resources.

Monitoring:

Pre and post monitoring: Pre and post monitoring would occur to evaluate potential erosion and weed spreading, as well as ensuring reclamation of the jump and other features. The BLM would take pre-race photos and post-race photos to compare and contrast the impact to the BLM portion of the Iron Mine Race Course.

Race day monitoring: A BLM employee will be on site for both days of the race to monitor the permittee's observance of the stipulations.

B. Land Use Plan Conformance

Land Use Plan Name: Cedar Beaver Garfield Antimony Resource Management Plan

Date Approved/Amended: June 10, 1986

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) The Cedar Beaver Garfield Antimony Resource Management Plan approved June 10, 1986, provides for the proposed action in Recreation Decision B.1., which states "manage the CBGA planning area as an Extensive Recreation Management Area (ERMA), utilizing extensive, unstructured and custodial management principles."

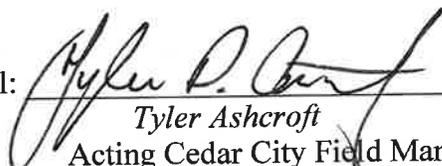
C. Compliance with NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 2, Appendix 1, H (1): "Issuance of Special Recreation Permits for day use or overnight use up to 14 consecutive nights; that impacts no more than 3 staging area acres; and/or for recreational travel along roads, trails, or in areas authorized in a land use plan. This CX cannot be used for commercial boating permits along Wild and Scenic rivers. This CX cannot be used for the establishment or issuance of Special Recreation Permits for "Special Area" management (43 CFR 2932.5)."

The proposed action has been reviewed, and none of the extraordinary circumstances described in 43 CFR Part 46.215 apply.

D. Signature

Authorizing Official: _____


Tyler Ashcroft
Acting Cedar City Field Manager

Date: 8/3/16

Contact Person

For additional information concerning this CX review, contact Tyler Ashcroft, Acting Field Manager, Cedar City Field Office, 176 E. DL Sargent Dr., Cedar City, UT, 84720, 435-865-3006

ATTACHMENTS

- 1) Stipulations for Iron Mine Race Park Special Recreation Permit
- 2) Copy of Operating Plan for Iron Mine Race Park Recreation Permit
- 3) Iron Mine Race Park Map

Categorical Exclusion Review Record

Resource	Extraordinary Circumstances apply? Yes/No*	Assigned Specialist Signature	Date
Air Quality	No	A. Stephens	6/27/2016
Areas of Critical Environmental Concern	No	<i>Leisel Whitmore</i>	6/22/2016
Cultural Resources	No	Jamie Palmer	6/24/2016
Environmental Justice	No	<i>Leisel Whitmore</i>	6/22/2016
Farm Lands (prime or unique)	No	A. Stephens	6/27/2016
Floodplains	No	A. Stephens	6/27/2016
Invasive Species/Noxious Weeds	No	A. Stephens	6/27/2016
Migratory Birds	No	Sheri Whitfield	06/28/2016
Native American Religious Concerns	No	Jamie Palmer	6/24/2016
Threatened, Endangered, or Candidate Species	No	Sheri Whitfield	06/28/2016
Wastes (hazardous or solid)	No	Glenn Pepper	7/12/2016
Water Quality (drinking or ground)	No	A. Stephens	6/27/2016
Wetlands / Riparian Zones	No	A. Stephens	6/27/2016
Wild and Scenic Rivers	No	<i>Leisel Whitmore</i>	6/22/2016
Wilderness	No	<i>Leisel Whitmore</i>	6/22/2016
Other: Lands and Realty	No	Michelle Campeau	06/24/2016

Environmental Coordinator

Maria Serrano

Date: 7/26/16

Extraordinary Circumstance to Categorical Exclusions

Exceptions to Categorical Exclusion Documentation

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215) apply. The project would:

Extraordinary Circumstances		
1. Have significant impacts on public health or safety.		
Yes	No <input checked="" type="checkbox"/>	Rationale: The project is designed to minimize impacts to public health and safety by requiring an EMS and an ambulance to be on site as well as adequate staff/volunteers for aid stations with communication throughout the course.
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		
Yes	No <input checked="" type="checkbox"/>	Rationale: No historic or cultural resources would be affected. There are no park or refuge lands, scenic rivers, national natural landmarks, prime farmlands, or national monuments in the affected area. No wetlands would be deteriorated nor floodplain use impacted. The area aquifer would not be affected. This permit would not be valid within Wilderness or Wilderness Study Areas.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].		
Yes	No <input checked="" type="checkbox"/>	Rationale: The proposal would only have negligible impacts on any resources; no conflicts between alternative resource uses are anticipated. Similar projects implemented in the past have not resulted in resource conflicts or controversial impacts.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
Yes	No <input checked="" type="checkbox"/>	Rationale: The environmental impacts would be low. Increased soil erosion is anticipated as a result of high horsepower machines racing directly up the stock trail, which is essentially a fall line trail. No unique unknown environmental risks are anticipated. The impacts are predictable based on previous similar projects.
5. Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.		

Extraordinary Circumstances

Yes	No X	Rationale: The proposal is not controversial nor precedent setting. The permit is going to be issued for one year and monitoring would be conducted to note impacts. The race would likely happen in future years, thus soil erosion and weed control would be monitored closely.
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		
Yes	No X	Rationale: The impacts from the proposal are expected to be negligible and would not contribute to potentially cumulative significant impacts now or in the reasonably foreseeable future.
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.		
Yes	No X	Rationale: Issuing this permit does not create any new surface disturbing activities or introduce activities that would adversely impact National Register eligible sites or places. No impacts would occur to historic properties.
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		
Yes	No X	Rationale: No TEC or BLM sensitive wildlife species occur within the race area.
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		
Yes	No X	Rationale: The proposal would be in conformance with all known environmental laws or requirements. This includes the Migratory Bird Treaty Act, Fish and Wildlife Coordination Act, county ordinances, and state statutes.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		
Yes	No X	Rationale: This project would not have an adverse effect on low income or minority populations.
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).		
Yes	No X	Rationale: According to a Memorandum of Understanding between the Cedar City Field Office and the Paiute Indian Tribe of Utah, this project would not be of concern to the Tribe or associated bands.

Extraordinary Circumstances

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).

Yes	No X	Rationale: The proposal is not expected to cause these species to spread into the affected area. Appropriate stipulations are included in the authorization.
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