

DECISION MEMORANDUM
DOI-BLM-AZ-G020-2016-0007-DNA
SRP Dog Club Renewals

U.S. Department of the Interior
Bureau of Land Management
Las Cienegas National Conservation Area

Project Description:

Renew six Special Recreation Permits (SRP) for Bird Dog Clubs to conduct competitive and non-competitive field trials and hunt tests the next 5 years in Las Cienegas National Conservation Area.

Approval and Decision:

Based on a review of the project described in the attached Determination of NEPA Adequacy (DNA) and field office staff recommendations, I have determined that the project is in conformance with the Las Cienegas NCA Resource Management Plan (approved 2003). The DNA is based on Las Cienegas National Conservation Area EIS, Record of Decision July 2003. It is my decision to approve the action as proposed with the following stipulations/mitigation measures.

Cultural Resources: Archaeological and historical values including, but not limited to, petroglyphs, ruins, historic structures, cabins and artifacts shall not be damaged, destroyed, removed or disturbed. Any hidden cultural values uncovered through authorized operations shall be left in place, and the Field Office Manager shall be notified of their discovery. Fires and stoves are prohibited inside old cabins or historic structures. Cutting or gathering firewood or lumber from historic structures, standing or collapsed, is prohibited.

Additional Bird Dog Club Permit Stipulations:

Season of Use:

Activities are not to occur from April – June during pronghorn fawning season within pronghorn fawning habitat in Las Cienegas NCA.

Please note: Dogs must be leashed in pronghorn fawning areas during pronghorn fawning season from April 1 to June 30 in Las Cienegas NCA.

Vendors:

Advise potential vendors or trainers not listed in your current permit's Operating Plan you hold liability for to apply for their own permit before selling products or training services on public lands, otherwise activities without proper authorization are subject to fines.

AZ Game and Fish Department:

Any hunting activities and/or the release of game birds must be licensed and permitted by the Arizona Game and Fish Department.

Permitted Events are authorized for two sites only:

1. Airstrip Group Site:

- Camping and staging must occur with the fenced area north of the restroom.
- Only day use parking may occur on the old airstrip on the south side of the restroom.

- Traveling off road is prohibited.
- Only two permitted clubs may overlap activities and camping at one time in the group site.
- Overnight camping is limited to 2 weeks in LCNCA.

2. Maternity Well Group Site:

- The current carrying capacity for this site is set for 75 people or 15 vehicles.
- Parking and staging is to occur within the temporary marked group site delineation only.
- The general public will be notified by a sign on the access road not to park or camp in the area while a permitted event is taking place.
- Only two permitted clubs may overlap activities, parking or camping at one time at this site.
- Camping is limited two no more than 2 weeks in LCNCA.
- Construction of new recreation site delineations may occur between the years 2016- 2020 to bring the carrying capacity to 150 people or 30 vehicles.

Clean Up:

Weed Free Management Site

BLM strives to maintain a weed free National Conservation Area.

Please help us achieve this goal.

The permit holder is responsible for the removal of trash generated by your permitted activities. Clean-up will be completed within 2 days after an event, including obliterating campfires, raking up, bagging and removing dog waste and residual hay.

Any use of motorized equipment such as bobcat or small tractor must be discussed with the BLM prior to use.

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 Tucson Field Office, 3201 E Universal Way, Tucson AZ 85756 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:

Standards for Obtaining a Stay

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.

/s/ Melissa D. Warren
Field Manager

11/20/2015
Date

Attachment: Form 1842-1