



# United States Department of the Interior



## BUREAU OF LAND MANAGEMENT

Phoenix District

Hassayampa Field Office

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Phoenix, Arizona 85027

[www.blm.gov/az/](http://www.blm.gov/az/)

In Reply Refer To:

2930 (AZP010)

DOI-BLM-AZ-P010-2013-0056-DNA

### DECISION

#### **Hermosa Tours**

DOI-BLM-AZ-P010-2013-0056-DNA

### **INTRODUCTION**

The Bureau of Land Management, Hassayampa Field Office staff has prepared the Hermosa Tours Determination of the National Environmental Policy Act Adequacy (DNA) to evaluate the potential impacts related to a mountain bicycling company conducting tours on the Black Canyon National Recreation Trail.

Hermosa Tours proposes to offer both guided and self-guided mountain bike tours on the Black Canyon National Recreation Trail from Highway 69 to Highway 74. The primary use is self-guided trips with occasional custom groups guided on request. Trip duration for self-guided tours is 3 days and 2 nights, while duration of guided trips is day trips ranging from 3 to 5 hours. Hermosa Tours would provide a driver/guide, mechanical support, vehicle support, gear relocation, and camp setup. Overnight use on BLM occurs with self-guided tours. Self-guided tours are supplied a GPS track and map. An explanation is given to the client regarding stipulations/regulations before the start of the trip. The only motorized use is a 15-passenger van restricted to established roads. They expect to offer approximately 10 trips per year. Group size is limited to 12 participants and 1 driver/guide not to exceed 100 service days. Leave No Trace is required to be followed at all times, including the removal of human waste. WAG bags are supplied to the guests and all trash/waste from staff and clients is removed from public land. For safety, each self-guided tour carries a SPOT or a rental satellite phone.

### **BACKGROUND**

This is an 80-mile non-motorized single track trail which exists for the wholesome recreational enjoyment for all those having the privilege to experience it. The trail is located in a historic sheep driveway corridor where vestiges of the past may be observed. The trail traverses outstanding scenery where the quality of the trail is superb. Recognizing the need to provide recreational opportunities to the Greater Phoenix Area while promoting eco-tourism, the

application was made to manage and share this trail as a national treasure. It was soon included into the system of the National Park Service's System of National Trail.

Recreation use is increasing. Hermosa Tours applied for a special recreation permit to operate self-guided and guided tours on this trail. Tour companies offer the link to those wanting the convenience, perceived safety, physical exercise, going new places and gaining new experiences, meeting new people with similar interests, and a break from everyday routine.

### **PUBLIC INVOLVEMENT**

Public outreach was conducted as part of the original EA process. However, extensive additional outreach has been conducted by the Hassayampa Field Office staff with relation to the development of the Bradshaw-Harquahala RMP and during the planning process for a Black Canyon National Recreation Trail and Travel Management Plan (not yet complete). Both efforts have provided feedback from organized user groups and the general public regarding desired uses and potential conflicts along the trail corridor. This input is adequate for the current proposed action and has formed the stipulations that will be included with the permit to minimize any adverse impacts to resources and other users.

### **DECISION**

After reviewing the analysis presented in the Bradshaw-Harquahala EIS and RMP, making a Finding of No Significant Impact (FONSI), and carefully considering the comments and input received from the public, it is my decision to approve this DNA. There is no significant impact to the physical, social, and ecological well-being upon approved. Each special recreation permit contains a list of stipulations pertaining to the wise use of its resource(s) while maintaining the integrity of the national recreation trail. It is my decision to approve the special recreation permit with stipulations for Hermosa Tours.

### **RATIONALE**

After several years of collaborative efforts leading towards the completion of the Bradshaw-Harquahala RMP, there are many decisions contained with this document regarding special recreation permit administration and rationale. Administering special recreation permits on the Black Canyon National Recreation Trail supports the vision of ecotourism with recreationists who enjoy the niche of exploring public lands through commercial tours. This trail is located within the Black Canyon Recreation Management Zone which supports non-motorized interests.

### **AUTHORITY**

This Decision is in conformance with the National Environmental Policy Act (NEPA) of 1969 (P.L. 91-190) as amended (72 USC 4321 et. seq.); Land and Water Conservation Fund Act of 1965 (P.L. 88-578) as amended; and the General and Title V of the Federal Land Management Policy Act of 1976 (FLPMA).

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### **APPEAL OF THE DECISION**

This decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form

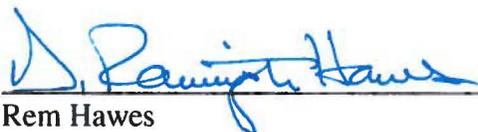
1842-1. If an appeal is taken, your notice of appeal must be filed in this office at the above address within 30 days from receipt of this decision. The appellant has the burden of showing that the Decision appealed from is in error.

If you wish to file a petition pursuant to regulation at 43 CFR 3256.11 or 43 CFR 3200.5 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 and to the IBLA and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed in 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 must show sufficient justification based on the following standards:

1. The relative harm to 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.
4. Whether the public interest favors granting the stay.



Rem Hawes  
Hassayampa Field Manager



Date