

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

**Determination of NEPA Adequacy
DOI-BLM-UT-Y010-2016-0034 DNA**

**December 2015
Special Recreation Permit for Blauch Co., LLC dba Aspect
Adventure**

Locations:

Hiking: Corona Arch, Fisher Towers, Onion Creek, Ida Gulch, Negro Bill Canyon and Kane Creek Areas (Hunter Canyon)

Rock Climbing: Wall Street climbing area SR 279/ Potash Road. Ice Cream Parlor, Abraxis Wall, Highway 128 Climbs, Castleton group (Castle Tower, Sister Superior, Priest Nuns/ Rectory), Big Bend boulders

Applicant/Address: Jason Blauch, 1010 East 200 South, Salt Lake City, UT 84102

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



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.

List by name and date all applicable NEPA documents that cover the proposed action.

Environmental Assessment DOI-BLM-UT-Y010-2013-0224 EA *Special Recreation Permit Amendment For Western River Expeditions*, signed January 2, 2014, covers the hiking activities proposed by Blauch Co, LLC. The hiking locations are all found within this EA. Environmental Assessment DOI-BLM-UTY010-2010-0082 EA, *Special Recreation Permit for Jackson Hole Mountain Guides*, signed February 8, 2010, covers all the climbing activities considered in the Proposed Action. Again, the exact locations covered by this EA are those requested by Blauch.

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 permitted commercial climbing and hiking 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-Y010-2013-0224 EA *Special Recreation Permit Amendment For Western River Expeditions*, and Environmental Assessment DOI-BLM-UT-Y010-2010-0082, *Special Recreation Permit for Jackson Hole Mountain Guides*, 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-Y010-2013-0224 EA *Special Recreation Permit Amendment For Western River Expeditions*, which was posted on the ENBB on August 8, 2013. The public was notified of the preparation of EA DOI-BLM-UTY010-2010-0082, *Special Recreation Permit for Jackson Hole Mountain Guides*, on January 6, 2010. These notification periods were sufficient for the current proposed action.

Notification for the proposed action, including the 30-day period for WSA use, was posted on the ENBB on the dates listed above. This level of involvement and notification is adequate for the current proposed action.

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
Mark Grover	Ecologist	Wetlands/Riparian
Katie Stevens	Recreation Planner	Areas of Critical Environmental Concern; Wild & Scenic Rivers, Recreation, Visual Resources
ReBecca Hunt Foster	Paleontologist	Paleontology
Jordan Davis	Range Management Specialist	Invasive Weeds, Woodland/forestry
Dave Williams	Range Management Specialist	Vegetation, T&E Plants, RHS, Livestock

Jared Lundell	Archaeologist	Cultural Resources; Native American Religious Concerns
David Pals	Geologist	Geology, 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

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.

<u>KC Stevens</u> Signature of Project Lead	<u>12/1/15</u> Date
<u>KC Stevens</u> Signature of NEPA Coordinator	<u>12/1/15</u> Date
<u>J. Stevens</u> Signature of the Responsible Official	<u>12/15/15</u> 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 Blauch Co., LLC, dba Aspect Adventure

NEPA Log Number: DOI-BLM-UT-Y010-2016-0034 DNA

File/Serial Number: MFO-Y010-16-012R

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		Ann Marie Aubry <i>AMA</i>	12-1-15
NC	Floodplains		Ann Marie Aubry <i>AMA</i>	12-1-15
NC	Soils		Ann Marie Aubry <i>AMA</i>	12-1-15
NC	Water Resources/Quality (drinking/surface/ground)		Ann Marie Aubry <i>AMA</i>	12-1-15
NC	Wetlands/Riparian Zones		Mark Grover <i>MG</i>	12-1-15
NC	Areas of Critical Environmental Concern		Katie Stevens <i>KS</i>	12/1/16
NC	Recreation		Katie Stevens <i>KS</i>	12/1/16
NC	Wild and Scenic Rivers		Katie Stevens <i>KS</i>	12/1/16
NC	Visual Resources		Katie Stevens <i>KS</i>	12/1/16
NC	Wild Lands (BLM Natural Areas)		Bill Stevens <i>BS</i>	12-1-15
NC	Socio-Economics		Bill Stevens <i>BS</i>	12-1-15
NC	Wilderness/WSA	<i>IMP</i>	Bill Stevens <i>BS</i>	12-1-15
NC	Lands with Wilderness Characteristics		Bill Stevens <i>BS</i>	12-1-15

Determination	Resource	Rationale for Determination*	Signature	Date
NC	Cultural Resources		Jared Lundell <i>JL</i>	12-1-15
NC	Native American Religious Concerns		Jared Lundell <i>JL</i>	12-1-15
NC	Environmental Justice		Bill Stevens <i>BS</i>	12-1-15
NC	Wastes (hazardous or solid)		David Pals <i>DP</i>	12/1/15
NC	Threatened, Endangered or Candidate Animal Species		Pam Riddle <i>PR</i>	12/1/15
NC	Migratory Birds		Pam Riddle <i>PR</i>	12/1/15
NC	Utah BLM Sensitive Species		Pam Riddle <i>PR</i>	12/1/15
NC	Fish and Wildlife Excluding USFW Designated Species		Pam Riddle <i>PR</i>	12/1/15
NC	Invasive Species/Noxious Weeds		Jordan Davis Dave Williams	2/1/15
NC	Threatened, Endangered or Candidate Plant Species		DW Dave Williams	12/1/15
NC	Livestock Grazing		DW Dave Williams/ Jordan Davis/ Kim Allison	12/1/15
NC	Rangeland Health Standards		DW Dave Williams/ Jordan Davis/ Kim Allison	12/1/15
NC	Vegetation Excluding USFW Designated Species		DW Dave Williams	12/1/15
NC	Woodland / Forestry		Jordan Davis	2/1/15
NC	Fuels/Fire Management		Josh Relph <i>JR</i>	12/1/15
NC	Geology / Mineral Resources/Energy Production		David Pals <i>DP</i>	12/1/15
NC	Lands/Access		Jan Denney	
NC	Paleontology		Rebecca Hunt-Foster <i>RHF</i>	12/1/15

FINAL REVIEW:

Reviewer Title	Signature	Date	Comments
Environmental Coordinator	Katie Stevens <i>KS</i>	12/1/15	
Authorized Officer	Beth Ransel <i>BR</i>	12/14/15	

**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-Y010-2016-0034-DNA

Proposed Action: Alternative Action: _____ (check one)

Proposed by: Blauch Co. LLC dba Aspect Adventure

Description of action: Blauch Co. LLC dba Aspect Adventure has requested authorization through a Special Recreation Permit (SRP) to offer hiking tours on designated hiking trails in the Moab Field Office of the BLM. Trips are day use only. One of the day hikes (Negro Bill Canyon) is partly within a Wilderness Study Area (WSA). Group size would be limited to 12, including guides, with up to six trips per year. Standard stipulations as well as hiking specific stipulations would apply to the SRP for Blauch Co. LLC dba Aspect Adventure. *The only portion of the permit to be analyzed in this document is that activity within the WSA.*

Location: Negro Bill Canyon

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

Negro Bill 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:

The guided hike would be on a popular route in the front country of the WSA. The hike 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. Commercial activities, including hiking, 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 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 hike, however, is on a constructed and regularly maintained trail.

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: This activity would not decrease significantly opportunities for solitude relative to their current status. This activity would take place in portions of the WSA identified in the original wilderness inventory as a front-country location not necessarily providing such opportunities.

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. This activity would take place in a portion of the WSA identified in the original wilderness inventory as a front-country location not necessarily providing such opportunities.

Optional Supplemental values: No perceived negative impacts. The 1991 *Utah Statewide Wilderness Study Report* identified several special features. These included threatened and endangered animal and plant species that may occur in the WSA.

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

Rationale: Hiking 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 No

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

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

Action may be allowable, pre-FLPMA VER: Yes No 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 November 27, 2015
Name (s) Date

**FINDING OF NO SIGNIFICANT IMPACT
AND
DECISION RECORD**

**Blauch Co., LLC dba Aspect Adventure (commercial hiking and climbing tours)
DOI-BLM-UT-Y010-2016-0034 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 commercial Special Recreation Permit for Blauch Co., LLC dba Aspect Adventure 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 this Special Recreation Permit for Blauch Co., LLC dba Aspect Adventure 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

12/14/15
Date