

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

**Determination of NEPA Adequacy
DOI-BLM-UT-Y010-2016-0059 DNA**

January 2016

**Special Recreation Permit Renewal for
BYU MBA Program**

Location:

Biking – Bar M Mountain Bike Focus Area system (all trails), Slickrock, Gemini Bridges /Gold Bar/Magnificent Seven/Seven Up/Poison Spider (all trails in system), Klondike Bluffs Trails, BLM portion of Sovereign, Onion Creek, Fins and Things, Amasa Back trail system, Porcupine rim, Monitor and Merrimac Trails

Rappeling/Climbing – Gemini Bridges – Bull Canyon – Onion Creek, Wall Street

Hiking/Canyoneering – Negro Bill (Medieval Canyon canyoneering), Rock of Ages

Hiking only (no ropes) – Corona Arch

Applicant/Address: Debbie Auxier, W437 Tanner Building, Provo, UT 84602

Moab Field Office
82 East Dogwood
Moab, Utah 84532
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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-Y010-16-025R

PROPOSED ACTION TITLE: Special Recreation Permit Renewal for BYU MBA Program

LOCATION/LEGAL DESCRIPTION: Biking – Bar M Mountain Bike Focus Area system (all trails), Slickrock, Gemini Bridges/Gold Bar/Magnificent Seven/Seven Up/Poison Spider (all trails in system), Klondike Bluffs Trails, BLM portion of Sovereign, Onion Creek, Porcupine Rim, .

Rappelling/Climbing – Gemini Bridges – Bull Canyon – Onion Creek.

Hiking/Canyoneering – Negro Bill (Medieval Canyon canyoneering).

Hiking only (no ropes) – Corona Arch

Applicant/Address: Debbie Auxier, W437 Tanner Building, Provo, UT 84602

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

Debbie Auxier, on behalf of Brigham Young University's MBA Program, has requested a Special Recreation Permit to conduct operations at the following locations: Biking: Bar M Mountain Bike Focus Area system (all trails), Slickrock, Gemini Bridges/Gold Bar/Magnificent Seven/Seven Up/Poison Spider (all trails in system), Klondike Bluffs Trails, BLM portion of Sovereign, Onion Creek, Fins and Things, Amasa Back trail system, Porcupine rim, Monitor and Merrimac Trails; Rappelling/Climbing – Gemini Bridges – Bull Canyon – Onion Creek, Wall Street; Hiking/Canyoneering – Negro Bill (Medieval Canyon canyoneering), Rock of Ages; Hiking only (no ropes) – Corona Arch Any camping on BLM lands would occur in designated camp sites. BYU's MBA Program has held an SRP with the Moab Field Office for a period of two years. Standard stipulations as well as mountain bike, hiking/canyoneering and climbing specific stipulations would apply to the SRP for BYU's MBA Program.

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, on page 98 of the Moab RMP, it 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.

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

Environmental Assessment DOI-BLM-UT-Y010-2012-0212, *Special Recreation Permit for Navtec*, signed December 28, 2012 (canyoneering).

Environmental Assessment DOI-BLM-UT-Y010-2014-0076, *Special Recreation Permit for Idaho State University* signed March 6, 2014 (mountain biking).

Environmental Assessment DOI-BLM-UT-Y010-2013-0224 *Special Recreation Permit Amendment For Western River Expeditions*, signed January 2, 2014 (hiking).

Environmental Assessment DOI-BLM-UT-Y010-2012-0102, *Special Recreation Permit for Gravity Play*, signed March 21, 2012 (rappelling in Onion Creek).

Environmental Assessment UT060-2005-098, *Special Recreation Permit for Adventure Xtreme*, signed July 18, 2005 (rappelling in the Gemini Bridges area).

Notification for the proposed actions, including the 30-day period for WSA use, were posted on ENBB and cover the proposed hiking, mountain biking, rock climbing and canyoneering use.

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 mountain biking and climbing within the Moab Field Office. The locations requested are identical to those in the above documents.

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: Environmental Assessments DOI-BLM-UT-Y010-2012-0212, DOI-BLM-UT-Y010-2014-0076, DOI-BLM-UT-Y010-2013-0224, DOI-BLM-UT-Y010-2012-0102 and UT060-2005-098 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

The public was notified of the preparation of Environmental Assessment DOI-BLM-UT-Y010-2012-0212, *Special Recreation Permit for Navtec*. The proposed action was posted on the ENBB on August 24, 2012 and covers the proposed canyoneering use. It was signed on December 28, 2012. Environmental Assessment DOI-BLM-UT-Y010-2014-0076, *Special Recreation Permit for Idaho State University*, analyzed use of designated mountain bike trails. It

was posted on the ENBB on January 2, 2014 and signed on March 6, 2014. DOI-BLM-UT-Y010-2013-0224 *Special Recreation Permit Amendment For Western River Expeditions* covers hiking use. It was signed January 2, 2014. Notification for the proposed action, including the 30-day period for WSA use, was posted on the ENBB on August 2, 2013. DOI-BLM-UT-Y010-2012-0102, Special Recreation Permit for Gravity Play, was posted on the ENBB on March 9, 2012 and was signed on March 21, 2012. This EA covers rappelling in Onion Creek. UT060-2005-098 was posted on the ENBB on May 25, 2005 and signed on July 18, 2005. This EA covers rappelling and climbing in the Gemini Bridges area. 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 quality; Floodplains, Wetlands/Riparian Zones, Soils
Katie Stevens	Recreation Planner	Areas of Critical Environmental Concern; Recreation, Visual Resources, Wild & Scenic Rivers
Jan Denney	Realty Specialist	Lands/Access
Jared Lundell	Archaeologist	Cultural Resources; Native American Religious Concerns
David Williams Jordan Davis	Rangeland Management Specialist	Threatened, Endangered, or Candidate Plant Species, Invasive Weeds, Woodlands
Kim Allison	Rangeland Management Specialist	RHS, Livestock Grazing, Vegetation
Pam Riddle	Wildlife Biologist	Threatened, Endangered, or Candidate Animal Species, Wildlife, Migratory Birds, Utah Sensitive Species
David Pals	Geologist	Wastes, Geology
ReBecca Hunt Foster	Paleontologist	Paleontology
Bill Stevens	Recreation Planner	Wilderness, Lands with Wilderness Characteristics, Socioeconomics, Natural Areas, Environmental Justice

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.

KC Stevens
Signature of Project Lead

12/29/15
Date

KC Stevens
Signature of NEPA Coordinator

12/29/15
Date

[Signature]
Signature of the Responsible Official

1/11/16
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 Brigham Young University MBA Program

NEPA Log Number: DOI-BLM-UT-Y010-2016-0059 DNA

File/Serial Number: MFO-Y010-16-025R

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

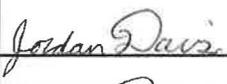
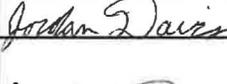
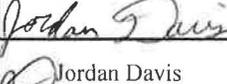
PI = present with potential for relevant impact that need to be analyzed in detail in the EA

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.M. Aubry <i>AMA</i>	12-29-15
NC	Floodplains		A.M. Aubry <i>AMA</i>	12-29-15
NC	Soils		A.M. Aubry <i>AMA</i>	12-29-15
NC	Water Resources/Quality (drinking/surface/ground)		A.M. Aubry <i>AMA</i>	12-29-15
NC	Wetlands/Riparian Zones		Mark Grover <i>MG</i>	12/29/15
NC	Areas of Critical Environmental Concern		K. Stevens <i>KS</i>	12/29/15
NC	Recreation		K. Stevens <i>KS</i>	12/29/15
NC	Wild and Scenic Rivers		K. Stevens <i>KS</i>	12/29/15
NC	Visual Resources		K. Stevens <i>KS</i>	12/29/15
NC	BLM Natural Areas		W. Stevens <i>WS</i>	12/29/15
NC	Socio-Economics		W. Stevens <i>WS</i>	12/29/15
NC	Lands with Wilderness Characteristics		W. Stevens <i>WS</i>	12/29/15
NC	Wilderness/WSA		W. Stevens <i>WS</i>	12/29/15
NC	Cultural Resources		<i>[Signature]</i>	12/29/15

Determination	Resource	Rationale for Determination*	Signature	Date
NC	Native American Religious Concerns			12/29/15
NC	Environmental Justice		W. Stevens 	12/29/15
NC	Wastes (hazardous or solid)		David Pals 	12/29/15
NC	Threatened, Endangered or Candidate Animal Species		Pam Riddle 	12/29/15
NC	Migratory Birds		Pam Riddle 	12/29/15
NC	Utah BLM Sensitive Species		Pam Riddle 	12/29/15
NC	Fish and Wildlife Excluding USFW Designated Species		Pam Riddle 	12/29/15
NC	Invasive Species/Noxious Weeds		 Jordan Davis	12/29/15
NC	Threatened, Endangered or Candidate Plant Species		 Dave Williams	12/29/15
NC	Livestock Grazing		 Jordan Davis	12/29/15
NC	Rangeland Health Standards		 Jordan Davis	12/29/15
NC	Vegetation Excluding USFW Designated Species		 Jordan Davis	12/29/15
NC	Woodland / Forestry		 Jordan Davis	12/29/15
NC	Fuels/Fire Management		Josh Relph	
NC	Geology / Mineral Resources/Energy Production		David Pals 	12/29/15
NC	Lands/Access		Jan Denney	
NC	Paleontology		 Rebecca Hunt Foster	12/29/15

FINAL REVIEW:

Reviewer Title	Signature	Date	Comments
Environmental Coordinator	K.C. Stevens 	12/29/15	
Authorized Officer		1/11/16	

**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-Y010-2016-059 DNA

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

Proposed by: BYU's MBA program

Description of action: BYU's MBA program requests renewal of its Special Recreation Permit (SRP) to offer trips for students on recreation trails in the Moab Field Office. Group size would not exceed 30 people, although 20 people would be more typical. The staff: student ratio would be one staff for every four students. Trips would be offered 3 to 5 times per year and would be of 2 days duration. Activities include hiking, canyoneering, and mountain biking. One of the canyoneering routes (Negro Bill Canyon) is within a Wilderness Study Area (WSA). There would be a maximum of 8 students and two guides/instructors in each group for this trip, with 3-4 groups spaced about 20 minutes apart. Standard stipulations would apply to the SRP for BYU's MBA program. *The only portions of the permit to be analyzed in this document are those activities 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 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 commercial canyoneering 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 a constructed, marked and well-used trail. Impacts could involve soil, vegetation, and water quality (in Negro Bill Canyon). The canyoneering in Negro Bill Canyon is on a heavily used marked and maintained trail which currently receives almost 40,000 hikers annually. Based on past use, any impacts would be minimal relative to total current use on these routes.

Outstanding Opportunities for Solitude: These activities would not decrease opportunities for solitude; this route has been popular since before establishment of the WSA, and the original write-ups for the WSA emphasized outstanding opportunities for solitude as being present in the backcountry of the unit, but not necessarily in the more heavily used front country in which the canyoneering route is 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. This route has been popular since before establishment of the WSA, and the original write-ups for the WSA emphasized outstanding opportunities for solitude as being present in the backcountry of the unit, 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 alrove plants, and do not occur along the 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: 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 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 December 24, 2015
Name (s) Date

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

**BYU MBA Program
(Mountain biking, Climbing, Hiking & Canyoneering)
DOI-BLM-UT-Y010-2016-0059 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 reauthorize a Special Recreation Permit for BYU 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 reauthorize this Special Recreation Permit for BYU 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 

Date 1/11/16