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

**Determination of NEPA Adequacy**
**DOI-BLM-UT-Y010-2016-0066**

**January 2016**

# Special Recreation Permit Renewal for Shane Scott Outfitting

***Location:*** Book Cliffs, Dolores Triangle, Cisco, Westwater WSA, Lisbon Valley, Potash and Hatch hunting areas within the Moab Field Office (with the exception of the Cottonwood- Diamond Area of Critical Environmental Concern)

***Applicant/Address:*** Shane Scott, 493 West Pahvant Drive, Richfield, UT 84701


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82 East Dogwood
Moab, Utah 84532
Phone: 435-259-2100
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# Worksheet

## Determination of NEPA Adequacy

U.S. Department of the Interior, Utah Bureau of Land Management

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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-Y010-16-030R
PROPOSED ACTION TITLE: Special Recreation Permit Renewal for Shane Scott Outfitting, LLC
LOCATION/LEGAL DESCRIPTION: Book Cliffs, Dolores Triangle, Cisco, Westwater WSA, Lisbon Valley, Potash and Hatch hunting areas within the Moab Field Office(with the exception of the Cottonwood- Diamond Area of Critical Environmental Concern)

APPLICANT: Shane Scott, 493 West Pahvant Drive, Richfield, UT 84701

**A. Description of the Proposed Action and Any Applicable Mitigation Measures**
Shane Scott, on behalf of Shane Scott Outfitting has requested reauthorization through a Special Recreation Permit (SRP) to conduct commercial hunting tours on lands within the Moab Field Office. Shane Scott Outfitting has held an SRP with the Moab Field Office since 2015. previously. Typically the group would be a maximum of two clients with one guide. The company may use ATVs, but all vehicles will stay on designated roads. In addition, the company would use horses and mules to access hunts. Shane Scott Outfitting provides outfitting services for big and small game. Standard Utah BLM stipulations to ensure resource protection and public safety would be attached to this SRP. Motorized travel would be limited to designated roads. Standard Utah BLM stipulations and the stipulations developed in the referenced Environmental Assessments would be attached to the SRP for Shane Scott Outfitting.

**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, page 98 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."

The Moab Resource Management Plan (RMP), Final Environmental Impact Statement, signed October 31, 2008, identified lands with wilderness characteristics. The proposed use includes areas within lands with wilderness characteristics three of which are being managed as Natural Areas. Other lands within the proposal, although identified as possessing wilderness characteristics are not being managed as such. The proposed activity would not result in any changes in the impacts that were analyzed in the FEIS for the RMP.

**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:
*Special Recreation Permit for Guy Webster*, DOI-BLM-UT-Y010-2013-0005 covers commercial guided hunting in the lands described in this proposed action. It was signed on November 26, 2012.

The Moab Resource Management Plan (RMP), Final Environmental Impact Statement, signed October 31, 2008, identified lands with wilderness characteristics. The proposed use includes areas within lands with wilderness characteristics three of which are being managed as Natural Areas. Other lands within the proposal, although identified as possessing wilderness characteristics are not being managed as such. The proposed activity would not result in any changes in the impacts that were analyzed in the FEIS for the RMP.

List by name and date other documentation relevant to the proposed action (e.g. biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report).

None

**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: The existing NEPA document addresses the impacts of permitted commercial hunting in the Book Cliffs, Big Triangle, Westwater WSA, Potash, Cisco, Hatch Point and Lisbon Valley hunting areas hunting areas 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: The existing NEPA documents contain analysis of a 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: 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: The direct and indirect impacts are substantially unchanged from those identified in the existing NEPA document. 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: The public was notified of the preparation of the EA for *SRP for Guy Webster* (DOI-BLM-UT-Y010-2013-0005) through the Electronic Notification Bulletin Board (ENBB) on October 10, 2012. This included notification of action in a WSA.

This level of involvement and notification is adequate for the current proposed action.

**E. Persons/Agencies/BLM Staff Consulted:**

| Name | Title | Resource Represented |
|---|---|---|
| Ann Marie Aubry | Hydrologist | Air quality; Water quality; Floodplains; Wetlands/Riparian Zones |
| Katie Stevens | Recreation Planner | ACEC; Wild & Scenic Rivers, Visual Resources Management, Recreation |
| Jan Denney | Realty Specialist | Lands |
| Jared Lundell | Archaeologist | Cultural Resources; Native American Religious Concerns |
| David Pals | Geologist | Wastes (hazardous or solid), Geology |
| ReBecca Hunt-Foster | Paleontologist | Paleontology |
| Dave Williams | Rangeland Management Specialist | Threatened, Endangered, or Candidate Plant Species, Grazing, |

| Name | Title | Resource Represented |
|---|---|---|
| | | RHS, Vegetation |
| Jordan Davis | Rangeland Management Specialist | Woodland, Invasive Species |
| Pam Riddle | Wildlife Biologist | Threatened, Endangered, or Candidate Animal Species, Wildlife, Migratory Birds, State Sensitive Species |
| Bill Stevens | Recreation Planner | Wilderness, WSA, Lands with Wilderness Characteristics, Environmental Justice, Natural Areas |

## 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 — 1/7/16

Signature of Project Lead — Date

KC Stevens — 1/7/16

Signature of NEPA Coordinator — Date

1/19/16

Signature of the Responsible Official — 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 Renewal for Shane Scott Outfitting
**NEPA Log Number**: DOI-BLM-UT-Y010-2016-0066 DNA
**File/Serial Number**: MFO-Y010-16-030R
**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 AMA | 1.6.16 |
| NC | Floodplains | | Ann Marie Aubry AMA | 1.6.16 |
| NC | Soils | | Ann Marie Aubry AMA | 1.6.16 |
| NC | Water Resources/Quality (drinking/surface/ground) | | Ann Marie Aubry AMA | 1.6.16 |
| NC | Wetlands/Riparian Zones | | Mark Grover MG | 1/6/15 |
| NC | Areas of Critical Environmental Concern | | Katie Stevens KS | 1/6/16 |
| NC | Recreation | | Katie Stevens KS | 1/6/16 |
| NC | Wild and Scenic Rivers | | Katie Stevens KS | 1/6/16 |
| NC | Visual Resources | | Katie Stevens KS | 1/6/16 |
| NC | Wild Lands (BLM Natural Areas) | | Bill Stevens BS | 1/6/16 |
| NC | Socio-Economics | | Bill Stevens BS | 1/6/16 |
| NC | Wilderness/WSA | | Bill Stevens BS | 1/6/16 |
| NC | Lands with Wilderness Characteristics | | Bill Stevens BS | 1/6/16 |
| NC | Cultural Resources | Hunting Ethical Code on SRP | Jared Lundell | 1/6/16 |
| NC | Native American Religious Concerns | " | Jared Lundell | 1/6/16 |
| NC | Environmental Justice | | Bill Stevens BS | 1/6/16 |

| Determi-nation | Resource | Rationale for Determination* | Signature | Date |
|---|---|---|---|---|
| NC | Wastes (hazardous or solid) | | David Pals | 1/6/16 |
| NC | Threatened, Endangered or Candidate Animal Species | | Pam Riddle | 1/6/16 |
| NC | Migratory Birds | | Pam Riddle | 1/6/16 |
| NC | Utah BLM Sensitive Species | | Pam Riddle | 1/6/16 |
| NC | Fish and Wildlife Excluding USFW Designated Species | | Pam Riddle | 1/6/16 |
| NC | Invasive Species/Noxious Weeds | | Dave Williams | 1/6/16 |
| NC | Threatened, Endangered or Candidate Plant Species | | Dave Williams | 1/6/16 |
| NC | Livestock Grazing | | Dave Williams/ Jordan Davis/ Kim Allison | 1/6/16 |
| NC | Rangeland Health Standards | | Dave Williams/ Jordan Davis/ Kim Allison | 1/6/16 |
| NC | Vegetation Excluding USFW Designated Species | | Jordan Davis | 1/6/16 |
| NC | Woodland / Forestry | | Jordan Davis | 1/6/16 |
| NC | Fuels/Fire Management | | Josh Relph | |
| NC | Geology / Mineral Resources/Energy Production | | David Pals | 1/6/16 |
| NC | Lands/Access | | Jan Denney | |
| NC | Paleontology | include paleo stip | RKHF ReBecca Hunt-Foster | 1/6/16 |

**FINAL REVIEW:**

| Reviewer Title | Signature | Date | Comments |
|---|---|---|---|
| Environmental Coordinator | Katie Stevens KS | 1/6/16 | |
| Authorized Officer | ~~Rock Smith~~ Jennifer Jones | 1/7/16 | |

# WILDERNESS STUDY AREA 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 (July, 2012).

**DESCRIPTION OF ACTION**

**Name of action:** DOI-BLM-UT-Y010-2016-0066 DNA

**Proposed Action:**____X_____**Alternative Action:**_____(check one)

**Proposed by:** Shane Scott Outfitting commercial hunting guide service

**Description of action:** Shane Scott Outfitting has requested authorization through a renewed Special Recreation Permit (SRP) to conduct commercial hunting tours on lands within the Book Cliffs area of the Moab Field Office. The maximum group size would be 6 clients and 2 guides. Standard Utah BLM stipulations to ensure resource protection and public safety would be attached to this SRP as well as the stipulations developed in the referenced Environmental Assessments. All motorized travel would be limited to designated roads and would be in conformance with Utah OHV restrictions. Hunt areas include areas within the Desolation Canyon, Floy Canyon, Coal Canyon, Spruce Canyon, Westwater Canyon and Flume Canyon Wilderness Study Areas (WSA). Typically the group would be a maximum of six clients and two guides. *The only portions of the permit to be analyzed in this document are those activities within the WSAs listed above.*

**Location:** The above listed WSAs within the Moab BLM Field Office boundaries.

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

Desolation Canyon, Floy Canyon, Coal Canyon, Spruce Canyon, Flume Canyon, Westwater 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 guided hunting trips. Commercial activities and hunting 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.

**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:** Naturalness as an ingredient in wilderness is defined as lacking evidence of man's impacts on a relatively permanent basis. All activities would take place on permitted travel routes, with no impacts to the WSAs.

**Outstanding Opportunities for Solitude:** The only potential impacts to solitude would occur with vehicle use on WSA boundary roads. Motorized travel is allowed on these routes, however, and the additional impact to solitude which may result from these very small trips would be minimal and temporary.

**Outstanding Opportunities for Primitive and Unconfined Recreation:** There is no reason to believe that the proposed action will reduce these opportunities.

**Optional Supplemental values:** No perceived negative impacts.

Considered cumulatively with past actions, would authorization of the action impair the area's wilderness values? ____Yes_X___No

**Rationale:** Hunting 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 ____X__No

**Action appears to meet the non-impairment standard:** X__ Yes ___No

**Action may be allowable, pre-FLPMA grandfathered use:** ___Yes ____No___X_N/A

| | |
|---|---|
| **Action may be allowable, pre-FLPMA VER:** | ___Yes ____No___X_N/A |

OTHER CONCLUSIONS

| | |
|---|---|
| **Restrictions proposed may unreasonably interfere with pre-FLPMA rights or grandfathered uses:** | ____Yes____ No_X___N/A |
| **Reasonable measures to protect wilderness values and to prevent unnecessary or undue degradation of the lands are incorporated:** | X___Yes____ No____ N/A |
| **Environmental Assessment required:** | X____Yes____ No |
| **Plan of Operations Required:** | ____Yes_____No_X___N/A |
| **Discovery verification procedures recommended:** | ____Yes_____No_X___N/A |
| **Consider initiating reclamation through EA:** | ____Yes_____No_X____N/A |

RELATED ACTIONS

| | |
|---|---|
| **Dated copy of Electronic Notification Board notice attached to case file:** | X___Yes_____No |
| **Media notification appropriate:** (optional) | ____Yes_X____No |
| **Federal Register Notice appropriate:** (optional) | ____Yes_X____No |
| **Information copy of case file sent to USO-933:** | ____Yes___X__No |

**Evaluation prepared by:** William P. Stevens _____ December 30,2015
Name(s) Date

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

**Shane Scott Outfitting, LLC (commercial guided hunting tours)**
DOI–BLM-UT-Y010-2016-0066 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 reissue a Special Recreation Permit for Shane Scott Outfitting to operate in the areas listed under the Proposed Action. This authorization does not include commercial hunting in the Cottonwood-Diamond Area of Critical Environmental Concern. This decision is contingent upon meeting all stipulations and monitoring requirements attached.

**RATIONALE:** The decision to reauthorize the Special Recreation Permit for Shane Scott Outfitting 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 1/19/16