

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

**Determination of NEPA Adequacy
DOI-BLM-UT-Y010-2016-0068 DNA**

January, 2016

**Special Recreation Permit Renewal for Moab Mountain
Bike Instruction**

Location: Designated mountain bike and Jeep Safari trails within the Moab Field Office:

Amasa Back area trails, Bartlett/Jedi/Tusher, Behind the Rocks, Blue Hills Road
Chicken Corners-Hurrah Pass-Kane Creek, Dubinky Well Road, Fins and things
Fisher Mesa, Flat Pass, Hell's Revenge, Hidden Canyon Road, Horsethief area trails, Klondike
Mountain Bike Focus Area Trails, Klonzo Area Mountain Bike Trails, Kokopelli Trail (BLM portion)
Long Canyon, Magnificent7/Gemini/Metal Masher/Getaway trails, Mill Canyon, Moab Brands (Bar M
Mountain bike Focus Area trails, Moab Rim, Monitor and Merrimac, Navajo Rocks Trails, Onion
Creek, Paved paths along Highway 191 and 128, Pipe Dream, Poison Spider, Porcupine Rim, Porta
Pritchett Canyon, Professor Creek Road, Prostitute Buttè (Behind the Rocks, Road 233 to CFI, Sand
Road, Sharer Route (BLM portion), Slickrock, Seven Mile Rim. ,Sovereign Are (BLM portion)
Top of the World

Applicant/Address: Sylvi Fae, PO Box 1293, Moab, UT 84532

Moab Field Office
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

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-Y010-16-031R

PROPOSED ACTION TITLE: Special Recreation Permit Renewal for Moab Mountain Bike Instruction

LOCATION/LEGAL DESCRIPTION: *Designated mountain bike and jeep trails within the Moab Field Office:* Amasa Back area trails, Bartlett/Jedi/Tusher, Behind the Rocks, Blue Hills Road Chicken Corners-Hurrah Pass-Kane Creek, Dubinky Well Road, Fins and things Fisher Mesa, Flat Pass, Hell's Revenge, Hidden Canyon Road, Horsethief area trails, Klondike Mountain Bike Focus Area Trails, Klonzo Area Mountain Bike Trails, Kokopelli Trail (BLM portion) Long Canyon, Magnificent7/Gemini/Metal Masher/Getaway trails, Mill Canyon, Moab Brands (Bar M) Mountain bike Focus Area trails, Moab Rim, Monitor and Merrimac, Navajo Rocks Trails, Onion Creek, Paved paths along Highway 191 and 128, Pipe Dream, Poison Spider, Porcupine Rim, Portal Pritchett Canyon, Professor Creek Road, Prostitute Butte (Behind the Rocks, Road 233 to CFI, Sand Flats Road, Sharer Route (BLM portion), Slickrock, Seven Mile Rim, Sovereign Are (BLM portion) Top of the World

APPLICANT: Sylvi Fae, PO Box 1293, Moab, UT 84532

A. Description of the Proposed Action and Any Applicable Mitigation Measures:, Sylvi Fae, on behalf of Moab Mountain Bike Instruction., has requested a renewal of her Special Recreation Permit (SRP) to offer mountain bike tours on designated trails and roads within the Moab Field Office of the BLM. All use would be day use only with any overnight use occurring in designated campgrounds or private facilities. Moab Mountain Bike Instruction has held an SRP with the Moab BLM for a period of five years. Standard stipulations as well as mountain bike specific stipulations would apply to the SRP.

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.”

C. Identify the applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.

Environmental Assessment DOI-BLM-UT-Y010-2014-0076, *Special Recreation Permit for Idaho State University*, (signed March 6, 2014) analyzed use of designated mountain bike trails. It was posted on the ENBB on January 2, 2014. Environmental Assessment DOI-BLM-UT-Y010-2011-0189, *Red Rock 4-Wheelers Jeep Safari and Fall Campout 10-Year Permit Renewal and Other Permitted, Non-Competitive Motorized Use of Jeep Safari Routes*, signed December 28, 2012, includes analysis of use of the Jeep Safari routes (which are proposed for biking in the current action). Travel would be on the exact routes as analyzed in these documents.

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 bike and vehicle tours within the Moab Field Office on the exact routes as requested by the current applicant.

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-Y010-2014-0076 and DOI-BLM-UT-Y010-2011-0189 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. The locations in the proposed renewal are identical to those in this EA.

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 DOI-BLM-UT-Y010-2014-0076, *Special Recreation Permit for Idaho State University*, was posted on the ENBB on January 2, 2014. This notification provided sufficient time for public involvement and interagency review. Documentation of answer and explanation: Public involvement for Environmental Assessment DOI-BLM-UT-Y010-2011-0189 included a 30-day scoping period and a 30-day public comment period on the draft EA, during which over 500 comments were received. Agencies consulted regarding the existing EA included National Park Service, U.S. Fish and Wildlife Service, Utah Division of Wildlife Resources, State of Utah, School and Institutional Trust Lands Administration (SITLA), Utah State Historic Preservation Office, and all affected Native American tribes. Notification for the current proposed action was posted on the ENBB on June 1, 2011. This level of public involvement and interagency review 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	Outdoor Recreation Planner	Areas of Critical Environmental Concern; Wild & Scenic Rivers, Recreation, Visual Resources
Jordan Davis	Rangeland Management Specialist	Invasive Weeds, Woodland/forestry
Dave Williams	Rangeland Management Specialist	T&E Plants, RHS, Livestock Grazing, Vegetation
Jordan Davis	Rangeland Management Specialist	Invasive Plants, Woodlands
Josh Relph	Fuels Specialist	Fuels/Fire Management

Jared Lundell	Archaeologist	Cultural Resources; Native American Religious Concerns
David Pals	Geologist	Geology, Wastes
ReBecca Hunt Foster	Paleontologist	Paleontology
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.

KC Stevens
Signature of Project Lead

1/7/16
Date

KC Stevens
Signature of NEPA Coordinator

1/7/16
Date

[Signature]
Signature of the Responsible Official

1/19/16
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 Renewal for Moab Mountain Bike Instruction

NEPA Log Number: DOI-BLM-UT-Y010-2016-0068 DNA

File/Serial Number: MFO-Y010-16-031R

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		A. Aubry <i>AA</i>	1.6.16
NC	Floodplains		A. Aubry <i>AA</i>	1.6.16
NC	Soils		A. Aubry <i>AA</i>	1.6.16
NC	Water Resources/Quality (drinking/surface/ground)		A. Aubry <i>AA</i>	1.6.16
NC	Wetlands/Riparian Zones		Mark Grover <i>MG</i>	1/6/16
NC	Areas of Critical Environmental Concern		K. Stevens <i>KS</i>	1/6/16
NC	Recreation		K. Stevens <i>KS</i>	1/6/16
NC	Wild and Scenic Rivers		K. Stevens <i>KS</i>	1/6/16
NC	Visual Resources		K. Stevens <i>KS</i>	1/6/16
NC	BLM Natural Areas		W.. Stevens <i>WS</i>	1/6/16
NC	Socio-Economics		W.. Stevens <i>WS</i>	1/6/16
NC	Wilderness/WSA		W.. Stevens <i>WS</i>	1/6/16
NC	Lands with Wilderness Characteristics		W.. Stevens <i>WS</i>	1/6/16
NC	Cultural Resources		<i>D. Montoya</i>	1/6/16
NC	Native American Religious Concerns		<i>D. Montoya</i>	1/6/16
NC	Environmental Justice		W.. Stevens <i>WS</i>	1/6/16

Determination	Resource	Rationale for Determination*	Signature	Date
NC	Wastes (hazardous or solid)		David Pals <i>DP</i>	1/6/16
NC	Threatened, Endangered or Candidate Animal Species		Pam Riddle <i>P</i>	1/6/16
NC	Migratory Birds		Pam Riddle <i>P</i>	1/6/16
NC	Utah BLM Sensitive Species		Pam Riddle <i>P</i>	1/6/16
NC	Fish and Wildlife Excluding USFW Designated Species		Pam Riddle <i>P</i>	1/6/16
NC	Invasive Species/Noxious Weeds		<i>JD</i> Jordan Davis	1/6/16
NC	Threatened, Endangered or Candidate Plant Species		<i>JD</i> Dave Williams	1/6/16
NC	Livestock Grazing		<i>Kim Allen</i>	1/6/16
NC	Rangeland Health Standards		<i>Kim Allen</i>	1/6/16
NC	Vegetation Excluding USFW Designated Species		<i>Kim Allen</i>	1/6/16
NC	Woodland / Forestry		<i>JD</i> Jordan Davis	1/6/16
NC	Fuels/Fire Management		<i>JR</i> Josh Relp	1/6/16
NC	Geology / Mineral Resources/Energy Production		David Pals <i>DP</i>	1/6/16
NC	Lands/Access		Jan Denney	
NC	Paleontology		<i>Rebecca</i> ReBecca Hunt-Foster	1/6/16

FINAL REVIEW:

Reviewer Title	Signature	Date	Comments
Environmental Coordinator	<i>KC Stevens</i>	1/6/16	
Authorized Officer	<i>Jan Denney</i>	1/7/16	

**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* (March, 2012).

DESCRIPTION OF ACTION

Name of action: DOI-BLM-UT-Y010-2016-0068 DNA

Proposed Action: Alternative Action: _____ (check one)

Proposed by: Moab Mountain Bike Instruction

Description of action: Moab Mountain Bike Instruction has requested a renewal of its Special Recreation Permit (SRP) to conduct commercial mountain bike instruction and tours on designated trails within the BLM Moab Field Office. The maximum group size would be twenty including guides, with a maximum six to one client to guide ratio. They hope to provide small group instruction and educate their clients as to proper riding techniques and Leave No Trace principles. The activities would be day use only and any overnight use on public land would occur in designated campgrounds or designated dispersed campsites. The proponent would utilize permitted shuttle services for transportation of clients until which time they purchase a company vehicle. If lunch is provided with the tour it would be packaged and purchased from a local store. Standard Utah BLM stipulations would be attached to the SRP. One of the routes, Porcupine Rim, travels through a Wilderness Study Area, Negro Bill Canyon WSA. *The only portion of the permit to be analyzed in this document is that trip segment which lies within the Negro Bill Canyon Wilderness Study Area (WSA).*

Locations: Porcupine Rim mountain bike trail from its entry in to the WSA in section 21, T25S, R22E, to its terminus at SR 128.

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:

Activity would consist of one-day guided mountain bike tours and instruction.

Commercial activities are permitted uses in wilderness, including WSA's. Mountain biking has been a long-established grandfathered activity on the Porcupine Rim Trail, a portion of which is on a pre-inventory intrusion route in the WSA, with the remainder following a constructed stock trail. Current use, most of which is one-way, averages approximately 24,000 users per year. 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 mountain bikers would travel. For the proposed action, however, all travel would be on an existing well-defined and maintained trail. Impacts could involve soils and vegetation. The mountain biking activities would be on a trail which receives heavy recreational use, especially mountain biking, averaging about 28,000 users per year.

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 opportunities for solitude relative to their current status. The Porcupine Rim Trail receives heavy annual mountain bike use (estimated at 28,000 users annually). Although commercial activities are currently allowed on the trail, such use has been light relative to private use. Only the last 2.5 miles of the trail are in the WSA, with almost all traffic being one-way. There is no reason to believe that the small increase in numbers, relative to total overall use, which *could* result from the proposed action, would significantly reduce any such opportunities for solitude. Furthermore, the trail segment in question lies within the front-country part of the WSA which was noted as *not* possessing outstanding opportunities for solitude in the *1991 Utah Statewide Wilderness Study Report*.

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.

Optional Supplemental values: No perceived negative impacts. The original inventory identified no specific supplemental values, although the 1990 Final Environmental Impact Statement identifies 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 established trail. The proposed action would be on this route, and would not impact these species.

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

Rationale: 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 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 31, 2015

Name (s)

Date

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

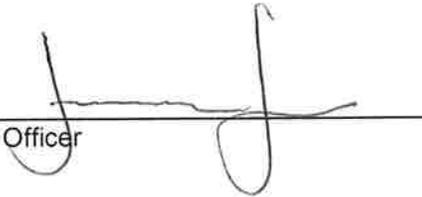
**Moab Mountain Bike Instruction Commercial Guiding (Mountain Bike)
DOI-BLM-UT-Y010-2016-0068 DNA**

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 renew this Special Recreation Permit to Moab Mountain Bike Instruction for commercial bike tours 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 the Special Recreation Permit for Moab Mountain Bike Instruction 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