

United States Department of the Interior Bureau of Land Management

Finding of No Significant Impact for Environmental Assessment DOI-BLM-UT-Y020-2012-0001

December 2015

Hole-in-the-Rock Foundation Trekking SRP

Location:

Salvation Knoll Route
T. 37 S., R. 18 E., Sections 10, 11, 13 & 14
T. 37 S., R. 19 W., Section 16 and
Protraction Blocks 49, 50, 51, 53, 54 & 55

Long Flat Route
T. 38 S., R. 18 E., Sections 11, 12 & 13
T. 38 S., R. 19 E., Section 32 and
Protraction Blocks 50, 51, 60 & 61

San Juan Hill Route
T. 40 S., R. 20 E., Sections 35 & 36
T. 41 S., R. 20 E., Sections 2, 10, 11 & 15

Applicant/Address:

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FINDING OF NO SIGNIFICANT IMPACT

Hole-in-the-Rock Foundation Trekking SRP Environmental Assessment DOI-BLM-UT-Y020-2012-0001

INTRODUCTION:

The Bureau of Land Management (BLM) has conducted an environmental analysis (DOI-BLM-UT-Y020-2012-0001-EA) for a proposed action to address a Special Recreation Permit (SRP) request for guided hikes and trekking in the Cedar Mesa and Comb Wash areas as proposed by Hole-in-the-Rock Foundation. As part of that proposal, BLM analyzed development of parking areas and the addition of a short trail from a parking area to the existing Salvation Knoll Trail.

Six alternatives that met the underlying purpose and need for the proposed project and responded to the issues were carried forward for full analysis within this EA: Alternative A, which is the Proposed Action; Alternative B, an alternative where changes to their original application was provided by Hole-in-the-Rock Foundation; Alternative C, a modified proposal to limit group size to a total of 12 participants trekking at any one time in the Comb Ridge RMZ; Alternative D, a proposal to limit recreational conflicts by limiting the season of use to a single month; Alternative E, a proposal to limit recreational conflicts by limiting treks to one per trail per month; and Alternative F, the No Action alternative, which is required by the CEQ regulations (40 CFR 1502.14) and provides important baseline information.

The Federal Land Policy and Management Act of 1976 (FLPMA) mandates multiple use of public lands, including recreation use. One type of valid recreation use is responsible motorized use. The BLM SRP regulations at 43 CFR 2930 provide for SRPs to be issued on public lands.

PLAN CONFORMANCE AND CONSISTENCY:

The Proposed Action and alternative are subject to and have been reviewed for conformance with the following plan (43 CFR 1610.5, BLM 1617.3): Monticello Field Office Resource Management Plan (RMP) November 17, 2008 (BLM 2008a).

Page 126 and Appendix B (page 8) of the RMP (2008a) identify the following decisions regarding the San Juan River ACEC that relate to the activity:

1. Decision ACEC-53: "The ACEC will be managed with the following prescriptions:
 - Managed to limit recreation use if wildlife values are being adversely impacted.
 - Designated access trails to cultural sites as necessary to protect cultural resources.
 - Recreation management prescriptions identified under the San Juan River SRMA in the Recreation Section of this Chapter will also be followed and is consistent with the management outlined above."
2. Appendix B: "No surface-disturbing activities are allowed. Exception: An exception could be granted if activities are short term or after an analysis the authorized officer

determines that the project would benefit the relevant and important values. Small signs, kiosks, route designators, etc. used to manage activities or resources could also be allowed.”

Pages 59-61 of the RMP (2008a) identify the following decisions regarding Cultural Resources that relate to the activity:

1. Decision CUL-4: Impacts to any NRHP-listed or eligible cultural resource sites, objects, or districts will be mitigated in accordance with 36 CFR 800, generally through avoidance of cultural sites. Should it be determined that cultural resources eligible or listed on the NRHP cannot be avoided, consultation with the State Historic Preservation Officer (SHPO) will be initiated and the procedures identified in the National Programmatic Agreement and the Utah State BLM Protocol for meeting the BLM's responsibilities under the NHPA will be followed.
2. Decision CUL-10: The BLM will work with tribes and other communities with traditional linkage to public lands to identify places of traditional cultural and religious importance. To the extent allowed by statute, regulation, and policy, such locations will be managed to minimize impacts to important values and to allow continued access for traditional purposes.
3. Decision CUL-13: The BLM will work with local communities and other groups to foster heritage tourism throughout the Monticello PA.

Page 135 of the RMP (2008a) identifies the following prescriptions regarding Historic Trails that relate to the activity:

1. Decision HT-2: “Hole in the Rock Trail is managed for Heritage Tourism in consultation with the Utah State Historic Preservation Office and Native American Tribes, as well as interested stakeholder groups.”
2. Decision HT-9: “Landmark (structures, features) will be interpreted only if the action will not impact the values of the site/landmark.”

Page 88 of the RMP (2008a) identifies the following Goals and Objectives for Recreation: to provide for multiple recreational uses of the public lands and to sustain a wide range of recreation opportunities and potential experiences for visitors and residents while supporting local economic stability and sustaining the recreation resource base and other sensitive resource values. Decisions found in the RMP that relate to the activity are as follows:

1. Decision REC-17: “Special Recreation Permits will be issued as a discretionary action as a means to help meet management objectives, control visitor use, protect recreational and natural resources, and provide for the health and safety of visitors.”
2. Decision REC-18: “Special Recreation Permits will contain standard stipulations appropriate for the type of activity and may include additional stipulations necessary to protect lands or resources, reduce user conflicts, or minimize health and safety concerns.”
3. Decision REC-19: “Special Recreation Permits will be used to manage different types of recreation associated with commercial uses, competitive events, organized groups, vending and special services. These recreation uses can include, for example, large group events, river guide services, and commercial recreation activities.”
4. Decision REC-23: “Commercial motorized/mechanized events/tours are allowed on designated routes, except in WSAs.”

5. Decision REC-145: “Encourage “Leave No Trace” and “Tread Lightly” principles throughout the Extensive Recreation Management Area (ERMA)”.

Page 103 of the RMP (2008a) identifies the following Goals and Objectives for Cedar Mesa SRMA: to provide outstanding recreational opportunities and visitor experiences while protecting natural and cultural resource values through integrated management between the BLM and NPS. Provide a safe, natural well-designed accessible recreational experience for all visitors to enjoy the world renowned cultural resources and scenic values. Use visitor information and interpretation as a primary tool to protect sensitive resources, discourage vandalism, and encourage visitor appreciation of public lands. Decisions found in the RMP that relate to the activity are as follows:

Cedar Mesa SRMA Comb Ridge Recreation Management Zone

1. Decision REC-111: “This area is a RMZ within the SRMA due to easy vehicular accessibility, high level of visitation and popularity, and density of significant cultural ruins and rock art. Specific management is needed to resolve conflicts between recreation use and protection of cultural resources. The objective is to manage for heritage tourism and traditional cultural values in a regulated manner.”
2. Decision REC-112: “The Cedar Mesa SRMA limitations described above for Mesa Top Day Use, Mesa Top Camping, In Canyon Private/Commercial Day Use, and In Canyon Permitted Overnight Camping do not apply to the Comb Ridge RMZ.”
3. Decision REC-113: “The following management prescriptions apply in this RMZ:
 - Private and commercial group size limited to 12 people”
4. Appendix B (p. 7): “Cedar Mesa SRMA (Comb Ridge Mgt. Zone) 30,752 acres - No surface-disturbing activities are allowed. Exceptions: An exception could be granted if after an analysis the authorized officer determines that the project would be in the public interest.”

Page 95 of the RMP (2008a) identifies the following Goals and Objectives for the San Juan River Special Recreation Management Areas (SRMAs): To provide outstanding river related recreational opportunities and visitor experiences while protecting natural and cultural resource values with integrated management between the BLM, NPS, and the Navajo Nation.

1. Appendix B (p. 9): “No surface-disturbing activities are allowed. Exceptions: An exception may be granted if, after an analysis, the authorized officer determines that the disturbance is related to or can be shown to benefit recreational experiences.”

Page 141 of the RMP (2008a) identifies the following Goals and Objectives for Travel Management: The BLM will provide opportunities for a range of motorized recreation experiences on public lands while protecting resources and minimizing conflicts among various users. Decisions found in the RMP that relate to the activity are as follows:

1. Decision TM-20: “Provide opportunities for non-mechanized travel (hiking) on all routes open to mechanized use. Manage routes to exclude motorized and mechanized use and provide opportunities for non-mechanized travel independent of motorized and mechanized routes.”

FINDING OF NO SIGNIFICANT IMPACT:

Based upon a review of the EA and the supporting documents, I have determined that the project is not a major federal action and none of the alternatives analyzed for the project will significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as defined in 40 CFR 1508.27 and do not exceed those effects disclosed and considered in the Monticello Field Office Draft Resource Management Plan and Final Environmental Impact Statement (EIS) August 2008. Therefore, an environmental impact statement is not needed. This finding is based on the context and intensity of the project as described:

Context: The action is site specific and involves the use of portions of the three designated routes and two trails in the Monticello Field Office, the development of parking areas and construction and designation of short trail addition in the Monticello Field Office. These routes and locations for parking areas and trails are on BLM administered lands. The use of motorized support vehicles on the roads is common for both the public and for permitted events throughout southeast Utah. These routes and areas are similar to other routes that are used and enjoyed throughout southeast Utah.

Intensity: The following discussion is organized around the Ten Significance Criteria described in 40 CFR 1508.27 and incorporated into BLM's Critical Elements of the Human Environment list (H-1790-1), and supplemental Instruction Memoranda, Acts, regulations, and Executive Orders. The following have been considered in evaluating intensity for the proposed action.

1. Impacts may be both beneficial and adverse.

The proposed action would have negligible impacts as described in the EA. Mitigating measures in the form of Conditions of Approval, to reduce impacts to cultural resources, wildlife and other recreationists were incorporated in the approved action. Because motorized support vehicle travel is only allowed on the designated routes, no camping is allowed on BLM lands, none of the environmental effects analyzed and disclosed in the EA are considered significant, nor do the effects exceed those described in the 2008 RMPs/EISs. Development of parking areas would help to control use related impacts and designation of the new trail would facilitate the recreation experience. There likely could also be some economic benefit to local businesses in the Bluff, Utah area.

2. The degree to which the selected alternative will affect public health or safety.

Based on the BLM's experience in approving and monitoring similar events, the approved action would not affect public health or safety. The addition of shuttle vehicles to the State highway system would be a small percentage increase. The addition of shuttle vehicles to the BLM road system would be a higher percentage increase but with the slow speeds of travel, this increased use should not negatively affect user safety. The development of parking areas would provide for increased safety where vehicles are parked rather than allowing parking along the edge of designated routes.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farm lands, wetlands, wilderness, wild and scenic rivers, or ecologically critical areas.

Appendix A of the environmental assessment (Interdisciplinary Team Checklist) addresses Critical Elements of the Human Environment that are present but will not be affected because they are not present in the project area, or will not be affected to the degree that detailed analysis is needed in the environmental assessment.

The main public resource concerns addressed included potential effects on ACEC values, cultural resources, recreation and wildlife. Those resources, which potentially may be affected, were disclosed and discussed in the EA. The ACEC analysis focused on a No Surface Disturbance stipulation and impact to visuals. For cultural resources, BLM recognizes that southeast Utah has many areas rich with cultural resources. The historic and cultural resources of the area have been inventoried completely for the Salvation Knoll and San Juan Hill routes. Consultation is in process with the State Historic Preservation Office (SHPO). The inventory is not complete for the Long Flat route although the archaeologist has preliminarily reviewed the route and believes that there would be no adverse effects to cultural resources. However, a complete Class III inventory should still be completed, so no activity will be authorized for the Long Flat route until sufficient cultural resource survey is complete and Section 106 consultation is completed. The recreation analysis focused on impact to other users. The wildlife analysis focused on migratory birds, raptors, threatened and endangered species, and mule deer habitat.

It is my determination that through compliance with the SRP's stipulations, adherence to regulations, monitoring, and the fact all travel is limited to designated routes, sufficient protection to these resources will be provided under all alternatives. Finally, because the actions are for activities on designated routes where existing disturbance occurs, there is not an irreversible or irretrievable commitment of resources. Potential minimal impacts were reduced due to specific minimization actions built into the alternatives. These actions are based on BLM's experience in approving and monitoring similar activities.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

Public controversy should not be confused with controversy or disagreement about the nature of the impacts. BLM has extensive experience in considering, approving, and monitoring similar activities so the environmental effects are well understood as is the nature of the impacts. BLM has taken a hard look at the impacts and there is not controversy about the nature of the potential effects. On the other hand BLM recognizes that there can be intense public interest in (or controversy about) a project. For example, the scoping comments were strongly worded that the large numbers originally proposed would be unacceptable. The EA analyzed numerous alternatives that reduced the total visitation numbers by 40 percent to 86 percent. The group size was another concern by commenters. The San Juan Hill route was the only route that reduced numbers was analyzed, dropping from 250 per group to 12 per group.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The action is not unique or unusual. BLM has extensive experience in considering, approving, and monitoring permitted activities, so the environmental effects on the human environment are well understood. This type of activity with the same group sizes are permitted by BLM in other locations. Specific monitoring data is not available but hearsay information is that these activities and groups can be effectively managed to prevent unacceptable impacts. The environmental effects to the human environment are analyzed in the EA. There are no predicted effects on the human environment that are considered to be highly uncertain or involve unique or unknown risks.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

Aside from issuance of a permit for multiple years (recurring) the decision neither establishes a precedent for future BLM actions nor represents a decision in principle about future considerations.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts – which include connected actions regardless of land ownership.

The interdisciplinary team evaluated the proposed action in the context of past, present and reasonably foreseeable actions. No significant effects of individual action or cumulative effects are predicted. A complete disclosure of the effects of the project is contained in Chapter 4 of the EA.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

The project will not adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places, nor will it cause loss or destruction of significant scientific, cultural, or historical resources. Consultation associated with the Salvation Knoll and San Juan Hill routes is in process with the SHPO in accordance with Section 106 of the National Historic Preservation Act (NHPA). Although the Field Office Archaeologist has preliminarily reviewed the route and believes that there would be no adverse effects to cultural resources, the inventory is not complete for the Long Flat route. However, a complete Class III inventory should still be completed, so no activity will be authorized for the Long Flat route until sufficient cultural resource survey is complete and Section 106 consultation is completed.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973, or the degree to which the action may adversely affect: 1) a

proposed to be listed endangered or threatened species or its habitat, or 2) a species on BLM's sensitive species list.

Mitigation to reduce impacts to wildlife and fisheries has been incorporated in the proposed action and analyzed in the EA and the 2008 Environmental Impact Statement. The permittee is required to follow the standard stipulations contained in the BLM's "Organized Group Special Recreation Permit Stipulations". Additionally, Conditions of Approval (COAs) are attached that are a result of the site specific analysis conducted for this proposed action.

Impacts to endangered or threatened species or their habitat would be insignificant, thus Endangered Species Act, Section 7 consultation with the U.S. Fish and Wildlife Service (USFWS) was not necessary.

10. Whether the action threatens a violation of a federal, state, local tribal law, regulation or policy imposed for the protection of the environment, where non-federal requirements are consistent with federal requirements.

The project does not violate any federal, state, local or tribal law or requirement imposed for the protection of the environment. State, local, and tribal interests were given the opportunity to participate in the environmental analysis process (EA chapter 5.0).

Donald K Hoffheins

Donald K. Hoffheins
Monticello Field Manager

1/12/2016

Date