

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

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**Determination of NEPA Adequacy  
DOI-BLM-UT-Y010-2016-071 DNA**

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**January, 2016**

**Special Recreation Permit Amendment for Larry David Hellman  
dba Xtreme 4x4 and Hike Moab**

**Location:** Rock climbing and canyoneering on commonly used routes within the Moab Field Office:

The Granary  
Teardrop Arch/Rock of Ages  
Lower Kane springs  
Looking Glass Arch  
Entrajo Canyon  
Winter Camp Wash  
Professor Creek  
Cable Arch  
Take Out "Theater"  
Wall Street  
Ice Cream Parlor  
Castleton Group  
Fisher towers: Ancient Art  
Abraxis Wall

**Applicant/Address:** Larry David Hellman, PO Box 59, Moab, UT 84532

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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

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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-Y010-13-027R

PROPOSED ACTION TITLE: Special Recreation Permit Renewal for Larry David Hellman dba Xtreme 4x4 and Hike Moab

LOCATION/LEGAL DESCRIPTION: The Granary, Teardrop Arch/Rock of Ages, Lower Kane springs, Looking Glass Arch, Entrajo Canyon, Winter Camp Wash, Professor Creek, Cable Arch Take Out "Theater", Wall Street, Ice Cream Parlor, Castleton Group, Fisher Towers: Ancient Art, Abraxis Wall

APPLICANT: Larry David Hellman, PO Box 59, Moab, UT 84532

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

David Hellman has requested that the Special Recreation Permit (SRP) for Larry David Hellman dba Xtreme 4x4 and Hike Moab be amended to include commonly used climbing and canyoneering locations. The SRP would be amended to offer commercial rock climbing and canyoneering tours on commonly used routes within the Moab Field Office. All use would be day use only. The typical maximum group size would be twelve clients and one guide. Most trips are very small in nature and would not exceed 4 clients and one guide. Standard stipulations as well as rock climbing stipulations would apply to the SRP amendment for Larry David Hellman dba Xtreme 4x4 and Hike Moab.

### 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."

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 one 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.

Environmental Assessment DOI-BLM-UT-Y010-2010-0082 *Special Recreation Permit for Jackson Hole Mountain Guides*, signed February 2010. The proposed action was posted on ENBB January 6, 2010 and covers the proposed rock climbing use on the exact same locations and with the exact same stipulations. Environmental Assessment DOI-UT-Y010-2012-0212, *Special Recreation Permit for Navtec (Canyoneering Activities)*, signed December, 2012, covers the requested canyoneering activities.

**D. NEPA Adequacy Criteria**

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**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?**

X Yes

No

Documentation of answer and explanation: The existing NEPA document addresses the impacts of permitted rock climbing trips on the exact routes 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: Environmental Assessments DOI-BLM-UT-Y010-2010-0082 and DOI-BLM-UT-Y010-2012-0212 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: 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 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-Y010-2010-0082 *Special Recreation Permit for Jackson Hole Mountain Guides*, signed February 2010. The proposed action was posted on ENBB January 6, 2010 and covers the proposed rock climbing use. The public was notified of the preparation of these documents by use of the ENBB. Environmental Assessment DOI-BLM-UT-Y010-2012-0212, *Special Recreation Permit for Navtec Land Tours*, was posted on the ENBB on August 24, 2012. This included the 30-day period for WSA use. 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, Soils  |
| Mark Grover                | Ecologist                       | Wetlands/Riparian   |
| Katie Stevens              | Recreation Planner              | Areas of Critical Environmental Concern; Wild & Scenic Rivers, Recreation, Visual Resources                 |
| Jordan Davis/Dave Williams | Rangeland Management Specialist | Invasive Weeds, Livestock Grazing, T&E Plants, Invasive Weeds, Livestock Grazing, RHS, Vegetation, Woodland |
| David Pals                 | Geologist                       | Geology, Wastes   |
| ReBecca Hunt Foster        | Paleontologist                  | Paleontology  |

|               |                    |   |
|---------------|--------------------|---|
| Jared Lundell | Archaeologist      | Cultural Resources; Native American Religious Concerns  |
| Pam Riddle    | Wildlife Biologist | Threatened, Endangered, or Candidate Animal Species, Wildlife, Migratory Birds, Utah Sensitive Species  |
| Bill Stevens  | Recreation Planner | Wilderness, Natural Areas, Socioeconomics, Lands with Wilderness Characteristics, 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

1/7/16  
Date

KC Stevens  
Signature of NEPA Coordinator

1/7/16  
Date

Jennifer Jones  
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**

## INTERDISCIPLINARY TEAM CHECKLIST

**Project Title:** Special Recreation Permit Amendment for Larry David Hellman dba Xtreme 4x4 and Hike Moab

**NEPA Log Number:** DOI-BLM-UT-Y010-2016-0071    DNA

**File/Serial Number:** MFO-Y010-13-027R

**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-<br>nation   | Resource   | Rationale for Determination* | Signature                | Date   |
|--|--|------------------------------|--------------------------|--------|
| <b>RESOURCES AND ISSUES CONSIDERED (INCLUDES SUPPLEMENTAL AUTHORITIES APPENDIX 1 H-1790-1)</b> |  |                              |                          |        |
| NC   | Air Quality<br>Greenhouse Gas<br>Emissions           |                              | A. Aubry<br><i>AAH</i>   | 1.6.16 |
| NC   | Floodplains  |                              | A. Aubry<br><i>AAH</i>   | 1.6.16 |
| NC   | Soils  |                              | A. Aubry<br><i>AAH</i>   | 1.6.16 |
| NC   | Water Resources/Quality<br>(drinking/surface/ground) |                              | A. Aubry<br><i>AAH</i>   | 1.6.16 |
| NC   | Wetlands/Riparian Zones                              |                              | Mark Grover<br><i>MG</i> | 1/6/15 |
| NC   | Areas of Critical<br>Environmental Concern           |                              | K. Stevens<br><i>KS</i>  | 1/6/15 |
| NC   | Recreation   |                              | K. Stevens<br><i>KS</i>  | 1/6/15 |
| NC   | Wild and Scenic Rivers                               |                              | K. Stevens<br><i>KS</i>  | 1/6/15 |
| NC   | Visual Resources                                     |                              | K. Stevens<br><i>KS</i>  | 1/6/15 |
| NC   | BLM Natural Areas                                    |                              | B. Stevens<br><i>BS</i>  | 1/6/16 |
| NC   | Socio-Economics                                      |                              | B. Stevens<br><i>BS</i>  | 1/6/16 |
| NC   | Lands with Wilderness<br>Characteristics             |                              | B. Stevens<br><i>BS</i>  | 1/6/16 |
| NC   | Wilderness/WSA                                       |                              | B. Stevens<br><i>BS</i>  | 1/6/16 |
| NC   | Cultural Resources                                   |                              | J. Lundell<br><i>JL</i>  | 1/6/16 |
| NC   | Native American<br>Religious Concerns                |                              | J. Lundell<br><i>JL</i>  | 1/6/16 |

| Determination | Resource  | Rationale for Determination* | Signature                                  | Date   |
|---------------|---|------------------------------|--|--------|
| NC            | Environmental Justice                               |                              | B. Stevens <i>BS</i>                       | 1/6/16 |
| NC            | Wastes (hazardous or solid)                         |                              | David Pals <i>DP</i>                       | 1/6/16 |
| NC            | Threatened, Endangered or Candidate Animal Species  |                              | P. Riddle <i>P</i>                         | 1/6/16 |
| NC            | Migratory Birds                                     |                              | P. Riddle <i>P</i>                         | 1/6/16 |
| NC            | Utah BLM Sensitive Species                          |                              | P. Riddle <i>P</i>                         | 1/6/16 |
| NC            | Fish and Wildlife Excluding USFW Designated Species |                              | P. Riddle <i>P</i>                         | 1/6/16 |
| NC            | Invasive Species/Noxious Weeds                      |                              | J. Davis <i>J</i>                          | 1/6/16 |
| NC            | Threatened, Endangered or Candidate Plant Species   |                              | D. Williams <i>D</i>                       | 1/6/16 |
| NC            | Livestock Grazing                                   |                              | D. Williams/ J. Davis/ K. Allison <i>D</i> | 1/6/16 |
| NC            | Rangeland Health Standards                          |                              | D. Williams/ J. Davis/ K. Allison <i>D</i> | 1/6/16 |
| NC            | Vegetation Excluding USFW Designated Species        |                              | D. Williams/ J. Davis/ K. Allison <i>D</i> | 1/6/16 |
| NC            | Woodland / Forestry                                 |                              | Jordan Davis <i>Jordan Davis</i>           | 1/6/16 |
| NC            | Fuels/Fire Management                               |                              | J. Relph <i>J</i>                          | 1/6/16 |
| NC            | Geology / Mineral Resources/Energy Production       |                              | David Pals <i>DP</i>                       | 1/6/16 |
| NC            | Lands/Access  |                              | J. Denney                                  |        |
| NC            | Paleontology  | include paleo stip           | R. Hunt-Foster <i>RHF</i>                  | 1/6/16 |

**FINAL REVIEW:**

| Reviewer Title            | Signature                  | Date    | Comments |
|---------------------------|----------------------------|---------|----------|
| Environmental Coordinator | K. Stevens <i>KS</i>       | 1/6/16  |          |
| Authorized Officer        | J.L. Jones <i>JL Jones</i> | 1/19/16 |          |

**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-Y010-2016-0071 DNA

Proposed Action:  Alternative Action: \_\_\_\_\_ (check one)

Proposed by: Larry David Hellman DBA as Xtreme 4x4 Tours and Hike Moab

Description of action: Xtreme 4x4 Tours and Hike Moab has requested authorization through an amendment for its current Special Recreation Permit (SRP) to offer commercial canyoneering and climbing tours on designated routes. All use would be day use only with any overnight use taking place in the developed BLM campgrounds. The typical maximum group size would be 20 including guides. A current permitted location (Negro Bill Canyon) and a proposed additional location (Rock of Ages) are within Wilderness Study Areas (WSAs). Standard stipulations as would apply to the SRP. *The only portion of the permit to be analyzed in this document is the hiking trip within the Negro Bill Canyon and Behind the Rocks WSAs.*

Locations: The constructed and maintained trail in Negro Bill Canyon; the designated canyoneering route (Rock of Ages) in the Behind the Rocks WSA.

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

Negro Bill Canyon, Behind the Rocks

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 commercial guided hikes and 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 trails and natural travel routes where hikers would travel. Temporary impacts could involve soils and vegetation.

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. The hiking in Negro Bill Canyon is on a heavily used marked and maintained trail which currently receives almost 40,000 hikers annually. The route off Pritchett Canyon in the Behind the Rocks WSA is on its very periphery, and in an area which receives little current public use, presumably because of its technical difficulty. If this were the only travel route in the area, there could be some concern for impacts to solitude. However, the 1991 EIS points out that the large number of fins and narrow canyons in this WSA provide numerous opportunities for selection of unused travel routes. Specifically, the above-mentioned report states:

"Regardless of the outside influences (proximity to Moab), it is easy for a visitor to find seclusion within the WSA due to the screening and alternate travel paths afforded by the sandstone fins. In these areas, sights and sounds of others within the unit can easily be avoided". 1991 Utah Statewide Wilderness Study Report, Volume IIB, p. 706)

**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 portions of the WSA identified in the original wilderness inventory as front-country locations 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  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 H-8550-1,
- 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 January 7, 2016

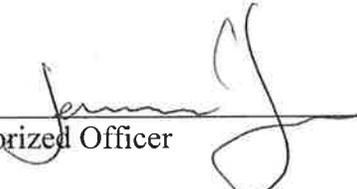
**FINDING OF NO SIGNIFICANT IMPACT  
AND  
DECISION RECORD**

**Xtreme 4 x 4 and Hike Moab  
(Commercial Climbing and Canyoneering)  
DOI-BLM-UT-Y010-2016-0071 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 amend the Special Recreation Permit for Xtreme 4 x 4 and Hike Moab 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 amend this Special Recreation Permit for Xtreme 4 x 4 and Hike Moab 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

1/19/16  
\_\_\_\_\_  
Date