

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

**Determination of NEPA Adequacy
DOI-BLM-UT-Y010-2016-0094 DNA**

February 2016

Special Recreation Permit for Uber Adventures

Location: *Designated canyoneering routes within the Moab Field Office:* Repeat/Repeat Junior/Winter Camp Ridge, Granary Canyon, Entrajo Canyon, Rock of Ages/Pritchett Canyon, Culvert/Cameltoe, Onion Creek/Mystery Towers, Cable Arch/Funnel Arch, Professional Canyon, Short Canyon, Looking Glass

Applicant/Address: Klaus Gerhart, 21901 Devonshire St., Chatworth, CA 91311

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Moab, Utah 84532
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Worksheet
Determination of NEPA Adequacy
U.S. Department of the Interior
Utah Bureau of Land Management

The signed CONCLUSION at the end of this worksheet is part of an interim step in the BLM's internal analysis process and does not constitute an appealable decision; however, it constitutes an administrative record to be provided as evidence in protest, appeals and legal procedures.

OFFICE: Moab Field Office

PROJECT NUMBER: MFO-Y010-16-051R

PROPOSED ACTION TITLE: Special Recreation Permit for Uber Adventures

LOCATION/LEGAL DESCRIPTION *Designated canyoneering routes within the Moab Field Office:* Repeat/Repeat Junior/Winter Camp Ridge, Granary Canyon, Entrajo Canyon, Rock of Ages/Pritchett Canyon, Culvert/Cameltoe, Onion Creek/Mystery Towers, Cable Arch/Funnel Arch, Professor Canyon, Short Canyon, Looking Glass

APPLICANT: Klaus Gerhart, 21901 Devonshire St., Chatworth, CA 91311

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

Klaus Gerhart, on behalf of Uber Adventure, has requested authorization through a Special Recreation Permit (SRP) to offer canyoneering tours 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. Uber Adventures has not held an SRP with the Moab BLM previously. Standard stipulations as well as canyoneering stipulations would apply to the SRP for Uber Adventures.

B. Land Use Plan (LUP) Conformance

LUP Name: Moab Resource Management Plan

Date Approved October, 2008

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-Y010-2012-0212, *Special Recreation Permit for Navtec*, (signed December 28, 2012) analyzed use of canyoneering routes. The requested routes are the same as analyzed in this EA.

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 canyoneering, climbing and hiking tours 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: Yes; DOI-BLM-UT-Y010-2012-0212 contains analysis of the proposed action and a no action alternative. The environmental concerns, interests, resource values, and circumstances have not changed to a degree that warrants broader consideration.

3. Is existing analysis adequate in light of any new information or circumstances (such as, rangeland health standards assessment; recent endangered species listings, updated list of BLM sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?

Yes

No

Documentation of answer and explanation: Yes; the existing analysis and conclusions are adequate as there has been no new information or circumstances presented. It can be reasonably concluded that all new information and circumstances are insignificant with regard to analysis of the proposed action.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

Yes

No

Documentation of answer and explanation: Yes; the direct and indirect impacts are substantially unchanged from those identified in the existing NEPA documents. Yes; site-specific impacts

analyzed in the existing document are the same as those associated with the current proposed action.

5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

Yes

No

Documentation of answer and explanation: Yes; the public was notified of the preparation of Environmental Assessment DOI-BLM-UT-Y010-2012-0212, *Special Recreation Permit for Navtec*, was posted on the ENBB on August 24, 2014. This included notification for actions within a WSA and provided sufficient time for public involvement and interagency review.

E. Persons/Agencies/BLM Staff Consulted:

<u>Name</u>	<u>Title</u>	<u>Resource Represented</u>
Ann Marie Aubry	Hydrologist	Air quality; Floodplains, Soils, Wetlands/Riparian
Mark Grover	Biologist	Water resources
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
Jordan Davis	Rangeland Management Specialist	Invasive Plants, Woodlands, RHS, Livestock Grazing, Vegetation
Josh Relph	Fuels Specialist	Fuels/Fire Management
Jared Lundel	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

2/24/15
Date

KC Stevens
Signature of NEPA Coordinator

2/24/15
Date

Jennifer Jones
Signature of the Responsible Official

2/24/16
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 Uber Adventures

NEPA Log Number: DOI-BLM-UT-Y010-2016-0094 DNA

File/Serial Number: MFO-Y010-16-051R

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 <i>[Signature]</i>	2-10-16
NC	Floodplains		Ann-Marie Aubry <i>[Signature]</i>	2-10-16
NC	Soils		Ann-Marie Aubry <i>[Signature]</i>	2-10-16
NC	Water Resources/Quality (drinking/surface/ground)		Ann-Marie Aubry <i>[Signature]</i>	2-10-16
NC	Wetlands/Riparian Zones		Mark Grove <i>[Signature]</i>	2/5/16
NC	Areas of Critical Environmental Concern		Katie Stevens <i>[Signature]</i>	2/5/16
NC	Recreation		Katie Stevens <i>[Signature]</i>	2/5/16
NC	Wild and Scenic Rivers		Katie Stevens <i>[Signature]</i>	2/5/16
NC	Visual Resources		Katie Stevens <i>[Signature]</i>	2/5/16
NC	Wild Lands (BLM Natural Areas)		Bill Stevens <i>[Signature]</i>	2/5/16
NC	Socio-Economics		Bill Stevens <i>[Signature]</i>	2/5/16
NC	Wilderness/WSA	<i>FUP done</i>	Bill Stevens <i>[Signature]</i>	2/5/16
NC	Lands with Wilderness Characteristics		Bill Stevens <i>[Signature]</i>	2/5/16
NC	Cultural Resources	<i>include Archeology & etiquette guide</i>	Jared Lundell <i>[Signature]</i>	2-10-16
NC	Native American Religious Concerns		Jared Lundell <i>[Signature]</i>	2-10-16
NC	Environmental Justice		Bill Stevens <i>[Signature]</i>	2/5/16

Determination	Resource	Rationale for Determination*	Signature	Date
NC	Wastes (hazardous or solid)		David Pals <i>DP</i>	2/10/16
NC	Threatened, Endangered or Candidate Animal Species		Pam Riddle <i>PR</i>	2/10/16
NC	Migratory Birds		Pam Riddle <i>PR</i>	2/10/16
NC	Utah BLM Sensitive Species		Pam Riddle <i>PR</i>	2/10/16
NC	Fish and Wildlife Excluding USFW Designated Species		Pam Riddle <i>PR</i>	2/10/16
NC	Invasive Species/Noxious Weeds		Dave Williams <i>DW</i>	2/10/16
NC	Threatened, Endangered or Candidate Plant Species		Dave Williams <i>DW</i>	2/10/16
NC	Livestock Grazing		Dave Williams/ Jordan Davis/ Kim Allison <i>DW</i>	2/10/16
NC	Rangeland Health Standards		Dave Williams/ Jordan Davis/ Kim Allison <i>DW</i>	2/10/16
NC	Vegetation Excluding USFW Designated Species		Jordan Davis <i>JD</i>	2/10/16
NC	Woodland / Forestry		Jordan Davis <i>JD</i>	2/10/16
NC	Fuels/Fire Management		Josh Relph <i>JR</i>	2/10/16
NC	Geology / Mineral Resources/Energy Production		David Pals <i>DP</i>	2/10/16
NC	Lands/Access		Jan Denney <i>JD</i>	2.10.16
NC	Paleontology		ReBecca Hunt-Foster <i>RHF</i>	2/10/16

FINAL REVIEW:

Reviewer Title	Signature	Date	Comments
Environmental Coordinator	Katie Stevens <i>KS</i>	2/10/16	
Authorized Officer	Jennifer Jones <i>JJ</i> Rock Smith <i>RS</i>	2/24/16	

**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-Y010-2016-0094 DNA

Proposed Action: Alternative Action: _____ (check one)

Proposed by: Uber Adventures

Description of action: Uber Adventures has requested authorization through an augmented Special Recreation Permit (SRP) to offer canyoneering and rock climbing trips to participants on designated canyoneering and climbing locations in the Moab Field Office of the BLM. Trips are day use only. One of the canyoneering routes (Rock of Ages/Pool Arch) is within a Wilderness Study Area (WSA). Uber Adventures would have a maximum group size of 15 with 2 guides. Standard stipulations would apply to the SRP for Uber Adventures. *The only portions of the permit to be analyzed in this document are those activities within the WSA.*

Location: Rock of Ages/Pool Arch

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

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 canyoneers could 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 opportunities for solitude relative to their current status. 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. The activities would take place in portions of the WSA's identified in the original wilderness inventories as front-country locations not necessarily providing such opportunities.

Optional Supplemental values: No perceived negative impacts. The 1990 Final Environmental Impact Statement identified several threatened and endangered animal and plant species that may occur in the WSA. The current status is the presence of several plant species on the Utah state sensitive list. These species are all alpine plants, and do not occur along the canyoneering route where the proposed action would occur.

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

Rationale: Canyoneering and commercial activities are permitted not only in WSA's, but in officially-designated wilderness.

RESULTS OF EVALUATION

Non-impairment Standard

The only actions permissible in study areas are temporary uses that do not create surface disturbance, require no reclamation, and do not involve permanent placement of structures. Such temporary or no-trace activities may continue until Congress acts, so long as they can be terminated easily and immediately.

The only exceptions to the non-impairment standard are:

- 1) emergencies such as suppression activities associated with wildfire or

search and rescue operations,

2) reclamation activities designed to minimize impacts to wilderness values created by IMP violations and emergencies;

3) uses and facilities which are considered grandfathered or valid existing rights as defined in Manual 6330,

4) uses and facilities that clearly protect or enhance the land's wilderness values or that are the minimum necessary for public health and safety in the use and enjoyment of the wilderness values, and

5) reclamation of pre-FLPMA impacts.

MAJOR CONCLUSION OF NON-IMPAIRMENT EVALUATION

Action clearly fails to meet the non-impairment standard or any exceptions, e.g. VER, and should not be allowed: Yes No

Action appears to meet the non-impairment standard: Yes No

Action may be allowable, pre-FLPMA grandfathered use: Yes No N/A

Action may be allowable, pre-FLPMA VER: Yes No N/A

OTHER CONCLUSIONS

Restrictions proposed may unreasonably interfere with pre-FLPMA rights or grandfathered uses: Yes No N/A

Reasonable measures to protect wilderness values and to prevent unnecessary or undue degradation of the lands are incorporated: Yes No N/A

Environmental Assessment required: Yes No

Plan of Operations Required: Yes No N/A

Discovery verification procedures recommended: Yes No N/A

Consider initiating reclamation through EA: Yes No N/A

RELATED ACTIONS

Dated copy of Electronic Notification Board notice attached to case file: Yes No

Media notification appropriate: (optional) Yes No

Federal Register Notice appropriate: (optional) Yes No

Information copy of case file sent to USO-933: Yes No

Evaluation prepared by: William P. Stevens February 5, 2016
Name (s) Date

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

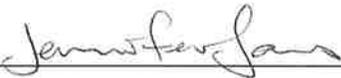
**Uber Adventures
(Permitted canyoneering and hiking)**

DOI-BLM-UT-Y010-2015-0094 DNA

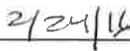
FONSI: Based on the analysis of potential environmental impacts contained in the present document, I have determined that the action will not have a significant effect on the human environment and an environmental impact statement is therefore not required.

DECISION: It is my decision to issue the Special Recreation Permit for Idaho State University Outdoor Adventure Center 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 authorize a Special Recreation Permit for Idaho State University Outdoor Adventure Center 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