

ASDO NEPA DOCUMENT ROUTING SHEET

NEPA Document Number: **DOI-BLM-AZ-A010-2016-0010-CX**

Project Title: **Bar 10 SRP**

Project Lead: **Jon Jasper**

Date that any scoping meeting was conducted: **N/A**

Date that concurrent, electronic distribution for review was initiated: **February 5, 2016**

Deadline for receipt of responses: **Monday, February 29, 2016**

ID Team/Required Reviewers will be determined at scoping meeting or as a default the following:

Gloria Benson, Tribal Liaison
Kevin Schoppmann, Range/Vegetation/Weeds/S&G
Teresa Burke, *Acting* Lands/Realty/Minerals
Diana Hawks, Recreation/Wilderness/VRM
John Herron, Cultural Resources
Jace Lambeth, Special Status Plants
John Sims, Supervisory Law Enforcement
Richard Spotts, Environmental Coordinator
Jeff Young, Wildlife/T&E Animals
Lorraine Christian, Field Manager, ASFO

Required Recipients of electronic distribution E-mails only (not reminders):

Steve Rosenstock (E-mail address: srosenstock@azgfd.gov)
Daniel Bulletts (E-mail address: dbulletts@kaibabpaiute-nsn.gov)
Dawn Hubbs (E-mail address: dawn.hubbs101@gmail.com)

(Mr. Rosenstock is an Arizona Game and Fish Department (AGFD) Habitat Program Manager. Mr. Bulletts is acting Environmental Program Director for the Kaibab Paiute Tribe (KPT). Ms. Hubbs is a cultural specialist for the Hualapai Tribe. They may review and/or forward on ASDO NEPA documents to other employees. If a Project Lead receives comments from any AGFD employee on their draft NEPA document, they should include them in the complete set/administrative record and share them with Jeff Young as the ASDO Wildlife Team Lead. Mr. Young will then recommend how these comments should be addressed. If a Project Lead receives comments from any KPT or Hualapai Tribe employee, they should include them in the complete set/administrative record and share them with Gloria Benson as the ASDO Tribal Liaison. Ms. Benson will then recommend how these comments should be addressed.)

Discretionary Reviewers:

**NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)
COMPLIANCE RECORD FOR CATEGORICAL EXCLUSIONS (CX)
U.S. Department of Interior
Bureau of Land Management**

PART I. – PROPOSED ACTION

BLM Office: Arizona Strip Field Office

NEPA No.: DOI-BLM-AZ-A010-2016-0010-CX

Case File No.:

Proposed Action Title/Type: Bar 10 SRP

Applicant: Gavin Heaton

Location of Proposed Action: The applicant is requesting to lead guided vehicle tours across the main roads in the western portion of the Arizona Strip Field Office leading into Grand Canyon-Parashant National Monument where they own a private property inholding and currently hold an active SRP (see map).

Description of Proposed Action: The applicant is requesting to lead guided vehicle and ATV tours. The proposed tours would involve transporting up to twelve clients to and from Bar Ten Ranch to various destinations in the area. The guide to client ratio will be no less than 1:5 for ATV tours and 1:12 for vehicle tours.

PART II. – PLAN CONFORMANCE REVIEW

This proposed action is subject to the following land use plan(s):

Arizona Strip Field Office Resource Management Plan (RMP)

Decisions:

The proposed action is in conformance with the following RMP decisions:

Arizona Strip Field Office RMP

DFC-RR-24: SRP application packages (application, operating plan, etc.) would be considered for authorization on a case-by-case basis upon receipt of application. (See 43 CFR 2930 for requirements)

DFC-RR-28:

- Commercial, competitive, organized group/event, and special area permits can be authorized when such uses accomplish or are compatible with management objectives and other plan provisions. Commercial services in designated wilderness shall meet guidelines for commercial activities within wilderness.
- Recreation activities requiring use authorization may be limited in listed species and other sensitive habitats.

DFC-RR-13: The primary strategy for the St. George Basin SRMA will be to target a demonstrated community recreation-tourism market demand from primarily local communities (dependent on public

lands recreation and/or related tourism use, growth, and/or development), as well as some other seasonal regional visitors, for motorized/mechanized/non-mechanized exploring, technical sports, fitness activities, guided tours, sightseeing, equestrian, hiking, competitive and organized events, viewing and appreciating natural landscapes and cultural sites. This demand is supported by the area's distinctive landscape, warm winters, and its close proximity to the rapidly growing communities of St. George, Santa Clara, Middleton, Washington, Hurricane, and Toquerville, Utah. Local recreation-tourism visitors value these public lands as their own 'back-yard' recreation settings (See Appendix N for more information and Maps 2.15 – 2.17).

DFC-RR-14: The St. George Basin Rural Park RMZ will be managed for:

- Quick, easy access from town to sustainable day-use adventure, challenge, exercise, social, and outdoor recreation.
- By the year 2011, manage this zone to produce close-to-town opportunities for community residents and seasonal, regional visitors to enjoy directed day-use adventure activities in natural, scenic landscapes along structured travel routes and areas, providing no less than 75% of responding visitors and affected community residents at least a "moderate" realization of these benefits (i.e., 3.0 on a probability scale where 1=not at all, 2=somewhat, 3=moderate, 4=total realization).
- Exploring activities (i.e., *OHV driving, all-terrain vehicle (ATV) and motorcycle riding, equestrian, hiking*); personal challenge activities (i.e., *rock climbing, rock crawling, mountain biking, competitive events*); social activities (i.e., *organized group/family events*); and fitness activities (i.e., *walking, running, hiking*).
- Enjoying going exploring on one's own; enjoying having easy access to natural landscapes; developing your skills and abilities; enjoying getting some needed physical exercise; enjoying participating in group outdoor events; enjoying having access to close-to-home outdoor amenities.
- *Personal Benefits:* Greater freedom from urban living; improved appreciation of nature's splendor; improved understanding of how this community's rural-urban interface impacts its quality of life; improved skills for outdoor enjoyment; improved physical fitness and health maintenance; greater self-reliance; restored mind from unwanted stress; Improved mental well-being; stronger ties with one's family and friends.
- *Household & Community Benefits:* Increased nurturance of others; improved functioning of individuals in family and community
- *Economic Benefits:* Reduced health maintenance costs.
- *Environmental Benefits:* Increased awareness and protection of natural landscapes. The RMZ will be managed to produce recreation opportunities in the following essential settings:
- *Physical Benefits:* Semi-Primitive Non-Motorized to Rural, with regard to remoteness; Semi-Primitive Motorized to Rural, with regard to recreation facilities; and Semi-Primitive Non-Motorized to Roded Natural, regarding naturalness
- *Social Benefits:* Semi-Primitive Motorized to Rural, with regard to group size and evidence of use; Primitive to Rural, with regard to contacts; portions may spike to Urban-like settings during special use activities.
- *Administrative Benefits:* Rural, with regard to visitor services; Semi-Primitive Motorized to Roded Natural, with regard to management controls; and Primitive to Urban, with regard to mechanized/motorized use. May spike to Urban-like management controls during special use activities or for protection of listed species (see Travel Management decisions regarding access for administrative uses).

In addition, the proposed action does not conflict with other decisions within the RMP.

Date plans approved/amended: January 29, 2008

PART III. – NEPA COMPLIANCE DETERMINATION REVIEW

A. The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9

H. Recreation 1. Issuance of Special Recreation Permits for day use or overnight use up to 14 consecutive nights; that impacts no more than 3 staging area acres; and/or for recreational travel along roads, trails, or in areas authorized in a land use plan. This CX cannot be used for commercial boating permits along Wild and Scenic Rivers. This CX cannot be used for the establishment or issuance of Special Recreation Permits for “Special Area” management (43 CFR 2932.5).

The proposed action would not occur in any “special area,” and no staging would occur on BLM land.

And

B. Extraordinary Circumstances Review: In accordance with **43 CFR 46.215**, any action that is normally categorically excluded must be subjected to sufficient environmental review to determine if it meets any of the 12 Extraordinary Circumstances described. If any circumstance applies to the action or project, and existing NEPA documentation does not adequately address it, then further NEPA analysis is required.

PART IV. – EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION

PREPARERS/REVIEWERS:	DATE:
Jon Jasper, Project Lead	February 29, 2016
Gloria Benson, Tribal Liaison	February 24, 2016
Kevin Schoppmann, Range/Vegetation/Weeds/S&G	February 9, 2016
Diana Hawks, Recreation/Wilderness/VRM	February 8, 2016
John Herron, Cultural Resources	February 8, 2016
Jace Lambeth, Special Status Plants	February 16, 2016
John Sims, Supervisory Law Enforcement	February 24, 2016
Richard Spotts, Environmental Coordinator	February 22, 2016
Jeff Young, Wildlife/T&E Animals	February 19, 2016
Teresa Burke, Land and Realty (acting)	February 8, 2016
Lorraine Christian, Project Oversight	February 4, 2016

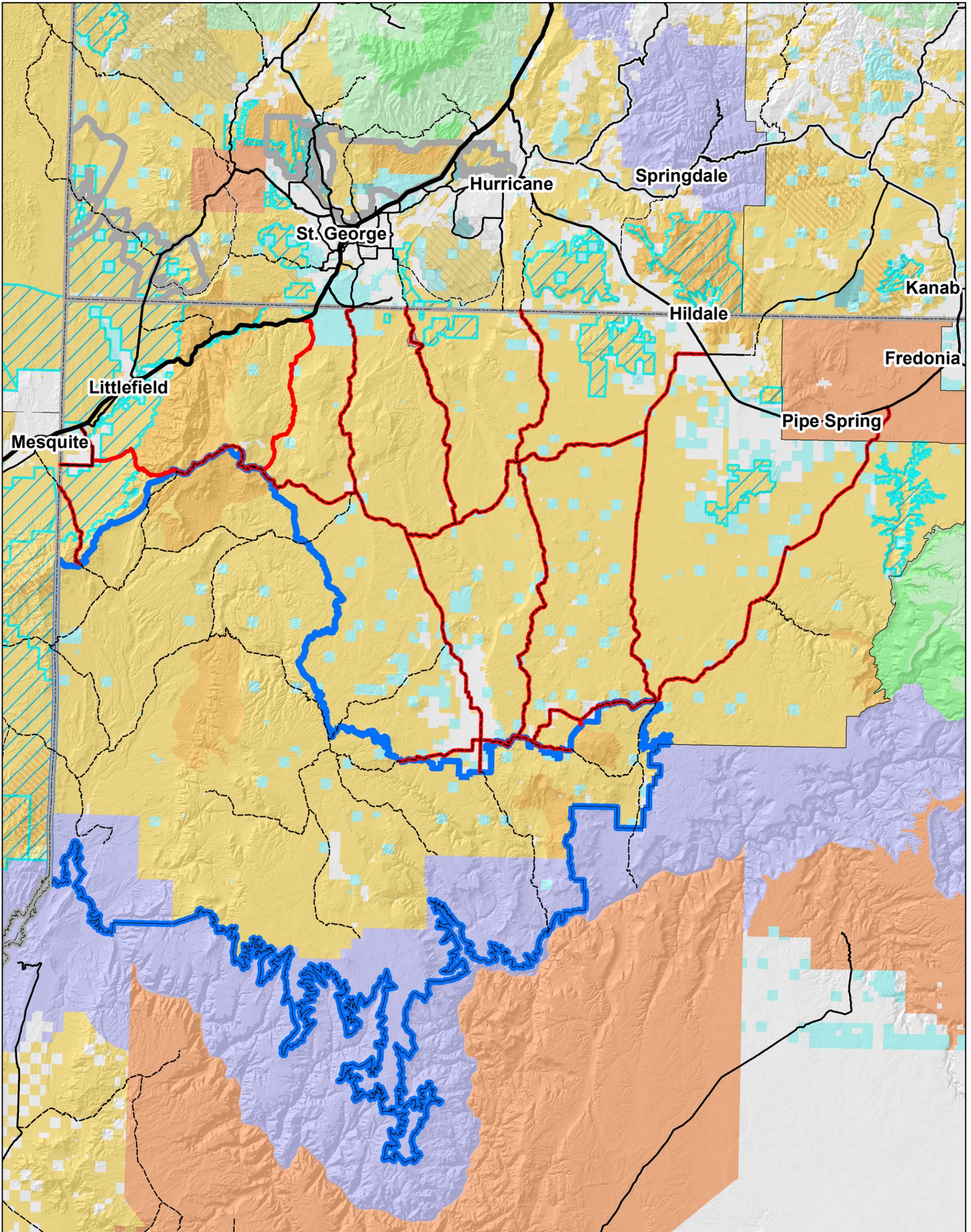
(a) Have significant impacts on public health or safety.

Yes	No	Rationale: Proposed action would not affect public health and safety. The tours would occur only on existing and/or designated routes that are used by the general public. There
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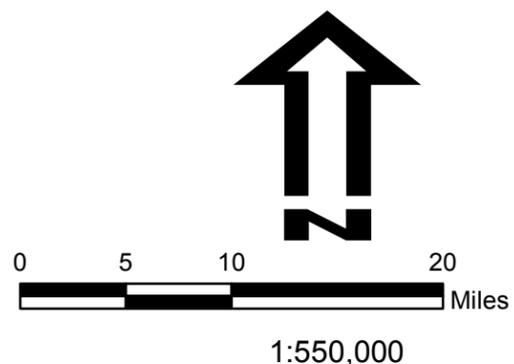
<input type="checkbox"/>	<input checked="" type="checkbox"/>	would be no known impacts on public health and safety. Preparer's Initials <u> JS </u>
(b) Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: There would be no significant impacts on recreation, wilderness or wild and scenic rivers. The project area is not within a designated wilderness area, a national monument, or near a wild and scenic river. Issuance of this SRP would not interfere with the other recreation users in the area, impact recreational settings, or impact migratory birds and other ecologically significant or critical areas. Preparer's Initials <u> DCH, JY </u>
(c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The proposed action involves areas that have no known controversial effects, and there are no known unresolved conflicts concerning uses of available resources. The proposed action is not unique, so effects are well known and well documented. Preparer's Initials <u> RS </u>
(d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The proposed action has no significant environmental effects. The proposed activities are not unique and therefore do not involve unknown risks to the environment. Preparer's Initials <u> RS </u>
(e) Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The proposed action does not have any precedent for future actions – all future actions would be assessed and analyzed individually. Preparer's Initials <u> RS </u>
(f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The proposed action would occur only on existing and/or designated routes that are used by the general public. It is not anticipated that the proposed action would create cumulatively significant environmental effects. Preparer's Initials <u> RS </u>

<p>(g) Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.</p>		
<p>Yes <input type="checkbox"/></p>	<p>No <input checked="" type="checkbox"/></p>	<p>Rationale: The proposed action would not impact properties listed on or eligible for the National Register of Historic Places; all authorized use would remain on existing and/or designated roads that are currently being used by the general public.</p> <p style="text-align: right;">Preparer's Initials <u> JH </u></p>
<p>(h) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.</p>		
<p>Yes <input type="checkbox"/></p>	<p>No <input checked="" type="checkbox"/></p>	<p>Rationale: The only species listed, or proposed to be listed under the Endangered Species Act that may occur in the area proposed for the tours are the California condor and the desert tortoise. However, the proposed action would not affect the California condor or desert tortoise due to mitigating measures to minimize impacts that are included in the stipulations for the proposed action (see Attachment 1 to this CX).</p> <p style="text-align: right;">Preparer's Initials <u> JY, JL </u></p>
<p>(i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.</p>		
<p>Yes <input type="checkbox"/></p>	<p>No <input checked="" type="checkbox"/></p>	<p>Rationale: The proposed action would not violate any federal, state, local, or tribal laws.</p> <p style="text-align: right;">Preparer's Initials <u> JS </u></p>
<p>(j) Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).</p>		
<p>Yes <input type="checkbox"/></p>	<p>No <input checked="" type="checkbox"/></p>	<p>Rationale: The proposed action would not affect have any low income or minority populations. The proposed action is not located in the vicinity of any of these populations.</p> <p style="text-align: right;">Preparer's Initials <u> JJ </u></p>
<p>(k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).</p>		
<p>Yes <input type="checkbox"/></p>	<p>No <input checked="" type="checkbox"/></p>	<p>Rationale: The proposed action would not limit access to sacred sites, or any other public lands.</p> <p style="text-align: right;">Preparer's Initials <u> GB </u></p>
<p>(l) Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).</p>		
<p>Yes <input type="checkbox"/></p>	<p>No <input type="checkbox"/></p>	<p>Rationale: The proposed action would not contribute to the introduction of noxious weeds or invasive plant species – all travel would be along existing routes. In addition, a</p>

Bar 10 Ranch Proposed Routes



- | | | |
|--------------------------|---|----------------------------|
| Bar 10 Routes | Grand Canyon-Parashant NM | Indian Reservation |
| Interstate Highways | Red Cliffs & Beaver Dam NCA | Private |
| Principal Paved Highways | State Boundary | State |
| Other Paved Roads | Open OHV Area | US Forest Service |
| Scenic Byways | Areas of Critical Environmental Concern | State Parks and Recreation |
| Scenic Backways | Bureau of Land Management | USFS Wilderness Area |
| Unpaved Roads | BLM Wilderness | National Park Service |
| | Wilderness Study Area | Bureau of Reclamation |



Attachment 1

Bar 10

SPECIAL RECREATION PERMIT STIPULATIONS

In order to protect and preserve the natural and cultural resource values on the Arizona Strip Field Office and provide for public safety, the attached terms and conditions/stipulations are incorporated as part of the special recreation permit (SRP). These stipulations are specific to this SRP holder and are in addition to those found within Form 2930-1 (SRP Application Permit) and BLM H-2930-1 (Recreation Permit Administration). These stipulations are incorporated as part of the SRP and apply to the permittee and all employees working for him/her. Failure to comply can result in permit revocation.

GENERAL STIPULATIONS

1. The permittee shall comply with all Federal, State, and local laws, ordinances, regulations, orders, postings, or written requirements applicable to the area or operations covered by the Special Recreation Permit (SRP). The permittee shall ensure that all persons operating under the authorization have obtained all required Federal, State, and local licenses or registrations. The permittee shall make every reasonable effort to ensure compliance with these requirements by all agents of the permittee and by all clients, customers, participants, or spectators under the permittee's supervision.
2. Conviction of violating federal or state statutes relating to the resources on public land (cultural, wildlife laws, etc.) may cause existing permits to be suspended or cancelled. The BLM may suspend or cancel an existing SRP if the permittee commits any of the acts prohibited in 43 CFR 8365 (Rules of Conduct), or violates any site specific rules posted in the area.
3. All advertising and representations made to the public and the authorized officer must be accurate. Although the addresses and telephone numbers of the BLM may be included in advertising materials, official agency symbols may not be used. The permittee shall not use advertising that attempts to portray or represent the activities as being conducted by the BLM. The permittee may not portray or represent the permit fee as a special Federal user's tax. The permittee must furnish the authorized officer with any current brochure and price list if requested by the authorized officer.
4. The permittee must assume responsibility for inspecting the permitted area for any existing or new hazardous conditions, e.g., trail and route conditions, landslides, rocks, avalanches, changing water or weather conditions, falling limbs or trees, submerged objects, hazardous wildlife, or other hazards that present risks for which the permittee is responsible.
5. The permittee shall notify the authorized officer of any accident which occurs while involved in activities authorized by this permit resulting in death, personal injury requiring hospitalization or emergency evacuation, or in property damage greater than \$2,500 (lesser amount if established by state law). Reports must be submitted within 48 hours in the case of death or injury, or 10 days in accidents involving property damage.

Contact BLM Ranger, John Sims at (435) 644-1211.

6. The permittee is at all times responsible for the actions of himself, his employees, spectators and guests in connection with the authorized operations, and shall not cause a public disturbance or engage in activities which create a hazard or nuisance.
7. "Leave No Trace" principles must be followed. (See enclosed reference materials.)
8. Permittee is responsible for knowing the location of special management areas, such as national monuments, areas of critical environmental concern (ACECs), and designated wilderness areas, as well as the use restrictions that apply, and complying with those use restrictions.
9. Adequate first aid and safety equipment (i.e. satellite phone, SPOT satellite GPS messenger, or radio), shall be in the possession of the permittee while performing the permitted activities. All guides must possess at minimum a current Standard First Aid (or Wilderness First Aid for activities conducted in remote areas) and CPR certifications. Copies of all certifications must be submitted to the BLM office.

SRP MANAGEMENT

10. The permittee is required to provide the authorized officer (or his/her representative) with a copy of a valid insurance policy or proof thereof covering the periods of use prior to being issued a SRP authorizing any use. The U.S. Government must be named as additional insured on the policy. Permittee must keep insurance in effect; during any period when the insurance is not in effect or cancelled, the SRP is suspended.
11. The permittee must submit a Post-Use Report and annual fees to the Arizona Strip Field Office within 30 days after the event. If the post use report is not received by the established deadline, the permit will be suspended. Additionally this report will be used to determine if additional fees are required of the permittee based upon total permitted use.
12. The authorized officer, or other duly authorized representative of the BLM, may examine any of the records or other documents related to the permit, the permittee or the permittee's operator, employee, or agent for up to 3 years after expiration of the permit.
13. The permittee and representing guides must carry a copy of the SRP and Letter of Authorization while conducting operations on public lands. When contacted by law enforcement personnel, the permittee and his/her agents shall identify themselves as SRP holders or agents operating under such a permit. The permittee/agents must present or display a copy of the SRP to an authorized officer's representative, or law enforcement personnel upon request. If required, the permittee must also display a copy of the SRP or other identification tag on equipment, especially full sized vehicles and ATVs, used during the period of authorized use.
14. An SRP authorizes special uses of the public lands and should circumstances warrant, the permit may be modified by the BLM at any time, including modification of the amount of use. The permittee shall request an amendment or modification of the permit to provide for changes in use areas or sites, season of use, services provided, or any substantive changes in the operating plan 90 days prior to the issuance of the permit. The authorized

officer may suspend or terminate an SRP if necessary to protect public resources, health, safety, the environment, or noncompliance with permit stipulations. Actions by the BLM to suspend or terminate a SRP are appealable.

15. No value shall be assigned to or claimed for the permit, or for the occupancy or use of Federal lands granted thereupon. The permit privileges are not to be considered property on which the permittee shall be entitled to earn or receive any return, income, price or compensation. The use of a permit as collateral is not recognized by the BLM.
16. Unless expressly stated, the SRP does not create an exclusive right of use of an area by the permittee. This SRP does not in any way prevent public use of or access to any public lands, unless expressly identified under the permit. Public lands will generally remain available on a first-come, first served basis to commercial and private recreational users; nothing herein implies that the first permittee in any area has been granted exclusive use, or priority use. The permittee shall not interfere with other valid uses of the Federal land by other users. The United States reserves the right to use any part of the area for any purpose.
17. The permittee or permittee's representative may not assign, contract, or sublease any portion of the permit authorization or interest therein, directly or indirectly, voluntarily or involuntarily. However, the authorized officer may approve contracting of equipment or services in advance, if necessary to supplement a permittee's operations. Such contracting should not constitute more than half the required equipment or services for any one trip and the permittee must retain operational control of the permitted activity. If equipment or services are contracted, the permittee shall continue to be responsible for compliance with all stipulations and conditions of the permit.
18. Any filming/photography of permitted activities that takes place with the express intent to sell the product back to the guided client(s) as souvenirs or training videos, etc. would be subject to a vending permit being included as part of the Special Recreation Permit. A separate Land Use Permit would be required for other commercial filming on public lands, defined in IM No. 2004-73 as, "The use of motion picture, videotaping, sound recording, or other moving image or audio recording equipment on public lands that involves the advertisement of a product or service, the creation of a product for sale, or the use of actors, models, sets, or props, but not including activities associated with broadcasts for news programs. For purposes of this definition, creation of a product for sale includes a film, videotape, television broadcast, or documentary of participants in commercial sporting or recreation event created for the purpose of generating income."
19. Filming is limited to the use of handheld and tripod mounted cameras. Construction or removal of vegetation for the creation of a camera platform or to clear a shot is not allowed. Filming is generally done using only ambient light sources. No more than two, battery-powered, auxiliary lighting sources may be used. In addition, if the permittee plans to film at times and locations that are not part of the activity authorized by the SRP, a separate film permit is required.
20. Food, water, and/or equipment caches are not allowed unless prior approval is obtained from the BLM's authorized officer. Location of proposed caches must be identified in the permittee's approved operating plan.

21. Permittee shall not place signs, construct cairns or new trails, maintain existing trails, or use flagging or paint to mark trails, unless specified in their permit. All permitted signs and flagging must be removed from public lands at the end of the use period.
22. In time of severe fire danger or other emergencies, in order to protect public resources, the BLM may close large areas to the public. This permit does not entitle the holder to an exception to emergency closures. Permittee is responsible for informing employees and clients of the current fire danger and required precautions that may be placed in effect by the BLM or the State.
23. Wildfires caused by the permittee shall be reported immediately by calling 911 and the nearest BLM office (435-688-3200). Permittee may be held liable for fire suppression costs.

LANDS AND REALTY

24. The permittee may be required to furnish written permission from private property landowners whose property, land, or water is affected by the use associated with the permit. The SRP does not give permission to cross over or use any private lands. The permittee will be fully responsible for all trespass on and/or damage to private land which results from the conduct of their activities.
25. The permittee cannot, unless specifically authorized, erect, construct, or place any building, structure, or other fixture on public lands. Upon leaving the public lands, the lands must be restored as nearly as possible to pre-existing conditions.

CULTURAL RESOURCES

26. Employees and clients will be instructed that it is unlawful to disturb, deface, excavate or remove any archaeological or paleontological objects or structures. Look but don't touch! Rock art may be photographed but not touched. Collection of prehistoric or historic artifacts is prohibited on Federal Lands and is prosecutable under the Archaeological Resources Protection Act and other laws, both federal and state. Disturbance, defacement, or excavation of prehistoric and historic sites is also prohibited (see ARPA for additional prohibited acts).
27. Intentional removal or excavation of Native American human remains, funerary objects, sacred objects or objects of cultural patrimony is a violation of the Native American Graves Protection and Repatriation Act.

TRAVEL MANAGEMENT

28. Permittee shall limit vehicle traffic to the designated routes contained within the Special Recreation Permit (SRP). No motorized cross-country travel is permitted.
29. All motor vehicle use will comply with applicable off-highway vehicle regulations.
30. The permittee will practice proper precautions to prevent the spread of noxious weeds/invasive species. Therefore, all machinery (street legal motorized vehicles, non-street legal all-terrain vehicles, trailers, etc.) that has been used outside the proposed use

area must be cleaned prior to use and be free of accumulated plant parts (including the undercarriage) in order to prevent the possible introduction and spread of noxious weeds/invasive species.

31. Permittee is responsible for the proper cleanup of all vehicle fluid (including, but not limited to, fuel, motor oil, hydraulic fluid, gear oil, and coolants), vehicle parts, etc., prior to submission of the Post-Use Report and prior to the release of any required posted bond.

RANGELAND MANAGEMENT

32. The permittee must adhere to 43 CFR 4140.1 which prohibits: installing, using, maintaining, modifying, and/or removing range improvements without authorization; cutting, burning, spraying, destroying, or removing vegetation without authorization; damaging or removing U.S. property without authorization; littering; failing to reclose any gate or other entry during periods of livestock use; and interfering with lawful uses or users including obstructing free transit through or over the public lands by force, threat, intimidation, signs, barriers, or locked gates.
33. Harassment of livestock or destruction of private and public improvements such as water catchments, pipelines, fences and gates is prohibited. Gates will be left open or closed, as they are found.

WILDLIFE

General Requirements

34. Harassment of wildlife, or destruction of private and public improvements such as wildlife catchments, is prohibited.

California condor

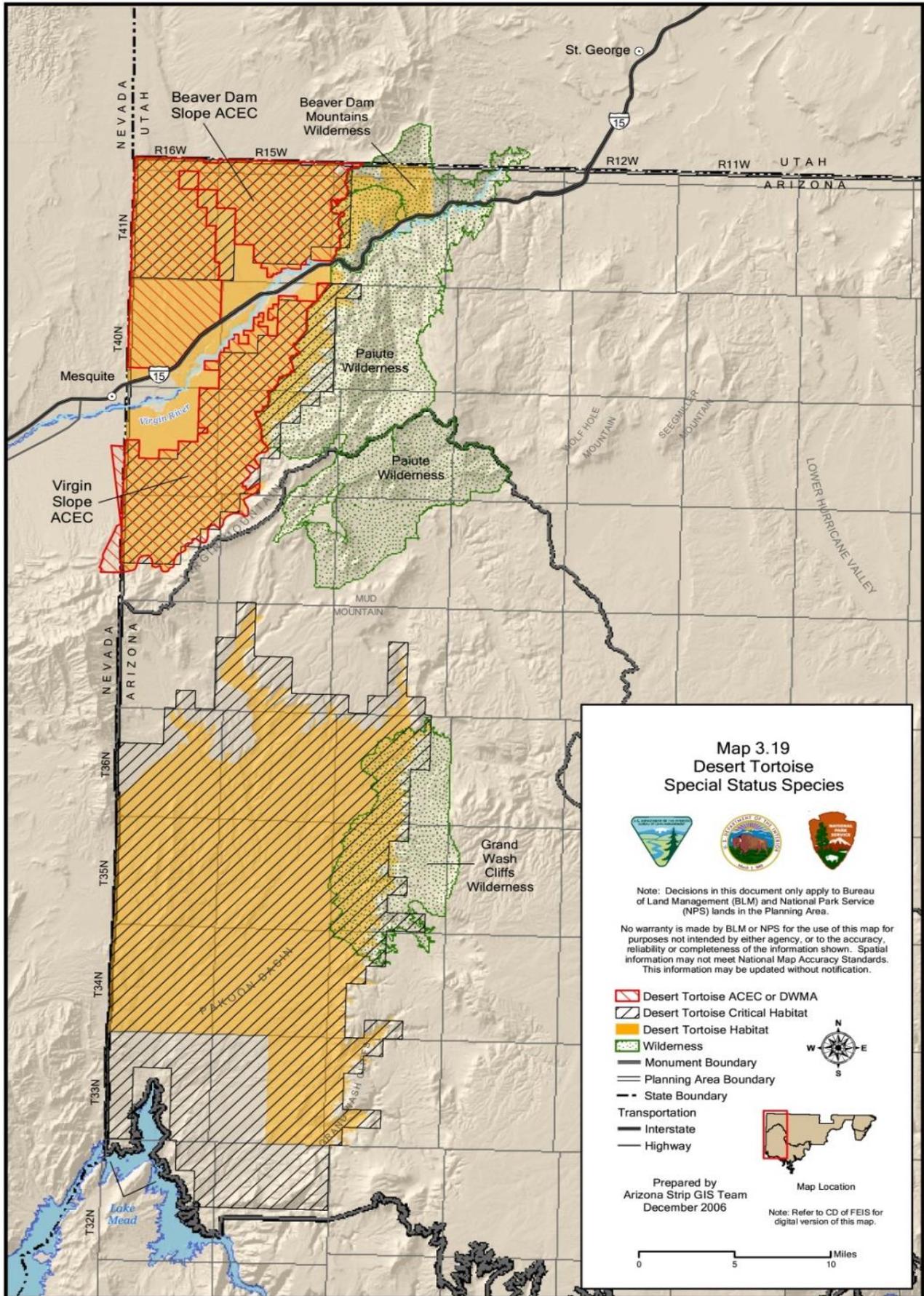
35. The permittee will notify the BLM Arizona Strip wildlife team lead (435-688-3373) within 5 days of the completion of the trip if California condors visit the participants while permitted activities are underway. Permittee and participants will be instructed to avoid interaction with condors. Subsequent activities will be modified if those activities are determined to have adverse effects on condors.
36. California condors are highly susceptible to the effects of micro-trash. Micro-trash includes small and easily ingestible materials such as bottle caps, broken glass, cigarette butts, small plastic bits, bullets, and bullet casings, even food materials. Any sites used will be cleaned up at the end of each day of use (e.g., trash removed, scrap materials picked up) to minimize the likelihood of condors visiting the site. BLM staff may conduct site visits to the area to ensure adequate clean-up measures are taken.

Desert tortoise / Mojave desert restrictions

37. During the Mojave desert tortoise active season (March 15 through October 15), the permittee must observe a 20 mph speed limit on BLM roads within Mojave desert tortoise critical habitat and 40 mph in desert tortoise habitat outside of critical habitat.

(See attached map for the location of these areas.)

38. Uncontrolled (unleashed) domestic dogs will be prohibited in areas within the range of the Mojave desert tortoise.
39. When parked in areas within the range of the Mojave desert tortoise during the tortoise active season (March 15 – October 15) please check underneath vehicles for tortoises before resuming travel.



Map 3.19 Desert Tortoise - Special Status Species

DECISION MEMORANDUM
Bar 10 SRP
DOI-BLM-AZ-A010-2016-00010-CX

U.S. Department of the Interior
Bureau of Land Management
Arizona Strip Field Office

Approval and Decision

Based on a review of the project described in the attached Categorical Exclusion documentation (DOI-BLM-AZ-A010-2016-00010-CX) and Arizona Strip District staff recommendations, I have determined that the proposed action is in conformance with the Arizona Strip Field Office Resource Management Plan, and is categorically excluded from further environmental analysis. My decision is to approve the proposed action, subject to the stipulations included in Attachment 1 of the CX.

Administrative Review or Appeal Opportunities

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the attached Form 1842-1. If an appeal is taken, your notice of appeal must be filed at the Arizona Strip Field Office; 345 East Riverside Drive; St. George, Utah 84790, within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

In accordance with 43 CFR 2931.8, this decision remains in effect pending appeal unless a stay is granted. If you wish to file a petition (pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) (request) for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the Office of the Solicitor (Department of the Interior, Office of the Field Solicitor, Sandra Day O'Connor U.S. Court House #404, 401 West Washington Street SPC44, Phoenix, AZ 85003-2151) (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

Standards for Obtaining a Stay

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

Lorraine M. Christian 3/3/2016
Lorraine M. Christian - Field Manager, Arizona Strip Field Office Date

Contact Person:

Jon Jasper
Outdoor Recreation Planner
Arizona Strip Field Office
(435) 688-3246 office
jjasper@blm.gov

Attachment: Form 1842-1

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE INTERIOR BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you,
- AND
2. You believe it is incorrect

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

1. NOTICE OF APPEAL..... A person served with the decision being appealed must transmit the notice of appeal in time for it to be filed in the office where it is required to be filed within 30 days after the date of service. If a decision is published in the FEDERAL REGISTER, a person not served with the decision must transmit a notice of appeal in time for it to be filed within 30 days after the date of publication (43 CFR 4.411 and 4.413).

**2. WHERE TO FILE
NOTICE OF APPEAL.....**

WITH COPY TO
SOLICITOR.....

3. STATEMENT OF REASONS Within 30 days after filing the Notice of Appeal, File a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the Notice of Appeal, no additional statement is necessary (43 CFR 4.412 and 4.413).

WITH COPY TO

4. ADVERSE PARTIES..... Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the Notice of Appeal, (b) the Statement of Reasons, and (c) any other documents filed (43 CFR 4.413). If the decision concerns the use and disposition of public lands, including land selections under the Alaska Native Claims Settlement Act, as amended, service will be made upon the Associated Solicitor, Division of Land and Water Resources, Office of the Solicitor, U.S. Department of the Interior, Washington, D.C. 20240. If the decision concerns the use and disposition of mineral resources, service will be made upon the Associated Solicitor, Division of Mineral Resources, Office of the Solicitor, U.S. Department of the Interior, Washington, D.C. 20240.

5. PROOF OF SERVICE..... Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (43 CFR 4.401(c)).

6. REQUEST FOR STAY..... Except where program-specific regulations place this decision in full force and effect or provide for an automatic stay, the decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for a stay is timely filed together with a *Notice of Appeal* (43 CFR 4.21). If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Interior Board of Land Appeals, the petition for a stay must accompany your notice of appeal (43 CFR 4.21 or 43 CFR 2804.1). A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the *Notice of Appeal* and Petition for a Stay **must** also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay. Except as other provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards: (1) the relative harm to the parties if the stay is granted or denied, (2) the likelihood of the appellant's success on the merits, (3) the likelihood of immediate and irreparable harm if the stay is not granted, and (4) whether the public interest favors granting the stay.

Unless these procedures are followed your appeal will be subject to dismissal (43 CFR 4.402). Be certain that **all** communications are identified by serial number of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (43 CFR 4.401(a)). See 43 CFR Part 4, subpart b for general rules relating to procedures and practice involving appeals.

43 CFR SUBPART 1821--GENERAL INFORMATION

Sec. 1821.10 Where are BLM offices located? (a) In addition to the Headquarters Office in Washington, D.C. and seven national level support and service centers, BLM operates 12 State Offices each having several subsidiary offices called Field Offices. The addresses of the State Offices can be found in the most recent edition of 43 CFR 1821.10. The State Office geographical areas of jurisdiction are as follows:

STATE OFFICES AND AREAS OF JURISDICTION:

Alaska State Office ----- Alaska
Arizona State Office ----- Arizona
California State Office ----- California
Colorado State Office ----- Colorado
Eastern States Office ----- Arkansas, Iowa, Louisiana, Minnesota, Missouri
and, all States east of the Mississippi River
Idaho State Office ----- Idaho
Montana State Office ----- Montana, North Dakota and South Dakota
Nevada State Office ----- Nevada
New Mexico State Office ---- New Mexico, Kansas, Oklahoma and Texas
Oregon State Office ----- Oregon and Washington
Utah State Office ----- Utah
Wyoming State Office ----- Wyoming and Nebraska

(b) A list of the names, addresses, and geographical areas of jurisdiction of all Field Offices of the Bureau of Land Management can be obtained at the above addresses or any office of the Bureau of Land Management, including the Washington Office, Bureau of Land Management, 1849 C Street, NW, Washington, DC 20240.
