

Categorical Exclusion Documentation
DOI-BLM-CA-C060-2016-0033-CX

A. Background

BLM Office: Bakersfield Field Office

Lease/Serial/Case File # SRP-16-004

Project Title: Equestrian Trials SRP, 2016

Location: Keysville Special Recreation Management Area, Kern County, California

Description of Proposed Action, including any Stipulations

Larry Ciganairo, of the Backcountry Horsemen Kern River Valley Unit has applied for a Special Recreation Permit to host competitive equestrian trials within the Keysville Special Recreation Management Area on April 2-3, 2016. The proponent expects not more than 50 participants and 50 spectators to participate in a horseback trail trials event using the route indicated on the attached map and including 10 stations with trials type activities:

Day 1 (Saturday):

- ST1: Side pass bowline tie to portable corral in camping area
- ST2: Approach Llama in center of road near camping area
- ST3: Navigate temporary portable bridge obstacle
- ST4: Cross Hogeye Creek
- ST5 D1: Walk, Trot, and Canter on horseback without leaving trail
- ST6: Dismount and hitch to truck
- ST7: Open and pass through existing gate on road to highgrader mine
- ST8: Descend steep hill on rocky gorge trail
- ST9: Step down a temporary constructed step
- ST10: Carry a sack of cans

Day 2 (Sunday):

- ST10: Put on a poncho
- ST3 D2: Cross over existing logs on the route
- ST9: Step up an a temporary constructed step
- ST6: Back up with horse near cemetery
- ST5 D2: Brush pull in flat area below Walker Cabin
- ST4: Cross Hogeye Creek
- ST3: Navigate temporary tilting bridge obstacle
- ST2: Approach Llama in center of road near camping area

A free-standing bridge would be installed for ST3 and removed after the event. To facilitate equestrian travel and improve rider safety, the proponent would trim brush/branches along the trail route pursuant to BLM clearance standards for equestrians (or USFS if no BLM standards) and would remove (cut out) down trees crossing the trial route one week prior to the event

The event is proposed to occur on Saturday and Sunday April 2nd and 3rd 2016, with course setup occurring on Friday April 1st and teardown promptly after the event on Sunday. Should the weather be prohibitive for the event, the event would instead be held on April 23rd and 24th.

Participants in the event would camp within the area known as the Meadow or Boyscout Flat for the duration of the event. The proponent would provide port-a-potties and additional trash

receptacles for use by event participants.

All operations would be in compliance with the Special Recreation Permit Terms, Conditions, and Stipulations. The event would be subject to additional stipulations, as follows;

- Permittee understands that this permit does not reserve exclusive use of the Special Management Area and general visitation and camping may occur intermingled with event participants.
- All dispersed camping activities must take place adjacent to designated routes on previously disturbed sites; no motorized cross-country travel is permitted.
- Permittee is required to ensure all OHVs operated in association with the event (by Marshalls, EMTs etc.) are done so in accordance with area rules, including no cross country travel, use of helmets and State registration requirements.
- Permittee is responsible for ensuring event participants are aware of the need for a campfire permit and to supply their own firewood. Do not dismantle historic waste rock piles or walls to build a fire ring. A permit can be obtained either from a BLM office, Ranger or Park Ranger or online from <http://www.preventwildfireca.org/Campfire-Permit/>.
- Permittee is advised that numerous hazardous and historic mining locations exist within the Special Management Area. Permittee assumes responsibility for informing event participants of this danger and ensuring participants do not enter these locations or disturb historic features. **Mine features, including adits, shafts, and buildings are not to be entered or disturbed by event participants.**
- Route and event setup, scheduled for 1 day prior to the event, will be monitored by the BLM Archaeologist to ensure that there will be no impacts to cultural resources as defined in Cultural Resource Inventory Report #6000-2016-16.
- In the event of an “inadvertent discovery” during the event, the Permittee shall immediately notify the Field Manager and Cultural Staff. An inadvertent discovery is defined as the identification of previously unknown cultural resources within the approved project area, staging area, or access routes. All access and use shall immediately cease within 200 feet of the discovery. Access and use of the area can proceed with written permission from the Field Manager.
- For the portion of the route in the vicinity of the Keysville / Lightner Cemetery: Permittee is required to remove all horse manure deposited in view of the Cemetery. This includes the area surrounding the truck used in the hitching trail station.
- Permittee will complete a “Post Use Report” detailing the actual numbers of participants. This should be submitted no later than the 14 days after completion of the event. This report should be faxed, mailed, or emailed to the attention of the Outdoor Recreation Planner.
- Permittee is required to report all incidents/accidents to BLM as promptly as possible, or within 12 hours.
- Permittee is responsible for removal and proper disposal of all trash, signs, markers and other event materials prior to vacating the area. Permittee and participants are strongly encouraged to leave the area better than they had found it.
- To prevent spread of noxious weeds the use of certified “Weed Free” food is encouraged when available.
- Prior to entering public lands weed seeds shall be removed from animals. This should be accomplished before leaving the previous riding area/home/stabling location by brushing

them thoroughly and cleaning animal's hooves. Vehicles (trucks, trailers etc.) should also be cleaned prior to arriving on site to limit the potential of spreading weeds.

- Permittee will incorporate the 'Keyesville Etiquette' flyer and the ARPA - Cultural Resources flyer into the materials provided to participants and spectators at the event and during registration. This applies especially to the creation of dirt ramps or other modifications to the natural landscape. Information may be provided in the form of inclusion with registration materials, and as posters or flyers at key information locations.
- Temporary horse corrals used by event participants shall be placed on previously disturbed and denuded soils within the meadow/ boyscout flat area. The permittee is responsible for informing all participants of this requirement and enforcing this requirement as event participants arrive and set up.
- The permittee will not note on any publically distributed map the names or locations of any cultural resources – even though such resources may be near or adjacent to the trails used in the event.
- Trimming of branches will be limited to those which hang down below 86 inches and be accomplished using hand tools. Branches will be inspected for nesting birds before trimming. If nesting birds are encountered the branch will not be trimmed or trimmed in a manner that preserves the nest.
- Fallen branches or dead trees that lay across the trail may be cut and moved to the side of the trail. A chain saw may be used to clear the trail of large branches and fallen trees.
- The 10 stations will be selected to make use of previously disturbed areas. BLM will approve placement of each of the 10 stations on the day of the event.
- Where the event includes travel off of designated trails, permittee will use brush and other natural debris to disguise the entrances of each undesignated trail used or created to discourage future motorized use.

B. Land Use Plan Conformance

This action conforms to the Bakersfield Resource Management Plan (RMP), 2014 because it is clearly consistent with the RMP decisions as they relate to providing well managed, user supported access and recreational opportunities within the Keyesville Special Recreation Management Area, as follows;

[RVS-G-1] Support growing demand for recreation access to public lands and maintain a diversity of recreation opportunities promoting a multiple use philosophy.

Keyesville SRMA Wide Administrative Actions:

- Support competitive and commercial activities through the Special Recreation Permit process including maintaining the designated "Keyesville Classic" race course.

French Gulch RMZ Targeted Activities: Trail use (motorized, mechanized and non-mechanized uses); cultural discovery; dispersed camping; and recreational gold prospecting.

Gold Fever RMZ Targeted Activities: Cultural/historical discovery; trail use (motorized, mechanized and nonmechanized uses); and recreational gold prospecting.

C. Compliance with the National Environmental Policy Act

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

Recreation Management

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).

This categorical exclusion is appropriate for this action because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply (see attached).

There are no issues surrounding this project, as such I considered the proposed action, NEPA compliance statement, and review of extraordinary circumstances and it is my determination that there is no potential for significant impacts from this project.

D. Signature

___/s/ Gabriel Garcia _____

Gabriel Garcia
Field Manager, Bakersfield Field Manager

_3/30/2016_____

Date

Review of Extraordinary Circumstances

The Department of the Interior regulations at 43 CFR 46.205 require review of the following “extraordinary circumstances” (43 CFR 46.215) to determine if an otherwise categorically excluded action would require additional environmental analysis/documentation.

1) *Have significant impacts on public health or safety.*

Yes No

Comments: Impacts on public health and safety are limited to those usually present while involved in equestrian activity. The permittee and participants are well aware of the inherent risks involved in this activity. The trimming of brush and branches along the route and removal of down trees crossing the route would reduce hazards to equestrian trail riding. Therefore impacts on public health and safety would not be considered significant.

2) *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 No

Comments: The proposed activity is located within Keysville Special Recreation Management Area (SRMA) but is consistent with the RMP goals, objectives, and management direction for this area and each of its relevant Recreation Management Zones. Although the SRMA and trails used for the proposed event will be temporarily crowded on the days of the event, there will be no *significant long term* impacts to recreation opportunity within the SRMA from the proposed activity with additional required stipulations. Branches will be inspected for nesting birds prior to trimming. Any branches supporting active nests will be left in place or trimmed in a manner that does not disturb the active nest. These measures will prevent impacts to nesting migratory birds. Although the proposed activity is located within the Keysville Historical Mining District, the proposed activity has been designed to avoid impacts to cultural resources and some activities are exempt (A26) from further review under the terms of the BLM California Protocol Agreement (2014). None of the other listed natural resources or unique geographic characteristics apply.

3) *Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].*

Yes No

Comments: The environmental effects of the use of the existing trails and camping/staging areas for the purpose of the proposed activity are not highly controversial and conform to typical traditional recreational use within the management area. There are no known unresolved conflicts concerning alternative uses of available resources regarding the proposed equestrian trials event.

4) *Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.*

Yes No

Comments: Equestrian trials events have occurred for the past several years in the Keysville SRMA. The effects of equestrian trials events are well known and documented by the BLM. SRP stipulations are incorporated into the permit to protect the environment and minimize risk. BLM attends the event and ensures the promoter complies with the stipulations. The proposed action does not involve unique or unknown environmental risks.

5) *Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.*

Yes No

Comments: Approving a Special Recreation Permit for an organized group activity does not establish a precedent for future actions with significant environmental effects. Each permit application is processed individually with the interdisciplinary team meeting to evaluate the new proposal to ensure it complies/conforms to existing regulations, laws, and plans. All future similar events would be subject to the same NEPA standards and independent decision/permit approval.

6) *Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.*

Yes No

Comments: This event occurs on pre-existing trails and staging areas that have been utilized by promoters for various events for numerous years. Stipulations associated by the proposed event have been designed to avoid, minimize, and/or eliminate any potential adverse effects associated with the activity. These requirements negate the possibility of cumulative effects of multiple use/events on the routes and staging area.

7) *Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.*

Yes No

Comments: The proposed route was inventoried for cultural resources (CRIR 6000-2016-16). Portions of the project were redesigned to avoid impacts to cultural resources and project setup will be monitored by the BLM Archaeologist to ensure avoidance of all resources. Section 106 review of the National Historic Preservation Act (NHPA) was completed on 3/22/16 and included a review of records, previous inventory reports, new cultural inventory, for the project area of potential effects. As a result, there will be no significant impacts to properties listed, or eligible for listing, on the National Register of Historic Places. This review completes requirements under the BLM California Protocol Agreement (2014). Any unexpected discovery is required to be immediately reported to the authorized officer as outlined in the project stipulations.

8) *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.*

Yes No

Comments: Listed or proposed species do not occur in the immediate project area. On September 17, 2014, the USFWS published a Federal Register Notice which concluded that the federally listed valley elderberry longhorn beetle does not occur in Kern County. Critical habitat does not occur in the general area. For these reasons, there will be no effect to listed species or critical habitat. Consequently, significant impact to listed or proposed species or designated critical habitat is not expected.

9) *Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.*

Yes No

Comments: There is no indication that this decision will result in action that will violate a Federal, State, local, or tribal law imposed for environmental protection.

10) *Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).*

Yes No

Comments: The event uses existing trails and staging area and the promoter removes and properly disposes of all trash, signs, markers and other event materials prior to vacating the area following the event. The permitting of this event would not result in adverse effects to the local community or businesses; therefore it would not pose a disproportionately high or an adverse effect to low income and minority populations.

11) *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).*

Yes No

Comments: The proposed project will not 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)..

12) *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).*

Yes No

Comments: Stipulations have been added to the permit to minimize the introduction of weed seed. The proposed action is not expected to alter the weed component of the local vegetation. No new weed introductions would be expected to occur as a result of the proposed action.

**Decision Record for a Categorically Excluded Action
DOI-BLM-CA-C060-2016-0033-CX**

Introduction and Background

Larry Cigainero of Backcountry Horsemen, Kern River Valley Unit has applied for a Special Recreation Permit to host competitive equestrian trials within the Keysville Special Recreation Management Area (SRMA) on April 2-3, 2016. The proponent expects not more than 50 participants and 50 spectators to be engaged in a horseback trail trials event using the route and 10 stations with trials type activities indicated on the attached map.

Decision and Rationale

It is my decision to approve the proponent's request for a Special Recreation Permit for a competitive equestrian event in the Keysville SRMA using the route indicated on the attached map and including 10 stations with trials type activities:

Day 1 (Saturday):

- ST1: Side pass bowline tie to portable corral in camping area
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- The 10 stations will be selected to make use of previously disturbed areas. BLM will approve placement of each of the 10 stations on the day of the event.
- Where the event includes travel off of designated trails, permittee will use brush and other natural debris to disguise the entrances of each undesigned trail used or created to discourage future motorized use.

Implementation of these stipulations will minimize and/or eliminate any potential adverse impacts to natural, cultural, and recreation resources in the area of the event associated with the proposed activity. The proposed activity implements RMP decisions to provide multiple use recreation access in Keyesville, support competitive and commercial activities within the SRMA, and provide public unique opportunities to learn about cultural resources in the area. In accordance with 43 CFR 2931.8, this decision is in full force and effective immediately.

Compliance with Laws, Regulations, Policies and Land Use Plans

This action conforms to the Bakersfield Resource Management Plan (RMP), 2014 because it is clearly consistent with the RMP decisions as they relate to providing well managed, user supported access and recreational opportunities within the Keyesville Special Recreation Management Area, as follows;

[RVS-G-1] Support growing demand for recreation access to public lands and maintain a diversity of recreation opportunities promoting a multiple use philosophy.

Keyesville SRMA Wide Administrative Actions:

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Gold Fever RMZ Targeted Activities: Cultural/historical discovery; trail use (motorized, mechanized and nonmechanized uses); and recreational gold prospecting.

Administrative Remedies

Administrative remedies may be available to those who believe they will be adversely affected by this decision. Appeals may be made to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of Interior, Board of Land Appeals (Board) in strict compliance with the regulations in 43 CFR Part 4. Notices of appeal must be filed in this office within 30 days after publication of this decision. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and the Board within 30 days after the notice of appeal is filed. The notice of appeal and any statement of reasons, written arguments, or briefs must also be served upon the Regional Solicitor, Pacific Southwest Region, U.S. Department of Interior, 2800 Cottage Way, E-1712, Sacramento, CA 95825.

_/s/Gabriel Garcia_____
Gabriel Garcia
Field Manager

__3/30/2016_____
Date

/s/Harrison Friedman_____
Recreation

 3/22/2016_____
date

 /s/Denis Kearns_____
Botany/Invasive Species

 3/22/2016__
date

 /s/Amy Girado Tamara Whitley__
Cultural Resources

 3/22/2016__
date

 /s/Carly Summers_____
Wildlife

 3/22/2016__
date

 /s/Susan Porter_____
Planning & Environmental Coordinator

 3/29/2016_
date