

Categorical Exclusion Documentation
DOI-BLM-CA-C060-2016-0035-CX

A. Background

BLM Office: Bakersfield Field Office

Lease/Serial/Case File # SRP-16-03

Project Title: Keyesville Classic Bike Race SRP 2016

Location: Keyesville Special Recreation Management Area (SRMA), Kern County, California

Description of Proposed Action, including any Stipulations

Keith Barden, of SamBarn promotions, has applied for a Special Recreation Permit (SRP) to host a competitive mountain bike event within the Keyesville Special Recreation Management Area. The event is proposed to occur on Saturday and Sunday March 19th and March 20th, 2016, with course setup occurring on Friday March 18th and teardown and clean up promptly after the event on Sunday and the following Monday. Event staging and camping would occur in the area known as the Meadow or Boy Scout Flat. Races (XC, downhill, and short track) would be identical to the routes used in 2015 indicated on the attached maps. The race would be conducted as described in the attached proposal and risk management plan. The proponent expects not more than 300 participants and 100 spectators. Proponent would operate a small food booth (the “Gear Grinder Grill”) in conjunction with the event.

In addition to the standard BLM stipulations for all special recreation permits, the Keyesville Classic permit would be subject to the following:

1. Permittee understands that this permit does not reserve exclusive use of the Keyesville SRMA and general visitation and camping may occur intermingled with event activities. This Special Recreation Permit is issued for competitive use of the Keyesville Classic, Downhill, and Short Track mountain bike race courses (including pre-riding), staging and group dispersed camping activities, and vending of merchandise and services.
2. The designated camping area for the event will be in the “Meadow” area and located within the bounds identified on the “Boy Scout Meadow” event map; no cross-country travel is permitted in this or other areas. Even in the designated camping area, no camping is allowed within 50 feet of historic waste rock piles, walls, or ditches.
3. Permittee is required to ensure all OHVs operated in association with the event (by Race Marshalls, EMTs etc.) are done so in accordance with area rules, including no cross country travel, use of helmets and State registration requirements.
4. 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 prohibition of the creation of dirt ramps or other modifications to the natural landscape and stipulation 5 and 6 below:
5. Permittee is responsible for ensuring event participants are aware of the need for a campfire permit and to supply their own firewood from local sources (see http://www.firewood.ca.gov/for_concerns). 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 at <http://www.preventwildfireca.org/Campfire-Permit/>.
6. Permittee is advised that numerous hazardous and historic mining locations exist within Keyesville SRMA. 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.

7. Permittee is required to flag as off limits the areas as identified on the “Keyesville Classic 2016 – Boy Scout Flat” map. These areas include several undesigned routes not to be used by race participants. Every effort to discourage use of these trails is required.
8. Permittee will complete a “Post Use Report” detailing the actual numbers of participants and submit it by email, mail, or fax to the Bakersfield Field Office Outdoor Recreation Planner no later than the 31 days after completion of the event.
9. Permittee is required to report all incidents/accidents to BLM as promptly as possible, or within 12 hours.
10. 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.
11. Permittee is responsible for removal and proper disposal of all trash, signs, markers and other event materials prior to vacating the area. Permittee must sweep entire course for remaining trash prior to departure; trash left behind may be grounds for citation or a ‘probationary’ permit evaluation. Permittee and event participants are strongly encouraged to clean up trash left by other less thoughtful visitors and leave the area better than they found it.

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 non-mechanized 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 Office

__03/07/2016_____

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: No significant impacts to public health or safety are anticipated. Impacts to public health and safety are limited to those usually involved in competitive mountain biking. The permittee will include measures to protect participant and non-participant safety at the event. Volunteers at the event will have Wilderness First Aid for Mountain Bikers training, professional medical staff will be available throughout the event, course marshals will patrol the course and man fixed stations at road crossings, trail junctions, and some technical trail sections. The course will be flagged/ snow fenced, particularly in areas with significant potential for interaction with vehicles or spectators. Racers will be encouraged to pre-ride the course to familiarize themselves with the route at slow pace.

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 and/or implements 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 would 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. Although a segment of the Lower Kern River determined eligible and suitable for inclusion in the National Wild and Scenic Rivers System as a Scenic and Recreational River occurs in the general area of the proposed event, the event does not occur within the river corridor and will have no impact on the outstandingly remarkable wildlife, historic, and recreational values of the segment. The proposed activity is located within the Keysville Historical Mining District; however, the proposed project has been designed to avoid impacts to cultural resources and follows all requirements in the BLM California Protocol Agreement (2014). Birds, including migratory birds, may be temporarily displaced by human activity. Temporarily displacing birds from perches or foraging areas is not expected to have a measurable negative impact. Displacing birds during egg incubation or when immature chicks are present in the nest could result in loss of individual birds, including migratory birds. Significant impacts to migratory birds will be avoided because the project will occur outside of the nesting season. None of the other listed natural resources or unique geographic characteristics are located in the area of the proposed activity.

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 roads, 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 activity.

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

Yes No

Comments: The Keyesville Classic race has been occurring for several years in the Keyesville SRMA. The effects of competitive mountain bike races and events are well known and documented by the BLM. Decisions in the Bakersfield RMP address potential impacts to resources. 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. If not, the situation is documented in the post-event evaluation. This proposed event is consistent with on-going use on existing trails, roads, and staging areas and poses no unique or unknown environmental effects.

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

Yes No

Comments: The proposed approval of this SRP does not establish a precedent for issuing SRPs for future events or represent a decision in principle about any future actions with potentially significant 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: The proposed activity does not have a direct relationship to any other actions. Stipulations associated with the proposed activity have been designed to avoid, minimize, and/or eliminate any potential adverse effects associated with the activity.

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: Section 106 review of the National Historic Preservation Act (NHPA) was completed on 3/2/16 and determined that the activity is exempt from further NHPA consultation. Review included a 7 day public review period, and an internal records search. Stipulations have been developed to avoid impacts to cultural resources. As a result, there will be no significant impacts on 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: The proposed event does not violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.

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 areas 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 event does not pose a disproportionately high or an adverse effect to low income and minority populations. The event generates income to local businesses from the participants and the spectators. Since no adverse effects occur from the permitting of this event, no minority or low income populations would be affected.

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: Weed species contained on the shoes or tires of participants are likely to be similar to those found on typical visitors to the site, and would generally be species already present and established in the general area, such as bromes, filaree, wild oats and wild carrot. For this reason the proposed action is not expected to contribute to the introduction, continued existence or spread of noxious weeds or non-native invasive species.

Decision Record for a Categorically Excluded Action DOI-BLM-CA-C060-2016-0035-CX

Introduction and Background

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Decision and Rationale

It is my decision to approve the proponent’s request for a Special Recreation Permit for a competitive mountain bike event in the Keysville Special Recreation Management Area as described in their Operations and Risk Management Plan and displayed on the attached maps. Issuance of the permit will meet the Bakersfield RMP’s stated goals of supporting commercial and competitive events within Keysville SRMA, help to maintain a diversity of recreation opportunities in Keysville, and continue to provide the public with an outstanding (and long standing) opportunity to recreate on public lands for the event.

In addition to the standard BLM stipulations for all special recreation permits, the Keysville Classic permit will be subject to the following:

1. Permittee understands that this permit does not reserve exclusive use of the Keysville SRMA and general visitation and camping may occur intermingled with event activities. This Special Recreation Permit is issued for competitive use of the Keyesville Classic, Downhill, and Short Track mountain bike race courses (including pre-riding), staging and group dispersed camping activities, and vending of merchandise and services.
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In accordance with 43 CFR 2931.8, this decision is in full force and effective immediately.

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.

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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, Bakersfield Field Office

____03/07/2016_____
Date

Reviewers:

_/s/Harrison Friedman____
Recreation

___2/22/2016_____
date

_/s/Denis Kearns_____
Botany/Invasive Species

___2/17/2016___
date

/s/Amy Girado Tamara Whitley___
Cultural Resources

___3/3/2016___
date

_/s/Carly Summers_____
Wildlife

___2/24/2016___
date

___/s/Susan Porter_____
Planning & Environmental Coordinator

___3/2/2016_
date