ASDO NEPA DOCUMENT ROUTING SHEET

NEPA Document Number: **DOI-BLM-AZ-A010-2016-0016-CX**

Project Title: **Zion Outback Safaris Inc. SRP**

Project Lead: **Jon Jasper**

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

Date that concurrent, electronic distribution for review was initiated: **March 24, 2016**

Deadline for receipt of responses: **Thursday, April 14, 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
Lorraine Christian, *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):

Luke Thompson (E-mail address: lthompson@azgfd.gov)
Daniel Bulletts (E-mail address: dbulletts@kaibabpaiute-nsn.gov)
Dawn Hubbs (E-mail address: dawn.hubbs101@gmail.com)

(Mr. Thompson is an Arizona Game and Fish Department (AGFD) Field Supervisor. Mr. Bulletts is acting Environmental Program Director for the Kaibab Paiute Tribe (KPT). Ms. Hubbs is 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-A010-2016-0016-CX
Case File No.:

Proposed Action Title/Type: Zion Outback Safaris Inc. Special Recreation Permit

Applicant: Larry Pugh

Location of Proposed Action: The applicant is requesting to lead guided tours to Toroweap Overlook using Clayhole Road (County Road 5), Toroweap Road (County Road 109), and Mainstreet Road (BLM 1169 and County Road 5)(see map). The applicant is also requesting a side trip to Paiute Cave. This CX does not cover lands administrated by Grand Canyon National Park (routes in purple indicates National Park Service administration on map) or Grand Canyon-Parashant National Monument.

Description of Proposed Action: The applicant is requesting to lead guided vehicle tours to Toroweap Point with a side trip to Paiute Cave. The applicant would have maximium of 7 clients in one vehicle. Tours would be conducted as demand allows. The applicant currently has an approved Commercial Use Authorization (CUA) permit through Grand Canyon National Park and is pursuing permission with the Grand Canyon-Parashant National Monument.

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:

LA-CL-01: The following sites will continue to be managed for public use:

- Little Black Mountain
- Paiute Cave
- Honeymoon Trail
- Temple Trail
- Dominguez/Escalante Trail

MA-GL-03: Significant cave and karst resources will be protected.

MA-GL-06: Cave and karst resources will be evaluated to determine proper and needed protective measures to ensure their continued viability. Protective measures may include restricting surface disturbing activities, limiting fire suppression, controlling visitor use, and restricting management actions.

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.

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	March 24, 2016
Gloria Benson, Tribal Liaison	April 13, 2016
Kevin Schoppmann, *Acting* Range/Vegetation/Weeds/S&G	April 5, 2016
Diana Hawks, Recreation/Wilderness/VRM	March 24, 2016
John Herron, Cultural Resources	March 28, 2016
Jace Lambeth, Special Status Plants	March 28, 2016
John Sims, Supervisory Law Enforcement	April 14, 2016
Richard Spotts, Environmental Coordinator	March 29, 2016
Jeff Young, Wildlife/T&E Animals	April 5, 2016

Lorraine Christian, *Acting* Lands and Realty	March 24, 2016
Lorraine Christian, Project Oversight	March 24, 2016

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

Yes	No	
☐	☒	**Rationale:** Proposed action would not affect public health and safety. The tours are in low-use areas where it would not put any other users at risk, and would occur on existing and/or designated routes that are used by the general public. Preparer's Initials JS

(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	No	
☐	☒	**Rationale:** There would be no significant impacts on recreation, wilderness, lands managed to maintain wilderness characteristics or wild and scenic rivers. The project area is not within a designated wilderness area, an area managed to maintain wilderness characteristics, a national monument, or near a wild and scenic river. This authorization does not include lands administered by the NPS in Grand Canyon National Park or by the BLM or NPS in Grand Canyon-Parashant National Monument. 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. Additional stipulations added to protect cultural resources in Paiute Cave. Preparer's Initials DCH, JH, JY

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

Yes	No	
☐	☒	**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 RS

(d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

Yes	No	
☐	☒	**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 RS

(e) Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.

Yes	No	
		Rationale: The proposed action does not have any precedent for future actions – all future

☐	☒	actions would be assessed and analyzed individually. Preparer's Initials RS
(f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		
Yes ☐	**No** ☒	**Rationale:** The proposed action would occur on designated or existing routes only. It is not anticipated that the proposed action would create cumulatively significant environmental effects. Preparer's Initials RS
(g) Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.		
Yes ☐	**No** ☒	**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. Added stipulations on how to educate visitors about the appropriate ways to enjoy archaeological site and prehistoric rock art. Preparer's Initials JH
(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.		
Yes ☐	**No** ☒	**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 is the California condor. However, the proposed action would not affect the California condor due to mitigating measures to minimize impacts that are included in the stipulations for the proposed action (see Attachment 1 to this CX). Preparer's Initials JY, JL
(i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		
Yes ☐	**No** ☒	**Rationale:** The proposed action would not violate any federal, state, local, or tribal laws. Preparer's Initials JS
(j) Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		
Yes ☐	**No** ☒	**Rationale:** The proposed action would not affect any low income or minority populations. The proposed action is not located in the vicinity of any of these populations. Preparer's Initials JJ

(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).		
Yes ☐	**No** ☒	**Rationale:** Due to small size of these tours over a large area, the proposed action would not limit access to sacred sites, or any other public lands. Preparer's Initials GB
(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).		
Yes ☐	**No** ☒	**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 stipulation regarding noxious weeds (to minimize the spread of these species) would be included in this SRP. Preparer's Initials KS

PART V. – COMPLIANCE REVIEW CONCLUSION

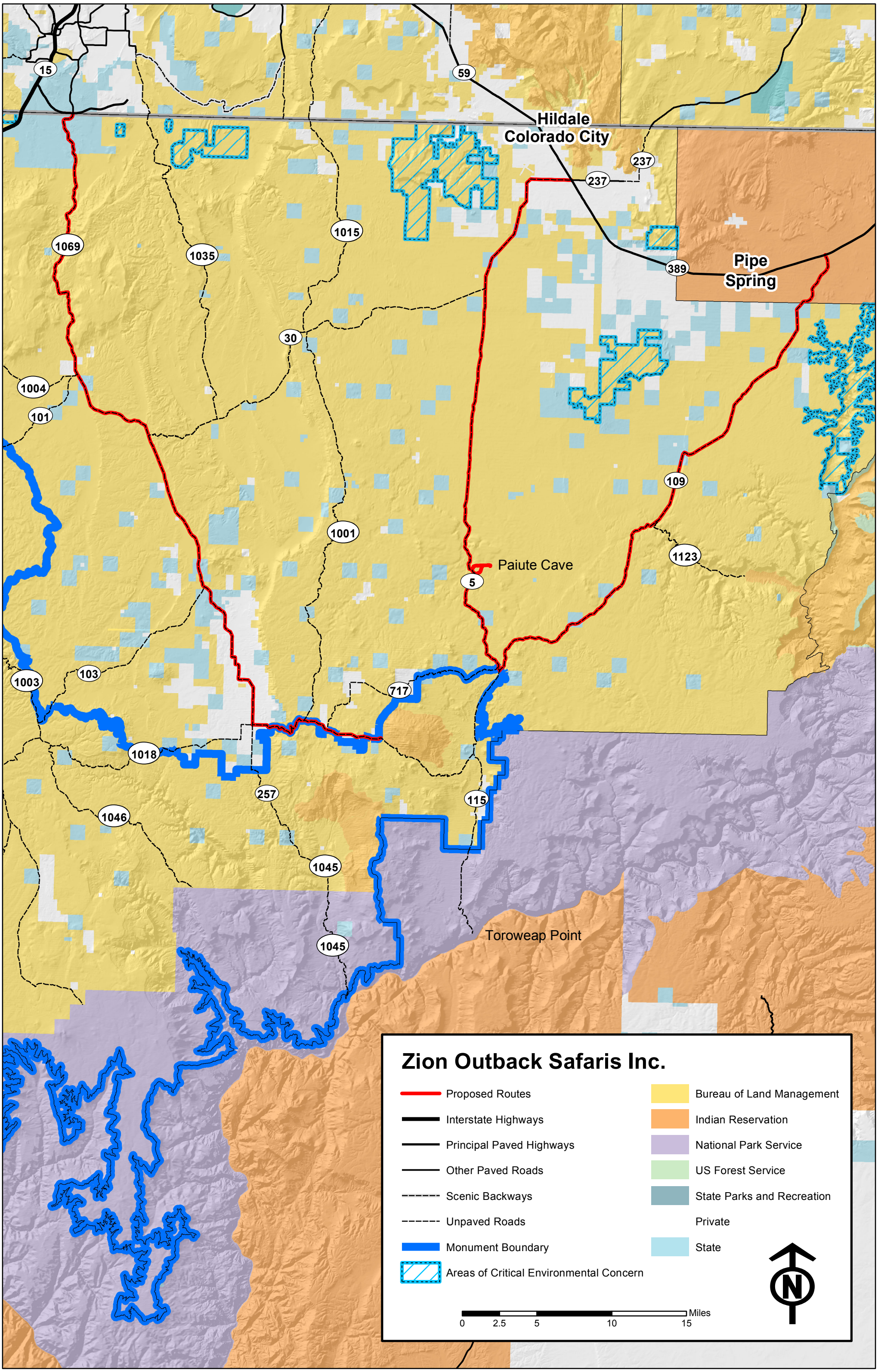
I have reviewed this plan conformance and NEPA compliance record, and have determined that the proposed project is in conformance with the approved land use plan and that no further environmental analysis is required.

MITIGATION MEASURES/OTHER REMARKS: The proposed action is subject to the stipulations listed in Attachment 1 of this CX.

APPROVING OFFICIAL: Lorraine M. Christian DATE: 4/25/2016

TITLE: Field Manager, Arizona Strip Field Office

Note: The signed conclusion on this compliance record is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. A separate decision to implement the action should be prepared in accordance with program specific guidance.


Zion Outback Safaris Inc.
Proposed Routes
Interstate Highways
Principal Paved Highways
Other Paved Roads
Scenic Backways
Unpaved Roads
Monument Boundary
Areas of Critical Environmental Concern
Bureau of Land Management
Indian Reservation
National Park Service
US Forest Service
State Parks and Recreation
Private
State
Miles
0
2.5
5
10
15
N
Hildale
Colorado City
Pipe Spring
Paiute Cave
Toroweap Point
15
59
237
389
1069
1035
1015
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1004
101
109
1001
1123
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103
1003
717
1018
257
115
1046
1045

Attachment 1

Zion Outback Safaris Inc
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 officers' 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.
28. Educate the public about the appropriate ways to enjoy archaeological sites and prehistoric rock art:
    - Don't touch the rock art, oils from fingers can cause damage.
    - No chalking or outlining the rock art as this will also cause damage.
    - Leave artifacts where you find them so that others may enjoy them and their locational information is not lost.
    - Remember these are sacred sites, please treat them as such.
29. Provide each visitor a copy of the attached archeology brochure.

TRAVEL MANAGEMENT

30. Permittee shall limit vehicle traffic to the designated routes contained within the Special Recreation Permit (SRP). No motorized cross-country travel is permitted.
31. All motor vehicle use will comply with applicable off-highway vehicle regulations.
32. 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.
33. 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

34. 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.
35. 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

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

California condor

37. 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.
38. 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.

Please Respect Ancestral Puebloan Homes...
Leave no trace of your visit.

The remnants of Ancestral Puebloan and Southern Paiute and Navajo homes are scattered across the Arizona Strip. This legacy provides a link to the past. Impacts from human visits pose the biggest threat to the cultural and natural resources of this area. *To preserve this historic legacy for future generations, please.....*

- Stay on existing roads and trails. Scars on the desert landscape heal slowly and increase soil erosion.
- Walk carefully in archaeological sites to avoid stepping on walls and trash mounds. Do not stand or sit on walls or move rocks. All cause damage to archeological structures.
- Never touch painted walls, or rock art (petroglyphs and pictographs). Skin oils damage them.
- Avoid picnicking in archaeological sites. Crumbs attract rodents that tunnel and nest in the site. Make sure that you pick up and carry out all your trash.
- Do not camp or have fires in archaeological sites. It's easy to accidentally destroy walls and artifacts in the dark. Campfire smoke stains walls and cliffs, and charcoal leaves a mess. Heat and smoke from fires can irretrievably damage rock art. Leaving human waste in archaeological sites is unsightly and unsanitary. Never burn wood from archaeological sites.
- Never dig in archeological sites. If you pick up a piece of pottery or arrowhead, put it back where you found it. Leave all artifacts exactly where found for others to enjoy. Artifacts in their original context tell stories about the past. Out of context, artifacts mean little to us.
- These sites are spiritually significant for Native Americans. Treat them with respect. Do not leave "offerings" as they only confuse the site's original story.

The Archaeological Resources Protection Act of 1979 and the Antiquities Act of 1906 prohibit anyone from removing or disturbing archaeological sites or artifact on Federal public lands without written permission from the Department of the Interior. Do your part to preserve this rich heritage.

DECISION MEMORANDUM
Zion Outback Safaris Inc. SRP
DOI-BLM-AZ-A010-2016-0016-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-A010-2016-0016-CX) and Arizona Strip Field Office staff recommendations, I have determined that the proposed action is in conformance with the Arizona Strip Field Office Resource Management Plan (RMP), 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:

<u>Standards for Obtaining a Stay</u>

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 4/25/2016

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

Form 1842-1
(September 2005)

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.....

Arizona Strip Field Office
Bureau of Land Management
345 E. Riverside Drive
St George, UT 84790

And

U.S. Dept. of the Interior
Office of Hearings & Appeals
Interior Board of Land Appeals
801 N. Quincy St., MS 300-QC
Arlington, VA 22203

WITH COPY TO SOLICITOR.....

Office of the Field Solicitor
Sandra Day O'Connor
US Courthouse, Suite 404
401 West Washington Street, SPC-44
Phoenix, Arizona 85003-2151

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 .....

Office of the Field Solicitor
Sandra Day O'Connor
US Courthouse, Suite 404
401 W Washington Street, SPC-44
Phoenix, Arizona 85003-2151

And

Field Manager, Arizona Strip Field Office
Bureau of Land Management
345 E. Riverside Drive
St George, UT 84790

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 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.

(Continued on page 2)

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.