CATEGORICAL EXCLUSION

Project Name/ Applicant: City of Victor
Project/Case File Number: ID-I010-RE-16-06
Project Lead: Monica Zimmerman
CX Number: DOI-BLM-ID-I010-2016-0013-CX
Date of Preparation: February 25, 2016

PROPOSED ACTION:

Issue a special recreation permit (SRP) for a competitive 5K race along the Mud Lake road to the east of Victor, Idaho.

Standard Bureau of Land Management (BLM) terms and conditions will be included in the SRP stipulations. No additional rights would be granted beyond those of the SRP stipulations.

CONSULTATION AND COORDINATION:

This project was brought before an Interdisciplinary Team consisting of BLM specialists. A description of the proposed action was posted to the online NEPA register. This is available to members of the public through the Upper Snake Field Office webpage. No comments were received and no issues/conflicts were identified for this project.

FINDING AND RECOMMENDATION:

The proposed action is categorically excluded as outlined in 516 DM 11.9 H (1) for 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). Standard stipulations specific to the proposed activity would be incorporated.

I recommend that the SRP ID-I010-RE-16-06 for the July 4, 2016 and July 4, 2017 Mud Lake Challenge. The SRP would be granted under current Bureau regulations found at 43 CFR 2930.

DECISION AND RATIONALE FOR THE DECISION:

It is my decision to issue an SRP to the City of Victor. The SRPs would be issued for the identified dates, subject to the attached stipulations (see Exhibit A and B). Fees will be collected in accordance of 43 CFR 2930.

LAND USE PLAN CONFORMANCE:

The Proposed Action is within the boundaries of the Upper Snake Field Office. The BLM's Medicine Lodge Resource Management Plan (BLM 1985) provides general guidelines "to manage for dispersed recreation opportunities in the area" (p. 1).

APPEALS INFORMATION:

43 CFR 4.21 (58 FR 4939, January 19, 1993) or 43 CFR 2801.10

/s/Monica Zimmerman
Monica Zimmerman
Outdoor Recreation Planner
Date:

/s/Marissa Guenther
Marissa Guenther
NEPA Reviewer
Date:

/s/Jeremy Casterson
Jeremy Casterson
Upper Snake Field Manager
Date:

Extraordinary Circumstances Requiring Preparation of an EA or EIS

(43 Code of Federal Regulations (CFR) 46.215)

The action described in categorical exclusion # DOI-BLM-ID-I010-2016-0013-CX (ID-I010-RE-16-06) has been reviewed to determine that none of the extraordinary circumstances listed below pertain to the proposed action.

DM #	Extraordinary Circumstance
1	Have significant impacts on public health or safety. *The proposed action will have no significant impacts on health or safety of the public.*
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. -*No wilderness, wilderness study areas and wild and scenic rivers are present near the Mud Lake Challenge. The SRP would not impede opportunities for recreation.* -*The Mud Lake Challenge occurs along a gravel road, as long as stipulations, including stipulations found in the Animal Clearance Form are being met it is not expected that it will have any significant impacts to migratory birds.* -*A Class III inventory was conducted of the project area and no cultural resources were identified.*
3	Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)]. *Action will not have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available* resources.
4	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. *No known highly uncertain and potentially significant environmental effects or unique or unknown environmental risks are anticipated as a result of issuing a SRP.*
5	Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. *The proposed action would not establish a precedent for future actions.*
6	Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. *The proposed action would not have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. No cumulatively significant effects are anticipated.*
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. *As there are no known historic properties listed or eligible for listing on the NRHP located near the competitive event, the proposed action would have no significant impacts.*

DM #	Extraordinary Circumstance
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 for these species. *No significant impacts to these species would be expected from these projects.*
9	Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment. *The proposed action does not violate any federal law or a State, local, or tribal law or requirement imposed for the protection of the environment. No cumulatively significant effects anticipated.*
10	Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898). *The proposed action would have no adverse effects on low income or 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). *There are no known sacred sites in the project area. The project will not limit access, and would have no known effects on traditional resource use of the area.*
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). *The proposed action is not anticipated to contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species.*

Exhibit A- Stipulations

Special Recreation Use Permit ID-I010-RE-15-02
City of Victor-Mud Lake Challenge

1. This Special Recreation Permit only authorizes the use, for the time and in the area, as specifically described therein. Should circumstances warrant, the permit may be modified by the BLM at any time. The authorized officer may suspend a permit if necessary to protect public resources, health, safety, the environment, or due to noncompliance with permit stipulations.

2. Unless expressly stated, the Special Recreation Permit does not create an exclusive right of use of an area by the permittee. The permittee, or employees of the permittee, will not interfere with other uses of the Federal land by other users.

3. The permittee may not assign or sublease any portion of the permit authorization or interest therein, directly or indirectly, voluntarily or involuntarily.

4. 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 the expiration of the permit.

5. The permittee, and a permittee's employees or agents, will comply with all Federal, State, and local laws, ordinances, regulations, orders, postings, or written requirements applicable to public lands.

6. Violation of other Federal, State, or local regulations by a permittee or a permittee's employees or agents on any federally administered lands or related waters can result in administrative penalties issued against the permittee(s) by the authorized officer.

7. Administrative Penalties issued against the permittee by the authorized officer for failure to comply with one or more conditions or stipulations of this permit include but are not limited to the following:

   PROBATION: Probation is defined as putting a permittee under special scrutiny for a specified period (one season of use) for failure to comply with one or more permit conditions or stipulations.

   SUSPENSION Suspension is a temporary removal of all permit privileges. While operating in a probationary status failure to comply with one or more operating conditions or stipulations could result in permit suspension.

   TERMINATION Termination is a permanent removal of permit privileges. Based on a review of the violation(s) a permit in suspension status may be terminated.

8. The permittee will receive a performance evaluation. Evaluation will be based on adherence to permit conditions and stipulations. Three performance levels will be recognized

Acceptable, Probationary, and Unacceptable

Failure to adhere to one or more permit conditions or stipulations will result in the permittee receiving a probationary performance level.

9. Permittee will notify BLM of any accidents occurring on public lands which result in loss of life, loss of consciousness, disabling of individuals in excess of 24 hours, having to secure medical treatment, or property damage in excess of $100.00, and will submit a detailed written report to BLM within 10 days from the date of the accident.

10. STAY ON DESIGNATED TRAILS. Participants must stay on designated/signed trails. Do not cut switch backs or venture off trail.

11. Help us clean up public lands by REMOVING ALL TRASH. Picking up trash left by less thoughtful people helps maintain the scenic beauty of your public lands. If any directional signs are erected as part of this activity, they will be removed at the completion of the activity.

12. There are certain natural phenomenon that could be encountered that present risks which the participants assume. All participants must be advised of conditions which might be encountered.

13. Nothing in this SRP shall be construed to imply permission to build any structure or conduct any activity not specifically named.

14. Disorderly or otherwise objectionable conduct such as harassment of wildlife, livestock, or other lawful users of public land will not be tolerated and could be the basis for denial of similar agreements in the future.

15. Precautions must be made to protect natural resource values, cultural or historic objects, aesthetic values, and any improvement on public lands.

16. If there is any question concerning regulations on public lands, please contact our office immediately.