

**United States Department of the Interior
Bureau of Land Management**

**Finding of No Significant Impact
Environmental Assessment**

DOI-BLM-UT-Y020-2016-0031-EA

April 2017

**The Recapture Canyon ATV Trails System,
San Juan County, Utah**

***Location:* San Juan County, Utah**

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The Recapture Canyon ATV Trails System,

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INTRODUCTION:

The Bureau of Land Management (BLM) has prepared an Environmental Assessment (EA) to analyze and disclose the environmental consequences of a proposed ATV trail system in and surrounding Recapture Canyon east of Blanding, Utah. The proposed trail system is the subject of a right-of-way (ROW) application submitted by San Juan County under Title V of the Federal Land Policy and Management Act (FLPMA).

The EA assisted the BLM in project planning and ensuring compliance with the National Environmental Policy Act of 1969 (NEPA), and in making a determination as to whether any “significant” impacts could result from the analyzed actions. “Significance” is defined by NEPA and is found in the federal regulations at 40 Code of Federal Regulations (CFR) 1508.27. An EA provides evidence for determining whether to prepare an Environmental Impact Statement (EIS) or a statement of “Finding of No Significant Impact” (FONSI). If the decision maker determines, based on the analysis in the EA, that this project would result in “significant” impacts, the BLM would not approve the proposal or an EIS would be prepared for the project. If the project would not result in “significant impacts,” a Decision Record (DR) may be signed for the EA approving the selected alternative, whether the proposed action or another alternative. A DR, including a FONSI statement, documents the reasons why implementation of the selected alternative would not result in “significant” environmental impacts (effects) beyond those already addressed in the Monticello Field Office Resource Management Plan Environmental Impact Statement dated November 17, 2008 (RMP EIS).

This document is the FONSI for the BLM’s decision approving a trail system as set forth in the accompanying DR. The approved trail system will include a mixed trail system that will provide a wide range of recreational opportunities including trails for ATV and full size vehicles, horseback riding, hiking, mountain biking, and viewing and visiting cultural sites. Cultural sites will receive restoration measures, abandoned vehicular trails will be closed and stabilized, and the 2007 closure to motorized vehicles will be lifted. The trail system would exist primarily on public lands administered by the BLM’s Monticello Field Office (MFO).

Under the MFO Resource Management Plan (RMP), the approved trail system and trailheads are in an area designated in the plan as “limited to designated routes.” The BLM will modify the MFO Travel Management Plan (TMP) by designating the approved trails as “open” to use by the specifically approved vehicles.

FINDING OF NO SIGNIFICANT IMPACT:

Based upon a review of the EA and the supporting documents, I have determined that the project is not a major federal action and will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as defined in 40 CFR 1508.27 and do not exceed those effects described in the RMP EIS. Therefore, an environmental impact statement is not needed.

This finding is based on the context and intensity of the project impacts as described:

Context: The project is a site-specific action directly involving BLM administered land that by itself is important locally, but does not have international, national, regional, or state-wide importance.

Intensity: The following discussion is organized around the Ten Significance Criteria described in 40 CFR 1508.27 and incorporated into resources and issues considered (includes supplemental authorities Appendix 1 H-1790-1) and supplemental Instruction Memorandum, Acts, regulations and Executive Orders.

The following have been considered in evaluating intensity for this proposal:

- 1. Impacts may be both beneficial and adverse.** The project will provide motorized and non-motorized recreational opportunities but will also impact resources as described in the EA. Design features will reduce impacts to resources and mitigation measures will further reduce or eliminate potential impacts. None of the environmental effects discussed in detail in the EA including those assessed in the attached checklist and associated appendices are considered significant, nor do the effects exceed those described in the RMP EIS.
- 2. The degree to which the selected alternative will affect public health or safety.** There are no expected negative impacts to public health or safety from any of the alternatives in the EA. The selected action will improve safety by rerouting motorized users away from a route used by gravel trucks.
- 3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farm lands, wetlands, wilderness, wild and scenic rivers, or ecologically critical areas.**

The project does not affect the following components of the human environment or implicate the following resource issues because they are not present in the Project Area: prime farm lands, wetlands, wilderness, wild and scenic rivers, or ecologically critical areas. The historic and cultural resources of the area have been inventoried and potential impacts are mitigated in the design of the trail system and through actions spelled out in the Historical Properties Treatment Plan. Potential impacts on wildlife riparian habitat on the west rim will be fully mitigated by riparian improvement and other habitat by use of design features and conservation measures as agreed upon by the BLM and the USFWS.

4. **The degree to which the effects on the quality of the human environment are likely to be highly controversial.** There is no scientific controversy over the nature of the impacts.
5. **The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.** The project is not unique or unusual. The environmental effects to the human environment analyzed in this EA are based on knowledge that has been acquired through management of trail development in other geographical areas. There are no predicted effects on the human environment that are considered to be highly uncertain or involve unique or unknown risks. The trail use would be monitored and different land management practices in the area taken into consideration. If impacts become extensive or unacceptable, further actions may be taken in the future.
6. **The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.** The BLM receives proposals for recreational trails (both motorized and non-motorized) on a regular basis. The BLM evaluates those proposals on a case-by-case basis considering the purpose and need as well as resource impacts. The approved actions were considered by the interdisciplinary team within the context of past, present, and reasonably foreseeable future actions. Significant cumulative effects are not predicted. A complete analysis of the direct, indirect, and cumulative effects of the selected alternative and all other alternatives is described in Chapter 4 of the EA, the analysis in the attached checklist, and the RMP EIS, to which the EA tiers.
7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts – which include connected actions regardless of land ownership.** The interdisciplinary team evaluated the possible actions in context of past, present and reasonably foreseeable actions. Significant cumulative effects are not predicted. A complete disclosure of the effects of the project is contained in Chapter 4 of the EA.
8. **The degree to which the action may adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.** A cultural inventory has been completed for the proposed action, and consultation with State of Utah Historic Preservation Office (SHPO) has been completed in accordance with Section 106 of the National Historic Preservation Act (NHPA). All proposed trail segments have been covered by Class III intensive cultural resource inventories. As a result of those inventories and the Consulting Parties process, the BLM has determined that the proposed Recapture Canyon ATV Trails System will have an adverse effect to historic properties pursuant to 36 CFR 800. In conjunction with Consulting Parties, a Visitor Effects Study (VES) and a Historic Properties Treatment Plan (HPTP) were developed to minimize these effects. The BLM received final concurrence from SHPO on the effects determination and the HPTP on January 13, 2017. Through the VES and HPTP and other actions, the BLM has fully complied with the NHPA and taken all appropriate steps to ensure no loss or destruction of significant scientific, cultural, or historical resources.

9. **The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973, or the degree to which the action may adversely affect: 1) a proposed to be listed endangered or threatened species or its habitat, or 2) a species on BLM’s sensitive species list.** Section 7(a) of the Endangered Species Act requires Federal agencies to evaluate their actions with respect to any species that is listed as endangered or threatened and its designated critical habitat (if applicable). The MFO prepared a biological assessment (BA) to evaluate the potential impacts on threatened or endangered wildlife species and consulted with the U.S. Fish and Wildlife Service (FWS), which accepted the BA on January 3, 2017. Based on the BA, in regard to Southwestern willow flycatcher, Yellow-billed cuckoo, Mexican spotted owl, and California condor, it was determined that the proposed action “may affect, but would not likely adversely affect” these species. The FWS concurred with this finding on January 16, 2017. Mitigating measures to reduce impacts to BLM special status species have been incorporated into the design of the action. Although the species listed above and other species, specifically raptor species, may occupy habitat within the Project Area, it has been determined that they will not be affected because of spatial and timing restriction and buffers.
10. **Whether the action threatens a violation of a federal, state, local, or tribal law, regulation or policy imposed for the protection of the environment, where non-federal requirements are consistent with federal requirements.** The project does not violate any known federal, state, local or tribal law or requirement imposed for the protection of the environment. State, local, and tribal interests were given the opportunity to participate in the environmental analysis process. Furthermore, consultation letters were sent to 16 Native American tribes concerning consulting party status. Ten tribal groups chose to participate as consulting parties. No Native American religious sites have been identified by the tribal groups. The Hopi Tribe objected to operation of vehicles in Recapture Canyon. In addition, the project is consistent with applicable land management plans, policies, and programs.

/s/ Donald K. Hoffheins
Donald K. Hoffheins
Field Manager

4/10/2017
Date