UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
BILLINGS FIELD OFFICE

CX REVIEW

Document Name: Elk Basin Motorcycle Race Special Recreation Permit Renewal	**NEPA #:** DOI-BLM-MT-A010-2016-0023-CX
Location: T. 9 S., R. 23 E., Sections 7,8,10,15,16,17,18,19,20,21,22. Carbon County	**Date first posted on ePlanning website:** 5/5/2016
Internal Scoping Date: 5/2/2016	**Date draft/final doc posted:**

PROJECT LEAD	DATE/INITIALS
Jenny Alexander	JA 6/17/16

PREPARERS	ASSIGNMENT	DATE/INITIALS
Nancy Bjelland	Lands & Realty	N Bjelland 5/10/2016
Dustin Crowe	Range, Vegetation, Soils	D.Crowe 5/10/2016
Craig Drake	Resource Programs	CRD 6/20/16
Ernie McKenzie	Wildlife, Fisheries, T&E, BLM & State Sensitive Species	EMcK 5/11/16
Larry Padden	Noxious & Invasive Plants	L. Padden 05/10/2016
Carolyn Sherve-Bybee	Cultural, Paleontological, ACECs, NEPA	CSB 6/17/2016

↓ To be filled out during scoping meeting and for Admin Record ↓

Baseline Data Needs & Internal Coordination		
		Date completed
Migratory birds/Raptors	Y/N	
Noxious/Invasive Weeds	Y/N	
T&E/Special Status Species Plants and/or Animals	Y/N	
Cultural/Paleontological	Y/N	
Riparian	Y/N	
BLM Initiated projects: coordination and/or on-site visit with MCFO engineers *(if project is ground disturbing)*	Y/N	
Project entered into RIPS	Y/N	
Project entered into FAMS	Y/N	
ID team field visit	Y/N	

External Consultations/Notifications		
		Date completed
External Scoping	Y/N	
Native American Coordination / Consultation (30 to 60 days +/-)	Y/N	
SHPO Consultation (SHPO response w/in 30 days after receipt of cultural report)	Y/N	
Notification to Wilderness Groups (30 day comment period) (if located within 1 mile of WSA/WA/LWC)	Y/N	
FWP Coordination (sage-grouse, etc.)	Y/N	
Other political entities or federal/state/local agencies	Y/N	
USFWS Consultation (90+ days)	Y/N	
NPNHT and/or LCNHT Notification (if within 1 mile of NPNHT or ½ mile of LCNHT)	Y/N	
Document out for Public Comment (usually 30 days)	Y/N	

Carolyn Sherve-Bybee

Environmental Coordinator

6/21/2016

Date

By signing above, the Environmental Coordinator has ensured that all documents, e-mails, and letters associated with the Administrative Record have been saved into the Admin Record file in this document's NEPA folder and/or are attached to this document.

UNITED STATES DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT
Billings Field Office
5001 Southgate Drive
Billings, MT 59101

CATEGORICAL EXCLUSION REVIEW AND APPROVAL

BACKGROUND

BLM Office: Billings Field Office

NEPA Number: DOI-BLM-MT-A010-2016-0023-CX

Project Name: Elk Basin Competitive Motorcycle Race Special Recreation Permit Renewal

Case File/Allotment/Serial Number: MT 0010-SRP-0816

Scoping Date: May 2, 2016

Project Location (including county): T 009 S, R 23 E, Sections 7,8,10,15,16,17,18,19,20,21,22. Carbon County

DESCRIPTION OF THE PROPOSED ACTION

The Billings Motorcycle Club has applied for a renewal of the Special Recreation Permit for the competitive Elk Basin Motorcycle Race. The race has occurred yearly since 1976 on BLM managed public land in Elk Basin (Carbon County). The race takes place on existing roads and trails within Elk Basin and all pits/race support locations, spectator viewing areas, and checkpoints, etc., would be located on previously disturbed areas. The number of participants is expected at around 125. The race would be held in accordance with the following stipulations that have been developed over the 40 year history of the event:

- The Billings Motorcycle Club would ensure all trash is removed from all campsites, pits/race support locations, spectator viewing areas, etc., within a week of the race. All trash would be hauled to a legal dump site.
- The race route would be videoed before and after for evaluation and monitoring purposes.
- The race would be held June 25 and 26 to avoid sage-grouse nesting season and prior to fuel loads curing.
- The organizer would require all participants to properly clean equipment prior to entering the area to reduce the risk of spreading noxious weeds.
- Campfires would be contained in metal ring, pit, or similar container.
- The permittee would be responsible to ensure that historical, archaeological, cultural, or ecological values are not damaged, destroyed, or removed by any participants. Unless specifically authorized, collection of plants, rocks, fossils, artifacts, shed antlers, animals or parts of animals is prohibited.

- Comply with all fire restrictions and orders.
- Only routes specifically approved in the permittee's operating plan may be utilized. The authorization would only cover lands administered by the BLM. Authorization regarding the route on state lands must be approved thru the State of Montana.
- The race organizer would provide portable sanitations, course monitors at road crossings, emergency medical services, and fire protection
- The event organizer would be required to repair the large mud depression heading into the staging area located right after leaving the county road with gravel to prevent contestants from driving around the obstacle and causing the road to widen.

LAND USE PLAN CONFORMANCE:
Land Use Plan Name: 2015 Approved Billings Resource Management Plan and Rocky Mountain Record of Decision
Date Approved/Amended: September 2015

The renewal of the permit will meet the requirements of obtaining/renewing a Special Recreation Permit.

> *MD REC-27: The BLM will issue special recreation use permits as appropriate for commercial, competitive, and special events subject to guidelines in BLM Handbook 2930, resource capabilities, social conflict concerns, professional qualifications, public safety, and public needs. SRPs will only be allowed in priority habitat if they are consistent with the goals and objectives for that habitat or species.*

The proposed action has been reviewed for conformance with the RMP (43 CFR 1610.5, BLM MS 1617.3) and it is in conformance with the Approved RMP/EIS of September 2015.

COMPLIANCE WITH NEPA
The proposed action described above generally does not require the preparation of an environmental assessment (EA) or environmental impact statement (EIS), as it has been found to not individually or cumulatively have significant effect on the human environment. The applicable Categorical Exclusion reference is in accordance with 516 DM 11.9 E(19) which states:

> *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 in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and, as documented below, none of the extraordinary circumstances described in 43 CFR 46.215 apply.

Extraordinary Circumstances		
The project would:		
1. Have significant impacts on public health or safety.		
Yes	**No** **x**	**Rationale: Significant impacts to public health and safety would not occur given the requirements that the race organizer will provide portable sanitation, course monitors at road crossings, emergency medical services and fire protection. Fire conditions would be evaluated before the race date.**
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 (EO 11990); floodplains (E O 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		
Yes	**No** **x**	**Rationale: Significant impacts to the referenced resources would not occur given the permittee would be responsible to ensure that historical, archaeological, cultural, or ecological values are not damaged, destroyed, or removed by any participant. The race route would take place on existing designated roads and trails. Staging and camping would be in previously disturbed areas. Campfires must be contained in metal ring, pit, or similar container. The race route would be videoed before and after for evaluation and monitoring.**
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].		
Yes	**No** **x**	**Rationale: There would be no highly controversial environmental effects or unresolved conflicts concerning alternative uses of available resources as the race is on existing routes and has occurred for the past 40 years without controversy. The same rationale stated in Criteria 2 applies here as well.**
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		

Yes	**No** **x**	**Rationale: Significant environmental effects or unknown environmental risks with the renewal of this SRP would not occur given the race is limited to existing routes, the race would occur after nesting season is over, and participants are prohibited from collecting, damaging, or destroying cultural, historical, or archaeological resources.**
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		
Yes	**No** **x**	**Rationale: A SRP renewal would not establish a precedent for future actions. Any future action for this event that does not fall under a listed categorical exclusion would undergo site specific NEPA analysis. The permittee is also subject to the same rationale stated in Criteria 4.**
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		
Yes	**No** **x**	**Rationale: The SRP renewal is not tied to any other actions which could cumulatively result in significant environmental effects.**
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** **x**	**Rationale: The proposed action would not have significant impacts on properties listed or eligible for listing on the National Register of Historic Places as no current or eligible National Registered Historic Places occur in the race area and no new surface disturbance is anticipated as a result of approving this action.**
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.		

Yes	No	Rationale:
	x	**The race course and associated staging, pit, spectator and camping areas are in Greater Sage-grouse General Habitat Management Area (GHMA) and Restoration Habitat Management Area (RHMA). The closest leks to the race course are approximately four miles away and the race date is set for outside of lek and nesting season to avoid potential disruption to nesting activities. The race course consists of existing roads and trails, reducing potential impacts to sage-grouse habitat. The area where the proposed action would occur is composed of arid, broken topography that has low potential for sage-grouse brood rearing, further reducing potential for adverse impacts to sage-grouse.** **A recent query (5/10/2016) of the race course/area found that no threatened, endangered, or sensitive status plant species are known to exist in the area. Additionally if they were to exist in the area there is little likelihood that they would be present on the race course itself.**

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

Yes	No	Rationale:
	x	**The proposed action would not violate any Federal, State, local or tribal laws imposed for protection of the environment.**

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

Yes	No	Rationale:
	X	**The proposed action would not impact low income or minority local populations. The proposed action is a continuance of an existing use.**

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 (EO 13007).

Yes	No	Rationale:
	X	**The proposed project would not limit access to or ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites.** **No Native American Religious Concerns are known in the area, and none have been noted by Tribal authorities. Should future consultations with Tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken.**

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 EO 13112).		
Yes	**No** **x**	**Rationale: In order to minimize the spread of noxious weeds, all activities would remain on established roads, trails, staging areas, and campsites. Participants would properly clean equipment prior to entering the race area.**

INTERDISCIPLINARY ANALYSIS:

BLM team members conducting or participating in the preparation of this CX are listed on the cover sheet.

Environmental Coordinator: Carolyn Sherne-Bybee Date: 6/21/2016

Decision and Rationale on Action
I have decided to implement the renewal of the Special Recreation Permit for the Elk Basin Motorcycle Race for the Billings Motorcycle Club as outlined in the proposed action.

In addition, I have reviewed the plan conformance statement and have determined that the proposed action is in conformance with the approved land use plan and that no further environmental analysis is required under the National Environmental Policy Act (as documented in the attached CX, NEPA Compliance [Section C]).

Implementation Date
This project will be implemented on or after June 23, 2016

Authorized Officer: _____ Date: 6/21/16
James M. Sparks
Field Manager, Billings Field Office

Administrative Review or Appeal Opportunities

The BLM's authority to issue permits is described in the Federal Land Policy and Management Act of 1976 and 43 Code of Federal Regulations (CFR) 2930. The authority to collect and retain recreation fees is specified in the Federal Lands Recreation Enhancement Act (REA) of 2004

This decision shall take effect immediately upon the date it is signed by the authorized officer and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals

issues a stay. Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a notice of appeal must be filed in the office of the authorized officer at 5001 Southgate Drive, Billings, MT 59101. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the authorized officer.

If you wish to file a petition for stay pursuant to 43 CFR Part 4.21(b), the petition for stay should accompany your notice of appeal and 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 irreparable harm to the appellant or resources if the stay is not granted, and
(4) Whether the public interest favors granting the stay.

If a petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the authorized officer.

A copy of the notice of appeal, any statement of reasons and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken and on the Office of the Regional Solicitor, U.S. Department of the Interior, P.O. Box 31394, Billings, Montana 59107-1394, not later than 15 days after filing the document with the authorized officer and/or IBLA.

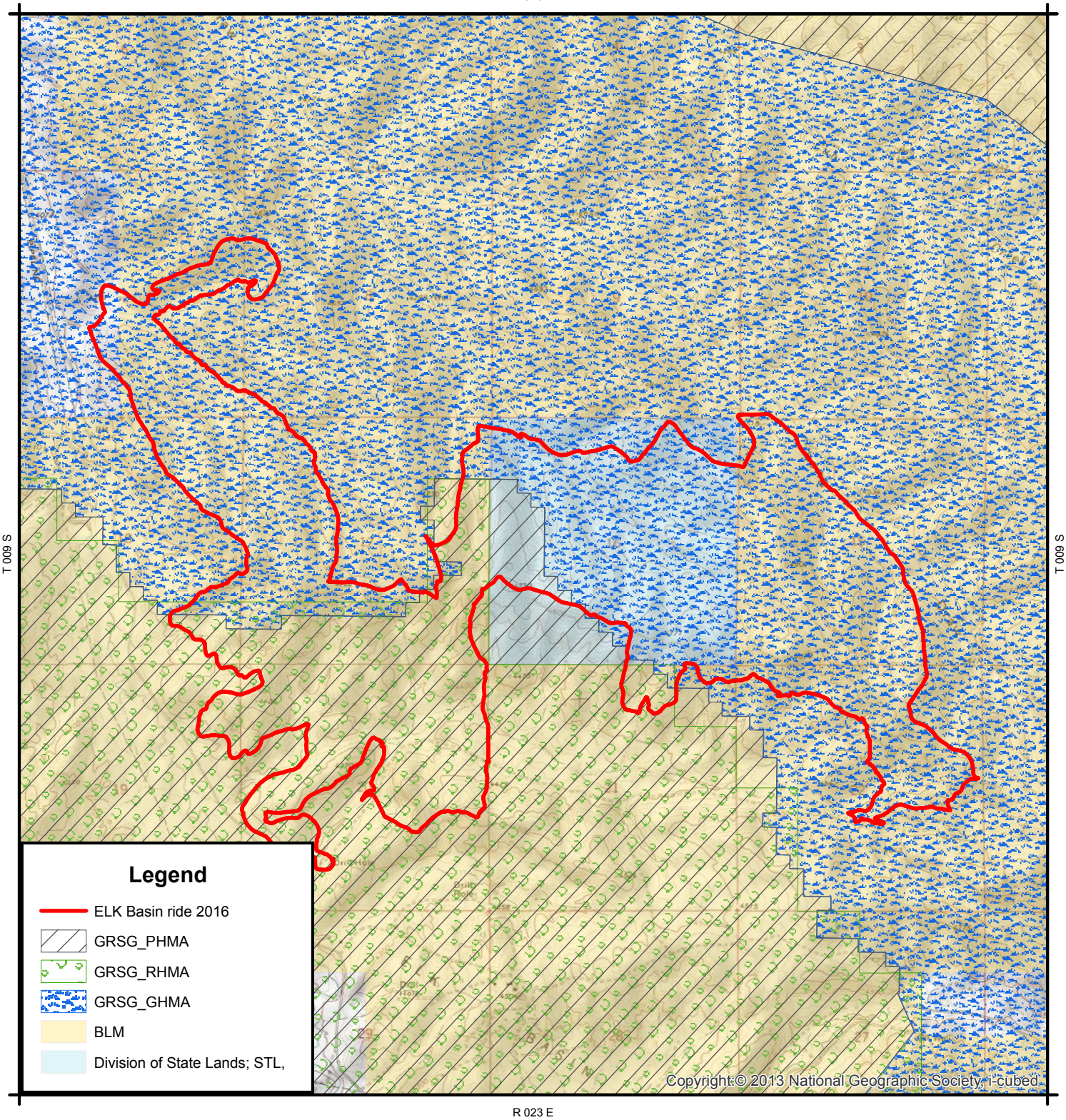
Contact Person
For additional information concerning this decision, contact:

Jenny Alexander
Outdoor Recreation Planner
BLM Billings Field Office
5001 Southgate Drive
Billings, Montana 59101
406-896-5248
jalexander@blm.gov

Elk Basin
Motorcycle Route

R 023 E

T 009 S



T 009 S

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U.S DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Map Created: April 2016

The surface management status ("land ownership") should be used as a general guide only. Official land records, located at the Bureau of Land Management (BLM) and other offices, should be checked for up-to-date information concerning any specific tract of land.

No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or aggregate use with other data is not guaranteed. The following cannot be made Section 508 compliant. For help with its data or information, please contact the BLM State Office Webmaster.

1:35,182

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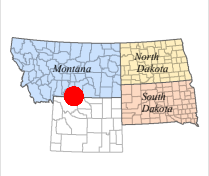
Map Projection: NAD 1983 Albers



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