

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

Categorical Exclusion Not Established By Statute

DOI-BLM-UT-C030-2016-0004-CX

January 2016

**Rock'N Sand Tours
Special Recreation Permit**

Location: Washington County, Utah

The proposed action would take place on public lands. On authorized and Primitive roads in Washington County Utah, in the following locations:

Tour Area Names:

- Hurricane Cliffs
- Little Creek
- Santa Clara
- Beaver Dam
- Sand Mountain OHV Area

Applicant/Address: Rock'N Sand Tours.
Gabe Payne
10611 South 1055 West
South Jordan, UT 84095

BLM-St. George Field Office
345 East Riverside Drive
St. George, UT 84790
(435) 688-3200
(435) 688-3252



**CATEGORICAL EXCLUSION DOCUMENTATION FORMAT WHEN USING
CATEGORICAL EXCLUSIONS NOT ESTABLISHED BY STATUTE**

A. Background

BLM Office: St. George

Lease/Serial/Case File No: UT100-16-001R

Proposed Action Title/Type: Special Recreation Permit

Location of Proposed Action: The area of the proposed action includes all of the Sand Mountain Recreation Area (Open OHV) and other specific routes on public lands in Washington County as shown on the project map.

Description of Proposed Action: Authorize a Special Recreation Permit (SRP) for Rock’N Sand Tours for the purpose of guiding clients on Utility Terrain Vehicles (UTV), Jeeps, and Hummers, using existing roads on public lands within the BLM St. George Field Office. All of the roads requested by the applicant are currently being managed under the OHV area designations “Open,” “Limited to Designated Roads and Trails,” or “Limited to Existing Roads and Trails.” All routes the applicant has requested are currently authorized for the Tri-State ATV Jamboree and other motorized tour groups.

The applicant would be permitted for a maximum of one trip per day, six days per week, with four of those days on Sand Mountain and two days on other routes. There would be a maximum group size of 3 vehicles and a maximum group size of 10 people including guides, with a minimum staff to customer ratio of 1:3. Each trip would be 3-8 hours depending on specific tour location. All tours would occur during daylight hours throughout the year, as weather permits. Clients and vehicles would be transported to the identified staging areas by passenger jeeps or hummers with a trailer.

The applicant would be required to stay on roads identified on the project map, and adhere to all state and local laws regarding motorized use. No overnight camping would be authorized on any BLM-managed public lands under this permit. All activities would follow Tread Lightly principles. All guides will be experienced drivers and each vehicle will carry a first aid kit. Issuance of the permit is dependent on the applicant obtaining BLM mandated minimum insurance.

The applicant has agreed to report any fence vandalism along the designated routes to the SGFO Recreation Planner upon the completion of each trip.

This would be a ten-year permit, valid for one year from the date of issuance and eligible for annual renewal for an additional nine years if all the conditions are met, stipulations followed, insurance up to date, and post-use reports, and payments made accurately and on time.

B. Land Use Plan Conformance

Land Use Plan Name: St. George Field Office, Resource Management Plan

Date Approved/Amended: March 1999

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

1. Chapter 2, Recreation Objectives, pages 37,38:
“Public lands in Washington County will generally remain open to most forms of outdoor recreation, including, but not limited to: hiking, touring, camping, hunting, picnicking, sightseeing, rock hounding, mountain biking, equestrian use, swimming, fishing, rafting/kayaking, rock climbing, and various forms of motorized recreation.”
2. Chapter 2, Off-Highway Vehicle Management, page 50, OV-09:
“BLM will continue to work with OHV sponsors and organizations to authorize competitive events, commercial touring, and organized rides on a case-by-case basis, subject to site specific analysis.
3. The SGFO RMP has three OHV designations that are applicable to the proposed action. Limited to Existing Roads and Trails, Limited to Designated Roads and Trails, and Open to Motorized Vehicle Use. All routes proposed by the applicant are located within these area designations.

C. Compliance with NEPA

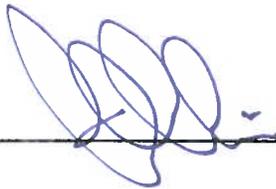
The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, 9 (Actions Eligible for a Categorical Exclusion): H (Recreation Management) (1). This reference states: “Issuance of Special Recreation Permits for day use or overnight use up to 14 consecutive nights; that impacts not more than 3 staging area acres; and/or for recreational travel along roads, trails, or in areas authorized in a land use plan.”

Categorical Exclusion Review Record

Resource	Yes/No*	Assigned Specialist Signature	Date
Air Quality	No	D. Corry	2/1/16
Areas of Critical Environmental Concern	No	J. Kellam	2/4/16
Cultural Resources	No	Lori Hunsaker G. McEwen	2/2/16
Environmental Justice		J. Kellam	
Farm Lands (prime or unique)	No	D. Corry	2/1/16
Floodplains	No	D. Corry	2/1/16
Invasive Species/Noxious Weeds	No	D. Corry	2/1/16
Migratory Birds	No	R. Douglas	2/2/16
Native American Religious Concerns	No	Lori Hunsaker G. McEwen	2/2/16
Threatened, Endangered, or Candidate Species	No	R. Douglas	2/2/16
Wastes (hazardous or solid)	No	J. Kellam	2/4/16
Water Quality (drinking or ground)	No	D. Corry	2/1/16
Wetlands / Riparian Zones	No	D. Corry	2/1/16
Wild and Scenic Rivers	No	D. Kiel	2/1/2016
Wilderness	No	D. Kiel	2/1/2016
Lands	No	T. Burke	2/1/2016

*Extraordinary Circumstances apply.

Environmental Coordinator: _____



Date: 02/04/2016

Exceptions to Categorical Exclusion Documentation

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215) apply. The project would:

Extraordinary Circumstances		
1. Have significant impacts on public health or safety.		
Yes	No X	Rationale: The proposed action is identical to non-commercial recreational OHV use that regularly occurs in this area. There is no data to suggest that driving on existing roads in the amount and duration proposed would have a large impact on public health or safety.
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 X	Rationale: Roughly half of the proposed recreation use under this SRP would take place in the Sand Mountain Recreation Area, which is classified as "Open" for OHV use, meaning there are no restrictions on motorized cross-country travel. The remainder of the proposed action would take place on existing roads currently managed under the area designation "Limited to Existing Roads and Trails. Because recreational UTV travel under this permit would be restricted to specific roads and those roads are already open to motorized use, no new or adverse impacts to sensitive resources are anticipated to occur.
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: The proposed recreation use would consist of guided OHV rides on approved roads that are open to the public, with one guided trip per day being offered throughout the week, with a group size limit of 3 Vehicles and 10 people, including guides. This type of action is a small percentage of the public use on these roads and would not result in highly controversial environmental effects or create unresolved conflicts concerning alternative uses of available resources.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
Yes	No X	Rationale: There is nothing in the proposed action that would lead to significant, unknown, or unique environmental risks.
5. Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.		

Extraordinary Circumstances

Yes	No X	Rationale: Since each Special Recreation Permit proposal must be evaluated individually, authorizing a single permit does not establish a precedent for future actions.
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		
Yes	No X	Rationale: Because of the rapidly growing population in Washington County, it is reasonable to expect that OHV activity in general, and commercial guiding in particular, will continue to increase. Analyzing cumulative impacts from new proposals (both motorized and non-motorized) will continue to be done on a case-by-case basis. The St. George Field Office currently has four active Special Recreation Permits for guided ATV trips. The combined use from these four permits totals less than one-quarter of one percent of the recreational use on BLM lands in Washington County. Cumulative impacts may be an issue in the future, but for now they are negligible.
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.		
Yes	No X	Rationale: Continued use of designated and existing routes and trails, or use of "open" OHV areas will have no impact on sites eligible for listing to the National Register of Historic Places.
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 X	Rationale: No threatened, endangered, or candidate species would be impacted by the proposed action, as all motorized travel would be restricted to existing public roads and trails and an "open" OHV area. Because motorized travel under this permit would be restricted to specific roads, listed native plants would not be impacted.
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		
Yes	No X	Rationale: The proposed action is in compliance with Federal, State, Tribal, and local laws, and no activities would take place on tribal lands.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		
Yes	No X	Rationale: The proposed action would have no effect on low income or minority populations.

Extraordinary Circumstances

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	Rationale: The proposed action would not limit access to, or interfere with ceremonial use of sacred sites, nor would it adversely impact the integrity of any such known sites.
	X	

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	Rationale: As with any outdoor recreation activity, the proposed action may contribute to the introduction and distribution of invasive species. Guides would be given information materials to help them identify noxious weeds that may be encountered, and they are asked to report to the SGFO Recreation Planner if any are observed. Individual trail and trailheads are inspected annually by BLM staff to ensure that any new infestations of noxious weeds are identified and controlled.
	X	

**CATEGORICAL EXCLUSION
NOT ESTABLISHED BY STATUTE
DECISION DOCUMENT**

Decision

It is my decision to implement the action described in Categorical Exclusion DOI-BLM-UT-C030-2015-0053-CX.

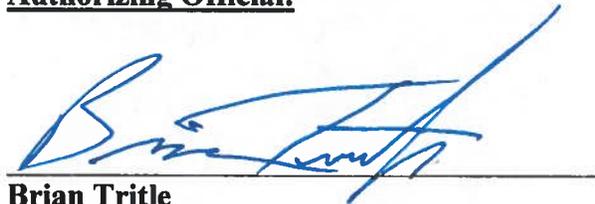
Decision Rationale

I have reviewed the attached Categorical Exclusion documentation, including plan conformance, NEPA compliance review, and extraordinary circumstances review. Based upon that documentation, I have determined that the action is categorically excluded from further NEPA analysis.

Administrative Remedies

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.

Authorizing Official:



Brian Tritle
St. George Field Office Manager

Date: 2/4/2016

Contact Person

For additional information concerning this CX review, contact

Dave Kiel
Outdoor Recreation Planner
St. George Field Office
(435) 688-3274

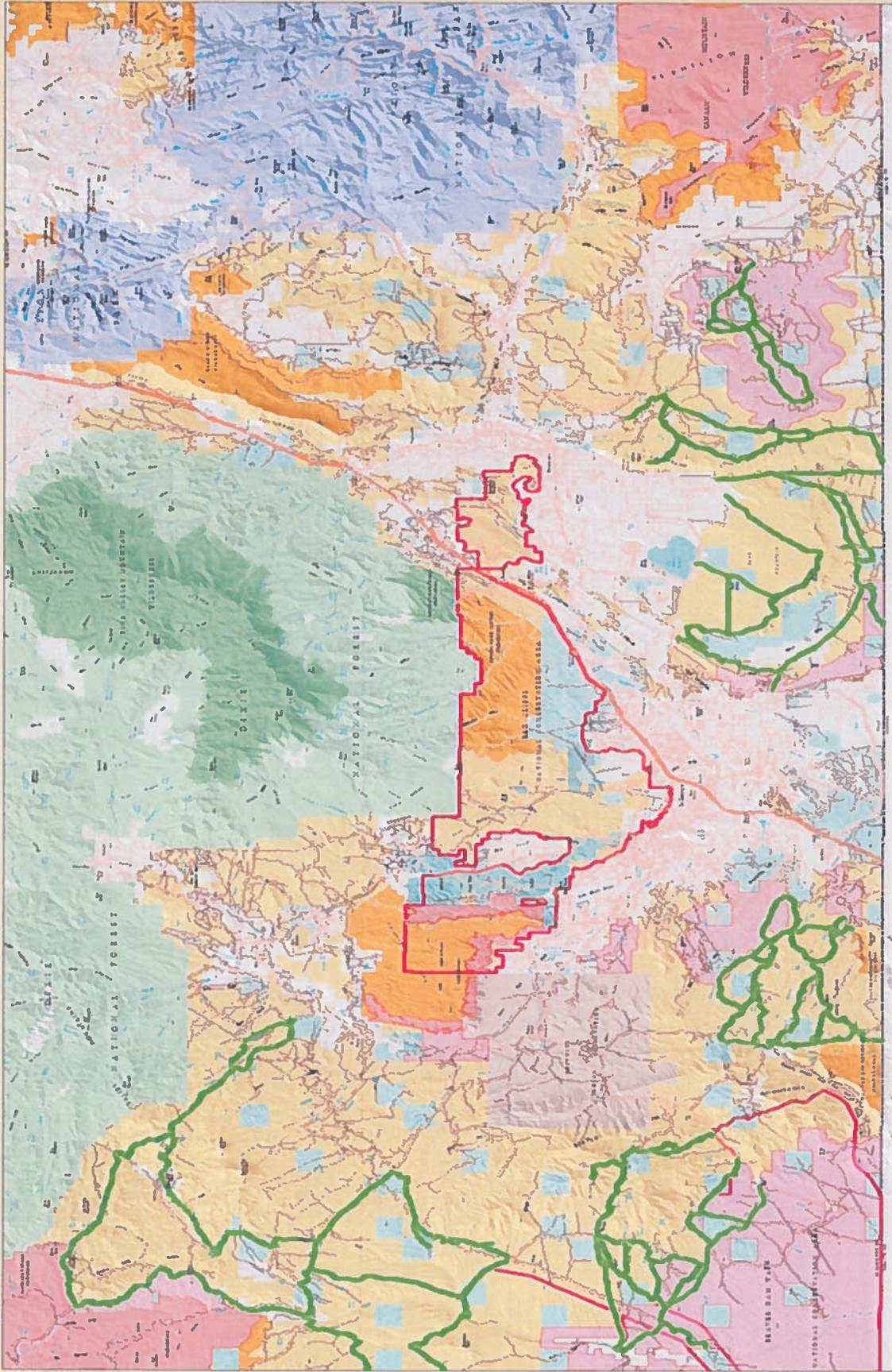
Vanessa Ballard
ACE Recreation Technician
St. George Field Office
(435)-688-3346

Rock'N Sand Tours

St. George Field Office

1/28/2016

to satisfy a need by the BLM for
use of the county and its resources
by the BLM.
This project may not meet BLM
standards for safety and sound
operational practices and policies
and may have consequences of risk to you.



Location within Washington County



- Popular OHV Routes
- Trail
- Primary Road Paved
- Secondary Road Paved
- Primary Road Unpaved
- Secondary Road Unpaved
- Two Traps
- Singletrap
- Primeval Trail
- Reclaiming
- Other
- Area of Critical Environmental Concern (ACEC) - 6065104
- NCA Boundary
- County Boundary - Grey Highlight
- BLM Wilderness Area
- Bureau of Land Management (BLM)
- Indian Reservation (IR)
- National Park Service (NPS)
- Private
- State
- State Parks and Recreation
- State Wildlife Reserve Management Area
- US Forest Service (USFS)
- USFS Wilderness Area