

Categorical Exclusion

Canyon Rim Adventures SRP

CX-AZ-110-2008-041

A. Background

BLM Office: Arizona Strip Field Office and Grand Canyon-Parashant National Monument
Lease/Serial/Case File No.: n/a

Proposed Action Title/Type: Canyon Rim Adventures SRP (Hiking, Mt. Biking, Camping Tours)

Location of Proposed Action: The areas for the proposed action would be the main roads leading to the head of Hack Canyon, Kanab Point, SB Point, and Toroweap Point, and Nampaweap Rock Art Site. Routes would be on county roads 109, 5, 115; and BLM roads 1123, 1058, 1057, and 1028. The proposed action would involve BLM administered-lands within the Arizona Strip Field Office and Grand Canyon-Parashant National Monument. (See following map for the routes and camping sites proposed for use.)

Description of Proposed Action: Canyon Rim Adventures is requesting to renew their special recreation permit for the next 5 years to provide guided hiking and mountain biking trips on BLM lands including overnight camping using Leave No Trace protocols.

Canyon Rim Adventures led 9 tours in 2006 with an average of 6 per tour and as many 11 customers per tour.

B. Land Use Plan Conformance

Land Use Plan (LUP) Name: Arizona Strip Field Office Resource Management Plan (RMP) and Grand Canyon-Parashant National Monument RMP. Both Approved: January 29, 2008.

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

Arizona Strip Field Office RMP Decision# MA-RR-28 & Grand Canyon-Parashant National Monument RMP Decision# MA-RR-27: “Commercial, competitive, organized group/event, and special area permits may 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.”

These decisions show that the proposed action is in conformance with the current land use plans. In addition, the proposed action does not conflict with other decisions contained within these land use plans.

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:

NEPA Handbook 2008, Appendix 4: BLM CatX, H: Recreation Management 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).”

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 none of the extraordinary circumstances described in 516 DM2 apply.

D: Signature

Authorizing Official: _____ Date _____
(Signature)

Name: Lorraine M. Christian

Title: Field Manager, Arizona Strip Field Office

Authorizing Official: _____ Date _____
(Signature)

Name: Tom Edgerton

Title: Monument Manager, Grand Canyon-Parashant National Monument

Contact Person

For additional information concerning this CX review, contact:

Jon Jasper
Outdoor Recreation Planner
Arizona Strip Field Office
jonathan_jasper@blm.gov
435-688-3264 office

Note: A separate decision document must be prepared for the action covered by the CX.

STIPULATIONS FOR SPECIAL RECREATION PERMITS (SRP)
Arizona Strip District Office

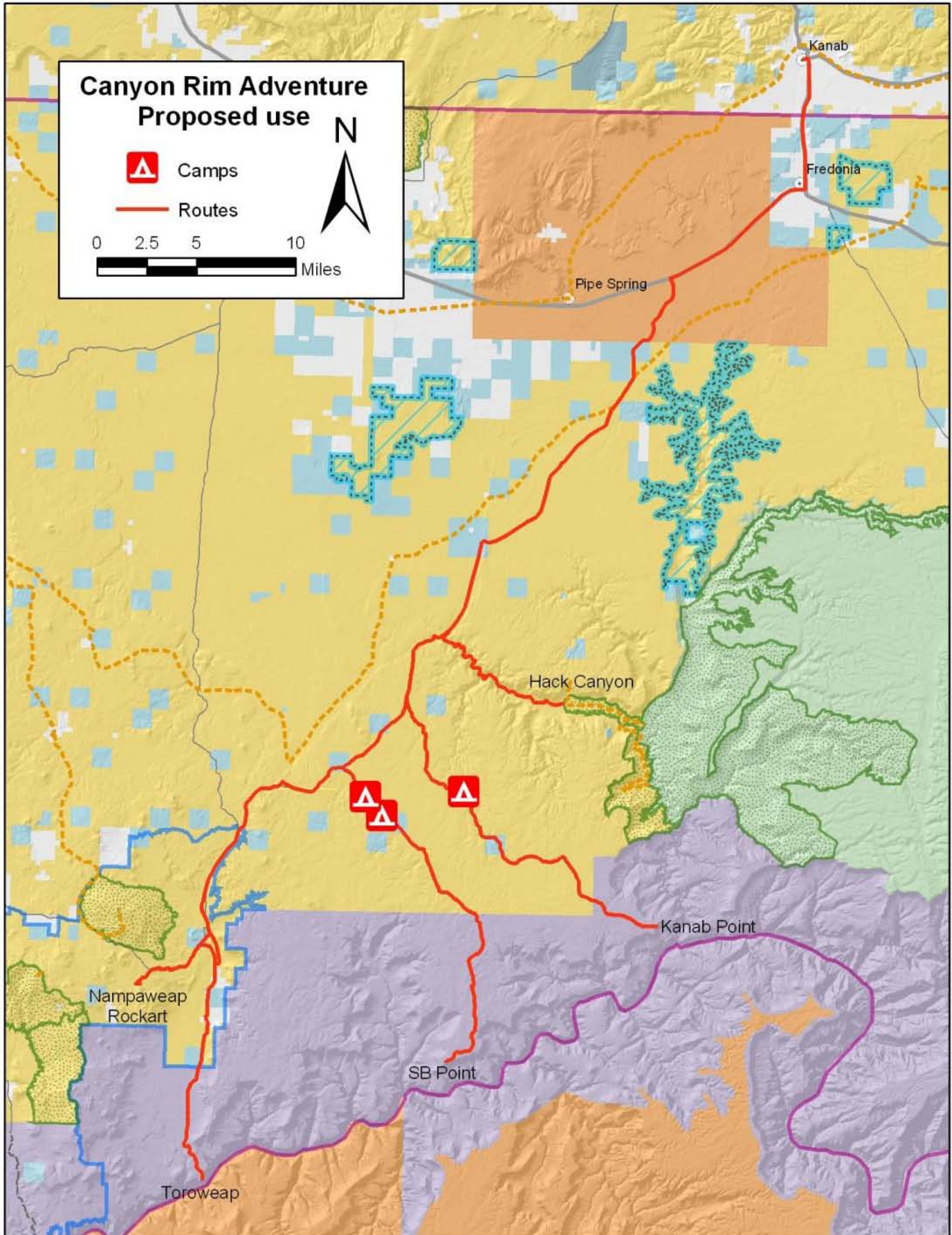
In order to protect and preserve the natural and cultural resource values on the Arizona Strip and provide for public safety the attached supplemental stipulations and rules are in effect for all commercial recreation permits. These stipulations are specific to the Arizona Strip District Office and are in addition to those found within Form 2930-1 (SRP Application/Permit) and BLM H-2930-1 (Recreation Permit Administration). These forms can be obtained through any BLM office or on-line at <http://web.az.blm.gov/cfiles/forms/forms.html>. These stipulations are considered a part of the permit. Please make sure these stipulations are fully understood because failure to comply can result in loss of your permit privileges. Thank you for your interest and stewardship of your public lands.

Stipulations

1. Special Recreation Permits (SRPs) for commercial recreation uses requiring a license from the State (i.e. outdoor youth programs, hunting guides, etc.) will be valid only when accompanied by a valid State license.
2. Food, water, and/or equipment caches will not be 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.
3. 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.
4. The permittee must submit a Post-Use Report to the authorized officer within 30 days after the use season. This report will be used to determine if additional fees are required of the permittee based upon total permitted use. For hunting and fishing outfitters, the report is due by January 31 for every year the permit is in effect. If the permittee desires, use reports may be submitted periodically throughout the permit period.
5. All signs placed on public lands by the permittee must be authorized by the BLM in writing. Permittee shall not construct cairns, use flagging, or paint to mark trails, unless specified in their permit. All signs and all flagging must be removed from public lands at the end of the use period.
6. The permittee will practice proper precautions for noxious weed spread using certified weed-free feed and bedding for livestock and/or dogs. In addition, all machinery (street legal motorized vehicles, tractors, non-street legal all terrain vehicles, dirt bikes, etc.) that has been used outside the Arizona Strip must be free of accumulated soil and plant parts in all areas including undercarriage prior to use on the Arizona Strip in order to prevent the possible introduction and spread of noxious weeds.
7. It is unlawful to camp within one-quarter mile of a water hole containing water, or human made watering facility containing water if camping there means that wildlife may be denied access to the only reasonable available water. Give wildlife a break. A quarter-mile is only 440 yards.
8. Leave No Trace principles should be followed. (See attachment to SRP letter)
9. Disposal of human waste:
 - a. At vehicle-accessible base camps and/or base camps with a group size greater than eight, a portable toilet is required. Portable toilets are the preferred method for human waste disposal and must be emptied only at approved disposal sites.

- b. At camps not accessible by vehicles and/or when the group size is eight or less, then group latrines will be located on sites that maximize direct sunlight and no closer than 200 feet from water sources and active dry washes. The hole excavated for the latrine will be 8 to 12 inches deep and will be completely filled in and disguised when camp is broken. SRP holders are required to bury or dispose of toilet paper in the trash.
10. The permittee must use existing campfire circles when they exist, rather than construct new ones. If no existing fire circles, sites should be selected that can be "naturalized" at departure.
11. Camp fires will be away from trees, shrubs and other vegetation. Do not build fires next to rocks and avoid the need to encircle your fire with stones.
12. The permittee must take all reasonable precautions to prevent wild land fires. Fires must be out and cold when camp is unattended.
13. The permittee is hereby advised that in time of severe fire danger or other emergencies, in order to protect federal resources, the BLM may close large areas to the public. This permit does not entitle the holder to an exception to emergency closures.
14. Wildfires caused by permitted use should be reported immediately to the nearest BLM office. 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.
15. The BLM issued SRP does not cover operations on the National Park Service administered portion of the Grand Canyon-Parashant National Monument or Grand Canyon National Park; a separate Commercial Use Authorization is required for activities on National Park Service lands.
16. Permit holders must immediately notify the BLM wildlife team lead if California Condors visit the site while permitted activities are underway. The BLM may request that project activities be modified, relocated, or delayed where adverse effects to condors may result.
17. SRP holders 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.
18. 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 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.
19. Additional stipulations will be applied to all SRPs authorized within special status species habitat.

Canyon Rim Adventures



Attachment 1

EXTRAORDINARY CIRCUMSTANCES REVIEW AND CHECKLIST		
<p>IMPORTANT: Appropriate staff should review the circumstances listed below, and comment for concurrence. Rationale supporting the concurrence should be included where appropriate.</p>		
EXTRAORDINARY CIRCUMSTANCES	YES/NO & RATIONALE (If Appropriate)	STAFF
Does the proposed action...		
1. Have significant impacts on public health and safety?	No	Jasper
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness or wilderness study 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 (Executive Order 13186); and other ecologically significant or critical areas?	No	Herron, Denniston, Jasper
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?	No	Jasper
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?	No	Jasper
5. Establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects?	No	Jasper
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?	No	Jasper
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?	No	Herron
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	Denniston, Hughes
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?	No	Wadsworth Benson
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?	No	Jasper
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)?	No. Trips to Nampawep to be analyzed in motorized-use EA	JHerron GBenson
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)?	No	Walker

DECISION MEMORANDUM
Canyon Rim Adventures SRP
CX-AZ-110-2008-041

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 (CX-AZ-110-2008-041) and Arizona Strip District Office staff recommendations, we have determined that the project is in conformance with the Arizona Strip Field Office Resource Management Plan and Grand Canyon-Parashant National Monument Management Plan both approved January 29, 2008 and is categorically excluded from further environmental analysis. Our decision is to approve the proposed action with the exception of guided trips into Grand Canyon-Parashant National Monument for side trips to the Nampaweap Rock Art Site. Motorized-use in the monument, such as proposed in this SRP, could be analyzed at a later date through a programmatic Environmental Assessment (EA). Trips are only authorized to BLM-administrated lands outside of the monument boundaries. The permittee must adhere to the stipulations listed with the permit.

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(b), 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:

Standards for Obtaining a Stay

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, Field Manager

Date

Tom Edgerton, Monument Manager

Date

Contact Person:

Jon Jasper
Outdoor Recreation Planner
Arizona Strip Field Office
(435) 688-3246 office
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Attachment: Form 1842-1