

DECISION MEMORANDUM

Trails Repairs (ARRA Project)

DOI-BLM-AZ-A030-2009-0007-CX

U.S. Department of the Interior
Bureau of Land Management
Grand Canyon-Parashant National Monument

Approval and Decision

Based on a review of the project described in the attached Categorical Exclusion documentation and Grand Canyon-Parashant National Monument and Arizona Strip Field Office staff recommendations, I have determined that the project is in conformance with the Grand Canyon-Parashant Resource Management Plan / General Management Plan (approved January 29, 2008) and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed in the CX.

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 Grand Canyon-Parashant National Monument 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.

If you wish to file a petition (request) pursuant to regulations 43 CFR 4.21(b) 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.

Tom Edgerton, Manager
Grand Canyon-Parashant National Monument

Date

Attachment: Form 1842-1

Categorical Exclusion

DOI-BLM-AZ-A030-2009-0007-CX

A. Background

BLM Office: Grand Canyon-Parashant National Monument, A030

Lease/Serial/Case File No.: N/A

Proposed Action Title/Type: Trails Repairs (ARRA project)

Location of Proposed Action: Grand Canyon-Parashant National Monument

Description of Proposed Action: Perform maintenance and repairs on five hiking trails within Grand Canyon-Parashant National Monument: Mt. Trumbull trail, Nampaweap trail, Mt. Dellenbaugh trail, Grand Wash Cliffs trail, and Paiute Wilderness trail. Maintenance and repairs may include installation of routine signs and trail markers, waterbars, and gates on trails identified in the land use plan. All maintenance will occur on the existing trails: no new trail development is proposed. Rerouting of trails will occur only when repair of the existing trail is not feasible. All rerouting of trails will be reviewed individually. With the exception of Nampaweap trail all maintenance will occur as stated above.

The primary objective of the Nampaweap trail is to line the path with basalt rocks at the rock writing site. Vegetation along the trail will be pruned and random repetitive trails will be eliminated. A replacement interpretive sign will be installed at the trail head and replacement trail markers will be installed during this routine maintenance. Fiberglass posts signed "Area Closed to Motorized Vehicles" will be placed at the trail head adjacent to the parking area.

B. Land Use Plan Conformance

Land Use Plan Name: Grand Canyon-Parashant National Monument Resource Management Plan / General Management Plan. Date 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): N/A

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions:

- DFC-TM-02 A variety of existing motorized, mechanized, and non-motorized trail and travel opportunities will be sustained, where needed, to meet public and administrative needs.
- DFC-TM-07 Primitive TMA - Primary Travelers: The Primitive TMA will serve the occasional needs of those with permits for the use of resources, such as grazing or research, as well as private, state, and other land ownership needs and a variety of local, state, and Federal agency resource management needs. It will also serve the non-motorized/non-mechanized needs of primarily local, regional, and national visitors engaged in activities such as viewing scenery and cultural resources, backcountry exploring, and hunting.

- MA-TM-19 Route maintenance will occur within standard widths based on route type. Widening, passing lanes, realignments, or travel surface upgrades can occur if:
 - Protection and/or enhancement of Monument objects will be ensured.
 - They will be needed to achieve route standards.
 - They will be consistent with Travel Management Decisions and Appendix K: Appropriate Route Construction and Maintenance Standards by TMA.

Wilderness Management Plans applicable to land use conformance:

- Mt. Trumbull / Mt Logan WMP (August, 1990) - Mt Trumbull Trail
- Grand Wash Cliffs WMP (June, 1990) - Grand Wash Cliffs Trail
- Paiute and Beaver Dam Mountains WMP (August, 1990) - Paiute Trail

C: Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with DM 11.9, Appendix 4 G.2. - Installation of routine signs, markers, culverts, ditches, waterbars, gates, or cattleguards on/or adjacent to roads and trails identified in any land use or transportation plan, or eligible for incorporation in such plan.

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 DM 2 apply.

See attachment 1 for a list of staff members that have reviewed this document.

See Attachment 2 for a list of Mitigation measures.

D: Signature

Authorizing Official:

_____ Date: _____
 Tom Edgerton
 Manager, Grand Canyon – Parashant National Monument

Contact Person

For additional information concerning this CX review, contact: Jabe Beal, Outdoor Recreation Planner, (435) 668-3386.

Attachment 1

EXTRAORDINARY CIRCUMSTANCES REVIEW AND CHECKLIST

IMPORTANT: Appropriate staff should review the circumstances listed below, and comment for concurrence. Rationale supporting the concurrence should be included where appropriate.

EXTRAORDINARY CIRCUMSTANCES	YES/NO & RATIONALE (If Appropriate)	STAFF
Does the proposed action...		
1. Have significant impacts on public health and safety?	No	R. Klein / R. Wadsworth
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	D. Hawks J. Beal K. Jensen
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?	No	R. Spotts
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?	No	R. Spotts
5. Establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects?	No	R. Spotts

6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?	No	R. Spotts
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	D. Van Alfen
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	K. Jensen L. Hughes
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?	No	R. Klein R. Wadsworth G. Benson
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?	No	J. Beal
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	G. Benson
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	LD Walker

Attachment 2

Mitigation measures:

1. Contractors will practice proper precautions for noxious weed spread. All machinery (street legal motorized vehicles) 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.
2. It is unlawful to camp within one-quarter mile of a water hole containing water, or human made watering facility containing water. This is because 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.
3. “Leave No Trace” principles will be followed.
4. In wilderness areas, only hand tools will be used.
5. All vegetation cut during routine trail maintenance will be scattered/dispersed among live vegetation to provide a natural appearance.
6. Disposal of human waste:
 - a. At vehicle accessible base camps and/or base camps with a group size of eight or more, a portable toilet is required. Portable toilets are the preferred method for human waste disposal and must be emptied only at approved sites.
 - b. At non-vehicle accessible camps and when the group size is less than eight, group latrines will be located on sites that maximize direct sunlight and no closer than 200 feet from water sources and dry washes. The hole excavated for the latrine will be 8-12 inches deep and will be completely filled in and disguised when camp is broken.
7. Contractors must notify the BLM wildlife team lead or condor biologist if California condors visit the site while permitted activities are underway. BLM may request that project activities be modified, relocated, or delayed where adverse effects to condors may result.
8. Standard Archaeological Stipulations (BLM Project)
 - a. 1. Any surface, or sub-surface archaeological, historical, or paleontological remains discovered and not covered in the CRPR during construction, maintenance, or use shall be left intact; all work in the area shall stop immediately and the BLM Monument Manager shall be notified immediately. Commencement of work shall be allowed upon clearance by the BLM Monument Manager in consultation with the Archaeologist.

- b. 2. An additional archaeological survey shall be required in the event the proposed project location is changed, or additional surface disturbing activities are added to the project after the initial survey. Any such survey would have to be completed prior to commencement of the project.
 - c. 3. If in connection with operations any human remains, funerary objects, sacred objects or objects of cultural patrimony as defined in the Native American Graves Protection and Repatriation Act (P.L. 101-601; 104 Stat. 3048; 25 U.S.C. 3001) are discovered, the contractor shall stop operations in the immediate area of the discovery, protect the remains and objects, and immediately notify the BLM Monument Manager. The contractor shall continue to protect the immediate area of the discovery until notified by the BLM Monument Manager that operations may resume.
9. Any wildlife encountered will be avoided, no hazing/feeding of wildlife allowed.
10. All trash and micro-trash will be picked up and disposed of properly. Microtrash includes bottle caps, pull tabs, broken glass, cigarette butts, small plastic, lead bullets and bullet casings, etc. California condors are attracted to micro-trash and may ingest it, and during breeding season will return to the nest where the micro-trash is regurgitated to feed chicks. Micro-trash accumulates in the chicks' stomachs and causes death. Picking up these items benefits other wildlife as well.
11. Camp in previously disturbed areas.
12. Crew(s) will not use motorized vehicles off of designated routes (No off-road/overland travel).