

**DECISION MEMORANDUM**  
**Pink Jeep Tours SRP**  
**DOI-BLM-AZ-A010-2009-0019-CX**

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 (DOI-BLM-AZ-A010-2009-0019-CX) and Arizona Strip District staff recommendations, we have determined that the proposed action is in conformance with the Arizona Strip Field Office Resource Management Plan and Grand Canyon-Parashant National Monument Resource Management Plan and is categorically excluded from further environmental analysis. Our decision is to approve the proposed action. This authorization is limited to BLM-administrated lands. The permittee must adhere to the stipulations listed with the permit. Stipulation #18 about not stopping within Grand Canyon-Parashant National Monument evaluated and possibly removed when decision is reached on the programmatic motorized-use EA.

**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, 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.

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Lorraine M. Christian - Field Manager, Arizona Strip Field Office

Date

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Tom Edgerton, Monument Manager, Grand Canyon-Parashant NM

Date

**Contact Person:**

Jon Jasper  
Outdoor Recreation Planner  
Arizona Strip Field Office  
(435) 688-3246 office  
jonathan\_jasper@blm.gov

Attachment: Form 1842-1

# **Categorical Exclusion**

Pink Jeep Tours SRP  
DOI-BLM-AZ-A010-2009-0019-CX

## **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: Pink Jeep Tours SRP (Motor Tours)

Location of Proposed Action: Pink Jeep Tours is requesting a permit to travel across the Arizona Strip BLM lands to Toroweap using both the Mt. Trumbull Road (County Road 5) and Antelope Valley Road (County Road 109) (see accompanying route map). The company currently has an approved Commercial Use Authorization (CUA) permit through Grand Canyon National Park. The route passes through public lands administered the Arizona Strip Field Office in Arizona and the Grand Canyon-Parashant National Monument, as well as, Arizona State Land, Indian lands, and private land.

Description of Proposed Action: A Pink Jeep tour consists of no more than 2 tour trekkers, 10 passengers each, to Toroweap Point in Grand Canyon National Park. One tour is expected on weekends and holidays. No additional stops are planned.

## **B. Land Use Plan Conformance**

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

The proposed action is in conformance with the applicable LUPs because it is specifically provided for in the following LUP decisions:

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.

See Attachment 1: *Extraordinary Circumstances Review and Checklist.*

**D: Signature**

Authorizing Official: \_\_\_\_\_ Date \_\_\_\_\_  
(Signature)

Name: Lorraine M. Christian

Title: Field Manager, Arizona Strip Field Office

Authorizing Official: \_\_\_\_\_ Date \_\_\_\_\_  
(Signature)

Name: Tom Edgerton

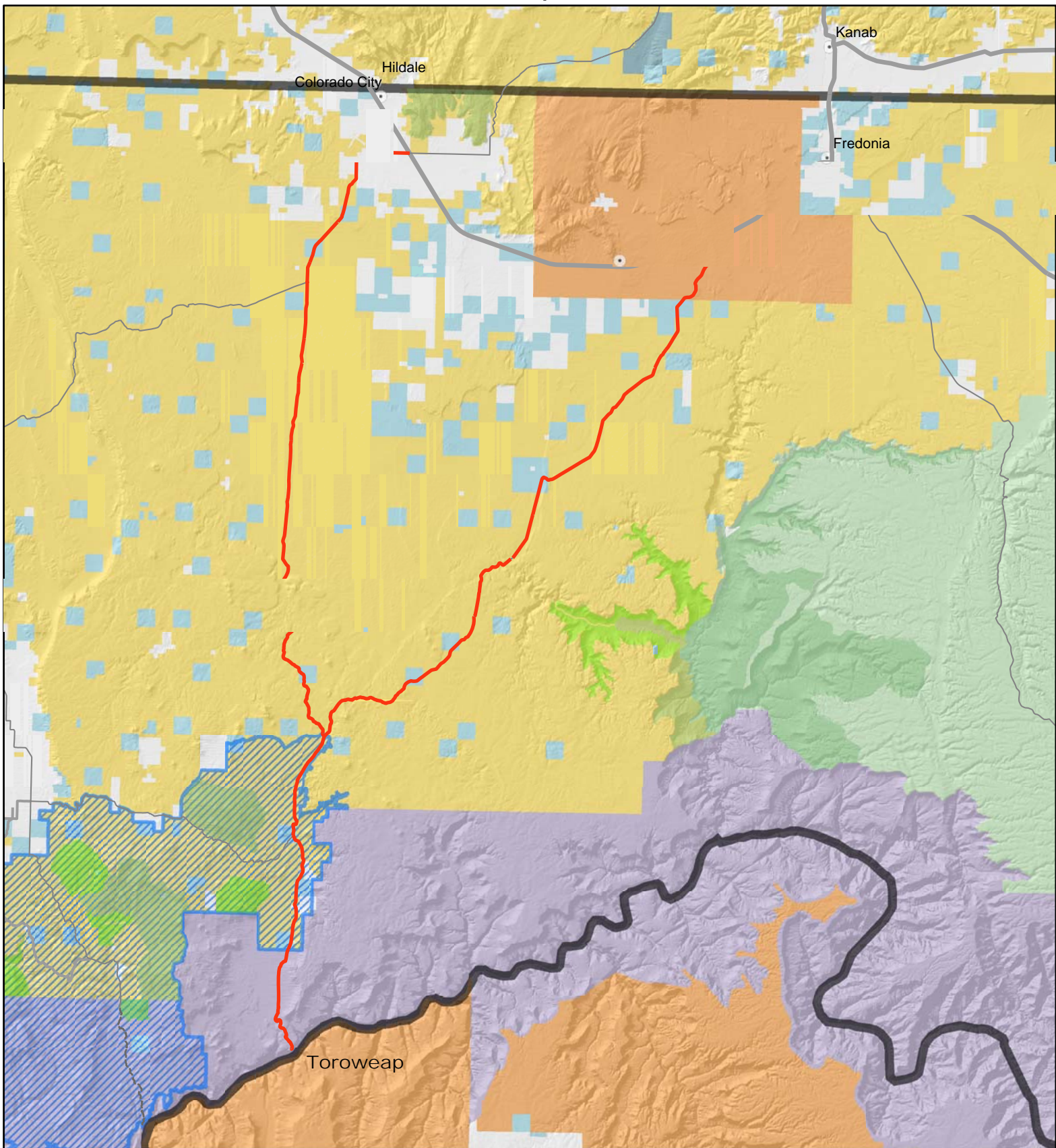
Title: Monument Manager, Grand Canyon-Parashant National Monument

**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

# Pink Jeep Tours



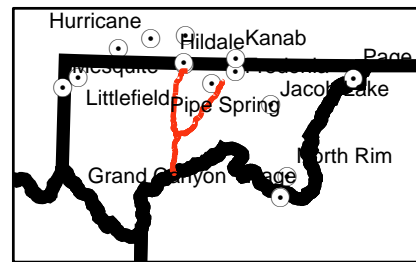
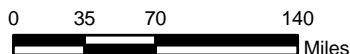
## Pink Jeep Tours

-  Proposed Routes
-  Designated Wilderness
-  Wilderness Characteristics
-  USFS Wilderness Area
-  Monuments

## Surface Ownership

-  Bureau of Land Management
-  Indian Reservation
-  National Park Service
-  Private
-  State
-  US Forest Service

Map created  
June 16, 2009



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 documents 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. 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.
2. 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.
3. The permittee will practice proper precautions for noxious weed spread. 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.
4. Leave No Trace principles should be followed. (See attachment to SRP letter)
5. The permittee must take all reasonable precautions to prevent wild land fires.
6. 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.
7. 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.
8. The BLM issued SRP does not cover operations on private or state land. The permittee is responsible to contact any other entity that may have jurisdiction and obtain the authorization if required for activities on other lands.
9. 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.
10. 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.
11. 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.

12. All vehicles must stay on established roads at all times in order to avoid damage to vegetation, to avoid mortality in ground-nesting species, and to reduce risk of fire (which may occur when vegetation underneath a vehicle is ignited by a starting engine). Vehicles should also limit their speed of travel to prevent road mortality (particularly of small mammals) and to minimize the volume of road dust thrown into the air. On primitive roads a speed of 20 mph should be appropriate.
13. The tours must avoid activity at wildlife water catchments or other potential wildlife water sources. There are several such water developments in the vicinity of the proposed tour. Prolonged activity near a water source may prompt wildlife to avoid the area for some period.
14. All trash or waste generated should be carried out, including and especially micro-trash. 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.
15. If in connection with use 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 permittee shall immediately notify the Authorized Officer.
16. The proposed action passes through critical pronghorn breeding habitat. All wildlife viewing should be performed at reasonable distances and for a reasonable amount of time in order to minimize disturbance.
17. Measures will be taken to prevent leaks or spills of hazardous materials (including gasoline, antifreeze, and oil). If a leak or spill occurs, the permittee must immediately clean up all hazardous substances.
18. Commercial transport of visitors/clients along County Road (CR) 5 and 115 within Grand Canyon-Parashant National Monument (GCPNM) is allowed under this permit, for the sole purpose to access the Toroweap overlook area within Grand Canyon National Park. With exception of emergencies, no stops along, or departures from CR5 and 115 with GCPNM is authorized.

# Attachment 1

<b>EXTRAORDINARY CIRCUMSTANCES REVIEW AND CHECKLIST</b>		
<p><b>IMPORTANT:</b> Appropriate staff should review the circumstances listed below, and comment for concurrence. Rationale supporting the concurrence should be included where appropriate.</p>		
<b>EXTRAORDINARY CIRCUMSTANCES</b>	<b>YES/NO &amp; RATIONALE (If Appropriate)</b>	<b>STAFF</b>
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	Denniston, Hughes, Jasper
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?	No	Spotts
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?	No	Spotts
5. Establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects?	No	Spotts
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?	No	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	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, Klein
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?	No	Bensen
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	Bensen
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