

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

DETERMINATION OF NEPA ADEQUACY
2004 Desert Gold Equestrian Endurance Ride on Fort Ord Public Lands
CA-190-DNA04-24

PREPARERS

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PLANNING AND ENVIRONMENTAL COORDINATION	
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**UNITED STATES DEPARTMENT OF THE INTERIOR
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DECISION RECORD

2004 Desert Gold Equestrian Endurance Ride on Fort Ord Public Lands

CA-190-DNA04-24

In accordance with 16 United States Code 670g-n, 1241-1249, 1271-1287, and 4601-6a, and 43 U.S.C. 1181a, 1201 and 1701 et. seq., it is my decision to approve the American Endurance Ride Conference's proposal to conduct an equestrian enduro ride on Fort Ord public lands as described below. I find that the action conforms to the Hollister Resource Management Plan, 1984 *et seqq.*, and the Fort Ord Habitat Management Plan, and that it will not cause unnecessary or undue degradation. I further find that Environmental Impact Statement for the Hollister Resource Management Plan fully covers the approved action and constitutes the Bureau's compliance with the *National Environmental Policy Act*. Preparation of an Environmental Impact Statement is not required. Measures mitigating project impacts are formulated into the attached Conditions of Approval, incorporated by reference as the decision of the Bureau of Land Management regarding this action. A copy of this Decision Record and attendant Conditions of Approval shall be in the possession of the permittee during all activities approved herein.

Specifically, the approved action consists of American Endurance Ride Conference (AERC) conducting under a Special Recreation Permit an equestrian endurance ride known as the "Desert Gold Endurance Ride" on public lands managed by the Hollister Field Office on Fort Ord from November 24-30, 2004. Competition will occur from November 26-28, 2004. This enduro uses the same routes other enduros both equestrian and mountain bicycling have used on an annual basis. All trails and roads proposed in this event are open and available for public use. This event will be the first year of the ride.

The event will stage from the Travel Camp located on Army property with a maximum of 200 participants traveling on existing authorized trails to stations located on BLM lands during the three-day event. Three courses are proposed and each day two of them will be used. The 50 mile course will be used every day and will be reversed on the second day. Since this is the first time this event will occur at Fort Ord, it is unknown how many participants will participate in each event.

Once participants have arrived at the stations, horses will be assessed by a veterinary judge who will monitor and judge the condition of the horses. Water troughs will be placed on the trails and are noted on the trail maps. Water troughs will prevent horses from watering within wetlands, ponds, and vernal pools. See Maps A-C which depicts the three courses proposed. On Day 1 and 2, the lunch stop/vet check will be at the Toro Creek just beyond the gate beyond the parking area. On Day 3 the lunch stop/vet check will be in the Travel Camp on Army property. Sanitation facilities will be provided by AERC. Food, cooking facilities and potable water will not be provided by AERC. There will be no vendors associated with this event.

The event is competitive but is not a race. Participants must complete the course in the allotted time and with a healthy horse. Upon completion of the course participants will receive a memento of their participation in this event. There are no prizes awarded. Participants will be allotted 6 hours to complete the 25-mile course and allotted 12 hours to complete the 50-mile course.

The participants in the 50-mile course will start at sunrise. The participants in the 25-mile course will start between 8:00 am to 8:30 am. Within 30 minutes riders are staggered and generally there are not large groups riding at the same time.

Horses will bear numbers on their rumps with grease pencils. Permittee will inform the BLM of the numbering sequences prior to each event.

The following BLM trails will be used for the 50-mile course (from start to finish with 10 miles on military lands): 19, 20, 17, 19, 16, 15, 14, 24, 25, 23, Crescent Bluff Rd, 82, 85, 84, 80, 11, 49, Skyline Rd, Oil Well Rd, 10, 75, 56, 39, Engineer Canyon Rd, Old Reservation Rd, 30, 02, Oil Well Rd, Toro Creek Rd, Guidotti Rd, 47, 11, 49, 71, 60, 22, 96, 09, 94, 15, 19, 16, 56, Henniker's Ranch Rd, 92, 91, 69, 14, and 52.

One of the two 25-mile courses will be selected each day reversing them to make them different. Trail A will use the following trails: 19, 15, 25, 23, 62, Crescent Bluff Rd, 82, 11, 84, 80, 43, 10, Oil Well Rd, 45, Toro Creek Rd, Guidotti Rd, Skyline Rd, Pilarcitos Canyon Rd, 11, 49, 50, 09, 96, 91, 69, and 14. This course allows for 10 miles to the lunch stop and 10 miles to the camp.

Trail B will use the following trails: 19, 15, 23, 22, 60, 71, 49, Skyline Rd, 44, 41, Oil Well Rd, Toro Creek Rd, Guidotti Rd, Skyline Rd, Pilarcitos Canyon Rd, 11, 50, 09, 96, 91, 21, 68, 59, 69, 54, and 52.

There will be one EMT on site available during the entire event equipped with a vehicle to transport injured participants to nearby hospital facilities. Four support vehicles will be equipped with portable radios and cell phones. Additionally, a vet truck and 2 horse ambulances (truck/trailer) will be available to transport injured horses.

Support personnel and vehicles will consist of two quads, one 2,000 gallon water truck, two water trucks towed by pick-ups, four jeeps with radios, four ride managers driving pickup trucks, two pickups towing horse trailers, one vet pickup truck, and one EMT vehicle. The Salinas Rural Fire Department and the Fort Ord Federal Police will be notified to help provide emergency medical response.

Spectators will not be solicited through pre-event marketing of the event.

To prevent participants from becoming lost due to missing or moved trail markers, it is recommended that participants have an operating GPS unit during the event. Participants who do not have a GPS unit will be recommended to ride along with someone who has one in their possession. Prior to each event, the course will be downloaded onto GPS units. Additionally, two support staff from AERC will ride quads to check and re-mark the course early each morning prior to the event due to sabotage that has happened in past horse enduro events. Some trails will be marked on the ground with flour. At the end of the events, permittee will rake and sweep out remaining flour until it dissipates.

The EIS meets the following criteria for National Environmental Policy Act (NEPA) compliance as it relates to the action described above.

The proposed action is substantially the same action and location (or is a part of that action) analyzed in the subject environmental assessment(s).

This action is covered under the range of actions analyzed in an environmental assessment CA-019-99-013 and is available for review at the Hollister Field Office and the Fort Ord Project Office.

The range of alternatives analyzed in the existing environmental assessment(s) is appropriate with respect to the current proposed action, given current environmental concerns, interests, and resource values.

Yes. Both the EIS and Habitat Management Plan included an appropriate and extensive range of alternatives.

The existing analysis is valid in light of any new information or circumstances.

The methodology and analytical approach used in the existing environmental assessment(s) continues to be appropriate for the current proposed action.

Yes. There is no new information which would require new or additional analysis.

The direct, indirect and cumulative impacts associated with the current proposed action are substantially unchanged from those identified in the environmental assessment(s).

Yes. The action is related to equestrian based recreation, and as such is not site-specific. However, trail-based recreation and the impacts to the suite of resources for which there may be concern, as analyzed extensively in the two documents mentioned above. This activity falls much within the expected use for any given weekend.

The public involvement and interagency review associated with environmental assessment(s) are adequate for the current proposed action.

Yes. EIS's are full-disclosure documents, with extensive public participation.

This decision constitutes the final decision by the Bureau of Land Management in this matter. This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in Title 43 Code of Federal Regulations (CFR) Part 4 and the enclosed Form 1842-1. If an appeal is taken, a notice of appeal must be filed in the Hollister Field Office, Bureau of Land Management, U.S. Department of the Interior, 20 Hamilton Court, Hollister, California 95023, within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

Pursuant to 43 CFR 2931.8 this decision shall remain effective pending appeal unless the Secretary of the Interior rules otherwise. If the appellant wishes to file a petition pursuant to 43 CFR 4.21 for a stay of the effectiveness of this decision during the time that the appeal is being reviewed by the Board, the petition for a stay must accompany the 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 appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If a stay is requested, the appellant has the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

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:

- (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.

Approved by:

Field Manager, Hollister Field Office

Date

CONDITIONS OF APPROVAL AND ADVISORY:

CONTROL NUMBER: CA-190-DNA04-24 **PROJECT:** 2004 Desert Gold
Equestrian Endurance Ride on Fort Ord
Public Lands

Prior to the Event

1. All promotional materials distributed by the Permittee shall include language that states “portions of this event are being conducted on BLM managed lands.”
2. User fees shall be paid in advance of the BLM issuance of a permit. Fees for commercial/competitive events are determined within the BLM’s National Fee Schedule which is 3% of the gross receipts, or \$4 — per participant per day – whichever is the greater amount. In the event that the Permittee does not know how many participants will likely sign up for the event, a prepayment of at least 25% of the estimated amount is required. The remaining fees along with an explanation of how the fee was calculated are due with the Post Use Report thirty days after the event.

Within One Week of the Event

3. The Permittee shall submit to the BLM for approval an Event Operations Plan that details the following information: a) Communications – including radio frequencies used for reporting accidents and responding for medical aid; b) Medical and Emergency Operations – including location of medical station(s) and onsite EMS personnel; c) Access Operations – including location of roads that will be used to access injured riders and deliver course officials; 3) Event Operations – including a map showing location of course, course officials, organizational staff, media stations, and aid stations.
4. The Permittee shall provide the BLM with a list of all motor vehicle access needs required to set up and conduct the event – including post event clean up. The Permittee is responsible for ensuring that all motor vehicles are issued a motor vehicle access permit from the BLM and that the permit is displayed in the window of the said motor vehicle. All vehicles found to be in violation of the vehicle access permit will be subject to impoundment.
5. The Permittee shall post professionally appearing notices or posters indicating that an equestrian event is occurring at all approved access points to BLM land. These notices shall be replaced during the week if they have been removed by the public.

During the Event

6. The Permittee shall provide courtesy patrol riders to help administer the event and warn mountain bike riders (and other users) that a horse event is taking place on the trails. Course marshals must be situated along the course to warn other recreational users, especially at the top of Trail 68 and Trail 44 and other single track trails that are favorites of mountain bike riders.

7. The BLM may flag off areas adjacent to trails (e.g., Trail 43, 47 & 49) that contain sand gilia habitat, and Congdon's tarplant and riders must avoid leaving the trail especially in those areas. Any special status plants and/or animals killed or injured during the event must be reported to the BLM staff immediately.
8. All dogs shall be on leashes at all times.
9. All participants are restricted to the authorized trails specified within the permit. The Permittee shall repair environmental damage caused from race participants, endurance event organizers, or emergency response teams acting as agents of the Permittee.
10. Where the course intersects trails where heavy use occurs by the public, laminated signs will be placed to inform the public that an event is occurring at that location. The event date and times will be written clearly on the signs. Additional signs alerting the public of the event shall be placed at all kiosk locations (e.g. Toro Estates, Engineer Canyon, BLM Project Office, and Trail 52).
11. All support vehicles will stay on existing open roads and on the predetermined course. Roads may not be closed or blocked to general public use unless specifically authorized in advance by BLM.
12. Course flagging or ribbon may be tied, clipped or stapled to trees or vegetation, as long as staples are not longer than 3/8". Nailing of signs to trees or vegetation is not allowed. A representative sample of course marking will be provided to the BLM prior to the event.
13. Littering on public land is prohibited. All trash must be contained in garbage receptacles or bags. Trash and food items shall be carried out by the participants. The permittee shall arrange to sweep the course and pick up any garbage that is inadvertently left behind.
14. The permittee shall designate a field contact representative (FCR) who will be responsible for overseeing compliance with protective stipulations and for coordination on compliance with the Bureau of Land Management (BLM). The FCR must be onsite during all project activities. The FCR shall have the authority to halt all project activities that are in violation of the stipulations. The FCR shall have a copy of all stipulations when work is being conducted on the site. The FCR may be a crew chief or field supervisor, a project manager, or any other employee of the project proponent.
15. The first aid and safety coordinator will be at the event to direct first aid and emergency rescue procedures. If any death or serious injury occurs in connection with this event, including spectators, participants and bystanders, the permittee shall notify BLM and other proper authorities immediately. All reporting forms will be filled out and returned within 72 hours. Minor injuries may be reported with the post use report.
16. Participants shall be advised that many other visitors may be encountered along the course, and that proper etiquette shall be observed at all times.
17. The permittee will comply with all stipulations contained in this permit unless otherwise approved in writing by the Authorized Officer. Non-compliance with these stipulations by permittee or any of his agents may at the option of the Authorized Officer result in the cancellation or suspension of the permit or adverse action against the grantee.

18. The permittee shall comply with applicable federal and state laws and regulations issued there under, existing or hereafter enacted or promulgated, affecting in any manner construction, operation, maintenance or termination of the permit.
19. The permittee shall confine all activities within the area specifically defined in the permit.
20. Releases of any material not authorized shall be reported immediately to the Federal Interagency Communications Center (FICC) at Porterville (559) 781-5780. An Initial Report shall be faxed to the authorized officer within 24 hours of the incident's discovery (831) 630-5055. The authorized officer must receive a comprehensive follow-up report within 14 calendar days of the incident's discovery.
21. The permittee will comply with all conditions contained in this permit unless otherwise approved in writing by the Authorized Officer. Non-compliance with these conditions by the permittee, or any of his agents may at the option of the Authorized Officer result in the cancellation or suspension of the permit or adverse action against the permittee.

After the Event

22. All staging areas and monitoring stations utilized during the event shall be cleaned of event related horse manure within one week of the event.
23. All injuries that occur to participants and/or event workers on BLM land shall be reported to the BLM within 14 days of the event. Injury reports shall include the name of the individual, type of treatment received, general location of the accident/injury, nature of accident, and mailing address of individual.
24. All personal/private property damage in excess of \$100.00 shall be reported to the BLM within 14 days of the event. The Permittee is not responsible for reporting property damage that occurs off lands managed by the BLM.
25. All signs and flagging associated for the event will be removed as soon as possible after the event but not later than one week after the event.
26. The Permittee will be required to apply only BLM approved weed free hay to treat site damage caused from the event. The BLM may also require the Permittee to apply a special seed mix if the BLM determines that native plant cover in a damaged area is required and the damage was attributed to the event. The BLM will provide the seed mix to the Permittee for these repairs as long as the seed mix does not exceed \$50.00.
27. The Permittee shall return the course to pre-event conditions within a reasonable time frame following the event. This can be accomplished using one (or more) of the following techniques:
 - 1) Within 14 days of the event, the Permittee shall remove all litter (including wrappers and water bottles), signing and flagging associated with the event. Within that time frame, the Permittee (in consultation with BLM) shall delineate areas that have been damaged from participants (or event personnel – including emergency response vehicles). The Permittee shall repair that damage within 30 days of the event using hand tools or heavy equipment as approved by the BLM.

SEVERE DAMAGE OR HAZARD CONDITION REQUIREMENTS:

The permittee will be required to immediately repair (e.g., within 14 days) any event related damage to BLM lands that causes a safety hazard or threatens natural resources from further degradation. This includes repairing severe ruts and holes or other damage to roads and trails that may have resulted from using those facilities during wet weather.

- 2) Within 14 days of the event, the Parties may agree to postpone that event related repair to a later date should the soil conditions be too dry to perform tread repair. In that case, the Performance bond would be retained by the BLM and a later date would be selected to conduct the repair. That repair would be conducted at least 3 months before the applicant would be allowed to apply for another permit. Should the Permittee desire to not conduct another event on BLM lands at Fort Ord, then portions of the performance bond will be used to repair event related damage (e.g. see Option 4).
- 3) Within 14 days of the event, should the Permittee propose and the BLM agree, event related damage repair may be quantified and “banked” in that the repair could be accomplished along another segment of the course such that the estimated cost of trail repair/maintenance was equitable with the repair related to the event related damage. In that case, the Performance bond would be retained by the BLM and a date would be selected to conduct the repair/maintenance. That repair would be conducted at least 3 months before the applicant would be allowed to apply for another permit for the same type of event at Fort Ord. Should the Permittee desire to not conduct another event on BLM lands at Fort Ord, then portions of the performance bond will be used to repair event related damage (e.g. see Option 4).
- 4) Within 14 days of the event, should the Permittee propose and the BLM agree, event related damage repair could be accomplished by BLM personnel or contractors and the cost of the repair would be taken from the Performance bond. Should the performance bond not cover the cost of the repair, the Permittee shall make additional payments to cover the difference.

28. The post use report will be submitted to the Hollister Field Office 30 days after the event.

Advisory:

1. The Permittee shall be aware that the BLM lands many contain remnants of military occupation that are a safety hazard. This may include unexploded ordnance that was left behind within the troop training areas and missed by Army UXO safety experts. The permittee must not disturb or move any foreign military object that could be unexploded ordnance. All potential ordnance must be reported to the BLM and Army UXO safety expert immediately upon discovery. Contact the BLM at (831) 394-8314 or Army safety expert at (650) 603-8301, ext. 02, Friday through Sunday.
2. Actions other than those explicitly approved by the Bureau of Land Management which result in impacts upon archaeological resources, shall be subject to the judicial proceedings of the Archaeological Resources Protection Act of 1979, as amended, and the Federal Land Policy and Management Act of 1976. As property of the United States, no person may, without authorization, excavate, remove, damage, or otherwise alter or

deface any historic or prehistoric site, artifact, or object of antiquity located on public lands.