

DECISION RECORD
Douglas Creek Family Gathering SRP
DOI-BLM-OR-134-2014-0007-CX
Bureau of Land Management
Wenatchee Field Office
915 Walla Walla Avenue
Wenatchee, Washington

Background

In January 2014, Kristina Kokonis, et al. contacted BLM about a family reunion gathering that their group was proposing to have on BLM lands near McCue Springs in Douglas Creek Canyon (T23N, R23E, S24). The Applicant has been having this gathering for a number of years, but after an onsite contact with BLM in 2013, had learned about BLM's permit policy and contacted the BLM Wenatchee field office.

The applicant submitted information for a Special Recreation Permit (SRP) in spring 2014, and the field office initiated the National Environmental Policy Act (NEPA) process for analyzing the SRP application. According to the SRP, the group gathering would be set up in a flat area near McCue Springs, and the total staging area would be less than 3 acres. 4 portable toilets would be provided for participants, and the group would have first aid kits and 2 Emergency Medical Technicians (EMTs) onsite. Motorola radios and cellular phones would also be used for communications. Planned activities include a Maypole ceremony, gathering around the central campfire, music and dancing around the 4'x6' portable stage, and camping onsite. Anticipated attendance is expected to be around 100 participants.

This document authorizes the SRP, as described above, for the family gathering in the McCue Springs area of Douglas Creek canyon on April 26-27, 2014.

Decision

It is my decision to authorize the SRP, as described in the attached Douglas Creek Family Gathering Categorical Exclusion document (DOI-BLM-OR-134-2014-0007-CX), subject to the below stipulations, and shown on attached map. This decision is issued under 43 CFR 2931.3 and is effective immediately. The BLM has made the determination that there are no potential significant impacts to the human or natural environment that would result from issuing this SRP.

The SRP is subject to the following stipulations:

1. Event capacity is limited to 100 people over the 2 days.
2. Gathering will be limited to previously disturbed area between roads at the site.
3. For protection of riparian habitat: 1) use already created access trails by water's edge. Do not create new trails. 2) No cutting or removal of riparian vegetation within or along

the creek. 3) All ground-disturbing activities will occur a minimum of 50 feet from McCue Springs.

4. Use previous hole in ground location for Maypole. No additional digging or ground disturbance is authorized for this or other activities.

5. Avoid disturbing or impacting cultural sites, or collecting artifacts during activities.

6. Crowd control (if needed) will be organized by the permittee.

7. BLM Recreation Staff and Law Enforcement Officers will monitor this permitted group event. Other resource management agencies may also monitor this event in the areas under their jurisdictions.

8. Practice Leave No Trace principles. Do not pick flowers or cut other vegetation. All litter and signs of the event must be removed from the site after the event is over. To the extent possible, please return the area to its previous condition after the event is completed.

9. Full first aid kits and fire extinguishers will be provided by event organizers. In case of accident or medical emergency the permittee will call 911.

10. If there is a "Fire Closure" the area will be signed as "No Campfires Allowed" and the permittee and attendees of this event will comply with the campfire closure. Camp stoves with propane or white gas will be allowed.

11. Vehicles will only travel on existing roads. Please park vehicles to limit damage to vegetation and do not block roads.

12. Failure to comply with stipulations could result in denying a future Special Recreation Permit.

Authority

The following authority is applicable to this decision: 44 CFR 2931.3 Federal Land Policy and Management Act, 43 U.S.C. 1701 *et seq.*, and the Land and Water Conservation Fund Act, as amended, 16 U.S.C. 4601–6a; and Categorical Exclusion (CX) 516 DM 11.9.H.1. 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 2932.54).

Rationale

I have reviewed the plan conformance statement and have determined that the proposed action is in conformance with the approved land use plan and that no further environmental analysis is required.

There are no potential significant impacts to the human or natural environment that would result from issuing this SRP, as indicated in the attached Categorical Exclusion Documentation (*DOI-BLM-OR-134-2014-0007-CX*).

Protest and Appeal

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. To appeal you must file a notice of appeal at the BLM Wenatchee Field Office, 915 N. Walla Walla Ave., Wenatchee, Washington 98801, within 30 days from receipt of this decision. The appeal must be in writing and delivered in person, via the United States Postal Service mail system, or other common carrier, to the Wenatchee Field Office as noted above. The BLM does not accept appeals by facsimile or email. The appellant has the burden of showing that the decision appealed from is in error.

This Special Recreation Permit decision is issued under 43 CFR 4190.1 and is effective immediately. The BLM has made the determination that no potential significant impacts to the human or natural environment would result from issuing this SRP. Thus, notwithstanding the provisions of 43 CFR 4.21(a)(1), filing a notice of appeal under 43 CFR Part 4 does not automatically suspend the effect of the decision . Appeal of this decision may be made to the Interior Board of Land Appeals in accordance with 43 CFR 4.410. The Interior Board of Land Appeals must decide an appeal of this decision within 60 days after all pleadings have been filed, and within 180 days after the appeal was filed as contained in 43 CFR 4.416.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) for a stay 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. Except as otherwise provided by law or other pertinent regulation, a petition for a stay of decision pending appeal shall show sufficient justification based on the following standards: (a) The relative harm to the parties if the stay is granted or denied, (b) The likelihood of the appellant’s success on the merits, (c) The likelihood of immediate and irreparable harm if the stay is not granted, and (d) Whether the public interest favors granting the stay.

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 (see 43 CFR 4.413); Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 805 SW Broadway, Suite 600, Portland, OR 97205; at the same time the original documents are filed with this office.

/s/Brent Cunderla for Linda Coates-Markle 04/18/2014

Linda Coates-Markle
Field Manager

Date

Attached: Project Map
Categorical Exclusion Documentation

Categorical Exclusion Documentation

Department of the Interior
Bureau of Land Management, Spokane District
1103 North Fancher Road
Spokane Valley, WA 99212

A. Background

BLM Office: Wenatchee Field Office

Lease/Serial/Case File No.: OR1341404

NEPA Log Number: DOI-BLM-OR-134-2014-0007-CX

Proposed Action Title: Douglas Creek Family Gathering Special Recreation Permit (SRP)

Location of Proposed Action: BLM public lands located near McCue Springs in Douglas Creek Canyon: T23N, R23E, S24

Description of Proposed Action: This document would authorize a SRP for an organized group to Kristina Kokonis et al., for a family gathering in the McCue Springs area of Douglas Creek canyon on April 26-27, 2014. The gathering would be set up between the Slack Canyon Road and the McCue Springs road, on the flat area above Douglas Creek (T23N, R23E, S24; see attached map). The total staging area would be less than 3 acres. 4 portable toilets would be provided for participants, and the group would have first aid kits and 2 Emergency Medical Technicians (EMTs) onsite. Motorola radios and cellular phones would also be used for communications. Planned activities include a Maypole ceremony, gathering around the central campfire, music and dancing around the 4'x6' portable stage, and camping onsite. Anticipated attendance is expected to be around 100 participants.

There are no records in GIS or BLM files regarding occurrence of rare plants in campout area.

The SRP would be subject to the following stipulations:

1. Event capacity would be limited to 100 people over the 2 days.
2. Gathering would be limited to previously disturbed area north of the old railroad grade and south of the County Road.
3. For protection of riparian habitat: 1) use already created access trails by water's edge. Do not create new trails. 2) No cutting or removal of riparian vegetation within or along Douglas creek. 3) All ground-disturbing activities would occur a minimum of 50 ft. from McCue Springs.
4. Use previous hole in ground location for Maypole. No additional digging or ground disturbance would be authorized for this or other activities.
5. Avoid disturbing or impacting cultural sites, or collecting artifacts during activities.
6. Crowd control (if needed) would be organized by the permittee.
7. BLM Recreation Staff and Law Enforcement Officers would monitor this permitted group event. Other resource management agencies may also monitor this event in the areas under their jurisdictions.

8. Practice Leave No Trace principles. Do not pick flowers or cut other vegetation. All litter and signs of the event must be removed from the site after the event is over. To the extent possible, please return the area to its previous condition after the event is completed.

9. Full first aid kits and fire extinguishers would be provided by event organizers. In case of accident or medical emergency the permittee would call 911.

10. If there is a "Fire Closure" the area will be signed as "No Campfires Allowed" and the permittee and attendees of this event would comply with the campfire closure. Camp stoves with propane or white gas would be allowed.

11. Vehicles would only travel on existing roads. Please park vehicles to limit damage to vegetation and do not block roads.

12. Failure to comply with stipulations could result in denying a future Special Recreation Permit.

B. Land Use Plan Conformance

Land Use Plan Name: Spokane Resource Management Plan

Date Approved/Amended: Approved 1987/Amended 1992

Option 1 (conforms with LUP): The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s): Chapter 2, General Management Objectives: 7. Manage public lands and keep access routes open for a variety of recreational opportunities/experiences, including both motorized and nonmotorized recreation activities

OR

(Option 2: not explicitly provided for in the LUP) The proposed action is in conformance with the applicable LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (*objectives, terms, and conditions*):

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.H.1. 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 43 CFR 46.215 apply, as shown in the following table:

CX EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION The proposed categorical exclusion action will:	YES	NO
(a) Have significant impacts on public health or safety.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) 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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) 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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(i) Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(j) Have a disproportionately high and adverse effect on low income or	<input type="checkbox"/>	<input checked="" type="checkbox"/>

minority populations (Executive Order 12898).		
(k) 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).	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(l) 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).	<input type="checkbox"/>	<input checked="" type="checkbox"/>

F: Signature

/s/Brent Cunderla for Linda Coates-Markle 04/18/2014

(Authorizing Official Signature)

(Date)

Name: Linda Coates-Markle

Title: Field Manager

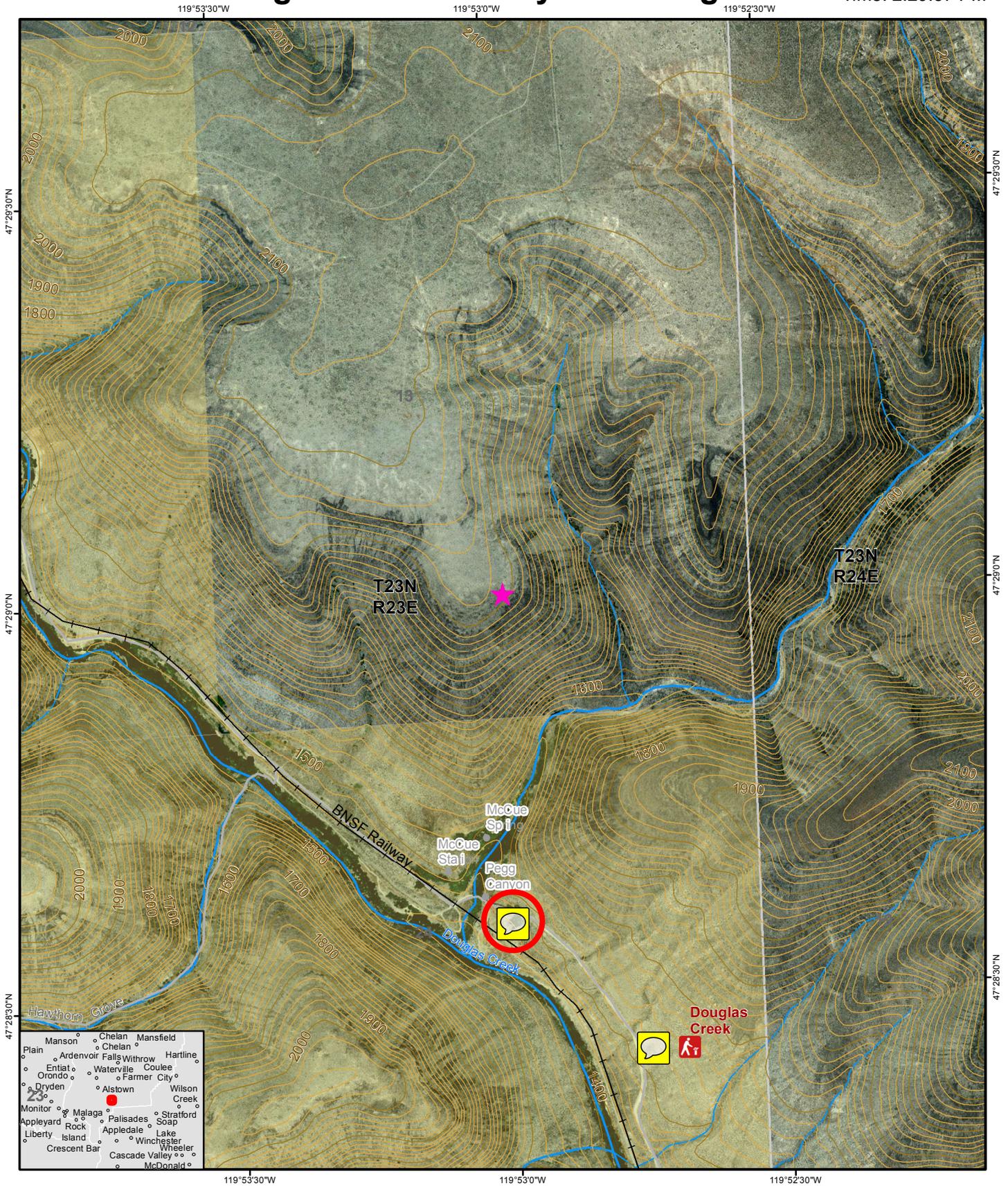
G. Contact Person

For additional information concerning this CX review, contact Diane Priebe, Outdoor Recreation Planner, Wenatchee Field Office, at 509-665-2131.

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

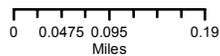
Douglas Creek Family Gathering SRP

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Map Center:

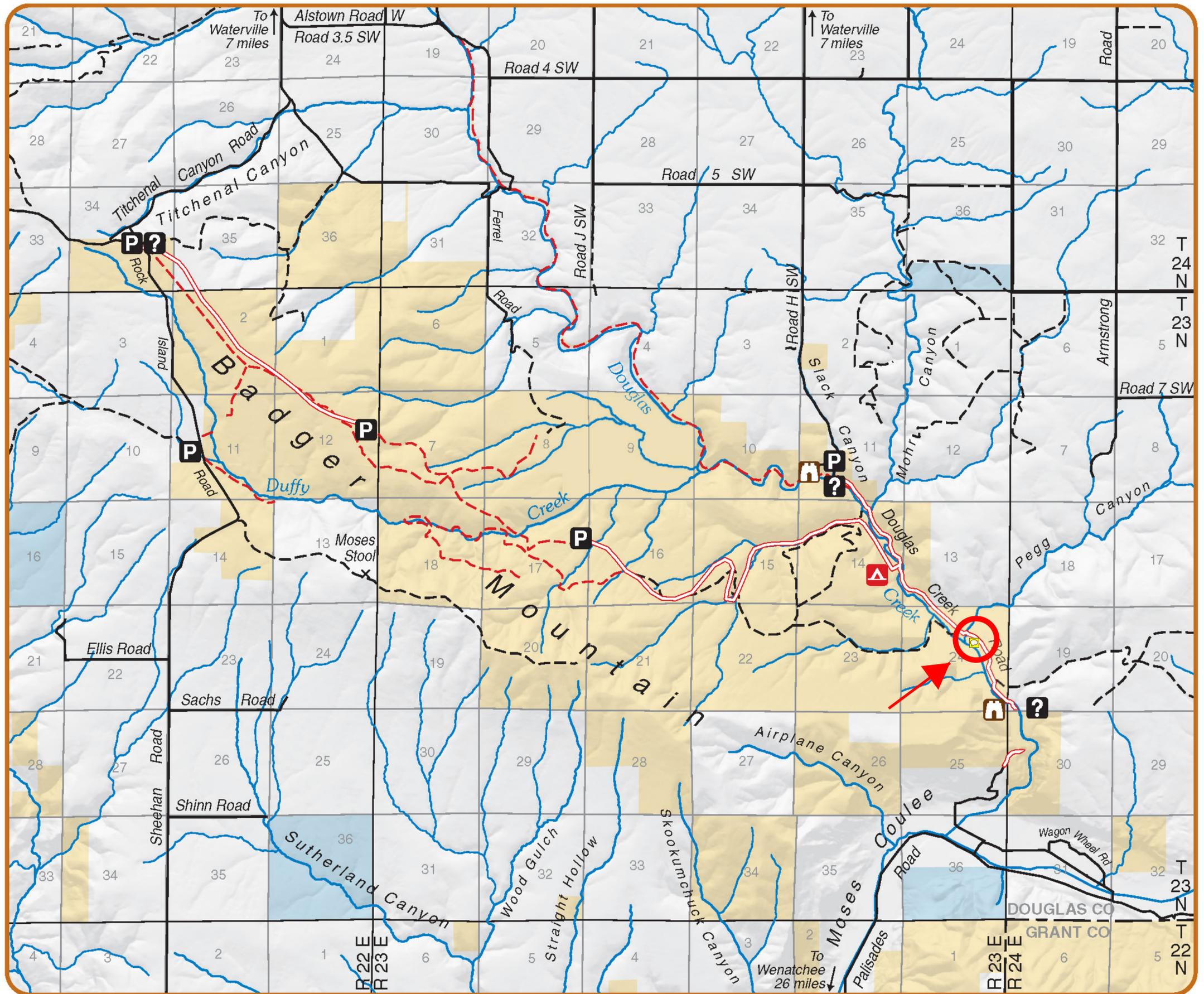
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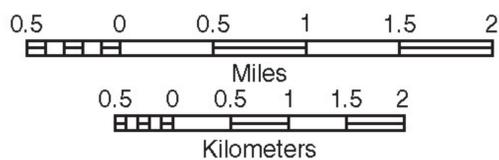
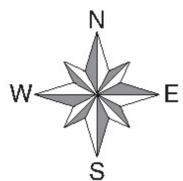
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Base data modified from various sources



LEGEND

Recreation

- Dispersed Camping
- Information
- Parking
- Watchable Wildflowers

Transportation

- Access Route
- Improved Road
- Non-Motorized Trail
- Other Road or Trail, Access as Designated

Administered Land

- Bureau of Land Management
- Washington Dept. of Natural Resources
- Washington Dept. of Fish and Wildlife
- Private or Other