

DECISION RECORD

Liberty Tea Party Special Recreation Permit

OR-134-2010-CX-0019

Bureau of Land Management

Wenatchee Field Office

915 N. Walla Walla Ave

Wenatchee, WA 98801

Decision and Rationale

It is my decision to approve the Liberty Tea Party Special Recreation Permit for an organized group gathering at the BLM’s Liberty recreation site, as shown on the attached map.

Organized group gatherings are accommodated through BLM’s Special Recreation Permit policy, and specifically provided for in BLM’s Land Use Planning documents which direct BLM to “...manage public lands and keep access routes open for a variety of recreational opportunities/experiences, including both motorized and nonmotorized recreation activities.” The Liberty recreation site regularly accommodates large group gatherings and events, and as described in Categorical Exclusion Document OR-134-2010-CX-0019, significant impacts are not anticipated from the proposed event.

/s/ Karen Kelleher

6/03/10

Karen Kelleher,
Field Manager, Wenatchee Field Office

Date

Administrative Review or Appeal Opportunities

Any party that is adversely affected and determined to be a party to the case, may appeal the implementation of the proposed action to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4. A notice of appeal must be filed in this office (at the address below) within 30 days of receipt of this decision. The appellant has the burden of showing that the decision is in error.

An appellant may also file a petition for a stay (suspension) of this decision during the time that the appeal is being reviewed by the Board pursuant to

Part 4, Subpart B, 43 CFR Part 4.21. 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 be submitted to each party named in this decision, to the Interior Board of Land Appeals, and the Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. The appellant has the burden of proof of demonstrating 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 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.

Attachment: 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.:

NEPA Log Number: OR134-2010-CX-0019

Proposed Action Title: Liberty Tea Party Special Recreation Permit

Location of Proposed Action: T20N, R17E, S10,11

Description of Proposed Action:

- The Bureau of Land Management (BLM) Wenatchee Field Office received a Special Recreation Permit (SRP) proposal by the Washington State Tea Party to hold an event at the BLM/USFS Liberty recreation site on Saturday, June 19, 2010. Anticipated attendance is approximately 150 people, including guest speakers (potentially including Congressional Representatives).
- Most of the actual event will be on US Forest Service (USFS) at the east end of the camp area. Activity on BLM would include spillover of people at the event, use of outhouse(s), and vehicle parking in meadow above road.
- Parking is proposed in the meadow above the road, on BLM. The parking area will be designated by flagging.
- Tea Party event will be free to the public, will not impede recreational use at the site, and will also be a BBQ for attendees.
- Tea Party organizers will provide 2-3 porta-potties, and crowd control (if needed). Appropriate emergency and law enforcement agencies will be contacted as part of BLM's SRP.
- Publicity for the event will be by website, and fliers. No structures will be erected, except for an awning for the invited speakers, in case of rain.
- USFS is not requiring a permit for use of their land, but will concur with BLM permit and permittee operating plan.

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 11.9H.

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 minority populations (Executive Order 12898).	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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/ Karen Kelleher_____
 (Authorizing Official Signature) _____6/3/10_____
 (Date)

Name: Karen Kelleher
 Title: Field Manager

G. Contact Person

For additional information concerning this CX review, contact Diane Priebe, 509-665-2100.

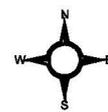
Note: A separate decision document must be prepared for the action covered by the CX.

Liberty

Recreation Opportunities:



Dispersed Camping

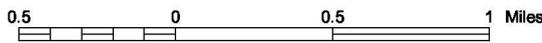


R 17 E



Bureau of Land Management
 Wenatchee Field Office
 915 Walla Walla
 Wenatchee, WA 98801
 (509) 665-2100

It is unlawful to trespass on private lands. State hunting and fishing regulations apply to private lands. Landowners are not required to post or fence their lands. Check with private landowners before entering their property.



LEGEND

- | | | | |
|---|--------------------------|---|---------------|
|  | BLM Administered |  | Highway |
|  | U.S. Forest Service Land |  | Improved Road |
|  | State Land | | |
|  | Private Land | | |



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