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**Worksheet**  
**Determination of NEPA Adequacy (DNA)**  
U.S. Department of the Interior  
Bureau of Land Management

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**OFFICE:** Kingman Field Office (KFO), AZ-310

**NEPA DOCUMENT NUMBER:** DOI-BLM-AZ-C010-2012-0049-DNA

**CASE FILE NUMBER:** SRP# AZ-310-12-004

**PROPOSED ACTION TITLE/TITLE:** Issue Special Recreation Permit to Double H Outfitters

**LOCATION/LEGAL DESCRIPTION:** Arizona Game and Fish Game Mgt. Unit 15C North

**APPLICANT (if any):** Double H Outfitters

**A. Description of the Proposed Action and any applicable mitigation measures:**

Issue a 1-year Special Recreation Permit to allow Double H Outfitters to conduct commercial guided hunts on public lands in the Arizona Game and Fish management unit 15C North (**See Map**) from December 1, 2012 through December 31, 2012. This permit may be renewed yearly for up to 5 years upon satisfactory adherence to the following mitigating measures and stipulations; and completion of requirements related to fee payments, post-use reports and maintaining adequate required insurance for operations conducted on Public Lands under this permit, and provided no changes are made to the permittee's operations plan. Transportation would consist of one pickup truck. Base camps would be authorized under this special recreation permit. With proper notification, length of stay at base camps may occasionally exceed fourteen days when necessary to fill client's tag, but will not exceed the length of the hunting season. The action, if authorized, would be subject to the attached stipulations.

**B. Land Use Plan (LUP) Conformance**

LUP Name: *Kingman Resource Management Plan/EIS*

Date Approved: March 1995

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

**Kingman RMP, Decision #RR18** - Commercial and competitive recreation uses would continue to be accommodated through the issuance of special recreation permits. Proposals for these permits would be analyzed on a case-by-case basis (Page 76)

The proposal is also in conformance with following Kingman RMP decisions:

**Kingman RMP, Decision #SM02** – “Manage the twelve "Areas of Critical Environmental Concern" designation according to the goals and objectives in the RMP pages 95 to 111. Evaluate land use authorizations, including all existing activity plans, for compatibility with goals and objectives of the area of critical environmental concern”.

**Kingman RMP, Decision #SM04** – Limit off-highway vehicle use in riparian areas to designated roads, trails, washes and river crossings (White Margined Penstemon ACEC, Burro Creek ACEC (includes Francis Creek), and Three Rivers (includes Big Sandy and Santa Maria Rivers).

**Kingman RMP, Decision #SM11** - Minimize surface disturbance (pg. 99, BLM 1995)

**Kingman RMP, Decision #TE03** – BLM will manage for conservation of candidate and BLM-sensitive species and their habitats (and State Listed species). BLM will ensure that actions authorized will not contribute to the need to list any of these species as threatened or endangered”

### **C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.**

- *Special Recreation Permits for Outfitters*: DOI-BLM-AZ-C010-2009-0024-EA Issued September 29, 2009.
- *Issue 5-year Special Recreation Permit to double H Outfitters*: AZ-310-2006-0003DNA Issued November 21, 2006.
- Management of commercial recreation uses on public lands is governed by **43 CFR 2930** and policy is dictated in **BLM Manual 2930** and **BLM Manual Handbook H-2930-1**.

### **D. NEPA Adequacy Criteria**

**1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?**

Documentation of answer and explanation: Yes, the current proposed action is substantially the same type of action as that analyzed in the 2009 Programmatic EA for Special Recreation Permits for Outfitters. Pages 1-2 of the EA, under the Proposed Action, describes the location and issuance of permits for these types of activities, and identifies a list of terms and conditions that would be imposed on permittees. The current proposed action includes such a list of terms and conditions, which were substantially compiled from the Programmatic EA.

**2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource values?**

Documentation of answer and explanation: Yes, the range of alternatives analyzed in the Programmatic EA for Special Recreation Permits for Outfitters is still appropriate to current-day concerns. The public has proposed no new alternatives.

**3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?**

Documentation of answer and explanation: Yes, the analysis undertaken in the Programmatic EA is still valid. Since the development of this EA, no changes have been made to the listing of “Critical Elements of the Human Environment” which must be addressed in each NEPA analysis. There is no new information or circumstances since that time that would change the analysis of the new proposal to issue a Special Recreation Permit to Double H Outfitters. There are no new Endangered species listings or updated BLM Sensitive species or Arizona State Listed species.

**4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?**

Documentation of answer and explanation: The environmental effects that would result from issuing a Special Recreation Permit to Double H Outfitters would be the same, both quantitatively and qualitatively, as those that were disclosed in the reference the 2009 Programmatic EA.

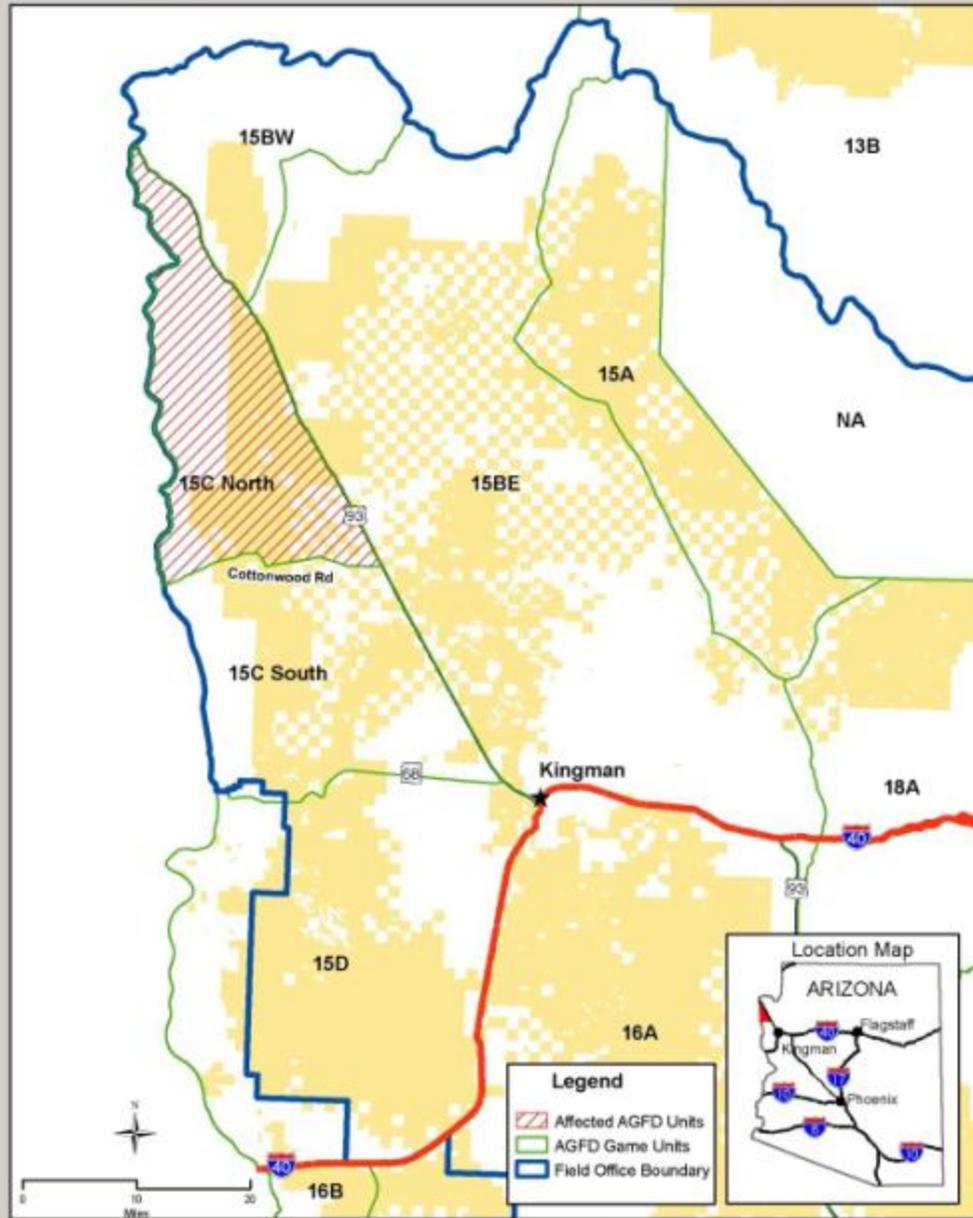
**5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?**

Documentation of answer and explanation: The degree of public and interagency involvement that occurred in preparation of the reference EA is considered adequate for the current proposal. This project proposal was presented at the Kingman Field Office interdisciplinary Project Coordination meeting on August 20, 2012. Resource specialists who indicated an interest in evaluating the proposal are listed on the attached KFO Scoping Form.

Note: Refer to the EA/EIS for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.



Attachment 1 - Project Area



## Attachment 2

### Stipulations to be attached to the authorization:

1. 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.
2. An SRP authorizes special uses of the public lands and related waters and, should circumstances warrant, the permit may be modified by the BLM at any time, including modification of the amount of use. The authorized officer may suspend or terminate an SRP if necessary to protect public resources, health, safety, the environment, or because of non-compliance with permit stipulations. Actions by the BLM to suspend or terminate an SRP are appealable.
3. No value shall be assigned to or claimed for the permit, or for the occupancy or use of Federal lands or related waters granted thereupon. The permit privileges are not to be considered property on which the permittee shall be entitled to earn or receive any return, income, price, or compensation. The use of a permit as collateral is not recognized by the BLM.
4. Unless expressly stated, the SRP does not create an exclusive right of use of an area by the permittee. The permittee shall not interfere with other valid uses of the federal land by other users. The United States reserves the right to use any part of the area for any purpose.
5. The permittee or permittee's representative may not assign, contract, or sublease any portion of the permit authorization or interest therein, directly or indirectly, voluntarily or involuntarily. However, contracting of equipment or services may be approved by the authorized officer in advance, if necessary to supplement a permittee's operations. Such contracting should not constitute more than half the required equipment or services for any one trip and the permittee must retain operational control of the permitted activity. If equipment or services are contracted, the permittee shall continue to be responsible for compliance with all stipulations and conditions of the permit.
6. All advertising and representations made to the public and the authorized officer must be accurate. Although the addresses and telephone numbers of the BLM may be included in advertising materials, official agency symbols may not be used. The permittee shall not use advertising that attempts to portray or represent the activities as being conducted by the BLM. The permittee may not portray or represent the permit fee as a special federal user's tax. The permittee must furnish the authorized officer with any current brochure and price list if requested by the authorized officer.
7. The permittee must assume responsibility for inspecting the permitted area for any existing or new hazardous conditions, e.g., trail and route conditions, landslides, avalanches, rocks, changing water or weather conditions, falling limbs or trees, submerged objects, hazardous wildlife, or other hazards that present risks for which the permittee assumes responsibility.
8. In the event of default on any mortgage or other indebtedness, such as bankruptcy, creditors shall not succeed to the operating rights or privileges of the permittee's SRP.

9. The permittee cannot, unless specifically authorized, erect, construct, or place any building, structure, or other fixture on public lands. Upon leaving, the lands must be restored as nearly as possible to pre-existing conditions.
10. The permittee must present or display a copy of the SRP and permit stipulations to an authorized officer's representative, or law enforcement personnel upon request. If required, the permittee must display a copy of the permit or other identification tag on equipment used during the period of authorized use.
11. 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 three years after expiration of the permit.
12. The permittee must submit a post-use report to the authorized officer for every year the permit is in effect. The report is due 30 days after the end of established hunting operations on December 31, 2012. If the post-use report is not received by the established deadline of January 31, 2012, the permit will be suspended and/or fines assessed.
13. The permittee shall notify the authorized officer of any accident that occurs while involved in activities authorized by these permits which result in: death, personal injury requiring hospitalization or emergency evacuation, or in property damage greater than \$2,500 (lesser amounts if established by State law). Reports should be submitted within 48 hours in the case of death or injury, or 10 days in accidents involving property damage.
14. The applicant/permittee is required to contact private landowners whose property is affected by the use associated with the permit. Evidence that permission has been obtained to use private property must be available upon request.
15. The permittee is required to contact the Authorized Officer annually, at least 45 days prior to the beginning of the use season, to discuss any changes in the previous year's operating plan. Significant changes in the operation plan may require additional environmental analysis and permit stipulations. The BLM authorized officer must first approve any changes to the Operating Plan.
16. The permit will remain valid only if annual fees have been paid.
17. If permittee wishes to utilize any type of discount a complete log must be kept for each day of permitted activity. The log would represent actions and locations of permittee to tabulate total time on and off of public lands.
18. The applicant/permittee is required to provide the Authorized Officer with a copy of a valid insurance policy or proof thereof covering the periods of use, before any use under this permit begins. The required minimum general liability limits are: \$300,000 per occurrence and \$600,000 annual aggregate for bodily injury; and \$30,000 per occurrence for property damage. The U.S. Government and the permittee must be named as additional insured on the policy.
19. All motor vehicle use will comply with existing vehicle regulations, including local off-highway vehicle regulations. "Local off-highway vehicle regulations" refer to BLM Off-highway vehicle designations on BLM administered lands as established in the Resource Management Planning process, or in emergency closures authorized by a BLM manager. Motor vehicles are limited to existing roads and may not be taken off-road to retrieve game.
20. All motor vehicle use will be conducted in a safe manner; reckless driving and/or excessive speed are permit violations.

21. Motor vehicles and mechanical transport (i.e. bicycles, wheeled game carts) are not permitted in designated wilderness areas.
22. All signs on public lands must be authorized by BLM in writing.
23. The collection of artifacts or disturbance of archaeological resources on Federal Lands is prosecutable under the Archaeological Resources Protection Act. Disturbance of human graves are also prohibited. Actions other than those explicitly approved by the Bureau of Land Management, which result in impacts upon archaeological or historical resources, shall be subject to the provisions of the Archaeological Resources Protection Act of 1979 as amended and the Federal Land Policy and Management Act of 1976. The permittee will immediately bring to the attention of the Authorized Officer any archaeological or historical resources encountered during permitted operations and maintain the integrity of such resources pending subsequent investigation
24. Surface collection of artifacts (either historic or prehistoric) by permittee or tour participants is prohibited. Permittee is required to inform all participants that collecting artifacts, theft or vandalism of any cultural property is a violation of the above mentioned Federal and/or State laws.
25. It is prohibited to collect vertebrate fossils which are protected under the Paleontological Resources Preservation Act (PRPA). Invertebrate fossils (i.e. ammonites and trilobites) and plant fossils may be collected for personal use only – up to 25 pounds per day, plus one piece, but no more than 250 pounds per year. Fossil collection for commercial uses (selling or trading) is not permitted.
26. Permittee and all event participants are prohibited from stopping at, or entering any and all known and unknown abandoned mine features.
27. Harassment of livestock, wildlife, wild horses or burros, or destruction of private and public improvements such as fences and gates is prohibited. Gates will be left open or closed, as they are found.
28. All migratory birds shall be observed from a distance. Any injured wildlife shall be reported to the Arizona Game & Fish Dept. at (928)342-0091.
29. State protected plant species, including all cacti shall not be disturbed, damaged, or destroyed. The taking of any threatened or endangered plant or animal is prohibited.
30. The permittee will practice Leave No Trace and Tread Lightly! outdoor ethics. Reference materials will be provided upon request of the permittee.
31. The permittee will follow the tortoise handling guidelines attached to the permit.
32. All vehicles with catalytic converters will park in areas cleared of brush and grasses.

### **Base Camp Operations**

1. Base camps would only be established on previously disturbed areas and must receive clearance from the BLM Authorized Officer prior to occupation. Prior to establishing a base camp, the permittee will advise the Bureau of Land Management on any planned camp locations. No less than two weeks of advanced notice must be given to BLM for use of such sites.
2. Generally, the maximum overnight stay in any one location is 14 days within any 28-day period. The BLM Authorized Officer must be notified of anticipated base camp stays of greater than 14

days. This notification must be given to BLM prior to the 14<sup>th</sup> day of occupancy and upon moving campsite locations.

3. Permittee would not park vehicles or camp in locations that will interfere with use of livestock facilities (such as corrals) or ongoing livestock operations.
4. No developed base camps are permitted in wilderness.
5. Arizona Revised Statute 17-308 states that it is unlawful for a person to camp within one-fourth mile of a natural water hole containing water or a man-made watering facility containing water in such a manner that wildlife or domestic stock will be denied access to the only reasonably available water. This regulation is enforced by the State of Arizona.
6. In other places where access is not denied to wildlife or domestic stock, camps will be located at least 200 feet from water holes, live water sources (springs and streams), or man-made watering facilities.
7. All base and spike camps will be located at least 200 feet from any archaeological sites, including prehistoric camps, rock shelters, caves, and historic structures.
8. Camps and use areas will be maintained in a neat and clean condition with no litter.
9. All noncombustible refuse, all unburned combustible refuse, and all cigarette refuse must be carried out of the area and disposed of in a county approved disposal site. Burying garbage is prohibited.
10. A portable toilet or group latrine will be utilized at base camps. Portable toilets are the preferred method for human waste disposal and must be emptied at approved sites. Group latrines will be located no closer than 200 feet from water sources and active dry washes on a site that maximizes direct sunlight. The hole excavated for the latrine will be 8-12 inches deep and will be completely filled in and disguised when camp is broken.

### **Use of Fire**

1. The permittee may use only dead and down wood for camp and cooking fires (unless otherwise prohibited). Cutting or removing any live vegetation or standing dead vegetation is prohibited.
2. Camp and cooking fires are permitted unless otherwise posted during periods of wildfire danger or for other circumstances.
3. The permittee must use existing campfire circles, rather than construct new ones, when they exist. If no fire circle exists, select a site that can be "naturalized" when you leave.
4. Any built fires would be located away from trees, shrubs and other vegetation. No fires would be built next to rock or encircled with stones. The permittee would use smaller, dry firewood that will burn more completely. Permittee will ensure that all fires are dead out, ashes are scattered and area is "naturalized" before leaving fire sites.
5. The permittee must take reasonable precautions to prevent wildland fires. Fires must not be left unattended.



# United States Department of the Interior

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## **GUIDELINES FOR HANDLING DESERT TORTOISE ENCOUNTERED ON ROADS, VEHICLE WAYS AND PROJECT AREAS**

1. Stop your vehicle and allow the tortoise to move off the road.
2. If the tortoise is not moving, gently\*\* pick up the tortoise and move it approximately 200 feet off the road to a shaded location.
  - a. **Do not** turn the tortoise over.
  - b. Move the tortoise in the direction it was traveling. If it was crossing the road, move it in the direction it was crossing.
  - c. Keep the tortoise within 12-18 inches of the ground, move slowly so as not to cause it to become alarmed.
  - d. Release the tortoise under the shade of a bush or rock.

\*\* Tortoise store water in their bladder. If a tortoise becomes alarmed its defense is to void its bladder onto the captor. This could lead to dehydration of the tortoise and potentially to death.

3. Prior to moving any parked vehicle or equipment at project sites, check for tortoise under the vehicle.

