

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

OFFICE: *Sonoran Desert National Monument (SDNM)*

NEPA/TRACKING NUMBER: *DOI-BLM-AZ-P0400-2011-002-DNA*

CASEFILE/PROJECT NUMBER: *N/A*

PROPOSED ACTION TITLE/TYPE: Colorado Mountain College Special Recreation Permit

LOCATION/LEGAL DESCRIPTION: North Maricopa Mountains and South Maricopa Mountains wildernesses

APPLICANT (if any): *Colorado Mountain College*

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

Faculty of Colorado Mountain College propose to conduct college level educational classes in the North Maricopa Mountains Wilderness and/or South Maricopa Mountains Wilderness, Sonoran Desert National Monument (see map). The program is offered to small classes of students (approximately 7-10 students) enrolled in the Associate Degree in Outdoor Education and Outdoor Recreation leadership at two campuses of the Colorado Mountain College (Glenwood Springs and Leadville, CO). The groups also generally include two to three staff /guides, bringing the typical group total to ten to twelve. Groups would leave up to two vehicles parked at the Margies Cove Trail, West Trailhead and/or terminus of BLM Route 8030 in the South Maricopa Mountains, and hike into wilderness for four-night backpacking trips that feature educational content on desert orienteering, leave-no-trace practices, camping skills, and natural history. No packstock would be used, meals would be prepared with stoves, and no campfires are proposed. The date of operation on site is during March annually. Staff are trained in first aid and cardio-pulmonary resuscitation. This project would authorize a multi-year Special Recreation Permit to Colorado Mountain College for the purpose of holding two such classes annually for a period of three years. The SDNM has issued three (3) one-year, one-time SRP's for these classes in prior years.

B. Land Use Plan Conformance

Land Use Plan (LUP) Name: *Lower Gila South RMP/EIS*
Date Approved/Amended: *6/1/1988*

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

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

The Lower Gila South RMP/EIS provided that “Although recreation in the Lower Gila South RMP/EIS area was not identified as a major issue...Visual resource management, management of off-road vehicle (ORV) use, and other recreation resource management will continue as recreation programs” (p. 12).

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

“Maricopa Complex Wilderness Management Plan, Environmental Assessment and Decision Record, June, 1995”; “Special Recreation Permits for Commercial Recreation Activities on Public Lands in Arizona” (E.A. No. AZ-931-93-001), August, 1993

The *Maricopa Complex Wilderness Management Plan, Environmental Assessment and Decision Record* provided that “activities and services authorized under the special recreation use permit regulations...[must] conform with the plan’s policies and do not degrade the monitoring standards identified” (p. 39). The plan also stated, “Base camps will be prohibited within the wilderness” (p. 39). Two standards for detection of degradation resulting from off-trail use of wilderness were established: 1. “No detectable evidence of new surface disturbance, including trails or campsites” (p. 33); and 2) “Maintain off-trail encounter standards at two encounters per day with a maximum of two individuals per encounter and no more than four individuals per day. NOTE: This may be exceeded six days per year” (p. 39).

The proposed action is in conformance with the wilderness plan. The plan’s glossary defines a “base camp” as “a temporary staging location which serves as the primary loading and unloading point for the wilderness visitor or outfitter and its clients” (p. 127). The primary loading and unloading point for the proposed action is at a developed trailhead where vehicles will be parked and is located outside of wilderness. The staff is highly experienced in wilderness camping methods, with the project proposal conveying a strong sense of dedication to “Leave No Trace” wilderness use. No detectable evidence of new surface disturbance is expected to result from authorization of the proposed action. Due to the location and timing of the proposed project, other individuals or groups may be expected to use the authorized area at the same time; however, the vehicles will be restricted to one site at the trailhead. Encounters with other groups in wilderness are expected to number zero to one. The group size standard put forward by the Maricopa Complex Wilderness Management Plan is five (5), although this can be exceeded six (6) times per year (p. 39). The proposed action would occur within these standards; however, BLM will ask the class to divide into two separate groups if other parties are encountered or expected in the authorized area.

The programmatic environmental assessment, “Special Recreation Permits for Commercial Recreation Activities on Public Lands in Arizona” (E.A. No. AZ-931-93-001), August, 1993, analyzed the environmental effects of commercial recreation permitting on public lands in Arizona, including wilderness, and established a standard set of “Arizona BLM stipulations for commercial special recreation permits.” These stipulations were designed to protect the lands or resources involved, reduce user conflicts, and minimize health and safety hazards, and are made a part of the permit.

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N/A

D. NEPA Adequacy Criteria

- 1. Is the 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 exiting NEPA document(s)? If there are differences, can you explain why they are not substantial?**

The proposed action—a guided, non-motorized hiking and camping tour with access by existing vehicle routes—is substantially the same type of action for which the environmental analysis “Special Recreation Permits for Commercial Recreation Activities on Public Lands in Arizona” (E.A. No. AZ-931-93-001), August, 1993 was completed. All activities will remain within the scope of this document, and all standard commercial special recreation permit stipulations referenced in the environmental analysis will be attached to, and made a part of, the special recreation permit issued. No additional stipulations specific to this commercial use of the SDNM were identified by Phoenix District BLM staff specialists.

- 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?**

Standards for Rangeland Health were incorporated into all state Land Use Plans through a statewide amendment in May, 1997; therefore, the proposed action was reviewed to determine conformance with the approved standards. Since no detectable lasting impact to the soils and vegetation of the area proposed for use will result, it has been determined that the proposed action will not impact watershed functional condition or the desired plant communities of riparian and upland areas in the affected area.

The SDNM was designated (January, 2001) since completion of the programmatic environmental assessment covering commercial special recreation permitting in

Arizona (“Special Recreation Permits for Commercial Recreation Activities on Public Lands in Arizona,” August 1993). This designation specified that “the Secretary of the Interior shall prepare a management plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects identified in this proclamation.” Until such time as this management plan is completed, interim management guidance prepared by BLM (Instruction Memorandum No. 2002-008; Bureau of Land Management, Sonoran Desert National Monument, Current Management Guidance, May, 2002) guides the issuance of new authorizations. This guidance provided that “[w]e will generally defer issuing new special recreation permits until the Monument plan is complete to ensure that no options are foreclosed in the planning process” (p. 7). Internal discussions with the BLM Arizona State Office since completion of this guidance document have led to an informal policy of issuing SRP’s in the SDNM on a case-by-case basis (Kelleher, personal communication).

- 3. Is the existing analysis valid in light of new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, and 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?**

During December, 2010, news reports stated that the U.S. Fish and Wildlife Service agreed that the Sonoran Desert Tortoise warranted protection under the Endangered Species Act; however, this species was not listed due to “higher priorities.” No impact to desert tortoise is expected from this proposed project.

No other new information or circumstances with regard to the potential environmental impacts of the proposed action are known. The Phoenix District is in the process of preparing a new land use plan that will encompass the SDNM. No new information resulting from that planning effort and environmental impact statement have resulted.

- 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?**

The direct and indirect impacts of the proposed action are substantially unchanged from those identified in the existing NEPA documents specified above. No discernable incremental cumulative impact to natural resources of the SDNM is expected to result from the proposed action.

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

During the ongoing land use planning process, extensive public outreach and opportunity for public comment have been provided. No public or interagency

concerns about existing commercial recreation permitting on the SDNM have been made evident. As the proposed action has not changed substantially from previously permitted activities, the level of public involvement is believed adequate.

E. Persons/Agencies/BLM Staff Consulted

Name	Title	Resource/Agency Represented
David Scarbrough	Outdoor Recreation Planner	BLM-Phoenix District (all)
Steve Bird	Wildlife Biologist	
Cheryl Blanchard	Archaeologist	

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

The following mitigation measures were identified, analyzed, and approved in relevant LUPs and existing NEPA document(s), and would be incorporated into a decision providing for authorization of the proposed action:

1. All standard stipulations for commercial special recreation permits described on BLM Form 2930-1.
2. All standard stipulations for commercial special recreation permits as described in “Special Recreation Permits for Commercial Recreation Activities on Public Lands in Arizona” (E.A. No. AZ-931-93-001), August, 1993 and attached hereto.

CONCLUSION:

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitute BLM’s compliance with the requirements of NEPA.

D. Scarbrough

Insert Name of Project Lead

L. Baker

Insert Name of P&EC

R. Hanson

02-09-2011

Insert Name of Authorizing Officer

Date

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM’s internal decision process and does not constitute an appealable decision. However, the

lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

Decision Record

Colorado Mountain College Special Recreation Permit

Sonoran Desert National Monument, Arizona

NEPA No.: DOI-BLM-AZ-P040-2011-002-DNA

Case File No.: N/A

U.S. Department of the Interior
Bureau of Land Management
Sonoran Desert National Monument

Purpose and Need for the Action

The Sonoran Desert National Monument (SDNM) was established by Presidential Proclamation 7397 on January 17, 2001 which stated, in part, that “[t]he Sonoran Desert National Monument is a magnificent example of untrammled Sonoran desert landscape. The area encompasses a functioning desert ecosystem with an extraordinary array of biological, scientific, and historic resources.” Continuing, the proclamation directed that “[t]he Secretary of the Interior shall manage the monument through the Bureau of Land Management, pursuant to applicable legal authorities, to implement the purposes of this proclamation.”

Primary among legal authorities governing the management of public lands administered by the Bureau of Land Management is the “Federal Land Policy and Management Act of 1976,” which declared Congress’ intent that “the public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values....and that will provide for outdoor recreation....” Thus, the Bureau of Land Management is directed to manage public lands for the multiple use and sustained yield of various resources, including the enjoyment of those resources through recreational activities.

Faculty of Colorado Mountain College propose to conduct college level educational classes in the North Maricopa Mountains Wilderness and/or South Maricopa Mountains Wilderness, Sonoran Desert National Monument. The program is offered to small classes of students (approximately 7-10 students) enrolled in the Associate Degree in Outdoor Education and Outdoor Recreation leadership at two campuses of the Colorado Mountain College (Glenwood Springs and Leadville, CO). The groups also generally include two to three staff /guides, bringing the typical group total to ten to twelve. Groups would leave up to two vehicles parked at the Margies Cove Trail, West Trailhead and/or terminus of BLM Route 8030 in the South Maricopa Mountains, and hike into wilderness for four-night backpacking trips that feature educational content on desert orienteering, leave-no-trace practices, camping skills, and natural history. No packstock would be

used, meals would be prepared with stoves, and no campfires are proposed. The date of operation on site is during March annually. For the purpose of caching potable water, access to the Brittlebush and Margies Cove East trailheads (currently closed to access by motor vehicle) would be authorized for no more than two vehicles in advance of class trips. Staff are trained in first aid and cardio-pulmonary resuscitation. This project would authorize a multi-year Special Recreation Permit to Colorado Mountain College for the purpose of holding two such classes annually for a period of three years. The SDNM has issued three (3) one-year, one-time SRP's for these classes in prior years.

Plan Conformance

The proposed action is in conformance with the land use plan (LUP), even though it is not specifically provided for, because it is clearly consistent with the following LUP decision:

The *Lower Gila South RMP/EIS* provided that “[A]lthough recreation in the Lower Gila South RMP/EIS area was not identified as a major issue...Visual resource management, management of off-road vehicle (ORV) use, and other recreation resource management will continue as recreation programs” (p. 12).

The North Maricopa Mountains and South Maricopa Mountains wildernesses were included in the *Maricopa Complex Wilderness Management Plan, Environmental Assessment and Decision Record*. The proposed action is in conformance with the wilderness plan, as follows:

The *Maricopa Complex Wilderness Management Plan, Environmental Assessment and Decision Record* provided that “activities and services authorized under the special recreation use permit regulations...[must] conform with the plan’s policies and do not degrade the monitoring standards identified” (p. 39). The plan also stated, “Base camps will be prohibited within the wilderness” (p. 39). Two standards for detection of degradation resulting from off-trail use of wilderness were established: 1. “No detectable evidence of new surface disturbance, including trails or campsites” (p. 33); and 2) “Maintain off-trail encounter standards at two encounters per day with a maximum of two individuals per encounter and no more than four individuals per day. NOTE: This may be exceeded six days per year” (p. 39).

The plan’s glossary defines a “base camp” as “a temporary staging location which serves as the primary loading and unloading point for the wilderness visitor or outfitter and its clients” (p. 127). The primary loading and unloading point for the proposed action is at a developed trailhead where vehicles will be parked and is located outside of wilderness. The staff is highly experienced in wilderness camping methods, with the project proposal conveying a strong sense of dedication to “Leave No Trace” wilderness use. No detectable evidence of new surface disturbance is expected to result from authorization of the proposed action. Due to the location and timing of the proposed project, other individuals or groups may be expected to use the authorized area at the same time; however, the vehicles will be restricted to one site at the trailhead. Encounters with other

groups in wilderness are expected to number zero to one. The group size standard put forward by the Maricopa Complex Wilderness Management Plan is five (5), although this can be exceeded six (6) times per year (p. 39). The proposed action would occur within these standards; however, BLM will ask the class to divide into two separate groups if other parties are encountered or expected in the authorized area.

The SDNM was established by Executive Order 7397 with the provision that "...all motorized and mechanized vehicle use off road will be prohibited, except for emergency or authorized administrative purposes."

The document titled *Bureau of Land Management, Sonoran Desert National Monument, Current Management Guidance, May, 2002*, stated that "One special recreation permit for touring the Butterfield Overland Stage route was issued before the Monument was designated, with an expiration date of September 30,. We will generally defer issuing new special recreation permits until the Monument plan is complete to ensure that no options are foreclosed in the planning process. Existing permits will be renewed yearly if they are consistent with the purposes of protecting Monument resources" (p. 7). Internal discussions with the BLM Arizona State Office since completion of this guidance document have led to an informal policy of issuing SRP's in the SDNM on a case-by-case basis.

Compliance with the National Environmental Policy Act, and Finding of No Significant Impact

Commercial special recreation permitting was analyzed for BLM Arizona in the environmental analysis document "Special Recreation Permits for Commercial Recreation Activities on Public Lands in Arizona" (E.A. No. AZ-931-93-001), August, 1993. This document analyzed the environmental effects of commercial recreation permitting on public lands in Arizona, including wilderness, and established a standard set of "Arizona BLM stipulations for commercial special recreation permits." These stipulations were designed to protect the lands or resources involved, reduce user conflicts, and minimize health and safety hazards. The inclusion of these standard stipulations mitigated environmental impacts potentially resulting from commercial special recreation permitting to the extent that no significant environmental impacts resulting from commercial special recreation permitting will occur.

The BLM, Sonoran Desert National Monument, has completed a review of the proposed action with respect to the above-cited environmental analysis. This review ("Documentation of NEPA Adequacy, NEPA No. DOI-BLM-AZ-P040-2011-002-DNA") determined that there were no substantive differences in the actions proposed and potential resultant impacts, nor was there new information or circumstances that would render the existing analysis invalid.

Based on the analysis of potential environmental impacts contained in the environmental analysis (NEPA No. AZ-931-93-001) and the subsequent review (NEPA No. DOI-BLM-AZ-P040-2011-002-DNA), attached to and incorporated herein; public involvement

throughout the development of the analysis; and all other information available to me, it is my determination that impacts are not expected to be significant; therefore, an environmental impact statement is not required.

Decision and Rationale on Action

I have decided to issue a commercial special recreation permit to Colorado Mountain College for the purpose of conducting educational classes featuring desert orienteering, leave-no-trace practices, camping skills, and natural history in the North Maricopa Mountains and South Maricopa Mountains wildernesses (refer to map). This permit authorizes two such classes annually, to be made up of no more than 15 individuals each, for a period of three years. For the purpose of caching potable water, access to the Brittlebush and Margies Cove East trailheads (currently closed to access by motor vehicle) is authorized for no more than two vehicles in advance of class trips.

The issuance of this commercial special recreation permit recognizes the dual role of the Bureau of Land Management in protecting the natural resources of the SDNM while also providing for outdoor recreational enjoyment, education, and scientific uses of those resources. Per interim monument management guidance, the issuance of this commercial special recreation permit is not expected to pose impacts to monument resources and is consistent with the purpose of protecting monument resources.

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.

This action is being taken pursuant to 43 CFR 2932. Failure to comply with the provisions of this permit as stipulated below will subject the permit holder to penalties described at 43 CFR 2932.57.

The following stipulations will be included as a condition of implementation:

1. All standard stipulations for commercial special recreation permits described on BLM Form 2930-1.
2. All standard stipulations for commercial special recreation permits as described in “Special Recreation Permits for Commercial Recreation Activities on Public Lands in Arizona” (E.A. No. AZ-931-93-001), August, 1993 and attached hereto.
3. Per the wilderness resource protection goals established by the Maricopa Complex Wilderness Management Plan (1995), maximum group size in wilderness will not exceed five (5), and the maximum total class size will not exceed fifteen (15).

Implementation Date

This special recreation permit will be effective for the period March 01, 2011 through September 30, 2013.

/signed/

02-09-2011

Rich Hanson, Manager
Sonoran Desert National Monument

Date

Administrative Review of Appeal Opportunities

This decision is subject to appeal per the procedures at 43 CFR 4.410-4.415. An appeal may be accompanied by a petition for stay of the decision in accordance with 43 CFR 4.21, pending final determination on appeal. The appeal and petition for stay must be filed in the office of the authorized officer, as noted below, within 30 days following receipt of this decision:

Bureau of Land Management
Sonoran Desert National Monument
ATTN: Rich Hanson, Manager
21605 North 7th Avenue
Phoenix, AZ 85027

The appeal shall state the reasons, clearly and concisely, why the appellant feels that the decision here is in error.

In accordance with 43 CFR 4.21(b)(1) a petition for stay, if filed, must 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.

Contact Person

For additional information concerning this decision contact Rich Hanson, Manager, or David Scarbrough, Outdoor Recreation Planner; Sonoran Desert National Monument; 21605 North 7th Avenue; Phoenix, AZ 85027; (623) 580-5500.

**PHOENIX DISTRICT BLM
STANDARD STIPULATIONS FOR**

COMMERCIAL SPECIAL RECREATION PERMITS

In addition to the conditions and stipulations listed on page 2 of the Special Recreation Application and Permit form, the Washington Office and Phoenix District Bureau of Land Management (BLM) have established the following additional stipulations designed to protect the lands and resources involved, reduce user conflicts, and/or minimize health and safety hazards. The stipulations will be made part of the permit. Failure to comply with these stipulations may result in the loss of permit privileges. These stipulations may be changed at any time upon notice and this permit may be revoked at the discretion of the BLM at any time upon notice.

- **BLM Contact: Dave Scarbrough at 623-580-5651**
- **Law Enforcement Dispatch for reporting illegal activities: 1-800-637-9152 or 623-580-5515 (Dial 9-1-1 for life threatening emergencies)**

General Administrative:

1. Estimated fee payments, or the minimum non-refundable annual fee, whichever is applicable, will be submitted in advance to the BLM authorized officer prior to issuance or validation of the permit. Any additional use fees will be due at the end of the six month reporting period in which the fees were accrued. Overpayment of fees will be applied to the following year's estimated use fees. **Use fees for commercial permits are 3% of gross revenue or the minimum annual fee of \$100, whichever is greater.**
2. Post-use reports and estimated fee payments for annual and multi-year permits will be submitted to the BLM on a fiscal year semi-annual basis. They are due within 15 days after the six month use period (**April 15 and October 15**).
3. 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 Special Recreation Permit. 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.
4. A Special Recreation Permit (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 a SRP if necessary to protect public resources, health, safety, the environment, or because of noncompliance with permit stipulations. Actions by the BLM to suspend or terminate a SRP are appealable.
5. 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.
 6. 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.
 7. 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.
 8. 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.
 9. 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.
 10. The permittee must present or display a copy of the Special Recreation Permit 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 3 years after expiration of the permit.

12. The permittee must assume responsibility for inspecting the permitted area for any existing or new hazardous conditions, e.g., trail and route conditions, land slides, 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.
13. The permittee is responsible for ensuring the safety of all clients and support personnel and providing for appropriate emergency attention.
14. The permittee is required to contact private landowners and other governmental agencies whose property is affected by the use associated with the permit (this includes the Arizona State Land Department for state trust lands). Evidence that authorization has been obtained must be available to the BLM authorized officer upon request.
15. Any changes to the approved Plan of Operations must first be approved by the BLM authorized officer. This includes the use of subcontractors.
16. The permittee is required to provide the BLM authorized officer with a copy of a valid Certificate of Insurance covering the periods of use. The U.S. Government must be named as a co-insured party on the policy. Minimum general liability limits are: \$500,000 per occurrence and \$1,000,000 annual aggregate for bodily injury, and \$30,000 property damage.
17. **It is the responsibility of the permittee to ensure valid insurance coverage, including general public liability, with the limits listed above, is provided for all equipment and services supplied by subcontractors.** A copy of the valid insurance coverage must be made available to the BLM authorized officer upon request.
18. Any violation of the permit terms, conditions and stipulations may be subject to penalties prescribed in 43 CFR 2933.33, which may include fines up to \$1,000 and/or imprisonment up to 12 months. Additionally, any such violation may result in permit probation, suspension or revocation. Examples which can lead to permit violations include, but are not limited to; delinquent post use reports and/or payments, deviations to operating plan not approved by authorized official, violation of laws and regulations, significant resource damage and public endangerment.
19. All signs on public lands must be authorized by the BLM in writing.
20. The permittee shall notify the authorized officer of any accident which occurs while involved in activities authorized by this permit 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.

21. Annual permits remain valid if the permittee is in good standing by complying with all terms, conditions and stipulations including timely submission of post use reports, and applicable use fee payments. For multi-year permits, an annual review is done at the beginning of each fiscal year (October 1) and permits are validated for the upcoming fiscal year. For a permit to be validated, the permittee must be in good standing by complying with all terms, conditions and stipulations including timely submission of post use reports, and applicable use fee payments. In addition, certificates of insurance need to be current, and operating plans must be reviewed and updated with any changes before a permit will be validated for the upcoming fiscal year.

Resource Protection:

1. **All activities are to remain on the approved roads, trails, washes, camping and staging areas.** No deviation to these routes is permitted without prior approval from the BLM authorized officer. Motorized vehicles are not permitted in riparian areas or in running washes except at road crossings.
2. **Employees and clients will be instructed that it is unlawful to disturb, deface, excavate or remove any archaeological or paleontological objects or structures. Simply, look but don't touch! Rock art may be photographed but not touched. Collection of prehistoric or historic artifacts is not allowed.** Any prehistoric or historic cultural site or human remains discovered by the permittee, employees or clients will be left undisturbed and reported as soon as possible to the BLM authorized officer.
3. Permittee must notify the BLM authorized officer of any specific archaeological sites proposed for inclusion on tours. Tours to sites are subject to BLM approval and protective stipulations.
4. **Historical mine sites should not be disturbed. Collecting artifacts from these sites is strictly prohibited.**
5. **Stay out and Stay Alive! Abandoned mines are extremely dangerous and BLM policy is to avoid entry. All persons operating under this SRP, including subcontractors, are prohibited from entering abandoned mines.**
6. Harassment of livestock, wildlife, wild horses or burros, or destruction of private and public improvements such as fences and gates is prohibited. All gates and fences shall be left as found. The taking of any threatened or endangered plant or animal is prohibited.
7. Do not park vehicles or camp in locations that will interfere with use of livestock

facilities (such as corrals) or ongoing livestock operations. No use of livestock permittee's management facilities is authorized without prior permission from the livestock permittee.

8. Proposed activities will be conducted in a manner that will not interfere with mining or exploration operations. No minerals are to be collected from areas encumbered by active mining claims unless authorized by the claimant(s).
9. Cutting or removal of live vegetation is not permitted. Trimming of branches up to 4 inches in diameter may be allowed with prior authorization from the BLM.
10. Collection, harassment and disturbance of desert tortoises and Gila monsters is prohibited by Arizona State Law. If encountered on roads or trails they should be avoided. If a desert tortoise is encountered and cannot be avoided, it should be carefully moved to safety by carrying it horizontal to the ground, not tilted, and placed in the shade the minimum distance needed to remove it from harm's way. Gila monsters should be avoided and not handled. They are venomous and can inflict a serious and painful bite.
11. If the volume of use is determined to be adversely impacting soils or riparian condition through erosion, bank alteration or other means, the BLM may restrict use of affected areas or routes to allow restoration and recovery of degraded areas. During wet periods, certain road and trail segments may be closed to all traffic. The BLM will consider the applicant's needs when designing and implementing restrictions or watershed restoration efforts that could influence the operation.
12. In order to minimize the importation or spread of noxious weeds, before entering public land, all vehicles are to be washed thoroughly (including the undercarriage and engine compartment) to remove all soil and vegetation debris (including seeds and seed heads) acquired from previous use. This washing should occur at the home base of operations of the permittee before traveling to public lands. All vehicles used for activities approved by this permit are subject to inspection by the BLM.
13. The permittee must take reasonable precautions to prevent wildland fires. Build your fire away from trees, shrubs and other vegetation. Do not build fires next to rock and avoid the need to encircle your fire with stones. Use smaller firewood that will burn more completely. Make certain the fire is dead out (run your fingers through the ash), scatter the ash, and "naturalize" the area.
14. The permittee will be committed to preserving and protecting the public lands by learning, practicing and promoting the Leave No Trace principles listed below:
 - ▶ Plan ahead and prepare.
 - < Travel and camp on durable surfaces.
 - ▶ Dispose of waste properly.

- ▶ Leave what you find.
- ▶ Minimize campfire impacts.
- ▶ Respect wildlife.
- ▶ Be considerate of other visitors.

Base Camp or Overnight Use (if applicable):

1. Permittee employees, volunteers and participants are restricted to camp in the designated base camp area(s). No dispersed camping is authorized.
2. 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.
3. 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 place that wildlife or domestic stock will be denied access to the only reasonable available water.*
4. 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.
5. All base and reserve camps will be located at least 200 feet from any archaeological sites, including prehistoric camps, rock shelters, caves, and historic buildings.
6. The base camp(s) and individual use areas will be maintained in a neat and clean condition with no litter.
7. All noncombustible refuse and all unburned combustible refuse must be carried out of the area and disposed of in a county approved disposal site. Burying garbage is prohibited.
8. Permittee is responsible for providing adequate sanitary portable toilets and refuse containers at the base camp(s) and is responsible for ensuring that all local, county and state health and safety standards are met.
9. When breaking camp(s), scatter manure to aid decomposition and discourage flies, and remove excess hay and straw as they do not deteriorate and leave an unsightly mess.

Motorized Vehicle Use:

1. **No motorized vehicles of any type are permitted in riparian areas or in running washes except at road crossings. Substantiated reports of unauthorized use in these areas will result in immediate probation and possible suspension or revocation of permit privileges.**
2. All motor vehicle use will comply with existing BLM and state motorized vehicle laws and regulations on public lands relating to use, standards, registration, operation and inspection. The Code of Regulations (CFRs) govern off-road vehicle use and regulations are prescribed in section 43 CFR 8341.1 and include, but are not limited to, the following:
 - A. No person shall operate an off-road vehicle on public lands:
 1. Without a valid State operator's license or learner's permit where required by State or Federal law;
 2. In a reckless, careless or negligent manner;
 3. In excess of established speed limits;
 4. While under the influence of alcohol, narcotics or drugs;
 5. In a manner causing, or likely to cause, significant undue damage to or disturbance of the soil, wildlife, wildlife habitat, improvements, cultural, vegetative resources or other authorized uses of the public lands.
 - B. Drivers shall yield the right-of-way to pedestrians, saddle horses, pack trains, and animal drawn vehicles.
3. Any person who violates or fails to comply with the CFRs subparts 8341 and 8343 is subject to arrest, conviction, and punishment pursuant to appropriate laws and regulations. Such punishment may be a fine of not more than \$1,000 or imprisonment for not longer than 12 months, or both.
4. Permittee will be committed to preserving and protecting the public lands by learning, practicing and promoting the Tread Lightly principles listed below.
 - ▶ Travel and recreate with minimal impact,
 - ▶ Respect the environment and the rights of others,
 - ▶ Educate yourself, plan and prepare before you go,
 - ▶ Allow for future use of the outdoors, leave it *better* than you found it, and
 - ▶ Discover the rewards of responsible recreation.

Additional Stipulation
Special Recreation Permit # P0400-2011-002
Colorado Mountain College
March, 2011-September, 2013

1. Per the wilderness resource protection goals established by the Maricopa Complex Wilderness Management Plan (1995), maximum group size in wilderness will not exceed five (5), and the maximum total class size will not exceed fifteen (15).