

**Categorical Exclusion Documentation Format for Actions Other Than Hazardous Fuels
and Fire Rehabilitation Actions**

**Roadrunner's Prospecting Club
DOI-BLM-AZ-P010-2011-012-CX**

A. Background

BLM Office: *Hassayampa Field Office (HFO)*

Lease/Serial/Case File No.: **AZA32607**

Proposed Action Title/Type: **Special Recreation Permit**

Location of Proposed Action: **Various locations: T10N, R5W, Sec 31; T9N, R6W, Sec 12, 13; T9N, R5W, Sec 6; T9N, R2E, Sec. 5; T7N, R3W, Secs 20, 21, 28-31; T6N, R6W, Sec 26.**

Description of Proposed Action: The club proposes to renew its permit to hold events on its 38 mining claims. The one day events consist of holding pot luck meals, raffles, yard sales of equipment, and contests using metal detectors to search for coins buried by the club two inches below the surface. Participants may choose to camp. Ten RVs, 45 other vehicles, 150 participants, 20 spectators, and 5 staff are expected at the events. Participants bring their own food and cooking facilities, such as portable grills. Two portable toilets will be provided. Canopies, tables, and chairs will be set up.

B. Land Use Plan Conformance

Land Use Plan (LUP) Name: **Bradshaw Harquahala Record of Decision and Approved Resource Management Plan**

Date Approved/Amended: **4/22/2010**

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s): RR-30 SRPs are authorized on a case-by-case basis for all recreation activities meeting the requirements in 43 CFR 2930 and applicable manuals, policies, and guidance. RR-31, Issuance of SRPs is at BLM's discretion.

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):

RR – 30 SRPs are authorized on a case by case basis for all recreation activities meeting the requirements in 43CFR2930 and applicable manuals, policies, and guidance. SRPs are required for all commercial recreation activities.

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 2, Appendix 1, or 516 DM 11.5: H. Recreation Management: Issuance of SRP for day use or overnight use up to 14 consecutive nights; that impacts no more than 3 staging area acres; and/or for recreation travel along roads, trails, or in areas authorized in a land use plan.

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 516 DM 2 or 516 DM 11.5 apply.

I considered: As identified in the Bradshaw-Harquahala Record of Decision/Resource Management Plan under the categories of Special Recreation Management Areas and Recreation Management Zone Market Niche; this activity is a legitimate action which provides ways and means to bring people to nature.

D: Signature

Review: *We have determined that the proposal is in accordance with the categorical exclusion criteria and that it would not involve any significant environmental effects (see Attachment 1). Therefore, it is categorically excluded from further environmental review.*

Prepared by:

**Mary Skordinsky
Project Lead**

Reviewed by:

**Leah Baker
Planning & Environmental Coordinator**

Approved by:

**D. Remmington Hawes
Manager**

Contact Person

For additional information concerning this CX review, contact:
Mary Skordinsky at mskordin@blm.gov

Note: A separate decision document must be prepared for the action covered by the CX. See Attachment 2.

BLM Categorical Exclusions: Extraordinary Circumstances¹
Attachment 1

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215) apply. The project would:		
1. Have significant impacts on public health or safety		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: There are no cogent public health or safety issues associated with this permit.
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness or wilderness study 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 (Executive Order 13186); and other ecologically significant or critical areas?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: This permit is on BLM lands without special designations or special features as listed above.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: This is a recreation gathering where there will be no controversial environmental effects or unresolved conflicts. Since this area is on BLM without special designations/features, the level of controversy is absent.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: There are no known significant environmental effects or environmental risks associated with this permit. Whenever a permit is issued, there is a probability that risks are involved, but the level is low and not significant.
5. Establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: There is no precedent for future action with potentially significant environmental effects. The last NEPA document prepared for this permit was issued in 2005. Since then no significant effects have occurred nor are there any predicted.
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: This permit has been in existence from 2005 without any significant cumulative effects.

¹ If an action has any of these impacts, you must conduct NEPA analysis.

7. Have significant impacts on properties listed or eligible for listing, on the National Register of Historic Places as determined by either the Bureau or office?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: This has been cleared through the 2005 NEPA analysis.
8. 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?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: No changes in wildlife in these areas has been indicated by the wildlife specialists.
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: Not applicable. Specialists have signed off on the project initiation form indicating there are no effects to this.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: These areas are in remote and rural areas away from population centers.
11. 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)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: Performed in previous NEPA document dated 2005.
12. 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)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: Vehicles are restricted to roads.

Approval and Decision

Attachment 2

Project Description:

The club proposes to renew its permit to hold events on its 38 mining claims. The one day events consist of holding pot luck meals, raffles, yard sales of equipment, and contests using metal detectors to search for coins buried by the club two inches below the surface. Participants may choose to camp. Ten RVs, 45 other vehicles, 150 participants, 20 spectators, and 5 staff are expected at the events. Participants bring their own food and cooking facilities, such as portable grills. Two portable toilets will be provided. Canopies, tables, and chairs will be set up.

Decision: Based on a review of the project described above and field office staff recommendations, I have determined that the project is in conformance with the land use plan and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed, with the following stipulations in attachment A.

The 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. Public notification of this decision will be considered to have occurred on DATE of NOTICE GIVEN. Within 30 days of this decision, a notice of appeal must be filed in the office of the Authorized Officer at 21605 North 7th Avenue, Phoenix Arizona, 85027. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the Authorized Officer.

If you wish to file a petition for stay pursuant to 43 CFR Part 4.21(b), the petition for stay should accompany your notice of appeal and shall show sufficient justification based on the following standards:

- The relative harm to the parties if the stay is granted or denied,*
- The likelihood of the appellant's success on the merits,*
- The likelihood of irreparable harm to the appellant or resources if the stay is not granted, and*
- Whether the public interest favors granting the stay.*

If a petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the Authorized Officer.

A copy of the notice of appeal, any statement of reasons and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken to: Field Solicitor, U.S. Department of the Interior, 401 West Washington Street, Suite 404, Phoenix Arizona 85003, not later than 15 days after filing the document with the Authorized Officer and/or IBLA.

Approved By: _____ **Date:** _____

D. Remmington Hawes

Manager