



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Colorado River Valley Field Office
2300 River Frontage Road
Silt, Colorado 81652

CATEGORICAL EXCLUSION

DOI-BLM-CO-N040-2013-0047-CX

A. Background

BLM Office: Colorado River Valley Field Office Lease/Serial/Case File No:
SRP # CO-140-04-01-01

Background: Colorado Rocky Mountain School had been commercially operating on BLM public lands since the early 1990's for guided hiking, biking, skiing, and running (day use only) in the Red Hill area, Crown and Porcupine area, Boy Scout Trail, and Thompson Creek area. They were put under a special recreation permit in 2000 under EA CO-078-99-100. However, their original permit did not include exact routes or locations on a map other than general areas. Therefore, the proposed action will be to modify the permit so that certain routes are identified to be permitted.

Much of the previously permitted area had not completed cultural baseline inventory work. The modification assists in reducing the amount of future inventory work that the BLM will need to complete.

Proposed Action Title/Type: Colorado Rocky Mountain School, Special Recreation Permit (SRP) Renewal

Location of Proposed Action: T6S R89W sec. 10, 11, 12 and 14; T7S R88W sec. 15, 16, 20, 21, 22 and 28; T8S R89W sec. 1, 12, 13, 24, 25 and 36; T8S R88W sec. 7, 8, 12, 13, 18, 19, 20, 30 and 31; T8S R 87W sec. 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 28, 29, 30 and 32. See Attachment A.

Description of Proposed Action: The proposed action is for renewing Special Recreation Permit (SRP) #'s CO-140-04-01-01 to Colorado Rocky Mountain School for guided hiking, biking, skiing, and running (day use only) in the Red Hill area, Crown and Porcupine area, Boy Scout Trail, and Thompson Creek area limited to select routes (as shown in Attachment A) for May 1, 2013-December 31, 2022 with Additional Special Stipulations.

Land Use Plan Conformance: The proposed action is subject to, and has been reviewed for, conformance with this plan (43 CFR 1610.5, BLM 1617.3).

Name of Plan: Record of Decision and Resource Management Plan Glenwood Springs Resource Area

Date Approved: January, 1984; revised in 1988; amended in November 1991 - Oil and Gas Leasing and Development - Final Supplemental Environmental Impact Statement; amended Nov. 1996 - Colorado Standards and Guidelines; amended in August 1997 - Castle Peak Travel Management Plan; amended in March 1999 - Oil and Gas Leasing & Development Final Supplemental Environmental Impact Statement; amended in November 1999 - Red Hill Plan Amendment; amended in September 2002 – Fire Management Plan for Wildland Fire Management and Prescriptive Vegetation Treatment Guidance; and amended in 2012 – Approved Resource Management Plan Amendments/Record of Decision (ROD) for Solar Energy Development in Six Southwestern States.

Decision Number/Page: pages 5, 34

Decision Language: The action is in conformance with "Administrative Actions" of the RMP, which approves the “issuance of permits for ...competitive and commercial recreation activities.” The action is also in conformance with the Recreation Resource Management Objective Page 34: “To ensure the continued availability of outdoor recreational opportunities which the public seeks and which are not readily available from other sources, to reduce the impacts of recreational use on fragile and unique resource values, and to provide for visitor safety.”

B. Compliance with NEPA:

The proposed action qualifies as a categorical exclusion under 516 DM 11, Appendix 4, Number H. Recreation Management.

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 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 apply.

EXCLUSIONS	YES	NO
1. Have significant impacts on public health or safety.		X
2. 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.		X
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		X
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
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.		X
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.		X
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
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).		X
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).		X

INTERDISCIPLINARY REVIEW:

Name	Title	Area of Responsibility
Kimberly Miller	Outdoor Recreation Planner	Wilderness, Wild and Scenic Rivers, Recreation
Carla DeYoung	Ecologist	Areas of Critical Environmental Concern, Vegetation, Special Status Plants
Darren Long	Wildlife Biologist	Migratory Birds, Threatened and Endangered Terrestrial and Aquatic Wildlife
Kristy Wallner	Rangeland Management Specialist	Invasive, Non-native Species
Erin Leifeld	Archaeologist	Cultural Resources and Native American Religious Concerns
Pauline Adams	Hydrologist	Air, Soil, Water Resources
Everett Bartz	Rangeland Management Specialist	Riparian, Rangeland Management
Greg Wolfgang	Outdoor Recreation Planner	Visual Resources, Travel Management

REMARKS/MITIGATION (the following mitigations will be carried forward within the permit under Special Conditions:

Cultural Resources

A records search of the general project area was completed for proposed project and a total of 18 cultural resource inventories (CRVFO# 25, 378, 428, 488, 591, 851, 952, 1078, 1098-5, 5400-1, 1003-21, 14504-3, 15404-1, 15404-3, 15404-4, 8205-1, 15806-10, and 1012-39) have been conducted within the Area of Potential Effect (APE) totaling 307.7 acres inventoried at a Class III level. An additional 139.3 acres is required for this permit to be in full compliance under Section 106. This will be accomplished through our travel management plan in accordance with IM CO-2007-023. A total of 17 cultural resources have been documented within the APE and include seven prehistoric isolated finds (5GF.1498, 5GF.2510, 5GF.2509, 5GF.2508, 5GF.1059, 5GF3562, and 5PT1137), two prehistoric sites (5GF.538 and 5GF539), and three historic sites (5GF3544, 5PT1107.1, and 5EA.2198.1) that are not eligible for the National Register of Historic Places (NRHP). Additionally, one historic site (5GF.2752) is potentially eligible and three historic sites (5GF.1000, 5GF.1497, 5GF.1499) are eligible for the NRHP. The project inventory and evaluation is in compliance with the NHPA, the Colorado State Protocol Agreement, and other federal law, regulation, policy, and guidelines regarding cultural resources.

There is low potential for impacts to cultural resources from this project based on no new ground disturbances as the proposed activities are occurring on existing roads and trails. The four potentially eligible (5GF.2752) and eligible sites (5GF.1000, 5GF.1497, 5GF.1499) for the NRHP will not be impacted by project use. Site 5GF.2752 is the historic Glenwood Canyon travel corridor and will not be impacted by use of the hiking/biking trail existing. Site 5GF.1000 is the historic railroad running through Glenwood Canyon and will not be impacted by project

use because the trail used does not encounter the railroad. Sites 5GF.1497 and 5GF.1499 are historic roads and will be used recreationally with no new disturbances occurring outside of the existing use of the trails/roads.

If additional cultural resource inventory documents new cultural resources that are or will potentially be impacted by project use, the routes will be rerouted to avoid adverse impacts. Therefore, a determination of *no adverse effect* has been determined for this project.

Mitigation

Actions approved by this permit are restricted to the existing trail and/or road.

Native American Religious Concerns

American Indian religious concerns are legislatively considered under several acts and Executive Orders, namely the American Indian Religious Freedom Act of 1978 (PL 95-341), the Native American Graves Environmental Assessment Protection and Repatriation Act of 1990 (PL 101-601), and Executive Order 13007 (1996; Indian Sacred Sites). In summary, these require, in concert with other provisions such as those found in the NHPA and ARPA, that the federal government carefully and proactively take into consideration traditional and religious Native American culture and life and ensure, to the degree possible, that access to sacred sites, the treatment of human remains, the possession of sacred items, the conduct of traditional religious practices, and the preservation of important cultural properties are considered and not unduly infringed upon. In some cases, these concerns are directly related to “historic properties” and “archaeological resources”. In some cases elements of the landscape without archaeological or other human material remains may be involved. Identification of these concerns is normally completed during the land use planning efforts, reference to existing studies, or via direct consultation. The Ute have a generalized concept of spiritual significance that is not easily transferred to Euro-American models or definitions. As such the BLM recognizes that they have identified sites that are of concern because of their association with Ute occupation of the area as part of their traditional lands.

Cultural resources known to hold special significance to Native Americans are located within the proposed project area. Following the *mitigations* will ensure that the project will not adversely impact nor alter or limit any access if there were traditional uses that are not known to the agency. Actions approved by this permit are restricted to the existing trail and/or road. No additional Native American Indian consultation was conducted for the proposed project.

The Special Recreation Permit Terms, Conditions and Stipulations for all Permitted Activities (Attachment B) will apply to the permits. A copy of these terms is signed by the permittee and is in their file.

Cultural Resource Discovery Stipulations

If subsurface cultural values are uncovered during operations, all work in the vicinity of the resource will cease and the authorized officer with the BLM notified immediately. The operator shall take any additional measures requested by the BLM to protect discoveries until they can be adequately evaluated by the permitted archaeologist. Within 48 hours of the discovery, the State Historic Preservation Officer (SHPO) and consulting parties will be notified of the discovery and consultation will begin to determine an appropriate mitigation measure. BLM in cooperation with the operator will ensure that the discovery is protected

from further disturbance until mitigation is completed. Operations may resume at the discovery site upon receipt of written instructions and authorization by the authorized officer.

Native American Human Remains

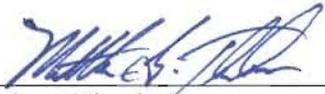
Pursuant to 43 CFR 10.4(g), the holder must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony on federal land. Further, pursuant to 43 CFR 10.4 (c) and (d), the holder must stop activities in the vicinity of the discovery that could adversely affect the discovery. The holder shall make a reasonable effort to protect the human remains, funerary items, sacred objects, or objects of cultural patrimony for a period of thirty days after written notice is provided to the authorized officer, or until the authorized officer has issued a written notice to proceed, whichever occurs first.

Additional Special Stipulations will apply to the permits. See Attachment C for details.

DECISION AND RATIONALE:

I considered this action and determined that it may be categorically excluded. I have evaluated the action relative to the 12 criteria listed above and have determined that it does not represent an exception and is, therefore, categorically excluded from further environmental analysis.

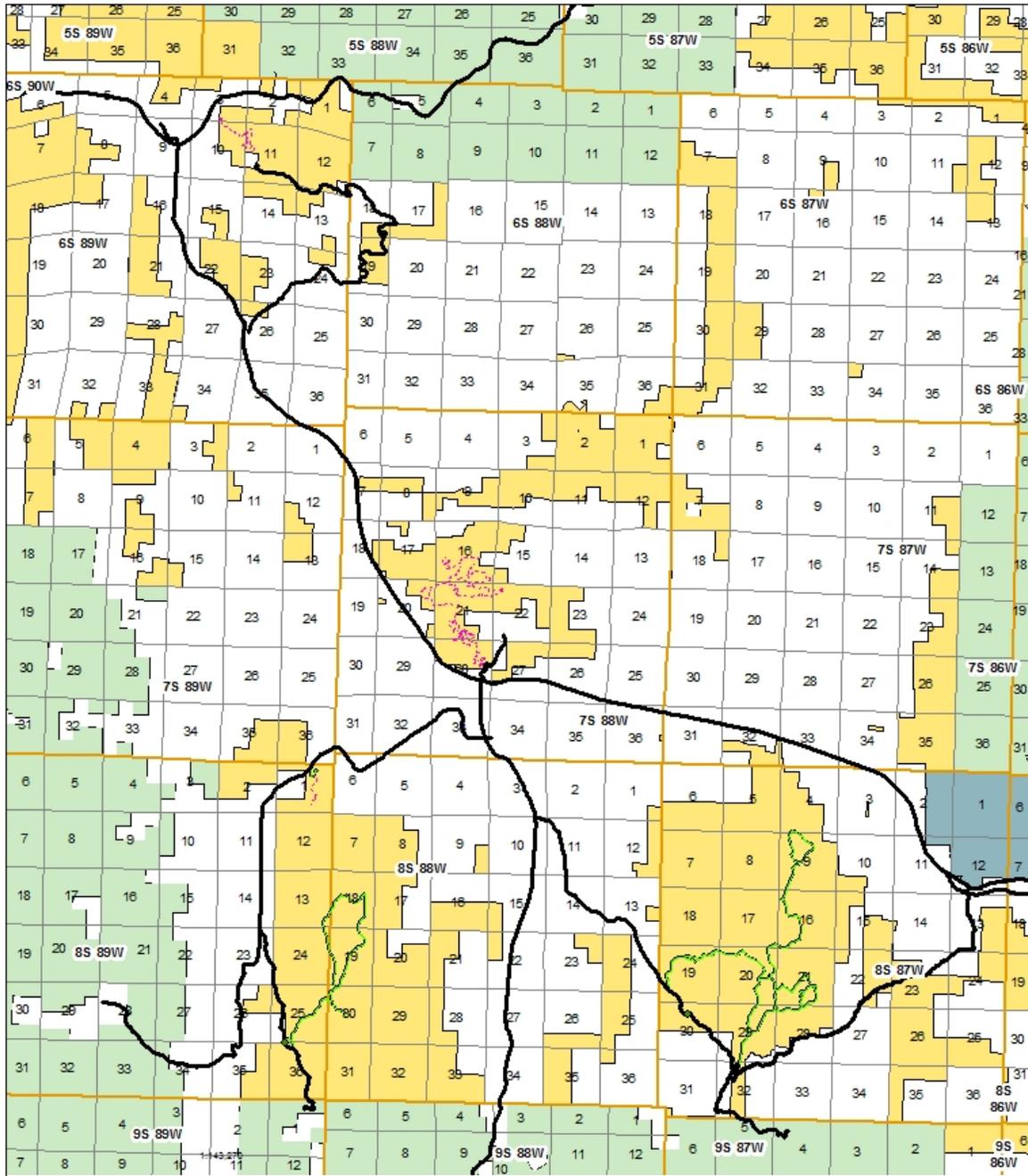
C. Signature

Authorizing Official:  Date: 5-6-2013
Matthew Thorburn
Supervisory Natural Resource Specialist

Contact Person

For additional information concerning this CX review, contact Kimberly Miller, Outdoor Recreation Planner, Colorado River Valley Field Office, 2300 River Frontage Road, Silt, CO 81652, (970) 876-9075.

Attachment A



Colorado Rocky Mountain School Special Recreation Permit Locations 2013-2023

- ◆ Permitted Developed Recreation Sites
- Permitted full sized vehicle routes
- Permitted mechanized routes
- Highways and County Road
- Townships (2010)
- Bureau of Land Management
- Private
- State
- State, County, City, Areas
- US Forest Service



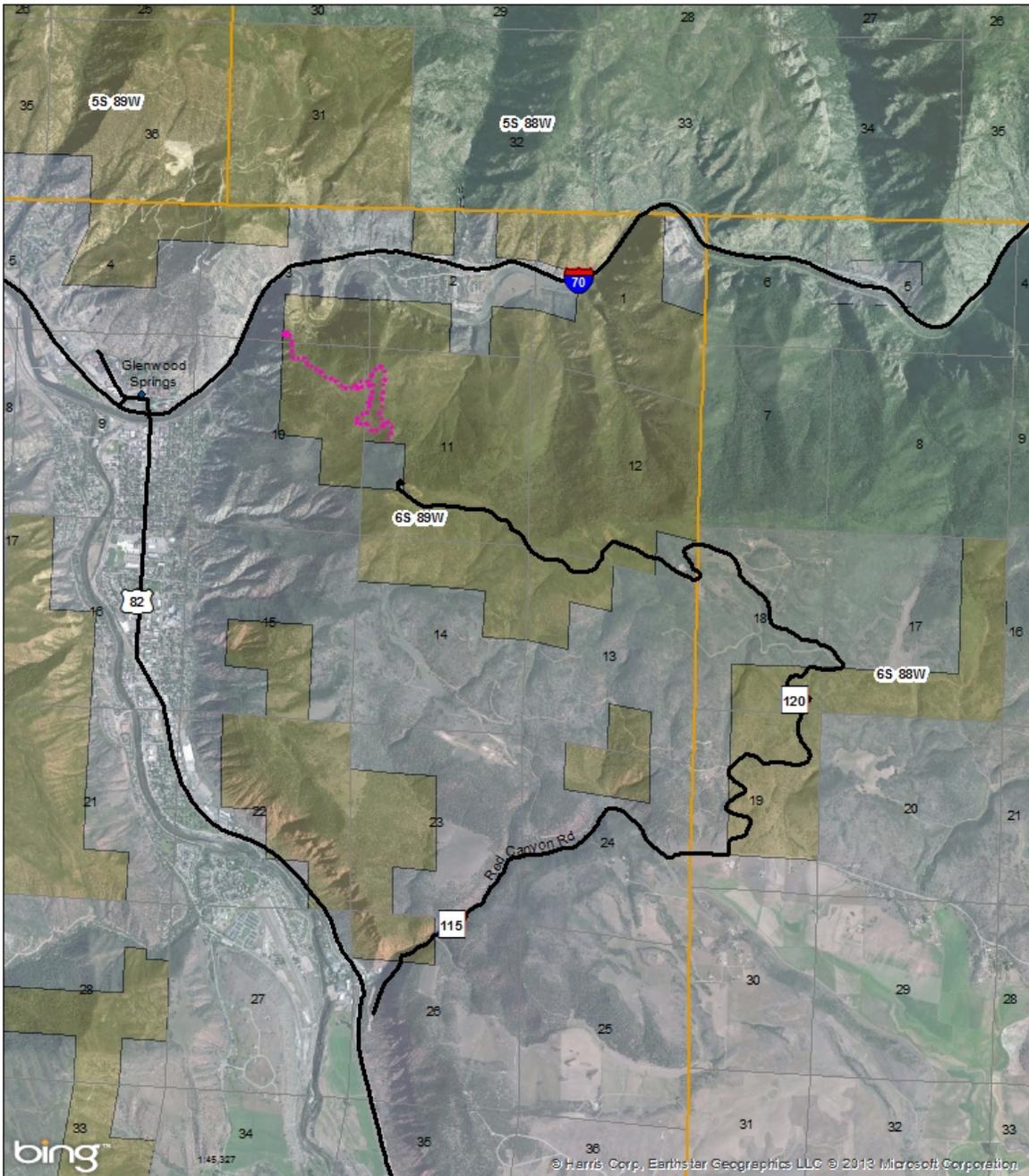
No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This project was developed through digital means and may be updated without notice.

I agree that this image properly depicts my permit boundaries as described in my operating plan.

Signature of Permittee or Authorized Party _____ Date _____

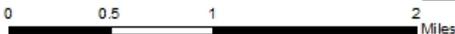
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Map produced by the BLM Colorado River Valley Field Office April 2013



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Special Recreation Permit Locations
2013-2023**

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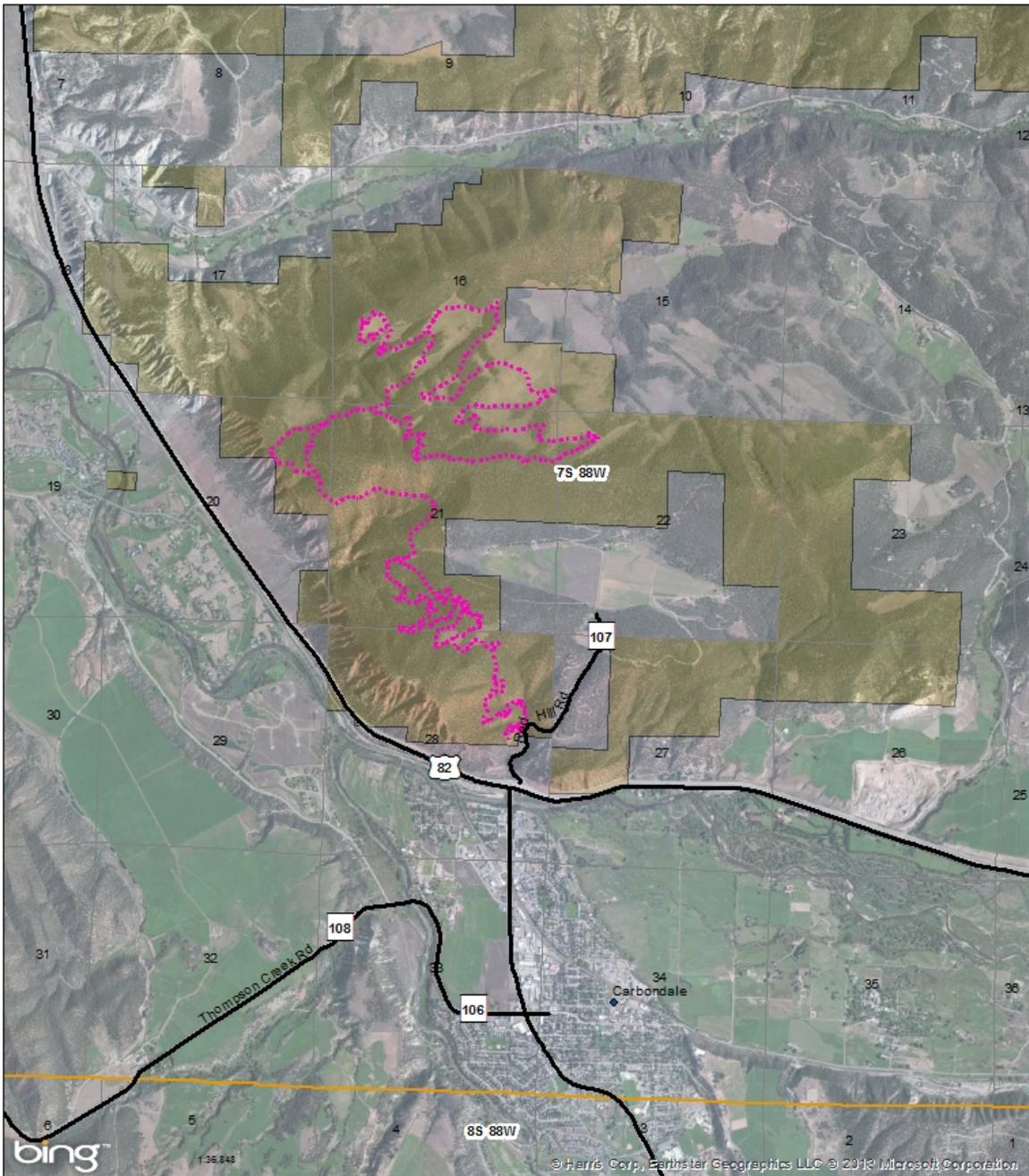
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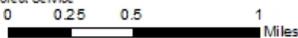
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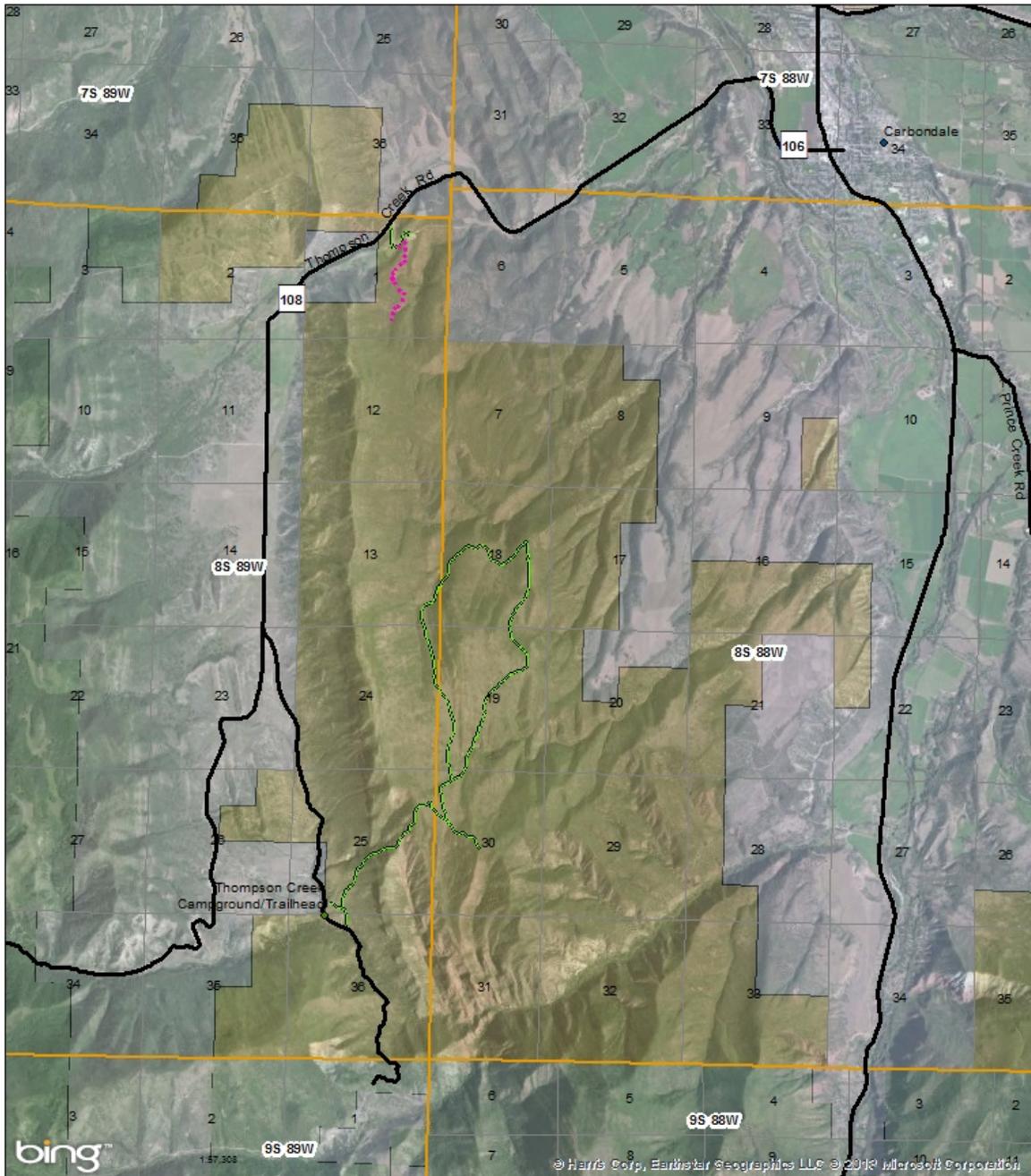
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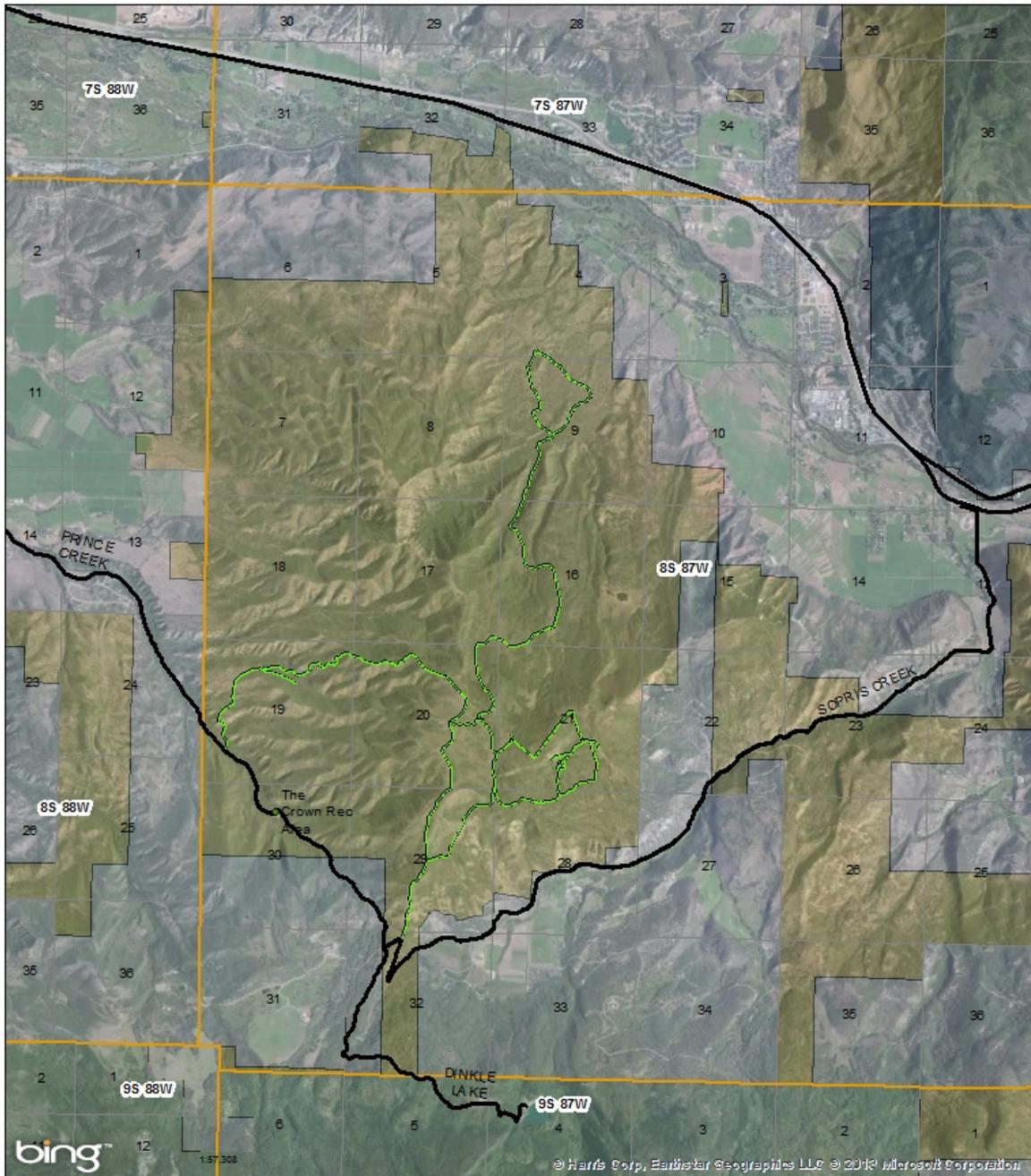
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Attachment B

SPECIAL RECREATION PERMIT TERMS, CONDITIONS AND STIPULATIONS FOR ALL PERMITTED ACTIVITIES

Stipulations: The following standard stipulations are automatically included and apply to all permits (some additional stipulations are specific to only certain activities). Failure to comply with these stipulations may result in remedial actions listed below under Performance Evaluation, Section XVIII B. Per 2932.40, violations of permit terms or stipulations may be subject to fines and imprisonment, in addition to administrative penalties.

I. RISKS, HAZARDS AND SAFETY

- A. Adequate first aid and safety equipment shall be provided while performing the permitted activities.
- B. All guides and employees responsible for clients in the field shall be trained in First Aid and hold a valid certification of training from the American Red Cross or its equivalent.
- C. In case of human death, or wildfire, involving the permitted operation, the County Sheriff shall be notified immediately, and the BLM shall be notified immediately after the Sheriff is notified.

II. INDEMNIFICATION

- A. The permittee shall indemnify, defend, and hold harmless the United States and/or its agencies and representatives from any and all demands, claims, or liabilities of every nature whatsoever, including, but not limited to damages to property, injuries to or death of persons, arising directly or indirectly from, or in any way connected with the authorized use and occupancy of the lands authorized for use under this permit.
- B. Insurance: Coverage shall be obtained for the permitted operations in the minimum liability coverage amounts of:

GENERAL GUIDELINES FOR MINIMUM INSURANCE REQUIREMENTS		
SRP Event or Activity	Per Occurrence	Per Annual Aggregate
Low Risk: general non-competitive and non-commercial activities such as group camping, group activities, mounted orienteering, backpacking, or dog trials.	\$300,000	\$600,000
Moderate Risk: whitewater boating, horse endurance rides, OHV events, mountain bike races, rock climbing (with ropes), ultra-light outings, rodeos	\$500,000	\$1,000,000
High Risk: bungee jumping, speed record events, unaided rock climbing, heli-skiing, or aviation assisted activities	\$1,000,000	\$2,000,000 - \$10,000,000

- C. An insurance certificate shall be submitted, stating the limits of coverage, identifying the “Department of the Interior, Bureau of Land Management” as additional insured, that includes the minimum shown above, expiration date, and a list of the activities that are permitted and insured.
- D. The permittee will ensure the BLM will be notified 30 days in advance of termination or modification of the policy, or modification of such insurance.

IV. LIMITATIONS

- A. This permit authorizes only temporary use in connection with the operations, during the period(s) and in the area(s) identified in the permit and authorized by an Annual Operating Authorization.
- B. If an existing commercial permittee wishes to sell or otherwise terminate his or her business and desires that permit privileges be transferred to a new owner, the permittee must notify the authorized officer in advance, in writing, and receive advance written approval for the permit transfer from the authorized officer.
- C. Use of Non-Public lands: This permit does not authorize use of non-BLM land (i.e. private, city, county, state, or other federal land).
- D. The applicant shall provide upon request the name(s) and address(s) of private landowners whose property is used in connection with the permitted operations, and evidence of permission to use such land.
- E. Access to Public Lands: The BLM does not guarantee legal access to public lands unless legal access for the general public is available. Where legal public access is not available, the permittee is responsible for obtaining permission from the landowner(s) to travel through or use private lands.
- F. Multi-Year Permits: A multi-year permit is not valid unless accompanied by a current Annual Operating Authorization.
- G. Joint Permit Requirement: Code of Federal Regulation citations for both the BLM and Forest Service are valid and will be enforced for joint permits on associated public lands.
- H. If a lion outfitter does not own their own dogs, the permittee must furnish copies of all lease or rental arrangements for the dogs and/or dog handler(s) that they plan on using upon request. Dog handlers must be listed as guides.

V. ASSIGNMENT AND SUBLETTING OF PERMIT PRIVILEGES

The permittee may not assign permit privileges to a third party, including booking agents. 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 or activity 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.

The following is required:

- A. A third party advertisement used to book a trip must clearly indicate that the trip will be operated by the company holding the permit;
- B. Guides and employees must fall under federal and state employment regulations and be listed in the operating plan prior to each operating season. (ie. IRS Form-1099, independent contractor form).
- C. If you are proposing to employ guides or employees who are licensed and/or permitted outfitters elsewhere that must be disclosed at the time you submit their name and information on your guide list.
- D. Written notice must be given to the BLM to use equipment with outfitter markings (company names, logos, etc.) other than those of the permit holder prior to the time of use (hunt, launch, tour, etc.).

VI. NON-EXCLUSIVE USE

- A. Roads, trails and trailheads, or campsites commonly in public use shall not be blocked or enclosed by the permittee.
- B. Public lands will generally remain available on a first-come, first served basis to other commercial and private recreational users.

VII. CONDUCT AND MANNERS

- A. The permittee is at all times responsible for the actions of himself, his employees, clients and guests in connection with the authorized operations, and shall not cause a public disturbance or engage in activities which create a hazard or nuisance.
- B. The permittee shall practice the TREAD LIGHTLY and LEAVE NO TRACE land ethics and inform their clients about these practices and ensure that they follow them.

VIII. MODIFICATION OR AMENDMENT

- A. If needed, the permittee shall request amendment or modification of the permit prior to issuance of the annual operating authorization for changes in: use areas or sites, season of use, services provided, fee structure, or any other changes in operations.

IX. PAYMENTS

- A. Use Fee Payments: Permit fees are due and payable in advance based on estimated use gross receipts. Payments shall be sent to the Field Office by check, money order or cashier's check, made payable to the "Bureau of Land Management".
- B. Periodic Payments: At the Field Manager's discretion, when the estimated use fee is greater than one thousand dollars (\$1,000), a schedule for periodic payments may be arranged.
- C. End of Season Payment: The post-use reports and/or trip logs are due 30 days after the last day of use or as specified on SRP. The actual use fee shall be calculated from the reports by the field office and billed accordingly.

- D. Refunds:
 - 1. All overpayments will be credited for use for the following operating season.
 - 2. Refunds may be issued in the case of permit transfers, permit cancellations, and expired non-renewing permits. Refunds must be requested in writing.
- E. Late Payments
Late payment of fees may result in additional fee penalties, permit probation, suspension, and/or cancellation, and interest and administrative handling charges.
- F. Deductions: Allowable deductions in permit fees shall be agreed upon in advance, and may include costs related to the permitted operations incurred by the permittee for long distance off-site transportation, and off-site lodging, per Handbook H-2930-1.
- G. Discounts for Non-Public Lands use (For Upland Use Only) must be requested and approved prior to use. No discounts are allowed for river related permits.

X. USE REPORTS

- A. Commercial Trip Logs: The permittee shall submit trip logs within 30 days of the authorized use season or as specified on the permit, on a form provided by the BLM, or an approved equivalent. Penalty fees may be charged for late reports.
- B. Event Post Use Report: A Post Use Report shall be submitted as specified or within 30 days of the last day of use authorized or as specified on permit, on a form provided by the BLM, or an approved equivalent. Penalty fees will be charged for late reports.
- C. Trip log and post use reports shall indicate accurately the dates of use, location, type of use, the total number of clients served during the term of the permit, total staff and total use, total receipts and total deductions claimed, discounts for time off public lands, and describe any accidents or injuries occurred, and management problems or concerns.
- D. Late Use Reports: **Late submission of use reports may be cause for action against the permittee**, including late fees, probation, suspension, and/or cancelation, and criminal penalties.
- E. Non-Use: Zero use must be requested in writing. Minimum fees still apply. The authorized officer may cancel a permit after two consecutive seasons of non-use. In certain areas covered by Special Recreation Management Plans, travel management plans, or other site-specific plans, special provisions regarding non-use of permits may apply.

XI. INSPECTION OF RECORDS AND PREMISES

- A. The BLM and its cooperators, including the Colorado Division of Wildlife, USDA Forest Service, and the Colorado Division of Parks and Outdoor Recreation, shall at all times have the right to enter the premises located on public land on official business. The permittee shall allow reasonable access to private lands owned or utilized in the permitted operation for purposes related to administration of the permit.

XII. SIGNING AND ADVERTISING

- A. Signs or advertising devices on public land require advance approval on the location, design, size, shape or color, and message.
- B. All advertising shall be accurate and not misrepresent in any way the services or accommodations provided, or the area authorized for use. Brochures and other advertising materials shall include the following disclosure: "All or part of this operation is conducted on Public Lands under special permit from the U.S. Bureau of Land Management".
- C. Official BLM agency symbols may not be used in advertising.

XIII. CAMPSITES

- A. Camps may be set up for no longer than necessary, and no earlier than 5 days prior to the first day of use authorized and must be removed within five days after the authorized use period. No year-round, permanent camps may be established on BLM lands; only temporary facilities are permitted.
- B. Camps shall be located to avoid conflict with public road and trail traffic, and stream or lake access, and to the extent possible shall be located out of sight of major trails.
- C. All campsites and temporary improvements shall be as described in the approved operating plan.
- D. All campsite facilities including but not limited to tents, latrines, livestock control facilities, shall be located at least 200 feet from the nearest spring, stream, lake, pond or reservoir unless specifically authorized otherwise.
- E. All campsites must be approved prior to use. Clearances may be required, such as inventories for cultural resources and/or for threatened or endangered species.

XIV. CAMPFIRES

- A. Unless permanent fire rings are designated, open campfires shall be built only in areas free of hazardous fuels. Fire rings or pits shall be set on bare mineral soil. After use, fire rings or pits shall be obliterated and the site rehabilitated. Open fires may be prohibited during periods of extremely high fire hazard by order of the BLM, the applicable county or the State of Colorado.
- B. Campfires shall be completely extinguished when left unattended. The permittee is responsible for all fires started by him/her self, employees, or clients, and may be held responsible for fire suppression costs resulting from wildfire caused by his/her operations.
- C. An axe, shovel, water bucket or extinguisher for fire control shall be available at each campfire.
- D. Wildfire caused by the permitted operation shall be reported immediately to the nearest BLM office. The permittee is responsible for informing employees, clients, and participants of the current fire danger and required restrictions or precautions that may be in effect.

XV. LIVESTOCK USE

- A. Authorized pasture use of livestock is temporary and limited to transportation purposes, and will not establish a priority for future use of the range. Rangeland grazing may be restricted and feed may be required to be packed, all feed supplied as part of permitted operations must be **certified weed free**. The permittee shall prevent localized over grazing and damage to vegetation by permitted livestock.
- B. Construction of permanent fences or corrals is not permitted. Temporary livestock control structures may be erected with advanced approval, including corrals and hitching racks, provided they are dismantled after the use season.
- C. The permittee may be required to pay additional fees for forage consumed by livestock during the permitted operations. This fee will be at the current rate for grazing use.
- D. Livestock shall not be tied to trees for other than short term, temporary stops. Hobbles, pickets, high lines or corrals shall be used to control livestock.
- E. Livestock control structures (corrals, hitching racks, pickets, high lines) must be at least 200 feet from springs, streams, lakes, reservoirs or other water sources. Whatever method of livestock control is used, it will not result in removal or death of the under story vegetation.
- F. Pack stock may be grazed if permitted by the SRP. If electric fences are used, they will be moved every 3 days to a new area. If picket ropes are used, they will be moved every other day to a new area. If high lines are used, their location must be approved in advance.

XVI. EQUIPMENT CACHES

Food and/or equipment caches require advance authorization. When authorized, caches shall be neatly stored out of sight of roads and trails. Food caches must be "wildlife proof."

XVII. RESOURCE PROTECTION

- A. Aesthetics: Permittee shall protect the scenic and aesthetic values of the public lands used in the operations, and maintain premises on permitted areas to acceptable standards of repair, orderliness, and cleanliness.
- B. Rehabilitation: After camps and other temporary facilities are dismantled, insofar as practical, the area shall be left in a natural state. Reseeding with BLM approved seed mix may be required of any areas disturbed by campsites.
- C. Sanitation: Self contained or pit type toilets/privies, with or without tent coverings, shall be used at all campsites on public land. The permittee will be responsible for establishing a latrine for all permitted camps and for final rehab when the camp is removed. Waste from self contained toilets must be disposed of at a State approved sewage disposal facility. When abandoned, toilet pits shall be covered with a minimum of 12 inches of topsoil and back filled to pre-existing grade. While in use, human waste in pits shall be covered with a layer of topsoil or lime after each individual use.
- D. Trash Disposal: Camps and other permitted areas shall be regularly cleaned and no trash or litter shall be allowed to accumulate. Combustible trash may be burned when campfires are authorized. All non-combustible trash, including but not limited to tin cans, spent brass, glass bottles, foil, and wire shall be packed out. Trash shall not be buried on public land.

- E. Dead animals and their remains shall be disposed of at least 200 feet away from springs, streams, lakes, ponds, campsites, roads/trails.
- F. Waste or by-products of any kind shall not be discharged into any stream, reservoir, lake or pond.
- G. Soils: Permittee shall conduct the permitted operations in a manner which prevents rutting, or soil erosion.
- H. Vegetation Damage/Removal: All operations shall be conducted in a manner which prevents damage to or loss of vegetation cover. Poles may be cut for temporary facilities if these are authorized by permit on public land. Cutting, clearing or defacing of standing trees, alive or dead, or clearing and cutting of shrub/groundcover for any other reason shall require specific advance authorization. When tree cutting is authorized, stumps shall be left no higher than 6 inches above ground level and slash shall be lopped and scattered. A separate permit is required for removal and transportation of woodland/tree products from public land.
- I. Firewood Cutting: Firewood may be cut on public land only for campsite use while on public land, and may not be transported off the public lands without a separate firewood cutting permit. Only dead and down trees shall be cut for firewood, with stumps left no higher than 6 inches above ground level, and the slash shall be lopped and scattered.
- J. Protection of Public Property: Signs, equipment, markers, fences, livestock watering facilities or any other property found on public land shall not be damaged, destroyed, defaced, removed, or disturbed.
- K. Cultural Resources: All persons associated with operations under this permit must be informed that any objects or sites of cultural, paleontological, and scientific interest, such as historic or prehistoric resources, graves or grave markers, human remains, ruins, cabins, rock art, fossils, or artifacts shall not be damaged, destroyed, removed or disturbed. If in connection with operations under this permit any of the above resources are discovered, the permittee shall immediately stop operations in the immediate area of the discovery, protect such resources, and notify the BLM authorized officer of the discovery. The immediate area of the discovery must be protected until the operator is notified in writing to proceed by the authorized officer.
- L. Wilderness and Wilderness Study Areas (WSA): Use of electric generators, all motorized and mechanized equipment including chainsaws and vehicles is prohibited within a Wilderness and most WSAs. Check with your local office to see if there are exceptions. If supplemental livestock feed is used, cubed, pelletized, or processed feed or **certified weed free hay** shall be used.
- M. Permittee is responsible for knowing where Public Land, Wilderness, and WSA boundaries are and the restrictions that may apply to an area of operation within these boundaries. Maps and information concerning restrictions are available at the local Field Office.

XVIII. PERFORMANCE EVALUATION

- A. The BLM shall conduct periodic inspections and performance evaluations of the permittee's operations and compliance with the terms, conditions and stipulations of the Permit.

Evaluation Ratings are as follows:

Acceptable means that the permittee has generally operated in accordance with the terms and conditions established for the permit

Probationary means that the permittee has not operated in full accordance with the terms and conditions of the permit. Corrective action by the holder is mandatory and continued operation at this level of performance is unacceptable. If this performance level is received 2 years in a row, the authorized officer may suspend or terminate the permit and/or deny future permit applications.

Unacceptable means that the permittee has not operated in accordance with the terms and conditions of the permit and cannot be allowed to continue. This performance level will result in suspension or termination of permit privileges as appropriate to the circumstances.

- B. Violations and Penalties: Any violation of the permit terms, conditions and stipulations may be subject to penalties prescribed in 43 CFR 2932.40, which may include fines up to \$1,000 and/or imprisonment up to 12 months. Additionally, any such violation may result in permit cancelation, suspension, or probation. Violations may also be cause for the BLM to deny approval of a Special Recreation Permit or Operating Authorization for subsequent years. If a permit is terminated, permit applications will not be approved for any person connected to or affiliated with the operation under a cancelled or suspended permit.

XVIII. CERTIFICATION

I have read these terms, conditions and stipulations and understand that I must abide by them while performing activities in connection with the permitted operations.

Date _____ Signature _____

Print Name _____

Company Name _____

Attachment C

SPECIAL RECREATION PERMIT ADDITIONAL SPECIAL STIPULATIONS

Use authorized under this permit will be subject to standard SRP terms, conditions and stipulations and the special stipulations described below:

1. The permittee will keep at their place of business (address provided to the BLM) current copies of First Aid training cards, blank client waivers, and permission to use or access private land or other agency land related to operations on BLM public lands. The permittee must provide proof of these items to the BLM upon request.
2. The permit holder must take precautions to not spread noxious weeds to public lands.
3. Actions approved by this permit are restricted to the existing trail and/or road.
4. Cultural Resource Discovery Stipulations
If subsurface cultural values are uncovered during operations, all work in the vicinity of the resource will cease and the authorized officer with the BLM notified immediately. The operator shall take any additional measures requested by the BLM to protect discoveries until they can be adequately evaluated by the permitted archaeologist. Within 48 hours of the discovery, the State Historic Preservation Officer (SHPO) and consulting parties will be notified of the discovery and consultation will begin to determine an appropriate mitigation measure. BLM in cooperation with the operator will ensure that the discovery is protected from further disturbance until mitigation is completed. Operations may resume at the discovery site upon receipt of written instructions and authorization by the authorized officer.

Native American Human Remains

Pursuant to 43 CFR 10.4(g), the holder must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony on federal land. Further, pursuant to 43 CFR 10.4 (c) and (d), the holder must stop activities in the vicinity of the discovery that could adversely affect the discovery. The holder shall make a reasonable effort to protect the human remains, funerary items, sacred objects, or objects of cultural patrimony for a period of thirty days after written notice is provided to the authorized officer, or until the authorized officer has issued a written notice to proceed, whichever occurs first.

Date

Permittee



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Colorado River Valley Field Office
2300 River Frontage Road
Silt, Colorado 81652

DECISION RECORD

PROJECT NAME: Colorado Rocky Mountain School, Special Recreation Permit (SRP)
Renewal

CATEGORICAL EXCLUSION NUMBER: DOI-BLM-CO-N040-2013-0047-CX

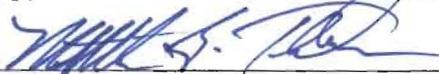
DECISION: It is my decision to issue the special recreation permit as described in the proposed action in the categorical exclusion DOI-BLM-CO-N040-2013-0047-CX. BLM has authority to grant such permits in accordance with 43 U.S.C. 1201; 43 U.S.C. 1701; 16 U.S.C. 460 L-6(a); and 43 CFR Group 2930.

PROCESS FOR APPEALS: Notice of the decision to be made on the action described in this categorical exclusion will be posted on the BLM Colorado River Valley Field Office NEPA website. The action is subject to appeal under 43 CFR 2931.8, parts 4 and 1840 of this title. A decision made under this part will go into effect immediately while appeals are pending unless a stay is granted under 4.21 (b) of this title.

An appeal is an opportunity for a qualified party to obtain a review of a BLM decision by an independent board of Administrative judges within the Department of Interior's Board of Land Appeals (IBLA). The IBLA determines whether the BLM followed applicable laws and regulations, adhered to established policies and procedures, and considered relevant information in reaching a decision.

Individuals, who believe they are adversely affected by a BLM decision to deny, modify or cancel a Special Recreation Permit (SRP) may appeal the decision. Appeals are made to the IBLA under Title 43 C.F.R, Part 4, pursuant to 43 C.F.R. 4.411. A person who wished to appeal to the IBLA must file in the office of the officer who made the decision a notice that he wished to appeal.

See Information on Taking Appeals to the Interior Board of Land Appeals (Form 1842-1) for further information. A copy of this form is available at the Colorado River Valley Field Office.

Authorizing Official:  Date: 5-6-2013
Matthew Thorburn
Supervisory Natural Resource Specialist