

**U.S. Department of the Interior
Bureau of Land Management
Kremmling Field Office
P O Box 68
Kremmling, CO 80459**

CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-CO-N02000-2013-021-CX

CASEFILE/PROJECT NUMBER:

PROJECT NAME: Timberline Tours Jeeping Special Recreation Permit

LEGAL DESCRIPTION:

T. 1 S., R. 82 W., Sections 22, 26, 35

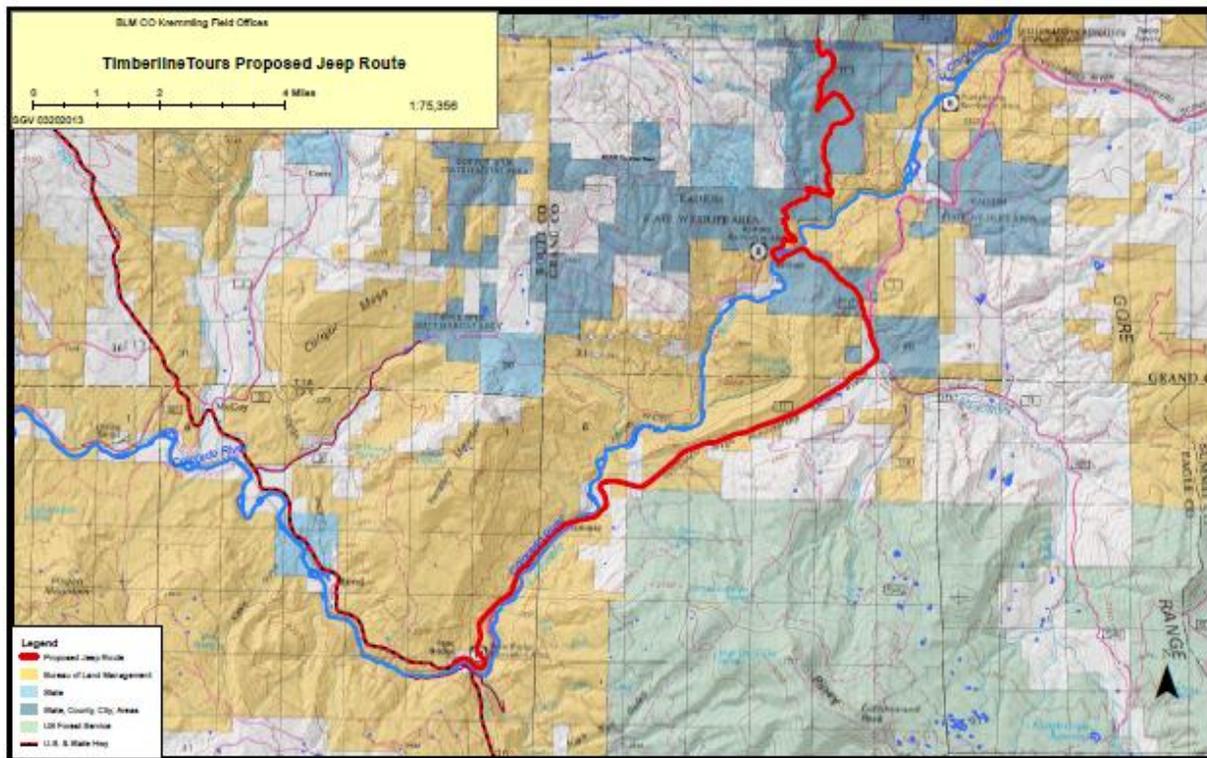
T. 2 S., R. 82 W., Sections 3, 4, 5, 7, 18

T. 2 S., R. 83 W., Sections 13, 24, 25, 36

APPLICANT: E.R.T.T. Inc. dba Timberline Tours

DESCRIPTION OF PROPOSED ACTION:

Timberline Tours would take guests from the Vail/Beaver Creek area by van up Colorado Highway 131 to State Bridge Recreation Site. They would stop, use restrooms at State Bridge, and transfer to jeeps and then travel on Trough Road (Eagle County Road 11) to the Radium Road (Grand County 11). They would stop at Radium Recreation Site to use the restrooms. They would then continue driving on Grand County 11 (Black Tail) to but not beyond the Routt National Forest Boundary. The return trip would be back the same way they came.



PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5-3, BLM 1601.08) the following plan:

Name of Plan: Kremmling Resource Management Plan (RMP), Record of Decision (ROD)

Date Approved: December 19, 1984; Updated February 1999

Decision Number/Page: Decision Number II B 7a, Page 9

Decision Language: “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, and resource interpretation.”

CATEGORICAL EXCLUSION REVIEW: The Proposed Action qualifies as a categorical exclusion under 516 DM 11.9, H(1):

“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 CX cannot be used for commercial boating permits along Wild and Scenic Rivers. This CX cannot be used for the establishment or issuance of Special Recreation Permits for “Special Area” management.”

The Proposed Action has been reviewed with the list of extraordinary circumstances (43 CFR 46.215) described in the table below.

Extraordinary Circumstance	YES	NO
a) Have significant adverse effects on public health and safety.		X
b) Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.		X
c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		X
d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
g) Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places as determined by either the bureau of office.		X
h) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.		X
i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X
j) Have a disproportionately high and adverse effect on low income or minority populations		X
k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly affect the physical integrity of such sacred sites.		X
l) Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species.		X

INTERDISCIPLINARY REVIEW:

The Proposed Action was presented to, and reviewed by, the Kremmling Field Office interdisciplinary team on 04/04/2013. A complete list of resource specialists who participated in

this review is available upon request from the Kremmling Field Office. The table below lists resource specialists who provided additional remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Bill B. Wyatt	Archaeologist	Cultural Resources, Native American Religious Concerns	04/04/2013
Megan McGuire	Wildlife Biologist	Special Status Plant and Wildlife Species	04/30/2013
Hannah Schechter	Outdoor Recreation Planner	Recreation, Wild and Scenic Rivers	04/04/2013

REMARKS: None

MITIGATION: None

COMPLIANCE PLAN: On-going compliance inspections and monitoring would be conducted by the BLM Kremmling Field Office staff during and after tours. Specific mitigation developed in this document would be followed. The operator would be notified of compliance related issues in writing, and depending on the nature of the issue(s), would be provided 30 days to resolve such issues.

NAME OF PREPARER: Hannah Schechter

NAME OF ENVIRONMENTAL COORDINATOR: Susan Cassel

COMPLIANCE WITH NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, H(1). This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply.

SIGNATURE OF AUTHORIZED OFFICIAL: _____/s/ Susan Cassel_____
Field Manager

DATE SIGNED: 5/17/13

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P O Box 68
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DECISION RECORD

PROJECT NAME:

CATEGORICAL EXCLUSION NUMBER: DOI-BLM-LLCON02000-2013-021-CX

DECISION

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-LLCON02000-2013-021 CX, authorizing a Special Recreation Permit for Jeeps tours on Trough Road and Grand County Road 11.

Mitigation Measures: None

COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN

This decision is in compliance with the Federal Land Management and Policy Act, the Endangered Species Act, and the National Historic Preservation Act. It is also in conformance with the December 19, 1984; Updated February 1999 Kremmling Resource Management Plan (RMP).

PUBLIC INVOLVEMENT: The CX will be available for a formal 30-day public comment period when posted on the Kremmling Field Office's internet website.

RATIONALE

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, H(1). This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply.

ADMINISTRATIVE REMEDIES

Administrative remedies may be available to those who believe they will be adversely affected by this decision. Appeals may be made to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of Interior, Board of Land Appeals (Board) in strict compliance with the regulations in 43 CFR Part 4. Notices of appeal must be filed in this office within 30 days after publication of this decision. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and the Board within 30 days after the notice of appeal is filed. The notice of appeal and any statement of reasons, written arguments, or briefs

must also be served upon the Regional Solicitor, Rocky Mountain Region, U.S. Department of Interior, 755 Parfet Street, Suite 151, Lakewood, CO 80215.

The effective date of this decision (and the date initiating the appeal period) will be the date this notice of decision is posted on BLM's Kremmling Field Office internet website.

SIGNATURE OF AUTHORIZED OFFICIAL: ____/s/ Susan Cassel_____
Field Manager

DATE SIGNED: 5/17/13