

**U.S. Department of the Interior
Bureau of Land Management
Royal Gorge Field Office
3028 E. Main Street
Canon City, CO 81212**

CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-CO-F02-2014-0005 CX

CASEFILE/PROJECT NUMBER (optional):

PROJECT NAME: Recreation SRP – Colorado Jeep and Off Road Tours

PLANNING UNIT: Gold Belt, #5

LEGAL DESCRIPTION: Fremont & Teller County; 6th Principal Meridian

Gold Belt Road - T. 18 S., R. 70 W., secs. 3, 10, 15, 22, 25, 26, 27, 28, 32, and 33
T. 18 S., R. 69 W., secs. 4, 5, 9, 10, 16, 21, 28, 30, 31, 32, and 33
T. 17 S., R. 70 W., secs. 4, 9, 16, 21, 22, 27, 28, and 34
T. 17 S., R. 69 W., secs. 4, 9, 10, 14, 15, 22, 27, 28, 29, 32, and 33
T. 16 S., R. 70 W., secs. 3, 9, 10, 15, 16, 22, 27, 28, 33, and 34
T. 16 S., R. 69 W., secs. 4, 5, 9, 16, 21, 22, 27, 28, 29, 32, and 33
T. 15 S., R. 70 W., secs. 13, 14, 24, 25, 35, and 36
T. 15 S., R. 69 W., secs. 19, 29, 30, 31, 32, and 33

County Road 69- T. 18 S., R. 70 W., secs. 6, 7, 18, and 19
T. 17 S., R. 71 W., secs. 13 and 24
T. 17 S., R. 70 W., secs. 5, 6, 7, 8, 18, 19, 30, and 31

Seep Springs - T. 17 S., R. 71 W., sec. 13
T. 17 S., R. 70 W., secs. 7, 18, and 19

See project proposal maps of proposed route.

APPLICANT: Will Colon, Colorado Jeep and Off Road Tours

DESCRIPTION OF PROPOSED ACTION

The Proposed Action is to issue a multi-year Special Recreation Permit (SRP) for commercial guided jeep tours along the Gold Belt Route via the Shelf Road and the Phantom Canyon Road as shown in Map 1. In addition, the Proposed Action would allow Colorado Jeep and Off-Road Vehicle Tours to use routes in Seep Springs as shown in Map 2.

The applicant applied for renewal after one year of operating on BLM land and acceptable compliance with the stipulations of the permit. The permit may be renewed with an expiration of up to 10 years.

Authority to issue SRP's is found in BLM Handbook H-2930-1 and 43 CFR Part 2930. Issuing an SRP is a discretionary action with final approval by the authorized officer. Applications may be denied based upon factors such as non-compliance with land use plans or designations; a moratorium on permits issued as part of a planning process; the results of an environmental analysis; other resource values; an allocation system; public health and safety concerns; applicant's past performance; or the inability of the managing office to issue, manage, and monitor the proposed use.

The Jeep Tours will consist of a half, third or full day trips, varying in time of 2-7 hours. The applicant proposes to stop along the route to interpret the local history, paleontology and geology. Stops along the Gold Belt Tour route will include all locations as shown in the Gold Belt Byway Tour brochure. Any stops that occur will be to use developed toilet facilities, interpretive sites, and designated trail routes. Clients will walk no further than 100 feet of a designated route.

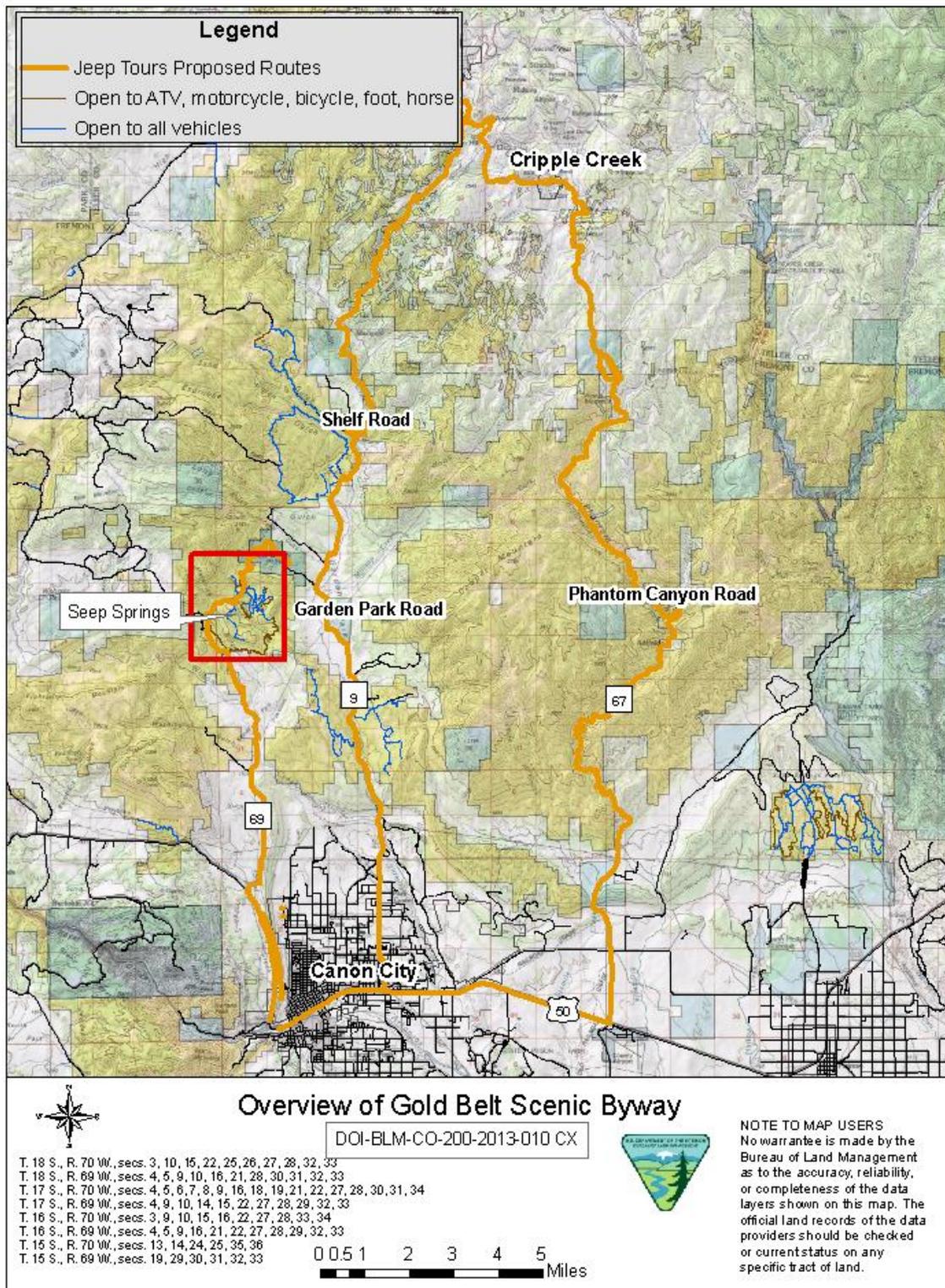
Additional routes include the Seep Springs area (see Map 2), via Red Canyon Park, and return to Hwy 50, via County Road 69. Seep Springs has wet weather gates that will be closed during wet conditions. The permittee must adhere to the closures; no tours will be allowed. The applicant proposes to stop at the end of 5830 B to walk approximately 30 feet to a scenic arch.

The proposed action would be for day use, guided jeep tours with a maximum of two trips per day. Colorado Jeep and Off-Road Tours will utilize extended-cab Jeeps that can carry up to 7 clients per Jeep or a 15 passenger van that is capable of carrying up to 9 guests. However, it is expected that the average number of trips, based on client demand, will be less than the maximum. Tours could be given year round; peak season will occur May through mid-October.

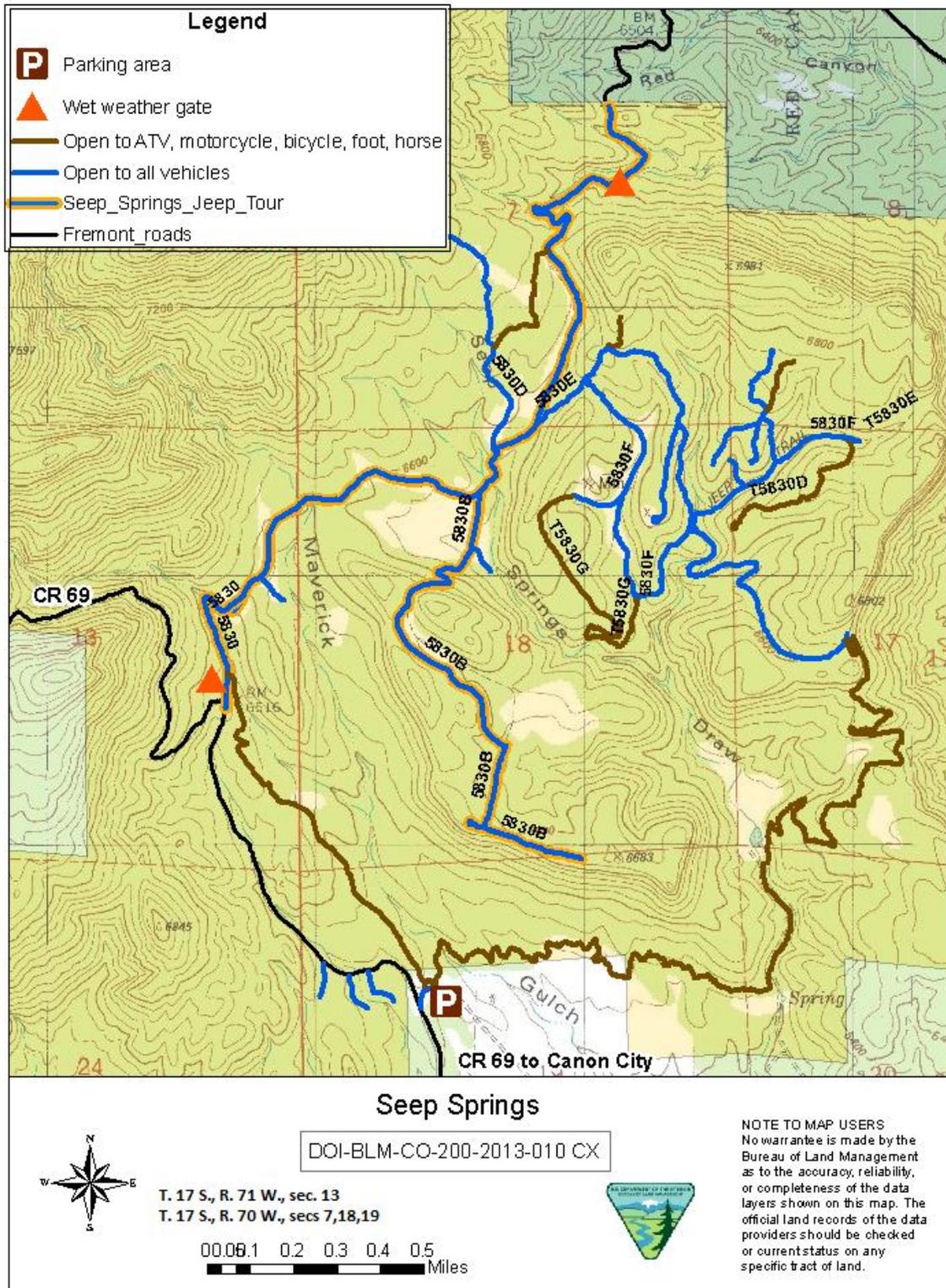
Staging and fueling will not occur on BLM land. The applicant is responsible for acquiring any permission for use of non-BLM routes used by the tour. Use of BLM public land is non-exclusive; designated routes and parking will be open and available to the public.

Guides are responsible for giving a safety talk before the tours begin, instructing guests to stay seated while the vehicle is running, securing themselves with seat belts and hand holds. Each guide will carry a 2-way radio to communicate with one another. Radio and cell phone coverage is spotty in most areas of operation, but known areas of good reception have been identified. The disposal of human waste will be accomplished at established restrooms and the permittee will carry individual solid human waste disposal units on all trips. Trash is disposed of commercially at Raft Masters. Solid human waste is disposed at a RV dump station. Compliance with the standard stipulations for all permits is required. All permitted activities will be monitored by the BLM for adherence to the stipulations.

Map 1: Overview of Proposed Use area:



Map 2: Proposed Jeep Tour route through Seep Springs



PLAN CONFORMANCE REVIEW:

Name of Plan: Royal Gorge Resource Management Plan

Date Approved: 05/13/96

Decision Number: 5-86

Decision Language:

5-61: Recreation will be managed to provide for: a variety of recreational opportunities and settings; additional opportunities for mountain biking, hiking, off-highway vehicle use, interpretation, and horseback riding; facility development will be accomplished to reduce user conflicts and to improve visitor health and safety.

CATEGORICAL EXCLUSION REVIEW: This proposed action is listed as a Categorical Exclusion in DOI Departmental Manual Part 516 Chapter 11.9H (1). None of the following exceptions in 516 DM 2, Appendix 2, apply.

Exclusion Criteria	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; lands with wilderness characteristics; 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
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		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.		X
11. Limit access to and ceremonial use of Indian sacred sites on Federal		X

lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites.		
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.		X

INTERDISCIPLINARY TEAM REVIEW			
NAME	TITLE	AREA OF RESPONSIBILITY	Initials/date
Matt Rustand	Wildlife Biologist	Terrestrial Wildlife, T&E, Migratory Birds	MR, 11/6/2013
Jeff Williams	Range Management Spec.	Range, Vegetation, Farmland	-----
Chris Cloninger	Range Management Spec.	Range, Vegetation, Farmland	CC, 11/5/2013
John Lamman	Range Management Spec.	Weeds	JL, 11/21/2013
Dave Gilbert	Fisheries Biologist	Aquatic Wildlife, Riparian/Wetlands	DG, 11/6/13
Stephanie Carter	Geologist	Minerals, Paleontology, Waste Hazardous or Solid	-----
Melissa Smeins	Geologist	Minerals, Paleontology	MJS, 11/12/2013
John Smeins	Hydrologist	Hydrology, Water Quality/Rights, Soils	JS, 11/6/13
Ty Webb	Prescribed Fire Specialist	Air Quality	TW, 11/8/13
Jeff Covington	Cadastral Surveyor	Cadastral Survey	JC, 11/5/2013
Kalem Lenard	Outdoor Recreation Planner	Recreation, Wilderness, LWCs, Visual, ACEC, W&S Rivers,	KL, 11/8/2013
John Nahomenuk	River Manager	Recreation, Wilderness, LWCs, Visual, ACEC, W&S Rivers	-----
Ken Reed	Forester	Forestry	MKSG 11/26/2013
Martin Weimer	NEPA Coordinator	Environmental Justice, Noise, SocioEconomics	
Monica Weimer	Archaeologist	Cultural, Native American	MMW, 11/5/13
Michael Troyer	Archaeologist	Cultural, Native American	-----
Steve Craddock	Realty Specialist	Realty	SRC, 11/19/2013
Steve Cunningham	Law Enforcement Ranger	Law Enforcement	n/a
Ty Webb	Fire Management Officer	Fire	n/a

REMARKS:

Cultural Resources: No historic properties were found in the area of potential effect [see report CR-RG-13-102 (N)]. Therefore, the proposed undertaking will have no effect on any historic properties (those eligible for the NRHP).

Native American Religious Concerns: No possible traditional cultural properties were located during the cultural resources inventory (see above). There is no other known evidence that suggests the project area holds special significance for Native Americans.

Threatened and Endangered Species: The Mexican Spotted Owl (MSO) currently occupies a broad geographic area but does not occur uniformly throughout its range. Instead the owl occurs in disjunct localities that correspond to isolated mountain systems and canyons. Drainages flowing into Phantom Canyon have historically been important breeding habitat for MSO. The issuance of the SRP will have no effect on MSO if permitted use in Phantom Canyon is limited to developed BLM facilities, trails, and routes, etc.

Paleontological Resources: The proposed jeep tour will primarily be in the Seep Springs area but will indirectly include Garden Park Fossil Area that is famous for being one of the most productive and historically important locations in the US for the study of Late Jurassic dinosaurs. In the late 1800's many of the first Jurassic dinosaurs were identified from remains found in the Garden Park Fossil area and today scientists still come to the Garden Park Fossil area to find scientifically significant dinosaur remains.

The tours have the potential to increase public awareness of the Garden Park Fossil area and the significant paleontological resources that are found there. If this exposure is not mitigated, this can be potentially harmful to the fossil area since curious individuals could potentially learn about these fossil resources and come back into the area to illegally dig for them. In this situation information is lost forever. However, if the tours share information about laws and rules that dictate the proper collection of vertebrate fossils on BLM lands and the consequences of not following these rules, these tours can actually be beneficial to the resources and can help to create stewards for our paleontological resources within the community through education. The BLM will help develop this information for the tour as needed. Because these tours have a great potential for educating the public about management of paleontological resources on public lands, the RGFO will share any information pertaining to the significant history of the Garden Park Fossil area with the intent of educating the public about these resources to promote community stewardship for the area to help protect our fossil resources.

Recommended Mitigation: Information about laws and rules that dictate the proper collection of vertebrate fossils on BLM lands and the consequences of not following these rules shall be included in the tour. The BLM will help develop this information for the tour as needed and will provide BLM brochures about Fossil Collecting to be shared with customers.

COMPLIANCE PLAN (optional):

NAME OF PREPARER: Linda Skinner

SUPERVISORY REVIEW: Melissa K.S. Garcia

NAME OF ENVIRONMENTAL COORDINATOR: /s/ Martin Weimer

DATE: 11/27/13

DECISION AND RATIONALE: I have reviewed this Categorical Exclusion and have decided to implement the Proposed Action.

This action is listed in the Department Manual as an action that may be categorically excluded. I have evaluated the action relative to the 10 criteria listed above and have determined that it does not represent an exception and is, therefore, categorically excluded from further environmental analysis.

SIGNATURE OF AUTHORIZED OFFICIAL:

/s/ Jay Raiford
Keith E. Berger, Field Manager

DATE SIGNED: 11/27/13