

**United States Department of the Interior
Bureau of Land Management**

**Determination of NEPA Adequacy
DOI-BLM-CO-S010-2014-0024-DNA**

November 2014

Silverton Guides SRP

Location: Alpine Triangle Special Recreation Management Area, Silverton, CO

Applicant/Address: Silverton Guides/Aaron Brill/PO Box 856 Silverton Co 81433

Tres Rios Field Office



Worksheet

Determination of NEPA Adequacy

U.S. Department of the Interior
Colorado Bureau of Land Management

The signed CONCLUSION at the end of this worksheet is part of an interim step in the BLM's internal analysis process and does not constitute an appealable decision; however, it constitutes an administrative record to be provided as evidence in protest, appeals and legal procedures.

OFFICE: Tres Rios

TRACKING NUMBER:

CASEFILE/PROJECT NUMBER: 14-0024

PROPOSED ACTION TITLE/TYPE: DNA

LOCATION/LEGAL DESCRIPTION: Alpine Triangle Special Recreation Management Area

APPLICANT (if any): Aaron Brill

A. Description of the Proposed Action and Any Applicable Mitigation Measures

The Proposed Action is to re-issue a Special Recreation Permit for guided helicopter skiing in the Alpine Triangle Special Recreation Management Area. The authorized area would remain the same as described in the Decision Record (DR) for Telluride Helitrax (CO-800-2006-037-EA), dated April 29, 2008. The permit term would be for an additional 10 years (2015-2024). The authorized service days (visitor days) would be a maximum of 600 clients annually.

B. Land Use Plan (LUP) Conformance

Alpine Triangle RAMP	2010
San Juan/San Miguel RMP	1985

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

Telluride Helitrax Special Recreation Permit Environmental Assessment, Decision Record, and FONSI # CO-800-2006-037-EA

D. NEPA Adequacy Criteria

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

Yes
 No

Documentation of answer and explanation:

The 2008 Environmental Assessment CO-800-2006-037-EA analyzed two action alternatives. Alternative B, the Proponent Proposed Alternative analyzed the issuance of a 10 year permit with a maximum of 600 service days annually, across 34,787 acres of public and private lands. Alternative C, the Agency Preferred Alternative, analyzed a 5 year permit for 300 annual service days across 13,546 acres of public and private lands.

The DR selected Alternative C and identified an adjusted acreage calculation of 13,611, fixing a mapping error and clarifying that the BLM does not authorize use of private lands within the permit boundaries.

The Proposed Action considered under this DNA falls entirely within the geographic, temporal, and visitor use bounds analyzed in the 2008 EA. The resource conditions have not changed since the 2008 EA/FONSI/DR.

(The DR also allowed for the permit term to increase up to 10 years and an increase in service days if at the end of 5 years all 300 allotted days were consistently being used.)

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action (or existing proposed action), given current environmental concerns, interests, and resource values?

Yes
 No

Documentation of answer and explanation:

Yes. The 2008 EA considered a No-Action Alternative, the Proponent's Proposed Action (Alternative B), and the Agency's Preferred Alternative (Alternative C) which was described as "a reasonable compromise to the Proponent Proposed Action and responds to concerns expressed during public involvement, ...". There are no known new environmental concerns, interests, or resource values that have been identified since the preparation of the 2008 EA. The Proposed Action has been scoped through the BLM Interdisciplinary Team and no new concerns were identified.

3. Is existing analysis adequate in light of any new information or circumstances (such as, rangeland health standards assessment; recent endangered species listings, updated list 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?

Yes
 No

Documentation of answer and explanation:

Since the 2008 EA, new guidance has been developed for Recreation in the project area. The guidance is found in the Alpine Triangle Recreation Area Management Plan (RAMP) dated 9/30/2010. The RAMP gives much clearer guidance for Heliskiing than was provided in the 1985 San Juan/San Miguel Resource Management Plan. The RAMP identifies concerns such as avalanche danger (and dangers associated with avalanche controls), risk of helicopter crash or skier injury, impacts to private lands (though use of private lands is not permitted by BLM), and impacts to Canada lynx. The RAMP also states that:

- The one current permitted heli-skiing operation permit, Silverton Guides LLC, will be honored in all Recreation Management Zones;
- Continue to authorize and monitor a variety of commercial recreation activities to provide essential service for the public. These activities could include hunting, fishing, rafting, jeep tours, backpacking, horse packing, Heli-skiing, rock climbing, snowmobiling and more.
- No SRPs would be granted for air tours over the project area, except for heli-skiing in the winter time from December 1 to April 30.

Beyond the new Recreation guidance, which specifically recognizes the validity of heli-skiing in the Alpine Triangle Special Recreation Management Area, there are no new circumstances or information which would negate the adequacy of the existing analysis.

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?

Yes
 No

Documentation of answer and explanation:

The 2008 EA specifically analyzed the impacts of the Proposed Action under Alternative B. The impact analysis included direct, indirect, and cumulative effects.

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

Yes
 No

Documentation of answer and explanation:

Decision Record CO-800-2006-037-EA specifically authorized a 5 year permit and up to 300 annual service days. It also allowed for the permit term to increase up to 10 years and an increase in service days if at the end of 5 years all 300 allotted days were consistently being used.) The permit holder is requesting increasing the permitted days and authorizing an additional 10 years. The BLM will need to complete additional monitoring as the permitted area has not been fully utilized by the permit holder as depicted due to safety and access issues. In addition, the permit holder has requested a swap in terrain due to this issue and the BLM will consider that separately due to the need to complete additional consultation under ESA.

The EA involved substantial public involvement, resulting in the development of Alternative C. Eighty-six comments were received during scoping, and an additional 176 comments were received during the comment period for the pre-decisional EA. The Proposed Action of an additional 300 visitor days to be authorized annually until June 30, 2019 has been brought to the BLM Interdisciplinary Team and no new issues were identified.

E. Persons/Agencies/BLM Staff Consulted:

<u>Name</u>	<u>Title</u>	<u>Resource Represented</u>
Nate West	Wildlife Biologist	Wildlife, T & E Species
Bruce Bourey	Archaeologist	Cultural Resources, Native American Religious Concerns
Jeff Christenson	Outdoor Recreation Planner	Recreation, Wilderness, Visual Resources
Mike Jensen	Range Management Specialist	T & E Plants, Invasive Species
James Blair	Geologist	Wastes, Hazardous or Solid
Kay Zillich	Physical Scientist	Wetlands, Fens, Water Quality

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.

CONCLUSION (If you found that one or more of these criteria is not met, then you cannot conclude that the NEPA documentation fully covers the proposed action).

Plan Conformance:

- This proposal conforms to the applicable land use plan.
- This proposal does not conform to the applicable land use plan

Determination of NEPA Adequacy

- 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 constitutes BLM's compliance with the requirements of the NEPA.
- The existing NEPA documentation does not fully cover the proposed action. Additional NEPA documentation is needed if the project is to be further considered.



Signature of Project Lead

12-1-14

Date



Signature of NEPA Coordinator

12/1/14

Date



Signature of the Responsible Official

12-1-14

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.