

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

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**Finding of No Significant Impact  
and  
Decision Record**

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**May 22, 2015**

**Special Recreation Permits for Non-Motorized Competitive  
Events in the Rio Grande del Norte National Monument**

**DOI-BLM-NM-F020-2014-0001-EA**

Taos Field Office  
226 Cruz Alta Road  
Taos, New Mexico  
575-758-8851





## FINDING OF NO SIGNIFICANT IMPACT

### Special Recreation Permits for Non-Motorized Competitive Events in the Rio Grande del Norte National Monument

DOI-BLM-NM-F020-2014-0001-EA

Based on the analysis of potential environmental impacts contained in the attached environmental assessment (EA), prepared for the *Special Recreation Permits for Non-Motorized Competitive Events in the Rio Grande del Norte National Monument* (DOI-BLM-NM-F020-2014-0001-EA), and considering the significance criteria in 40 CFR 508.27, I have determined that the authorization of three special recreation permits (SRPs), as described under the Proposed Action in the EA, will not have a significant effect on the human environment. An environmental impact statement is therefore not required.

The context and intensity of potential impacts from the Proposed Action were carefully considered and fully disclosed in the EA. The most relevant context in which the impacts were evaluated is their occurrence within the Rio Grande del Norte National Monument. Though the activities were proposed to occur in an area of national importance, none of the objects which contribute to its importance would be compromised by any substantial degree. Measures included as part of the Proposed Action are designed to reduce or alleviate impacts to the objects and other resource values. The analysis contained in the attached EA demonstrates that the severity of impacts to the relevant objects and resource values will be low, if occurring at all.



Authorized Officer

5/22/2015

Date



# DECISION RECORD

## Special Recreation Permits for Non-Motorized Competitive Events in the Rio Grande del Norte National Monument

DOI-BLM-NM-F020-2014-0001-EA

### Decision

It is my decision to authorize Alternative A, the Proposed Action, as presented in the environmental assessment (EA) for *Special Recreation Permits for Non-Motorized Competitive Events in the Rio Grande del Norte National Monument*. The EA evaluates the impacts to the human environment potentially resulting from the selected alternative and demonstrates that any impacts to the human environment, including the objects for which the Rio Grande del Norte National Monument was designated to protect, will not be significant. Nor will the selected alternative be inconsistent with the preservation, protection, and restoration of those Monument objects.

This decision recognizes that current recreational opportunities such as permitted recreational events are subject to change pending the completion of a monument plan for the Rio Grande del Norte National Monument, presently under preparation by the BLM. However, the issuance of the three special recreation permits (SRPs)—two trail running events and a mountain biking event—will only be authorized on a year-by-year basis, at least in the interim while land use planning for the Monument is ongoing. BLM specialists will be monitoring the permitted events and will recommend additional mitigation or limitations if warranted.

As described under the selected alternative, if a race is scheduled during the nesting season between March 1 and July 31, a nest survey would be conducted in accordance with BLM protocol, and if an active nest is found, a BLM Wildlife Biologist would be consulted to determine the best means of mitigating potential disturbances to the site on a case-by-case basis with emphasis on avoidance by rerouting the event course.

The events will use existing trails, disturbed areas, and facilities within developed recreation areas. Trails within the Rio Grande gorge, including those below the gorge rim, will not be used. Each permit will allow for up to 400 participants and event personnel. Limited vending is also provided for under the selected alternative, as well as amplified music at the Wild Rivers area only.

Vegetative and soil monitoring will be conducted both prior to events to establish baseline conditions and after events to determine potential new soil disturbance or erosion and/or non-native weed introductions. The data would be used to determine site carrying capacity, to modify future events if necessary, and to inform future planning efforts.

A description of all event parameters and measures that will be stipulated in the permit authorizations are presented under the selected alternative in the attached EA. (See section 2.1.)

## **Presidential Proclamation Consistency**

The Rio Grande del Norte National Monument was established by Presidential Proclamation signed by President Obama on March 25, 2013 under the authority of the Antiquities Act of 1906. The proclamation mandates that the BLM provide for the preservation, protection, and restoration of objects of historic and scientific interest, specifically, in this case, cultural, wildlife, ecological, and geologic values.

Nothing in the analysis of potential impacts in the attached EA suggests that the preservation and protection of these objects will be compromised as a result of issuing the Special Recreation Permits. The analysis demonstrates that any potential impacts can be effectively mitigated by the suite of measures included in the selected alternative. Therefore, the selected alternative is consistent with the care of the Monument objects as required by the proclamation.

In addition, implicit in the proclamation is the enjoyment by the public of the Monument objects through recreational opportunities. The proclamation purposefully included developed and heavily used recreation areas within the Monument's boundaries, where recreational activities are enjoyed in harmony with the care of the objects.

## **Land Use Plan Consistency**

Issuing the three Special Recreation Permits is in conformance with the 2012 Taos Resource Management Plan (RMP), the applicable land use plan. The events will occur within the Rio Grande Gorge Special Recreation Management Area, an area established by the Taos RMP for permitted and developed recreation opportunities. The relevant recreation program objectives for the area are to provide exercise close to home, high quality recreation opportunities and experiences, and to issue special recreation permits in an equitable manner for specific uses of public lands and related waters as a means of providing for private and commercial recreation. (See section 2.2.6 of the Taos RMP.) As such, the proposal to issue up to three Special Recreation Permits is consistent with the goals and objectives for other resources and uses prescribed by the Taos RMP.

## **Rationale for Decision**

As indicated under the Finding of No Significant Impact and demonstrated under section 4.1.1 of the attached EA, the selected alternative will not cause significant impacts to potentially affected resources. A thorough suite of mitigation measures, to be attached to the permits as stipulations, are incorporated into the selected alternative to ensure impacts will be minimal. As such, authorization of the Special Recreation Permits may be granted now without the preparation of an environmental impact statement.

The selected alternative will meet the BLM's purpose and need for this action, as presented under section 1.2 of the EA, in a manner consistent with Presidential Proclamation and in conformance with the Taos RMP. Authorization of the permits will provide opportunities for non-motorized competitive events on the developed network of trails within the Rio Grande del Norte National Monument. Also, by this decision, the BLM is exercising its discretion to issue permits for competitive events involving recreation activities on public lands in accordance with 43 CFR 2932 and BLM Manual 2930-1.

As indicated above, the events will occur within the Rio Grande Gorge Special Recreation Management Area, an area established for permitted and developed recreation opportunities. The events will use well-established roads, trails, and other developed infrastructure designed to accommodate these types of uses. The Taos Valley Overlook and Wild Rivers areas, where these events will occur, receive heavy use by

visitors engaging in mountain biking, trail running, hiking, and dog walking, such that the events are not a departure from current types of use.

A full range of alternatives were analyzed in detail in the EA, driven largely by concerns raised by the public regarding potential impacts to avian wildlife species. The selected alternative, with measures designed to avoid breeding and nesting birds between March 1 and July 31, is chosen after careful consideration and analysis of potential effects. Additional recreation opportunities are provided by permitting the three non-motorized competitive events, the public demand for which is evident by the multiple applicants.

In all, four alternatives were considered, including a No Action alternative under which the permits would not have been granted. Action alternatives in addition to the selected alternative included Alternative C: Approval of the SRPs with Timing Limitations based on Big Game Winter Range and BLM Sensitive Species and Alternative D: Approval of the SRPs with Timing Limitations based on Breeding Birds and Raptors.

The No Action alternative was not selected primarily because it would not meet the purpose for the action, which is provided for under the applicable land use plan, the Taos RMP. Alternative C was not selected largely because the extensive timing limitation—based on Taos RMP restrictions on surface-disturbing activities such as construction projects or other earth-moving activities, which does not characterize the competitive events—was unnecessarily restrictive to protect wildlife values and would have been applied well beyond its original intended purpose. Furthermore, the timing limitation under this alternative would have applied to a period beyond critical nesting season for sensitive avian species, substantially constraining the opportunity for when the events could occur, and would have covered the winter season when the events are essentially already precluded by seasonal conditions.

Alternative D, designed to avoid the critical breeding and nesting season for avian species, was not selected because it too would unnecessarily limit the short-duration recreational opportunities when measures already incorporated into the selected alternative are designed to accommodate the avoidance of active nest sites and consider other mitigation measures on a case-by-case basis. The analysis did not demonstrate that the impacts under selected alternative would be substantially reduced under Alternative D. Instead, the comparative analysis showed that the impacts from the selected alternative would be much the same as those under Alternative D.

The preparation of the attached EA included an appropriate level of public involvement which led to substantial contributions to the development of alternatives and analysis. The original version of the attached EA was made available for a 30-day public review and comment period beginning in July 2014. The BLM received comments from 17 entities, including individuals, special interest groups, and a state agency. In response to all the substantive comments, the EA was substantially revised to include Alternatives C and D—developed to further address the public's concerns—a more thorough impacts analysis, as well as other refinements.

In addition, as indicated above, this decision recognizes that the Special Recreation Permits to be granted on an annual basis are considered interim actions while land use planning is on-going for the Rio Grande del Norte National Monument and, therefore, is subject to change pending the final decision on a new Monument Plan. Therefore, whether Special Recreation Permits for competitive events will be authorized following the completion of monument planning is a decision reserved exclusively for an approved Monument Plan and, so, will not establish a precedent for future decisions by committing resources or affect the BLM's discretion to make such a decision.

**Protest/Appeal Language**

Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a notice of appeal must be filed in the office of the Authorized Officer at Taos Field Office, 226 Cruz Alta Road, Taos, New Mexico 87571. 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.

***Recommended by:***

John R Barte  
Monument Manager

5-22-2015  
Date

***Approved by:***

  
Authorized Officer

5/22/2015  
Date

Attachment: *Special Recreation Permits for Non-Motorized Competitive Events in the Rio Grande del Norte National Monument* DOI-BLM-NM-F020-2014-0001-EA