

FINDING OF NO SIGNIFICANT IMPACT

FOR THE TOUGH MUDDER SPECIAL RECREATION USE PERMIT ENVIRONMENTAL ASSESSMENT DOI-BLM-NV-B020-2012-0216-EA

UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANGEMENT BATTLE MOUNTAIN DISTRICT/TONOPAH FIELD OFFICE

Environmental Assessment (EA) DOI-BLM-NV-B020-2012-0216-EA, dated October, 2012, has been reviewed through an interdisciplinary team process and it has been sent to the Nevada State Clearinghouse and to the general public for review and comment.

After consideration of the environmental effects of the Proposed Action described in the EA and supporting documents, it has been determined that the Proposed Action is not a major Federal action that would significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as described in 40 CFR 1508.27. Therefore, preparation of an Environmental Impact Statement (EIS) is not required per Section 102(2) (c) of the National Environmental Policy Act of 1969.

LAND USE CONFORMANCE:

The Proposed Action is in conformance with the Tonopah Resource Management Plan and Record of Decision (BLM 1997). Although the Proposed Action is not specifically provided for in the plan, it is clearly consistent with its goals and objectives, which are to:

- Provide dispersed recreation opportunities on all lands which are not designated as Special Recreation Management Areas;
- Provide a full range of recreational settings, from rural to wilderness, for the pursuit of a wide variety of recreational opportunities; the proposed action area is not designated as ROS primitive, semi-primitive non-motorized or semi-primitive motorized, so falls into the roaded natural or rural ROS class designation, where the “sights and sounds of man are readily evident, and the concentration of users is often moderate to high.”

The Proposed Action is also in conformance with the Nye County Comprehensive/Master Plan (Nye County 2011). The land use section of that plan supports multiple use of public lands:

- A balanced and diverse use of resources which takes into account the long-term needs of the residents of the county for renewable and non-renewable resources including but not

limited to recreational activities, range, timber, energy, minerals, watershed, wildlife and fish, and natural scenic, scientific and historic areas.

The recreational section of the plan articulates the following goals:

- To encourage the use and enjoyment of the many recreational opportunities available within Nye County.

Specific recreation objectives include:

- [The] encourage[ment] of recreation opportunities on public lands and [the identification] and develop[ment] of public lands for concentrated recreational use.

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The BLM has reviewed Environmental Assessment DOI-BLM-NV-B020-2012-0216-EA, dated October, 2012. After consideration of the environmental effects as described in the EA, and incorporated herein, the BLM has determined that the proposed action including adopted SRP stipulations, general terms and environmental protection measures, will not significantly affect the quality of the human environment and that an EIS is not required.

This finding and conclusion is based on our consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and the intensity of impacts described in the EA.

CONTEXT:

Tough Mudder is proposing to hold a competitive two-day endurance running event on October 6-7, 2012 in the vicinity of Beatty, Nevada. The 11-mile course begins and ends on private land and includes 4.7 miles of running and hiking trail located on public land. The participants would have to negotiate twenty-five military style obstacles of various types located on the private portions of the course. In order to negotiate the obstacles, the participants would work in teams. Obstacles may include climbing walls, mud or ice, water, heavy objects, or navigating ropes. All of the event staging, obstacles, parking and support operations would be located on private land. One obstacle and two first aid and water stations would be placed on public land. The proponent expects 8,000 participants to enter the event, plus spectators. For the purposes of analysis, a total of 10,000 individuals (event participants and spectators) are assumed.

Participants would be started in stages of 300-500 runners at timed intervals to allow runners to be staggered out along the initial 1.5 - 2 miles of the course as it leaves private land. Event activities are scheduled to take place between 5 AM and 7 PM October 6th and 7th. The course would be marked on the ground in such a way to maintain a maximum width of ten feet. Runners would be required to stay on the course, and given the proposed width, would likely run single file or two abreast when passing. There would be six (6) water/aid stations on the course, located approximately every two (2) miles.

The proposed event area is characterized by Mojave Desert vegetation dominated by blackbrush (*Coleogyne ramosissima*), desert needlegrass (*Achnatherum speciosum*), Indian ricegrass (*Achnatherum hymenoides*), Nevada ephedra (*Ephedra nevadensis*), burro brush (*Ambrosia dumosa*), creosote bush (*Larrea tridentate*), and fourwing saltbrush (*Atriplex canescensa*).

The course traverses an elevation range from approximately 3,600 to 4,000 feet, climbing and descending gravel and cobble rock ridges, slopes and washes, and crossing playa and desert pavement flats.

Most private land portions of the event area have similar characteristics, however, a small portion of developed springs, ponds and associated agricultural areas of deeper soils and associated vegetation are present. A substantial area used for industrial and mineral handling has also been developed on private land.

INTENSITY:

1. Impacts that may be both beneficial and adverse.

The EA considered impacts that may be both beneficial and adverse through the analysis of direct, indirect, and cumulative impacts of the Proposed Action. These impacts are described in detail in Chapter 3 of the EA.

Beneficial impacts associated with the implementation of the Proposed Action include an increase in recreational opportunity and use in the area over the two-day duration of the event. As a result, recreational use in the region could increase as people from outside of the region discover recreational opportunities available nearby.

As a consequence of the influx of people participating in the event, local recreational users may be temporarily inconvenienced. However, the recreational experience of passersby's could be enhanced as the event itself offers viewing opportunities. After the event, traditional recreation opportunities would likely remain unchanged from those that occurred prior to the event. Event organizers estimate an economic impact between \$1.5 and 2 million to local communities (lodging, food, gas, local shops, tax receipts, etc.) for their events.

The primary adverse impact associated with the implementation of the Proposed Action would be a short-term increase in erosion potential created by runners disturbing surface soils. The potential impacts would be mitigated to some degree by stone and boulders that cover more than half of the surface areas of these soils. Other adverse impacts could include small-scale and temporary damage to vegetation, slightly increased potential for the spread of noxious weeds or invasive non-native species, temporary displacement of wild burros, eagles and other wildlife, and possible exposure of cultural artifacts in the alkali flat and dune area. These impacts, which are described in detail in the EA, would be minimized by the SRP stipulations, general terms and environmental protection measures presented in Appendix A of the EA. None of the environmental impacts analyzed in detail in Chapter 3 of the EA are considered significant.

2. *The degree to which the proposed action affects public health and safety.*

The Proposed Action would minimally affect public health and safety. Tough Mudder would coordinate with local police, emergency services, fire authorities, and local municipalities. Law enforcement officers from the BLM and the Nye County Sheriff's Department would be notified regarding event schedules. A security company would be contracted by Tough Mudder to provide surveillance of the property during the event. Any incident requiring security or police presence would be reported to Tough Mudder Command and the Event Director and Security Supervisor would take actions appropriate to the situation.

In areas where the course intersects or utilizes existing roads, vehicle user conflicts would be avoided since the roads would be closed to public access. Participant and spectator parking would be made in available on-site. The permittee, in coordination with the Nevada Department of Transportation and Nevada Highway Patrol, will plan and manage traffic flow on and off of U.S. Hwy 95. The permittee will monitor public use of neighboring lands and roads, notably Pioneer Road and Fleur de Lis Road, for excessive use, parking and camping, and work with Nye County officials to keep these lands and roads clear of event-related unauthorized use.

Medical personnel would be distributed along the Tough Mudder course. Local EMS resources (Town of Beatty, Nye County, LifeFlight) would be briefed prior to the start of events by the Medical Safety Director where the safety plan, communications plan, and emergency access would be reviewed.

Approximately (60) portable toilets would be provided by Tough Mudder and placed in the base area and on the course. Trash removal would occur throughout the duration of the event. On-site dumpsters would be provided to collect trash, emptied periodically as necessary, and would be removed after the event.

3. *Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*

Activities associated with the Proposed Action will restrict event participants to the marked course. There are no ecologically critical areas, prime farmlands, wetlands, or wild and scenic rivers within the public land portion of the project area. Where the course passes through or near areas of known cultural resources or sensitive natural resources, SRP stipulations, general terms and environmental protection measures would minimize potential impacts.

4. *The degree to which the effects on the quality of the human environment are likely to be highly controversial.*

Some members of the public may find the Proposed Action controversial. A letter was sent to interested parties in the vicinity of the event area and a news release was issued to regional media outlets informing the public of the Proposed Action and announcing a review and comment period. An electronic copy of the EA was made available on the Nevada State

Clearinghouse website and the BLM Nevada Battle Mountain District website at the start of the comment period.

Concerns were expressed about using nearby roads for parking or to access the event, overnight parking and camping, dust control of the parking area, potential impacts to desert tortoises and Amargosa toads and potential conflicts associated with the opening of deer hunting season. Those comments and responses are included in Appendix B of the EA. There were no significant changes to the EA based on comments received during the comment period, although a stipulation was added to restrict use of Pioneer and Fleur de Lis roads.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

Implementation of the Proposed Action will have no known effects on the human environment which are considered highly uncertain or involve unique or unknown risks. This is demonstrated through the impact analysis presented in Chapter 3 of the EA.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The Proposed Action will not establish a precedent for future actions with significant effects or represent a decision about a future consideration. Completion of the EA and approval of the SRP does not establish a precedent for other special recreation permits or EAs. Any future projects within the project area or in surrounding areas will be analyzed on their own merits and implemented, or not, independent of the actions currently selected.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

Past, present, and reasonably foreseeable future actions have been considered in the cumulative impacts analysis within the EA (Chapter 4). The cumulative impacts analysis examined all past, present and reasonably foreseeable future actions and determined that the Proposed Action would not contribute to cumulatively significant impacts.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places (NRHP) or may cause loss or destruction of significant scientific, cultural, or historical resources.

The Proposed Action would not adversely affect districts, sites, highways, structures or objects listed or eligible for listing in the NRHP, nor would it cause loss or destruction of significant scientific, cultural, or historic resource.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the ESA of 1973.

Previous biological surveys show that there are no endangered or threatened species along the proposed course. The results of the analysis (Chapter 3) indicate that the implementation of the Proposed Action would not result in significant or adverse impacts to any endangered or threatened species from implementing the Proposed Action.

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

The Proposed Action will not violate or threaten any Federal, State, or local law or requirement imposed for the protection of the environment.



Thomas J. Seley
Manager, Tonopah Field Office



Date