



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
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In Reply Refer To:
8372 (NVL0100)

DECISION RECORD

Coyotes Motorcycle Race	:	
Vernon Watson	:	Decision Record
390 Fay Ave.	:	DOI-BLM-NV-L010-2011-0020-EA
Ely, NV 89301	:	

I have reviewed the application, the Environmental Assessment, and have made a Finding of No Significant Impact (FONSI) for the Coyotes Motorcycle Race. Based on that review and the record as a whole, I approve the proposed action alternative with the following stipulations derived from mitigation measures in Appendix III of the EA and referenced in the FONSI. In accordance with 43 CFR §2931.8(b)), this Decision is in full force and effective immediately.

RATIONALE:

- 1) The Proposed Action is in conformance with the Ely District Record of Decision and Approved Resource Management Plan signed in August of 2008. Section 1.3.1 of the Environmental Assessment documents the conformance review.
- 2) The Proposed Action is consistent with all other federal, state, local, and tribal policies and plans to the maximum extent possible.

PUBLIC INVOLVEMENT:

A public scoping period began on May 9, 2011 and continued through May 20, 2011. Comments were received from The Eastern Nevada Lincoln Highway Association.

The Eastern Nevada Lincoln Highway Association expressed concerns regarding what effects the proposed action and alternatives would have on the Honeymoon Hill rock art site, and the Midland Trail as well as potential impacts to the Lincoln Highway.

The Honeymoon Hill rock art site and Lincoln Highway are outside of the proposed project area. In addition, the Midland Trail would not be affected, as there will be no alterations to the characteristics of the site. Responses to comments received can be found in the administrative record.

APPEALS:

This decision may be appealed to the Interior Board of Land Appeals (Board), U. S. Department of the Interior (DOI) Office of Hearings and Appeals, in accordance with the regulations contained in 43 CFR, Part 4. The appellant has the burden of showing that the decision appealed from is in error. If an appeal is taken, a notice of appeal must be filed at the Bureau of Land Management at the above address within 30 days of either of receipt of the decision if served a copy of the document, or otherwise within 30 days of the date of the decision. If sent by United States Postal Service, the notice of appeal must be sent to the following address:

Bureau of Land Management
Ely District Office
HC 33 Box 33500
Ely, NV 89301.

The appeal may include a statement of reasons at the time the notice of appeal is filed, or the statement of reasons may be filed within 30 days of filing this appeal. At the same time the original documents are filed with this office, copies of the notice of appeal, statement of reasons, and all supporting documentation also must be sent to each party named in this decision and to the U. S. DOI Solicitor at the following address:

Regional Solicitor, Pacific Southwest Region
U.S. Department of the Interior
2800 Cottage Way, Room E-2753
Sacramento, CA 95825-1890

If a statement of reasons is filed separately from the notice of appeal, it also must be sent to the following location within 30 days after the notice of appeal was filed:

Interior Board of Land Appeals
Office of Hearings and Appeals
4015 Wilson Boulevard
Arlington, VA 22203

This Decision will remain in effect during the appeal unless a petition for stay is granted. If the appellant wishes to file a petition pursuant to regulations at 43 CFR 4.21 for a stay of the effectiveness of this decision during the time that the appeal is being reviewed by the Board, the petition for a stay must accompany the notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. If the appellant requests a stay, the appellant has the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or by other pertinent regulation, a Petition for a Stay of a Decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

Approved by:

Chris Mayer, acting

Gary W. Medlyn
Field Manager
Egan Field Office

June 15, 2011
Date

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

**Finding of No Significant Impact
DOI-BLM-NV-L010-2011-0020-EA
June 2011**

COYOTES MOTORCYCLE RACE

*White Pine County, Nevada
Coyotes Motorcycle Club*

Ely District Office
Ely, Nevada
Phone: 775-289-1800
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**UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
EGAN FIELD OFFICE**

INTRODUCTION

I have reviewed Environmental Assessment (EA) (DOI-BLM-NV-L0100-2011-0020-E), for the *Coyotes Motorcycle Race*, dated May 2011, and considered the project design specifications, including the stipulations attached as Appendix III to the EA and incorporated as design features to the proposed action identified in the EA.

I have also considered 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:

The proposed action is located in Jakes Valley of White Pine County, Nevada. The location is approximately 17 miles southwest of Ely, Nevada. The area is generally used by dispersed livestock grazing and mining. Recreational opportunities in the area are mostly dispersed and include hunting, and wildlife viewing. The proposed race is within an Ely Recreation Special Recreation Permit Area as identified in the Ely District Record of Decision and Approved Resource Management Plan (Ely RMP, 2008).

Intensity:

1) Impacts that may be both beneficial and adverse:

The EA has analyzed and disclosed both beneficial and adverse impacts of the Proposed Action. These impacts do not amount to any significant impacts.

2) The degree to which the Proposed Action affects public health or safety:

The Proposed Action does not affect public health or safety either adversely or in a significantly beneficial manner. The appropriate coordination has taken place and would continue to ensure racers are informed of safety plan.

3) Unique characteristics of the geographic area such as proximity to historical or cultural resources, parks lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas:

There are no parks lands, prime farmlands, wild and scenic rivers, known wetland/riparian areas, or ecologically critical areas on the Proposed Action site. Cultural inventories have been performed and no sites eligible for nomination to the National Register of Historic Places are located at the Proposed Action sites.

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

The effects of racing in this area are well known because the area has been used in the past. Chapter 5.0 of EA describes public participation during the NEPA process, based on comments effects are not likely to be highly controversial.

- 5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks:
The effects of racing in this area are well known because the area has been used in the past. Therefore the effects are not highly uncertain or do not involve unique or unknown risks. The EA identified direct, indirect, and cumulative effects associated with the proposed action.
- 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 site specific NEPA analysis associated with this proposal would not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration. Additional site specific NEPA would be on an individual, site-specific basis.
- 7) Whether the action is related to other actions with individually insignificant, but cumulatively significant impacts:
The proposed action is not related to other action with individually insignificant, but cumulatively significant impacts. As analyzed in the EA the proposed action occurs for one day.
- 8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing on the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historic resources:
No sites eligible for nomination to the National Register of Historic Places are located in the proposed project site. Because the needs assessment identified no sites would be damaged, no significant impacts are present.
- 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 Endangered Species Act of 1973:
The Proposed Action would not adversely affect endangered or threatened species or their habitat. No endangered or threatened species were identified, so no significant impacts are expected.
- 10) Whether the action threatens a violation of Federal, State, local or tribal law or requirements imposed for the protection of the environment:
This action is consistent with federal, state, local, and tribal laws and other requirements for the protection of the environment. All agencies were properly notified of the Proposed Action and given appropriate comment time to respond.

FINDING OF NO SIGNIFICANT IMPACT

I have determined that, with incorporation of the mitigation measures listed in Appendix III of EA and incorporated into the proposed action as design features, the proposed action will not significantly affect the quality of the human environment and that preparation of an Environmental Impact Statement (EIS) is not required.

Gary W. Medlyn, acting
Gary W. Medlyn
Field Manager
Egan Field Office

June 15, 2011
Date

U.S. Department of the Interior

Bureau of Land Management

Environmental Assessment
DOI-BLM-NV-L010-2011-0020-EA
May, 2011

COYOTES MOTORCYCLE RACE

*White Pine County, Nevada
Coyotes Motorcycle Club*

U.S. Department of the Interior
Bureau of Land Management
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1.0 INTRODUCTION

This Environmental Assessment (EA) has been prepared to analyze Vernon Watson and Michael Scot Laity's proposal relative to the Coyotes Motorcycle Race. The race is proposed for June 18, 2011 in the Jakes Wash area (T. 14 N. R. 60 & 61 E.) of White Pine County, Nevada (see Map, Appendix I).

The EA is a site-specific analysis of potential impacts that could result with the implementation of a proposed action or alternatives to the proposed action. The EA assists the Bureau of Land Management (BLM) in project planning and ensuring compliance with the National Environmental Policy Act (NEPA), and in making a determination as to whether any "significant" impacts could result from the analyzed actions. "Significance" is determined by the consideration of context and intensity of the impacts (40 CFR 1508.27).

This document is tiered to, and incorporates by reference, the *Ely Proposed Resource Management Plan/Final Environmental Impact Statement* (RMP/EIS) released in November 2007.

1.1 Background:

The Coyotes Motorcycle Club has held an annual race on BLM administered lands within the Ely District since 1994. The proposed action is to grant a special recreation permit (SRP) to Vernon Watson and Michael Scot Laity with the Coyotes motorcycle club to hold a competitive motorcycle race on June 18, 2011, within the Jakes Wash area. The event would provide an organized racing opportunity for participants with motorcycles. The proposed course is located on predominantly BLM managed public land in White Pine County. All portions of the course are on existing roads, trails and washes and would include locations for the pit area, start area, and staging area. The pit/start location is the same used for previous events. The event would include approximately 250 competitors and 150 spectators. The race course would be used for a total of 3 laps and each lap would be approximately 17 miles. The course is within the Ely Special Recreation Permit Area as identified in the Ely District Record of Decision and Approved Resource Management Plan (Ely RMP, 2008).

1.2 Purpose of the Proposed Action

The BLM's purpose in considering approval of the application for the competitive motorcycle race SRP is to provide legitimate use of the public lands to the proponent. Legitimate uses are those that are authorized under the Federal Lands Management Policy (FLPMA) of 1976 or other Public Land Acts and meet the proponent's objective while preventing undue and unnecessary degradation. Further the proposed action is identified as a legitimate use of BLM lands within the Ely District RMP and as an integral part of the recreation program. The authorization of this event would provide for a recreational opportunity within the Ely District BLM.

1.3 Need for the Proposed Action:

The BLM needs to consider approval of the application in order to continue to provide opportunities to the public for special recreation permits. This event is an approved use of BLM lands under the Ely RMP management decision Rec-11 (p.81). BLM needs to respond to its mandate under the FLPMA to manage the public lands for multiple uses in a manner, which recognizes the Nation's need for recreational opportunities. There has been a need demonstrated by the public for competitive race events within the local area. The race events that have been authorized for the Coyotes motorcycle club in the past have been popular and successful events.

If issued, the SRP would authorize the club to hold a one-day competitive race event to meet the public demand for such activities. The SRP would also include the appropriate stipulations and mitigation to avoid or minimize impacts to public lands.

1.3.1 Conformance with BLM Land Use Plan(s):

The proposed action is in conformance with the Goals and Objectives of the Ely District Record of Decision and Approved Resource Management Plan (Ely RMP, BLM 2008) page 79, which are to:

- Provide quality settings for developed and undeveloped recreation experiences and opportunities while protecting resources.
- To provide a wide variety of recreation opportunities to satisfy a growing demand by a public seeking open, undeveloped spaces that are characteristic of the planning area.

The proposed action is in conformance with the Management Actions for Recreation of the Ely District Record of Decision and Approved Resource Management Plan (Ely RMP, BLM 2008) page 81, which is to:

- Rec-12 - Manage competitive motorcycle events on designated routes within the special recreation permit areas.

1.4 Relationship to Statutes, Regulations, or other Plans:

The Federal Land Policy and Management Act of 1976 (FLPMA) mandates multiple uses of Public Lands, including recreation use. This action is consistent with 43 Code of Federal Regulations 2930 and the Recreation Permits for Recreation Handbook, H-2930-1. An objective of BLM's recreation permit policy is to satisfy recreation demands within allowable use levels in an equitable, safe and enjoyable manner, minimizing adverse resource impacts and user conflicts.

The Proposed Action specifically implements the Standards for Public Lands Health and Guidelines for Recreation Management for BLM Lands in Nevada by seeking to repair long-term damage caused by OHV activity. The Proposed Action "limits or controls" activities through specialized management tools.

The Proposed Action is also consistent with the following federal natural resource related policies and laws:

- Archeological Resource Protection Act of 1979 (16 U.S.C. 470aa – 470mm)
- National Historic Preservation Act of 1966 and 1999 amendment (16 U.S.C. 470 et seq.)
- Native American Graves and Repatriation Act of 1990 (3CFR 7)
- National Environmental Policy Act of 1969 (42 U.S.C. 4321)
- Endangered Species Act of 1973. 16 U.S.C. 1531-1544 as amended 1976-1982, 1984, and 1988.
- Bald and Golden Eagle Protection Act of 1940; 16 U.S.C. 668-668d as amended 1959, 1962, 1972 and 1978.
- Migratory Birds Treaty Act, 16 U.S.C. 703-712 as amended 1936, 1960, 1968, 1969, 1974, 1978, 1986 and 1989.
- Clean Air Act of 1990 as amended 2004.

1.5 Scoping and Public Involvement and Issues:

The affected environment of the Proposed Action and No Action alternatives were considered and analyzed by an Interdisciplinary Team as documented in the Interdisciplinary Team Analysis Record Checklist, in Administrative Record on file at Ely BLM.

Preliminary Issues identified during internal scoping include:

1. What effects could the race have on migratory bird species?
2. Are there potential conflicts of the race with the construction of the ON Line Transmission Line project?
3. How could racers impact the vegetation in the area?
4. Is there potential for conflicts of the race with livestock grazing?
5. How will the race impact the soils in the area?
6. Would the race affect air quality in the area?

In response to the preliminary issues identified, further surveys/studies were conducted and reports prepared. Reports were prepared and used to determine the scope of this document and the concerns were addressed in Chapters 3 and 4 below.

In addition, a public scoping period began on May 9, 2011 and continued through May 20, 2011. Comments were received from The Eastern Nevada Lincoln Highway Association.

The Eastern Nevada Lincoln Highway Association expressed concerns regarding what effects the proposed action and alternatives would have on the Honeymoon Hill rock art site, and the Midland Trail as well as potential impacts to the Lincoln Highway.

The Honeymoon Hill rock art site and Lincoln Highway are outside of the proposed project area. In addition, the Midland Trail would not be affected, as there will be no

alterations to the characteristics of the site. Responses to comments received can be found in the administrative record.

2.0 DESCRIPTION OF ALTERNATIVES, INCLUDING PROPOSED ACTION

2.1 Introduction:

The previous chapter presented the purpose and need for the proposed project, as well as the relevant issues, i.e., those elements that could be affected by the implementation of the proposed project. There have been no other alternatives proposed or needed to resolve conflicts regarding available resources on public lands. This chapter presents the proposed action and the no action alternative.

2.2 Alternative A - Proposed Action:

The proposed action is to grant a special recreation permit (SRP) to Vernon Watson and Michael Scot Laity with the Coyotes motorcycle club to hold a one-day competitive motorcycle race on June 18, 2011 within the Jakes Wash area (see Map, Appendix I). The event would provide an organized racing opportunity for participants with motorcycles. The Coyotes Motorcycle Club has held an annual race on BLM administered lands within the Ely District since 1994. The application and proposed race would provide a competitive racing opportunity for the public on BLM administered lands. The proposed event would be sanctioned by MRAN, which means Motorcycle Racing Association of Nevada.

The proposed course is located on predominantly BLM managed public land in White Pine County. All portions of the course are on existing roads, trails and washes. The event would include approximately 250 competitors and 150 spectators and would include locations for the race course, pit areas, start areas and staging areas. All portions of the course are on existing roads, trails and washes and would include locations for the pit area, start area, and staging area. The pit/start location is the same used for previous events. The event would include approximately 250 competitors and 150 spectators. The course is within the Ely Special Recreation Permit Area as identified in the Ely Proposed RMP. During the event, there would be a maximum of 25 riders per line for each start.

Pit area description – One pit area is proposed, which will encompass the staging area, and the start/finish location. The proposed pit area is approximately 1 acre and is located near the Jakes Wash Well (see Map). The proposed activities at this location will be staging, start/finish and camping. The race activities will continue throughout the day of the event, and camping with continues throughout the weekend.

A separate short course would be established called the mini course, which allows young children attending the event with their parents to participate in their own competitive race.

The race promoter would be responsible for all clean-up efforts and any restoration measures needed at the camping and pit area. The promoter would provide portable toilets for use by spectators and participants. Emergency medical services and communication would be provided by the White Pine County ambulance, which would be located on site. Additional communication services would be provided by satellite and cell phone service.

As part of the operations plan the proponent/permit holder would be required to ensure that participants wash their equipment prior to beginning the race to reduce the potential for the spread of noxious and invasive weed species.

A Cultural Resource Needs Assessment (8111[NV_040] NANV04FY11-050) was completed prior to the event in coordination with the cultural specialist to ensure no cultural resources would be affected by this event. A Class III Cultural Resource survey would be completed for any sections of course not previously inventoried to ensure archeology resources are protected through avoidance.

The courses for this event would be clearly marked using a fluorescent ribbon and arrows for easy course recognition at turns, up and down hill points, and other portions of the course. Promoters would provide barriers and monitors would be required where the authorized office deems necessary to ensure compliance with the stipulations and mitigations. Check points would be established for rider safety and would have radio communications with the start/finish area. The permittee would have up to 10 days after the event to clear the course of all markings.

The promoter would have safety personnel posted at sections of the course that cross major roads and trails during the race, notifying public traffic of the race event. The promoter is responsible to direct traffic in and around the staging/pit and start/finish areas during the event. BLM personnel would assist with law enforcement and monitoring of the event for protection of resources and the safety of participants and spectators.

This event would be monitored in accordance with Instruction Memorandum 2011-019, SRP Administration; to ensure impacts resulting from this event would be mitigated. Pre and post course inspections would be done of the course and photo-monitoring points would be taken to document any impacts.

Included as part of the proposed action are the applicable BLM permit conditions checked on the reverse side of Special Recreation Permit form 2930-1 and special stipulations attached which are made a part of the race permit. The permit and stipulations are attached as Appendix III to this EA and have been incorporated as mitigating measures inherent to the proposed action for purposes of this EA.

2.2.1 Invasive, Non-Native Species and Noxious Weeds

A Weed Risk Assessment was completed for this race on May 5, 2011. The measures listed in the Weed Risk Assessment would be followed to minimize the effects on weeds.

2.2.2 Vegetation

No temporary staging would be allowed in winterfat plant communities. The staging area and race course would be flagged to keep participants equipment out of native vegetation.

2.3 Alternative B - No Action:

Under the no action alternative the proposed race event would not be approved. The No Action Alternative would not meet the need of the Proposed Action by providing for this recreational opportunity.

2.4 Alternatives Considered, but Eliminated from Further Analysis

The proposed action of individual timed starts, 10 seconds apart, was considered. This alternative was eliminated because it would have substantially similar effects to the proposed action alternative that is analyzed.

No other alternatives have been proposed to respond to unresolved conflicts concerning alternative uses of available resources.

3.0 AFFECTED ENVIRONMENT/ENVIRONMENTAL EFFECTS

3.1 Introduction:

This chapter presents the existing environment (i.e., the physical, biological, social, and economic values and resources) of the impact area, the issues analyzed, and the impacts to the analyzed resources, and mitigation that could be applied that would reduce those impacts.

Potential impacts to the resources/concerns discussed within this chapter have been evaluated in accordance with criteria listed in BLM NEPA Handbook (BLM 2008a) to determine if detailed analysis was required. Consideration of some of these items is to ensure compliance with laws, statutes or Executive Orders that impose certain requirements upon all Federal actions. Other items are relevant to the management of public lands in general, and to the Ely District BLM in particular.

The following table documents the issues evaluation or rationale for dismissal from further analysis in this EA:

Resource/Concern	Issue(s) (Y/N)	Rationale for Dismissal from Analysis or Issue(s) Requiring Detailed Analysis
Air Quality*	Y	Resource analyzed in this EA.
Area of Critical Environmental Concern (ACEC)*	N	Resource Concern is not present.
Cultural Resources*	N	A Cultural Needs Assessment (8111[NV_040] NANV04FY11-050) was completed. A Class III inventory will be completed for all new proposed

		sections of the race course. All historic properties will be avoided thereby there will be no adverse effect.
Forest Health*	N	Resource is not present.
Rangeland Health*	N	Effects to rangeland health would be the same as those under vegetation resources. Please see effects to vegetation resources as analyzed in EA.
Livestock Grazing	Y	Resource analyzed in EA.
Migratory Birds*	Y	Resource analyzed in EA.
Native American Religious and other Concerns*	N	No concerns of the proposed action were identified through coordination.
FWS Listed or proposed for listing Threatened or Endangered Species or critical habitat*	N	Resource is not known to be present in the project area.
Wastes, Hazardous or Solid*	N	Appropriate mitigation measures are included as part of the proposed action, there would be no impact.
Water Quality, Surface/Ground*	N	No surface water sources are found in the analysis area. Several groundwater wells are located throughout the area but the proposed action or no action alternative would have no affect on water quality from those sources or preclude the use of the water.
Environmental Justice*	N	No minority or low-income groups would be disproportionately affected by health or environmental effects.
Floodplains*	N	There are no floodplains in the project area. The analysis area does not occur on FEMA flood maps. The proposed action or no action alternative would have no affect on floodplains.
Prime and unique farmlands*	N	Prime Farmlands would not be affected by the proposed action or no action alternative. The characteristics which make a soil association a potential Prime Farmland would not be altered. The limiting factor for the soil becoming productive Prime Farmlands would remain the future application of an adequate and dependable supply of irrigation water.
Wetlands/Riparian Zones*	N	There are no wetlands or riparian zones in the project area. The proposed action or no action alternative would have no affect on wetland or riparian resources.
Non-native Invasive and Noxious Species*	N	The noxious species hoary cress occurs within the project area along roads. Halogeton and bur buttercup are found

		within the staging area. Although motorcycle races can spread weeds already present in the permitted area, the design features of the Proposed Action, including cleaning vehicles and educating racers, would help to prevent weeds from establishing or spreading. The no action alternative would not spread weeds. A weed risk assessment has been completed for this project. No further analysis is needed.
Special Status animal Species, other than those listed or proposed by the FWS as Threatened or Endangered.	N	None known within the race area. No raptor nests are known within 3 miles of project area. A small amount of potential pygmy rabbit (<i>Brachylagus idahoensis</i>) habitat occurs within race course area. The species constructs burrows in tall thick stands of sagebrush. No effects are anticipated because existing roads and trails will be used.
Special Status plant Species, other than those listed or proposed by the FWS as Threatened or Endangered.	N	None known in the project area. No further analysis is required.
Wilderness/WSA*	N	Resource is not present.
Wild Horses	N	The activity is within the south portion of the Jakes Wash Wild Horse Herd Area (HA). Wild horse within the Jakes Wash HA would be temporarily disturbed but no direct or indirect affects would occur. No further analysis is required.
Fish and Wildlife	N	There will be a certain amount of noise and commotion, causing larger animals to temporarily move away. Small creatures may not be able to move out of the path, and be run over. This would not result in any impacts to populations of these species.
Soils Resources	Y	Resource analyzed in this EA.
Visual Resources Management	N	The proposed action falls within VRM Classes III & IV. The event is one-day, temporary and will have a short duration; no impacts to visual resources are anticipated.
Lands and Realty	N	A portion of the ON Line Transmission Line within the SWIP corridor intersects roads of this identified race proposal area at four locations. Through coordination, the construction timeline would not conflict with the proposed one-day event.
Recreation	Y	Resource analyzed in EA.
Paleontological Resources	N	Currently there are no identified resources within the APE.

Human Health and Safety*	N	Appropriate mitigation measures are included as part of the proposed action (see Appendix III), there would be no impact.
Water Resources (Water Rights)	N	The proposed action and no action alternative would have no affect on water resources or water rights in the analysis area. Two existing and one water right application pending before the Nevada State Engineer for stock watering use occur in the analysis area. One well which has one existing and one pending water right attached to it located near the proposed staging area.
Mineral Resources	N	There are 18 Oil leases in the area with no proposed operations. There are no locatable or saleable minerals projects in the area either. No further analysis necessary.
Vegetative Resources	Y	Resource analyzed in EA.

*Nevada Supplemental Authority

3.2 General Setting

The proposed project area is located within the Jakes Wash area, which is within the Indian Jake Grazing Allotment. The proposed project area occurs within the Ely Special Recreation Permit Area. Elevations in the project area range from approximately 6,500 to 6,700 feet and slopes range from an estimated 2 to 10 percent. Vegetation consists of salt desert shrub plant communities in the lower portions of the watershed, while sagebrush/perennial grass communities and pinion/juniper woodlands dominate the benches and higher elevation sites. The proposed course is primarily used by OHV recreationists for trail riding and transportation purposes.

Based on the review of existing baseline data, BLM specialists have identified the following issues for further analysis:

- Air Quality
- Soil Resources
- Recreation
- Vegetation
- Migratory birds
- Livestock Grazing

3.3 Air Quality:

3.3.1 Affected Environment

The State of Nevada, Division of Environmental Protection (NDEP) annually monitors principal pollutants for compliance with EPA established standards. In 1998 an air quality monitoring site was established in McGill, White Pine County, Nevada to monitor PM₁₀. PM₁₀ is an inhalable coarse particulate less than ten microns in size which is mainly an emission from man-made sources like salt and sand application on roads in

winter, work on unpaved roads, construction sites, or rock processing. The monitoring site at McGill was discontinued because PM_{10} measurements remained well below air quality standards. The current air quality status in White Pine County for all constituents that NDEP monitors state-wide is termed “unclassifiable” meaning that no annual data is collected.

3.3.2 Proposed Action Environmental Effects

The proposed action and no action alternative would have no measureable effect to the air quality of White Pine County, Nevada.

Vehicle traffic along relatively dry roads and trails having soil textures in the silt textural class is expected to inevitably lead to dust cloud formation and fine particulate matter movement. The extent to which dust clouds are formed and transported is directly related to the speed at which vehicles pass along the road or trail surface. The persistence in the atmosphere is related to wind speed and size of the soil particles. The roads and trails are consistently loam sized materials which range from the silt loams to sandy loams. The sand sized particles mobilized by vehicles would remain in the air for a very short period and would be transported for a relatively short distance from the original location. The finer silt and clay sized materials can persist for minutes and longer if the air is still and can travel greater distances. Slight winds would also clear the analysis area of any dust clouds at the cessation racing activity or when vehicular speed was reduced sufficiently to preclude sediment mobilization.

Increases to localized dust formation from the proposed action is expected to be a short-term direct effect caused by the increased traffic passing along the roads and trails in the analysis area and speeds sufficient to mobilized sediment found at the soil surface. It is also expected that the increased traffic from spectator use of areas adjacent to the staging area may lead to some slight scarification of surface soils which could lead to an increase in short-term susceptibility to dust mobilization due to wind events until the surfaces re-harden or re-vegetate, whichever comes first. Long-term indirect effects to the trail surfaces stems from up to 250 vehicles racing over the same course and potentially creating a deeper “soil flour” affect which then opens the trail system up to the possibility of wind mobilization after the proposed action.

3.3.3 No Action Effects

Under the no action, the effects to air quality would occur under existing conditions. There would be temporary dust caused by the occasional light traffic use from dispersed recreation on the existing roads in the project area.

3.4. Soil Resources:

3.4.1 Affected Environment

Soils within the analysis area are deep, well-drained loams that vary in terms of coarse constituent content as slope and position on the landscape changes. Typically as slopes increase and location moves higher on the hillside, soil texture becomes coarser and soil depth becomes shallower. The valley bottom soils have loamy surface horizon textures

which range from silt loam to sandy loam and both have silty clay loam subsurface horizon textures.

The existing roads and trail system shows signs of use during soil saturated condition which created ruts in the roads and at climbing portions of the trails. Trails and roads are very dusty during dry season use and ambient winds easily mobilize dust from adjacent bare ground.

3.4.2 Proposed Action Environmental Effects

Soil disturbance, both direct and indirect, is expected to occur along the race course and at the staging location. As described under Air Quality, vehicular traffic would mobilize soil surface materials and transport said materials some distance dependent upon the speed the vehicle was traveling. Such soil loss over time is measureable as is the deposition of the relocated soil material. The direct soil loss along trails and roads may occur most especially at turns with the expectant result of the trail widening over time and the turn becoming sharper which then facilitates the trail creeping out of necessity to accommodate user needs. As trails migrate, soils and surrounding vegetation may be lost. Vegetation disturbance creates a condition where soil surfaces are laid bare and become more susceptible to wind and water erosional forces. The loss of surface cover indirectly leads to soil loss by ambient winds and ordinary rain events.

Soil compaction is expected to occur within the road or existing trail prism and is not expected to be a by-product of the proposed action. The type of vehicles associated with the proposed action, the season of use, and the nature and properties of the soils in the analysis area make compaction an unlikely outcome.

The impacts within the trail or road prism are long-term effects and are related to management of the transportation system. Effects adjacent to trails and roads and at staging areas could be more short-term in nature since those areas are influenced by stipulations attached to permits and are more easily mitigated or corrected by remedial action.

3.4.3 No Action Effects

Under the no action alternative, effects to soil resources would not occur as described above.

3.5. Recreation:

3.5.1 Affected Environment

The proposed action is within the Ely Special Recreation Area (SRPA) as identified in the Ely RMP. The SRPA is an area designated to manage for competitive motorcycle events on designated routes. Recreation pursuits within the area include four-wheel driving, dirt bike riding, hunting, hiking, and wildlife viewing. The closest developed recreation area is Ward Mountain Recreation Area, which is approximately 7 miles south of the proposed event area.

3.5.2 Proposed Action Environmental Effects

This action would provide a recreational opportunity for the public in the form of a competitive motorcycle event.

3.5.3 No Action Effects

Potentially the proponent would race in another SRPA location on the district or elsewhere in the state of Nevada.

3.6. Vegetation:

3.6.1 Affected Environment

The proposed action is located on existing roads and trails that occur in pinion juniper woodlands, sagebrush and salt desert shrub plant communities. The staging area is in an area that was a winterfat community. Due to prior disturbance over several decades this area is now dominated by halogeton and bur buttercup.

3.6.2 Proposed Action Environmental Effects

The proposed action is to stay on existing roads and trails during the race. During the race impacts to vegetation would only occur if racers go off course. These impacts would include crushing and possibly uprooting vegetation. Most impacts to vegetation would occur in the staging area where support vehicles and motorcycles could crush native vegetation found along the perimeter of the disturbed area. The design features of the proposed action would help prevent these impacts. If these native communities are impacted, natural recovery would depend on precipitation and other disturbances.

3.6.3 No Action Effects

The no action alternative would not have any impacts to vegetation other than those already authorized, such as grazing and effects would occur from the powerline corridor.

3.7. Migratory Birds

3.7.1 Affected Environment

Habitat for many species of birds will be present along the proposed race course. Due to the proposed timing of the race, there is the possibility of active bird nests being present, containing eggs or young. Most of the species which may be present are protected by the Migratory Bird Treaty Act of 1918 as amended, Executive Order 13186 and Instruction Memorandum 2009-050, which prohibit the take of these birds, including nests, eggs and young.

At the proposed time of the race active nests may be present at or near ground level in vegetation along the course. The proposed action involves racing motorcycles at high speeds around sharp corners along designated routes. This may result in participants accidentally leaving the route in some places as they may be passing other racers or going too fast for conditions.

3.7.2 Proposed Action Environmental Effects

There is a possibility that race participants leaving the designated race course could cause the destruction of an active nest by running over it, however no off road travel is allowed as described in Appendix III. Informing the participants of the importance of staying on the track due to the presence of important wildlife species could help to reduce the possibility of nest destruction occurring.

3.7.3 No Action Effects

Not permitting the race in the designated area would not result in impacts as described above to migratory birds in the analysis area.

3.9. Livestock Grazing

3.9.1. Affected Environment

The Coyotes Race would occur within the Giroux Wash (0826) and Indian Jake (0804) grazing allotments. The Giroux Wash Allotment is permitted for both sheep and cattle grazing. In addition, the Jakes Unit Sheep Trail (0821) occurs in the southern portion of the allotment. The Indian Jake Allotment is permitted for cattle grazing.

3.9.2 Proposed Action Environmental Effects

The proposed action is not expected to have direct or indirect effects to grazing uses or rangeland resources. Rangeland resources would not be affected by any short term impacts to roads that may occur. No grazing by either cattle or sheep is anticipated in either allotment on June 18. Cattle normally move to forest service lands from the Indian Jake Allotment about June 15. It is possible a stray cow or two could remain in the allotment after June 15. The race proponent would be notified of this possibility. The grazing permittees would also be notified of the race.

3.9.3. No Action Effects

The race would not be permitted. Livestock grazing would occur under current management. Effects would not be different beyond those described above.

4.0 CUMULATIVE EFFECTS

4.1 Introduction

As required under NEPA and the regulations implementing NEPA, this section analyzes potential cumulative impacts from past, present, and reasonably foreseeable future actions combined with the Proposed Action within the area analyzed for impacts in Chapter 3 specific to the resources for which cumulative impacts may be anticipated. A cumulative impact is defined as “the impact which results from the incremental impact of the action, decision, or project when added to other past, present, and reasonably foreseeable future actions, regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative impacts can result from individually minor

but collectively significant actions taking place over a period of time” (40 Code of Federal Regulations 1508.7).

Since the proposed action is temporary and will occur one day, the cumulative study effects area (CESA) for this project is defined by the proposed action analysis area, which includes the existing roads of the race course, and pit areas.

4.2 Past, Present, and Reasonably Foreseeable Future Actions

4.2.1. Past Actions

Livestock grazing operations in the project area developed during the mid - late 1800s. Historic stocking rates were higher than present. The race course has been used in the past by the Coyotes Motorcycle Club to hold a competitive event with up to 250 riders each time. The last year an event was held in this location was 2007.

4.2.2. Present Actions

Currently, livestock grazing, some occasional wild horse use, and dispersed recreation are the main actions taking place within the CESA. Recreational opportunities in the CESA are mostly dispersed and include hunting, trapping, and wildlife viewing.

A right-of-way for the Southwest Intertie Project (SWIP) was granted in the 1990s (BLM 2001). Construction of the ON line Transmission line (SWIP - Southern portion) started early 2011 on the Ely District within the designated SWIP corridor (BLM 2008). The corridor intersects with four road locations of the race course in the proposed project area.

4.2.3. Reasonably Foreseeable Future Actions

Livestock grazing would likely continue under existing grazing permits on the allotments. The CESA would continue to be managed as a Special Recreation Permit Area in accordance with decision parameters of the Ely RMP (BLM 2008b). It is anticipated that the proponent will continue to race in the future, using this course every three years.

4.3 Cumulative Effects Analysis

4.3.2 Vegetation

Although native vegetation may be disturbed by the race activities, it is expected that the vegetation would recover. Temporary cumulative effects to vegetation could occur from the combination of past, present, and reasonably foreseeable future actions, particularly the construction of the SWIP powerline project. As described in the site specific NEPA analysis for that project (BLM, 2008b) temporary disturbance areas will be restored in accordance with the Restoration Plan. There would be no cumulative effects to vegetation in the long term.

4.3.2.1. No Action Alternative

Under the no action alternative there would not be any cumulative effects to vegetation beyond those under existing management and in accordance with the Ely RMP (BLM 2008).

4.3.3 Migratory Birds

The activities taking place in the proposed race course each have the possibility of impacting bird nests, mitigation measures required, including staying on designated race course will minimize impacts. The proposed race will not cumulatively add effects if participants adhere to the requirement and stay on track as much as possible.

4.3.3.1. No Action Alternative

Under the no action alternative there would not be any cumulative effects to vegetation beyond those under existing management and in accordance with the Ely RMP (BLM 2008).

5.0 TRIBES, INDIVIDUALS, ORGANIZATIONS, OR AGENCIES CONSULTED

5.1 Persons, Groups and Agencies Consulted

Interested Public List on file in the administrative record.

5.2 Summary of Public Participation

During preparation of the EA, the public was notified of the proposed action by posting the project on the [Ely District Office Website](#) on May 9, 2011 and sending letters to members of the public who had expressed interest in being informed of this and/or similar actions. A public comment period was offered between May 9, 2011 and May 20, 2011.

Comments were received from The Lincoln County Highway Association.

The Lincoln County Highway Association expressed concerns regarding what effects the proposed action and alternatives would have on the Honeymoon Hill rock art site, and the Midland Trail as well as potential impacts to the Lincoln Highway.

The Honeymoon Hill rock art site and Lincoln Highway are outside of the proposed project area. In addition, the Midland Trail would not be affected, as there will be no alterations to the characteristics of the site. Responses to comments received can be found in the administrative record.

5.4 List of Preparers

5.4.1 BLM:

Name	Title	Responsible for the Following Section(s) of this Document
Erin Rajala	Outdoor Recreation Planner	Project Lead, ACECs, Recreation, Visual Resources
Mark D'Aversa	Hydrologist	Soils, Air Quality, Water Quality, Floodplains, Riparian/Wetlands
Mindy Seal	Natural Resource Specialist	Vegetation; Noxious and Non Native Invasive Species
Mark Lowrie	Range Management Specialist	Range
Lisa Gilbert	Archeologist Technician	Archeology, Historic Paleontological
Ruth Thompson	Wild Horse & Burro Specialist	Wild Horses & Burros
Marian Lichtler	Wildlife Biologist	Wildlife, Migratory Birds, Special Status Animals, Special Status Plants
Dave Jacobson	Wilderness Planner	Wilderness Values
Melanie Peterson		Wastes, Hazardous & Solids
Miles Kreidler	Mining Engineer	Mineral Resources
Stephanie Trujillo	Realty Specialist	Lands
Gina Jones	Planning & Environmental Coordinator	NEPA

6.0 REFERENCES, GLOSSARY AND ACRONYMS

6.1 References Cited

BLM. 2001. Falcon to Gonder 345 kV Transmission Project, Final, Environmental Impact Statement and Proposed Resource Management Plan Amendments. Battle Mountain, Elko, and Ely field Offices. December 2001.

BLM 2007. Ely Proposed Resource Management Plan /Final Environmental Impact Statement. BLM/EL/PL-07/09+1793.

BLM 2008. Ely District Record of Decision and Approved Resource Management Plan. Available Online:
http://www.blm.gov/nv/st/en/fo/ely_field_office/blm_programs/planning/approved_plan_and.html.

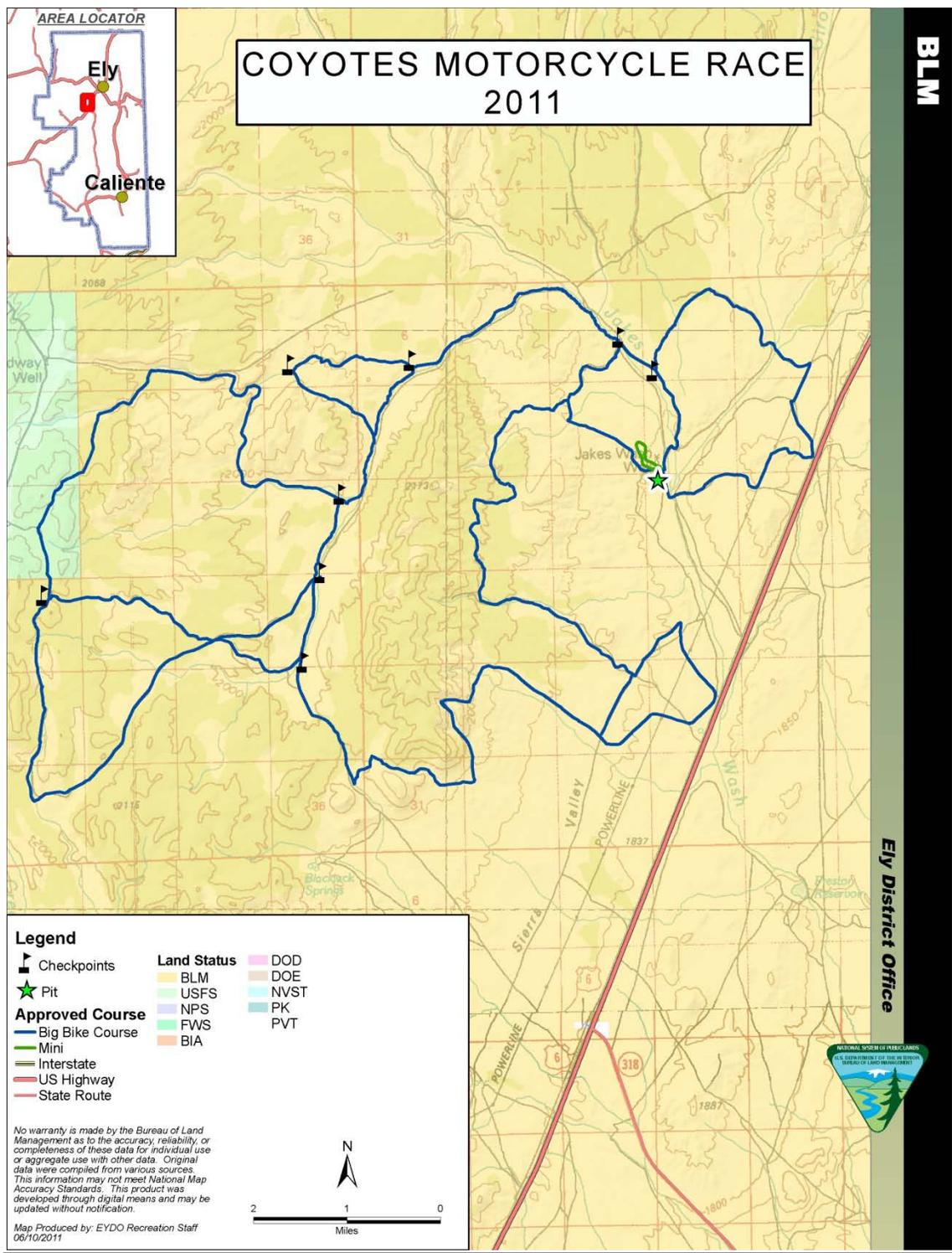
BLM 2008a. National Environmental Policy Act. Handbook H-1790-1.

BLM 2008b. Southwest Intertie Project, Southern Portion. Environmental Assessment NV-040-07-048. Available Online:
http://www.blm.gov/nv/st/en/fo/ely_field_office/blm_programs/energy/egan_energy_projects/southwest_intertie/swip_final_ea.html

6.2 Acronyms

BLM-Bureau of Land Management
CFR-Code of Federal Regulations
DR-Decision Record
EA-Environmental Assessment
EIS-Environmental Impact Statement
FLPMA-Federal Land Policy and Management Act
FONSI-Finding of No Significant Impact
IM-Instructional Memorandum
NEPA-National Environmental Policy Act
RFFS-Reasonably Foreseeable Future Action
RMP-Resource Management Plan

APPENDIX I



APPENDIX II

RISK ASSESSMENT FOR NOXIOUS & INVASIVE WEEDS
2011 Coyotes Motorcycle
White Pine County, Nevada

The proposed action is to grant a special recreation permit (SRP) to the Coyotes motorcycle club to hold a competitive motorcycle race within the Jakes Wash area. The proposed course is located on predominantly BLM managed public land in White Pine County and does not cross private lands. All portions of the course are on existing roads, trails and washes. No cross country travel is being proposed. The event would include approximately 250 competitors and 150 spectators and would include locations for the race course, pit area, start area, and staging area. The pit/start location is the same used for previous events. The EA provides detailed descriptions of the proposed action and no action alternative.

No field surveys were completed for this project. Instead, the Ely District weed inventory data was consulted. The following non-native species are found along the race route:

Lepidium draba Hoary cress

The following non-native, invasive species are found in the surrounding areas:

Centaurea stoebe Spotted knapweed
Lepidium draba Hoary cress

While not officially inventoried the following weeds occur in or around the project area: cheatgrass (*Bromus tectorum*), bur buttercup (*Ceratocephala testiculata*), halogeton (*Halogeton glomeratus*), Russian thistle (*Salsola kali*), and tumble mustard (*Sisymbrium altissimum*). The staging area is in a highly disturbed area infested by bur buttercup and halogeton. This area was last inventoried for noxious weed in 2007.

Factor 1 assesses the likelihood of noxious/invasive weed species spreading to the project area.

None (0)	Noxious weed species are not located within or adjacent to the project area. Project activity is not likely to result in the establishment of noxious weed species in the project area.
Low (1-3)	Noxious weed species are present in the areas adjacent to but not within the project area. Project activities can be implemented and prevent the spread of noxious weeds into the project area.
Moderate (4-7)	Noxious weed species located immediately adjacent to or within the project area. Project activities are likely to result in some areas becoming infested with noxious weed species even when preventative management actions are followed. Control measures are essential to prevent the spread of noxious weeds within the project area.
High (7-10)	Heavy infestations of noxious weeds are located within or immediately adjacent to the project area. Project activities, even with preventative management actions, are likely to result in the establishment and spread of noxious weeds on disturbed sites throughout much of the project area.

For this project, the factor rates as Moderate (5) at the present time. Due to amount of ground disturbance associated with race events and the tendency for vehicles to carry seeds from other sources, there is a moderate risk of areas along the course becoming infested by noxious or non-native invasive weeds. Vehicles **must** be properly cleaned prior to racing to prevent spreading weed infestations within the race course and should be clean following the race to prevent spread of weeds to remote locations.

Factor 2 assesses the consequences of noxious weed establishment in the project area.

Low to Nonexistent (1-3)	None. No cumulative effects expected.
Moderate (4-7)	Possible adverse effects on site and possible expansion of infestation within the project area. Cumulative effects on native plant communities are likely but limited.
High (8-10)	Obvious adverse effects within the project area and probable expansion of noxious weed infestations to areas outside the project area. Adverse cumulative effects on native plant communities are probable.

For this project, the factor rates as High (8). Most of the race route is considered to be weed-free. Any new weed infestations in this area could have adverse effects on the native vegetation. If cheatgrass becomes heavily established it could alter the fire regime of the area.

The Risk Rating is obtained by multiplying Factor 1 by Factor 2.

None (0)	Proceed as planned.
Low (1-10)	Proceed as planned. Initiate control treatment on noxious weed populations that get established in the area.
Moderate (11-49)	Develop preventative management measures for the proposed project to reduce the risk of introduction of spread of noxious weeds into the area. Preventative management measures should include modifying the project to include seeding the area to occupy disturbed sites with desirable species. Monitor the area for at least 3 consecutive years and provide for control of newly established populations of noxious weeds and follow-up treatment for previously treated infestations.
High (50-100)	Project must be modified to reduce risk level through preventative management measures, including seeding with desirable species to occupy disturbed site and controlling existing infestations of noxious weeds prior to project activity. Project must provide at least 5 consecutive years of monitoring. Projects must also provide for control of newly established populations of noxious weeds and follow-up treatment for previously treated infestations.

For this project, the Risk Rating is **Moderate (40)**. Based on this risk rating, preventative management measures are needed for this project. Preventative measures to help mitigate the possible effects of the race on the native plant communities include:

Preventative measures: Take before and after observation photos of key impact and possible weed vector areas, as required by our OHV monitoring report. These photo points are repeated as the course is used in following years.

Active measures: Insure the promoter knows about and promotes the stipulation requiring the racers to wash their race vehicle before the event and recommend cleaning rigs after the event to prevent weeds from spreading to new areas. Racers who do not comply will be subject to disqualification.

Reactive measures: Notify the BLM Ely District concerning treating any populations of noxious weeds observed following the race. Establish photo point sites at key locations (as outlined in the BLM rangeland guide) in relation to course impacts and existing or possible weed populations along the course. Revisit these monitoring points for three

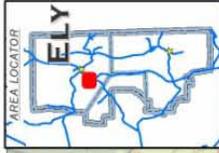
years to monitor any changes related to weeds. Monitor any known infestations and do follow up treatments as necessary.

In addition to these measures the following Ely District BMPs will be followed:

- Prior to entering public lands, the contractor, operator, or permit holder will provide information and training regarding noxious weed management and identification to all personnel who will be affiliated with the implementation of the project. The importance of preventing the spread of weeds to uninfested areas and importance of controlling existing populations of weeds will be explained.
- To eliminate the transport of vehicle-borne weed seeds, roots, or rhizomes all vehicles and heavy equipment used for the completion, maintenance, inspection, or monitoring of ground disturbing activities or for authorized off-road driving will be free of soil and debris capable of transporting weed propagules. All such vehicles and equipment will be cleaned with power or high pressure equipment prior to entering or leaving the work site or project area. Cleaning efforts will concentrate on tracks, feet and tires, and on the undercarriage. Special emphasis will be applied to axels, frames, cross members, motor mounts, on and underneath steps, running boards, and front bumper/brush guard assemblies.

Reviewed by: /s/Mindy Seal
 Mindy Seal
 Natural Resource Specialist

5/5/11
 Date



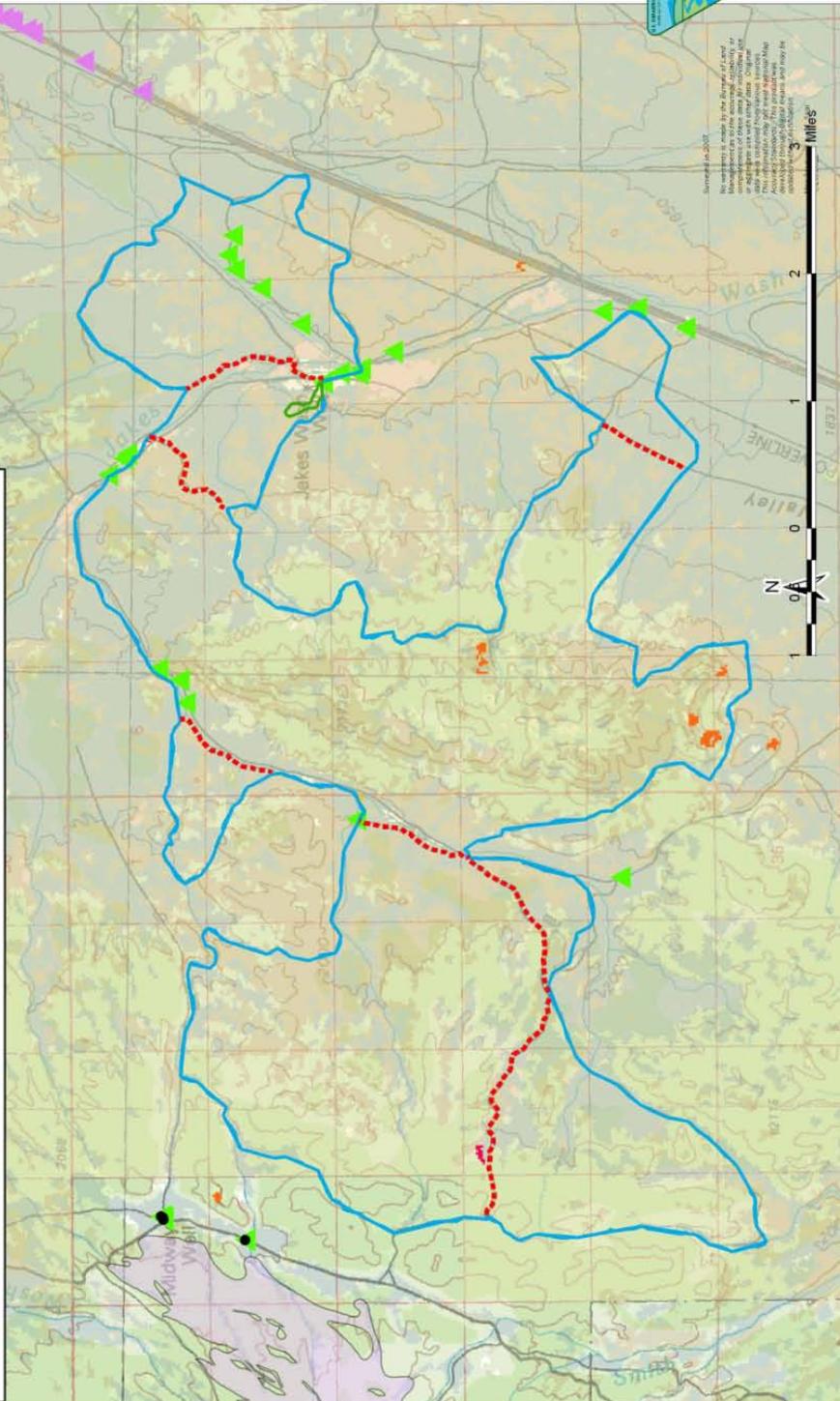
Coyote Race - Jakes Valley
Vegetation

Legend

Coyotes_2011 Ely Dist. Noxious Weed Inventory Southwest ReCAP Vegetation Data

Existing	Great Basin Pinyon-Juniper Woodland
Mini	Great Basin Xeric Mixed Sagebrush Shrubland
Proposed	Inter-Mountain Basins Big Sagebrush Shrubland
	Inter-Mountain Basins Big Sagebrush Steppe
	Inter-Mountain Basins Mixed Salt Desert Scrub

SPOTTED KNAPWEED	▲
WHITETOP/HOARY CRESS	▲
Treated Weeds	●
Fire History	■



Revised 11-2007
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APPENDIX III



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Egan Field Office
 HC33 Box 33500
 Ely, NV 89301



SPECIAL RECREATION PERMIT STIPULATIONS

- 1. This permit is issued for the period specified herein. It is revocable for any breach of conditions hereof or at the discretion of authorized officer of the Bureau of Land Management, at any time upon notice. This permit is subjected to valid adverse claims heretofore or hereafter acquired.
- 2. This permit is subject to all applicable provisions of the regulations (43 CFR Group 2930) which are made a part hereof.
- 3. This permit is subject to the provisions of Executive Order no. 11246 of September 24, 1965, as amended, which sets forth the Equal Opportunity clauses. A copy of this order may be obtained from the signing officer.
- 4. This permit may not be reassigned or transferred by permittee.
- 5. Permittee **shall** pay the sum of estimated user fees in advance of permit issuance. Adjustments to use fee charges will based on actual use reported on the Post Use Report.
- 6. Permittee **shall** observe all Federal, State, and local laws and regulations applicable to the premises; to erection or maintenance of signs or advertising displays including the regulations for the protection of game birds and animals, and shall keep the premises in a neat, orderly manner, and sanitary condition.
- 7. Permittee **shall** take all reasonable precautions to prevent and suppress forest, brush, and grass fires, and to prevent polluting of waters on or in vicinity of the public lands.
- 8. Permittee **shall** not enclose roads or trails commonly in public use.
- 9. Permittee shall pay the United States for any damage to its property resulting from this use.

- 10. Permittee **shall** notify the authorized officer of address change immediately.
- 11. Permittee **shall** not cut any timber on the public lands without prior written permission from the authorized officer.
- 12. Permittee **shall** indemnify, defend, and hold harmless the United States and / or its agencies and representatives against and from any and all demands, claims, or liabilities of every nature whatsoever, including, but not limited to, damages to property, injuries to or death of persons, arising directly or indirectly from, or in any way connected with the permittee's use and occupancy of the public lands described in this permit or with the event authorized under this permit.
- 13. Authorized representatives of the Department of the Interior, other Federal agencies, and game wardens must at all times, have the right to enter the premises on official business.
- 14. Permittee **shall** abide by all special stipulations attached hereto.
- 15. Permittee **shall** not disturb archeological and historical values, including, but not limited to, petroglyphs, ruins, historic buildings, and artifacts.
- 16. Permittee **shall** leave in place any hidden cultural values uncovered through authorized operations.

Issuance of Permit

- 17. The permittee shall comply with all Federal, State, and local laws; ordinances; regulations; orders, postings; or written requirements applicable to the area or operations covered by the *Special Recreation Permit* (SRP). The permittee shall ensure that all persons operating under the authorization have obtained all required Federal, State, and local licenses or registrations. The permittee shall make every reasonable effort to ensure compliance with these requirements by all agents of the permittee and by all clients, customers, participants, or spectators under the permittee's supervision.
- 18. An SRP authorizes special uses of the public lands and related waters and, should circumstances warrant, the permit may be modified by the BLM at any time, including modification of the amount of use. The authorized officer may suspend or terminate a SRP if necessary to protect public resources, health, safety, the environment, or because of noncompliance with permit stipulations. Actions by the BLM to suspend or terminate a SRP are appealable.
- 19. No value shall be assigned to or claimed for the permit, or for the occupancy or use of Federal lands or related waters granted thereupon. The permit privileges are not to be considered property on which the permittee shall be entitled to earn

- or receive any return, income, price or compensation. The use of a permit as collateral is not recognized by the BLM.
- ❑ 20. Unless expressly stated, the SRP does not create an exclusive right of use of an area by the permittee. The permittee shall not interfere with other valid uses of the Federal land by other users. The United States reserves the right to use any part of the area for any purpose.
 - ❑ 21. The permittee may not assign, contract, or sublease any portion of the permit authorization or interest therein, directly or indirectly, voluntarily or involuntarily. However, contracting of equipment or services may be approved by the authorized officer in advance, if necessary, to supplement a permittee's operations. Such contracting should not constitute more than half the required equipment or services for any one trip and the permittee must retain operational control of the permitted activity. If equipment or services are contracted, the permittee shall continue to be responsible for compliance with all stipulations and conditions of the permit.
 - ❑ 22. All advertising and representations made to the public and to the authorized officer must be accurate. Although the addresses and telephone numbers of the BLM may be included in advertising materials, official agency symbols may not be used. The permittee shall not use advertising that attempts to portray or represent the activities as being conducted by the BLM. **The permittee may not portray or represent the permit fee as a special Federal user's tax.** The permittee must furnish the authorized officer with any current brochure and price list if requested by the authorized officer.
 - ❑ 23. The permittee must assume responsibility for inspecting the permitted area for any existing or new hazardous conditions, e.g., trail and route conditions, land slides, avalanches, rocks, changing water or weather conditions, falling limbs or trees, submerged objects, hazardous wildlife, or other hazards that present risks for which the permittee assumes responsibility.
 - ❑ 24. In the event of default on any mortgage or other indebtedness, such as bankruptcy, creditors, shall not succeed to the operating rights or privileges of the permittee's SRP.
 - ❑ 25. Unless specifically authorized, an SRP does not authorize the permittee to erect, construct, or place any building, structure, or other fixture on the public lands. Upon leaving, the lands must be restored as nearly as possible to pre-existing conditions.
 - ❑ 26. The permittee must present or display a copy of the SRP an authorized officer's representative, or law enforcement personnel upon request. If required, the permittee must display a copy of the permit or other identification tag on equipment used during the period of authorized use.

- ❑ 27. The authorized officer, or other duly authorized representative of the BLM, may examine any of the records or other documents related to the permit, the permittee or permittee's operator, employee, or agent for up to 3 years after expiration of the permit.
- ❑ 28. The permittee must submit a Post Use Report to the authorized officer for every year the permit is in effect. If the post use report is not received by the established deadline, the permit will be suspended and/or fines assessed.

Permit Fees

- ❑ 29. Payment due to the government shall be in conformance with existing regulations. If the Special Recreation Permit minimum fee (currently \$100.00) has been charged in advance it will be deducted from the fees due. Cost Reimbursement shall be actual costs to the government for processing the permit and monitoring all pre, actual and post permitted activities as reflected by charges, including salaries (direct and indirect costs), vehicle mileage, per diem, and administrative costs, made to a special account established to track event processing costs. Estimated fees or costs shall be provided to the applicant prior to permit approval and must be paid in advance.

Post Use

- ❑ 30. The permittee shall complete the post-event portion of the permit and return it to the Field Office issuing the permit within 15 calendar days of the completion of the event. In addition, the permittee will immediately notify the Field Manager, or his Authorized Officer of any serious injuries or fatalities, which occur in connection with the event. A written incident report will be submitted with the completed post-event portion of the permit. The *Authorized Officer* will provide permittee BLM's incident report form (DI-134) which details all necessary information to be furnished for any serious injuries or accidents.

Safety and Hazard Mitigation

- ❑ 31. The permittee will be responsible for public safety in the event area. The permittee is required to post warning signs, at all known mine shafts and other hazardous areas which occur within 100 feet of the race course or pit/spectator area and will verbally inform race participants of all hazards at the pre-race meeting.
- ❑ 32. The permittee shall prepare a written operations plan for BLM review and approval detailing permittees' plans for providing emergency services including aid to injured participants, evacuation of injured participants and the types and location of rescue equipment to be provided. This plan shall comply with the applicable medical stipulations and shall ensure that emergency aid personnel can access the scene of any accident or injury, at any location within the approved

event area or on the course route, within 30 minutes of notification of an incident to evaluate the situation and begin to render aid.

Medical Attention

- ❑ 33. Permittee shall insure the provision of Emergency Medical Services, capable of locating, rendering aid to and evacuating any accident victims.
- ❑ **For NON-MOTORIZED, NON-COMPETITIVE** events with a small use area and attendance:
Permittee shall insure that first aid services provided at this event have the capability to insure that any accident victim may be located, treated, and evacuated as needed. A reliable communication system shall be provided sufficient to provide immediate contact for the first aid provider (EMT) to local emergency dispatch centers.
- ❑ **For NON-MOTORIZED COMPETITIONS under 150 participants (entrants and spectators), and MOTORIZED NON-COMPETITIVE events, (Dual Sport Ride & Drives, Mountain bikes, Horse events, etc.):**
Permittee shall insure the provision of first aid services capable of locating, rendering aid to, and evacuating any accident victim. First aid services shall include a person currently certified as an Emergency Medical Technician Basic (or higher) equipped with sufficient supplies for emergencies, including locally approved equipment for the immobilization of the cervical spine. A dedicated and reliable communication system shall be provided sufficient to provide immediate contact for the first aid provider (EMT) to local emergency dispatch centers.
For NON-MOTORIZED events with over 150 participants, a minimum of one additional (EMT) per 150 participants (entrants and spectators)
- ❑ **For OPEN CANOPY COMPETITIVE MOTORIZED events (motorcycle and ATV races)**
Permittee shall insure the provision of first aid services capable of locating, dedicated to the event and has no public call response responsibility, and is permitted by the local authority having jurisdiction. (Use of a public entity is permitted where no suitable private services capable of being “event dedicated” are available or located within 100 miles of the main event site.) This unit shall only be acceptable if staffed and equipped to the local standards as prescribed by the authority having jurisdiction. A dedicated and reliable means for the first aid provider to immediately contact emergency dispatch centers shall be required. Dedicated 4X4 (The 4X4 units may be any 4 Wheel Drive vehicle i.e. Truck’s, and Jeep’s,) units minimum 1 for every 25 track miles (races only) equipped for rendering aid to, and evacuating any accident victim. Staffed by an Emergency Medical Technician Basic (or higher) equipped with sufficient supplies for emergencies, including locally approved equipment for the immobilization of the cervical spine. (ATV’s may be used in place of the 4X4 units on Motorcycle, and

ATV races provided they are staffed, by and equipped to the same standards as the 4X4 units.)

❑ **For COMPETITIVE MOTORIZED events involving enclosed canopy motor vehicles (Truck and buggy races, movie stunts).**

Permittee shall insure the provision of first aid services capable of locating, rendering aid to, and evacuating any accident victim. First aid service shall include a minimum of one ambulance unit, which is dedicated to the event and has no public call response responsibility, and is permitted by the local authority having jurisdiction. (Use of a public entity is permitted where no suitable private services capable of being “event dedicated” are available or located within 100 miles of the main event site.) This unit shall only be acceptable if staffed and equipped to the local standards as prescribed by the authority having jurisdiction. Dedicated 4X4 units minimum 1 for every 25 track miles equipped for rendering aid to, and evacuating any accident victim. Staffed by an Emergency Medical Technician Basic (or higher) equipped with sufficient supplies for emergencies, including locally approved equipment for the immobilization of the cervical spine. A means of suppression of a fire in the incipient stage, and for the extrication of victims from within a motor vehicle must be provided, and remain dedicated to the event. This includes the provision of a hydraulically operated gas or electric powered tool system for the cutting and spreading operations related to victim extrication from vehicles. A dedicated and reliable means for the first aid provider to immediately contact emergency dispatch centers shall be required

❑ **For LONG DISTANCE COMPETITIONS, AND EVENTS COVERING MORE THAN ONE JURISTICIION** where the provision of a single dedicated system would not be possible: (i.e. point to point or single lap races where the distance is greater than 150 miles)

Permittee shall insure the provision of first aid services capable of locating, rendering aid to, and evacuating any accident victim. First aid service shall include a minimum of one ambulance unit, which is dedicated to the event and has no public call response responsibility, and is permitted by the local authority having jurisdiction. (Use of a public entity is permitted where no suitable private services capable of being “event dedicated” are available or located within 100 miles of the main event site.) This unit shall only be acceptable if staffed and equipped to the local standards as prescribed by the authority having jurisdiction. Dedicated 4X4 units minimum 1 for every 25 track miles equipped for rendering aid to, and evacuating any accident victim. Staffed by an Emergency Medical Technician Basic (or higher) equipped with sufficient supplies for emergencies, including locally approved equipment for the immobilization of the cervical spine. A means of suppression of a fire in the incipient stage, and for the extrication of victims from within a motor vehicle must be provided, and remain dedicated to the event. This includes the provision of a hydraulically operated gas or electric powered tool system for the cutting and spreading operations related to

victim extrication from vehicles. A dedicated and reliable means for the first aid provider to immediately contact emergency dispatch centers shall be required

Fuel and Fluids Management

- ❑ 34. The permittee is required to inform all persons associated with the SRP directly or indirectly of this stipulation requirement:
 - ❑ ALL VEHICLES - A method of controlling and capturing fuel spilled during fueling must be placed under all dump cans and under each vehicle during fueling operations. Commercially available absorbent products are available but a piece of scrap carpet is acceptable as long as the carpet absorbs the fuels and doesn't simply allow the fuels to run off or drain through.
 - ❑ ALL PITS WITH 50 OR MORE GALLONS OF FUEL - All pits that have 50 or more gallons of fuel available, whether in drums or dump cans, must provide for fuel containment. At a minimum this requires - 1) an impermeable membrane with raised edges capable of containing all fuels on site should the containment vessel fail and 2) absorbent materials (commercially produced spill pads, diapers) available to soak up spilled fuels. This does not apply to fuels located within fuel trucks or fuel drums not in use stored in trucks or trailers.
 - ❑ FLUIDS (oil, transmission, etc.) - During vehicle maintenance and repairs all fluids must be contained in spill proof containers. Drop cloths and absorbent pads shall be used under vehicles when changing fluids or repairing engines and transmissions where fluids may be released.
 - ❑ Known product suppliers that could be contacted for information (no requirement to use these companies, information only):

Fuel containment	New Pig Corporation	1-800-468-4647
Product suppliers	Lab Safety Supply	1-800-356-0783

Environmental Stipulations

- ❑ 35. The permittee shall inform the participants to yield to any horses or burros on or near the race course. The permittee shall clear the course before each run to ensure that no horses or burros have wandered onto the race course.
- ❑ 36. The permittee shall do everything possible to insure that event participants and spectators do not harass or collect wildlife, plants, livestock or archaeological features or artifacts. The event will avoid stock watering tanks, springs, wells, wildlife improvements, corrals, etc., by no less than one-quarter mile unless otherwise approved by the BLM authorizing officer. The event may not utilize, other than on designated roads passing through, for any activities, any burned area(s) which is/are recovering from the impacts of wildfire.

Race course Stipulations

- 37. Permittee shall monitor the race events to prevent damage from course cutting and participants traveling off course. The permittee shall establish race course checkpoints to prevent short coursing. Any participant caught short coursing or passing in no passing areas will be disqualified by race officials. The permittee will be responsible for keeping contestants on the designated route/course. Participants who violate any of the mitigation measures or stipulations shall be disqualified from the race. Additionally, any support personnel found in violation of the stipulations, associated with a participant shall result in the disqualification of that participant.
- 38. The event shall be confined entirely to a clearly defined and plainly marked area/route as shown on the authorized use area maps. Race courses shall consist of existing roads, washes, old courses and trails. For lineal events, passing shall be limited to the disturbed areas of these roads, washes, old courses and trails. Passing is not permitted in vegetated areas adjacent to the course. The maximum allowable width of courses shall be no greater than the existing disturbance (road, old course or trails).
- 39. Permittee is responsible for stationing monitors and/or post signs at road intersections, prohibiting public access, where the general public is likely to access the race course.
- 40. No less than 15 days prior to use (or earlier if required by the Authorized Officer), the requested use area, course route and/or spectator/pit area(s) shall be marked sufficiently to allow BLM personnel to easily determine the location, size and extent of the requested use area. The use area(s), race course(s) and spectator/pit area(s) shall be confined entirely to the designated areas as approved by BLM. Spectator area/pit boundaries shall be clearly marked and monitored to the extent necessary to restrict spectators, pit crews and others to the confines of the designated areas. All event staff must stay in areas assigned. The permittee will be responsible for marking the use area, race course and boundaries of spectator parking and pit areas to the satisfaction of the authorized officer. The permittee will not mark the course by painting rocks or plants or other land features.
- 41. The permittee will allow the public to utilize the roads when it is safe to do so.
- 42. Reconnaissance rides are limited to 45 mph. Any participant exceeding the speed limit will get a time penalty and/or will be disqualified from the race.
- 43. Starting interval allowed for cars/trucks/buggies/UTVs: 1 to 2 every 30-60 seconds.

- ❑ 44. Starting interval allowed for motorcycles/ATVs: By class, on a case-by-case, not to exceed 12 at a time. The starting interval is 5 to 10 minutes depending on the size of the vehicle.

Post Activity Stipulations

- ❑ 45. The permittee will be responsible for the prompt repair of any event-related damages to utility rights-of-way and related improvements within 72 hours after the event. If they are not returned to a condition that is satisfactory to the Authorizing Official and the Utility Company, the permittee will be assessed a fine to cover the cost of a contractor to get the work completed.
- ❑ 46. Staking, flagging materials, equipment, temporary facilities, litter and all other event related materials will be completely removed to an approved landfill by the permittee within 15 days following the event. If BLM post-race field checks reveal event related materials that have not been removed, BLM shall notify permittee and allow an additional 7 days for removal. Permittee shall be required to reimburse BLM for costs of subsequent field checks. If event materials remain after the second field check, BLM shall effect their removal by both contract or BLM personnel, and bill the permittee for any associated costs.

Spectator Areas

- ❑ 47. The permittee shall contain and monitor the spectator areas to ensure the safety of the spectators and the race participants. The permittee shall keep spectators from leaving the boundaries of the spectator areas.

Sanitation

- ❑ 48. Permittee shall provide a minimum of two (2) restrooms at every start/finish (S/F) area, pit location and/or spectator area on public lands which will be occupied for more than four (4) hours; and additional units if; 1) the S/F, pit, or spectator areas are split by the course route or a physical barrier, two restrooms shall be provided on either side; or if 2) the S/F, pit or spectator area is in excess of 1/4 mile (1,320 feet) in length, restrooms (2) shall be provided at both ends. Restrooms may be provided through rental of units, use of self-contained trailers or motor homes or any other means providing access to the general public in S/F and spectator areas and all crews in pit areas. If restrooms other than rental units are used, adequate signage must be provided to make their presence known. All refuse must be removed from the event area and deposited in an approved treatment facility or landfill. Exceptions to this stipulation include; 1) check points manned by only a few personnel; 2) S/F, pit or spectator areas adjacent to hotel or casino properties offering restroom facilities; 3) events where there are no specified S/F, pit or spectator areas (i.e. Tour and Trail rides); and 4) pit areas for point-to-point events where pit crews stay only long enough to service their vehicle then move on to the next point (S/F and spectator areas for these type events still require

restrooms if used in excess of four (4) hours). **All restroom facilities must be removed from area within 24 hours after the event.**

- 49. At the discretion of the Authorized Officer, BLM Law Enforcement, or local law enforcement may cancel the event due to improper procedures for road crossings, actions placing the public in harms way, or race related conditions (dust over the roads and highways).

Activity Site Rehabilitation

- 50. The Authorized Officer will complete a Post Event/Race Evaluation. Upon inspection, a determination will be made on which portions of the event area or race course, if any, need additional rehabilitation. The permittee may be required to grade, drag, disc or seed; soil and vegetation areas within the course and pit areas that were significantly changed or impacted as a result of the event. Main access roads used by support or rescue vehicles where significant road damage occurs must be graded to pre-event status. Site-specific stipulations requiring rehabilitation of areas must be accomplished within 15 days following the event unless a shorter time frame is required for public safety. The permittee shall be responsible for all costs associated with rehabilitation required.

Media

- 51. All media personnel are to strictly adhere to the applicable Special Recreation Permit Stipulations issued to the permittee for the duration of the permit.
 - A copy of video will be submitted to the Authorized Officer of the BLM.
 - Provision for credit will be listed on subject as:
USDI, Bureau of Land Management
Egan Field Office, Ely, Nevada
- 52. Pre-event use of event site or Media Pre-running of race courses will not be allowed without written permission from the BLM Authorized Officer.
- 53. Media personnel must stay on existing roads and are not permitted to travel cross-country at any time. Media personnel driving on portions of the racetrack will be escorted off the race course and cited.
- 54. Media personnel must wear the appropriate safety vests, and displayed the proper credentials at all times. This includes have the vehicle pass properly affixed to the windshield of the media vehicle.
- 55. Stay off the track. Media personnel are allowed to stand near the track but please stay off. Media personnel seen on the track will be escorted off the race site and not be allowed back to the event.

- ❑ 56. **Media interfering with law enforcement or emergency personnel will be prosecuted under Federal and/or local laws.**
- ❑ 57. Any aircraft must use the designated helicopter pad for staging, refueling, and long term stationing. The designated helicopter pad must be on lands other than public unless authorized by the Special Recreation Permit.
- ❑ 58. Aircraft refueling operations occurring on public lands must conform to the “Fuel and Fluids Management” stipulations listed above.

Wildland Fire Precautions

- ❑ 59. The permittee or any participant may be held accountable for suppression of a wildland fire determined to be directly caused by those associated with the event.

Noxious Weed Prevention

- ❑ 60. The permittee will inspect all race vehicles to ensure they have been cleaned prior to the race. This is an effort to prevent the introduction of any new weed populations. Any race vehicle not cleaned before the race will be subject to penalty and/or disqualification. The permittee will also make an honest effort to encourage those at the race to wash all vehicles at the nearest washing facility.
- ❑ 61. No temporary staging would be allowed in winter fat plant communities. The staging area and race course would be flagged to keep participants equipment out of native vegetation.

ADDITIONAL STIPULATIONS

- Prior to entering public lands, the contractor, operator, or permit holder will provide information and training regarding noxious weed management and identification to all personnel who will be affiliated with the implementation of the project. The importance of preventing the spread of weeds to uninfested areas and importance of controlling existing populations of weeds will be explained.
- To eliminate the transport of vehicle-borne weed seeds, roots, or rhizomes all vehicles and heavy equipment used for the completion, maintenance, inspection, or monitoring of ground disturbing activities or for authorized off-road driving will be free of soil and debris capable of transporting weed propagules. All such vehicles and equipment will be cleaned with power or high pressure equipment prior to entering or leaving the work site or project area. Cleaning efforts will concentrate on tracks, feet and tires, and on the undercarriage. Special emphasis will be applied to axels, frames, cross members, motor mounts, on and underneath steps, running boards, and front bumper/brush guard assemblies.

- Construction activities relating to the Online power line project may be occurring south of the proposed race area. Coordination efforts are ongoing with NV Energy to determine if construction will be occurring during the proposed race event.

Compliance and Monitoring Standards

Non-compliance with any above permit stipulations will be grounds for denial of future permits, and/or race cancellation.

Performance evaluation, violations, and penalties:

Performance will be based upon:

Stipulation and Operating Plan Compliance;

Protection of Resource Values; and

Quality and safety of services provided to the public.

Performance levels are:

A= Acceptable: Permittee is in compliance with permit stipulations; has taken prompt steps to rectify any performance issues and complaints; does not repeatedly violate conditions, or show a disregard for stipulations.

P= Probationary: Where there have been repeated violations or disregards for permit stipulations.

U= Unacceptable: Permittee willfully and/or repeatedly violated permit conditions to provide substandard service to the public. Conduct is lacking in reasonableness or responsibility to the point that it becomes reckless or negligent.

Response to Violations and Penalties:

A= Complaints/issues may be discussed over the phone or in writing. When due dates or completion dates are established, the permittee will be afforded a 15-day grace period, unless otherwise specified.

P= A Notice of Noncompliance (Notice) will be issued by the Authorized Officer specifying in what respects the permittee has failed to comply, the terms of the probationary status, and the consequences of further noncompliance.

U= Permit privileges would be revoked for one to three years. The permittee would be allowed the opportunity to appeal the decision under Title 43 CFR, Part 4.

Critical Standards - a breach of critical standards can lead directly to administrative penalties, suspension or revocation of a permit. Critical standards are stipulations and requirements necessary for the health and welfare of the public and protection of resources. The permit shall be suspended or revoked if required State or local licenses pertaining to public health and safety are revoked. Violation of mandatory Federal or State safety requirements will result in probationary status or loss of permit privileges.

The conviction of a violation of any Federal or State law or regulation pertaining to the conservation or protection of natural resources, the environment, endangered species or

antiquities that is related to permit operations will result in probationary status or loss of permit privileges.

I declare I have read and understand all of the stipulations associated with this Special Recreation Permit. I acknowledge that as signee of the permit and these stipulations that I am fully responsible for all of the mitigation measures and compliance with stated permit stipulations and that non-compliance with any permit stipulations will be grounds for denial of future permits, and/or race cancellation, and/or prosecution of applicable Federal, State and/or Local laws.

VERNON T WATSON *Vernon T Watson* 6-15-11
Applicant's Name (Print) Signature Date

Chris Mayer, acting *Chris Mayer* 6/15/2011
BLM Authorized Officer (Print) Signature Date