

DECISION MEMO

SAN JUAN ATV SAFARI

Moab/Monticello Ranger District, Manti-La Sal National Forest
USDA Forest Service

San Juan County, Utah

BACKGROUND

The Bureau of Land Management (BLM) and U.S. Forest Service (USFS) agreed to process the proposal for the San Juan ATV Safari together, and the NEPA associated with the proposal. The BLM was designated as the lead agency for NEPA. I have reviewed the "FS/BLM San Juan ATV Safari OHV Event Environmental Assessment No. UT 090-03-013" and considered its contents into my decision-making on this proposal. Additionally in reviewing the proposed routes for the ATV Safari, it was noted that an approximate one-mile section of the Shay Ridge Trail (FS Trail #162) open to ATV motorized use since 1992 was incorrectly labeled on the USFS Travel Map as open for two wheel-motorized uses. Planned ATV Safari route maps are attached to the Environmental Assessment Report.

PROPOSED ACTION

The San Juan ATV Safari organizing group and City of Monticello have requested permission to host and conduct guided All Terrain Vehicle (ATV) tours on sixteen existing roads and trails (Figure 1) within San Juan County on September 25 -27, 2003, six of which cross National Forest System lands.

The proposed event would have a maximum of 350 participants. Maximum group size would be 15 riders plus a minimum of two, maximum of three guides per group. Each trail would be limited to two group rides each day. Preliminary staging would be organized within the city limits of Monticello and Blanding. No new surface disturbance is being requested. Cross-country travel (off road travel) WILL NOT BE ALLOWED.

All the proposed routes (see attached maps) have been determined to be legitimate motorized routes according to the U.S. Forest Service Moab/Monticello Travel Map.

The proposed action is to permit the one time 3-day San Juan ATV Safari. Additionally a one mile section of the Shay Ridge Trail (FS Trail # 162) will be updated on the Manti-La Sal National Forest Travel from two wheel motorized use to ATV motorized use.

PURPOSE AND NEED FOR THE PROPOSED ACTION

The FS is specifically responding to a request to approve a Recreation Event Special Use Permit (SUP). SUPs are authorizations, which allow for specific, nonexclusive, permitted recreational uses of the public lands. They are issued as a means to control

visitor use, protect resources, and as a mechanism to accommodate specific commercial recreational use. The purpose is to support activities that are allowed on the Manti-La Sal National Forest Travel Map and update the Forest Travel Map for the Shay Ridge Trail (FS Trail #162) correcting a map error for a one mile section from two wheel motorized to ATV motorized.

It is the intent of the applicant(s) to stimulate and enhance the local economy by encouraging and fostering sustainable OHV based recreational activities that are consistent with local, county, and federal plans. The proponent proposes to utilize the scenic landscapes and highlight the beauty of San Juan County in a manner that will encourage tourism and economic development, and to provide necessary protection of resources.

DECISION TO BE MADE

The authorized officer is the Moab/Monticello District Ranger. The decision is whether or not to proceed with issuing a recreation event special use permit for the one time 3-day San Juan ATV Safari. An additional decision is to update the Manti-La Sal National Forest Travel Map for the Shay Ridge Trail (FS Trail #162) correcting a map error for a one mile section from two wheel motorized to ATV motorized.

FOREST PLAN DIRECTION

“Forest Management Goals” for recreation in the Manti – La Sal National Forest Land and Resource Management Plan (referred to as the Plan) include (page III-2):

Recognize the significance of recreation in proximity to population centers and national attractions.

Offer a broad range of dispersed and developed recreation opportunities by providing appropriate recreation experience and setting levels.

For “Desired Future Condition of the Forest” for dispersed recreation, the Plan states (page III-9): A range of dispersed recreation opportunities would be provided on National Forest System lands. Each activity would be managed to maintain or enhance appropriate opportunities.

TRAVEL MAP CONSISTENCY

The proposed routes are consistent with the Travel Map and will be limited to roads and trails with motorized designations.

In regards to the approximately 1 mile segment of the Shay Ridge Trail (FS Trail #162) that goes north from the end of the Jackson Road, this trail section has been open to

ATV motorized use since the early 1990's. The District Ranger at the time determined the appropriate level of NEPA needed to make that change, was a Categorical Exclusion (CE) that did not require a case file or a Decision Memo. Not incorporating the change into the Travel Map was an oversight by the FS. The entire Shay Ridge Trail has been a legitimate ATV Trail since the early 1990's.

PUBLIC INVOLVEMENT

The Bureau of Land Management (BLM) and U.S. Forest Service agreed to process the proposal for the San Juan ATV Safari together and the NEPA associated with processing the proposal. As the lead agency for the NEPA associated with this proposal, the BLM conducted the scoping.

The BLM utilized a systematic and interdisciplinary approach to ensure that all resources were analyzed. Scoping included extensive notification of the public. The proposal was received in the Monticello Field Office on March 20, 2003 and the proposed action was posted on the Utah BLM's Environmental Notification Bulletin Board on March 28, 2003.

Additionally, 80 letters (Appendix 2) were mailed on May 22, 2003 to interested parties and to local newspapers describing the proposed action and notifying the public that a copy of this EA would be available for comment.

Articles discussing the proposed action were also published in the San Juan Record on January 15, 2003 and May 28, 2003 and in the Blue Mountain Panorama on December 4, 2002.

Meetings were held with the Southern Utah Land Users association (SULU) on January 8, 2003 and March 5, 2003 to discuss possible issues, concerns, and alternative routes. Meetings to discuss the proposal were also held with the Southern Utah Wilderness Alliance (SUWA) and Red Rock Forests on April 15, 2003 to identify issues and concerns.

Proponents of the event held several meetings to which BLM and USFS recreation staff were invited. Discussion regarding the possible ATV event ensued.

Additionally, a thirty day comment period was held June 9, 2003 through July 9, 2003 during which the BLM received over 140 written correspondences concerning the ATV Safari proposed action.

The USFS received some copies of comment letters from the commenter at the same time they were sent to the BLM, the lead agency for NEPA on this proposal. Phone calls were fielded as well from interested parties. All comments received by the BLM and directly by the USFS have been reviewed and considered for incorporation into the "FS/BLM San Juan ATV Safari OHV Event Environmental Assessment No. UT 090-03-013"

Responses to specific USFS issues and concerns were either addressed in the “FS/BLM San Juan ATV Safari OHV Event Environmental Assessment No. UT 090-03-013” and/or incorporated into the “Comment Analysis Chart for San Juan ATV EA”, an appendix of the EA.

DECISION

I have reviewed the potential environmental impacts disclosed in the USFS Categorical Exclusion (CE) project file for this proposal. This proposal was tiered to the “FS/BLM San Juan ATV Safari OHV Event Environmental Assessment No. UT 090-03-013”. I have also considered input from interested publics.

Based on this review I have decided to issue a recreation event special use permit for the San Juan ATV Safari.

In addition, I have decided to update the Manti –La Sal National Forest Travel Map for the Shay Ridge Trail (FS Trail #162) correcting a map error for a one mile section from two wheel motorized to ATV motorized. See map titled “Shay Ridge Route” identifying the map correction for the Shay Ridge Trail (FS Trail #162).

Based on the assessment of impacts disclosed in the “FS/BLM San Juan ATV Safari OHV Event Environmental Assessment No. UT 090-03-013”, the USFS CE project file for this proposal, and comments received, I found no adverse effects on extraordinary circumstances (FSH 1909.15, 30.3, and 30.5) to exist that might cause this action to have significant effects on the quality of the human environment (40CFR 1508.27). Finding no adverse effects on extraordinary circumstances, I determined that the proposed action may be categorically excluded under FSH 1905.15 Chapter 31.2 “Categories of Actions for Which a Project or Case File and Decision Memo Are Required,” specifically item 3.b., “Approving the use of land for a one-time group event.”

MITIGATION MEASURES

An Operating Plan will be negotiated with the applicant as part of the permit issuance process. Specific requirements and stipulations will be included in the Operating Plan to minimize impacts to resources. A clause in the USFS permit makes the Operating Plan part of the permit. The Operating Plan being considered can be found as an appendix in the “FS/BLM San Juan ATV Safari OHV Event Environmental Assessment No. UT 090-03-013”. It is not finalized and will be further negotiated among the applicant, USFS, and the BLM as part of the process of issuing the permit.

FINDINGS REQUIRED BY OTHER LAWS

As required by the National Forest Management Act (36 CFR 219.17), this decision is consistent with the Manti-LaSal National Forest Land and Resources Management Plan, EIS and Record of Decision (1986) as amended. The decision complies with the Endangered Species Act of 1973. A letter of concurrence from the U.S. Fish and Wildlife Service is in the project file. A "Biological Assessment/Evaluation" was prepared by district resources employees and is in the project file. The decision complies with Section 106 of the National Historic Preservation Act of 1966.

Floodplains, wetlands, and mineral implications have been considered and these resources will not be adversely affected.

IMPLEMENTATION DATE AND APPEAL OPPORTUNITY

The implementation date is 25-27 of September, 2003.

A public notice of this decision will be published in the "Times Independent", "San Juan Record" and in the "Blue Mountain Panorama". Copies of this decision will also be made available to those who expressed interest in this proposed action by participating in the scoping process. The activity is scheduled for completion in August 2003.

Implementation of this decision may occur immediately. This decision is Categorically Excluded from preparation of a project or case file and a Decision Memo under FSH 1909.15, 31.1b 8 or 31.2.3. Approval, Modification, or continuation of minor special uses of National Forest System lands

This decision is not subject to appeal by the public in accordance with the Code of Federal Regulations Title 36 part 215, section 8(a)(4) (36 CFR 215.8(a)(4) Decisions for actions that have been categorically excluded from documentation in an environmental assessment or environmental impact statement in FSH 1909.15, Section 31.1 and 31.2, except as noted in 215.7(b)). This decision is also not subject to appeal by the applicant under Code of Federal Regulations Title 36 part 251, section 86 (36 CFR 251.86 - Denial of an unsolicited or voluntary special use application is not appealable).

CONTACT PERSON

For further information contact Recreation, Trails, & Wilderness Program Manager Shannon Skibeness at the Moab office of the Moab/Monticello Ranger District, P.O. Box 386, Moab, Utah 84532, 435-259-7155.



SCOTT STEINBERG
Acting District Ranger
Moab/Monticello Ranger District

8/15/03
DATE