



# Coconino National Forest

## Red Rock Ranger District

### Categorical Exclusion/Decision Memo

Prepared under 36 CFR 220.6(e)(15)

### Outfitter/Guide Permit Reissuance



**Responsible Official:**  
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**December 2010**

# **Decision Memo**

## **Reissuance of Outfitter/Guide Permits**

Red Rock Ranger District  
Coconino National Forest  
Yavapai and Gila Counties, Arizona

### **1.0 Introduction**

The Red Rock Ranger District has 22 existing outfitter/guide permits, which authorize a variety of activities. Forest Service policy (FSH 2709.11 41.53) allows for the use of the national forests by commercial outfitters and guides. Outfitter/guides provide knowledge, skills, and equipment that visitors do not always have and that may be needed to participate in certain recreation opportunities on National Forest System (NFS) lands. The Forest Service recognizes the value of partnering with permitted outfitter/guides to provide the recreating public these opportunities. This partnership can also enhance the Forest Service's ability to protect the natural and cultural resources under its jurisdiction, as outfitters/guides can assist the agency in monitoring resource conditions and visitor use and they can educate their clients on land use ethics.

Outfitter/guides also play an important role in the tourism-based economy of Sedona and the Verde Valley. NFS lands in the Sedona area attract an increasing number of visitors each year. Because these lands are easily accessed, a high percentage of visitors are able to fulfill their outdoor recreation goals without assistance from a commercial outfitter or guide. Even so, many visitors choose to participate in a commercial tour. This highlights the important role outfitters and guides play in providing safe and informative outdoor experiences for forest visitors.

This action will provide for the reissuance of these permits and conversion to priority status.

### **2.0 Purpose and Need**

The purpose of this action is to reissue 22 existing outfitter/guide permits and convert them to priority or transitional status.

This action is needed to comply with Forest Service policy, which requires that the District convert temporary outfitter/guide permits to priority status within a reasonable timeframe. These permits have been in temporary status and reissued annually for as long as 20 years. The companies are in good standing, operating under the conditions of their approved operating plans. Policy directs that these permits now be issued for 10-year terms.

The District has completed a needs assessment and recreation capacity analysis. The results conclude that most existing outfitter/guide use falls within capacity limits. These uses may therefore be reissued and converted to priority status. The results also indicate that further analysis is needed in four use areas: Broken Arrow, Schnebly Hill Road, Soldiers Pass, and Vultee Arch Road. Policy allows that outfitter/guide use in these areas may be held in

transitional priority status for up to five years while the analysis is completed and a determination made as to what use allocations are eligible for conversion to priority status.

### 3.0 Conformance with Land Management Plan

This decision is in compliance with the following Land Management Plan:

| Land Management Plan Conformance |  |
|----------------------------------|--|
| <i>Name of Plan</i>              | <i>Coconino National Forest Plan Amendment 12</i>                |
| <i>Date Published</i>            | <i>1998</i>  |
| <i>Page</i>                      | <i>Replacement Pages 206-7 to 206-57</i>                         |
| <i>Type of Language</i>          | <i>Forest Goal for Recreation and Commercial Recreation Uses</i> |

As part of the reissuance, the Red Rock Ranger District has reviewed each permit to ensure compliance with Forest Plan goals and objectives. While the permits would generally be reissued for the same locations, activities, and amounts of use as are currently authorized, minor, nonsignificant changes may occur to increase compliance with the Forest Plan or to address resource concerns.

### 4.0 Description of Decision

#### 4.1 Decision to Reissue

I have decided to authorize ten-year priority use permits for commercial outfitter/guide use to the operators listed in Table 1 below, for the activities and amounts listed. Actual allocations may vary slightly from listed figures.

Use will be authorized as either priority (issued for a term of 10 years and available for reissuance upon expiration) or transitional (issued on an annual basis). Transitional use will be held in this status until further analysis has been completed. I anticipate that this analysis will be completed in 2012.

Use will be issued in terms of trips. Each trip may entail multiple clients.

**Table 1. Operators, Activities, and Amounts of Use** *(continued on next page)*

| <b>Company</b>                | <b>Activity</b>               | <b>Priority Trips</b> | <b>Transitional Trips</b> | <b>Total Trips</b> |
|-------------------------------|-------------------------------|-----------------------|---------------------------|--------------------|
| 360 Adventures                | Hiking/Mountain Biking        | 120                   |                           | 120                |
| A Day in the West             | Jeep Tours/Archaeology/Hiking | 3,080                 | 2,450                     | 5,530              |
| Adventure Company             | Jeep Tours/Archaeology        | 975                   | 1,635                     | 2,610              |
| Arizona ATV Adventures        | ATV Tours                     | 3,200                 |                           | 3,200              |
| Arizona Safari Jeep Tours     | Jeep/Wildlife/Archaeology     | 1,850                 | 1,500                     | 3,350              |
| Boynton Canyon Management Co. | Hiking/Mountain Biking        | 1,100                 |                           | 1,100              |
| Country Walkers               | Hiking                        | 50                    |                           | 50                 |
| Crossing World Journeys       | Hiking/Metaphysical           | 420                   |                           | 420                |

| <b>Company</b>                       | <b>Activity</b>                 | <b>Priority Trips</b> | <b>Transitional Trips</b> | <b>Total Trips</b> |
|--------------------------------------|---------------------------------|-----------------------|---------------------------|--------------------|
| Earth Wisdom Tours                   | Jeep Tours/Hiking               | 2,165                 | 1,290                     | 3,455              |
| Free Soul Public Education           | Hiking/Metaphysical             | 150                   |                           | 150                |
| Gon' Fishen                          | Fly-Fishing                     | 100                   |                           | 100                |
| Native American Journeys             | Jeep/Wildlife/Archaeology Tours | 90                    |                           | 90                 |
| Northern Light Balloon Expeditions   | Hot-Air Balloon                 | 1,235                 |                           | 1,235              |
| Red Rock Balloon Adventures          | Hot-Air Balloon                 | 600                   |                           | 600                |
| Red Rock Western Jeep Tours          | Jeep Tours/Archaeology/Hiking   | 3,565                 | 6,940                     | 10,055             |
| Sedona Adventure Outfitters & Guides | Hiking/Scenic Tours             | 675                   |                           | 675                |
| Sedona Nature Excursions             | Hiking/Metaphysical             | 1,200                 |                           | 1,200              |
| Sedona Off-Road Adventures           | Hummer Tours                    | 2,300                 | 1500                      | 3,800              |
| Sedona Trolley                       | Trolley Tours                   | 1,875                 |                           | 1,875              |
| Spirit Steps                         | Metaphysical                    | 195                   |                           | 195                |
| Sun Country Adventures               | Jeep Tours                      |                       | 200                       | 200                |
| Vaughn's Southwest Custom Tours      | Van Tours                       | 150                   |                           | 150                |

#### **4.2 Design Features**

An interdisciplinary team of specialists analyzed this action for impacts to natural and cultural resources. They raised some concerns, which can be mitigated by minor changes to permits or by the addition of stipulations. Therefore, as part of the Decision, I am implementing several design features to address these concerns. These features will be incorporated into permits and/or operating plans upon reissuance. Full discussions of the concerns can be found in the specialist reports located in the project record.

#### ***Social Environment/Recreation Experience/Scenery***

The Red Rock Ranger District receives heavy recreational use by both guided and unguided visitors. To prevent degradation in recreation experience and scenic quality, the following guidelines are made part of this decision.

The following at-one-time (AOT) and daily limits shall be applied:

|                            |   |
|----------------------------|---|
| Hiking/Biking/Metaphysical | 6 clients/1 guide AOT<br>No more than 2 trips/day/trail, per operator |
| Jeeps/Hummers              | 2 vehicles AOT/12 per day   |
| Hot Air Balloons           | 3 or 5 balloons AOT, as currently authorized                          |
| ATVs                       | 12 client machines/2 guides AOT                                       |

A few exceptions to these limits may be grandfathered in, such as a hiking AOT of 12. These exceptions will not have significant impact to the recreation experience.

The desired vehicle type for motorized touring is an open “jeep” style of vehicle, which holds 6 to 8 passengers, has a track width of 62” or less, and is a color that blends into the landscape. Currently-authorized vehicles outside this description will be grandfathered in, but new ones will not be authorized.

Outfitter/guides will be authorized to park at trailheads where they are authorized trail use. Parking at trailhead lots will be monitored. If the Forest Service determines there are conflicts between outfitter/guide parking and other users (e.g., overcrowding and displacement), the Forest Service may implement measures to reduce these conflicts. Permittees will be required to abide by these measures as part of the terms and conditions of their permits.

If a permitted operator chooses to sell the business, the new owner will not automatically be issued a permit. The seller must notify the Forest Service of the potential sale and, upon selling, formally request a permit revocation. The new owner must formally apply for the permit. The Forest Service will review all such requests to ensure compatibility with recreation capacity and other resource issues and make a determination as to whether or not to reissue the permit to the new owner. This is in accordance with Forest Service outfitter/guide policy.

Adjustments to routes, locations, and other permittee-specific requirements will be addressed in individual operating plans.

### ***Wildlife***

Numerous special status plants, fish, amphibians, reptiles, birds, mammals, and invertebrates occur within the proposed project area. A list of special status species that occur or may potentially occur in the project area is located in the project record.

The following mandatory design features are prescribed to either reduce or remove direct impact to rare species from outfitter/guide activities.

1. Gila Chub in Red Tank Draw  
Parking will only be authorized in the designated area above the creek. Only foot traffic is permitted down to the rock art, and crossing the creek will not be authorized.
2. Various Aquatic Species in Oak Creek at Huckaby Trail Crossing  
Permittees must work with the Forest Service to maintain the footbridge over Oak Creek and possibly reroute the trail crossing.
3. Leopard Frogs and Visitation to Earthen Livestock Tanks  
Outfitter/guides will be authorized only one per trip per day, and will be required to employ decontamination procedures to prevent the spread of organisms between sites. A list of approved tanks will be developed in coordination with agency biologists. Guides will be required to attend training on the potential for spreading aquatic organisms and diseases between aquatic sites and the resulting required decontamination procedures.
4. Various Aquatic Species in Middle Oak Creek by Molina Homestead  
The Forest Service will install a barrier after the designated turn-around but before Molina Homestead and the creek, in order to keep motorized use away from sensitive resources.

5. Biological Crusts  
Guides will be required to attend training on biological crusts and will provide information on them to their clients. They will be required to assist the Forest Service in posting educational signs.
6. Limestone Plants  
ATVs must stay on system roads and established pullouts. The District will remove portions of FR9518 (sections 11 and 22), 9538D (section 25), and 9518E (section 14) from the operating plan due to presence of sensitive limestone plant species.
7. Peregrine Falcon Nest and Bat Roost at Cathedral Rock  
Guides will be permitted to the saddle only; they will not be authorized to follow the social trail around to the south, as this trail leads under a known bat roost and brings people within line-of-site of a peregrine nest. Metaphysical guides will be authorized to access only the first bench, below the saddle, due to congestion issues with their type of activities (e.g.. sitting in a group circle).
8. Mexican Spotted Owls in Munds Wilderness  
In order to mitigate effects to the Munds MSO, the permit for Crossing Worlds Journeys will be modified to require seasonal restrictions between March 1 and August 31 for hiking, to move the camping location > 1/4 mile outside of the MSO PAC, and assistance with monitoring PAC every other year.
9. Aquatic Species at Red Rock Crossing on Oak Creek  
Outfitter/guides are authorized to use Baldwin Trail, including a social crossing to Buddha Beach that is upstream of large swimming hole. This is the only social trail that is authorized; the rest of the time guides and clients must remain on the designated trail only. For companies authorized drive to the turn around on Verde Valley School Road and allow guests to see Red Rock Crossing, creek access is not allowed, and guides and customers must stay with their vehicles.
10. Aquatic Species in Oak Creek Canyon  
Permittee will be required to attend Forest-Service provided training on garter snakes, native fish, West Fork Oak Creek restoration effort, catch and release section, and is required to report observations of aquatic invasives or fish disease.
11. Limestone Plants and Balloon Landings  
Guides for hot air balloons should attempt to avoid landings > 1/4 mile west of Bill Gray Road due to the presence of sensitive plants. In general, guides are not authorized to drive off-road for balloon retrieval and must “hover” and walk balloons out whenever possible. However, because off-road retrieval cannot be eliminated 100%, guides are required to report when and where such use occurs.

## 12. Balloon Landings Near Oak Creek Riparian

Guides will endeavor to avoid landings below the first bench of Deer Pass Road area w due to close proximity to the riparian corridor. This will mitigate potential for disturbing nesting birds along Oak Creek.

### ***Cultural and Historic Sites***

Cultural sites are sensitive places, both physically and socially. The Forest Service will continue to monitor, at least annually, sites that outfitter/guides visit. Additionally, the following guidelines will be applied to all permits authorized for these sites.

1. Guides will immediately report any new damage or disturbance to archaeological sites to the District.
2. Guides and guests may not touch, trace, rub, or walk on any rock art image. Photographs are the only acceptable method of capturing rock art images. Guides and guests may not dig within an archaeological site or move or remove any artifact found on the ground surface. Guides and guests may not leave any object, including offerings, on Forest lands, regardless of whether it is an archaeological site. Guides will ensure that guests do not walk, sit, or lean on any walls or move stones within archaeological sites.
3. Guides will clearly inform guests that any interpretation of rock art images is uncertain at best. Any interpretation of individual rock art elements will be identified as personal conjecture. Guides will provide only responsible interpretation of archaeological sites that reflects the mainstream of modern scientific hypotheses and conclusions.
4. All guides who take clients to archaeological sites will be required to attend trainings on site stewardship, hosted by Forest Service archaeologists, as offered.

### ***Hydrology and Soils***

Some of the forest roads authorized for outfitter/guide use are located in easily erodible soils, and there are concerns that continued use without substantial maintenance or reconstruction could negatively affect the road and watershed conditions. The following design features will be applied to all permits:

1. Outfitter/guide activities will not be permitted on level 2 roads within riparian areas.
2. Outfitter/guide activities will not be permitted on roads that traverse 40% or greater slopes.
3. Outfitter/guide activities will be restricted to existing Forest roads and trails, off road travel will not be authorized.

4. Forest level 2 roads that intersect with soils rated with a severe soil erosion hazard due to slope, k factor, or limitations for unsurfaced roads, will only be permitted for outfitter/guide use during dry road conditions. Wet weather would restrict the outfitter/guides to no use in these areas.
5. The roads indicating soils rated with a severe erosion hazard due to slope, k factor, or limitations for unsurfaced roads, and for roads that traverse 40% contrary to #2 above, will require additional mitigation with monitoring for effectiveness. A road maintenance schedule will be created to address the watershed concerns with restoration efforts that extend beyond the road prism and extend to upper watershed restoration needs (see below). One option may include that the road bed through these fragile segments will be capped with a large diameter rock base material to provide for surface soil stability. Along with the rock base treatment additional and more frequent maintenance within these road and trail segments will be necessary.
6. Remove Fossil Creek stream crossing from permitted use on Forest road 9248C.
7. Remove Middle Verde stream crossing from permitted use on Forest road 119B.
8. Block access to Oak Creek past "Crack Axle" by installing a gate or other form of closure after the turn around point on Forest Road 9845N to help prevent future streamside impacts that are currently occurring.
9. Each Outfitter and Guide Company that uses Forest System Roads as part of their guiding activity must take an educational class conducted by the Forest Service to educate them on soil and watershed concerns associated with using these roads.
10. To mitigate the concerns associated with the Dry Creek low water crossing on Forest Road 9845, large boulders will be placed to restrict traffic on the flood prone banks. Watershed concerns associated with the entrance in and out of this crossing will be addressed in the road maintenance planning effort.

To address long-term concerns, a road maintenance and reconstruction plan was developed. This plan includes:

- Every year, for five years, roads will be surveyed by a watershed specialist, with cooperation from engineering, to identify trouble areas. A road analysis plan will be developed for those segments in need of future improvement.

- Roads for survey will be prioritized in accordance with the following five factors (in descending order of importance):
  - Primary road use is by outfitter/guides
  - Presence of severely erosive soils and/or erosion problems
  - Evidence of existing watershed issues
  - Opportunities to prevent damage
  - Effect of road condition on local watershed
- The District will commit \$40,000 annually to address maintenance needs for roads where primary use is by outfitter/guides.
- For most of the roads identified for 2011 and 2012, the District has already completed necessary surveys and clearances.
- For 2011, work will focus on implementing road plans already completed, including clearances. Forest roads covered by these plans are: 9551, 9549, 9549B, 9549M. Greasy Spoon should also be addressed, but clearances are still needed. The District will also identify and prioritize roads to survey over the next few years.
- In 2012, the following roads will be addressed: 761 B, 9542. Additionally, the District will work with outfitter/guides to address maintenance needs on 9524 (Jeepeater) and 9845 (Cliffhanger). Survey and clearance work will be performed for roads to receive maintenance in 2013.
- Road plans already exist for FR 9904 (Soldiers Pass) and 179F (Broken Arrow). These plans are already being implemented in partnership with outfitter/guides.
- Should unforeseen circumstances require adjustments or changes to the aforementioned annual road maintenance plans, the District will endeavor to reorder priorities using the following year's plan. However, by this Decision the District is committing to holding these road needs as a priority among its various projects.

## **5.0 Reasons for Categorically Excluding the Decision**

### **5.1 Category of Exclusion**

This action is categorically excluded from documentation in an environmental impact statement (EIS) or an environmental assessment (EA), as identified 36 CFR 220.6 e (15):

Issuance of a new special use authorization for a new term to replace an existing or expired special use authorization when the only changes are administrative, there are no changes to the authorized facilities or increases in the scope or intensity of authorized activities, and the applicant or holder is in full compliance with the terms and conditions of the special use authorization.

This category of action(s) is applicable because the only change is an administrative one: the term of the permit.

## **5.2 Relationship to Extraordinary Circumstances**

### ***Federally listed threatened or endangered species, or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service Sensitive Species.***

A wildlife biologist has determined that no threatened, endangered, or proposed plants, fish, amphibians, reptiles, birds, mammals, or invertebrates will be adversely affected by the project. While such species may be present within the project area, the potential impacts will be mitigated through adjustments to permittee operating plans and by educating permitted outfitter/guides on these subjects.

### ***Floodplains, Wetlands, or Municipal Watersheds***

A hydrologist determined there are floodplains and municipal supply watersheds in the project area, but concluded that no adverse effects would occur if the recommended design features are implemented. There are no wetlands in the project area.

### ***Congressionally Designated Areas (wilderness, wilderness study areas, or national recreation areas)***

There are limited outfitter/guide activities authorized in designated wilderness within the project area. This use is for hiking and will not adversely impact the wilderness character of the area. There are no national recreation areas within the project area.

### ***Inventoried Roadless Areas or Potential Wilderness Areas***

There are inventoried roadless and areas currently being evaluated for potential wilderness within the project boundary. Outfitter/guide use will not significantly impact these areas.

### ***Research Natural Areas***

There are no permitted outfitter/guide activities in Research Natural Areas within the project area.

### ***American Indians and Alaska Native Religious or Cultural Sites***

Cultural sites are present in the project area, but this action will not result in significant impacts to them. It is documented that allowing commercially guided use aids in the protection of these sites.

### ***Archeological sites, or historic properties or areas***

Archeological or historic sites are present in the project area, but this action will not result in significant impacts to them. It is documented that allowing commercially guided use aids in the protection of these sites.

Based on clearances prepared by resource specialists and my familiarity with the area involved and projects similar in nature, I have determined that there are no extraordinary circumstances that would warrant further analysis and documentation in an EA or EIS.

## **6.0 Scoping and Public Involvement**

This action was listed on the Coconino National Forest Schedule of Proposed Actions. On March 26, 2010, the District mailed a “program update letter” to 360 known or suspected interested parties. On April 21, 2010, the District initiated a thirty day comment period on this action. Scoping letters were mailed or emailed 370 interested parties and organizations. The comment ended May 21, 2010. The District also mailed a third letter to existing, permitted outfitter/guides.

A press release was distributed to several local media outlets, including the Sedona Red Rock News and the Arizona Sun, the newspapers of record.

The District held a stakeholder meeting with currently-permitted outfitter/guides on May 18. There were 29 attendees, representing 21 companies.

As a result of these efforts, the District received 53 comments. Most were in the form of phone calls, some were by email, and a very few were submitted in writing. The vast majority (41) was from existing outfitter/guides wanting to know how their permits would be affected and from people who wished to be on mailing lists for future prospectus offerings. Most of the remaining comments were from Soldiers Pass residents, who expressed concerns regarding heavy use by rental vehicles, overcrowding, and related topics.

Scoping did not result in the identification of issues that would require analysis in an EA or EIS.

## **7.0 Findings Required by Other Laws**

### **Endangered Species Act (1973)**

A Biological Evaluation has been completed for this action, which indicates that no Federally listed threatened or endangered species will be adversely affected by this activity.

### **National Historic Preservation Act (1966)**

The Forest Service program for compliance with the National Historic Preservation Act includes locating, inventorying and nominating all cultural sites that may be directly or indirectly affected

by scheduled activities. This activity has been reviewed by a qualified archeologist and a determination made that no known cultural resources will be adversely affected by this activity.

**Floodplain Management (E.O. 11988), Protection of Wetlands (E.O. 11990)**

This activity will not impact the functional value of any floodplain as defined by Executive Order 11988 and will not have negative impacts on wetlands as defined by Executive Order 11990.

**Environmental Justice (E.O. 12898)**

I have determined that, in accordance with Executive Order 12898, this project does not have disproportionately high and adverse human health or environmental effects on minority populations and low income populations.

**Clean Water Act**

Based on discussions with the IDT concerning hydrology and the mitigation measures developed, this decision is consistent with the Clean Water Act and amendments. No permits are required for implementation of the decision.

**Clean Air Act**

This decision is in compliance with the Clean Air Act, which defines the National Ambient Air Quality Standards (NAAQS) for various sources of pollutants that must be met to protect human health and welfare, including visibility.

**8.0 Implementation Date**

This decision will be implemented immediately upon signature.

**9.0 Administrative Review or Appeal Opportunities**

This action falls within a category of actions that are not subject to appeal, as stated in 36 CFR 215.12(f):

Decisions for actions that have been categorically excluded from documentation in an EA or EIS pursuant to FSH 1909.15, Chapter 30, section 31.

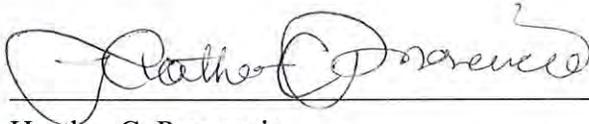
## 10.0 Contact Person

For additional information on the project, please contact:

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## 11.0 Responsible Official's Decision

As the Responsible Official, it is my decision to implement the actions as described in this Decision Memo.



Heather C. Provencio  
District Ranger, Red Rock Ranger District

12-14-2010

Date

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