National Park Service
U.S. Department of the Interior

Mojave NPres
Date: 11/30/2010

Categorical Exclusion Form

Project: SUP-Dennis Casebier, Vehicle Access
Project Number: 11-moja-002/PEPC 33648

Project Description:
Dennis Casebier has applied for a special use permit to be allowed to access his private property approximately two miles in wilderness from the nearest road. He wants to travel with five more people in two vehicles to his private parcel. Mr. Casebier has asked Dave Nichols to accompany him to survey an archeological site on Casebier's property. Because of the wilderness designation that includes Watson Wash, a minimum requirements analysis will need to be completed and approved before this proposal may be carried out.

There are at least three different routes that would lead to Mr. Casebier's parcel. The two options originating from the south -- from either Black Canyon Road or Lanfair Road -- would allow for access to the parcel in question from NPS lands. The route originating from the north -- from Black Canyon Road -- would require passage over private property. The latter option is the shortest.

The National Park Service has jurisdiction only over NPS lands within Mojave National Preserve. The onus would like with Mr. Casebier to obtain permission from the landowner to cross private lands. See Barbara Goodyear's opinion under Internal Documents-Maps.

Project Locations:
Location

County:	San Bernardino	**State:**	CA
District:	Lanfair Valley	**Section:**	Watson Wash
Geo. Marker:		**Other:**	APN 0657091080000

Mitigation(s):
- During desert tortoise active periods, the dirt track road from Ford Dry Lake that leads to Mr. Casebier's property must be surveyed for tortoise sign before motorized vehicles may be operated on it. When desert tortoise is less active (November 1 through February 28), the permittee must look out for tortoises when utilizing the road.
- A Minimum Requirements Analysis allowing motorized vehicles to be the Minimum Tool must be approved by the Superintendent for the categorical exclusion to be valid.
- All motorized vehicles are to remain on established roads at all times.

Describe the category used to exclude action from further NEPA analysis and indicate the number of the category (see Section 3-4 of DO-12):

D.4 Issuance of permits for demonstrations, gathering, ceremonies, concerts, arts and crafts shows, etc., entailing only short-term or readily mitigable environmental disturbance.

Mojave National Preserve staff has completed an interdisciplinary review of the proposed action. Reviewers expressed and reiterated the need for a Minimum Requirements Analysis of motorized vehicle use as the Minimum Tool before this request may be approved. The Minimum Requirements Analysis needs to address potential adverse impacts to wilderness character and values. Concern was also expressed regarding the potential to set a precedence of allowing motorized vehicle use in wilderness. Mr. Casebier is of an advanced age and has experienced serious

health issues in recent years (personal communication, November 30, 2010). He has requested use of a motor vehicle to gain access to his property, APN 0657091080000, because of these issues. Mr. Casebier wants to lead a group of up to six people in up to two vehicles to survey a potentially important archeological site on his land. He has also requested unlimited access by motor vehicle. The superintendent and deputy superintendent are willing to allow Mr. Casebier to operate a motor vehicle to drive an abandoned dirt track road from Ford Dry Lake across wilderness to his property. Mr. Casebier will be responsible for obtaining permission from the Mojave Desert Land Trust to cross two of its parcels, as well. A Minimum Requirements Analysis has concluded that a motor vehicle is the Minimum Tool for Mr. Casebier to access his property and ensure his safety. It does not reach the same finding for a second vehicle. The special use permit will limit Mr. Casebier to no more than three trips by motor vehicle. It will also require him to notify the rangers in advance of each visit – a condition of every special use permit – and to have an NPS employee of Mojave National Preserve – either David Nichols or a law enforcement ranger – accompany him into wilderness to monitor the permit.

No other potentially significant impacts to the natural or cultural resources of Mojave National Preserve were identified during the environmental review. The categorical exclusion selected herein may be applied to Mr. Casebier's request for a special use permit contingent upon an approved Minimum Requirements Analysis that finds motor vehicle operation the minimum tool, and that minimizes adverse impacts to the natural and cultural resources of Mojave. Impairment is not expected to occur, provided that the permit holder adheres to all conditions of the special use permit.

On the basis of the environmental impact information in the statutory compliance file, with which I am familiar, I am categorically excluding the described project from further NEPA analysis.No exceptional circumstances (e.g. all boxes in the ESF are marked "no") or conditions in Section 3-6 apply, and the action is fully described in Section 3-4 of DO-12.

Signature

Superintendent: Laurence J. Whalen **Date:** 12/2/10

NPS Contact: [illegible] **Date:** 02 December, 2010