Finding of No Significant Impact: DOI-BLM-NV-S000-2011-0003-EA

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1.1. DOI-BLM-NV-S000-2011-0003-EA

SNDO Illegal Dumpsite and Trash Removal

Based on the analysis of potential environmental impacts (per Environmental Assessment DOI-BLM-NV-S000-2011-0003-EA), I have determined that the proposed action with the mitigation measures described below will not have any significant impacts on the environment and an environmental impact statement is not required.

1.2. Signatures:

Recommended by: 10/27/11

Eric Delynko [Date]
Air Quality Technician

Approved by: (Acting) 10/27/11

For Gayle Marrs-Smith [Date]
AFM Renewable Resources

Decision Record - Memorandum: DOI-BLM-NV-S000-2011-0003-EA

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Chapter 1. SNDO Illegal Dumpsite and Trash Removal

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1.1. Compliance

The proposed action described in Environmental Assessment DOI-BLM-NV-S000-2011-0003-EA is in conformance with the Las Vegas Resource Management Plan (RMP) and complies with the following objectives and management directions:

VG-2-a — Rehabilitate, reclaim, or re-vegetate areas subjected to surface disturbing activities, where feasible. When rehabilitation disturbed areas, manage for optimum species diversity by seeding native species, except where non-native species are appropriate.

AR-1-b — Permit only those activities on BLM-administered lands that are consistent with Federal, State, and local air quality standards and regulations. Require that all appropriate air quality permits are obtained before BLM approval of an action is granted. Where applicable, demonstrate how proposed management actions comply with local, state, tribal and Federal air quality laws, regulations and standards.

Clark County Air Quality Regulations Section 90— Fugitive Dust from Open Areas and Vacant Lots — If open areas and vacant lots are 5,000 square feet or larger and are disturbed by any means, including use by motor vehicles, off-road motor vehicles or material dumping, then the owner/operator of such open areas and vacant lots shall implement one or more of the control measures described in Subsection 90.2.1.1. Subsection 90.2.1.1(a) describes control measures that can include barriers, fences, gates, posts, signs, etc.

The proposed action is in compliance with the Migratory Bird Treaty Act , Endangered Species Act of 1973, as amended , National Historic Preservation Act, the Clean Water Act, and is consistent with the applicable plans and policies of county, state, tribal and federal agencies.

1.2. Selected Action

The Bureau of Land Management (BLM) Las Vegas Field Office has determined that authorization of illegal dumpsite and trash removal would not result in significant impacts based on Environmental Assessment DOI-BLM-NV-S000-2011-0003-EA and the corresponding Finding of No Significant Impact. It is the decision of the Associate Field Manager, Renewable Resources, to authorize the installation of the post and cable fence at the described locations.

1.3. Compliance with NEPA:

The proposed action, described in the attached Environmental Assessment DOI-BLM-NV-S000-2011-0003-EA, incorporated herein by this reference, will not have a significant impact on the human environment and the action does not require the preparation of an Environmental Impact Statement.

1.4. Public Involvement:

Applicable stakeholders were consulted and had no issues with the proposed action. The public will be able to view Environmental Assessment DOI-BLM-NV-S000-2011-0003-EA on the NEPA registry webpage.

1.5. Rationale:

The proposed action is in conformance with the Las Vegas Resource Management Plan as well as local regulations. The proposed action will provide an overall benefit to the environment by improving the landscape by removing illegally discarded debris from public lands.

1.6. Appeal or Protest Opportunities:

The decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 C.F.R., part 4, and the enclosed Form 1842–1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing the decision appealed from is in error. If you wish to file a petition pursuant to regulation 43 C.F.R. 2801.10 or 43 C.F.R. 2881.10, for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by IBLA, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the the appropriate office of the solicitor (see 43 C.F.R 4.413) at the same time the original documents are filed with this office. If you request a stay you have the burden of proof in demonstrating that a stay should be granted.

STANDARD FOR OBTAINING A STAY

Except as other wise provided for by law or other pertinent regulations, 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.

1.7. Authorizing Official:

Gayle Marrs Smith
Associate Field Office Manager, Renewable Resources, Las Vegas Field Office

11/2/2011
Date

1.8. Contact Person

For additional information concerning this Finding, contact.

Chapter 1 SNDO Illegal Dumpsite and Trash Removal
Rationale:

Eric Delynko, Air Quality Technician

Las Vegas Field Office

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