

## **DECISION RECORD**

**EA Number:** DOI-BLM-AZ-G020-2013-0029-EA

**Serial/Case File No.** None

**BLM Office:** Tucson Field Office

**Decision:** It is my decision to select the proposed action which is to authorize the remediation of hazards at 58 abandoned mine land (AML) features in the Tombstne AZ AML project area.

**Alternatives Considered:** A “No Action” alternative was considered and analyzed. The No Action Alternative would not fulfill the purpose and need of the project. A fence and sign only alternative was analyzed. This alternative would not provide complete remediation of hazards associated with AML features

**Rational for Decision:** The proposed action is generally provided for in the Phoenix RMP on a case-by-case basis. The environmental assessment dated December 18, 2013 analyzed the potential impacts of remediating hazards at 58 abandoned mine features by backfilling, fencing and signing, and bat gating. A Findings of No Significant Impact (FONSI) has been signed; therefore, there are no significant impacts to the environment that would require an environmental impact statement. By selecting the proposed action, the Tucson Field Office is implementing this portion of the Phoenix RMP. I have concluded that the proposed action will not result in the undue and unnecessary degradation of the public lands. Therefore, pursuant to 43 CFR 3809.411 (d)(2), it is my decision to approve the remediation of hazards at 58 AML features on public lands in the Tombstone AZ AML project area.

### **Mitigation Measures/ Additional Stipulations:**

1. Contractor conducting remediation work shall maintain and adhere to Cochise County air quality standards as appropriate.
2. If in connection with operations under this authorization, any human remains, funerary objects, sacred objects, or objects of cultural patrimony as defined in the Native American Graves Protection and Repatriation Act (:L. 101-601; Stat. 3048; 25 U S. C. 3001) are discovered, the operator shall stop operations in the immediate area of the discovery, protect the remains and objects, and immediately notify the BLM Tucson Field Manager of the discovery. The operator shall continue to protect the immediate area of the discovery until notified by the Field Manager that operations may resume.

Should any archaeological resources or vertebrate fossils be discovered during implementation of projects, all surface disturbing activities in the area of discovery shall cease and the Field Office archeologist shall be notified. The archeologist will evaluate the discovery and provide recommendations to the

Field Manager. Surface disturbing activities shall not resume until permission is obtained from the Field Manager.

An additional cultural and/or paleontological resource survey may be required in the event the project location is changed or additional surface disturbing operations are added to the project after the initial survey. Any such survey must be completed prior to commencement of such operations.

3. Contractors and sub-contractors conducting remediation work will be trained on proper desert tortoise avoidance and handling procedures.
4. Prior to backfilling, any wildlife present in AML features will be excluded whenever possible.
5. Significant bat habitat in selected AML features will be protected by fencing and signing and bat gating
6. To the extent feasible, cacti from remediation areas will be transplanted to appropriate, nearby receiving areas.

**Appeals:**

This decision may be protested or appealed under the procedures outlined in BLM Handbook 8720-1 Chapter IV (8) and 43 CFR Part 4 and the enclosed Form 1842-1.

/s/ Viola E. Hillman

1/13/14

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Viola E. Hillman, Field Manager

Date

**Attachments:** Finding of No Significant Impact dated December 18, 2013  
Environmental Assessment – DOI-BLM-AZ-G020-2013-0029-EA