

## Decision Record – Memorandum

### Red Rock Canyon National Conservation Area Low Water Crossings and Roads Improvements Project

DOI-BLM-NV-S020-2014-0007-EA

#### Compliance

The Proposed Action is in compliance with the following:

- Clean Air Act of 1970 (as amended in 1977 and 1990). 42 USC 7401 et seq. PL 91-604; 42-USC 1857h-7 et seq.
- Clean Water Act of 1977 (as amended). 33 USC 1251-1387. PL 92-500.
- Endangered Species Act of 1973 (as amended). 16 USC 1531 et seq. PL 93-205.
- Executive Order 13112. 1999. Invasive Species. February 3.
- Federal Land Policy and Management Act of 1976 (43 U.S.C. §§ 1701 et seq.).
- Migratory Bird Treaty Act of 1918, as amended (16 USC 703 et seq.).
- National Environmental Policy Act of 1969 as amended. PL 91-190, 42 USC 4321-4347, PL 94-52, July 3, 1975, PL 94-83, August 9, 1975, and PL 97-258, § 4(b), Sept. 13, 1982.
- National Historic Preservation Act of 1966 as amended. 16 USC 470a et seq. 80 Stat. 915; PL 89-665.
- Federal Noxious Weed Act of 1975. PL 93-629. 7 USC 2801 et seq.; 88 Stat. 2148. January 3.
- Wild Free-Roaming Horses and Burros Act of 1971. PL 92-195.
- Clark County Conservation of Public Land and Natural Resources Act of 2002 (PL 107-282).
- The Red Rock Canyon National Conservation Area Establishment Act of 1990 (PL 101-621).
- Red Rock Canyon National Conservation Area Resource Management Plan, 2005.

#### Selected Action

It is my decision to approve the Red Rock Canyon National Conservation Area (RRCNCA) Low Water Crossings and Roads Improvements Project.

The selected action is the Proposed Action as described in Environmental Assessment (EA) DOI-BLM-NV-S020-2014-0007-EA, dated 08/06/2014.

I have determined that the action will not result in significant impacts based on the analysis in the EA and attached Finding of No Significant Impact (FONSI). This action was selected over no action as it will address the safety needs identified in the project area in accordance with any mitigating measures in the EA. It is my decision to authorize the RRCNCA Low Water Crossings and Roads Improvements Project.

The project includes the following improvements to the Scenic Loop Drive and Visitors Center Parking:

- Remove the concrete ford, roadway, and adjacent roadway approaches at the Sandstone Wash and replace it with a bridge approximately 300 feet north of its current location.
- Remove the concrete ford at the Red Rock Wash and replace it with a bridge on existing alignment.
- Install flood warning sensors at three additional wash crossings.
- Improve the Visitor Center parking area by making minor adjustments to the circulation, and resurfacing the existing asphalt.

The project has been designed to improve safety for vehicles, bicyclists, equestrians, and pedestrians, reduce operations and maintenance costs, protect and conserve resources, and improve visitor experience in the RRCNCA.

Implementation of the Proposed Action may occur at anytime, provided that all minimization and mitigation measures described in the EA, the RRCNCA Programmatic Biological Opinion (File No. 1-5-04-F-526 and File No. 84320-2014-F-0172), and incorporated herein, are completed.

#### **Compliance with NEPA:**

The action has been analyzed within EA DOI-BLM-NV-S020-2014-0007-EA, dated 08/06/2014 and FONSI incorporated herein by this reference, will not have any significant impact on the human environment and the action does not require the preparation of an Environmental Impact Statement.

#### **Public Involvement:**

An internal review of this EA was conducted by BLM Southern Nevada District resource specialists. The Draft EA was available for public comment from June 11 through July 11, 2014. The BLM held two public meetings (afternoon and evening) on June 26, 2014 at the RRCNCA Visitor Center. Five comments were received, none of which were in opposition of the project. The completed document will be posted to the NEPA register web page.

#### **Rationale:**

The project is in conformance with the BLM RRCNCA Resource Management Plan (RMP) approved May 20, 2005. The RRCNCA RMP identifies the Scenic Drive and environs as a "developed area" with "substantial modification of the natural environment with intensified motorized use and parking" (page 29, Record of Decision, RRCNCA RMP, 2005). This includes road paving and other improvements in multiple locations. The Proposed Action supports the Preferred Alternative identified in the RRCNCA RMP by improving facilities that accommodate increasing visitor use in the Scenic Loop Drive vicinity.

#### **Appeal or Protest Opportunities:**

This decision will take effect immediately upon the date it is signed by the Authorized Officer, 08/06/2014, and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals (IBLA) issues a stay. Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a notice of appeal must be filed in the office of the Authorized Officer at the Bureau of Land Management, 4701 N Torrey Pines Drive, Las Vegas, NV 89130. If a statement of reasons for the appeal is not included with the notice, it must be filed with the with the Interior Board of Land Appeals, Office of Hearings and Appeals, and with the appropriate Office of the Regional Solicitor within 30 days after the notice of appeal is filed with the Authorized Officer.

If you wish to file a petition for stay pursuant to 43 CFR Part 4.21(b), the petition for stay should accompany your notice of appeal and 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.

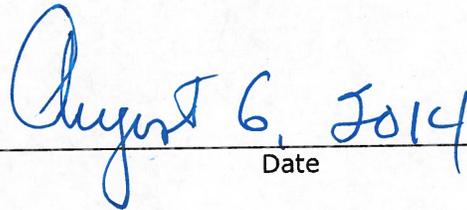
If a petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the Authorized Officer.

A copy of the notice of appeal, any statement of reasons and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken and on the appropriate Office of the Regional Solicitor, not later than 15 days after filling the document with the Authorized Officer and/or the IBLA.

**Authorizing Official:**



Mark Spencer  
Red Rock/Sloan Field Office Manager



Date

**Contact Person**

For additional information concerning this Finding, contact:

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