

**United States  
Department of the Interior  
Bureau of Land Management  
Tucson Field Office**

## **Decision Record**

**Las Cienegas National Conservation Area Road Improvements and Low-water Crossings  
Environmental Assessment NEPA # DOI-BLM-AZ-G02000-2014-0031-EA**

### **Decision**

I have reviewed the project plan and the Environmental Assessment (EA) and have made a Finding of No Significant Impact (FONSI) for the project, *Las Cienegas National Conservation Area Road Improvements and Low-water Crossings*. The Proposed Action is in conformance with the Las Cienegas RMP ROD (2003). Based on that review and all information available to me, it is my decision to select the Proposed Action to resurface, recondition and rehabilitate the roadway surfaces, as well as install drainage improvements along 13.3 miles of roadway. I approve the proposed action alternative with all the best management practices and the mitigation measures described on pages 15-19 & 57-58 of the EA.

A BLM approved, final surfacing technical memorandum will be completed prior to construction. Based on the existing soils, this memorandum will provide recommendations to the contracting officer on the type and amount of aggregate and chip seal to use during resurfacing, as well as the type of concrete to use for the low water crossings to prevent damage that may result from existing soil conditions.

### **Rationale for Decision**

The roads cross several large washes and during large storms the existing roads become impassable and water in the washes cause erosion of the road and roadside ditches. The existing gravel roads require costly annual maintenance including gravel replacement, culvert cleaning, and ditch repair. Some of the existing culverts are damaged or clogged, and no longer function properly. Existing features within and adjacent to the roads present safety concerns for traffic including, narrow cattle guards and unmarked culverts. Additionally, signs within the project area do not meet the required reflectivity standards, which cause additional safety issues.

Resurfacing, reconditioning, and rehabilitating 13.3 miles of roadway and installing drainage improvements will help to improve the road conditions and reduce annual maintenance. This will both reduce the cost to perform annual maintenance and reduce disturbance to wildlife. The Proposed Action will reduce safety concerns associated with narrow cattle guards and unmarked culverts.

## **Alternatives Considered**

The BLM considered two alternatives: the No Action and the Proposed Action. Since the proposed action incorporates design features and resource damage mitigation measures, two alternatives is sufficient.

## **Public Involvement**

A series of meetings were held between the BLM and FHWA-CFLHD to determine the scope of environmental documentation and analysis required for this project.

The BLM provided an overview of the proposed project on Friday, May 2, 2014 at the BLM Tucson Field Office's biannual Biological Planning meeting. The following stakeholders were present at the Biological Planning meeting: Cienega Watershed Partnership, Arizona Antelope Foundation, Sky Island Alliance, Arizona Game and Fish Department, Coronado National Forest, The Nature Conservancy, US Fish & Wildlife Service (USFWS), Huachuca Hiking Club, FROG project, and Borderlands Restoration. The BLM also provided an overview of the Road Improvement Project at the Sonoita Valley Planning Partnership meeting on Saturday, August 23, 2014.

## **Appeal Opportunity**

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4. Your notice of appeal must be filed in this office, located at 21605 North 7th Avenue, Phoenix, Arizona, 85027, within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (request) pursuant to regulation 43 CFR Part 4.21(b) for a stay (suspension) of the effectiveness of this decision during that time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice to 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 the petition for a stay must also be submitted to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 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 to demonstrate that a stay should be granted.

## **Standards for Obtaining a Stay**

Except as otherwise provided by law or other pertinent regulation, 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,
4. Whether the public interest favors a granting the stay.

/s/ Viola E. Hillman

Viola E. Hillman  
Field Manager  
Tucson Field Office

9/11/14

Date