

## DECISION RECORD

**EA Number:** DOI-BLM-AZ-G010-2014-0011-EA

**Serial/Case File No.** AZA 36559

**BLM Office:** Safford Field Office

**Decision:** It is my decision to select the proposed action, which is to issue Graham County a new 10-year free-use permit for their continued use of an existing sand and gravel pit, subject to the mitigation measures listed below.

**Alternatives Considered:** The Proposed Action, which is the continued use of the site as called for in the original authorization of the site in 1984, and a “No Action” alternative.

**Rational for Decision:** The proposed action of continued removal of sand and gravel from this site is in conformance with the Safford Resource Management Plan (RMP), which notes the BLM fosters and encourages mining, lists areas and habitat where the disposal of salable mineral materials such as sand and gravel shall be prohibited, and does not list this area or habitat as a place to be prohibited. The RMP is the current Land Use Plan to be relied on; prohibited areas are listed on page 9 of the Record of Decision, dated September, 1992. The No Action alternative would be viable if the activity would result in unnecessary or undue degradation of the environment. The activity however calls for sand and gravel extraction in a usual and customary manner with complete reclamation of all ground disturbances, so no such degradation is anticipated.

This environmental assessment analyzed the potential impacts to the environment and the public should the free use permit be authorized. 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 Safford Field Office is implementing this portion of the Safford RMP.

**Mitigation Measures/ Additional Stipulations:**

1. Vegetation and soil disturbed at any one time shall be limited to the amount necessary to remove sufficient materials.
2. The permittee shall ensure that erosion at the site is controlled.
3. The site shall be maintained in manner that keeps it safe for livestock, wildlife, and people.
4. All travel shall be restricted to planned roads and the excavation area.

5. The permittee shall promptly and properly remove and dispose of all waste on public lands caused by their activities. The term "waste" as used herein means all discarded matter including, but not limited to, trash, garbage, refuse, petroleum products, and equipment.
6. The permittee shall ensure the prevention of spillage of oil, etc.
7. The site shall be maintained relatively free of discarded equipment and supplies, trash or garbage.
8. If dust becomes a problem, water shall be used for dust control.
9. Any archaeological, historical, or vertebrate fossil remains discovered during operations shall be left intact and undisturbed, all work in the area of the find shall stop immediately and the BLM Safford Office shall be notified immediately. Commencement of work in that area shall be allowed upon clearance by the Safford Office.
10. An additional cultural and 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 would have to be completed prior to commencement of operations.
11. 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 (P.L. 101-601; Stat. 3048; 25 U. S.C. 3001) are discovered, the permittee shall stop operations in the immediate area of the discovery, protect the remains and objects, and immediately notify the Assistant Field Manager for Planning and Monitoring of the discovery. The permittee shall continue to protect the immediate area of the discovery until notified by the Assistant Field Manager that operations may resume.
12. Upon completion of excavations, the site will be returned to original contours as much as reasonably possible, with any overburden backfilled into excavated areas and reshaped. Reclamation shall also include sloping the area to no steeper than a 3:1 horizontal to vertical ratio; scarifying compressed soils with ripper teeth; feathering as needed to blend in with surrounding countryside; and reseeding as needed with a seed mixture approved by the BLM.
13. Reclamation shall be concurrent, with mined out areas reclaimed as mining progresses into other areas.
14. The permittee shall fully indemnify or hold harmless the United States for any liability or damage or claims arising in connection with the permittee's use of this permit area.

**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.



7/18/14

Authorized Officer

Date

**Attachments:** Finding of No Significant Impact dated July 17, 2014  
Environmental Assessment – DOI-BLM-AZ-G010-2014-0011-EA