

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Cedar City Field Office
176 BL Sargent Dr.
Cedar City, UT 84721
435-865-3000

DECISION RECORD
Southview Trailhead
DOI-BLM-UT-C010-2024-0031-EA

I. DECISION:

The Bureau of Land Management will authorize all activities described in section 1.2.1 of the attached Southview Trailhead Environmental Assessment, as described specifically as the Proposed Action in section 2.2.

This decision has adopted all practicable means to avoid or minimize environmental harm from the Proposed Action. The design features described in 2.2.5 will be applied as part of the Proposed Action. The stipulations provided in Appendix C will be included in the rights-of-way (ROW) grants carried forward from this decision as stipulations.

II. COMPLIANCE AND MONITORING:

Cedar City Field Office (CCFO) engineering staff will monitor compliance with this decision during construction activities. CCFO wildlife biologists will monitor compliance of design features pertinent to wildlife during construction activities. CCFO realty staff will monitor compliance with the terms, conditions, and stipulations of the ROW grants resulting from this decision. CCFO recreation staff will ensure that all recreation site improvements are in accordance with this decision.

III. AUTHORITIES:

Section 501(a)(1) & (7) and section 102(a)(8) of the Federal Land Policy and Management Act of 1976 and 43 CFR 2801.2(d) provide the BLM with the authority to make this decision.

IV. ALTERNATIVES CONSIDERED:

A No Action alternative was considered in the environmental assessment. However, this alternative did not meet the purpose and need of the environmental assessment to provide necessary public utilities and stormwater management and recreation facilities to meet current and future demand. The No Action alternative was not in compliance with the authorities described above that mandate the BLM to provide ROWs that are necessary and in the public interest, and to manage public lands in a manner that provides for public recreation.

V. RATIONALE FOR DECISION:

This decision is made because of the benefit that it provides to the public and public lands, specifically as it pertains to providing necessary rights-of-ways in the public interest and managing public lands to provide for current and projected demand for recreation.

This decision is in conformance with the Cedar-Beaver-Garfield-Antimony Resource Management Plan, specifically:

Lands, Management Actions and Priorities, 3.1 (page 9), which states: “*Process applications for use authorizations such as rights-of-way, leases, and permits on a case-by-case basis.*”

Recreation, Objectives (page 63), which states: “*Provide recreation opportunities under the Bureau’s basic stewardship responsibilities for unstructured, extensive types of recreation uses, maximizing the visitor’s freedom of choice. Continue to maintain important recreational values in Federal ownership to insure this continued diversity of recreation opportunities.*”

The Proposed Action analyzed in the EA was found to have no significant impacts, thus an EIS is not required. Recreation was the only issue with impacts found to meet the threshold for analysis in the environmental assessment. The impacts to recreation described within the analysis were beneficial. All impacts to other issues and resources were found to be negligible, not present, or sufficiently minimized by the design features described in the Proposed Action.

A draft of the Proposed Action of this environmental assessment was published on Eplanning from August 19, 2024, to September 3, 2024, to satisfy a 15-day public scoping period. Two comments were received.

One comment was not substantive. One comment requested that BLM develop a Proposed Action with a net environmental benefit, specifically asking BLM to incorporate design features into the natural storm drain channel that would benefit water resources. The benefits to water resources are documented in the Water Resources/Quality section of the Interdisciplinary Team Checklist. The positive impact of the Proposed Action to water resources and water quality was noted but did not surpass a threshold requiring detailed analysis.

VI. RIGHT OF PROTEST AND/OR APPEAL:

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with 43 C.F.R. Part 4. Instructions for filing and appeal are contained on Department of Interior Form 1842-1.

This decision shall take effect immediately upon the date it is signed by the Authorized Officer and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals (IBLA) issues a stay (43 CFR 2801.10(b)). 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 Cedar City Field Office, 176 East DL Sargent Drive, Cedar City, Utah 84721. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801

North Quincy St. Suite 300, Arlington, VA 22203 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 appellants success on the merits,
- (3) The likelihood of irreparable harm to the appellant or resources 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 Office of the Regional Solicitor, U.S. Department of the Interior, 6201 Federal Building, 125 South State Street, Salt Lake City, Utah 84138-1180, not later than 15 days after filing the document with the Authorized Officer and/or IBLA.

VII. APPROVAL

Jacqueline J. Russell

Field Manager (Acting)

Cedar City Field Office

Date