

Black Canyon Corridor

Travel Management Plan and Environmental Assessment

Decision Record

DOI-BLM-AZ-P010-2017-0013-EA

**Bureau of Land Management
Hassayampa Field Office
2020 E Bell Road
Phoenix, Arizona 85022**

September 29, 2022



Introduction

The Bureau of Land Management (BLM) Hassayampa Field Office has prepared a travel management plan/environmental assessment (TMP/EA) that proposes to establish a travel route network and transportation system for the Black Canyon Corridor Travel Management Area (Project Area). The TMP/EA is a combined document that satisfies the requirements under the National Environmental Policy Act in assessing the direct, indirect, and cumulative effects from the designation of travel routes within the Project Area as “open,” “limited” or “closed.” The BLM has assessed the impacts to biological, cultural, and socioeconomic resources within the approximately 166,165-acre Project Area, located in Yavapai and Maricopa counties, Arizona.

The approved TMP/EA would not: authorize the construction of new routes, nor would the approved TMP/EA authorize the physical rehabilitation/reclamation of closed routes. Those activities would be subjected to separate/future environmental analysis.

Public Involvement

The BLM conducted public scoping in 2014 and 2017. On May 8, 2017, the BLM announced a 30-day public scoping period and two open houses. Notifications were made to approximately 562 individuals, agencies or organizations that may have interest in the Project Area or on travel management. On May 15, 2017, the BLM hosted an open house at the Deer Valley Community Center in Phoenix and on May 16, 2017, at the Mayer High School in Mayer. Approximately 49 people attended the Phoenix open house and approximately 35 attended the Spring Valley open house.

The scoping period closed on June 6, 2017. The BLM received approximately 51 comments letters or emails to consider. See Section 1.3.4 of the Final EA for issue questions that were developed and based on the review of public comments.

During external scoping, the BLM also extended Cooperating Agency invitations to multiple State, county, and tribal governments. The following agencies accepted and participated as Cooperating Agencies: the Arizona Game and Fish Department (AGFD), the Maricopa County Department of Transportation, and the Maricopa County Department of Parks and Recreation. No tribal government accepted an invitation to be a Cooperating Agency. On May 25, 2017, the BLM initiated government-to-government consultation with tribes under the National Historic Preservation Act (NHPA). Consultation with the State Historic Preservation Office was initiated on June 20, 2017, and updated consultation occurred on August 7, 2018.

The draft TMP EA was made available to the public for review and comment for 30-days on April 23, 2018. The comment period ended on May 22, 2018. An open house was held on May 2, 2018, in Phoenix, there were approximately 75 people in attendance. An open house was held on May 3, 2018, in Mayer, there were approximately 41 people in attendance. The BLM sent notification of the document’s availability to approximately 341 individuals, organizations, or agencies by postcard and to 278 by email. The BLM received 1,061 comment emails or letters to consider from the public and Cooperating Agencies. All comments were reviewed and categorized by the BLM. Although not required for an EA by regulation, the BLM has responded to substantive and timely comments received in the Final EA (BLM 2008b). A summary of substantive comments and responses is provided in Appendix C.

In 2022 the BLM initiated a new round of public comment period for the Black Canyon Corridor Travel Management Plan. During the 45-day comment period there were 137 public comments received and based on some of the recommendations the BLM modified route designations to the TMP Maps within Alternate C to correct errors and to address public concerns. The final decision is represented in the map entitled “Maps Alternate C Modified”. The public comments resulted in 5% modifications to the original alternative C route designations. The BLM responses to the 2022 public comments are listed in a table as Appendix C dated September 29, 2022.

Land Use Conformance

The Proposed Action described in the Final EA is in conformance with the Bradshaw-Harquahala Resource Management Plan (RMP), which was approved in 2010. It has been determined that the Proposed Action would not conflict with other management actions and decisions in the RMP. Although the Proposed Action is not specifically mentioned in the RMP, it is consistent with its travel management goals and policies, many of which are found in the Travel Management Program section of the RMP, which spans pages 2-113 to 2-120. The following is a desired future condition of the RMP:

“Public use, resource management, and regulatory needs are met by development of a travel management plan and implementation of a comprehensive travel management and transportation system” (BLM 2012d).”

Authority

Implementation of the Proposed Action is under the authority of the Federal Land Policy and Management Act of 1976.

Rationale

Proposed Action (Selected Alternative)

Under the Proposed Action, the BLM would establish a network of travel routes within the Project Area on BLM-administrative lands. During route inventories conducted by the BLM interdisciplinary team and Cooperating Agencies, the BLM considered the unique and sensitive resources present in the Project Area, in addition to the need to support access for motorized and non-motorized uses on BLM-administered lands. The BLM considered the No Action Alternative and the impacts that would continue under that alternative, and the lack of establishing a formal travel network. The BLM also considered three other alternatives, one (Alternative B) was more restrictive, and the second (Alternative D) more open to non-motorized and third (Alternative E) would be less restrictive to motorized travel. The Proposed Action (Alternative C Modified) meets the project purpose and need and represents a carefully considered alternative that balances the needs of travel access and minimization of impacts to resources.

No Action Alternative (Not Selected)

Under the No Action Alternative, the existing inventory of travel routes would continue to remain open to all uses. The No Action Alternative would not address concerns about impacts to unique and sensitive resources present on BLM-administered lands within the Project Area. While the No Action Alternative would allow for continued use of the existing travel network,

the alternative would not promote a balance of needs in the Project Area, which are to support access for a variety of purposes while minimizing impacts to resources. The No Action Alternative and other action alternatives considered would only partially meet the project purpose and need (providing for access while minimizing impacts to cultural and natural resources).

Mitigation Measures

The BLM has executed a Programmatic Agreement (PA) under the National Historic Preservation Act. Since the implementation of this TMP/EA is a phased project, the PA will govern how cultural sites will be identified and measures taken in order to avoid adverse effects to historic properties.

Decision

It is my Decision to approve the Proposed Action (Alternative C Modified), which is the best fit of providing for access in balance with minimization of impacts to resources. I have made this Decision while considering comments received from the public and Cooperating Agencies.

Irina Ford
Field Manager
Hassayampa Field Office

09/29/2022_____
Date

APPEAL PROCEDURES

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with 43 CFR Part 4. If you appeal, your appeal must also be filed with the Bureau of Land Management at the following address:

Irina Ford
Field Manager
BLM, Hassayampa Field Office
2020 E Bell Road
Phoenix, Arizona 85022

Your appeal must be filed within thirty (30) days from receipt or issuance 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 pursuant to regulation 43 CFR 4.21 (58 FR 4942, January 19, 1993) for a stay (suspension) of the decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. Copies of the notice of appeal and petition for a stay must also be submitted to:

Board of Land Appeals
Dockets Attorney
801 N. Quincy Street, Suite 300
Arlington, VA 22203

A copy must also be sent to the appropriate Office of the Solicitor at the same time the original documents are filed with the above office.

Office of the Field Solicitor
Sandra Day O'Connor US Courthouse, Suite 404
401 West Washington Street, SPC-44
Phoenix, Arizona 85003-2151

If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. A petition for a stay is required to 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 immediate and irreparable harm if the stay is not granted.
4. Whether the public interest favors granting the stay.

The Office of Hearings and Appeals regulations do not provide for electronic filing of appeals. Electronically filed appeals will therefore not be accepted.