

United States Department of the Interior
Bureau of Land Management

DOI-BLM-AZ-G020-2019-0031-EA

**Las Cienegas Landscape Restoration
Environmental Assessment**

DECISION RECORD

U.S. Department of the Interior
Bureau of Land Management
Gila District
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INTRODUCTION AND BACKGROUND

The Bureau of Land Management (BLM) completed an environmental review DOI-BLM-AZ-G020-2019-0031-EA for erosion control and vegetation treatments on public, private, county, and state lands within a 216,732-acre project area located primarily in the Cienega watershed southeast of the city of Tucson, Arizona. The project area includes the BLM's 46,000-acre Las Cienegas National Conservation Area. The selected alternative is the Proposed Action as described in Section 2.1 of the attached environmental assessment (EA). The Proposed Action includes landscape-scale mechanical, manual, chemical, and prescribed fire treatments to achieve vegetation management objectives. The selected alternative also includes erosion control projects designed to reduce or eliminate accelerated erosion in the project area.

The BLM released Chapters 1 and 2 of the EA for a 15-day formal public scoping period in July and August 2019. The BLM received four comment letters during the 2019 formal public scoping period. Those comments helped inform the issues that were brought forward for detailed analysis and were also addressed in the draft EA. In January and February 2020, the BLM released the draft EA for a 15-day public comment period. The BLM received 16 comment letters in response to the 2020 draft EA which were primarily in support of the project. The BLM has been working with the USFWS since 2020 on the Section 7 consultation for this project. Through the Section 7 consultation process, the BLM made several revisions to the proposed action. As a result, the BLM released a revised version of the draft EA in April and May 2022. The BLM received four comment letters which were parsed into 38 substantive comments. The responses to those comments are in Appendix H of the final EA.

The EA, Finding of No Significant Impact (FONSI), and other relevant information are available on the project website: <http://bit.ly/3J4Qfxd>.

DECISION

It is my decision to authorize the Proposed Action as described in Section 2.1 of the Las Cienegas Landscape Restoration environmental assessment (EA) (DOI-BLM-AZ-G020-2019-0031-EA). The annual treatment acreages are described in Table 4 in Section 2.1.1 of the final EA. Treatment methods are described in Section 2.1.4 of the final EA, treatment site monitoring, rehabilitation, and maintenance is described in Section 2.1.5 of the final EA, and sequencing, timing, and overlap of treatments is described in Section 2.1.6 of the final EA.

Best Management Practices

IVM treatments will be implemented using the "Best Management Practices" as described in Section 2.1.3 and Appendix B of the final EA.

COMPLIANCE AND CONFORMANCE

My decision is in conformance with the Las Cienegas Resource Management Plan (RMP) and associated Record of Decision (ROD) as amended (2003), the Safford District RMP and ROD as amended (1992 and 1994), and the Phoenix RMP and ROD as amended (1989) all of which allow for vegetation, seeding, and erosion control treatments on BLM lands (see final EA Section 1.4).

My decision is issued under the authority of Public Law (P.L.) 106-538 and the Federal Land Policy Management Act of 1976 (FLPMA). P.L. 106-538 directs the BLM to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the unique and nationally important aquatic, wildlife, vegetative, archaeological, paleontological, scientific, cave, cultural, historical, recreational, educational, scenic, rangeland, and riparian resources and values of the conservation area. The IVM treatments will enhance the conservation values of the Las Cienegas National Conservation Area by assisting in the achievement of resource objectives established in the Las Cienegas RMP and resource objectives for surrounding areas.

PUBLIC INVOLVEMENT

The BLM has held multiple meetings with partner organizations and stakeholders on the proposed project and issues to be analyzed. On April 18, 2019, the agency presented an outline of the project description at the Spring Biological Planning meeting held on the LCNCA. The BLM held a follow-up meeting on May 9, 2019 to allow for additional discussion and input on the proposed action and issues to be analyzed.

The BLM released Chapters 1 and 2 of the EA for a 15-day formal public scoping period in July and August 2019. The BLM received four comment letters during the 2019 formal public scoping period. Those comments helped inform the issues that were brought forward for detailed analysis and were also addressed in the draft EA. In January and February 2020, the BLM released the draft EA for a 3015-day public comment period. The BLM received 16 comment letters in response to the 2020 draft EA which were primarily in support of the project. The BLM has been working with the USFWS since 2020 on the Section 7 consultation for this project. Through the Section 7 consultation process, the BLM made several revisions to the proposed action. As a result, the BLM released a revised version of the draft EA in April and May 2022. The BLM received four comment letters which were parsed into 38 substantive comments. The responses to those comments are in Appendix H.

RATIONALE FOR DECISION

I have selected the Proposed Action because it will satisfy the purpose and need and because it will assist in achieving the resource objectives described in Appendix A of the final EA. Lands within the project area are not meeting resource objectives due to high shrub. After implementation, the IVM treatments are expected to increase perennial grass cover and decrease shrub cover resulting in progress toward achieving objectives. The IVM treatments are also expected to result in indirect long-term beneficial effects including reduced sediment yield from the uplands into surface waters such as Cienega Creek.

I have considered the short-term adverse effects from the IVM treatments described in EA Sections 3.1.3, 3.2.3, 3.3.3, 3.3.4, and 3.3.5. The magnitude of the short-term adverse effects from the IVM treatments will be reduced by applying the Best Management Practices as described in Appendix B of the final EA. The long-term benefits from implementing the IVM treatments outweigh the short-term adverse effects and will enhance current conditions where they are not meeting resource objectives.

I did not select the No Action alternative because that alternative would perpetuate the existing vegetation conditions which do not meet resource objectives and would thus not satisfy the purpose and need.

RIGHT OF APPEAL

My decision will be implemented no sooner than 30 days after this decision record is signed.

My 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. To appeal you must file a notice of appeal at the BLM Tucson Field Office, ATTN: Tucson Field Manager, 3201 East Universal Way, Tucson, AZ 85756, within 30 days from receipt of this decision. Any appeal should state clearly and concisely why the decision is in error. The appeal must be in writing and delivered in person, via the United States Postal Service mail system, or other common carrier, to the Tucson Field Office as noted above. The appellant has the burden of showing that the decision appealed from is in error.

Filing an appeal does not automatically stay the effectiveness of the decision. If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board (see 43 CFR 4.21), the petition for a stay must accompany your notice of appeal. Except as otherwise provided by law or other pertinent regulation, a petition for a stay shall show sufficient justification based on the following standards: (a) The relative harm to the parties if the stay is granted or denied, (b) The likelihood of the appellant's success on the merits, (c) The likelihood of immediate and irreparable harm if the stay is not granted, and (d) Whether the public interest favors granting the stay.

Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the Office of the Solicitor (Department of the

Interior, Office of the Field Solicitor, Sandra Day O'Connor U.S. Court House #404, 401 West Washington Street SPC44, Phoenix, AZ 85003-2151); at the same time the original documents are filed with this office.

APPROVAL

COLLEEN DINGMAN



Digitally signed by COLLEEN DINGMAN

Date: 2023.08.18 07:59:58 -07'00'

Colleen J. Dingman, Tucson Field Manager

Date

ATTACHMENTS: Form 1842-1