

**United States Department of the Interior
Bureau of Land Management**

Decision Record

**Environmental Assessment
DOI-BLM-AZ-A030-2021-0005-EA**

August 2021

**SHIVWITS PLATEAU LANDSCAPE RESTORATION PROJECT
Grand Canyon-Parashant National Monument
*Location: Mohave County, AZ***

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DECISION

After having considered the analysis contained within EA No. DOI-BLM-AZ-A030-2021-0005-EA, it is my decision to authorize the proposed action as described in the EA, including design features. The project area lies within Grand Canyon-Parashant National Monument, which is cooperatively managed by the Bureau of Land Management (BLM) and the Nation Park Service (NPS). This decision is limited to BLM administered lands in the Shivwits Plateau project area. In summary, this decision is to authorize a combination of manual, mechanical, and prescribed fire treatments, and related design features to move the project area toward desired conditions (as described in Section 1.3 of the EA). The NPS has issued a Finding of No Significant Impact (FONSI) and a Determination of Non-Impairment as a part of their decision making process. This decision document is informed by the EA and the BLM-issued FONSI for the above project. In total, both BLM and NPS portions of the project include approximately 55,000 acres of the above mentioned treatments across the 318,000-acre project planning area.

AUTHORITY

This decision is made under the authority of the Federal Land Policy and Management Act of 1976 (FLPMA), as amended (43 United States Code [U.S.C.] 1701) and subject to the regulations, terms and conditions contained in 43 Code of Federal Regulations (CFR) Part 4.21.

PLAN CONFORMANCE

This decision has been reviewed and found to be in conformance with the Grand Canyon-Parashant National Monument Resource Management Plan (RMP) approved on January 29, 2008. The action does not conflict with and is consistent with the decisions contained within this plan (see Section 1.4 and Appendix A of the EA).

CONSISTENCY WITH FEDERAL LAWS, STATE LAWS, OTHER PLANS

Numerous federal laws, regulations, and policies guide BLM management activities on public lands. FLPMA directs the BLM to manage public lands “in a manner that will protect the quality of scientific, scenic, historic, ecological, environmental, air and atmospheric, water resources, and archeological values.” The Shivwits Plateau Landscape Restoration Project EA was prepared in compliance with the National Environmental Policy Act (NEPA) and FLPMA. A detailed discussion on the federal laws, state laws, executive orders, regulations, and other plans that the proposed action is consistent with can be found in Section 1.5 of the EA.

COMPLIANCE AND MONITORING

The BLM will monitor the vegetation treatments to determine whether they were implemented as designed, and their effectiveness in achieving desired outcomes based on project design features. The adaptive management and monitoring section, on page 18 of Section 2.2.1, of the EA describes the monitoring plan. All monitoring will be in accordance with BLM monitoring protocols.

TERMS/CONDITIONS/STIPULATIONS

The following project design features (see EA, Section 2.2.1) will be implemented in order to ensure that risk to human health and the environment from treatments will be kept to a minimum. These project design features were also developed to reduce or eliminate adverse impacts from specific project activities. These design features are tiered to management actions listed in the Grand Canyon-Parashant National Monument

RMP. Project design features are based upon standard practices and operating procedures that have been employed and proved effective in similar circumstances and conditions.

Cultural Resources

- All ground-disturbing mechanical and all fuels projects will have a complete Class III cultural resource inventory conducted prior to implementation. All sites will be treated as Eligible for the National Register of Historic Places and impacts avoided through individual project design.
- When in the vicinity of known cultural resources (i.e., archaeological site(s)), treatment boundaries would be designed to avoid all cultural resources and to avoid making the archaeological site more visually obvious.
- Any cultural (historic/prehistoric site or object) or paleontological resource (fossil remains of plants or animals) discovered within the project areas that has not been determined to be previously documented and noted during project planning would immediately be reported to the Monument Manager and the Monument archeologist or their designee. All operations in the immediate area of the discovery shall be suspended until written authorization to proceed is issued. An evaluation of the discovery shall be made by a qualified archeologist or paleontologist to determine appropriate actions to prevent the loss of scientifically significant cultural or paleontological values.
- If any human remains, funerary objects, sacred objects, or objects of cultural patrimony as defined in the Native American Graves Protection and Repatriation Act (Public Law 101-601; 104 Stat. 3048; 25 U.S.C. 3001) are discovered, operations in the immediate area of the discovery would stop, the remains and objects would be protected, and the Monument Manager (or designee) and the Monument archeologist would be immediately notified. The immediate area of the discovery would be protected until notified by the Monument Manager (or designee) that operations may resume.

Hazardous Materials and Trash

- At no time would vehicle or equipment fluids (including motor oil and lubricants) be dumped on public lands. All accidental spills would be reported to the authorized officer and be cleaned up immediately and disposed of in an authorized disposal site, using best available practices required by law. All spills of federally or state listed hazardous materials which exceed the reportable quantities would be promptly reported to the appropriate agency and the authorized officer.
- The project sites would be cleaned up at the end of each workday (e.g. trash removed, scrap materials picked up). "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products and equipment.

Livestock Grazing

- If treatments would impact subsections of a pasture, portable electric fencing with solar panels may be used to temporarily exclude livestock.
- Project scheduling and implementation would include consultation, cooperation, and coordination with affected grazing permittees. Annual operations of all permittees within the project area would be considered during project implementation to minimize impact on operations as much as possible, while also ensuring treatment success. The Monument management and staff would consider the following when implementing treatments over time:
 - Coordinate treatment areas in time and space within the allotment/pasture and season of use to reduce impact to livestock operations.
 - Utilize Tuweep Forage Reserve to mitigate allotment/pasture displacement due to treatments in the short term. Tuweep Forage reserve administered by the Monument may be available if normal allotment/pasture rotations are not possible or practicable due to proposed vegetation treatments and subsequent reseeding efforts.
- Livestock would not be permitted to enter a treated unit for a minimum of two growing seasons to ensure herbaceous growth establishment and soil stability; this may be reduced or increased in consultation with BLM resource staff based on the site-specific conditions within the particular unit

treated and the criteria described in Restoration Project Objectives for Resumption of Livestock Grazing in Areas Treated for Restoration (Appendix D).

Soils

- Fieldwork activities would be limited to periods when the soil surface is dry except when in temporarily wetted areas such as drainage ditches and tanks.
- Mechanical work would not take place when ruts greater than 4 inches form on roadways adjacent to work areas.
- Wheeled/tracked vehicles used for project implementation would not operate or travel across slopes exceeding 30 percent.
- Pinyon and junipers growing in drainages with roots that may be stabilizing banks would be left in place.
- To minimize soil compaction, treatment activities that involve use of vehicles or equipment off designated routes would be limited to periods when the soil and ground surface are not excessively wet.

Vegetation

- No prescribed fire, seeding or mastication treatments would take place during a severe or worse drought as indicated by the U.S. Drought Monitor (NDMC 2021).
- Vehicles and equipment would be power washed off-site before treatment activities begin to minimize the risk of spreading noxious weeds. This would include cleaning all equipment before entering the Arizona Strip. The treatment areas would be monitored by the Monument for noxious weeds for a minimum of two years following completion of the treatment and may be re-treated as needed.
- All seed would be certified as “weed free”.
- Areas of dense (at least 30 percent cover) biological soil crust coverage (determined by the Monument Ecologist or their representative) would be avoided to the greatest extent practicable.
- Mastication residues (e.g., wood chips) would be spread as evenly as possible, with a maximum depth of 3 inches so that seed germination is not inhibited.
- Lop and scatter biomass to a discontinuous, low depth of 24 inches or less to maintain biomass to soil contact and encourage decomposition of slash and eventual conversion to soil organic matter, except in units where prescribed fire would follow lop and scatter treatments. In such cases, continuous biomass would aid in the spread of prescribed fire.
- Herbicide treatment would be incorporated into any treatment unit planning where cheatgrass or red brome (*Bromus tectorum* or *rubens*) exceeds 10 percent cover.

Wildlife

- Fieldwork, excluding prescribed fire, would be limited to daylight hours to minimize impacts to wildlife and to minimize unwanted fire behavior which may present holding, or fire containment, control and objectives, issues for prescribed fire personnel.
- Surveys for pinyon jays would be necessary prior to treatment if occurring during nesting season (February 1 to July 31). Identified nest sites would be protected during treatment by a no-treatment buffer of 500 meters (1640 feet.) (Somershoe 2020).
- Surveys for northern goshawks would be necessary prior to treatment if occurring during nesting season. Identified nest sites would be protected during treatment by a no-treatment buffer of 200 meters (650 feet.) (Reynolds 1992).
- No hazing or harassment of wildlife is permitted.
- Existing snags would be retained within the project area. In areas with dense snags in a similar state of decay and where mastication is the preferred treatment, some snags may be partially masticated to provide a more diverse habitat for wildlife. In such cases, criteria for retention would be larger

juniper, pinyon or ponderosa snags, particularly any with existing cavities suitable for nesting (NRCS 2013), and those not presenting a hazard to personnel in the treatment area.

- Conservation Measures, Terms and Conditions – California Condor. The following conservation measures are contained in USFWS Memorandum 02EAAZ00-2016-CPA-0038 (2016) and incorporated into this project.
 1. If a condor occurs at the construction site, construction activities that could result in injury to condors should cease until the condor leaves on its own or until techniques are employed by permitted personnel that result in the condor leaving the area.
 2. Construction worker and supervisors should be instructed to avoid interaction with condors and to immediately contact the Flagstaff office of the U.S. Fish and Wildlife Service (FWS) or The Peregrine Fund personnel if condor(s) occur at a construction site. Non-permitted personnel cannot haze or otherwise interact with condors.
 3. The construction site should be cleaned up (e.g. trash removed, scrap materials picked up) at the end of each day that work is being conducted to minimize the likelihood of condors visiting the site.

Miscellaneous

- Treatment boundaries would be irregularly shaped (i.e. not straight lines, unless using roads and fences as a boundary) to minimize the level of change to the characteristic landscape, avoid creating obvious lines of extreme visual contrast, and avoid attracting the attention of the casual observer.
- During prescribed fire operations, certain lighting techniques may be employed to reduce smoke, such as strip head-firing or chevron firing. These techniques can create pulses of heat to lift smoke aloft quickly. Backing fires can also be created. These are fires that burn against the wind and consume fuels completely and thus have less resident time for smoke production. These techniques can be used, as needed, and in accordance with applicable laws and regulations set forth by the Arizona Department of Environmental Quality.
- Vegetation treatments would not be permitted during the mule deer rifle hunting seasons, per AZGFD annual proclamation schedule, up to 10 days in November.
- Roads and trails may be temporarily closed to provide safety for both employees and public during prescribed fire operations.
- Researchers, holding valid research permits within the project area, would be informed prior to non-emergency work to coordinate their research requirements with anticipated work that may affect their project area or plan.

Access

- Access to the individual project areas would be by way of existing designated routes using standard ½ to 1-ton trucks, and/or ATVs or UTVs. In mastication units, heavy machinery would be allowed within designated treatment unit boundaries and designated routes. Seeding treatments may require the use of aerial, ground, or ATV/UTV cross-country travel without creating new routes.

ALTERNATIVES CONSIDERED

Two alternatives were considered in detail in the EA: Alternative A – Proposed Action (using a combination of manual, mechanical, and prescribed fire treatments); Alternative B – No Action.

Alternative A, the proposed action, is to authorize a combination of manual, mechanical, and prescribed fire treatments, to move the project area toward desired conditions. Projects include approximately 55,000 acres of manual, mechanical (mastication), and prescribed fire within a 318,000-acre project planning area. The proposed action also includes the above referenced design features as outlined in Section 2.2.1 of the EA.

Alternative B (no action) represents current management. This alternative continues current management in the project area, guided by the Grand Canyon-Parashant National Monument RMP and a limited number of previously approved vegetation treatment project. None of the proposed project activities to improve woodland, range, and forest health; reduce erosion; enhance wildlife habitat; restore fire; and improve plant community resilience would occur under this alternative.

As stated above, four other alternatives were considered but eliminated from detailed analysis. These alternatives were:

Only non-ground-disturbing treatments

Limiting treatments to types with no ground disturbance was considered. These include manual, chemical, and some prescribed fire treatments included in the proposed action. While this would have partially fulfilled the purpose and need for this project, several practical issues arise. Mechanical treatments in the form of mastication and mowing of vegetation has a two-fold effect, removal of vegetative biomass and providing a mulch layer to promote successful seeding, where applicable. Successful seeding is a component of treatment in certain vegetation types to bolster the local seedbank and increase the local native plant biodiversity. Seeding would help aid the restriction of invasive plant species; and more herbicide application would likely be necessary to accomplish the same goal without this treatment type. For these reasons, this alternative has been dismissed from detailed analysis.

Use prescribed fire as the only treatment, or as the only treatment in proposed wilderness and/or areas with wilderness characteristics

Prescribed fire as the sole treatment type, either across the entire project area or at least within proposed wilderness and areas with wilderness characteristics was considered. This would partially fulfill the purpose and need for this project. Prescribed fire is part of the suite of vegetation treatments in the proposed action. In the ponderosa pine dominant areas of the project area, using only prescribed fire, if preceded by thinning or ladder fuel reduction is recommended. In other vegetation types where fire would be expected (pinyon-juniper, sagebrush, oak, chaparral, and grassland), prescribed fire would be a useful tool if not for consideration of proliferation of invasive species. In areas without robust grass and forb understory, cheatgrass and other invasive non-native plants proliferate after fire, altering the fire regime and beginning the conversion of the ecosystem to one dominated by invasive non-native plant species. The areas targeted for manual, mechanical, and chemical treatments have a poor grass and forb understory, so treatment with only prescribed fire would be generally expected to have this negative impact. This would degrade the ecosystems within the project area, cause resource impairment, and contradict the Purpose and Need for all ecosystems within the project area. For these reasons, this alternative has been dismissed from detailed analysis.

No Grazing Alternative

Removal of livestock grazing from the project area was proposed by various commenters during public scoping and the public comment period. However, making permanent changes to the livestock grazing permits is outside the scope of this analysis under the purpose and need for the project. The proposed action incorporates design features, monitoring, and adaptive management principles which includes temporarily resting treated areas from livestock grazing to ensure treatment success. However, these actions do not constitute the equivalency of a no-grazing alternative based on the temporary nature of the rest periods and the ability of many permittees to rest areas while grazing other parts of the allotments. For these reasons, this alternative has been dismissed from detailed analysis. Finally, the Monument Proclamation (2000) states:

The Bureau of Land Management shall continue to issue and administer grazing leases within the portion of the monument within the Lake Mead National Recreation Area, consistent with the Lake Mead National Recreation Area authorizing legislation. Laws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing leases on all lands under its jurisdiction shall continue to apply to the remaining portion of the monument.

Sierra Club et al Alternative

An alternative proposed by Sierra Club et al (SC) was considered. This alternative is similar to Alternative A, Proposed Action, in most points, though different terminology was used. Some aspects, such as SC Section 1.3.3, were outside the scope of the project and refer to determinations made by other federal agencies. Other aspects, such as SC Section 1.3, 2.4 and 2.5 were not part of either Alternatives A or B. Specific points of departure from Alternatives A and B that would not fulfill the Purpose and Need or are not incorporated in other alternatives in this section are discussed below.

SC 1.2 “Pinyon pines are never removed as part of juniper removal treatments”

The pinyon-juniper woodlands of the project area are mixed with many dense shrubby pinyon trees around large diameter juniper trees (Appendix C Figures C.5 and C.6). Ignoring the overcrowding of small pinyon trees while removing only juniper trees would not result in a healthy diverse multi-age class woodland, but rather a dense shrub dominated savanna that does not align with the ESD.

SC 3.2.1 “If a site with invasive species potential is treated, hand-treatment [e.g. chainsaws] will be the preferred method...”

In areas without robust grass and forb understory, cheatgrass and other invasive non-native plants tend to be potential invaders. The areas targeted for treatment have a poor grass and forb understory. While mechanical treatment may be ground disturbing, manual treatment would necessitate the use of large hand crews that typically are not contracted for such work because mastication is more efficient and are a potential vector for invasive species expansion from areas adjacent to the treatment area. Herbicide application and seeding (typically a mechanical treatment) are included in the proposed action to combat the expansion of invasive plants areas in treatment units. In summary, this alternative was not analyzed in detail in the EA based on its similarity to the proposed action and that some portions of the SC alternative did not meet the purpose and need of the proposed action.

RATIONALE FOR DECISION

The environmental documentation (DOI-BLM-AZ-A030-2021-0005-EA) analyzes the proposed action and no action alternative, which constitutes the BLM’s compliance with the requirements of the NEPA, and procedural requirements as provided in the CEQ regulations.

Alternative A (proposed action) was chosen because it best addresses the purpose and need to restore vegetation communities to improve biodiversity, ecosystem function, and fire resiliency, and to provide sustainable habitat for wildlife and limited forage for livestock. This decision has been made after considering environmental impacts to resources and resource uses, including land access, cultural resources, livestock grazing, soils, vegetation (including noxious weeds and invasive, non-native species), and wildlife, and wildlife.

Alternative B (no action) does not adequately address the BLM’s need to restore vegetation communities based on the limited amount of previously approved vegetation treatments that could occur. This would increase the risk of high-severity wildfire and the risk of a type conversion to annual invasive grasses. Effective ground cover would be greatly reduced, and soil erosion could be accelerated.

ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES

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 and the attached Form 1842-1. If an appeal is taken, your notice of appeal must be filed at the Grand Canyon Parashant National Monument Office, 345 East Riverside Drive, St. George, Utah 84790, 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 regulations 43 CFR 4.21(b) for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of 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 petition for a stay must also be submitted 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) (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.

Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

Standards for Obtaining a Stay

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, and
4. Whether the public interest favors granting the stay.

Mark Wimmer, Manager
Grand Canyon-Parashant National Monument