



DECISION NOTICE
SEVEN CABINS ROAD REALIGNMENT
U.S. FOREST SERVICE
TOWNSHIP 7 SOUTH, RANGE 17 EAST, SEC. 21
LINCOLN NATIONAL FOREST, SMOKEY BEAR RANGER DISTRICT
LINCOLN COUNTY, NEW MEXICO

DECISION

Based upon my review of the Seven Cabins Road Realignment Environmental Assessment (EA), I have decided to implement Alternative 2 – Proposed Action, which includes rerouting Forest Road 256 across a recently-acquired easement and rejoin the existing road section on National Forest System lands. The project would impact approximately 0.84 acre of the easement and approximately 1.36 acres of National Forest System lands. All required project design features and mitigations listed in Section 2.3 of the EA shall be in place during project implementation.

DECISION RATIONALE

Forest Road 256 (Seven Cabins Road) is open year-round to motorized travel. The road currently crosses approximately 900 feet of private land. The landowner desires to close public access to Forest Road 256 where it crosses the private parcel, which would eliminate public access to the Seven Cabins area. The lack of a public right-of-way across this property presents a challenge to continued public access to National Forest System lands.

The Forest Service has acquired an easement from the landowner but in a different location than where Forest Road 256 currently crosses the property. The easement is located east of the current road. Rerouting the road to the easement will ensure continued legal public and agency access to the Seven Cabins area in the Capitan Mountains, Lincoln County, New Mexico.

Other alternatives considered and later explored the feasibility of relocating Forest Road 256 in locations other than the location described in the proposed action (Alternative 2). Although these alternatives addressed the purpose and need of the project, they were not considered in detail because their locations would result in increased road length, which would cause greater disturbance and increased costs. Since these alternatives would incur costs well above estimated costs for executing the proposed action, they were not analyzed further.

I have determined that the proposed action meets the need to provide legal public access to the Seven Cabins area while minimizing costs and detrimental impacts to resources to the greatest extent practical. The Seven Cabins Road Realignment EA documents the environmental analysis and conclusions upon which this decision is based.

PUBLIC INVOLVEMENT

The Smokey Bear Ranger District involved interested parties throughout the project planning process. Public participation was encouraged through a scoping notice in the *Ruidoso News* as well as letters mailed directly to forest stakeholders, local officials, and private land owners in the Seven Cabins area. Additionally, the project was listed as a proposal on the Lincoln National Forest Schedule of Proposed Actions (SOPA) and updated quarterly during the analysis. No public input was received in response to these solicitations. The EA lists agencies and personnel consulted on page 18. The following summarizes Forest Service efforts to inform and involve the public throughout the planning process prior to distributing the EA for public notice and comment per 36 CFR 218:

- July 1, 2011 through present. Information about the proposed project in the Forest Service's SOPA for the Lincoln National Forest, which is posted on the Forest website, <http://www.fs.usda.gov/projects/lincoln/landmanagement/projects>. The project title was originally listed under the SOPA is "Stokes Easement and Road Construction/Reroute of FR 256" and was later renamed "Seven Cabins Road Realignment".
- February 9, 2012. A scoping letter describing the proposed action to obtain a right-of-way easement and realign FR 256, was sent to landowners adjacent to the project area, the New Mexico Off Highway Vehicle Alliance, and the Center for Biological Diversity inviting them to provide information regarding concerns or opportunities related to the proposal.
- February 15, 2012. Public scoping notice was published in the *Ruidoso News*, initiating a 30-day public comment period.
- May 16, 2014. A project update letter was sent to contacts on the scoping mailing list.
- July 30, 2014. A legal notice of opportunity to comment was published in the *Ruidoso News*, initiating a 30-day public comment period. A letter was also sent to the mailing list on July 28, 2014.

No public comments were received in response to any public involvement opportunities. Thus, no key issues were identified by the public. The interdisciplinary team considered potential issues and resources that were analyzed in the EA.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

This decision is consistent with the Lincoln National Forest Land and Resource Management Plan (Forest Plan). The project area is adjacent to and within Forest Plan Management Area 1B, North Capitans. The Forest Plan, as amended over time, provides direction regarding the attainment of rights-of-way; providing a system of roads and trails for motorized recreational use, while protecting other resources; and operating and maintaining the transportation system to meet administrative, public, and resource needs. To meet management goals for wildlife, recreation, fuelwood production, and other uses outlined by the Forest Plan, continued legal access to the Seven Cabins area is required.



A Finding of No Significant Impact (FONSI) and EA were considered. I determined these actions will not have a significant effect on the quality of the human environment, and an Environmental Impact Statement will not be prepared. Any required construction permits will be obtained prior to implementation.

OBJECTION REVIEW OPPORTUNITIES

No specific written comments were received during any designated opportunity for public comment regarding this project. Therefore, no parties have standing for a predecisional objection. (36 CFR 218)

IMPLEMENTATION DATE

Since no parties have standing to file a predecisional objection. Implementation of this decision can take place immediately.

CONTACT

For additional information concerning this decision, contact: Peggy Luensmann, NEPA Planner, 901 Mechem Drive, Ruidoso, NM 88345; 575-257-4095; psluensmann@fs.fed.us; or on the Lincoln National Forest projects website - <http://www.fs.usda.gov/projects/lincoln/landmanagement/projects>.

DAVID M. WARNACK

Date

Smokey Bear District Ranger

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