

CHAPTER 1 – PROPOSED ACTION AND PURPOSE AND NEED

Introduction

The Bureau of Land Management (BLM), Arizona Department of Transportation (ADOT), and Federal Highway Administration (FHWA) believe there is a need to be proactive in controlling hazardous vegetation as well as noxious weed and invasive plant infestations along public roadways in Arizona. Furthermore federal agencies are required to control these plants by *Executive Order 13112* and resulting agency policies. While the BLM manages 12.2 million acres within the state of Arizona, ADOT is responsible for maintaining the hundreds of miles of interstate and highways within rights-of-way (ROW) across BLM lands (Figure 1). Each highway or interstate ROW not only contains paved surfaces and features such as concrete box culverts, bridges, guardrail, and wire fencing, but often contains areas with relatively undisturbed natural vegetation. In some areas the natural vegetation is being impacted by noxious weeds or invasive plants. In order to address these issues within ADOT ROW, the BLM and ADOT have agreed to prepare an environmental assessment (EA) to address issues related to the use of herbicides for treatment of undesirable vegetation within their authorized ROW.

Often, the terms “noxious weed” or “invasive plants” are used to apply to the same plants, but these terms are not considered to be synonymous in this document. Generally, a weed is an unwanted plant that grows or spreads aggressively. An invasive plant is one that grows and spreads rapidly, replacing desirable native plants. *Executive Order 13112* defines an invasive weed as an alien species. The term “noxious” has legal ramifications for states that have noxious weed laws or regulations. This EA uses the term “undesirable vegetation” to encompass invasive species, noxious weeds, and undesirable plants, as well as native species not meeting size limitations within the clear zone (the area adjacent to a roadway where an errant car could leave the paved road surface and potentially recover).

ADOT maintains areas within their ROW to be consistent with both the Highway Safety Act (*The Highway Safety Act of 1966*; Public Law [P.L.] 89-564, 80 Statute 731) and their mission to provide a safe, efficient, and cost-effective transportation system. This maintenance includes the control of undesirable vegetations to protect adjacent resources on neighboring lands. Early detection and treatment of infestations along the sides of roads could prevent them from spreading onto public land administered by the BLM, adversely affecting resource values and uses. Section 302(b) of the *Federal Land Policy and Management Act of 1976* directs the BLM to “take any action necessary to prevent unnecessary or undue degradation of the [public] lands” (43 United States Code [USC] 1732). Supplementing this mandate is Section 2(b) (2) of the *Public Rangelands Improvement Act of 1978* in which Congress reaffirms a national policy and commitment to “manage, maintain, and improve the condition of public rangelands” (43 USC 1711). In response to the threats of wildfire and invasive vegetation and noxious weeds, the president and Congress have directed the U.S. Department of the Interior (USDI) and BLM, through implementation of the *National Fire Plan* (USDI and U.S. Department of Agriculture [USDA] Forest Service 2001a), and the *Healthy Forests Restoration Act of 2003*, to take more aggressive actions to reduce catastrophic wildfire risk on public lands. The actions would be taken to protect life and property, and to manage vegetation in a manner that provides for long-

term economic sustainability of local communities, improved habitat and vegetation conditions for fish and wildlife, and other public land uses.

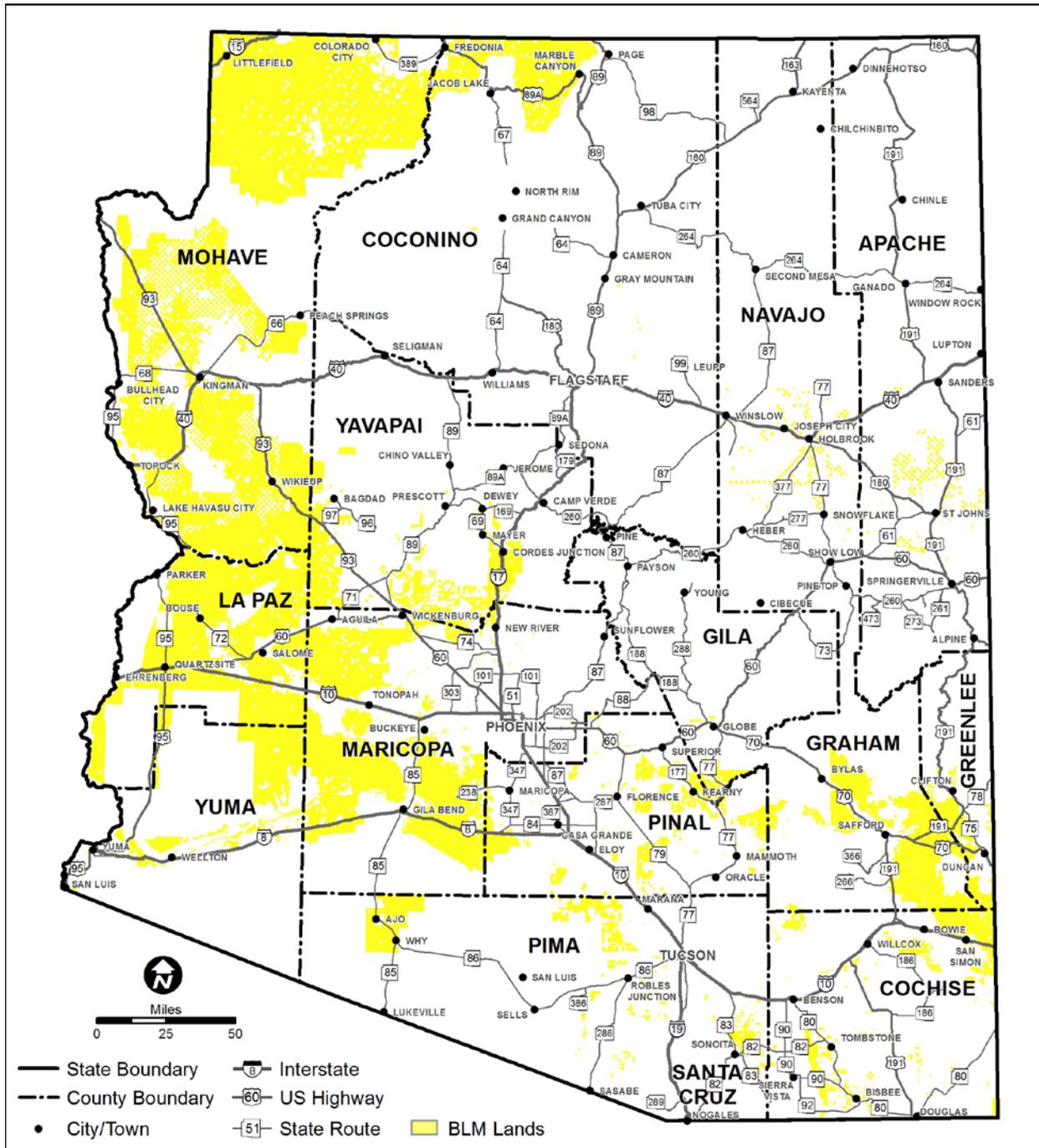


Figure 1. BLM lands within the state of Arizona.

FHWA has the authority to approve herbicide use within ROW for U.S. Department of Transportation (USDOT) easements crossing federal lands. Prior to herbicide applications within USDOT easements, FHWA consults with the BLM. These applications are normally done on a project-by-project basis and do not involve annual maintenance treatments.

On June 29, 2007, the BLM published the *Final Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States Programmatic Environmental Impact Statement* (PEIS). The PEIS analyzed the effects of using herbicides for treating vegetation on public lands in the western U.S. The PEIS identified impacts on the natural and human environment associated with herbicide use and known public concerns and issues. The Record of Decision for this PEIS approved the herbicide active ingredients assessed and analyzed under the Preferred Alternative (Alternative B) in the PEIS for use on public lands administered by the BLM in 17 western states, and approved the protocol for consideration of the use or non-use of herbicides by the BLM. The PEIS provides a broad, comprehensive background source of information to which any necessary subsequent environmental analyses can be tiered. Tiering allows local offices to prepare more specific environmental documents without duplicating relevant portions of the PEIS. In general, the National Environmental Policy Act (NEPA) process is implemented at multiple scales depending on the scope of the proposal. This document will tier off the PEIS and will define the parameters for use of herbicides within ADOT easements on BLM-managed lands.

Proposed Action

The BLM proposes to authorize ADOT to conduct annual herbicide treatment programs to contain, control, or eradicate undesirable vegetation that pose safety hazards or threaten native plant communities on road easements. The herbicide applications would be consistent with the BLM PEIS (BLM 2007).

The proposed action would implement the PEIS by using herbicides to treat ROW within the state of Arizona to reduce the incidence and spread of undesirable vegetation. Although the proposed action is externally generated by ADOT and FHWA, it is considered to be supportive of BLM goals regarding undesirable vegetation on public lands. It is expected that the proposed action would, over time, benefit public lands by 1) reducing hazardous fuels, and improving ecosystem health by controlling weeds and invasive species, and 2) manipulating vegetation to benefit fish and wildlife habitat, improve riparian and wetlands areas, and improve water quality in priority watersheds. Additional benefits accruing from implementation of the proposed action directly relate to restoration of fish and wildlife habitat and improvement of forest and ecological condition, which would meet BLM and USDI objectives set forth in the *Healthy Forests Restoration Act of 2003* and *BLM Handbook H-4180-1* (Rangeland Health Standards) to improve the health of the nation's forests and rangelands.

Purpose and Need for Proposed Action

The purpose of the proposed action is to delineate the herbicides available for vegetation treatment by ADOT personnel on lands administered by the BLM and to describe the conditions and limitations that apply to their use. The need for the proposed action is to reduce the incidence of undesirable vegetation within ROW maintained by ADOT across lands administered by the BLM.

Undesirable Vegetation

Invasive vegetation and noxious weeds are highly competitive and can often out-compete native vegetation, especially on recently disturbed sites. Invasive vegetation and noxious weeds are the

dominant vegetation on an estimated 35 million acres of public lands (USDI BLM 2000a). It has been estimated that noxious and exotic weeds now infest over 100 million acres in the continental U.S., with an additional 3 million acres being infested annually. On federal lands, these weeds are spreading at an average rate of over 5,000 acres per day (Westbrook 1998). The total cost to the U.S. economy is estimated at over \$40 billion every year. Invasive vegetation and noxious weeds degrade or reduce soil productivity, water quality and quantity, native plant communities, wildlife habitat, wilderness values, recreational opportunities, and livestock forage; their presence are detrimental to the agriculture and commerce of the U.S. and to public health (National Academy of Sciences 1968; USDI BLM 2000b). Weed infestations can become permanent if left untreated.

Noxious weed infestations in Arizona are at a lower level compared to other western states, such as Montana and Idaho, but the potential for spread and the disruption of native plant communities and associated environmental and social impacts are still a concern. Approximately 8.3 million acres of “weed infestations” occur on BLM lands within the state of Arizona. Excluding exotic grasses, over half of the noxious weed infestations in the central and southern Arizona occur along roadways. Movement of plant parts and seeds on vehicles along roadway corridors is an important vector for the introduction of new noxious and invasive weed species both to Arizona from adjoining states and to new sites within the state.

Roadside environments can be harsh sites for native plant life due to soil disturbances during construction such as stripping of topsoil and subsequent continued soil compaction by vehicles. These disturbances often make it impossible for native vegetation to reestablish and, as a result, favor the infestation by invasive species. Rainfall and snowmelt shunted off pavement provide additional moisture that improves the conditions for these unwanted species. Continued disturbances on roadway shoulders provide ideal conditions favoring the introduction of noxious weed species from seeds or plant parts carried by vehicles. Once established, infestations spread to adjacent forest and rangeland ecosystems.

When first introduced to a site, it is usually difficult to foresee any threat from noxious vegetation. Initially, only a few plants show up in an area and they often go unnoticed. When they are identified, most people are unconcerned with the presence of “a few plants.” Occasionally, people find the flowers of some noxious weeds, such as Dalmatian toadflax (*Linaria genistifolia* var. *dalmatica*), to be attractive, and they are gathered and used as ornamentals. People generally don’t get concerned until weeds become widespread, aggressive, and environmentally damaging. By then, it is often too late to implement effective prevention and eradication programs.

Invasive Plant Infestations

Regulation by state and federal law is the greatest difference between noxious weeds and invasive plants. Legally, a noxious weed is a plant designated by a federal, state, or county government as injurious to public health, agriculture, recreation, wildlife, or property. Although noxious and invasive plants have similar effects on native plant communities, not all invasive plants have been listed on noxious weeds lists in federal and state laws or state regulations. This occurs for a variety of reasons, including lack of information about the distribution of the species, differing public opinion about the effects of a species, and lack of proponents to list a species. Officially listed noxious weeds are inherently invasive. The plants’ ability to establish

themselves in a variety of habitats and then quickly dominate an area is the prime reason that noxious vegetation is so problematic. They can destroy wildlife habitat; reduce opportunities for hunting, fishing, camping, and other recreational activities; displace Threatened and Endangered Species; reduce plant and animal diversity; disrupt migratory bird flight patterns and nesting habitats; and cost millions of dollars in treatment and loss of productivity on private land (BLM 2012a). Arizona has 55 officially designated noxious weeds (Arizona Department of Agriculture 2012). Noxious weeds commonly found along roadways include various thistle-like flowering plants (*Centaurea* spp.), buffelgrass (*Pennisetum ciliare*), and fountain grass (*Pennisetum setaceum*), Dalmatian toadflax. Camelthorn (*Alhagi maurorum*) often infiltrates pavement cracks, which can speed the deterioration of roadways.

However, invasive plants that are not classified as noxious, and not regulated by law, can and do exist along ROW and other disturbed areas and pose just as serious a threat to natural ecosystems. These species, whether native like the common sunflower (*Helianthus annuus*), or naturalized exotics like Russian thistle (*Salsola kali*) and kochia (*Kochia scoparia*), have the ability to infest roadsides and adjacent lands at the expense of native plants. Other invasive plant species include camphorweed (*Heterotheca subaxillaris*), Russian olive (*Elaeagnus angustifolia*), Johnsongrass (*Sorghum halepense*), mullein (*Verbascum thapsus*), and Sahara mustard (*Brassica tournefortii*). Just like noxious weeds, most invasive plant species form monocultures that reduce soil stability, destroy the complex structure of native plant communities, and degrade the natural aesthetics of the area. They can infest riparian areas (e.g. saltcedar, *Tamarix ramosissima*), block culverts (e.g. Russian thistle), and obscure highway safety features such as signs, guardrails, and delineators, (e.g. desert broom, *Baccharis sarothroides*).

Because the threat of invasive plants to native ecosystems and public safety rivals that of noxious weeds, public road authorities (PRA) and their personnel control invasive vegetation in conjunction with noxious weed and hazardous vegetation. This is done with the intention of preventing many invasive plant species from reaching the point of needing government restrictions.

Hazardous Vegetation

Hazardous vegetation is any plant that poses a threat to drivers, roads, biotic communities, or adjacent lands. The threat can be in the form of collision hazards, such as vehicles hitting trees that are too close to the road; sight distance impediments, such as drivers being unable to see wildlife approaching the roadway, around curves in passing zones, signs and safety features because of tall vegetation; vegetation encroachment into the travel lanes; fire hazards; and degradation of the roadbed.

Any plant species can be considered hazardous vegetation depending on its abundance and its location in the ROW. Those species, such as paloverde (*Parkinsonia* spp.), mesquite (*Prosopis* spp.), and pine (*Pinus* spp.), that establish themselves adjacent to the road with trunk diameters of 6 inches or greater at a height of 4 or more inches above the ground pose a collision hazard to motorists who lose control of their vehicles. Trees and brush species, like skunkbrush (*Rhus* spp.), that populate the area adjacent to the pavement edge have branches that extend into the roadway, causing drivers to swerve out of their lane to avoid them. Junipers (*Juniperus* spp.), acacia (*Acacia* spp.), Johnsongrass (*Sorghum halepense*), and other tree, brush, or grass species

can be hazardous when they grow in front of and around road signs and guardrails preventing drivers from seeing them. Plants like sunflowers (*Helianthus* spp.) and kochia (*Kochia scoparia*) grow over 6 feet tall. They obscure culverts and safety features such as delineators, guardrails, and signs. Dense stands of any of these species and many others hide the presence of wildlife along the ROW. Wildlife, especially ungulate species, often congregate in dense roadside vegetation as it may provide security (hiding) and/or thermal cover. Animals may bed in dense vegetation or hide in it in anticipation of crossing the roadway, while some smaller species (e.g., rabbits) reside and breed in high densities in dense roadside vegetation (partly due to reduced impact from predators). The growth of plants in pavement cracks is very destructive to the roadbed. The roots of plants enlarge these fissures and allow water to funnel under the pavement; thereby undermining the integrity of the roadbed.

Bufflegrass (*Pennisetum ciliare*), a common grass planted for cattle forage in Mexico and southern Arizona; fountain grass (*Pennisetum setaceum*); and Bermuda grass (*Cynodon dactylon*) escaped landscape plantings and now present a fire hazard on road shoulders and surrounding natural areas. In addition, invasive annual grasses like wild oats (*Avena fatua*) and red brome (*Bromus rubens*) pose an extreme fire hazard in the Sonoran Desert when they infest roadsides. Highway travelers who toss cigarettes out car windows and those who pull off the pavement along the highway can cause these grasses to ignite and create a wildfire in a habitat unaccustomed to the effects of fire. These fires cause severe damage to the native Sonoran Desert flora and fauna. Sonoran flora lack fire-adapted characteristics and recovery by species such as the saguaro (*Carnegiea gigantea*) and paloverdes is rare. Repeated fires along SR 87 (Bush Highway) has resulted in a significant increase in lower growing plants and a decrease in mid and upper storey vegetation such as saguaro, foothill paloverde (*Parkinsonia microphylla*), white ratany (*Karmeria grayi*), creosote bush (*Larrea tridentata*), and wolfberry (*Lycium berlandieri*) (Alford et al. 2005). Slow-moving desert tortoises are ill-equipped to flee a fast-burning fire through bufflegass or other invasive grasses that carpet the landscape (Western Ecological Research Center 2006).

Regardless of the species, hazardous vegetation can exist in a variety of places within the ROW, in medians, on shoulders, along guardrails, and in the pavement itself. Each plant in each location presents a different threat to the safety of motorists, the integrity of the roadbed, and the preservation of native plant communities. Because of the multifaceted danger of hazardous vegetation, control for these plants, whether native, invasive, or noxious, remains a priority for public road authorities and land managing agencies.

Roadway ROW Maintenance

Undesirable plants can impact the roadbed of a highway or outcompete landscaping plants in highway ROW. Following are brief discussions of these issues.

Roadway Integrity: Vegetation growing in pavement cracks and joints, as well as on the edge of roads, can threaten roadbed integrity. Vegetation in pavement cracks and joints funnels water underneath roadbeds, causing softening and destabilization of the roadbed. Vehicle travel damages these weakened areas, causing potholes to form. Pavement cracks and joints can be enlarged by root growth and frozen water, and they cannot be sealed if vegetation is present. Plants like camelthorn, which is a noxious weed, have the capacity to grow through up to 6 inches of pavement.

Appearance and Protection of Landscape Plantings: The retention of vegetation along highway ROW, especially native grasses, is beneficial, but some plants must be controlled to protect landscape plantings in urban settings. In addition, some vegetation is considered to be unattractive, although most highway managers do not control plants based on their appearance. Insect and disease infested trees within ROW can pose a threat of infestation to adjoining forested areas.

Driver Safety

Vegetation growing adjacent public highways and roads require maintenance to ensure construction and safety features are not offset. Following are some of the maintenance and safety issues at risk:

Visibility: Unobstructed views of road features, designated passing zones, road edges, traffic, highway facilities, and livestock and wildlife movement are essential to highway safety.

Drainage: Ensuring the water drainage from pavement areas is critical for suitable tire performance as well as roadbed integrity. Undesirable vegetation along pavement edges can cause ponding of sheet flow on the roadway. Vegetation in drainage ditches can impede water flow, particularly in ditches with gentle grades, and subsequently contribute to ponding in the ditch and on the roadway. Water ponding in the ditch can result in saturated and weakened subgrades and pavement failure. Water ponding on the pavement may cause vehicles to hydroplane, and drivers may lose control.

Fire Hazard Reduction: Vehicle passengers throwing away burning objects, like cigarettes, can ignite dry vegetation along pavement edges. Catalytic converters on vehicles also can cause fires, which can quickly move to bordering wildlands and threaten homes and other structures. Smoke from wildfires obscures highway visibility. Fuel loads and the potential for fire spread vary depending on climate and vegetation type. Exotic grasses in the Sonoran Desert are especially subject to burning and resulting fires can favor the formation of monotypic (pure) stands of such grasses, which could permanently modify desert plant communities.

Clearance: Branches from trees and shrubs can encroach into the space above roadways thereby impeding the space required for safe passage of trucks and other large vehicles. Snowplows operating along road edges often require even greater clearance of vegetation to ensure adequate safety during snow removal operations.

Snow and Ice Melt: Trees and tall shrubs in forested areas can substantially reduce the amount of thermal energy reaching the road surface in winter. The resulting patches of ice and snow present a safety hazard to motorists.

Control of Erosion: Native vegetation plays an important role in protecting soils from erosion. Soil erosion along roadways can adversely affect aquatic ecosystems through sedimentation. Sediments can accumulate on roadways and clog drainage facilities. Extreme erosion can induce instability in cutbanks and fills, thereby raising the risk of slope failure during wet periods. Several exotic plants have taproots, and solid stands of such plants can intensify soil erosion on the road shoulder causing small erosion channels that can pose a safety problem. Maintaining soil stability is especially important when overstory trees are

removed for forestry and safety purposes. **Hazard Tree Reduction:** Dead or dying trees and large shrubs must be removed if they are an immediate threat of falling or blowing into the clear zone or onto the roadway or shoulders, either striking vehicles directly or placing an obstacle on the roadway. The hazard is worse during windstorms, heavy rain, and snow events.

Designed Vehicle Recovery Areas (i.e., Clear Zones): The clear zone is the area along the side of a road, including the shoulder, available for recovery of an out-of-control vehicle. The width of this area varies depending on the design speed for the road, road curvature, steepness of slopes, and environmental considerations. Recovery areas are intended to be clear of 1) individual trees with a diameter greater than 6 inches measured 4 inches above the surrounding ground; 2) small trees or other woody vegetation with multiple trunks that have a combined cross section greater than 28 square inches when they are less than 8 feet apart; 3) large rocks that are loose and over 4 inches in height; and 4) solid tree stumps over 6 inches in diameter and over 4 inches in height, etc. Essentially, any object in a recovery area can be considered to be hazardous if it could cause a vehicle to abruptly stop, cause penetration of the passenger compartment, or cause a vehicle to become unstable resulting in a spin, vault, or rollover. In addition, maintaining a clear zone allows motorists to see wildlife such as deer and elk in the highway or approaching the highway. However, it should be noted that clearing the vegetation opens up the canopy and can result in a flush of forage vegetation that in turn attracts wildlife to the highway ROW.

Palatable Vegetation: Vegetation adjacent the pavement that is considered desirable for forage by either livestock or wildlife would attract them to spend more time adjacent the roadway, increasing the risk of vehicle strikes.

BLM officials realize there is a need to better respond to the increasing undesirable vegetation problems in Arizona. Since roadways are a primary factor influencing the introduction of noxious weeds, agency officials also are concerned about the effectiveness of control options to protect native plant communities and resource values and uses. Further delays that prevent ADOT and other PRA from being able to control weeds along roadways will contribute to the rapid expansion of noxious weed infestations and require increasingly larger funding for control. In addition, it is reasonable to expect that infestations of new species will be discovered, and they could pose an additional threat to resource values and uses.

The presence of healthy plant communities along roadsides and on BLM lands is considered to be desirable. Most plant communities, especially those composed of native species, stabilize roadside soils against erosion, provide a visible boundary at the pavement edge, and offer aesthetic appeal.

With regard to the public safety along public roadways, the National Highway Traffic Safety Administration (NHTSA), USDOT, released a report entitled *Traffic Safety Facts 2000, A Compilation of Motor Vehicle Crash Data from the Fatality Analysis Report System and the General Estimates System* in which they documented about 3,000 motorists a year are killed as a result of running off the road and striking a tree, shrub, or clump of brush. Also, safety studies by the Transportation Research Board indicate that about 30 percent of vehicle fatalities are the result of run-off-the-road type accidents involving striking trees, shrubs, or other roadside

obstacles or overturning. Even one accident associated with hazardous vegetation can result in a lawsuit of several million dollars for loss of life, injury, and / or property damage.

Decision to be Made

The responsible official is the BLM Arizona State Director. Based on the information, data, and analysis included in the EA, the Arizona State Director will do one of the following:

- Determine if significant environmental effects would result from implementing the proposed use of herbicides, which would require the preparation of an environmental impact statement, or if there is a finding of no significant impact (FONSI).
- Determine if the proposed action, using selected herbicides to manage undesirable vegetation, has acceptable environmental consequences that, individually or cumulatively, are not considered to be significant.
- Determine not to allow the use of herbicides for management of undesirable vegetation.

The completed EA will provide the responsible official with the basis upon which to make an informed decision. The decision will outline the requirements necessary to authorize the proposed use of herbicides for noxious weed and hazardous plant management. BLM District Managers are responsible for reviewing and approving or disapproving the herbicides proposed for use in the annual treatment plans and consequent pesticide use proposals (PUP) submitted to the BLM for the use of herbicides to control undesirable vegetation.

Adaptive Management and Managerial Flexibility are tools that allow decision makers to take advantage of new information that becomes available after a decision has been made. It is possible that new or improved herbicide products could become available during implementation of this proposal. If implementation monitoring shows that herbicides being used are not effective in meeting the purpose and need for this project, and a new or improved product is available, the new herbicide product could be considered for use without further NEPA analysis. This would be the case only if the new or improved product fits within the same effects analysis disclosure as the herbicides proposed in this document and analyzed in the PEIS. An analysis would be completed to determine the similarities of effects from the new formulation compared to those approved with this EA. If the effects inherent to the new formulation are found to be within those described in this analysis, a separate FONSI, based on this EA and the new information, would be issued to include that herbicide product.

Documents that Influence the Scope of the EA and are Incorporated by Reference

Much of the scope of this EA is based on NEPA documents prepared to evaluate the use of herbicides for vegetation treatment activities on public lands. The documents include the previous mentioned PEIS and the *Environmental Assessment for Management of Noxious Weeds and Hazardous Vegetation on Public Roads on National Forest System Lands in Arizona* (USDA Forest Service 2003).

Relationship to Statutes, Regulations, and Policies

Public roads are under the jurisdiction of, and maintained by a public authority and are open to public travel (23 USC 101). PRA are those federal, state, county, town or township, Indian tribe, municipal or other local government or instrumentality with authority to finance, build, operate, or maintain toll or toll-free highway facilities (23 Code of Federal Regulations [CFR] 460.2(b)). In this proposal, the public roads are interstates, U.S. highways, and state highways that cross public lands administered by the BLM. They are further identified by PRA and BLM records as being under state operation and maintenance jurisdiction and suitable for passenger car travel.

Federal Laws, Regulations, and Policies that Influence Vegetation Treatments along State Roadways

Awareness of noxious weeds and invasive plants has been slowly increasing over the past 30 years, until it has now reached a level where more emphasis and funding is available to attempt to reduce the threat and impact from these plants. Table 1 summarizes applicable laws and regulations as they pertain to the project; this list may not be inclusive.

Table 1. Summary of Applicable Laws and Regulations.

Law / Regulation	Applies to
<i>American Indian Religious Freedom Act</i>	Archaeological resources and tribal consultation
<i>Antiquities Act of 1906</i>	Archaeological resources and tribal consultation
<i>Archaeological Resources Protection Act</i>	Archaeological resources and tribal consultation
<i>Carlson-Foley Act of 1968</i>	Noxious weeds
<i>Clean Air Act</i>	Air pollution prevention and control Emission levels of regulated pollutants
<i>Clean Water Act (Sections 401/402/404)</i>	Surface water quality Discharge or dredge or fill materials into jurisdictional waters of the US
<i>Endangered Species Act (ESA)</i>	Threatened and endangered species
<i>Executive Order 11593</i>	Protection and enhancement of the cultural environment
<i>Executive Order 11988/11990</i>	Floodplains and wetlands
<i>Executive Order 12898</i>	Environmental justice
<i>Executive Order 13112</i>	Noxious weeds
<i>Executive Order 13175</i>	Consultation and coordination with tribal government
<i>Executive Order 13212</i>	Energy policy
<i>Farmland Protection Policy Act</i>	Prime and unique farmlands
<i>Federal Land Policy and Management Act</i>	Management of public lands
<i>Federal Noxious Weed Act (1974)</i>	Noxious weeds
<i>Highway Safety Act of 1966</i>	Highway design and maintenance
<i>Migratory Bird Treaty Act</i>	Protection of selected bird species

<i>National Environmental Policy Act</i>	Federal undertakings / NEPA regulations
<i>National Historic Preservation Act (NHPA)</i>	Historic and traditional cultural properties
<i>Native American Graves Protection and Repatriation Act of 1990</i>	Archaeological resources and tribal consultation
<i>Noise Control Act of 1972, as amended</i>	Noise protection
<i>Noxious Weed Control Act of 2004</i>	Noxious weeds
<i>Occupational Safety and Health Act</i>	Health and safety standards
<i>Plant Protection Act</i>	Plant management
<i>Pollution Prevention Act of 1990</i>	Reducing potential for pollution sources
<i>Public Rangelands Improvement Act of 1978</i>	Management of public lands
<i>Resource Conservation and Recovery Act (RCRA)</i>	Hazardous materials
<i>Secretarial Order 3206</i>	Endangered Species Act and tribal trust responsibilities

The BLM coordinates closely with state resource management agencies on issues involving the management of public lands; the protection of fish and wildlife populations, including federal- and state-listed threatened and endangered species; invasive and noxious weeds; fuels and wildland fire management; and herbicide application. Herbicide applications also are coordinated with state and local water quality agencies to ensure treatment applications are in compliance with applicable water quality standards, and do not result in unacceptable surface or ground water contamination.

Control of hazardous vegetation along public roads is required by the *Highway Safety Act of 1966* and other federal safety standards. The American Association of State Highway and Transportation Officials (AASHTO) consolidated these standards into *A Policy on Geometric Design of Highways and Streets* (2011). AASHTO is an amalgamation of state and federal transportation agencies that develop and adopt uniform standards for highway construction, operation, safety, and maintenance. These standards are based on traffic studies, research, and accident statistics and are the minimum criteria used by ADOT to provide for motorist and public safety.

Scoping and Public Participation

To be determined through coordination with BLM

Issues

Through the internal and external scoping process, several issues were identified: [Or in internal scoping only: Through internal scoping held on XXXX, 2012, several issues were identified:]

- List issues

Appendix A contains a summary of the internal scoping process, along with the issues considered and dismissed from further analysis

References Cited

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