

**DECISION MEMORANDUM**  
**AGFD # 676 Wildlife Water Redevelopment**  
**DOI-BLM-AZ-G020-2013-0036-CX**

U.S. Department of the Interior  
Bureau of Land Management  
*Tucson Field Office*  
3201 E Universal Way  
Tucson, Az. 85756

**Approval and Decision**

Based on a review of the project described in the attached Categorical Exclusion documentation and field office staff recommendations, I have determined that the project is in conformance with the *Ironwood Forest National Monument Resource Management Plan* (approved *April, 2013*) and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed

**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 made, your notice of appeal must be filed at the *Tucson Field Office, 3201 E Universal Way, Tucson, Az. 85756*, within 30 days from receipt of this decision. The appellant has the burden of showing how the appellant is harmed and how the decision appealed from is in error.

If you wish to file a petition (pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993)) (request) for a stay (suspension) 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 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) (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 regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

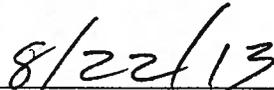
Standards for Obtaining a Stay

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.



David Baker  
Acting Field Manager

Date



**PROGRAM CONSULTATION & COORDINATION/CX CHECKLIST**  
**BUREAU OF LAND MANAGEMENT**  
**TUCSON FIELD OFFICE**

**PART II: CATEGORICAL EXCLUSION REVIEW**

NEPA #: DOI-BLM-AZ-G020-2013-0036-CX

**ASSIGNMENT AND REVIEW**

Subactivity: 1110

Project Name: *AGFD # 676 Wildlife Water Redevelopment*  
 Location (legal description): Township 11 South, Range 7 East, Section 25  
 NLCS Unit: IFNM  
 Quad Name: Silverbell West  
 Project Lead: Darrell Tersey

**Technical Review:**

Applies?		NAME	EXCEPTION	SIGNATURE	DATE
Yes	No				
( )	(x)		(1) Have significant impacts on public health or safety?	NEPATerm	8/12/13
( )	(v)		(2) Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.	↓	↓
( )	(v)		(3) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		
( )	(v)		(4) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
( )	(v)		(5) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		
( )	(v)		(6) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		
( )	(v)		(7) Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.		
( )	(x)		(8) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		
( )	(v)		(9) Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		
( )	(x)		(10) Have a disproportionately high and adverse effect on low income or minority populations.		
( )	(v)		(11) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).		
( )	(v)		(12) Contribute to the introduction, continued existence, or spread of noxious weeds or nonnative invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).		

**Final Review:**

Unit Manager/Supervisor: *Clay Grew* Date: *8/13/13*  
 Environmental Coordinator: *De m* Date: *8-14-13*

**NEPA COMPLIANCE RECORD  
CATEGORICAL EXCLUSION (CX)  
Tucson Field Office**

NEPA #: DOI-BLM-AZ-G020-2013-0036-CX

Serial / Case File No. N/A

Proposed Action Title/Type: *AGFD # 676 Wildlife Water Redevelopment*  
Location of Proposed Action (include name of 7.5 topographic map): Catchment 676 is located along the bajada of the West Silverbell mountains on lands under the jurisdiction of the BLM within the Ironwood Forest National Monument (IFNM). Township 11 South, Range 7 East, Section 25. Silverbell West quadrangle

Description of Proposed Action: Arizona Game and Fish Department (AGFD) personnel (both AGFD Region V and Special Services Development Branch Crew), the Arizona Desert Bighorn Sheep Society (ADBSS) and the Bureau of Land Management - Tucson Field Office personnel will begin removing the existing collection apron, tank and trough. As these items are dismantled, they will be moved off the site as new materials are brought in. The tank site will be prepped to receive the new tank, and the drinker will be set and plumbed into the new tank. A sub structure will be assembled to support the new collection apron, which will have a three-colored (brown, green and tan - standard environmental colors) steel R-panel surface. The existing livestock exclusion fence will be removed, including all corner posts and concrete. All project labor, including ADBSS and Department personnel will drive to and from the site every day. All new and old construction debris will be removed off site, and disposed of in proper recycle and trash containers. Depending on how much water is in the system before redevelopment begins, some water may be brought in by tanker truck to aid in construction and test the new plumbing system.

Applicant (if any): Arizona Game and Fish Department

**PART I: PLAN CONFORMANCE REVIEW.** This proposed action is subject to the following land use plan: Ironwood Forest National Monument Resource Management Plan and Environmental Statement, April 2013. This proposal would be consistent with management direction in the IFNM RMP that directs the BLM to, *“WH-012: As appropriate, BLM will coordinate the evaluation and implementation of proposals to enhance wildlife populations through partnerships with the AGFD and other agencies as necessary to determine what levels of*

*wildlife introductions or habitat enhancements are appropriate for each desired plant community. page 43.*

The proposed action has been reviewed and determined to be in conformance with this plan (43 CFR 1610.5, BLM MS 1617.3).

Darrell T. Gray      8-13-13  
Specialist Signature      Date

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9.,  
DOI-BLM-AZ-G020-2013-0036-CX AGFD # 676 *Wildlife Water Redevelopment*.

Fish and Wildlife

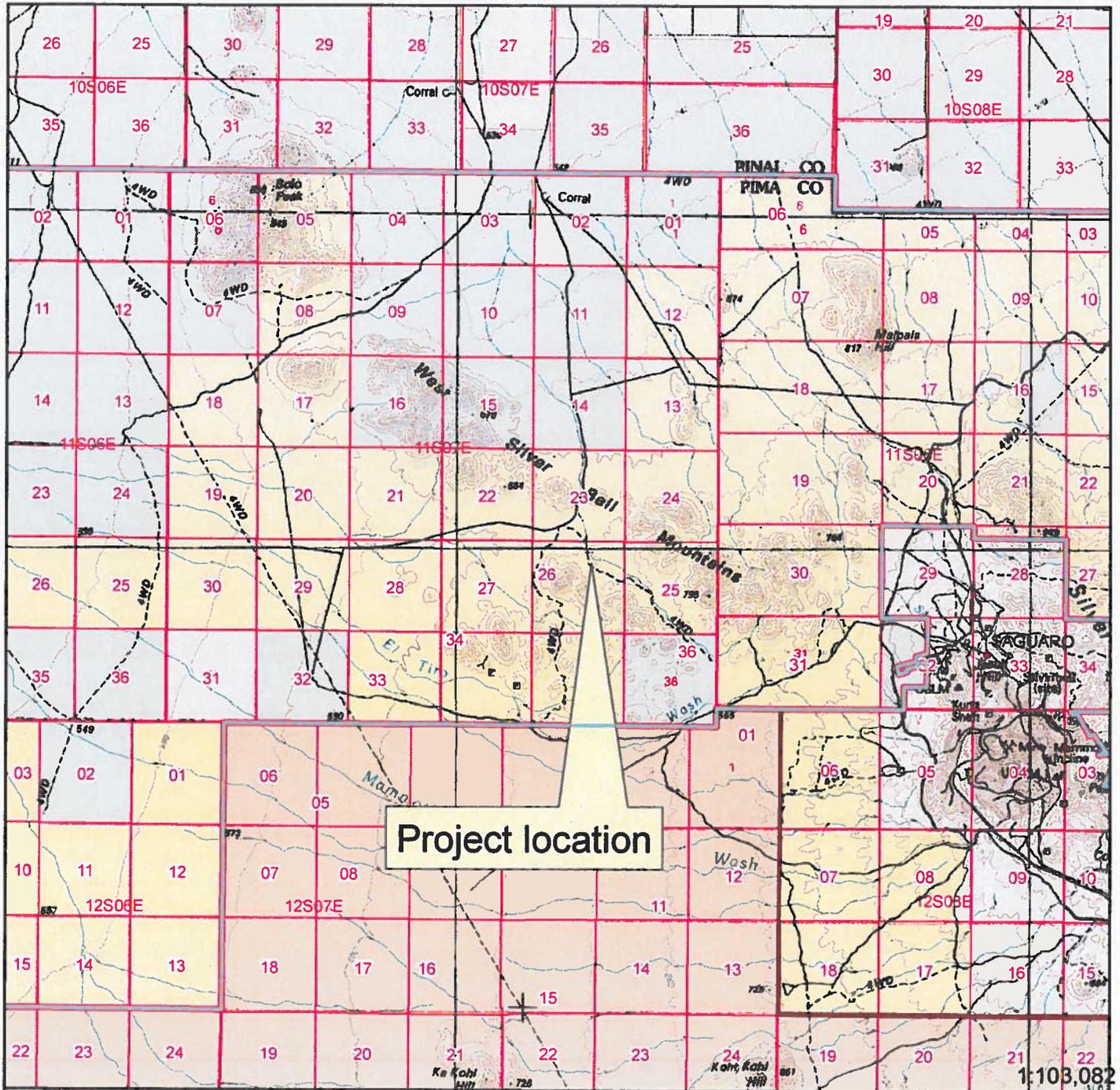
1. Modification of existing fences to provide improved wildlife ingress and egress.
2. Minor modification of water developments to improve or facilitate wildlife use (e.g., modify enclosure fence, install flood valve, or reduce ramp access angle).

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. It has been reviewed to determine if any of the exceptions described in 516 DM 2, Appendix 2, Categorical Exclusions: Extraordinary Circumstances, apply.

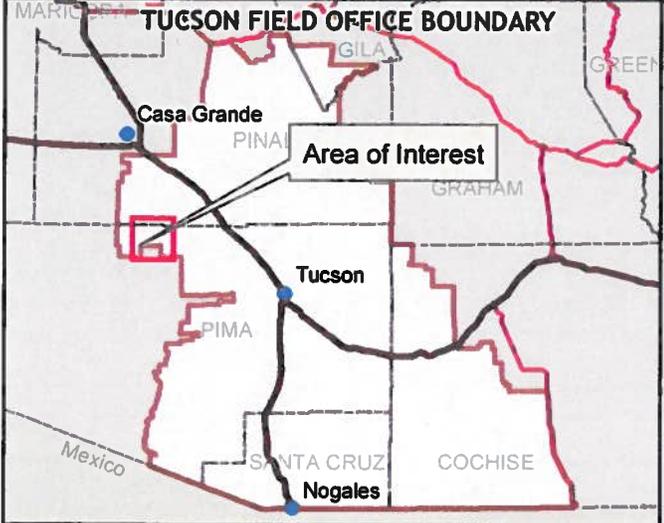
The action does not have significant adverse effects on public health and safety nor does the action adversely affect such unique geographic characteristics as historic or cultural resources, parks, recreation, or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks. The action does not have highly controversial environmental effects nor have highly uncertain environmental effects or involve unique or unknown environmental risk nor does it adversely affect a species listed or proposed to be listed on the list of endangered or threatened species. It does not establish a precedent for future action or represent a decision in principle about a future consideration with significant environmental effects or related to other actions with individually insignificant but cumulatively significant environmental effects. The proposed action does not adversely affect properties listed or eligible for listing in the National Register of Historic Places or threaten to violate a Federal, State, local or tribal law or requirements imposed for the protection of the environment or which require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands) or the Fish and Wildlife Coordination Act.

**Mitigation Measures/Stipulations:** 1. If in connection with operations under this authorization, any human remains, funerary objects, sacred objects or objects of cultural patrimony as defined in the Native American Graves Protection and Repatriation Act (16 U.S.C. 4701-4702; 54 U.S.C. 101201-101203) are discovered, the permittee/ contractor shall stop operations in the immediate area of the discovery, protect the remains and objects, and immediately notify the Tucson Field Office manager of the discovery. The permittee/ contractor shall continue to protect the immediate area of the discovery until notified by the Tucson Field Office Manager that operations may resume.

# Catchment 676 Project site



**Project location**



**TUCSON FIELD OFFICE BOUNDARY**

**Area of Interest**

Casa Grande

Tucson

Nogales

MARICOPA

GILA

PINAL

GRAHAM

PIMA

SANTA CRUZ

COCHISE

Mexico

0 1 2 4 Miles

Bureau of Land Management (BLM)
  Private Lands
  State Lands

**United States Department of the Interior**  
**Bureau of Land Management**  
**Tucson Field Office**  
**Land Status updated as of November 2012**  
**Map Prepared: 8/5/2013**

The Bureau of Land Management (BLM) makes no representations or warranties regarding the accuracy or completeness of this map. This map does not address encroachments or questions of location boundary, and area, which an accurate survey may disclose. This map is intended and is to be used as an illustration only. The map is merely representational, and the data from which it was derived are not binding on the BLM and may be revised at any time in the future. The BLM shall not be liable under any circumstances for any direct, indirect, special, incidental, or consequential damages with respect to any claim by any user or any third party on account of or arising from the use of this map or the data from which it was derived.

**Project Effects Determination  
Threatened and Endangered Species**

*U.S. Department of the Interior  
Bureau of Land Management  
Tucson Field Office*

**Background**

**Project Name:**   
**EA#:**   
**Project Lead:**  
**Name:**  **Title:**

**Location:** Lat  Long  **County:** Pima

**Project Map Attached**

**Purpose and Need for Proposed Action:**

Remove and replace deteriorating parts of the current system with new materials within the same footprint. Elements to be reconstructed are the metal apron, steel ring tank and teh fence around the project.

**County Species List from USFWS Attached:**

**Affected Species:** Spp 1  
Spp 2  
Spp 3

**Affected Critical Habitat:** Crit Hab 1  
Crit Hab 2  
Crit Hab 3

**Determination**

1) **Effects Determination, project unmitigated:**

- No Effect
- May Effect, Not Likely to Adversely Effect (request concurrence)
- May Effect, Likely to Adversely effect

Description of Effects and Determination Rational:

Area is currently developed and the new materials will be within the existing footprint of the current development.

2) Effects Determination, project mitigated:

- No Effect
- May Effect, Not Likely to Adversely Effect (request concurrence)
- May Effect, Likely to Adversely effect

Mitigation Description and Determination Rational:

Signature

*Darrell Tersey*

Prepared By:

Darrell Tersey

Date: 8/9/2013

Title: Natrl Resource Specialist

UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
ARIZONA STATE OFFICE

CULTURAL RESOURCE COMPLIANCE DOCUMENTATION RECORD

Project No: AZ-430-2013-29

Project Name:

Catchment # 676  
West Silver Bells IFNM

E.A. Job or Case File No:

Institution: Tucson BLM

Cultural Resource Use Permit No: NA

Inventory Method:  Existing Data Review    \_\_\_ Class II    \_\_\_ Class III

Eligibility Recommendation (for sites located):

Not-eligible sites (list site numbers):

Eligible sites (list site numbers):

Effect Recommendation (only on eligible sites from above):

No Historic Properties Affected    \_\_\_ Adverse Effect  
\_\_\_ No Adverse Effect

Treatment Recommendations: (check and attach full description and map(s) as needed):

\_\_\_ Avoidance (by project redesign/cancellation, etc.)

\_\_\_ Physical or administrative protection measures

Standard stipulations

\_\_\_ Special stipulations

\_\_\_ Data recovery (collection, excavation, detailed recording, etc.)

Consultation:

Covered under PA, no further consultation required with SHPO or ACHP

Consultation required: \_\_\_ SHPO    \_\_\_ Advisory Council    \_\_\_ Native Americans

Comments: this project will occur in an area where there was  
previous Class III cultural resource survey.

Attachments: please refer to attached pages cultural resource  
mitigation steps.

Signed (by archaeologist):

Amy Sobush

Date:

8/26/2013

mitigation steps.

# WAIVER OF CULTURAL RESOURCE INVENTORY

Although Class III intensive field inventories of the Area of Potential Effect are performed for most land use actions, inventory is waived for this project for the reason(s) checked (Handbook H-8110, Bureau of Land Management, Arizona, June 1999):

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1. Previous natural ground disturbance has modified the surface so extensively that the likelihood of finding cultural properties is negligible.
2. Human activity within the last 50 years has created a new land surface to such an extent as to eradicate locatable traces of cultural properties.
3. Existing Class II or equivalent inventory data are sufficient to indicate that the specific environmental situation did not support human occupation or use to a degree that would make further inventory information useful or meaningful.
  - Previous inventories must have been conducted according to current professionally acceptable standards.
  - Records must be available and accurate, and must document the location, methods and results of the inventory.
  - Class II "equivalent inventory data" should include an adequate amount of acreage distributed across the same specific environmental situation that is located within the study area.
4. Inventory at the Class III level has previously been performed, and records documenting the location, methods, and results of the inventory are available. Such inventories must have been conducted according to current professionally acceptable standards.
5. Natural environmental characteristics are unfavorable to the presence of cultural properties (such as recent landslides or rock falls).
6. The nature of the proposed action is such that no impact can be expected on significant cultural resources.
7. Conditions exist which could endanger the health or safety of personnel, such as the presence of hazardous materials, explosive ordnance, or unstable structures.

## **CULTURAL AND PALEONTOLOGICAL RESOURCE MITIGATION MEASURES**

- 1. Any archaeological or historical artifacts or remains, or vertebrate fossils discovered during operations shall be left intact and undisturbed; all work in the area shall stop immediately; and the Assistant Field Manager for Planning and Monitoring shall be notified immediately. Commencement of operations shall be allowed upon clearance by the Assistant Field Manager.**
- 2. An additional cultural and paleontological resource survey may be required in the event the project location is changed or additional surface disturbing operations are added to the project after the initial survey. Any such survey would have to be completed prior to commencement of operations.**
- 3. If in connection with operations under this authorization, any human remains, funerary objects, sacred objects or objects of cultural patrimony as defined in the Native American Graves Protection and Repatriation Act (:L. 101-601; Stat. 3048; 25 U.S.C. 3001) are discovered, the permittee shall stop operations in the immediate area of the discovery, protect the remains and objects, and immediately notify the Assistant Field Manager for Planning and Monitoring of the discovery. The permittee shall continue to protect the immediate area of the discovery until notified by the Assistant Field Manager that operations may resume.**

### NEPA Project Initiation Form

**Project Name:** Catchment 676 redevelopment

**Project Lead(s):** Darrell Tersey

**Office:** TFO **County:** Pima

**Project Location:** T 11 S, R 7 E, Sec 25, Ironwood Forest National Monument

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**Applicant Name:** Arizona Game and Fish Department

**Level of NEPA:** (select one) **CX**  **DNA**  **EA**

**Case File/Project No.:** \_\_\_\_\_

**Number of Acres:** 1 **Number of BLM Acres:** 1

**Charge Code/Project Code (if applicable)** \_\_\_\_\_

**Project Start Date:** \_\_\_\_\_ (if known)

**Project End Date:** \_\_\_\_\_ (if known)

**Does this project comply with area RMP?** Yes \_\_\_\_\_ **Which RMP?** IFNM RMP (2013)

**ID Team Needs:** **CULTURAL**  **FIRE**  **GIS**  **HYDROLOGY**  **MINERALS**  **REALTY**   
**RANGE**  **RECREATION**  **WILDERNESS**  **WILDLIFE**  **OTHER**

**Project Description (who?, what?, when? where? and how?):** the Az G&F Dept development branch will remove old apron and ring tank and replace with new and add a new walk in drinker to the system, and replace existing barb wire fence with pipe rail in the spring of 2014 utilizing G&F crews and volunteers.

**Other:** **Cost Recovery**  **In Annual Work Plan**

*New rough, new apron (enlarged?)*

*W/In Outpoint helicopter waste*

By signing below, I agree that this project conforms to Field Office priorities and , therefore has my permission to proceed.

**Supervisor/NCA Manager:** *Clara Gray* **Date:** 8/5/13

By signing below, I agree that this project conforms to Field Office priorities and , therefore has my permission to proceed.

**Field Office Manager:** *Spencer Lemms* **Date:** 8/5/13

**IS YOUR MAP COMPLETE? :** YES

**Assigned ID Team Members (assigned by Manager):**

<u>Amy Sabieh, CULTURAL</u>	
<u>Darrell Tersey - wildlife</u>	

**NEPA Number (completed by ePlanners):** DOI-BLM-AZ-G020-2013-0036-CX