

**Categorical Exclusion Documentation Format for Actions Other Than Hazardous Fuels
and Fire Rehabilitation Actions**

**Wildlife Water Maintenance and Exclosure Fence Modification
DOI-BLM-AZ-P010-2013-0053-CX**

A. Background

BLM Office: **Select an Office**

Lease/Serial/Case File No.: **N/A**

Proposed Action Title/Type: **Wildlife Water Maintenance and Exclosure Fence Modification**

Location of Proposed Action: **Hassayampa Field Office, T6N R1W S15 (374262E 3748452N)**

Description of Proposed Action: **Replace corrugated tin apron, and storage tanks for the wildlife water catchment. Replace the wildlife watering trough. Extend exclosure fence from the current 70' x 150' to the standard 150' x 150' to facilitate wildlife use.**

B. Land Use Plan Conformance

Land Use Plan (LUP) Name: **Bradshaw-Harquahala RMP**

Date Approved/Amended: **4/22/2010**

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

WF-10. The density and distribution of wildlife waters will be maintained, improved, or increased throughout the planning areas to sustain and enhance wildlife populations across their range.

WF-11. All existing wildlife waters will be maintained or improved as needed to maintain the presence of perennial water for wildlife.

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions):

C: Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 Departmental Manual (DM) 11.9:

A – 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. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 11.9 apply.

I considered: Except for the modification of the enclosure fence, the activities in the proposed action are maintenance activities that occur within the same footprint as the existing wildlife water. The modification of the fence will occur adjacent to the existing wildlife water and will involve extending the fence outward to include an additional 0.3 acres. The footprint of the extended fence will be cleared by a qualified archaeologist for cultural resources prior to construction. If cultural resources are encountered during building of the fence, construction in that area will be halted until the area is cleared by an archaeologist or the fence footprint will be re-routed to bypass that area.

D: Signature

Review: *We have determined that the proposal is in accordance with the categorical exclusion criteria and that it would not involve any significant environmental effects (see Attachment 1). Therefore, it is categorically excluded from further environmental review.*

Prepared by:

 9-20-13

**Codey Carter
Project Lead**

Reviewed by:

 9-23-2013

Leah Baker

Planning & Environmental Coordinator

Approved by:

 9/26/2013

**Rem Hawes
Manager**

Contact Person

For additional information concerning this CX review, contact:
Codey Carter, 632-580-5678, cdcarter@blm.gov

Note: A separate decision document must be prepared for the action covered by the CX.

BLM Categorical Exclusions: Extraordinary Circumstances¹
Attachment 1

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215) apply. The project would:		
1. Have significant impacts on public health or safety		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: There are no significant hazards associated with the wildlife water structure. The project area is located in a remote area with little public use. The Arizona Game and Fish Department (AGFD) will be carrying out the maintenance and modification of the enclosure fence. AGFD has a lot of experience in carrying out these types of projects.
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness or wilderness study 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 (Executive Order 13186); and other ecologically significant or critical areas?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: No such unique geographic characteristics or natural resources are known to exist at the project site. The catchment site has been previously for cultural resources, but no cultural resources were found. The footprint fence modification will be cleared by a qualified archaeologist for cultural resources prior to construction. If cultural resources are encountered during building of the fence, construction in that area will be halted until the area is cleared by an archaeologist or the fence footprint will be re-routed to bypass that area.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: No highly controversial environmental effects or unresolved conflicts are known or expected. Wildlife waters are commonplace in the Hassayampa Field Office.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: Wildlife waters are common and have a long history of use on BLM so there should be no unique or unknown environmental risks.
5. Establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects?		
Yes	No	Rationale: This action does not establish a precedent with potentially

¹ If an action has any of these impacts, you must conduct NEPA analysis.

<input type="checkbox"/>	<input checked="" type="checkbox"/>	significant environmental effects. It involves a state wildlife agency carrying out routine maintenance and modifications to an existing wildlife water.
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: No such cumulative impacts relationship exists with other actions.
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?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: No such properties were found when the site was originally surveyed prior to construction. The footprint of the enclosure fence modification will be surveyed for cultural resources prior to work taking place.
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?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: No suitable habitat for threatened and endangered species, or critical habitat, occurs at or near the release sites.
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: : No such laws will be violated by carrying out this action.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: No adverse effects will be imposed on low income or minority populations as a result of this action.
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)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: No such access limitations will occur as a result of this action.
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native 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)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: This action will not introduce or spread weeds into the area.

Decision
Attachment 2

Project Description:

Replace corrugated tin apron, and storage tanks for the wildlife water catchment. Replace the wildlife watering trough. Extend enclosure fence from the current 70' x 150' to the standard 150' x 150' to facilitate wildlife use.

Decision: Based on a review of the project described above and field office staff recommendations, I have determined that the project is in conformance with the land use plan and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed, with the following stipulations (if applicable).

Appeal Opportunities:

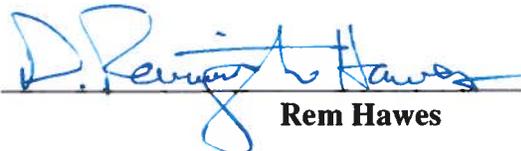
The decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4. Public notification of this decision will be considered to have occurred on September 30, 2013. Within 30 days of this decision, a notice of appeal must be filed in the office of the Authorized Officer at 21605 North 7th Avenue, Phoenix Arizona, 85027. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the Authorized Officer.

If you wish to file a petition for stay pursuant to 43 CFR Part 4.21(b), the petition for stay should accompany your notice of appeal and shall show sufficient justification based on the following standards:

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 irreparable harm to the appellant or resources if the stay is not granted,
4. Whether the public interest favors granting the stay.

If a petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the Authorized Officer. A copy of the notice of appeal, any statement of reasons and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken to: Field Solicitor, U.S. Department of the Interior, 401 West Washington Street, Suite 404, Phoenix Arizona 85003, not later than 15 days after filing the document with the Authorized Officer and/or IBLA.

Approved By:


Rem Hawes

Date: 9/26/2013

Field Manager, Hassayampa Field Office