

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

NEPA #: DOI-BLM-AZ-G020-2013-0040-CX
Serial/Case File No.

Proposed Action Title/Type: LCNCA Abner Well Wildlife Water

Location of Proposed Action: Las Cienegas NCA, Rose Tree Allotment, Mustang Mountains Quad, T20S, R18E, Sec. 22, SW ¼ E1/2 center, and SE ¼ W ½ center
Storage Tank Coordinates : UTM: 0547957/3504705 Datum NAD83
Trough Coordinates: UTM:0547962/3504653 Datum NAD83

Description of Proposed Action:

There were two perennial sources of water in ponds within approximately ¼ mile of the proposed project that have dried for the first time in the past year. These ponds were used in the past by waterfowl and other wildlife. The Arizona Antelope Foundation has identified a need for permanent water for pronghorn in this area, and funds may be obtained for this project through the Arizona Game and Fish Department's Habitat Partnership Committee. Currently, the Rose Tree Ranch pumps water from a very reliable well located on private property east of the Upper Elgin/Canelo Road (near the entrance to Rose Tree Ranch headquarters) to a covered, metal storage tank located on private property just north of the ranch headquarters. This water re-development project will provide permanent water for wildlife by utilizing a solar powered booster pump to push water from this existing storage tank (which receives water from the private well) some 0.37 miles easterly to near the existing Abner Well windmill and a new approximately 10,000 gallon heavy-duty poly storage tank. The existing Abner Well windmill will not be used. The water line will originate at the existing metal storage tank, run above ground across private property and onto BLM lands for approximately 600' where the new storage tank and trough will be installed. The water line will be laid above ground utilizing HDPE pipe, with minimal ground disturbance at the above-ground storage tank and trough sites. Water from the storage tank will be gravity fed using about 50' of above-ground pipe to a wildlife accessible water trough of about 250 gallons. Wildlife escape ramps will be installed in the trough. Water will be available yearlong and routine checks and maintenance will be performed by the Rose Tree Ranch (see cooperative agreement).

Applicant (if any):

PART I: PLAN CONFORMANCE REVIEW. This proposed action is subject to the following land use plan: Las Cienegas NCA Resource Management Plan (. This proposal would be consistent with management direction in the Las Cienegas RMP that directs the BLM by: Allowing for waters appropriate to ecosystem capacity (page 10), support the following priority species: pronghorn, mule deer, and white-tailed deer (page 11), provide usable water sources within one mile of each other in pronghorn fawning areas and do not exceed four miles between usable water sources in pronghorn habitat (WF22, page 36), and maintain existing water sources and provide supplemental water sources as found to be needed through water sources inventory and evaluation (WF34, page 38). The proposed action has been reviewed and determined to be in conformance with this plan (43 CFR 1610.5, BLM MS 1617.3).

/s/Marcia Radke
Specialist Signature

1/14/2014
Date

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

PART II: CATEGORICAL EXCLUSION REVIEW

NEPA #: DOI-BLM-AZ-G020-2013-0040-CX

ASSIGNMENT AND REVIEW

Subactivity:

Project Name: LCNCA Abner Well Wildlife Water
 Location (legal description): T20S, R18E, Sec. 22, SW ¼ E1/2 center, and SE ¼ W ½ center
 Storage Tank Coordinates : UTM: 0547957/3504705 Datum NAD83
 Trough Coordinates: UTM:0547962/3504653 Datum NAD83
 NLCS Unit: Las Cienegas NCA
 Quad Name: Mustang Mountains
 Project Lead: Marcia Radke
 Technical Review:

Applies? Yes or No	NAME	EXCEPTION	SIGNATURE	DATE
No		(1)Have Significant adverse effects on public health or safety? <i>This action would have no significant environmental effects to public health or safety.</i>	NEPA team	09/09/13
No		(2) Have adverse effects on 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. <i>No 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 other ecologically significant or critical areas exist in the affected environment nor would any of these resources be impacted.</i>	NEPA team	09/09/13
No		(3) Have highly controversial environmental effects. <i>The proposed action is not controversial nor are there any unresolved conflicts concerning alternative uses of available resources.</i>	NEPA team	09/09/13
No		(4) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. <i>The proposed action does not have uncertain or potentially significant environmental effects or unique or unknown environmental risks.</i>	NEPA team	09/09/13
No		(5) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. <i>The proposed action does not establish any precedent. Any additional proposals would be analyzed and a separate decision would be arrived at based on the analysis.</i>	NEPA team	09/09/13
No		(6) Individually insignificant, but cumulatively significant effects. <i>The proposed action is insignificant and there are no cumulatively significant effects.</i>	NEPA team	09/09/13
No		(7) Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places. <i>The proposed action does not have any adverse effect on properties listed or eligible for the National Register.</i>	NEPA team	09/09/13

No	(8) Have adverse effects on species listed on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species. <i>No adverse effects are anticipated for Endangered, Threatened, or Proposed species, and there is no designated Critical Habitat in the affected area for the proposed action.</i>	NEPA team	09/09/13
No	(9) Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment. <i>No laws or requirements imposed for the protection of the environment would be violated.</i>	NEPA team	09/09/13
No	(10) Have a disproportionately high and adverse effect on low income or minority populations. <i>The effects to the population as a whole resulting from the proposed action would be the same.</i>	NEPA team	09/09/13
No	(11) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners. <i>No limitations to access sacred or any other sites would result from the proposed action.</i>	NEPA team	09/09/13
No	(12) Contribute to the introduction, continuation existence, or spread of noxious weeds or non-native invasive species. <i>The proposed action would not contribute to the introduction, existence, or spread of noxious or non-native weeds.</i>	NEPA team	09/09/13

Final Review:

Unit Manager/Supervisor: /s/ Claire Crow

Date: 01/16/2014

Environmental Coordinator: /s/ Amy Markstein

Date: 01/16/2014

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with BLM Categorical Exclusion A.2, Fish and Wildlife, “*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, 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. Any archaeological or historical artifacts or remains, or vertebrate fossils discovered during operations shall be left in 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 survey may be required in the event the project location is changed or additional surface disturbing operations are added 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 lessee 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 lessee shall continue to protect the immediate area of the discovery until notified by the Assistant Field Manager that operations may resume.
4. Structures or materials of historical value shall not be removed or damaged.
 5. No disturbance to agave or cacti shall occur during project construction or maintenance.
 6. The color of the new storage tank and wildlife water trough will be designed with a color and/or finish to blend in with the surroundings to prevent degradation of visual resources. After installation of the storage tank and trough, additional measures to prevent degradation of visual resources (e.g. changing the color or finish) will be completed, if needed.
 7. Lessee will be responsible for all future maintenance (see cooperative agreement).
 8. In order to prevent possible introduction of weeds, off-road travel will be permitted by ranch vehicle or ranch quad only for one-time use during placement of materials.
 9. There shall be no change in the lessee's permitted use as allowed under the current grazing lease.