

# DECISION MEMORANDUM

## Catchment 689 Reconstruction

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

### **Project Description**

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 establish a temporary wildlife water source and begin removing the existing collection apron, tank and trough. As these items are dismantled, they will be removed from 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 trucked in to aid in construction and test the new plumbing system.

### **Approval and Decision**

Based on a review of the project described in the attached Categorical Exclusion documentation and field staff recommendations, I have determined that the project is in conformance with the Phoenix District Resource Management Plan (approved 1989) and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed, *with the following stipulations/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 Tucson Field Manager shall be notified. Commencement of operations shall be allowed upon clearance by the 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 leasee shall stop operations in the immediate area of the discovery, protect the remains and objects, and immediately notify the Assistant Field Manager of the discovery. The leasee shall continue to protect the immediate area of the discovery until notified by the Field Manager that operations may resume.

### **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 taken, 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 that 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 the effectiveness 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.

/s/Viola E. Hillman  
Viola E. Hillman  
Field Manager

12/12/2013  
Date

Attachment: Form 1842-1