

**NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)  
COMPLIANCE RECORD FOR CATEGORICAL EXCLUSIONS (CX)  
U.S. Department of Interior  
Bureau of Land Management**

**PART I. – PROPOSED ACTION**  
**BLM Office: Hassayampa FO**  
**2014-0016-CX**

**NEPA No.: DOI-BLM-AZ-P010-**

**Case File No.: AZA-23140**

**Proposed Action Title/Type:** Agua Fri Recharge Project Amendment and Renewal

**Applicant:** Central Arizona Water Conservation District

**Location of Proposed Action:** T. 4 N., R. 1 E., T. 5 N., R. 1 E.,

**Description of Proposed Action:** CAWCD has submitted an application to amend their existing R/W (for a water recharge project in the Agua Fria River) to include a 130' deep piezometer well in T. 5 N., R. 1 E. sec 7, NE¼NW¼. The piezometer well (2" diameter casing) has previously been installed and has a footprint less than a square foot. The project is entirely within the floodplain of the Agua Fria River. CAWCD has also requested that the R/W (and all associated facilities) be renewed.

**Part II. – PLAN CONFORMANCE REVIEW**

**This proposed action is subject to the following land use plan(s):** The Bradshaw-Harquahala Resource Management Plan (RMP)

**Decisions and page nos.:** page 33, under Land Use Authorizations, LR-25. "Continue to issue land use authorizations (rights-of-way, leases, permits, easements) on a case-by-case basis and in accordance with resource management prescriptions in this land use plan."

**Date plan approved/amended:** April 2010

This proposed action has been reviewed for conformance with these plans (*43 CFR 1610.5-3, BLM Manual 1601.04.C.2*).



The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215(a)-(1)) apply. The project would:

(a) Have significant impacts on public health or safety.

<b>Yes</b>	<b>No</b>	<b>Rationale:</b>
	<input checked="" type="checkbox"/>	
		Preparer's Initials <u>JVA</u>

(b) 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.

<b>Yes</b>	<b>No</b>	<b>Rationale:</b>
	<input checked="" type="checkbox"/>	
		Preparer's Initials <u>JVA</u>

(c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].

<b>Yes</b>	<b>No</b>	<b>Rationale:</b>
	<input checked="" type="checkbox"/>	
		Preparer's Initials <u>JVA</u>

(d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

<b>Yes</b>	<b>No</b>	<b>Rationale:</b>
	<input checked="" type="checkbox"/>	
		Preparer's Initials <u>JVA</u>

(e) Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.

<b>Yes</b>	<b>No</b>	<b>Rationale:</b>
	<input checked="" type="checkbox"/>	
		Preparer's Initials <u>JVA</u>

(f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

<b>Yes</b>	<b>No</b>	<b>Rationale:</b>
	<input checked="" type="checkbox"/>	
		Preparer's Initials <u>JVA</u>

(g) Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.

<b>Yes</b>	<b>No</b>	<b>Rationale:</b>
	<input checked="" type="checkbox"/>	
		Preparer's Initials <u>JVA</u>

(h) 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.

<b>Yes</b>	<b>No</b>	<b>Rationale:</b>
	<input checked="" type="checkbox"/>	
		Preparer's Initials <u>JVA</u>

(i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.

<b>Yes</b>	<b>No</b>	<b>Rationale:</b>
	<input checked="" type="checkbox"/>	
		Preparer's Initials <u>JVA</u>

(j) Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

<b>Yes</b>	<b>No</b>	<b>Rationale:</b>
	<input checked="" type="checkbox"/>	
		Preparer's Initials <u>JVA</u>

(k) 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

No

Rationale:

x

Preparer's Initials JVA

(l) 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

No

Rationale:

x

Preparer's Initials JVA

**PART V. - COMPLIANCE REVIEW CONCLUSION**

I have reviewed this plan conformance and NEPA compliance record, and have determined that the proposed project is in conformance with the approved land use plan and that no further environmental analysis is required.

**MITIGATION MEASURES/OTHER REMARKS:**

1. All applicable regulations in accordance with 43 CFR 2800.
2. Any cultural and/or paleontological resources (historic or prehistoric site or object) discovered by the holder or any person working on the holders behalf, on public or federal land shall be immediately reported to the authorized officer. The holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made the authorized officer to determine the appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of the evaluation and any decision as to the proper mitigation measures will be made by the authorized officer after consulting with the holder.
3. All stipulations associated with the original grant, as well as susequent amendments, are to be set forth herein in their entirety.

APPROVING OFFICIAL:

D. Pennington Hawes

DATE:

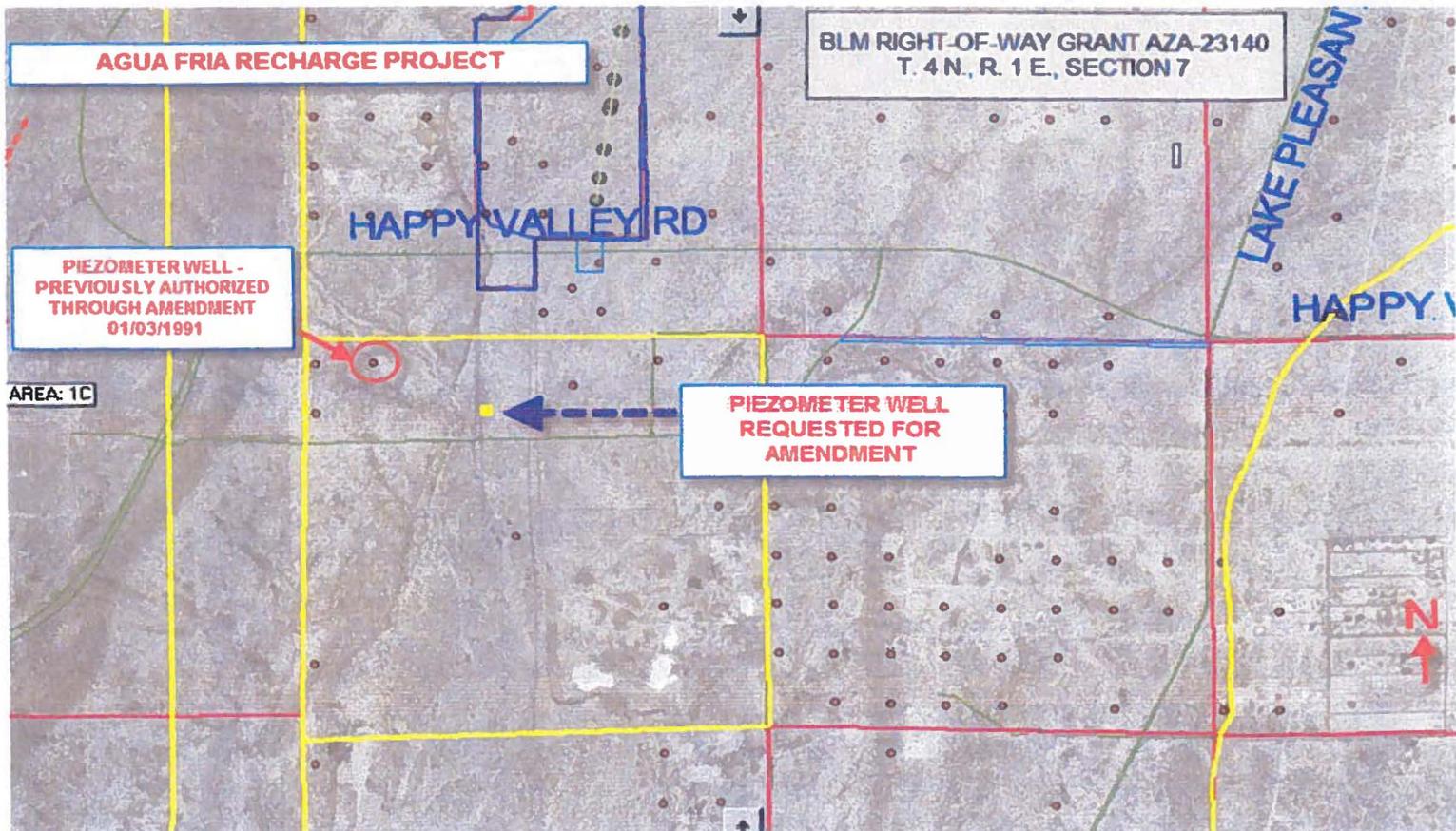
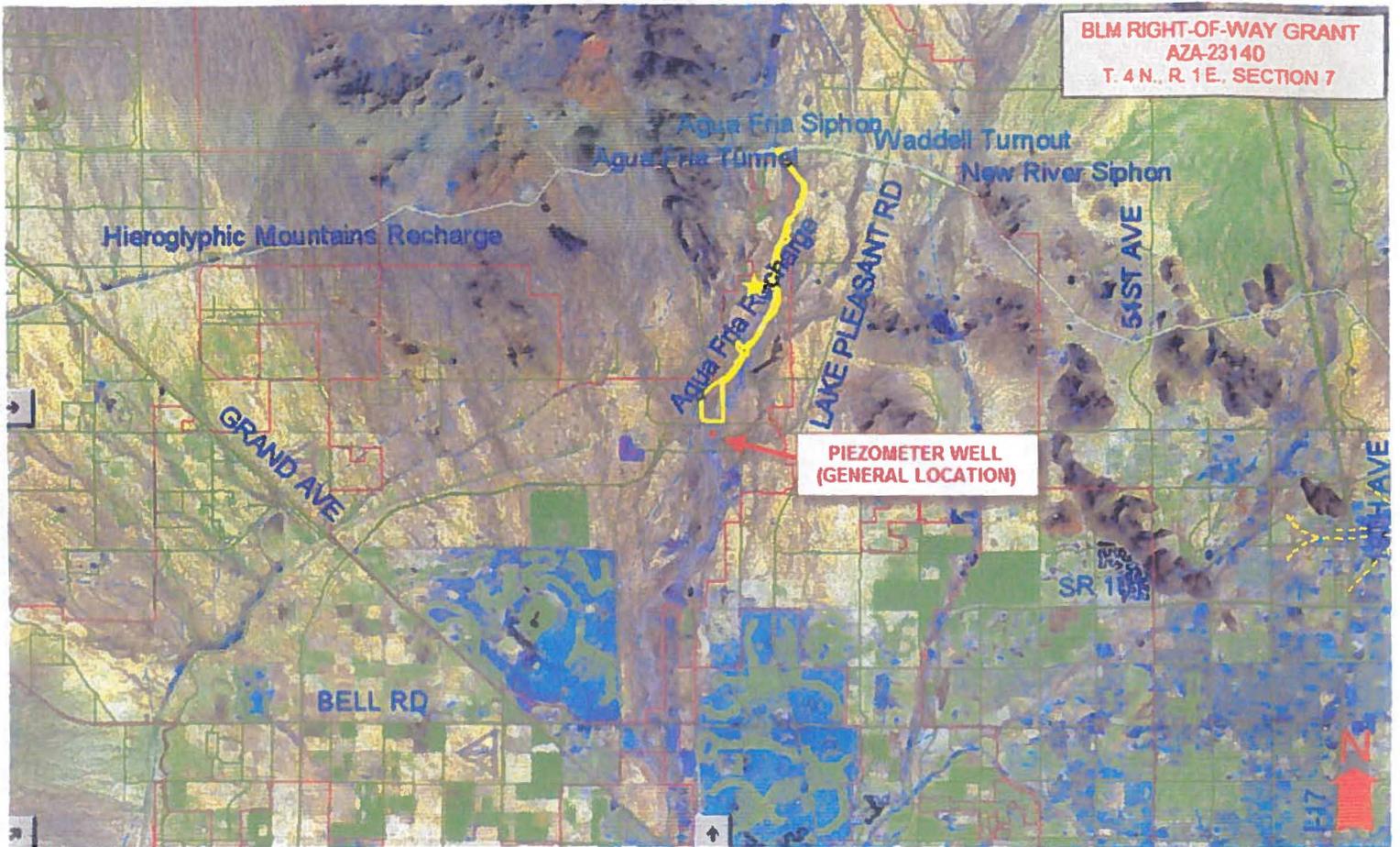
3/19/2014

TITLE:

Hassayampa Field Manager

Note: The signed conclusion on this compliance record is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. A separate decision to implement the action should be prepared in accordance with program specific guidance.

**EXHIBIT A**  
**BLM RIGHT-OF-WAY AZA-23140**  
**CAWCD- AGUA FRIA RIVER RECHARGE PROJECT**



FILE COPY	Init.	Init.	Date
Author	GF		4/7/14
ADM/Prog Mgr.			
Field/Mon Mgr.	GF		4/8/2014
District Mgr.			

APR - 9 2014

2800 (P010)  
AZA-23140

CERTIFIED MAIL - RETURN RECEIPT REQUESTED NO.7011 1570 0000 7962 6817

DECISION

Central Arizona Water Conservation District :  
23636 N. 7<sup>th</sup> Street :  
Phoenix, AZ 85024 :

Right-of-Way Grant Amended and Renewed

Enclosed is a copy of right-of-way (R/W) grant number AZA-23140 for the amendment and renewal the Agua Fria Water Recharge Project which has been approved by the Bureau of Land Management (BLM).

The issuance of this R/W grant constitutes a final decision by the BLM in this matter.

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 enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days of 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 (request) pursuant to regulation 43 CFR 2801.10 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 the 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 appropriate Office of the Solicitor (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.

Standards for Obtaining a Stay

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:

- (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.

If you have any questions, please contact Jim Andersen, Realty Specialist, at (623) 580-5570.

**D. REMINGTON HAWES**

Rem Hawes  
Field Manager

2 Enclosures

Form 2800-14

Form 1842-1

Jandersen:djb:4/4/2014: CAWCD2014.dec