

U.S. Department of the Interior  
Bureau of Land Management

**ENVIRONMENTAL ASSESSMENT  
DOI-BLM-AZ-C030-2014-0028-EA**

**AZA 14908**

Pesticide Use Permit

Applicant: Southwestern Transmission Cooperative, Inc.

Mohave County

Lake Havasu Field Office  
2610 Sweetwater Avenue  
Lake Havasu City, AZ 86406

Prepared by: Sheri Ahrens  
Date: September 11, 2014



Compliance and assignment of responsibility: Lands Staff

Monitoring and assignment of responsibility: Lands Staff

Review:

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Sheri Ahrens  
Realty Specialist  
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9/9/14  
Date

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Jennifer House  
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9/11/14  
Date

## Table of Contents

CHAPTER 1 - INTRODUCTION.....	1
1.1 Identifying Information .....	1
1.2 Introduction and Project Background.....	1
1.3 Purpose and Need for the Proposed Action.....	1
1.4 Decision to be Made .....	1
1.5 Conformance with Land Use Plan.....	1
1.6 Relationship to Statutes, Regulations, or Other Plans .....	2
1.7 Scoping, Public Involvement and Issues .....	3
1.7.1 External Scoping.....	3
1.7.2 Internal Scoping.....	3
CHAPTER 2 - PROPOSED ACTION AND ALTERNATIVES.....	3
2.1 Introduction .....	3
2.2 Alternatives Analyzed in Detail .....	3
2.2.1 Proposed Action.....	3
2.2.2 No Action Alternative.....	4
CHAPTER 3 - AFFECTED ENVIRONMENT .....	4
3.1 Introduction/ Background.....	4
3.2 Resources Not Further Analyzed.....	4
3.2.2 Resources Analyzed.....	6
3.3 BIOLOGICAL RESOURCES.....	6
3.3.1 Vegetation.....	6
3.4 CUMULATIVE IMPACTS SUMMARY .....	7
3.4.1 Introduction.....	7
3.4.2 Past, Present, and Reasonably Foreseeable Future Actions (RFFA).....	8
3.4.3 Cumulative Impact Conclusion.....	8
CHAPTER 4 – TRIBES, INDIVIDUALS, ORGANIZATIONS OR AGENCIES CONSULTED	8
4.1 List of Preparers and Participants.....	8
CHAPTER 5 – REFERENCES, GLOSSARY .....	8
5.1 References Cited.....	8
5.2 List of Acronyms Used in this EA.....	9
APPENDICES .....	10
Appendix A – Stipulations.....	10
Appendix B – Maps .....	12
Appendix C – Photos .....	13

# **CHAPTER 1 - INTRODUCTION**

## **1.1 Identifying Information**

Casefile/ Project Number: AZA 14908

Project Title: Pesticide Use Permit for Riviera Substation

Legal Description:

Gila & Salt River Meridian, Arizona

T. 20 N., R. 21 W.

Sec. 30, Lot 1

Applicant: Southwest Transmission Cooperative Services, Inc.

## **1.2 Introduction and Project Background**

On May 15, 1981, Arizona Electric Power Cooperative, Inc. (AEPCO) was issued a right-of-way and authorization to construct an electric transmission line and electric substation. Southwest Transmission Cooperative Services, Inc. (SWTC) was formed in 2001, as a result of the restructuring of AEPCO, in which the transmission portion of AEPCO was separated to become a transmission cooperative, SWTC. The BLM right-of-way grant AZA 14908 and associated rights and responsibilities were subsequently assigned to SWTC. Right-of-way AZA 14908 was noted as excepted and reserved when the land was given in-lieu to the State of Arizona under clearlist 580. Right-of-way AZA 14908 is located on the north side of North Oatman Road in Bullhead City (see Appendix B – Map).

## **1.3 Purpose and Need for the Proposed Action**

The purpose of the action is for BLM to approve the pesticide use permit (PUP). The need for the action is established by the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) approved in 1947

## **1.4 Decision to be Made**

The BLM will decide whether or not to grant the PUP, and if so, under which terms and conditions.

## **1.5 Conformance with Land Use Plan**

The Proposed Action is in conformance with the Lake Havasu Field Office Resource Management Plan (LHFO RMP, 2007), even though it is not specifically provided for, because it is clearly consistent with the following RMP objectives, terms, and conditions:

The issuance of a PUP is consistent with BLM's vegetation treatments identified in the RMP, Appendix F Page f-6, which states "BLM would use EPA-approved herbicides in accordance with EPA's Endangered Species Pesticide Program covered in BLM's Vegetation Treatment on

BLM Lands in Thirteen Western States FEIS (May 1991) and further limited to those approved for use by the Arizona Record of Decision (Page 3, ROD, July 1991). These herbicides are Atrazine; Bromacil; Bromacil + Diuron; Chlorsulfuron; Clopyralid; 2,4-D, Dicamba; Dicamba + 2,4-D; Diuron; Glyphosate; Glyphosate + 2,4-D; Hexazinone; Imazapyr; Mefluidide; Metsulfuron Methyl; Picloram; Picloram + 2,4-D; Simazine; Sulfometuron Methyl; Tebuthiuron; and Triclopyr. Treatments will follow Standard Operating Procedures on pages 1-19 through 1-32 and project design features on pages 1-33 through 1-37 of the FEIS.”

## **1.6 Relationship to Statutes, Regulations, or Other Plans**

### Federal Insecticide, Fungicide and Rodenticide Act (FIFRA)

The purpose of FIFRA is to protect consumers from ineffective products and deceptive labeling of chemicals and allows for the Environmental Protection Agency (EPA) to regulate the use and sale of pesticides.

The Vegetation Treatment Using Herbicides on BLM Lands in 17 Western States Programmatic Final Environmental Impact Statement, approved September 2007.

### National Environmental Policy Act (NEPA)

Any action conducted on federally-administered lands or an action that utilizes federal dollars must be evaluated to determine if significant economic, social, or environmental effects may occur as a result of the Proposed Action. The assessment of the Proposed Action must also identify a reasonable range of Action Alternatives and the associated environmental effects of the Actions.

### Federal Land Policy and Management Act (FLPMA)

The BLM is mandated by the Federal Land Policy Management Act of 1976 to manage for multiple uses on BLM-administered lands. Land use planning is based on multiple use and sustained yield principles. This includes grazing, mining, recreation, travel management, land sales, acquisitions, and exchanges.

### Clean Water Act

Section 313 of the Clean Water Act of 1972 requires federal agencies be in compliance with all federal, state, interstate, and local requirements. In Arizona, the Arizona Department of Environmental Quality (ADEQ) implements the Clean Water Act.

### Migratory Birds

Executive Order 13186 expressly requires that Federal agencies evaluate the effects of proposed actions on migratory birds pursuant to the NEPA “or other established environmental review process;” restore and enhance the habitat of migratory birds, as practicable; identify where unintentional take reasonably attributable to agency actions is having, or is likely to have, a measurable negative effect on migratory bird populations; and, with respect to those actions so identified, the agency shall develop and use principles, standards, and practices that would lessen the amount of unintentional take, developing any such conservation efforts in cooperation with the United States Fish and Wildlife Service (USFWS).

### Cultural Resource Laws and Executive Orders

BLM is required to consult with Native American tribes to “help assure (1) that federally recognized tribal governments and Native American individuals, whose traditional uses of public land might be affected by a proposed action, will have sufficient opportunity to contribute to the decision, and (2) that the decision maker will give tribal concerns proper consideration” (U.S. Department of the Interior, BLM Manual Handbook H-8120-1). Tribal coordination and consultation responsibilities are implemented under laws and executive orders that are specific to cultural resources which are referred to as “cultural resource authorities,” and under regulations that are not specific which are termed “general authorities.” Cultural resource authorities include: the National Historic Preservation Act of 1966, as amended (NHPA); the Archaeological Resources Protection Act of 1979 (ARPA); and the Native American Graves Protection and Repatriation Act of 1990, as amended (NAGPRA). General authorities include: the American Indian Religious Freedom Act of 1979 (AIRFA); the National Environmental Policy Act of 1969 (NEPA); the Federal Land Policy and Management Act of 1976 (FLPMA); and Executive Order 13007-Indian Sacred Sites. The proposed action is in compliance with the aforementioned authorities.

## **1.7 Scoping, Public Involvement and Issues**

The principal goals of scoping are to allow public participation to identify issues, concerns, and potential impacts that require detailed analysis.

### **1.7.1 External Scoping**

It was determined that no external scoping needed to be conducted because the project only includes the Riviera Substation of the authorized right-of-way and is considered maintenance of the right-of-way.

### **1.7.2 Internal Scoping**

The table in Section 3.1.1 summarizes the resources scoped by the interdisciplinary team on April 15, 2014, for the Proposed Action.

## **CHAPTER 2 - PROPOSED ACTION AND ALTERNATIVES**

### **2.1 Introduction**

The Proposed Action encompasses 2.5 acres within the authorized AZA 14908 right-of-way. The treatment area only includes the Riviera Substation (see Appendix C – Photos)

### **2.2 Alternatives Analyzed in Detail**

#### **2.2.1 Proposed Action**

The proposed action is for the applicant, SWTC, to apply chemical herbicides to control weeds at their Riviera substation facility. Herbicides will be applied either pre-emergence to prevent the

germination of susceptible weed seedlings, or post-emergence to eradicate grasses, herbaceous broadleaves, small brush and trees and only within the fenced limits of the electric substation site and the three to four foot wide crushed rock apron that extends beyond the substation perimeter fence inside the right-of-way limits. The anticipated window for annual pre-emergent herbicide applications is November to April depending on seasonal conditions. The follow-up pre- or post-emergent herbicide applications will be in the June to October window as necessary. SWTC intends to utilize only herbicides approved within the Vegetation Treatment Using Herbicides on BLM Lands in 17 Western States Programmatic Final Environmental Impact Statement. All herbicides will be applied by a license applicator and in accordance with the manufacturer's label or material safety data sheet instructions, guidance, and/or procedures.

### 2.2.2 No Action Alternative

Under the No Action Alternative the PUP would not be issued. There would be no weed control of right-of-way AZA 14908.

## CHAPTER 3 - AFFECTED ENVIRONMENT

### 3.1 Introduction/ Background

The Bullhead bajada is located on the western slope of the Black Mountains in extreme west-central Arizona. The site lies within the lower Sonoran Desert and is at an elevation of 950 feet. The Colorado River is located approximately three miles to the west. The mountain range to the east of the site reaches an elevation in excess of 1,000 feet.

The Riviera substation is located two miles southeast of Bullhead City. To the west of the site are developed residential neighborhoods, and to the north, west and south are undeveloped lands.

### 3.2 Resources Not Further Analyzed

The following table is provided as a mechanism for resource staff review, to identify those resource values with issues or potential impacts from the proposed action and/or alternatives. Those resources identified in the table as potentially impacted will be brought forward for analysis.

<u>Resource</u>	<u>Resource Status</u>	<u>Rationale</u>
<b><u>Air Quality and Climate*</u></b> <i>Project Lead</i>	NP	These resources would not be affected by the project
<b><u>Areas of Critical Environmental Concern</u></b> <i>Vacant</i>	NP	This resource is not present within the project area and was not brought forward for further analysis
<b><u>Cultural, Historic &amp; Paleontological Resources*</u></b> <i>Vacant</i>	NP	A survey was conducted April 15, 1981, and no resources were found.
<b><u>Environmental Justice</u></b>	NP	No minority or low-income groups would be

<i>Project Lead</i>		disproportionately affected by health or environmental effects
<b><u>Farmlands (Prime or Unique)</u></b> <i>Project Lead</i>	NP	By definition, there are no “prime or unique farmlands” on BLM-administered land within LHFO.
<b><u>Fish Habitat*</u></b> <i>Doug Adams</i>	NP	This resource is not present within the project area and was not brought forward for further analysis
<b><u>Floodplains*</u></b> <i>Vacant</i>	NP	This resource is not present within the project area and was not brought forward for further analysis
<b><u>Forest Management*</u></b> <i>Project Lead</i>	NP	This resource is not present within the project area and was not brought forward for further analysis
<b><u>Fuels/ Fire Management</u></b> <i>Mike Trent</i>	NP	This resource is not present within the project area and was not brought forward for further analysis
<b><u>Geology/ Minerals</u></b> <i>Vacant</i>	NP	No mineral operations currently exist in the project area.
<b><u>Grazing/ Rangeland</u></b> <i>Project Lead</i>	NP	No grazing occurs within the project area.
<b><u>Invasive &amp; Non-Native Species</u></b> <i>Jennifer House</i>	NP	Invasive and non-native species do not occur within the project area.
<b><u>Lands &amp; Realty</u></b> <i>Sheri Ahrens</i>	PNI	Proponent already holds authorization for this right-of-way.
<b><u>Law Enforcement</u></b> <i>Jonathon Azar</i>	NP	No change to Law Enforcement activities is expected due to the Proposed Action.
<b><u>Migratory Birds*</u></b> <i>Jennifer House</i>	NP	Suitable nesting and foraging habitat does not exist within the project area.
<b><u>Native American Religious Concerns*</u></b> <i>Vacant</i>	NP	This resource is not present within the project area and was not brought forward for further analysis
<b><u>Noise</u></b> <i>Project Lead</i>	NP	This resource would not be affected by the project
<b><u>Public Health &amp; Safety</u></b> <i>Project Lead</i>	NP	The Proposed Action is not expected to impact public health and safety.
<b><u>Recreation</u></b> <i>Amanda Deeds</i>	NP	The Proposed Action will not inhibit primitive recreational opportunities within the area.
<b><u>Socioeconomics</u></b> <i>Project Lead</i>	NP	This resource would not be affected by the project
<b><u>Soils</u></b> <i>Vacant</i>	NP	No digging or soil loss is expected for the Proposed Action.
<b><u>T &amp; E Species*</u></b> <i>Jennifer House</i>	NP	No federally threatened or endangered species occurs within the project area.
<b><u>Travel Management</u></b> <i>Amanda Deeds</i>	NP	No OHV routes exist at project site. The dirt road onto the substation is located on State Property.
<b><u>Vegetation</u></b> <i>Jennifer House</i>	PI	See section 3.1.3

<b><u>Visual Resources</u></b> <i>Amanda Deeds</i>	NP	This resource would not be affected by the project
<b><u>Wastes Hazardous or Solid*</u></b> <i>Cathy Wolff-White</i>	NP	No hazardous waste is present or expected within the project area.
<b><u>Water Quality Surface and Ground*</u></b> <i>Vacant</i>	NP	No impact to water quality is expected.
<b><u>Wetlands and Riparian*</u></b> <i>Doug Adams</i>	NP	This resource is not present within the project area and was not brought forward for further analysis
<b><u>Wilderness, WSAs, Wild &amp; Scenic Rivers</u></b> <i>Amanda Deeds</i>	NP	This resource is not present within the project area and was not brought forward for further analysis
<b><u>Wilderness Characteristics</u></b> <i>Amanda Deeds</i>	NP	This resource is not present within the project area and was not brought forward for further analysis
<b><u>Wild Horses &amp; Burros</u></b> <i>Chad Benson</i>	NP	This resource would not be affected by the project
<b><u>Wildlife Aquatic</u></b> <i>Doug Adams</i>	NP	This resource is not present within the project area and was not brought forward for further analysis
<b><u>Wildlife Terrestrial</u></b> <i>Jennifer House</i>	PNI	Project area is fenced, therefore restricting wildlife access. Some small mammals may be within the project area, but chemical applications are targeted for vegetation removal.

\*Consideration Required by Law or Executive Order

NP = Not Present

PNI = Present, Not Impacted

PI = Present and/ or Impacted

### 3.2.2 Resources Analyzed

The impacted resources brought forward for analysis include:

- Vegetation

## 3.3 BIOLOGICAL RESOURCES

### 3.3.1 Vegetation

#### **Affected Environment:**

The area is classified as lower Sonoran desert scrub which is characterized by the following vegetation: creosotebush, white bursage, ocotillo, brittlebush, fourwing saltbush, blue palo verde, foothill palo verde, saguaro, mesquite, ironwood, catclaw acacia, smoketree, and big galleta grass. The immediate area surrounding the project is highly developed due to its proximity to Bullhead City. Since the project area has been authorized as a Right-of-Way for an electrical substation since 1981, very minimal vegetation exists within the fenced area. Over the past thirty years, vegetation has been managed through mechanical treatments and physical pulling.

## **Environmental Effects:**

### Proposed Action

Direct and Indirect Impacts:

The application of herbicides within the project area will remove all vegetation, where applied.

Protective/ Mitigation Measures:

- All BLM-approved herbicides and adjuvants would be applied according to their label instructions. The instructions include effective application rates for specific noxious weed species, and non-treatment buffers around water bodies and water sources.
- The applicator must have all appropriate licenses and permits to purchase and apply herbicides and adjuvants, and operate needed equipment.
- State protected plant species (all cactus, ocotillo and native trees) shall be avoided; if they cannot be avoided they will be salvaged and replanted after construction within the right-of-way boundaries or another location determined by the LHFO Wildlife Biologist. The holder shall report all State protected species destroyed or damaged to the LHFO Wildlife Biologist.

### No Action Alternative

Direct/ Indirect Impacts:

No chemicals would be applied to the project area. Vegetation would continue to be removed via mechanical and physical methods.

Protective/ Mitigation Measures: None

## **3.4 CUMULATIVE IMPACTS SUMMARY**

### **3.4.1 Introduction**

As required under NEPA and the regulations implementing NEPA, this section analyzes potential cumulative impacts from past, present, and reasonably foreseeable future actions (RFFA's) combined with the proposal within the area analyzed. A cumulative impact is defined as "the impact which results from the incremental impacts of the action, decision, or project when added to other past, present, and reasonably foreseeable future actions, regardless of which agency (federal or non-federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time" (40 Code of Federal Regulations 1508.7).

Potential cumulative impacts are assessed at the resource level. The cumulative impacts analysis area (CIAA) for past, present, and RFFA's that may generate cumulative impacts varies depending on the resource under consideration. Past, present, and RFFA's are analyzed to the extent that they are relevant and useful in analyzing whether the reasonably foreseeable effects of the Proposed Action and Alternatives may have an additive and significant relationship to those effects.

The CIAA for this proposal is defined as the Bullhead bajada in western Arizona.

### **3.4.2 Past, Present, and Reasonably Foreseeable Future Actions (RFFA)**

#### **Past and Present Actions**

Surrounding Bullhead City, within the Lake Havasu Field Office (LHFO), the lower Sonoran desert scrub vegetation classification is the most common vegetation type on BLM lands. Aside from the riparian corridors surrounding the Colorado River, this area of Arizona is dominated by desert scrub. The development of City of Bullhead and Fort Mohave has led to the loss of lower Sonoran desert scrub. Additional activities which have led to the disturbance of this vegetation type within the LHFO include roads, off-highway vehicle recreation, commercial development, utility rights-of-ways, and an airport. The Proposed Action would continue to limit the renewal of lower Sonoran desert scrub within the project area.

#### **Reasonably Foreseeable Future Actions**

Future actions which may lead to additional disturbance or loss of the lower sonoran desert scrub may include:

- Continued residential and commercial development within and surrounding the City of Bullhead and Fort Mohave.
- State Route 95 Realignment from I-40 to SR 68

### **3.4.3 Cumulative Impact Conclusion**

No significant cumulative impact would be anticipated from implementing the Proposed Action as described above. Bullhead City is a rapidly growing community, with expanding development inevitable within the city limits, including those immediately surrounding the project area. Although the area has been developed and will continue to grow, the lower Sonoran desert scrub is still the most common vegetation community type in the region.

## **CHAPTER 4 – TRIBES, INDIVIDUALS, ORGANIZATIONS OR AGENCIES CONSULTED**

### **4.1 List of Preparers and Participants**

Southwestern Transmission Cooperative, Inc. – Applicant

Eulalio Heredia – BLM YFO Fuels Technician

Sheri Ahrens – BLM LHFO Realty Specialist

David Daniels – BLM CRD Planning & Environmental Coordinator

Amanda Dodson – BLM LHFO Assistant Field Manager – Lands & Resources

Jennifer House – BLM LHFO Wildlife Biologist

## **CHAPTER 5 – REFERENCES, GLOSSARY**

### **5.1 References Cited**

2007. U.S. Department of the Interior. Bureau of Land Management. Arizona State Office. Lake Havasu Field Office. Lake Havasu Field Office Record of Decision and Approved Resource Management Plan. BLM/AZ/PL-07/002.

<http://www.blm.gov/az/st/en/prog/planning/lhfo-final.html>

1976. Federal Land Policy and Management Act of 1976 (FLPMA)

1972. US Environmental Protection Agency. Federal Insecticide, Fungicide and Rodenticide Act (FIFRA).
2007. US Department of the Interior. The Vegetation Treatment Using Herbicides on BLM Lands in 17 Western States Programmatic Final Environmental Impact Statement, approved September, 2007.

## **5.2 List of Acronyms Used in this EA**

BLM – Bureau of Land Management  
CFR – Code of Federal Regulations  
CIAA – Cumulative Impacts Analysis Area  
EPA – Environmental Protection Act  
LHFO – Lake Havasu Field Office  
NEPA – National Environmental Policy Act  
PUP – Pesticide Use Permit

## APPENDICES

### Appendix A – Stipulations

1. All BLM-approved herbicides and adjuvants would be applied according to their label instructions. The instructions include effective application rates for specific noxious weed species, and non-treatment buffers around water bodies and water sources.
2. The applicator must have all appropriate licenses and permits to purchase and apply herbicides and adjuvants, and operate needed equipment.
3. State protected plant species (all cactus, ocotillo and native trees) shall be avoided; if they cannot be avoided they will be salvaged and replanted after construction within the right-of-way boundaries or another location determined by the LHFO Wildlife Biologist. The holder shall report all State protected species destroyed or damaged to the LHFO Wildlife Biologist.
4. No hazardous material, substance, or hazardous waste, (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, *et seq.*, or the Resource Conservation and Recovery Act, 42 U.S.C. 6901, *et seq.*) shall be used, produced, transported, released, disposed of, or stored within the right-of-way area at any time by the holder. The holder shall immediately report any release of hazardous substances (leaks, spills, etc.) caused by the holder or third parties in excess of the reportable quantity as required by federal, state, or local laws and regulations. A copy of any report required or requested by any federal, state or local government agency as a result of a reportable release or spill of any hazardous substances shall be furnished to the Authorized Officer concurrent with the filing of the reports to the involved federal, state or local government agency.

The holder shall immediately notify the Authorized Officer of any release of hazardous substances, toxic substances, or hazardous waste on or near the right-of-way potentially affecting the right-of-way of which the holder is aware.

As required by law, holder shall have responsibility for and shall take all action(s) necessary to fully remediate and address the hazardous substance(s) on or emanating from the right-of-way.

5. The holder shall comply with all applicable local, state, and federal air, water, hazardous substance, solid waste, or other environmental laws and regulations, existing or hereafter enacted or promulgated. To the full extent permissible by law, the holder agrees to indemnify and hold harmless, within the limits, if any, established by state law (as state law exists on the effective date of the right-of-way), the United States against any liability arising from the holder's use or occupancy of the right-of way, regardless of whether the holder has actually developed or caused development to occur on the right-of-way, from the time of the issuance of this right-of-way to the holder, and during the term of this right-of-way. This agreement to indemnify and hold harmless the United States against any liability shall apply without regard to whether the liability is caused by the holder, its agents, contractors, or third parties. If the liability is caused by third

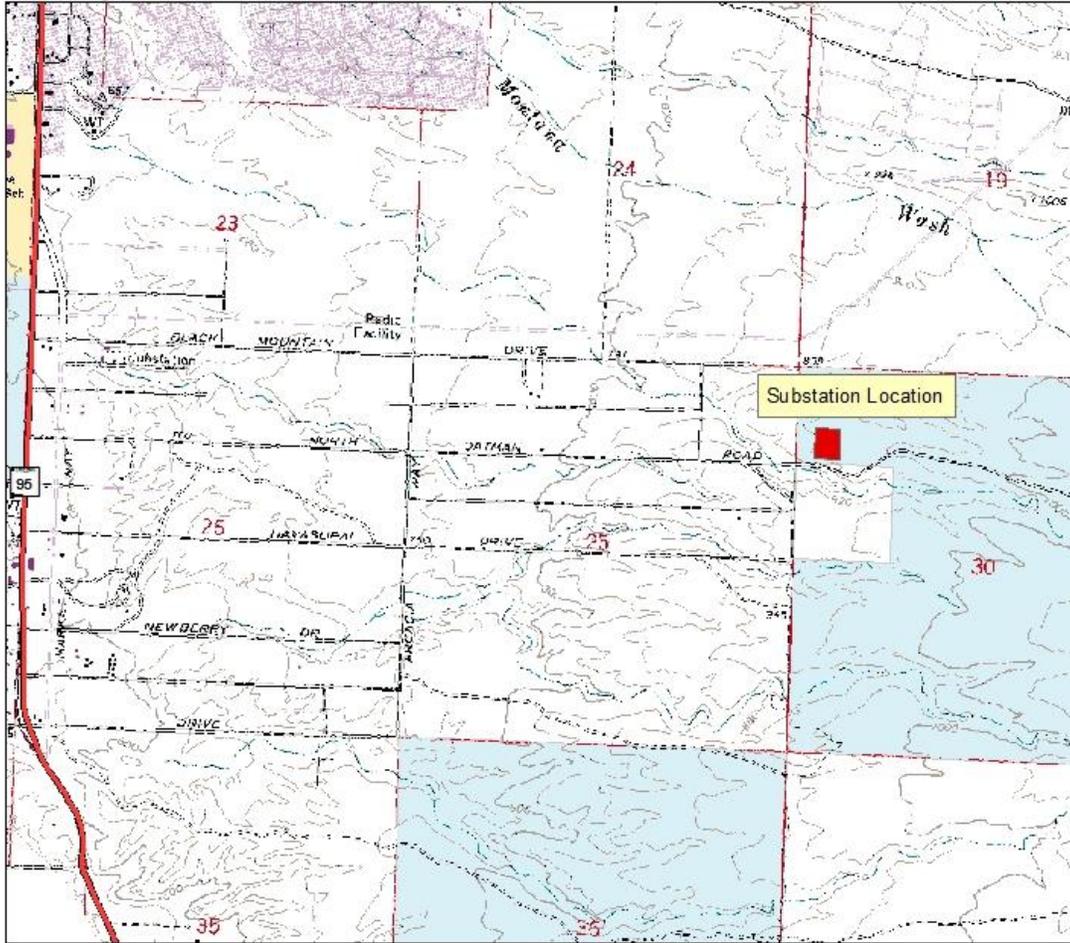
parties, the holder will pursue legal remedies against such third parties as if the holder were the fee owner of the right-of-way.

Notwithstanding any limits to the holder's ability to indemnify and hold harmless the United States which may exist under state law, the holder agrees to bear all responsibility (financial or other) for any and all liability or responsibility of any kind or nature assessed against the United States arising from the holder's use or occupancy of the right-of way regardless of whether the holder has actually developed or caused development to occur on the right-of-way from the time of the issuance of this right-of-way to the holder and during the term of this right-of-way.

# Appendix B – Maps

AZA 14908 Southwestern Transmission Cooperative, Inc.  
Location Map

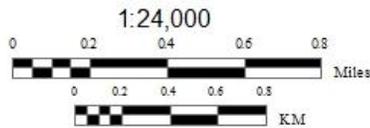
State of Arizona



### Legend

- |   |                              |
|---|------------------------------|
| Bureau of Land Management (BLM)         | BLM Wilderness Area          |
| USFW Service, National Wildlife Refuges | USFW Service Wilderness Area |
| Indian Lands or Reservations            |                              |
| Private Lands                           |                              |
| State Lands                             |                              |

### Legend



**CAUTION:**  
Land ownership data is derived from less accurate data than the 1:24,000 scale base map. Therefore, land ownership may not be shown for parcels smaller than 40 acres, and land ownership lines may have plotting errors due to source data.

No warranty is made by the Bureau of Land Management for the use of the data for purposes not intended by the BLM.



United States Department of the Interior  
Bureau of Land Management  
Arizona State Office

Map created on Aug 14, 2009  
Land Status Updated February 20, 2007

**Appendix C – Photos**

