

**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: HFO
2014-0034-CX**

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

Case File No.:

Proposed Action Title/Type: Buckhorn Spring Exclosure Fence Modification

Applicant: BLM Project

Location of Proposed Action: Buckhorn Spring - T8N R2W S28 (NE 1/4)

Description of Proposed Action: This proposed project would involve building approximately 450 meters of fence to better protect Buckhorn Spring from livestock impacts and to give livestock better access to an existing water trough. A livestock exclosure currently exists around Buckhorn Spring and the associated riparian area downstream from the spring (BLM EA AZ-020-2003-0081). Water is piped from the spring to existing troughs (black dots on the attached map) downstream from the exclosure. The current exclosure (black cross-hatched lines on the attached map) prevents livestock in the upper pasture above Buckhorn Spring from accessing the existing water trough. During dry conditions, Buckhorn Spring is the only available water source in the upper pasture. This recently resulted in cattle trampling the exclosure fence and impacting the spring and surrounding riparian vegetation. The Arizona Game and Fish Department stocked Gila topminnow (listed endangered) into Buckhorn Spring (BLM EA AZ-210-2005-052) and topminnow currently persist there. The Biological Opinion for the stocking (22410-2006-F-0006) allows for water to be piped out of Buckhorn Spring to a trough outside of the exclosure, but requires that livestock be excluded from the spring. The proposed modification (red line on the attached map) to the existing exclosure would allow livestock in the upper pasture to access the existing trough, while protecting Buckhorn Spring and the associated riparian vegetation. Initially, the proposed fence would be t-post and barbed wire. If funding permits, the proposed fence may be converted to pipe rail at a late date to make the fence more durable.

Part II. – PLAN CONFORMANCE REVIEW

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

Decisions and page nos.: GM-6. Build livestock control fences and alternative water sources where needed to meet natural resource objectives. Fence construction and maintenance will follow guidance provided in BLM's Handbook on Fencing No. 1741-1. Page 36.

GM-21. The development of springs, seeps, or other projects affecting water, and associated resources will be designed to protect ecological functions and processes. Page 38.

GM-20. New facilities are located away from riparian-wetland areas if they conflict with achieving or maintaining riparian-wetland function. Existing facilities are used in a way that does not conflict with riparian-wetland functions or are relocated or modified when incompatible with these functions. Page 38.

TE-20. Stream bank alteration due to recreation activities and livestock grazing in areas occupied by Gila topminnow, Gila chub, and desert pupfish will be limited to 25 percent annually. Page 15.

Date plan approved/amended: 4-22-2010

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

PART III. – NEPA COMPLIANCE DETERMINATION REVIEW

A. The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9 BLM CX J-9: Construction of small protective enclosures, including those to protect reservoirs and springs and those to protect small study areas;

And

B. Extraordinary Circumstances Review: In accordance with **43 CFR 46.215**, any action that is normally categorically excluded must be subjected to sufficient environmental review to determine if it meets any of the 12 Extraordinary Circumstances described. If any circumstance applies to the action or project, and existing NEPA documentation does not adequately address it, then further NEPA analysis is required.

IMPORTANT: Appropriate staff should review the circumstances listed in Part IV, comment and initial for concurrence. Rationale supporting the concurrence should be included in the appropriate block.

(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.

Yes	No	<p>Rationale: There are no anticipated significant impacts to any of the above mentioned resources. Excluding cattle from the spring should improve the quality of the riparian and aquatic habitat.</p>
	X	
Preparer's Initials <u>CDC</u>		

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

Yes	No	<p>Rationale: No controversial environmental effects or unresolved conflicts concerning alternative uses of the available resources is anticipated.</p>
	X	
Preparer's Initials <u>CDC</u>		

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

Yes	No	<p>Rationale: Building enclosures around riparian areas is a common practice that has little unknown environmental risks.</p>
	X	
Preparer's Initials <u>CDC</u>		

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

Yes	No	<p>Rationale: This action would not establish a precedent with potentially significant environmental effects.</p>
	X	
Preparer's Initials <u>CDC</u>		

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

Yes	No	<p>Rationale: No such cumulative impacts relationship exists with other actions.</p>
	X	
Preparer's Initials <u>CDC</u>		

(g) Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.		
Yes	No <input checked="" type="checkbox"/>	Rationale: There are no anticipated significant impacts to any listed or eligible NRHP properties. Preparer's Initials <u>CDC</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.		
Yes	No <input checked="" type="checkbox"/>	Rationale: The proposed project would better protect the aquatic habitat in Buckhorn Spring by excluding the spring area from livestock and giving livestock access to an existing water trough. Preparer's Initials <u>CDC</u>
(i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		
Yes	No <input checked="" type="checkbox"/>	Rationale: No such laws would be violated by carrying out this action. Preparer's Initials <u>CDC</u>
(j) Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		
Yes	No <input checked="" type="checkbox"/>	Rationale: No adverse effects would be imposed on low income or minority populations as a result of this action. Preparer's Initials <u>CDC</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 <input checked="" type="checkbox"/>	Rationale: No such access limitations would occur as a result of this action. Preparer's Initials <u>CDC</u>

(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: This action is not anticipated to introduce or spread weeds into the area.
	X	

Preparer's Initials CA

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:

APPROVING OFFICIAL: D. Pennington-Hawes DATE: 6/23/2014
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.