



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Phoenix District  
Hassayampa Field Office  
21605 North 7<sup>th</sup> Avenue  
Phoenix, Arizona 85027  
[www.blm.gov/az/](http://www.blm.gov/az/)

In Reply Refer To:  
6716 (AZP010)  
**DOI-BLM-AZ-P010-2014-0036-CX**

## DECISION

### **Maintenance and modification of 5 wildlife water catchments DOI-BLM-AZ-P010-2014-0036-CX**

The Bureau of Land Management, Hassayampa Field Office has prepared a Categorical Exclusion for maintenance and modification of 5 wildlife water catchments (DOI-BLM-AZ-P010-2014-0036-CX). Arizona Game and Fish Department and BLM are proposing to modify 5 existing wildlife waters (catchment numbers 436, 437, 438, 439 and 440) that were originally built as mitigation for the CAP canal. The corrugated tin aprons, storage tanks, water troughs, and plumbing would be replaced. The existing enclosure fences would be upgraded from t-post and wire to welded pipe rail. The footprint of 3 of the enclosure fences (catchments 436, 438 and 439) would be slightly modified to improve wildlife ingress and egress. Except for the modification of the 3 enclosure fences, all work would take place within the existing project footprint. Each wildlife water, including the enclosure fence, encompasses an area of approximately 150 ft by 150 ft.

## **DECISION**

Based on a review of the project described in the attached Categorical Exclusion documentation and staff recommendations, I have determined that the project is in conformance with the Bradshaw-Harquahala Resource Management Plan (approved 4-22-2010) and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed with the following stipulations:

1. If cultural resources are encountered while carrying out this project, construction personnel must stop construction immediately in the area of the discovery and notify the Authorized Officer.

## **RATIONALE**

Maintaining the functionality of wildlife waters is important to sustain and enhance native wildlife populations on public lands in the Hassayampa Field Office. Management actions in the Bradshaw-Harquahala Resource Management Plan specifically state that all existing wildlife waters will be maintained or improved as needed to maintain the presence of perennial water for

wildlife. This action is designated as a categorical exclusion in BLM NEPA Handbook 1790-1 (BLM Categorical Exclusion A – 2).

### **AUTHORITY**

This Decision is in conformance with the National Environmental Policy Act (NEPA) of 1969 (P.L. 91-190) as amended (72 USC 4321 et. seq.); and the General and Title V of the Federal Land Management Policy Act of 1976 (FLPMA).

### **APPEAL OF THE DECISION**

This decision may be appealed to the Interior Board of Land Appeals (IBLA), 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 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 at 43 CFR 3256.11 or 43 CFR 3200.5 for a stay 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 IBLA and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed in 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 must show sufficient justification based on the following standards:

1. The relative harm to 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.
4. Whether the public interest favors granting the stay.

D. Pennington  
 Name Ran Ottawas  
 Title Field Manager  
 Office BLM Hassayamda field office

9/15/2014  
 Date

**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 Field Office  
2014-0036-CX

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

**Case File No.:**

**Proposed Action Title/Type:** Maintenance and modification of 5 wildlife water catchments

**Applicant:** BLM/Arizona Game and Fish Cooperative Project

**Location of Proposed Action:** Five wildlife water catchments located in the Hassayampa Field Office in Maricopa County (See attached map for specific locations).

**Description of Proposed Action:** Arizona Game and Fish Department and BLM are proposing to modify 5 existing wildlife waters (catchment numbers 436, 437, 438, 439 and 440) that were originally built as mitigation for the CAP canal. The corrugated tin aprons, storage tanks, water troughs, and plumbing would be replaced. The existing enclosure fences would be upgraded from t-post and wire to welded pipe rail. The footprint of 3 of the enclosure fences (catchments 436, 438 and 439) would be slightly modified to improve wildlife ingress and egress. Except for the modification of the 3 enclosure fences, all work would take place within the existing project footprint. Each wildlife water, including the enclosure fence, encompasses an area of approximately 150 ft by 150 ft. This work is being proposed to improve the function and longevity of the wildlife waters. Schematics for the proposed action are attached. The proposed categorical exclusion number is: BLM A – 2. Minor modification of water developments to improve or facilitate wildlife use (e.g., modify enclosure fence, install flood valve, or reduce ramp access angle).

**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.:** WF-10. The density and distribution of wildlife waters will be maintained, improved, or increased throughout the planning areas to sustain and enhance wildlife populations across their range. Page 17.

WF-11. All existing wildlife waters will be maintained or improved as needed to maintain the presence of perennial water for wildlife. Page 17.

**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*).



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

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

Yes	No	<b>Rationale:</b> There are no significant hazards associated with the wildlife water maintenance and modification actions. The project sites are located in remote areas with limited public use. The Arizona Game and Fish Department (AGFD) will be carrying out the maintenance and modification of the wildlife waters. AGFD has a lot of experience in carrying out these types of projects.
	X	
Preparer's Initials <u>COC</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.

Yes	No	<b>Rationale:</b> There are no anticipated significant impacts to any of the above mentioned resources.
	X	
Preparer's Initials <u>COC</u>		

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

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

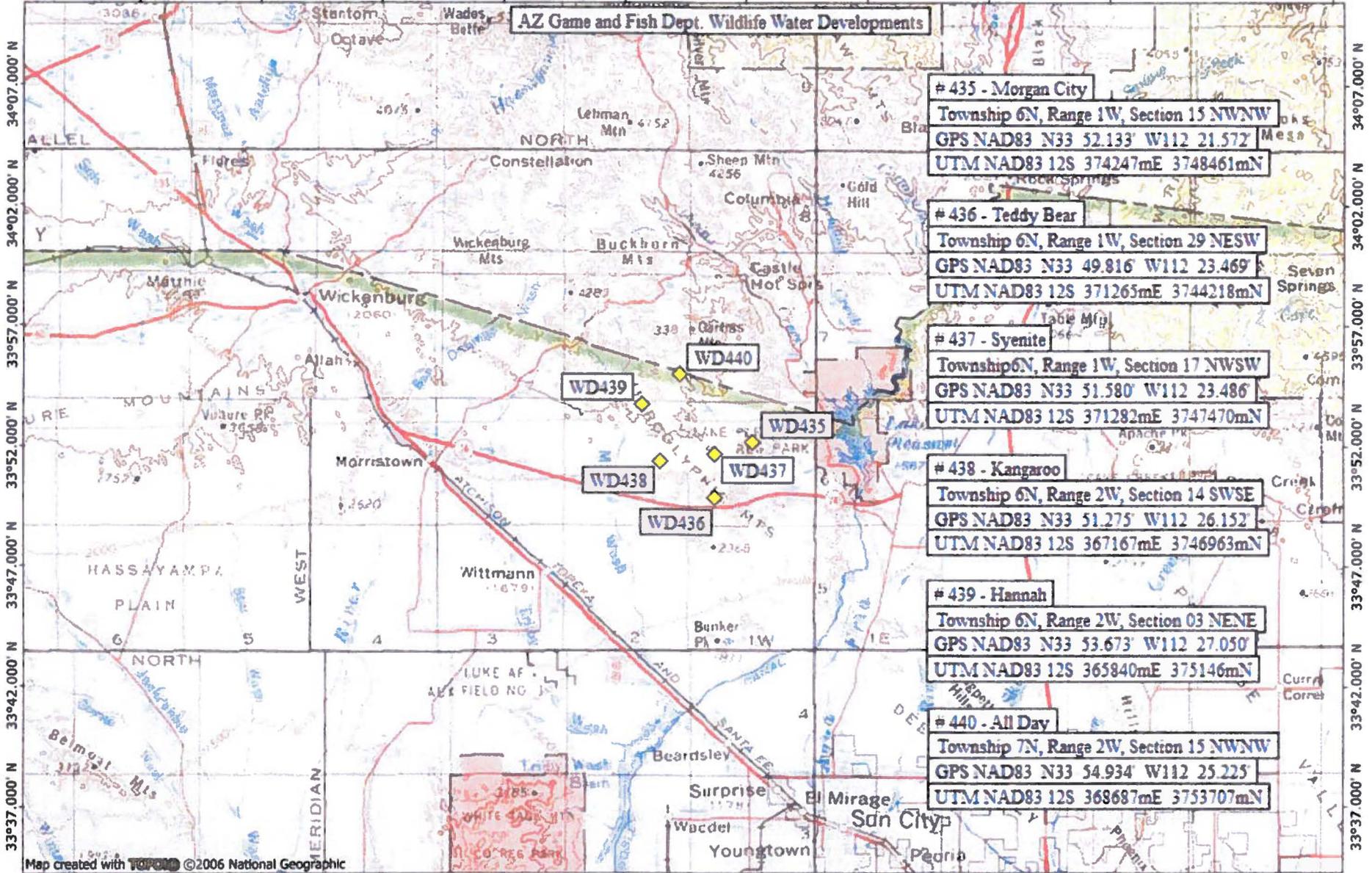
(d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

Yes	No	<b>Rationale:</b> Wildlife water maintenance and modification a common practice that has little unknown environmental risks.
	X	
Preparer's Initials <u>COC</u>		

(e) Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.		
Yes	No	<b>Rationale:</b> This action would not establish a precedent with potentially significant environmental effects.  Preparer's Initials <u>CDC</u>
	X	
(f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		
Yes	No	<b>Rationale:</b> No such cumulative impacts relationship exists with other actions.  Preparer's Initials <u>CDC</u>
	X	
(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	<b>Rationale:</b> There are no anticipated significant impacts to any listed or eligible NRHP properties.  Preparer's Initials <u>CDC</u>
	X	
(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	<b>Rationale:</b> There are no listed or proposed species or listed or proposed critical habitat in the vicinity of the proposed action.  Preparer's Initials <u>CDC</u>
	X	
(i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		
Yes	No	<b>Rationale:</b> No such laws would be violated by carrying out this action.  Preparer's Initials <u>CDC</u>
	X	
(j) Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		

Yes	No	<b>Rationale:</b> No adverse effects would be imposed on low income or minority populations as a result of this action.	Preparer's Initials <u>CDC</u>
	X		
(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	<b>Rationale:</b> No such access limitations would occur as a result of this action.	Preparer's Initials <u>CDC</u>
	X		
(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	<b>Rationale:</b> This action is not anticipated to introduce or spread weeds into the area.	Preparer's Initials <u>CDC</u>
	X		
<b>PART V. - COMPLIANCE REVIEW CONCLUSION</b> 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.  <b>MITIGATION MEASURES/OTHER REMARKS:</b>  APPROVING OFFICIAL: <u>D. Reimig Hand</u> DATE: <u>9/15/2014</u> TITLE: <u>Field Manager</u>			

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.



Map created with TOPO! ©2006 National Geographic

