

ASDO NEPA DOCUMENT ROUTING SHEET

NEPA Document Number: **DOI-BLM-AZ-A030-2015-0002-CX**

Project Title: Mojave Desert Inventory and Monitoring Network Selected Large Springs Research Permit

Project Lead: Jennifer Fox

Date that any scoping meeting was conducted: N/A

Date that concurrent, electronic distribution for review was initiated: June 8, 2015

Deadline for receipt of responses: **Tuesday, June 30, 2015**

ID Team/Required Reviewers will be determined at scoping meeting or as a default the following:

Gloria Benson, Tribal Liaison
Whit Bunting, Range/Vegetation/Weeds/S&G
Laurie Ford, Lands/Realty/Minerals
Diana Hawks, Recreation/Wilderness/VRM
David van Alfen, Cultural Resources
Jace Lambeth, Special Status Plants
John Sims, Supervisory Law Enforcement
Richard Spotts, Environmental Coordinator
Jeff Young, Wildlife/T&E Animals
Rosalie Pepito, NPS Monument Superintendent

Required Recipients of electronic distribution E-mails only (not reminders):

Steve Rosenstock (E-mail address: srosenstock@azgfd.gov)
Daniel Bulletts (E-mail address: dbulletts@kaibabpaiute-nsn.gov)
Peter Bungart (E-mail address: pbungart@circaculture.com)
Dawn Hubbs (E-mail address: dawn.hubbs101@gmail.com)

(Mr. Rosenstock is an Arizona Game and Fish Department (AGFD) Habitat Program Manager. Mr. Bulletts is acting Environmental Program Director for the Kaibab Paiute Tribe (KPT). Mr. Bungart and Ms. Hubbs are cultural staff for the Hualapai Tribe. They may review and/or forward on ASDO NEPA documents to other employees. If a Project Lead receives comments from any AGFD employee on their draft NEPA document, they should include them in the complete set/administrative record and share them with Jeff Young as the ASDO Wildlife Team Lead. Mr. Young will then recommend how these comments should be addressed. If a Project Lead receives comments from any KPT or Hualapai Tribe employee, they should include them in the complete set/administrative record and share them with Gloria Benson as the ASDO Tribal Liaison. Ms. Benson will then recommend how these comments should be addressed.)

Discretionary Reviewers:

Steven Daron, Archaeologist, Lake Mead NRA

**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: Grand Canyon-Parashant
National Monument

NEPA No.: DOI-BLM-AZ-A030-2015-0002-CX
Case File No.:

Proposed Action Title/Type: Mojave Desert Inventory and Monitoring Network Selected Large Springs Research Permit (Application 83112)

Applicant: Mojave Desert Inventory and Monitoring Network

Location of Proposed Action: The proposed action is located on BLM and NPS administered lands within the following described areas and as shown on the attached maps:

Gila and Salt River Meridian, Arizona

T. 35 N., R. 16 W.,
sec. 13, SE1/4.

T. 35 N., R. 16 W.,
sec. 24, SE1/4.

Description of Proposed Action: Mojave Desert Inventory and Monitoring Network (MOJN) proposes to visit Pakoon Springs and Tassi Springs (see attached application 83112) in accordance with the National Park Service Selected Large Springs Protocol (see attached SOP 8). Water sampling would result in 1 liter of water being removed from each springbrook. Benthic macroinvertebrate sampling would take place over 0.08m² area within the Tassi Spring springbrook and would not exceed that same area at Pakoon Springs. Materials removed for analysis would vary by location although not expected to exceed 2 liters. Additional sampling for springsnails at Tassi Springs would involve removal of snails from the spring, counting, and then replacement of snails in water near (within 1 m) the springs source. Method of access would be on roads designated open for motorized use with no off road vehicle use proposed and on foot to spring sites. A single visit to the springs is anticipated in Fall 2015 and a single visit to the springs in Fall or late Winter/early Spring 2017. Decontamination procedures would be followed to minimize cross contamination (see attached SOP 5). Researchers would comply with GCPNM Scientific Research Permit Stipulations and National Park Service General Conditions for Scientific Research and Collecting (see attached).

PART II. – PLAN CONFORMANCE REVIEW

This proposed action is subject to the following land use plan(s): Grand Canyon-Parashant National Monument Resource Management Plan (RMP)

Decisions and page nos.: MA-SR-01 and MA-SR-02 pg 2-103

“Permits will be required for approved scientific research to insure compatibility and reporting of results.”

“The collection of any objects in the Monument will not be authorized except by permit for scientific research or use.”

Date plan approved/amended: January 29, 2008

This proposed action has been reviewed for conformance with this plan (*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, J.6;

A single trip in a one month period for data collection or observation sites.

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, check the appropriate box (yes/no), comment and initial for concurrence. Add any appropriate additional reviewers and applicable manager. Rationale supporting the concurrence should be included in the appropriate block. If no response is received from a mandatory reviewer, enter the comment due date along with the notation “No response received.”

PART IV. – EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION

PREPARERS/REVIEWERS:	DATE:
Jennifer Fox, Project Lead	June 30, 2015
Gloria Benson, Tribal Liaison	July 7, 2015
Whit Bunting, Range/Vegetation/Weeds/S&G	June 10, 2015
Diana Hawks, Recreation/Wilderness/VRM	June 22, 2015_
David van Alfen, Cultural Resources	July 6, 2015
Laurie Ford, Lands/Realty/Minerals	June 15, 2015_
Jace Lambeth, Special Status Plants	June 9, 2015
John Sims, Supervisory Law Enforcement	July 6, 2015 no response received
Richard Spotts, Environmental Coordinator	June 23, 2015
Jeff Young, Wildlife/T&E Animals	June 30, 2015
Rosie Pepito, NPS Monument Superintendent	July 1, 2015
Steven Daron, Archaeologist, Lake Mead NRA	July 1, 2015

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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Rationale: No significant impacts on public safety would result from the proposed action because of the minimal impacting nature of the proposal. The safety of the researchers would be addressed through the approval process of a required Backcountry Travel Plan and through the Parashant Research Permit stipulations (General #8, 12, 14, 15, 16, Backcountry camping and travel # 1)</p> <p style="text-align: right;">Preparer's Initials <u> JEF </u></p>
(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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Rationale: The proposed spring research would have no significant impacts on monument objects, national monument resources or lands or critical areas. The springs are located outside designated wilderness and are not located near any wild or scenic rivers. The proposed action would not significantly affect migratory bird use of the springs because it would only potentially disturb birds for a short time.</p> <p style="text-align: right;">Preparer's Initials <u> DCH/JNY </u></p>
(c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Rationale: There are no controversial environmental effects or unresolved conflicts concerning alternative use of available resources because of the minimal impacting nature of the proposed action and also because the water being collected for analysis is from water sources which Parashant National Monument has the water rights.</p> <p style="text-align: right;">Preparer's Initials <u> JEF </u></p>
(d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Rationale: Proposed action is part of the routine monitoring of water sources on the Monument and is in accordance with national protocols.</p> <p style="text-align: right;">Preparer's Initials <u> JEF </u></p>
(e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Rationale: No. Proposed action is similar to previous spring survey actions on the Monument and does not represent a decision in principle about future actions with potential significant environmental effects. Each research permit is assessed individually.</p>

Preparer's Initials JEF

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

Yes

No

Rationale: There would be no cumulative effect because all access is via designated and existing roads or on foot on trails/disturbed areas and the proposed action is at a level with minimal environmental impact.

Preparer's Initials JEF

(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

Rationale: The proposed action, while taking place on a listed site (Tassi Ranch), is not expected to impact the site as long as researchers follow restrictions (Walk from parking area, stay out of structures and not collapse banks of stream). See Steve Daron email 7/1/2015, David van Alfen email 7/6/2015.

Preparer's Initials SD/DVA

(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

Rationale: The proposed action is within Critical Habitat for the Mojave desert tortoise. However, since the proposed action would only affect the springbrooks it would not modify desert tortoise habitat or impact individual tortoises. Therefore, the proposed action would have no effect on the Mojave desert tortoise or any other listed or proposed species.

Preparer's Initials JNY

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

Yes

No

Rationale: No environmental laws/requirements would be violated. The water right is held by Parashant National Monument and the species of interest are not listed.

Preparer's Initials JEF

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

Yes

No

Rationale: The locations of both sites are in an area of little to no population.

Preparer's Initials JEF

(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: The proposed scientific research would not limit access to any Indian sacred sites on Federal lands for religious practitioners nor would it adversely affect the physical integrity of any sacred sites.

Preparer's Initials DCH

(I) 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: The proposed action would follow protocols to minimize potential spread of non-native invasive species and noxious weeds from sources within the Monument to outside the Monument or vice versa as well as between sites within the Monument.

Preparer's Initials JEF

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:

The following protocols and restrictions would be followed. See attachments for specifics of each.

- Mojave Desert Network Inventory and Monitoring Program Selected Large Springs Protocol Standard Operating Procedure 8: Water Sampling, Benthic Macroinvertebrate Sampling and Springsnail Monitoring
- Mojave Desert Network Inventory and Monitoring Program Selected Large Springs Protocol Standard Operating Procedure 5: Equipment Disinfection
- Research and Collecting Permit General Conditions and Restrictions Grand Canyon-Parashant National Monument
- General Conditions For Scientific Research And Collecting Permit, United States Department of the Interior National Park Service

APPROVING OFFICIAL:  DATE: July 10, 2015

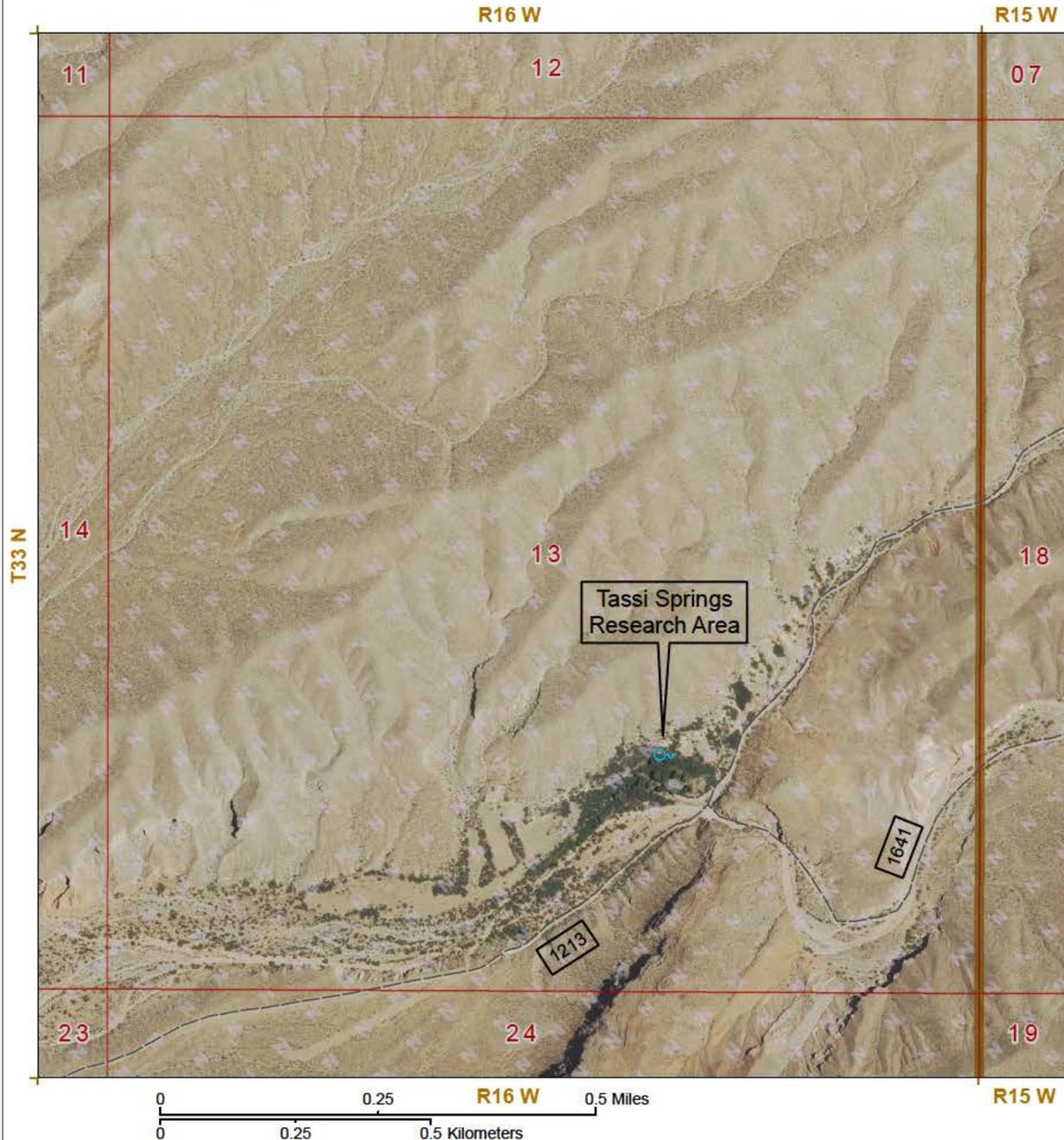
TITLE: Monument Superintendent

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.

Mojave Desert I&M Network Selected Large Springs Research Permit CX

DOI-BLM-AZ-A030-2015-0002-CX Map 1: Tassi Springs

Bureau of Land Management - Arizona Strip District - Grand Canyon-Parashant National Monument



Map Location within the Arizona Strip District



District Boundary Grand-Canyon Parashant NM

2005 Pakoon Basin Spring Inventory - Tassi Springs

Arizona Strip Routes and Road Number

U.S. PLSS Features

Township

Section

Surface Ownership

Bureau of Land Management

State

US Forest Service

National Park Service

Indian Reservation

Private

Map produced by BLM - Arizona Strip District GIS Program

User: bhansen
 File Path: \\blm\dfs\loc\EGISVAZ\Arizona_Strip_DOI\Projects\AdminBoundaries\Research_Permits\Data\GIS\Maps\Carto\MOJN_SLS_Research_Permit_CX_2015.mxd
 Date: March 2015

Coordinate System: NAD 1983 UTM Zone 12N
 Reference System: U.S. PLSS System

Data Sources: BLM-ASDO Corporate Geodatabases

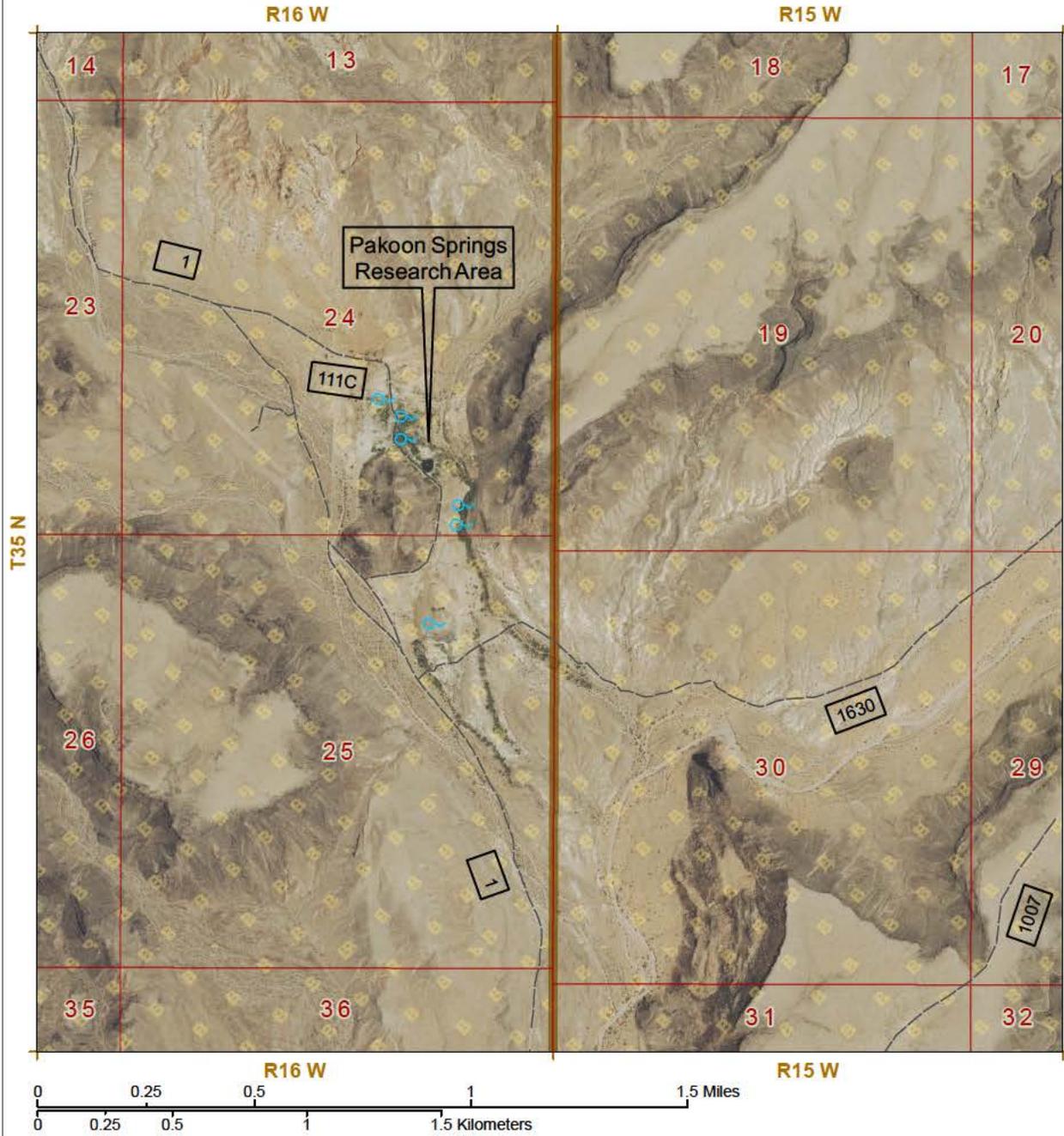
No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data. Original data were compiled for various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.



Mojave Desert I&M Network Selected Large Springs Research Permit CX

DOI-BLM-AZ-A030-2015-0002-CX Map 2: Pakoon Springs

Bureau of Land Management - Arizona Strip District - Grand Canyon-Parashant National Monument



Map Location within the Arizona Strip District



- District Boundary
 - Grand-Canyon Parashant NM
 - NPS Spring Inventory - Pakoon Springs
 - Arizona Strip Routes and Road Number
- U.S. PLSS Features**
- Township
 - Section
- Surface Ownership**
- Bureau of Land Management
 - State
 - US Forest Service
 - National Park Service
 - Indian Reservation
 - Private

Map produced by BLM - Arizona Strip District GIS Program

User: bhansen
 File Path: \\blm\dfs\loc\EGIS\AZ\Arizona_Strip_DOI\Projects\AdminBoundaries\Research_Permits\Data\GIS\Maps\Carto\MOJN_SLS_Research_Permit_CX_2015.mxd
 Date: March 2015

Coordinate System: NAD 1983 UTM Zone 12N
 Reference System: U.S. PLSS Sections

Data Sources: BLM-ASDO Corporate Geodatabases

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data. Original data were compiled for various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.



DECISION MEMORANDUM

Mojave Desert Inventory and Monitoring Network Selected Large Springs Research Permit
NEPA No.: DOI-BLM-AZ-A030-2015-0002-CX
U.S. Department of the Interior
Bureau of Land Management
Grand Canyon-Parashant National Monument

Approval and Decision

Based on a review of the project described in the attached Categorical Exclusion (CX) documentation and resource staff recommendations, I have determined that the project is in conformance with the Grand Canyon-Parashant National Monument Resource Management Plan (approved January 29, 2008) and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed with the mitigation measures/special conditions identified in Part V of the CX.

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 in the Grand Canyon-Parashant National Monument, 345 East Riverside Drive, St. George, Utah 84790 within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

In accordance with 43 CFR 2920.2-2(b), this decision remains in effect pending appeal unless a stay is granted. If you wish to file a petition pursuant to regulations at 43 CFR 2920.2-2 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 Interior Board of Land Appeals and to the 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 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 regulations, 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.



Rosalie Pepito, NPS Monument Superintendent

7-10-2015 ²

Date

Attachment: Form 1842-1

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE INTERIOR BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you,
AND
2. You believe it is incorrect

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

1. NOTICE OF APPEAL.....

A person who wishes to appeal to the Interior Board of Land Appeals must file in the office of the officer who made the decision (not the Interior Board of Land Appeals) a notice that he wishes to appeal. A person served with the decision being appealed must transmit the *Notice of Appeal* in time for it to be filed in the office where it is required to be filed within 30 days after the date of service. If a decision is published in the FEDERAL REGISTER, a person not served with the decision must transmit a *Notice of Appeal* in time for it to be filed within 30 days after the date of publication (43 CFR 4.411 and 4.413).

2. WHERE TO FILE

NOTICE OF APPEAL.....

Monument Manager, Grand Canyon-Parashant National Monument
Bureau of Land Management
345 East Riverside Drive
St. George, UT 84790

WITH COPY TO SOLICITOR...

Office of the Field Solicitor
Sandra Day O'Connor US Courthouse, Suite 404
401 West Washington Street, SPC-44
Phoenix, AZ 85003-2151

3. STATEMENT OF REASONS

Within 30 days after filing the *Notice of Appeal*, file a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the *Notice of Appeal*, no additional statement is necessary (43 CFR 4.412 and 4.413).

WITH COPY TO SOLICITOR.....

Office of the Field Solicitor AND COPY TO..... Monument Manager, Grand Canyon-Parashant National Monument
Sandra Day O'Connor US Courthouse, Suite 404 Bureau of Land Management
401 West Washington Street, SPC-44 345 East Riverside Drive
Phoenix, AZ 85003-2151 St. George, UT 84790

4. ADVERSE PARTIES.....

Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the *Notice of Appeal*, (b) the Statement of Reasons, and (c) any other documents filed (43 CFR 4.413).

5. PROOF OF SERVICE.....

Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (43 CFR 4.401(c)).

6. REQUEST FOR STAY.....

Except where program-specific regulations place this decision in full force and effect or provide for an automatic stay, the decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for a stay is timely filed together with a *Notice of Appeal* (43 CFR 4.21). If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Interior Board of Land Appeals, the petition for a stay must accompany your *Notice of Appeal* (43 CFR 4.21 or 43 CFR 2801.10 or 43 CFR 2881.10). 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 appropriate Office of the Solicitor (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 regulations, 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.

Unless these procedures are followed, your appeal will be subject to dismissal (43 CFR 4.402). Be certain that **all** communications are identified by serial number of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (43 CFR 4.401(a)). See 43 CFR Part 4, Subpart B for general rules relating to procedures and practice involving appeals.

43 CFR SUBPART 1821--GENERAL INFORMATION

Sec. 1821.10 Where are BLM offices located? (a) In addition to the Headquarters Office in Washington, D.C. and seven national level support and service centers, BLM operates 12 State Offices each having several subsidiary offices called Field Offices. The addresses of the State Offices can be found in the most recent edition of 43 CFR 1821.10. The State Office geographical areas of jurisdiction are as follows:

STATE OFFICES AND AREAS OF JURISDICTION:

Alaska State Office ----- Alaska
Arizona State Office ----- Arizona
California State Office ----- California
Colorado State Office ----- Colorado
Eastern States Office ----- Arkansas, Iowa, Louisiana, Minnesota, Missouri
and, all States east of the Mississippi River
Idaho State Office ----- Idaho
Montana State Office ----- Montana, North Dakota and South Dakota
Nevada State Office ----- Nevada
New Mexico State Office ---- New Mexico, Kansas, Oklahoma and Texas
Oregon State Office ----- Oregon and Washington
Utah State Office ----- Utah
Wyoming State Office ----- Wyoming and Nebraska

(b) A list of the names, addresses, and geographical areas of jurisdiction of all Field Offices of the Bureau of Land Management can be obtained at the above addresses or any office of the Bureau of Land Management, including the Washington Office, Bureau of Land Management, 1849 C Street, NW, Washington, DC 20240.

(Form 1842-1, September 2006)