

**Categorical Exclusion Documentation Format for Actions Other Than Hazardous Fuels  
and Fire Rehabilitation Actions**

**Mohave County Flood ALERT Weather Station Communication Site Right-of-Ways  
DOI-BLM-AZ-C030-2015-0026-CX**

**A. Background**

**BLM Office:** Lake Havasu Field Office

**Lease/Serial/Case File No.:** AZA 36707, AZA 36708, AZA 36718, AZA 36719, AZA 36720

**Proposed Action Title/Type:** Mohave County Flood Control District ALERT Flood Warning Systems communication site application.

**Location of Proposed Action:** The sites are in Mohave County, Arizona.

Site 1: AZA 36707 Bill Williams River #1

Gila & Salt River Meridian, Arizona

T. 12 N., R. 18 W.

Section 10, S½.

The site is approximately two and a half miles northeast of Cattail Cove off Hwy 95.

Exhibit A-A

Site 2: AZA 36708 Mohave Mountains #5

Gila & Salt River Meridian, Arizona

T. 14 N., R. 19 W.

Section 1, SW¼NE¼.

The site is approximately half mile from Crossman Peak.

Exhibit A-B

Site 3: AZA 36718 Skull Mountain #7798

Gila & Salt River Meridian, Arizona

T. 13 N., R. 17 W.

Section 16, SE¼.

The site is approximately one mile west of Middle Mohave Wash.

Exhibit A-C

Site 4: AZA 36719 Catsauras #7788

Gila & Salt River Meridian, Arizona

T. 15 N., R. 19 W.

Section 30, NW¼.

The site is approximately two and half miles from Crossman Peak.

Exhibit A-D

Site 5: AZA 36720 Mohave Mountain #2

Gila & Salt River Meridian, Arizona

T. 14 N., R. 18 W.

Section 20, NE¼.

The site is approximately one mile in from the North West corner of the Crossman Peak ACEC.

Exhibit A-E

**Description of Proposed Action:** The Mohave County Flood Control District submitted five applications for ALERT Flood Warning System weather station equipment, radio transmitter and solar panel. These sites were chosen to monitor water levels at wildlife water catchments in Mohave County and to transmit weather data to Arizona Game & Fish Department personnel and Mohave County Flood Control District. The sites need a 20 feet X 20 feet area for construction and maintenance, containing approximately 0.010 acres each.

The communication sites would consist of the placement of a 12 inch diameter aluminum pipe with various types of sensors (i.e. precipitation, stream flow sensors) mounted on or inside the pipe. Pipe is mounted on a 3 foot diameter concrete foundation, 2 feet deep. The solar panel and antenna would be mounted to the pipe approximately 4 feet from the top.

The County has proposed the projects would start in fiscal 2015-17. Once initial construction is complete, regular maintenance will occur every 6 months. No new road construction will occur.

The proposed action would be authorized pursuant to Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761) for a 30 year term.

#### **B. Land Use Plan Conformance**

Land Use Plan (LUP) Name: *Lake Havasu Field Office Resource Management Plan*

Date Approved/Amended: May 10, 2007

The proposed action is in conformance with the LUP because it is clearly consistent with the following LUP decision(s): Page 37, Lake Havasu Field Office may allow the use of the public lands or interests in lands through issuance of ROWs, leases, and permits. The types of uses that would be authorized by a ROW issued pursuant to Title 5 FLPMA would include access roads, power lines, telephone lines, fiber optic systems, communications facilities, and so forth. Examples of uses authorized pursuant to the Mineral Leasing Act include crude oil pipelines and oil and gas pipelines. Typical uses authorized by permits would include filming and establishing and maintaining apiary sites.

Page 41, LR-38 New communication facilities will be located in designated communication sites or corridors unless an evaluation of the project shows that location outside of a designated area is the only practicable alternative.

These sites were chosen to enhance life threatening – early flood warning for critical transportation infrastructure and provide warning for home owners in the Havasu – Mohave Lakes Basin as well as monitoring water conditions at guzzlers for the Arizona Game & Fish Department.

**C: Compliance with NEPA:**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9J(3), Conducting preliminary hazardous materials assessments and site investigations, site characterization studies and environmental monitoring. Included are siting, construction, installation and/or operation of small monitoring devices such as wells, particulate dust counters and automatic air or water samples.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM2 apply.

I considered the possibility of significant impacts by authorizing this action, but there are none as demonstrated by the signatures in Attachment 1.

**D: Signature**

Authorizing Official: /s/ Jason West Authenticated By S. Ahrens      Date: 4/23/15  
(Acting for) Kimber Liebhauser  
Field Manager, Lake Havasu Field Office

**Contact Person**

For additional information concerning this CX review, contact Realty Specialist Sheri Ahrens, 2610 Sweetwater Avenue, Lake Havasu City, Arizona 86406, phone 928-505-1284.

**Note:** A separate decision document must be prepared for the action covered by the CX. See Attachment 2.

**Attachment 1: Extraordinary Circumstances Review**

Extraordinary Circumstances	Comment ( <b>Yes or No with supporting Rationale</b> )
1. Have significant effects on public health or safety.	No The site is already built
2. 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.	No No off route travel would be authorized; therefore adverse effects to natural and historic resources are not anticipated.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].	No No known controversial environmental effects or unresolved conflicts are known to exist within the project area.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	No No unique environmental risks are known to exist.
5. Establishes a precedent for future action or represents a decision in principle about future actions with significant environmental effects.	No The area is already disturbed due to the guzzler location
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	No No cumulatively significant environmental effects are anticipated.
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.	No No listed or eligible National Register of Historic Places properties are known to exist within the project area.
8. 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.	No The project will improve the guzzler
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	No The proposed project will not violate any applicable law.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	No The proposed action is located in an unpopulated, unincorporated area.
11. 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).	No No Indian sacred sites are known to exist within the project area.
12. 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).	No No off-route travel would be authorized; therefore this proposed project is not anticipated to contribute to the introduction or spread of noxious weeds.

## Approval and Decision

### Attachment 2

**Compliance and assignment of responsibility:** Lands & Resources

**Monitoring and assignment of responsibility:** Lands & Resources

**Review:** We have determined that the proposal is in accordance with the categorical exclusion criteria and that it would not involve any significant environmental effects. Therefore, it is categorically excluded from further environmental review.

Prepared by: Sheri Ahrens  
Realty Specialist Sheri Ahrens  
Project Lead

Date: 4/23/15

Reviewed by: /s/ Jason West Authenticated By S. Ahrens  
Jason West  
Assistant Field Manager - (Acting) Lands & Resources

Date: 4/23/15

### **Project Description:**

The Mohave County Flood Control District submitted five applications for ALERT Flood Warning System weather station equipment, radio transmitter and solar panel. These sites were chosen to monitor water levels at wildlife water catchments in Mohave County and to transmit weather data to Arizona Game & Fish Department personnel and Mohave County Flood Control District. The sites need a 20 feet X 20 feet area for construction and maintenance, containing approximately 0.010 acres each.

The communication sites would consist of the placement of a 12 inch diameter aluminum pipe with various types of sensors (i.e. precipitation, stream flow sensors) mounted on or inside the pipe. Pipe is mounted on a 3 foot diameter concrete foundation, 2 feet deep. The solar panel and antenna would be mounted to the pipe approximately 4 feet from the top.

The County has proposed the projects would start in fiscal 2015-17. Once initial construction is complete, regular maintenance will occur every 6 months. No new road construction will occur.

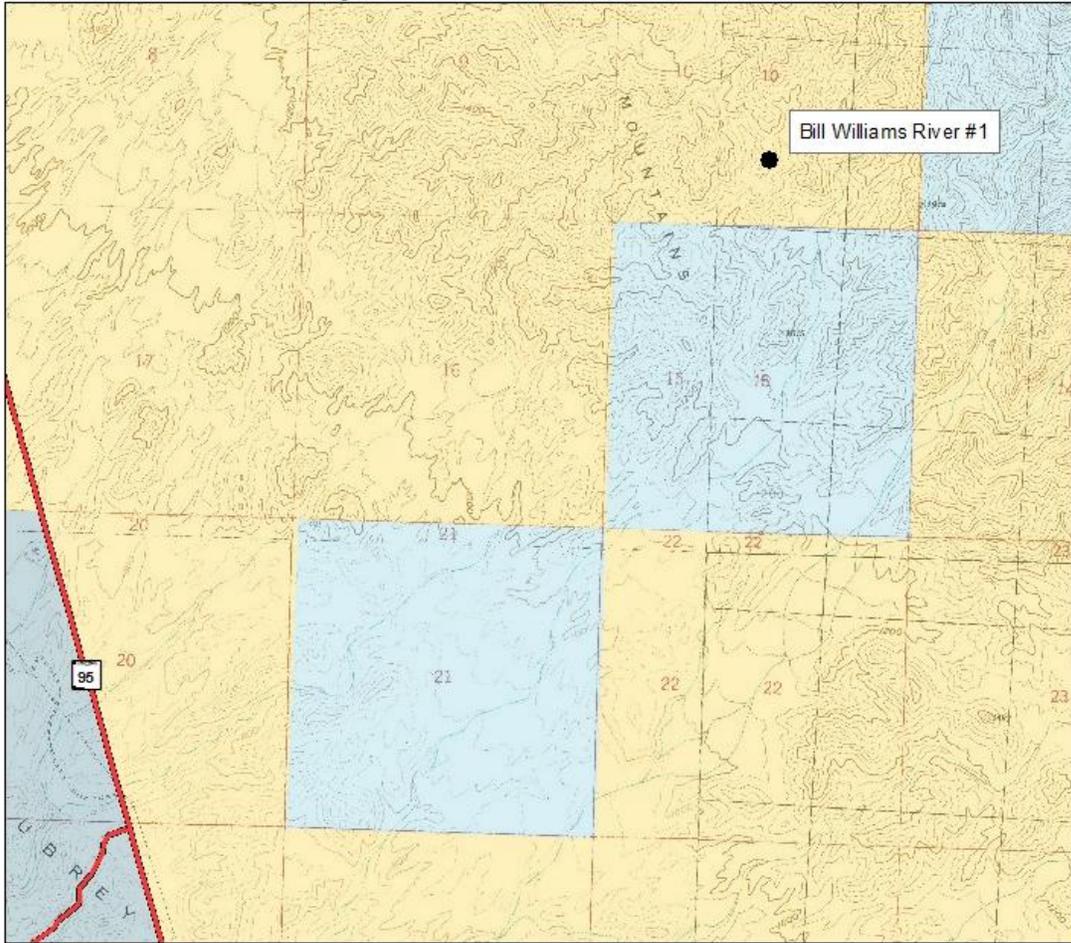
The proposed action would be authorized pursuant to Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761) for a 30 year term.

**Decision:** Based on a review of the project described above and field office staff recommendations, I have determined that the project is in conformance with the land use plan and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed, with the following stipulations (if applicable).

Approved By: /s/ Jason West Authenticated By S. Ahrens Date: 4/23/15  
(Acting For) Kimber Liebhauser  
Field Manager, Lake Havasu Field Office

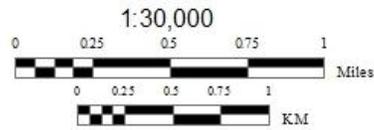
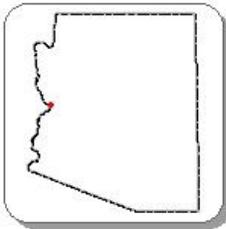
### **Exhibits:**

- a) Maps
- b) Stipulations



**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                             |                              |

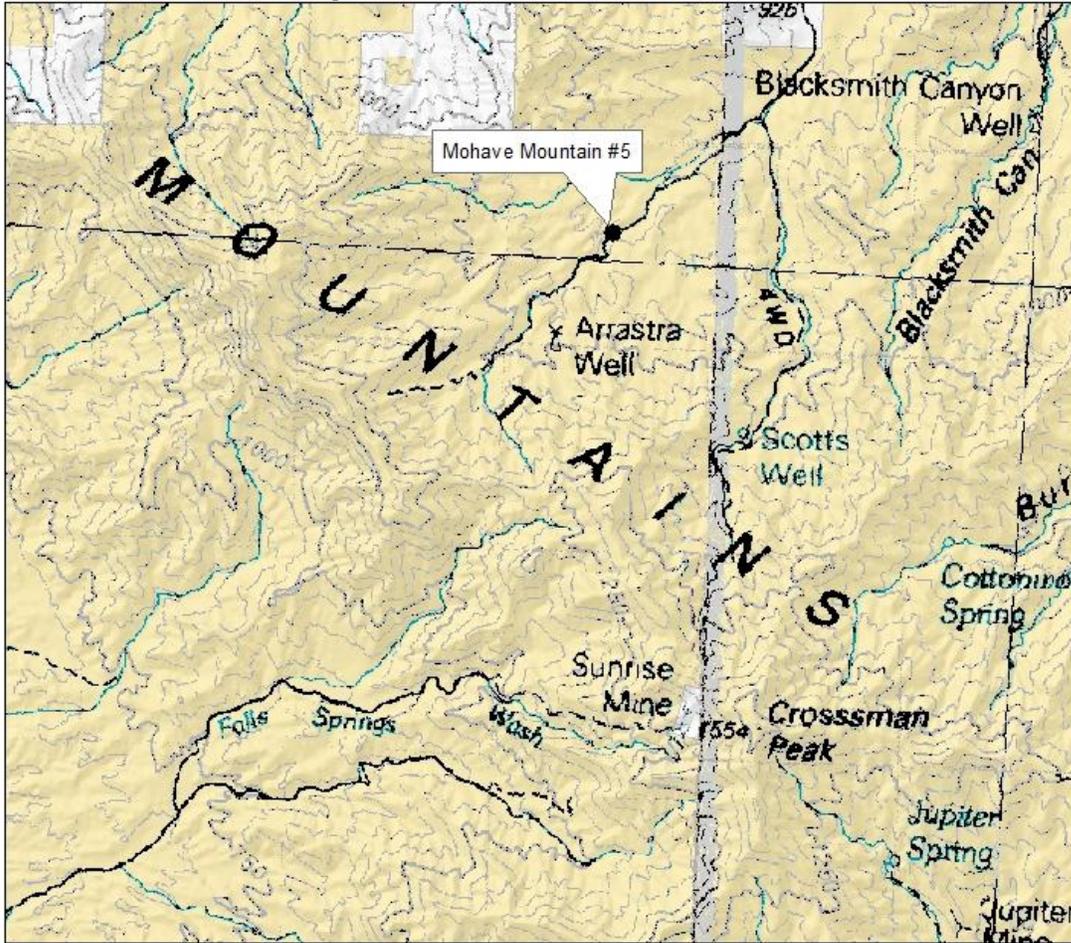


United States Department of the Interior  
 Bureau of Land Management  
 Arizona State Office  
 Map created on Aug 14, 2009  
 Land Status Updated February 20, 2007



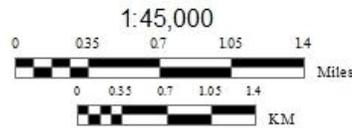
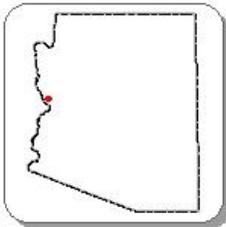
**CAUTION:**  
 Land ownership data is derived from less accurate data than the 1:24000 scale base map. Therefore, land ownership may not be shown for parcels smaller than 40 acres, and land ownership lines may have plotting errors due to source data.

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



**Legend**

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



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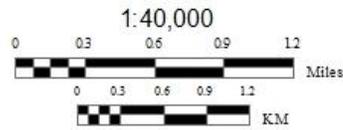
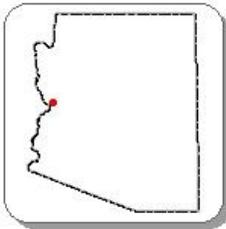


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**Legend**

- |  |                               |                          |
|--|-------------------------------|--------------------------|
| Bureau of Land Management (BLM)          | BLM Wilderness Area           | <b>LHFO Trails</b>       |
| USFWS Service, National Wildlife Refuges | USFWS Service Wilderness Area | Secondary Road - Paved   |
| Indian Lands or Reservations             |                               | Secondary Road - Unpaved |
| Private Lands                            |                               | Tertiary Road - Unpaved  |
| State Lands                              |                               | Single Track             |

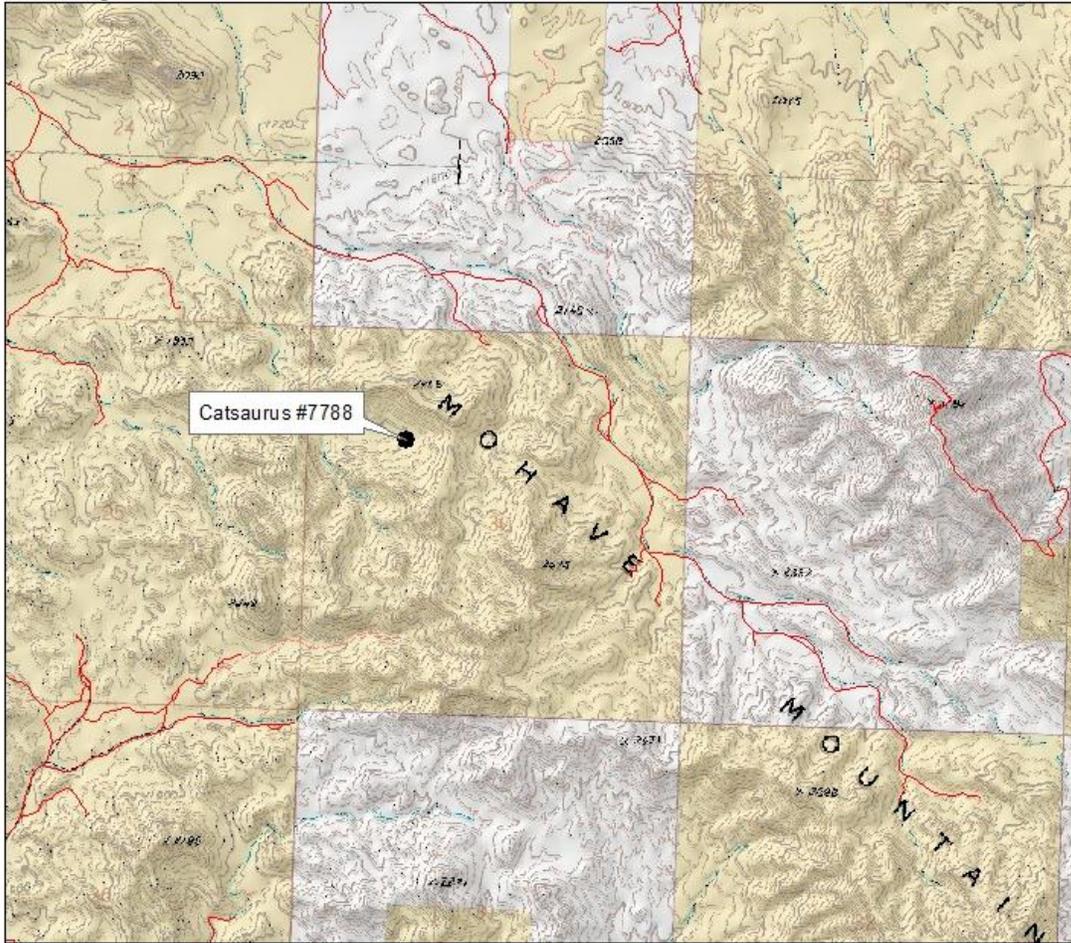


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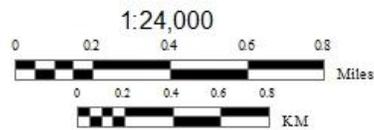
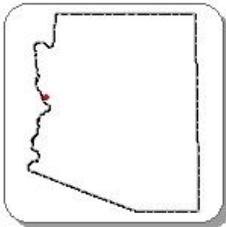
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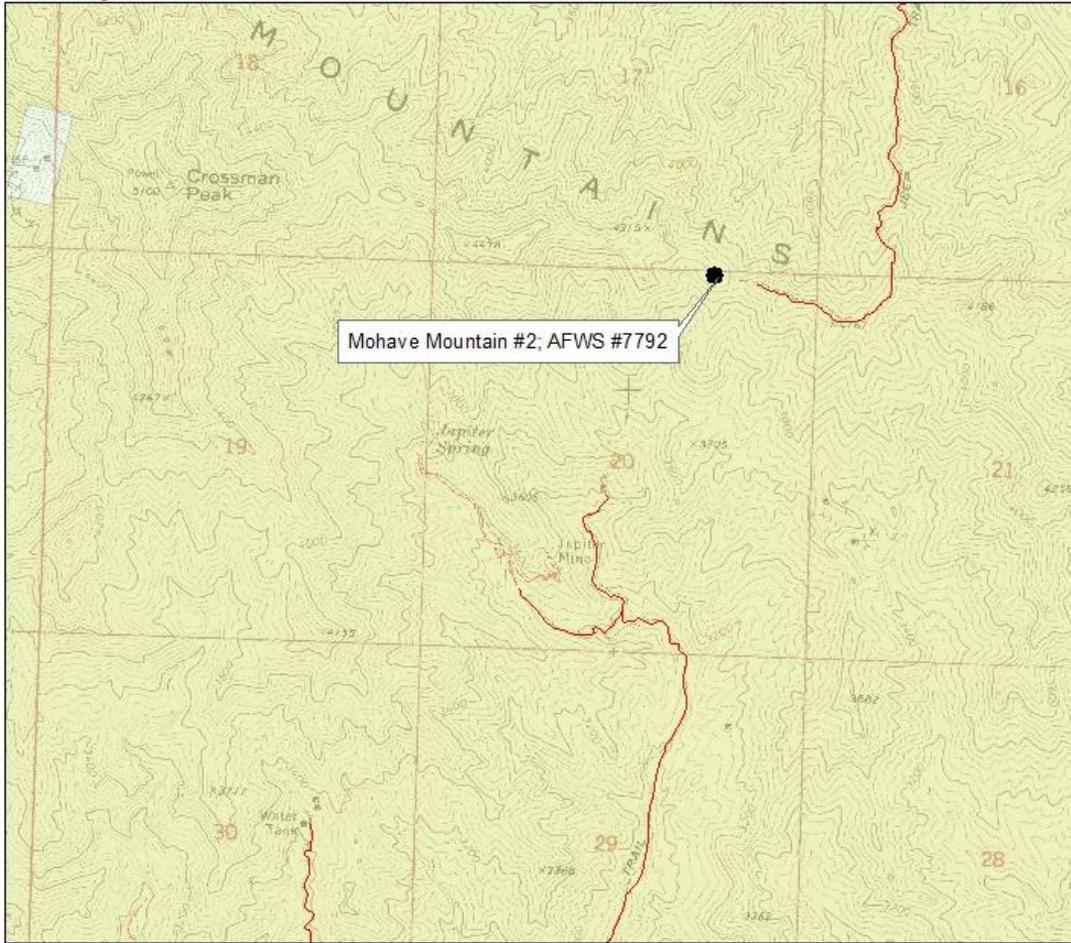


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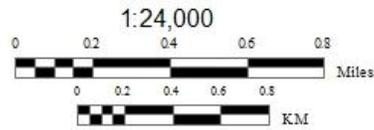
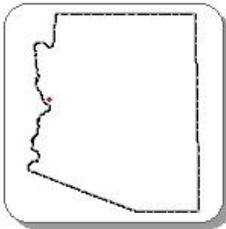
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**Stipulations**

1. The lease herein granted shall be subject to all valid rights existing on the date of the original lease grant.
2. All applicable regulations found in 43 Code of Federal Regulations 2800 and regulations to be promulgated by the Secretary of the Interior pursuant to Public Law 94-579.
3. The lease herein granted shall be subject to the express covenant that it will be modified, adapted, or discontinued if found by the Bureau of Land Management's (BLM) authorized officer to be necessary, without liability or expense to the United States, so as not to conflict with the use and occupancy of the land for any authorized works which may be hereafter constructed thereon under the authority of the United States.
4. This lease shall terminate 60 days after expiration or cancellation of the Federal Communications Commission license or Interdepartmental Radio Advisory Committee radio frequency assignment, unless renewal is obtained within this period and a copy of such renewal is furnished to the authorized officer.
5. No less than 6 months prior to termination of the lease, the lessee shall contact the authorized officer to arrange a pre-termination conference. This conference will be held to review the termination provisions of the grant.
6. The lessee will not construct any new roads to the site.
7. Buildings shall not exceed 10 feet in height, including roof.
8. Upon completion of construction, the lessee shall post in black the Bureau serial number assigned to this lease grant at the following locations: the door of the building(s) housing equipment and the tower(s).
9. The lessee shall use a color on the building complex that will blend into the surrounding landscape and thereby reduce the impact upon the visual resources.
10. Only the improvements authorized by the lease are allowed. Any other improvements are not authorized without the lessee requesting and getting approval for an amendment to the lease.
11. No signs or advertising devices shall be placed on the premises or on adjacent public lands, except those posted by or at the direction of the authorized officer.
12. All activities directly or indirectly associated with maintenance shall be conducted within the limits of the approved lease. This lease does not allow for any surface disturbing activities outside of the lease area.
13. Actions which result in impacts to archaeological or historical resources shall be subject to the provisions of the Archaeological Resources Protection Act of 1979 as amended (ARPA) and the Federal Land Policy and Management Act of 1976. These statutes protect cultural resources for the benefit of all Americans. No person may excavate, remove, damage, or otherwise alter or deface any historic or prehistoric site, artifact or object of antiquity located on public lands without authorization. Damaging cultural resources more than 100 years of age is a punishable act under the ARPA. Criminal and/or civil penalties may result if damage to archaeological

resources is documented, as provided under ARPA and its implementing regulations at 43 CFR 7.

14. The holder shall immediately bring to the attention of the Lake Havasu Field Manager (or designated representative) any cultural resources (prehistoric/historic sites or objects) and/or paleontological resources (fossils) encountered during permitted operations and maintain the integrity of such resources pending subsequent investigation. All permitted operations within 30 meters (100 feet) of the cultural resources shall cease until written authorization to proceed is received from the Authorized Officer.
15. The lessee shall protect all survey monuments found within the lease. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management Cadastral Survey Corners, reference corners, witness points, U.S. Coastal and Geodetic benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. In the event of obliteration or disturbance of any of the above, the lessee shall immediately report the incident, in writing, to the authorized officer and the respective installing authority if known. Where General Land Office or Bureau of Land Management monuments or references are obliterated during operations, the lessee shall secure the services of a registered land surveyor or a Bureau cadastral surveyor to restore the disturbed monuments and references using surveying procedures found in the *Manual of Surveying Instructions for the Survey of the Public Lands in the United States*, latest edition. The lessee shall record such survey in the appropriate county and send a copy to the authorized officer. If the Bureau cadastral surveyors or other Federal surveyors are used to restore the disturbed survey monument, the lessee shall be responsible for the survey cost.
16. The lessee will ensure that all removal of vegetation and/or disturbance of earth/rock materials are restricted to this lease area. The lessee will ensure that all necessary steps are taken to prevent erosion rising from this use.
17. The lessee shall remove only the minimum amount of vegetation necessary for the construction of structures and facilities.
18. The lessee shall be held responsible if noxious weeds become established within the areas of operations (access road). The lessee shall consult with the Authorized Officer for acceptable weed control methods, which include following EPA and BLM requirements and policies.
19. Use of pesticides shall comply with the applicable Federal and State laws. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, the lessee shall obtain from the authorized officer written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the authorized officer. Emergency use of pesticides shall be approved in writing by the authorized officer prior to such use.
20. The lessee shall promptly remove and dispose of all waste caused by his activities. The term "waste" as used herein means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, petroleum products, ashes and equipment. Wastes shall be disposed of in an approved landfill or in a site and manner approved by the authorized officer.

21. The lessee(s) shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the lessee(s) shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, et.seq.) with regard to any toxic substances that are used, generated by or stored on the lease area or on facilities authorized under this lease. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.
22. The lessee agrees to indemnify the United States against any liability arising from the release of any hazardous 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 of 1976, 42 U.S.C. 6901, et.seq.) on the lease unless the release or threatened release is wholly unrelated to the lessee's activity on the lease. This agreement applies without regard to whether a release is caused by the lessee, its agent, or unrelated third party.
23. The United States will not be held liable for any damage to the communication facility caused by the general public or as a result of fire, wind, or other natural disasters or as a result of silvicultural practices, timber harvesting operations, or other actions stemming from the normal land management activities of the BLM.
24. The lessee may not increase the effective frequency and radiated power as granted in the initial FCC license without first informing the Users' Association, and then requesting an amendment to the lease from the BLM's authorized officer and obtaining the necessary approval.
25. The lessee shall not implement or allow a sublessee to implement any changes in or additions to the authorized operating frequencies, types of emission, band widths, radio frequency power outputs, class of service, types of antenna, or named FCC licensees without providing advance notification to the Users' Association and obtaining the necessary approval from the authorized officer.
26. The lessee shall at all times operate its radio-electronic equipment in such a manner so as not to cause interference with radio-electronic operations of existing users in the vicinity. If such interference results from lessee's operations, lessee will promptly, at its own expense, modify the equipment and operations, or shut down if necessary to eliminate or reduce the interference to the satisfaction of the Federal Communications Commission and/or the authorized officer. If the lessee does not eliminate such interference within 10 days of receipt of notice from the authorized officer, the operations of the sublease causing the interference, as determined by the authorized officer, shall be terminated by the lessee.
27. The lessee agrees not to increase or allow the increase of the effective radiated power above one (1) kilowatt without first requesting an amendment of this communications use lease and obtaining written approval from the authorized officer.

28. The lessee shall not allow the operation of any electronic equipment in the building or on the site unless and until the user has obtained a license from the Federal Communications Commission or the Interdepartmental Radio Advisory Committee.
29. It will be the responsibility of the lessee to ascertain whether existing facilities on the same or adjoining sites will adversely affect the proposed operations. Lessee will accept operations, i.e., frequencies, emissions, power output, radiation fields, antenna arrays, etc., of existing facilities on the same or adjoining sites, provided such operations are consistent with the regulations of the Federal Communication Commission if a non-Federal Government use, and the Standards of the Interdepartmental Radio Advisory Committee, if a Federal Government use.
30. The lessee shall notify the authorized officer prior to commencement of emergency maintenance outside the lease area to discuss repair and construction activities.
31. The lessee and the lessee's tenants and/or customers shall operate within the parameters of the applicable Site Management Plan when approved by the authorized officer.
32. It shall be the responsibility of the lessee to comply with the Bald and Golden Eagle Protection Act (Eagle Act) with respect to “take” of either eagle species. Under the Eagle Act, “take” includes to pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest and disturb. “Disturb” means to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, (1) injury to an eagle; (2) a decrease in its productivity by substantially interfering with normal breeding, feeding, or sheltering; or (3) nest abandonment by substantially interfering with normal breeding, feeding, or sheltering behavior. Avoidance of eagle nest sites, particularly during nesting season, is the primary and preferred method to avoid a take. If an eagle is sighted during construction, the BLM Lake Havasu Field Office should be notified (928-505-1200).
33. 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 lease 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.
34. Participants will be prohibited from approaching bighorn sheep on foot or by vehicle. Site visits to water tanks, wildlife catchments, or any other wildlife related facility are prohibited.

Exhibit C

GUIDELINES FOR HANDLING SONORAN DESERT TORTOISES  
ENCOUNTERED ON DEVELOPMENT PROJECTS  
Arizona Game and Fish Department  
Revised October 23, 2007

The Arizona Game and Fish Department (Department) has developed the following guidelines to reduce potential impacts to desert tortoises, and to promote the continued existence of tortoises throughout the state.

Mohave County Flood – Weather Station Com Site ROWs  
DOI-BLM-AZ-C030-2015-0026-CX

These guidelines apply to short-term and/or small-scale projects, depending on the number of affected tortoises and specific type of project.

The Sonoran population of desert tortoises occurs south and east of the Colorado River. Tortoises encountered in the open should be moved out of harm's way to adjacent appropriate habitat. If an occupied burrow is determined to be in jeopardy of destruction, the tortoise should be relocated to the nearest appropriate alternate burrow or other appropriate shelter, as determined by a qualified biologist.

Tortoises should be moved less than 48 hours in advance of the habitat disturbance so they do not return to the area in the interim. Tortoises should be moved quickly, kept in an upright position parallel to the ground at all times, and placed in the shade. Separate disposable gloves should be worn for each tortoise handled to avoid potential transfer of disease between tortoises. Tortoises must not be moved if the ambient air temperature exceeds 40° Celsius (105° Fahrenheit) unless an alternate burrow is available or the tortoise is in imminent danger.

A tortoise may be moved up to one-half mile, but no further than necessary from its original location. If a release site, or alternate burrow, is unavailable within this distance, and ambient air temperature exceeds 40° Celsius (105° Fahrenheit), the Department should be contacted to place the tortoise into a Department-regulated desert tortoise adoption program. Tortoises salvaged from projects which result in substantial permanent habitat loss (e.g. housing and highway projects), or those requiring removal during long-term (longer than one week) construction projects, will also be placed in desert tortoise adoption programs. Managers of projects likely to affect desert tortoises should obtain a scientific collecting permit from the Department to facilitate temporary possession of tortoises. Likewise, if large numbers of tortoises (>5) are expected to be displaced by a project, the project manager should contact the Department for guidance and/or assistance.

Please keep in mind the following points:

These guidelines do not apply to the Mojave population of desert tortoises (north and west of the Colorado River). Mojave Desert tortoises are specifically protected under the Endangered Species Act, as administered by the U.S. Fish and Wildlife Service.

These guidelines are subject to revision at the discretion of the Department. We recommend that the Department be contacted during the planning stages of any project that may affect desert tortoises.