



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Phoenix District

Hassayampa Field Office

21605 North 7th Avenue

Phoenix, Arizona 85027

www.blm.gov/az/

In Reply Refer To:

6740 (AZP010)

DOI-BLM-AZ-P010-2016-0005-DNA

DECISION

Riparian Vegetation Propagation in the Hassayampa River Canyon Wilderness DOI-BLM-AZ-P010-2016-0005-DNA

INTRODUCTION

The Bureau of Land Management, Hassayampa Field Office has prepared the Riparian Vegetation Propagation in the Hassayampa River Canyon Wilderness Determination of NEPA Adequacy (DNA) (DOI-BLM-AZ-P010-2016-0005-DNA) to evaluate the potential impacts related to transplanting riparian vegetation along the Hassayampa River in the Hassayampa River Canyon Wilderness.

The proposed action is to pole-plant native riparian trees, and transplant plugs of native herbaceous riparian plants, along the banks of the Hassayampa River in the Hassayampa River Canyon Wilderness. The poles will be obtained from cuttings from local trees along the treatment reach. This is a cooperative project with BLM and the Arizona Wilderness Coalition, funded by a National Fish and Wildlife Foundation grant. BLM will provide project oversight and guidance while the Arizona Wilderness Coalition will provide the labor to implement the project. The specific methods used are described in the EA. Since this project is located in a wilderness area only those methods that do not require motorized or mechanized equipment will be used. Pole-planting would be carried out in the winter when the trees are dormant (between December 1 and February 15). Transplanting riparian vegetation will occur in the spring (March 1 – May 30).

BACKGROUND

Some portions of the Hassayampa River in the proposed treatment reach lacks recruitment of native riparian trees and has sparse cover of native riparian vegetation. To improve riparian condition and wildlife habitat, this project is proposed to increase recruitment of trees and vegetative cover. A grazing permit renewal for the JV Bar allotment was recently completed. The proposed action for the JV Bar allotment restricts grazing in the riparian area along the Hassayampa River to winter-season only, when riparian vegetation is dormant and livestock spend less time in riparian areas. This restricted season of use is expected to improve the likelihood that this project will be successful.

PUBLIC INVOLVEMENT

The public was provided the opportunity to participate in the original EA process in compliance with 43 CFR 1610.2. A scoping letter was sent to potential interested members of the public, with the comment period concluding on November 30, 2011. Comments were received from only the Sierra Club and one member of the public and were incorporated into the EA.

DECISION

After reviewing the analysis presented in the Riparian Vegetation Propagation in the Hassayampa River Canyon Wilderness DNA it is my decision to approve the Proposed Action.

The following is required as a condition of implementation:

1. If any cultural and/or paleontological resources are discovered during the course of carrying out the proposed action, a BLM archaeologist will be immediately notified. All work in the area of the discovery shall cease until an evaluation of the discovery is made by the authorized officer to determine appropriate actions to prevent loss of significant cultural or scientific values.

RATIONALE

The proposed action is expected to improve riparian condition and wildlife habitat through increasing recruitment of native riparian trees and increasing the overall cover of native riparian vegetation.

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

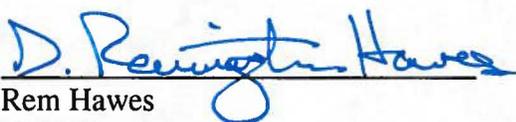
This decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office at the above address within 30 days 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.



Rem Hawes
Field Manager
Hassayampa Field Office

12/2/2015

Date

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 <i>Notice of Appeal</i> 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 <i>Notice of Appeal</i> 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	Bureau of Land Management Hassayampa Field Office 21605 N. 7th Avenue Phoenix, AZ 85027
NOTICE OF APPEAL.....	
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 <i>Notice of Appeal</i> , 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 <i>Notice of Appeal</i> , no additional statement is necessary (43 CFR 4.412 and 4.413).
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
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 <i>Notice of Appeal</i> , (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 <i>Notice of Appeal</i> (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 <i>Notice of Appeal</i> (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 <i>Notice of Appeal</i> 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.