

**U.S. Department of the Interior
Bureau of Land Management**

**NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)
COMPLIANCE RECORD FOR CATEGORICAL EXCLUSIONS (CX)**

PART I. – PROPOSED ACTION

BLM Office: Phoenix District Office, Hassayampa Field Office (lead) and Lower Sonoran Field Office

NEPA No.: DOI-BLM-AZ-P010-2016-0024-CX

Related Case File No.: AZA-32154

Proposed Action Title/Type: Greater Phoenix Orienteering Club Special Recreation Permit

Applicant: Erik Ringnes on behalf of the Greater Phoenix Orienteering Club

Location of Proposed Action: Lake Pleasant course: T6N, R1W, Sections 21-23 and 26-28 and Robbins Butte courses: T1S, R4W, Sections. 28, 29 and 31-33; and T2S, R4W, Sections 4-6.

All private, state or county lands that may be associated with this proposed action are not authorized under this permit; permission to use such lands requires prior authorization from the landowner. These lands may not be included in the above legal description.

Description of Proposed Action: Approve a ten year Special Recreation Permit (SRP) renewal authorizing the applicant to conduct two commercial, competitive orienteering single use day events annually on public lands within the Phoenix District. One will be held at an existing site west of Lake Pleasant, north of Highway 74 and south of Morgan City Wash located in the Hassayampa Field Office. The other event will be held at an existing site west of State Highway 85, southwest of Robbins Butte located in the Lower Sonoran Field Office. The Lake Pleasant event has been permitted since 2002 and the Robbins Butte permit has been permitted since 2009. This action will combine the two previous permits into one joint district office permit under the case file number provided above.

Held in late fall, and early spring, the events average 40 participants/club members, 10 spectators and 2-5 staff members but can be as high as 70 total. They are designed to teach/reinforce participants in the art of interpretation and route planning for efficient cross country land navigation with the use of map and compass or GPS. Several courses varying in length up to 4 miles are selected and marked within a 3-4 mile radius of the staging area and are to accommodate various skill levels and physical abilities.

For the Lake Pleasant event, participants are only on foot, carrying a copy of a supplied map, a magnetic compass or GPS unit and water. For the Robbins Butte event, two separate disciplines are offered: the regular foot based orienteering and a mountain bike orienteering. Participants use mountain bikes on existing roads to reach greater distances between the control locations. When in the proximity of a control, participants leave the bike on the road and navigate to the

control on foot just like the standard orienteering using the topo map and a compass. Most of the mountain bike course is in the Buckeye Hills Regional Park for which a permit from Maricopa County Parks and Recreation has been obtained. However the event starts and ends at the staging area site on BLM. Mountain bike participation is small, less than 10 people. No events will be authorized between April 1 and October 15 to avoid conflicts with Sonoran Desert tortoise activity in the Category II habitat.

The events offer both competitive and non-competitive activities, including a clinic for beginners, and consist of individuals and teams. Set up will start at 8:30 am, participants will arrive around 9:00 am and start times will begin at 9:30 am. Events usually end at 1:00 pm and the site will be vacated by 2:30 pm. Course set up is done the previous day of the event but there is no camping on site. Portable toilets, shade canopies, food and water will be provided at the staging area. Cell phones will be used in case of emergency. *Leave No Trace* and *Tread Lightly!* principles will be practiced. The permit will remain in effect providing the permittee remains in good standing by complying with all general terms and stipulations. The "Phoenix District BLM Special Recreation Permit Supplemental Stipulations" are incorporated herein.

NOTE: the staging area for the Lake Pleasant site is a heavily impacted area often used by target shooters and is becoming increasingly problematic with shooters and trash dumping. An alternate site may need to be selected in the near future. In the meantime, the permittee is instructed to be aware of the situation and alert BLM staff if any safety concerns arise.

Part II. – PLAN CONFORMANCE REVIEW

This proposed action is subject to the following land use plan(s): Bradshaw Harquahala Record of Decision and Approved Resource Management Plan (April 2010), and the Lower Sonoran Record of Decision and Approved Resource Management Plan (Sept. 2012).

The proposed action is in conformance with the applicable land use plan because it is specifically provided for in the following land use plan decision(s):

Bradshaw-Harquahala ROD/ARMP:

Decision RR-30: SRPs are authorized on a case by case basis for all recreation activities meeting the requirements in 43 CFR 2930 and applicable manuals, policies, and guidance.

Decision RR-31: Issuance of SRPs is at BLM's discretion based on applicable laws and regulations and conformance with the RMP, including consistency with recreation and other resource objectives.

Decision RR-33: Permits are authorized based on the inclusion and compliance of standard and activity specific stipulations regarding the proposed activities.

Lower Sonoran ROD/ARMP:

Decision RM-3.1.15: At the discretion of the authorized officer, SRPs will be authorized on a case-by-case basis as outlined in 43 CFR 2930, in subsequent policies and guidance and in the decisions below.

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

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9 Actions for Categorical Exclusion H. Recreation Management: Issuance of Special Recreation Permits for day use or overnight use up to 14 consecutive nights; that impacts no more than 3 staging area acres; and/or for recreational travel along roads, trails, or in areas authorized in a land use plan. Neither of the proposed locations is within a Special Area.

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.

Part IV. – EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION

PREPARERS:	TITLE
Penny Foreman	Outdoor Recreation Planner, HFO <i>Pf</i>
Chris McLaughlin	Archaeologist, HFO
Codey Carter	Wildlife Biologist, HFO
Dallas Meeks	Outdoor Recreation Planner, LSFO <i>DM</i>
Cheryl Blanchard	Archaeologist, LSFO <i>CSM</i>
Ron Tipton	Wildlife Biologist, LSFO
Gloria Tibbetts	Planning and Environmental Coordinator



 PLANNING & ENVIRONMENTAL SPECIALIST

2/25/2010

 DATE

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	Rationale: This action provides training, awareness, technical skills, and an increase in user ethics thereby improving the health and safety of the users.
	<input checked="" type="checkbox"/>	
Preparer's Initials <u>pb</u> <u>DEM</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	Rationale: No features of this magnitude exist within the proposed areas.
	<input checked="" type="checkbox"/>	
Preparer's Initials <u>pb</u> <u>DEM</u>		

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

Yes	No	Rationale: None exist.
	<input checked="" type="checkbox"/>	
Preparer's Initials <u>pb</u> <u>DEM</u>		

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

Yes	No	Rationale: None exist.
	<input checked="" type="checkbox"/>	
Preparer's Initials <u>pb</u> <u>DEM</u>		

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

Yes	No	Rationale: This action will not set forth future actions that will result in potentially significant environmental effects.
	<input checked="" type="checkbox"/>	
Preparer's Initials <u>pb</u> <u>DEM</u>		

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

Yes	No	Rationale: None anticipated.
	<input checked="" type="checkbox"/>	
Preparer's Initials <u>pb</u> <u>DEM</u>		

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

(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: No properties are in the project areas.	Preparer's Initials <u>CSM</u> <u>CB</u>
	<input checked="" type="checkbox"/>		

(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: Both project areas are within Category II Sonoran Desert tortoise (BLM Sensitive Species) habitat however the annual events will occur outside of the tortoise activity period. No events will be authorized between April 1 and October 15 to avoid conflict with tortoise activity. In addition, stipulations state that if tortoises are encountered they are to be avoided. This action will not have significant impacts on the Sonoran Desert tortoise.	Preparer's Initials <u>ACT</u>
	<input checked="" type="checkbox"/>		

(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 laws will be violated.	Preparer's Initials <u>PS</u> <u>DRM</u>
	<input checked="" type="checkbox"/>		

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

Yes	No	Rationale: Low income or minority populations will not be adversely affected by this action.	Preparer's Initials <u>PS</u> <u>DRM</u>
	<input checked="" type="checkbox"/>		

(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: There are no ceremonial sites that will be affected by this action.	Preparer's Initials <u>CSM</u> <u>CB</u>
	<input checked="" type="checkbox"/>		

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

(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	1. Rationale: Weed control is a part of the stipulations. Stipulations state "In order to minimize the importation or spread of noxious weeds, before entering public land, all vehicles are to be washed thoroughly (including the undercarriage and engine compartment) to remove all soil and vegetation debris (including seeds and seed heads) acquired from previous use. This washing should occur at the home base of operations of the permittee before traveling to public lands. All vehicles used for activities approved by this permit are subject to inspection by the BLM."
	<input checked="" type="checkbox"/>	

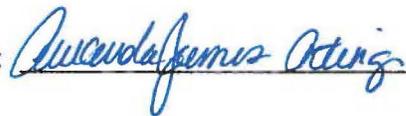
Preparer's Initials 

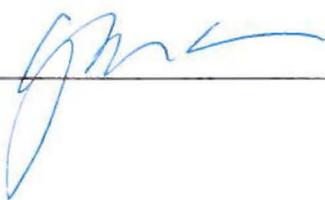
PART V. - COMPLIANCE REVIEW CONCLUSION

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 DM 2 apply.

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 "Phoenix District BLM Special Recreation Permit Supplemental Stipulations" are included with the permit.

AUTHORIZING OFFICIAL (HFO):  DATE: 2/26/14
NAME: Rem Hawes
TITLE: Field Manager

AUTHORIZING OFFICIAL (LSFO):  DATE: 2/27/2014
NAME: Gloria Tibbetts
TITLE: Field Manager (Acting)

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.

**PHOENIX DISTRICT BLM
SPECIAL RECREATION PERMIT
SUPPLEMENTAL STIPULATIONS
Greater Phoenix Orienteering Club Events; AZA-32154
Multi-Year Permit 2016 to 2026**

In addition to the General Terms listed on page 2 of the Special Recreation Permit (SRP), the BLM Phoenix District Office has established the following stipulations to protect the lands and resources involved, reduce user conflicts, and/or minimize health and safety hazards. The stipulations will be made part of the permit. Failure to comply with these stipulations may result in the loss of permit privileges. These stipulations may be changed at any time upon notice and this permit may be revoked at the discretion of the BLM at any time upon notice

- **BLM Contacts: Penny Foreman at 623-580-5528 or pforeman@blm.gov for HFO and Dallas Meeks at 623-580-5681 or dmeeks@blm.gov for LSFO**
- **Law Enforcement Dispatch for reporting illegal activities: 1-800-637-9152 or 623-434-4580 (Dial 9-1-1 for life threatening emergencies)**

Special Mitigation Measures Identified by Specialists for this Permit

1. No events will be authorized in the Robbins Butte area between April 1 and October 15 to avoid Sonoran Desert tortoise (a BLM sensitive species) activity.
2. The Murphy's Agave, Hohokam Agave (*Agave Murpheyi F. Gibson*) is a protected plant known to be found in the Lake Pleasant area and is to be avoided. Information regarding this plant is attached at the end of these stipulations.

General Administrative:

1. The minimum non-refundable annual fee is to be submitted in advance to the BLM prior to issuance or validation of the permit. Any additional use fees will be due within 15 days of completion of the event. Overpayment of fees will be applied to the following year's estimated use fees. **Use fees for commercial and competitive permits are 3% of gross revenue, \$5/person/day, or the minimum use fee (currently \$105), whichever is greater.** Discounts may be applied based on the percentage of time spent on BLM land for the permitted activity and will be determined before each event.
2. Post use reports, and any additional use fees, are due within 15 business days of completion of the event.
3. For multi-year permits an annual review must be conducted and permits validated for all events in the upcoming fiscal year prior to an event being held. For a permit to be validated, the permittee must be in good standing by complying with all general terms and stipulations including timely submission of post use reports, and applicable use fee payments. Certificates of insurance need to be current, the minimum annual fee must be submitted and

the Plan of Operations must be updated and submitted to the BLM at least three months prior to any scheduled event. All changes to the Plan after that time must be approved by the BLM authorized officer in advance of the permitted use. Minimum use fee payments must be paid each year regardless of use to keep the permit in good standing. None activity for more than 2 consecutive years will result in permit termination.

4. Per 43 CFR 2932.31, the regulations state that the BLM may charge a fee for recovery of permit processing and monitoring costs as reflected by charges, including salaries (direct and indirect costs), vehicle mileage, and administrative costs. For competitive or organized group events, which exceed the 50-hour threshold, cost recovery will be charged unless anticipated fees exceed the cost recovery charge.
5. Estimated cost recovery charges shall be calculated and provided to the applicant by the BLM authorized officer at least two months prior to permit approval and **must** be paid at least one month prior to the event.
6. The permittee is required to contact private landowners and other governmental agencies whose property is affected by the use associated with the permit (this includes the Arizona State Land Department for state trust lands). Evidence that authorization has been obtained must be available to the BLM upon request.
7. The permittee is required to provide the BLM with a copy of a valid Certificate of Insurance covering the periods of use. The U.S. Government must be named as a co-insured party on the policy. Minimum general liability limits are: \$300,000 per occurrence and \$600,000 annual aggregate for bodily injury, and \$30,000 property damage per occurrence and \$50,000 annual aggregate, if the policy specifies aggregate limits.
8. It is the responsibility of the permittee to ensure valid insurance coverage, including general public liability, with the limits listed above, is provided for all equipment and services supplied by subcontractors. A copy of the valid insurance coverage must be made available to the BLM upon request.
9. A copy of this permit and the stipulations must be made available to any employee, participant or BLM employee upon request.
10. Any violation of the permit conditions and stipulations may be subject to penalties prescribed in 43 CFR 2932.57(b), which may include fines up to \$1,000 and/or imprisonment up to 12 months. Additionally, any such violation may result in permit probation, suspension or revocation. Examples which can lead to permit violations include, but are not limited to; delinquent post use reports and/or payments, deviations to operating plan not approved by authorized official, violation of laws and regulations, significant resource damage and public endangerment.
11. All signs on public lands must be authorized by the BLM in writing.
12. All injuries requiring emergency hospital care will be reported to the BLM within two days

of the occurrence and a Death and Injury Report submitted to the BLM within 10 days of the occurrence.

13. The BLM reserves the right to alter the terms, conditions or stipulations of a permit at any time for reasons such as significant policy, administrative procedure or stipulation change.

Commercial Photography (Still Photography and Video):

1. Any moving video filming or still photography conducted on public lands with the intent to sell to participants in association with the permitted event requires a commercial vending permit and must be included in the event permit application operating plan to be authorized with the SRP. Vending permit fees identified in the General Administration section will apply. In addition, video filming also requires a separate commercial filming use permit issued thru the lands and realty program and both the SRP vending fee and commercial filming rental fees will be charged.
2. Filming is limited to the use of handheld and tripod mounted cameras. Use of dollies, tracks, cranes, high lines, aircraft and other camera support devices are not allowed, unless the camera support device is part of the recreation activity authorized under the SRP.
3. Construction or removal of vegetation for the creation of a camera platform or to clear a shot is not allowed.
4. Filming is generally done using only ambient light sources. No more than two, battery-powered, auxiliary lighting sources may be used.

Resource Protection:

1. At the discretion of the authorizing officer, the event may be postponed or canceled due to inclement weather conditions or if other conditions and factors warrant.
2. All activities are to remain on the approved roads, trails, washes and/or staging areas. No deviation to these routes is permitted without prior approval from the BLM. Motorized vehicles are not permitted in riparian areas or in running washes except at road crossings.
3. Anyone connected to the permitted activity shall be informed that it is unlawful to disturb, deface, excavate or remove any archaeological or paleontological objects or structures. Collection of prehistoric or historic artifacts is not allowed. Any prehistoric or historic cultural site or human remains discovered will be left undisturbed and reported as soon as possible to the BLM.
4. Historical mine sites should not be disturbed. Collecting artifacts from these sites is strictly prohibited.
5. All persons operating under this SRP, including subcontractors, are prohibited from entering abandoned mines.

6. Harassment of livestock, wildlife, wild horses or burros, or destruction of private and public improvements such as fences and gates is prohibited. If livestock is damaged or killed in relation to the event, the event permittee shall be liable to the owner for damages equal to three times the value of such animal or animals (Arizona State Legislature: Title 3, Chapter 11, Article 4, 3-1307). All gates shall be closed. The taking of any threatened or endangered plant or animal is prohibited.
7. Proposed activities will be conducted in a manner that will not interfere with mining or exploration operations. No minerals are to be collected from areas encumbered by active mining claims unless authorized by the claimant(s).
8. Cutting or removal of live vegetation is not permitted without prior approval from the BLM.
9. Collection, harassment and disturbance of desert tortoises and Gila monsters is prohibited by Arizona State Law. If encountered on roads or trails they should be avoided. If a desert tortoise is encountered and cannot be avoided, it should be carefully moved to safety by carrying it horizontal to the ground, not tilted, and placed in the shade the minimum distance to remove it from harm's way (see the "Guidelines for Handling Desert Tortoises" at the end of these stipulations). Gila monsters should be avoided and not handled. They are venomous and can inflict a serious and painful bite.
10. In addition to vegetation and resource damages covered in the general stipulations, native vegetation is also protected under the Arizona Native Plant law (ARS 3-903). The permittee or other responsible party will be held financially responsible for the destruction of selected vegetation destroyed by racing or related event activities. Restitution is based on the fair market value of the plant species as determined and published by the Arizona Department of Agriculture. Examples of protected vegetation include, but are not limited to, saguaros, palo verde trees and ocotillo. A damage assessment will be completed during the post event course inspection conducted by the BLM and the permittee within 7 days of the completion of the event. A post inspection meeting will be held between the BLM and an AZOP representative within 14 days of the field inspection, and a billing letter for restitution, if applicable, will be issued within 7 days thereafter.
11. If the volume of use is determined to be adversely impacting soils or riparian condition through erosion, bank alteration or other means, the BLM may restrict use of affected areas or routes to allow restoration and recovery of degraded areas. During wet periods, certain road and trail segments may be closed to all traffic. The BLM will consider the applicant's needs when designing and implementing restrictions or watershed restoration efforts that could influence the operation.
12. In order to minimize the importation or spread of noxious weeds, before entering public land, all vehicles are to be washed thoroughly (including the undercarriage and engine compartment) to remove all soil and vegetation debris (including seeds and seed heads) acquired from previous use. This washing should occur at the home base of operations of the permittee before traveling to public lands. All vehicles used for activities approved by

this permit are subject to inspection by the BLM.

13. The permittee must take reasonable precautions to prevent wildland fires. Build your fire away from trees, shrubs and other vegetation. Do not build fires next to rock and avoid the need to encircle your fire with stones. Use smaller firewood that will burn more completely. Make certain the fire is dead out (run your fingers through the ash), scatter the ash, and "naturalize" the area.
14. The permittee will be committed to preserving and protecting the public lands by learning, practicing and promoting the Leave No Trace principles.

Motorized Vehicle Use:

1. An OHV is defined as any motorized vehicle capable of, or designed for, travel on or immediately over land, water or other natural terrain.
2. **No motorized vehicles of any type are permitted in riparian areas or in running washes except at road crossings.** Substantiated reports of unauthorized use in these areas will result in immediate probation and possible suspension or revocation of permit privileges.
3. All motor vehicle use will comply with existing BLM and state motorized vehicle laws and regulations on public lands relating to use, standards, registration, operation and inspection. Regulations governing off-road vehicle use are prescribed in 43 CFR 8341.1 and include, but are not limited to, the following:
 - A. No person shall operate an off-road vehicle on public lands:
 1. In a reckless, careless or negligent manner;
 2. In excess of established speed limits;
 3. While under the influence of alcohol, narcotics or drugs;
 4. In a manner causing, or likely to cause, significant undue damage to or disturbance of the soil, wildlife, wildlife habitat, improvements, cultural, or vegetative resources.
 - B. Drivers shall yield the right-of-way to pedestrians, saddle horses, pack trains, and animal drawn vehicles.
 - C. Drivers are prohibited from operating a motor vehicle, unless the driver and each front seat passenger are restrained by a properly fastened safety belt.
4. Any person who violates or fails to comply with the CFRs subparts 8341 and 8343 is subject to arrest, conviction, and punishment pursuant to appropriate laws and regulations. Such punishment may be a fine of not more than \$1,000 or imprisonment for not longer than 12 months, or both.
5. Permittee will be committed to preserving and protecting the public lands by learning, practicing and promoting the Tread Lightly principles.

Event Operations:

1. Participants are to remain on the approved designated area/course/routes. Any course deviations must be approved by the BLM.
2. The permittee must post temporary signs to be placed at all major access points and intersections in the area notifying public land visitors of the event and of potential access delays to the public lands during the event.
3. All temporary signs posted on public lands must be authorized by BLM.
4. A logistical map showing all checkpoints and medical locations must be provided to the BLM 15 days prior to the event, if applicable.
5. Permittee is responsible for providing adequate sanitary portable toilets and refuse containers at the staging areas and is responsible for ensuring that all local, county and state health and safety standards are met. One toilet per 50 people is recommended.
6. Permittee will hold a pre-event meeting to discuss event rules, safety procedures, rules of conduct, resource concerns and ethics, and inform participants of course/route conditions.
7. Spectators and non-authorized vehicles are not authorized to be on the course/routes during permitted rides.
8. Permittee shall be responsible for marking all hazards and providing flag monitors at all road crossings which may be used by other public land visitors.
9. Nothing in this permit shall be construed as allowing the sale of alcoholic beverages.
10. No use of firearms or fireworks is authorized.
11. The permittee is responsible for removing all signs, flagging, markers, trash and any other event related debris within 24 hours of the completion of the event.

GUIDELINES FOR HANDLING SONORAN DESERT TORTOISES

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

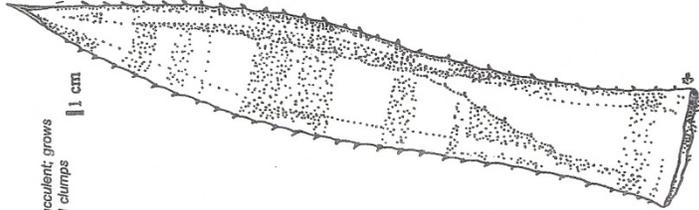
The Sonoran population of desert tortoises occurs south and east of the Colorado River. Tortoises encountered in the open should be moved out of harm's way to adjacent appropriate habitat. If an occupied burrow is determined to be in jeopardy of destruction, the tortoise should be relocated to the nearest 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.
- Take, possession, or harassment of wild desert tortoises is prohibited by state law. Unless specifically authorized by the Department, or as noted above, project personnel should avoid disturbing any tortoise.

Perennial succulent; grows in separated clumps



flowers waxy cream-green with purplish or brownish tips, 51-75 mm long

inflorescence with stalk 3-4 m tall, narrowly paniculate, lateral branches ascending, always producing bulbils after flowering

leaves curl inward slightly

leaves light blue-green to dark green, spoon-shaped, 50-80 cm long, with small, marginal teeth, terminal spine short and conical

roselle dense

Agavaceae (Agave Family)

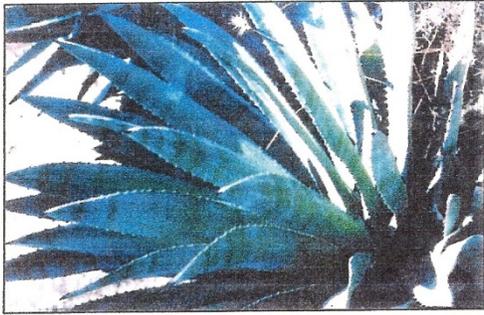
Phenology: flowering March to July.

Management Responsibility: USFS (Tonto NF), BLM (Phoenix Field Office, Safford Field Office), AZ State Land Dept, private.

Similar Species: differs from *A. chrysantha* and *A. delamateri* by its spoon-shaped, deep green leaves, short conical spine, production of bulbils in undamaged inflorescences.

Notes: first documented case of agave cultivation north of Mexico, believed to have been grown by Hohokam for food, fiber, and trade as it is found in or near pre-Columbian archaeological features; only 60 clones known from "wild"; hybridizes with *A. chrysantha* in Gila County.

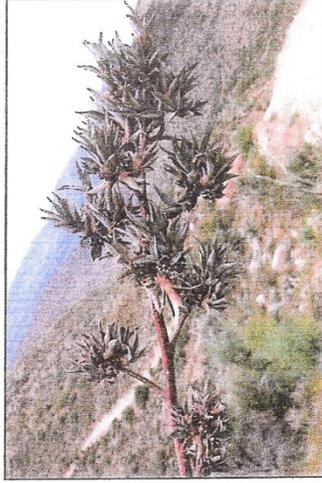
References: AGFD, 1997d. Gibson, 1935. Hodgson, in press. Hodgson, 1994b.



DBG

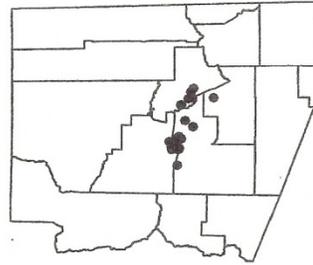
Agave murpheyi

fallen inflorescence



John Anderson/BLM

Habitat: usually in close proximity of major drainage systems on open hilly slopes or alluvial terraces in desert scrub, 1,350-2,950 ft (400-890 m) elevation.



Range: Paradise Valley, New River Mountains, South Bradshaw Mountains, Castle Creek River, Agua Fria River; Roosevelt Lake, Mazatzal Mountains, Tonto Basin, and Queen Creek near Superior.