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NOTICE OF FINAL DECISION

*Construction of Water Catchments for the Mt. Trumbull, Belnap, and
Big Springs Pipeline Allotments as described in
Environmental Assessment # DOI-BLM-AZ-A030-2019-0010-EA*

INTRODUCTION & BACKGROUND

A Notice of Proposed Decision (NOPD) and Finding of No Significant Impact (FONSI) was signed May 15, 2020 for the Construction of Water Catchments for the Mt. Trumbull, Belnap, and Big Springs Pipeline Allotments as described in Environmental Assessment # DOI-BLM-AZ-A030-2019-0010-EA. The Bureau of Land Management (BLM) received a timely protest to the NOPD from Western Watersheds Project (WWP) on June 18, 2020. The protest reasons are addressed below in the section titled "Response to Protest Statements of Reasons". Addressing the protest reasons did not cause substantive changes to the EA analysis; however, additional narrative (for clarification purposes) was added to the EA. After considering the protest reasons, this Notice of Final Decision is the next step in the decision process regarding the proposed actions in the EA.

RESPONSE TO PROTEST STATEMENTS OF REASONS:

WWP Protest Comment 01: *The BLM is precluded from a Finding of No Significant Impact (FONSI) for this project because: the vast area of land impacted by this decision (more than 100,0000 acres); the cumulative impact of adding 10 new infrastructure projects to an areas that already has over 100 water developments (a 10 percent increase); and the significant*

impact of facilitating livestock distribution across a much more vast area through the development of controversial water developments.

Response to Protest Comment 01: As stated in original EA Comment Response No. 002 (see Appendix E of the EA), the actual ground disturbance associated with the proposal is estimated to be approximately nine acres. It appears that WWP defines each catchment, trough, and tank as a separate project to arrive at a total of 10 “new” projects. The BLM views a catchment, storage tank, pipeline, and trough(s) associated with each catchment as components of one comprehensive project. To clarify this, a paragraph has been added to EA 2.2.1 Alternative A – Proposed Action.

WWP Protest Comment 02: *The BLM is precluded from a FONSI for this project because the BLM admits that there is “high forage use near existing waters” which it claims will be “offset” by additional waters, but the truth is that these new waters will create additional “high use” areas with significant impacts.*

Response to Protest Comment 02: Surface disturbance from the projects would be negligible – as shown in Table 2.1 of the EA, acres disturbed in each allotment ranges from a low of 0.00009% (Mt. Trumbull Allotment) to a high of 0.00047% (Belnap Allotment). In addition, it has been emphasized throughout the EA that no increases in permitted use or changes in utilization limits would be authorized because of these projects. While it is acknowledged that use in some areas would increase (due to installation of new water sources and more even distribution across pastures resulting from these new waters), overall use of the pastures would not increase – i.e., overall utilization would not exceed the maximum allowable utilization level of 50%. Having reliable water helps ensure that pasture rotations would occur as planned, providing more reliable deferment and rest for pastures and thus periodic rest for vegetation, which would maintain soil health and desired vegetation standards into the future. As such, the BLM is attempting to be pro-active (i.e., prevent management issues before they occur).

The BLM would continue to monitor the allotments to ensure that they continue to meet or progress toward meeting the Arizona Standards for Rangeland Health, including upland soils exhibiting permeability and infiltration rates that are appropriate to soil type (Standard 1). Cattle already can access the areas where improved livestock distribution is sought – the purpose for the proposed projects is not to open up “new areas” to livestock use but rather to distribute cattle more evenly across each subject pasture for more uniform utilization. Thus, the BLM has concluded that there would be negligible impacts to soils from implementing these proposed projects.

WWP Protest Comment 03: *The BLM is precluded from a FONSI for this project because a portion of the project located on the Belnap and Big Springs Pipeline allotments is also located within the Grand Canyon-Parashant National Monument, which requires a higher level of analysis and protection.*

Response to Protest Comment 03: Livestock grazing on Grand Canyon-Parashant National Monument (GCPNM) is identified in the proclamation that established the Monument. Livestock grazing requires maintenance and construction of necessary range improvements; EA

Comment Response No. 024 states: “The portion of the Proclamation that directly addressed continued livestock grazing on GCPNM (page 11 CFR-2001-title3-volume 1) [states]: The Bureau of Land Management shall continue to issue and administer grazing leases within the portion of the monument within the Lake Mead National Recreation Area, consistent with the Lake Mead National Recreation Area authorizing legislation. Laws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing leases on all lands under its jurisdiction shall continue to apply to the remaining portion of the monument.” There is no legal requirement to analyze impacts to a greater level than already proscribed by NEPA and related laws. All affected resources were considered in the preparation of the EA.

WWP Protest Comment 04: *A[s] the BLM is well aware, EA’s should be in the range of 10-15 pages, yet this EA is closer to 100 pages (over 50 pages, plus Appendices, a FONSI, and two Notices of Proposed Decisions). An EA is intended to be a concise public document that provides sufficient evidence and analysis for determining the significance of effects from a proposed action (40 C.F.R. §1508.9). The CEQ has advised agencies to keep EAs to no more than approximately 10-15 pages (Question 36a, CEQ, Forty Most Asked Questions Concerning CEQ’s NEPA Regulations, March 23, 1981). Concise and well written documents foster effective communications with the public and informed decision-making. And, while a longer EA may be appropriate when a proposal is so complex that a concise document cannot meet the goals of 40 C.F.R. §1508.9, or when it is extremely difficult to determine whether the proposal could have significant environmental effects, for this project neither of these circumstance are applicable. Here, rather than proceeding with a lengthy EA just to avoid the EIS process, the BLM should have either reduced the scope of this project or developed an EIS.*

Response to Protest Comment 04: The determination on whether to prepare an EIS vs. an EA is determined by whether effects are expected to be significant, not by a set number of pages. While the CEQ regulations do recommend that EAs be 10-15 pages, the August 6, 2018 Memorandum issued by the Deputy Secretary (Additional Direction for Implementing Secretary’s Order 3355 Regarding Environmental Assessments) states that “In certain circumstances, EAs may need to exceed CEQ’s guidance and the Department’s normal practice. In these instances, Bureaus should strive to complete EAs in 75 pages or less, excluding appendices”. This EA is below that 75-page limit, at 54 pages. In addition, after consideration of the environmental effects described in the EA and supporting documentation, the BLM determined that the actions are not a major Federal action and will not have a significant effect on the quality of the human environment, either individually or cumulatively with other actions in the area. No environmental effects meet the definition of significance in context or intensity, as defined at 40 CFR 1508.27. Therefore, the preparation of an EIS is not required.

WWP Protest Comment 05: *BLM argues that the project is not controversial, and the water developments will benefit wildlife. 2020 EA, Appendix E, comment response 9 and 11. However, wildlife in Arizona are arid adapted species and, when not constrained in their movements by allotment fencing and other obstacles, will move to areas that provide the resources they need. Does are known to search areas outside of their known home range in search of alternate sources of water when it is not otherwise present. Hervert and Krausman, 1986. While hunters may prefer a larger amount of wildlife on the landscape than the landscape can support naturally, the wildlife themselves are capable of self-regulation in terms of population. Further,*

if BLM or the Arizona Game and Fish Department are deeply concerned about the presence of healthy populations of wildlife on the landscape the single most important thing land managers can do is remove livestock from the landscape and allow wildlife full access to forage needed for survival.

Response to Protest Comment 05: As stated in EA Comment Response No. 002, The effects of installation, maintenance, and use of range improvements, including water catchments, storage tanks, and troughs are not unknown (or uncertain) or highly controversial. There are no known effects of the action identified and analyzed in the EA that are considered uncertain or involve unique or unknown risks – the effects of livestock grazing, vegetation treatments, and structural range improvements on the Arizona Strip (and elsewhere in the western U.S.) are well known and well documented. The BLM has proficiency implementing similar actions in similar areas. The environmental effects are fully analyzed in the EA (Chapter 4).

As stated in EA Comment Response 009, The BLM works cooperatively with AGFD in management of habitat for mule deer and other wildlife species. AGFD states that “water distribution should be improved in Units 13A and 13B ... by utilizing both cooperative projects and wildlife catchments” (EA Section 1.2). The three proposed catchments are within Game Management Units 13A and 13B. In the Arizona Strip Interdisciplinary Mule Deer Management Plan (AGFD and BLM 2015), AGFD recognizes that on the Arizona Strip water is a limiting factor for wildlife numbers and diversity. While the grazing permittees have requested these proposed catchments, increased water availability would also benefit wildlife, as noted by AGFD in the Mule Deer Management Plan.

Water is essential for all animals. Wildlife populations in general, and mule deer and migratory birds, depend on reliable water sources. When ambient temperatures are high, it is reasonable to assume that survival and productivity of wildlife could be adversely affected by a lack of water. In semi-arid regions, such as the project areas addressed in this EA, water developments can be beneficial in combination with adequate foraging areas (Rosenstock et al. 1999). Wildlife will traditionally use water catchments during the hottest, driest months of the year when natural water sources dry up. For example, the Arizona Strip Interdisciplinary Mule Deer Management Plan states, “Significant efforts have been implemented across the Arizona Strip to improve water distribution. Perennial sources are generally lacking, and man-made sources such as livestock tanks, water catchment facilities and spring developments provide the bulk of water sources available for mule deer. It has been demonstrated on the Arizona Strip that improving water distribution improves distribution and habitat use by mule deer and has positive impacts on populations” (AGFD and BLM 2015).

Please note that reducing or removing livestock is outside the scope of this EA analysis. As stated in EA Comment No. 010, the grazing permit is the instrument that authorizes a particular use (including amount of grazing preference) of an allotment. The issue of considering reduced livestock numbers would be addressed during the permit renewal or land use planning process.

WWP Protest Comment 06: *The use of water developments as a wildlife management tool is controversial and the ecological effects have not been well studied. Arizona Game and Fish Department Technical Bulletin No. 8. See also Broyles, 1995. The conflict regarding wildlife*

waters is well documented and described as scientized, rooted in worldviews, and has persisted for decades. Mattson and Chambers 2009.

Response to Protest Comment 06: See response to Protest Reason 05.

WWP Protest Comment 07: *For this project, BLM does not analyze the impacts of competition between deer and livestock for the water that will be made available via these developments. The maintenance requirements for these water developments are described as “unknown” in the EA. 2020 EA at 10. It does not appear that any of the pastures are grazed year-round. This means that the water developments are very likely to remain unchecked and possibly empty during the time of year that wildlife would be most likely to utilize them. After these water developments are installed, wildlife could become dependent upon them, but BLM has not provided any information as to whether these waters will be monitored for year-round supply or whether water will need to be hauled to the developments when livestock are not utilizing the allotments but wildlife are. These are questions neither asked nor answered, but important as considerations of the impacts of this project.*

Response to Protest Comment 07: Two of the four allotments addressed in the EA are year round allotments (see EA Section 3.4.1) – the Mt. Trumbull and the Big Springs allotments are permitted for year round use. The Big Springs Allotment is adjacent to the Belnap Allotment and would rely on year-round use of the catchment, tank, and pipeline located in the neighboring Belnap Allotment. WWP has misinterpreted maintenance responsibilities described in the EA to be “unknown”. The actual paragraph in Section 2.2.1 states: “The exact maintenance requirements are not known, but are expected to include annual inspections of the catchment apron material and replacing or patching material when repairs are needed, and annual inspections of the pipeline to the trough, which may include digging to find and repair leaks or clogs in the pipe.” The intent is for these water developments to be maintained for year-round use by livestock and wildlife. To infer that the proposed range improvements would not be maintained is incorrect.

WWP states that wildlife could become dependent on these water developments. This is likely a true statement, particularly during periods of drought, as reflected in literature such as *Habitat Guidelines for Mule Deer – Colorado Plateau Shrubland and Forest Ecoregion*. However, this does not negate the benefits of water developments, as described in that report.

WWP Protest Comment 08: *How will parasites and Africanized bees be managed?*

Response to Protest Comment 08: Management of parasites and insects, whether native or introduced, is beyond the scope of the EA analysis as described in the purpose and need section in the EA.

WWP Protest Comment 09: *The BLM states that WWP is “incorrect in stating that ‘water catchments’ alter the way water flows across the landscape and replenishes groundwater.” 2020 EA, Appendix E, comment response 5, page 3. BLM then justifies this assertion by noting that “[c]atchment aprons capture precipitation that falls on them and then pipe that water to a storage tank or pond” which is a description of how the catchments alter flow, and in the same*

sentence claims this does not alter how water flows across the land. Id. Capturing water in a basin and redirecting it does indeed alter how that water moves across the land. BLM has not addressed this important impact, and this is a concern which WWP raised in our prior comments.

Response to Protest Comment 09: Capturing precipitation at one small point (the catchment apron), storing it for future use, then piping it a short distance to a trough is not altering surface water flow. To provide context, the catchment aprons comprise less than 0.0001% of each allotment (see EA Table 2.1). We are unsure how WWP can assert that capturing precipitation from such a small point would “alter how water moves across the landscape.”

WWP Protest Comment 10: *BLM chastises WWP for identifying the true geographic scope of this project as over 100,000 acres as a “gross misrepresentation” because, BLM argues, “the actual ground disturbance associated with the proposal is estimated to be approximately nine acres.” 2020 EA, Appendix E, page 1, comment response number 2. BLM further argues that it is incorrect for WWP to infer that all of the public lands within the project area will be disturbed. Id. However, the BLM is also arguing that the purpose of this project is to more uniformly distribute livestock throughout the project area. 2020 EA, Appendix E, page 2, comment response 4; see also comment response numbers 5, 7, 8, and 9. This necessarily means that the impacts of livestock grazing within the project area will be increased, geographically. Then, when WWP asks BLM to analyze the air quality and cultural impacts of the much more widespread livestock grazing that is anticipated with the implementation of this project, BLM responds that the impacts are constrained to previously grazed areas and only those areas where livestock congregate at waters. 2020 EA, Appendix E, page 10, comment response 13. The BLM is at once claiming that the project will result in a more widespread distribution of livestock, but the impacts of livestock use will only occur where it has already occurred. This is not consistent analysis of impacts. If livestock will only graze where they are currently grazing, this begs the question (asked by WWP), what is the point of the project?*

Response to Protest Comment 10: Stating that the geographic scope of the project is “over 100,000 acres” is a gross misrepresentation of the facts. First as shown in Table 2.1 of this EA, and stated in EA Comment Response 002, the actual ground disturbance associated with the proposal is estimated to be approximately nine acres. Second, while the proposed action does encompass three separate geographic sites, it is incorrect to infer that all the public lands between the proposed catchment sites would be disturbed or is a significant factor requiring an EIS. It is important to note that livestock are currently permitted within the allotment, and already graze the areas where improved livestock distribution is sought – the purpose for the proposed projects is not to open up new areas to livestock use or to increase permitted numbers of livestock, but rather to distribute cattle more evenly across the allotment for more uniform utilization. This proposal does not increase acreage or AUMs available to livestock grazing. Better livestock distribution is a widely accepted method to reduce localized impacts for the betterment of vegetation resources. The proposed water developments also increase distribution of wildlife including big game, thus reducing their localized impacts (see EA Section 1.2 for a detailed description of the purpose and need for the projects).

WWP Protest Comment 11: *BLM inappropriately dismissed WWP's concerns that range "improvements" such as tanks and water developments will serve as an attractive nuisance, increasing the presence of trash and target shooting damage and related dumping and waste. 2020 EA, Appendix E, page 11, comment response 17. The BLM dismissed our concerns because the example photos we provided were not from the project area. This is irrelevant. The BLM inappropriately dismissed our concerns regarding the potential impacts related to trash dumping and target shooting and the related issues of toxic soil contamination and impacts to wildlife. The proposed water developments are an attractive nuisance. This is a cumulative impact the BLM should have considered and analyzed as part of this EA.*

Response to Protest Comment 11: As stated in the response to EA Comments 016 and 020, we acknowledge that trash dumping does sometimes occur on public land (not just at range improvement sites), which is a law enforcement issue and beyond the scope of this EA analysis. Target shooting also occurs on public lands but is not an illegal activity in most areas (including in these allotments). It is speculative to suggest that these sites would become trash dumping sites and target shooting areas. Similar water development sites exist across most of the Arizona Strip District that have no documented target shooting or dumping – trash dumping is the exception, not the rule. Proximity to paved roads, highly improved roads, and urban areas tend to attract dumping and shooting. None of the sites addressed in this EA are near paved roads, highly improved roads, or urban areas, and the issues raised in this protest reason are not anticipated to occur.

WWP Protest Comment 12: *The analysis in this EA is flawed, the proposed decision was not reached by a full and fair analysis of the conditions on the allotment, and the Finding of No Significant Impact is rendered invalid. The analysis should be revised, and the decision revisited. For this reason and all of the foregoing, we protest the proposed decisions.*

Response to Protest Comment 12: The EA represents the hard look requirement as per NEPA. The EA was prepared by an interdisciplinary team of resource specialists (see EA Table 5.2) and many resources and elements of the human environment were considered. EA Table 3.1 lists the resources/elements of the human environment that were considered, and Chapters 3 and 4 present those resources that could be potentially impacted and are therefore carried forward for detailed analysis. After consideration of the environmental effects described in the EA and supporting documentation, the BLM determined that the actions are not a major Federal action and will not have a significant effect on the quality of the human environment, either individually or cumulatively with other actions in the area. No environmental effects meet the definition of significance in context or intensity, as defined at 40 CFR 1508.27. Therefore, the preparation of an EIS is not required.

DECISION

After considering the analysis contained within the above referenced EA, protest points, and comments submitted during the comment period, it is my decision to authorize the Proposed Action -Alternative A as it relates to the three allotments managed by the Grand Canyon-Parashant National Monument (GCPNM). This Decision authorizes the following Range Improvement Projects for construction within the Mt. Trumbull, Belnap, and Big Springs Pipeline Allotments (refer to attached Project Maps).

The specific decision is outlined as follows:

Mt. Trumbull Allotment

The Mt. Trumbull Allotment contains 29,027 acres of public land managed by the GCPNM. GCPNM is cooperatively managed by the Bureau of Land Management (BLM) and the National Park Service (NPS) under Service First Authority. BLM lands on the Mt. Trumbull Allotment make up approximately 13,210 acres with 15,817 acres on NPS land. The Mt. Trumbull Allotment is located approximately 45 miles south of St. George, Utah. The allotment includes two separate grazing areas located 9.5 miles apart. The southern area is the Frog-Cane winter pasture located below Whitmore Point, on NPS lands and the northern portion of the allotment includes summer and fall pastures. These pastures are located around the Mt. Trumbull town site and on top of the Hurricane Cliffs.

The current grazing is operated under a deferred-rotation system. There are ten pastures within the allotment boundaries. The pastures are split into summer-fall pastures (Rim, No. Stockade, So. Stockade, and Boys), spring-winter pastures (Side of Mountain, 160, and Whitmore Point) and the winter pasture (Frog-Cane). Each set of pastures is operated under a deferred-rotation schedule. When forage and water conditions permit, the summer-fall pastures are operated under a rest-rotation schedule, which allows total rest of one of the summer pastures. The Frog-Cane pasture is divided into two units (east and west) and is used to defer a portion of the allotment during the spring growing season. In addition to these pastures, there is a private and state section pasture which are used in the rotation. These pastures are generally used in the spring and fall during transition.

There are several earthen reservoirs on the allotment, but they are unreliable as they depend on rainfall events to fill, lack in water storage capabilities, and leak due to the soils inability to retain water. Currently there are three reliable water sources in the Rim pasture, provided by catchments. One is located in the northwestern part of the pasture, over three miles away from the proposed catchment, the other is in the southwestern part of the pasture, approximately 2.4 miles from proposed catchment, and the third is located in the central portion of the pasture approximately one and a half miles away from the proposed catchment. Two of these catchments are located on Arizona State lands.

This pasture is relatively large with over 4200 acres. Cattle typically travel no more than one mile in hilly or steep terrain (such as occurs in this allotment) for water daily. Current reliable water sources in this pasture are greater than one mile apart, and in many cases numerous miles. This proposed catchment will facilitate better livestock distribution, as well as provide reliable water for wildlife.

The BLM, along with the authorized grazing permittees S.O. Bundy Ranch LC, have proposed to build a water catchment with storage tank and trough on the northeast end of the allotment. This will create a new, reliable water source in the eastern portion of the Rim Pasture of the Mt. Trumbull Allotment.

The Land Health Evaluation (LHE) for this allotment was completed in 2001 (BLM 2001); it was determined by the interdisciplinary assessment team (IAT) that the allotment was meeting

the applicable standards for rangeland health. While this proposed water catchment was not specifically identified in the LHE, additional water sources will result in a more uniform distribution of livestock and thus more even use of forage within the pasture, which will benefit rangeland health. Without adequate, reliable water in the allotment and pasture, cattle distribution is not optimum.

Belnap Allotment

The Belnap Allotment contains 7,279 acres of public land within GCPNM. The Belnap Allotment operates under a two-pasture deferred rotation system. The Belnap Allotment is located approximately 50 miles south of St. George, Utah. The two pastures in this allotment include the North and South pastures. Cattle graze the allotment from June 1 through November 15. One pasture is grazed from June 1 through August 31 and the other is grazed September 1 through November 15. The time of use for each pasture is alternated each year.

Currently, there are dirt tanks throughout this allotment, including the South Pasture, but these have not provided reliable water sources, particularly during extended droughts.

The BLM along with Superior Cattle LCC, the grazing permittee, have proposed to build a water catchment with tank, and trough, on the south end of the Belnap South Pasture. This will create a new, reliable water source in this pasture. The South Pasture currently has unreliable earthen ponds. The Belnap and Big Springs Pipeline Allotments (below discussion) have steep-hilly terrain. Without adequate water development, livestock distribution is not optimized.

On September 30, 2002 the GCPNM completed LHE on the Belnap Allotment. The IAT determined that the Belnap Allotments met all applicable standards for rangeland health.

Big Springs Pipeline Allotment

The Big Springs Pipeline Allotment contains 42,222 acres of BLM public land and another 13,680 acres of NPS land, all within the GCPNM. The Big Springs Pipeline Allotment is located approximately 55 miles south of St. George, Utah. A grazing system was established on the allotment in 1994. This grazing system was split into two units; a winter unit that is grazed from October 16 to April 15 and a summer unit which is grazed from April 16 to October 15. Within the winter unit there are four pastures operating under a four pasture, deferred-rotation schedule. Included in the winter unit is, the Cold Spring, Airstrip, Lava, and Chaparral pastures. Each pasture is grazed approximately 45 days during the use period. Each pasture receives spring use (March 1 – April 15) once every four years. Utilization levels in the winter pastures are set at 45% as to minimize grazing impacts in the bottom of Whitmore Canyon. The summer unit is operated as a two pastures deferred-rotation system. Whitmore Point and Cole Spring pastures are grazed in the summer rotation. One of the pastures receives grazing from April 16 to July 15, the other July 16 to October 15. Scheduled use periods for each pasture are switched each year. This is done to negate a pasture being used at the same time each year and to allow rest and recovery during a portion of the growing season.

Beginning in the summer of 1997, the grazing system was modified to be grazed from October

through May. The deferred-rotation schedule has continued relative to all the pastures plus an additional large pasture (Pa's Pocket Allotment). Livestock are moved off the allotment and taken to private pasture in Panguitch, Utah from June through September. This has allowed all pastures recovery time during the summer growing season.

The BLM along with Superior Cattle LCC, the grazing permittee, have proposed to build a water catchment with a tank, on the south end of the Belnap South pasture of the Belnap Allotment which will service this allotment. Water from this catchment and tank will be piped to the Whitmore Point Pasture within the Big Springs Pipeline Allotment. This will create a new, reliable water source in this pasture. The Whitmore Pasture, and the Big Springs Pipeline Allotment currently has one other catchment approximately 2.5 miles from this proposed catchment. The remaining water developments are unreliable earthen ponds.

On May 22, 2006, the LHE on the Big Springs Pipeline Allotment was completed. The IAT determined that this allotment is making significant progress toward meeting standards for rangeland health (BLM 2006).

Summary

The purpose of the proposed projects is not to increase permitted use, or animal unit months (AUMs), but to encourage and achieve better livestock distribution within the above-mentioned BLM grazing allotments. The proposed projects will also provide additional water sources for wildlife (including mule deer). The *Arizona Strip Interdisciplinary Mule deer Management Plan 2010-2014*, which was developed jointly by the BLM and Arizona Game and Fish Department (AGFD) states that "water distribution should be improved in [Units 13A and 13B] by utilizing both cooperative projects and wildlife catchments" (AGFD and BLM 2015). It should be noted that habitat management for non-listed, non-game species are typically provided in the form of supplemental benefits from actions designed to address other, targeted (i.e., threatened, endangered, candidate, or game species). These most often take the form of water developments or vegetative treatment projects. Thus, other wildlife species (along with mule deer) will benefit from the proposed water projects by improving water distribution and improving habitat use by these species as well, which are also objectives contained within the ASFO and GCPNM RMPs (BLM 2008a; BLM 2008b).

Range Improvement Projects within the Mt. Trumbull, Belnap, and Big Springs Pipeline Allotments will be Subject to the Following Project Standards:

Within a fence enclosure a water catchment apron will be constructed, up to 1½ acres in size; an 80 to 200 thousand gallon lined pond or storage tank will be constructed, and water will be piped from the apron to a storage tank or excavated pond (EA - Appendix B, Figure B.1 and B.2). The location in which either the pond or storage tank will be constructed has been inventoried for both cultural and special status plant species. The excavated ponds are typically 8 to 10 feet deep, 40 to 50 feet in diameter. Excavation of the pond will be accomplished by using heavy equipment. The slope ratio around the entire pond will be 1:1 (one-foot vertical depth for every one-foot horizontal distance). The ponds will then be lined with EPDM 45 mil (ethylene propylene diene monomer), an extremely durable synthetic rubber membrane. This product comes in approximately 50-foot widths and is bonded together using an adhesive. A fence will

be constructed around the perimeter of the pond impeding animals from entering the storage pond, to prevent entrapment. If storage tanks are chosen, they will consist of a tank which will sit above ground approximately 15 feet tall, 30 to 40 feet in diameter or multiple smaller tanks may be used to provide the same volume (Appendix B, Figure B.3). Either lids or wildlife escape ramps and floating bird ladders will be installed to prevent wildlife entrapment.

Water from the pond or tank will then be piped to troughs. Each pipeline will be installed into the ground across the route using heavy equipment. This will loosen the soil and allow for the pipe to be more easily installed. The pipeline will be installed along a 10-foot wide path.

The troughs will be constructed using a heavy equipment sized tire and secured to the ground, outside the fence enclosure, using concrete (Appendix B, Figure B.4). Wildlife escape ramps will be secured in the trough before it is filled. No other new structures are proposed.

It is anticipated that up to three acres of disturbance will be associated with the catchment. This includes the apron, tanks, troughs, pipelines, and construction of two new (short) routes off existing roads, as described below.

The proposed action will include future maintenance activities for the life of each project, which is expected to be 20-50 years. The exact maintenance requirements are not known, but are expected to include annual inspections of the catchment apron material and replacing or patching material when repairs are needed, and annual inspections of the pipeline to the trough, which may include digging to find and repair leaks or clogs in the pipe.

The Range Improvement Projects will be Subject to the Following Best Management Practices/Design Features:

The following best management practices (BMPs)/design features are included in the proposed action to minimize the impacts of the proposed action to social and natural environmental resources.

Cultural Resources

- Any cultural (historic/prehistoric site or object) or paleontological resource (fossil remains of plants or animals) discovered within the project areas will immediately be reported to the ASFO and/or GCPNM Manager(s) or their designee. All operations in the immediate area of the discovery shall be suspended until written authorization to proceed is issued. An evaluation of the discovery shall be made by a qualified archaeologist or paleontologist to determine appropriate actions to prevent the loss of significant cultural or scientifically important paleontological values.
- An additional archaeological survey (intensive level, Class III cultural resources inventory) shall be required in the event the proposed project location is changed or additional surface disturbing activities are added to the project after the initial survey. Any such survey will have to be completed prior to commencement or continuation of the project.
- If in connection with this work any human remains, funerary objects, sacred objects, or

objects of cultural patrimony as defined in the Native American Graves Protection and Repatriation Act (Public Law 101-601; 104 Stat. 3048; 25 U.S.C. 3001) are discovered, operations in the immediate area of the discovery will stop, the remains and objects will be protected, and the ASFO and/or GCPNM Manager(s) (or their designee) will be immediately notified. The immediate area of the discovery will be protected until notified by the ASFO and/or GCPNM Manager(s) (or their designee) that operations may resume.

Wildlife Resources

- The work crew chief must notify the BLM wildlife team lead at 435-688-3373 if California condors visit the worksite while construction is underway. Project activities will be modified or delayed where adverse effects to condors may result.
- If an active bird nest is found during construction in a location that will be adversely affected by operations at the site, the BLM wildlife team lead will be contacted to determine an alternative action.
- Any hollow metal and/or plastic (PVC) pipes and posts used or stored temporarily during construction or left permanently in place will be capped to prevent birds, small mammals, or reptiles from becoming entrapped.
- No hazing or harassment of wildlife is permitted.
- No smooth or barbed wire t-posts structures will be used to strengthen the integrity of the troughs to keep them from moving. Instead, heavy equipment sized tires will be secured using concrete. This will facilitate ingress and egress of wildlife, particularly bat species.
- Wildlife escape ramps will be secured in each trough before it is filled. Either lids or wildlife escape ramps and floating bird ladders will be installed to the storage tanks or ponds.
- Construction will be limited to daylight hours to minimize impacts to wildlife.
- Open trenches have the potential to trap and injure wildlife. During pipeline construction these risks will be mitigated by minimizing the length of time trenches are left open, providing escape avenues (lateral trenches) for wildlife when left overnight, and inspecting the trenches prior to backfill activities.
- The project sites will be cleaned up at the end of each day the work is being conducted (e.g., trash removed, scrap materials picked up); waste materials will be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment. "Waste" also includes the creation of micro-trash such as bottle caps, pull tabs, broken glass, cigarette butts, small plastic, food materials, bullets, bullet casings, etc. No micro-trash will be left at project sites to minimize the likelihood of condors visiting the site. BLM staff may conduct site visits to the area to ensure adequate clean-up measures are taken.

Soil Resources

- Soil disturbance associated with construction activities will be limited to the proposed project footprint.
- Construction activities will be limited to periods when the ground surface is not excessively wet in order to avoid soil compaction and displacement. Excessively wet is defined by ruts four inches or deeper forming in the soil from the weight of equipment tires or tracks.

Vegetation Resources

- Vehicles and equipment will be power washed off-site before construction activities begin to minimize the risk of spreading noxious weeds. This will include cleaning all equipment before entering the Arizona Strip. The project areas will be monitored by BLM staff and permittees for noxious weeds for two years following completion of the projects.
- Topsoil and vegetation removed from the Belnap catchment apron area will be scattered or piled near the apron. The resulting biomass should not be buried by any soils or rock excavated for the apron or tank that originated more than 4 inches below initial grade.
- If seeding is deemed necessary to reduce erosion or accentuate restoration of bare ground at any of the sites, native seed will be applied at quantities and season to ensure successful restoration.

Hazmat

- At no time will vehicle or equipment fluids (including motor oil and lubricants) be dumped on public lands. All accidental spills will be reported to the authorized officer and be cleaned up immediately, using best available practices and requirements of the law, and disposed of in an authorized disposal site. All spills of federally or state listed hazardous materials which exceed the reportable quantities will be promptly reported to the appropriate agency and the authorized officer.

Monitoring

Monitoring will consist of BLM staff inspecting the project site during the construction phase of each water catchment to ensure compliance with the BMPs/design features listed above. Monitoring for invasive noxious weeds will occur for a minimum of two years following completion of the project. The water catchments will be monitored on a yearly basis by the grazing permittees to ensure the water catchments, pipelines, troughs and storage tanks are functioning properly.

Rationale

The main sources of water on the Mt. Trumbull, Belnap, and Big Springs Pipeline Allotments are provided by large earthen ponds or reservoirs built along dry washes or drainages throughout the allotment. Although many of these ponds are strategically located throughout pastures for good distribution of livestock, it does not guarantee reliable water on an annual basis due to the unreliability of scattered summer rainfall events and capabilities of reservoir storage. It then makes it difficult for the permittee and BLM to best plan and adhere to this grazing system. In an effort

to better control livestock distribution, achieve more uniform utilization of key forage species and give the permittee more reliability for pasture use in this grazing system, a water catchment and associated water tank, trough, and approximately 1,670 feet of pipeline are being proposed for the three allotments by the BLM along with grazing permittees.

The purpose of the projects is not to increase permitted use, or animal unit months, but to encourage and achieve better livestock distribution within the allotment. The projects will also provide additional water sources for wildlife (including mule deer and pronghorn). The *Arizona Strip Interdisciplinary Mule deer Management Plan 2015-2019*, which was developed jointly by the BLM and AGFD states that “water distribution should be improved in [Unit 13B] by utilizing both cooperative projects and wildlife catchments” (AGFD and BLM 2015). The *Arizona Statewide Pronghorn Management Plan* (AGFD 2009) identifies a number of management objectives, including objectives related to water availability. It should be noted that habitat management for non-listed, non-game species are typically provided in the form of supplemental benefits from actions designed to address other, targeted (i.e., threatened, endangered, candidate, or game species). These most often take the form of water developments or vegetative treatment projects. Thus, other wildlife species (along with mule deer and pronghorn) will benefit from the water projects by improving water distribution and improving habitat use by these species as well, which are also objectives contained within the Arizona Strip Field Office Resource Management Plan (RMP) (2008).

AUTHORITY

- The authority for this decision is contained in part in Federal Land Policy and Management Act of 1976 (43 United States Code [USC] 1707 et seq.) and Title 43 of the Code of Federal Regulations (CFR), which state in pertinent parts:

§4100.0-8 Land Use Plans

The authorized officer shall manage livestock grazing on public lands under the principle of multiple use and sustained yield, and in accordance with applicable land use plans. Land use plans shall establish allowable resource uses (either singly or in combination), related levels of production or use to be maintained, areas of use, and resource condition goals and objectives to be obtained. The plans also set forth program constraints and general management practices needed to achieve management objectives. Livestock grazing activities and management actions approved by the authorized officer shall be in conformance with the land use plan as defined at 43 CFR 1601.0-5(b).

§4120.3-1 Conditions for Range Improvements

(a) Range improvements shall be installed, used, maintained, and/or modified on the public lands, or removed from these lands, in a manner consistent with multiple-use management.

(b) Prior to installing, using, maintaining, and/or modifying range improvements on the public lands, permittees or lessees shall have entered into a cooperative range improvement agreement with the Bureau of Land Management or must have an approved range improvement permit.

(c) The authorized officer may require a permittee or lessee to maintain and/or modify range improvements on the public lands under §4130.3-2 of this title.

(d) The authorized officer may require a permittee or lessee to install range improvements on the public lands in an allotment with two or more permittees or lessees and/or to meet the terms and conditions of agreement.

(e) A range improvement permit or cooperative range improvement agreement does not convey to the permittee or cooperator any right, title, or interest in any lands or resources held by the United States.

(f) Proposed range improvement projects shall be reviewed in accordance with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4371 *et seq.*). The decision document following the environmental analysis shall be considered the proposed decision under subpart 4160 of this part.

§4160.4 Appeals

Any person whose interest is adversely affected by a final decision of the authorized officer may appeal the decision for the purpose of a hearing before an administrative law judge by following the requirements set out in §4.470 of this title. As stated in that part, the appeal must be filed within 30 days after receipt of the final decision or within 30 days after the date the proposed decision becomes final as provided in §4160.3(a). Appeals and petitions for a stay of the decision shall be filed at the office of the authorized officer. The authorized officer shall promptly transmit the appeal and petition for stay and the accompanying administrative record to ensure their timely arrival at the Office of Hearings and Appeals.

§4180.1 Fundamentals of Rangeland Health

The authorized officer shall take appropriate action under subparts 4110, 4120, 4130, and 4160 of this part as soon as practicable but not later than the start of the next grazing year upon determining that existing grazing management needs to be modified to ensure that the following conditions exist.

(a) Watersheds are in, or are making significant progress toward, properly functioning physical condition, including their upland, riparian-wetland, and aquatic components; soil and plant conditions support infiltration, soil moisture storage, and the release of water that are in balance with climate and landform and maintain or improve water quality, water quantity, and timing and duration of flow.

(b) Ecological processes, including the hydrologic cycle, nutrient cycle, and energy flow, are maintained, or there is significant progress toward their attainment, in order to support healthy biotic populations and communities.

(c) Water quality complies with State water quality standards and achieves, or is making significant progress toward achieving, established BLM management objectives such as meeting wildlife needs.

(d) Habitats are, or are making significant progress toward being, restored or maintained for Federal threatened and endangered species, Federal Proposed, Category 1 and 2 Federal candidate and other special status species.

§4180.2 Standards and Guidelines for Grazing Administration

(c) The authorized officer shall take appropriate action as soon as practicable but not later than the start of the next grazing year upon determining that existing grazing management practices or levels of grazing use on public lands are significant factors in failing to achieve the standards and conform with the guidelines that are made effective under this section. Appropriate action means implementing actions pursuant to subparts 4110, 4120, 4130, and 4160 of this part that will result in significant progress toward fulfillment of the standards and significant progress toward conformance with the guidelines. Practices and activities subject to standards and guidelines include the development of grazing-related portions of activity plans, establishment of terms and conditions of permits, leases and other grazing authorizations, and range improvement activities such as vegetation manipulation, fence construction and development of water.

DECISION APPEAL PROCEDURES

In accordance with 43 CFR 4.470, 4160.3(c), and 4160.4, any person whose interest is adversely affected by a final decision of the authorized officer may appeal the decision for the purpose of a hearing before an administrative law judge. The appeal must be filed within 30 days after the date the proposed decision becomes final or 30 days after receipt of the final decision. In accordance with 43 CFR 4.470, the appeal shall state clearly and concisely the reason(s) why the appellant thinks the final decision of the authorized officer is wrong.

Pursuant to 43 CFR 4.471 and 4160.3(c), an appellant also may petition for a stay of the final decision pending appeal by filing a petition for stay along with the appeal within 30 days after the date the proposed decision becomes final or 30 days after receipt of the final decision.

The appeal and any petition for stay must be filed at the office of the authorized officer, Mark Wimmer, Monument Manager-Grand Canyon-Parashant National Monument, 345 East Riverside Drive, St. George, Utah 84790). Within 15 days of filing the appeal and any petition for stay, the appellant also must serve a copy of the appeal and any petition for stay on any person named in the decision and listed at the end of the decision, and on the Office of the Field Solicitor located at U.S. Department of the Interior, Sandra Day O' Connor U.S. Courthouse, 401 West Washington Street, SPC 44, Suite 404, Phoenix, Arizona 85003-2151. Pursuant to 43 CFR 4.471(c), a petition for stay, if filed, must 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.

43 CFR 4.471(d) provides that the appellant requesting a stay bears the burden of proof to demonstrate that a stay should be granted.

Any person named in the decision from which an appeal is taken (other than the appellant) who wishes to file a response to the petition for a stay may file with the Hearings Division in Salt Lake City, Utah, a motion to intervene in the appeal, together with the response, within 10 days after receiving the petition. Within 15 days after filing the motion to intervene and response, the person must serve copies on the appellant, the Office of the Solicitor and any other person named in the decision (43 CFR 4.472(b)).

At the conclusion of any document that a party must serve, the party or its representative must sign a written statement certifying that service has been or will be made in accordance with the applicable rules and specifying the date and manner of such service (43 CFR 4.422(c)(2)).

AUTHORIZED OFFICER'S SIGNATURE:

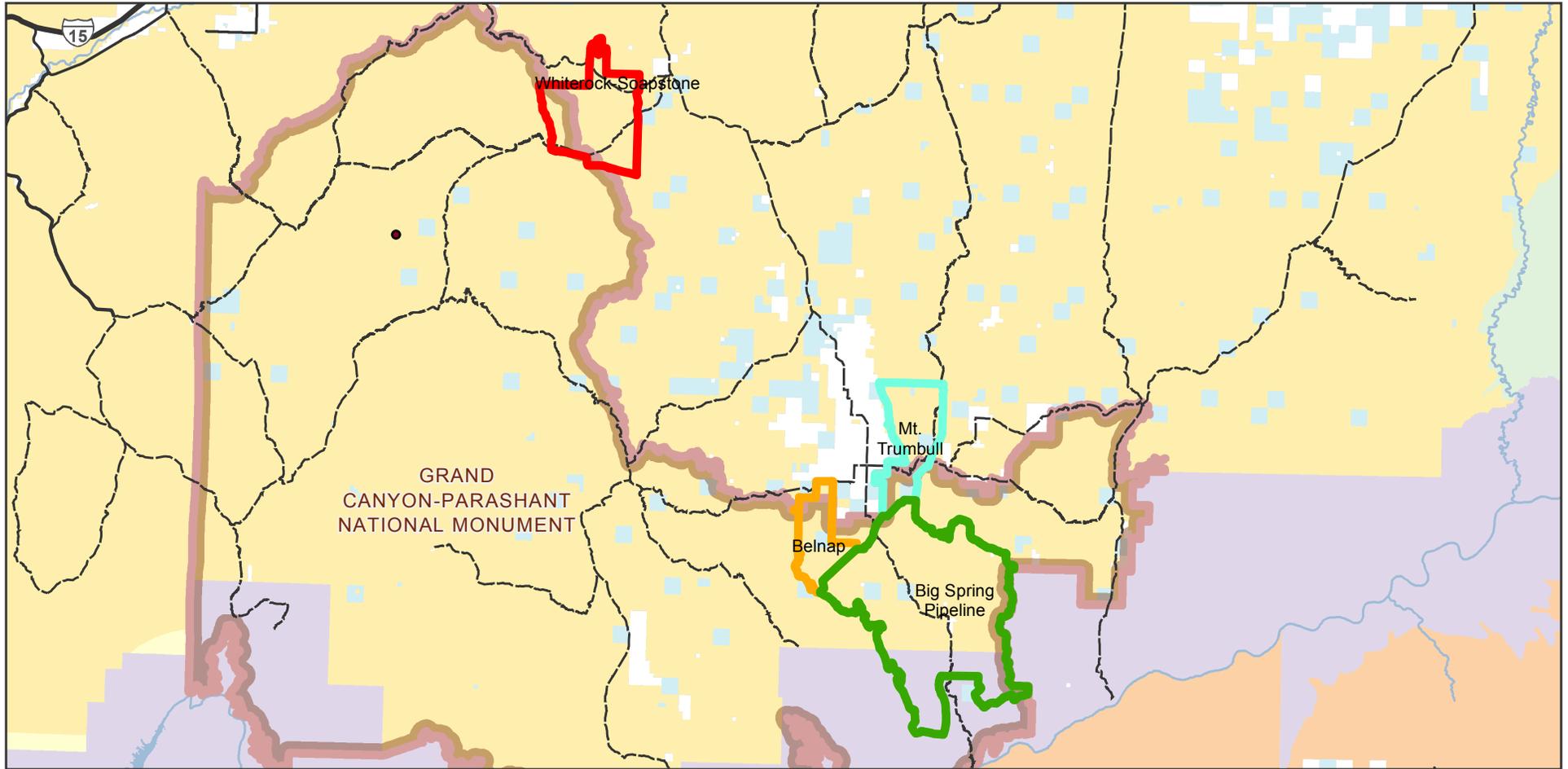
The decision is consistent with 43 CFR 4100 and 43 CFR 4180 and the Standards and Guidelines for Healthy Rangelands.

Mark Wimmer
Monument Manager
Grand Canyon-Parashant National Monument

Attachments:
Location Maps



Figure 1. Vicinity Map of Mt. Trumbull, Whiterock-Soapstone, Belnap, and Big Springs Pipeline Allotments.
 NEPA Number DOI-BLM-AZ-A030-2019-0010-EA
 Bureau of Land Management - Arizona Strip District - Arizona Strip Field Office

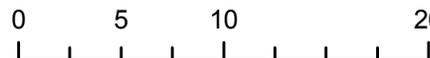


ALLOT_NAME

- Belnap
- Big Spring Pipeline
- Mt. Trumbull
- Whiterock-Soapstone
- BLM National Monument

Surface Management Agency

- Agency Name**
- Bureau of Land Management
 - National Park Service
 - Indian Reservation
 - US Forest Service
 - State
 - Private
 - Bureau of Reclamation
 - State, County, or City Park



Map Produced by BLM Arizona Strip District
 File: Mt Trum_White_Soap_Belnap_BidSpr Catchment vicinity map.mxd
 Coordinate System: NAD 1983 UTM Zone 12N
 Reference System: U.S. PLSS GSRB&M
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 User: mcutler
 Date: 7/25/2019

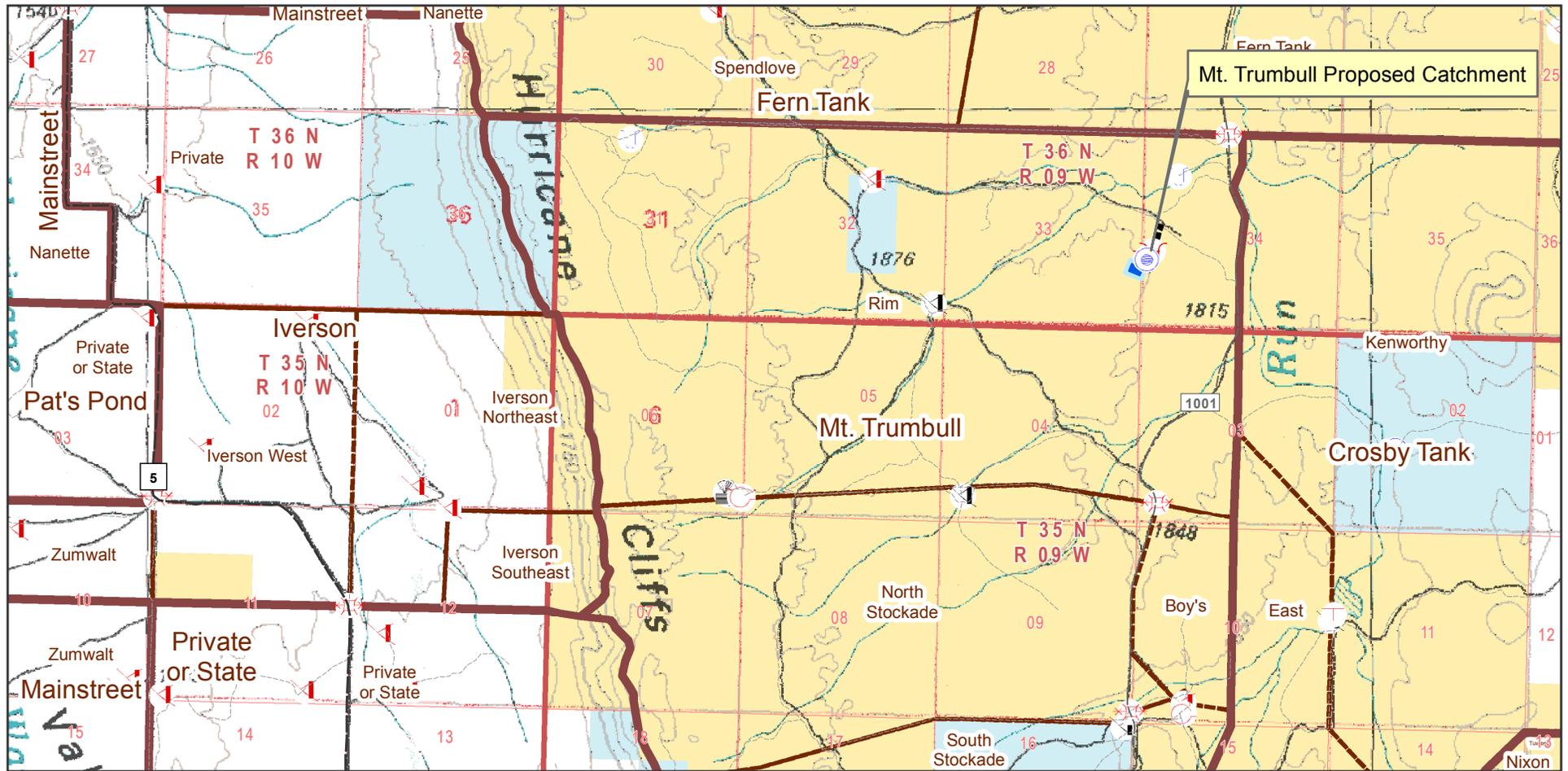


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Figure 2. Mt. Trumbull Allotment Proposed Catchment.
 NEPA Number DOI-BLM-AZ-A030-2019-0010-EA
 Bureau of Land Management - Arizona Strip District - Arizona Strip Field Office



- | | | |
|--------------------------|---------------------|----------------------------------|
| Proposed Tank | Detention Dam | Surface Management Agency |
| Proposed Trough | Fenced Reservoir | Agency Name |
| proposed_two_track | Livestock Catchment | Bureau of Land Management |
| Proposed catchment apron | Livestock Trough | State |
| Primary Road Unpaved | Unfenced Reservoir | Private |
| Secondary Road Unpaved | Water Storage Tank | Grazing Pasture Polygons |
| Tertiary Road Unpaved | Wildlife Drinker | Grazing Allotment Polygons |



Map Produced by BLM Arizona Strip District
 File: Mt. Trumbull Catchment 2019 small.mxd
 Coordinate System: NAD 1983 UTM Zone 12N
 Reference System: U.S. PLSS GSRB&M
 Scale: 1:50,000 at 8.5x11 page output
 User: mcutler
 Date: 11/6/2019



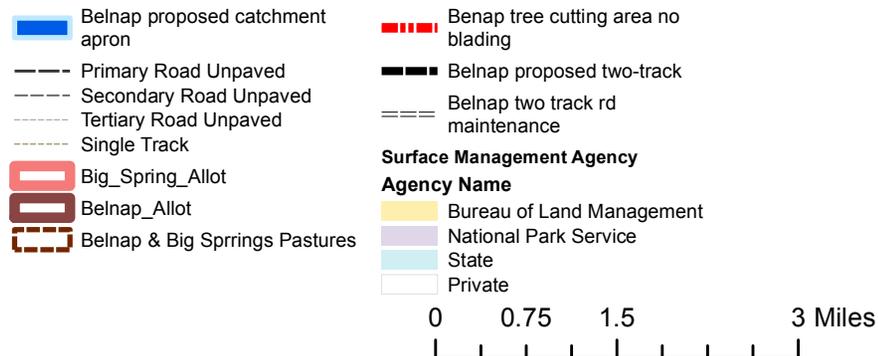
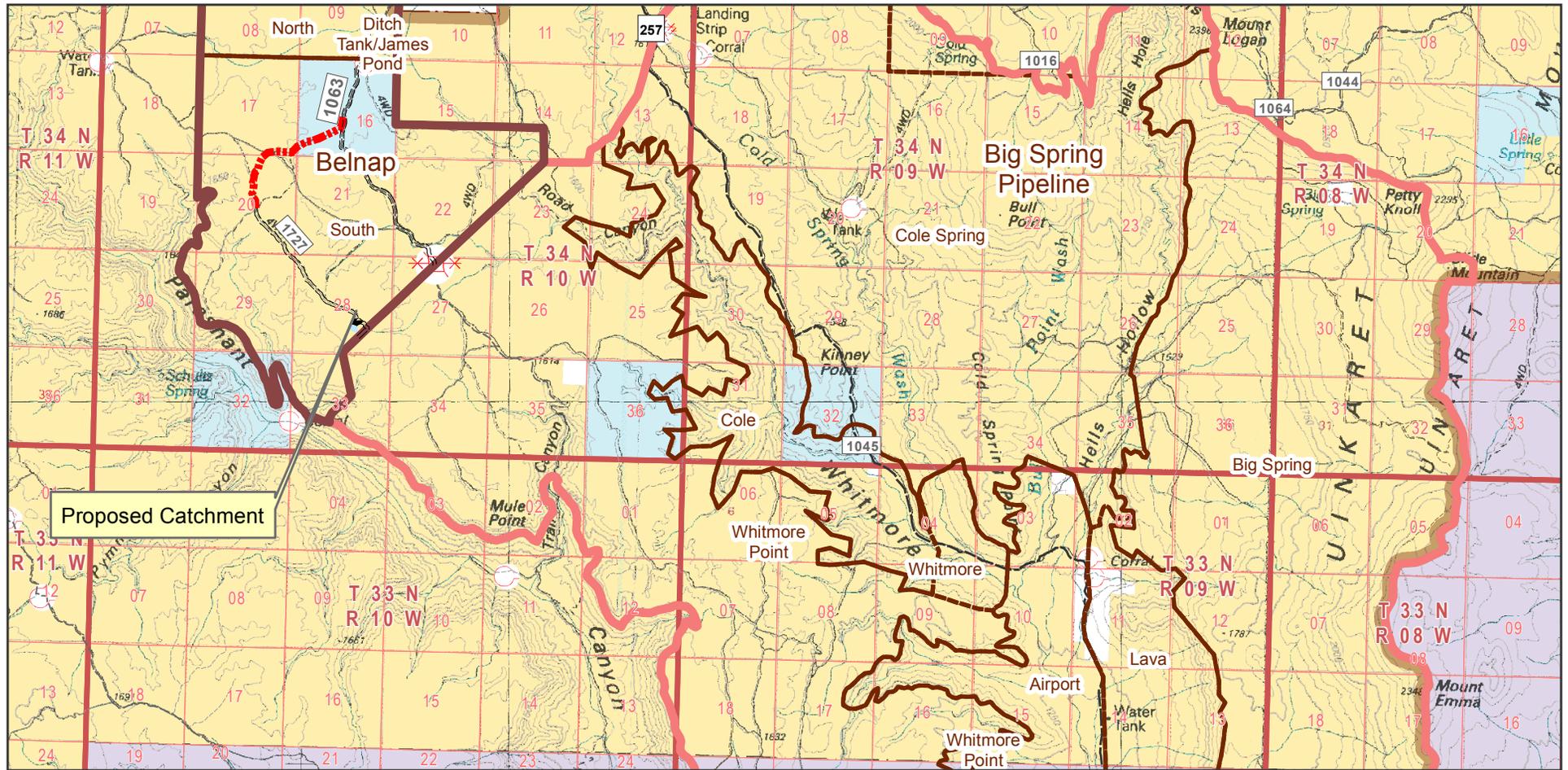
No warranty is made by the Bureau of Land Management (BLM) regarding the accuracy or completeness of this map. This map is representational and is to be used as intended by the BLM. Map data compiled from various sources. This map and the data from which it was derived are not binding on the BLM and may be revised at any time.



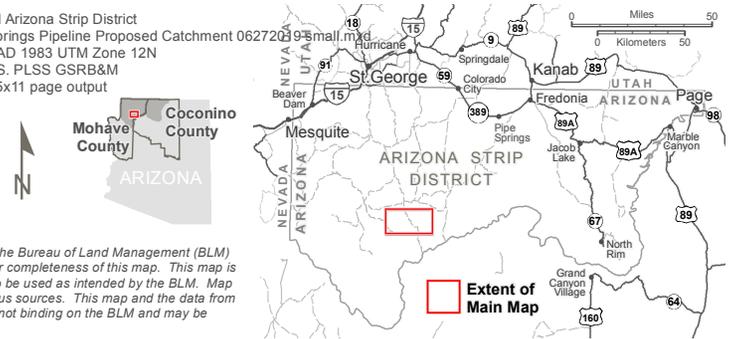
Figure 4. Belnap and Big Springs Pipeline Allotments Location.

DOI-BLM-AZ-A030-2019-0010-EA

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



Map Produced by BLM Arizona Strip District
 File: Belnap and Big springs Pipeline Proposed Catchment 06272019 small.mxd
 Coordinate System: NAD 1983 UTM Zone 12N
 Reference System: U.S. PLSS GSRB&M
 Scale: 1:100,000 at 8.5x11 page output
 User: mcutler
 Date: 12/16/2019



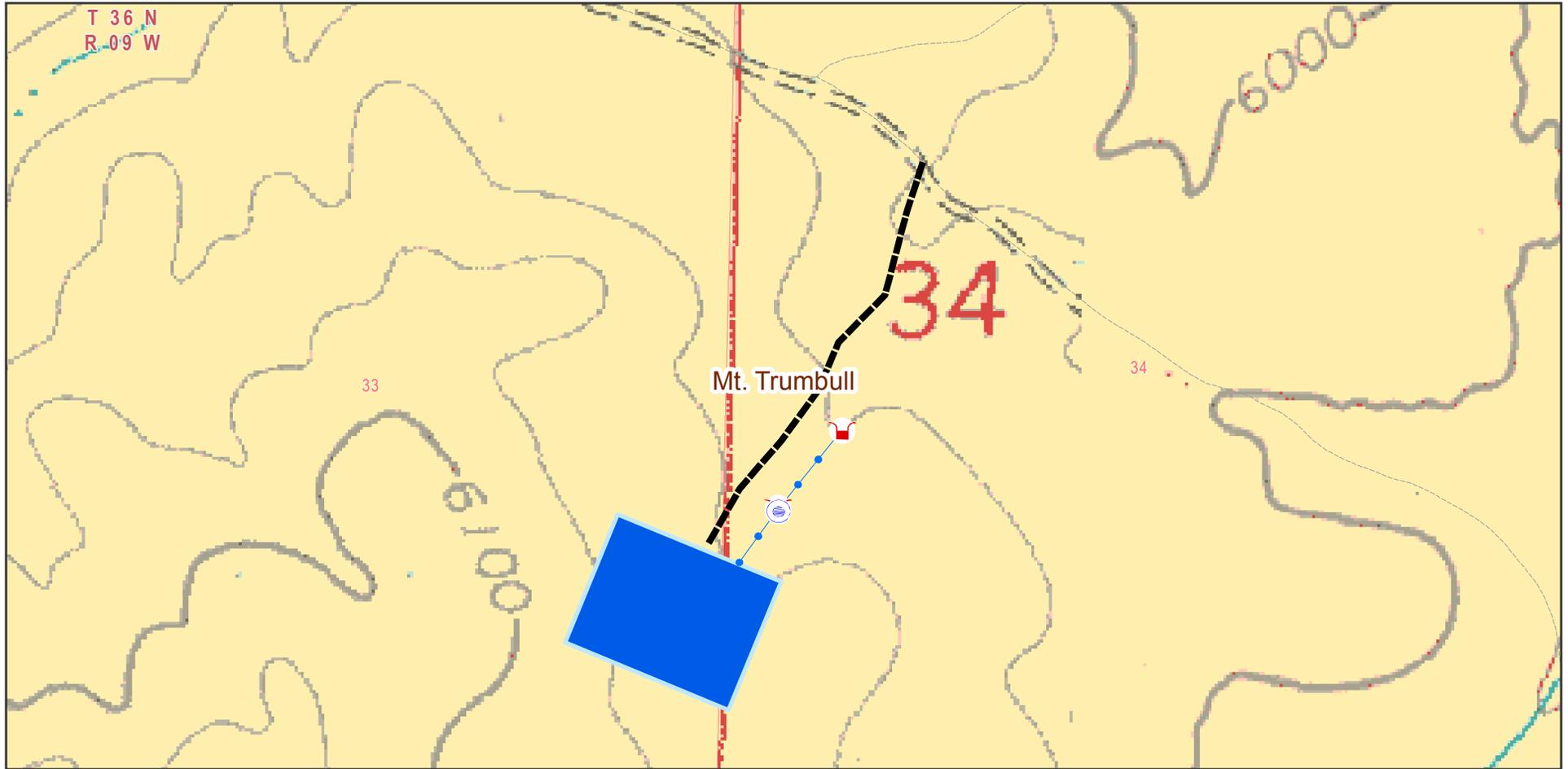
No warranty is made by the Bureau of Land Management (BLM) regarding the accuracy or completeness of this map. This map is representational and is to be used as intended by the BLM. Map data compiled from various sources. This map and the data from which it was derived are not binding on the BLM and may be revised at any time.



Figure 6. Mt. Trumbull Allotment Proposed Catchment s with Road Maintenance

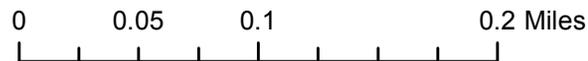
NEPA Number DOI-BLM-AZ-A030-2019-0010-EA

Bureau of Land Management - Arizona Strip District - Arizona Strip Field Office



- Proposed Tank
- Proposed Trough
- proposed_two_track
- Proposed catchment apron
- Tertiary Road Unpaved
- Grazing Pasture Polygons
- Grazing Allotment Polygons

Surface Management Agency
Agency Name
 Bureau of Land Management



Map Produced by BLM Arizona Strip District
 File: Mt. Trumbull Catchment 2019 large scale.mxd
 Coordinate System: NAD 1983 UTM Zone 12N
 Reference System: U.S. PLSS GSRB&M
 Scale: 1:5,055 at 8.5x11 page output
 User: mcutler
 Date: 11/6/2019



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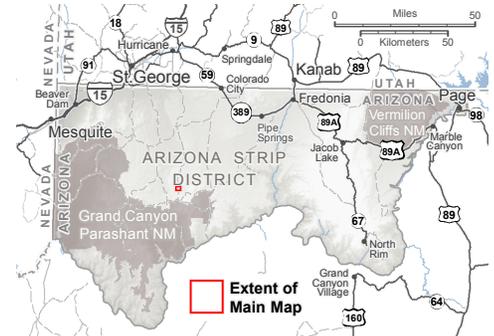
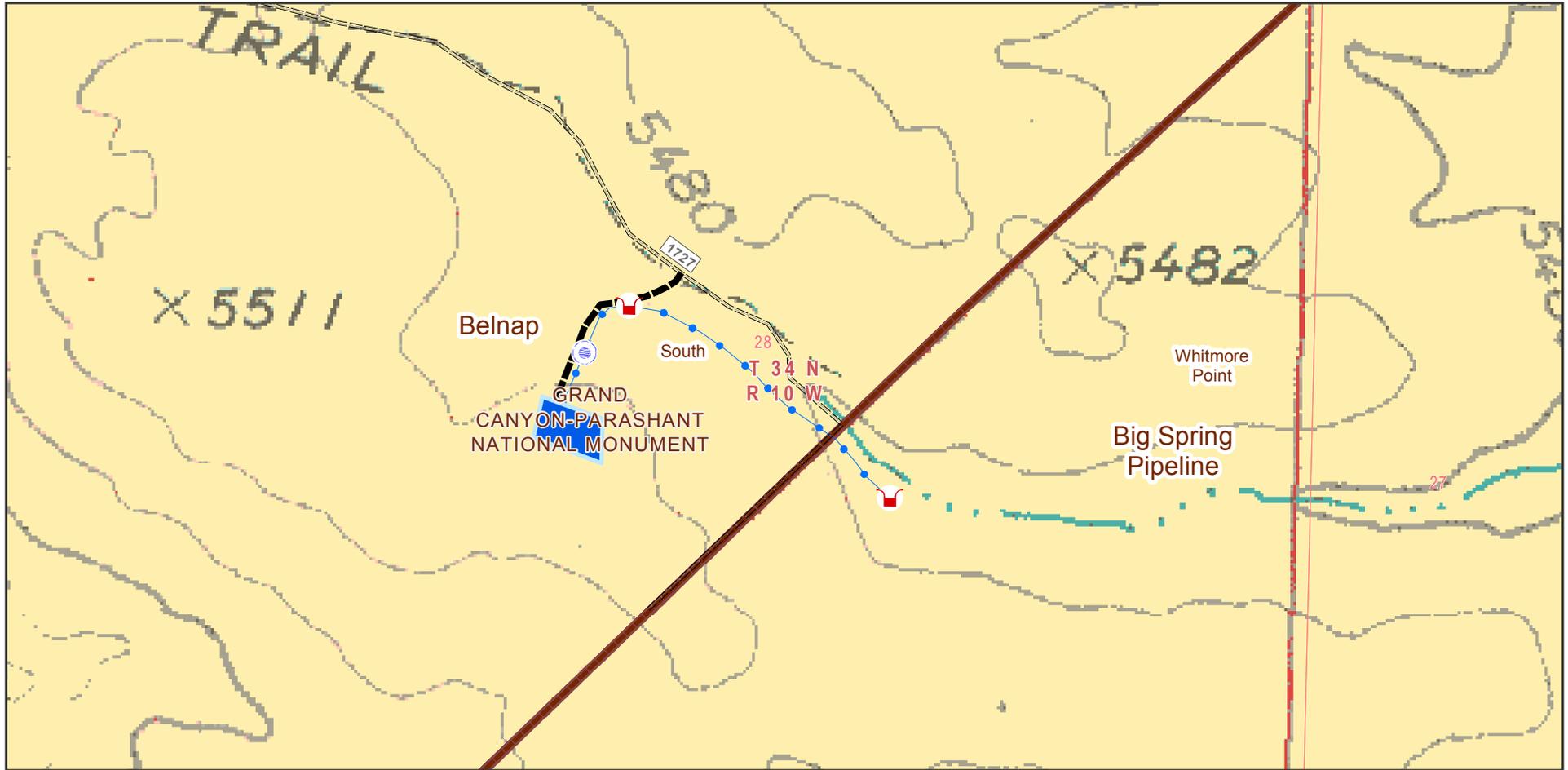




Figure 9. Belnap and Big Springs Pipeline Allotment Proposed Catchment (large scale).

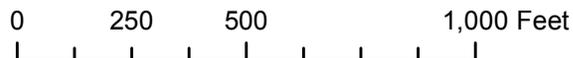
DOI-BLM-AZ-A030-2019-0010-EA

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

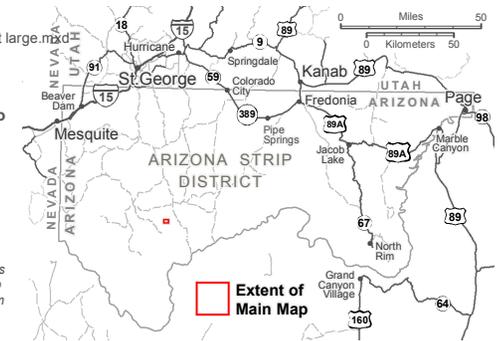


- Belnap proposed tank
- Belnap and Big Springs proposed troughs
- Belnap and Big Springs proposed pipeline
- Belnap proposed catchment apron
- Tertiary Road Unpaved
- Belnap proposed two-track
- Belnap two track rd maintenance

- Grazing Pasture Polygons
 - Grazing Allotment Polygons
- Surface Management Agency**
- Agency Name**
- Bureau of Land Management



Map Produced by BLM Arizona Strip District
 File: Belnap and Big springs Pipeline Proposed Catchment large.mxd
 Coordinate System: NAD 1983 UTM Zone 12N
 Reference System: U.S. PLSS GSRB&M
 Scale: 1:5,000 at 8.5x11 page output
 User: mcutler
 Date: 11/6/2019



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**United States Department of the Interior
Bureau of Land Management**

**Categorical Exclusion Not Established by Statute
DOI-BLM-AZ-A010-2021-0018-CX**

**Mt. Trumbull & Crosby Tank Allotments
Cattleguard Installation**

Location: Gila and Salt River Meridian, Arizona
T. 35 N., R. 9 W.,
section 15, SE $\frac{1}{4}$ NW $\frac{1}{4}$.

Applicants: S.O. Bundy Ranch LC.

July 2021

Arizona Strip Field Office
345 East Riverside Dr.
St. George, UT 84790
435-688-3200
435-688-3258



CATEGORICAL EXCLUSION DOCUMENTATION FORMAT WHEN USING CATEGORICAL EXCLUSIONS NOT ESTABLISHED BY STATUTE

A. Background

BLM Office: Arizona Strip Field Office

NEPA No: DOI-BLM-AZ-A010-2021-0018-CX

Lease/Serial/Case File No: NA

Proposed Action Title: Mt. Trumbull & Crosby Tank Allotments Cattleguard Installation.

Location of Proposed Action:

The Mt. Trumbull and Crosby Tank Allotments Proposed Cattleguard would be located on public land on an unnamed road that is an alternate connector route between Road #1001 (Temple Trail Road) and County Road 5 (Mt. Trumbull Road, see map). This unnamed road is open to the general public, and is used to access public lands and private land inholdings (see attached map). The legal location for this proposed cattleguard is Township 35 North, Range 9 West, Section 15 SE $\frac{1}{4}$ NW $\frac{1}{4}$.

Description of Proposed Action:

The Bureau of Land Management (BLM), Arizona Strip Field Office (ASFO) is considering a request from the permittee for the Mt. Trumbull Allotment who is proposing to replace the existing gate at the boundary of the Mt. Trumbull and Crosby Tank Allotments with a cattleguard. The gate would be replaced with 15-foot cattleguard on the existing unnamed road. The cattleguard would facilitate uninhibited movement of traffic along access roads on public lands as the gates are frequently left open, allowing livestock to leave their assigned allotment. The cattleguard would prevent livestock from drifting between neighboring allotments or pastures, while maintaining traffic flow.

To install the cattleguard, a pit would be excavated approximately 8 feet long by 15 feet wide within the roadway, with the depth of the pit contingent on the height of the footings. Reinforced pre-cast concrete footings would be installed with the top of the footing near the road grade and 100 percent of the footing base in contact with the ground at the bottom of the pit. A 15-foot-wide grid would be placed at the top of the footings, and wings attached at either end of the grid would tie into the existing fence lines. The cattleguard grid would be even with or no more than 1 inch above the adjacent road surface.

B. Land Use Plan Conformance

Land Use Plan Name: ASFO Resource Management Plan (RMP), approved January 29, 2008. The proposed action is in conformance with this RMP because it is specifically provided for in the following RMP decision(s):

MA-TM-08

Installations/structures (e.g., unobtrusive barriers, gates, signs) on or along routes will be allowed when they are the minimum necessary to control unauthorized use and when consistent with Travel Management Area (TMA) objectives.

This proposed action has been reviewed for conformance with this plan (43 CFR 1610.5-3, BLM Manual 1601.04.C.2).

In addition, the proposed action does not conflict with other decisions within the RMP.

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 11.9, G2 which states:

Installation of routine signs, markers, culverts, ditches, waterbars, gates, or cattleguards on/or adjacent to roads and trails identified in any land use or transportation plan, or eligible for incorporation in such plan.

And

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 43 CFR Part 46.215 apply.

Categorical Exclusion Review Record

Preparers/Reviewers	Assigned Specialist Signature	Date
Michael Cutler, Project Lead, Range/Vegetation, Weeds/S&G	/s/ M. Cutler	7/1/2021
Gloria Benson, Tribal liaison	/s/ G. B. Benson	7/14/2021
Jon Jasper, Recreation/Wilderness/VRM	/s/ Jon Jasper	7/25/2021
Sarah Page, Cultural Resources	/s/ S. Page	7/14/2021
Kendra Thomas, Lands/Realty	/s/ K. Thomas	7/6/2021
Jace Lambeth, Special Status Plants	/s/ J. Lambeth	7/10/2021
Cody Goff, Fuels and Fire	/s/ C. R. Goff	7/6/2021
Rody Cox, Geology and Minerals	/s/ R. Cox	7/6/2021
Amber Hughes, NEPA review, Socioeconomics, Environmental Justice	/s/ A. L. Hughes	7/1/2021
Stephanie Grischkowsky, Wildlife/T&E Animals, Riparian	/s/ S. Grischkowsky	7/2/2021
Lorraine Christian, Field Manager	/s/ L.M. Christian	7/12/2021

**Extraordinary Circumstance to Categorical Exclusions
Exceptions to Categorical Exclusion Documentation**

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

Extraordinary Circumstances		
1. Have significant impacts on public health or safety.		
Yes	No X	<p>Rationale: No significant impacts on public health or safety would occur as a result of installing cattleguards on existing roads identified in the ASFO RMP since the installation would take place within an existing disturbed area.</p> <p><i>Preparer's Initials: MC</i></p>
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.		
Yes	No X	<p>The proposed cattleguard would be installed on an existing road. This cattleguard would not have significant impacts to wilderness, recreation, cultural resources, visual resources, or wild and scenic river segments. The proposed location is outside designated wilderness areas, outside of a national monument, and outside any existing or proposed wild and scenic river segments. There are no prime farmlands within the Arizona Strip District. The cattleguard would have no impact on recreational resources or migratory birds because the installation would occur along an existing road, within an existing disturbed area.</p> <p><i>Preparer's Initials: ALH, JJ, SP, SG,</i></p>
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].		
Yes	No X	<p>Rationale: There are no highly controversial environmental effects or unresolved conflicts concerning alternative uses of available resources on the allotments where the proposed cattleguard would be installed. The proposed installation of the cattleguard on an existing road would have little or no impact to alternative uses of available resources. Installation of cattleguards along existing roads is a common practice, so effects are well known and well documented.</p> <p><i>Preparer's Initials: MC</i></p>
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		

Extraordinary Circumstances		
Yes	No X	<p>Rationale: The proposed action would have no significant environmental effects. The proposed action is not unique and therefore does not involve unknown risks to the environment.</p> <p><i>Preparer's Initials: MC</i></p>
<p>5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.</p>		
Yes	No X	<p>Rationale: The proposed action does not establish precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects. Any future proposals for actions on the allotments or existing roads would be considered individually on a case-by-case basis.</p> <p><i>Preparer's Initials: MC</i></p>
<p>6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.</p>		
Yes	No X	<p>Rationale: The proposed action does not have a direct relationship to other actions. This proposed action covers the installation of one cattleguard on an existing road identified in the ASFO RMP. Any additional actions would be analyzed separately at that time. It is not anticipated that the proposed action would create cumulatively significant environmental effects.</p> <p><i>Preparer's Initials: MC</i></p>
<p>7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.</p>		
Yes	No X	<p>Rationale: A Class III cultural resources inventory was conducted of the proposed cattleguard location. No cultural resources were identified.</p> <p><i>Preparer's Initials: SP</i></p>
<p>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.</p>		
Yes	No X	<p>Rationale: The only wildlife species listed or proposed to be listed under the Endangered Species Act that may occur in the area proposed for the cattleguard installation is the California condor. California condors are federally listed as endangered and a population of these condors was reintroduced on the Arizona Strip in 1996. This population is designated as experimental non-essential under Section 10(j) of the Endangered Species Act. The proposed action would not affect the California condor due to stipulations to avoid impacts to individuals (see Design Features - Wildlife below). The proposed action would be confined to</p>

Extraordinary Circumstances

		<p>existing roads identified in the ASFO RMP, and not within designated critical habitat.</p> <p><i>Preparer's Initials: SG</i></p> <p>The proposed action does not have any impacts on plant species listed, or proposed to be listed, as Endangered or Threatened Species, or have any impacts on designated Critical Habitat for these species. The proposed action would be confined to existing roads identified in the ASFO RMP, and not within critical or potential habitat.</p> <p><i>Preparer's Initials: JL</i></p>
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9. Violate a federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.

Yes	No X	<p>Rationale: The proposed action does not violate a federal law, or a state, local or tribal law or requirement imposed for the protection of the environment. The proposal is to install one cattleguard on an existing road that was identified in the ASFO RMP.</p> <p><i>Preparer's Initials: MC, GBB</i></p>
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10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

Yes	No X	<p>Rationale: Minority, low-income populations, and disadvantaged groups may be present within the county and may use the area around these allotments. The proposed action would not cause any disproportionately high and adverse effects on minority or low-income populations, individually or collectively because there are no exposure pathways by which any population would come into contact with environmental or health hazards that would result in chemical, biological, physical, or radiological effects.</p> <p><i>Preparer's Initials: ALH</i></p>
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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).

Yes	No X	<p>Rationale: This action would not limit access to and ceremonial use of Native American sacred sites on Federal lands by Native Americans or significantly adversely affect the physical integrity of such sacred sites.</p> <p><i>Preparer's Initials: GBB</i></p>
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Extraordinary Circumstances		
<p>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).</p>		
Yes	No X	<p>Rationale: The proposed action would not contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species. There are no known noxious weed sites near the proposed project area. The proposed action would disturb existing roadbed and the adjacent roadside creating potential weed habitat. However, stipulations to avoid the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area are included as part of the proposed action (see Design Features – Noxious Weeds/Invasive Species below). In addition, continued ASFO weed monitoring and treatment efforts are ongoing and would address potential noxious weed sites.</p> <p><i>Preparer's Initials: MC</i></p>

Design Features/Special Conditions/Other Remarks:

Wildlife

Where California condors visit a work site while activities are underway, the on-site supervisor would avoid interaction with condors. Authorized activities would be modified, relocated, or delayed if those activities have adverse effects on condors. Authorized activities would cease until the bird leaves on its own or until techniques are employed by permitted personnel that result in the individual condor leaving the area.

California condors are highly susceptible to the effects of micro-trash. Micro-trash includes small and easily ingestible materials such as bottle caps, broken glass, cigarette butts, small plastic bits, bullets, and bullet casings, even food materials. Any sites used will be cleaned up at the end of each day of use (e.g., trash removed, scrap materials picked up) to minimize the likelihood of condors visiting the site.

Cultural

Standard Archaeological Stipulations (BLM Project)

1. Any surface, or sub-surface archaeological, historical, or paleontological remains not covered in the CRPR discovered during use, new construction, or additions shall be left intact; all work in the area shall stop immediately and the Monument Manager shall be notified immediately. Recommencement of work shall be allowed upon clearance by the Monument Manager in consultation with the Archaeologist.

2. If in connection with use any human remains, funerary objects, sacred objects or objects of cultural patrimony as defined in the Native American Graves Protection and Repatriation Act

(P.L. 101-601; 104 Stat. 3048; 25 U.S.C. 3001) are discovered, the onsite project manager or the equipment operator shall stop use in the immediate area of the discovery, protect the remains and objects, and immediately notify the Field Manager. The onsite project manager or the equipment manager shall continue to protect the immediate area of the discovery until notified by the Field Manager that use may resume.

Noxious Weeds/Invasive Species

Construction activities will practice proper precautions to prevent the spread of noxious weeds/invasive species. Therefore, all machinery (street legal motorized vehicles, non-street legal all-terrain vehicles, trailers, etc.) that has been used outside the project area must be cleaned prior to use and be free of accumulated plant parts (including the undercarriage) in order to prevent the possible introduction and spread of noxious weeds/invasive species.

I have reviewed this plan conformance and NEPA compliance record, and have determined that the proposed action is in conformance with the approved land use plan and that no further environmental analysis is required.

D: Signature

Acting for Lorraine M. Christian
Field Manager
Arizona Strip Field Office

Contact Person

For additional information concerning this CX review contact Michael Cutler at 435-688-3277

Attachments

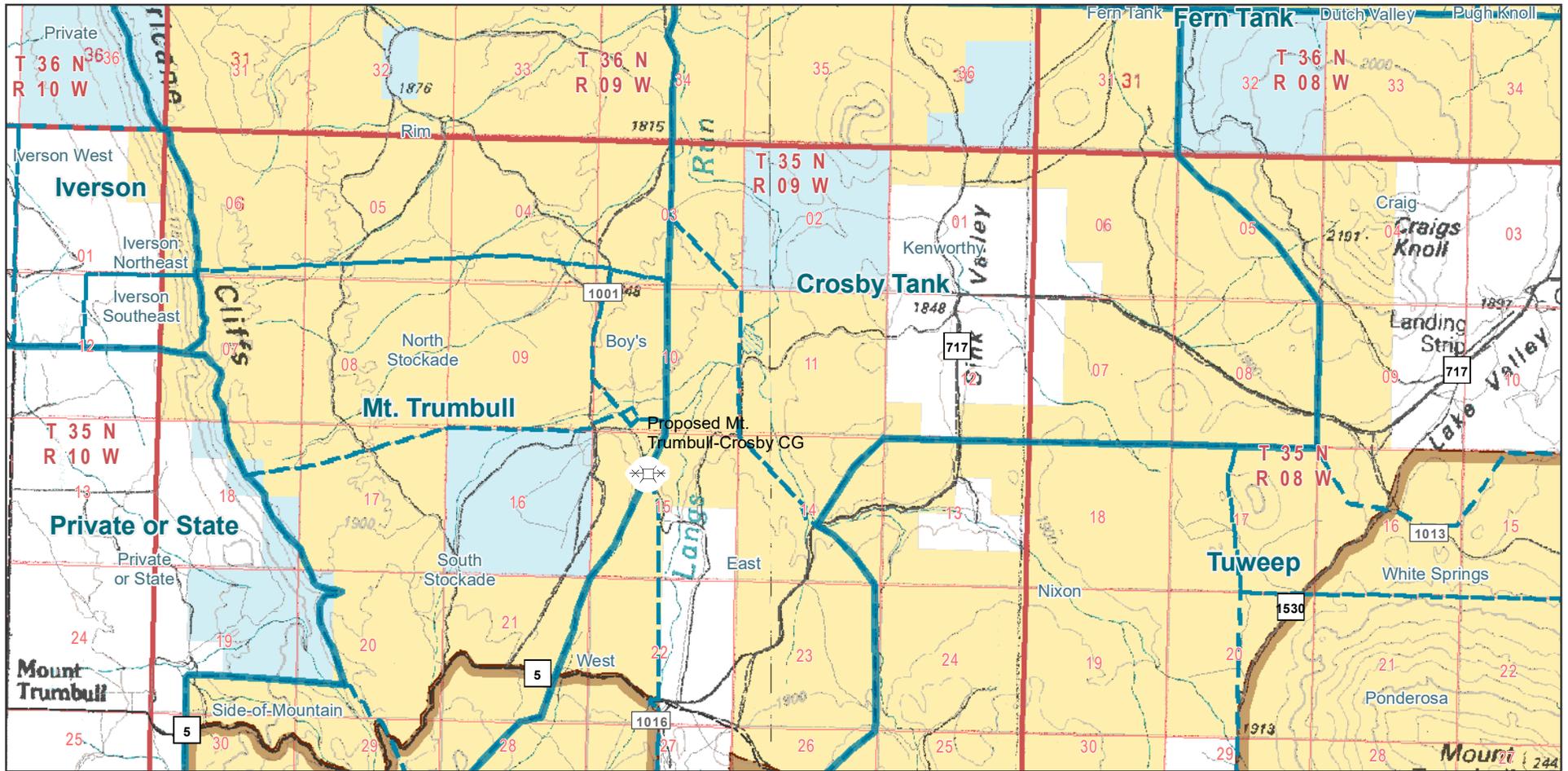
Area Location Map



Mt. Trumbull & Crosby Tank Allotments Proposed Cattleguard Installation Location

DOI-BLM-AZ-A010-0018-CX

Bureau of Land Management - Arizona Strip District - Arizona Strip Field Office



Legend

Proposed CG
 Grazing Allotment
 Grazing Pasture
 BLM National Monument
 BLM National Monument

Surface Management Agency

Agency Name
 Bureau of Land Management
 State
 Private



Map Produced by BLM Arizona Strip District
 File: Mt. Trumbull_Crosby proposed CG 2021.mxd
 Coordinate System: NAD 1983 UTM Zone 12N
 Reference System: U.S. PLSS GSR&M
 Scale: 1:67,608 at 8.5x11 page output
 User: mcutler
 Date: 6/30/2021



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