

DOI-BLM-AZ-C030-2022-0016-EA

U.S. Department of the Interior Bureau of Land Management Colorado River District Lake Havasu Field Office 1785 Kiowa Ave. Lake Havasu City, AZ 86403 (928)-505-1200

March, 2022

It is the mission of the Bureau of Land Management to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations.

DOI-BLM-AZ-C030-2022-0016-EA

Compliance for Section 508 of the Rehabilitation Act

The contents of this document, when accessed electronically, may not be fully Section 508 Compliant with all software applications and readers. Please contact the Lake Havasu Field Office for assistance. We will try to assist you as best we can. This may require providing the information to you in a text only format.

Table of Contents

| CHAPTER 1 INTRODUCTION | 1 |
|--|---|
| 1.1 Identifying Information | 1 |
| 1.1.1 Title, EA Number, and type of Project: | 1 |
| 1.1.2 Location of Proposed Action: | 1 |
| 1.1.3 Name and Location of Preparing Office: | 1 |
| 1.1.4 Applicant Name: | 1 |
| 1.2 Background | 1 |
| 1.3 Purpose and Need for Action | 1 |
| 1.4 Decision to be Made | 2 |
| 1.5 Land Use Plan Conformance | 2 |
| 1.6 Relationship to Statutes, Regulations, Other NEPA Documents | 2 |
| CHAPTER 2 PROPOSED ACTION AND ALTERNATIVES | 3 |
| 2.1 No Action Alternative | |
| 2.2 Proposed Action | 3 |
| CHAPTER 3 AFFECTED ENVIRONMENT & ENVIRONMENTAL CONSEQUENCES | |
| 3.1 Scoping and Issue Identification | 4 |
| 3.2 Issues Brought Forward for Detailed Analysis | 5 |
| 3.2.1 Issue 1: What is the purpose of the well when there is a reservoir in place? | 5 |
| CHAPTER 4 CONSULTATION AND COORDINATION | 7 |
| CHAPTER 5 LIST OF PREPARERS | 8 |

CHAPTER 1 INTRODUCTION

1.1 Identifying Information

1.1.1 Title, EA Number, and type of Project:

Nord well, corral expansion, and associated facilities, DOI-BLM-AZ-C030-2022-0016-EA, Construction of a new well, pipeline, storage tank and expansion of existing corrals

1.1.2 Location of Proposed Action:

T2N, R13W, Sec. 4, ¹/₄ NE ¹/₄ NW (-113.603, 33.550)

1.1.3 Name and Location of Preparing Office:

Lake Havasu Field Office, Lake Havasu City, AZ

1.1.4 Applicant Name:

Toni Brown, K Lazy B Permittee

1.2 Background

On March 12, 2019, the John D. Dingle Jr. Conservation, Management, and Recreation Act of 2019 (Dingle Act) was passed. A portion of this law affected 5,935 acres of Public Land administered by the Bureau of Land Management (BLM) within the Yuma Field Office (YFO) but with the grazing permits being administered by the Lake Havasu Field Office (LHFO). As a result, on 7/2/2021 the 5,935 acres of land identified in the Dingle Act transferred from ownership of the United States to La Paz County.

As a result of these events, one range improvement project, Bone Well (project #030109), is no longer under the administration of the BLM nor under the control of the K Lazy B Allotment Permittee for the purpose of livestock management. Under 43 Code of Federal Regulations (CFR) § 4110.4-2(b) when public lands are disposed of or devoted to a public purpose which precludes livestock grazing, the permittees and lessees shall be given 2 years' prior notice notification except in cases of emergency (national defense requirements in time of war, natural disasters, national emergency needs, etc.) before their grazing permit or grazing lease and grazing preference may be canceled. A permittee or lessee may unconditionally waive the 2-year prior notification. Such a waiver shall not prejudice the permittee' or lessee's right to reasonable compensation for, but not to exceed the fair market value of his or her interest in authorized permanent range improvements located on these public lands (see § 4120.3-6). § 4120.3-6 further defines the compensation for the loss of range improvements. The County of La Paz and the Permittee entered into private negotiations to identify the reasonable fair market value of Bone Well. The Permittee has asked the BLM to replace the permanent loss of Bone Well with a new well located at the Nord Corral (project #031812) and Nord Reservoir (project #030306) projects; about 1.7 miles directly south of Bone Well (see attached project maps). Funding to replace the well would come from the compensation of Bone Well.

1.3 Purpose and Need for Action

The purpose of the proposed action is to respond to an application from a grazing permittee for the construction of a well and associated facilities at an existing range improvement site. The need is established by the BLMs responsibility to respond to the application in accordance with the Federal

Land Policy and Management Act of 1976 and the grazing regulations found within Title 43 CFR parts 4120 and 4160.

1.4 Decision to be Made

Under the National Environmental Policy Act (NEPA), the BLM must determine if there are any significant environmental impacts associated with the Proposed Action warranting further analysis in an Environmental Impact Statement (EIS). The BLM Authorized Officer would decide one of the following:

- To approve the Nord Well project with design features as submitted by the permittee;
- To approve the Nord Well project with additional mitigation added;
- To analyze the effects of the Proposed Action in an EIS; or
- To deny the construction of the Nord Well.

1.5 Land Use Plan Conformance

Yuma Field Office Resource Management Plan, Date Approved: 2010

The proposed action and alternatives described below are in conformance with the Yuma Field Office Resource Management Plan (RMP) (BLM 2010), page(s) # 2-87 through 2-93, Management Action/Decision #'s:

GM-011: Authorize and maintain range improvement projects in accordance with grazing regulations and polices.

GM-018: Locate new livestock waters at least two miles from Category I and II Sonoran Desert Tortoise habitat.

GM-019: Exclude range improvement projects within Category I and II Sonoran Desert Tortoise habitat, including water developments, which will create conflicts with Sonoran Desert Tortoise populations.

1.6 Relationship to Statutes, Regulations, Other NEPA Documents

The proposed action and alternatives are also consistent with multiple statues, and regulations, including but not limited to the following:

- Federal Land Policy Management Act of 1976;
- The Taylor Grazing Act of 1934;
- Title 43 of the CFR subpart 4100;
- The Endangered Species Act of 1973, as amended;
- Migratory Bird Act-Executive Order (EO). 13806;
- Native American Graves Protection and Repatriation Act, 1990;
- American Indian Religious Freedom Act of 1979;
- National Historic Preservation Act;
- Archaeological Resources Protection Act of 1979, as amended; and
- The National Environmental Policy Act of 1969.

CHAPTER 2 PROPOSED ACTION AND ALTERNATIVES

2.1 No Action Alternative

Under the no action alternative, the application of a new well would be denied and grazing management within the K Lazy B grazing allotment would continue as current.

2.2 Proposed Action

The applicant proposes the following (see figures in appendix A):

- Drilling a new well The location of the well would be about 130ft north of the Nord corrals, near the existing fence that surrounds the Nord reservoir range improvement project. Depth of the well would be around 500ft in depth or about 200ft below the water table. Surrounding wells measure about 300 to 400ft in depth. The well casing may consist of the appropriate plastic material for wells or steel casing.
- 2. Installing pipelines and a storage tank Water would be pumped to a 10,000 to 20,000 gallon storage tank. The storage tank would be located on top of the raised bank of the reservoir. Pipelines would be used to feed the tank from the well and from the tank to the troughs in the Nord corrals. The pipelines would be buried about 1 to 2 ft from surface. Depending on the exact placement of the storage tank and well, the amount of pipeline material required for the project would be about 300ft.
- 3. Expanding the existing Nord corrals The Nord corrals measure about 6,132 square feet. Expanding the corrals would increase to a measurement of about 16,800 square feet. This is approximately 10,668 square feet more than the original design. Materials for the corral would consist of wood and/or metal posts and fencing wire.

Equipment for this project would consist of a drill rig for the well, heavy machinery for tearing down the old corral and constructing the new expanded corral, vehicle(s) and trailer(s) for hauling in material for troughs, pipeline, corral material, and storage tank.

Drilling of a new well typically takes less than a week, however, this is dependent of parent rock material required to drill through and the depth. Tearing down and constructing a new corral could take a few weeks to be completed.

Design features incorporated into the Proposed Action include;

- Utilizing existing roads to access the project site; and
- Removing all unused and waste material (old corral material) from site for appropriate disposal.

CHAPTER 3 AFFECTED ENVIRONMENT & ENVIRONMENTAL CONSEQUENCES

This chapter describes the existing conditions relevant to the issues presented in Table 1: Issues Identified for Detailed Analysis and discloses the potential impacts of the alternatives on those issues.

3.1 Scoping and Issue Identification

The project was presented to the BLM Interdisciplinary (ID) Team on January 24, 2022. Public scoping for this project was conducted from December 14, 2021, to December 27, 2021.

The BLM considered scoping comments and specialist input to determine issues in accordance with the guidelines found in the BLM National Environmental Policy Act (NEPA) Handbook (BLM 2008). Once issues are identified, impact indicators are selected to assess the impacts of alternatives and used as a basis for future monitoring. The key issues identified are addressed below in the table.

Table 2: Issues Identified for Detailed Analysis

| Issue | Issue Statement |
|-------|---|
| 1 | How would drilling a new well, construction of a pipeline and storage tank, and the expansion of existing |
| | corrals for the Nord Well Project affect livestock grazing and distribution in the K Lazy B Allotment? |

The following resources and issues were evaluated and are not discussed in further detail in this EA for the reasons described in the table below.

| Issue | Issue Statement | Rationale for Not Further Discussing in Detail in the EA* |
|-------|--|--|
| 2 | How would drilling a new well, construction of a pipeline and storage tank, and the expansion of existing corrals affect Native American Religious Concerns/Traditional Values? | No concerns were brought up during initial coordination with potentially interested tribes. A cultural review was also conducted and found no cultural resources in the areas proposed for the project. |
| 3 | How would accessing ground water affect surface and/or ground water quality? | Well water would be tested before being used. Well would be capped if water is found not meeting state standards. |
| | | The project would not affect surface water since it is pulling groundwater, and drainages in the area are ephemeral. No known surface water features such as springs, seeps, creeks, or perennial waters are found in the area. The only means of affecting groundwater would be by punching a hole in an underlying bad water lens and contaminating good water. If only bad water is found, the well would be capped with neat cement and bentonite to prevent further contamination. The water is for a watering trough, and it is not expected to contribute to significant water table drawdown. Prior to drilling, permit(s) would be submitted to Arizona Department of Water Resources. |
| | How would the Nord Well Project affect the Sonoran | The Proposed location of the well is not located |
| 4 | Desert Tortoise and/or habitat? | within Category I, II, or III of Sonoran desert tortoise habitat therefore should not create conflicts with desert tortoise habitat. Should Sonoran Desert Tortoise be encountered, guidelines for handling desert tortoise would be provided prior to |

Table 3: Issues Not Included for Detailed Analysis in the Environmental Assessment

| construction activities. A biological evaluation was conducted and concluded that no Federally threatened or endangered or sensitive species, biological or botanical, occur or are expected to occur within the area of potential effect. Therefore, the project would not impact those resources. | Issue | Issue Statement | Rationale for Not Further Discussing in Detail in the EA* |
|--|-------|-----------------|---|
| | | | conducted and concluded that no Federally threatened or endangered or sensitive species, biological or botanical, occur or are expected to occur within the area of potential effect. Therefore, |

*Supporting documentation for these statements are included in the project record.

This section introduces other actions that overlap geographically and temporally with the proposed project and will be considered in the impact analysis. Past, present, and reasonably foreseeable future actions (RFFAs) are analyzed to the extent that they are relevant and useful in analyzing whether the reasonably foreseeable effects of the Proposed Action and/or Alternatives may have an additive and significant relationship to those effects. Past actions considered are those whose impacts to one or more of the affected resources have persisted to present day. Present actions are those occurring at the time of this evaluation and during implementation of the Proposed Action. RFFAs constitute those actions that are known or could reasonably be anticipated to occur within the analysis area for each resource, within a time frame appropriate to the expected impacts from the Proposed Action

Table 4: Past Present, and RFFAs Incorporated into the Analysis

The table below provides a listing of past, present and reasonably foreseeable future actions (RFFAs) incorporated into the analysis. All impacts are disclosed within the analysis of each issue.

| Issue | Geographic/ Temporal Scope | Past Action | Present Actions | RFFAs |
|---------|--|-------------|-----------------|-------|
| Issue 1 | Adjustment of Animal Unit Months | | | Х |
| Issue 1 | Other existing wells | Х | | |
| Issue 1 | Jove solar energy Right-of- Way project | | | Х |

Table 4: Past Present, and RFFAs Incorporated into the Analysis

3.2 Issues Brought Forward for Detailed Analysis

The ID Team evaluated potential impacts from the Proposed Action and Alternatives to determine which issues warrant detailed analysis. The description of the Affected Environment for the No Action and other Alternatives would be the same as that for the Proposed Action.

3.2.1 Issue 1: How would drilling a new well, construction of a pipeline and storage tank, and the expansion of existing corrals for the Nord Well Project affect livestock grazing and distribution in the K Lazy B Allotment?

Affected Environment

Range improvements that provide water such as reservoirs/stock tanks and wells exist throughout the K Lazy B allotment for livestock management and wildlife use. The placement of these waters are designed to be as evenly distributed to cover the remote open range that is K Lazy B. The location of these waters opens up the ability for livestock to utilize those resources within their serviceable area.

With Bone Well no longer under the administration of the LHFO there are three active wells left, three Central Arizona Project (CAP) waters, and four reservoirs/dirt tanks. Also, there is a State Trust Well known as Brown well (managed by the permittee under their State Trust permit or equivalence of) that pumps water via pipeline to two troughs in corrals, also located on State Trust, known as the Dry and Middle Corrals which provide for further livestock management on surrounding public lands (see maps in appendix A). Of the three wells located within BLM administered lands, Camp Well is located north of Interstate-10 of the allotment and the Vinegaron and Twin Tanks wells are located south of interstate-10. Vinegaron well, Twin Tanks well, and the water at Middle Corral are between 7 to 7.5 miles apart from each other. Camp Well is about 5 miles from the water at Dry Corral.

Environmental Consequences

No Action

Under the no action alternative, the drilling of a well, installation of a pipeline and trough, and expansion of the existing corrals would not occur. Livestock and wildlife would continue to utilize the Nord reservoir serviceable area when water is available (unpredictable year-to-year). This would limit utilization of resources in the area and place them elsewhere. If the Nord Reservoir is empty, livestock and/or wildlife may decide to head towards the CAP water, which would expend higher amounts of energy and cause a greater necessity to replenish through forage and water consumption at greater needs.

The inability of the permittee to control when year-round water is turned on or off can place limitations to controlling livestock movement and physical management. The year-round water that was provided at the Bone well management facility provided the only opportunity in the area to gather and manage livestock feasibly and whenever necessary. The availability of the year-round water drew livestock towards Bone well when needed by the permittee versus the existing Nord facilities that only draw livestock into the area when there is water available. Under the no action alternative a more permanent water source at the Nord Facilities would not be constructed and this would in turn impact the ability to manage the distribution of livestock within this portion of the allotment adequately.

A proposal for a solar energy facility on approximately 4,000 acres within the K Lazy B allotment has been submitted to the BLM. Should that project be approved and constructed, livestock would likely be excluded from grazing in the area. Additionally, the State Trust Lands would be land locked, cutting off livestock on public land from accessing the water at Middle Corral, thereby further impacting livestock management on public lands. The inaccessible water at Middle Corral would further impact livestock management across the central (south of I-10) portion of the allotment from the Nord Facilities located west to the Middle Corral located east. If this future action occurs, there would be no permanent sources of water to assist with livestock management in the central area of the K Lazy B allotment under the No Action Alternative.

Proposed Action

Under the proposed action a more permanent year-round water source for livestock and wildlife at the Nord facilities would be constructed. This would provide the same management opportunities as Bone Well once did. Livestock distribution and movement would be improved in this area as the permittee would have better control in utilizing this year-round water source that can be turned off and on when needed. This would also serve as a tool to protect resources from unnecessary livestock impacts such as overgrazing and overconcentration by shutting waters off to move livestock out of the area. A reservoir

alone does not provide the ability to serve livestock and wildlife needs nor always provide the management opportunities needed since water is limited and at times not present at all.

The need for available water is an important factor in supporting livestock distribution to help sustain vegetative communities by not over concentrating livestock. Conservation of resources also requires that water placement not be too close to other waters as this can cause livestock to concentrate too much in a larger area and negatively impact sensitive resources.

The ability to control waters (shutting off or turning on) gives further control of livestock movement. As with K Lazy B and many other grazing allotments in this environment, pastures are non-existent and the ability for the operator to control where livestock are in these open rangelands is dependent on the ability to control waters when needed. Precipitation is inconsistent and not uniformed year after year. Being able to move livestock from one area to one where forage is more readily available is important for livestock and resource management.

The wells in K Lazy B provide water year-round while the reservoirs/dirt tank provide water on a temporary basis (subject to rainfall and holding time). The range area directly southwest of I-10 is and was supported by one of the CAP waters (year-round), the Bone Well (year-round), and the Nord reservoir (temporary). With Bone Well no longer available and the Nord reservoir about 4.5 miles from the CAP water, the Nord reservoir is the only water available to temporarily support livestock and wildlife. When the Nord reservoir becomes unavailable due to a lack of rainfall, common in this arid environment and drought being a constant factor, the travel distance between waters in this area can greatly increase and livestock would likely concentrate their energies towards gathering and staying at other available waters.

A proposal has been submitted to the BLM to acquire (lease) about 4,000 acres of lands within the K Lazy B Allotment for the development of a solar energy facility. This proposed location directly borders the south boundary of the lands conveyed to La Paz County and extends eastward as it borders the south boundaries of State Land Trust where the middle corral is located and extends past the eastern boundary of the K Lazy B allotment. If this project is approved (currently in its early stages of planning), the State Trust Lands would be land locked, cutting off livestock on public land from accessing the water at Middle Corral, thereby further impacting livestock management on public lands. Under the proposed action and should the solar energy project be approved, and livestock are excluded from the area, The Nord facilities would be the only year-round water source in the central area of the K Lazy B allotment to manage livestock and serve any livestock that have been disproportionally distributed out of the Middle Corral serviceable area.

CHAPTER 4 CONSULTATION AND COORDINATION

| AGENCY/GROUP | Person(s) Contacted |
|------------------------------------|-----------------------|
| Arizona Resource Advisory Council | Ms. Dolores A. Garcia |
| Arizona Cattle Growers Association | |
| Arizona Game and Fish Department | Ms. Karen Klima |
| Cloud Foundation | |
| Desert Tortoise Council | |
| Western Watersheds Project | |

Table 5: Persons, Groups, or Agencies Consulted

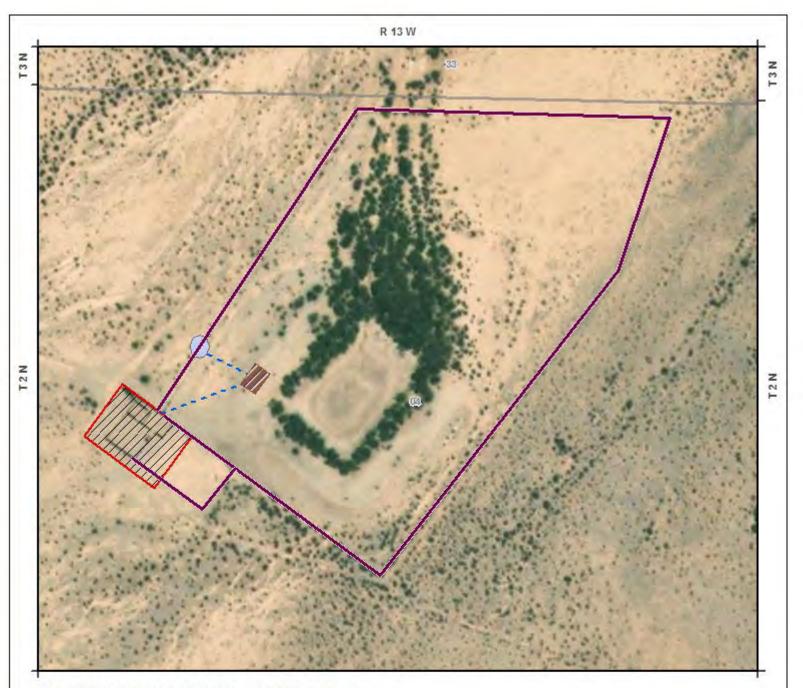
| AGENCY/GROUP | PERSON(S) CONTACTED |
|---|----------------------------|
| K Lazy B Ranch LLC. | Ms. Toni Brown |
| La Paz County | Ms. Megan Spielman |
| Chemehuevi Indian Tribe | Mr. Charles F. Wood |
| | Ms. June Leivas |
| | Ms. Bridget Sandate |
| | Ms. Anna Ochoa |
| Pueblo of Zuni | Mr. Val R. Panteah |
| | Mr. Kurt Dongoske |
| Salt River Pima-Maricopa Indian Community | Mr. Martin Harvier |
| Yavapai-Apache Nation | Mr. Jon Huey |
| | Mr. Chris Coder |
| Yavapai-Prescott Indian Tribe | Mr. Robert Ogo |
| | |
| | Ms. Linda Ogo |
| Hopi Tribe | Mr. Timothy L. Nuvangyaoma |
| | |
| | Mr. Stewart Koyiyumptewa |
| Fort Yuma-Quechan Tribe | Mr. Jordan Joaquin |
| | |
| | Mr. Manfred Scott |
| | Mrs. H. Jill McCormick |
| Fort Mojave Indian Tribe | Mr. Timothy Williams |
| | Ms. Linda Otero |
| Fort McDowell Yavapai Nation | Mrs. Bernadine Burnette |
| | Mr. Mark Frank |
| | Mr. Albert Nelson |
| | Ms. Erika McCalvin |
| Colorado River Indian Tribes | Mr. Bryan Etsitty |
| Cocopah Indian Tribe | Ms. Sherry Cordova |
| | Mr. Justin Brundin |
| Tribal Historic Preservation Office | |

CHAPTER 5 LIST OF PREPARERS

Table 6: BLM Resource Specialists

| NAME | TITLE |
|----------------|--|
| Eric Duarte | Rangeland Management Specialist |
| Mauney H. Ford | Wildlife Biologist |
| Jessica H. Han | Archeologist |
| Angelica Rose | Planning and Environmental Coordinator |
| Adam Cochran | Assistant Field Manager |
| Jason West | Field Manager |

APPENDIX A – MAPS



Nord Well Project T2N, R13W, Sec. 4

Colorado River District - Yuma Field Office

Proposed Project Features

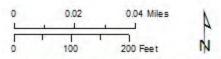


Cadastral





FORNIA



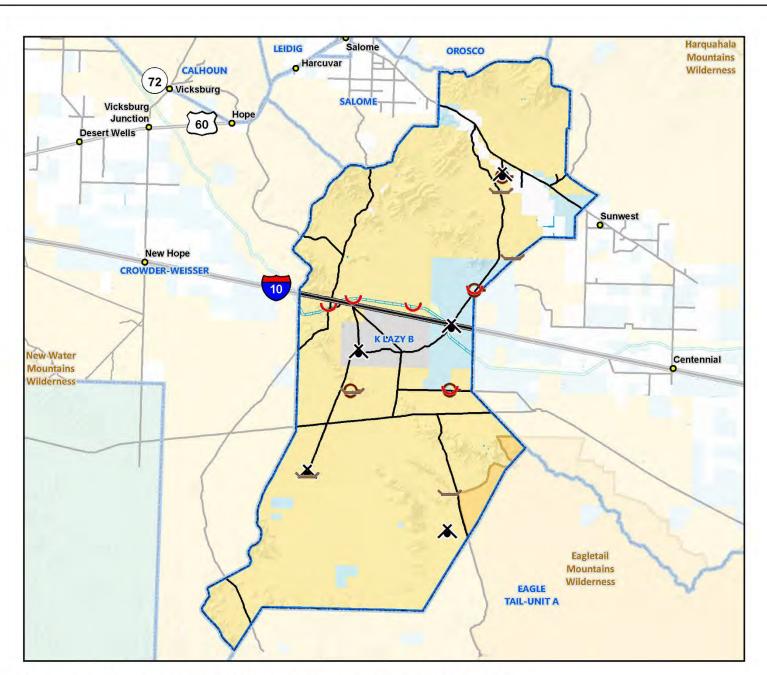
DISCLAIMER: No warranty is made by the Bureau of Land Management as to the acouracy, reliability, or completeness of these data for individual use or aggregate use with other data. Decisions in this document only apply to BLM lands. Routes depicted on non-BLM lands are displayed for information purposes only and do not grant access to non-BLM lands.

Map Pioduced by BLM Yuma Feld Office Staff File: BLM_YFO_NORD-WELL-PROJECT Date: 12:9/2021 Map Scale: 12:000 Coordinate System: NAD 1983 UTM Zone 12N AZ Reference System: U.S. PLSS GSR CA Reference System: U.S. PLSS SBM



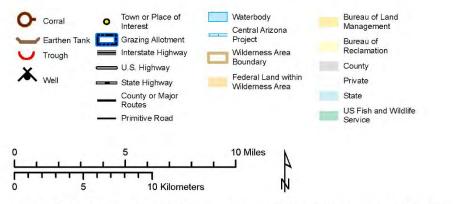
U.S. DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT

Map Location within the Yuma Field Office



K Lazy B Allotment | Range Improvements | Map 1 of 3

Colorado River District - Lake Havasu Field Office



DISCLAIMER: No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data. Decisions in this document only apply to BLM lands. Routes depicted on non-BLM lands are displayed for information purposes only and do not grant access to non-BLM lands. Map Produced by BLM Lake Havasu Field Office Staff File: BLM_LHFO_KLB_RangeImprovements Date: 2/1/2022 Map Scale: 1:275,000 Coordinate System: NAD 1983 UTM Zone 12N AZ Reference System: U.S. PLSS GSR





Field Office Boundary



