

**DECISION MEMORANDUM**  
**San Pedro Riparian National Conservation Area Boundary Fence**  
**DOI-BLM-AZ-G022-2024-0001-CX**

U.S. Department of the Interior  
Bureau of Land Management  
Tucson Field Office

**Project Description**

BLM is proposing reconstruction and maintenance of approximately 93 miles of the San Pedro Riparian National Conservation Area (SPRNCA) boundary fence to conserve, protect, and enhance the SPRNCA conservation values outlined in Public Law 100-696. The proposed fence will be located on BLM managed public land (See Figure 1) and will replace partially connected and non-functioning locations due to age of the existing fence, topography, weather damage. New fence construction would follow the specifications in BLM Manual H-1741-1 and Arizona Game and Fish Department wildlife-friendly standards. The bottom strand will be barb-less. The top strand will be 40 inches (maximum 42 inches) above ground level, and the bottom strand no less than 16 inches above ground level. Fence construction will take place over several years and will occur outside seasonal wildlife restrictions when possible. The original damaged fence and any remnant fencing or unused materials within public lands will be removed during fence construction. Access to the fence line will be by foot, UTV or vehicle. Clearing of vegetation will be necessary to remove cover for new construction access and installation of new fencing along with replacement of old fencing. Blading will be the preferred method to scrape the surface to remove all vegetation and grub root balls to prevent regrowth along the fence corridor and allow for long term use of this fence line entry for maintenance. Slash from clearing could be lopped and scattered along the fence corridor to assist with erosion control. An estimate of the total acreage impacted with these construction activities using the 93 mile SPRNCA boundary, proposed for reconstruction and maintenance, with a 30' buffer (no more than 15 feet wide along the fence line) is 338 acres. Mowing might be an option, but creosote/whitethorn shrub stumps will cause a high risk of tire damage and makes laying out wire and stretching difficult. In addition, shrubs will grow back and prevent future maintenance entry.

Arizona Conservation Corp inventoried 87.5 miles of SPRNCA boundary and found 513 nonfunctioning points along the boundary. Reconstruction of the 93 miles of four-wire fence will include clearing of vegetation, installation of stress panels every ¼ mile and sharp topographic breaks, end panels at every water gap and designated road or trail crossings, corner panels at boundary direction changes, T posts every 18 feet, 4 strands of wire, stays and steel gates at designated fence crossings or entry points. T posts will be pounded into the ground with no excavation. Stretch panels will be made of angle iron set driving posts directly into the ground. Equipment needed to implement construction include but is not limited to trucks, equipment trailer, UTV, skid steer loader (hydraulic driver, possibly mower, bucket), backhoe or excavator, and/or pneumatic drivers.

Within the SPRNCA, there are approximately 215 water gaps across ephemeral tributaries with a total length of approximately 68,923 feet (13 miles) of tributaries that can potentially wash out during high flow rain events. Water gaps typically require annual maintenance at a minimum, however depending on amount of rain events, maintenance could be required multiple times a year. Water gap maintenance is critical because ephemeral tributaries are a common location where livestock enter the San Pedro

riparian area in the SPRNCA. One hundred and twenty-two large scale water gap structures, that will require engineering, have been identified along the boundary to reinforce areas of tributary overlap with the fence line. Construction of the water gap include installation of large upright steel pipes, bracing, anchors, overhead cable, and a hanging fence. For the larger construction sites around water gap structures there is a need for heavy equipment access for digging and materials handling. Limiting each site to a maximum of 50 feet total width from the boundary itself and the 13-mile length of combined water gaps there is a total acreage impact of about 79 acres.

The BLM has established 6 different implementation phases, which broken into smaller sections (A, B, C and D) for 16 total sections.

Phase 1- Highway 82 North.

Section A- Highway 82 to Summers Well Entry Corral- 4.86 miles, 3 Water Gaps.

Section B- Summers Well Entry Corral to Cary Road- 7.87 miles, 5 Water Gaps.

Section C- Cary Road to South of Sacaton Wash at Corner- 8 miles, 10 Water Gaps.

Section D- South of Sacaton Wash at Corner to Highway 82)- 4.84 miles, 4 Water Gaps.

Phase 2- Highway 82 to Charleston Road.

Section A- Highway 82 to Lucky Hills- 6.06 miles, 16 Water Gaps.

Section B- Lucky Hills to Charleston Road. 3.47 miles, 5 Water Gaps.

Section C- Highway 82 to Babocomari Allotment Boundary. 7.37 miles, 9 Water Gaps.

Section D- Babocomari Allotment boundary to Charleston Road- 7.1 miles, 10 Water Gaps.

Phase 3- Charleston Road to Highway 90

Section A- Charleston Road to Highway 90 West- 5 miles, 2 Water Gaps.

Section B- Charleston Road to Highway 90 East- 8.3 miles, 11 Water Gaps.

Phase 4- Highway 90 to Hereford Road

Section A- Highway 90 West to Miller Wash- 7.04 miles, 7 Water Gaps.

Section B- Miller Wash to Hereford Road West. 4.7 miles, 4 Water Gaps.

Section C- Highway 90 to Banning Creek East- 3.31 miles, 6 Water Gaps.

Section D- Banning Creek to Copper Glance Road East- 4.58 miles, 18 Water Gaps.

Phase 5 Section A- Hereford Road to Copper Glance Road South- 9.38 miles, 7 Water Gaps.

Phase 6 Section A- Palominas South- 10.7 miles, 5 Water Gaps.

Transportation and access within the SPRNCA will be managed in accordance with the 2019 SPRNCA Resource Management Plan Record of Decision. Access for proposed fence replacement and maintenance will be from existing routes where available, and along the 15' fence corridor (or 30' corridor if selected). Vehicle access along the fence on very steep sites (slopes over 16%) will be avoided as much as possible to reduce impacts and potential for erosion. Sand and gravel bed washes may be used for access to the worksite if wide enough for passage by work vehicles without clearing or removing vegetation or constructing a grade. Vehicle access routes along the fence corridor will be blocked or gated to prevent unauthorized traffic and promote revegetation by grasses and forbs and stabilize soils. Passages for safe equestrian and pedestrian access at designated access route fence crossings will be provided.

## Approval and Decision

Based on a review of the project described in the attached Categorical Exclusion documentation and field office staff recommendations, I have determined that the project is in conformance with the San Pedro Riparian National Conservation Area Resource Management Plan (approved 2019) and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed.

### Administrative Review or Appeal Opportunities

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the attached Form 1842-1. If an appeal is taken, your notice of appeal must be filed at Tucson Field Office, 3201 E Universal Way, Tucson AZ 85756 within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) (request) for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the Office of the Solicitor (Department of the Interior, Office of the Field Solicitor, Sandra Day O'Connor U.S. Court House #404, 401 West Washington Street SPC44, Phoenix, AZ 85003-2151) (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

#### Standards for Obtaining a Stay

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.

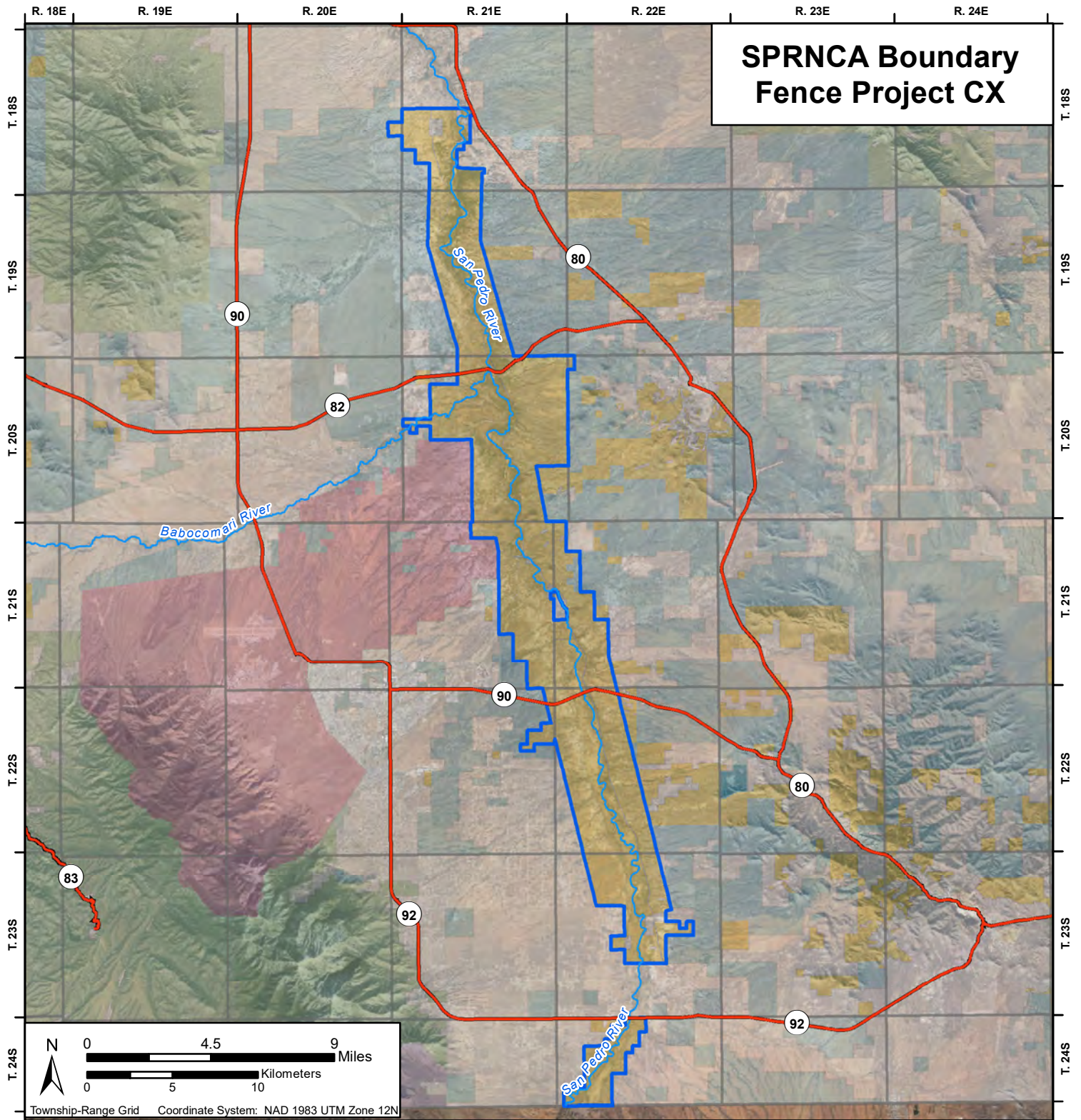
**COLLEEN DINGMAN** Digitally signed by COLLEEN DINGMAN  
Date: 2024.01.29 14:36:31 -07'00'

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Colleen J. Dingman, Field Manager

Date

Attachment: Form 1842-1



# SPRNCA Boundary Fence Project CX

## Features

- SPRNCA Boundary
- Interstate
- State Highway
- Rivers

## Surface Management

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| <span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black; margin-right: 5px;"></span> Bureau of Land Management  | <span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; margin-right: 5px;"></span> Private  |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: lightblue; border: 1px solid black; margin-right: 5px;"></span> Local or State Parks    | <span style="display: inline-block; width: 15px; height: 15px; background-color: cyan; border: 1px solid black; margin-right: 5px;"></span> State                    |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: pink; border: 1px solid black; margin-right: 5px;"></span> Military                     | <span style="display: inline-block; width: 15px; height: 15px; background-color: lightblue; border: 1px solid black; margin-right: 5px;"></span> State Wildlife Area |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: lightpurple; border: 1px solid black; margin-right: 5px;"></span> National Park Service | <span style="display: inline-block; width: 15px; height: 15px; background-color: lightgreen; border: 1px solid black; margin-right: 5px;"></span> US Forest Service  |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: lightorange; border: 1px solid black; margin-right: 5px;"></span> Other Federal         |  |

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