

**UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
TUCSON FIELD OFFICE**

**DECISION RECORD**

**Sullivan Water Pipeline Right-of-Way (AZA-036943)  
and Cattle Trailing Permit**

**Environmental Assessment #  
DOI-BLM-AZ-G020-2017-0042-EA**

**BACKGROUND**

The Tucson Field Office of the Gila District, Bureau of Land Management (BLM) has conducted an environmental analysis to evaluate the impacts of issuing a below ground water pipeline right-of-way (ROW) for the purpose of providing the applicant, Mr. John L. Sullivan (Sullivan), with legal authority install and maintain a below ground water pipeline that crosses BLM land. The ROW would be approximately 1,600 linear feet (0.30 miles) long, by 10 feet wide, consisting of approximately 0.37 acres. Additionally, the applicant has requested permission by permit, the ability to conduct livestock trailing across BLM land to utilize his state issued grazing lease.

**DECISION**

I have reviewed the referenced Environmental Assessment (EA) with the accompanying Finding of No Significant Impact (FONSI), including the analysis and discussion of any potentially significant environmental impacts. I have determined the Proposed Action, with the stipulations described in Appendix A.1 of the EA, will not lead to any new impacts not previously addressed in the EA. It is my decision to select the Proposed Action, construction of 1,600 feet (0.3 miles) with a buried, 1-inch inside diameter, black poly pipe, with the stipulations identified below. Construction is planned for the summer, after time limiting stipulations for wildlife are lifted and will follow the project stipulations included in Appendix A.1 of the EA.

**ALTERNATIVES CONSIDERED**

Alternatives considered in the referenced EA included the Proposed Action and the No Action alternative. The No Action alternative would result in not permitting the construction of the pipelines. The proponent would not be able to get water to his cattle on his state land issued grazing lease, and would not be able to get his cattle to his state land pasture.

**RATIONALE FOR SELECTION**

The Proposed Action meets the standards and direction of the various guiding laws, regulations, and directives that apply, including the Taylor Grazing Act of 1934, as amended (43 USC 315). The Proposed Action meets the decisions from, and is in conformance with, the Las Cienegas RMP, and the LCNCA FEIS, ROD, approved in 2003, including the finding that the project would not result in a change in the scope of resource use or a change in the terms, conditions, and decision of the approved RMP. Adoption of the Proposed Action meets the purpose and need identified in the EA.

**CONSULTATION AND COORDINATION**

Internal scoping of issues was conducted in the BLM Tucson Field Office by an interdisciplinary team. No unusual environmental issues were identified by resource specialists relative to the proposed project.

A biological evaluation was conducted in August of 2017. The project implemented with stipulations as noted would have no impact on endangered or threatened species.

A cultural survey was completed in February of 2018. No cultural properties were identified in the project area. Stipulations regarding cultural resources and construction and maintenance of the water pipeline are included with the grant stipulations.

There are no active mining claims. There are no other ROW holders in the area. The area is within the Empire Cienega Grazing Allotment. The Allotment leaseholder is aware of the proposed project and has voiced no concerns due to the location and the small amount of area involved.

The Right of Way grant will be issued as authorized under the Title V of FLMPA and the Cattle-Trailing Permit would be issued under the authorities provided through the Taylor Grazing Act.

#### **IMPLEMENTATION**

Bureau of Land Management personnel will monitor and review operations, as needed, to ensure compliance with the terms and conditions of the Right-of-Way (ROW) grant.

#### **ADMINISTRATIVE REVIEW OPPORTUNITIES**

This decision may be protested or appealed under the procedures outlined in BLM Handbook 8720-1 Chapter IV (8) and 43 CFR Part 4 and the enclosed Form 1842-1.

/s/ JML

Jayne M. Lopez  
Field Manager - Tucson Field Office

05/30/2018

Date

#### **Attachments:**

Finding of No Significant Impact, dated May 30, 2018.  
Environmental Assessment – DOI-BLM-AZ-G020-2017-0042-EA