

<b>Proposal: Land Use Authorization - Permit</b>				
<b>Land Description: T. 14 S., R. 5 W., Section 3, Lot 4, NE¼SE¼, NW¼ and T. 13 S., R. 6 W., Section 15, NW¼NE¼.</b>				
<b>Applicant(s): Humane Borders</b>		<b>Type of Case: 2920</b>	<b>Related #: AZA-32809</b>	
<b>EA Number: DOI-BLM-AZ-P020-2010-012-CX</b>			<b>Special Charge Code (if applicable):</b>	
<b>EA Assigned to: Jo Ann Goodlow</b>				
<p>Coordination: Indicate in the left column which disciplines were analyzed in the EA and print the name of the individuals who participated in the third. Author's name should be used if author analyzed the impacts. Place an asterisk in the fourth column to indicate that written comments have been provided during clearance. The appropriate specialist will also initial this column to show concurrence when a critical, discipline - specific, issue is addressed in the EA or when a specialist, other than the author, provided input.</p>				
<b>NEEDED INPUT (x)</b>	<b>DISCIPLINE</b>	<b>TEAM INPUT &amp; REVIEW</b>		<b>*</b>
	Lands			
	Minerals			
	Range Mgt/ Stnd for Range Health			
	Burros			
*	Recreation	Ref:AZ-020-2004-0094	See Attachment	
	Visual Resource Management			
*	Cultural/ Paleo/ Tribal Consult		See Attachment	
	Soil			
	Water (Quality, Rights, etc.)			
	Air Quality			
*	Wildlife	Ref:AZ-020-2004-0094	See Attachment	
*	T&E Species	Ref:AZ-020-2004-0094	See Attachment	
	Surface Protection			
	Non-Native Invasive Species			
	National Landscape Cons System			
	Areas of Critical Env Concern			
	Socio-Econ/ Environ Justice			
	Hazardous Materials/RECs			
	Other – Sonoran Desert Nat'l Monument			
<b>Preparer:</b>			<b>Date:</b>	
<b>Reviewing Official:</b>			<b>Date:</b>	
<b>Lower Sonoran Field Manager:</b>			<b>Date:</b>	

PHOENIX DISTRICT OFFICE NEPA COMPLIANCE RECORD  
FOR CATEGORICAL EXCLUSIONS  
AND ADMINISTRATIVE DETERMINATIONS

DOI-BLM-AZ-P020-2010-012-CX  
Humane Borders Water Stations – Renewal

**A. Background**

BLM Office: Lower Sonoran Field Office      Lease/Serial/Case File No.: AZA-32809

NEPA Number: **DOI-BLM-AZ-P020-2010-012-CX**

Proposed Action Title/Type: Land Use Authorization – Permit Renewal

Applicant:      Humane Borders  
                    243 West 33<sup>rd</sup> Street  
                    Tucson, Arizona 85713

Location of Proposed Action:

T. 13 S., R. 6 W., Section 15, NWNE;  
T. 14 S., R. 5 W., Section 3, Lot 4;  
T. 14 S., R. 5 W., Section 3, NESE.

Description of Proposed Action:

Humane Borders, Inc. has applied to renew its existing land use permit, which authorized three (3) water stations on BLM managed lands south of Ajo, Arizona. Each of the water stations is composed of two (2) 60 gallon blue polyethylene tanks. Each tank is marked with Human Borders insignia, and is equipped with a spring loaded faucet to prevent accidental draining. The tank caps are manually sealed to prevent casual disturbance. The tanks are mounted on a square metal stand rated to hold 1,000 lbs. and have padded feet. The padded feet prevent the stand from shifting during heavy wind and/or rain. The water stations each consist of a 2' by 3' blue flag on a 20'-40' flagpole sleeved over rebar and driven flush with the ground. The stations are maintained and/or recharged on a daily basis. The water tanks are periodically flushed to guarantee water quality, and at each servicing interval, the chlorine content is continually monitored and adjusted as necessary.

**B. Land Use Plan Conformance**

Land Use Plan Name: The Lower Gila South Resource Management Plan    Date: Aug. 1985; and the Approved Amendment to the Lower Gila North Management Framework Plan and the Lower Gile South Resource Management Plan and Decision Record  
Approved/Amended: June 1988 and July 2005, respectively.

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

*Lower Gila Resource Area processes a variety of land actions in the Lower Gila South RMP/EIS area – rights-of-way, communication sites, easements, permits, and unauthorized occupancy. All land cases would continue to be evaluated on a case-by-case basis. (page 11)*

**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 2, Appendix 1, \_\_\_\_\_ or **516 DM 11.9 E (9)** which states: *Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorization.*

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM2 apply.

I considered the placement of the Humane Borders water stations on public lands. The BLM has determined that this decision or action conforms to the land use plan, that none of the 10 exceptions (516 DM 2, Appendix 2) apply, and therefore neither an EA nor EIS is needed. The decisions or action will be implemented subject to the stipulations attached to the authorizing document

**D: Signature**

Authorizing Official:  /s/ Emily Garber \_\_\_\_\_      Date:  27 May 2010 \_\_\_\_\_  
(Signature)

Name: Emily Garber  
Title: Field Manager – Lower Sonoran Field Office

**Contact Person**

For additional information concerning this CX review, contact Jo Ann Goodlow, Realty Specialist, Phoenix District Office – Lower Sonoran Field Office, 21605 North 7<sup>th</sup> Avenue, Phoenix, Arizona 85027, 623-580-5500.

**Note:** A separate decision document must be prepared for the action covered by the CX.

# Attachment 1

<b>EXTRAORDINARY CIRCUMSTANCES REVIEW AND CHECKLIST</b>		
<p>IMPORTANT: Appropriate staff should review the circumstances listed below, and comment for concurrence. Rationale supporting the concurrence should be included where appropriate.</p>		
<b>EXTRAORDINARY CIRCUMSTANCES</b>	<b>YES/NO &amp; RATIONALE (If Appropriate)</b>	<b>STAFF</b>
Does the proposed action...		
1. Have significant impacts on public health and safety?	NO	JAG
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness or wilderness study 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 (Executive Order 13186); and other ecologically significant or critical areas?	NO	JAG
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?	NO	JAG
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?	NO	JAG
5. Establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects?	NO	JAG
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?	NO	JAG
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the Bureau or office?	NO	JAG
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?	NO	JAG
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?	NO	JAG
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?	NO	JAG
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)?	NO	JAG
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)?	NO	JAG

# Approval and Decision

## Attachment 2

**Compliance and assignment of responsibility:** Jo Ann Goodlow

**Monitoring and assignment of responsibility:** Jo Ann Goodlow

**Review:** *We have determined that the proposal is in accordance with the categorical exclusion criteria and that it would not involve any significant environmental effects. Therefore, it is categorically excluded from further environmental review.*

**Prepared by:**       /s/ Jo Ann Goodlow       **Date:** 5 / 2 1 / 2 0 1 0

**Jo Ann Goodlow**  
Project Lead

**Reviewed by:**       /s/ Leah Baker       **Date:** 5 / 2 2 / 2 0 1 0

**Leah Baker**

Planning & Environmental Coordinator

**Reviewed by:**       /s/ Emily Garber       **Date:** 5/27/2010

**Emily Garber**  
Manager

### **Project Description:**

Humane Borders, Inc. has applied to renew its existing land use permit, which authorized three (3) water stations on BLM managed lands south of Ajo, Arizona. Each of the water stations is composed of two (2) 60 gallon blue polyethylene tanks. Each tank is marked with Human Borders insignia, and is equipped with a spring loaded faucet to prevent accidental draining. The tank caps are manually sealed to prevent casual disturbance. The tanks are mounted on a square metal stand rated to hold 1,000 lbs. and have padded feet. The padded feet prevent the stand from shifting during heavy wind and/or rain. The water stations each consist of a 2' by 3' blue flag on a 20'-40' flagpole sleeved over rebar and driven flush with the ground. The stations are maintained and/or recharged on a daily basis. The water tanks are periodically flushed to guarantee water quality, and at each servicing interval, the chlorine content is continually monitored and adjusted as necessary.

**Decision:** Based on a review of the project described above and field office staff recommendations, I have determined that the project is in conformance with the land use plan and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed, with the following stipulations (if applicable).

**Approved By:**       /s/ Emily Garber       **Date:**       5/27/2010      

Emily Garber  
Lower Sonoran Field Office Manager