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**Decision Memorandum on Action and for Application of:  
Categorical Exclusion 1.12 – Hazardous Fuels Reduction Activities  
South Limitrophe Hazardous Fuels Reduction Project  
U.S. Department of the Interior, Bureau of Land Management  
Yuma Field Office, Yuma, AZ**

**Name of Project**

South Limitrophe Hazardous Fuels Reduction Project

**Project Description**

The South Limitrophe Hazardous Fuels Reduction Project is an effort to reduce the threat of high intensity fire on the Bureau of Land Management (BLM) land located along the Colorado River in the southern half of the Limitrophe Division. The BLM Yuma Field Office (YFO) proposes to reduce high fire potential at three specific areas identified as high crime spots by the Borderland Management Task Force. The three areas are: Area I, County 12½ Street; Area II, Gadsden Bend; and Area III, Hunter's Hole (Figure 1). A combined total of less than 214 acres would be treated at the three sites by hand thinning and mechanical mulcher (bull hog).

Fuels Clearing and Thinning Prescriptions

The objective of this project is to apply different vegetation treatment prescriptions developed by the task force to protect high value habitat and remove lower quality habitat. The task force selected three areas where fuels reduction is needed to improve safety for the public and law enforcement. The three fuels reduction areas are shown in Figures 2, 3, and 4.

Vegetation removal and selective trimming to remove hazardous fuels is proposed for three locations within the riparian zone of the lower Colorado River or Limitrophe Division (Limitrophe). The three locations are roughly located at County Roads 12½, 18 (Gadsden Bend) and 21 (Hunter's Hole). The three project areas equal a cumulative total of 576 acres of which 214 acres are proposed for treatment. Within these areas high value wildlife habitat would be avoided (348 acres). Also within the areas approximately 14 acres correspond to open water or agriculture and therefore no treatment is necessary.

Due to the low, densely growing nature of scrubby forms of salt cedar, quailbush and arrow weed and their behavior as a fuel, these species are considered primary target species for the project. Target species would be removed while other tree and shrub species would be left in tact or selectively trimmed to reduce ladder fuel. Grass or herbaceous species in treatment areas would not be targeted but may be disturbed by clearing activities. Minimization of soil disturbance would enable these species to re-sprout from root or seed after the clearing is complete. Within all treatment areas, vegetation growing in wet soils next to water bodies would not be disturbed.

In designated treatment areas, the method and extent of clearing or trimming would depend on the plant community and vegetation structure. Due to physical constraints of the equipment used and proximity of non-target species, three specific methodologies or prescriptions would be used to clear the vegetation. These prescriptions correspond to community and structure types. Therefore, all prescriptions may be used in each of the three project areas.

The acres presented in the summary tables are based on a vegetation 1997 survey of the Limitrophe which delineated both plant community and structure types (CH2M Hill, 1999). The types present in the project area are: Agriculture, Arrow Weed (AW), Cottonwood (CW), Marsh (MA), Open Water (OW), Salt Cedar (SC), Salt Cedar/Mesquite (SM), Structured Open Water (SOW), and Undetermined (UD). Site visits suggest the 1997 vegetation mapped in the surveys is still valid, although some changes in community or structure may have occurred since 1997.

## **Vegetation Treatment Prescriptions**

### *Avoidance Areas*

The total acreage of the three locations to be treated is 576 acres. In accordance with the following avoidance criteria, the acreage to be treated was reduced to 214 acres. Avoidance areas correspond to units appearing on the attached maps labeled as Marsh (MA), Cottonwood (CW) and Salt Cedar structure types II or III (SC-II, SC-III) would be avoided. In many places a 50 to 100 foot buffer around these areas would be avoided to protect valuable migratory and feeding habitat for the southwestern willow flycatcher (SWFL) and Yuma clapper rail. No clearing or trimming would occur in these areas as depicted on the area maps provided (see attached maps). Any open water edges and any area exhibiting wet soils not shown on the vegetation maps but encountered during implementation would be avoided as well.

Monitors familiar with the area and with knowledge of the community types would be present during clearing and trimming activities. Monitors would ensure that methodologies are followed and performed in the appropriate community types.

### *Project Timing*

To protect SWFL and other migratory birds, project implementation would occur during the non-breeding season from October 1 to March 31.

### *Soil Stabilization*

Throughout all prescriptions, vegetation would be mulched and left on site when the bullhog is used. Vegetation that is hand cleared would be chipped by using a portable mulcher or scattered evenly throughout the project area as directed by project monitors.

### *Prescription A*

In areas of dense stands of arrow weed, quailbush, and early successional salt cedar (AW, SM, UD, and SC IV-V) covering relatively large areas, rubber tired and tracked vehicles such as brush hogs, hydro-ax, or similar equipment would be used to mechanically remove vegetation to ground level. Any desirable species identified in these areas would not be removed. Bulldozers or other bladed equipment would not be used to avoid gouging or excessive soil disturbance.

*Prescription B*

Hand removal (hand tools or chain saw) of salt cedar, quailbush, and arrow weed would occur in areas of mixed plant species where proximity of desirable species prevents the use of heavy equipment. Edges of community types are included in this prescription. Target species would be removed to ground level and desirable species would be left intact.

*Prescription C*

Regardless of the vegetation community type, any target species growing adjacent to the road or growing on or immediately adjacent to the levee would be removed by mechanical means or by hand. The method of removal would ensure that the integrity of the levee is maintained. Only undesirable species would be removed.

An estimated total of 214 acres of brush would be removed using these three prescriptions. In areas corresponding to salt cedar, salt cedar/screwbean mesquite, and arrow weed communities; clearing would result in large areas devoid of shrubby vegetation with widely spaced individuals of desirable plants.

The following tables display acreages covered by target community and structure type within each of the treatment areas.

Table 1. Acreage covered by each vegetation structure and community type in Treatment Area I.

Fuel Reduction Area	Community Type	Prescription	Structure Type	Total Acreage by Structure
I	Salt Cedar	A, B, C	SC-V	0.4
I	Salt Cedar Screwbean Mesquite	A, B	SM-III	25.63
I	Salt Cedar Screwbean Mesquite	A, B	SM-IV	17.62
I	Undetermined	B, C	UD	7.46
Area I Total Area for Treatment				51.09
Area I Total Area of Consideration				153.14

Table 2. Acreage covered by each vegetation structure and community type in Treatment Area II.

Fuel Reduction Area	Community Type	Prescription	Structure Type	Total Acreage by Structure
II	Arrow Weed	A, B, C	AW	5.09
II	Salt Cedar	A, B, C	SC-IV	7.77
II	Salt Cedar	A, B	SC-V	4.67
II	Undetermined	B, C	UD	0.18
Area II Total Area for Treatment				22.25
Area II Total Area of Consideration				76.60

Table 3. Acreage covered by each vegetation structure and community type in Treatment Area III.

Fuel Reduction Area	Community Type	Prescription	Structure Type	Total Acreage by Structure
III	Salt Cedar	A, B, C	SC-IV	139.89
III	Salt Cedar	A, B	SC-V	42.34
III	Undetermined	B, C	UD	13.72
Area III Total Area for Treatment				140.59
Area III Total Area of Consideration				346.00

Table 4. Total acreage and percentage of area to be treated.

Fuel Reduction Area	Total Acreage at Location	Acreage to be Treated
I	153.14	51.09 (33%)
II	76.60	22.25 (29%)
III	346.00	140.59 (41%)
Totals	575.74	213.94 (37%)

#### Project Access

Existing access roads and Colorado River levees would provide access to the work sites and provide staging areas.

#### Maintenance

The hazardous fuels reduction areas would be maintained as funding allows. Annual follow-up treatment could be mechanical, following methods described in the treatment section, or could be treated with herbicide according to specifications described in a programmatic herbicide EA for treating fuels in YFO (EA-AZ-320-2005-026). Specifications in the EA require a Determination of NEPA Adequacy (DNA) and Pesticide Use Proposal (PUP) if herbicide is applied.

#### Required Stipulations

##### *Physical Stipulations*

Large boulders or other means of restricting motorized access to cleared areas may be used to protect habitat in fuel breaks and treatment areas (following conservation measure WF-5 in *Arizona Statewide Land Use Plan Amendment for Fire, Fuel,s and Air Quality Management* (September 2004).

##### *Biological Stipulations*

The prescription areas have been inventoried for Threatened and Endangered Species. A qualified biologist would be on site during all construction activities to monitor compliance. If a listed species is observed during construction or preparation, all work in the area will stop and will not be allowed to resume if there is any possibility that activities could adversely affect the species. If it is determined that the project would affect any listed species, the project would halt

and consultation with the U.S. Fish and Wildlife Service would occur.

The project would follow applicable Conservation Measures from the *Arizona Statewide Land Use Plan Amendment for Fire, Fuels, and Air Quality Management* (September 2004).

Applicable conservation measures are listed below with alpha-numeric coding.

### **Fuels Treatments**

**FT-1** Biologists will be involved in the development of prescribed burn plans and vegetation treatment plans to minimize effects to Federally protected species and their habitats within, adjacent to, and downstream from proposed project sites. Biologists will consider the protection of seasonal and spatial needs of Federally protected species (*e.g.*, avoiding or protecting important areas or structures and maintaining adequate patches of key habitat components) during project planning and implementation.

**FT-2** Minimum Impact Suppression Techniques (M.I.S.T.) will be followed in all areas with known Federally protected species or habitats.

**FT-3** Pre-project surveys and clearances (biological evaluations/assessments) for Federally protected species will be required for each project site before implementation. All applicable Conservation measures will be applied to areas with unsurveyed suitable habitat for Federally protected species, until a survey has been conducted by qualified personnel to clear the area for the treatment activity.

**FT-4** Use of motorized vehicles during prescribed burns or other fuels treatment activities in suitable or occupied habitat will be restricted, to the extent feasible, to existing roads, trails, washes, and temporary fuelbreaks or site-access routes. If off-road travel is deemed necessary, all cross-country travel paths will be surveyed prior to use and will be closed and rehabilitated after the prescribed burn or fuels treatment project is completed.

### **Riparian**

**RA-1** During wildfire suppression, apply M.I.S.T. within riparian areas. Fire suppression actions in riparian areas should be prioritized to minimize damage to stands of native vegetation from wildfire or suppression operations. To the extent possible, retain large downed woody materials and snags that are not hazardous to firefighters.

**RA-4** In riparian areas, use natural barriers or openings in riparian vegetation where possible as the easiest, safest method to manage a riparian wildfire. Where possible and practical, use wet firebreaks in sandy overflow channels rather than constructing firelines by hand or with heavy equipment.

**RA-12** All Conservation measures for wildland fire suppression [RA-1 to RA-11 (missing), Section 2.1] also apply to fuels treatment activities (prescribed fire; mechanical, chemical, and biological treatments) in riparian, wetland, and aquatic habitats.

**RA-13** Fire management treatments within or adjacent to riparian and aquatic habitats will be designed to provide long-term benefits to aquatic and riparian resources by reducing threats associated with dewatering and surface disturbance, or by improving the condition of the watershed and enhancing watershed function.

### **Southwestern Willow Flycatcher**

**WF-1** Implement the Conservation Measures for Fire Management Activities in Riparian and Aquatic Habitats.

**WF-3** Minimize use of chainsaws or bulldozers to construct firelines through occupied or suitable habitat except where necessary to reduce the overall acreage of occupied habitat or other important habitat areas that would otherwise be burned.

**WF-4** Implement activities to reduce hazardous fuels or improve riparian habitats (prescribed burning or vegetation treatments) within occupied or unsurveyed suitable habitat for southwestern willow flycatchers only during the non-breeding season (October 1 to March 31).

**WF-5** Avoid developing access roads that would result in fragmentation or a reduction in habitat quality. Close and rehabilitate all roads that were necessary for project implementation (see **RR-5**).

**WF-7** Vegetation treatment projects adjacent to occupied or unsurveyed suitable habitat will only be conducted when willow flycatchers are not present (October 1 – March 31).

### **Yuma Clapper Rail**

**CR-1** Implement the Conservation Measures for Fire Management Activities in Riparian and Aquatic Habitats.

**CR-2** Any prescribed fire or vegetation treatment project in occupied or suitable marsh habitat would only occur between September 1 and March 15 to avoid the Yuma clapper rail breeding and molting seasons.

**CR-3** Mechanical removal of overstory habitat (*Tamarisk*) could occur as early as August 15, after the breeding season for Yuma clapper rails.

### **Bald Eagle**

**BE-4** No tree cutting within the area immediately around winter roost sites as determined by BLM biologists.

**BE-7** Provide reasonable protective measures so fire prescription or fuels treatment will not consume dominant, large trees as identified by the Resource Advisor or qualified biologist approved by BLM within ½ mile of known nests and roosts of bald eagles. Pretreatment efforts should provide reasonable protection of identified nesting and roosting trees (see Conservation Measure FT-4).

## **Yellow Billed Cuckoo**

**YC-1** Implement the Conservation Measures for Fire Management Activities in Riparian and Aquatic Habitats.

### *Cultural Stipulations*

The onsite BLM supervisor will notify the contractor of cultural resource laws and regulations, and monitor contractor compliance. Project implementation will avoid adverse impacts to any historic resources, such as features associated with the canal system, railroad, utility lines, and levees. Should cultural and/or paleontological resources be encountered during project ground-disturbing activities, work will cease in the area of the discovery and the YFO will be notified immediately. Work may not resume until written authorization to proceed is issued by BLM.

Consultation with 14 Native American tribes and groups with an interest in the proposed project area was initiated through a letter dated February 27, 2007. Government-to-government consultation will be ongoing. Pursuant to applicable cultural resource laws and regulations, the proposed action will not be implemented until input from tribal representatives has been considered and addressed to the BLM's satisfaction.

### Compliance and Monitoring Responsibility

Maintenance of the fuel breaks and the removal of resprouting vegetative material would be based on monitoring data collected by BLM employees and volunteers. The development of a programmatic vegetation management plan would be pursued by the Borderland Management Task Force to address human health and safety, wildfire management, homeland security, floodplain management, threatened and endangered species, invasive weeds, and international boundary issues.

## **Legal Land Description**

### **Area I County 12 ½**

T. 9 S., R. 24 W., sec. 18, lots 12, 14, 15, 16, 17, 24, and 25; sec 7, lot 6; Gila and Salt River Meridian

### **Area II Gadsden Bend**

T. 10 S., R. 25 W., sec. 14, lots 7, 10, 11, and 12; sec. 23, lots 7 and 8, Gila and Salt River Meridian

### **Area III Hunter's Hole**

T. 10 S., R. 25 W., sec. 26, lots 5 and 6; sec. 27, lots 2, 3, and 6; sec. 34, lots 3, 4, 6, 7, and 8; sec. 35, lots 3 and 4; Gila and Salt River Meridian

## **Applicant**

Yuma Field Office, Bureau of Land Management

## **Purpose and Need for Action**

This area is threatened by wildfire because of high concentrations of illegal border crossing activity that occurs along this stretch of the Colorado River. Individuals involved in these activities often set fires as a distraction to confuse law enforcement officials. This creates a situation that is both dangerous for wildland firefighters as well as damaging to the riparian habitat found along this stretch of the lower Colorado River. This area has the second heaviest wildfire occurrence within the YFO. This artificially frequent fire return interval (one fire every four to five years) has created conditions conducive for the formation of dense stands of salt cedar (*Tamarix ramosissima/chinensis*), cane (*Arundo donax*), and phragmites (*Phragmites australis*). This has been at the expense of native cottonwood (*Populus fremontii*), willow (*Salix gooddingii*), and mesquite (*Prosopis* spp.) woodlands that are not adapted to frequent fire return intervals. The action proposed in this Categorical Exclusion would improve safety for the public, law enforcement, and wildland firefighters because wildfires will be more easily contained between fuel breaks. This will keep fires smaller and more manageable; protect pockets and strips of higher value native trees and shrubs from surrounding saltcedar, giving firefighters a defensible space to fight fire. It will also provide protection to southwestern willow flycatcher (*Empidonax traillii extimus*) migration habitat by reducing average fire size in the South Limitrophe

## **Plan Conformance**

The proposed action is consistent with the following documents:

- Yuma District Resource Management Plan and Environmental Impact Statement 1987 (pp. 7, 8, 14,15).
- The Final Environmental Impact Statement Vegetation Treatment on BLM Lands in Thirteen Western States (pp. 1.5, 1.17, 3.7 - 3.94).
- The Arizona Land Use Plan Amendment for Fire, Fuels, and Air Quality (p. 4-18)
- Fire Management Plan for the Yuma and Lake Havasu BLM Fire Zone

The proposed action was designed in conformance with all BLM standards and incorporates appropriate guidelines for specific required and desired conditions relevant to project activities. The proposed action would have no effect on the President's Energy Policy and a Statement of Adverse Energy Impact is not required.

## **Compliance with the National Environmental Policy Act**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 2, Appendix 1, 1.12. The proposed action is hazardous fuel removal and fuel break creation for a total of 214 acres.

The application of this Categorical Exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects which may significantly affect the environment. The Proposed Action meets the Department of the Interior Departmental Manual 516 2.3.A (3) criteria for a review of the following Categorical Exclusion and determined no

exceptions apply to the project. Extraordinary circumstances are defined in 516 DM 2, Appendix 2.

### **Literature Cited**

CH2m Hill. 1999. 1997 Vegetation Mapping and GIS Development. Prepared for U.S. Bureau of Reclamation. Boulder City, Nevada. Feb 1999; Redding, CA.

Rosenberg, K. V. et. al. 1991. Birds of the Lower Colorado River Valley.

### **Agencies Consulted**

The United State Border Patrol, Bureau of Reclamation, U.S. Fish and Wildlife Service, Cocopah Tribe, U.S. Army Corps of Engineers, Yuma Proving Ground, Marine Corp Air Station, Yuma, International Boundary and Water Commission, Yuma County Sheriffs Department, and Arizona Game and Fish Department were consulted during the project design phase of this project and are supportive partners. Informal consultation was performed with the U.S. Fish and Wildlife Service.

### **Decision and Rationale for Action**

I have decided to implement the South Limitrophe Hazardous Fuels Reduction Project. The proposed action would reduce 214 acres of hazardous fuels by bullhog, chainsaw, and/or hand tool work. The proposed action will protect natural and cultural resources, the safety of wildland fire fighters, law enforcement, and the general public. In addition, I have reviewed the plan conformance statement and have determined that the proposed action is in conformance with the approved land use plan and that no further environmental analysis is required.

I considered the effects of the proposed action on the following species.

- Southwestern willow flycatcher (*Empidonax traillii extimus*) (endangered)
- Yuma clapper rail (*Rallus longirostris yumanensis*) (endangered)
- Bald eagle (*Haliaetus leucocephalus*) (threatened)
- Yellow billed cuckoo (*Coccyzus americanus*) (candidate)

A Biological Evaluation is attached for consultation with U.S. Fish and Wildlife Service with a determination the action may affect, is unlikely to adversely affect the above mention species. Conservation techniques would be employed to mitigate the chance of any effects to special status species. These conservation measures were developed as part of the *Arizona Statewide Land Use Plan Amendment for Fire, Fuels, and Air Quality* (2004). The survey protocol for the SWFL has been conducted for the local area (within 800 meters) of the proposed project site. No protocol exists for the YBC, but surveys have been performed for the project area. The results indicated an absence of breeding SWFLs and YBCs. The proposed action would avoid SWFL/YBC migration habitat. Up to 214 acre of lesser value migration habitat would be cleared. This is negligible for affecting migrating SWFLs and YBCs because thousands of acres of suitable migration habitats occur within a three-mile radius of the project area. I have,

therefore, determined that the proposal may affect, but is not likely to adversely affect SWFL and YBC respectively.

I considered effects to cultural resources through the use of BLM cultural resource compliance documentation records. Actions outlined in the proposed project description would be taken to preserve any cultural resources that may be found during the project implementation.

**Implementation Date**

This project will be implemented within the time frames set by the Categorical Exclusion, conservation measures, and when funding and personnel permit.

/signed/  
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Lori A. Cook  
Acting Field Manager  
Yuma Field Office

03/06/07  
Date

**Administrative Review or Appeal Opportunities**

This Decision is subject to administrative appeal. 43 CFR part 4.470 sets fourth the procedures for appeals. Attachment A describes how to appeal the decision.

**Contact Person**

For additional information concerning this decision, contact Karen Reichhardt, Yuma Field Office 2555 Gila Ridge Rd., Yuma AZ 85364. (928) 317-3200.

**Exceptions Review.** [Review the 12 exceptions which apply to individual actions within categorical exclusions. Environmental documents (EA or EIS) must be prepared for any actions involving these exceptions. The preparer coordinates with the appropriate specialists for review and surname for, in particular, #7 (historical/archaeological resources) and #8 (listed species), and others as appropriate. The comments/explanation column may be used to document any pertinent information about the review.]

List of Exceptions	Specialist Signature/Date	Comments/Explanation
1. Have significant adverse impacts on public health or safety.	/signed/Oyler 03/05/07	
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.	/signed/Young 03/05/07 /signed/ Reichhardt 02/29/07 /signed/Green 02/29/07	
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].	/signed/ Reichhardt 02/29/07	
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	/signed/ Reichhardt 02/29/07	
5. Establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.	/signed/ Reichhardt 02/29/07	
6. Be directly related to other actions with individually insignificant, but cumulatively significant environmental effects.	/signed/ Reichhardt 02/29/07	
7. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places.	/signed/Rittenho use 03/06/07	
8. Have adverse effects on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have adverse effects on designated critical habitat for these species.	Plants: /signed/ Reichhardt 02/29/07	
	Wildlife: /signed/Young 03/05/07	

	Fisheries: /signed/Young 03/05/07	
9. Violate a Federal law, or as State, local, or tribal law or requirement imposed for the protection of the environment.	/signed/ Reichhardt 02/29/07	
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)..	/signed/ Reichhardt 02/29/07	
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).	/signed/ Rittenhouse 03/06/07	
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).	/signed/Green 02/29/07	

## **Attachment A**

### **How to Appeal (Overview of BLM's NEPA Process BLM Desktop Reference June 1999)**

- (1) A notice of appeal must be filed with the officer who made the decision(s) within 30 days after the date of publication or date of service (i.e., Federal Register Notice or other decision notice) [4.411(a)].
- (2) No extension of time will be granted for filing the notice of appeal [4.411(c)].
- (3) A statement of reasons, standing, written arguments, briefs, etc. must be filed with the decision maker within 30 days after the notice of appeal.
- (4) Once the appeal is received by the decision maker, he/she must forward the appeal through the proper channels to IBLA.
- (5) The proper channel for processing an appeal may vary according to program-specific appeals procedures set forth in 43 CFR part 4.

Appeals are reviewed and decided according to first – the standing of the appellant, and second – the merits of the appeal.