

**Categorical Exclusion Documentation Format for Actions Other Than Hazardous Fuels
and Fire Rehabilitation Actions**

**Maricopa County Flood Control District – Rain Gauge
DOI-BLM-AZ-P040-2011-005-CX**

A. Background

BLM Office: *Sonoran Desert National Monument (SDNM)*

Lease/Serial/Case File No.: AZA-32745

Proposed Action Title/Type: 289001 ROW-OTHER-FLPMA

Location of Proposed Action: T. 5 S., R. 3 W., Section 13

Description of Proposed Action: Maricopa County Flood Control District (MCFCFD) filed an application requesting to renew its right-of-way grant for a rain gauge on public land within the Sonoran Desert National Monument (SDNM). The rain gauge is located at the above legal description. The site consists of a telemetered rain gauge, which is utilized in determining the feasibility of water flow reaching a flood condition. The system will continue to serve as part of an early warning system to protect the health and welfare of the general public. The site is approximately 1-square foot and approximately 0.001 acre.

B. Land Use Plan Conformance

Land Use Plan (LUP) Name: Lower Gila South RMP/EIS

Date Approved/Amended: June 1988

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

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions):

Lower Gila South Resource and Management Plan and Final Environmental Statement (June 1988), states: “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 Departmental Manual (DM) 11.9: *E.(9). Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.*

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 DM 11.9 apply.

I considered: The proposal is to renew an existing authorization where no additional improvements are anticipated. As it exists today, the telemetered rain gauge structure consists of a 12-ft aluminum standpipe, nylon lifting rope, solar panel, tipping bucket (measuring 1mm or 0.01 inches), funnel, antenna, transmitter, gel-cell battery, and concrete base, and allows for the transmission of a signal broadcast to computer via VHF radio. There is no pertinent design features incorporated into the project design that would create a potential for significant impacts

D: Signature

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 (see Attachment 1). Therefore, it is categorically excluded from further environmental review.*

Prepared by: /s/ Jo Ann Goodlow/

**Jo Ann Goodlow
Project Lead**

Reviewed by: /s/ Leah Baker/

**Leah Baker
Planning & Environmental Coordinator**

Approved by: /s/ Richard B. Hanson/

**Richard B. Hanson
Manager**

Contact Person

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

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

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BLM Categorical Exclusions: Extraordinary Circumstances¹
Attachment 1

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215) apply. The project would:		
1. Have significant impacts on public health or safety		
Yes	No	Rationale:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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?		
Yes	No	Rationale:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?		
Yes	No	Rationale:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		
Yes	No	Rationale:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	
5. Establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects?		
Yes	No	Rationale:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?		
Yes	No	Rationale:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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?		

¹ If an action has any of these impacts, you must conduct NEPA analysis.

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale:
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?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale:
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale:
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale:
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)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale:
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)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale:

MITIGATION MEASURES – AZA-32745

1. All applicable regulations in accordance with 43 CFR 2800.
2. Any cultural and/or paleontological resources (historic or prehistoric site or object) discovered by the holder or any person working on the holders behalf, on public or federal land shall be immediately reported to the authorized officer. The holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine the appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of the evaluation and any decision as to the proper mitigation measures will be made by the authorized officer after consulting with the holder.
3. All applicable terms and conditions of the original right-of-way grant will continue to apply.