

**United States Fish and Wildlife Service
Environmental Action Statement**

Within the spirit and intent of the Council on Environmental Quality's regulations for implementing the National Environmental Policy Act (NEPA), and other statutes, orders, and policies that protect fish and wildlife resources, I have established the following administrative record and determined that the action of: Implementing a programmatic Ecological Restoration Plan (ERP) that will restore disturbed lands on Cabeza Prieta National Wildlife Refuge (CPNWR).

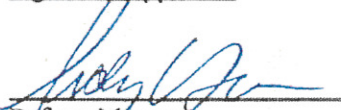
Check One:

- ☐ Is a categorical exclusion as provided by 516 DM Chapter 8.5A(4). No further NEPA documentation will therefore be made.
- ☒ Is found not to have significant environmental effects as determined by the attached environmental assessment and finding of no significant impact.
- ☐ Is found to have significant effects and, therefore, further consideration of this action will require a notice of intent to be published in the Federal Register announcing the decision to prepare an EIS.
- ☐ Is not approved because of unacceptable environmental damage, or violation of Fish and Wildlife Service mandates, policy, regulations, or procedures.
- ☐ Is an emergency action within the context of 40 CFR 1506.11. Only those actions necessary to control the immediate impacts of the emergency will be taken. Other related actions remain subject to NEPA review.

Other supporting documents:

- Draft Environmental Assessment for Ecological Restoration Plan on Department of Interior Lands in Western Pima County, Arizona, National Park Service, February, 2104.
- Finding of No Significant Impact Ecological Restoration Plan, National Park Service, Organ Pipe Cactus National Monument, December, 2014.
- Formal Section 7 Consultation on Implementation of the Ecological Restoration Plan on Organ Pipe Cactus National Monument, Cabeza Prieta National Wildlife Refuge, and Bureau of Land Management Ajo Block, Pima County, Arizona, October, 2014.
- Programmatic Agreement for Cultural Resources
- Minimum Requirements Decision Guide, February 2014.

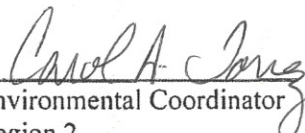
Signature Approval:



Refuge Manager
Cabeza Prieta NWR

12-24-2014

Date



Environmental Coordinator
Region 2

1-14-2015

Date



Refuge Chief
Region 2, NWRS

1-15-2015

Date



Regional Director
Region 2, Southwest Region

1/16/15

Date

Acting

ACTING

FINDING OF NO SIGNIFICANT IMPACT

Ecological Restoration Plan

Cabeza Prieta National Wildlife Refuge

Background

The U.S. Fish and Wildlife Service (Service) is proposing to restore disturbed lands on Cabeza Prieta National Wildlife Refuge (CPNWR) through a programmatic Ecological Restoration Plan (ERP). The affected area covers all CPNWR land that lies east of the Pima County line.

A Draft Environmental Assessment (EA) which examined alternatives and environmental impacts associated with the proposal to implement an ERP was completed by the National Park Service (NPS) and made available to the public on February 28, 2014. The ERP which will restore disturbed lands on Organ Pipe Cactus National Monument (OPCNM), CPNWR, and Bureau of Land Management (BLM) Ajo Block; explores a reasonable range of alternatives to meet project objectives, evaluates potential issues and impacts to the refuge resources and values, and identifies mitigation measures to lessen the degree or extent of these impacts. The No Action and ERP alternative were analyzed in the EA. The NPS also identified three additional alternatives which were ultimately dismissed (see page 32 of the EA).

The Service was a Cooperating Agency in development of the NPS EA. The Service actively participated throughout the process and contributed to the content of the document. To meet the Service's NEPA compliance requirements and to streamline the NEPA process, we formally adopt the NPS EA as our own. It has been independently reviewed and we found that it: 1) meets NEPA standards prescribed in 40 CFR 1506.3; 2) adequately complies with Department of Interior and Service NEPA procedures/guidance; and 3) considers/analyzes a range of alternatives that adequately addresses the consequences of our action.

This Finding of No Significant Impact (FONSI) documents the decision to adopt the ERP and outlines the determination that no significant impacts on the environment are associated with this decision. Mitigation measures designed to avoid or minimize impacts to refuge resources and a summary of agency coordination and consultation and public comment are also provided.

Purpose and Need

The NPS, Service, and BLM share a common goal of conserving resources for future generations. Environmental impacts to these lands have increased due to border-related activities, including illegal cross-border activities, and the corresponding law enforcement response. Some of the disturbances are temporary, while others, such as invasive species and Un-designated vehicle routes (UVRs), can have long term consequences. Hundreds of miles of repeatedly used UVRs and thousands of miles of single use vehicle tracks have been documented. Restoration actions are needed to counteract the adverse-impacts of UVRs and invasive plants that are present in the project area. This plan will serve as a decision-making tool that will enable the agencies to more efficiently and effectively apply management techniques to:

1. Restore degraded natural areas to conditions that approximate their pre-disturbance states or alternate stable states;

2. Preserve and protect natural conditions, ecological processes, and wilderness character;
3. Preserve and protect archeological and historical sites and cultural landscapes; and
4. Implement environmentally sound, cost effective restoration strategies and treatments.

Alternatives Analyzed

A. No Action Alternative

Under this alternative, restoration activities and invasive plant management would occur on a site by site basis. Agency resource managers would be limited to those treatment options that can be categorically excluded from further NEPA analysis under departmental categorical exclusions (43 CFR 46.210) or agency specific planning documents. Activities analyzed by previous planning documents could continue to occur. Under categorical exclusions, minimal restoration activities would be continued across the project area in and outside of wilderness when the opportunity exists. Herbicide application or use of motorized equipment for restoration would not occur under categorical exclusions.

A comprehensive multi-agency plan to restore native plant communities, reestablish natural surface flow patterns, stabilize soils, and restore Sonoran pronghorn and lesser long-nosed bat habitat would not occur. Most cultural resources impacted by UVRs would continue to degrade through erosion and exposure. Proactive, preventative measures would not be emphasized. Customs and Border Protection and the three DOI agencies would not meet the terms of the Biological Opinions associated with these restoration activities.

B. Preferred Alternative

This alternative would implement a comprehensive ERP for the project area that would allow the use of a full range of restoration techniques and types of treatments that achieve maximum effectiveness in restoring the health of ecological communities while minimizing risks to humans and natural and cultural resources. The alternative would allow for site specific strategies and treatments that would prevent or limit further disturbance, establish plant cover, de-compact soils, establish natural contours and drainage patterns, manage invasive plants, reduce visibility of disturbed areas, and restore habitat for a number of species including the endangered Sonoran pronghorn and lesser long-nosed bat. This alternative would be the most effective means of mitigating adverse effects to cultural resources by UVRs and construction of border enforcement related infrastructure.

A number of different treatments can be used to restore disturbed lands including; behavioral, manual, chemical, and mechanical.

Behavioral treatments would consist of actions that promote native plant growth and prevent or discourage further site disturbance. Behavioral treatments for invasive plants might include public education and rigorous restrictions on introducing equipment or material that might contain invasive seeds into the project area.

Manual treatments would include the use of non-motorized equipment on disturbed areas to de-compact soil in small areas, re-contour disturbed surfaces, scarify the soil before seeding, and dig holes to install nursery grown plants.

Chemical treatments would include the use of herbicides to kill or injure invasive plants and may be applied as pre- and post-emergent.

Mechanical treatments would include the use of mechanized equipment throughout the project area, including wilderness. This treatment is often essential for de-compacting soils or site leveling in order to prepare disturbed soils for seeding and planting, particularly at large sites. Examples of mechanical treatments and tools including brush cutters and yard trimmers, chain saws, augers, backhoes, road graders, and other motorized equipment.

Restoration Strategies:

An integral part of the preferred alternative is the use of a strategy that selects the most appropriate treatment or combination of treatments with the least environmental impact to restore a site or to control an invasive plant infestation and also considers wilderness values and recommendations. Overall restoration strategies (i.e., passive, facilitated, or active) and the specific techniques used to restore damaged lands depend on a variety of factors including the location, type and extent of damage; type and health of site and nearby native plant communities; hydrology, rainfall, soil characteristics, and the presence of sensitive resources; or importance of cultural resources affiliated with the site.

Each restoration site is unique, and restoration strategies vary greatly in their resource requirements and intensity. Decisions on which strategy to use for each site are based on professional experience, input from desert restoration experts, published literature, and will follow the steps outlined below.

- *Passive* restoration is recommended when disturbance is minimal and/or for sites that are expected to recover naturally. The goal of a passive strategy is to prevent or discontinue further disturbance, and will rely on behavioral treatments with some minor manual treatments. Education and compliance with area closures are the cornerstones of a passive strategy. No chemical or mechanical treatments will be prescribed
- *Facilitated* restoration is recommended when disturbance at a site is moderate, and native vegetation response is expected to require intervention. Sites are monitored for native plant recovery, soil erosion, the presence of invasive plants, and treatment effectiveness. Facilitated restoration uses behavioral, manual, and chemical treatments to restore disturbed areas. Compared with passive, facilitated restoration involves more active intervention, with activities such as manually removing invasive plants, treating invasive plants with chemicals, seeding, planting nursery grown plants, using hand tools to de-compact soils in small areas, and other methods.
- *Active* restoration is recommended when disturbance at a site is high, there are few or no remaining living plants, and the native vegetation response is expected to be moderate to slow, or it may not recover at all without intervention. Active strategies are a more aggressive approach to restoration, and include any or all treatments covered in the ERP. This strategy will use a combination of behavioral, manual, chemical, and mechanical treatments.

Restoration Treatment and Activities:

- *Behavioral* treatments will consist of actions that promote native plant growth and prevent or discourage further site disturbance. Behavioral treatments can be cost effective and useful on large areas. Examples include: sign placement, fencing, road delineation, placing slash/debris, and implementation of Best Management Practices. Behavioral treatments for invasive plants might include public education and rigorous

restrictions on introducing equipment or material that might contain invasive seeds into the project area.

- *Manual* treatments will include the use of non-motorized equipment on disturbed areas to de-compact soil in small areas, re-contour disturbed surfaces, scarify the soil before seeding, and dig holes to install nursery grown plants. To check surface flow; wattles, rocks, or other natural materials will be placed in areas undergoing accelerated erosion or deposition due to the original disturbance. Examples of manual treatments include: seeding, planting, hand pulling, raking, digging, picking, shoveling, and sawing.
- *Chemical* treatments will include the use of herbicides to kill or injure invasive plants and may be applied as pre- and post-emergent. Compared with manual treatments, herbicides will help increase the amount of area that can be treated annually and will reduce soil disturbance.
- *Mechanical* treatments will include the use of mechanized equipment throughout the project area, including wilderness. This treatment is often essential for de-compacting soils or site leveling in order to prepare disturbed soils for seeding and planting, particularly at large sites. Examples of mechanical treatments and tools include brush cutters and yard trimmers, chain saws, augers, backhoes, road graders, and other motorized equipment.

Environmental, Social, and Economic Effects:

Implementation of the Service's decision would be expected to result in environmental, social, and economic effects as outlined in the NPS EA and summarized here. Direct, indirect, and cumulative effects are analyzed for each resource topic carried forward in the NPS EA. Potential impacts are described in terms of type, context, duration, and intensity. Impacts topics dismissed from further analysis in the NPS EA include: bedrock geology, wetlands, floodplains, air quality, soundscape management, lightscape management, socioeconomics, prime and unique farmlands, Indian trust resources, environmental justice, climate change and sustainability, park operations, visitor use and experience, museum collections, and ethnographic resources. Impacts topics analyzed in the NPS EA include: soils, surface hydrology, vegetation, wilderness, special status species, wildlife, archeological, historic structures, cultural landscapes, and cumulative impacts.

Mitigation Measures

To minimize the potential impacts from personnel and equipment, the following mitigation measures will be implemented under the ERP, as needed to minimize the degree and severity of adverse effects.

General:

- To reduce noise and emissions, vehicles will not be permitted to idle for long periods of time.
- To avoid further damage, mechanical treatment with heavy equipment will not occur when soils are wet.

- Vehicles will not exceed 25 mph, less when conditions dictate slower speeds especially on UVRs.
- Each restoration action will have these mitigation measures incorporated into the contract stipulations and the engineering plans, as necessary.
- Erosion and sedimentation control measures such as dust suppression practices, wattles, mulches, and jute matting will be deployed as necessary and where mechanical equipment is used to de-compact soils and re-contour disturbed sites.
- If sites greater than 1 acre are disturbed, A National Pollution Discharge Elimination System (NPDES) permit under the Clean Water Act will be acquired.

Wilderness:

- A Minimum Requirements Decision Guide (MRDG) will be prepared for all proposed actions in wilderness. When determining minimum requirement, potential disruptions of wilderness character will be considered along with other alternatives. Additional site specific mitigation measures may be required as determined by the MRDG analysis.

Special Status Species:

- If Sonoran pronghorn are detected, no mechanical treatments will begin until Sonoran pronghorn move on their own volition to a distance greater than two miles from the activities. If manual, behavioral, or chemical treatments are proposed, a one mile radius distance from pronghorn will suffice. The Sonoran pronghorn monitoring protocols will include procedures to be followed.
- To reduce temporary adverse impacts from restoration work, sites far from roads will not be treated during the pronghorn fawning season until the estimated US population of free ranging Sonoran pronghorn exceeds 140 individuals. This population number has been selected because it is the most recent population 'high point' identified in litigation and settlement conservation measures from *Defenders of Wildlife v. Babbitt et.al.*
- No saguaros or organ pipe cacti will be killed or disturbed by restoration activities, to protect forage resources for the endangered lesser long-nosed bat.

Wildlife:

- Restoration sites will be visually surveyed for desert tortoise or their shelters prior to the start of any work. Digging or excavation will be avoided near any shelters.
- If desert tortoises or shelters are encountered during restoration, workers will handle these individuals in accordance with AGFD Guidelines for Handling Sonoran Desert Tortoises Encountered on Development Projects.

Cultural Resources:

- A project specific Programmatic Agreement between the NPS, USFWS, BLM, Customs and Border Protection (CBP), Arizona State Historic Preservation Office (AZSHPO), and associated tribes will be developed to address proposed actions within or adjacent to archeological sites, historic properties, isolated artifacts, and inadvertent discoveries. These measures will include but are not limited to requiring professional cultural resource monitors during restoration activities, avoiding archeological sites, or limiting the types of restoration treatments.

- Actions at known and documented cultural sites will be accomplished with oversight by a qualified archeologist meeting the Secretary of the Interior's Standards for Archeology.
- If previously unidentified cultural resources are encountered during construction activities, the contractor or agency staff will immediately stop work at that location. All reasonable steps to secure the preservation of the resources will be taken and appropriate agency staff will be notified immediately in order to make arrangements for the proper treatment of those resources.
- In the unlikely event that human remains are discovered during construction, provisions outlined in the Native American Graves Protection and Repatriation Act (NAGPRA) of 1990 will be followed. If human remains are found, work will immediately cease and the Refuge Manager will be immediately contacted according to NAGPRA guidelines.

Chemical Treatments:

- Herbicides will be applied or their application overseen by an Arizona certified pesticide applicator.
- All restrictions outlined on herbicide labels will be followed.
- Ground based equipment, including backpack sprayers and spray units on trucks will be used in low wind conditions and only applied using coarse sprays to minimize the potential for drift.
- Pesticide applicators will receive training on identification of native, threatened, endangered, or candidate plants.
- Herbicides that are of low toxicity to wildlife and/or that will degrade before wildlife are likely to encounter them will be used, to the extent practicable, and applied in a manner that uses the least amount, but still remains effective.
- Only those herbicides labeled for use to the edge of water bodies of water or with aquatic labeling will be used within buffer zones and aquatic areas. Highly water-soluble herbicides will not be used near water resources.

Summary of Effects

The Service's decision to implement the Preferred Alternative would not, in and of itself, impact the human and physical environment. Potential impacts to the physical, biological, and human environment were considered and found not to be significant for the following reasons:

Measures to mitigate and/or minimize adverse effects have been incorporated into the proposal. These measures can be found on page 30 of the NPS EA. Mitigation measures covering threatened and endangered species has been adopted from the biological opinion.

Though the proposal does impact some wilderness values in the short term, over the long term wilderness values will benefit from this action as a result of the elimination of vehicle tracks, de-compacted soils, and restored vegetation.

The proposal is not expected to have any significant cumulative impacts. The effects of this project, when considered in the context of its effects being added to the combined effects of other past, present, and foreseeable future activities within all jurisdictions

(Federal, State, and private) are not expected to have significant additive effects over the long-term.

Agency Coordination and Consultation

In coordination with the Endangered Species Act, NPS contacted the Service with regards to federally listed special status species, and in accordance with NPS policy, NPS also contact the Arizona Division of Wildlife (AGFD) with regards to state-listed species.

In accordance with §106 of the National Historic Preservation Act, NPS has coordinated with the AZSHPO and associated Native American tribes to develop a PA regarding treatment of historic properties that might be subject to effect resulting from the ERP.

Federal consultation was conducted with the Bureau of Indian Affairs, BLM, CBP, CPNWR, United States Air Force, United State Marine Corp, Luke Air Force Base, Service, and Department of Homeland Security. The State of Arizona consultation was conducted with AGFD, AZSHPO, Arizona Department of Environmental Quality, and Arizona State University. The NPS also consulted with the State of Arizona congressional delegation.

Seven Native American tribes were consulted to determine if there were any ethnographic resources in the project area and if they wanted to be involved in the environmental compliance process.

Public Involvement

Comments were solicited on the draft EA from February 28, 2014 through April 30, 2014. To notify the public of this review period, letters were sent to stakeholders, interested parties, and Native American communities. A hard copy of the EA was made available at OPCNM and CPNWR visitor's centers and at the Ajo Library. An ad was placed in the Ajo newspaper with notifications about where to go to view and how to comment. A copy of the document was posted on the NPS Planning, Environment, and Public Comment website at <http://parkplanning.nps.gov/>.

Fifteen correspondences were received on the EA during this review period. Commenters included representatives from six different conservation organizations, one state agency, four non-governmental local organization, one Native American tribe, and three individuals. Eleven commenters expressed support for the Preferred Alternative, zero commenters expressed support for the No Action Alternative, and four commenters had unrelated comments or did not state a preference. Overall, comments centered on three topics: 1) support for the preferred alternative and restoring resources within the project area; commending multi-agency cooperation among the NPS, Service, and BLM; 2) wilderness character and wilderness values; and 3) continued use of lands for the purpose of border protection.

Several commenters supported the use of motorized transport and mechanized equipment in wilderness because they acknowledge the benefits of doing so; citing that it would result in a larger degree of wilderness being restored. Two commenters requested clarification if the Preferred Alternative includes restoration efforts on administrative roads. If administrative roads are damaged to the extent that it affects wildlife habitat or ecological processes, restoration will

occur. To reduce confusion to visitor, roads that are restored will be clearly marked with wattles and a 'Restoration Area' sign.

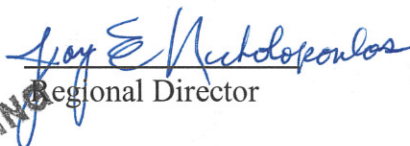
All comments were thoroughly reviewed by the NPS and Service and addressed in the Errata Sheet and Response to Comments attached to this FONSI. There were no substantial changes made to the EA as a result of the comments.

Decision: The Preferred Alternative

The ERP is the Preferred Alternative and Environmentally Preferable Alternative, and will be implemented because it meets the restoration needs and objectives. Because no new issues, additional reasonable alternatives, or feasible mitigation measures were suggested during the public review process, none of the comments necessitate changes to the ERP Alternative. The Preferred Alternative will enable the agencies to meet the objectives outlined in the purpose and need.

Conclusion

Based on review and evaluation of the information contained in NPS's EA and with due consideration given to the comments from the public, it is my determination that the proposed action does not constitute a major Federal action significantly affecting the quality of the human environment under the meaning of section 102(2)(c) of the National Environmental Policy Act of 1969 (as amended). As such, an environmental impact statement is not required. An environmental assessment has been prepared in support of this finding and is available upon request at the CPNWR or on line at <http://parkplanning.nps.gov>.


Regional Director
Date 1/16/15

ACTING

References:

National Park Service. 2014. Draft Environmental Assessment Ecological Restoration Plan on Department of Interior Lands in Western Pima County, Arizona and Minimum Requirements Decision Guide: Ecological Restoration Plan on DOI lands in Western Pima County, Arizona

National Park Service. 2014. Finding of No Significant Impact, Ecological Restoration on Organ Pipe Cactus National Monument.

U.S. Fish and Wildlife Service. 2014. Biological Opinion for Formal Section 7 Consultation on Implementation of the Ecological Restoration Plan on Organ Pipe Cactus National Monument, Cabeza Prieta National Wildlife Refuge, and Bureau of Land Management Ajo Block, Pima County, Arizona.

Cabeza Prieta NWR's Response to Public Comments

The Cabeza Prieta NWR agrees with and adopts most of Organ Pipe Cactus's responses to comments. However, where our response is different it is noted in red.

Overall, comments centered on three topics: 1) support for the preferred alternative and restoring resources within the project area; commending multi-agency cooperation among NPS, Service, and BLM; 2) wilderness character and wilderness values; and 3) continued use of lands for the purpose of border protection. Below are concerns and comments received that either require a response or resulted in changes to the EA text.

Responses to Comments

Comment 1: Two comments indicate concern about motorized transport and mechanized equipment use in wilderness and that it should not be allowed because it impacts wilderness values (Concern #552570)

There have been several impacts to wilderness within the project area. The NPS, Service, and BLM, as land management agencies are responsible for adhering to the Wilderness Act of 1964 and are required to administer the land accordingly. Through a Minimum Requirement Analysis process, motorized transport and mechanized equipment in some cases may be the minimum tool necessary to provide meaningful and successful restoration. There will be many instances where UVRs can be restored with hand tools and mechanized equipment will not be used. Most UVRs are in wilderness and many are miles long. UVRs with heavy use and more severe disturbance can be yards to tens of yards wide. Damage within the road bed is often severe with rutting in excess of two feet in depth in places and will require equipment use to reestablish natural grades, sheet flow, and natural hydrology. Some roads are beginning to capture stream flow and use of machinery and mechanized equipment will be required to repair these sections. Additionally, some restoration actions will require materials that are not possible to haul by non-mechanical means.

Several commenters, even those from wilderness advocacy groups, support the use of motorized transport and mechanized equipment in wilderness because they acknowledged the benefits of doing so; citing that it would result in a larger degree of wilderness being restored. Further, the absence of mechanized equipment and motorized transport would severely limit how many miles of roads could be restored, which would not meet the needs of the biological opinions; restoration to benefit the endangered Sonoran Pronghorn and lesser long-nosed bat.

Comment 2: Two commenters suggest implementing a monitoring program to collect data on the effectiveness, progress, and efficacy of the restoration projects. Related to this, one commenter suggested aerial surveys of UVRs and rate of UVR accumulation citing that if UVRs continue to expand, that restoration will not be helpful.

Response 2: The CPNWR will establish photo plots to determine the progress and effectiveness of treatment. Even if new UVRs are created, it is still beneficial to restore as many UVRs as is feasible. Without restoration efforts, cumulative impacts from UVRs will become greater. The CPNWR continues to work with CBP to reduce off-road travel.

Comment 3: Commenters expressed interest in subjecting work plans to public review process citing stakeholder engagement by the agencies is a great way to increase public support.

Response 3: Work plans will not be subjected to additional public review. The EA covers a broad range of strategies and treatments used to restore disturbed and damaged lands within the project area. The EA

identified specific tools, equipment, methods that will be needed to accomplish this effort. Location-specific work plans will be developed with input from all affected agencies and stakeholders and will include site specific restoration actions described in the strategies and treatments section of the EA. Feedback from the public review process of the EA identified broad support of the proposed alternative which identifies those strategies and treatments. Location-specific work plans will not be subjected to public review process; however, they will be made available by request to those individuals who express interest.

Comment 4: Two commenters requested clarification if the Preferred Alternative includes restoration efforts on administrative roads because of ongoing deterioration associated with their use. Related to this, one commenter cited visitor confusion about which roads can be used permissibly.

Response 4: Where administrative roads are heavily impacted, such as multiple trails paralleling the administrative trail, some restoration efforts will be implemented. However, without major reconstruction of the exiting road to make it an all-weather road, restoration efforts will have limited value. With few exceptions, administrative trails on the CPNWR are closed to public access. There should be no confusion on the CPNWR as to which roads are open to the public as there are only three public access road on the Cabeza - El Camino del Diablo, Christmas Pass, and Charlie Bell roads.

Comment 5: Two commenters provided comments on chemical treatments and the use of herbicides on invasive plants because of the negative effects on native vegetation, soil toxicity, and development of resistance to herbicide in invasive species. Related to this, one commenter requested clarification about the relationship between invasive species treatments and UVR restoration treatments asking if they will be done together or separately.

Response 5: Adverse effects to non-target species will be avoided by implementing best management practices while using chemicals. Examples include limiting or prohibiting use during high wind days, using the proper equipment for the need such as backpack sprayers with nozzles which limit atomization of herbicides, or, as the integrated pest management (IPM) process dictates, using non-chemical means to achieve the same goals if using such means is feasible for the species and population. Efficacy of method application is well established for most species within the IPM process and this information will be used while planning treatment options.

While desert plants are slow to respond to some environmental factors, their response to herbicide is evident much faster (and often specified on the herbicide label). The NPS acknowledges in the EA that herbicide use may adversely affect some native plants within and next to treatment areas. For this reason, vegetation will be monitored after treatments and subsequent management decisions will be adapted to minimize negative impacts on native vegetation. This project will use only Environmental Protection Agency – approved products in accordance with the herbicide label and implementation of the IPM process will be employed. All chemicals will be approved and reported through the NPS Pesticide Use and Proposal System.

Invasive plant treatments and UVR restoration will be completed concurrently, but there may be locations where UVRs occur in areas where no invasive plants are located. Conversely, there may be areas where invasive species exist where no UVRs are located.

Comment 6: Three comments are about managing outside agencies actions within the project area. One comment requests to ban CBP from operating on these lands unless for human life or imminent danger, restricting CBP to use only administrative roads or roads open to the public and that CPB should otherwise stay within the Roosevelt Reservation.

Response 6: DOI does not have the authority to ban, restrict, or otherwise impede CBP from performing their mission. The 2006 MOU provides the mechanism for CBP and DOI land management agencies to

achieve their respective missions including use of lands designated as wilderness. Recent negotiations have resulted in a number of advances that will reduce the amount of UVR creation, evaluate, and consider requests for proposed temporary tactical infrastructure and restore areas after their use. Though the Service Biological Opinion for *SBI_{net}* had hoped to achieve interdiction at the border and mostly use authorized roads, the state goals have not yet been achieved. Therefore, interdiction must occur at this time on a landscape scale and the DOI will work with CBP to help them be successful while managing public lands, wilderness values, and other important resources. The CBP continues to evaluate resources, new tactical infrastructure, and install new technologies within DOI-managed lands and these advances will help realize the goals set for the in the *SBI_{net}* Biological Opinion.