

**NEPA COMPLIANCE RECORD
CATEGORICAL EXCLUSION (CX)
Tucson Field Office**

NEPA #: DOI-BLM-AZ-G020-2013-0004-CX

Serial/Case File No. N/A

Proposed Action Title/Type: **Empire Ranch Huachuca House Foundation
Repairs and Improvements**

Location of Proposed Action (include name of 7.5 topographic map): South and east of the Huachuca House at Empire Ranch Historic Site, Las Cienegas National Conservation Area, Pima County, Arizona.

Legal description T. 19 S, R.17 E, Sec.18.

EMPIRE RANCH, AZ USGS 7.5' Topo map

- 1) Description of Proposed Action: Remove sediment from the exterior of the south wall to a depth of at least 6 inches below the top of the concrete stem wall.
- 2) Create a shallow swale at least five feet from and parallel to the south side so that runoff flows toward lower ground to the west of the building. The swale will have a minimum slope of 3% downward to the west. Ground between the Huachuca House and the swale will slope downward at least 8% to the south (toward the swale).
- 3) Construct a continuation of an existing berm that crosses the paddock above (south of) the area from SE to NW, so that it prevents runoff from the area including the windmill and South Barn. Fill will be obtained on-site or brought in from an approved site.

Applicant (if any): BLM/Empire Ranch Foundation

PART I: PLAN CONFORMANCE REVIEW. This proposed action is subject to the following land use plan: Las Cienegas National Conservation Area Resource Management Plan and Environmental Statement (2003). This proposal would be consistent with management direction in the LCNCA Resource Management Plan. The proposed action has been reviewed and determined to be in conformance with this plan (43 CFR 1610.5, BLM MS 1617.3).

/S/
Chris Schrager
Historic Preservation Specialist

 12/17/12
Date

PROGRAM CONSULTATION & COORDINATION/CX CHECKLIST
BUREAU OF LAND MANAGEMENT
TUCSON FIELD OFFICE

PART II: CATEGORICAL EXCLUSION REVIEW

NEPA #: DOI-BLM-AZ-G020-2013-0004-CX

ASSIGNMENT AND REVIEW

Subactivity: 1110

Project Name: **Empire Ranch Huachuca House Foundation Repairs and Improvements**

Location (legal description): **T. 19 S, R.17 E, Sec.18**

NLCS Unit: **Las Cienegas National Conservation Area**

Quad Name: **Empire Ranch, AZ 7.5'**

Project Lead: **Chris Schrager, TFO**

Technical Review:

Applies?	NAME	EXCEPTION	SIGNATURE	DATE
NO		(1) Have Significant adverse effects on public health or safety?	NEPA TEAM	12/03/2012
NO		(2) Have adverse effects on such unique geographic characteristics as historic or cultural resources, parks, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains or ecologically significant or critical areas including those listed on the Department's National Register of Natural Landmarks.	NEPA TEAM	12/03/2012
NO		(3) Have highly controversial environmental effects	NEPA TEAM	12/03/2012
NO		(4) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	NEPA TEAM	12/03/2012
NO		(5) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	NEPA TEAM	12/03/2012
NO		(6) Individually Insignificant, but cumulatively significant effects.	NEPA TEAM	12/03/2012
NO		(7) Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places.	NEPA TEAM	12/03/2012
NO		(8) Have adverse effects on species listed on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.	NEPA TEAM	12/03/2012
NO		(9) Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	NEPA TEAM	12/03/2012
NO		(10) Have a disproportionately high and adverse effect on low income or minority populations.	NEPA TEAM	12/03/2012
NO		(11) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners.	NEPA TEAM	12/03/2012
NO		(12) Contribute to the introduction, continuation existence, or spread of noxious weeds or non-native invasive species.	NEPA TEAM	12/03/2012

Final Review:

Unit Manager/Supervisor: _____ /S/ _____ Date: _____ 12/17/2012 _____

Markian Rekshynskyj
NLCS Manager, San Pedro RNCA and Las Cienegas NCA

Environmental Coordinator: _____ /S/ _____ Date: _____ 12/17/2012 _____

Amy Markstein
Planning and Environmental Coordinator

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, Appendix 4.I – Emergency Stabilization: *Planned actions in response to wildfires, floods, weather events, earthquakes, or landslips that threaten public health or safety, property, and/or natural and cultural resources.*

This categorical exclusion is appropriate in this situation because failure to immediately intervene and mitigate floodwater runoff will result in further deterioration of the structure's foundation. It has been reviewed to determine if any of the exceptions described in 516 DM 11.9, Appendix 4, apply.

The action does not have significant adverse effects on public health and safety nor does the action adversely affect such unique geographic characteristics as historic or cultural resources, parks, recreation, or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks. The action will not have highly controversial or highly uncertain environmental effects. It will not involve unique or unknown environmental risk, nor does it adversely affect a species listed or proposed to be listed on the list of endangered or threatened species. It does not establish a precedent for future action or represent a decision in principle about a future consideration with significant environmental effects or related to other actions with individually insignificant but cumulatively significant environmental effects. The proposed action does not adversely affect properties listed or eligible for listing in the National Register of Historic Places or threaten to violate a Federal, State, local or tribal law or requirements imposed for the protection of the environment or which require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands) or the Fish and Wildlife Coordination Act.

Mitigation Measures/Stipulations:

1. Any archaeological or historical artifacts or remains, or vertebrate fossils discovered during operations shall be left intact and undisturbed; all work in the area shall stop immediately; and a BLM Cultural Resource Specialist notified immediately. Commencement of Operations shall be allowed upon clearance by the Cultural Resource Specialist.
2. An additional cultural and paleontological resource survey may be required in the event the project location is changed, or additional surface-disturbing operations are added to the project after the initial survey. Any such shall be completed prior to commencement of operations.

3. If in connection with operations under this authorization, any human remains, funerary objects, sacred objects or objects of cultural patrimony as defined in the Native American Graves Protection and Repatriation Act (16 U.S.C. 4701-4701; Stat. 3048; 25 U.S.C. 3001) are discovered, the permittee/ contractor shall stop operations in the immediate area of the discovery, protect the remains and objects, and immediately notify the Tucson Field Office manager of the discovery. The permittee/ contractor shall continue to protect the immediate area of the discovery until notified by the Tucson Field Office Manager that operations may resume.

Part III: DECISION. I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed action does not conflict with major land-use-plans and will not have any major adverse impacts on other resources. Therefore, it does not represent an exception, and is categorically excluded from further environmental review. It is my decision to implement the project, as described, with the mitigation measures attached.

Authorized Official: /S/ (Claire Crow for Brian Bellew) Date: 12/17/2012
Brian B. Bellew
Tucson Field Office Manager