

**KINGMAN FIELD OFFICE SCOPING FORM**

**Proposal:**

DOI-BLM-AZ-C010-2013-0010-EA \_\_\_\_\_

S:\Blmshare\LANDS\Freeport\_McMoran\AZA33811

NEPA Document Number \_\_\_\_\_ RMP Implementation No. \_\_\_\_\_

Document Location

**Land Description:**

G&SRM

T. 14 N., R. 9 W., sec. 8 SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>; sec. 17, lot 3.

**Applicant:** Freeport McMoran Bagdad, Inc.

**Authorization:** Right-of-Way

INVOLVEMENT: Indicate in the left column which disciplines need to provide information into the EA.

Needed Input (X)	Discipline	Signature
	Lands	
	Minerals	
	Range	
	Wild Horse and Burro	
	General Recreation	
X	Cultural and Paleontological Resources	/s/ Tim Watkins 01/10/2013
	Wilderness	
	Soils	
	Surface and Groundwater Quality/Water Rights	
	Air Quality	
X	Wildlife	/s/ Rebecca L. Peck 01/22/2013
X	Threatened and Endangered Plants and Animals	/s/ Rebecca L. Peck 01/22/2013
X	Migratory Birds	/s/ Rebecca L. Peck 01/22/2013
	Surface Protection	
	Hazardous Materials	
	Areas of Critical Environmental Concern	
X	Visual Resources	
	Socio-Economics/Environmental Justice	
	General Botany/Noxious Weeds	
	Energy Policy	

Writer:  /s/ Melissa Patriquin \_\_\_\_\_

Date:  12/30/2012 \_\_\_\_\_

Environmental Coordinator:  /s/ Ramone B. McCoy \_\_\_\_\_

Date:  01/22/2013 \_\_\_\_\_

Field Manager:  /s/ Ruben A. Sánchez \_\_\_\_\_

Date:  01/25/2013 \_\_\_\_\_

## ENVIRONMENTAL ASSESSMENT

EA Number: DOI-BLM-AZ-C010-2013-0010-EA Lease/Serial Case File No. AZA 33811

Bureau of Land Management, Kingman Field Office

Proposed Action Title/Type: Right-of-Way (ROW) for a 12.5 kV power line

Location of Proposed Action:  
G&SRM

T. 14 N., R. 9 W.,  
sec. 8 SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>;  
sec.17 lot 3.

Applicant (if any): Freeport McMoran Bagdad, Inc.  
PO Box 245  
Bagdad, AZ 86321-0245

### 1.0 BACKGROUND AND GENERAL DESCRIPTION

Freeport McMoran Bagdad Inc. (FMBI) has applied for a right-of-way (ROW) for an existing 285 ft. expanse of 12.5 kV power line north of the Bruce Mine within section 17 and a 205 ft. section of the distribution line along with two power poles within section 8. Both of these portions of the power line crosses public land managed by the Bureau of Land Management (BLM). The power poles are one each of a two pole structure and a three pole structure (Photo Point Map, 1 and 2).

The distribution line originates from a substation located on FMBI property and supplies power to a system that pumps storm water from the Old Bruce Mine back to an impoundment, on FMBI property. There are three collection ponds within FMBI property in section 20 that capture storm runoff. The two higher ponds are gravity fed into the lower pond where all of the water is pumped back to the mine using the pipeline under BLM ROW AZAR 012048.

### 2.0 CONFORMANCE WITH APPLICABLE LAND USE PLAN:

This proposed action is in conformance with the Kingman Resource Management Plan approved March 1995.

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 decisions (objectives, terms, and conditions): Pages 66 and 67 of the RMP, a portion of item 2 of the errata sheet issued with the RMP/FEIS, and Decision L13a/V states “All other minor rights-of-way would be evaluated through the environmental review process and granted or rejected on a case-by-case basis. Existing rights-of-way would be used when possible to minimize surface disturbance.”

The proposed action would be a minor ROW.

### 3.0 PURPOSE AND NEED FOR PROPOSED ACTION:

The need for the proposed action is to process the application (SF299 “Application for Transportation and Utility Systems and Facilities on Federal Lands”) received August 31, 2012 and submitted by Freeport McMoran Bagdad Inc. The need for the action is established by the BLM’s responsibility under the Federal Land Policy Management Act to respond to a request for a ROW Grant for facilities on public land.

#### **4.0 DESCRIPTION OF PROPOSED ACTION ALTERNATIVE**

The proposed action would be to grant a ROW to FMBI for a 12.5kV power line that is 50 feet wide and an aggregate of 490 ft. long. This would include a 285 ft. expanse of 12.5 kV overhead distribution line in section 17 as well as two power poles and a 205 ft. section of the same distribution line within section 8 of the same Township. The power line and poles are currently in operation and the granting of this ROW would allow for compliance.

Access to the power line for the purpose of maintenance and termination of the power line in section 8 would be from the sections west of the ROW from property owned by FMBI. The power poles in section 17 are located within private lands. The ground disturbance within BLM land that could be a result from maintenance or the decommissioning of the line would be limited to a 12 ft. width access road and an area limited to 25 ft. radius around the two power poles within the ROW.

Any disturbance to the land from the maintenance or decommissioning outside of the 12 ft. width or the 25 ft. radius discussed above would require rehabilitation including raking out the tracks and the proponent may be required to reseed the area upon the Authorized Officers request.

#### **5.0 DESCRIPTION OF NO ACTION ALTERNATIVE**

The ROW would not be granted and the power line that is in existence would be in trespass and FMBI would need to remove the power line. This alternative would result in the same environmental impacts as not granting the ROW.

#### **6.0 AFFECTED ENVIRONMENT/ENVIRONMENTAL IMPACTS:**

The affected environment was considered and analyzed by an interdisciplinary team as documented in the KFO Project Scoping Form found in the Administrative Record for this proposal. Resources of concern that are either not present in the project area or would not be impacted to a degree that requires detailed analysis will not be discussed here. Resources which could be impacted by the proposed action or alternatives are discussed below.

This section describes the existing conditions of the environment and expected impacts. The table below summarizes the resources reviewed for this project. Resources not present within the project study area, as well as those present and not affected, are not discussed. Those resources that have been identified by an interdisciplinary team as present and potentially affected are discussed further on the following page.

PROJECT RESOURCE review

Resources Considered	Not Present	Present and Not Affected	Present and/or Potentially Affected
Air Quality*	X		
Areas of Critical Environmental Concern*	X		
Cultural and Historic*	X		
Environmental Justice* / Socioeconomics	X		
Floodplains*	X		
Grazing	X		
Hazardous or Solid Waste*	X		
Invasive and Non-native Species*	X		
Land Use	X		
Migratory Birds*			X
Native American Religious Concerns*	X		
Prime and Unique Farmland*	X		
Threatened and Endangered Species*	X		
Vegetation			X
Visual Resources		X	
Water Quality*		X	
Wetland or Riparian Zones*	X		
Wild and Scenic Rivers*	X		
Wilderness*	X		
Wildlife			X

\* Consideration Required By Law or Executive Order

**Expected impacts from the Proposed Action include the following:**

**7.0 Biological Resources:**

**7.1**

**Vegetation**

The vegetation that would be disturbed is the 285 feet of public land that would be driven on when maintenance to the power poles in section 8 would be required. The width of the disturbance during this maintenance would be kept to 12 feet. In the event disturbance affects outside of this 12 ft. area the additional disturbed area would be rehabbed. This would include raking out the tracks and could include reseeding of the area if the Authorized Officer deems necessary.

**7.2**

**Wildlife and Migratory Birds**

During maintenance and decommissioning of the power line, wildlife and migratory birds would potentially be disturbed by the driving of the vehicles and the presence of humans.

**8.0 Other:**

**8.1**

**Noise**

There would be noise from the truck during maintenance and the decommissioning of the power line. The noise would be from the presence of humans along with either a half ton or a one ton pick-up truck that would be used for maintenance.

## **9.0 Expected impacts from the No Action Alternative**

### **9.1**

#### **Impacts from No Action Alternative**

The impacted area would be the same as the proposed Action alternative. Vehicles would access the power poles in order to decommission the power line and remove the poles resulting in an area disturbed that would be the same as described above, but would be a one-time occurrence.

#### **PERSONS/AGENCIES CONSULTED:**

Tim Watkins, Archeologist (BLM)

Rebecca Peck, Biologist (BLM)

Preparer(s): Melissa Patriquin

Environmental Coordinator: Ramone McCoy

Bureau of Land Management, Kingman Field Office  
FINDING OF NO SIGNIFICANT IMPACT

**NEPA Document Number:** DOI-BLM-AZ-C010-2013-0010-EA

Finding of No Significant Impact: Based on the analysis of potential environmental impacts contained in the attached environmental assessment, I have determined that impacts are not expected to be significant and an environmental impact statement is not required.

/s/ Ruben A. Sánchez  
Field Manager, Kingman

01/25/2013  
Date

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DECISION RECORD

**NEPA Document Number:** DOI-BLM-AZ-C010-2013-0010-EA

**Decision:**

To grant right-of-way AZA-33811 as described in section 4.0, the Proposed Action of the environmental analysis (EA) numbered DOI-BLM-AZ-2013-0010-EA.

**Rationale for Decision:**

I have reviewed the proposed action and have found it to be in conformance with the LUP as described in section 2.0 in the aforementioned EA.

The granting of this right-of-way would benefit Freeport McMoran Bagdad Inc. (FMBI) by providing power to a pump station that pumps runoffs water to FMBI's mine.

**Stipulations:**

See attached right-of-way grant.

/s/ Ruben A. Sánchez  
Field Manager, Kingman

01/25/2013  
Date

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
RIGHT-OF-WAY GRANT/TEMPORARY USE PERMIT

SERIAL NUMBER AZA 33811

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1. A right-of-way is hereby granted pursuant to Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761).

2. Nature of Interest:

a. By this instrument, the holder:

Freeport McMoran Bagdad, Inc.  
PO Box 245  
Bagdad, AZ 86321-0245

receives a right to construct, operate, maintain, and terminate a 12.5 kV power line within the following described public lands:

Gila and Salt River Meridian, Arizona

T. 14 N., R. 9 W.,  
sec. 8 SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>;  
sec.17, lot 3 and 4.

- b. The right-of-way granted herein is 50 feet wide, 490 feet long, and aggregates 0.5624 acres, more or less.
- c. This instrument will expire on December 31, 2043 unless, prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.
- d. This instrument may be renewed. If renewed, the right-of-way or permit shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest.
- e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

3. Rental:

This grant is exempt from rental charges provided that the facilities occupying the right-of-way meet the requirements for such exemptions found at 43 CFR 2806.14, or as per future regulations established by the Secretary of the Interior.

4. Terms and Conditions:

- a. This grant or permit is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations parts 2800 and 2880.
- b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 90 days, or otherwise disposed of as directed by the authorized officer.
- c. Each grant issued for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.
- d. The stipulations, plans, maps, or designs set forth in Exhibits A and B dated January 14, 2013, attached hereto, are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.
- e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.
- f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant or permit.

\_\_\_\_\_  
(Signature of Holder)

\_\_\_\_\_  
(Signature of Authorized Officer)

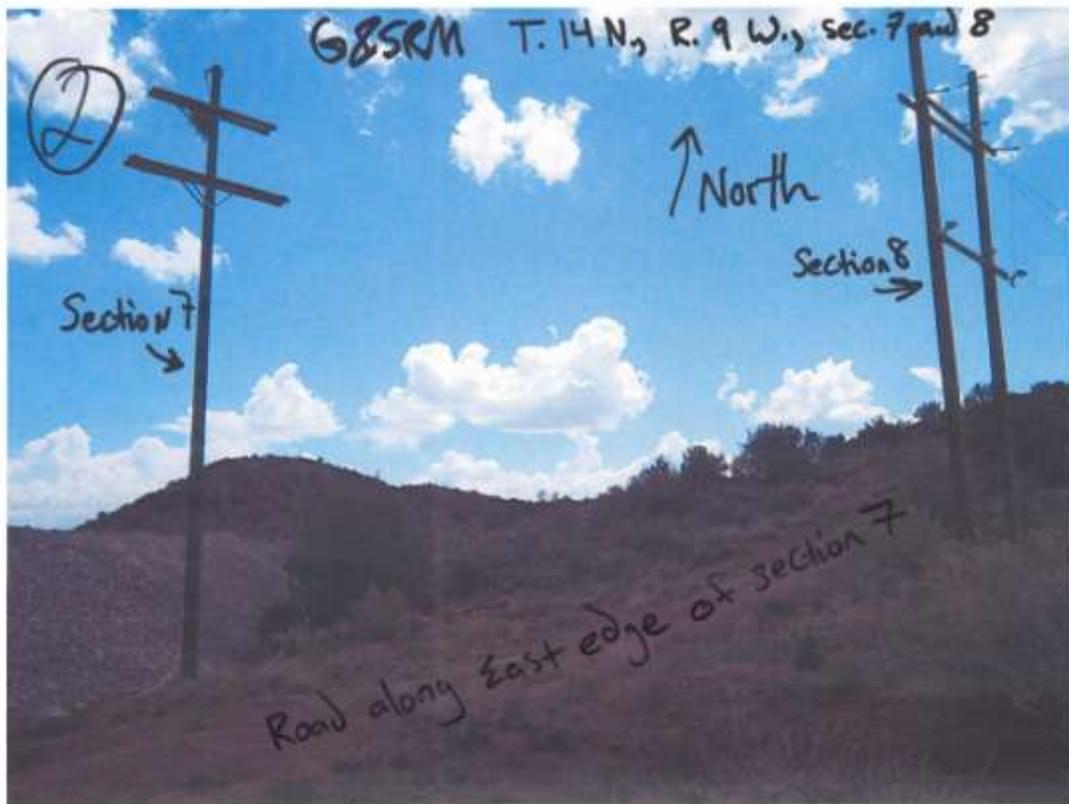
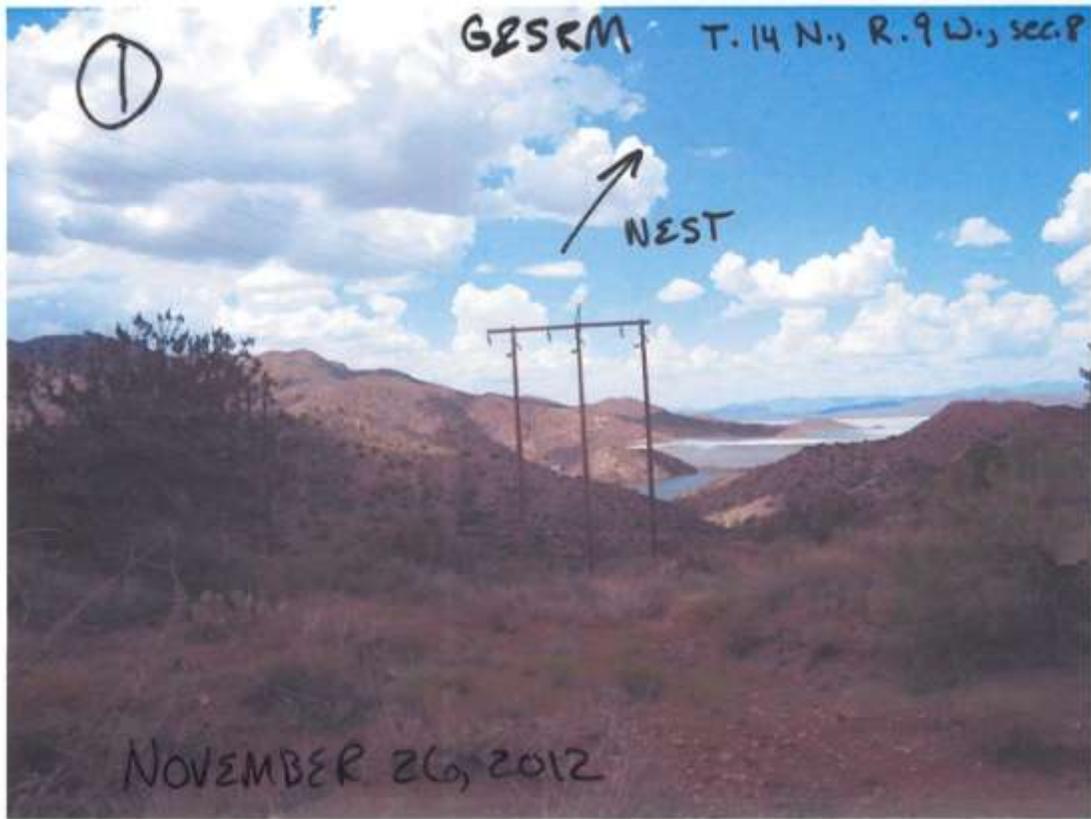
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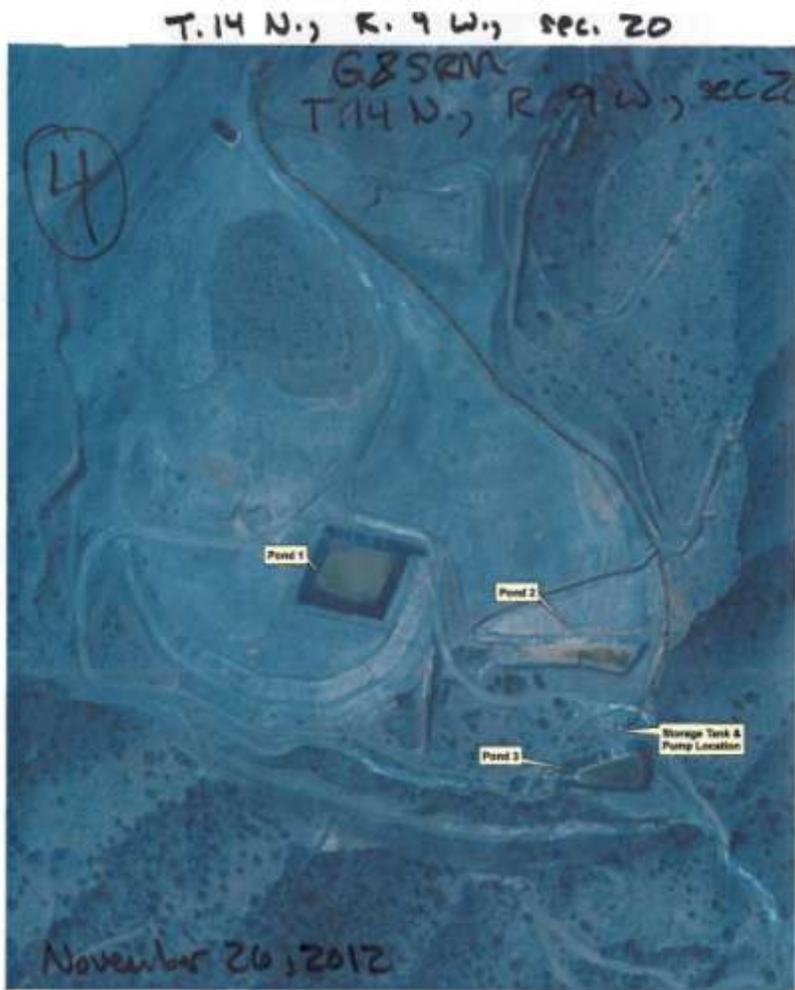
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\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Effective Date of Grant)







	<p><b>Legend</b></p> <p>--- 100' Scale Profile</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10px;">[Symbol]</td> <td>Water Main</td> </tr> <tr> <td>[Symbol]</td> <td>Sanitary Sewer</td> </tr> <tr> <td>[Symbol]</td> <td>Storm Sewer</td> </tr> <tr> <td>[Symbol]</td> <td>Proposed</td> </tr> <tr> <td>[Symbol]</td> <td>Existing</td> </tr> </table>	[Symbol]	Water Main	[Symbol]	Sanitary Sewer	[Symbol]	Storm Sewer	[Symbol]	Proposed	[Symbol]	Existing
[Symbol]	Water Main												
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AZA-33811  
Exhibit B  
Terms and Conditions  
January 14, 2013

1. The Holder shall conduct all activities associated with the construction, operation, and termination of the right-of-way within the authorized limits of the right-of-way.

2. A copy of these stipulations, including exhibits and the Plan(s) of Development (if required), shall be on the project area and available to persons directing equipment operation.

3. Any cultural or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land will be immediately reported to the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.

4. Disposal of all liquid or solid waste produced during operation of this right-of-way shall be in an approved manner so it will not impact the air, soil, water, vegetation, and animals.

5. Holder shall not violate applicable air and water quality standards or related facility siting standards established by or pursuant to applicable Federal and State law.

6. Construction sites shall be maintained in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.

7. Holder shall maintain the right-of-way in a safe, useable condition, as directed by the Authorized Officer. (A regular maintenance program shall include, but not be limited to, soil stabilization.)

8. The Holder shall be responsible for weed control on disturbed areas within the limits of the right-of-way. The Holder is responsible for consultation with the Authorized Officer and /or local authorities for acceptable weed control methods within limits imposed in the grant stipulations.

9. Use of pesticides shall comply with the applicable Federal and state laws. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the secretary of the Interior. Prior to the use of pesticides, the Holder shall obtain from the Authorized Officer written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the Authorized Officer. Emergency use of pesticides shall be approved in writing by the Authorized Officer prior to such use.

10. Ninety days prior to termination of the right-of-way, the Holder shall contact the Authorized Officer to arrange a joint inspection of the right-of-way. This inspection will be held to agree to an acceptable termination (and rehabilitation) plan. This plan shall include, but is not limited to, removal of facilities, drainage structures, or surfacing material, recontouring, topsoiling, or seeding. The Authorized Officer must approve the plan in writing prior to the Holder's commencement of any termination actions.

11. The Holder of this right-of-way grant, or the Holder's successor in interest, shall comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and the regulations of the Secretary of the Interior issued pursuant thereto.

12. The surface disturbing activities on the right-of-way shall be limited to an access road 14 feet wide and an aggregate of 490 feet long and an area not to exceed 50 feet in diameter around each of the two power poles within the right-of-way.

13. If surface disturbing activities occur outside of the areas specified above those areas must be raked out and the Authorized Officer may require further rehabilitation including reseeded.

13. At the time the power poles within the right-of-way area are replaced, significantly modified and or maintained those power lines shall be constructed in accordance to standards outlined in "Suggested Practices for Raptor Protection on Power lines," Raptor Research Foundation, Inc., 1981. The Holder shall assume the burden and expense of proving that pole designs not shown in the above publication are "eagle safe." Such proof shall be provided by a raptor expert approved by the Authorized Officer. The BLM reserves the right to require modifications or additions to all power line structures placed on this right-of-way, should they be necessary to ensure the safety of large perching birds. Such modifications and/or additions shall be made by the Holder without liability or expense to the United States.