

KINGMAN FIELD OFFICE SCOPING FORM

Proposal: Accept donation of 319.8 acres from Arizona Department of Transportation to resolve 98.8 acres of tortoise habitat impacts resulting from the State Route 68 highway improvement project.

NEPA Document Number
DOI-BLM-AZ-C010-2013-0039-EA

RMP Implementation No.

Document Location
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Land Description: T.21N., R.20W. Sec. 11, G&SRM

Applicant: BLM

Authorization:

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

Needed Input (X)	Discipline	Signature
X	Lands	/s/ Andy Whitefield
X	Minerals	/s/ Paul Misiaszek
	Range	
	Wild Horse and Burro	
	General Recreation	
X	Cultural and Paleontological Resources	/s/ Tim Watkins 07/15/2013
	Wilderness	
	Soils	
	Surface and Groundwater Quality/Water Rights	
	Air Quality	
X	Wildlife	/s/ Rebecca L. Peck 07/22/2013
X	Threatened and Endangered Plants and Animals	/s/ Rebecca L. Peck 07/22/2013
X	Migratory Birds	/s/ Rebecca L. Peck 07/22/2013
	Surface Protection	
	Hazardous Materials	
X	Areas of Critical Environmental Concern	/s/ Rebecca L. Peck 07/22/2013
	Visual Resources	
	Socio-Economics/Environmental Justice	
	General Botany/Noxious Weeds	
	Energy Policy	

Writer: /s/ John Reid

Date: 07/02/2013

Environmental Coordinator: /s/ Ramone B. McCoy

Date: 07/02/2013

Field Manager: /s/ Don McClure

Date: 07/02/2013

ENVIRONMENTAL ASSESSMENT, FONSI and DR FORM

EA Number: DOI-BLM-AZ-CO10 2013-0039EA Lease/Serial Case File No.: N/A

Bureau of Land Management (BLM), Kingman Field Office

Proposed Action Title/Type: Union Pass 319.8 acre Desert Tortoise Habitat Acquisition

Location of Proposed Action: T21N, R20W, sec.11, G&SM, Mohave County, Arizona (see map).

Applicant: BLM

CONFORMANCE WITH APPLICABLE LAND USE PLAN

This proposed action is in conformance with the Kingman Resource Management Plan approved March 1995. This action is not specifically addressed in the RMP. Acquisition of this habitat helps to implement the following RMP decisions.

LR-07 Retain and acquire lands not identified for disposal and in areas of blocked public ownership.

TE-03 BLM will manage for conservation of candidate and BLM-sensitive species and their habitats. BLM will ensure that actions authorized will not contribute to the need to list any of these species as threatened or endangered (page 29).

TE-05 Unavoidable impacts or land use actions resulting in net loss of to the quantity or quality of desert tortoise habitat would require compensation in the form of other equally suitable desert tortoise habitat in the Kingman Resource Area (field office). (Page 54)

WL02 Thirteen wildlife movement corridors and lands between mountains in southern Mohave County are proposed to ensure that biotic diversity is maintained (Map 20, Page 82).

WL11 Acquire non-federal lands that are within critical desert bighorn sheep habitat (Page 576, Appendix 30).

NEED FOR PROPOSED ACTION

During the realignment and construction on State Route 68, west of Kingman, Arizona, the Arizona Department of Transportation (ADOT) affected 98.8 acres of Category III Sonoran desert tortoise habitat. Mitigation measures applied to the project require that ADOT compensate the Federal Government for residual habitat loss at a ratio of 1:1, one acre for one acre. This acquisition/donation project is required to meet the objectives of the highway mitigation measures and help preserve the integrity of desert tortoise habitat by creating a habitat block of contiguous federal ownership. Additional benefits include preserving a desert bighorn sheep highway crossing, preserving a riparian habitat, preserving prehistoric Native American use areas, and preserving and interpreting historic Anglo American activities and use areas.

DESCRIPTION OF PROPOSED ACTION ALTERNATIVE

BLM proposes to accept donation of 319.80 acres (296.67 acres of surface estate, and 23.13 acres of both mineral and surface estate) as described above, from Arizona Department of Transportation (ADOT).

DESCRIPTION OF NO ACTION ALTERNATIVE

BLM would not accept the donation of lands described above.

GENERAL SETTING

The parcel is located approximately 20 miles west of Kingman, Arizona in the southern end of the Black Mountains, within the Black Mountains Area of Critical Environmental Concern (ACEC). The parcel has

no legal access and the nearest jeep trail is one-half mile to the east on the south side of State Route 68 (SR68). Access to the parcel from SR 68 means parking approximately one half mile from the site and walking along an unmaintained desert wash.

The vegetation community is Mohave Desert Scrub which includes creosotebush, bush encelia, catclaw, white bursage, flattop buckwheat, Mohave yucca, and a variety of cacti.

Ownership of the surface and mineral estates of portions of this property has been split. The surface estate is owned by ADOT along with 23.13 acres of the mineral estate. The remaining 296.67 acres is split, with the mineral estate held by Burlington Northern Santa Fe (BNSF) Company and the surface held by ADOT. The area is a large intermountain basin with large rock or boulder outcroppings and there is no history of historic mining or mineral exploration activity on the property. There is no expectation of further mineral extraction due to the lack of legal access.

Native American quarrying and tool making appears to have occurred on the property and part of this property was occupied by Anglo Americans.

CRITICAL ELEMENTS

The Critical Elements of the Human Environment (BLM Handbook H-1790-1) were considered during this project with respect to the proposed action and the no action. The table below lists the critical elements and pertinent comments on each. Elements not affected by the Proposed Action or alternative will not be discussed further in this EA.

Critical Element	Comment
Air Quality	No effect, there is no proposal for ground disturbing actions that would create dust.
ACECs	Yes, this parcel is located within the Black Mountains Ecosystem Management Area of Critical Environmental Concern.
Cultural Resources	Yes, there is evidence of Native American tool making and quarry on the parcel.
Farmlands, Prime/Unique	A historic orchard was located on this parcel.
Floodplains	No floodplains are located on this parcel.
Nat. Amer. Rel. Concerns	Yes, geologic promontories and springs within the property have been identified on the Hualapai Tribe’s cultural atlas.
Environmental Justice	No minority or low income residents in the area near the parcel.
Threatened and Endangered Species (T&E)	There would be “no affect” to T&E species or designated critical habitat within the project or action area from the proposed action as no T&E species or critical habitat is present. BLM technical expert knowledge of T&E species habitat requirements and locations and the below references supports this determination. T&E species will not be further evaluated in this EA. The list of T&E species for Mohave County, from the 2013 USFWS website was searched to determine if there was any T&E habitat or critical habitat found within the project area. Additionally, a search of the Arizona Game and Fish Heritage Data Base Management System data base was conducted.

Wastes, Hazardous/Solid	ADOT contracted a Phase I Environmental Site Assessment which was completed by Geotechnical and Environmental Consultants (GEC) in November 2000. All hazards and solid waste were removed from the site at that time.
Water Quality	Changing ownership is not expected to affect water quality
Wetlands/Riparian Zones	The parcel does contain a small spring and riparian/wetland area.
Wild & Scenic Rivers	The parcel does not contain any areas designated as Wild and Scenic Rivers.
Wilderness	The parcel is not in a designated wilderness area.
Noxious/Invasive Weeds	No there are no ground disturbing actions proposed nor is anything proposed that would bring in noxious or invasive weeds.

AFFECTED ENVIRONMENT AND ENVIRONMENTAL IMPACTS

Land Tenure:

Impacts from the Proposed Action: Acquiring the subject parcel would bring portions of section 11 into public ownership and management. BLM would then manage contiguous habitat with the adjacent public lands to the north and south. Public lands ownership would alleviate any impacts from potential future development and allow active management of these 319.8 acres. The surface estate would be managed in accordance with the decisions from the approved Kingman Resource management Plan (1995). The majority of the mineral estate would continue to be managed by BNSF Company.

Impacts from the No Action: The 319.8 acres would remain under ADOT's management and BLM would not obtain the authority to manage the important resources within this area.

Desert Tortoise:

Impacts from the Proposed Action: Donation of this parcel from ADOT to BLM would allow ADOT to complete the mitigation requirements for the SR 68 highway improvement project and compensate for the loss of 98.8 acres of desert tortoise habitat. This parcel is located within the Black Mountains ACEC and Category III Sonoran Desert Tortoise habitat (Kingman RMP 1995). Having this parcel in public ownership would help to achieve the objectives for desert tortoise habitat areas. Acquisition of this parcel would further BLM's objective of managing this species' habitat to avoid the need to federally list and it would help assure that the habitat would remain intact and functional for tortoise by reducing the potential for habitat altering disturbances. Acquisition would assure continued tortoise access to the wildlife crossing that is located on this parcel. The parcel would be managed under the management objectives and prescriptions as described in the Kingman RMP (pg 105). This would further the RMP goal "To promote long-term viability of a desert tortoise population".

Impacts from the No Action: Not acquiring this parcel would result in a net loss of 98.8 acres of tortoise habitat under BLM management. This alternative would not further BLM's objective of managing tortoise's habitat to preclude the need to federally list this species. This habitat could potentially be developed removing this area from habitat the tortoise use. Tortoise could potentially be blocked from moving through the underpass constructed by ADOT thus totally excluding and movement or dispersal of tortoise north and south of SR 68 as this highway is fenced to prevent passage of tortoise.

Migratory Birds:

Impacts from the Proposed Action: Many species of migratory birds nest, winter and forage within the project area. Because there is riparian habitat associated with this parcel this area is particularly important to nesting birds as well as migrating birds. Migratory birds often use riparian areas as stopover areas for resting and foraging during migration.

Impacts as described under the desert tortoise section above would be similar. Nesting, wintering and foraging habitat would be maintained. This alternative would help to promote the long-term viability of migratory birds.

Impacts from the No Action: This habitat could potentially be developed removing this area of habitat that migratory birds use. If this parcel were developed migratory birds could not use this area as stopover habitat during migration.

Bats:

Impacts from the Proposed Action: Several BLM sensitive bat species would forage within the project area. Some may roost in the rock crevices and trees found within the parcel. Many would forage for insects within the riparian zone located on this parcel. Acquisition of this land would maintain this foraging and roosting habitat for bats and would promote the long-term viability of the bat populations that occur within the area.

Impacts from the No Action: The no action alternative would mean this area would be open to private development and possible removal of the riparian and upland habitats found on this parcel. This could potentially remove foraging and bat roosting habitat.

Desert Bighorn Sheep:

Impacts from the Proposed Action: Acquisition of this parcel would allow the BLM to protect the crossing structure (wildlife underpass) from development on the south side. This is an important crossing area for bighorn and wildlife. The Black Mountains have one of the nation's largest herds of desert bighorn sheep. The parcel is located on both sides of SR68 and is within a wildlife movement corridor. It contains a large wildlife crossing structure that is supporting bighorn movements throughout their native range while protecting them and the traveling public from vehicular collisions. This is a critical crossing for bighorn and is important to maintaining the movement of bighorn between the northern and southern Black Mountains.

Impacts from the No Action: Protection of the wildlife crossing structure would not be provided for under the no action alternative. There is potential that this structure could be obstructed through private land development.

Cultural:

Impacts from the Proposed Action: Acquisition of this parcel would serve to protect and allow interpretation of the prehistoric and historic features located here by placing them under federal management. Currently this area is administered by ADOT and closed to the public due to prohibitions on vehicle access and staffing issues. The BLM, Kingman Field Office has proposed the site as an interpretive and education site and intends to use the acquisition to allow active federal management to promote the protection of these resources.

Impacts from the No Action: Not acquiring this parcel leaves the historic structures and tool making and quarry areas open to private development and possible disturbance or destruction of these resources.

Native American Religious Concerns:

Impacts from the Proposed Action: Acquisition of this parcel would allow BLM to take a lead role in conservation and protection of this area, which was used and revered by Native American groups, and in particular, the Middle Mountain Band of Hualapai, for centuries. Preservation of cultural sites is required by the National Historic Preservation Act, as amended. In addition, these sites would be protected under the Archaeological Resource Protection Act if the area was managed by BLM.

Impacts to the No Action: Under the No Action alternative BLM would be unable to manage or protect resources in the parcel.

Area of Critical Environmental Concern:

Impacts from the Proposed Action: Acquisition of this parcel would help the BLM achieve the goals and objectives established for this ACEC. The ACEC was established to maintain balanced resource development while providing for public demand and sensitive resource needs and to protect and enhance special status species habitat and to protect cultural resource. Special status species included the desert tortoise. ACEC objectives outlined in the Kingman RMP that would apply to this acquisition include: Resolve conflicts caused by incompatible activities on private and state lands which affect management of resources on neighboring public lands and promote opportunities for scientific research of ecological and cultural resources. The conflict associated with private land activities such as land development would be resolved. Special status species habitat and cultural resources would be protected with implementation of the proposed action. Acquisition of this parcel would promote opportunities for scientific research of ecological and cultural resources as under BLM ownership there is potential for authorization of such activities.

Impacts from the No Action: Under this alternative ACEC goals and objectives for this area would not be met.

Farmlands:

Impacts from the Proposed Action: The historic orchard located on this parcel is still intact and would remain intact if BLM acquired this parcel. Once the parcel is acquired the BLM would be in a position to protect this historical resource.

Impacts from the No Action: Not acquiring this parcel would leave this orchard open to potential destruction from private land development.

Wetlands/Riparian Zones:

Impacts from the Proposed Action: Once the parcel is acquired the BLM would be in a position to protect the spring and riparian zone from development and surface disturbing activities.

Impacts from the No Action: Not acquiring this parcel would leave the spring and riparian zone open to potential destruction and dewatering from private land development.

Wastes, Hazardous/Solid:

ADOT contracted with Geotechnical and Environmental Consultants Inc. to conduct a Phase I Environmental Site Assessment in 2000. All hazardous waste, solid waste and debris was removed by GEC and disposed of at appropriate facilities under the ADOT contract with supervision from a contract archaeologist. The final report submitted by GEC to ADOT quantifies the type and amount of debris removed.

Impacts from the No Action Alternative: Not acquiring this parcel would leave the parcel open to potential future dumping.

Impacts from the Proposed Action: Once the parcel is acquired, the BLM would be responsible for management of the site including solid waste management.

CUMMULATIVE IMPACTS

The BLM manages large blocks of land in this area including the Black Mountains Area of Critical Environmental Concern (ACEC) and the Mount Nutt Wilderness Area to the south. The mineral estate located on these parcels is owned by ADOT (23.13 acres) and BNSF (296.67 acres). The 23.13 acres of mineral estate owned by ADOT would be transferred to the BLM as part of the donation. It is possible that the 296.67 acres of BNSF mineral estate could be sold to a public or private entity. The parcel lacks legal access so any commercial development of the mineral estate would require a BLM right-of-way to obtain legal access. Mineral extraction would be unlikely in this case because of legal access issues and the availability of the same materials at more desirable accessible locations. Currently there are approximately 400,000 acres within the boundary of the Kingman Field Office where the BLM manages the surface estate but not the mineral estate. The acquisition of this parcel would increase the acreage of split estate to be managed by BLM by 294 acres.

It is unlikely that the parcel would be subject to mineral extraction (no matter who manages the mineral estate) under the current and reasonably foreseeable circumstances e.g., lack of legal access, availability of the same materials at more desirable locations. Information contained in the Black Mountains South G-E-M Resources Area Technical Report supports the above statement. Conclusions from the mineral report are as follows:

“In general, there is a moderate favorability for additional gold and silver mineralization in most of the northern WSA (Mount Nutt Wilderness Study Area) and in limited portions of the southern WSA (warm Springs Wilderness Study Area". In addition, the report states that there is a possibility of zeolites in the northern area.

It must also be noted that salable minerals, including sand and gravel and aggregate, occur in great abundance on this property, with high certainty. It is doubtful, however, that these resources would ever be exploited from the property because of its remoteness, difficult access and the widespread occurrence of these minerals near the property.

DESCRIPTION OF MITIGATION MEASURES AND RESIDUAL IMPACTS

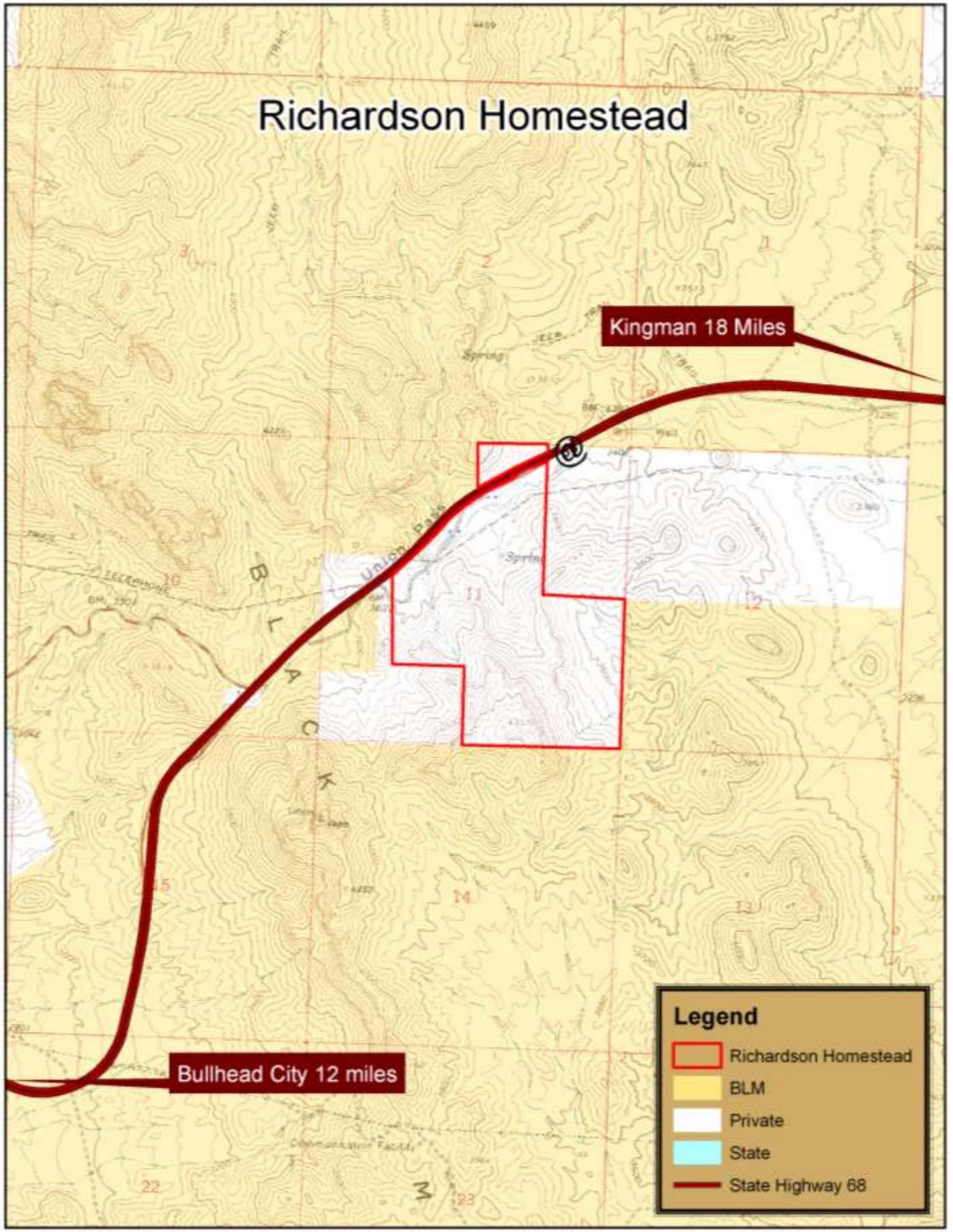
The BLM would hold the remaining 221 acres as mitigation acres against future habitat impacts resulting from ADOT highway improvement projects. There would be no residual impacts from implementation of the proposed action.

PERSONS/AGENCIES CONSULTED:

Arizona Department of Transportation

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Richardson Homestead



DECISION RECORD

DOI-BLM-AZ-CO10 2013-0039EA

Union Pass, 319.8 acre Desert Tortoise Habitat Acquisition

Decision: It is my decision to implement the acquisition of 319.8 acres of desert tortoise habitat at Union Pass, Arizona as described in the Proposed Action of Environmental Assessment No. DOI-BLM-AZ-CO10 2013-0039EA with the stipulation identified below.

Rationale for Decision: Implementation of this decision will compensate for the loss of 98.8 acres of Category III desert tortoise habitat located on public land managed by the BLM as a result of the expansion of SR68. This acquisition of private land that contains Category III tortoise habitat will provide replacement habitat and allow for the protection of a wildlife movement corridor underpass that was constructed by ADOT under SR 68 that benefits not only tortoise movement but the safe movement of desert bighorn sheep and other wildlife. This habitat and corridor will help to assure continued viability of the desert tortoise and other land animals that may use this corridor for movement and dispersal. This decision helps to meet the goals and objectives of the Black Mountain Ecosystem Area of Critical Environmental Concern. This decision allows the BLM to manage for conservation of the desert tortoise which is listed as a candidate species by the Fish and Wildlife Service and allows for the protection and federal management of a Native American quarrying and tool making site as well as a historical site that was occupied by Anglo Americans.

Stipulations to attach to permit/remarks: The BLM would hold (bank) the remaining 221 acres as mitigation acres against future habitat impacts resulting from ADOT highway improvement projects.

Ruben A. Sanchez /s/ Ruben A. Sánchez Date: 07/23/2013

Field Office Manager

Kingman Field Office