

KINGMAN FIELD OFFICE SCOPING FORM

Proposal:
DOI-BLM-AZ-C010-2013-0050-CX
 NEPA Document Number

K:\LANDS\Land Law Examiner\Assignments\GTP
 Document Location

Land Description:

G&SR Meridian, T. 29 N., R. 17 W., Section 34.

Applicant: Global Towers Acquisition Partners II, LLC, 750 Park of Commerce Blvd, Suite 300, Boca Raton, FL 33487

Authorization: Assignment AZA 030116

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

Needed Input (X)	Discipline	Signature
	Lands	
	Minerals	
	Range	
	Wild Horse and Burro	
	General Recreation	
X	Cultural and Paleontological Resources	/s/ Tim Watkins 08/12/2013
	Wilderness	
	Soils	
	Surface and Groundwater Quality/Water Rights	
	Air Quality	
X	Wildlife	/s/ Rebecca I. Peck 08/12/2013
X	Threatened and Endangered Plants and Animals	/s/ Rebecca I. Peck 08/12/2013
	Migratory Birds	
	Surface Protection	
	Hazardous Materials	
	Areas of Critical Environmental Concern	
X	Visual Resources	/s/ Len Marceau 08/12/2013
	Socio-Economics/Environmental Justice	
	General Botany/Noxious Weeds	
	Energy Policy	

Writer: /s/ Maria Troche

Date: 08/12/2013

Environmental Coordinator: /s/ Ramone B. McCoy

Date: 08/12/2013

Field Manager: /s/ Ruben A. Sánchez

Date: 08/13/2013

Categorical Exclusion

Project Name: Assignment of Right-of-Way AZA 030116

NEPA Number: DOI- BLM-AZ-C010-2013-0050-CX

A. Background

BLM Office: Kingman Field Office

Lease/Serial/Case File No.: AZA 030116

Proposed Action Title/Type: Assignment of AZA 030116

Location of Proposed Action:

Gila and Salt River Meridian, Arizona,
T. 29 N., R. 17 W., sec. 34.

Description of Proposed Action: Assignment of Communication Lease AZA 030116, from GTP Structures I, LLC to Global Towers Acquisition Partners II, LLC. AZA 030116 authorizes the use of public lands for a communication site with a tower. Global Towers Acquisition Partners II, LLC agrees to the terms and conditions of the lease and no additional rights would be conveyed beyond those granted by the original lease.

B. Land Use Plan Conformance

Land Use Plan Name: *Kingman Resource Management Plan/EIS*

Date Approved/Amended: March 1995

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

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): *LR13 a/v All other minor rights-of-way would be evaluated through the environmental review process and granted on a case by case basis. Existing rights-of-way would be used when possible to minimize surface disturbance.*

C. Compliance with NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 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 (See Attachment 1), and none of the extraordinary circumstances described in 516 DM2 apply.

I considered that these are existing facilities and no changes in the facilities and improvements nor their operation would occur as a result of the assignment of these. These have not resulted in significant impacts nor is it anticipated that they would.

D. Signature

Authorizing Official: /s/ Ruben A. Sánchez Date: 08/19/2013
(Signature)

Name: Ruben A. Sánchez
Title: Field Manager

Contact Person

For additional information concerning this CX review, contact Maria Troche LLE, 2755 Mission Blvd., Kingman, AZ 86401, (928) 718-3719, mtroche@blm.gov.

Note: A separate decision document must be prepared for the action covered by the CX. See Attachment 2.

Attachment 1: Extraordinary Circumstances	Comment (Yes or No with supporting Rationale)
1. Have significant effects on public health or safety.	No. If assigned, the new holder of communication lease AZA 030116 must be in conformance with the terms and conditions of the original lease, which require for the safe operation of the facilities and equipment.
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness 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; and other ecologically significant or critical areas.	No. No such resources are known to exist in the affected area nor is it anticipated these would be affected.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].	No. The assignment of this lease would not be controversial, nor would it involve conflicts concerning alternative uses of available resources.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	No. AZA 030116 is already authorized and there have been no highly uncertain and potentially significant environmental effects resulting from it; nor have there been unique or unknown environmental risks. It would be anticipated this would remain the same.
5. Establishes a precedent for future action or represents a decision in principle about future actions with significant environmental effects.	No. The assignment of this lease would not establish any precedent. Any substantial deviations from the original lease would require further analysis in accordance with the National Environmental Policy Act.
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	No. No direct relationship to other actions with individually insignificant, but cumulatively significant environmental effects, are anticipated as a result of the assignment of this lease.
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.	No. No listed properties or properties eligible for listing on the National Register of Historic Places are known in the affected area nor is it anticipated any such properties would be affected.
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.	No. AZA 030116 is currently authorized and no significant impacts on sensitive species have occurred. It is anticipated this would continue if the lease is reassigned.
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	No. No laws or requirements for the protection of the environment would be violated as a result of the assignment of this lease.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	No. No distinct populations have been affected differently from these facilities nor is it anticipated any would be affected by the assignment of this lease.
<i>Continued on following page</i>	

<p>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).</p>	<p>No. No sacred sites are known to exist in the affected area nor is it anticipated that the assignment of this lease limit access to any such site or otherwise affect the physical integrity of any sacred sites.</p>
<p>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).</p>	<p>No. The assignment of this lease would not contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species.</p>

DECISION MEMORANDUM
Assignment of Right-of-Way AZA 030116
DOI- BLM-AZ-C010-0050-CX

U.S. Department of the Interior
Bureau of Land Management
Kingman Field Office, Kingman AZ.

Approval and Decision

Based on a review of the project described in the attached Categorical Exclusion documentation and field office staff recommendations, I have determined that the project is in conformance with the Kingman Resource Management Plan (approved March 7, 1995 and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed.

Administrative Review or Appeal Opportunities

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the attached Form 1842-1. If an appeal is made, your notice of appeal must be filed at the Kingman Field Office of the BLM located at 2755 Mission Blvd., Kingman AZ, 86401, within 30 days from receipt of this decision. The appellant has the burden of showing how they are harmed and how the decision appealed from is in error.

If you wish to file a petition (pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993)) (request) for a stay (suspension) of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the Office of the Solicitor (Department of the Interior, Office of the Field Solicitor, Sandra Day O'Connor U.S. Court House #404, 401 West Washington Street SPC44, Phoenix, AZ 85003-2151) (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

Standards for Obtaining a Stay

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

/s/ Ruben A. Sánchez
Ruben Sanchez, Field Manager

08/19/2013
Date

Attachment: Form 1842-1

In Reply Refer To:
LLAZC01000 (2800)
AZA 030116

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

DECISION

GTP Acquisition Partners II, LLC	:	Communications Use Lease
c/o Michael Stone	:	Assignment
750 Park of Commerce Blvd, Suite 300	:	AZA 030116
Boca Raton, FL 33487-3612	:	

Assignment Approved

On July 29, 2013, GTP Acquisition Partners II, LLC filed an application for assignment of Communications Use Lease AZA 030116. This lease, held by GTP Structures I LLC, is within the following described public lands:

Gila and Salt River Meridian, Arizona

T. 29 N., R. 17 W., sec. 34, NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$
containing 1.090 acres, more or less.

In their application, GTP Acquisition Partners II, LLC states their concurrence to abide by the terms and conditions of the grant. Evidence of the holder's concurrence to the assignment has also been provided. Therefore, Right-of-Way AZA 030116 is hereby assigned from GTP Structures I, LLC to GTP Acquisition Partners II, LLC.

A copy of Right-of-Way Grant AZA 030116, as amended, is enclosed for your records.

Ruben A. Sánchez
Field Manager
Kingman Field Office

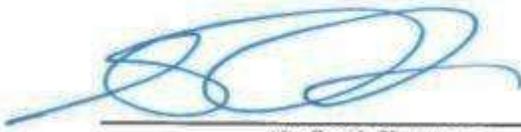
Assignee Agreement

GTP ACQUISITION PARTNERS II, LLC Does hereby make application for
(Applicant - Please Print)

approval of assignment of Right-of-Way AZA-030116
(Serial No.)

GTP ACQUISITION PARTNERS II, LLC agrees to comply with and be bound by
(Applicant - Please Print)

all terms and conditions of the right-of-way grant.



(Applicant's Signature)

SHAWN RUBEN, SECRETARY

8/12/2013

(Date)

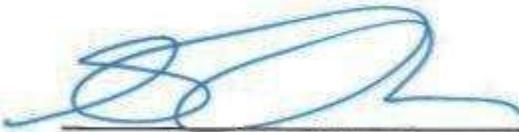
Assignor Consent

GTP STRUCTURES I, LLC Does hereby consent to assign
to
(Assignor's name as shown on right-of-way grant - Please Print)

GTP ACQUISITION PARTNERS II, LLC all undivided right, title, and
interest in
(Name of Applicant as shown on application - Please Print)

and to Right-of-Way AZA-030116, if approved by the United
(Serial No.)

States Department of the Interior, Bureau of Land Management.



(Assignor's Signature)

SHAWN RUBEN, SECRETARY

8/12/2013

(Date)



STATE OF ARIZONA



Office of the
CORPORATION COMMISSION

CERTIFICATE OF GOOD STANDING

To all to whom these presents shall come, greeting:

I, Jodi A. Jerich, Executive Director of the Arizona Corporation Commission, do hereby certify that

*****GTP ACQUISITION PARTNERS II, LLC*****

a foreign limited liability company organized under the laws of the jurisdiction of Delaware did obtain a Certificate of Registration in Arizona on the 30th day of November 2005.

I further certify that according to the records of the Arizona Corporation Commission, as of the date set forth hereunder, the said limited liability company has not had its Certificate of Registration revoked for failure to comply with the provisions of A.R.S. section 29-601 et seq., the Arizona Limited Liability Company Act; and that the said limited liability company has not filed a Certificate of Cancellation as of the date of this certificate.

This certificate relates only to the legal authority of the above named entity as of the date issued. This certificate is not to be construed as an endorsement, recommendation, or notice of approval of the entity's condition or business activities and practices.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Arizona Corporation Commission. Done at Phoenix, the Capital, this 5th Day of August, 2013, A. D.




Jodi A. Jerich, Executive Director

By: _____ 945202

AZ CORPORATION COMMISSION
FILED



01403239

NOV 30 2005 APPLICATION FOR REGISTRATION
OF A FOREIGN LIMITED LIABILITY COMPANY

FILE NO. R.1245208-7

1. The name of the foreign limited liability company is *GTP Acquisition Partners II, LLC.*
2. The company is organized under the laws of Delaware.
3. The date of the company's formation is June 22, 2005.
4. The purpose of the company or the general character of the business it proposes to transact in Arizona is to own and operate telecommunication towers.
5. The name and street address of the statutory agent for the foreign limited liability company in Arizona is National Corporate Research, LTD., 815 North First Avenue, Suite #4, Phoenix, Arizona 85003.

ACCEPTANCE OF APPOINTMENT BY STATUTORY AGENT

I, National Corporate Research, Ltd., having been designated to act as statutory agent, hereby consent to act in that capacity until removed or resignation is submitted in accordance with the Arizona Revised Statutes.

Wayne Rofanelli VP
[Signature]

National Corporate Research, LTD.
[if signing on behalf of a company serving
a statutory agent, print company name here]

6. Management of the limited liability company is reserved to the members. The name and address of member is:

Global Tower, LLC
c/o Marc C. Gunzi, CEO
1801 Clint Moore Road, Suite 215
Boca Raton, FL 33487
(561) 995-0320 - phone
(561) 995-0321 - fax

R 1245208.7

7. The address of the office required to be maintained in the jurisdiction under the laws of which the company is organized is:

160 Greentree Drive, Suite 101
Dover, DE 19904

Executed this 23 day of November, 2005.

GLOBAL TOWER, LLC

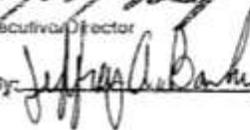
By: 
Marc C. Gauzi, CEO



STATE OF ALASKA
CORPORATION COMMISSION

I hereby certify this to be a true
and complete copy of the document filed
in this office and admitted to record in
File No. R-1245208-7


Executive Director

Dated: 4/21/2008 By: 

Delaware

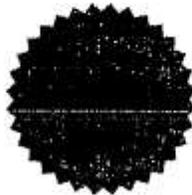
PAGE 1

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF FORMATION OF "GTP ACQUISITION PARTNERS II, LLC", FILED IN THIS OFFICE ON THE TWENTY-SECOND DAY OF JUNE, A.D. 2005, AT 2:51 O'CLOCK P.M.

3989496 8100

050520510



Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 3970363

DATE: 06-22-05

CERTIFICATE OF FORMATION
OF
GTP ACQUISITION PARTNERS II, LLC

The undersigned, an authorized natural person, for the purpose of forming a limited liability company (hereinafter called the "company"), under the provisions and subject to the requirements of the Delaware Limited Liability Company Act, hereby certifies that:

1. The name of the limited liability company is GTP Acquisition Partners II, LLC
2. The address of the registered office and the name and the address of the registered agent of the limited liability company required to be maintained by Section 18-104 of the Delaware Limited Liability Company Act are National Registered Agents, Inc., 160 Greentree Drive, Suite 101, Dover, Delaware 19904.

Executed on June 22, 2005.

/s/ Andra Behrouz
Andra Behrouz
Authorized Person