

Checklist for Interdisciplinary Review of Categorical Exclusions

Document Title: Snowflake Pig Farm Road

Document Number: DOI-BLM-AZ-G010-2014-0005-C | Case File Number: AZA13258

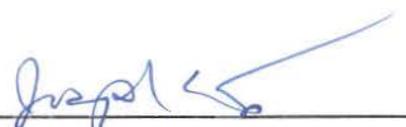
Preparer Name and Title: Ron Peru / Realty Specialist

Date Scoping Initiated:

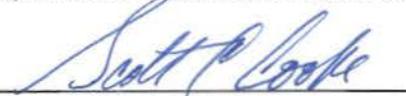
Date Scoping CLOSED:

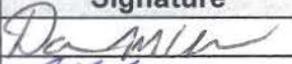
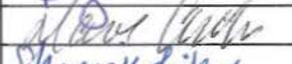
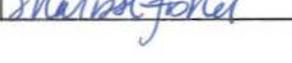

 Thomas J. Schnell, AFM for Non-Renewable Resources

Tim Goodman - Jeff Conn - Heidi Blasius
 Biologist Assigned


 Joe David, AFM for Renewable Resources

NEPA Coord. Assigned


 Scott C. Cooke, SFO Field Manager

Critical Elements and Other Issues	Specialists	Affected		Comments		Document Review Signature	Date
		Yes	No	Yes	No		
1. NRHPP/Cultural	Dan McGrew		✓		✓		4/15/14
2. T&E Species	J. Conn		✓		✓		4/23/14
3. Floodplains/Wetlands	J. David		✓	1	✓		4/23/14
4. Invasive Species	Dave Arthun		✓		✓		4-15-14
5. NEPA Map	Sharisse Fisher		✓		✓		4/18/14

Attachments:

Planning and Environmental Coordinator:



Date: 4/30/14



Date: 4/30/14

Authorized Officer - Reviewed/Recommended

To: Specialists

From: Ron Peru, Realty Specialist

Date: April 1, 2013

Subject: Scoping of proposed Snowflake Pig Farm Road

NEPA Number: DOI-BLM-AZ-G010-2014-0005-CX

Case File: AZA 13258

Location: Gila Salt River Meridian

T. 14 N., R. 21 E., sec. 6, N $\frac{1}{2}$ SW $\frac{1}{4}$;

S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$ W $\frac{1}{2}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$.

Quad: Snowflake, AZ

Any Known Issues: There are not any known issues identified.

DESCRIPTION: Navajo County originally received a ROW for two access roads to the Snowflake Pig Farm approximately 4.9 miles north of Snowflake, Arizona on June 23, 1980. The length of the two access roads are 5327.6 ft. x 33 ft. and 3900.9 ft. x 66 ft. (totaling 9.96 acres). The access roads are located in a portion of G&SRM, T. 14 N., R. 21 E., sec. 6, N $\frac{1}{2}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$ W $\frac{1}{2}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$. On July 23, 2013 the Bureau of Land Management received an application from Navajo County for a new authorization of their expired ROW. No new construction is proposed. The main access road also accommodates a 4 wire cattle fence on the north and south of the gravel road which keeps cattle from wandering onto the access road. Construction roads were completed on February 4, 1985 by Navajo County. There are no known threatened or endangered animal species in the area. Original EA number is AZ-020-0-89.

The Proposed action conforms with the following Land-Use Plan: YES NO

The proposed action conforms with the Phoenix Resource Management Plan (RMP) and Record of Decision dated 1998. According to page 14 of the RMP, "Land use authorizations (rights-of-way, leases, permits, easements) would continue to be issued on a case-by-case basis, in accordance with the recommendations of this RMP/FEIS."

Access: Access to the existing road is off of Arizona State Highway 77 approximately 4.5 miles north of Snowflake, AZ. Look at attached maps.

LAND STATUS IN THE AREA: Lands surrounding area is mostly private and state. See attached map for land status.

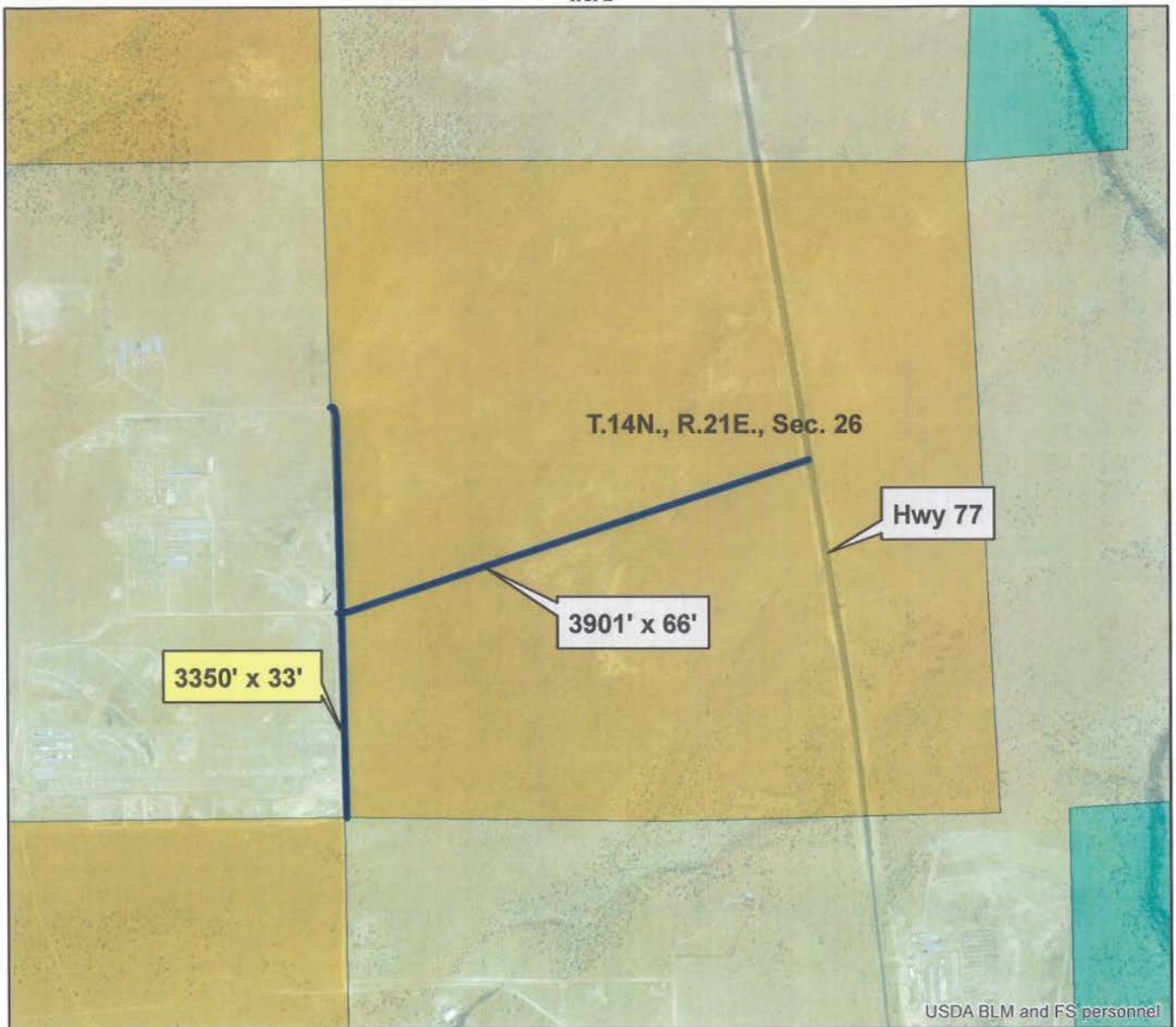
OTHER USES IN THE IMMEDIATE AREA: The lands are used primarily for grazing and mineral development purposes. Recreation, open space, watershed and wildlife habitat are other values present.

The term of the grant will be for 30 years per FLPMA sec. 504 (b) [43 USC 1764] which states "Each right-of-way or permit granted, issued, or renewed pursuant to this section shall be limited to a reasonable term in light of all circumstances concerning the project."

Categorical Exclusion No: 516 DM 6, Appendix 5, E. 9.

This states: "Renewals and assignments of leases, permits or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations."

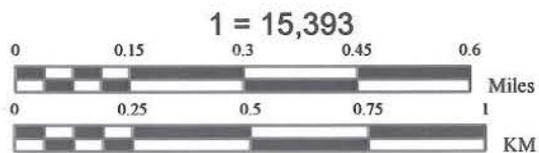
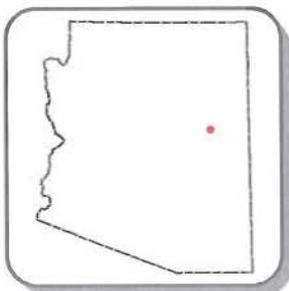
R 21 E



USDA BLM and FS personnel

Legend

- | | | | |
|---------------------------|---|--------------------------------|--|
| Private Lands | Bureau of Land Management (BLM) | BLM Wilderness Area | BLM National Monument |
| State Lands | National Forest Lands (USFS) | Forest Service Wilderness Area | National Conservation Area |
| State Wildlife Area | National Park Service (NPS) | NPS Wilderness Area | Military Reservations/Corps of Engineers |
| City, State, County Parks | USFW Service, National Wildlife Refuges | USFW Service Wilderness Area | Bureau of Reclamation (BOR) |
| County Lands | Indian Lands or Reservations | | |



The Bureau of Land Management (BLM) makes no representations or warranties regarding the accuracy or completeness of this map. This map does not address encroachments or questions of location, boundary, and area, which an accurate survey may disclose. This map is intended and is to be used as an illustration only. The map is merely representational, it and the data from which it was derived are not binding on the BLM and may be revised at any time in the future. The BLM shall not be liable under any circumstances for any direct, indirect, special, incidental, or consequential damages with respect to any claim by any user or any third party on account of or arising from the use of this map or the data from which it was derived.



United States Department of the Interior
 Bureau of Land Management
 Arizona State Office
 Land Status updated as of August, 2010
 Map created on Aug 26, 2013



**NEPA COMPLIANCE RECORD
CATEGORICAL EXCLUSION (CX)**

Safford Field Office

NEPA #: DOI-BLM-AZ-G010-2014-0005-CX

Serial/Case File No. AZA 13258

Proposed Action Title/Type: Renewal of an expired right-of-way (ROW) for an existing access road in Navajo County, AZ.

Location of Proposed Action (include name of 7.5 topographic map):

Gila and Salt River Meridian, Graham County, AZ,
T. 14 N., R. 21 E., sec. 6, N $\frac{1}{2}$ SW $\frac{1}{4}$;
S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$ W $\frac{1}{2}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$.

7.5' topographic map Snowflake Quadrangle, Arizona — Navajo County

Description of Proposed Action: On July 23, 2013 the Bureau of Land Management received an application from Navajo County for a new authorization of their expired ROW of an access road to the Snowflake Pig Farm. No new construction is proposed. The main access road also accommodates a 4 wire cattle fence on the north and south of the gravel road which keeps cattle from wandering onto the access road. Construction roads were completed on February 4, 1985 by Navajo County. Original EA number is AZ-020-0-89.

ACCESS: Access to the existing road is off of Arizona State Highway 77 approximately 4.5 miles north of Snowflake, AZ. Look at attached maps.

LAND STATUS IN THE AREA: Lands surrounding area is mostly private and state. See attached map for land status.

OTHER USES IN THE IMMEDIATE AREA: The lands are used primarily for grazing purposes. Recreation, open space, watershed and wildlife habitat are other values present

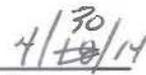
The term of the grant will be for 30 years per FLPMA sec. 504 (b) [43 USC 1764] which states "Each right-of-way or permit granted, issued, or renewed pursuant to this section shall be limited to a reasonable term in light of all circumstances concerning the project."

Applicant: Navajo County

PART I: PLAN CONFORMANCE REVIEW. The proposed action conforms with the Phoenix Resource Management Plan (RMP) and Record of Decision dated 1998. According to page 14 of the RMP, "Land use authorizations (rights-of-way, leases, permits, easements) would continue to be issued on a case-by-case basis, in accordance with the recommendations of this RMP/FEIS."

The proposed action has been reviewed and determined to be in conformance with this plan (43 CFR 1610.5, BLM MS 1617.3).


Specialist Signature


Date

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

PART II: CATEGORICAL EXCLUSION REVIEW

NEPA #: DOI-BLM-AZ-G010-2013-0022-CX

ASSIGNMENT AND REVIEW

Subactivity: 2800

Case/Project No.: AZA13258

Project Name: Renewal of an expired right-of-way (ROW) for an existing access.

Location (legal description): T. 14 N., R. 21 E., sec. 6, N½SW¼;

S½SW¼NE¼, W½W½W½, NW¼NW¼SE¼.

NLCS Unit: NONE

Quad Name: Snowflake Quadrangle, Arizona - Navajo County

Project Lead: Ron Peru

Draft Review: Unit Manager/Supervisor: _____

[Handwritten Signature]

Date: 4/30/14

Technical Review:

Applies? Yes No	NAME	EXCEPTION	SIGNATURE	DATE
() (X)	R.J. Estes	(1) Have Significant adverse effects on public health or safety?	<i>[Signature]</i>	4/23/14
() (X)	RJ ESTES	(2) Have adverse effects on such unique geographic characteristics as principal drinking water aquifers, or wetlands.	<i>[Signature]</i>	4/23/14
() (X)	Todd Murdock	(3) Have adverse effects on such unique geographic characteristics as parks, recreation or refuge lands, wilderness areas, wild or scenic rivers, or ecologically significant or critical areas including those listed on the Department's National Register of Natural Landmarks.	<i>[Signature]</i>	4/30/14
() (X)	Dan McGrew	(4) Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places, on such unique geographic characteristics as historic or cultural resources. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners.	<i>[Signature]</i>	4/30/14
() (X)	Jeff Conn	(5) 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.	<i>[Signature]</i>	4/29/14
() (X)	Dave Arthun	(6) Contribute to the introduction, continuation existence, or spread of noxious weeds or non-native invasive species.	<i>[Signature]</i>	4-18-14
() (X)	Ron Peru	(7) Have highly controversial environmental effects	<i>[Signature]</i>	4/30/14
() (X)	Ron Peru	(8) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	<i>[Signature]</i>	4/30/14
() (X)	Ron Peru	(9) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	<i>[Signature]</i>	4/30/14
() (X)	Ron Peru	(10) Individually Insignificant, but cumulatively significant effects.	<i>[Signature]</i>	4/30/14
() (X)	Tim Goodman	(11) Have a disproportionately high and adverse effect on low income or minority populations.	<i>[Signature]</i>	4/30/14

Final Review:

Environmental Coordinator: _____

[Handwritten Signature]

Date: 4/30/14

This proposed action qualifies as a categorical exclusion under 516 DM 6, Appendix 5. 4. E. 9 (DOI-BLM-AZ-G010-2011-0041). It has been reviewed to determine if any of the exceptions described in 516 DM 2, Appendix 2, apply.

This states: "Renewals and assignments of leases, permits or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations."

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 does not have highly controversial environmental effects nor have highly uncertain environmental effects or 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:

- A. Any archaeological or historical artifacts or remains, or vertebrate fossils discovered during construction, maintenance and use shall be left intact and undisturbed; all work in the area shall stop immediately and the Assistant Field Manager for Non-Renewable Resources shall be notified immediately. Commencement of operations shall be allowed upon clearance by the Assistant Field Manager.
- B. An additional cultural and paleontological resource survey may be required in the event that the project location is changed or additional surface disturbing operations are added to the project after the initial survey. Any such survey would have to be completed prior to commencement of operations.
- C. If in connection with operations under this authorization, any human remains, funerary objects, sacred objects of cultural patrimony as defined in the Native American Graves Protection and Repatriation Act (P.L. 101-601; Stat. 3048; U.S.C. 3001) are discovered, the permittee shall stop operations in the immediate area of the discovery, protect the remains and objects, and immediately notify the Assistant Field Manager for Non-Renewable Resources of the discovery. The permittee shall continue to protect the immediate area of the discovery until notified by the Assistant Field Manager that operations may resume.
- D. The proponent, in concert with the BLM, shall be responsible for weed control (if required) on disturbed areas within the limits of the right-of-way or construction site. The proponent and contractor will be responsible for consultation with the Authorized officer and local authorities for implementing acceptable weed treatment methods. All herbicidal treatments must abide by all safety and application guidelines as listed on the product label and material Data safety sheet (MSDA and comply with: Record of Decision, Vegetation treatments Using Herbicides on BLM lands in 17 Western States, EIS, 2007, Herbicide Active ingredients Approved for Use. When specified any reclamation efforts requiring seeding will be done with certified, weed-free native seed. Contact BLM for approved sources of native seed, certified testing and mixtures.

All herbicidal treatment on (BLM ground or a Government nexus) must meet BLM National

Environmental Policy Act (NEPA) requirements; Record of Decision, Vegetation treatments Using Herbicides On Bureau of Land Management Lands in 17 Western States (Programmatic EIS, 2007). Environmental analysis documents will include an Environmental Assessment (EA) (40 CFR 1506.6 (b) and Pesticide Use Proposal (PUP) prior to any herbicide application. Preparation of an EA and its associated PUP may require several months to complete.

- E. This grant is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations part 2800.
- F. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 180 days, or otherwise disposed of as provided by the authorized officer.
- G. The plans, maps, BMP'S or designs submitted by holder with the original and previously amended applications 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.
- H. Failure of the holder to comply with applicable law or any provision of this right-of-way grant shall constitute grounds for suspension or termination thereof.
- I. All operations shall be performed in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.
- J. All activities directly or indirectly associated with construction, operation and maintenance shall be conducted within the limits of the approved right-of-way. This right-of-way does not allow for any surface disturbing activities outside the right-of-way area.
- K. The holder(s) shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder(s) shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, et.seq.) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.
- L. The holder shall notify the Authorized Officer prior to commencement of emergency maintenance outside the right-of-way to discuss repair and construction activities.
- M. If ground disturbance within the right-of-way is required, the holder is to use BMP's to eliminate the potential for offsite movement of sediment/soil. The BMP's are to include 95% compaction rate, straw waddles, etc.
- N. No construction or routine maintenance activities shall be performed during periods when the soil is too wet to adequately support construction equipment. If such equipment creates ruts in excess of 4 inches deep, the soil shall be deemed too wet to adequately support construction equipment.
- O. The holder must amend the right-of-way grant at any time additional land, equipment, and/or new uses are proposed which are beyond the scope of the existing authorization. This includes significant

maintenance such as upgrades, and/or construction of new roads.

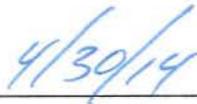
- P. At least 60 days prior to termination of the right-of-way, the holder shall contact the Authorized Officer to arrange a joint inspection of the right-of-way. This inspection will be held to agree to an acceptable termination (and rehabilitation) plan. This plan shall include, but is not limited to, removal of facilities, drainage structures, or surface material, recontouring, top soiling, or seeding. The Authorized Officer must approve the plan in writing prior to the holder's commencement of any termination activities.
- Q. The holder shall notify the Authorized Officer of any address change that occurs during the term of the right-of-way.
- R. Any changes to the authorization require prior written approval from the Authorized Officer.

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: _____



Date: _____



U.S. Department of the Interior
Bureau of Land Management
Gila District
Safford Field office

NEPA supplement for biological assessment and ESA compliance

Action Information

Attach location Map – refer to CX

Action Name: Snowflake Pig Farm Road Right of Way Renewal

EA#: DOI-BLM-AZ-G010-2014-0005-CX

Project Contact: Ron Peru

County: Navajo

Summary of Proposed Action: Application for right of way renewal on existing road.

Summary of the Purpose and Need for Proposed Action: Application for ROW renewal for an existing road.

General Biological Assessment

Watershed: Silver Creek

Vegetative Community (Riparian, Upland etc.): Upland

Affected Species: The BLM Sensitive Springerville pocket mouse (*Perognathus flavus goodpasteri*) are known to occur in the project area and could be negatively impacted by the continued right of way due to potential direct mortality from vehicles and the reduced cover which may increase individuals vulnerability to predation if they venture onto the road.

Affected Habitat: Colorado Plateau, Plains and Great Basin grassland

Recommended Mitigation: Compliance with stipulations will provide adequate mitigation and compliance with Safford District RMP biological opinion.

Threatened and Endangered Species:

County Species List Reviewed: USFWS Information, Planning, and Conservation System

Date: April 30, 2014

Listed Species considered: Mexican spotted owl (*Strix occidentalis lucida*), Southwest willow flycatcher (*Empidonax traillii*), yellow-billed cuckoo (*Coccyzus americanus*), black-footed ferret (*Mustela nigripes*), Mexican gray wolf (*Canis lupus baileyi*), are not known to occur in the project area and are not anticipated to be affected by the proposed action.

There is potential for Chiricahua leopard frog (*Lithobates chiricahuensis*), Little Colorado spinedace (*Lepidomeda vittata*), roundtail chub (*Gila robusta*), and northern Mexican gartersnake (*Thamnophis eques megalops*) to occur along Silver Creek, 0.6 miles from the proposed right of way. There are no indications of run off or sediment from the existing roadway entering Silver Creek, therefore no potential impacts of the right of way renewal are anticipated.

Designated Critical Habitat Considered: None



U.S. Fish and Wildlife Service

Natural Resources of Concern

This resource list is to be used for planning purposes only — it is not an official species list.

Endangered Species Act species list information for your project is available online and listed below for the following FWS Field Offices:

Arizona Ecological Services Field Office
2321 WEST ROYAL PALM ROAD, SUITE 103
PHOENIX, AZ 85021
(602) 242-0210
<http://www.fws.gov/southwest/es/arizona/>
<http://www.fws.gov/southwest/es/EndangeredSpecies/lists/>

Project Name:

Snowflake Pig Farm Road



Natural Resources of Concern

Project Type:

Transportation

Endangered Species Act Species List (USFWS Endangered Species Program).

There are a total of 10 threatened, endangered, or candidate species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fishes may appear on the species list because a project could cause downstream effects on the species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section below for critical habitat that lies within your project area. Please contact the designated FWS office if you have questions.

Species that should be considered in an effects analysis for your project:

Amphibians	Status		Has Critical Habitat	Contact
Chiricahua leopard frog (<i>Lithobates chiricahuensis</i>) Population: Entire	Threatened	species info	Final designated critical habitat Final designated critical habitat	Arizona Ecological Services Field Office
Birds				
Mexican Spotted owl (<i>Strix occidentalis lucida</i>) Population: Entire	Threatened	species info	Final designated critical habitat	Arizona Ecological Services Field Office
Southwestern Willow flycatcher (<i>Empidonax traillii extimus</i>) Population: Entire	Endangered	species info	Final designated critical habitat	Arizona Ecological Services Field Office
Yellow-Billed Cuckoo (<i>Coccyzus americanus</i>) Population: Western U.S. DPS	Proposed Threatened	species info		Arizona Ecological Services Field Office
Fishes				



U.S. Fish and Wildlife Service

Natural Resources of Concern

FWS National Wildlife Refuges (USFWS National Wildlife Refuges Program)

There are no refuges found within the vicinity of your project.

FWS Migratory Birds (USFWS Migratory Bird Program)

Most species of birds, including eagles and other raptors, are protected under the Migratory Bird Treaty Act (16 U.S.C. 703). Bald eagles and golden eagles receive additional protection under the Bald and Golden Eagle Protection Act (16 U.S.C. 668). The Service's Birds of Conservation Concern (2008) report identifies species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become listed under the Endangered Species Act as amended (16 U.S.C 1531 et seq.).

Migratory bird information is not available for your project location.

NWI Wetlands (USFWS National Wetlands Inventory)

The U.S. Fish and Wildlife Service is the principal Federal agency that provides information on the extent and status of wetlands in the U.S., via the National Wetlands Inventory Program (NWI). In addition to impacts to wetlands within your immediate project area, wetlands outside of your project area may need to be considered in any evaluation of project impacts, due to the hydrologic nature of wetlands (for example, project activities may affect local hydrology within, and outside of, your immediate project area). It may be helpful to refer to the USFWS National Wetland Inventory website. The designated FWS office can also assist you. Impacts to wetlands and other aquatic habitats from your project may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal Statutes. Project Proponents should discuss the relationship of these requirements to their project with the Regulatory Program of the appropriate U.S. Army Corps of Engineers District.

There are no wetlands found within the vicinity of your project.