

**NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)
COMPLIANCE RECORD FOR CATEGORICAL EXCLUSIONS (CX)
U.S. Department of Interior
Bureau of Land Management**

PART I. – PROPOSED ACTION

BLM Office: Hassayampa FO
2014-0015-CX

NEPA No.: DOI-BLM-AZ-P010-

Case File No.: AZA-35928,
AZA-35929, AZA-35930,
AZA-35931, AZA-36492

Proposed Action Title/Type: Vulture Mine R/Ws

Applicant: Vulture Peak Gold, Inc.

Location of Proposed Action: T. 6 N., R. 5 W., sec. 31, lots 2 & 7;
T. 6 N., R. 6 W., sec 36, NE¹/₄SE¹/₄.

Description of Proposed Action: Vulture Peak Gold, Inc. has requested 5 separate R/Ws at the legal description above. 2 of the R/Ws are for roads (AZA-35928 & AZA-35929). Both roads are existing and link private parcels owned by the applicant. No additional disturbance outside the existing roads has been applied for. The other 3 R/Ws are for power (AZA-35931), water (AZA-35930) and communications (AZA-36492) and would be located entirely within the road being applied for in AZA-35928.

Part II. – PLAN CONFORMANCE REVIEW

This proposed action is subject to the following land use plan(s): The Bradshaw-Harquahala Resource Management Plan (RMP)

Decisions and page nos.: page 33, under Land Use Authorizations, LR-25. “Continue to issue land use authorizations (rights-of-way, leases, permits, easements) on a case-by-case basis and in accordance with resource management prescriptions in this land use plan.”

Date plan approved/amended: April 2010

This proposed action has been reviewed for conformance with these plans (*43 CFR 1610.5-3, BLM Manual 1601.04.C.2*).

PART III. – NEPA COMPLIANCE DETERMINATION REVIEW

A. The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9 E. Realty 16) Acquisition of easements for an existing road or issuance of leases, permits, or rights-of way for the use of existing facilities, improvements, or sites for the same or similar purposes; and 17) Grant of a short rights-of-way for utility service or terminal access roads to an individual residence, outbuilding, or water well: and 12) Grants of rights-of-way wholly within the boundaries of other compatibaly developed rights-of-way;

And

B. Extraordinary Circumstances Review: In accordance with **43 CFR 46.215**, any action that is normally categorically excluded must be subjected to sufficient environmental review to determine if it meets any of the 12 Extraordinary Circumstances described. If any circumstance applies to the action or project, and existing NEPA documentation does not adequately address it, then further NEPA analysis is required.

IMPORTANT: Appropriate staff should review the circumstances listed in Part IV, comment and initial for concurrence. Rationale supporting the concurrence should be included in the appropriate block.

Part IV. – EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION

PREPARERS:

DATE:

Jim Andersen	04/10/2014

PLANNING & ENVIRONMENTAL SPECIALIST

DATE

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215(a)-(l)) apply. The project would:

(a) Have significant impacts on public health or safety.

Yes	No	Rationale:
	x	
		Preparer's Initials <u> JVA </u>

(b) 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.

Yes	No	Rationale:
	X	
		Preparer's Initials <u>JVA</u>

(c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].

Yes	No	Rationale:
	x	
		Preparer's Initials <u>JVA</u>

(d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

Yes	No	Rationale:
	x	
		Preparer's Initials <u>JVA</u>

(e) Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.

Yes	No	Rationale:
	x	
		Preparer's Initials <u>JVA</u>

(f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

Yes	No	Rationale:
	x	
		Preparer's Initials <u>JVA</u>

(g) Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.		
Yes	No <input checked="" type="checkbox"/>	Rationale: <p style="text-align: right;">Preparer's Initials <u>JVA</u></p>
(h) 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.		
Yes	No <input checked="" type="checkbox"/>	Rationale: <p style="text-align: right;">Preparer's Initials <u>JVA</u></p>
(i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		
Yes	No <input checked="" type="checkbox"/>	Rationale: <p style="text-align: right;">Preparer's Initials <u>JVA</u></p>
(j) Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		
Yes	No <input checked="" type="checkbox"/>	Rationale: <p style="text-align: right;">Preparer's Initials <u>JVA</u></p>
(k) 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).		
Yes	No <input checked="" type="checkbox"/>	Rationale: <p style="text-align: right;">Preparer's Initials <u>JVA</u></p>

(l) 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).

Yes	No	Rationale:
	x	
Preparer's Initials <u>JVA</u>		

PART V. –COMPLIANCE REVIEW CONCLUSION

I have reviewed this plan conformance and NEPA compliance record, and have determined that the proposed project is in conformance with the approved land use plan and that no further environmental analysis is required.

MITIGATION MEASURES/OTHER REMARKS:

1. All applicable regulations in accordance with 43 CFR 2800.
2. Any cultural and/or paleontological resources (historic or prehistoric site or object) discovered by the holder or any person working on the holders behalf, on public or federal land shall be immediately reported to the authorized officer. The holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made the authorized officer to determine the appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of the evaluation and any decision as to the proper mitigation measures will be made by the authorized officer after consulting with the holder.

See attached Mitigating Measures for AZA-35928, AZA-35929, AZA-35928, AZA-35929, AZA-36492

APPROVING OFFICIAL: _____ DATE: _____

TITLE: _____

Note: The signed conclusion on this compliance record is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. A separate decision to implement the action should be prepared in accordance with program specific guidance.