

**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:** Lower Sonoran Field Office

**NEPA No.:** AZ-P020-2014-0009

**Case File No.:** AZA-18539

**Proposed Action Title/Type:** Communications Line Right-of-Way Renewal

**Applicant:** Qwest Communications

**Location of Proposed Action:** T. 1 N., R. 8 E., Sections 10, W2NWNW

**Description of Proposed Action:** The applicant, Qwest Corporation, is proposing to renew its existing right-of-way for its communications line. The right-of-way consists of a single buried copper cable. The existing line renewal request is for 1,320 feet in length by 10 feet in width (approximately 0.303 acres). The renewal request is for a 30-year term.

**Part II. – PLAN CONFORMANCE REVIEW**

**This proposed action is subject to the following land use plan(s):** Lower Sonoran Record of Decision & Approved Resource Management Plan

**Decisions and page nos.:** LR-1.3 (Minor Linear and Nonlinear LUAs:

Authorize minor linear and nonlinear LUAs in locations that minimize resource impacts, are compatible with multiple use objectives, and do not compromise the existing rights of current holders. (p. 2-72)

LR-1.3.3: Proposed minor linear and nonlinear LUAs will continue to be authorized on an an needed case-by-case basis in areas outside of LUA Avoidance and Exclusion areas. (p. 2-77)

**Date plan approved/amended:** 9/14/2012

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. 9. Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.];**

**And**

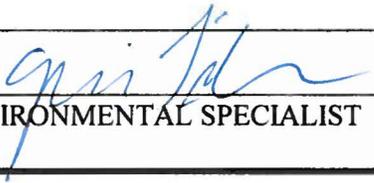
**B. Extraordinary Circumstances Review:** In accordance with 43 CFR 46.215, any action that is normally categorically excluded must be subjected to sufficient environmental review to determine if it meets any of the 12 Extraordinary Circumstances described. If any circumstance applies to the action 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:
Jo Ann Goodlow	4/14/2014
Cheryl Blanchard	5/9/2014
Andrea Felton	4/14/2014
Ronald Tipton	4/14/2014
Mary Skordinsky	4/14/2014
Thomas Buckauskas	4/14/2014

Gloria Tibbetts  
 PLANNING & ENVIRONMENTAL SPECIALIST



DATE 4/19/14

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	<b>Rationale:</b> There are no significant hazards associated with the proposed renewal. The communications line is existing, and will not pose any significant impacts on public health or safety.
	X	

Preparer's Initials JAG

(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	<b>Rationale:</b> No such unique geographic characteristics or natural resources are known to exist in the project area. The communications line is existing, and a previous cultural clearance revealed no cultural resources.
	X	

Preparer's Initials JAG

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

Yes	No	<b>Rationale:</b> No highly controversial environmental effects or unresolved conflicts are known or expected.
	X	

Preparer's Initials JAG

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

Yes	No	<b>Rationale:</b> The communications line is existing. The renewal of the right of way would not create any highly uncertain and potentially significant environmental effects, nor would it involve unique or unknown environmental risks.
	X	

Preparer's Initials JAG

(e) Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.		
Yes	No <input checked="" type="checkbox"/>	<b>Rationale:</b> The renewal action does not establish a precedent with potential significant environmental effects. The applicant is renewing its existing right of way grant, with no other modifications occurring.  Preparer's Initials <u>JAG</u>
(f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		
Yes	No <input checked="" type="checkbox"/>	<b>Rationale:</b> No such cumulative impacts relationship exists with other actions.  Preparer's Initials <u>JAG</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"/>	<b>Rationale:</b> No such properties were found when the site was originally surveyed prior to construction.  Preparer's Initials <u>JAG</u>
(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"/>	<b>Rationale:</b> No suitable habitat for threatened or endangered species, or critical habitat occurs at or near the project area.  Preparer's Initials <u>JAG</u>
(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"/>	<b>Rationale:</b> No such laws will be violated by renewing the existing right of way.  Preparer's Initials <u>JAG</u>
(j) Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		

<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> No adverse effects will be imposed on low income or minority populations as a result of the right of way renewal.	
			Preparer's Initials <u>JAG</u>

(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).

<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> No such access limitations will occur as a result of the right of way renewal.	
			Preparer's Initials <u>JAG</u>

(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).

<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> The right of way renewal will not introduce or spread noxious weeds in to the project area.	
			Preparer's Initials <u>JAG</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:** All mitigating measures developed in the environmental assessment have been brought forward in the attached stipulations. No recommended measures were dropped.

APPROVING OFFICIAL:  DATE: 6/23/14  
 TITLE: LSFO MANAGER

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.

Proj. # BLM-200-21-792  
Case # AZA-18539  
Date: June 18, 2015

**COMMENT DOCUMENT WORKSHEET**

I, Cheryl Blanchard, in review of the above-noted Proposed Action, have the following comments:

It is understood that Qwest has applied for a renewal of an existing right-of-way for a buried communications cable. This right-of-way is located near Apache Junction. Legal location is in T. 1 N., R. 8 E., Section 10, W ½ NW ¼ NW ¼ .

A search of the previous inventory of the area revealed several projects that were performed. Cultural Resource Project # BLM-020-18-81 was a survey along a Mountain Bell buried telephone cable line by BLM staff in 1983, which covered this alignment. In 1984, a survey was performed for the entirety of the BLM lands planned for a public park. This work was documented in the report titled, *An Archaeological Survey of the Proposed Apache Junction Equestrian Trail / Open Space Park*, by Cheryl Taylor, Tim Mann, and Mary Barger (BLM-020-18-118). No cultural resources were observed within or near this project area. These projects adequately covered the subject area and surrounding lands.

No impacts to any significant cultural resources are anticipated as a result of this activity. A "No Historic Properties Affected" finding is appropriate for this project.

Recommendations:

- Clearance Not Recommended
- Unconditional Clearance Recommended
- Clearance Recommended with the Following Stipulations
  - Standard Stipulations

Any cultural and/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 shall be immediately reported to the Bureau of Land Management 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 to determine appropriate actions to prevent the loss of significant cultural or scientific values.

Specialized Stipulation(s) as Follows:

  
Signature

## Land-Use-Analysis

### A. Decision Factors

There are no known Federal, State or County programs scheduled for this area. The land is within a Power Project Withdrawal for the Bureau of Reclamation but Mountain State Telephone and Telegraph Company has received clearance in the past to bury cable within this withdrawal.

The area has already been impacted by other rights-of-ways that are now in place.

### B. Land Status

The Supplemental Use Plat shows the following information on the subject land.

- a. Secretarial Order - SO 8/21/1909 - Withdrawal for Salt River Power Project. The subject land is crossed by two (2) transmission lines.
- b. PLO 5070 - Withdrawal from mineral entry.
- c. A-6992 - 10 foot R/W - Mountain State Telephone and Telegraph Company.
- d. PHX-086777 - Powerline R/W - Salt River Power Project.
- e. A-18074 - Recreational and Public Purpose Application from the city of Apache Junction.

### C. Land Analysis

- a. None of the current land uses are incompatible with existing on site or adjacent land uses.
- b. Access is available year round to the site from a well maintained county road.
- c. There will be disturbance to the vegetation but mitigation should keep the disturbance to a minimum.
- d. The hikers and recreationist should not be restricted by the project.

NEPA COMPLIANCE

I. Proposed Action

On February 23, 1983 Mountain State Telephone and Telegraph Company submitted a Right-of-Way Application pursuant to Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2743).

According to the description and the attached maps, the Mountain State Telephone and Telegraph Company requested a 10 foot wide right-of-way, running 1320 feet in length in which to bury telephone cables. Term to be fifty (50) years with option of renewal.

In a phone conversation with Mr. Donald Smith, Assistant Manager for Mountain State Telephone and Telegraph, he stated that the right-of-way is necessary in order to satisfy future demands for telephone service in an area continually growing in population. Project construction methods will be identical to the construction plans employed by Mountain State and as built in a similar right-of-way granted to Mountain State in this same area. This right-of-way will be placed approximately 10 feet west and run 1320 feet parallel to R/W A-6992. Mr. Smith was advised that the term of the right-of-way, if granted, would be for thirty (30) years with option of renewal and subject to rental fee adjustments at five (5) year intervals. Mr. Smith was also advised that Mountain State would have to secure clearance and approval from the Bureau of Reclamation before construction could proceed, since the land is within a withdrawal area by Secretarial Order - August 21, 1909, for the Salt River Power Project.

II. Alternative Actions

Alternative Location

An alternative location was not seriously considered because this area is the most feasible for their needs.

No Action Alternative

A decision of no action would constitute denial of the the applicants proposal.

III. Affected Environment

The right-of-way location is in an aesthetically pleasing area, with views of the Superstition Mountains and the gentle hills of the Goldfields. The view and scenic qualities are however disturbed by existing electric transmission lines and a permanently maintained County access road to the right-of-way area.

Soil

The soil in the area is desert in character and unsuitable for agricultural uses. The entire area has been disturbed by past uses.

Vegetation

The vegetation consists of Saugaro, Palo Verde, Creosote and Bursage.

Wildlife

The subject lands provide habitate for various desert animals, birds, rodents, lizards and snakes. There are no known endangered species using the area and a T&E report is attached.

Cultural Resources

An archeological clearance was conducted by the BLM Staff Archeologist and a report is attached stating no sites were located.

Recreational

At present this section is not a high recreational location. There has been unauthorized use in the past as evidenced by the trash and rubbish found in the area. The city of Apache Junction has included this area within their planning zone for an equestrian trail. This project should not interfere with R&PP.

Other components considered but not affected are water and air quality.

IV. Environmental Consequences

There will be short term site disturbance while the project is being constructed and any disturbance to the Saguaro, Palo Verde and other vegetation will be kept to an absolute minimum.

Critical Element

The visual quality will not be adversely affected by this project. The cable will be buried and the boxes above ground will be painted green.

There are no agricultural lands in this area.

No threatened or endangered species, plant or animal are known to exist in the area.

There are no known cultural or archeological sites impacted by the project.

The area does not lie within a 5000 acre roadless area nor is it in an area of critical environmental concern.

The area is not within a floodplain or flood hazard area.

No significant social or economical impacts.

V. Mitigation

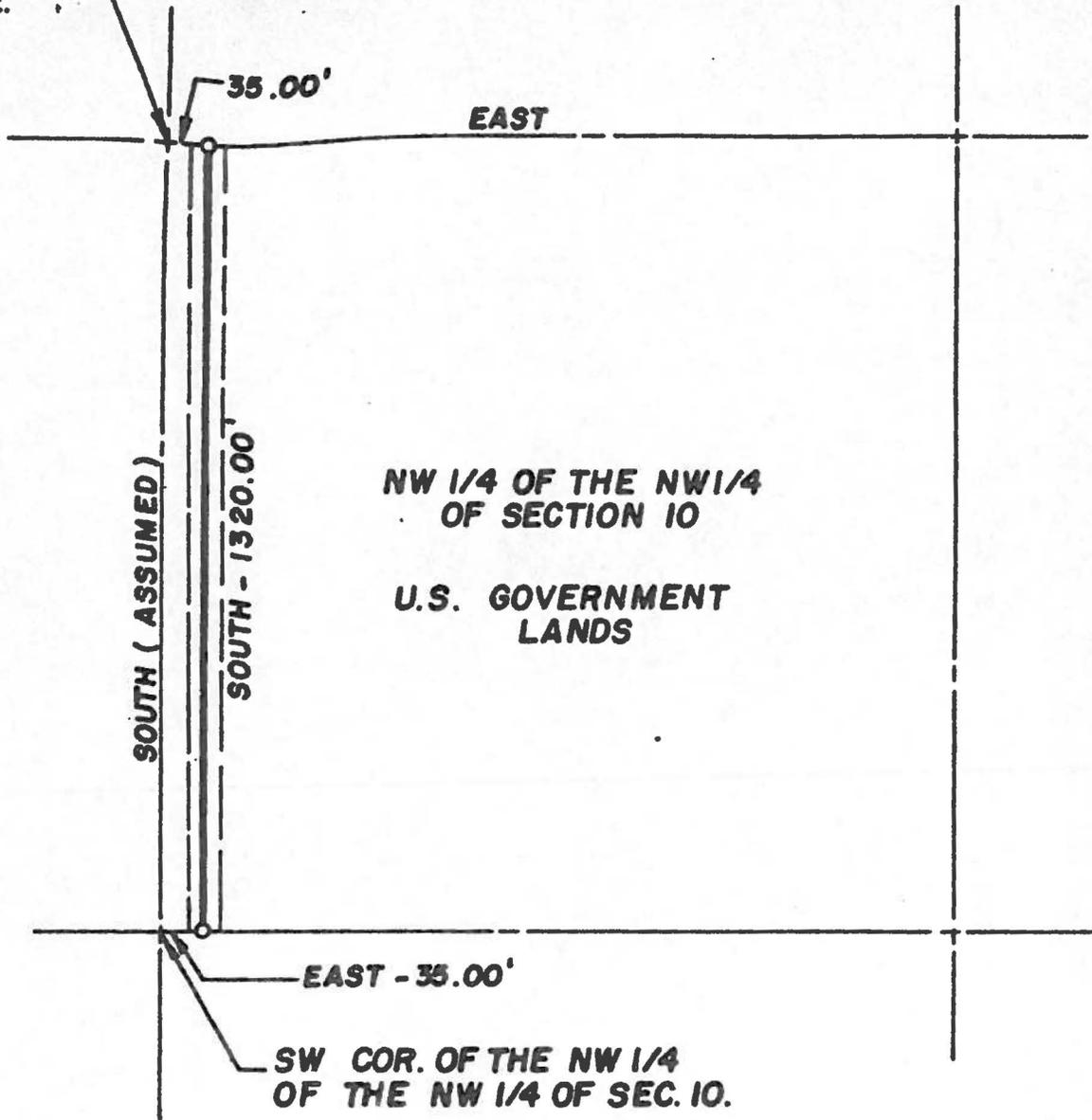
Proposed Action

1. A signed copy of clearance from the Bureau of Reclamation approving the construction.
2. Disturbed areas to be cleaned up and restored to their natural condition.
3. All vegetation disturbance should be kept to a minimum.

VI. Consultation and Coordination

Pinal County Planning Department - Mr. Terry Smith  
T&E Specialist - Don Ducote, BLM  
Wildlife Biologist - Sylvia Jordan, BLM  
Cultural and Paleontological - William Gibson, BLM  
Project Proposal from Apache Junction Planning  
Committee

NW COR. SEC. 10,  
T. 1 N., R. 8 E.



NW 1/4 OF THE NW 1/4  
OF SECTION 10

U.S. GOVERNMENT  
LANDS

EAST - 35.00'

SW COR. OF THE NW 1/4  
OF THE NW 1/4 OF SEC. 10.

SKETCH SHOWING LOCATION OF  
CENTERLINE OF 10.00' WIDE  
TELCO. EASEMENT ACROSS THAT  
PART OF SECTION 10, T. 1 N., R. 8  
E. OF THE GILA AND SALT RIVER  
BASE AND MERIDIAN, PINAL  
COUNTY, ARIZONA CONSISTING  
OF 0.303 ACRES ACROSS U.S.  
GOVERNMENT LANDS.



SCALE 1" = 300'

RECEIVED  
PROPERTY OFFICE

FEB 28 1988

PHOENIX, ARIZONA

US - 442

CULTURAL RESOURCE CLEARANCE/EVALUATION FORM

Planning Unit Report No. 18-81 Planning Unit CENTRAL ARIZONA

1. Project Name: MOUNTAIN BELL CABLE R/W

2. Project/Case No.: A-18539

3. Description of Project and Name of Applicant:

MOUNTAIN BELL desires to install buried communications  
Lines.

4. Project Location (T&R):

TIN RBE, Sec 10 (NW 1/4 NW 1/4)

5. Map Reference: (Attach copy)

Apache Junction 7.5'

6. Project Boundaries:

20 m x 450 m = 9000 m<sup>2</sup>

7. Acres Surveyed: 2.2

8. Date of Survey: 19 Apr 85

9. Surveyors: William R. Gibson

10. Persondays Used: 0.1

11. Time Code: 4212-3126

12. Survey Procedure: transected the length  
of the proposed line

13. Description of Environment: Lower Sonoran desert scrub  
flora: creosote, bursage palo verde, saguaro, chain fruit cholla,  
hedgehog  
fauna: quail

14. Description of Cultural Resources: (Attach site forms)

none (besides a lot of modern dumping)

15. Evaluation of Cultural Resources:

n/a

16. Effect of Project on C.R.:

none

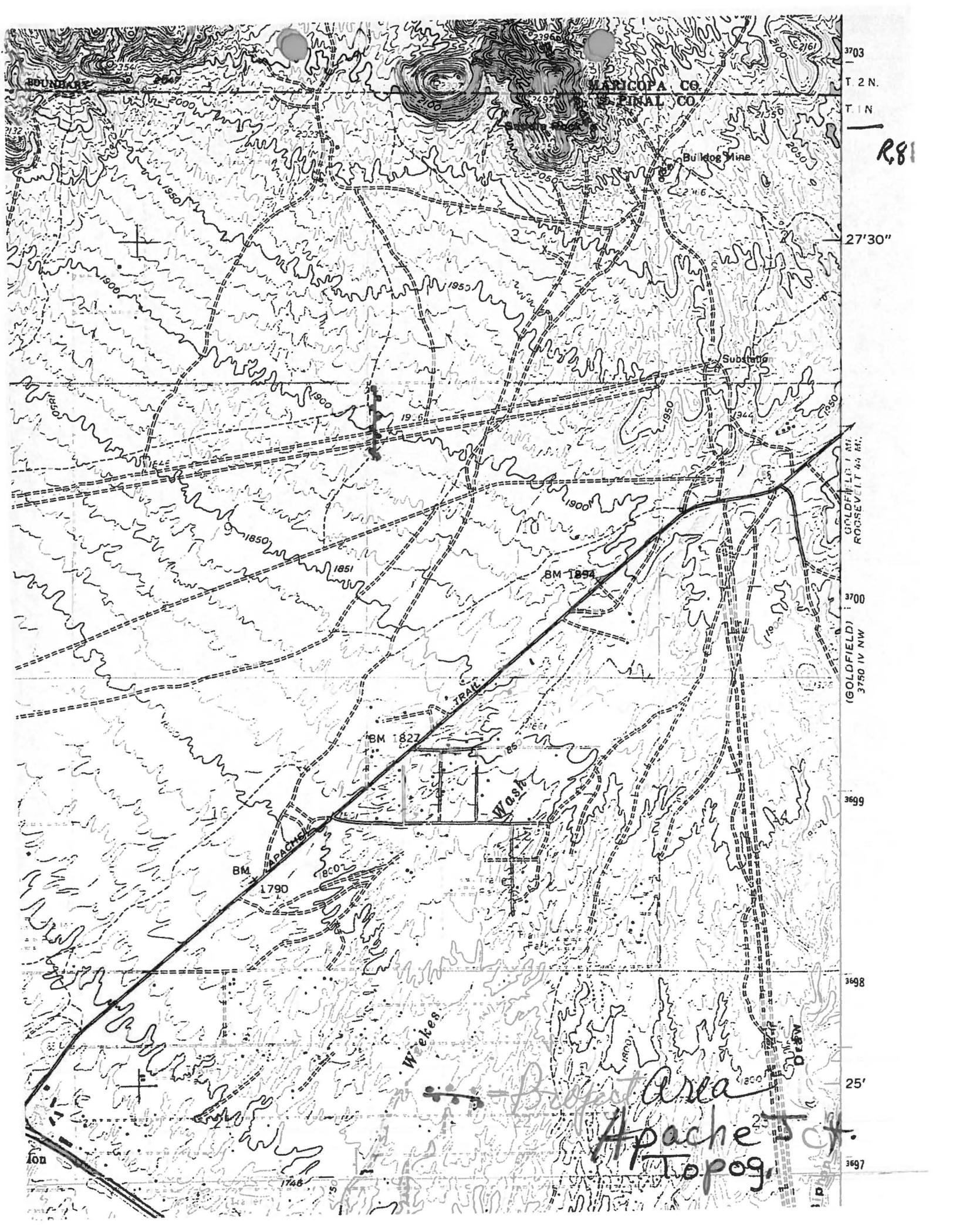
17. Recommendations:

Clearance Not Recommended

Unconditional Clearance Recommended

Clearance Recommended with Following Stipulations:

William F. Stiles  
4-25-83



R81

Project Area  
Apache Jct.  
Topog.

3703  
T 2 N.  
T 1 N

27'30"

GOLDFIELD 1 MI.  
ROOSEVELT 4 1/2 MI.  
3700  
(GOLDFIELD)  
3750 IV NW

3699

3698

25'

3697

BOUNDARY

MARICOPA CO.  
PINAL CO.

Bulldog Mine

Substation

TRAIL

Washes

Wekes

1:25,000

BM 1790

BM 1827

BM 1894

2000

1850

1800

1750

1850

1851

1950

1900

1850

1800

1800

1800

1746

2396

2497

2100

2161

2100

2150

2050

2146

100

PDO WILDLIFE RESOURCE EVALUATION SHEET

PROJECT A-18539 EVALUATOR S. Jordan

SITE LOCATION (T,R,S) & NAME \_\_\_\_\_

DATE OF EVALUATION 4/22/83 FIELD EVAL. \_\_\_\_\_ OFFICE EVAL.

CONTACT GAME AND FISH DEPARTMENT No

FEDERAL T/E SPECIES PRESENCE (V)=VERIFIED, (P)=PROBABLE

Sonoran pronghorn \_\_\_\_\_ bald eagle \_\_\_\_\_ peregrine falcon \_\_\_\_\_  
masked bobwhite \_\_\_\_\_ Yuma clapper rail \_\_\_\_\_ Gila topminnow \_\_\_\_\_

STATE-LISTED SPECIES PRESENCE (V or P)

spotted bat \_\_\_\_\_ desert bighorn \_\_\_\_\_ great egret \_\_\_\_\_ snowy egret \_\_\_\_\_  
black-crowned night heron \_\_\_\_\_ black hawk \_\_\_\_\_ osprey \_\_\_\_\_  
zone-tailed hawk \_\_\_\_\_ caracara \_\_\_\_\_ Gila monster P desert tortoise P  
Gilbert's skink \_\_\_\_\_ desert pupfish \_\_\_\_\_

BLM-SENSITIVE SPECIES PRESENCE (V or P)

kit fox \_\_\_\_\_ golden eagle \_\_\_\_\_ prairie falcon \_\_\_\_\_ spotted owl \_\_\_\_\_  
Harris' hawk P ferruginous hawk \_\_\_\_\_ goshawk \_\_\_\_\_ Cooper's hawk \_\_\_\_\_  
merlin \_\_\_\_\_ sharp-shinned hawk \_\_\_\_\_ Mexican (Hualapai) vole \_\_\_\_\_  
rosy boa \_\_\_\_\_ desert night lizard \_\_\_\_\_ Arizona night lizard \_\_\_\_\_  
Arizona alligator lizard \_\_\_\_\_ Bell's vireo \_\_\_\_\_ (\* general area)

T/E HABITAT EVALUATION Not located near or within habitats known to be used by federally listed T/E species

RIPARIAN/FLOOD PLAIN VALUES None

STANDARD HABITAT SITE DESCRIPTION Palo verde - Saguaro

PLANT SPECIES TO BE REMOVED \_\_\_\_\_

HABITAT TO BE LOST (ACRES) 0.3 AFFECT ADJACENT HABITAT (ACRES) \_\_\_\_\_

CUMULATIVE IMPACTS \_\_\_\_\_

POSSIBLE MITIGATION (ATTACH ADD'L SHEET IF NECESSARY) \_\_\_\_\_

EVALUATOR RECOMMENDATION Proceed with action

LITERATURE/FILES USED \_\_\_\_\_

**Environmental Analysis Scoping and Approval**

Proposal Description: R/W - 10' wide to heavy telephone cable - 1320' in length

Land Description: T1N, R8E, Sec. 10 GFSRM

Applicant: Mt. State Park & Tel. Co. Type of Case 2800 Case No. A18531

EA No. AZ-025-031 Activity 4212 Work/Job Code 3126 Project Code —

Assigned to: Arlene Rocker Date(s) of Team Review: —

Type of Assessment: CE — Minimal ✓ Standard — Major —

**SCOPING:** The Area Manager will check areas of needed input for development of above proposal. Each resource specialist responsible for the disciplines identified below will provide input and surname and date the appropriate space indicating their involvement. An asterisk in the last column indicates written comments has been provided to the EA writer or Area Manager.

NEEDED				
INPUT (X)	DISCIPLINE	SPECIALIST SIGNATURE	DATE	*
—	Lands	—	—	—
—	Minerals	—	—	—
—	Range	—	—	—
—	Burros	—	—	—
—	General Recreation	—	—	—
✓	Cultural and Paleontological Resources	<u>William R. Johnson</u>	<u>4-25-83</u>	—
—	Wilderness	—	—	—
—	Soil	—	—	—
—	Water	—	—	—
—	Air Quality	—	—	—
✓	Wildlife	<u>Sylvia Jordan</u>	<u>4/22/83</u>	*
—	TEE Plants	—	—	—
—	Social	—	—	—
—	Economics	—	—	—
—	Violation of Law - Controversial	—	—	—
—	Unknown Effect - Health & Safety	—	—	—
—	Precedent Setting - Cumulative Impacts	—	—	—

Approval: The above proposal has been adequately analyzed for use in the decision-making process.

Writer: \_\_\_\_\_ Date: \_\_\_\_\_

Area Manager: Arthur E. Tower Date: 5-11-83

Environmental Coordinator: \_\_\_\_\_ Date: \_\_\_\_\_

(Standard and Major EAs only)

Comment Documentation Worksheet

I, Don Ducote, in review of the above

noted proposed action, have the following comments:

The request is by the Mt. States Tel. & Tel. for a r/w for a buried communications line in T1N, R8E, Sec. 10 NW NW. Previous inventory in the near vicinity failed to locate any sensitive, threatened or endangered plant species. No on site survey of the area in this case will be necessary.

*D. Ducote*  
4-25-83

Incorporated in record (YES) (NO)

If not state rationale:

\_\_\_\_\_  
Writer or Area Manager

R/W Application of Mountain State Telegraph & Telephone  
for buried Cable - A-18539



North view from Sec. corner at T. 1N., R. 8.,  
Sec. 10 Goodyear round Rouny Rd. Box in  
picture is R/W A-6992



Corner  
section  
marker cap

A-18539

R/W - Buried Cable  
4/19/83



Looking North and South along R/W line