

**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-P020-2014-0020

Case File No.: AZAR-031794-01

Proposed Action Title/Type: Power Transmission Line Amendment and Renewal

Applicant: SRP Public Lands Division

Location of Proposed Action: T. 1 N., R. 8 E., Sections 2 & 3 (See Below)

Description of Proposed Action: The Bureau of Land Management (BLM) first issued SRP Public Lands Division (herein referred to as SRP) right-of-way grant AZAR-031794 on November 20, 1962, for a term of 50-years, under the Act of March 4, 1911 (36 Stat. 1253; 43 U.S.C. 961) and the regulations contained in 43 C.F.R. Part 244.

On May 7, 2014, SRP filed an application to amend and renew their power transmission line right-of-way (AZAR-031794). With regards to the amendment (AZAR-031794-01), the holder requests permission to convert the authorization from the Act of 1911 to Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761). With regards to the renewal (AZAR-031794-01), the holder requests the right to continue to operate, maintain, and terminate their existing 115kV power transmission line.

The location of the site on public lands is as follows:

T. 1 N., R. 8 E., G&SR Meridian, Yavapai County, Arizona,

Section 2: SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Section 3: Lots 33, 38, 43, 44, 45, 69, 70, 71, 76, 95, 96, 98, 99, 102, 103,
107, 108, 109, 110, 116, 205, 215.

The sum of the authorization is 15.11 acres, more or less.

Primary regulations and policy pertaining to issuance of right-of-way authorizations by the BLM are found in Title 43, C.F.R., Sections 2801-2803 and BLM Handbook 2860-1.

The holder continues to be in compliance with the terms and conditions of the original BLM right-of-way grant. If authorized, right-of-way AZAR-031794-01 would be issued with stipulations deemed appropriate from BLM specialists, for an additional 30 years and with the right to renew. Specifically, the grant would become effective on November 20, 2012 and expire December 31, 2041.

Part II. – PLAN CONFORMANCE REVIEW

This proposed action is subject to the following land use plan(s):

Lower Sonoran Record of Decision and Approved Resource Management Plan

Decisions and page nos.:

This action has been reviewed for conformance, with the Lower Sonoran Record of Decision and Approved Resource Management Plan (RMP) with respect to the Code of Federal Regulations (CFR) (43 CFR 1610.5) and BLM Manual 1601.04 C.2. It has been determined that the proposed action does comply with the objectives, terms, and conditions of the RMP. Specifically, this type of action is provided for in Lands and Realty, Goals, Objectives, Management Actions LR-1.3.3 which states,

“Proposed minor linear and nonlinear LUAs will continue to be authorized on an as needed case-by-case basis in areas outside of LUA Avoidance and Exclusion areas.”

In addition, this action also complies with LR-1.3 of the RMP which states,

“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.”

Date plan approved/amended: 9/2012

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 or 516 DM Chapter 2, Appendix 1.

The Departmental Manual [516 DM 2.3 (A)(3) and 516 DM, Appendix 2] requires that before any action described in the list of categorical exclusions is used, the exceptions (located in Part IV) must be reviewed for applicability and, in each case, must result in no extraordinary circumstances.

In this case, the use of a categorical exclusion is appropriate because there are no extraordinary circumstances which may have significant effects on the environment. Considerations of all aspects of this document were taken and no potential for significant impacts were found. In other words, the proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM Chapter 2 or 516 DM 11.5 apply.

Justification for the use of a CX, for the renewal portion of this action, resides in 516 DM Chapter 6 Appendix 5 Section 5.4 (E)(9) as well as BLM NEPA Handbook (H-1790-1) Appendix 4, (E)(9) which states,

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

In addition, the basis for a CX is also located in BLM NEPA Handbook H-1790-1; Appendix 4 BLM Categorical Exclusions (E)(11) which states,

“Conversion of existing right-of-way grants to Title V grants or existing leases to FLPMA Section 302(b) leases where no new facilities or other changes are needed.”;

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:
Andrea Felton, Range Conservation Specialist	5/20/2014
Matt Plis, Environmental Engineer	5/21/2014
Cheryl Blanchard, Archaeologist	6/10/2014
Ron Tipton, Wildlife Biologist	6/9/2014
Hillary Conner, Lands & Realty Specialist	5/22/2014

[Handwritten Signature]

 PLANNING & ENVIRONMENTAL SPECIALIST

[Handwritten Date]

 DATE

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215(a)-(1)) apply. The project would:

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

Yes	No	Rationale:
	X	

Preparer's Initials *[Handwritten Signature]*

(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

(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

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

Yes

No

Rationale:

X

Preparer's Initials

(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

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

Yes

No

Rationale:

X

Preparer's Initials

(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

Rationale:

X

Preparer's Initials

(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

Rationale:

X

Preparer's Initials

(i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.

Yes

No

Rationale:

X

Preparer's Initials

(j) Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

Yes

No

Rationale:

X

Preparer's Initials

(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

Rationale:

X

Preparer's Initials

(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 

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: Based on a review of the project described above and field office staff recommendations in Attachment 1 (Specialist Comments/Mitigation Measures for SRP Public Lands Division AZAR-031794-01), I have determined the project is in conformance with the land use plan and is categorically excluded from further environmental analysis. I concur with the proposed action provided the grant includes stipulations from the recommended Specialist Comments/Mitigation Measures in Attachment 1.

APPROVING OFFICIAL:  DATE: 10/15/14
TITLE: LOWEN SONORA FIREED 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.

ATTACHMENT 1
Specialist Comments / Mitigation Measures
for SRP Public Lands Division AZAR-031794

Andrea Felton, Range Specialist:

- No Impact (NI) for Vegetation
"No new disturbance." 5/20/2014
- Not Impact (NI) for Soils / Geologic
"No new disturbance." 5/20/2014
- Not Present (NP) for Wild Horse & Burro
"No HMAs." 5/20/2014
- Not Present (NP) for Grazing
"No grazing allotments." 5/20/2014

"There are no issues with livestock grazing (no permits in area). No new disturbance for veg or soils. No WH&B, HMAs or HAs in area." 5/20/2014

Matt Plis, Environmental Engineer:

- Not Present (NP) for Safety / Hazards.
No comment 5/21/2014
- Not Impacted (NI) for Mining.
No comment 5/21/2014

Hillary Conner, Lands & Realty Specialist:

- No Impact (NI) for Rights-of-Way.
"The 115kV power line already exists therefore no prior existing uses are/will be affected. Current power line stipulations should be included in the new grant." 5/22/2014

Ron Tipton, Wildlife Biologist:

- No Impact (NI) and Not Impacted (NI) for Wildlife/Habitat (including TE/SS species).
'Project Description – Salt River Project (SRP) requests renewal of their existing 115 kV 100 foot wide power line ROW, extending from the U.S. Forest Service (0.1 miles) through private land (1.2 miles) to BLM-administered land (0.20 miles) in Apache Junction, AZ. (G&SR T. 1N., R. 8E., Sec. 2&3.). The proposed duration for the ORW is 30 years. Existing terms and conditions, which the holder is in conformance with, would continue to apply.

ESA and BLM Sensitive Species/Habitat – Listed or sensitive species/habitat identified using the USFWS's Information, Planning, and Conservation (IPaC) decision support tool (<http://ecos.fws.gov/ipac/>) are not expected to occur within the action area. If listed or sensitive species were to be present (e.g. Sonoran desert tortoise occupying Category 3 habitat) renewal of this existing ROW would not be expected to have an effect.

Determination and Rationale (using currently available BLM GIS data) – The proposed 30 year renewal of this existing 115kV power line ROW does not involve new ground disturbance, beyond that required for maintenance. Additionally, the 100 foot wide by 1.5 mile long ROW occurs outside of riparian corridors,

which may be important to riparian obligates such as the Southwestern willow flycatcher (nearest documented habitat is 25 miles northeast), Yellow-billed cuckoo (nearest documented habitat is 9 miles northwest), Yuma clapper rail (nearest documented habitat is 10 miles northwest), Northern Mexican gartersnake (no currently designated critical habitat). The existing ROW does occur within Category 3 (least desirable) Sonoran desert tortoise habitat for 1.2 private and 0.22 BLM administered miles, respectively. However, due to its position over urbanized relatively flat lowland terrain, renewal of the ROW for this existing 115kV power line is not expected to affect Sonoran desert tortoise individuals or habitat. The power line ROW is also 27 miles northeast of the lesser long nosed bat 40 mile forage habitat buffer, centered on known maternity roosts. This buffer distance, the relatively low density of columnar cacti associated with urban areas, and line maintenance activity, which is generally restricted to daytime hours, is expected to prevent effects to lesser long nosed bats. For these reasons renewal of the Salt River Project's 115kV power line ROW (AZAR-0131794) is expected to have "No Effect" on ESA listed or BLM sensitive species/habitat nor is it expected to lead to a trend resulting in the future listing of any species/habitat.' 6/9/2014

Cheryl Blanchard, Archaeologist:

- Not Present (NP) for Cultural/Historical Sites.

"I, Cheryl Blanchard, in review of the above-noted Proposed Action, have the following comments: It is understood that the SRP has applied for a renewal of a right-of-way on the Goldfield to Stewart Mountain 115kV Transmission Line. In addition, this line will need to have two support structures replaced (P-3 and P-5) in the area of Goldfield. The legal location of the right-of-way is in T. 1 N., R. 8 E., Sections 2 and 3.

A check of the records reveals that two cultural surveys were performed along this right-of-way. A survey of the western portion of the line was documented in a report entitled: *The Eastern Mining Area 115 KV Transmission Line Survey: Archaeological Resources in the Salt-Gila Uplands of Central Arizona*, by Thomas Motsinger, et al. (1994). The eastern portion of the area was surveyed in 1984 by Cheryl Taylor, Tim Mann, and Mary Barger. This report was entitled: *An Archaeological Survey of the Proposed Apache Junction Equestrian Trail/Open Space Park R&PP*. These two surveys covered the entire right-of-way.

No cultural resources were observed within or near the area around P-3 or P-5. So, no impacts to any significant cultural resources are anticipated as a result of the activities related to the replacement of these two structures and the renewal of this right-of-way.

Recommendations:

- ☑ 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."

6/10/2014