

Determination of NEPA Adequacy (DNA)
U.S. Department of Interior
Bureau of Land Management

OFFICE: *Hassayampa Field Office (HFO)*

NEPA/TRACKING NUMBER: *DOI – BLM – AZ – P010 – 2014 – 0035 – DNA*

CASEFILE/PROJECT NUMBER: *AZA – 35884*

PROPOSED ACTION TITLE/TYPE: *43CFR3715 Occupancy – Yavapai Resources*

LOCATION/LEGAL DESCRIPTION:

T. 9 N, R. 4 W., Sec. 6, Lots 17 & 18, G&SRM, Yavapai County, AZ.

APPLICANT (if any): *Yavapai Resources, LLC*

A. Description of the Proposed Action and any applicable mitigation measures

1. The use of a locked chain restricting vehicle access to the mining claim. BLM will be provided with current key(s) for administrative access.
2. The structure housing the pilot milling equipment. This prevents vandalism and theft, and eliminates attractive nuisance qualities.
3. The placement of fence(s) and / or cover(s) around operating areas, shafts, or other hazards for public and wildlife safety.
4. The placement of a steel tank for water for processing operations. This protects and conserves the water being used for processing.
5. Storage of excavated and / or crushed ore until reclamation. Piles in various states of milling are stored adjacent to the mill and replaced when processing is complete.

This action is an extension of the previous Occupancy Concurrence.

Mitigation measures are designated as the “Performance Measures” and “Actions and Activities Not Allowed” listed in Appendix 4 of the “Finding of No Significant Impact and Programmatic Environmental Assessment for: Selected Actions for Mining Claim and Millsite Use and Occupancy in Arizona --November 18, 1997.”

B. Land Use Plan Conformance

Land Use Plan (LUP) Name: **Bradshaw-Harquahala Resource Management Plan**

Date Approved/Amended: **4/22/2010**

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

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):

The plan states in Mineral Resources, under Land Use Allocations element MI-3 on page 33 that “All public lands within the planning area are open to locatable mineral activities except for Tule Creek ACEC, legislatively withdrawn areas and other withdrawn and segregated areas, as shown on Map 12 of the Land Use Plan.”

C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.

The 43 CFR 3715 and 3809 regulations provide for the management of surface disturbance associated with mineral exploration and development including mining claim use and occupancy.

DOI-BLM-AZ-P010-2014-0019-DNA for this action was approved on April 21, 2014.

Finding of No Significant Impact and Programmatic Environmental Assessment for Selected Actions for Mining Claim and Millsite Use and Occupancy in Arizona -- November 18, 1997.

Biological Resources Review, March 14, 2014
Cultural Resource Review, April 14, 2014

D. NEPA Adequacy Criteria

- 1. Is the proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the exiting NEPA document(s)? If there are differences, can you explain why they are not substantial?**

Yes.

The proposed action involves no restricted lands specifically excluded in the “Finding of No Significant Impact and Programmatic Environmental Assessment for Selected Actions for Mining Claim and Millsite Use and Occupancy in Arizona” -- November 18, 1997. Specifically, the proposed action is concurring with the following “typical occupancies” listed on page 3 of the aforementioned document: “2. Placing on public lands and using operational structures, process buildings, and storage structures needed for mining, milling, and beneficiation operations that are either general permitted or exempted from the APP program.”

“3. Placing on public lands and using residential structures as part of operations that require an APP issued by ADEQ. These structures include tents, motor homes, campers, trailers, cabins, houses, guard shacks, and any other structures designed for and used as residences.

“7. Placing on public lands fences, gates, or signs designed to limit public access.”

- 2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource values?**

Yes.

The range of alternatives in the Finding of No Significant Impact and Programmatic Environmental Assessment for: Selected Actions for Mining Claim and Millsite Use and Occupancy in Arizona --November 18, 1997 is adequate since the proposed action is consistent with the actions previously covered.

- 3. Is the existing analysis valid in light of new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, and updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?**

Yes.

There is no new information or new circumstances that apply to the proposed action.

- 4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?**

Yes.

The effects would be the same as those described in the Finding of No Significant Impact and Programmatic Environmental Assessment for: Selected Actions for Mining Claim and Millsite Use and Occupancy in Arizona --November 18, 1997.

- 5. Are the public involvement and interagency review associated with existing NEPA documents(s) adequate for the current proposed action?**

Yes.

The proposed action is the same as that covered in the Finding of No Significant Impact and Programmatic Environmental Assessment for: Selected Actions for Mining Claim and Millsite Use and Occupancy in Arizona --November 18, 1997 (FONSI and PEA).

The BLM issued a press release and direct mailings to announce a 30 day comment period for the FONSI and PEA in 1997. This public outreach process is adequate to cover the currently proposed action because it is the same as previously described.

