

**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
2014-0051-CX**

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

Case File No.: AZA-36592

Proposed Action Title/Type: Permit/Film Permit

Applicant: AGCO

Location of Proposed Action: T. 4 N., R. 10 W., sec. 9, SW¼, sec. 16, NW¼.

Description of Proposed Action: The applicant, AGCO proposes testing and filming agricultural sprayers in an area previously disturbed and presently used by ADOT (AZA-26223) as a material site and designated as a community pit by BLM (AZA-30795). They wish to use the area from 12/6-13/2014 and 1/4-11/2015. They are NOT going to be spraying anything while testing the performance of these vehicles. The machine weights are around 30k lbs., axle width of 120” wide, 170’ wheel base and ground clearance of 50”. They are hydrostat drive systems.

On both the December and January dates they intend to review the performance of the machines ascending and descending on the slopes for several hours per day. Any filming taking place will be used for internal use only and will be done with a basic camera.

December: They are planning for to use one AGCO sprayer. There will be 5 AGCO employees and 10 experienced non-AGCO operators viewing or operating the vehicles.

January: They are planning to use two AGCO sprayers, one John Deere sprayer and one Case sprayer. All vehicles have similar specifications other than color. They will be testing/filming (and comparing) the performance difference of these four machines within the existing slopes of the site.

They are not proposing any improvements and have committed to the reclamation/recontouring the area at the conclusion of their work. NOTE: On 10/31/14 BLM was notified that AGCO would no longer be needing to use the lands during January 2015.

NOTE: ON 10/31/2014, BLM WAS NOTIFIED THAT AGCO WOULD NO LONGER BE NEEDING TO USE THE SITE DURING JANUARY 2015.

Part II. – PLAN CONFORMANCE REVIEW

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

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 19) Issuance of short-term (3years or less) rights-of-way or land use authorizations for such uses as storage sites, apiary sites, and construction sites where the proposal includes rehabilitation to restore the land to its natural or original condition.;

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:

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|--------------|------------|
| Jim Andersen | 10/29/2014 |
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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.

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|------------|-----------|--------------------------------|
| 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> |

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 2920.
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.
3. AGCO will contact and meet with the following representatives of the Arizona Department of Transportation (ADOT) on a date in early December 2014 and prior to the introduction of equipment on the permitted site. AGCO will also schedule a meeting/visit with ADOT following completion of the equipment testing (December 13, 2014). The purpose of these visits is to observe existing conditions and identify any environmental impacts/concerns.

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 602-712-6872

Paul Patane
 Yuma District Engineer
 PPatane@azdot.gov
 928-317-2115

4. Upon the completion of activities authorized by this permit, AGCO will reclaim/recontour their area of disturbance.

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.