

**U.S. Department of the Interior
Bureau of Land Management**

**NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)
COMPLIANCE RECORD FOR CATEGORICAL EXCLUSIONS (CX)**

PART I. – PROPOSED ACTION

BLM Office: Lower Sonoran Field Office

NEPA No.: DOI-BLM-AZ-P020-2015-0005-CX

Case File No.: AZA-19290, AZA-19291, AZA-19292, AZA-19293, AZA-19294

Proposed Action Title/Type: R/W Renewals

Applicant: AZ Water Company

Location of Proposed Action: T. 1 N., R. 8 E., Sections 7, 23, 26, and 36

Description of Proposed Action: The applicant, AZ Water Company, is proposing to renew 5 existing right-of-way authorizations. The right-of-way renewals would include three (3) – 12 inch water mains, and two (2) – 6 inch water mains that are utilized for the distribution of domestic water. AZ Water Company is requesting to renew the 5 authorizations for 30 years each, with provisions for renewal.

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 (September 2012)

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

LR-1.3.3: 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.

The proposed action is in conformance with the land use plan, even though it is not specifically provided for, because it is clearly consistent with the following land use plan decision(s):

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

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 (9) Renewals and

Attachment 4-1
AZ-1790-1
August 2013

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

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:	INITIALS:	DATE:
Jo Ann Goodlow	JG	5/19/2015

Thomas V. Biffert
 PLANNING & ENVIRONMENTAL SPECIALIST
 (Acting)

6/26/15
 DATE

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

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:	INITIALS:	DATE:
Jo Ann Goodlow	JAG	5/14/2015
Ron Tipton	RT	
Cheryl Blanchard	CB	6/11/15

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: No impacts on public health or safety is anticipated from implementation of these right-of-way renewals. The applicant is requesting to renew the authorizations, with no changes to what has previously been authorized.
	X	
		Preparer's Initials <u>AS</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: The proposed right-of-way renewals will not impact unique resources or geographic areas. No newly planned disturbance is expected.
	X	
		Preparer's Initials <u>AS</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: The proposed right-of-way renewals would not involve any unresolved conflicts concerning alternative uses of available resources, or controversy over potential environmental effects is known.
	X	
		Preparer's Initials <u>AS</u>

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

Yes	No	Rationale: No uncertain or potentially significant environmental effects are anticipated with the proposed right-of-way renewals.
	X	
		Preparer's Initials <u>AS</u>

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

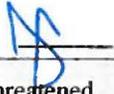
Yes	No	Rationale: The proposed right-of-way renewals do not establish a precedent for, or foreclose on , any future action.
	X	
		Preparer's Initials <u>AS</u>

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

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

Yes	No	Rationale: The right-of-way renewals are not connected to, or cumulative with, any other present or reasonably foreseeable future action.	Preparer's Initials 
	X		

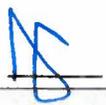
(g) Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.

Yes	No	Rationale: The right-of-way renewals project areas do not appear to contain any known properties listed, or eligible for listing, on the National Register of Historic Places. The areas have already been disturbed with the original placement of the pipeline facilities. The grants would be renewed, with no additional disturbances being expected.	Preparer's Initials 
	X		

(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: The proposed right-of-way renewals will not have any impact on species listed, or proposed to be listed, on the List of Endangered or Threatened Species. The right-of-ways have previously been authorized. The proposed action is simply to renew what has previously been authorized, resulting in no impacts on species listed, or proposed to be listed, on the list of Endangered or Threatened Species.	Preparer's Initials 
	X		

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

Yes	No	Rationale: The proposed renewals will not violate any Federal laws, or any State, local or tribal laws, or requirements imposed for the protection of the environment.	Preparer's Initials 
	X		

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

Yes	No	Rationale: The proposed right of way renewals will not have a disproportionately high and adverse effect on low income or minority populations.	Preparer's Initials 
	X		

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

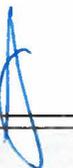
(f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

Yes	No	Rationale: The right-of-way renewals are not connected to, or cumulative with, any other present or reasonably foreseeable future action.	Preparer's Initials 
	X		

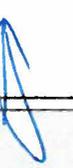
(g) Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.

Yes	No	Rationale: The right-of-way renewals project areas do not appear to contain any known properties listed, or eligible for listing, on the National Register of Historic Places. The areas have already been disturbed with the original placement of the pipeline facilities. The grants would be renewed, with no additional disturbances being expected.	Preparer's Initials 
	X		

(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: The proposed right-of-way renewals will not have any impact on species listed, or proposed to be listed, on the List of Endangered or Threatened Species. The right-of-ways have previously been authorized. The proposed action is simply to renew what has previously been authorized, resulting in no impacts on species listed, or proposed to be listed, on the list of Endangered or Threatened Species.	Preparer's Initials 
	X		

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

Yes	No	Rationale: The proposed renewals will not violate any Federal laws, or any State, local or tribal laws, or requirements imposed for the protection of the environment.	Preparer's Initials 
	X		

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

Yes	No	Rationale: The proposed right of way renewals will not have a disproportionately high and adverse effect on low income or minority populations.	Preparer's Initials 
	X		

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

(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: The proposed right of way renewals will not 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.
	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: The proposed right of way renewals will not 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. Nothing beyond what has already been authorized is anticipated.
	X	

Preparer's Initials

PART V. -COMPLIANCE REVIEW CONCLUSION

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 apply.

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. The right-of-way grant shall be subject to the terms and conditions set forth in 43 CFR 2800. The grant shall provide the grant holder authority to operate and maintain the subject right-of-ways for water pipeline purposes.
2. The terms and conditions of the original right-of-way grants will continue to apply.

AUTHORIZING OFFICIAL:

DATE:

7/29/15

NAME:

Edward J. Kender

TITLE:

LSFD Field Mgr

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.

Land Report
and
Decision Record

State: Arizona
District: Phoenix
Resource Area: Phoenix
Planning Unit: N/A

Type of Application
or Action: Water Pipeline Right-of-Way
T&R: 1 N., 8 E.
Date of Examination: August 2, 1984
Applicant's Name: Arizona Water Company
Address: 2612 North 16th Street
Phoenix, Arizona 85010

Serial No.: A-19290
A-19291
A-19292
A-19293
A-19294

A. Finding of No Significant Impacts:

This decision relates only to the authorization of previously constructed water pipelines. No additional construction will occur. Therefore, no additional adverse impacts are expected. It is herein determined that the proposed action will not significantly effect the environment, therefore an Environmental Impact Statement is not required.

B. Land Use Decision

The water pipeline rights-of-way will be granted, as requested, for the following public lands:

T. 1 N., R. 8 E., G&SRM, Pinal County, Arizona

Section 7: The east 15' of the west 33' ($W\frac{1}{2}W\frac{1}{2}W\frac{1}{2}$) of Lot 3, and the east 15' of the west 33' ($W\frac{1}{2}W\frac{1}{2}W\frac{1}{2}$) of the $N\frac{1}{2}$ of Lot 4 (A-19290)

Section 23: The south 20' of the north 33' ($N\frac{1}{2}N\frac{1}{2}N\frac{1}{2}$) of the $NE\frac{1}{4}NW\frac{1}{4}$ (A-19292).

The north 20' of the south 33' ($S\frac{1}{2}S\frac{1}{2}S\frac{1}{2}$) of the $SE\frac{1}{4}SW\frac{1}{4}$ (A-19291).

Section 26: The south 20' of the north 33' ($N\frac{1}{2}N\frac{1}{2}N\frac{1}{2}$) of the $NE\frac{1}{4}NE\frac{1}{4}$ (A-19293).

Section 36: $W\frac{1}{2}W\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}NW\frac{1}{4}$ (A-19294).

Total land affected is as follows:

A-19290 - 0.68 acres
A-19291 - 0.61 acres
A-19292 - 0.61 acres
A-19293 - 0.61 acres
A-19294 - 0.19 acres

The water pipeline rights-of-way shall be granted for a term of thirty (30) years, subject to renewal at the discretion of the authorized officer.

The right-of-way grant shall be subject to the terms and conditions set forth in 43 CFR 2800. The grant shall provide the grant holder authority to operate and maintain the subject right-of-way for water pipeline purposes.

In accordance with 43 CFR 2802.5 and BLM Manual 2802.43 A, no additional environmental analysis or land report is needed, as the subject facilities were constructed prior to 10/21/76.

C. Signatures

Preparer:

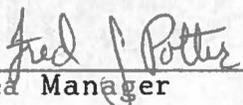


Wm. J. Ruddick
Realty Specialist

Date

8/16/84

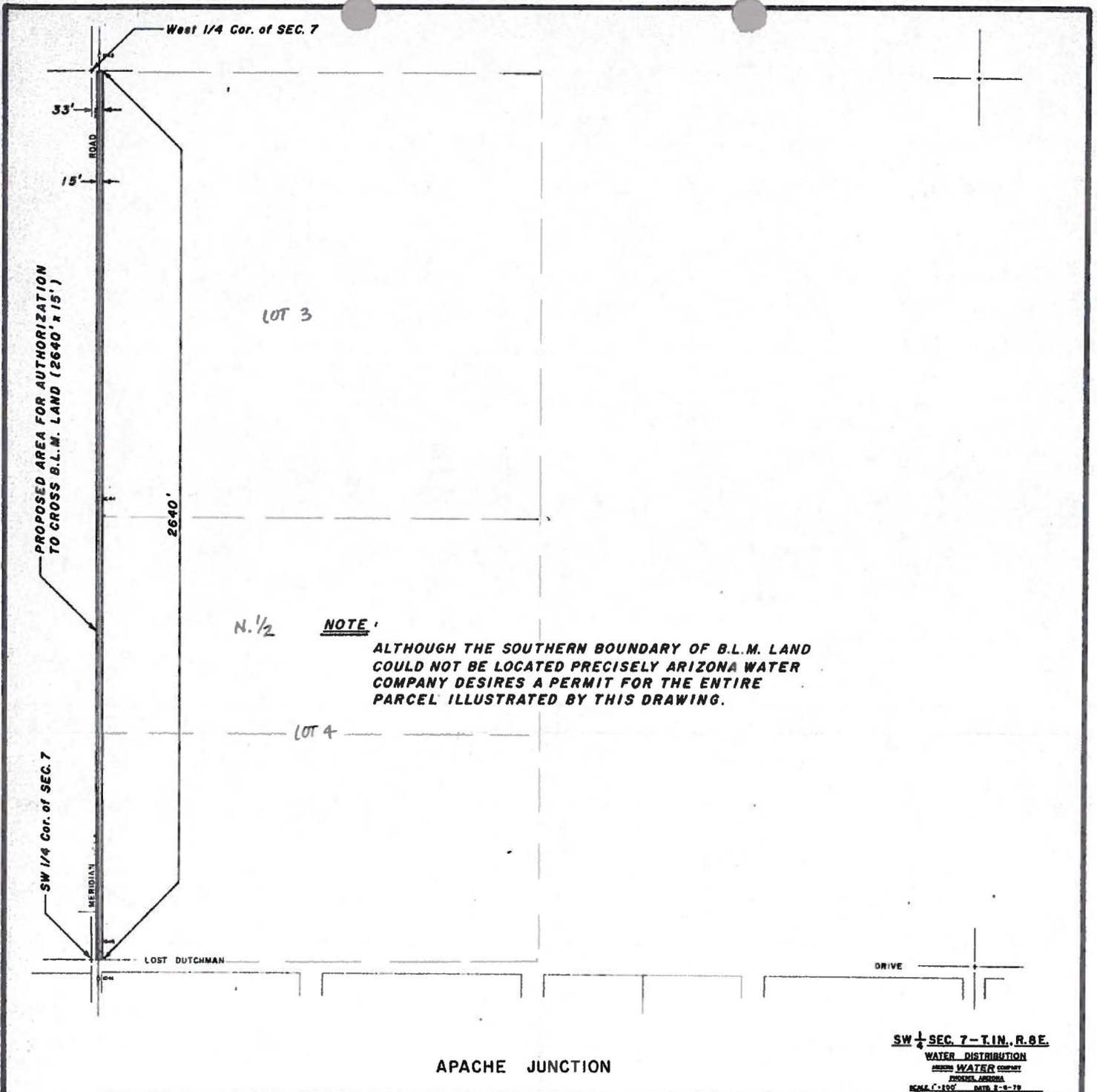
I concur:

(acting) 

Area Manager

Date

8/17/84



N. 1/2 NOTE:

ALTHOUGH THE SOUTHERN BOUNDARY OF B.L.M. LAND
 COULD NOT BE LOCATED PRECISELY ARIZONA WATER
 COMPANY DESIRES A PERMIT FOR THE ENTIRE
 PARCEL ILLUSTRATED BY THIS DRAWING.

APACHE JUNCTION

SW 1/4 SEC. 7 - T.1N., R.8E.
 WATER DISTRIBUTION
 ARIZONA WATER COMPANY
 PHOENIX, ARIZONA
 SCALE: 1" = 100' DATE: 6-8-78

POSSIBLE LEGAL DESCRIPTION FOR AUTHORIZATION:

THE EAST 15' OF THE WEST 33' OF THE SW 1/4 SECTION 7 - T.1N., R.8E. OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA

TOTALS FOR ALL APPLICATIONS

LINEAR FEET	6,930.00
SQUARE FEET	127,050.00
ACRES	2.93

DATE: 6/20/84 DRAWN BY: GRS

SHEET 1 OF 5 DWG. No. AJ-421

A-19290

PIPE SIZE 12" C.A.
 INSTALLED 1978

TOTALS FOR THIS APPLICATION

LINEAR FEET	2,640.00
SQUARE FEET	39,600.00
ACRES	.91

SD 8/21/1909
Wdl Salt River Proj

IL 457
D/C

A 17302
25'

3 39.23

A 3959
R/W

A 19290
7.5'

PHX 086777
R/W

A 18074
R&PP Lse
All Min NDM

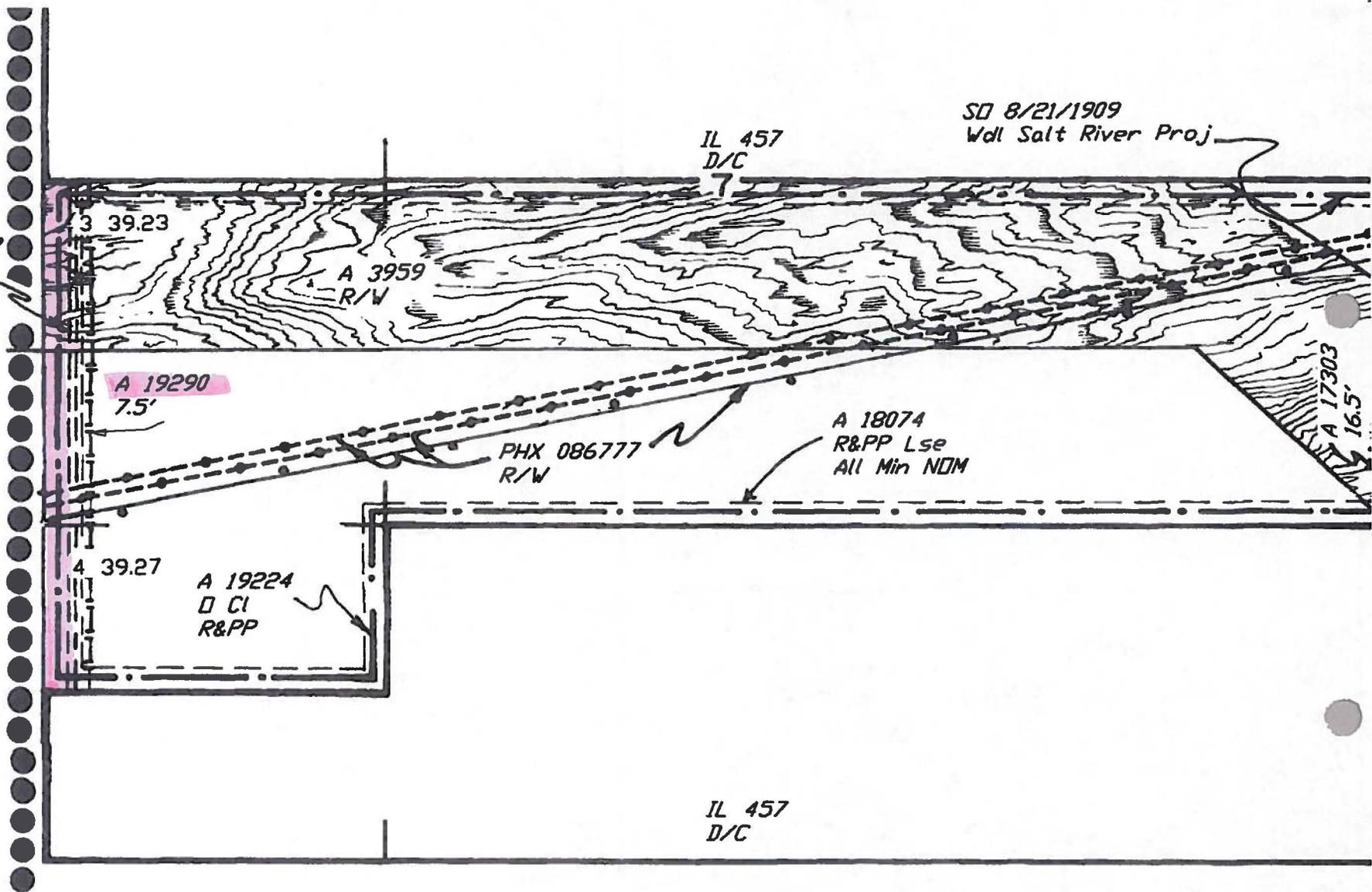
A 17303
16.5'

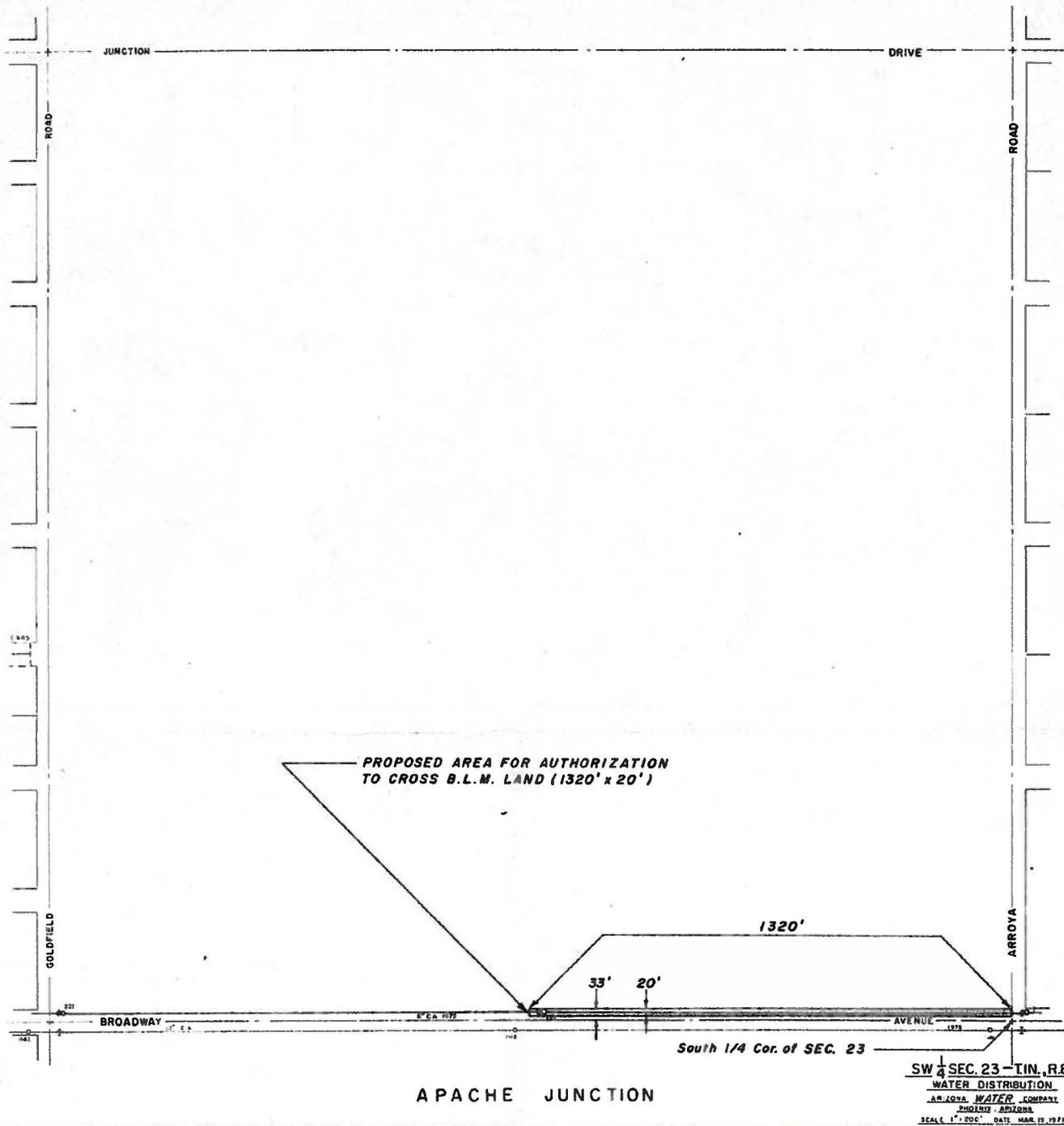
4 39.27

A 19224
D CI
R&PP

IL 457
D/C

SCALE





APACHE JUNCTION

SW 1/4 SEC. 23 - T.1N., R.8E.
 WATER DISTRIBUTION
 ARIZONA WATER COMPANY
 PHOENIX, ARIZONA
 SCALE: 1" = 200' DATE: MAR. 19, 1971

POSSIBLE LEGAL DESCRIPTION FOR AUTHORIZATION:

THE NORTH 20' OF THE SOUTH 33' OF THE SE 1/4 OF THE SW 1/4 (SE 1/4, SW 1/4) OF SECTION 23 - T.1N., R.8E. OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA

DATE: 6/20/84 DRAWN BY: GRS
 SHEET 3 OF 5 DWG. No. AJ-421

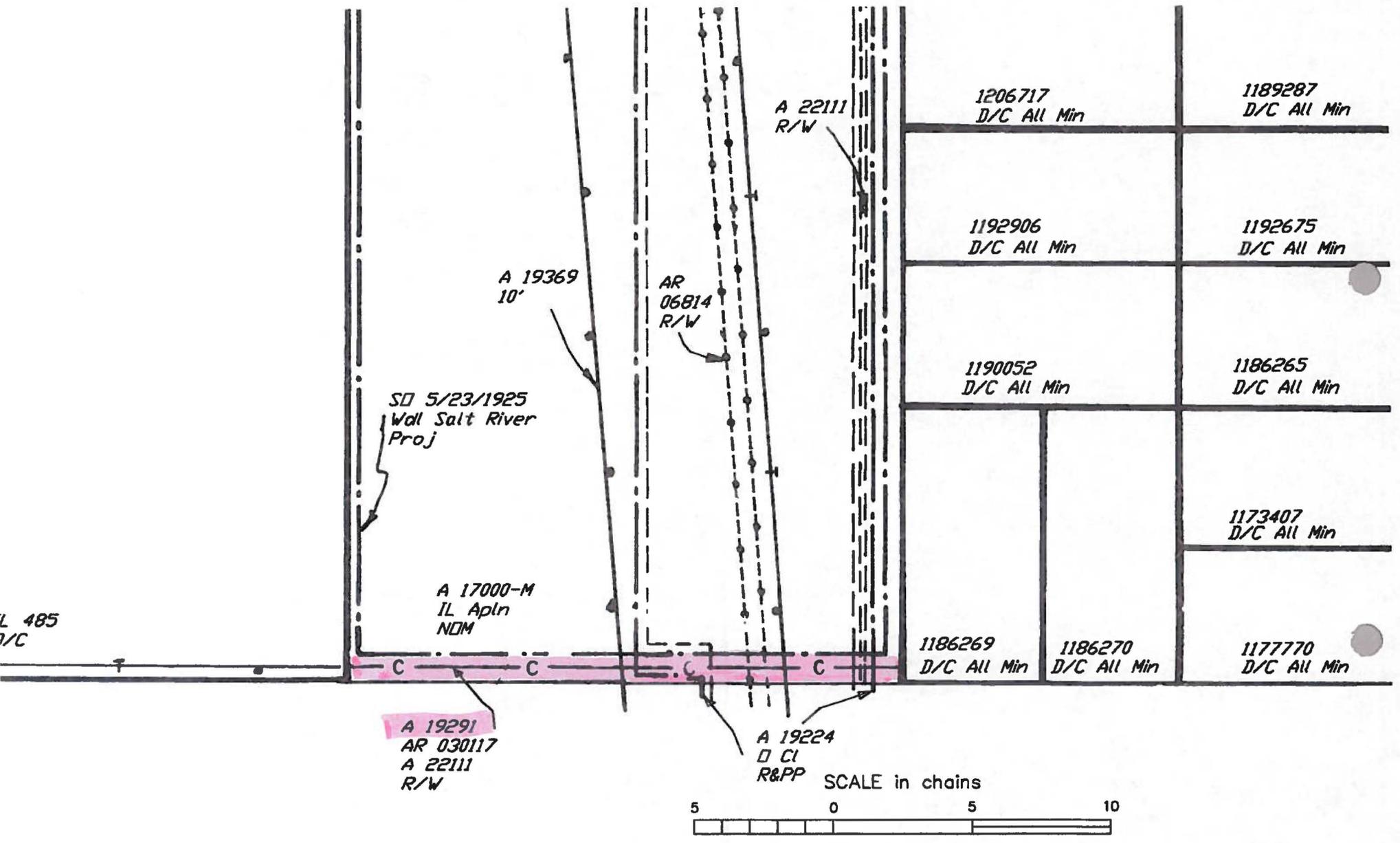
A-19291

PIPE SIZE INSTALLED 6" C.A. 1972

TOTALS FOR THIS APPLICATION

LINEAR FEET	1,320.00
SQUARE FEET	26,400.00
ACRES	.61



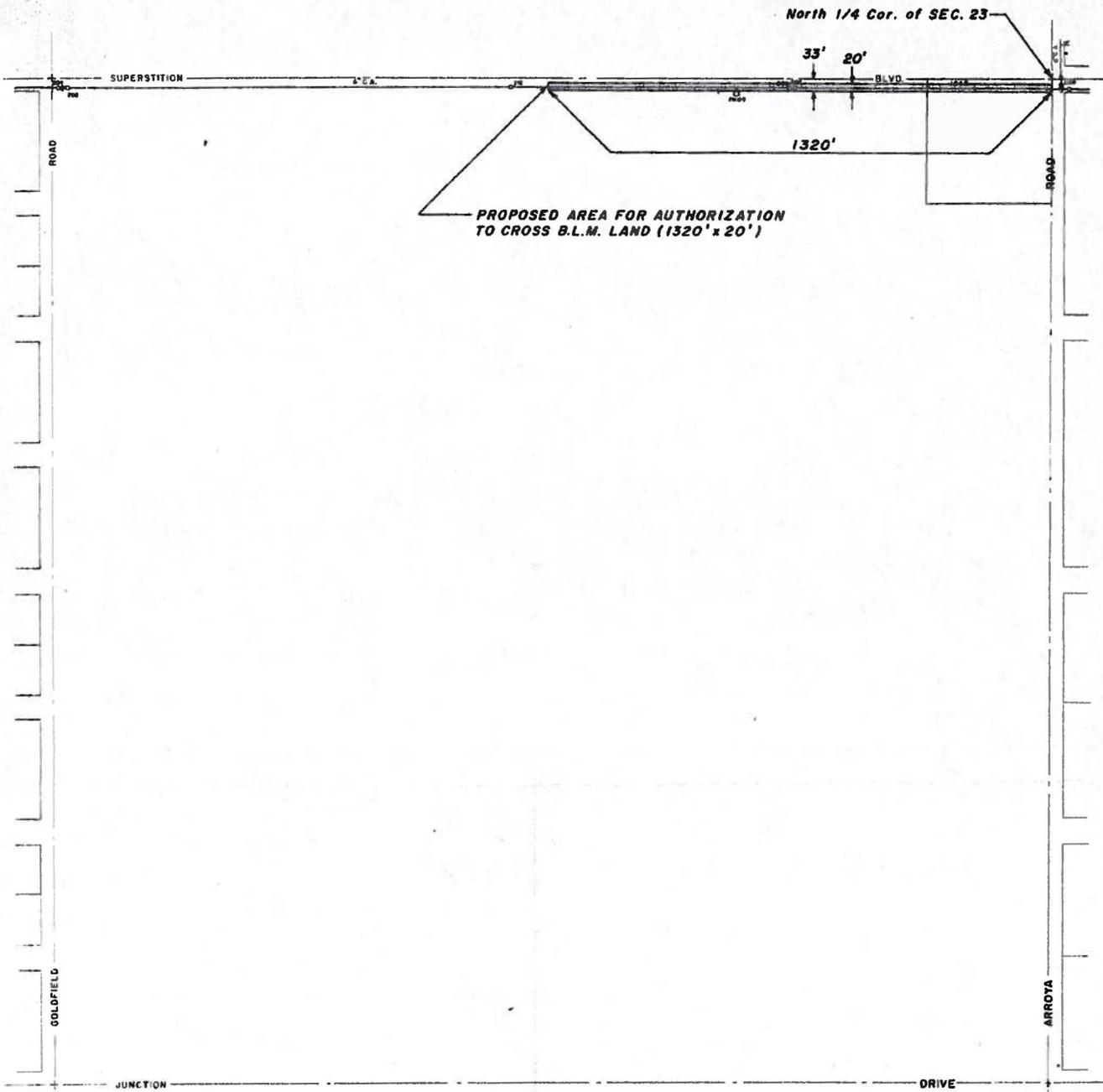


L 485
1/C

A 19291
AR 030117
A 22111
R/W

A 19224
D CI
R&PP





PROPOSED AREA FOR AUTHORIZATION
TO CROSS B.L.M. LAND (1320' x 20')

North 1/4 Cor. of SEC. 23

33' 20'

1320'

APACHE JUNCTION

NW 1/4 SEC. 23 - T1N, R8E
WATER DISTRIBUTION
ARIZONA WATER COMPANY
PHOENIX, ARIZONA
SCALE: 1" = 200' DATE: MAR 11, 1971

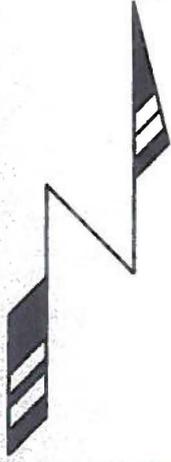
POSSIBLE LEGAL DESCRIPTION FOR AUTHORIZATION:

THE SOUTH 20' OF THE NORTH 33' OF THE NE 1/4 OF
THE NW 1/4 (NE 1/4, NW 1/4) OF SECTION 23 - T.1N., R.8E.
OF THE GILA AND SALT RIVER BASE AND MERIDIAN,
PINAL COUNTY, ARIZONA

DATE: 6/20/84 DRAWN BY: GRS
SHEET 2 OF 5 DWG. No. AJ-421

A-19292

PIPE SIZE INSTALLED	6" C.A. 1969
TOTALS FOR THIS APPLICATION	
LINEAR FEET	1,320.00
SQUARE FEET	26,400.00
ACRES	.61



TOWNSHIP 1 NORTH RANGE 8 EAST OF THE GIL

PINAL COUNTY

AR 029035
A 19292
A 2211
R/W

AR 029035 R/W

5 10'

02-75-0052
D/C All Min
NDM

A 16013
D CI
R&PP

A 16013
R&PP Lse
All Min
NDM

1187587
D/C All Min

1168797
D/C All Min

1168798
D/C All Min

1192081
D/C All

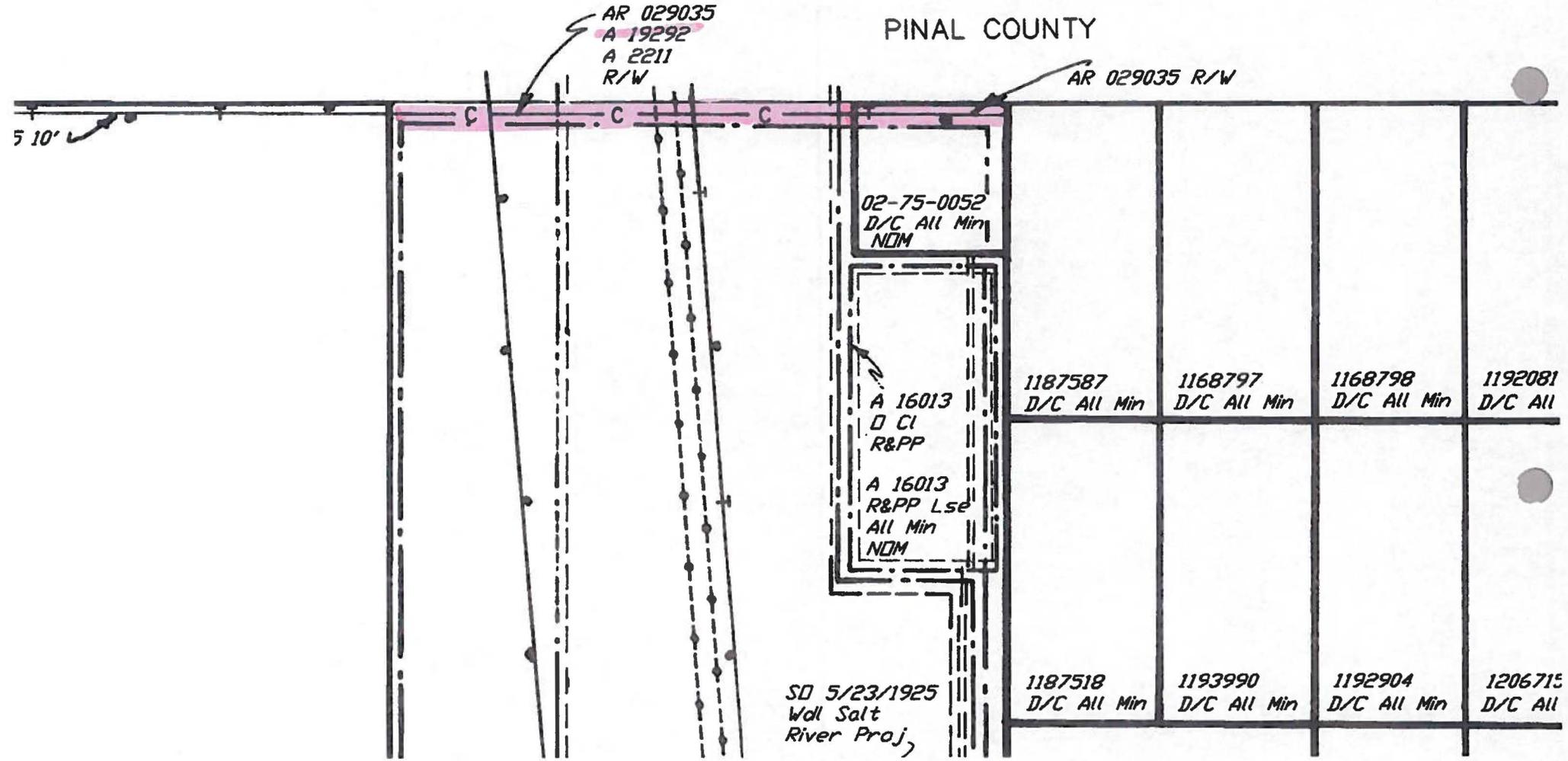
1187518
D/C All Min

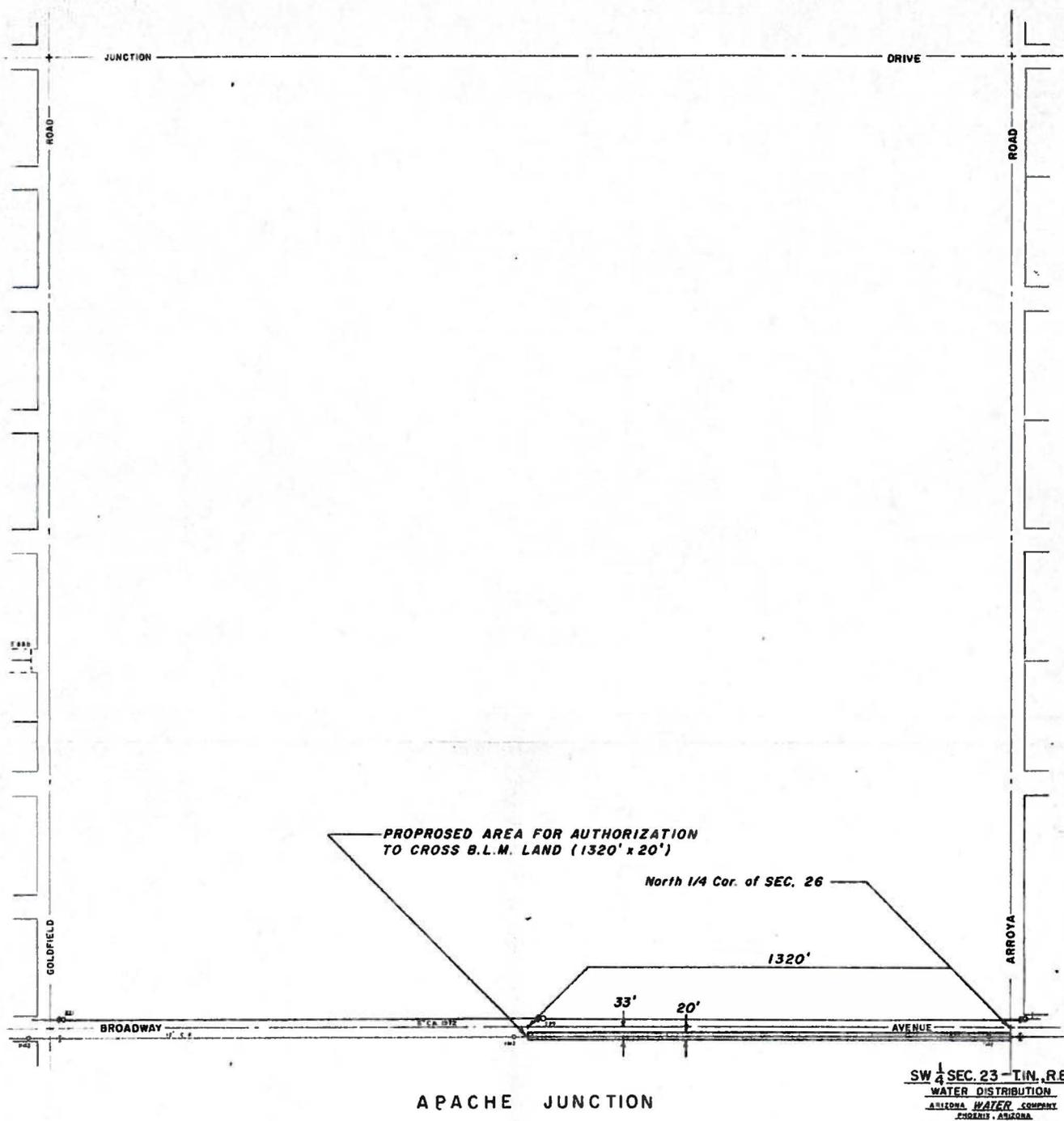
1193990
D/C All Min

1192904
D/C All Min

1206715
D/C All

SD 5/23/1925
Wdl Salt
River Proj





SW 1/4 SEC. 23 - T.1N., R.8E.
 WATER DISTRIBUTION
 ARIZONA WATER COMPANY
 PHOENIX, ARIZONA
 SCALE: 1" = 100' DATE: MAR. 19, 1971

APACHE JUNCTION

POSSIBLE LEGAL DESCRIPTION FOR AUTHORIZATION :

THE SOUTH 20' OF THE NORTH 33' OF THE NE 1/4 OF THE NW 1/4 (NE 1/4, NW 1/4) OF SECTION 26-T.1N., R.8E. OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA

DATE: 6/20/84 DRAWN BY: GRS
 SHEET 4 OF 5 DWG. No. AJ-421

A-19293

PIPE SIZE	12" C.A.
INSTALLED	1978
TOTALS FOR THIS APPLICATION	
LINEAR FEET	1,320.00
SQUARE FEET	26,400.00
ACRES	.61

TOWNSHIP 1 NORTH RANGE

PINAL CO

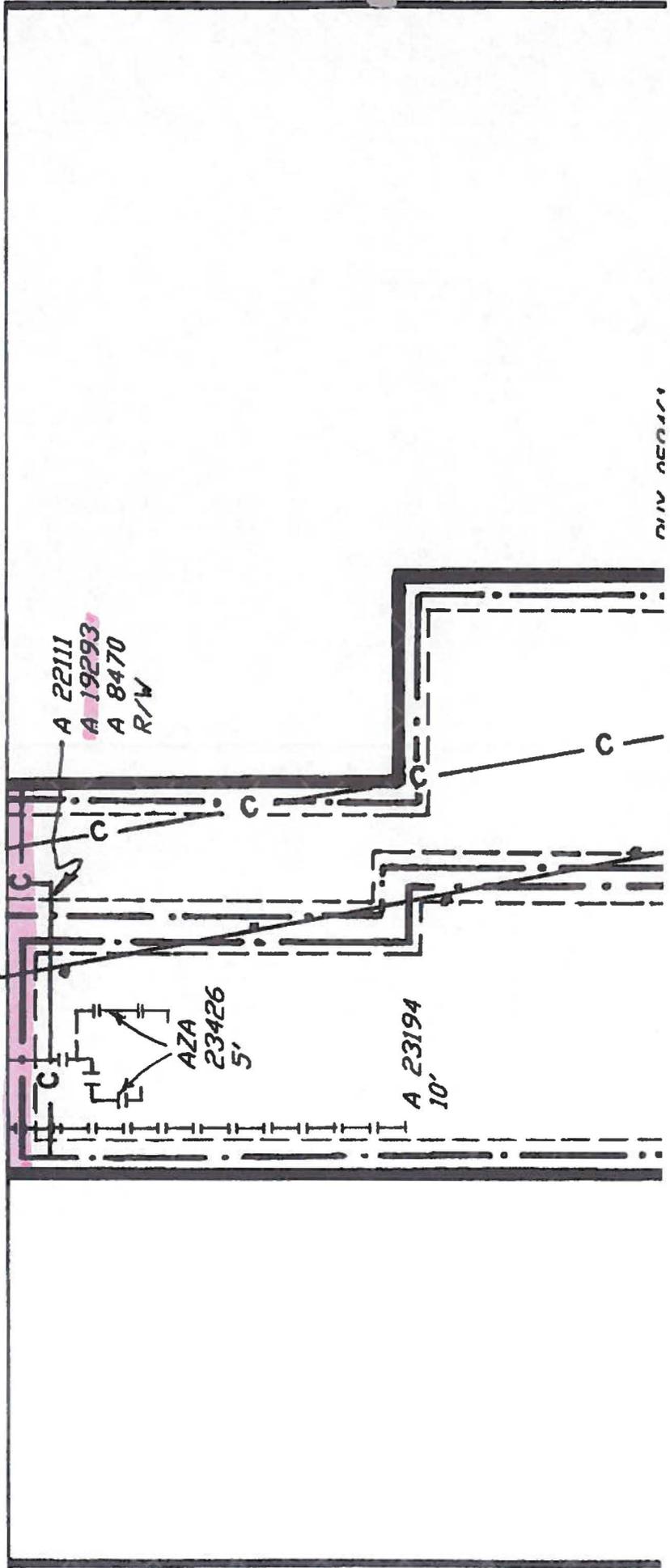
A 19369
10'

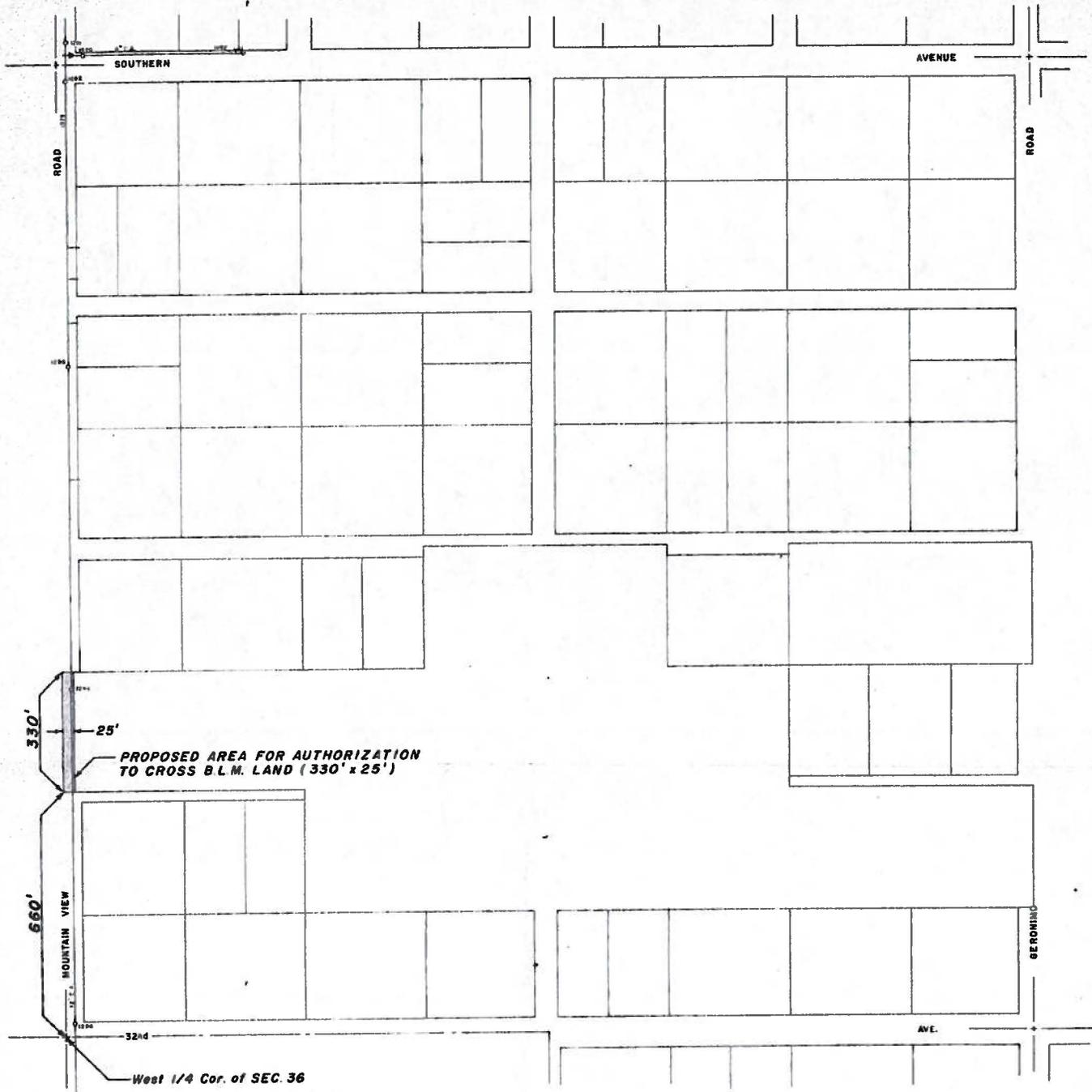
A 22111
A 19293
A 8470
R/W

AZA
23426
5'

A 23194
10'

MIN. HEIGHT





APACHE JUNCTION

NW 1/4 SEC. 36 - T. 1 N., R. 8 E.
 WATER DISTRIBUTION
 WATER
 ENGINEERING
 SCALE: 1" = 200' DATE: JAN. 10, 1979

POSSIBLE LEGAL DESCRIPTION FOR AUTHORIZATION:
 THE WEST 25' OF THE S 1/2 OF THE NW 1/4 OF THE
 SW 1/4 OF THE NW 1/4 (S 1/2, NW 1/4, SW 1/4, NW 1/4) OF
 SECTION 36 - T. 1 N., R. 8 E. OF THE GILA AND SALT
 RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA

DATE: 6/20/84 DRAWN BY: GRS

SHEET 5 OF 5 DWG. No. AJ-421

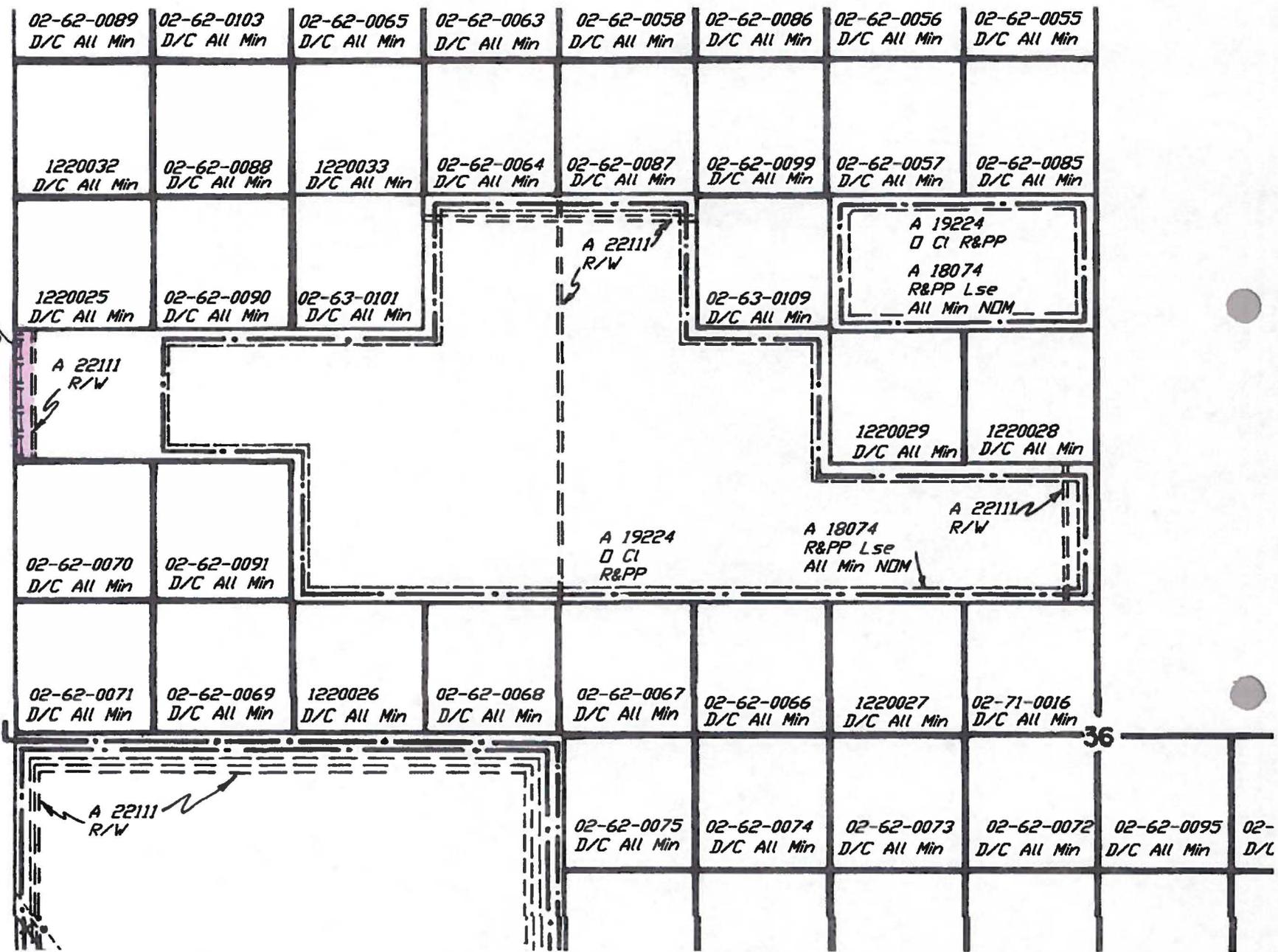
A-19294

PIPE SIZE 12" C.A.
 INSTALLED 1979

TOTALS FOR THIS APPLICATION

LINEAR FEET	330.00
SQUARE FEET	8,250.00
ACRES	.19

A 19294
12.5'



36

Proj. # BLM-200-21-811
Case # AZA-19290, AZA-19291,
AZA-19292, AZA-19293,
AZA-19294
Date: August 11, 2015

COMMENT DOCUMENT WORKSHEET

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

It is understood that the Arizona Water Company has applied for a renewal of five right-of-way authorizations in the Apache Junction area. Legal locations are in T. 1 N., R. 8 E., Sections 7, 23, 26, and 36. These rights-of-way are for water lines.

After searching the BLM Phoenix District cultural files, a number of prior cultural surveys in these specific areas were noted to have covered all of the listed subject rights-of-way thoroughly. The table at the end of this document shows the result of the previous research performed.

There are two rights-of-way located very close to the northern boundary of a historic site, AZ U:10:49 (ASM). These are AZA-19291 and AZA-19293. Google Earth images and field visits performed for another project have been used to confirm the location of these rights-of-way. Google Earth images also show very clearly no historic features associated with site AZ U:10:49 (ASM) are within or near these rights-of-way.

No impacts to any significant cultural resources are anticipated as a result of this activity. Therefore, a finding of No Historic Properties Affected is appropriate for this undertaking.

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:

Cheryl Blanchard
Signature

Table 1. Information about the previous research performed along the subject rights-of-way.

Project Number	Project Name	Acres Surveyed
BLM-020-18-118	<i>An Archaeological Survey of the Apache Junction Equestrian Trail / Open Space Park R&PP, by Cheryl Taylor, Tim Mann, and Mary Barger; BLM Phoenix District (1984)</i>	1,981 acres
BLM- 020-18-134	<i>Cultural Resources Survey of Proposed SRP Distribution Line Alignment on Meridian Road near Apache Junction, Pinal County, Arizona, by Lyle M. Stone, (1985)</i>	1.2 acres
BLM- 020-18-176	<i>An Archaeological Survey of the Salt River Project Thunderstone-Superstition 69 kV Transmission Line, Apache Junction and Mesa, Pinal and Maricopa Counties, by Richard Effland, (1988)</i>	21.2 acres
BLM-020-18-71	Apache Junction School Application Survey, by Don Simonis and Ann Bennett, BLM (1982)	130 acres
BLM-020-18-94	Apache Junction Archaeological Survey, by Don Dove, Arizona Archaeological Society (AAS) (1983)	200 acres
BLM-020-18-148	BLM Cultural Resources Comment Document Form – Survey in Apache Junction, by William R. Gibson, BLM (1987)	1 acre
BLM-020-18-88	Survey for Central Arizona College, by Bill Gibson (1983)	200 acres