

**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:

Tucson Field Office

Proposed Action Title:

Kaiser Access Road ROW Renewal

Applicant:

William Kaiser

Location of the Proposed Action:

Gila and Salt River Meridian, Arizona; T. 20 S., R. 21 E., Section 6, E½SE¼.

Just south of HWY 82, near the western boundary of the San Pedro Riparian National Conservation Area, Cochise County, Arizona.

NEPA No.:

DOI-BLM-AZ-G020-2015-0021-CX

Case File No.:

AZA-027201

Description of Proposed Action:

On August 7, 2015, Mr. William Kaiser submitted an application for renewal of Right-of-Way (ROW) Grant AZA-027201, an access road to private property, for an additional 20-year term. The original ROW Grant was issued on August 26, 1992 for a 20 year-term and expired on March 9, 2013.

This 1,300 foot long road crosses public land to provide access to Mr. Kaiser's private property. This ROW is also used by four other grant holders: AZA-028726 for a power line; AZA-031107 for the USGS to have access to the Babocomari River; AZA-32680 for an access road for another private land holder; and AZA-034804 to provide phone service to the private land holders. This access road runs from north to south, with connection to Highway 82 at the north end. The ROW is approximately 1 mile west of the San Pedro Riparian National Conservation Area's western boundary.

The ROW is 35 feet wide, 1,300 feet long and contains approximately 1.04 acres. There would be no new disturbance and no changes are requested. The proponent is in compliance with the terms and conditions of the original grant.

It is recommended to renew ROW AZA-027201 to Mr. William Kaiser for 20 years, making the new expiration date December 31, 2033.

PART II – PLAN CONFORMANCE REVIEW

This proposed action is subject to the following land use plan(s): This proposed action conforms, and is in accordance with the decisions of the following land use plan: The Phoenix Resource Management Plan, September 29 1989 (Phoenix RMP).

Decisions and page nos.: Page 14. Even though it is not specifically provided for, the Phoenix RMP does allow the following statement: "Land use authorizations (rights-of-way, leases, permits, easements) would continue to be issued on a case by case basis".

Date plan approved/amended: September 29, 1989.

This proposed action has been reviewed for conformance with these plans (*43 CFR 1610.5-3, BLM Manual 1601.04.C.2*).

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 X	Rationale: This action would have no significant environmental effects.	Preparer's Initials lu, mr
(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 X	Rationale: No 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; floodplains; national monuments; and other ecologically significant or critical areas exist in the affected environment nor would any of these resources be impacted.	Preparer's Initials lu, mr
(c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].			
Yes	No X	Rationale: The proposed action is not controversial nor are there any unresolved conflicts concerning alternative uses of available resources. The area involved is in a pre-disturbed area which exists in an active transportation corridor.	Preparer's Initials lu, mr
(d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.			
Yes	No X	Rationale: No significant environmental effects are known.	Preparer's Initials lu, mr
(e) Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.			
Yes	No X	Rationale: Future actions regarding this project, if any, would require processing in accordance with laws, regulations, and policy and does not establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects. Any additional proposals would be analyzed and a separate decision would be arrived at based on the analysis.	Preparer's Initials lu, mr

(f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.			
Yes	No X	Rationale: The effects of the proposed action would be limited to the issued ROW grant. Although there are four other ROWs for this same site, the proposed action does not have cumulatively significant effects.	Preparer's Initials lu, am
(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 X	Rationale: No properties listed, or eligible for listing, on the National Register of Historic Places are within the project area nor would any properties be affected by the proposed proposed project because no sites have been identified on the property site. A cultural compliance clearance report was completed on 9/15/2015.	Preparer's Initials as
(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 X	Rationale: No listed species or species proposed to be listed or critical habitat or proposed critical habitat are found within the project footprint for the proposed action. A threatened and endangered effects determination document was prepared as documentation for the no effects determination on 9/15/2015.	Preparer's Initials lu, mr
(i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.			
Yes	No X	Rationale: No laws or requirements imposed for the protection of the environment would be violated.	Preparer's Initials lu
(j) Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).			
Yes	No X	Rationale: The effects to the population as a whole resulting from the proposed action would be the same.	Preparer's Initials lu
(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 X	Rationale: No limitations to access sacred or any other sites would result from the proposed action.	Preparer's Initials as
(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 X	Rationale: This project 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.	Preparer's Initials lu, mr

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: See Attached Stipulations.

APPROVING OFFICIAL: /s/ Claire Crow

DATE: 10/14/2015

TITLE: Acting Field 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.