

**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: Hassayampa Field Office

NEPA No.: DOI-BLM-AZ-P010-2015-0026-CX

Case File No.: AZAR-023686

Proposed Action Title/Type: Randy Power Communication Site Amendment & Renewal of AZAR-023686

Applicant: Randy Power

Location of Proposed Action: T.3N., R.3W., Section 28, Tract 37

Description of Proposed Action: Amendment and renewal of a communication site, on White Tanks Mountain, originally granted as a radio relay station (on February 4, 1960) under the Act of 1911. In 1986 it was amended to convert the authorization to the Federal Land Policy and Management Act and approved to add a 120'-140' high free standing tower and two 8' x 20' buildings.

The applicant never built and no longer needs authorization for the 120'-140' free standing tower. The applicant has built one of the two authorized 8' x 20' buildings and intends to build the second one in the future. The amendment portion of this application is to obtain authorization for an existing 60' free standing lattice tower and a 15' microwave tower (and the concrete pads on which they stand). Each are located on the west end of the existing building (see site plan). The renewal portion of the application is for the two 8'x'20' mobile mini buildings, one propane tank, and one propane generator.

The site area previously analyzed was 100' x 100' (EA No AZ-025-86-048). The White Tanks communication site has a programmatic environmental assessment (EA) that was approved on June 26, 1978.

Part II. – PLAN CONFORMANCE REVIEW

This proposed action is subject to the following land use plan(s): Bradshaw Harquahala Record of Decision and Approved Resource Management Plan (April 2010)

- 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):

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 the following department manual (DM):

516 DM 11.9 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.”

516 DM 11.9 E(16) which states, “Acquisition of easements for an existing road or issuance of leases, permits, or right-of-way for the use of existing facilities, improvements, or sites for the same or similar purposes.”

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: | TITLE |
|------------------|---------------------------|
| Hillary Conner | Lands & Realty Specialist |
| Chris McLaughlin | Archaeologist |
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 PLANNING & ENVIRONMENTAL SPECIALIST

11/9/2015
 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>HC</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>HC</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>HC</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>HC</u> |

| | | |
|---|----|-------------------------------|
| <p>The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215(a)-(l)) apply. The project would:</p> | | |
| <p>(e) Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.</p> | | |
| Yes | No | Rationale: |
| | X | |
| | | Preparer's Initials <u>HC</u> |
| <p>(f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.</p> | | |
| Yes | No | Rationale: |
| | X | |
| | | Preparer's Initials <u>HC</u> |
| <p>(g) Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.</p> | | |
| Yes | No | Rationale: |
| | X | |
| | | Preparer's Initials <u>HC</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.</p> | | |
| Yes | No | Rationale: |
| | X | |
| | | Preparer's Initials <u>HC</u> |
| <p>(i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.</p> | | |
| Yes | No | Rationale: |
| | X | |
| | | Preparer's Initials <u>HC</u> |
| <p>(j) Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).</p> | | |
| Yes | No | Rationale: |
| | X | |
| | | Preparer's Initials <u>HC</u> |

| | | |
|---|----|-------------------------------|
| 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: |
| | X | |
| | | Preparer's Initials <u>HC</u> |
| (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 <u>HC</u> |

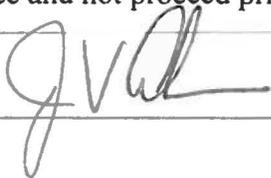
PART V. –COMPLIANCE REVIEW CONCLUSION

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) All valid rights existing on the date of the grant;
- 2) All regulations in the circulars specified above;
- 3) Terms and conditions of the original grant continue to apply;
- 4) Any cultural and/or paleontological resources (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.;
- 5) Proponent shall not impact cultural resources. No collection of artifacts is permitted. If impacts to cultural resources as discussed above are expected or if any ground disturbance will be proposed, Proponent must notify the Bureau of Land Management prior to ground disturbance and not proceed prior to written approval.

AUTHORIZING OFFICIAL:  DATE: 11/20/2015
 NAME: for Rem Hawes

TITLE: Hassayampa 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.