

**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-P020-2015-0011-CX

**Case File No.:** AZA-11855

**Proposed Action Title/Type:** R/W Renewal

**Applicant:** Qwest Corporation

**Location of Proposed Action:** T. 1 N., R. 14 E., Sections 35 and 36, T. 1 N., R. 15 E., Sec. 31

**Description of Proposed Action:** The applicant, Qwest Corporation, is proposing to renew its existing right-of-way authorization for a communications line. The existing right-of-way consists of a single aerial copper cable, including twenty (20) 25 foot class 6 poles. The existing line renewal request is 7,194 feet in length by 10 feet in width (approximately 1.65 acres). The renewal request is for a 30-year term, with the option to renew.

**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

Attachment 4-1  
AZ-1790-1  
August 2013

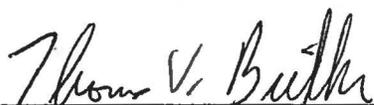
Environmental Policy Act (NEPA) in accordance with 516 DM 11.9 E. Realty (9) Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.

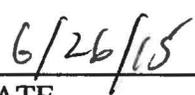
**Extraordinary Circumstances Review:** In accordance with **43 CFR 46.215**, any action that is normally categorically excluded must be subjected to sufficient environmental review to determine if it meets any of the 12 Extraordinary Circumstances described. If any circumstance applies to the action 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		7/21/2015
Ron Tipton		06/16/2015
Cheryl Blanchard		

  
 \_\_\_\_\_  
 PLANNING & ENVIRONMENTAL SPECIALIST  
 (Acting)

  
 \_\_\_\_\_  
 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.

<b>Yes</b>	<b>No</b>	<b>Rationale:</b> No impacts t public health or safety is anticipated from implementation of this right-of-way renewal. The applicant is requesting to renew the authorization, with no changes to what has previously been authorized.
	X	

Preparer's Initials 

(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.

<b>Yes</b>	<b>No</b>	<b>Rationale:</b> The proposed right-of-way renewal will not impact unique resources or geographic areas. No newly planned disturbance is expected.
	X	

Preparer's Initials 

(c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].

<b>Yes</b>	<b>No</b>	<b>Rationale:</b> The proposed right-of-way renewal would not involve any unresolved conflicts concerning alternative uses of available resources, or controversy over potential environmental effects is known.
	X	

Preparer's Initials 

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

<b>Yes</b>	<b>No</b>	<b>Rationale:</b> No uncertain or potentially significant environmental effects are anticipated with the proposed right-of-way renewal.
	X	

Preparer's Initials 

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

<b>Yes</b>	<b>No</b>	<b>Rationale:</b> The proposed right-of-way renewal does not establish a precedent for, or foreclose on, any future action.
	X	

Preparer's Initials 

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.

<b>Yes</b>	<b>No</b>	<b>Rationale:</b> The right-of-way renewal is not connected to, or cumulative with, any other present or reasonably foreseeable future action.
	X	

Preparer's Initials 

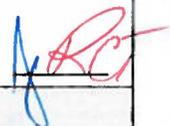
(g) Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.

<b>Yes</b>	<b>No</b>	<b>Rationale:</b> The right-of-way renewal project area does not appear to contain any known properties listed, or eligible for listing, on the National Register of Historic Places. The area has already been disturbed with the original placement of the communication line facility. The grant would be renewed, with no additional disturbances being expected.
	X	

Preparer's Initials 

(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.

<b>Yes</b>	<b>No</b>	<b>Rationale:</b> The proposed right-of-way renewal will not have any impact on species listed, or proposed to be listed, on the List of Endangered or Threatened Species. The right-of-way has 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.
	X	

Preparer's Initials 

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

<b>Yes</b>	<b>No</b>	<b>Rationale:</b> The proposed renewal will not violate any Federal laws, or any State, local or tribal laws, or requirements imposed for the protection of the environment.
	X	

Preparer's Initials 

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

<b>Yes</b>	<b>No</b>	<b>Rationale:</b> The proposed right of way renewal will not have a disproportionately high and adverse effect on low income or minority populations.
	X	

Preparer's Initials 

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	<b>Rationale:</b> The proposed right-of-way renewal 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	<b>Rationale:</b> The proposed right-of-way renewal 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. No changes will be made to the existing right-of-way without prior approval of the authorized officer.

AUTHORIZING OFFICIAL:



DATE:

7/29/15

NAME:

EDWARD J. KENDON

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.

EA REVIEW AND APPROVAL

Proposal: Right-of-Way Renewal

Land Description: T. 1N., R. 14/15E.

Applicant: MOUNTAIN STATES Type of Case 2800 Serial No. A-11855

AZ-020-1-98      4212      3126      \_\_\_\_\_  
EA No.      Activity      Work/Job Code      Project Code

EA Assigned to: Sharon Shawitz

Date(s) of Team Review: \_\_\_\_\_

Degree of Documentation: Minimal C.E. Standard \_\_\_\_\_ Major \_\_\_\_\_

COORDINATION

Each resource specialist responsible for the disciplines identified below will surname the appropriate space, indicating their involvement. An asterisk in the appropriate column indicates written comments have been provided.

NEEDED INPUT (✓)	DISCIPLINE	TEAM INPUT AND REVIEW	*
✓	Lands	<u>SIS</u>	
<u>N/A</u>	Minerals		
<u>N/A</u>	Range		
<u>N/A</u>	Burros		
<u>N/A</u>	General Recreation		
✓	Cultural & Paleontological Resource	<u>see report (encl)</u>	
<u>N/A</u>	Wilderness		
<u>N/A</u>	Soil		
<u>N/A</u>	Water		
<u>N/A</u>	Air Quality		
✓	Wildlife	<u>Subria Jordan</u>	
✓	T&E Plants	<u>see report (encl)</u>	
<u>N/A</u>	Surface Protection		
<u>N/A</u>	Socio-Economics		
<u>N/A</u>	Environmental Coordinator		
	Other		

APPROVAL

Sharon S. Shawitz  
Writer

5-6-81  
Date

John Ambush  
Area Manager

5-6-81  
Date

N/A  
Environmental Coordinator  
(Standard and Major EAs only)

\_\_\_\_\_  
Date

DECISION RECORD  
EA AZ-020-1-98

- A. DECISION: Mountain States Telephone & Telegraph Company will be granted a right-of-way for 30 years with an option to renew at that time. This right-of-way is the 30-year renewal for right-of-way PHX-063603 granted on March 8, 1929.
- B. LAND-USE ANALYSIS: There will be no changes to the existing right-of-way. The existing right-of-way is 5' wide (from centerline). No new development will occur. There are no critical environmental concerns nor conflicts with any local, state, or federal programs. An appraisal is necessary and rental will be collected. Cultural Resources, T&E Species, Flood plains, and Wilderness are not significant factors in this case.
- C. RATIONALE:  
The residual impacts of renewing an existing right-of-way would be negligible to the physical environment.
- D. MITIGATING MEASURES: No changes will be made to the existing right-of-way without prior approval of the authorized officer.
- E. FINDING OF NO SIGNIFICANT IMPACTS:  
In accordance with Departmental Manual 516, Appendix 5.4E(2), the proposed action constitutes a Categorical Exclusion for which an environmental assessment is not required.
- F. SIGNATURES:

  
Area Manager

5-6-81  
Date

  
District Manager

5/6/81  
Date

EAR # EA AZ-020-1-98

Case # A-11855

Comment Documentation Worksheet

I, Pat Giorgi, District Archeologist, in review of the above-noted Proposed Action, have the following comments:

A check of Class I Cultural Resource records revealed no sites in the proposed project area. Since no changes to the existing line line will occur and there will be no surface disturbance in this low CR sensitivity area, a field evaluation is not needed at this time. This case may proceed without further CR input.

Incorporated in record (yes) (no)

If "no" state rationale:

Patricia Giorgi 3/23/81  
Writer or Area Manager

Sharon Stewart

*Sharon Acheub*

Comment Documentation Worksheet

I, D. Ducote, in review of the above noted Proposed Action, have the following comments:

Since the action involves a renewal of an existing R/W, there will be no need for an on site inspection for the presence of sensitive, threatened or endangered plants.

*D. Ducote*  
*3/24/81*

Incorporated in record  (YES)  (NO)

If "no" state rationale:

*Sharon Acheub*  
\_\_\_\_\_  
Writer or Area Manager