

**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-P020-2015-0016-CX

Case File No.: AZA-36189/AZAR-4861

Proposed Action Title/Type: “Rainbow Valley 69/12 kV” Right-of-way Grant Reauthorization

Applicant: Arizona Public Service

Location of Proposed Action: South of Buckeye and east of State Route 85 in Little Rainbow Valley, Arizona.

G&SRM,

T 1 S, R 3 W, sections 30 & 31;

T 2 S, R 2 W, section 31;

T 2 S, R 2 W, sections 32 & 33;

T 2 S, R 3 W, sections 6, 7 & 17;

T 2 S, R 3 W, section 18;

T 2 S, R 3 W, sections 19-21, 28-29 & 33-36;

T 2 S, R 4 W, section 13.

“Buckeye”, “Margies Peak” and “Mobile NW” USGS 7.5’ topographic quadrangles.

Description of Proposed Action:

Arizona Public Service is requesting reauthorization of a power line right-of-way grant originally issued on October 23, 1953. The 69 kV power line provides service in and around Little Rainbow Valley; the 12 kV power line serves local users, including the cathodic protection station on the El Paso Natural Gas pipeline.

The ROW is 15.525 miles long by 20 feet wide, totaling 37.640 acres. This action is a simple reauthorization under FLPMA, and does not authorize any vegetation management or ground-disturbing activity.

Part II. – PLAN CONFORMANCE REVIEW

This proposed action is subject to the following land use plan: Lower Sonoran Record of Decision and Approved Resource Management Plan (September 2012):

- 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:

Attachment 4-1
AZ-1790-1
August 2013

Chapter 2, page 77, under Lands and Realty Authorization LR-1.3.3, states:
 Proposed minor linear and nonlinear Land Use Allocations (LUA) will continue to be authorized on an as needed, case-by-case basis in areas outside of LUA Avoidance and Exclusion areas.

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; 11) “Conversions of existing right-of-way grants to Title V grants or existing leases to FLPMA Section 302(b) leases where no new facilities or other changes are needed.”

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 (Appendix 2).

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.

Part IV. – EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION

PREPARERS:	INITIALS:	DATE:
Michael Rice	<i>MR</i>	08/27/15
Chris McLaughlin	<i>CM</i>	08/27/15
Mary Gilbert	<i>mg</i>	8/27/2015


 PLANNING & ENVIRONMENTAL SPECIALIST

8/28/15
 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: The current action is a simple reauthorization under FLPMA, with no new construction and no change in ROW maintenance.
	X	
 Preparer's Initials <u>MR</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 current action is a simple reauthorization under FLPMA, with no new construction and no change in ROW maintenance.
	X	
 Preparer's Initials <u>MR</u>		

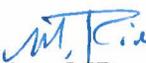
(c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].

Yes	No	Rationale: The current action is a simple reauthorization under FLPMA, with no new construction and no change in ROW maintenance.
	X	
 Preparer's Initials <u>MR</u>		

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

Yes	No	Rationale: The current action is a simple reauthorization under FLPMA, with no new construction and no change in ROW maintenance.
	X	
 Preparer's Initials <u>MR</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 current action is a simple reauthorization under FLPMA, with no new construction and no change in ROW maintenance.
	X	
 Preparer's Initials <u>MR</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 current action is a simple reauthorization under FLPMA, with no new construction and no change in ROW maintenance.	Preparer's Initials <u>MR</u>
	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: See attached Comment Document.	Preparer's Initials <u>CM</u>
	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 Wildlife & Vegetation Comment document prepared for this project by Mary Gilbert on August 29, 2013, concludes that permit reauthorization has no impact on special status plant or animal species, migratory birds, or their habitat.	Preparer's Initials <u>MG</u>
	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 current action is a simple reauthorization under FLPMA, with no new construction and no change in ROW maintenance.	Preparer's Initials <u>MR</u>
	X		

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

Yes	No	Rationale: The current action is a simple reauthorization under FLPMA, with no new construction and no change in ROW maintenance.	Preparer's Initials <u>MR</u>
	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: See attached Comment Document.
	X	Preparer's Initials <u>CM</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: The current action is a simple reauthorization under FLPMA, with no new construction and no change in ROW maintenance, and will not contribute to the establishment or spread of noxious weeds and non-native invasive species.
	X	Preparer's Initials <u>MG</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:

Standard stipulations will be included in the right-of-way grant and no additional mitigation is proposed.

AUTHORIZING OFFICIAL:  DATE: 8/31/15

NAME: EDWARD J KENDER

TITLE: LOWER SONORAN 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.

COMMENT DOCUMENT WORKSHEET

I, Christopher McLaughlin, in review of the above-noted Proposed Action, have the following comments:

It is understood that Arizona Public Service (APS) has submitted a reauthorization application for its preexisting Right-Of-Way AZA036189, a 69/12 kV distribution line located in the townships, ranges and sections, as expressed in Table 1 below. APS is in need of the reauthorization because the previous one has expired 10/23/2003. The current reauthorization is being done under the Federal Land Policy and Management Act of October 21, 1976 (FLPMA). The project area is depicted over several USGS 7.5' Topographic quadrangle maps within Arizona (Table 1) and occupies approximately 37.637 acres according to the reauthorization application received by BLM. This site is located southeast of Buckeye, south of I-10, east of state route 85 and west of Gila River Indian Reservation lands in Maricopa County, Arizona on Bureau of Land Management Lower Sonoran Field Office (BLM LSFO) lands. The very northern end of this line is passing between portions of the Fred J Weiler Green Belt but is not on those lands. There is no BLM wilderness within the line.

Table 1.USGS quadrangles and legal description for project area.

USGS 7.5' Quadrangle Map Name	Township	Range	Section
Buckeye 7.5' 2010 Photorevised 2011.	1 South	3 West	30, 31
Margies Peak 7.5' 2010 Photorevised 2011. and Mobile NW 7.5' 2010 Photorevised 2011.	2 South	2 West	31
Mobile NW 7.5' 2010 Photorevised 2011.	2 South	2 West	32, 33
Buckeye 7.5' 2010 Photorevised 2011.	2 South	3 West	6,7,17,
Buckeye 7.5' 2010 Photorevised 2011. Margies Peak 7.5' 2010 Photorevised 2011.	2 South	3 West	18,
Margies Peak 7.5' 2010 Photorevised 2011.	2 South	3 West	19,20,21,28,29,33,34,35,36
Buckeye 7.5' 2010 Photorevised 2011, Margies Peak 7.5' 2010 Photorevised 2011, Hassayampa 7.5', Cotton Center NW 7.5' 2010 Photorevised 2011.	2 South	4 West	13

In response to the request for reauthorization, a Class I records review of AZSITE and BLM cultural resource maps and records for the project area located on BLM lands was completed. A review of the project file found the right of way was originally constructed in 1953 prior to Federal Land Policy and Management Act of 1976 (FLPMA) and the National Historic Preservation Act of 1966 (NHPA), and that the line was amended in 1978, and amended again in 1982. The current request is a simple reauthorization under FLPMA, with no new construction and no change in ROW maintenance. According to AZSITE and BLM cultural resources maps as well as the materials available within the file from Lands, the project area was last previously surveyed for cultural resources in its entirety to a class III level at current acceptable standards in 2009. Previous survey 2009-276.ASM fully surveyed the line itself as it currently exists to an acceptable standard. Additionally, the AZSITE and BLM map review did reveal many previous surveys cross the line in various places within the project area expressed in table 1. Together, these previous surveys cover more than the current renewal's area. An unnumbered untitled previous survey was located within the project file. This survey of 6.0848 acres for an under hang on AZAR0486101 by Kincaid in 1977, found no cultural resources and was done to current standards. Additionally, some of the previous survey resulted in the identification of cultural resources in the vicinity

of the proposed APS 69/12kV line reauthorization (Table 3).

Considering that:

- the Class I records review demonstrated there has been some recorded previous cultural resources survey in the area of the proposed reauthorization including one survey of the entire line itself done to acceptable standards in 2009
- There were a total of two sites previously located within the ROW (Table 3) and neither of the two is considered eligible for inclusion on the National Register. There were previously recorded sites found within the class I search area but outside the line ROW
- this is an application to renew an existing right-of-way (ROW) for a 69/12kV power transmission line that has not changed in location since being constructed in 1953
- the current reauthorization does not allow any new ground disturbance, and BLM guidance and regulations require a pedestrian cultural resource inventory be performed prior to any ground disturbing activities

I did not perform a Class III cultural resources survey for the project area on behalf of APS as the information available to me upon receiving the request has shown that the reauthorization has received a complete cultural resources survey in the past, 2009-276.ASM. Approximately 13653.38 acres have been previously surveyed for cultural resources within the townships ranges and sections involved in this reauthorization. The current transmission line (an area measuring 81973 feet L x 20 feet W area or 37.637 acres according to the reauthorization application) is within the previously surveyed lands. The power line being renewed does not require additional or new ground disturbance and the previous recorded sites in the area have already been impacted when the line was put in. No new impacts to cultural resources are expected by renewing this line. A total of 0 acres was surveyed by me. During the Class I additional sites were also noted outside of the line within one quarter mile of the project (table 4). This reauthorization shall have no impact on these sites or any Register eligible sites as no ground disturbance is currently proposed.

Given that, as stated above, reauthorization is neither in new areas nor in areas likely to contain any significant cultural resources, this project may proceed as planned.

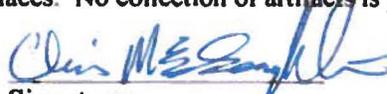
Recommendations:

- 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:

Proponent shall not impact cultural resources in particular avoiding impacts to those sites listed on or eligible for listing on the National Register of Historic Places. No collection of artifacts is permitted.


Signature

LOCATION

