

DECISION MEMORANDUM
Sulphur Springs Valley Electric Cooperative; Power Line Utility
Right-of-Way Renewal
DOI-BLM-AZ-G020-2016-0009-CX

U.S. Department of the Interior
Bureau of Land Management
Tucson Field Office

Project Description

In November of 2015, SSVEC submitted applications for renewal of two Right-of-Way (ROW) Grants; AZA-018915 and AZA-018982, both Electric Distribution Lines and associated facilities including access roads, for an additional 30-year term. The original ROW Grants were issued in October of 1984 for a 30 year-term and expired in January of 2014.

The following describes the details of each ROW Grant:

(1) AZA-018915:	(2) AZA-018982:
Issued: 01/17/1984	Issued: 01/20/1984
Expired: 01/16/2014	Expired: 01/19/2014
Length: 22,665 feet	Length: 22,086 feet
Width: 30 to 50 feet	Width: 20 feet
Acres: 23.04	Acres: 10.16
Voltage: 7.2kV and 12.4kV	Voltage: 7.2kV

The project location is:

Gila and Salt River Meridian, Arizona

AZA-018915:

T. 19 S., R. 22 E.,

sec. 26, NW $\frac{1}{4}$ SW $\frac{1}{4}$. (Located North of the Main Power Line)

T. 20 S., R. 21 E.,

sec. 6, SE $\frac{1}{2}$ SE $\frac{1}{4}$. (Located North of SR-82, west of the SPRNCA Boundary)

T. 20 S., R. 22 E., (Majority of Power Line exists here)

sec. 10, S $\frac{1}{2}$;

sec. 15, NW $\frac{1}{4}$;

sec. 20, SE $\frac{1}{4}$;

sec. 21, N $\frac{1}{2}$ NW $\frac{1}{4}$;

sec. 29, NW $\frac{1}{4}$.

T. 21 S., R. 21 E.,

sec. 22, SW $\frac{1}{4}$ NE $\frac{1}{4}$. (Located along Charleston Road, west of the SPRNCA Boundary)

and

AZA-018982:

T. 20 S., R. 22 E.,

sec. 10, SE $\frac{1}{4}$;

sec. 15, NW $\frac{1}{4}$;

sec. 20, SE $\frac{1}{4}$;

sec. 21, N $\frac{1}{2}$;
sec. 29, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
sec. 30, NE $\frac{1}{4}$ SW $\frac{1}{4}$.

These are located just south of Charleston Road, near the eastern boundary of the San Pedro Riparian National Conservation Area, Cochise County, Arizona.

The proposed action qualifies as a CX under Departmental Manual 516, 11.9, Appendix 4 E.9 that reads, "Renewals and assignments of leases, permits or rights-of-way where no additional rights are conveyed beyond those granted by the original authorization."

A cultural resource compliance clearance survey was completed on February 4, 2016, which included a Class I Records Search. Nothing of significance was gleaned from this review. A wildlife survey was done by the wildlife staff and no T&E species or other issues were encountered. A record search for active/authorized uses in the area revealed no additional ROWs affected by this project.

There are no active mining claims. The area is located within the Babocomari, Lucky Hills and Hopp grazing allotments, however the allotments are not expected to be an issue for the ROW's or vice-versa. Stipulations regarding cultural resources and maintenance of the road are included with the renewal of the ROW.

The grant will be issued for a 30 year term with the right of renewal. This ROW is authorized under the Title V of FLMPA.

Approval and Decision

Based on a review of the project described in the attached Categorical Exclusion documentation and field office staff recommendations, I have determined that the project is in conformance with the Safford District Resource Management Plan (RMP), Page 22: "Rights-of-Way, leases and permits will be considered on a case-by-case basis, in accordance with the decision of the Resource Management Plan." (approved August 1991; 2) 6-16-1988) and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed with the attached stipulations.

Administrative Review or Appeal Opportunities

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and Form 1842-1, which can be found at the Tucson Field Office. If an appeal is taken, your notice of appeal must be filed via fax, mail, or hand delivered at Tucson Field Office, 3201 E Universal Way, Tucson AZ 85756 within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) (request) for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the Office of the Solicitor (Department of the Interior, Office of the Field Solicitor, Sandra Day O'Connor U.S. Court House #404, 401 West Washington Street SPC44, Phoenix, AZ 85003-2151) (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

