

# ASDO NEPA DOCUMENT ROUTING SHEET

NEPA Document Number: CX-AZ-110-2008-010

Project Title: Blackrock Gulch Mineral Material Pit

Project Lead: Ken Shurtz

Date that any scoping meeting was conducted: N/A

Date that concurrent, electronic distribution for review was initiated: December 20, 2007

Deadline for receipt of responses: January 11, 2008

ID Team/Required Reviewers will be determined at scoping meeting or as a default the following:

Gloria Benson, Native American Coordinator

Lorraine Christian ASFO Manager

Tom Denniston, Wildlife/ T&E

Laurie Ford, Lands/Realty/Minerals

Diana Hawks, Recreation/Wilderness/VRM

John Herron, Cultural

Lee Hughes, Special Status Plants

Linda Price, S&G

Bob Sandberg, Range/Vegetation

Richard Spotts, Environmental Coordinator

Ron Wadsworth, Supervisory Law Enforcement

LD Walker, Weed Coordinator

Required Recipients of electronic distribution E-mails only (not reminders):

Andi Rogers (E-mail address: [arogers@azgfd.gov](mailto:arogers@azgfd.gov) )

Rick Miller (E-mail address: [rmiller@azgfd.gov](mailto:rmiller@azgfd.gov) )

LeAnn Skrzynski (E-mail address: [lskrzynski@kaibabpaiute-nsn.gov](mailto:lskrzynski@kaibabpaiute-nsn.gov) )

(Ms. Rogers and Mr. Miller are Arizona Game and Fish Department (AGFD) habitat specialists. Ms. Skrzynski is Environmental Program Director for the Kaibab Paiute Tribe (KPT). They may review and/or forward on ASDO NEPA documents to other employees. If a Project Lead receives comments from any AGFD employee on their draft NEPA document, they should include them in the complete set/administrative record and share them with Tom Denniston as the ASDO Wildlife Team Lead. Mr. Denniston will then recommend how these comments should be addressed. If a Project Lead receives comments from any KPT employee, they should include them in the complete set/administrative record and share them with Gloria Benson as the ASDO Native American Coordinator. Ms. Benson will then recommend how these comments should be addressed.)

Discretionary Reviewers:

*(insert names and titles of any additional reviewers recommended by Project Lead, Manager(s), Environmental Coordinator, or from scoping meetings)*

## **2.4.1 Categorical Exclusion Documentation Format for Actions Other Than Hazardous Fuels and Fire Rehabilitation Actions**

### **A. Background**

BLM Office: Arizona Strip Field Office Lease/Serial/Case File No.: AZA-34430

Proposed Action Title/Type: BLM Mineral Material Permit

Location of Proposed Action: T. 39 N., R. 13 W., Sec. 10 NW, GSRM (see attached map)

Description of Proposed Action: The Arizona Strip Operations (Force Account) Department proposes to use gravel from an existing pit for the repair and maintenance of Blackrock area roadways. This site is hidden behind a hill 2.5 miles south of the intersection with Blackrock road (#1004) on Blackrock Gulch road (#1009). This is an existing pit, is less than 5 acres in size and will not increase over 10 years. The Arizona Strip BLM would be the only user of this pit and the site would not be opened as a community pit. Access to the proposed site would be on an existing road. Heavy equipment such as a portable crusher, front-end loader, backhoe, and dump truck would be used in the processing and removal of gravel. No more than 50,000 cubic yards of material would be removed from this site.

The mitigation measures would include:

1. Heavy equipment and surface disturbance will be limited to the flagged pit area and roadway leaving the pit.
2. Reclamation will follow Shivwits RMP Implementation Plan - Appendix II (attached).
3. Any sub-surface archaeological, historical, or paleontological remains discovered during use shall be left intact; all work in the area shall stop immediately and the Authorized Officer shall be notified immediately. Recommencement of work shall be allowed upon clearance by the Authorized Officer in consultation with BLM's Archaeologist.
4. Scotch thistle, a noxious weed, has been treated in the past at a location near where gravel would be removed. There is a 15 inch clay barrier over the treated area, which would not be removed in order to protect the area from the spread of Scotch thistle. The site would continue to be monitored for any evidence of weed growth.
5. The BLM will promptly remove and dispose of all waste caused by the operations as directed by the Authorized Officer. "Waste" refers to all discarded matter including human waste, trash, garbage, refuse, petroleum products, ashes, and equipment. Wastes shall be disposed in an authorized landfill unless otherwise approved in writing by the Authorized Officer. Any drain oil from equipment will be contained and removed to an approved disposal facility.
6. The BLM will avoid driving through any and all sources of naturally occurring

water in the wash bottom and shall avoid discharge of any substance that would negatively alter the quality of the water.

**B. Land Use Plan Conformance**

Land Use Plan Name: Arizona Strip District Resource Management Plan

Date Approved/Amended: 1992/1998

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s): The Arizona Strip District Resource Management Plan, Table II-1, Mineral Resources, Salable Minerals: “The Materials Sale Act of 1947 and 43 CFR 3600 provide for the disposal and regulation of mineral materials. Disposal is administered on a case-by-case basis. Salable minerals are sold at fair market values. Free use permits are issued to federal and state agencies, local communities and non-profit groups as the need arises.”

The Shivwits Resource Area Implementation Plan decision M101, page II-11 states “Provide for the disposal and regulation of mineral materials at fair market value on a case-by-case basis. Free-use permits would be issued to federal and state agencies, and local communities.”

**C: Compliance with NEPA:**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 6, Appendix 5.4: F. (10)., which states “ Disposal of mineral materials such as sand, stone, gravel, pumice, pumicite, cinders, and clay, in amounts not exceeding 50,000 cubic yards or disturbing more than 5 acres, except in riparian areas.”

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 DM2 apply.

I considered the proposed mitigations and expect negligible to minor, short term impacts from the proposed action. Attachment 1 does not list any Extraordinary Circumstances associated with the proposed action.

**D: Signature**

Authorizing Official: \_\_\_\_\_ Date: \_\_\_\_\_

Name: Lorraine M. Christian  
Title: Field Office Manager

**Contact Person**

For additional information concerning this CX review, contact Ken Shurtz, Surface Protection Specialist, Arizona Strip Field Office, (435) 688-3263.

# Attachment 1

## EXTRAORDINARY CIRCUMSTANCES REVIEW AND CHECKLIST

IMPORTANT: Appropriate staff should review the circumstances listed below, and comment for concurrence. Rationale supporting the concurrence should be included where appropriate.

EXTRAORDINARY CIRCUMSTANCES Does the proposed action...	YES/NO & RATIONALE (If Appropriate)	STAFF
1. Have significant impacts on public health and safety?	No	Shurtz
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness or wilderness study 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 (Executive Order 13186); and other ecologically significant or critical areas?	No	Hawks
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?	No	Shurtz
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?	No	Shurtz
5. Establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects?	No	Shurtz
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?	No	Shurtz
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the Bureau or office?	No	Herron
8. 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?	No	Denniston
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?	No	Benson
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?	No	Shurtz
11. 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)?	No	Benson
12. 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)?	No	Walker

## DECISION MEMORANDUM

Black Rock Gulch Mineral Material Pit  
CX-AZ-110-2008-010

US Department of the Interior  
Bureau of Land Management  
Arizona Strip Field Office  
345 East Riverside Drive, St. George, Utah

### **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 Arizona Strip District Resource Management Plan (approved 1992) and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed.

This decision authorization letter will include the mitigation measures listed below:

7. Heavy equipment and surface disturbance will be limited to the flagged pit area and roadway leaving the pit.
8. Reclamation will follow Shivwits RMP Implementation Plan - Appendix II (attached).
9. Any sub-surface archaeological, historical, or paleontological remains discovered during use shall be left intact; all work in the area shall stop immediately and the Authorized Officer shall be notified immediately. Resumption of work shall be allowed upon clearance by the Authorized Officer in consultation with BLM's Archaeologist.
10. Scotch thistle, a noxious weed, has been treated in the past at a location near where gravel would be removed. There is a 15 inch clay barrier over the treated area, which would not be removed in order to protect the area from the spread of Scotch thistle. The site would continue to be monitored for any evidence of weed growth.
11. The BLM will promptly remove and dispose of all waste caused by the operations as directed by the Authorized Officer. "Waste" refers to all discarded matter including human waste, trash, garbage, refuse, petroleum products, ashes, and equipment. Wastes shall be disposed in an authorized landfill unless otherwise approved in writing by the Authorized Officer. Any drain oil from equipment will be contained and removed to an approved disposal facility.
12. The BLM will avoid driving through any and all sources of naturally occurring water in the wash bottom and shall avoid discharge of any substance that would negatively alter the quality of the water.

### **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 the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed at the Arizona Strip Field Office, 345 East Riverside Drive, St. George, Utah 84790, 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:

Standards for Obtaining a Stay

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

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Lorraine M. Christian  
Field Office Manager

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Date

Enclosure: Form 1842-1