

KINGMAN FIELD OFFICE SCOPING FORM

Proposal:

DOI-BLM-AZ-C010-2010-0030-EA
NEPA Document Number

_____ RMP Implementation No.

S:/BLMshare/LANDS/BACKLOG/AZA35054/EA
Document Location

Land Description: E½NE¼

Applicant: KUSD#20

Authorization: Amendment to R&PP Lease, Right-of-Way

INVOLVEMENT: Indicate in the left column which disciplines need to provide information into the EA.

Needed Input (X)	Discipline	Signature
	Lands	
	Minerals	
	Range	
	Wild Horse and Burro	
	General Recreation	
X	Cultural and Paleontological Resources	/s/ Tim Watkins
	Wilderness	
	Soils	
	Surface and Groundwater Quality/Water Rights	
	Air Quality	
X	Wildlife	Ammon Wilhelm 05/27/2010
X	Threatened and Endangered Plants and Animals	Ammon Wilhelm 05/27/2010
X	Migratory Birds	Ammon Wilhelm 05/27/2010
	Surface Protection	
	Hazardous Materials	
	Areas of Critical Environmental Concern	
	Visual Resources	
	Socio-Economics/Environmental Justice	
	General Botany/Noxious Weeds	
	Energy Policy	

Writer: /s/ Andy Whitefield

Date: 05/10/2010

Environmental Coordinator: /s/ David Brock

Date: 05/28/2010

Field Manager: _____

Date: _____

ENVIRONMENTAL ASSESSMENT, FONSI and DR FORM

EA Number: DOI-BLM-AZ-C010-2009-0030-EA

Serial Case File Nos. AZA 24229 01,
AZA 35054

Bureau of Land Management, Kingman Field Office

Proposed Action Title/Type: Amendment to Recreation and Public Purposes (R&PP) Act Lease AZA 24229 01 and Right-of-way for access road AZA 35054.

Location of Proposed Action: Lots 1, 2, 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 8, T. 21 N., R. 18 W., G&SRM.

Applicant (if any): Kingman Unified School District No 20 (KUSD).

CONFORMANCE WITH APPLICABLE LAND USE PLAN:

This proposed action is in conformance with the Kingman Resource Management Plan approved March 1995. Remarks: RMP Decision number and narrative: The proposed R&PP lease amendment is within lands identified in the RMP for R&PP Act uses, appen. 17, p. 507 lists the E $\frac{1}{2}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$ NW $\frac{1}{4}$ of said section 8. For classification and conveyance purposes some portions of these aliquot parts have been surveyed into 6 lots.

Pages 66 and 67 of the RMP, and a portion of item 2 of the errata sheet issued with the RMP/FEIS, states "All other minor rights-of-way would be evaluated through the environmental review process and granted or rejected on a case-by-case basis. Existing rights-of-way would be used when possible to minimize surface disturbance." The existing access for the school is directly from the right-of-way for State Route (SR) 68, so the use of an existing right-of-way does provide physical access to the school. However, by including "when possible" in the language in the RMP, the ability to weigh conditions of whether an existing right-of-way provides access in a manner consistent with a certain purpose may also be considered. It is an objective of the Arizona Department of Transportation to limit direct access onto SR 68 in this area to provide for public safety in general. Because of the traffic pattern around the school, i.e. the congestion of traffic before and after school when children are dropped off and picked up and the bussing of children, this situation creates a particular public safety hazard. Therefore, in considering the disposition of this application, the BLM will consider granting the right-of-way since it is not possible to provide safe access by using the existing right-of-way for SR 68.

PURPOSE AND NEED FOR PROPOSED ACTION:

The purpose and need for the proposed action is to process these applications and arrive at a decision concerning their disposition in accordance with law, regulation, and policy.

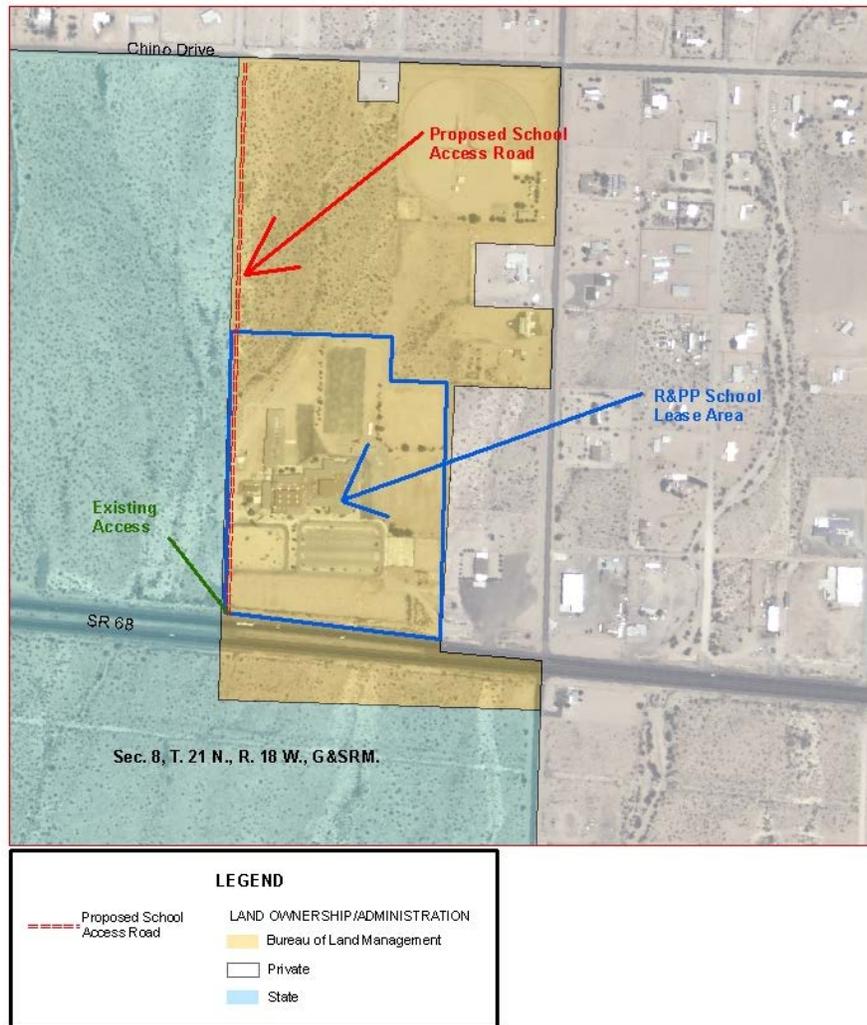
DESCRIPTION OF PROPOSED ACTION ALTERNATIVE

School Ingress/Egress

The Proposed Action is for the BLM to amend KUSD's lease to change the location of ingress/egress onto the school's lease. This change, in conjunction with the proposed road right-of-way, would change the schools' access from SR 68 to Chino Drive, which is a county road along the section line common to sections 5 and 8 (refer to the aerial view, below). No change in the amount of the area under the school's lease is proposed, only

changes in the approved site plan to change the location of where access is provided. The existing access directly onto SR 68 would be barricaded so that the school could be accessed from the highway only in the event of an emergency. The signage and pavement marking along SR 68 would be changed so that motorists would no longer perceive an access point where the current access is provided.

The proposed right-of-way for the road would be the west 84 feet of lot 1 north of the right-of-way for SR 68 (AZAR 34112), the west 84 feet of lot 4 south of the right-of-way for Chino Drive (AZA 17931), the west 84 feet of the SW¹/₄NW¹/₄NE¹/₄NE¹/₄, the west 84 feet of the SW¹/₄NE¹/₄NE¹/₄ of said section 8. The length of the right-of-way would be approximately 2,275 feet. The area would be 4.4 acres, more or less.



Buried Telephone Line Realignment

Right-of-way AZA 25317 was granted for a buried telephone line for the west 20 feet of the E¹/₂NE¹/₄ north of SR 68. The line was buried near the eastern edge of the 20 foot wide right-of-way and therefore would conflict with the proposed road. In order to make the location of the line compatible with the proposed road Citizens Utilities Rural would move it to the western edge of its right-of-way near the property boundary. No changes in this right-of-way would be necessary, therefore no decision in regards to this is put before the BLM; however this is a connected action requiring disclosure. Since this would be within the area proposed for the road the disturbance caused by this would become disturbed should the right-of-way for the road be granted.

DESCRIPTION OF NO ACTION ALTERNATIVE

Under the no action alternative the applications for amending the lease and granting the road right-of-way would be denied.

AFFECTED ENVIRONMENT

General Setting

The affected environment is in central Golden Valley, particularly in the southwestern portion of the school's leased land where the access would be changed and the location of the proposed right-of-way in the area immediately east of the east 16th section line of said section 8 north of SR 68.

Vegetation

The vegetative community in this area is Sonoran and Mojave desert scrub. The dominant species are creosote, bursage, snakeweed, big galleta, cholla, wolfberry, and catclaw acacia.

Wildlife

Wildlife species occurring in this area are primarily birds, including migratory species such as mourning dove, cactus wren, Le Conte's thrasher, loggerhead shrike, black-throated sparrow, Gambel's quail, and mockingbird. Other wildlife species occurring in this area are rabbits, ground squirrels, field mice, snakes, lizards, and, occasionally, coyotes.

Visual Resource Management (VRM)

The affected environment is within VRM Class IV. The objective of this classification is to provide for management activities which allows for major modifications to the existing landscape. The level of change to the landscape may be high and may dominate the view. The existing landscape within the area of the proposed action is flat with distant views of the Cerbat Mountains to the east, Hualapai Mountains to the southeast, and the Black Mountains to the south, west, and north. The views within the immediate area of the proposed campus are dominated by manmade structures and facilities such as houses, roads and utility lines.

Public Safety

As described above, the current ingress/egress for the school is directly from SR 68. This has created a safety issue due to the amount and timing of traffic to and from the school. Approximately two years ago a student was killed at this intersection.

ENVIRONMENTAL IMPACTS

PROJECT RESOURCE review			
Resources Considered	Not Present	Present and Not Affected	Present and/or Potentially Affected
Air Quality*		✓	
Areas of Critical Environmental Concern*	✓		
Cultural and Historic*	✓		
Environmental Justice* / Socioeconomics	✓		
Floodplains*	✓		
Grazing	✓		
Hazardous or Solid Waste*	✓		
Invasive and Non-native Species*	✓		
Land Use		✓	
Migratory Birds*			✓
Native American Religious Concerns*	✓		
Prime and Unique Farmland*	✓		
Threatened and Endangered Species*	✓		
Vegetation			✓
Visual Resources			✓
Water Quality*	✓		
Wetland or Riparian Zones*	✓		
Wild and Scenic Rivers*	✓		
Wilderness*	✓		
Wildlife			✓
* Consideration Required By Law or Executive Order			

ENVIRONMENTAL IMPACTS

Anticipated Impacts from the Proposed Action

The following is a description of the anticipated impacts which would result from the proposed action.

Vegetation

Up to approximately 2.6 acres of vegetation would be eliminated from the construction of the road along approximately 1,400 feet of the proposed alignment. The remaining approximate 850 feet of the proposed alignment and is within the leased area which is already disturbed.

Wildlife

The impacts anticipated from the proposed action would be the elimination of up to 2.6 acres of wildlife habitat. The construction of the road and the realignment of the buried telephone line could affect nesting/fledging activities for a distance of approximately 150 feet from these activities. If construction or other disruptive activities occur during the breeding and nesting period for migratory birds, these activities could result in failed breeding and fledging activities.

Visual Resources

The proposed action would result in slight modification of the landscape by the widening of a small dirt road to a wider, surfaced one, however VRM objectives for this area would be met.

Public Safety

The proposed action would provide for an easier means of ingress/egress for the school and would eliminate the disruption to traffic on SR 68 caused by the traffic generated by the school.

Anticipated Impacts from the No Action Alternative

Under the no action alternative the land would remain as it is, so no impacts to vegetation, wildlife, and visual resources would be anticipated. The danger to public safety as described in the affected environment section above would also remain the same under the No Action Alternative.

Given the BLM's designation in the Kingman RMP that a primary use of these lands could be for recreation and public uses it is likely the BLM would entertain applications for these kinds of uses in the future.

Cumulative Impacts

Cumulative impacts which are likely to directly result from the Proposed Action Alternative in the immediate area would be the likelihood of more facilities being authorized on public lands north of the school campus and south of Chino Drive for which the proposed road would allow access.

Other cumulative impacts on public lands in this area are the potential for the BLM to authorize two other actions currently being contemplated. One of these is the application for a right-of-way to replace an existing 20.8kV electric line which runs along the northern edge of the right-of-way of SR 68 with a 69kV sub-transmission line with a 20.8kV underbuild. The current line's poles height are approximately 30 feet and the proposed line's poles' height would be 65 feet. This line would be within KUSD's leased land.

The other action would be to authorize a lease and possible conveyance of 12.5 acres of public lands under the R&PP Act for a community college approximately 0.7 miles west of KUSD's facility.

Given that the land in this area is predominately privately owned and the increasing population trend in this area, it is likely that more lands will be developed into residential and commercial property. It would be anticipated this would occur regardless of the decisions made on either of the two actions analyzed herein.

DESCRIPTION OF MITIGATION MEASURES

Along with standard terms and conditions of the proposed right-of-way and lease amendment (refer to Appendices 1 and 2) should these be authorized, the following terms and conditions would be included to address mitigating the impacts to migratory birds and state protected plants:

Except as stipulated below, construction activities for the road will be limited to the period of September 1 through February 28 to avoid disruption to migratory birds during their breeding season unless operations have substantially begun prior to February 28 and remain on a continuing basis, i.e. substantial operations occur during the weekdays. The BLM will periodically monitor construction activities and may conduct surveys for migratory bird nesting activities. In the event nesting activities on public lands are or may be disrupted as a result of the Holder's/Lessee's construction activities, the BLM may provide written notice to the Holder to cease all or part of its activities on public lands until the young birds have left the nest(s) or otherwise nesting activities would no longer be disrupted.

If the Holder/Lessee has not begun operations prior to February 28 and wishes to perform construction activities during March 1 through August 30, the Holder/Lessee would be required to request from the authorized officer a Notice to Proceed after having a survey conducted to the specifications of the authorized officer to determine if impacts to migratory birds would be anticipated. The authorized officer will have the discretion to either have BLM employee(s) perform this survey or to have the Holder/Lessee hire a qualified biologist to perform the survey upon consultation with the BLM. No construction activities would be permitted during the breeding season until the authorized officer has issued a Notice to Proceed after a finding that no migratory birds are nesting within the vicinity of this right-of-way.

DESCRIPTION OF RESIDUAL IMPACTS

Residual impacts anticipated from the Proposed Action Alternative would be the conversion of approximately 2.6 acres of desert devoted to road purposes.

PERSONS/AGENCIES CONSULTED:

Oz Enderby, Director of Construction, KUSD
Terry Hedges, Contractor for Citizens Utilities Rural Inc.
Monte Wilson, Construction Manager, Mohave County Public Works Department
Tim Watkins, Archaeologist, BLM Kingman Field Office
Ammon Wilhelm, Biologist, BLM Kingman Field Office
Preparer(s): Andy Whitefield
Environmental Coordinator: Dave Brock /s/ David Brock

FINDING OF NO SIGNIFICANT IMPACT/DECISION RECORD.

I have reviewed this environmental assessment including the explanation and resolution of any potentially significant environmental impacts. I have determined that the proposed action with the mitigation measures described below will not have any significant impacts on the human environment and that an EIS is not required. I have determined that the proposed project is in conformance with the approved land use plan. It is my decision to implement the project with the stipulations identified below.

Stipulations to attach to permit/Remarks:

See the above mitigation measures and Appendices 1 and 2, Draft Right-of-Way Grant AZA 35054 and Draft Decision To Amend R&PP Lease AZA 24229 01.

Authorized Official: /s/ Jackie Neckels Date: 06/01/2010

FORM 2800-14
(August 1985)

Issuing Office
Kingman Field Office

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
RIGHT-OF-WAY GRANT/TEMPORARY USE PERMIT

SERIAL NUMBER AZA 35054

1. A right-of-way is hereby granted pursuant to Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761).

2. Nature of Interest:

a. By this instrument, the holder:

Kingman Unified School District #20
3033 MacDonald Avenue
Kingman, Arizona 86401

receives a right to construct, operate, maintain, and terminate a road on public lands (or Federal lands for MLA Rights-of-Way) described as follows:

Gila and Salt River Meridian, Arizona

T. 21 N., R. 18 W.,

sec. 8, the west 84 feet of lot 1 north of right-of-way AZAR 34112 (State Route 68), the west 84 feet of lot 4 south of right-of-way AZA 17931 (Chino Drive), the west 84 feet of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, the west 84 feet of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$.

b. The right-of-way or permit area granted herein is 84 feet wide, 2,275 feet long, and contains 4.387 acres, more or less.

c. This instrument will terminate 30 years from its effective date unless, prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.

- d. This instrument may be renewed. If renewed, the right-of-way or permit shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest.
- e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

3. Rental:

Rental Exempt in accordance with 43 CFR 2806.14 (b). For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management fair market value rental as determined by the authorized officer unless specifically exempted from such payment by regulation. Provided, however, that the rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices.

4. Terms and Conditions:

- a. This grant or permit is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations parts 2800 and 2880.
- b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 90 days, or otherwise dispose of as directed by the authorized officer.
- c. Each grant issued for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.
- d. The stipulations, plans, maps, or designs set forth in Exhibits A and B, dated May 25, 2010, attached hereto, are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.

- e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.
- f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant or permit.

(Signature of Holder)

(Signature of Authorized
Officer)

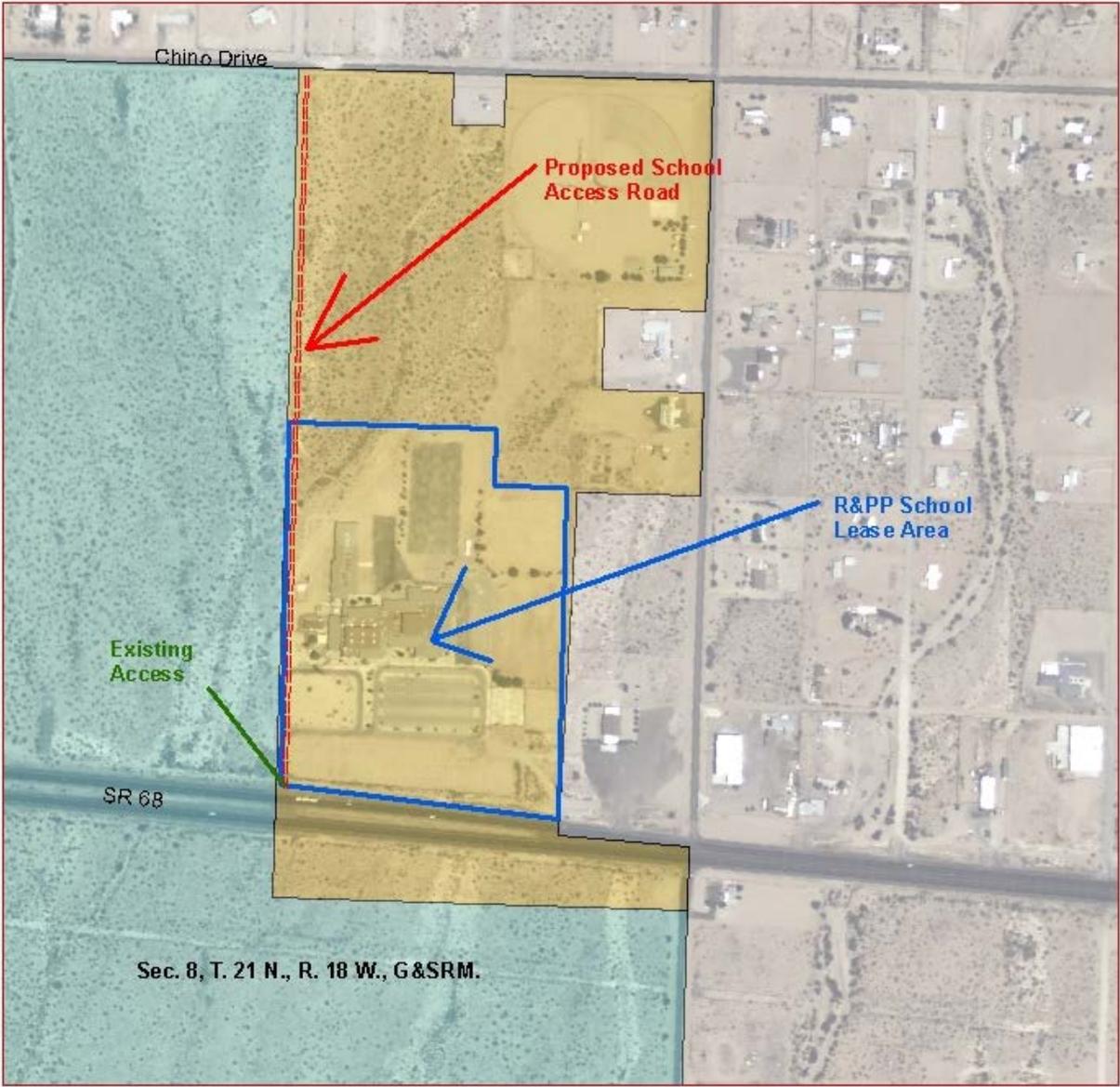
(Title)

(Title)

(Date)

(Effective Date of Grant)

Exhibit A
AZA 35054
May 24, 2010



LEGEND	
 Proposed School Access Road	LAND OWNERSHIP/ADMINISTRATION
 Bureau of Land Management	 Private
 State	

No warranty is made by the Bureau of Land Management for the use of the data for purposes not intended by the BLM

EXHIBIT B
AZA 35054
May 24, 2010

A. CONSTRUCTION, OPERATION, AND MAINTENANCE

1. A copy of these stipulations, including exhibits and the Plan(s) of Operation (if required), will be on the project area and available to persons directing equipment operation.

2. a. Except as stipulated below, construction activities for the road will be limited to the period of September 1 through February 28 to avoid disruption to migratory birds during their breeding season unless operations have substantially begun prior to February 28 and remain on a continuing basis, i.e. substantial operations occur during the weekdays. The BLM will periodically monitor construction activities and may conduct surveys for migratory bird nesting activities. In the event nesting activities on public lands are or may be disrupted as a result of the holder's construction activities, the BLM may provide written notice to the holder to cease all or part of its activities on public lands until the young birds have left the nest(s) or otherwise nesting activities would no longer be disrupted.

- b. If the holder has not begun operations prior to February 28 and wishes to perform construction activities during March 1 through August 30, the holder would be required to request from the authorized officer a Notice to Proceed after having a survey conducted to the specifications of the authorized officer to determine if impacts to migratory birds would be anticipated. The authorized officer will have the discretion to either have BLM employee(s) perform this survey or to have the holder hire a qualified biologist to perform the survey upon consultation with the BLM. No construction activities would be permitted during the breeding season until the authorized officer has issued a Notice to Proceed after a finding that no migratory birds are nesting within the vicinity of this right-of-way.

3. 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 will be immediately reported to the Authorized Officer. The holder will suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the Authorized Officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the Authorized Officer after consulting with the Holder.

4. The holder will conduct all activities associated with the construction, operation, and termination of the right-of-way within the authorized limits of the right-of-way except for the plant salvage as described in item A (10) of this exhibit.

5. Prior to excavation, the holder will locate and avoid buried utilities.

6. The holder will consult and coordinate with the Mohave County Public Works Department in any matter regarding intersecting this right-of-way with right-of-way AZA 17931 (Chino Drive), and in any matter which could affect Mohave County Board of Supervisors rights to construct, operate, maintain, and terminate that road.
7. The holder will consult and coordinate with the Arizona Department of Transportation (ADOT) in any matter regarding intersecting this right-of-way with right-of-way AZAR 33721 (SR 68), and in any matter which could affect ADOT's rights to construct, operate, maintain, and terminate SR 68.
8. The holder will remove only the minimum amount of vegetation necessary for the construction, operation, maintenance, and termination of the road.
9. The holder will protect all survey monuments. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management Cadastral Survey corners, reference corners, witness points, U.S. Coastal and Geodetic benchmarks and triangulation stations, military control monuments and civil (both public and private) survey monuments. In the event of obliteration or disturbance of any of these by the holder or anyone operating on his behalf, the holder will immediately report the incident to the authorized officer and the respective installing agency (if known) in writing. The holder will be responsible for the restoration of the monument(s) in a manner suitable to the authorized officer after consultation with all parties involved. If Bureau cadastral or other Federal surveyors are used to restore the monument(s), the holder will be liable to the United States for the costs.
10. All cacti, yucca, nolina (beargrass), ocotillo, agave or other state protected plants on public lands will be avoided where possible. Where they cannot be avoided the holder will transplant them on public lands within 15 feet of this right-of-way. The plants will be transplanted by hand, the same day that they are uprooted.
11. The holder shall minimize disturbance to existing improvements on public land. The holder is required to promptly repair improvements to at least their former state. Functional use of these improvements will be maintained at all times. The holder will contact the owner of any improvements prior to disturbing them.
12. The holder will construct the road to provide drainage and minimize erosion.
13. The holder will not block or otherwise prevent the general public from using the road on federal lands.
14. The holder will not violate applicable air and water quality standards or related facility siting standards established by or pursuant to applicable Federal and State law.

15. The holder will limit excavation to the areas of construction. No borrow areas for fill material will be permitted on the site. All waste material resulting from construction or use of the site by the holder will be removed from the site.

16. Construction sites will be maintained in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.

17. The holder will maintain the road so that user traffic remains within the right-of-way and erosion is mitigated. Roads and road segments where serious erosional damage is occurring will be handled on a case-by-case basis.

18. Failure of the holder to share maintenance costs in dollars, equipment, materials, or manpower proportionate to the holder's use with the other authorized users may be adequate grounds to terminate the right-of-way grant. The determination as to whether this has occurred and the decision to terminate shall rest with the Authorized Officer. Upon request, the Authorized Officer shall be provided with copies of any maintenance agreement entered into.

19. Use of pesticides shall comply with the applicable Federal and State laws. Pesticides and herbicides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, the holder will obtain from the Authorized Officer written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the Authorized Officer. Emergency use of pesticides will be approved in writing by the Authorized Officer prior to use.

20. No construction or routine maintenance activities will be performed during periods when the soil is too wet to adequately support construction equipment. If such equipment creates ruts in excess of three inches deep, the soil shall be deemed too wet to adequately support construction equipment.

21. The holder of this right-of-way agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, et seq. or the Resource Conservation and Recovery Act, 42 U.S.C. 6901, et seq.) on this right-of-way (unless the release or threatened release is wholly unrelated to Holder's activity in this right-of-way). This agreement applies without regard to whether a release is caused by the holder, their agent, or unrelated third parties.

22. The holder(s) will comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, holder(s) will comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, et seq.) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release of spill of any toxic substances shall be furnished to the Authorized Officer concurrent with the filing of the reports to the involved Federal agency or State government.

23. Upon notification from the Authorized Officer the holder will furnish and apply water, chemicals, or use other means satisfactory to the Authorized Officer for dust control.

24. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.

25. Disposal of all liquid and solid waste produced during operation of this right-of-way shall be in an approved manner so it will not impact the air, soil, water, vegetation or animals.

26. This right-of-way is subject to the following:

a. Right-of-way AZAR 33291 for an electric line granted to Citizens Utilities Rural Company, its successors and assigns;

b. Right-of-way AZA 24728 for a water pipeline and related facilities granted to Kingman Elementary School District #4, its successors and assigns;

c. Right-of-way AZA 25317 for a buried telephone cable granted to Citizens Utilities Rural Company, its successors and assigns;

d. Right-of-way AZAR 33721 for highway purposes granted to the Arizona Department of Transportation, its successors and assigns;

e. Recreation and Public Purpose Lease AZA 24229 01 issued to Kingman Unified School District #20, its successors and assigns.

B. TERMINATION

1. Ninety days prior to termination of the right-of-way, the holder will contact the Authorized Officer to arrange a joint inspection of the right-of-way. This inspection will be held to agree to an acceptable termination (and rehabilitation) plan. This plan shall include, but is not limited to, removal of facilities, drainage structures, or surfacing material, recontouring, topsoiling, or seeding. The Authorized Officer must approve the plan in writing prior to the holder's commencement of any termination actions.

AZA 24229 01
2912 (AZ 310)

DECISION

Mr. Oz Enderby
Director of Construction :
Kingman Unified School District #20 : Recreation and Public
3033 MacDonald Avenue : Purpose Lease AZA 24229 01
Kingman, Arizona 86401

Recreation and Public Purpose Act Lease Amended

On August 24, 1990, Recreation and Public Purpose Act Lease AZA 24229 01 was issued to Kingman Elementary School District #4 (KUSD #4) for a school and related improvements, affecting the following public lands as amended:

Gila and Salt River Meridian

T. 21 N., R. 18 W.,
sec. 8, that portion of lot 1 lying north of the centerline of right(s)-of-way granted to the Arizona Department of Transportation for State Route 68, W½ Lot 2, SW¼NE¼NE¼.

Containing 33.57 acres, more or less.

On January 25, 2010 KUSD #4 submitted an application to amend this lease to change the means of ingress/egress. On April 2, 2009 KUSD #4 submitted an application for a right-of-way for a road (serialized as AZA 35054) which, in conjunction with its application to amend its lease, would provide ingress/egress by way of Chino Drive. To show the detailed changes to the intended means of ingress/egress, survey drawings entitled "Construction Plans for Santa Maria Road" were submitted on May 25, 2010.

The BLM has reviewed these plans and finds them adequate to show how ingress/egress is to be provided for the school. Therefore, based on the above and in accordance with the Recreation and Public Purpose Act (44 Stat. 741;43 U.S.C. 869), I hereby amend Lease AZA 24229 01 from where the former means of ingress/egress was shown and described in the approved plan of development and management designated as "Proposed K-8 Elementary School for the Kingman Elementary School District 4" to that shown and described on those survey drawings noted above. This amendment only applies to the extent the means of ingress/egress is described and shown within the boundaries of said lease.

All provisions, obligations, terms and conditions of Lease No. AZA 24229 01 remain unchanged.

If you have any questions regarding this amendment, please call Andy Whitefield at (928) 718-3746.

This decision is final for purposes of appeal. Within 30 days from receipt of this decision, you have the right of appeal to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations at 43 CFR Part 4.400. If an appeal is taken, you must follow the procedures outlined in the enclosed form 1842-1, Information on Taking Appeals and Stays to the Board of Land Appeals. The appellant has the burden of showing that the decision appealed from is in error.

Jackie Neckels
Assistant Field Manager
Non-Renewable Resources