



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Kingman Field Office

2755 Mission Boulevard

Kingman, Arizona 86401

www.az.blm.gov



April 13, 2012

Dear Reader,

The BLM Kingman Field Office is proposing to amend the Kingman RMP to include lot 5, section 1, T. 20 N., R. 16 W., G&SRM., with those reserved for uses under the R&PP Act for the use of a fire station. This proposed amendment may be protested in accordance with procedures outlined below:

Filing a Valid Protest

Pursuant to BLM's planning regulations at 43 CFR 1610.5-2, any person who participated in the planning process for this PRMP amendment and has an interest which is or may be adversely affected by the planning decisions may protest approval of the planning decisions within 30 days from the date the BLM notifies the public that it has made a Finding of No Significant Impact on the proposed amendment. Listed below are the [protest regulations](#) specifying the required elements for filing a valid protest. Interested parties should take care to document all relevant facts. As much as possible, specific planning documents or available planning records (e.g. meeting minutes or summaries, correspondence, etc.) should be referenced or cited. To aid in ensuring the completeness of your protest, a protest [Critical Item Checklist](#) is also detailed below.

E-mailed and faxed protests will not be accepted as valid protests unless the protesting party also provides the original letter by either regular or overnight mail postmarked by the close of the protest period. Under these conditions, the BLM will consider the e-mailed or faxed protest as an advance copy and will afford it full consideration. If you wish to provide the BLM with such advance notification, please direct faxed protests to the attention of Brenda Hudgens-Williams, BLM protest coordinator at 202-452-5112, and e-mailed protests to: Brenda_Hudgens-Williams@blm.gov.

All protests, including the follow-up letter (if e-mailing or faxing) must be in writing and mailed to the following address:

Regular Mail:

Director (210)

Attention: Brenda Williams

P.O. Box 71383

Washington, D.C. 20024-1383

Overnight Mail (non-USPS delivery service):

Director (210)
Attention: Brenda Williams
20 M St SE, Room 2134LM
Washington, D.C. 20003

Before including your address, phone number, e-mail address, or other personal identifying information in your protest, be advised that your entire protest – including your personal identifying information – may be made publicly available at any time. While you can ask us in your protest to withhold from public review your personal identifying information, we cannot guarantee that we will be able to do so.

The BLM Director will make every attempt to promptly render a decision on each protest. The decision will be in writing and will be sent to the protesting party by certified mail, return receipt requested. The decision of the BLM Director shall be the final decision of the Department of the Interior.

Upon resolution of all land use plan protests, the BLM will issue a Decision Record (DR) to amend the RMP. The Approved amendment and DR will be mailed or made available to all who file a protest in the planning process.

Regulations for Filing a Valid Protest

[Code of Federal Regulations]
[Title 43, Volume 2]
[Revised as of October 1, 2002]
From the U.S. Government Printing Office via GPO Access
[CITE: 43CFR1610.5-2]

[Page 20]
TITLE 43--PUBLIC LANDS: INTERIOR
CHAPTER II--BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR
PART 1600--PLANNING, PROGRAMMING, BUDGETING--Table of Contents
Subpart 1610--Resource Management Planning
Sec. 1610.5-2--Protest procedures.

(a) Any person who participated in the planning process and has an interest which is or may be adversely affected by the approval or amendment of a resource management plan may protest such approval or amendment. A protest may raise only those issues which were submitted for the record during the planning process.

(1) The protest shall be in writing and shall be filed with the Director. The protest shall be filed within 30 days of the date the Environmental Protection Agency published the notice of receipt of the final environmental impact statement containing the plan or amendment in the Federal Register. For an amendment not requiring the preparation of an environmental impact statement, the protest shall be filed within 30 days of the publication of the notice of its effective date.

(2) The protest shall contain:

(i) The name, mailing address, telephone number and interest of the person filing the protest;

(ii) A statement of the issue or issues being protested;

(iii) A statement of the part or parts of the plan or amendment being protested;

(iv) A copy of all documents addressing the issue or issues that were submitted during the planning process by the protesting party or an indication of the date the issue or issues were discussed for the record; and

(v) A concise statement explaining why the State Director's decision is believed to be wrong.

(3) The Director shall promptly render a decision on the protest. The decision shall be in writing and shall set forth the reasons for the decision. The decision shall be sent to the protesting party by certified mail, return receipt requested.

(b) The decision of the Director shall be the final decision of the Department of the Interior.

Resource Management Plan Protest Critical Item Checklist

The following items *must* be included to constitute a valid protest whether using this optional format, or a narrative letter (refer to 43 CFR 1610.5-2).

Before including your address, phone number, e-mail address, or other personal identifying information in your protest, be advised that your entire protest - including your personal identifying information--may be made publicly available at any time. While you can ask us in your protest to withhold from public review your personal identifying information, we cannot guarantee that we will be able to do so. All submissions from organizations and businesses, and from individuals identifying themselves as representatives or officials of organizations and businesses, will be available for public inspection in their entirety.

- Name of Resource Management Plan (RMP) or Amendment (RMPA) being protested
- Protester's Name
- Address
- Phone Number
- Your interest in filing this protest (how will you be adversely affected by the approval or amendment of this plan?)
- Issue or issues being protested
- Statement of the part or parts of the plan being protested (including Chapter, Section, Page, and/or Map)
- Attach copies of all documents addressing the issue(s) that were submitted during the planning process by the protesting party, OR an indication of the date the issue(s) were discussed for the record (including dates)
- A concise statement explaining why the State Director's decision is believed to be wrong.

The information on filing a protest may be found at:

http://www.blm.gov/wo/st/en/prog/planning/planning_overview/protest_resolution.html

Sincerely,

/s/ Ruben A. Sánchez

Ruben A. Sánchez
Field Manager

Finding of No Significant Impact

For

The Pinion Pine Fire District

Proposed Plan Amendment to the Kingman Resource Management Plan and Recreation and Public Purposes Act Lease and/or Conveyance and Environmental Assessment (DOI-BLM-AZ-C010-2011-036-EA, AZA 32905)

Introduction

The Bureau of Land Management (BLM), Kingman Field Office has analyzed a proposal to amend the Kingman Resource Management Plan. The proposed amendment and proposed Recreation and Public Purposes (R&PP) Act conveyance for a fire station, AZA-32905, have been analyzed in the attached Environmental Assessment (EA), DOI-BLM-AZ-C010-2011-0036-EA.

Rationale for Determination

The elements of context and intensity of impacts as found in 40 CFR 1508.27 were considered when determining significance. The proposed plan amendment and proposed disposal of the subject lands for a fire station are addressed in this Finding of No Significant Impact.

The context of the impacts of the proposed plan amendment and the proposed fire station conveyance is considered to be at the local level as opposed to regional or national level. During the process of preparing the EA, there were no issues or impacts at a regional or national level identified. The effects described in the EA are either specific to a site or occur in close proximity to the site.

When considering the intensity of the impacts I looked at both beneficial and adverse impacts in the long term and short term as follows:

The proposed plan amendment to allow for the disposal of 1.31 acres for a fire station under the provisions of the R&PP Act would not detract from the implementation of Resource Management Plan decisions such as for Visual Resource Management, Range, Lands and Realty, or Recreation for this area. By conveying this public land it would not detract from the implementation of BLM's multiple use management for the area. The Kingman Field Office of the BLM manages approximately 2.7 million acres.

The proposed action and alternatives would not affect any areas such as prime or unique farmlands, wetlands, historic sites, cultural resources and Native American Religious concerns, Threatened or Endangered species, wilderness areas, areas of critical environmental concern, or riparian areas.

Public health and safety would be beneficially impacted by allowing the Pinion Pine Fire District to continue operating its fire station at this location and by providing additional land it will have the capability to improve its fire and emergency response.

Under the No Action alternative, none of the impacts associated with operation and expansion of a fire station would occur. Pinion Pine Fire District would either have to operate out of its station #2, which would add approximately five to six minutes to its average response time, or purchase land to construct a new facility more centrally located within its response area at considerable costs.

The effects described in the Environmental Assessment are based on the best available science with the document being prepared by an interdisciplinary team with public and local government involvement. For these reasons, I believe that the effects have been well described and do not involve unique or unknown risks nor is this decision setting a precedent for future actions in this area. The proposed action or alternatives do not threaten a violation of Federal, State, or local laws.

Determination

On the basis of the information contained in the attached Environmental Assessment, including the points summarized above, as well as public and other agency involvement throughout the process, it is my determination that neither the proposed amendment and the proposed conveyance or the no action alternative will have significant impacts on the quality of the human environment.

/s/ Ruben A. Sánchez
Ruben A. Sánchez, Manager, Kingman Field Office

April 13, 2012
Date

ENVIRONMENTAL ASSESSMENT
DOI-BLM-AZ-C010-2011-0036-EA

I. INTRODUCTION

On June 17, 1988, the United States of America (USA), acting through the Bureau of Land Management (BLM), accepted title to certain lands in Mohave County, subject to a lease between the former landowner and the Pinion Pines Volunteer Fire District (PPVFD) for a fire station. This lease expired on December 19, 2004. PPVFD has applied under the Recreation and Public Purposes (R&PP) Act to the Kingman Field Office to purchase the land which was covered under the former lease as well as additional land for its immediate anticipated needs. The R&PP Act authorizes the Bureau of Land Management (BLM) to lease and convey public lands for recreational or public purposes to State and local governments and qualified nonprofit organizations below fair market value.

In its current form the Kingman Resource Management Plan (RMP) (1995) would not allow for the PPFD to continue to operate its fire station under the authority of the R&PP Act at its current location. This document was prepared to analyze the anticipated environmental affects of the proposed action and alternatives and to determine if the Kingman RMP should be amended to allow for such an action.

- A. Need for the Proposed Action The need for the authorization described in the proposed action alternative is to allow for the BLM to make a decision on PPVFD's application to continue to use, maintain and improve its fire station.
- B. Conformance with Land Use Planning The Kingman RMP identifies specific lands to be reserved for recreation and public purposes near growing communities and allows for other lands identified for disposal to be considered for actions under the R&PP Act. The RMP provides that until these lands are depleted no other lands would be considered for these uses. The lands for which application has been made by PPVFD are not identified in the RMP for uses under the R&PP Act nor are they identified for disposal. Therefore the proposed action alternative would be in violation of section 202 of the Federal Land Policy and Management Act of 1976 (FLPMA) (43 U.S.C. 1712), as codified in 43 CFR Part 1600.
- C. Relationship to Statutes, Regulations, and Other Plans The lands the PPFD has applied for, having been acquired under the exchange authority of Section 206 of the Federal Land Policy and Management Act (43 U.S.C. 1716), are considered public lands and so are withdrawn from entry, selection, and location under the non-mineral land laws. Section 7 of the Taylor Grazing Act (44 Stat. 741, amended, 43 U.S.C. 315f) authorizes the Secretary of the Interior to examine and classify public lands so withdrawn for certain uses, one of which is for uses under the R&PP Act (44 Stat. 741, amended, 43 U.S.C. 869 *et seq.*). General classification guidance and procedures are found in 43 CFR 2400. Specific procedures for classification of lands for uses under the R&PP Act are found in 43 CFR 2741.5.

Under 43 CFR 2740.0-6(e) it is the policy of the BLM not to use the exchange authority of FLPMA for the purpose of acquiring lands for later conveyance under the R&PP Act. Policy guidance in H-2740-1 2740.06(E) expresses similar language

to that found in this regulation, but also adds that lands should not be acquired under FLPMA for subsequent lease, as well as disposal, under the R&PP Act.

After discussing this with the BLM Washington, D.C. Office, the BLM Arizona State Office came to the conclusion that clearly the USA cannot acquire lands with the intention of disposing them under the authority of the R&PP Act. However, the lands for which PPVFD has made application were not acquired with that intention and so may be disposed of under the R&PP Act. To ensure this interpretation is correct, the BLM Arizona State Office sought a review by the Department of the Interior's Intermountain Regional Solicitor's Office on this matter which concurred with the BLM's position on this.

- D. Decisions to be Made The Kingman Field Manager would determine if the alternatives analyzed herein would result in significant impacts and, if not, would make a determination of Finding of No Significant Impact (FONSI). The State Director would make a decision as to whether or not to amend the Kingman Resource Management Plan to allow for the disposal the subject lands under the R&PP Act. If the State Director decides the Kingman RMP should be amended to allow for such an action, the Kingman Field Manager would decide if it is in the public interest to dispose of the lands to PPVFD under the provisions of the R&PP Act.

II. PROPOSED ACTION AND ALTERNATIVES

A. Proposed Action Alternative

The proposed action is to amend the RMP to include the public land described below with those reserved for uses under the R&PP Act. This land would be classified and conveyed to PPFVFD (see location maps, Appendix A and B) under the authority of that Act:

Gila and Salt River Meridian, Arizona

T. 20 N., R. 16 W., sec. 1, lot 5.

Containing 1.31 acres, more or less.

The proposed use of the land would be a continuation of its use as a fire station and an expansion of the facilities and improvements as applied for by PPVFD. The property under the original lease is an area of approximately 75 feet by 200 feet, or 0.34 acres, upon which is constructed a 68 foot by 32 foot fire station with an engine bay and office space. The other improvements to the land are a storage building, water well, 10,000 gallon storage tank, and a propane tank.

In addition to the property under the original lease, PPVFD's application includes an additional 0.97 acres for a parking/vehicle storage area with a native vegetation screen, a fitness training area, a septic system (the size of the property under the original lease does not meet county requirements for the installation of a septic system), equipment storage area, and three additional 10,000 gallon water tanks. The schedule for completing these additional improvements would be within five years upon conveyance.

B. No Action Alternative

Under this alternative the Kingman RMP would not be amended to allow for the subject land to be used for a fire station under the authority of the R&PP Act. PPFD would be required to repair and yield up the property in the same condition as it was prior to being leased from the former landowner as per the termination provisions of that lease. These provisions specify that the water well would remain intact for the use of the landowner.

C. Alternatives Considered but Not Analyzed

Lands designated in the RMP for recreation and public purposes or disposal were considered but were found to not meet the needs of PPVFD due to their location being too far to have an effective response time to fires and emergencies within that portion of PPVFD's service area.

III. AFFECTED ENVIRONMENT

A. General Setting

The lands proposed for classification and disposal are located approximately six miles southeast of Kingman, Arizona.

The fire station is located to the west of and adjacent to the Pinion Pine subdivision and is approximately one mile from Atherton Acres subdivision, both of which are served by the district. Access to the fire station and the subdivision is via DW Ranch Road, an improved surfaced county road. Three or four other residences exist approximately three miles towards Interstate-40 along with a bed and breakfast.



Photo 1 – Pinion Pines Volunteer Fire District Station No. 1

The area's native vegetation is Arizona Interior chaparral intermingled with pinion pine and juniper trees, with some stands of ponderosa pine close to the upper elevation of the Pinion Pine subdivision. Atherton Acres subdivision is situated in the ponderosa pine/Arizona Interior chaparral plant community.

The public lands to the south and west of the fire station were cleared of chaparral in 2004 in accordance with the BLM's fuel reduction program.



Photo 2 – Area Southwest of the Fire Station

B. Third Party Rights

1. Minerals

The land analyzed herein is subject to a reservation of all minerals, with the right to enter, prospect for, mine and remove them. Also these lands are subject to a reservation for certain railroad operational rights.

2. Range Improvements

A fence exists along the eastern section line of section 1, T. 20 N., R. 16 W., which apparently kept livestock from entering Pinion Pines subdivision. This fence was built many years ago, prior to the land's re-conveyance to the USA. The administrative record for AZA 22792 AP, the serial number which was assigned to the land exchange under which title for these lands were accepted, contains no information as to any rights associated with this fence.

C. Critical Elements

The following critical elements are either not affected or not present:

<u>Critical Element</u>	<u>Affected</u>		<u>Critical Element</u>	<u>Affected</u>	
	Yes	No		Yes	No
Air Quality	—	<u>X</u>	T & E Species	—	<u>X</u>
ACECs	—	<u>X</u>	President’s Energy Policy	—	<u>X</u>
Cultural Resources	—	<u>X</u>	Water Quality	—	<u>X</u>
Farmlands, Prime/Unique	—	<u>X</u>	Wetlands/Riparian Zones	—	<u>X</u>
Floodplains	—	<u>X</u>	Wild & Scenic Rivers	—	<u>X</u>
Nat. Am. Rel. Concerns	—	<u>X</u>	Wilderness	—	<u>X</u>
Environmental Justice	—	<u>X</u>	Invasive/Noxious Weeds	—	<u>X</u>
Hazardous Materials	—	<u>X</u>			

D. Affected Resources

1. Socio-Economics

a. Protection of Area Buildings The Pinion Pine and Atherton Acres subdivisions are the primary residential areas served by PPFD, and contain approximately 125 homes. It is anticipated that another 50 to 75 homes will eventually be constructed within the service area of the fire station. The fire station’s location offers a quick response to emergencies within the fire district’s area. Also, PPVFD periodically is the initial responder to wildland fires in the vicinity of these subdivisions.

b. Grazing Use The subject land is within the Hualapai Peak Grazing Allotment (No. 0047). Due to the proximity of the land to the Pinion Pine subdivision no livestock grazing has occurred on this land in many years. In order to ensure that the grazing permittee could control livestock in the vicinity of the proposed fire station grounds the BLM reserved a right-of-way for a fence along the eastern 5 feet of the area proposed to be conveyed to PPVFD (serial no. AZA 33619).

2. Recreation Resources The land being proposed for the R&PP conveyance is within the Kingman Extensive Recreation Management Area (ERMA), as defined in the Kingman RMP. These lands are managed to provide dispersed recreation opportunities. By maintaining a natural resource setting, local residents can engage in their favorite recreational pursuits close to home, reaping whatever personal benefits they seek by recreating in such an environment. Recreation activity in the area of the proposed action is mostly in the form of hiking, mountain bicycling, horseback riding and driving existing jeep roads, mostly by area residents. A jeep trail exists on the subject lands and, from that location, traverses south approximately one mile of rugged scenic public lands before connecting to another jeep trail that provides access to/from Hualapai Mountain Road. The jeep trail is used infrequently. In order to maintain the ability for the public and the BLM to use this jeep trail the BLM reserved a right-of-way for its use and maintenance (serial no. AZA 33596).

3. Visual Resources The proposal lies within an area that has been classified as Visual Resource Management Class II in the Kingman RMP. The objective for this classification is to retain the existing character of the landscape. The level of change

to the characteristic landscape should be low. Management activities may be seen, but should not attract the attention of the casual observer. The existing character of the landscape includes a heavy vegetation cover of chaparral brush and pinyon/juniper trees surrounding the subject land. Most of the chaparral and smaller trees have been cleared from the subject lands by the BLM for a fire break except for an area adjacent to the county road the land being considered for R&PP disposal is mostly cleared of vegetation and is immediately adjacent to the existing fire department structure, outbuildings and stored equipment. Casual observers would include recreational users of the jeep trail passing through the property. Drivers on DW Ranch Road may have only a fleeting glimpse of the property through a vegetation screen, while the occasional recreational user would have a prolonged view of the land as they pass through the property on the jeep trail. Many of the drivers on DW Ranch Road are likely to be residents of the Pinyon Pine community and may pass the site one or more times on a daily basis.

IV. ENVIRONMENTAL CONSEQUENCES

A. Proposed Action

1. Socio-Economics The response time to fires/emergencies would remain the same as it has been since the fire station became operational. By conveying the land to PPVFD it would be able to add improvements such as more water storage to the land which would enhance their fire/emergency response capabilities.

2. Recreation Resources Recreational users of the area would experience little change in their recreational setting as a result of the R&PP lease. The first 300 feet of jeep trail south of DW Ranch Road, while already extensively disturbed, may exhibit some additional modifications and stored equipment on the site.

3. Visual Resources Conveying the property to the fire department would result in only a weak change to the existing character of the landscape. The change would be noticeable to recreation users on the jeep trail passing through the property, but would not attract attention. VRM objectives for the area would be met.

B. No Action

1. Socio-Economics If PPVFD were no longer able to use its fire station on the subject lands it would either have to rely on its station #2 located at Interstate-40 and DW Ranch Road, which is approximately 5 miles from the subject station and not centrally located within the district's area of response, or find another site. If PPVFD's moved its main operations to station #2 the approximate average response time to fires/emergencies would increase by about five to six minutes. If another site is chosen PPVFD would have to construct a new facility at considerable costs over maintaining and improving its facilities as described in the proposed action alternative. The value of land that is centrally located within the district's response area, which is where the subject station exists, would substantially add to this cost due to this area being prime real estate because of its cooler climate, scenic values, and the outdoor recreation opportunities existing on adjacent or nearby public lands.

2. Recreation Resources No new impacts would be realized.
3. Visual Resources There would be no change to landscape character if the no action alternative were selected.

C. Cumulative Impacts

Future foreseeable impacts in the area of the proposed disposal would primarily be the development of private lands for residential use, with its associated increase in traffic and infrastructure. It is not anticipated that the alternatives described herein would have a significant impact on cumulative impacts.

V. CONSULTATION AND COORDINATION

Greg Glassco, Cultural Resource Director, Yavapai-Prescott Indian Tribe
Joe Jackson, Chief, Pinion Pine Fire District
Loretta Jackson, Tribal Preservation Officer, Hualapai Nation
Mohave County Board of Supervisors
Mohave County Planning and Zoning Department
Mohave County Public Lands Use Committee
Mohave County Public Works Department
Bob Posey, Regional Director, Arizona Game and Fish Department, Region III
Roger Rolands, Permittee, Hualapai Peak Grazing Allotment
Frances Warner, Council Chair, Arizona Resource Advisory Council
Mark Winkleman, Commissioner, Arizona State Land Department

List of Preparers

Bruce Asbjorn, Outdoor Recreation Planner, BLM Kingman Field Office (ret.)
Mike Blanton, Range Management Specialist, BLM Kingman Field Office
Don McClure, Assistant Field Manager, BLM Kingman Field Office
Genifer Laura, BLM, Wildlife Biologist, BLM Kingman Field Office
Wade Reaves, Supervisory Fuels Specialist (Fire), BLM Kingman Field Office
Jerica Richardson, Archaeologist, BLM Kingman Field Office
Andy Whitefield, Environmental Protection Specialist, BLM Kingman Field Office