

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

**APS Amendment – Oatman Mountain
DOI-BLM-AZ-P020-2011-018-CX**

A. Background

BLM Office: *Lower Sonoran Field Office (LSFO)*

Lease/Serial/Case File No.: **AZAR-08910**

Proposed Action Title/Type: 286001 FLPMA R/W Communication Site Amendment

Location of Proposed Action: **T. 4 S., R. 9 W., Section 25 (Oatman Mountain)**

Description of Proposed Action: The Arizona Public Service Company (APS) is proposing to amend its existing authorization, AZAR-08910, to include the installation of a new 120-foot communications tower. The APS proposal for the tower would include guy wires, and would be constructed within the boundaries of its existing authorization. The 120-foot tower is necessary to support a major renewable power generation project in the Dateland, Arizona area. The right-of-way request is for a 50 year term, with year round usage.

B. Land Use Plan Conformance

Land Use Plan (LUP) Name: Lower Gila South Resource Management Plan/EIS

Date Approved/Amended: June 1988

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions):

The Lower Gila Resource Area processes a variety of land actions in the Lower Gila South RMP/EIS area – rights-of-way, communications sites, easements, permits, and unauthorized occupancy. All lands cases would continue to be evaluated on a case-by-case basis.

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 2, Appendix 1, or 516 DM 11.5: E. (13). Amendments to existing right-of-way such as the upgrading of existing facilities which entail no additional disturbance outside the rights-of-way boundary.

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 or 516 DM 11.5 apply.

I considered: The proposal includes the installation of a 120-foot tower, with guy wires. Guy wires have been known to negatively impact avian species. Considering the current conditions at Oatman Mountain and the amount of communication sites at the location, an additional tower with additional guy wires would not have a major impact on avian species in the area. However, by placing the guy wires, there is always the possibility of avian mortality from air strikes. That action may affect localized populations, but should not pose a threat to species populations as a whole.

D: Signature

Authorizing Official: Emily Garber Date: 05-10-11
Emily Garber
Field Manager - LSFO

Contact Person

For additional information concerning this CX review, contact:
Jo Ann Goodlow, Realty Specialist, Phoenix District Office - Lower Sonoran Field Office,
21605 North 7th Avenue, Phoenix, Arizona 85027, 623-580-5500.

Note: A separate decision document must be prepared for the action covered by the CX. See Attachment 2.

BLM Categorical Exclusions: Extraordinary Circumstances¹
Attachment 1

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215) apply. The project would:		
1. Have significant impacts on public health or safety		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: This project is not anticipated to have any significant impacts on public health or safety. As with any tower construction, the possibility does exist where individuals climbing the pole could be injured. This facility is fenced, and no impacts on public health and safety are anticipated.
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?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The proposed tower will not have any significant impacts on natural resources and unique geographic characteristics to the resources listed above. The tower is being constructed in an area that has already been disturbed.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: Oatman Mountain is an existing communication site. The addition of the proposed tower will not have any controversial effects or involve unresolved conflicts concerning alternative uses of available resources. The site has been designated as a Communication Site.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The proposed project is to install a 120-foot tower within an already disturbed area. There are no anticipated highly uncertain and potentially significant environmental effects to be expected.
5. Establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: Although the proposed action is connected to a major renewable power generation project in the Dateland, Arizona area, it is not anticipated to establish a precedent for future action, nor does it represent a decision in principle about future action with potentially significant environmental effects.

¹ If an action has any of these impacts, you must conduct NEPA analysis.

6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: Although the proposed action is connected to a major renewable power generation project in the Dateland, Arizona area, it will not have a direct relationship to other actions with individually insignificant, but cumulatively significant environmental effects.
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?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: There are no impacts on properties listed or eligible for listing on the National Register of Historic Places.
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?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The project does not impact any species listed or proposed to be listed on the List of Endangered or Threatened Species, nor does it have any significant impacts on designated Critical Habitat for these species.
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The proposed project does not violate a Federal law, or a State, local or tribal law or requirements imposed for the protection of the environment.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The proposed project will not have a disproportionately high and adverse effect on low income or minority populations.
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)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The proposed project does not limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners.
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)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: It is possible that trucks bringing equipment to the site could possibly contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species in and around the area. However, through proper mitigation, this can be prevented to the greatest extent possible.

Approval and Decision

Attachment 2

Compliance and assignment of responsibility: Lands and Realty

Monitoring and assignment of responsibility: Lands and Realty

Review: *We have determined that the proposal is in accordance with the categorical exclusion criteria and that it would not involve any significant environmental effects. Therefore, it is categorically excluded from further environmental review.*

Prepared by: Jo Ann Goodlow **Date:** May 5, 2011

Jo Ann Goodlow
Project Lead

Reviewed by: Leah Baker **Date:** May 5, 2011

Leah Baker
Planning & Environmental Coordinator

Reviewed by: Emily Garber **Date:** May, 2011

Emily Garber
Field Manager

Project Description: The Arizona Public Service Company (APS) is proposing to amend its existing authorization, AZAR-08910, to include the installation of a new 120-foot communications tower. The APS proposal for the tower would include guy wires, and would be constructed within the boundaries of its existing authorization. The 120-foot tower is necessary to support a major renewable power generation project in the Dateland, Arizona area. The right-of-way request is for a 50 year term, with year round usage.

Decision: Based on a review of the project described above and field office staff recommendations, I have determined that the project is in conformance with the land use plan and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed, with the following stipulations (if applicable).

Approved By: Emily Garber **Date:** May, 2011

Emily Garber

Mitigating Measures

1. All litter and debris accumulated during construction or maintenance shall be removed from the site to an authorized disposal area.
2. Each guy wire (not just external wires) should be clearly marked for the length of the wire of the wire. Following APLIC (1994) and USFWS (2000) guidelines (or most recent), all guy wires should be marked with either spiral vibration dampers (30 spirals per 150 meters of wire) or bird/swan flight diverters (spaced every 5 meters along the wire).
3. To ensure and determine the effectiveness of the visual diverters and operational lighting measures employed at the site, regular monitoring for bird fatalities is imperative for all structures with guy wires. If fatalities are observed, they must be reported immediately to the managing Field Office.