

# Environmental Assessment

for the

## BLM/Ak-Chin Direct Land Sale

DOI-BLM-AZ-P020-2012-0006-EA

May 2014



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## **ABBREVIATIONS**

ACECs	Areas of critical environmental concern
BLM	Bureau of Land Management
CFR	Code of Federal Regulations
EA	environmental assessment
FLMPA	Federal Land Policy and Management Act
NEPA	National Environmental Policy Act
NRHP	National Register of Historic Places
NORA	Notice of Realty Action
RMP	Resource Management Plan
SHPO	State Historic Preservation Office
U.S.C.	United States Code

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## **1.0 INTRODUCTION AND PURPOSE AND NEED**

### **1.1 Introduction**

The Bureau of Land Management (BLM) Lower Sonoran Field Office proposes a noncompetitive direct sale of an isolated 160-acre parcel of public land situated in Pinal County, 25 miles south of downtown Phoenix, Arizona (Figure 1). The direct-sale proposal is in response to the Ak-Chin Indian Community's February 8, 2011, letter requesting purchase of this BLM-administered parcel. The BLM formally announced its proposal by publishing a Notice of Realty Action (NORA) in the *Federal Register* (refer to Section 1.5), and the BLM is now conducting an environmental assessment (EA) of the proposed land sale.

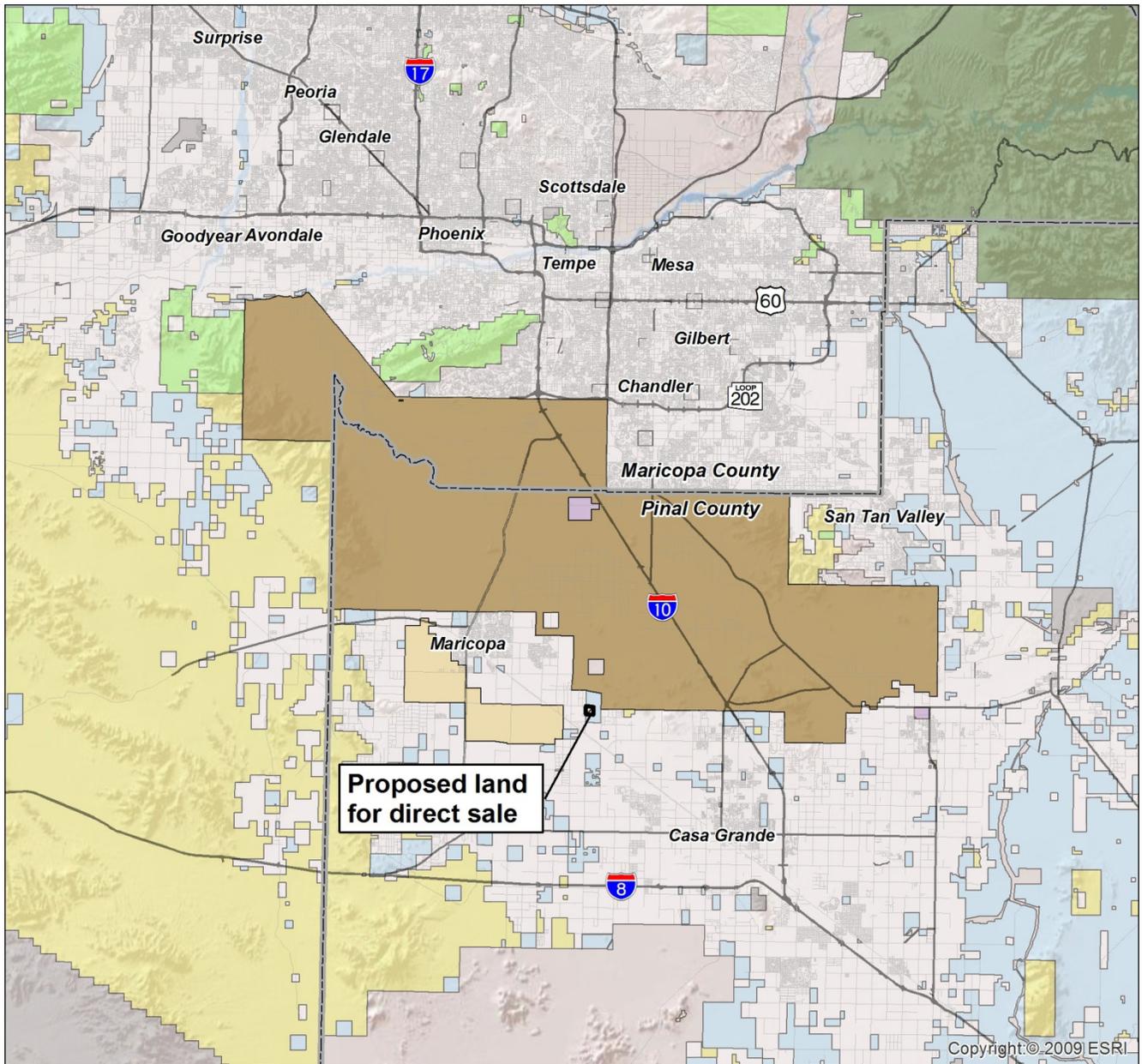
The National Environmental Policy Act (NEPA) of 1969 requires all federal agencies to assess potential impacts on the natural and human-made environments that may result from any federally funded or permitted project or program. This EA analyzes the potential social, economic, and environmental impacts of the proposed land sale. This document has been prepared to comply with NEPA and with the policies of the *BLM National Environmental Policy Act Handbook H-1790-1* (2008).

The NEPA process, as defined in the BLM NEPA Handbook, provides steps and procedures to evaluate potential impacts of a proposed action and provides an opportunity for public and agency input. The evaluation of the magnitude of impacts is based on context and intensity as defined in the Council on Environmental Quality (1984) regulations. This EA analyzes impacts on sensitive social and environmental resources and guides BLM's decision-making process.

### **1.2 Purpose and Need for Action (40 CFR 1502.13)**

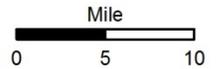
The 160-acre parcel is an undeveloped tract of federal land that is isolated from other federal land, with no approved or planned designated public uses occurring on the property. Illegal, nonapproved uses are occurring on the parcel, such as dumping, off-road vehicle use (off designated roadways), and other land-disturbing activities. Existing runway protection zones for the Ak-Chin Regional Airport are designated in the northwestern portion of the parcel. The Ak-Chin Indian Community (Community) needs to be able to manage the land within these zones in order to maintain control of them. This could not be done if the land is developed in such a way as to be incompatible with these goals. To meet this need the Community is pursuing the purchase of the land from the BLM.

BLM's land use plan, the *Lower Sonoran Record of Decision and Approved Resource Management Plan* (2012b), identifies the isolated parcel as suitable for disposal. Regulations under Title 43 Code of Federal Regulations (CFR) Section 2710.0-6(c)(3)(iii) and Section 2711.3-3(a)(1) allow for direct sales when a competitive sale is not appropriate and the public interest would be best served by a direct sale. The Community has applied to the BLM to purchase the parcel, thus allowing the Community to ensure the Ak-Chin Regional Airport's runway protection zones remain functional and clear of incompatible development. Speculative bidding on the subject parcel would jeopardize the Community's ability to manage the land within these zones and maintain control of these zones for the existing airport. Therefore, the BLM has concluded that the public interest would be best served by considering a direct sale.



**Key**

- |  |                               |  |                       |
|--|-------------------------------|--|-----------------------|
|  | Proposed for direct sale      |  | National Park Service |
|  | Ak-Chin Indian Reservation    |  | Military              |
|  | Gila River Indian Reservation |  | Parks and Recreation  |
|  | National Forest               |  | Private Land          |
|  | National Wildlife Refuge      |  | State Trust Land      |
|  | Bureau of Land Mgmt.          |  |                       |



United States Department of the Interior  
Bureau of Land Management  
Arizona State Office

Source: Land ownership GIS coverage provided by Arizona State Land Department; Arizona Transportation Information System GIS Coverage (2013); Ak-Chin Indian Community parcel data from Pinal County Assessor (27 June 2012)

**Figure 1. Location Map**

The purpose of the Proposed Action is to consider the Community's request for a noncompetitive sale of the parcel described above. The need for action is twofold: (1) the land has been identified for disposal under the 2012 Resource Management Plan (RMP); and (2) the Federal Land Policy and Management Act (FLMPA Section 203[f]) allows for consideration of noncompetitive sales.

### **1.2.1 Decision to be Made**

The BLM will decide whether to approve or to not approve a direct land sale to the Community. A decision to sell the parcel would remove the 160-acre parcel that has been identified for disposal within the BLM's land use planning documents from the BLM land inventory.

### **1.3 Land Use Plan Conformance**

The sale of the 160-acre parcel is subject to the BLM land use plans and records of decision that govern the proposed project area. The land sale conforms with the Lower Sonoran RMP (2012a) and Record of Decision (2012b).

The Lower Sonoran RMP provides comprehensive current and future management direction of BLM-administered lands in the Lower Sonoran Decision Area. The RMP was prepared in compliance with BLM planning regulations under Title 43 CFR 1600. The decisions outlined in the RMP enable the BLM to manage and protect resources on public lands within the Lower Sonoran Decision Area to achieve desired future conditions and management objectives.

#### **1.3.1 Land Disposals through FLPMA Exchanges and Competitive Sales**

BLM adjustments to land tenure can occur under a variety of disposal and acquisition management tools (sales, purchases, conveyances, and exchanges). Public lands selected for disposal typically meet the following criteria:

- Isolated and fragmented from larger tracts of BLM-administered lands, are adjacent to urbanizing private and state lands subject to future development, are currently leased under the Recreation and Public Purposes Act, and are eligible to be patented
- Present an economic and management challenge to retain under public ownership
- Are not within designated wildlife corridors
- Are not occupied by species listed or proposed as threatened or endangered under the Endangered Species Act
- Are not designated or proposed critical habitat for listed or proposed threatened or endangered species
- Are not supporting listed or proposed threatened or endangered species, if such transfer would conflict with recovery of the listed or proposed species
- Are not supporting federal candidate species, if such action would contribute to the need to list the species as threatened or endangered

## 1.4 Other Applicable Statutes, Regulations, Policies, and Environmental Analyses

The alternative selected must comply with the following regulations:

- Archaeological Resources Protection Act of 1979
- Clean Air Act of 1970, as amended
- Clean Water Act of 1972, as amended
- National Environmental Policy Act of 1969
- Council on Environmental Quality (40 CFR Part 1500)
- National Historic Preservation Act of 1966
- Endangered Species Act of 1973

## 1.5 Scoping and Public Involvement

The BLM formally announced the proposed sale by publishing a NORA in the *Federal Register* (Vol. 78, No. 46) on March 8, 2013. The NORA identified BLM's intent to sell the subject parcel through a direct noncompetitive sale. A public comment period of 45 days followed the NORA's publication. No issues were identified during the comment period.

Subsequently, public and agency scoping was conducted to identify project-related issues and concerns. An *issue* is more than just a position statement, such as disagreement with grazing on public lands. According to the BLM's NEPA Handbook (2008:Section 6.4), "for the purposes of BLM NEPA analysis, an 'issue' is a point of disagreement, debate, or dispute with a proposed action based on some anticipated environmental effect." The handbook further specifies that an issue:

- has a cause and effect relationship with the proposed action or alternatives;
- is within the scope of the analysis;
- has not been decided by law, regulation, or previous decision; and
- is amenable to scientific analysis rather than conjecture.

A scoping letter describing the parcel, location, and Proposed Action was mailed to agencies, as well as to 95 property owners (including businesses and residents), located within a 0.5-mile radius. In addition, the letter was posted at the Ak-Chin Planning Office, the Tribal Administration, the Vekol Market, and the Ak-Chin Community Clinic and was also published in the Community newspaper, *Ak-Chin O'odham Runner*, on Friday May 17, 2013.

No agency comments were received; however, 7 separate written comments were received from property owners. In addition to support for the land sale, the comments identified the following concerns:

- Continued access and use of Russell Road
- Future plans for the Ak-Chin Regional Airport
- Loss of recreational lands and the impact this loss would have on real estate values for their community

The BLM responded to the comments. A list of agencies contacted is included in Section 4.0 and a summary of comments and responses are included in Appendix A. Sections 3.4 (Lands and Realty), 3.5 (Recreation), and 3.6 (Socioeconomics) directly respond to concerns identified during scoping.

The EA has been made available for a 30-day public review and comment period at <http://www.blm.gov/az/st/en/info/nepa/log.html>.

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## **2.0 ALTERNATIVES**

### **2.1 Project Area History and Existing Operations**

Historically, the parcel has been used for grazing, as evidenced by abandoned remains of wood corral posts, buried metal water tanks, and a concrete water tank. The most current grazing lease was cancelled in 2013 due to a lack of payment. There are no current grazing leases on the subject parcel. The BLM evaluated the subject parcel's mineral potential and concluded that there are no known mineral values in the land proposed for sale. The BLM also completed a hazardous materials evaluation and found no known hazardous materials.

The Ak-Chin Indian Community is a federally recognized Indian tribe whose ancestral land includes the parcel that is proposed for sale. The parcel borders other Ak-Chin Indian Community owned land.

### **2.2 Location and Land Status**

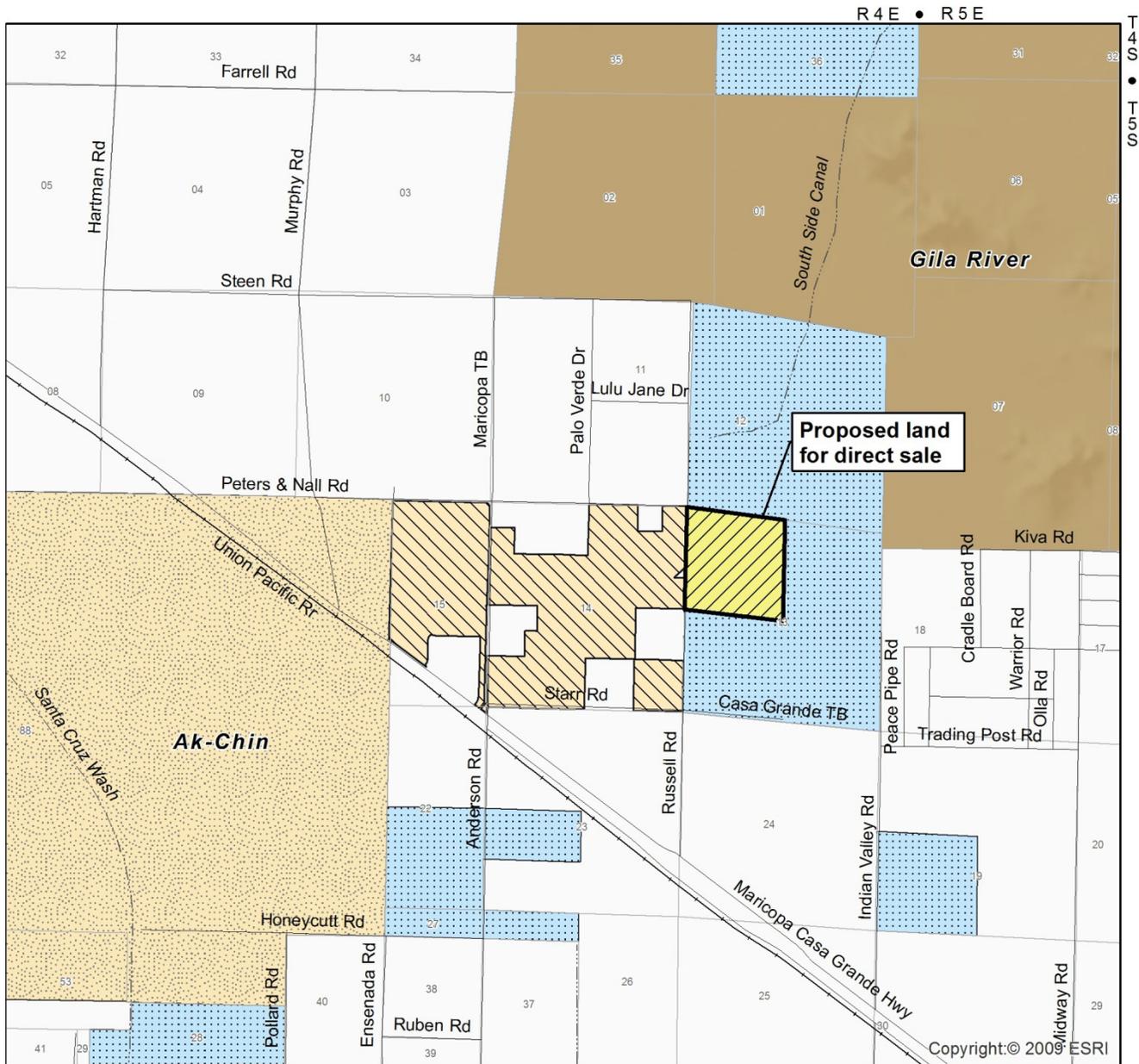
The parcel proposed for sale is located in the northwest quarter of Section 13 in Township 5 South, Range 4 East (Gila and Salt River Meridian) in Pinal County, Arizona, as depicted in Figures 2 and 3.

### **2.3 Proposed Action**

The BLM proposes to sell 160 acres of BLM land by direct sale to the Community for the appraised fair market value of the property. As part of the sale, BLM also would convey all mineral interests associated with the parcel. The following terms and conditions would not be conveyed to the Community:

- A right-of-way thereon for ditches or canals constructed by the authority of the United States, pursuant to Act of August 30, 1890 (43 United States Code [U.S.C.] 945), is reserved. (This refers to the roadside drainage ditch along the east side of Russell Road.)
- Right-of-Way AZA-21392 for road purposes granted to the Pinal County Highway Department, its successors or assignees, pursuant to the Act of July 26, 1866 (43 U.S.C. 932), is reserved. (This refers to Russell Road which will remain under the jurisdiction of the Pinal County Transportation Department.)

The BLM's proposed sale would release the BLM from future responsibility for decisions that impact the subject parcel and any future potential liabilities for hazardous materials or other issues that could arise from actions taken by or on behalf of the Community in any future development of the land.



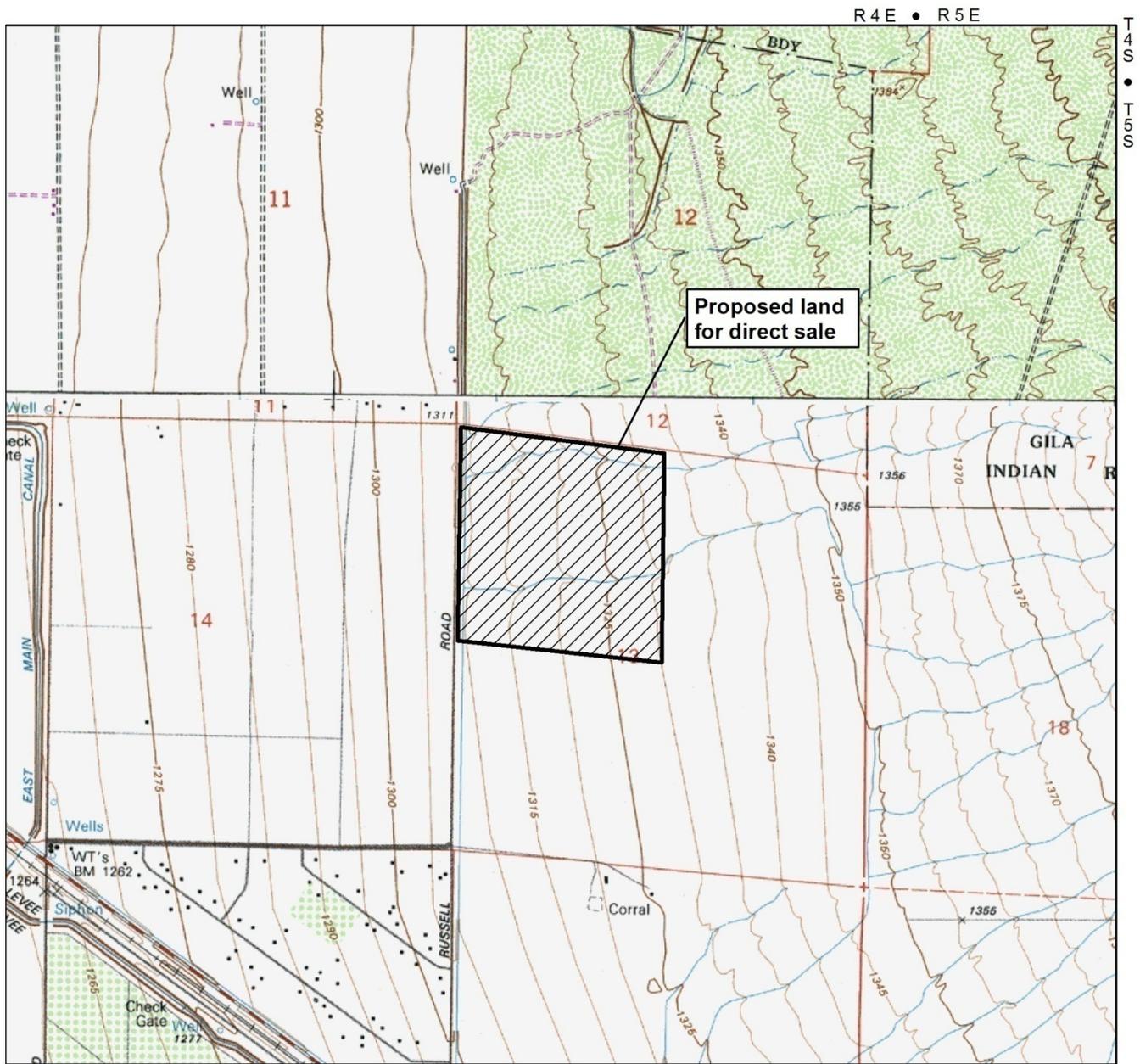
- Key**
- Proposed for direct sale
  - Private Land
  - State Trust Land
  - Bureau of Land Management
  - Ak-Chin Indian Community
  - Ak-Chin Indian Reservation
  - Gila River Indian Reservation



Source: Land ownership GIS coverage provided by Arizona State Land Department; Arizona Transportation Information System GIS Coverage (2007); Ak-Chin Indian Community parcel data from Pinal County Assessor (27 June 2012)

United States Department of the Interior  
Bureau of Land Management  
Arizona State Office

**Figure 2. Location Site Map**



- Key**
-  Proposed for direct sale
  -  Scrub vegetation
  -  Orchard



Source: USGS 7.5' Quadrangles:  
 Sacaton Butte, Ariz (1952, 1967),  
 Stanfield, Ariz (1992);



United States Department of the Interior  
 Bureau of Land Management  
 Arizona State Office

**Figure 3. Topographic Site Map**

### **2.3.1 Direct Sale Procedure**

The direct sale would be conducted in accordance with the requirements of 43 CFR 2711.3-3. The lands would be purchased at fair market value, as determined by the BLM during the formal real estate appraisal process that was completed before publication of the NORA in the *Federal Register*. FLPMA stipulates the following direct sale procedures:

1. 203(d) requires lands disposed of be sold at no less than fair market value. The parcel has been appraised by a federal appraiser who is trained to determine the fair market value.
2. 203(f) describes the allowable methods of sale. The parcel would be sold using the “direct sale” method in accordance with 43 CFR 2711.3-3(a)(1) and 43 CFR 2711.3-3(a)(2).
3. 290(b)(1) describes the allowance and means to convey mineral interests owned by the United States to the prospective surface owner when a parcel leaves Federal ownership if it is proven (1) that there are no known mineral values in the land, or (2) the reservation of mineral rights to the United States would interfere with or preclude appropriate non-mineral development of the land and that such development is a more beneficial use of the land than mineral development.

A Mineral Potential Report (BLM 2012c) evaluated the mineral potential of the lands identified for the direct sale. The Mineral Potential Report recommends that the United States convey all mineral rights to the Community. The BLM determined the information contained in the 2012 Mineral Potential Report is valid to assess the Proposed Action. No mining claims of record were found on the parcel. No evidence of mining-related activity was seen during field examination. There are no known minerals of value on the parcel.

Under the Proposed Action, the BLM would proceed with the direct sale to the Community. This sale would include the conveyance of all mineral rights to the Community.

### **2.4 No Action Alternative**

Under the No Action Alternative, the BLM would not proceed with the land sale, and the 160 acres of BLM-administered public land would be retained for public ownership. Existing management and use of the site would continue subject to applicable statutes, regulations, policies, and land use plans.

The BLM land parcel would continue to be available for disposal as directed in the RMP. Other sales or exchange opportunities would be considered. The BLM lands would remain open to the location of mining claims and locatable mineral development and other public land laws (subject to BLM regulations). Additionally, the land would continue to be subjected to unauthorized use by off-road vehicles and to unauthorized and unregulated dumping of construction and household debris.

### **2.5 Alternatives Considered but Eliminated from Detailed Analysis**

This section provides a description of two alternatives eliminated from detailed study and the rationale for their elimination.

### **2.5.1 Competitive Sale of the Parcel**

Under FLPMA, land identified by the BLM for disposal shall be competitively sold. However, this policy also states that “where the Secretary determines it necessary and proper in order to assure equitable distribution among purchasers of lands, or to recognize equitable considerations or public policies, including, but not limited to, a preference to users, lands may be sold by modified competitive bidding or without competitive bidding.” (43 CFR 2711[1][f]). In the case of this sale, no other parties had requested to purchase the land. In addition, the BLM determined the public interest would be best served by a direct sale to the Community, which is considered a local government. A NORA was published by the BLM in the *Federal Register*, and no substantive comments were received within the 45-day comment period. Based on the absence of other parties requesting to purchase the parcel, and the determination by BLM that a direct sale would be in the best interest of the public, the alternative for a competitive sale of the parcel was eliminated from further evaluation.

### **2.5.2 Sale with Conditions**

One comment received from the public stated that conditions requiring the Community to continue to allow dispersed recreation on the subject parcel should be placed on the land sale. This kind of conditional sale would require that an easement be placed on the land and be held by BLM, though ownership of the parcel would be transferred. This parcel of land was identified for disposal by BLM in the RMP because it is isolated from other BLM lands, making management difficult. Maintaining an easement would not alleviate the challenges of management and would therefore not meet the needs outlined in the RMP. Therefore, the alternative for sale of the parcel with conditions was eliminated from further evaluation.

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### 3.0 AFFECTED ENVIRONMENT, ENVIRONMENTAL CONSEQUENCES, AND PROPOSED MITIGATION OR AVOIDANCE MEASURES

#### 3.1 Introduction

This chapter describes the existing natural, cultural, and built environmental conditions within the parcel and the potential environmental consequences of the alternatives. Direct and indirect impacts are described by resource area followed by a discussion of cumulative impacts. Mitigation measures required to minimize impacts on the environment are also discussed in association with identified impacts.

##### 3.1.1 Critical Elements to the Environment

To comply with NEPA, the BLM is required to address specific elements of the environment that are subject to requirements specified in statute or regulation or by executive order (BLM 2008). Table 1 outlines the 31 resources evaluated by the BLM for the Proposed Action and denotes if the Proposed Action or No Action Alternative affects those resources.

Background research and studies were conducted as part of this potential land sale to assist in identifying potential resources that may occur within the parcel. These studies are documented in the Phase I Environmental Site Assessment report (BLM 2012d), the Biological Assessment report (BLM 2013a), the Cultural Resources Survey report (BLM 2013b), the Minerals Potential Report (BLM 2012c), and the Real Property Appraisal (BLM 2012e). Information from these studies and field visits, along with additional background research, was used to determine whether resources were present and, if so, the degree to which they would be affected by the Proposed Action.

**Table 1. Resources and Rationale for Detailed Analysis**

Resource	Not Present	Present/ Not Affected	Present/ May Be Affected	Rationale
Air quality		X		The parcel is located within a nonattainment area for particulate matter less than 10 micrometers and 2.5 micrometers in diameter. No changes in land use or construction would occur under the Proposed Action. The transfer of title from the BLM to the Community would not have an adverse impact on air quality.
Areas of critical environmental concern (ACECs)	X			There are no ACECs present in the vicinity of the parcel.
BLM natural areas	X			No BLM natural areas occur within or adjacent to the parcel.
Cultural resources		X		Cultural resources are present but would not be adversely affected by this project. This resource is discussed in Section 3.2, Cultural Resources, to provide the data and analysis supporting this decision.

<b>Resource</b>	<b>Not Present</b>	<b>Present/ Not Affected</b>	<b>Present/ May Be Affected</b>	<b>Rationale</b>
Environmental justice		X		No Environmental Justice population is present, but this resource is carried forward in Section 3.3, Environmental Justice, to provide the data and analysis supporting this decision.
Prime or unique farmlands		X		The land within the parcel is considered prime farmland, if irrigated. Agricultural use is currently not occurring, and no infrastructure for irrigated farming exists.
Fish and wildlife habitat (including threatened and endangered)		X		A Biological Evaluation was prepared for the Proposed Action. No direct or indirect impacts on any species or habitat are anticipated, because no construction or change in land use would occur in the foreseeable future.
Floodplains and hydrological conditions	X			No floodplains occur within the parcel.
Geology and minerals		X		A Mineral Potential Report was prepared for the parcel. The parcel does not contain mineral deposits of value. The BLM would convey all mineral rights to the Community as part of this sale.
Invasive species/ noxious weeds		X		Some invasive species occur within the parcel, but the Proposed Action would not result in the spreading of these species or the introduction of new species. Invasive species propagation is facilitated by ground-disturbing activities, which allow weeds to become introduced. The Proposed Action would not result in ground-disturbing activities.
Land and access			X	The Russell Road right-of-way traverses the western boundary of the parcel, and the airport's runway protection zones are within the northwestern portion of the parcel. See the discussion in Section 3.4, Lands and Realty.
Livestock and grazing	X			No grazing permits are in effect within the parcel.
Mining and minerals	X			A Mineral Potential Report was prepared for the parcel. There are no federal mineral leases, mining claims, or unauthorized mineral materials contracts, permits, or applications encumbering the parcel.

<b>Resource</b>	<b>Not Present</b>	<b>Present/ Not Affected</b>	<b>Present/ May Be Affected</b>	<b>Rationale</b>
Migratory birds		X		Migratory birds occur within the parcel but would not be affected by the Proposed Action, because no construction or change in land use would occur in the foreseeable future.
Native American religious concerns	X			No religious concerns have been expressed.
Paleontology	X			This resource is not known to be present in the vicinity of the parcel (BLM 2012a)
Rangeland health		X		Rangeland is present within the parcel but would not be affected by the Proposed Action, because no construction or change in land use would occur in the foreseeable future.
Recreation			X	Recreation occurs on the subject parcel. Potential impacts on recreation are discussed in Section 3.5, Recreation.
Socioeconomics		X		The sale of the parcel to the Community would potentially benefit the Community in the future if the land increases in value or if the Community develops it for an enterprise. No changes in land use are anticipated to occur as a result of this proposed sale, because no development is planned. A comment was received regarding impacts on property value, so this resource is discussed in Section 3.6, Socioeconomics.
Soils		X		No impact on soils within the parcel would occur because no construction or ground-disturbing activities would occur in the foreseeable future.
Transportation and travel		X		Russell Road occurs along the western boundary of the parcel. No direct impact on this road would occur due to the Proposed Action, and no changes in traffic or use of this road would occur. Refer to Section 3.4, Lands and Realty.
Vegetation		X		No impact on vegetation would occur, because there would be no construction or change in land use in the foreseeable future.
Wastes	X			No waste was identified on the parcel, and none would be generated by the proposed sale of the land.
Water resources	X			This resource is not present in the vicinity of the parcel.

Resource	Not Present	Present/ Not Affected	Present/ May Be Affected	Rationale
Wetlands and riparian areas	X			This resource is not present in the vicinity of the parcel.
Wild and scenic rivers	X			This resource is not present in the vicinity of the parcel.
Wilderness areas, wilderness study areas, and wilderness characteristics	X			No land meeting the criteria established by Secretarial Order No. 3310 exists within the parcel.
Visual resources		X		No changes in the visual characteristics or scenic quality of the parcel would occur, because no construction or change in land use would occur in the foreseeable future.
Wild horses and burros	X			This resource is not present in the vicinity of the parcel.
Wildland fire management and fuels	X			This resource is not present in the vicinity of the parcel.
Public safety and hazardous materials	X			A Phase I Environmental Site Assessment was prepared for the parcel. No recognized environmental condition was identified, and no further investigations are recommended.

Based on the limited potential for impact and the rationale described in Table 1, only the following resources are evaluated in this EA: cultural resources, environmental justice, land use and access, recreation, and socioeconomics.

### 3.1.2 Methods

The methodology for this assessment conforms to the guidance found in the following sections of the Council on Environmental Quality regulations for implementing NEPA: 40 CFR 1502.24 (Methodology and Scientific Accuracy), 40 CFR 1508.7 (Cumulative Impact), and 40 CFR 1508.8 (Effects).

Potential impacts are described in terms of duration, intensity, type, and context. For the purposes of this analysis, the following terms are used in the description of potential impacts:

- **Adverse:** An effect that is negative on a particular resource or a number of resources. In this document, the term impact is assumed to be adverse unless otherwise stated.
- **Beneficial:** An effect that is positive on a particular resource or a number of resources.
- **Direct:** An effect that is caused by the action and that occurs at the same time and place as the action.
- **Indirect:** An effect that is caused by the action but that is later in time or more distant from the action, but still reasonably foreseeable.

- **Cumulative:** An effect that results from the incremental effect of an action when considered with other past, present, and reasonably foreseeable future actions.
- **Short term:** An effect that occurs only for a short time (during construction or temporary activities) after implementation of the action.
- **Long term:** An effect that occurs for an extended period (more than 5 years) after implementation of the action.

## 3.2 Cultural Resources

### 3.2.1 Affected Environment

A Class III cultural resources survey was conducted of the 160-acre parcel (BLM 2013b). Two sites, a historic-era ranching site (AA:1:246[ASM]) and a historic-era road (AA:1:247[ASM]) were recorded.

#### Ranching Site

The ranching site consists of a concrete water tank; corral; and scattered glass, ceramic, and metal artifacts. The concrete water tank has a cobble exterior and rough concrete interior. A wavy pattern visible on the interior surface suggests that corrugated sheet metal was used as a form during pouring of the concrete. The interior surface appears to have once been coated with a black substance. Two 2-inch-diameter pipes enter the tank from the bottom at the northeastern and southwestern corners. The tank measures approximately 12 feet by 12 feet, with walls 6 to 8 inches thick and 4 feet 2 inches high. The tank is in good condition.

The corral is constructed of railroad ties, thin rough-hewn posts, and barbed wire. The shape of the corral is a backward L shape. Maximum dimensions of the feature are 110 feet by 63 feet. The corral is in fair condition.

The age and association of the ranching features is unknown. Available records from the BLM demonstrate that sections of land surrounding the survey were patented in the 1910s and 1920s. However, the parcel was not subject to a patent, and no formal evidence of ranch owners exists for the area. The majority of the artifacts at the site appear to date to the late 1950s and 1960s, and it is not clear if the artifacts are associated with the ranching features. The household construction debris, including window panes and floor tiling, is not associated with ranching and could represent dumping at the site.

This site is recommended as not eligible for inclusion in the National Register of Historic Places (NRHP), because it does not meet any of the 4 criteria for eligibility. The date and association of the ranching features is unknown and could not be substantiated through research. The site does not appear to be associated with a broader ranch or ranching landscape and is unlikely to contribute important information within the context of ranching in the Maricopa and Casa Grande areas (Criterion A, associated with an event). There is no evidence to suggest that the site is associated with an important person (Criterion B, associated with a significant person). The corral and water tank are considered common types and are not significant for their method of construction (Criterion C,

embodies characteristics of type, period, or method of construction). The low-density artifact scatter (1950s to 1960s) does not have a clear association with the ranching features, and the site is not likely to contain significant subsurface deposits. The information potential of the site has been exhausted by field recordation and research and is not considered significant under Criterion D (yields important information related to history/prehistory). No further preservation or avoidance is recommended.

## **Historic Road**

A road segment was identified in the parcel that generally traverses north-south and continues beyond the parcel in both directions. The road segment consists of a two-track dirt road that measures approximately 8 feet wide and is 3,125 feet long, and within the parcel, the road is still used. The alignment corresponds to a road depicted on General Land Office plat number 1621 for Township 5 South, Range 4 East (filed December 2, 1870) where it is labeled "Road."

The road is also depicted on a 1924 topographic map of the Casa Grande quadrangle, slightly offset from the 1870 alignment, intersecting with the Southern Pacific Railroad at the Bon railroad siding located south of the parcel. The 1924 topographic map shows that the road continues south of the siding into Township 6 South, Range 4 East and terminates at an east-west road in Section 2. The 1924 topographic map and an adjacent 1917 topographic map of the Gila Butte quadrangle to the north illustrate that the road continued along a northern alignment through Sections 36 and 25 of Township 4 South, Range 4 East before branching into two alignments in Section 24 which splintered into multiple trails continuing north toward the Akimel O'odham settlement of Vah Ki, or Casa Blanca, in Township 3 South, Range 4 East.

The earliest written documentation of the Vah Ki settlement comes from J. Ross Browne, an American who traveled along the Gila River in the late 1860s and noted the presence of the "Pima Villages of Maricopa Wells, Casa Blanca and Sacaton" (Browne 1871:292). The 1917 Gila Butte topographic map for Township 3 South, Range 4 East depicts the extensive number of roads and trails that emanated from Casa Blanca in the early twentieth century, which demonstrate its importance as a frequently visited settlement in the area. A survey conducted by the U.S. Geological Survey of "Routes to Desert Watering Places," dating to 1925, describes the road along the Southern Pacific Railroad between Maricopa and Casa Grande and indicates that the predominant route to Casa Blanca in this area was not from Bon but from a road 2 miles east of the town of Maricopa (Bryan 1925).

Map research indicates that sometime between the 1920s and 1930s, the road underwent realignment. A 1937 Department of Transportation map for Pinal County illustrates that the road skirted the eastern side of Sacaton Butte as it traveled north to Casa Blanca. Research indicates that the realignment may have occurred, in part, to route supplies to the Butte Japanese Internment Camp, located directly east of Sacaton Butte. The map data indicates that by 1965 the road was no longer in existence. Future roads in the area were paved and followed section lines (Fertelmes and Simon 2013).

The road is not recommended eligible for inclusion in the NRHP. Historic documentation demonstrates that there was a road alignment in the vicinity of the parcel which, more broadly, spanned the distance between the Bon railroad siding of the Southern Pacific Railroad to the south and the Akimel O'odham

settlement Casa Blanca. A 1917 topographic map indicates that there were a large number of roads and trails into and out of Casa Blanca, and the map documentation suggests that this particular road was a subsidiary route to Casa Blanca. Woodson's (2013) map research has noted that the original road alignment was noticeably altered by the 1930s, shifting to the eastern side of Sacaton Butte, and, for a brief time, may have been associated with the World War II-era Butte Japanese Internment Camp. However, by 1965 the road connecting Sacaton Butte and Bon was no longer evident on maps. The surviving road segment lacks characteristics supporting NRHP eligibility under Criterion A. There is no evidence to suggest that the road is associated with an important person (Criterion B), nor does the road demonstrate significant construction or engineering principles (Criterion C). Additional map research has suggested that further research would not yield important information; therefore, the road is not recommended eligible under Criterion D. No further preservation or avoidance is recommended.

### **3.2.2 No Action Alternative**

Under the No Action Alternative, the 160-acre parcel would remain under BLM management. No changes in land ownership, administration, or use would occur. By remaining under BLM management, any future actions would be considered for potential impacts on cultural resources; if any were to occur, these impacts would be mitigated. No direct or indirect impacts on cultural resources are anticipated to occur.

### **3.2.3 Proposed Action Alternative**

The cultural study conducted for this land sale recommends that neither the ranching site nor the road is eligible for inclusion in the NRHP. Informal consultation was done with the SHPO office to gain some additional insight on the application of National Register Criteria eligibility. Additional map research was requested from the Gila River Indian Community in order to gather information on the use and origin of the historic route. Information on this route was exhausted through archival map research. Both sites were determined not eligible for inclusion in the NRHP, and therefore, no impacts on eligible or potentially eligible cultural resources would occur.

Since no cultural resources eligible for inclusion in the NRHP were identified on the parcel, the sale of the 160-acre parcel from the BLM to the Community would not result in any direct or indirect impacts on NRHP-eligible cultural resources.

## **3.3 Environmental Justice**

### **3.3.1 Affected Environment**

Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" (February 11, 1994), outlines the following responsibilities of federal agencies for federal actions:

Considerations of environmental justice are included to the greatest extent practicable and permitted by law, and consistent with the principles set forth in the report on the National Performance Review, each Federal agency would make achieving

environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and negative human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States and its territories and possessions.

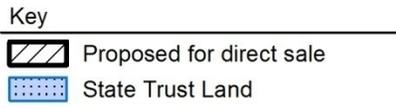
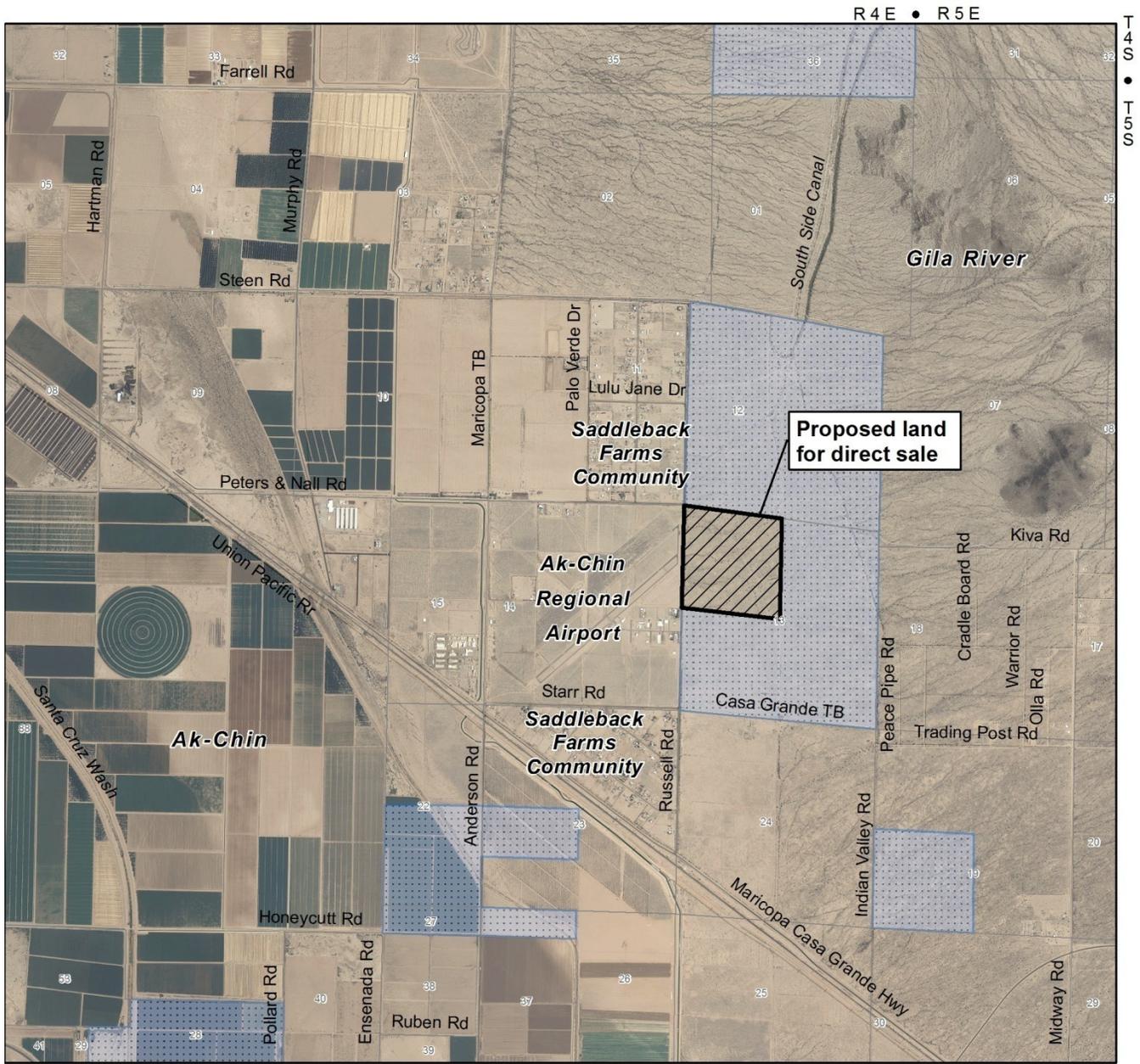
Census data for this area was only available at the census tract level (Census Tract 16, Pinal County). The data covers a large area of rural and agricultural land that extends from south and east of Maricopa to south of Interstate 8 and west of Casa Grande. This census tract includes a portion of the Community and the community of Stanfield. Three comparative populations were included in this analysis. These include the two adjacent cities, Maricopa and Casa Grande, and Pinal County. Racial and ethnic demographic data for the area is based on the 2006–2010 American Community Survey dataset (Table 2); poverty data for the area is based on the 2007–2011 American Community Survey (Table 3).

No residences or businesses occur within the 160-acre parcel. The Ak-Chin Regional Airport and associated facilities occur adjacent to and west of the parcel. There are adjacent residences and businesses northwest of the parcel and some within 1 mile southwest of the parcel. Land adjacent to and north, south, and east of the parcel is managed by the Arizona State Land Department and is held in trust for the benefit of the School of Mines and the Miners Hospital for Disabled Miners (Figure 4).

Census Tract 16 has a lower percentage of minority populations than at least one of the comparative populations in each category (Table 2). Similarly, as shown in Table 3, Census Tract 16 has a lower percentage of people below the poverty level than the two of the three comparative populations. Based on these findings, no Environmental Justice populations occur within or near the subject parcel.

### **3.3.2 No Action Alternative**

Under the No Action Alternative, no changes in ownership or use of the 160-acre parcel would occur. Therefore, there would be no direct or indirect disproportionate impact on protected populations.



Source: Land ownership GIS coverage provided by Arizona State Land Department; Arizona Transportation Information System GIS Coverage (2007); Ak-Chin Indian Community parcel data from Pinal County Assessor (27 June 2012); NAIP Aerial Imagery

United States Department of the Interior  
Bureau of Land Management  
Arizona State Office

**Figure 4. Lands Adjacent to the Subject Parcel**

**Table 2. 2006–2010 Racial and Ethnic Demographics (DP05)**

Area	Total Population	White (%)	African American (%)	Native American (%)	Asian (%)	Pacific Islander (%)	Other Race (%)	Two or More Races (%)	Hispanic <sup>a</sup> (%)
Census Tract 16	5,920	77.1	0.5	4.3	0.7	0	15.0	2.3	30.5
Maricopa	34,809	73.3	6.4	1.8	3.9	0.4	9.7	4.6	24.7
Casa Grande	43,050	70.4	4.6	4.6	2.4	0	15.7	2.3	38.3
Pinal County	375770	72.4	4.6	5.6	1.7	0.4	11.5	3.8	28.5

*Table Source:* U.S. Census Bureau, 2006–2010 American Community Survey 5-Year Estimate.

*Table Abbreviations:* % = percentage.

*Table Note:* <sup>a</sup> “Hispanic” refers to ethnicity, not a separate race, and is derived from the total population; it is calculated differently from the other columns in this table.

**Table 3. Total Minority and Below Poverty Level Populations**

Area	Total Minority <sup>a</sup> 2010 Data (%)	Below Poverty Level 2011 Data (%)
Census Tract 16	49.8	10.8
Maricopa	42.3	4.7
Casa Grande	50.1	18.0
Pinal County	41.3	14.3

*Table Source:* Census data from the U.S. Census Bureau (2010) and the 2007–2011 American Community Survey 5-Year Estimate.

*Table Abbreviations:* % = percentage.

*Table Note:* <sup>a</sup> “Total Minority” is composed of all people who consider themselves Non-White racially, plus those who consider themselves White Hispanic.

### **3.3.3 Proposed Action Alternative**

Given that no protected populations occur, the Proposed Action would not result in a direct or indirect disproportionate impact on such populations.

## **3.4 Lands and Realty**

The 160-acre parcel is identified in the Lower Sonoran RMP (2012a) and Record of Decision (2012b) as suitable for disposal. The parcel is undeveloped, and there are currently no official BLM-permitted uses of this land; both authorized and unauthorized recreation occur within the parcel (see Section 3.5).

There are two encumbrances on the parcel. Right-of-Way AZA-21392 was granted to Pinal County Highway Department and would remain with the Pinal County Transportation Department. This right-of-way contains Russell Road and extends along the entire western boundary of the parcel. In addition, rights-of-way for ditches or canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. 945), are reserved. The roadside drainage ditch along the east side of Russell Road would also remain under the jurisdiction of Pinal County.

### **3.4.1 No Action Alternative**

Under the No Action Alternative, no changes in ownership or use of the 160-acre parcel would occur. Therefore, there would be no direct or indirect impact on land use or access.

### **3.4.2 Proposed Action Alternative**

Under the Proposed Action, the 160-acre parcel would change ownership from BLM to the Community. However, the Russell Road right-of-way would remain the property and responsibility of Pinal County. Pinal County was notified by mail of the opportunity to convert its compliant right-of-way to either a perpetual right-of-way or perpetual easement or to negotiate an easement. Pinal County did not respond to the letter. By default, the existing condition would continue—that is, Russell Road and the associated roadway drainage ditch would be maintained as a Pinal County right-of-way in perpetuity. Therefore, there would be no direct impact on land use or access.

The long-range plan for Ak-Chin Regional Airport identifies the potential for the existing runway to be expanded onto the 160-acre parcel. If this were to occur, the runway would cross Russell Road and a realignment of the roadway would be required. Improvements to the runway would not occur unless a need for the expansion is warranted. The concept is outside the 25-year planning time frame of the long-range plan and was not developed in any detail. If future improvements to the runway were to occur, approval of the expansion by the Federal Aviation Administration would be required. Approval of the expansion by the Federal Aviation Administration, the potential use of federal funds for the expansion, or both are actions subject to NEPA compliance. A separate NEPA document would be prepared for these actions. Any alterations to the existing Russell Road alignment would be assessed at that time. The NEPA process would require public notification and input, and any related impacts would be identified in the NEPA documentation. For these reasons any future development of the airport facilities onto the parcel is considered outside the scope of this study.

No indirect impacts on Russell Road are anticipated at this time because there are no plans to modify Russell Road in the foreseeable future; it is uncertain whether the need for future expansion would become warranted. Any future expansion is outside the planning time frame of the long-range plan, and if it were warranted in the future, subsequent NEPA evaluation would assess potential impacts and identify mitigation measures or realignment options to minimize potential impacts on access in the project vicinity.

### **3.5 Recreation**

The Lower Sonoran Approved Resource Management Plan and Record of Decision, decision RM-3.1.1 (BLM 2012b), 282,100 acres, including the subject parcel, are considered “undesigned.” Management of the subject parcel does not emphasize recreation, although recreational activities may occur. Recreation on foot or horseback is authorized and occurs within the parcel. The use of off-road vehicles on BLM land is authorized only on existing roads. Unauthorized off-road vehicle use occurs on the parcel, as evidenced by the disturbed soil and vegetation.

Land adjacent to the north, south, and east of the 160-acre parcel is State Trust land. State Trust land is not public land; however, recreational uses such as horseback riding and hiking are permissible with the purchase of a permit from the Arizona State Land Department. Off-road vehicles with Arizona Department of Transportation decals are permitted to pass through State Trust land on officially designated routes only. There are no plans at this time to sell or trade any of the adjacent State Trust land or to otherwise change the allowable uses on this land (Ray Moore, Sales and Commercial Leases, Arizona State Land Department, personal communication August 7, 2013).

Public land is available outside the project vicinity and is accessible via public roadways. Numerous public parks and trails are planned for the region including the following: Village Park D, the Santa Cruz Wash, Community Park D, Desert Wind Community Park, and the Santa Rosa Wash (City of Maricopa 2006) located approximately 2 to 4 miles west. In addition, several trails within Maricopa, Casa Grande, and Pinal County (City of Maricopa 2008; City of Casa Grande 2008; Pinal County 2007) are planned between 2 and 4 miles to the east.

#### **3.5.1 No Action Alternative**

Under the No Action Alternative, no changes in ownership or use of the 160-acre parcel would occur. Therefore, there would be no direct or indirect impact on recreation.

#### **3.5.2 Proposed Action Alternative**

Under the Proposed Action, no significant impacts to recreation would occur. The proposed land sale would remove the 160-acre parcel from BLM ownership, and the land would become property owned by the Community. This would reduce the area available for dispersed recreation. However, 1,120 acres of State Trust land adjacent to the subject parcel would remain available for recreational uses with the purchase of a recreation permit that costs approximately \$15 annually. This reduction in available recreational lands would result in a long-term, direct, adverse impact on dispersed recreation. Future parks planned for construction in the region, as indicated by both Casa Grande and Maricopa in

their planning documents (City of Casa Grande 2008 and 2009; City of Maricopa 2008), would reduce the impact on available recreation. No indirect impacts are anticipated to occur.

### **3.6 Socioeconomics**

The land adjacent to the subject parcel is typical of rural outlying areas in this portion of Arizona. The dominant land use in the surrounding area is agricultural. Industrial uses associated with the Ak-Chin Regional Airport occur west of the parcel and widely spaced residential neighborhoods occur. Business would be conducted primarily in Casa Grande, Maricopa, or the Ak-Chin Community.

During public scoping, a comment was received stating that the sale of the 160-acre parcel would diminish property values within the Saddleback Farms community if the parcel is developed or if recreational use of adjacent lands for horseback riding were no longer allowed.

The Saddleback Farms community, northwest and southwest of the subject parcel, are characterized as “horse properties” or small farms. The lots are typically between 2 and 5 acres in size, and it is permissible to maintain horses within these parcels. The eastern edge of the residential areas is adjacent to undeveloped State Trust land, and the Saddleback Farms community extends north and south of the Ak-Chin Regional Airport (see Figure 4).

Based on information from the Pinal County Assessor’s web site (<http://pinalcountyz.gov/assessor/>), residential properties adjacent to the subject parcel and those north or south of the Ak-Chin Regional Airport range in full cash value from \$9,900 for a vacant 3.3-acre parcel to \$83,300 for a 3.3-acre parcel with a home and equestrian amenities. The extrapolated land value for this area is approximately \$3,000 per acre. Most undeveloped parcels were estimated at approximately \$11,000, while parcels with dwellings or other structures typically had a full cash value between \$33,000 and \$45,000. Two properties with dwellings within the Saddleback Farms community near the subject parcel were for sale in September 2013. The asking price on one was \$149,000 and the other was \$45,000 (Zillow 2013).

#### **3.6.1 No Action Alternative**

Under the No Action Alternative, no changes in ownership or use of the 160-acre parcel would occur. Therefore, there would be no direct or indirect impact on socioeconomics.

#### **3.6.2 Proposed Action Alternative**

Under the Proposed Action, the 160-acre parcel would be sold. However, there are no reasonably foreseeable plans to develop the parcel. The parcel is anticipated to remain undeveloped. This land sale is not anticipated to affect the rural/agricultural and open character of the area. It would not introduce new noise or light sources or other residential nuisances.

While the subject parcel would be removed from public use, approximately 1,120 acres of State Trust land immediately adjacent to the residential areas would continue to be available for equestrian use with a recreation permit (see Section 3.5). In addition, the planned recreational amenities proposed by

the Cities of Maricopa and Casa Grande that are within approximately 5 miles of the Saddleback Farms community would provide additional recreational opportunities once constructed.

The potential market values of residential properties are typically determined using comparable sales, land and building/amenity square footage, and construction type (Pinal County Assessor 2013). Since the 160-acre parcel is not residential and there are no plans at this time to develop or otherwise change the character of this parcel, no meaningful change in residential property values for the adjacent residential parcels are anticipated to occur. No direct or indirect impact on socioeconomics in the vicinity of the parcel is anticipated to occur.

### 3.7 Summary of Direct and Indirect Impacts

Table 4 summarizes the anticipated impacts of each alternative. No significant impacts are anticipated.

**Table 4. Summary of Environmental Impacts**

Resource	No Action	Proposed Action
Cultural resources	No direct impact No indirect impact	No direct impact No indirect impact
Environmental justice	No direct impact No indirect impact	No direct impact No indirect impact
Lands and realty	No direct impact No indirect impact	No direct impact No indirect impact
Recreation	No direct impact No indirect impact	Long-term, direct, adverse impact No indirect impact
Socioeconomics	No direct impact No indirect impact	No direct impact No indirect impact

### 3.8 Cumulative Effects

The Council on Environmental Quality defines *cumulative effects* (also known as *cumulative impacts*) as “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such actions” (40 CFR 1508.7). Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. Only past, present, and reasonably foreseeable future actions that incrementally add to the potential adverse cumulative impacts of the Proposed Action and No Action Alternatives were considered. All impacts described are considered long term. Short-term effects, such as construction-related impacts, are assumed not to contribute to cumulative effects.

The intensity, or severity, of the cumulative effects considers the magnitude, geographic extent, duration, and frequency of the effects. The magnitude of the effect reflects the relative size or amount of the effect; the geographic extent considers how widespread the effect may be; and the duration and frequency refer to whether the effect is a one-time, intermittent, or chronic event.

The potential impacts of the Proposed Action and No Action Alternatives are summarized in Table 4. No impacts were identified for the No Action Alternative; therefore, the No Action Alternative would not contribute to any cumulative impacts. The limited impacts on recreational resources identified under the Proposed Action would be adverse. No other resources are anticipated to be affected. Therefore, only recreational resources are considered in the cumulative impact assessment.

The region of influence for cumulative recreational impacts is an area that extends 30 miles in all directions from the parcel. This distance was identified because this is the distance the average person will travel for passive recreation, such as hiking or horseback riding at a regional park or trail system (City of Prescott 2007). The time frame for this analysis extends from existing conditions which reflects past development to date to 2032, which is consistent with the time frame of the *Pinal County Open Space and Trails Master Plan* (Pinal County 2007).

This region of influence incorporates portions of the Gila River Indian Community and Tohono O'odham Nation and all of the Ak-Chin Community, which do not contribute to available recreational lands. However, the region of influence does include large areas of BLM land approximately 12 miles west or southwest and State Trust lands approximately 30 miles east or northeast. Trails and a regional open space/park identified in Casa Grande between 1 and 5 miles to the east and trails along the Santa Rosa and Santa Cruz Washes about 2 miles west of the subject parcel (City of Casa Grande 2008; City of Maricopa 2006) also occur within the region of influence. Future parks offering equestrian and other passive recreational opportunities are designated within the region of influence west of the parcel within Maricopa (Jacobs 2012).

Past, present, and reasonably foreseeable future activities occurring in the region of influence include development of residences and businesses within Casa Grande, Maricopa, and Pinal County and agricultural development. The majority of the land within the region of influence is privately or tribally owned around the cities with large tracts of public and State Trust land occurring around the periphery.

No significant cumulative effects relative to dispersed recreation in the region of influence due to the proposed sale of 160 acres would occur. The transfer of the parcel from BLM ownership to private ownership would remove the 160 acres from general public recreational use. This effect would be long term, because once the property is transferred to private ownership, it would remain in private ownership, pending another realty action that is beyond the scope of reasonably foreseeable actions. Development would assumedly continue to occur within the region of influence, in keeping with the Maricopa and Casa Grande general plans (City of Maricopa 2006; City of Casa Grande 2009); this would likely result in the development or conversion to private ownership of some of the isolated State Trust or public open lands, further reducing available recreational areas. However, as noted above, future open space, trails, and parks are also included in the general plans for these two communities. In addition, there are no reasonably foreseeable plans for the sale of the adjacent State Trust parcels. For the purposes of this study, it can be assumed that these parcels would continue to be available for recreational purposes with purchase of an annual permit. Furthermore, the larger areas of BLM land west of the parcel are not identified for disposal (BLM 2012a).

The conversion of 160 acres to private ownership is very small when compared to the existing and proposed recreational opportunities within the region of influence. The sale of the 160-acre parcel, along with past, present, and reasonably foreseeable actions in the area of influence, would not contribute meaningfully to a cumulative impact on recreational resources in the region.

## **4.0 CONSULTATION AND COORDINATION**

Ak-Chin Indian Community

Arizona Department of Public Safety

Arizona Game and Fish Department

Arizona State Land Department

Central Arizona Association of Governments

City of Maricopa:

City Manager

Floodplain Manager

Planning

Fire Chief

Police Chief

Transportation

Gila River Indian Community

Pinal County:

District Engineer

Emergency Management

Flood Control

Planning

Public Works

Sheriff

Superintendent of Schools

State Historic Preservation Office

U.S. Fish and Wildlife Service

Arizona Governor, Janice Brewer

Arizona Senate, Steve Smith

U.S. House of Representatives, Frank Pratt and John Fillmore

U.S. Senate, John McCain and Jon Kyl

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**APPENDIX A**  
**PUBLIC COMMENTS**

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ID No.	Commenter	Type	Comment	Response
1	Keith Miller	Individual	"As adjacent property owners to the south, along Russell Road and north of the highway, we are interested in the expected use of the property by the Ak-Chin Community. Can you please advise?"	There is no plan for any construction at this time. If a runway expansion is warranted in the future, additional studies would occur prior to any changes to the local roads.
2	Claudia Klaus	Individual	"While we have no major objection to the sale of the land, we are concerned that the expansion of the airport runway will, by necessity, close that portion of Russell Rd the borders the current airstrip. Russell Rd is the only paved access to the properties north of the airport. The closure of this road will force all traffic onto Peters and Nall which is dirt over its western half. There are approximately 91 properties, excluding vacant lots that may be developed at some future point, that will be affected by this. Traffic will include, not only residents and employees, but support and service vehicles, such as utility vehicles, Fed-EX, UPS, etc. This increase in traffic along Peters and Nall, and Anderson Roads (which is also unpaved), will leave a constant cloud of dust hanging in the air. In an area already noted for its poor air quality, this will only exasperate the problem. Also, Peters and Nall is narrow. In areas it is no more than 18 feet wide, and never more than 23 feet wide over the dirt portion. The sides are steep, meaning a vehicle can't pull of onto the shoulder should it need to get out of the way. vehicles can't pass comfortably and we regularly see one vehicle pull to a stop so the oncoming one can get by. In heavy rain, Peters and Nall turns into a river and is completely impassable. It is a concern that, should an emergency vehicle need to get onto one of the properties north of the airport, if for any reason Peters and Nall is blocked or impassable, there is no other access. The sale of the BLM land should be made contingent on BLM and Ak-Chin providing safe and reasonable access to the properties that will be affected by the closure of Russell Rd and that these improvements be completed before the extension of the runway is started."	There is no plan to expand runway or close Russell Road at this time. If a runway expansion is warranted in the future, additional studies would occur prior to any changes to the local roads.
3	Sharon Dickey	Individual	"What is Ak-Chin's intent for the parcel they want to buy, are they going to leave the property undeveloped and use it ONLY as the Runway Protection Zone(RPZ)? The location of the airport is on the southwest corner of Peter Nall and Russell Road, the anticipated property is across Russell Road, does Ak-Chin plan to close off Russell Road for their RPZ? I live two lots north of the airport property line at Peter Nall road, I still have airplanes flying over my house at a very low altitude, is this sale going to prevent this or is it going to get worse?"	There is no plan to expand runway or close Russell Road at this time. If a runway expansion is warranted in the future, additional studies would occur prior to any changes to the local roads.
4	KelliAnn	Individual	"I live just north of the Ak Chin Airport on Palo Verde Dr. While we support and encourage improvements to this area we just have one concern regarding this project. Will Russel Road be affected in anyway? This is the only completely paved road to our house and our neighbors. Are there any plans on paving Anderson Rd (this goes along the west side of airport and connects to Peters and Nall)."	There is no plan to expand runway or close Russell Road at this time. If a runway expansion is warranted in the future, additional studies would occur prior to any changes to the local roads.
5	Clara Chance	Individual	"I have read your letter and have no objections to said sale to Ak-Chin Ind. Community."	Received
6	City of Maricopa	Agency	"The proposed 160-acre parcel is located in unincorporated Pinal County, but within the planning area of the City of Maricopa General Plan. The General Plan Future Land Use identifies the site as Employment/Industrial; as such, the proposed sale of the BLM land to the Ak-Chin Indian Community as a part of the extension of the Ak-Chin Airport's Runway Protection Zones (RPZ) would be consistent and considered a compatible use allowed under the Employment land use designation."  "The City is in support of the sale of this parcel to the Ak-Chin Indian Community and recognizes the value of this land to the future expansion of the airport RPZs, so that it can remain functional and clear of any future incompatible land use or development."	Received

ID No.	Commenter	Type	Comment	Response
7	Chris and Lorna Hawley	Individual	<p>"We are writing to voice our concerns about the Ak-Chin Indian Community's noncompetitive purchase of the BLM land located adjacent to the Ak-Chin Regional Airport. The land in question is of vital importance to the Saddleback Farms residential community. The more than two miles of State Trust/BLM land is used regularly by the residents of our community for the legal operation of off-road vehicles as well as equestrian trail riding. The loss of this land for these stated uses would be devastating for our community, both in recreational access and home values. We address both the BLM land as well as the State Trust land as we feel both are in jeopardy. The Ak-Chin community has acquired much of the land in our area. This land divides the north and south neighborhoods of our community as well as dividing the south neighborhood from the City of Maricopa. The land they currently own is under a Fee-to-Trust application. If the Ak-Chin Community is allowed to obtain the BLM land in question, the logical progression of their development plan may be to utilize Arizona state law to trade other land for the State Trust land comprising the remainder of our recreational area. This would drastically reduce property values in the area as most parcels are considered equestrian properties.</p> <p>For these reasons, we would like assurances that the land in question will remain accessible for off-road and equestrian recreation in the future. While we understand that it is FAA policy for airport owners to attempt to own the runway protection zone (RPZ). The RPZ is only a very small part of the 160 acres of BLM land that is being sold. As pilots and aviation enthusiasts, my wife and I fully support the intelligent development of the airport. We understand and support the need for an RPZ. However, the use of this principle to gain exclusive access to this land only to later develop the area for commercial use seems unfair and counterproductive. The land, as it stands, provides an excellent RPZ as there are no structures impinging on the overlying airspace and the land remains in its native condition. In addition, the Ak-Chin Community is trying to obtain this land in a noncompetitive transaction, as such; they are provided the benefit of a lower cost than if the property was put out for bid. I believe, under these circumstances, it would be appropriate to attach certain conditions to the sale so as to prevent the progressive degradation of our community's recreational resources. With the proper assurances that our community will have future access to the above referenced land, we will support the transaction in question. Without these assurances, we must express our opposition to the sale."</p>	<p>Actions regarding the State Trust land and requiring that the land be sold through competitive bid or with deed restrictions are outside the scope of this project. The Notice of Real Estate Action, which identified the intent to sell this parcel as a direct sale was posted in the Federal Register on March 8, 2013. During the 45 day comment period, no substantive comments to the sale were brought forward. Based on this, the decision to sell the parcel of land to the Ak-Chin Indian Community by direct sale was made.</p> <p>The environmental assessment evaluated potential impacts to both recreation (Section 3.5) and property values (Section 3.6).</p> <p>Under the Proposed Action, no significant impacts to recreation would occur. The proposed land sale would remove the 160-acre parcel from BLM ownership, and the land would become property owned by the Community. This would reduce the area available for dispersed recreation. However, 1,120 acres of State Trust land adjacent to the subject parcel would remain available for recreational uses with the purchase of a recreation permit that costs approximately \$15 annually. Arizona State Land indicated that there are no plans for the adjaace State land to be sold. The reduction in available recreational lands would result in a long-term, direct, adverse impact on dispersed recreation. Future parks planned for construction in the region, as indicated by both Casa Grande and Maricopa in their planning documents (City of Casa Grande 2008 and 2009; City of Maricopa 2008), would reduce the impact on available recreation. No indirect impacts are anticipated to occur</p> <p>The potential market values of residential properties are typically determined using comparable sales, land and building/amenity square footage, and construction type (Pinal County Assessor 2013). Since the 160-acre parcel is not residential and there are no plans at this time to develop or otherwise change the character of this parcel, no meaningful change in residential property values for the adjacent residential parcels are anticipated to occur.</p>