

8/25/11

ASDO NEPA DOCUMENT ROUTING SHEET

NEPA Document Number: DOI-BLM-AZ-A010-2010-0018-CX

Project Title: Page Electric Utility Power Line Right-of-Way Reauthorization AZA-35362

Project Lead: Laurie Ford

Date that any scoping meeting was conducted: N/A

Date that concurrent, electronic distribution for review was initiated: July 1, 2010

Deadline for receipt of responses: **July 21, 2010**

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

Gloria Benson, Tribal Liaison
Diana Hawks, Recreation/Wilderness/VRM
Laurie Ford, Lands/Realty/Minerals
Karen "Kitti" Jensen, Wildlife/T&E Wildlife
John Herron, Cultural
Lee Hughes, Special Status Plants
Ray Klein, GCPNM Supervisory Ranger
Linda Price, S&G
Whit Bunting, Range/Vegetation/Weeds
Richard Spotts, Environmental Coordinator
John Sims, Supervisory Law Enforcement
Lorraine Christian, ASFO Field Manager

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

Andi Rogers (E-mail address: arogers@azgfd.gov)
Sarah Reif (E-mail address: sreif@azgfd.gov)
LeAnn Skrzynski (E-mail address: lskrzynski@kaibabpaiute-nsn.gov)

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

Discretionary Reviewers:

Judy Culver, Recreation/Wilderness/VRM
Ben Ott, Range/Vegetation

Page Electric Utility Power Line Right-of-Way AZA-35362

NEPA Document Number: DOI-BLM-AZ-A010-2010-0018-CX
Categorical Exclusion Documentation Format

A. Background

BLM Office: Arizona Strip Field Office

Case File No.: AZA-35362

Proposed Action Title/Type: Page Electric Utility Power Line Right-of-Way Reauthorization

Location of Proposed Action: The proposed action is located within the following described area and as shown on the attached map (Attachment 1):

Gila and Salt River Meridian, Arizona

T. 41 N., R. 7 E.,
sec. 1, SE1/4NE1/4SE1/4 and S1/2SE1/4;
sec. 12, NW1/4NE1/4.

containing 1.515 acres, more or less

Description of Proposed Action: Page Electric Utility has applied to reauthorize their existing power line right-of-way from Grenehaven and extending southwest across Glen Canyon National Recreation Area lands and onto BLM lands, ending near an abandoned seismic bunker. Reauthorization is necessary to maintain the existing power line for the possible future use of a SCADA system repeater (Supervisory Control and Data Acquisition computer system monitoring/controlling processes; not part of this proposed reauthorization) to be used by Page Electric or other potential uses. The portion of the power line right-of-way on BLM administered land is 20 feet wide (width of existing power line and access road) by approximately 3,300 feet long. Structures are approximately 25 feet in height. No new structures or additions to the power line are proposed. The existing right-of-way, AZAR-020972, was authorized under the Act of March 4, 1911, on January 27, 1960, and was 10 feet wide. Regulations at 43 CFR 2807.22(A)(1) state that pre-FLPMA right-of-way grants may not be renewed and new applications must be filed under FLPMA. The right-of-way grant would be reauthorized for 30 years and would be subject to all provisions of 43 CFR 2800 including the terms and conditions identified in 43 CFR 2805 and special conditions listed in Attachment 2.

B. Land Use Plan Conformance

Land Use Plan Name: Arizona Strip Field Office Resource Management Plan

Date Approved: January 29, 2008

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

MA-LR-06 – Individual land use authorizations (ROWs, permits, leases, easements) will be evaluated on a case-by-case basis in accordance with other RMP provisions and NEPA compliance. New land use authorizations will be discouraged within avoidance areas (i.e., ACECs, lands supporting listed species, NHTs, riparian areas, and areas managed to maintain wilderness characteristics) and allowed in such areas only when no reasonable alternative exists and impacts to these sensitive resources can be mitigated. New ROWs will be routed away from high-density listed species' populations and cultural sites, and along the edges of avoidance areas. In addition, mitigation measures may include underground placement of linear ROWs along existing roads in the House Rock Valley area and special protection measures for archaeological resources (See Special Status Species and Cultural decisions).

The proposal is not within an avoidance area or listed species habitat. In addition, the proposed action does not conflict with other decisions in the LUP.

C: Compliance with NEPA:

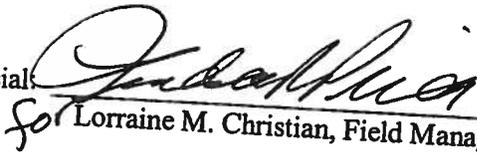
The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E(11), which provides for the conversion of existing right-of-way grants to Title V grants or existing leases to FLPMA Section 302(b) leases where no new facilities or other changes are needed.

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 apply (Attachment 3).

I considered that no new facilities or other changes are proposed and with the additional special conditions identified in Attachment 2, no appreciable damage or disturbance to the public lands, their resources, or improvements is expected.

D: Signature

Authorizing Official:

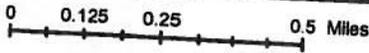
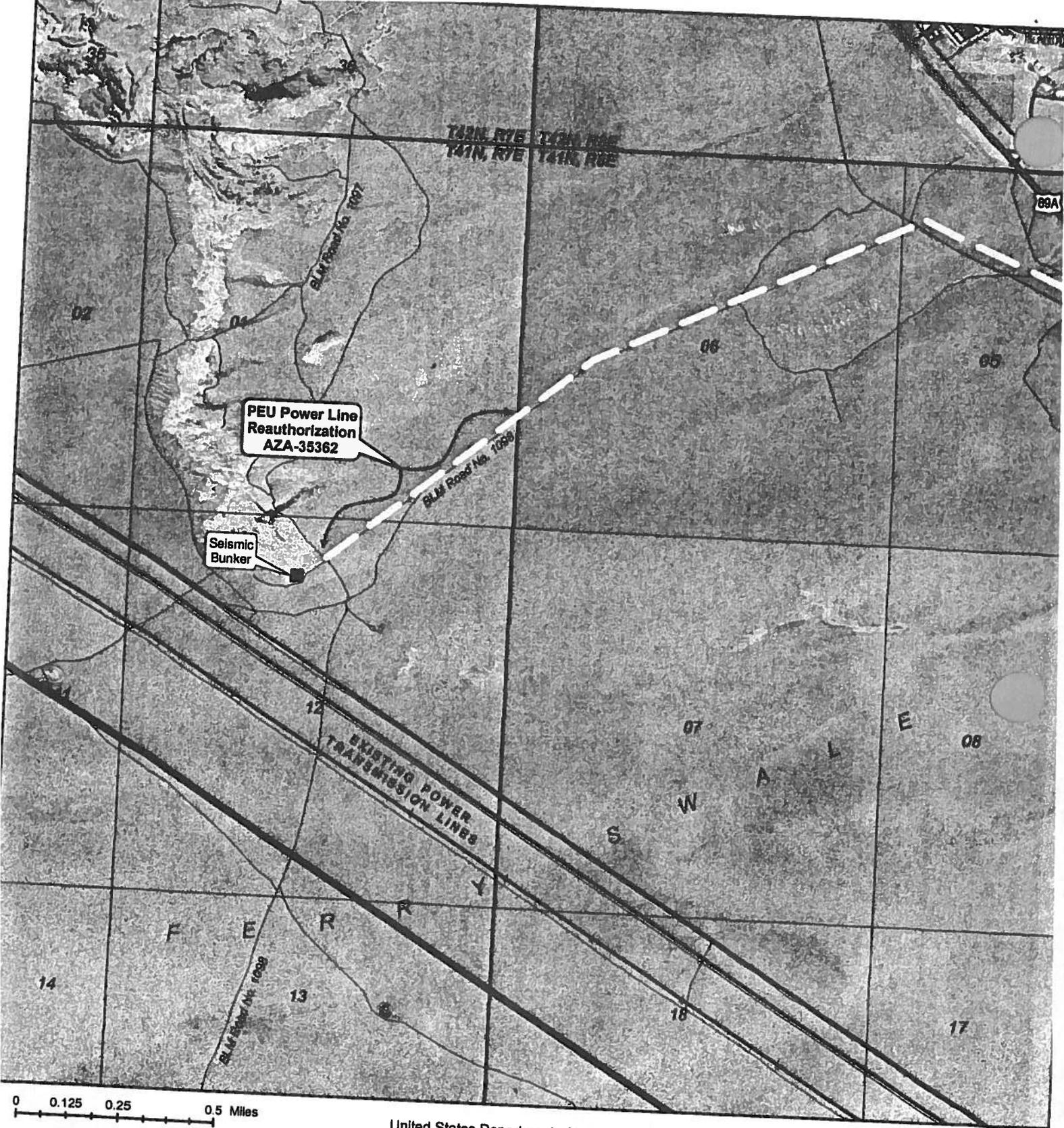

for Lorraine M. Christian, Field Manager

Date:

8/25/10

Contact Person

For additional information concerning this CX review, contact Laurie Ford, Team Lead, Lands and Geological Sciences, BLM, Arizona Strip Field Office, 345 East Riverside Drive, St. George, Utah 84790; phone (435) 688-3271.



United States Department of the Interior
 Bureau of Land Management
 Arizona Strip Field Office



**Page Electric Utility Power Line
 Right-of-Way AZA-35362**

Map created on June 30, 2010

Attachment 1

Legend

- Vermillion Cliffs NM
- US Hwy 89
- Utility Corridor
- Unpaved Roads
- Bureau of Land Management
- National Park Service
- Private
- State

This product may not meet BLM standards for accuracy and content. Different data sources and input scales may cause some misalignment of data layers.

Attachment 2

Special Conditions

Page Electric Utility Power Line Right-of-Way Reauthorization AZA-35362

1. Unless otherwise agreed to by the authorized officer in writing, maintenance/modification of the power line would be performed in accordance with standards outlined in "*Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006*" by the Edison Electric Institute, Avian Power Line Interaction Committee, and the California Energy Commission, Washington, D.C. and Sacramento, CA. The holder would assume the burden and expense of proving that pole designs not shown in the above publication are "avian safe." Such proof would be provided by an avian expert approved by the authorized officer.
2. The holder would use nonreflecting lines and conductors upon replacement/modification.
3. Construction/maintenance sites would be maintained in a sanitary condition at all times; waste materials at those sites would be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment. "Waste" also includes the creation of micro-trash such as bottle caps, pull tabs, broken glass, cigarette butts, small plastic, food materials, lead bullets, bullet casings, etc. No micro-trash would be left at construction sites and trash receptacles used at construction/maintenance sites would be wildlife proof.
4. At no time would vehicle or equipment fluids (including motor oil and lubricants) be dumped on public lands. All accidental spills must be reported to the authorized officer and be cleaned up immediately, using best available practices and requirements of the law, and disposed of in an authorized disposal site. All spills of federally or state listed hazardous materials which exceed the reportable quantities would be promptly reported to the appropriate state agency and the authorized officer.
5. The holder of Right-of-Way AZA-35362 would agree to fully indemnify or hold harmless the United States against any liability, damage, or claims arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601 *et seq.* or the Resource Conservation and Recovery Act, 42 U.S.C. 6901, *et seq.*) on the right-of-way. This agreement applies without regard to whether a release is caused by the holder, its agent, or third parties.
6. Any surface or sub-surface archaeological, historical, or paleontological remains discovered during use, new construction, or additions would be left intact; all work in the area would stop immediately and the authorized officer (435-688-3323) would be notified. Recommencement of work would be allowed upon clearance by the authorized officer in consultation with the archaeologist(s).
7. If in connection with use any human remains, funerary objects, sacred objects, or objects of cultural patrimony as defined in the Native American Graves Protection and Repatriation Act (P. L. 101-601; 104 Stat. 3048; 25 U.S.C. 3001) are discovered, the holder would stop use in the immediate area of the discovery, protect the remains and objects, and immediately notify the authorized officer. The holder would continue to protect the immediate area of the discovery until notified by the authorized officer that operations may resume.

8. There is potential for the spread of noxious and invasive weeds from equipment contaminated with weed seed and/or biomass. To reduce this potential, the authorized officer requires the following measures be taken: a) The holder would thoroughly power wash and remove all vegetative material and soil before transporting equipment to the work site to help minimize the threat of spreading noxious and invasive weeds. This includes trucks, trailers, and all other machinery. b) The holder would be responsible for the eradication of noxious weeds within the right-of-way area throughout the term of the right-of-way. c) The holder would be responsible for consultation with the authorized officer and local authorities for implementing acceptable weed treatment methods. Any use of chemical treatments would be made using only chemicals approved in the *Final Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States Programmatic Environmental Impact Statement* (June 2007b), by a state certified applicator who would abide by all safety and application guidelines as listed on the product label and Material Safety Data Sheet. d) Any reclamation efforts requiring seeding would be done with certified, weed-free seed, using a seed mix approved by the authorized officer.
9. Use of herbicides would comply with the applicable Federal and state laws. Herbicides would be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of herbicides, the holder would obtain from the authorized officer written approval of a plan showing the type and quantity of material to be used, weed(s) to be controlled, method of application, location of storage and mixing areas, method of cleansing and disposing of containers, and any other information deemed necessary by the authorized officer. Emergency use of herbicides would be approved in writing by the authorized officer prior to such use.
10. Where California condors visit a worksite while activities are underway, the on-site supervisor would notify the BLM wildlife team lead at (435) 688-3239. Heavy machinery would not be operated within 0.5 mile of active California condor nests during the nesting season (February 1- November 30), or as long as the nest is viable. Information regarding active condor nests can be obtained by the BLM's wildlife team lead (435) 688-3239. Project workers and supervisors would be instructed to avoid interaction with condors. Project activities would be modified, relocated, or delayed if those activities have adverse effects on condors. Operations would cease until the bird leaves on its own or until techniques are employed by permitted personnel that result in the individual condor leaving the area.
11. If an active bird nest is found that could be affected by activities authorized by this right-of-way grant, work would stop and the BLM wildlife team lead would be contacted to determine an alternative action.
12. No hazing or harassment of wildlife would be permitted.

Attachment 3

EXTRAORDINARY CIRCUMSTANCES REVIEW AND CHECKLIST

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

EXTRAORDINARY CIRCUMSTANCES Does the proposed action...	YES/NO & RATIONALE (If Appropriate)	STAFF
1. Have significant impacts on public health and safety?	No	LFord
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness or wilderness study areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds (Executive Order 13186); and other ecologically significant or critical areas?	No	DHawks JHerron KJensen
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?	No	LFord
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?	No	LFord
5. Establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects?	No	LFord
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?	No	LFord
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the Bureau or office?	No	JHerron
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?	No	KJensen LHughes
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?	No	KJensen GBenson
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?	No	LFord
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners, or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)?	No	GBenson
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area, or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)?	No	WBunting

Decision Memorandum

Page Electric Utility Power Line Right-of-Way Reauthorization AZA-35362

DOI-BLM-AZ-A010-2010-0018-CX

U.S. Department of the Interior

Bureau of Land Management

Arizona Strip Field Office

Approval and Decision

Based on a review of the project described in the attached Categorical Exclusion documentation and field office staff recommendations, I have determined that the project is in conformance with the Arizona Strip Field Office Resource Management Plan (approved January 29, 2008) and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed with the special conditions identified in Attachment 2.

Administrative Review or Appeal Opportunities

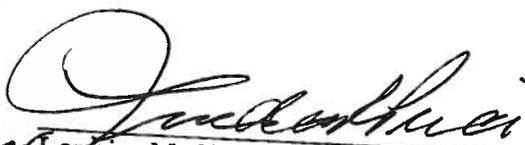
This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in the Arizona Strip Field Office, 345 East Riverside Drive, St. George, Utah 84790 within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

In accordance with 43 CFR 2801.10(b), this decision remains in effect pending appeal unless a stay is granted. If you wish to file a petition pursuant to regulations at 43 CFR 2801.10 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the Department of the Interior, Office of the Field Solicitor, Sandra Day O'Connor U.S. Court House #404, 401 West Washington Street SPC44, Phoenix, AZ 85003-2151 (see 43 CFR 4.413) at the same time the original documents are filed in this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

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


for Lorraine M. Christian, Field Manager

8/25/10
Date

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE INTERIOR BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you,
AND
2. You believe it is incorrect

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

A person who wishes to appeal to the Interior Board of Land Appeals must file in the office of the officer who made the decision (not the Interior Board of Land Appeals) a notice that he wishes to appeal. A person served with the decision being appealed must transmit the *Notice of Appeal* in time for it to be filed in the office where it is required to be filed within 30 days after the date of service. If a decision is published in the FEDERAL REGISTER, a person not served with the decision must transmit a *Notice of Appeal* in time for it to be filed within 30 days after the date of publication (43 CFR 4.411 and 4.413).

1. NOTICE OF APPEAL.....

2. WHERE TO FILE

NOTICE OF APPEAL.....

Field Manager, Arizona Strip Field Office
Bureau of Land Management
345 East Riverside Drive
St. George, Utah 84790

WITH COPY TO SOLICITOR...

Office of the Field Solicitor
Sandra Day O'Connor US Courthouse, Suite 404
401 West Washington Street, SPC-44
Phoenix, Arizona 85003-2151

3. STATEMENT OF REASONS

Within 30 days after filing the *Notice of Appeal*, file a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the *Notice of Appeal*, no additional statement is necessary (43 CFR 4.412 and 4.413).

WITH COPY TO SOLICITOR.....

Office of the Field Solicitor
Sandra Day O'Connor US Courthouse, Suite 404
401 West Washington Street, SPC-44
Phoenix, Arizona 85003-2151

4. ADVERSE PARTIES.....

Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the *Notice of Appeal*, (b) the Statement of Reasons, and (c) any other documents filed (43 CFR 4.413).

5. PROOF OF SERVICE.....

Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (43 CFR 4.401(c)).

6. REQUEST FOR STAY.....

Except where program-specific regulations place this decision in full force and effect or provide for an automatic stay, the decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for a stay is timely filed together with a *Notice of Appeal* (43 CFR 4.21). If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Interior Board of Land Appeals, the petition for a stay must accompany your *Notice of Appeal* (43 CFR 4.21 or 43 CFR 2801.10 or 43 CFR 2881.10). A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the *Notice of Appeal* and Petition for a Stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay. Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards: (1) the relative harm to the parties if the stay is granted or denied, (2) the likelihood of the appellant's success on the merits, (3) the likelihood of immediate and irreparable harm if the stay is not granted, and (4) whether the public interest favors granting the stay.

Unless these procedures are followed, your appeal will be subject to dismissal (43 CFR 4.402). Be certain that all communications are identified by serial number of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (43 CFR 4.401(a)). See 43 CFR Part 4, Subpart B for general rules relating to procedures and practice involving appeals.