

**NEPA COMPLIANCE RECORD
CATEGORICAL EXCLUSION (CX)
Tucson Field Office**

NEPA #: DOI-BLM-AZ-G020-2012-0011-CX

Serial/Case File No. N/A

Proposed Action Title/Type: **Rose Tree Complex Demolition**

Location of Proposed Action (include name of 7.5 topographic map):
Las Cienegas National Conservation Area, T20S R18E Sec 19, Elgin 24k Quadrangle

Description of Proposed Action:

Demolition of the Rose Tree Complex including the following:

- Exclusion of any bats per Bat Conservation International protocol
- Removal of the houses and associated outbuildings including the slabs and footings
- Removal of associated slabs / sidewalk
- Leave all vegetation not in the way of demolition
- All vegetation that must be removed for demolition will be removed from site or brush-piled on site
- All hazmat remediation to be completed prior to demolition
- No demolition to occur until required demolition permit is obtained
- All building materials to be removed from site and transferred to appropriate licensed waste disposal facility

Applicant (if any): N/A

PART I: PLAN CONFORMANCE REVIEW. This proposed action is subject to the following land use plan: Las Cienegas RMP.

The proposed action has been reviewed and determined to be in conformance with this plan (43 CFR 1610.5, BLM MS 1617.3). This action is not specifically addressed in the plan but is not precluded.

/s/ Daniel Mooe 10/31/2011
Specialist Signature Date

Photo of the Rose Tree Ranch House on Las Cienegas NCA, 2009



PROGRAM CONSULTATION & COORDINATION/CX CHECKLIST
 BUREAU OF LAND MANAGEMENT
 TUCSON FIELD OFFICE

PART II: CATEGORICAL EXCLUSION REVIEW

NEPA #: DOI-BLM-AZ-G020-2012-0011-CX

ASSIGNMENT AND REVIEW

Subactivity: N/A

Case/Project No.: Project Name: **Rose Tree Complex Demolition**

Location (legal description): T20S R18E Sec 19

NLCS Unit: Las Cienegas National Conservation Area

Quad Name: Elgin 24k Quadrangle

Project Lead: JJ Swift

Technical Review:

| Applies? | NAME | EXCEPTION | SIGNATURE | DATE |
|-----------------|-------------|--|------------------|-------------|
| Yes No | | | | |
| () () | | (1) Have Significant adverse effects on public health or safety? | | |
| () () | | (2) Have adverse effects on such unique geographic characteristics as historic or cultural resources, parks, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains or ecologically significant or critical areas including those listed on the Department's National Register of Natural Landmarks. | | |
| () () | | (3) Have highly controversial environmental effects | | |
| () () | | (4) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. | | |
| () () | | (5) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. | | |
| () () | | (6) Individually Insignificant, but cumulatively significant effects. | | |
| () () | | (7) Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places. | | |
| () () | | (8) Have adverse effects on species listed on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species. | | |
| () () | | (9) Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment. | | |
| () () | | (10) Have a disproportionately high and adverse effect on low income or minority populations. | | |
| () () | | (11) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners. | | |
| () () | | (12) Contribute to the introduction, continuation existence, or spread of noxious weeds or non-native invasive species. | | |

Final Review:

Unit Manager/Supervisor: /s/ Cindy Alvarez Date: 10/31/2011

Environmental Coordinator: /s/ Daniel Moore Date: 10/31/2011

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with **516 DM 2, Appendix 4, J.10: *Removal of structures and materials of no historical value, such as abandoned automobiles, fences, and buildings, including those built in trespass and reclamation of the site when little or no surface disturbance is involved.***

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. It has been reviewed to determine if any of the exceptions described in 516 DM 2, Appendix 2, apply.

The action does not have significant adverse effects on public health and safety nor does the action adversely affect such unique geographic characteristics as historic or cultural resources, parks, recreation, or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks. The action does not have highly controversial environmental effects nor have highly uncertain environmental effects or involve unique or unknown environmental risk nor does it adversely affect a species listed or proposed to be listed on the list of endangered or threatened species. It does not establish a precedent for future action or represent a decision in principle about a future consideration with significant environmental effects or related to other actions with individually insignificant but cumulatively significant environmental effects. The proposed action does not adversely affect properties listed or eligible for listing in the National Register of Historic Places or threaten to violate a Federal, State, local or tribal law or requirements imposed for the protection of the environment or which require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands) or the Fish and Wildlife Coordination Act.

Mitigation Measures/Stipulations:

1. Demolition period will avoid the nesting season for southwestern willow flycatcher, yellow-billed cuckoo and other migratory birds, so demolition will occur only between October – February.
2. Should any archaeological resources or vertebrate fossils be discovered during implementation of projects, all surface disturbing activities in the area of discovery shall cease. The archaeologist will evaluate the discovery and provide recommendations to the Authorized Officer. Surface disturbing activities shall not resume until permission is obtained from the Authorized Officer.
3. If in connection with operations under this authorization, any human remains or funerary objects, sacred objects or objects of cultural patrimony as defined in the Native American Graves Protection and Repatriation Act (NAGPRA) (P.L. 101-601; Stat. 3048; 25 U.S. 3001) are discovered, the permittee shall stop operations in the immediate area of the discovery, protect the remains and objects, and immediately notify the Authorized Officer of the discovery. The permittee shall continue to protect the immediate area of the discovery until notified by the Authorized Officer that operations may resume.
4. Any vehicles and equipment that are brought in from outside the area will be power-washed, including the undercarriage, prior to entering the right-of-way and afterwards before moving vehicle and equipment onto any other public lands, to prevent the introduction and spread of noxious weeds and/or invasive species.

Part III: DECISION. I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed action does not conflict with major land-use-plans and will not have any major adverse impacts on other resources. Therefore, it does not represent an exception, and is categorically excluded from further environmental review. It is my decision to implement the project, as described, with the mitigation measures attached.

Authorized Official: ____/s/ Brian Bellew, Field Manager _____ Date: ____ 10/31/2011 ____