



U.S. Department of the Interior

Bureau of Land Management
Arizona State Office
Tucson Field Office

June 1999



Final Environmental Impact Statement Ray Land Exchange/Plan Amendment



OFFERED LANDS

*Big Sandy River on the Tomlin #4 Parcel,
one of the lands offered to the public
under the proposed land exchange.*



SELECTED LANDS

*Overlooking RM-17, (just west of the
Ray Mine), a parcel selected by Asarco
under the proposed land exchange.*

The Bureau of Land Management is responsible for the balanced management of the public lands and resources and their various values so that they are considered in a combination that will best serve the need of the American people. Management is based upon the principles of multiple use and sustained yield; a combination of uses that take into account the long term needs of future generations for renewable and nonrenewable resources. These resources include recreation, range, timber, minerals, watershed, fish and wildlife, wilderness and natural, scenic, scientific, and cultural values.

BLM/AZ/PL-98/0013



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Tucson Field Office
12661 East Broadway Blvd.
Tucson, AZ 85748-7208

In reply refer to:

AZA28350/2200 (AZ917/060)

(520) 722-4289

June 7, 1999

Dear Reader:

The Bureau of Land Management (BLM) has prepared a Final Environmental Impact Statement (FEIS) in response to an exchange proposal --the Ray Land Exchange--from ASARCO Incorporated. In the FEIS, the agency preferred alternative (the proposed action) would exchange 10,976 acres of federal lands or mineral estate for 7,300 acres of private lands. The enclosed FEIS encompasses the draft EIS with appropriate corrections, additional information, and DEIS comments with agency responses.

Changes made to the EIS since the draft publication are identified by a highlight (~~highlight~~) or strikeout (~~strikeout~~). These markings indicate updated, corrected, or additional information. A new chapter has been added, Chapter 7, which documents the comments received on the Draft EIS and BLM's responses.

Comments received on the FEIS will be considered in preparing the record of decision on the land exchange. All **comments on the FEIS** must be received **within the 30 day comment period** after the publication of the Notice of Availability in the *Federal Register*, anticipated for June 25, 1999. **Send FEIS comments to:** Shela McFarlin, Project Manager, BLM, Arizona State Office, 222 N. Central Avenue, Phoenix, AZ 85004.

Please note that comments, including names and street addresses of respondents, are available for public review and/or release under the Freedom of Information Act (FOIA). Individual respondents may request confidentiality. If you wish to withhold your name and street address from public review or from disclosure under FOIA, you must state this prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

This FEIS combines the analysis of the exchange proposal with a **proposed plan amendment**. The proposed plan amendment would change the existing land tenure decisions in the Phoenix and Safford District Resource Management Plans to retain much of the selected lands, to a decision to

dispose of these lands. The plan amendment process offers an opportunity for administrative review by filing a protest with the BLM Director. This applies only to the proposed plan amendment, not the exchange itself. The **protest** must be received at the address below by close of business **no later than 30 days** after the Notice of Availability is published in the *Federal Register*, anticipated for June 25.

Protest letters must be sent to:

Director, BLM; Attention: Ms. Brenda Williams, Protests Coordinator WO-210/LS-1075; Department of the Interior, Washington, DC 20240.

The overnight mail address for protests is: Director, BLM; Attention: Ms. Brenda Williams, Protests Coordinator (WO-210), 1620 L. Street NW, Room 1075, Washington, DC 20036.

At a minimum, protest letters must include:

1. The name, mailing address, telephone number and interest of the person filing the protest.
2. A statement of which parcel or parcels (by township, range and section) or issues are being protested.
3. A statement of the part or parts of the plan amendment being protested. To the extent possible, this should be done by reference to specific pages, paragraphs, sections, tables and maps included within the proposed plan amendment.
4. A copy of all documents addressing the issues or parcels that you submitted during the planning process or a reference to the date the issue or issues were discussed by you for the record.
5. A statement of reasons explaining why the BLM State Director's proposed decision is believed to be incorrect. All relevant facts need to be included in the statement of reasons. These facts, reasons, and documentation are very important to understand the protest rather than merely expressing disagreement with the proposed decision.

Please call Sheila McFarlin if you have any questions on the FEIS and proposed plan amendment at (602) 417-9568. We welcome your comments to assist us throughout the EIS process.

Sincerely,



Jesse Juen
Field Manager

Enclosure:
FEIS

**U.S. Department of the Interior
Bureau of Land Management**

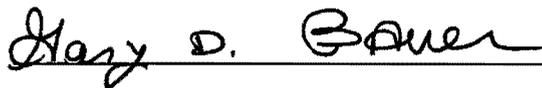
**PROPOSED PLAN AMENDMENT AND FINAL
ENVIRONMENTAL IMPACT STATEMENT**

for the

RAY LAND EXCHANGE

Prepared by the
Arizona State Office
Tucson Field Office

June 1999

A handwritten signature in cursive script that reads "Mary D. Bauer". The signature is written in black ink and is positioned above a horizontal line.

Arizona State Director ,Acting

Cover Sheet
FINAL ENVIRONMENTAL IMPACT STATEMENT

**Ray Land Exchange and Proposed Plan Amendment
Bureau of Land Management**

EIS Number: BLM/AZ/PL99/0013
Lead Agency: U.S. Department of the Interior, Bureau of Land Management(BLM)
Project Location: Pinal, Gila, and Mohave Counties, Arizona
Date of Issue of FEIS: June 25, 1999

Abstract:

This Final Environmental Impact Statement (EIS) analyzes impacts that may occur from a proposed land exchange combined with a proposed plan amendment. ASARCO Incorporated (Asarco), a mining company, proposed the Ray Land Exchange to acquire approximately 10,976 acres of public lands in Pinal and Gila Counties. In exchange, BLM would acquire approximately 7,304 acres in Pinal and Mohave Counties. The BLM's preferred alternative is the Proposed Action, which would result in the exchange of lands as noted above. In addition to analyzing the direct, indirect and cumulative impacts of the land exchange, the EIS also analyzes whether to approve a plan amendment. Changes to the Phoenix and Safford District Resource Management Plans are required to allow BLM to authorize an exchange in areas previously designated for retention in public ownership. Mining-related uses, as allowed under the General Mining Law of 1872 and the Federal Land Policy and Management Act, are the foreseeable uses of the public lands regardless of whether the land exchange is approved or not. The EIS analyzes the impacts of foreseeable uses at the current level of information. Four alternatives are considered: The Proposed Action (Preferred Agency Alternative); the Buckeye Alternative which would delete 800 acres of selected lands from the exchange; the Copper Butte Alternative which would remove 1,815 acres from the exchange; and the No Action Alternative. Effects of the Proposed Action include: acquisition of riparian, desert tortoise, and southwestern willow flycatcher habitat; transfer of private inholdings in wilderness and in Areas of Critical Environmental Concern to federal ownership; improved manageability; and the removal of BLM administrative responsibilities to oversee mining activities. The Buckeye and Copper Butte alternatives would have similar impacts with certain selected lands remaining under BLM administration and portions of offered lands excluded from the exchange to equalize values. Impacts of the No Action Alternative include continued or increased BLM involvement in overseeing mining; loss of opportunity to acquire high resource valued lands; and loss of ability to improve management on "checker boarded" lands in Mohave County.

Manager Responsible for Preparing this EIS and for Approving the Land Exchange:
Jesse Juen, Tucson Field Office

Official Responsible for Authorizing the Proposed Plan Amendment:
Gary Bauer, Acting Arizona State Director

FEIS Comments Must be Postmarked By: July 25, 1999

Agency Contact: Shela McFarlin, Project Manager
Submit Comments to: Native American Minerals/Arizona Land Exchange Teams
Arizona State Office
Bureau of Land Management
222 North Central Avenue
Phoenix, Arizona 85004
(602) 417-9568

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SUMMARY

This Final Environmental Impact Statement (FEIS) documents the analysis of the potential environmental impacts of the proposed Ray Land Exchange/Plan Amendment between ASARCO Incorporated (Asarco) and the U.S.D.I. Bureau of Land Management (BLM). This DEIS has been prepared in compliance with the National Environmental Policy Act (NEPA) guidelines set by the Council on Environmental Quality (CEQ), and the BLM NEPA Handbook (BLM 1988). The first five chapters of this document describe the purpose of and need for action; the Proposed Action and alternatives, including BLM's Preferred Alternative; the affected environment; environmental consequences, cumulative impacts, irreversible and irretrievable commitments of resources, unavoidable adverse impacts; and consultation and coordination undertaken for this analysis. Chapter 6 lists the persons primarily responsible for preparing this document and Chapter 7 documents the public comments on the DEIS and BLM's responses to these comments.

The Proposed Action consists of two connected actions: a plan amendment and a land exchange. Through the exchange, Asarco seeks to acquire approximately 10,976 acres of public lands and mineral estate lands (the selected lands), the vast majority of which are adjacent to its existing Ray Mine in Pinal County, Arizona. These lands are administered by the BLM Tucson Field Office. The selected lands include three isolated tracts of less than one acre each and 30 larger parcels ranging in size from approximately 2 acres to 2,001 acres. A plan amendment to the Phoenix and Safford Resource Management Plans (RMPs) is required as the selected lands have not been designated for disposal through previous BLM planning processes.

In exchange, Asarco is offering two separate parcels and three parcel groups (the offered lands, 18 parcels in all) that it owns, totaling approximately 7,300 acres. These private parcels are located in Pinal and Mohave County and include the following: 1) the Gila River Parcel at Cochran is located in Pinal County and contains a segment of the Gila River Riparian Management Area (GRRMA) and is within the Middle Gila Cultural Resource Management Area (MGCRMA); 2) the Sacramento Valley Parcel abuts the Warm Springs Wilderness in Mohave County; 3) the Knisely Ranch parcel group lies within the Mount Tipton Wilderness in Mohave County, 4) the Tomlin Parcel group lies adjacent to the Big Sandy River, located within the Big Sandy Herd Management Area; and 5) the McCracken Mountains Parcel group occurs within the McCracken Desert Tortoise Habitat Area of Critical Environmental Concern (ACEC).

PURPOSE OF AND NEED FOR ACTION

In proposing the Ray Land Exchange, Asarco seeks to consolidate its land holdings within and adjacent to areas of ongoing mineral development at the Ray Mine. Asarco intends to use a portion of the selected lands to support and expand current and future mining-related operations, with the remainder used for site security and environmental buffers. In exchange, the BLM Tucson and Kingman Field Offices would acquire lands containing important natural resources and other values and move toward achieving its land tenure adjustment objectives, as stated in the Phoenix and Kingman Resource Area Resource Management Plans (RMPs). The offered lands are located within special management areas identified by the appropriate RMPs. Criteria for lands to be acquired within special management areas include: lands with riparian habitat; lands within watersheds of important riparian areas; lands with high value wildlife habitat; lands for administrative sites, developed recreation sites, or that provide access to public lands; lands with significant cultural and paleontological properties; and inholdings within special management areas. Collectively, the offered lands meet several of these acquisition criteria.

The Proposed Action is not consistent with the Phoenix and Safford RMPs in that these plans do not identify all the selected lands for disposal by exchange. Therefore a plan amendment to change the land tenure decision for both RMPs is also considered in this EIS. Criteria for disposal include lands that are difficult or uneconomic to manage, lands no longer needed for the original purpose for which they were acquired, and/or lands that will serve an important public purpose.

The BLM is authorized to complete land exchanges under Section 206 of the Federal Land Policy Management Act (FLPMA) of 1976, as amended by the Federal Land Exchange Facilitation Act (FLEFA) of 1988, after considering whether the exchange will: 1) provide the opportunity to achieve better management of federal lands; 2) meet the needs of state and local residents and their economies; and, 3) secure important objectives, including but not limited to, protection of fish and wildlife habitats, cultural resources, watersheds, and wilderness and aesthetic values [43 CFR §2200.0-6(b)].

ALTERNATIVES CONSIDERED

Four alternatives are analyzed in this document: the Proposed Action, the Buckeye Alternative, the Copper Butte Alternative, and the No Action Alternative. The Buckeye Alternative was developed to address the public's concern for public lands adjacent to Walnut Creek, while the Copper Butte Alternative further minimizes the amount of land to be exchanged around the Copper Butte deposit. All of the alternatives, including the No Action, have actions in common; that is, activities that are likely to occur regardless of which alternative is selected. These actions common to all alternatives are called the foreseeable uses and involve mining-related uses of the selected lands. Other alternatives which were considered but eliminated from detailed consideration in the EIS, are presented in Chapter 2.

Proposed Action Alternative (Agency Preferred Alternative)

The Proposed Action consists of a land exchange between Asarco and the BLM and a corresponding plan amendment for the Phoenix and Safford District RMPs. This alternative would result in the largest area of land exchanged of all the action alternatives. Completion of the exchange would result in Asarco acquiring 31 selected parcels (approximately 10,976 acres) most of which are near its Ray Mine. In exchange, BLM would acquire two individual offered lands parcels and three parcel groups (approximately 7,300 acres) located within or adjacent to three special management areas and two wilderness areas in Pinal and Mohave Counties.

Buckeye Alternative

This alternative involves reducing the total acreage of the selected lands from approximately 10,976 acres to approximately 10,176 acres by excluding 800 acres of Parcel CB-1 in Sections 25 and 26 of T3S, R12E. The purpose of this alternative is to eliminate from the exchange the Buckeye Long-Range prospect as this is an area with high resource values and future mining potential. The offered lands would include all parcels in the Proposed Action except Section 9 of the McCracken Mountains Parcels for a total offered lands package of approximately 6,659 acres.

Copper Butte Alternative

This alternative involves the smallest area of land exchange of all the action alternatives. It would reduce the total acreage of the selected lands from approximately 10,976 acres to approximately 9,161 acres by excluding Parcels CB-1, CB-2 and portions of CB-3. The purpose of this alternative is to eliminate from the exchange the Long-Range Prospect, and the Intermittent and Transition foreseeable use areas that are not immediately adjacent to the Copper Butte deposit. The offered lands would include all parcels in the Proposed Action except Sections 3, 9 and 19 of the McCracken Mountains Parcels for a total offered lands package of approximately 5,601 acres.

No Action Alternative

Under this alternative, no lands would be exchanged. The selected lands and federal minerals would remain publicly owned and administered by the BLM according to the multiple use management directives in FLPMA and the RMPs, as amended. The RMP would not be amended at this time to allow for an exchange proposal. The offered lands would remain under private ownership and subject to development.

Actions Common to All Alternatives

The foreseeable uses of the selected lands are mining-related uses and are expected to occur under all alternatives. Mining could occur on private, patented lands under a land exchange, on public lands subject to BLM's 43 CFR 3809 regulations, or through patenting under the Mining Law of 1872.

Descriptions of the foreseeable uses are based on conceptual plans provided by Asarco, which broadly outline three general types of facilities and activities that are likely to occur on the selected lands. Foreseeable uses involve: Production Operations and Support Areas for stockpiles, haul roads, and other facilities related to production and processing using solution extraction/electrowinning (SX/EW) techniques; Transition Areas for access roads, safety buffers, and pollution prevention stormwater facilities maintenance; and Intermittent Use Areas for spatial buffers, site access, and environmental monitoring facilities.

SCOPING

The preparation of the Ray Land Exchange began in 1994 with a proposal from Asarco to acquire BLM lands adjacent to the Ray Mine. A Notice of Intent (NOI) was published in the *Federal Register* on December 19, 1994 and a scoping period was conducted from December 1994 to February 1995 with meetings in Kearny and Mesa, Arizona on January 30 and 31, 1995, respectively. However, an offered lands package was not completed in time for scoping. In the following two years, Asarco acquired the offered lands and expanded the selected lands and scoping was reinitiated in the summer of 1997, with publishing a NOI in the *Federal Register* on June 20, 1997. A Notice of Exchange Proposal (NOEP) was published in the *Federal Register* on June 20, 1997 and in local newspapers in Gila, La Paz, Pinal and Mohave Counties. The NOEP announced the proposal for exchange of approximately 10,976 acres of selected lands for approximately 8,994¹ acres of offered lands, provided legal descriptions for the selected and offered lands, and stated that the selected lands identified in the exchange have been segregated from appropriation for a period of five years under the public land laws.

During the Ray Land Exchange/Plan Amendment scoping period, three open house meetings were held in Kearny, Mesa and Kingman on July 21, 22 and 23, 1997. Open house meetings were advertised through publication of the NOI in the *Federal Register*, legal notices in local papers, and the informational mailer sent to over 1,000 interested parties. Fliers written in Spanish and English with scoping open house information were posted throughout the towns of Kearny, Winkelman, and Hayden. Open house participants were provided with a fact sheet and comment form. A total of 190 individuals attended the five open house meetings, each of which lasted four hours.

A list of 46 issues were compiled from written and verbal comments received during and after formal scoping. Thirteen issues and comments were determined to be beyond the scope of the EIS and/or were eliminated from further consideration. The remaining 31 issues and comments, organized for both the selected and offered lands under the major topic headings of Biological Resources, Physical Resources, Mineral Resources, Land Use, Cultural Resources, Socioeconomic Resources, and Hazardous Materials, were carried forth for analysis. These issues are discussed further in Section 1.8 of Chapter 1.

SUMMARY OF POTENTIAL ENVIRONMENTAL IMPACTS

Table 2-7 in Chapter 2 of this document summarizes the potential environmental impacts of the Proposed Action, the Buckeye, Copper Butte and No Action alternatives. Detailed descriptions of impacts of both the proposed exchange and the foreseeable uses are provided in Chapter 4; also described are cumulative effects; irretrievable and irreversible commitments of resources; and unavoidable adverse impacts of the Proposed Action, Buckeye and Copper Butte alternatives. Unavoidable adverse impacts include: 1) impacts

¹ Due to the results of the appraisals, the Proposed Action no longer includes all 8,994 acres of offered lands. The offered lands for the Proposed Action have been reduced to 7,300 acres and are discussed in more detail in Chapters 1 and 2.

to archaeological sites from transfer out of public ownership and; 2) loss of approximately 8,196 acres of public land within seven BLM grazing allotments and corresponding reduction in grazing receipts and approximately 918 Animal Unit Months (AUMs).

COMMENTS AND RESPONSES

Chapter 7 has been added to the FEIS to describe the BLM's efforts to notify the public of the availability of the DEIS through *Federal Register* notices, legal notices, public hearings, and public outreach. Additionally, this chapter provides reproductions of comments received on the DEIS and the BLM's responses to these comments. Sixty-one comment letters were received during the 90-day comment period. Six themes that were frequently raised in the comment letters were addressed by general responses, these included public access to the White Canyon Wilderness, Proposed Action and Copper Butte Alternatives, Arizona Trail, Public Interest Determination, MPO/Land exchange, and Mineral Creek Consent Decree/Work Plan Project. Other comments received individual responses, which are presented in Chapter 7.