

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
ROSEBURG DISTRICT

DECISION RECORD

Project Title: Douglas Electric Cooperative Power Line Right-of-Way Grant (OR 2845)

NEPA Document: NEPA# DOI-BLM-ORWA-R040-2016-0001-CX

BLM OFFICE: Swiftwater Field Office
777 NW Garden Valley Blvd.
Roseburg, OR 97471

Location of Proposed Action: Willamette Meridian, T. 22 S., R. 7 W., Section 13, N $\frac{1}{2}$ NE $\frac{1}{4}$;
SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$.

Decision: Based upon the attached Categorical Exclusion, I have determined that the proposed re-authorization of the existing right-of-way grant to Douglas Electric Cooperative to operate, maintain and terminate a 69 kV overhead distribution power line for a term of twenty-five years involves no significant impacts to the human environment and no further environmental analysis is required.

Appeal Procedures:

The decision to re-authorize the Douglas Electric Cooperative Grant OR 2845 is a Rights-of-Way decision under 43 CFR 2800 and is subject to the following appeal procedures.

The decision is effective immediately upon signing by the authorized officer and shall remain in effect pending an appeal. 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. If an appeal is taken, your notice of appeal must be filed in the Roseburg District BLM Office within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

For further information, contact Max Yager, Field Manager, Swiftwater Field Office, Roseburg District, Bureau of Land Management, 777 NW Garden Valley Blvd. Roseburg, OR 97471, (541) 440-4930.

Authorizing Official: _____


Max Yager
Field Manager
Swiftwater Field Office

Date: Nov. 25th, 2015

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

NEPA Categorical Exclusion

Project Title: Douglas Electric Cooperative Power Line Right-of-Way Grant (OR 2845)

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BLM OFFICE: Swiftwater Field Office
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A. Background:

Location of Proposed Action: Willamette Meridian, T. 22 S., R. 7 W., Section 13, N $\frac{1}{2}$ NE $\frac{1}{4}$;
SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$.

Description of Proposed Action:

The proposed action is to reauthorize an existing right-of-way to Douglas Electric Cooperative to operate, maintain, and terminate a 69 kV overhead distribution power line for a term of twenty-five years. The existing right-of-way grant, OR 2845, was granted under a pre-FLPMA authority in 1960 therefore it must be re-issued pursuant to Title V, Federal Land Policy and Management Act and the regulations at 43 Code of Federal Regulations 2800.

The right-of-way is fifty feet wide, 4,240 feet long encompassing approximately 4.87 acres. No additional rights will be conveyed. This action requires no new ground disturbing activities or construction. However, on-going line maintenance activities, such as pole and line inspections, pole and anchor replacements, access on existing roads and corridor, and periodic vegetative maintenance may be conducted, as needed. Surface disturbing activities and cutting of trees will require obtaining approval from the BLM in advance of the activity, except if an imminent emergency condition exists that may endanger life or property. BLM must be notified as soon as reasonably possible of any emergency repair. Exhibit A includes standard stipulations that will be made a part of the right-of-way grant.

B. Land Use Plan Conformance:

This proposed action is subject to and in conformance with the *Roseburg District Record of Decision and Resource Management Plan* approved on June 2, 1995. It specifically states "Continue to make BLM-administered lands available for needed rights-of-way where consistent with local comprehensive plans, Oregon statewide planning goals and rules, and the exclusion and avoidance areas identified in this RMP" (ROD/RMP p. 69).

C. Compliance with NEPA:

The proposed action to reauthorize the right-of-way grant is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with the Bureau of Land Management Categorical Exclusion reference 516 DM, Chapter 11.9, (E)(9): *Renewals and assignment of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.*

The categorical exclusion is appropriate for this action 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 describe in 516 DM 2 apply.

D. Categorical Exclusions - Extraordinary Circumstances Documentation:

THE PROPOSED CATEGORICAL EXCLUSION ACTION WILL:	YES	NO
2.1 Have significant impacts on public health or safety.		X
Rationale: The right-of-way is located in a remote rural area, and issuance of a right-of-way grant would not have an impact on public health or safety.		
2.2 Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness 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; and other ecologically significant or critical areas.		X
<p>Rationale: None of the aforementioned resources except for migratory birds, are present on or proximate to the right-of-way. There will be no ground disturbing activities.</p> <p>Migratory birds – Ground disturbing activities such as mowing or weed removal from the right-of-way would remove and/or modify shrubs and forbs during the critical nesting/breeding season (April-July) of migratory birds, this would cause a loss of habitat and the potential direct loss of nests and/or young. These losses would be isolated and would affect those species that nest on the ground or within shrubs. However, this action will not affect migratory birds at the population level.</p>		
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		X
Rationale: The issuance of this right-of-way grant will not have any demonstrable environmental effects. Other similar right-of-way has been in place for more than forty years and issuance of this new grant does not involve any unresolved conflicts over alternative resource uses and is not considered controversial.		
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
Rationale: The effects of issuing similar right-of-way grants have not been demonstrated to have highly uncertain or potentially significant effects, or involve unique or unknown risks.		
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
Rationale: Implementation of the proposal would not establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects. The distribution line already exists. The action is a reauthorization of an existing right-of-way where no additional rights are conveyed beyond those granted by the original authorization. The issuance of right-of-way grants is a customary and routine procedure, and as noted above, similar right-of-ways have been in place in excess of ten years.		
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
Rationale: The issuance of this right-of-way grant is not tied to any other federal actions, and as such, is not related to other actions with cumulatively significant environmental effects.		

2.7 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.		X
Rationale: Renewal of an existing right-of-way grant would not result in any surface disturbance, is not considered likely to pose a risk to any undiscovered cultural or historical resources that might be present, and is exempt from normal inventory requirements, as specified in Appendix E of the Oregon BLM-SHPO 2015 Protocol.		
2.8 Have significant impacts on species listed, or proposed to be listed, as an Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		X
<p>Rationale: <i>Northern Spotted Owl</i> – The renewal of the existing right-of-way grant would not cause removal or modification to suitable or dispersal habitat. The power-line maintenance (i.e. mowing) would not cause noise disturbance during the critical breeding season (March 1 - July 15) due to the short duration of the maintenance. In addition, the proposed right-of-way occurs within 2012 Critical Habitat (ORC-5) for the northern spotted owl. However, there would be no removal of Primary Constituent Elements within Critical Habitat, therefore, the grant would have <i>no effect</i> on the northern spotted owl or it’s Critical Habitat.</p> <p><i>Marble Murrelet</i>- The renewal of the existing right-of-way grant would not cause removal or modification to suitable or dispersal habitat. The power-line maintenance (i.e. mowing) would not cause noise disturbance of Marbled Murrelets during the critical breeding season (April 1 - August 5) due to the short duration of the maintenance. The proposed grant is not in Marbled Murrelet Critical Habitat.</p> <p>The renewal of the right-of-way grant would not affect occupied coho salmon habitat or designated Critical Habitat for coho salmon.</p>		
2.9 Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
Rationale: The proposed action is in conformance with the direction given for the management of public lands in the Roseburg District ROD/RMP, which complies with all applicable laws, such as the Federal Land Policy Management Act, Endangered Species Act, Historic Preservation Act, Clean Water Act and others.		
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 2898).		X
Rationale: The issuance of this right-of-way grant will not have a disproportionately high or adverse effect on low income or minority populations. The distribution line already exists. The action is a reauthorization of an existing right-of-way where no additional rights are conveyed beyond those granted by the original authorization.		
2.11 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).		X
Rationale: There are no identified sacred, ceremonial or religious Indian sites in the project area. The distribution line already exists. The action is a reauthorization of an existing right-of-way where no additional rights are conveyed beyond those granted by the original authorization.		

2.12 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).		X
Rationale: A Stipulation will be placed in the right-of-way grant requiring the Holder be responsible for weed control within the limits of the designated right-of-way area.		

E. Signature:



Max Yager
Field Manager
Swiftwater Field Office

Nov. 25th, 2015

Date

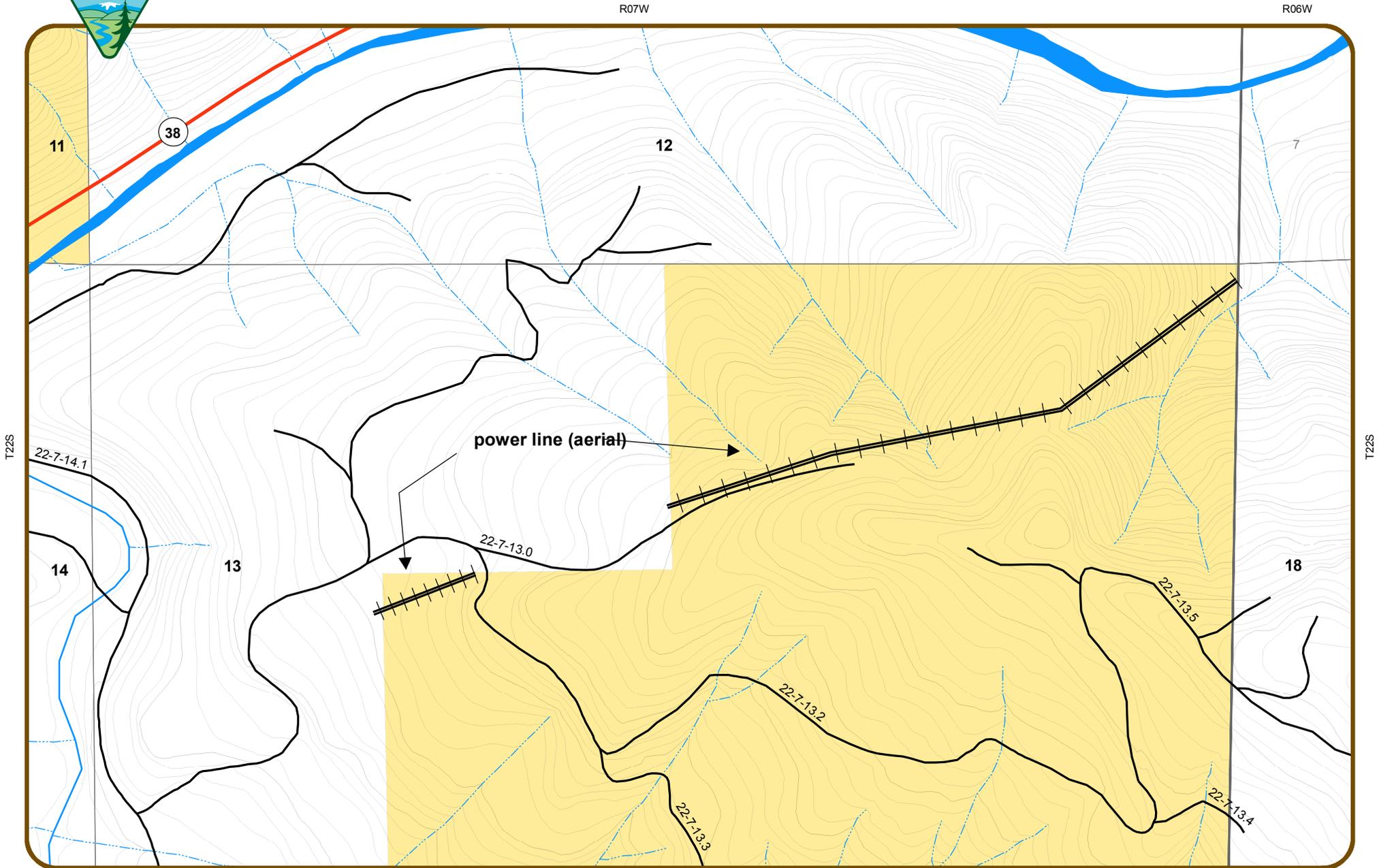
F. Contact Person & Reviewers:

For additional information concerning this Categorical Review, contact:

Anne Shirley, Realty Specialist (541) 464-3314
Roseburg District Office, Bureau of Land Management
777 NW Garden Valley Blvd.
Roseburg, OR 97471

Reviewers	Resource	Initials	Date
Melanie Roan	Planner/NEPA	MJR	11/23/15
Angie Worthing	Wildlife Biologist	AW	11/20/15
Johanna Blanchard	Botanist	JB	11/23/15
Jeff McEnroe	Fisheries Biologist	JM	11/20/15
Carley Smith	Archaeologist	CS	11/23/15
Anne Shirley	Realty Specialist	A. Shirley	11/24/15

Douglas Electric Coop Powerline Right-of-way - ORE 2845



Legend

- State Highway
- - - Minor Stream
- Bureau of Land Management
- Roads
- Major Stream
- Private/Unknown
- +—+—+—+— Power line (Aerial)



No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources and may be updated without notification.

Date: 10/15/2015

