

**United States Department of the Interior  
Bureau of Land Management**

---

**Categorical Exclusion Not Established By Statute  
DOI-BLM-UT-C030-2016-007-CX**

---

**March 2016**

**Right-of-Way Renewal Application PacifiCorp  
UTU-55681 & UTU-60028**

***Location:***

UTU-55681  
Salt Lake Meridian  
T. 40 S., R. 16 W.,  
sec. 26, SWSW,

UTU-60028  
Salt Lake Meridian  
T. 39 S., R. 17 W.,  
sec. 25, SESE,

T. 39 S., R. 16 W.,  
sec. 30, lot 4.

***Applicant/Address:*** PacifiCorp  
1407 W. North Temple, Suite 110  
Salt Lake City, UT 84116

---

St. George Field Office  
345 E. Riverside Dr.  
St. George, UT 84790  
Ph.(435) 688-3200  
Fax (435) 688-3252



**CATEGORICAL EXCLUSION DOCUMENTATION FORMAT WHEN USING  
CATEGORICAL EXCLUSIONS NOT ESTABLISHED BY STATUTE**

**A. BACKGROUND**

**BLM Office:** St. George Field Office

**NEPA Number:** DOI-BLM-UT-CO30-2016-007-CX

**Lease/Serial/Case File No:** UTU- 55681 & UTU-60028

**Proposed Action Title/Type:** PacifiCorp Right-of-Way Application Renewal

**Location of Proposed Action:**

UTU-55681

Salt Lake Meridian  
T. 40 S., R. 16 W.,  
sec. 26, SWSW,

UTU-60028

Salt Lake Meridian  
T. 39 S., R. 17 W.,  
sec. 25, SESE,

T. 39 S., R. 16 W.,  
sec. 30, lot 4.

**Description of Proposed Action:**

PacifiCorp has applied to renew two right-of-ways for the operation and maintenance of existing electric power lines. UTU-55681 is a 19.9kV distribution line 189 feet in length and 25 feet in width which provides power to a water pump operated by Clark Staheli. UTU-60028 is a 19.9kV distribution line 1495 feet in length and 25 feet wide which provides power to the Bingham residence near Dammeron, Utah.

PacifiCorp is requesting for renewal for the maximum length of time allowed, which is 30 years. No construction or maintenance is planned at this time.

**B. LAND USE PLAN CONFORMANCE**

**Land Use Plan Name:** St. George Field Office Resource Management Plan

**Date Approved/Amended:** March 1999

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions):

LD-12 States: *“Applications for new rights-of-way on public lands will be considered and analyzed on a case-by-case basis...”*

**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 2.3A (2):

E. (9) Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.

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 43 CFR Part 46.215 apply.

I considered,

- Public health or safety.
- natural resources and unique geographic characteristics such as historic or cultural resources; parks, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands, national monuments; migratory birds; and other ecologically significant or critical areas.
- Unresolved conflicts concerning alternative uses of available resources.
- Unique or unknown environmental risks.
- Precedent for future actions.
- Relationship to other actions with individually insignificant but cumulatively significant environmental effects.
- Properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.
- 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.
- Federal, state, local, or tribal law.
- Low income or minority populations.
- Access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners and potential affect of the physical integrity of such sacred sites.
- Introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area.

and determined that none of the above "Extraordinary Circumstances" would be negatively affected by the Proposed Action.

**D: Signature**

Authorizing Official: \_\_\_\_\_



Brian Tritle  
Field Office Manager

Date: \_\_\_\_\_

3/22/2016

**Contact Person**

For additional information concerning this CX review, contact Teresa Burke, Realty Specialist at (435) 688-3326 or [tsburke@blm.gov](mailto:tsburke@blm.gov).

**Categorical Exclusion Review Record**

Resource	Yes/No*	Assigned Specialist Signature	Date
Air Quality	No	D. Corry	3/1/16
Areas of Critical Environmental Concern		J. Kellam	3/22/16
Cultural Resources	No	L. Hunsaker	03/01/16
Environmental Justice	No	J. Kellam	3/22/16
Farm Lands (prime or unique)	No	D. Corry	3/1/16
Floodplains	No	D. Corry	3/1/16
Invasive Species/Noxious Weeds	No	R. Reese	3/7/16
Migratory Birds	No	B. Douglas	3/1/16
Native American Religious Concerns	No	L. Hunsaker	03/01/16
Threatened, Endangered, or Candidate Species	No	B. Douglas	3/1/16
Wastes (hazardous or solid)	No	K. Voyles	3/8/16
Water Quality (drinking or ground)	No	D. Corry	3/1/16
Wetlands / Riparian Zones	No	D. Corry	3/1/16
Wild and Scenic Rivers	No	K. Voyles	3/8/16
Wilderness	No	K. Voyles	3/8/16
Lands & Realty	No	T. Burke	3/3/16

\*Extraordinary Circumstances apply.

Environmental Coordinator  \_\_\_\_\_

Date: 3/22/16

**Extraordinary Circumstance to Categorical Exclusions**

**Exceptions to Categorical Exclusion Documentation**

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215) apply. The project would:

Extraordinary Circumstances		
1. Have significant impacts on public health or safety.		
Yes	No X	<b>Rationale:</b> The right-of-way would not have significant impacts on public health and safety because any improvements within the right-of-way would be contained within the previously authorized boundary. No impacts on public health and safety have been reported or discovered.

### Extraordinary Circumstances

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.

<b>Yes</b>	<b>No</b>	<b>Rationale:</b> None of the above concerns are present in the project area.
------------	-----------	---

	X	
--	---	--

3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].

<b>Yes</b>	<b>No</b>	<b>Rationale:</b> The impact of this proposal would not result in controversial environmental effects or unresolved resource conflicts.
------------	-----------	---

	X	
--	---	--

4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

<b>Yes</b>	<b>No</b>	<b>Rationale:</b> The proposed right-of-way renewal would not result in measurable environmental effects or unique or unknown environmental risks.
------------	-----------	--

	X	
--	---	--

5. Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.

<b>Yes</b>	<b>No</b>	<b>Rationale:</b> This action is not connected to another action that would require further environmental analysis or would set a precedent for future actions that would normally require environmental analysis.
------------	-----------	--

	X	
--	---	--

6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

<b>Yes</b>	<b>No</b>	<b>Rationale:</b> This project is not related to any other actions.
------------	-----------	---

	X	
--	---	--

7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.

<b>Yes</b>	<b>No</b>	<b>Rationale:</b> Renewing an existing authorization that has been previously cleared of any cultural resource issues will not have any impact on properties listed, or eligible for listing, on the National Register of Historic Places.
------------	-----------	--

	X	
--	---	--

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.

<b>Yes</b>	<b>No</b>	<b>Rationale:</b> The appropriate level of Threatened and Endangered Species review has been conducted indicating that impacts would not be significant.
------------	-----------	--

	X	
--	---	--

**Extraordinary Circumstances**

9. Violate a Federal law, or a state, local or tribal law or requirement imposed for the protection of the environment.

<b>Yes</b>	<b>No</b> X	<b>Rationale:</b> The proposed project would not violate laws/ordinances such as the Migratory Bird Treaty Act, Fish and Wildlife Coordination Act, county ordinances, and state statutes.
------------	----------------	--

10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

<b>Yes</b>	<b>No</b> X	<b>Rationale:</b> There are no low income or minority populations in the area that would be affected by this project.
------------	----------------	---

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).

<b>Yes</b>	<b>No</b> X	<b>Rationale:</b> Consultations are conducted with the Paiute Indian Tribe of Utah and its respective Bands under the protocols established through a Memorandum of Understanding, signed with BLM in 1999. The proposed action would not limit access to, or ceremonial use of sacred sites, nor would it adversely impact the integrity of any known sites.
------------	----------------	---

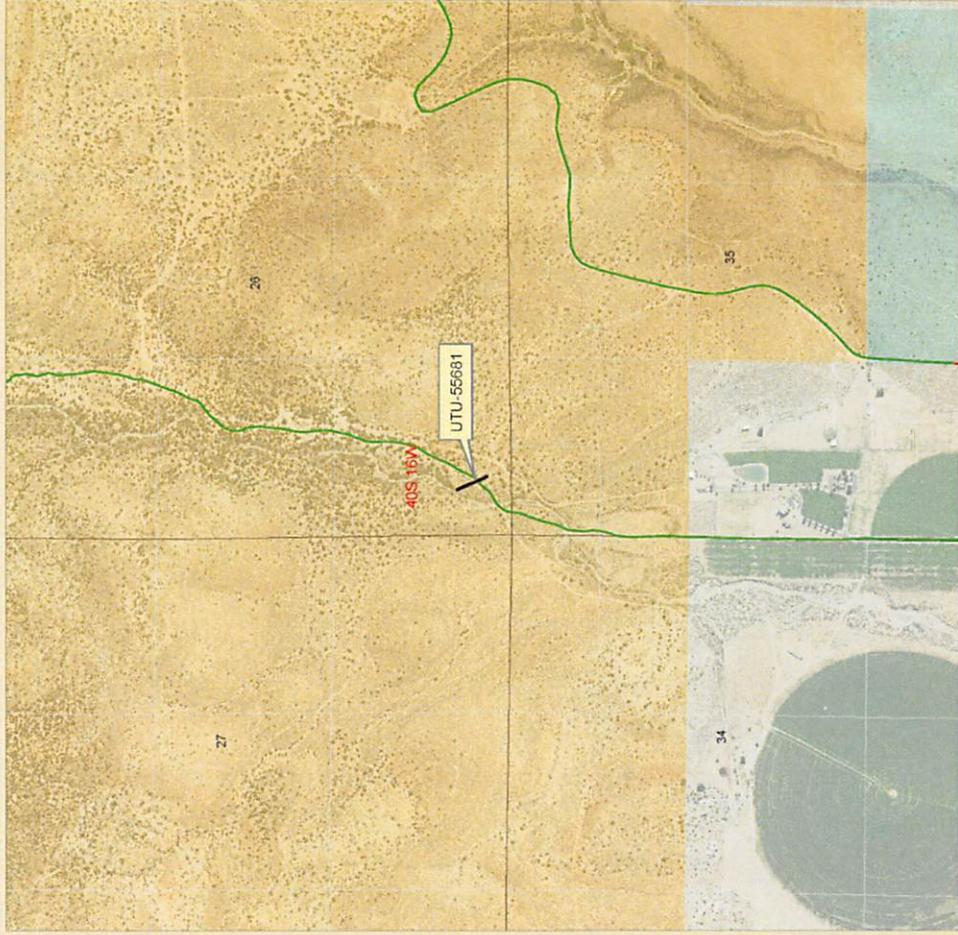
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

<b>Yes</b>	<b>No</b> X	<b>Rationale:</b> Grantor would be responsible for control of any noxious weeds resulting from their use of the right-of-way.
------------	----------------	---



No warranty is made by the BLM for use of the data for purposes not intended by the BLM.  
 This product may not meet BLM standards for accuracy and content. Different data sources and record scales may cause some misalignment of data layers.

**Pacificorp UTU-55681**  
 St. George Field Office  
 2/29/2016



**Land Status**

- Bureau of Land Management (BLM)
- Private
- State

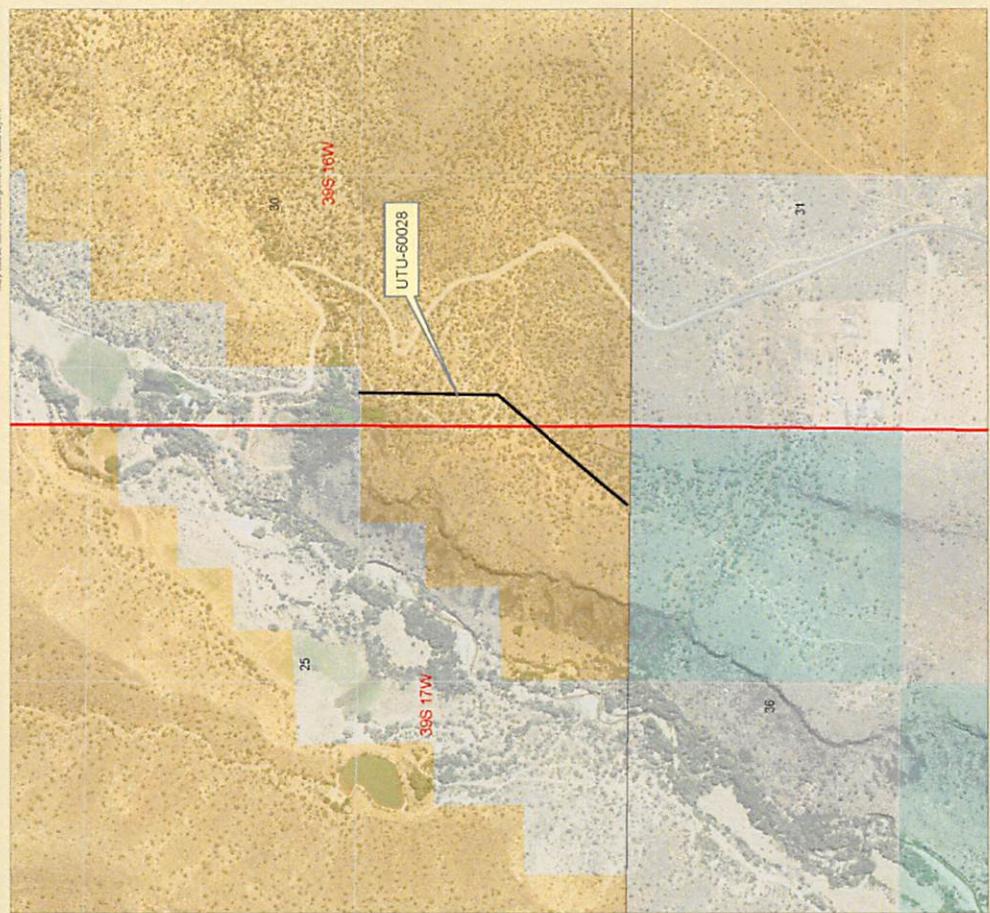
Location within Washington County

0 0.175 0.35 Miles



No warranty is made by the BLM for use of the data for purposes not intended by the BLM.  
 This product may not meet BLM standards for accuracy and content. Different data sources and record scales may cause some misalignment of data layers.

**Pacificorp UTU-60028**  
 St. George Field Office  
 2/29/2016



**Land Status**

- Bureau of Land Management (BLM)
- Private
- State

Location within Washington County

0 0.1 0.2 Miles

**CATEGORICAL EXCLUSION  
NOT ESTABLISHED BY STATUTE  
DECISION DOCUMENT**

**Decision**

It is my decision to implement the action described in Categorical Exclusion DOI-BLM-UT-C030-2016-007-CX.

**Decision Rationale**

I have reviewed the attached Categorical Exclusion documentation, including plan conformance, NEPA compliance review, and extraordinary circumstances review, and have determined that the action involves no significant impact to the human environment and no further analysis is required.

**Administrative Remedies**

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.

This decision shall take effect immediately upon the date it is signed by the Authorized Officer, and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals (IBLA) issues a stay (43 CFR 2801.10(b)). Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a notice of appeal must be filed in the office of the Authorized Officer at St. George Field Office, 345 East Riverside Drive, St. George, UT 84790. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St. Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the Authorized Officer.

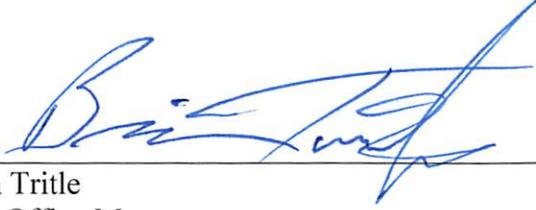
If you wish to file a petition for stay pursuant to 43 CFR Part 4.21(b), the petition for stay should accompany your notice of appeal and shall show sufficient justification based on the following standards:

- (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 irreparable harm to the appellant or resources if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

If a petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the Authorized Officer.

A copy of the notice of appeal, any statement of reasons and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken and on the Office of the Regional Solicitor, U.S. Department of the Interior, 6201 Federal Building, 125 South State Street, Salt Lake City, Utah 84138-1180, not later than 15 days after filing the document with the Authorized Officer and/or IBLA.

**Authorizing Official**



Brian Tritle  
Field Office Manager

3/22/2016

Date