

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
ROSEBURG DISTRICT OFFICE

DECISION RECORD
NEPA#: DOI-BLM-ORWA-R050-2016-0007-CX
FLPMA Right-of-Way 2800/OR 9190

BLM Office: Roseburg District, South River Field Office
777 NW Garden Valley Blvd.
Roseburg, Oregon, 97471
Phone: 541-440-4930

Project Title: Renewal of Right-of-way OR 9190 for an existing 115 kV Electrical Transmission Line

Location of Proposed Action: Willamette Meridian, Oregon, T. 30 S., R. 2 W., sec. 28, SE $\frac{1}{4}$ SE $\frac{1}{4}$; sec. 29, S $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$; and sec. 34, SE $\frac{1}{4}$ SW $\frac{1}{4}$. T. 30 S., R. 4 W., sec. 15, SW $\frac{1}{4}$ SE $\frac{1}{4}$.

Decision: Based on the attached Categorical Exclusion, I have determined that the proposed action to re-authorize an existing right- of-way grant to PacifiCorp to operate and maintain an existing 115 kV overhead transmission power line for a term of 30 years involves no significant impacts to the human environment and no further environmental analysis is required.

Administrative Remedies: The decision to re-authorize the PacifiCorp Grant OR 9190 is a right-of-way decision under 43 CFR 2800 and is subject to the following appeal procedures.

Any person adversely affected by this decision may appeal it to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4. If an appeal is taken, a notice of appeal must be filed in this office within 30 days of this decision. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and with the IBLA within 30 days after the notice of appeal was filed. A copy of a notice of appeal and any statement of reasons, written arguments, or briefs, must also be served upon the Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 805 SW Broadway, Suite 600, Portland, OR 97205.

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

Authorizing Official: _____


Scott Lightcap
South River Field Manager
Roseburg District Office

Date: _____

5/3/16

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
ROSEBURG DISTRICT OFFICE**

NEPA CATEGORICAL EXCLUSION REVIEW

Project Title: Renewal of Right-of-way OR 9190 for an existing 115 kV Electrical Transmission Line.

NEPA Document: DOI-BLM-ORWA-R050-2016-0007-CX

BLM Office: Roseburg District, South River Field Office
777 NW Garden Valley Blvd.
Roseburg, Oregon, 97471
Phone: 541-440-4930

Applicant: PacifiCorp, 825 NE Multnomah Street, Portland, OR 97232-2135

Location of the Proposed Action: There are four segments of an existing 115 kV power line that cross BLM-administered lands within the Roseburg District. One of the segments is located near Days Creek, OR and the other three are located near the town of Tiller, along the Tiller Trail Highway. The legal descriptions for these four segments are:

Willamette Meridian, Oregon

T. 30 S., R. 2 W., sec. 28, SE $\frac{1}{4}$ SE $\frac{1}{4}$ (0.03 acres)
T. 30 S., R. 2 W., sec. 29, S $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ (7.2 acres)
T. 30 S., R. 2 W., sec. 34, SE $\frac{1}{4}$ SW $\frac{1}{4}$ (2.7 acres)
T. 30 S., R. 4 W., sec. 15, SW $\frac{1}{4}$ SE $\frac{1}{4}$ (2.2 acres)

A. Description of Proposed Action

The BLM proposes to reauthorize an existing rights-of-way grant to PacifiCorp to operate and maintain a 115 kV overhead transmission power line for a term of 30 years. The existing rights-of-way grant, OR 9190, 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.

PacifiCorp applied for renewal of their 115kV transmission power line (Line 12) which runs from Prospect, OR to Days Creek, OR. The transmission line is approximately 41 miles in length, with approximately 1.3 miles (12 acres) crossing Roseburg District BLM-administered lands (see attached map).

The original FLPMA grant was issued on January 26, 1979. Renewal of this power line would not convey any additional rights. This proposed action requires no new ground disturbing activities or construction. However, on-going power 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 would 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.

B. Land Use Plan (LUP) Conformance

This proposed action is in conformance with the Roseburg District Record of Decision and Resource management Plan approved 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 is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9(E) (9), which allows for the "Renewals and assignment 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 516 DM 2 apply.

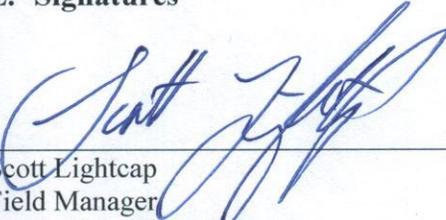
D. Categorical Exclusion – Extraordinary Circumstances Documentation

| THE PROPOSED CATEGORICAL EXCLUSION ACTION WILL: | YES | NO |
|---|-----|----|
| <p>1. Have significant impacts on public health or safety.</p> <p><u>Rationale:</u> All proposed activities follow established Occupational Safety and Health Administration rules concerning health and safety. 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.</p> | | X |
| <p>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.</p> <p><u>Rationale:</u> 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. The proposed action is a reauthorization of an existing right-of-way where no additional rights are conveyed beyond those granted by the original authorization. There are no natural resources or unique geographic characteristics that would be impacted by this action.</p> | | X |
| <p>3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].</p> <p><u>Rationale:</u> This right-of-way has been in place for over 30 years. The issuance of this right-of-way grant would not have any demonstrable environmental effects. The action is a reauthorization of an existing right-of-way where no additional rights are conveyed beyond those granted by the original authorization. No new disturbance to the lands should occur. Similar rights-of-way have been in place for more than forty years and issuance of this grant renewal does not involve any unresolved conflicts over alternative resource uses and is not considered controversial.</p> | | X |

| THE PROPOSED CATEGORICAL EXCLUSION ACTION WILL: | YES | NO |
|--|-----|----|
| <p>4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.</p> <p><u>Rationale:</u> This right-of-way has been in place for over 30 years. The proposed action is a reauthorization of an existing right-of-way where no additional rights are conveyed beyond those granted by the original authorization and involves no new ground disturbing activities. Therefore, no environmental effects or environmental risks would occur.</p> | | X |
| <p>5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.</p> <p><u>Rationale:</u> Implementation of the proposal would not establish a precedent for future actions or represent a decision in principle about future actions with significant environmental effects. The power line already exists. The action is 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. Similar rights-of-way have been in place for years.</p> | | X |
| <p>6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.</p> <p><u>Rationale:</u> This FLPMA right-of-way grant is not tied to any other federal actions, and is not related to other actions with cumulatively significant environmental effects.</p> | | X |
| <p>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.</p> <p><u>Rationale:</u> 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.</p> | | X |
| <p>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.</p> <p><u>Rationale:</u> The power line has been in place for over 30 years and crosses minimal forest vegetation on the Roseburg District.</p> <p><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. tree removal, brushing, mowing, etc.) would not cause noise disturbance during the critical breeding season (March 1 - July 15) due to the short duration of the maintenance. The proposed right-of-way occurs within 2012 northern spotted owl Critical Habitat (KLE-2). 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 because it is outside the 50 mile marbled murrelet Management Zone II in the Roseburg District and outside marbled murrelet Critical Habitat.</p> <p>The renewal of the rights-of-way grant would not affect occupied coho salmon habitat or designated Critical Habitat for coho salmon and would not affect any federally listed endangered or threated plant species.</p> | | X |

| THE PROPOSED CATEGORICAL EXCLUSION ACTION WILL: | YES | NO |
|--|-----|----|
| <p>9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.</p> <p><u>Rationale:</u> The proposed action conforms to the direction given for the management of public lands in the Roseburg District ROD/RMP, which complies with all applicable Federal, State, local and tribal laws. The action is in conformance with the Federal Land Policy and Management Act (FLPMA), the Endangered Species Act, the Historic Preservation Act, and the Clean Water Act.</p> | | X |
| <p>10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 2898).</p> <p><u>Rationale:</u> 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.</p> | | X |
| <p>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).</p> <p><u>Rationale:</u> There are no identified sacred, ceremonial or religious Indian sites in the project area. The power 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 project would have no impact on access to and ceremonial use of Indian sacred sites or the physical integrity of such sites.</p> | | X |
| <p>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).</p> <p><u>Rationale:</u> A stipulation would be included in the right-of-way grant requiring the Holder be responsible for weed control within the limits of the designated right-of-way area. The power line already exists. The action is a reauthorization of an existing rights-of-way where no additional rights are conveyed beyond those granted by the original authorization. , The proposed actin would not contribute to the spread of noxious weeds or non-native species.</p> | | X |

E. Signatures



 Scott Lightcap
 Field Manager
 South River Field Office

5/3/16

 Date

F. Contact Person

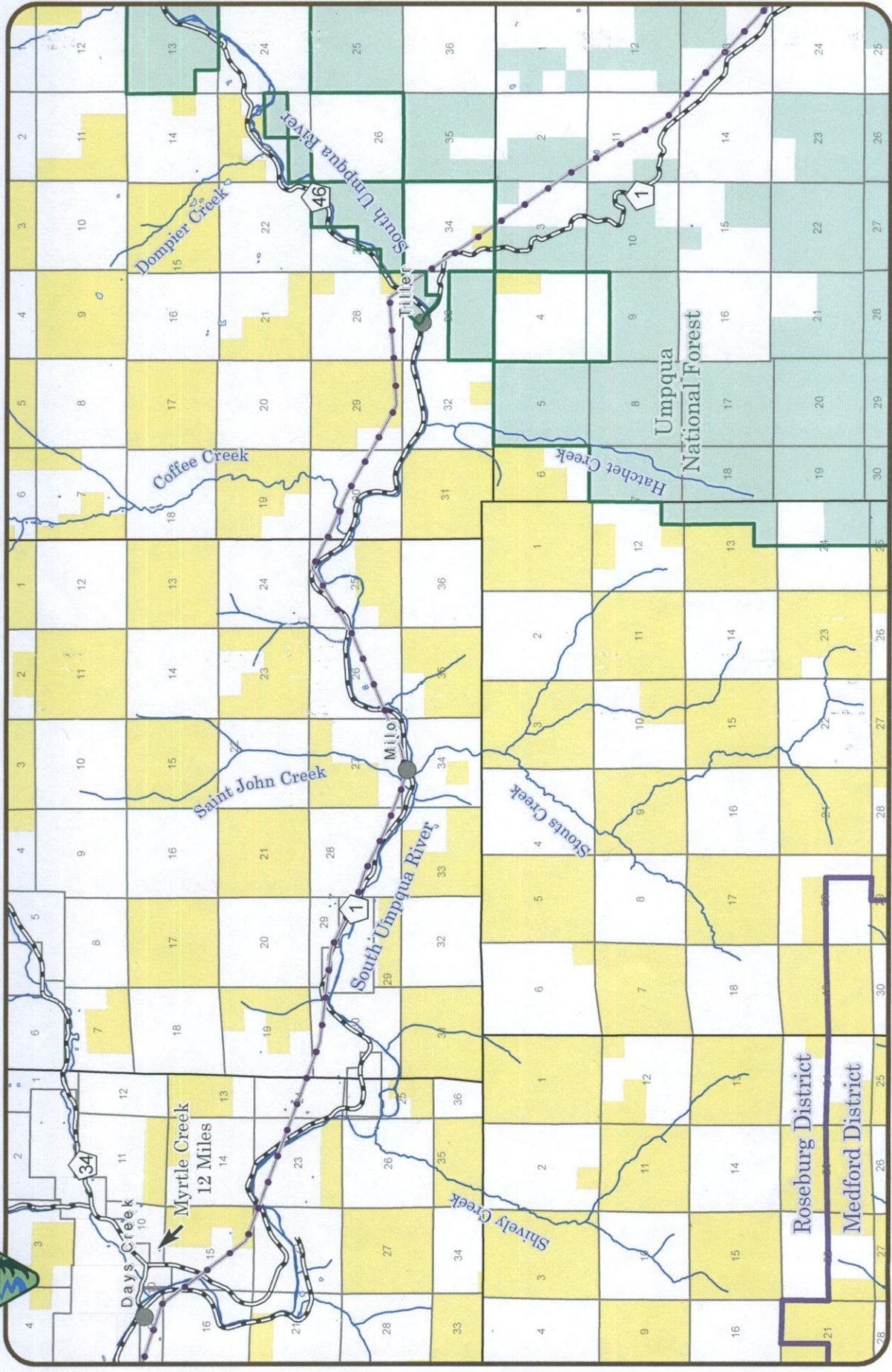
For additional information concerning this Categorical Exclusion review, contact:

Dorothy Jean Dickey, Realty Specialist, (541) 464-3276
Roseburg District Office
Bureau of Land Management
777 NW Garden Valley Blvd.
Roseburg, OR 97470

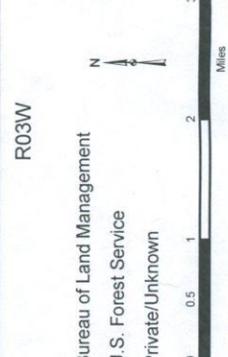
| Reviewers | Resource | Initials | Date |
|-------------------|--------------------------------|----------|---------|
| Dorothy J. Dickey | Project Lead/Realty Specialist | DD | 5/2/14 |
| Michelle Roberts | Planner | MR | 4/28/16 |
| Roli Espinosa | Wildlife Biologist | RE | 5/2/16 |
| Aaron Roe | Botanist | AR | 4/28/16 |
| Carly Smith | Archaeologist | CS | 4/28/16 |
| Steve Clark | Fisheries Biologist | SC | 5/2/16 |

PacifiCorp Transmission Line Right-of-Way Renewal

(Right-of-Way OR 9190)



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.



- Legend**
- Transmission Line
 - County Roads
 - National Forest Boundary
 - Major Stream
 - Edited Waterbodies
 - Bureau of Land Management
 - U.S. Forest Service
 - Private/Unknown

Date: 5/2/2016