Categorical Exclusion Documentation
U.S. Department of the Interior
Bureau of Land Management, Spokane District
Wenatchee Field Office
915 Walla Walla Avenue
Wenatchee, WA 98801

A. Background

BLM Office: Wenatchee Field Office

Lease/Serial/Case File No.: WAOR-68720 (formerly WAOR-40183)

NEPA Log Number: DOI-BLM-ORWA-W020-2016-0019-CX

Proposed Action Title: PUD No. 2 Grant County existing right-of-way renewal

Location of Proposed Action: Grant County, Washington, Willamette Meridian at: T. 15 N., R. 24 E., sec. 10, W½SW¼, sec. 16, E½E½, sec. 21, Easterly 5 Feet, and sec. 22, W½NW¼, W½NW¼SW¼. See attached map.

Proposed Action:

The BLM received an application from Public Utility District (PUD) No. 2 Grant County requesting the renewal of their right-of-way WAOR-40183 to operate and maintain an existing 7.62 kV electrical distribution line. BLM is proposing to renew the original right-of-way with a new case number WAOR-68720. The maintenance and operation requires a 10-foot right-of-way width by approximately 1.525 miles in length and a 20-foot right-of-way width by approximately 1.014 miles in length for the power line for a total of 4.310 acres on public land. The term of the grant would be 30 years and would include the terms and conditions in Exhibit B.

B. Land Use Plan Conformance

Land Use Plan Name: Spokane Resource Management Plan (RMP)
Date Approved/Amended: Approved 1987/Amended 1992

The proposed action is in conformance with the Spokane RMP because it is specifically provided for in the RMP:

Keep public lands open for exploration/development of mineral resources, rights-of-way, access, and other public purposes with consideration to mitigate designated resource concerns (BLM 1987, p. 12).

C. Compliance with NEPA

The proposed action is categorically excluded from documentation in an environmental assessment or environmental impact statement. The proposed action is a kind of action that has been determined to fit within a category of actions which do not individually or

cumulatively have significant effects on the human environment. The proposed action falls within category:

> 516 DM 11.9.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 46.215 apply, as described below:

a. The proposed action would not have significant impacts on public health or safety.

The right-of-way would include standard stipulations (Exhibit B) to ensure protection of the environment and the health and safety of the public.

b. The proposed action would not 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.

The existing right-of-way has been in place for the last 30 years. No new disturbance to natural resources and unique geographic characteristics such as cultural resources is proposed or permitted.

c. The proposed action would not have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].

There were no highly controversial effects or unresolved conflicts noted during an interdisciplinary team review of this proposed action. The proposed action is to authorize a right-of-way for the operation and maintenance of an existing electrical distribution line and no additional rights would be granted. No ground disturbance is proposed or would be authorized.

d. The proposed action would not have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

The power line is an existing facility that would not require any new disturbance or construction within the existing right-of-way. Because the facility already exists and no new disturbance would be authorized, there are no uncertain or potentially significant environmental effects. The proposed action does not involve any uncertain risks; authorization of rights-of-way for existing power lines is a commonly practiced BLM action.

e. The proposed action would not establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.

No precedent is being set by authorization of this right-of-way. This type of action is a typical right-of-way action and would not set a precedent for any future action.

f. The proposed action would not have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

The proposed action does not have a direction relationship to any other actions. Authorizing this right-of-way for an existing electrical distribution line is not associated with other actions with individually insignificant or cumulatively significant environmental effects.

g. The proposed action would not have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.

Authorization of this existing right-of-way will result in no new surface disturbance or impact to known cultural properties.

h. The proposed action would not 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.

No impacts to threatened, endangered, or proposed species were identified for this project. The proposed action would not change the amount or suitability of wildlife habitat in the project area because this is an existing right-of-way and no new activities are proposed or permitted.

i. The proposed action would not violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.

This proposed action is in conformance with the direction given for the management of public lands in the Spokane District RMP. The proposed action is consistent with Federal, State, and local laws and the right-of-way would include standard stipulations for the protection of the environment.

j. The proposed action would not have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

The authorization of this existing right-of-way would not affect low income or minority populations. This is an existing power line and historically has had no disproportionately high effects to, nor has it adversely affected, low income or minority populations.

k. The proposed action would not 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).

This action does not limit access to any ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites. There would be no access limitations to any populations.

l. The proposed action would not 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).

The authorization of this existing right-of-way would entail no new ground disturbance. The proposed action of approving this right-of-way would not have an impact on the land or any weeds within the right-of-way. Standard stipulations in Exhibit B would address the control of noxious weeds or invasive plant species.

D. Signature

/s/ Linda Coates-Markle _____ 4/28/19 _____
Linda Coates-Markle Date
Field Manager

E. Contact Person and Reviewers

For additional information concerning this Categorical Review, contact Brenda Woods, at 509-665-2116.

Reviewers	Resource	Initials	Date
J.A. Vacca	Wildlife, Special Status Wildlife	JAV	3/31/16
Molly J. Boyter	Botany, Special Status Plants	mjb	4/7/16
Kat Russell	Historic/Cultural	klr	4/11/2016
Katherine Farrell	NEPA	kf	4/27/2016

Note: A separate decision document has been prepared for the action covered by this CX.

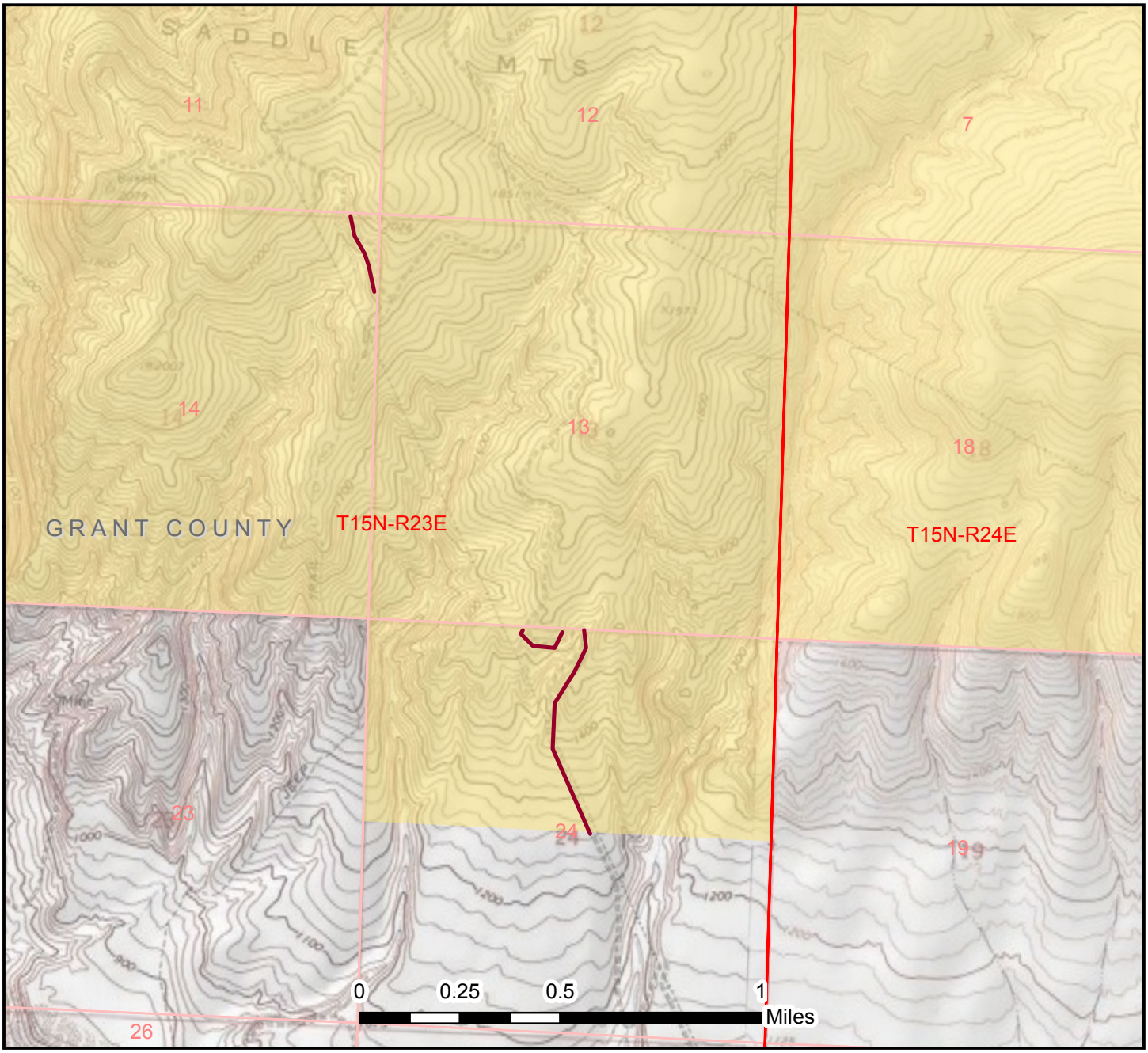

Exhibit A - WAOR-68692

Grant Co. PUD Power Line and Access Road

Willamette Meridian, Grant County, Washington
T.15 N., R. 23 E., sec. 6, Lots 6-7,
SWNE,NESW, NWSE,
T.15 N., R. 24 E., sec 12,NWNE, NW, NWSW,
sec. 14, NENE, sec.24, NWNE, SWNE, E2NW.
14,374 feet long road, var wide, 7.340 acres

ROW
Bureau of Land Management

N
W E
S

Dated: 03/03/2016

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.

Map 1 of 2

USDI - Bureau of Land Managment
Wenatchee Field Office
915 Walla Walla Avenue.
Wenatchee, WA 98801
(509) 635-2100

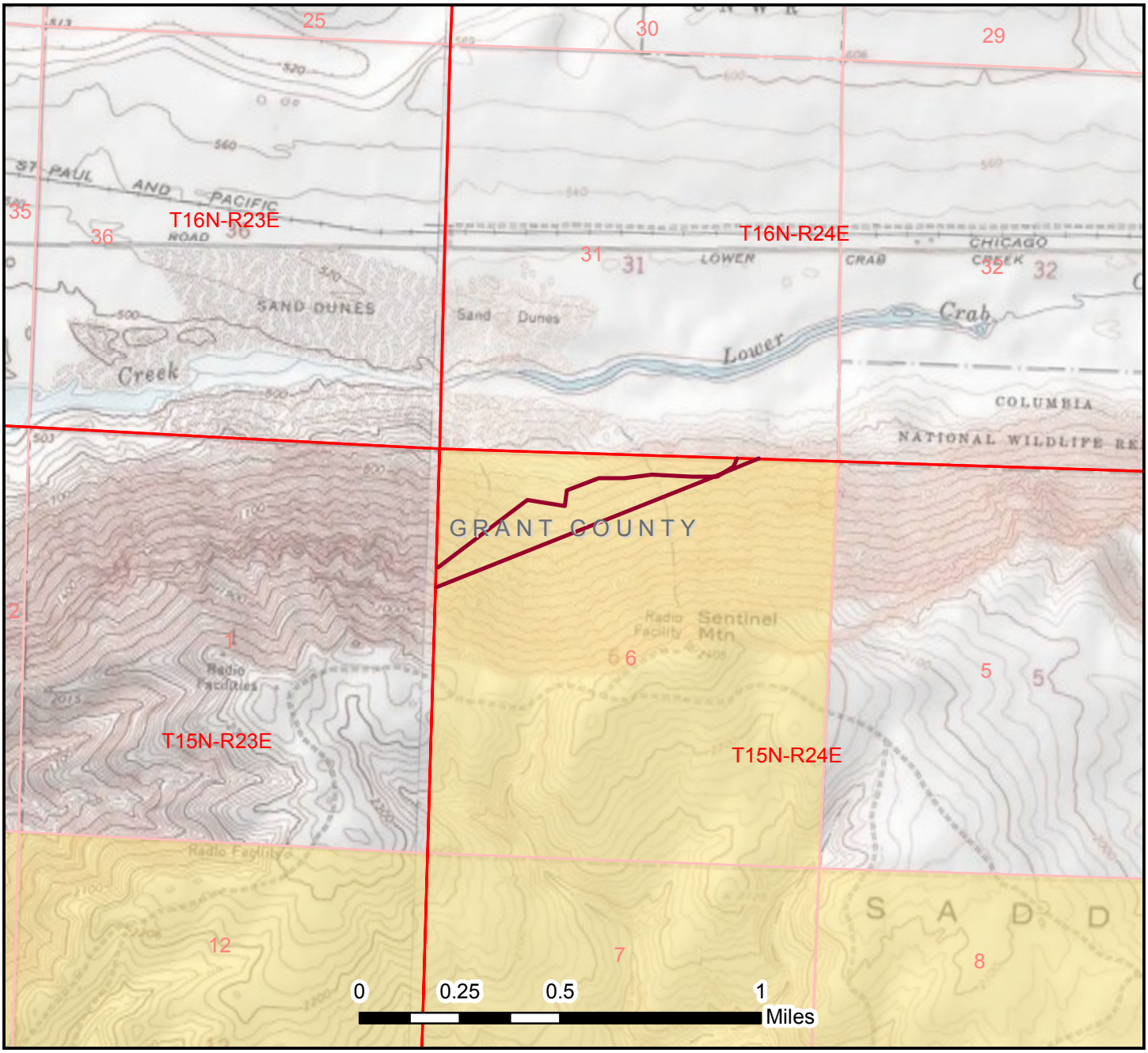

Exhibit A - WAOR-68692

Grant Co. PUD Power Line and Access Road

Willamette Meridian, Grant County, Washington
T.15 N., R. 23 E., sec. 6, Lots 6-7,
SWNE,NESW, NWSE,
T.15 N., R. 24 E., sec 12,NWNE, NW, NWSW,
sec. 14, NENE, sec.24, NWNE, SWNE, E2NW.
14,374 feet long road, var wide, 7.340 acres

ROW
Bureau of Land Management

N
W E
S

Dated: 03/03/2016

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.

Map 2 of 2

USDI - Bureau of Land Managment
Wenatchee Field Office
915 Walla Walla Avenue.
Wenatchee, WA 98801
(509) 635-2100

Exhibit B

WAOR-68692 (Formerly WAW-04773)

Terms and Conditions

Grant County, Washington, Willamette Meridian at:
T. 15 N., R. 23 E., sec. 12, NW¼NE¼, NW¼, NW¼SW¼, sec. 14, NE¼NE¼, sec. 24, NW¼NE¼, SW¼NE¼, E½NW¼;
T. 15 N., R. 24 E., sec. 6, Lot 8, SW¼NE¼, N½SW¼.

a. The holder shall comply with all Federal, State, and local regulations whether or not specifically mentioned within this grant.

b. The Holder shall not initiate any construction, repair, or other surface disturbing activities on the right-of-way without prior written authorization of the Authorized Officer. Such authorization shall be a written notice to proceed issued by the Authorized Office. Any such notice to proceed shall authorize construction or use only as therein expressly stated and only for the particular location or use therein described. The Authorized Officer may, upon recommendation by a cultural resource specialist, require a fully qualified archaeologist be present to monitor ground disturbing activities.

c. A pre-construction conference shall be held between Holder's project field supervisor and the Authorized Officer prior to any construction activity on the right-of-way (r/w). Failure of Holder to comply with this requirement shall result in a temporary suspension of the r/w grant.

d. Holder shall apply for amendment of this r/w grant at any time additional land, equipment and/or new uses are proposed which are beyond the scope of the rights herein granted.

e. Clearing or surface preparation of any road on BLM lands used by Holder in conjunction with rights authorized by this grant is prohibited.

f. The Secretary of the Interior, or his lawful delegate, reserves the right to grant additional rights-of-way or permits for compatible uses on, over, under, or adjacent to this grant.

g. If an archaeological resource (historic or prehistoric site or object) is discovered by Holder or any person working on the Holder's behalf, on federal lands, Holder shall immediately stop all operations in the area, immediately notify the Authorized Officer (AO: Field Manager Wenatchee Field Office) verbally, and follow such verbal notification with a written confirmation (certified mail recommended). In accordance with 43 CFR §10.4 (c)(d) and (g), if the discovery includes human remains, funerary items, sacred objects, or objects of cultural patrimony, operations shall remain suspended and the discovery protected until a written notice to proceed is issued by the AO. An evaluation of the resource or remains will be made by the AO and appropriate mitigation actions will be identified in consultation with the SHPO, consulting tribes, and Holder. Holder shall be responsible for evaluation and mitigation costs. All archaeological materials shall remain the property of the United States.

h. Holder shall protect all survey monuments. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management Cadastral Survey Corners, reference corners, witness points, U.S. Coastal and Geodetic benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. In the event of obliteration or disturbance of any of the above, Holder shall immediately report the incident, in writing, to the Authorized Officer (AO) and the respective installing authority if known. Where General Land Office or Bureau of Land Management right-of-way monuments or references are obliterated during operations, Holder shall secure the services of a registered land surveyor or a Bureau cadastral surveyor to restore the disturbed monuments and references using surveying procedures found in the Manual of Surveying Instructions for the Survey of the Public Lands of the United States, latest edition. Holder shall record such survey in the appropriate county and send a copy to the AO. Holder shall be responsible to all federal and non-federal survey costs.

i. Holder shall be responsible for weed control within the right-of-way, and shall consult with the Authorized Officer or local authorities for acceptable weed control methods.

j. Pesticide use shall comply with applicable Federal and State laws. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to pesticide use, Holder shall obtain from the Authorized Officer (AO) written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method application, location of storage and disposal of containers, and any other information deemed necessary by the AO. Emergency pesticide use shall be approved in writing by the AO prior to such use.

k. Holder of this right-of-way grant or the Holder's successor in interest shall comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and the regulations of the Secretary of the Interior issued pursuant thereto.

l. Holder shall conduct all activities associated with the construction, operation, and termination of the right-of-way within the authorized limits of the right-of-way.

m. Holder shall inform the authorized officer within 48 hours of any accidents on federal lands that require reporting to the Department of Transportation as required by 49 CFR Part 195.

n. Holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder(s) shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, et seq.) with regard to any toxic substances that are used, generated by, or stored on the right-of-way or on facilities authorized under this right-of-way grant. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release (leaks, spills, etc.) of toxic substances in excess of the reportable quantity established by 40 CFR, Part 117, shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, et seq., or the Resource Conservation & Recovery Act of 1976, 42 U.S.C. 6901 et seq.) on the right-of-way (unless the release is wholly unrelated to Holder's activity on the right-of-way). This agreement applies to releases caused by Holder, its agents or unrelated third parties. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the Authorized Officer concurrent with the filing of the reports to the involved Federal agency or State government.

o. Holder of right-of-way WAOR-68692 agrees to indemnify the United States against any liability arising from the release or threatened release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, et seq. or the Resource Conservation and Recovery Act of 1976, 42 U.S.C. 6901 et seq.) on the right-of-way (unless the release or threatened release is wholly unrelated to Holder's activity on the right-of-way). This agreement applies to releases caused by Holder, its agents, or unrelated third parties.

p. In the event that the public land underlying the right-of-way (r/w) encompassed in this grant, or a portion thereof, is conveyed out of Federal ownership and administration of the r/w or the land underlying the r/w is not being reserved to the United States in the patent/deed and/or the r/w is not within a r/w corridor being reserved to the United States in the patent/deed, the United States waives any right it has to administer the right-of-way, or portion thereof, within the conveyed land under Federal laws, statutes, and regulations, including the regulations at 43 CFR Part [2800], including any rights to have Holder apply to BLM for amendments, modifications, or assignments and for BLM to approve or recognize such amendments, modifications, or assignments. At the time of conveyance, the patentee/grantee, and their successors and assigns, shall succeed to the interests of the United States in all matters relating to the right-of-way, or portion thereof, within the conveyed land and shall be subject to applicable State and local government laws, statutes, and ordinances. After conveyance, any disputes concerning compliance with the use and the terms and conditions of the right-of-way shall be considered a civil matter between the patentee/grantee and the right-of-way Holder.

At least 120 days prior to termination of the right-of-way, the Holder shall contact the Authorized Officer to arrange a joint inspection of the right-of-way. This inspection will be held to agree to an acceptable termination and rehabilitation plan.