

DECISION RECORD & CATEGORICAL EXCLUSION REVIEW

Project Name: PacifiCorp Right-of-Way Application OR 65876 (OR-M060-2009-0019-CX)

Prepared By: Leslie Voelkel **Title:** Realty Specialist

BLM Office: Ashland R.A., Medford District **Phone:** (541) 618-2245

DESCRIPTION & LOCATION OF THE PROPOSED ACTION

The proposed action is to authorize a Federal Land Policy and Management Act (FLPMA) right-of-way (R/W) grant to PacifiCorp (PP&L) for the continued use of an aerial electrical distribution line providing service to the local area. This line runs along and crosses Highway 66 (Greensprings Highway) near Tyler Creek Road and is located in the SW¼ Section 32, T. 39 S., R. 3 E., W.M. (see attached map). The R/W is 40 feet wide, 2,640 feet long and encompasses approximately 2.42 acres. The facility was originally authorized in 1959 under case file ORE 5925. The proposed action (OR 65876) would replace the original grant which expires April 22, 2009. The new FLPMA R/W would be granted to the applicant for a 50-year term.

Project Design Features

The following project design features are required as part of the R/W authorization:

- A BLM botanist will be notified by March 1st of each year if vegetation treatments, including noxious weed treatments, are planned and the exact location within the R/W of those treatments. This will allow the botanist to provide the grantee with the special protection measures necessary to ensure protection of known special status plants sites within this R/W.
- All equipment shall be washed prior to entering, and immediately after leaving the project area at a site where any mud or debris from the equipment will not contribute to the spread of noxious weeds.
- Power poles and power lines must be constructed and maintained to protect raptors from electrocution following guidelines in *Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006* (APLIC 2006). The spotted owl is the only forest-dwelling raptor that would not likely come in contact with power lines or poles. This project design feature compensates for that unlikely event.

PLAN CONFORMANCE

The proposed action is located on BLM-administered land and crosses in and out of the Cascade-Siskiyou National Monument. It is above is in conformance with and tiered to both the 2008 *Medford District Record of Decision (ROD) and Resource Management Plan (RMP)* and the 2008 *Cascade-Siskiyou National Monument ROD and RMP*. The proposed action is in conformance with the direction given for the management of public lands in the Medford District by the Oregon and California Lands Act of 1937 (O&C Act), Federal Land Policy and Management Act of 1976 (FLPMA), the Endangered Species Act (ESA) of 1973, the Clean Water Act of 1987, Safe Drinking Water Act of 1974 (as amended 1986 and 1996), Clean Air Act, and the Archaeological Resources Protection Act of 1979.

CATEGORICAL EXCLUSION REVIEW

The proposed action would not create adverse environmental effects under the categorical exclusion exceptions, unless as noted. The proposed action will:

- | <u>Yes</u> | <u>No</u> | <u>Categorical Exclusion Exception</u> |
|------------|-----------|--|
| () | (X) | 1. Have significant adverse effects on public health or safety. |
| () | (X) | 2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resource; 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) 3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)] not already decided in an approved land use plan.
- () (X) 4. Have highly uncertain and potentially significant environmental effects or unique or unknown environmental risks.
- () (X) 5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.
- () (X) 6. Have a direct relationship to other actions with individually insignificant, but significant cumulative environmental effects. (40 CFR 1508.7 and 1508.25(a)).
- () (X) 7. Have adverse effects 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.

Yes No Categorical Exclusion Exception

- () (X) 9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.
- () (X) 10. Have disproportionate significant adverse impacts on low income or minority populations (Executive Order 12898).
- () (X) 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) 12. Contribute to the introduction, continued existence, or spread of noxious weeds or nonnative 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).

SUMMARY OF FINDINGS

The proposed action has been reviewed against the twelve criteria listed above for an exception to a categorical exclusion and does not fall under any exception as identified in 516 DM 6, Appendix 2. The project qualifies as a categorical exclusion under under 516 DM 11.9 E(16).

<u>Leslie Voelkel</u>	<u>Realty Specialist</u>	<u>April 7, 2009</u>
Prepared by	Title	Date
<u>Kathy Minor</u>	<u>Planning and Environmental Coordinator</u>	<u>April 16, 2009</u>
Reviewed and Edited by	Title	Date

DECISION

Based on the Categorical Exclusion Review documented above, I have determined this project proposal involves no significant impact to the human environment. Therefore, this project is categorically excluded from NEPA documentation under 516 DM 11.9 E(16), and no further environmental analysis is required.

It is my decision to reauthorize the requested R/W facility to PacifiCorp as described above. The new serialize case file is OR 65876.



John Gerritsma
Field Manager; Ashland Resource Area

4/24/09

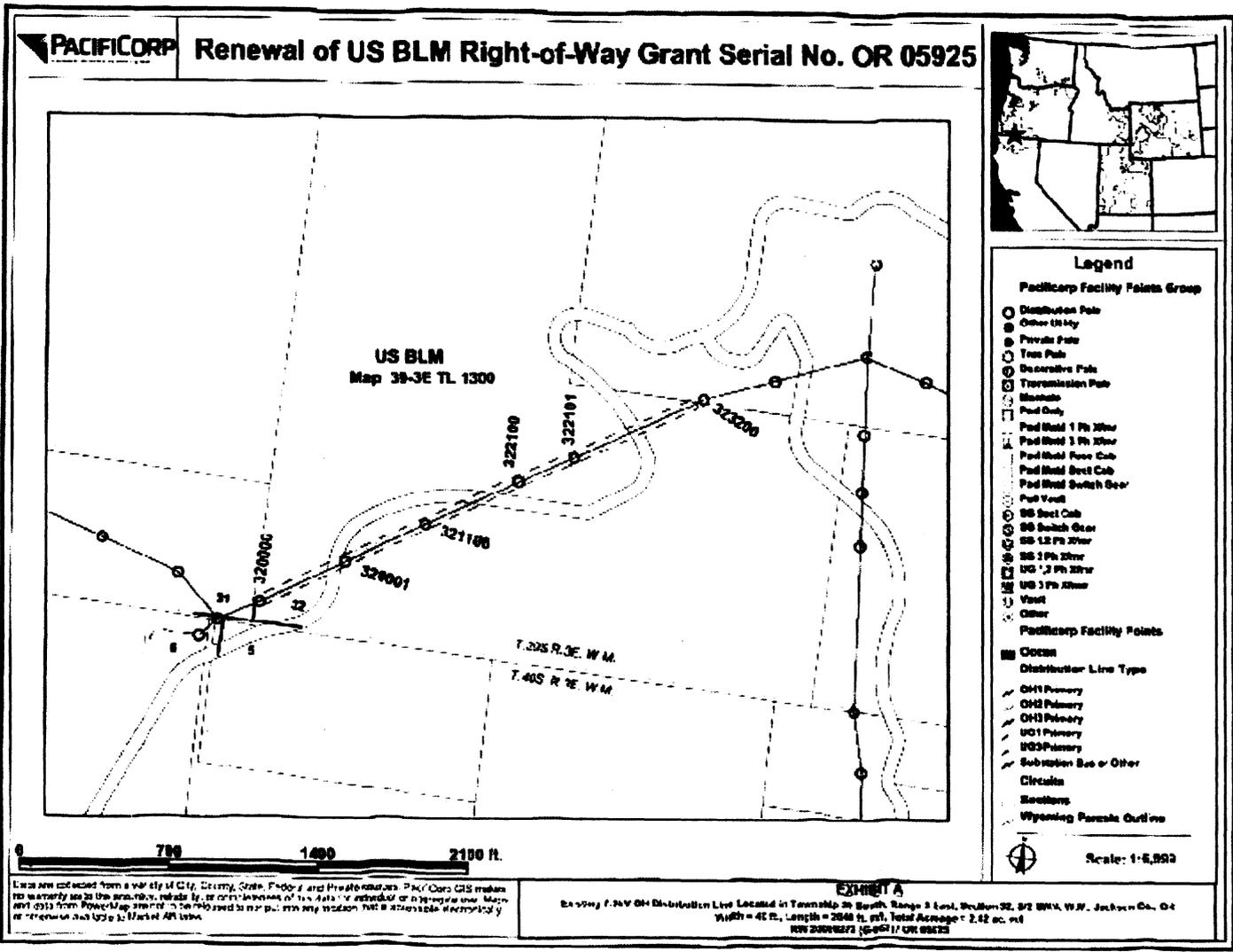
Date

EFFECTIVE DATE OF DECISION

This decision is effective upon signing by the authorized officer and shall remain in effect pending any appeal (43 CFR 4 and 43 CFR 2801.10).

REFERENCES

Avian Power Line Intersection Committee (APLIC). 2006. *Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006*. Edison Electric Institute, APLIC, and the California Energy Commission. Washington, D.C. and Sacramento, CA.



Lines are collected from a variety of City, County, State, Federal and Private sources. Pacifi Corp GIS makes no warranty as to the accuracy, reliability, or completeness of the data or information displayed on this map and data from PowerMap sources is not used to map points from any location that is inaccessible electronically or otherwise and is not a Market AR issue.

EXHIBIT A
 48 kV 7.5M OH Distribution Line Located in Township 26 North, Range 3 East, Section 32, SE 1/4, W.W. Jackson Co., OR
 Width = 45 ft., Length = 2848 ft., Total Acage = 2.42 ac. net
 ROW 20060873 (6-20-11) OR 05925