



U.S. Department
of Transportation
**Federal Highway
Administration**

Received
SEP 18 2008
Bureau of Land Mgmt
Prineville District

530 Center Street N.E.
Suite 100
Salem, Oregon 97301
(503) 399-5749
September 15, 2008
In Reply Refer To:
411.200

Ms. Molly M. Brown
Field Manager, Deschutes Resource Area
United States Department of Interior – Bureau of Land Management
3050 NE Third Street
Prineville, OR 97754

RE: Federal Land Transfer – Letter of Consent
Barr Road Quarry (Site N)

Dear Ms. Brown:

The Oregon Department of Transportation (ODOT) has made application for the appropriation of a mineral interest in 105.8 acres of land where the Bureau of Land Management (BLM) is the controlling agency. The estimated 3 million cubic yards of aggregate is needed to provide an additional material source for the long term reconstruction and maintenance of the subject sections of the National Highway System (NHS). The 105.8 acres are identified on the enclosed File Number 6008102; Right of Way plats prepared by ODOT and dated July 2008.

Pursuant to the provisions of *Section 317, Title 23 U.S.C.*, and acting on the representation made by ODOT, it has been determined that the 105.8 acres identified by the above Right of Way plats contain materials necessary for the reconstruction and maintenance of the NHS. Your consent to this appropriation is requested under the terms of the interagency agreement between the BLM and the Federal Highway Administration (FHWA). Transfer of the highway right-of-way will be made by a materials source easement deed, subject to any additional terms and/or conditions contained in your letter of consent. The Right of Way Plat will be incorporated into the deed for the description of the land area.

FHWA responsibilities include compliance with the National Environmental Policy Act (NEPA). For your information, I am enclosing a copy of the NEPA document, reflecting FHWA's finding, dated August 08, 2008, that the proposed use will not have any significant environmental impacts and meets FHWA's criteria for categorical exclusion.

MOVING THE
AMERICAN
ECONOMY



It is my understanding that the ODOT coordinated with your office prior to submittal of their application. However, should you have any questions in respect tot his request please feel free to call me at (503) 587-4722. Following your consent and the recording of the highway material source easement deed your office will be provided with a conformed copy of the deed.

Sincerely,



Virginia Tsu
Right of Way / Civil Rights Manager

Enclosure



Oregon

Theodore R. Kulongoski, Governor

-TSU

Department of Transportation

Right of Way Section
355 Capitol Street NE
Salem, OR 97301-3871
(503) 986-3600
Fax: (503) 986-3625

August 25, 2008

Virginia Tsu
Federal Highway Administration
The Equitable Center
530 Center Street NE
Salem OR 97301

RECEIVED

SUBJECT: SECOND REVISED APPLICATION FOR TITLE 23 APPROPRIATION

AUG 11 2008

Barr Road Quarry (Site N)
ODOT File Number: 6008102
Agency: Bureau of Land Management
County: Deschutes

FHWA
OREGON DIVISION

The State of Oregon, by and through its Department of Transportation (ODOT), is re-submitting a request for a Material Source Easement Deed over land under the jurisdiction of the Bureau of Land Management.

The action requested is a transfer of lands from the Bureau of Land Management to the Federal Highway Administration on property known as the Barr Road Quarry (Site N) in Deschutes County, ODOT Region 4.

The purpose of this acquisition is for use by ODOT as a hard rock quarry site further described on the enclosed plat map marked as Exhibit A (Sheets 1-3). The appropriation encompasses approximately 105.18 acres of land. The material that could be utilized from this location is estimated at more than 3 million cubic yards as described in the attached document **Table 1: Highway Aggregate Needs Estimate – Barr Road Quarry (Site N)**. Please see the attached **Revised Application for Title 23 Appropriation** for a full explanation of and details on the use of the quarry on current and future projects.

I am submitting two copies of the revised plat map (Sheets 1-3) covering the 105.18 acre parcel to be acquired. The plat map has been signed by ODOT State Right of Way Manager, and by ODOT Technical Services Branch Managing Engineer.

In addition to the two copies of the plat map, also please find the following documents:

- Revised Application for the Title 23 Appropriation dated 08/08/08
- Table 1: Highway Aggregate Needs Estimate – Barr Road Quarry (Site N)
- Environmental Documentation – ODOT and FHWA signed CE Close Out Document with attached SHPO Concurrence and other correspondence along with email dated 8-8-2008 from Michelle Eraut indicating she has signed the CE document
- Letter from the BLM date stamped June 18, 2007
- Response letter from ODOT dated July 5, 2007
- Summary of ODOT/ BLM Discussion and Issue Resolution



The contact person at BLM is:

United States Department of Interior
Bureau of Land Management
Prineville District Office
Attn: Molly M. Brown, Field Manager, Deschutes Resource Area
3050 NE Third Street
Prineville, OR 97754
(541) 416-6766

We are also requesting that ODOT be given a right of entry to this parcel upon BLM's issuance of the Letter of Consent and ODOT's acceptance thereof.

At the time you submit the application to BLM, please ask that a copy of any special conditions/stipulations that will need to go into the easement deed be provided to me in an electronic format. This will allow for insertion of those conditions into the easement document accurately. Also, please provide me with a copy of your letter to BLM so that I may track the status of the application.

If you should need additional information, please contact me at (503) 986-3648.



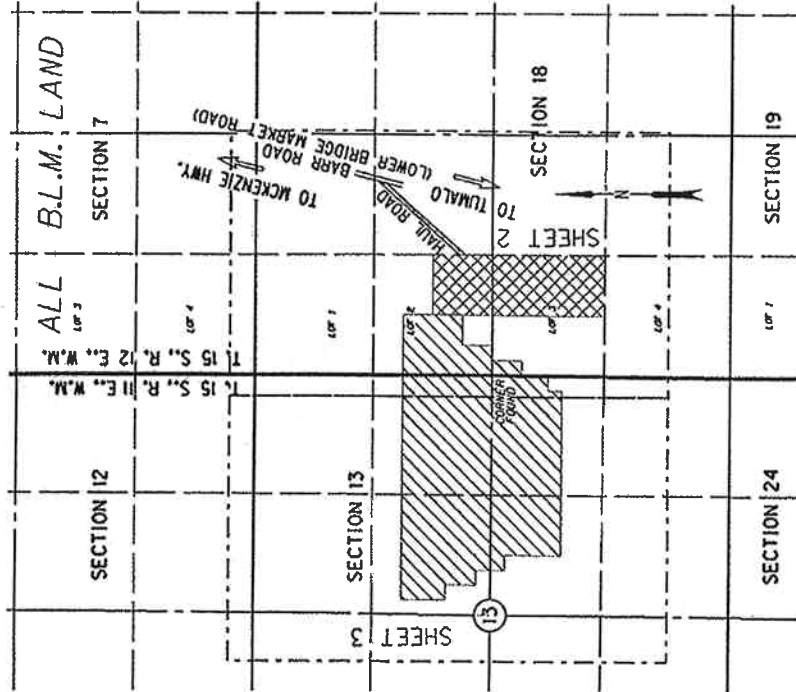
Gale Chipps
Federal Easement Specialist

Enclosure

CC: David Brown Region Right of Way Manager
Mary Whitaker Senior Right of Way Agent
Russ Frost, Statewide Aggregate Coordinator
Teresa Brasfield, Region Environmental Coordinator
Amy Pfeiffer, Project Manager

VICINITY MAP

SECTION 13, T. 15 S., R. 11 E., W.M. AND
SECTION 18, T. 15 S., R. 12 E., W.M.



SEE SHEET 2 FOR CORNER FOUND

ALL RECTANGULAR SURVEY LINES ARE PROJECTED
BEARINGS BASED ON G.L.O. PLAT
ASSUMED COORDINATES

i. Catherine M. Nelson, P.E., state that I am Chief Engineer for the Oregon State Department of Transportation, hereinafter designated the "applicant"; that the survey of the right of way of the Barr Road Quarry (Site N) Section of the Barr Road aka Lower Bridge Market Road (County Road), was made under the Department's authority; and that the survey is accurately represented on this map.

DEPARTMENT OF TRANSPORTATION
Applicant

By *C. Johnson*
Catherine M. Nelson, P.E.
for Chief Engineer

I, Deolinda G. Jones, do hereby certify that I am the State Right of Way Manager for the Oregon State Department of Transportation, hereinafter designated the "applicant"; that Catherine M. Nelson who subscribed the foregoing affidavit is the Chief Engineer, for the Applicant; that the survey of the right of way for the Barr Road aka Lower Bridge Market Road (County Road), a portion of which is represented on this map, was made under the authority of the applicant as the approximate final location of the right of way of the Barr Road Quarry (Site N) Section, and that this map has been prepared in order that applicant may obtain the benefits of Section 317, Public Law 85-767 (72 Stat. 885-916) approved August 27, 1958.

DEPARTMENT OF TRANSPORTATION

By *Deolinda G. Jones*
Deolinda G. Jones
for State Right of Way Manager

Accepted By:.....
B.L.M. Supervisor

Date:.....

OREGON DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY ENGINEERING
RIGHT OF WAY PLAT

BARR ROAD QUARRY (SITE N) SECTION
SOURCE NUMBER OR 09-127-4
BARR ROAD aka LOWER BRIDGE MARKET ROAD (COUNTY ROAD)
DESCHUTES COUNTY, OREGON
JULY, 2008 FILE NO. 6008102

BUREAU OF LAND MANAGEMENT
RIGHT OF WAY GRANT
ORIGINAL GRANTS : 31.56 Acres±
TO BE ACQUIRED : 105.18 Acres±
EXHIBIT A SHEET 1 OF 3

NO SCALE