



U.S. Department of the Interior Bureau of Land Management

Anchorage Field Office
4700 BLM Road
Anchorage, Alaska 99507

<http://www.blm.gov/ak/st/en/fo/ado.html>

Categorical Exclusion Right-of-Way Renewal

Applicant: Matanuska Electric Association

Case File Number: A-10069

DOI-BLM-AK-1430-2009-0006-CX



Location:

Seward Meridian, T16N, R1E:

Prepared By:

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1/30/2009

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage Field Office
CATEGORICAL EXCLUSION (CX) FORM

CX No.: DOI-BLM-AK-1430-2009-0006-CX

Lease/Serial/Case File No.: A-10069

Proposed Action Title/Types: Renewal of an existing power line ROW grant for a 50 year term

Location of Proposed Action: Seward Meridian, T16N, R1E: Section 2, Lot 5; Section 3, Lot 1;
Section 11, Lot 3

Description of Proposed Action: Right of Way (ROW) Renewal

Matanuska Electric Association (MEA) has submitted an application to BLM to renew their existing 230 KV transmission power line ROW for the maximum allowable term of 50 years. The ROW lies along the western edge of the Alaska R/R ROW crossing both the Matanuska and Knik Rivers, north of Eagle River, Alaska.

The last renewal of the ROW in 1995 changed the 50 year term of the ROW to a 15 year term in order to align it closer to that of the term for the Alaska Railroads' blanket lease for their ROW. Since that time, the Railroad has received patents for lands within the former Railroad ROW and therefore, it is not necessary to maintain a 15 year term on the renewal of this ROW. The original duration of the right-of-way was 50 years.

The ROW was initially granted in 1942 and then subsequently reauthorized in 1995 under the Federal Land Policy Management Act (FLPMA). Since its inception as a ROW, the transmission line has fallen under the Rural Electrification Act and its amendments. Therefore, the ROW is exempt from rental as noted in 43 CFR § 2806.14(2)(d).

Applicant (if any): Matanuska Electric Association

PART I - PLAN CONFORMANCE REVIEW

This Proposed Action is subject to the following land use plan:

Plan: Ring of Fire Record of Decision and Approved Management Plan
Date Plan Approved: March 2008

“The BLM may issue rights-of-way for a variety of uses including but not limited to: roads, water pipelines, electric lines and communication sites under the authority of Title V of FLPMA.”

[Lands and Realty: I-2n]

The Proposed Action is in conformance with BLM-Alaska’s Ring of Fire resource management plan and Record of Decision, (43 CFR 1610.5-3(a)).

Remarks:

This Right of Way is eligible for a 50 year lease. The *“BLM Policy and Procedures for Issuance of “Long Term” Right-of-Way Grants and Easements Over Public Lands To Be Transferred Out of Federal Ownership*, In accordance with Right-of-way regulations, 43 CFR 2800/2880, June, 2007 “ states:

By policy, the BLM has determined that the maximum term for ROW grants issued under FLPMA shall generally not exceed 30 years, except that grants with terms of up to 50 years may be issued for major ROW facilities/systems such as a 230kV and larger electric transmission lines.

PART II - NEPA REVIEW

A. Categorical Exclusion Review.

This Proposed Action qualifies as a categorical exclusion under 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.

B. Departmental List of Extraordinary Circumstances Review.

The following Departmental List of Extraordinary Circumstances apply to individual actions. Departmental instructions mandate that environmental documents **MUST BE PREPARED** for actions which may:

		YES	NO
1.	Have significant adverse impacts on public health or safety.	_____	_____ X
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.	_____	_____ X

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|-----|---|-------|----------------------|
| 3. | Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]. | _____ | _____ <u>X</u> _____ |
| 4. | Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. | _____ | _____ <u>X</u> _____ |
| 5. | Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. | _____ | _____ <u>X</u> _____ |
| 6. | Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. | _____ | _____ <u>X</u> _____ |
| 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. | _____ | _____ <u>X</u> _____ |
| 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. | _____ | _____ <u>X</u> _____ |
| 9. | Violate Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment. | _____ | _____ <u>X</u> _____ |
| 10. | Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898). | _____ | _____ <u>X</u> _____ |
| 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). | _____ | _____ <u>X</u> _____ |
| 12. | Contribute to the introduction, continued existence, or spread of weeds or non-native invasive species known to occur in the actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112). | _____ | _____ <u>X</u> _____ |

I certify that none of the Departmental Extraordinary Circumstances listed in the above Part B (516 DM 2, Appendix 2) apply to this action.

Preparer(s): Jayme Lopez

Date: 2/19/2009

PART III – DECISION

The proposed action is in conformance with a management framework plan or a resource management plan, 43 C.F.R. § 1610.8(a)(3) (2006). The Department of the Interior has determined and found that the proposed action is within a category of actions that do not individually or cumulatively have a significant effect on the human environment and that neither an environmental assessment nor an environmental impact statement is required, 40 C.F.R. §1508.4 (2006).

It is therefore my decision to implement the action, as described.

Authorized Official: James M. Fincher

Date: 3/20/2009