

**United States
Department of the Interior
Bureau of Land Management
Eugene District Office**

Categorical Exclusion Documentation
Categorical Exclusion No. DOI-BLM-ORE060-2013-0009-CX
RWA E-1002

A. Background

The Bureau and Cerro Gordo Silviculture, LLC, wish to acquire new legal access rights needed for the management of their respective lands and believe that a reciprocal right-of-way agreement is the most efficient way to meet their respective needs.

The proposed action is to enter into Right-of-Way and Road Use Agreement E-1002 and O&C Logging Road Right-of-Way Permit E-1002, as described in the attached draft documents. This action would accomplish the following:

1. Acquire new perpetual legal access for BLM over Cerro Gordo Silviculture, LLC. road no. 20-2-28.1 located in T. 20S., R. 2W. Section 28. road no. 20-2-29.1 located in T. 20 S., R. 2 W. Section 29.
2. Grant new permanent access rights to Cerro Gordo over BLM road 20-2-28.1 located in T. 20 S., R. 2W., Sections 21, 27, and BLM road 20-2-29.1. New permanent access rights will also be granted to Cerro Gordo Silviculture, LLC. via BLM Easement R-E-E147 over the following road numbers, 20-2-28, 20-2-29, 20-2-32 located in T. 20 S., R. 2 W., Section 28, road number 20-2-29, located in T. 20 S., R. 2 W., Section 29, road number 20-2-32, located in T. 20 S., R. 2 W., Section 32, and road number 20-2-32, located in T. 20 S., R. 2 W., Section 33.

B. Land Use Plan Conformance

This project is in conformance the 1995 Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl (Northwest Forest Plan {NSO-ROD} USDA Forest Service and USDI Bureau of Land Management, April 1994), and the 1995 Eugene District Resource Management Plan (1995 RMP).

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)(16), "Acquisition of easements for an existing road or issuance of leases, permits, or rights-of-way for the use of existing facilities, improvements, or sites for the same or similar purposes".

This categorical exclusion is appropriate in this situation because the proposed action is in accordance with 516 DM 11.9(E) (16) and there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Eugene District has reviewed the proposed action, and none of the extraordinary circumstances described in 516 DM2 apply.

D. Categorical Exclusions Extraordinary Circumstances Documentation

THE PROPOSED CATEGORICAL EXCLUSION ACTION WILL:	YES	NO
1. Have significant 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
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		X
4. Have highly uncertain and potentially significant environmental effects or involve 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 cumulatively significant environmental effects.		X
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.		X
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.		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 a disproportionately high and adverse effect on low income or minority populations (Executive Order 2898).		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 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).		X

E. Review

Prepared by: /s/ Tracy Maahs Date: 12/5/12
Realty Specialist

Reviewed by: /s/ Francisca Paulete Date: 12/4/12
Planning & Environmental Coordinator

Approved by: /s/ William O'Sullivan Date: 12/6/12
Upper Willamette Field Manager

F. Contact Person and Reviewers

For additional information concerning this Categorical Exclusion review, contact Tracy Maahs, Eugene District Realty Specialist, (541) 683-6376.

G. Administrative Remedies

Notice of this decision will be posted on the District internet website. The action is subject to appeal to the Interior Board of Land Appeals under 43 CFR Part 4. The decision is effective upon signing by the authorized officer and shall remain in effect pending an appeal (43 CFR Part 2801.10).