

1791A
CX-13-01
Power Line Upgrade
Shotgun Creek

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

Categorical Exclusion Documentation
Categorical Exclusion No. DOI-BLM-ORE060-2013-00001-CX
Right-of-Way Grant 13686

A. Background

Location of Proposed Action: T. 15 S., R. 1 W., Section 31, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Description of Proposed Action: On June 12, 1984 the BLM issued Emerald People's Utility District (EPUD) Right-of-Way Grant OR 13686 pursuant to 43 CFR 2800 giving them the right to maintain an underground 20.8 kv power distribution line across public lands to provide power to a federal property. The right-of-way permit area granted is 10 feet in width and 1,704 feet in length and contains a total of 0.39 acres, more or less and is renewable.

EPUD is now requesting to amend the original grant due to the age of the underground electric cable in the lower Shotgun Creek area (see attached Exhibit "A"). EPUD proposes to replace approximately 7,300 lineal feet of underground cable. C-2 utilities will be the contractor on site and will begin trenching from the Marcola Rd./Shotgun Creek Rd. intersection, they will install 3-3" schedule 40 pvc conduits at a depth of 48" and installing 3-4' x 6' utility vaults with Bollards in front of each along the east side of Shotgun Creek road though all the private lands. Near the fork in the road upon the BLM properties C-2 will install 1-4' x 6' vault and continue open trench and conduit approximately 1,580' along the west side of Shotgun Creek Rd then turn and continue across the road easterly to an existing electrical vault and cabinet near the sewage pump station. C-2 will open trench, install conduit, and backfill daily. This amendment will be executed in August/September of 2013 with a 2 week notice to the BLM before operations begin. Boring will occur under all culverts and standing water in ditch line. All bare soil will be mulched. The road will be swept as needed and after project completion. Sediment traps will be used as needed. During operations, signs will be placed at both ends to notify road users of the work being done. The road will remain open to traffic at all times.

EPUD will adhere to all terms and conditions of the original Grant OR 13686.

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)(12), “Grants of right-of-way wholly within the boundaries of other compatibly developed rights-of-way”.

This categorical exclusion is appropriate in this situation because the proposed action is in accordance with 516 DM 11.9(E) (12) 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.

C. 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

D. Review

Prepared by: /s/ Tracy Maahs
Realty Specialist

Date: 12/10/12

Reviewed by: /s/ Francisca Paulete
Planning & Environmental Coordinator

Date: 12/7/12

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

Date: 12/10/12

E. Contact Person and Reviewers

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

F. 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).

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DECISION RECORD
CATEGORICAL EXCLUSION

Decision:

It is my decision to proceed with the proposed action as described in DOI-BLM-ORE060-2013-00001-CX.

Decision Rationale:

The proposed action has been reviewed by the appropriate staff and based on the NEPA Categorical Exclusion Review, I have determined that the proposed action involves no significant impact to the human environment and no further analysis is required. It is my decision to implement the project as described. Survey and manage does not apply.

The proposed action is in conformance with the Eugene District 1995 Record of Decision and Resource Management Plan (1995 ROD/RMP) (as amended).

Administrative Remedies:

The forest management decision to be made on the action described in this categorical exclusion 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).

Authorizing Official:

/s/ William O'Sullivan_____

William O'Sullivan
Field Manager
Upper Willamette Resource Area

12/10/2012_____

Date