

**RECORD OF PLAN CONFORMANCE AND
CATEGORICAL EXCLUSION (CX) DOCUMENTATION for
CATEGORICAL EXCLUSIONS NOT ESTABLISHED BY STATUTE
Bureau of Land Management (BLM)**

A. Background

BLM Office: Lakeview District, Klamath Falls Resource Area Lease or Serial #: OROR 13745

Proposed Action Title/Type: **Pacific Power Maintenance Request**

NEPA Log #: DOI-BLM-OR-L040-2014-030-CX

Project Location: W.M. 33, T.41S., R.13E., Section 6, NW1/4, GPS 42.04619444, -121.3459167
and W.M. 33, T.40S., R.12E., Section 26, SW1/4 SW1/4. GPS 42.06485153, -121.3772105

Description of Proposed Action:

Pacific Power is requesting to perform significant maintenance on their Captain Jack 500kV transmission line which crosses lands managed by the BLM. There is no change to the prism of the Right-of-Way and no additional rights are to be granted.

The purpose of the work is to address clearance issues between the power line conductors and the ground surface. The North American Electric Reliability Corporation (NERC) requires electric utilities to conduct aerial inspections of their transmission lines to identify locations where clearances from conductors are compromised due to buildings or other structures, vegetation and or other topography. The required clearances are based on maximum voltages, ambient temperatures and span lengths. Inspection flights conducted by Pacific Power on this line identified two locations where ground to conductor clearances are less than the allowed minimums for this voltage classification.

The first location is in the area of W.M. 33, T.41S., R.13E., Section 6, NW1/4. GPS 42.04619444, -121.3459167, which is between transmission structures 4/4 TO 5/4. The issue at this first location is the clearance between existing down guy that comes from an adjacent transmission line and the conductors of the 500 kV transmission line. The fix is to install a new plate anchor and move the down guy wires further away from the 500kV conductors. The installation of the new plate anchor will require an excavation measuring approximately 4 feet wide by 4 feet long and 11 feet deep. The new plate anchor will be installed into the excavated site with the spoils then used to cover the plate.

The second location is in W.M. 33, T.40S., R.12E., Section 26, SW1/4 SW1/4. GPS 42.06485153, -121.3772105 which is between transmission structures 3/6 to 4/6. The issue at this second location is a rock outcropping that starts 104 feet northwest of structure 3/6 under the northernmost group of conductors and extends inside of the right of way. The work that is required at this location is to remove 9 feet of the top of this 60 foot section and scatter the spoils inside of the right of way.

The work will be performed with a tracked excavator utilizing a rock hammer. The work at this location is currently schedule to be completed between September 29, 2014 and October 12, 2014. The contractor will be utilizing a three person crew and will be operating between the hours of 7AM through 7PM Monday through Friday.

Purpose and Need for the Project:

The purpose of the proposed action is for the BLM to grant maintenance outside of the scope of the existing ROW to PacifiCorp. This is in order to meet the need to provide continued use related to its business as an electrical utility provider to the community and to satisfy NERC regulations.

B. Land Use Plan Conformance

Land Use Plan Name: Klamath Falls Resource Area Resource Management Plan

Date Approved/Amended: June 1995

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s): (Refer to page 66) "Continue to make BLM-administered lands available for needed right-of-way where consistent with local comprehensive plans, Oregon

statewide planning goals and rules, and the exclusion and avoidance areas identified in this Resource Management Plan.”

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 2, Appendix 2, The Energy Policy Act (P.L. 109-58) 1. Individual surface disturbances of less than five acres so long as the total surface disturbance on the lease is not greater than 150 acres and site-specific analysis in a document prepared pursuant to the NEPA has been previously completed.* Site specific analysis was performed as documented in EA #OR-014-92-06 which was signed on June 3, 1992.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2, Appendix 2 apply. The following documentation describes whether or not the extraordinary circumstances apply to the project:

CX Extraordinary Circumstances Documentation		
Will the proposed categorical exclusion action:	YES	NO
2.1 Have significant impacts on public health or safety.		X
Rationale: Consulted with field/district office health and safety specialist and no significant impacts were identified.		
2.2 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
Rationale: The project area was reviewed by resource specialists. The cultural resources found in a nearby location will be avoided and therefore, will not be impacted by the project. No other unique features are present.		
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		X
Rationale: No highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources were identified by resource specialist during project analysis.		
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
Rationale: No highly uncertain and potentially significant environmental effects or unknown environmental risks were identified by resource specialist during project analysis.		
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
Rationale: This is a minor and routine action that will not establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
Rationale: No direct relationships to other actions with individually insignificant but cumulatively significant environmental effects were identified by resource specialists during project analysis.		
2.7 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
Rationale: This is an existing right-of-way which has been previously disturbed and inventoried. Cultural resource specialists have determined that there will be no impacts to properties listed or eligible for listing, on the National Register of Historic Places because those resources are not present or will be avoided.		
2.8 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.		X
Rationale: Resource specialists have reviewed the proposed action and determined that there would be no 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.		
2.9 Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
Rationale: This is a routine BLM action that does not violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
Rationale: Review of the project area locations shows no disproportionately high and adverse effect on low income or minority populations.		

2.11 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
Rationale: Cultural resource specialists have determined that the project does not 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.		
2.12 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
Rationale: Refer to Exhibit A (attached) ROW project design features (PDFs) and best management practices (BMPs).		

The proposed action would not meet any of the above extraordinary circumstances, or fail to comply with Executive Order 13212 (Actions to Expedite Energy-Related Projects) – to avoid direct or indirect adverse impact on energy development, production, supply, and/or distribution, or impact RMP exclusion and avoidance areas.

Surveys and Consultation

Surveys and/or consultation are completed or not needed for special status plants and animals, cultural resources, and other resources as necessary (appropriate fields are Initialed and Dated by responsible resource specialist):

Surveys	Are Completed	Will Be Completed	Are Not Needed
SS* Animals			SGH 09/25/14
SS* Plants			RW 9/26/2014
Cultural Resources	9/24/2014 SAH		
ROWs or Cadastral	9-5-2014 db		9-5-14 db
Consultation	Is Completed	Will Be Completed	Is Not Needed
SS* Animal Consultation			SGH 09/25/14
Botanical Consultation			RW 9/26/2014
Cultural Consultation	9/24/2014 SAH		

*(SS = Special Status)

Contact Person

For additional information concerning this CX review, contact: Debora Boudreau, Realty Specialist, Klamath Falls Resource Area, 2795 Anderson Avenue, Building 25, Klamath Falls, Oregon 97603-7891 or telephone: 541-885-4150 or email dboudreau@blm.gov

**Determination for Pacific Power Maintenance ROW # OROR 13745
DOI-BLM-OR-L040-2014-30-CX**

I have determined that it is appropriate to proceed with the Proposed Action as described in the attached Categorical Exclusion (CX) and shown on the attached map(s).

Rationale

The proposed action has been reviewed by the Klamath Falls Resource Area staff and appropriate Project Design Features, as specified, will be incorporated into the proposal. The proposed action would not create adverse environmental effects, meet any of the above extraordinary circumstances, or fail to comply with Executive Order 13212 (Actions to Expedite Energy-Related Projects) – to avoid direct or indirect adverse impact on energy development, production, supply, and/or distribution.

Based on the attached NEPA (National Environmental Policy Act) Categorical Exclusion Review, I have determined the proposed action involves no significant impact to the human environment and no further environmental analysis is required.

Signature

Authorizing Official: /s/ Richard White Date: 9/26/2014
(Signature)

Name: Richard White
Title: Manager, Klamath Falls Resource Area

EXHIBIT A

STIPULATIONS/Project Design Features (PDFs) and Best Management Practices (BMPs)

By accepting a grant, you agree to comply with and be bound by the following terms and conditions. During construction, operation, maintenance, and termination of the project you must:

1. To the extent practicable, comply with all existing and subsequently enacted, issued, or amended Federal laws and regulations and state laws and regulations applicable to the authorized use.
2. Rebuild and repair roads, fences, and established trails destroyed or damaged by the project and or use by row holder.
3. Build and maintain suitable crossings for existing roads and significant trails that intersect the project.
4. Do everything reasonable to prevent and suppress wildfires on or in the immediate vicinity of the right-of-way area. Abide by all current fire restrictions and/or regulations during all operations. Not discriminate against any employee or applicant for employment during any phase of the project because of race, creed, color, sex, or national origin. You must also require subcontractors to not discriminate.
5. Pay monitoring fees and rent described in 43 CFR Sec. 2805.16 of this subpart and subpart 2806 of this part.
6. If BLM requires, obtain, and/or certify that you have obtained, a surety bond or other acceptable security to cover any losses, damages, or injury to human health, the environment, and property in connection with your use and occupancy of the right-of-way, including terminating the grant, and to secure all obligations imposed by the grant and applicable laws and regulations. If you plan to use hazardous materials in the operation of your grant, you must provide a bond that covers liability for damages or injuries resulting from releases or discharges of hazardous materials. BLM may require a bond, an increase or decrease in the value of an existing bond, or other acceptable security at any time during the term of the grant
7. Assume full liability if third parties are injured or damages occur to property on or near the right-of-way (see 43 CFR Sec. 2807.12 of this part);
8. Comply with project-specific terms, conditions, and stipulations.
9. Restore, re-vegetate, and curtail erosion or conduct any other rehabilitation measure BLM determines necessary;
10. Ensure that activities in connection with the grant comply with air and water quality standards or related facility citing standards contained in applicable Federal or state law or regulations;
11. Control or prevent damage to scenic, aesthetic, cultural, and environmental values, including fish and wildlife habitat; Public and private property; and Public health and safety;

12. Ensure that you construct, operate, maintain, and terminate the facilities on the lands in the right-of-way in a manner consistent with the grant
13. Notify the Authorized officer of any maintenance or repairs prior to taking any action on the right of way.
14. When the state standards are more stringent than Federal standards, comply with state standards for public health and safety, environmental protection, and citing, constructing, operating, and maintaining any facilities and improvements on the right-of-way
15. Grant BLM an equivalent authorization for an access road across your land if BLM determines the reciprocal authorization is needed in the public interest and the authorization BLM issues to you is also for road access
16. Immediately notify all Federal, state, tribal, and local agencies of any release or discharge of hazardous material reportable to such entity under applicable law. You must also notify BLM at the same time, and send BLM a copy of any written notification you prepared
17. Not dispose of or store hazardous material on your right-of-way, except as provided by the terms, conditions, and stipulations of your grant
18. Certify your compliance with all requirements of the Emergency Planning and Community Right-to-Know Act of 1986, 42 U.S.C. 11001 et seq., when you receive, assign, renew, amend, or terminate your grant
19. Control and remove any release or discharge of hazardous material on or near the right-of-way arising in connection with your use and occupancy of the right-of-way, whether or not the release or discharge is authorized under the grant. You must also remediate and restore lands and resources affected by the release or discharge to BLM's satisfaction and to the satisfaction of any other Federal, state, tribal, or local agency having jurisdiction over the land, resource, or hazardous material
20. Comply with all liability and indemnification provisions and stipulations in the grant
21. As BLM directs, provide diagrams or maps showing the location of any constructed facility
22. Comply with all other stipulations that BLM may require.

23. Conditions of Approval to Protect Cultural Values

If subsurface cultural resources are unearthed during operations, activity in the vicinity of the cultural resource will cease and a BLM representative notified immediately. Pursuant to 43 C.F.R. 10.4 the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, the project leader/operator/permittee/etc. must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures that are made by the authorized officer (BLM).

The project leader/operator/permittee/etc. is responsible for informing all persons associated with this project that they will be subject to prosecution for knowingly disturbing Native American Indian shrines, historic and prehistoric archaeology sites, or for collecting artifacts of any kind, including historic items and/or arrowheads from Federal lands pursuant to the 1906 American Antiquities Act (P.L. 59-209; 34 Stat. 225; 16 U.S.C. 432, 433), the Archaeological Resources Protection Act of 1979 (P.L. 96-95; 93 Stat. 721; 16 U.S.C. 470ee as amended), and/or other federal laws.

A cultural resource monitor is to be present during the nine foot rock removal at lines 3/6 to 4/6 (Township 40 South, Range 12 East, Section 26). Please provide an advanced notice to the monitor.

24. Wildlife

Due to the potential for nesting birds and bats using the rocky outcrops and cliffs adjacent to structure 3/6 (W.M. 33, T.40S., R.12E., Section 26, SW1/4 SW1/4. GPS 42.06485153, -121.3772105) a seasonal restriction for removal of the rocky outcrop adjacent to structure 3/6. from April 1st - September 25th will be implemented.

Raptor Nests

For Bald Eagles and Golden Eagles use the Fish and Wildlife Service Bald Eagle Management guidelines. Seasonal Restriction period would occur from Jan 1- August 31. These guidelines can be found at the following web site;
<http://www.fws.gov/pacific/eagle/NationalBaldEagleManagementGuidelines.pdf>

For all other raptors use the latest information of the critical nesting period for the raptor species and implement seasonal restrictions from human caused disturbance that may result in nest failure or abandonment.

25. The Lessee or Right-of-Way (ROW) Holder shall post the lease or ROW Serial Number on all structures authorized by the lease or grant where practical

26. Weeds

All vehicles and equipment will be cleaned off prior to operating on BLM lands. Removal of all dirt, grease, and plant parts that may carry noxious weed seeds or vegetative parts is required and may be accomplished with a pressure hose.

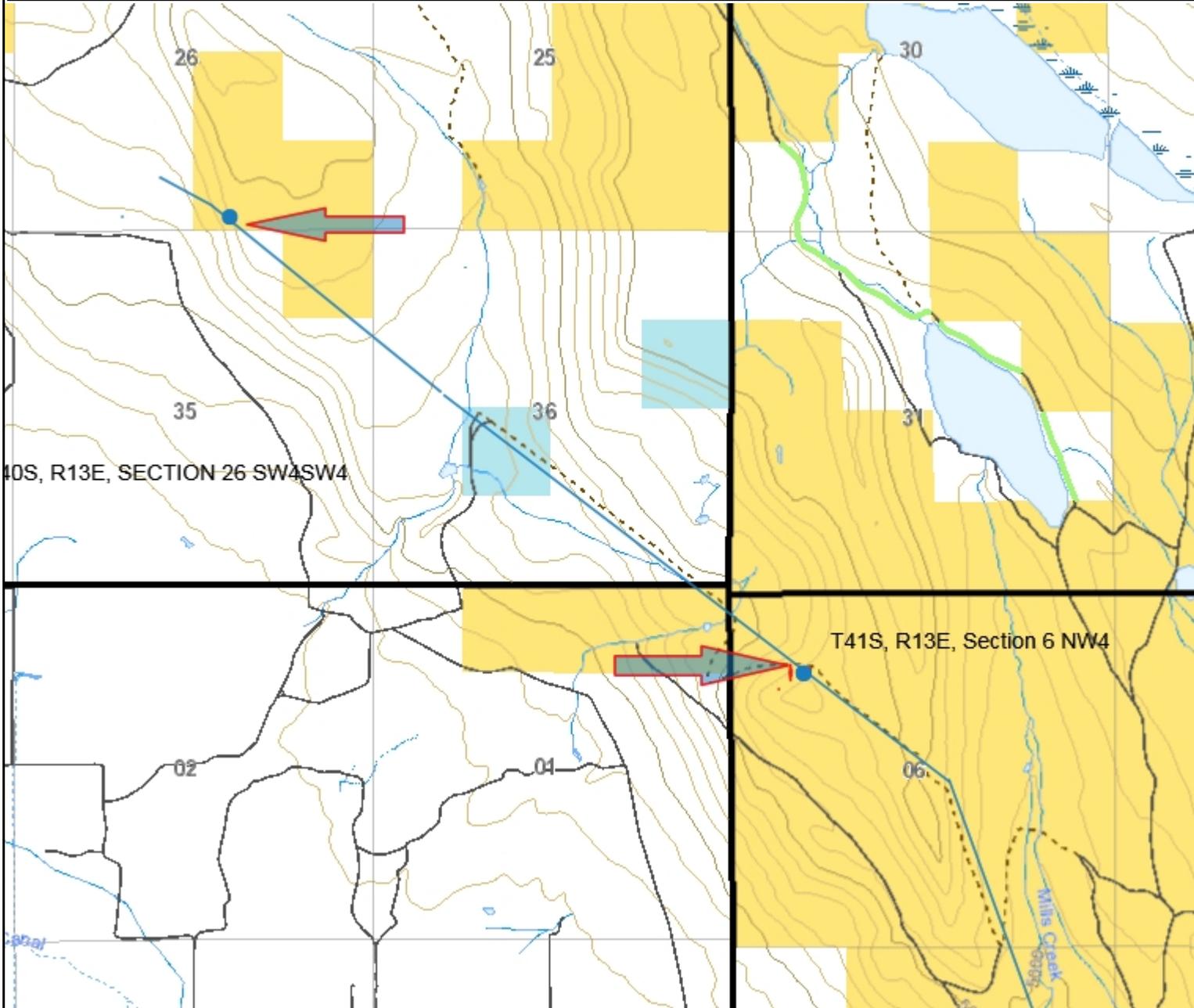
High concentrations of noxious weeds in the immediate area of mechanical operations shall be mowed to ground level prior to the start of project activities.

All equipment and vehicles operating off of main roads shall be cleaned off prior to leaving the job site when the job site includes noxious weed populations. Removal of all dirt, grease, and plant parts that may carry noxious weed seeds or vegetative parts is required and may be accomplished with a pressure hose.

27. During the closure period (winter and spring), user will only use the road when it is frozen or dry and will not use the road wet conditions. If the road is damaged by holder, holder will be required to pay for road maintenance and/or make adequate repairs to road surface and drainage features. This is necessary to keep roads in satisfactory condition, prevent excessive

erosion, and to protect the road from winter and spring road use damage. Except in emergency situations, grantor may suspend the use of roads during periods when the forests are closed by lawful authority. Grantor may also suspend the use of such roads when, due to weather conditions, unrestricted use would cause excessive damage to the roads.

28. You are required to contact the Authorized officer in the event of a name change or address change.
29. You are required to contact the Authorized Officer in writing 180 days prior to the expiration of this grant for renewal or relinquishment procedures.
30. Right of Way area shall be free of debris and vegetation will be kept clear of the building within a 30 foot radius
31. All of Holder's controlled equipment or equipment under contract to Holder operating upon such roads shall be maintained in a good and safe operating condition and shall be operated cautiously so as to minimize accident hazards. All truck drivers shall have a valid Oregon Truck Operators license. Holder shall abide by all regulations posted along the roads by the Grantor.
32. All vehicles and equipment will be cleaned off prior to operating on BLM lands. Removal of all dirt, grease, and plant parts that may carry noxious weed seeds or vegetative parts is required and may be accomplished with a pressure hose.
33. High concentrations of noxious weeds in the immediate area of mechanical operations shall be mowed to ground level prior to the start of project activities.
34. All equipment and vehicles operating off of main roads shall be cleaned off prior to leaving the job site when the job site includes noxious weed populations. Removal of all dirt, grease, and plant parts that may carry noxious weed seeds or vegetative parts is required and may be accomplished with a pressure hose.



Easement Arc

- Public
- Admin
- Unknown

RROW, ROW, RWP Arc

- PUBLIC
- ADMIN
- MIXED
- NA

ESMTROW Polygon

- ESMT - Easement
- RROW - Reciprocal Right-of-Way

Highways

- Highways
- Highway Ramps, Frontage Roads, Spurs, Connectors

GNIS All Summits

- Larger than 100,000
- 50,000 - 99,999
- 10,000 - 49,999
- Less than 10,000

Recreation Sites - Point

- Boat Launch Point
- Cabin Site
- Campsite Point
- Cave Entrance Point

No warranty is made by the Bureau of Land Management as to the accuracy, reliability or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification. For internal use only.



Scale 1: 36,112
 September 25, 2014

<http://teamspace/or/sites/gis/mapping/Pages/interactive.aspx>