

**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 #: ROW Grant NVN-84650  
 Proposed Action Title/Type: Ruby Power Pole Move Variance 07-001-AG  
 CX Log #: DOI-BLM-OR-L040-2011-20  
 Project Location: T. 41S., R14 E. Sec. 20

**Description of Proposed Action:**

One (1) power utility pole would be moved from a location near the center of the existing right-of-way (ROW) to the outside edge of the ROW approximately 50 feet to the south. The utility pole is located at MP 658 .8 (Station#34780+95). The powerline is not currently in operation. The new location for the pole was determined after consultation between Rockford, Ruby and Pacific Power Company, the utility company that owns the power line. The new location of the power pole is within the biologically and culturally surveyed corridor. Rockford and Ruby will ensure that placement of these poles will not impact any area that has been deemed sensitive.

**Purpose and Need for the Project:**

The purpose of the proposed action is to provide for safer, easier construction of the Ruby pipeline and make future maintenance more efficient.

**B. LAND USE PLAN CONFORMANCE**

Land Use Plan Name: Klamath Falls Resource Management Plan  
 Date Approved/Amended: December 2008

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s): *“Provide needed rights-of-way, permits, leases, and easements over BLM-administered lands in a manner that is consistent with federal and state laws”* (Page 50).

**C. COMPLIANCE WITH NEPA**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) pursuant to 516 DM 11.9, BLM categorical exclusions Realty, #13, *“Amendments to existing rights-of-way, such as the upgrading of existing facilities, which entail no additional disturbances outside the right-of-way boundary.”*

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 proposed action will:

<b>CX Extraordinary Circumstances Documentation</b>		
The proposed categorical exclusion action will:	YES	NO
2.1 Have significant impacts on public health or safety.		X
Rationale: The action would not cause any public health or safety risks. The Power Company has standard practices for protecting the public during movement or replacement of power poles.		

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: No significant impacts expected on any of these resources.		
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		X
Rationale: This is routine work for the power company and not highly controversial.		
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
Rationale: This is routine work and effects are not uncertain or unknown.		
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
Rationale: No precedence is established with this work.		
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
Rationale: Because of the single pole to be moved, this action will not cumulatively have significant effects when considered with other actions.		
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: Surveys have been completed. Archaeological resources are managed under the guidance of the Memorandum Of Agreement Among The Federal Energy Regulatory Commission, the U.S.D.I. Bureau Of Land Management, Oregon, The U.S. Forest Service-Fremont-Winema National Forests, The Bureau Of Reclamation, The Oregon State Historic Preservation Officer, Ruby Pipeline, L.L.C., and The Advisory Council On Historic Preservation Regarding The Ruby Pipeline Project.		
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: No listed species are present at the location of these power poles.		
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 action would not violate laws.		
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
Rationale: There would be no 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: There should be no change in access to any 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: Standard weed mitigation measures will be applied as necessary per the Ruby Pipeline Plan of Development Appendix H. Noxious and Invasive Weed Control Plan.		

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.

**Surveys and Consultation**

Surveys and/or consultation may be needed for special status plants and animals, for cultural resources, and other resources as necessary:

<b>Surveys</b>	<b>Are Completed</b>	<b>Will Be Completed</b>	<b>Are Not Needed</b>
SS Animals	X		
SS Plants	X		
Cultural Resources	X		
<b>Consultation</b>	<b>Is Completed</b>	<b>Will Be Completed</b>	<b>Is Not Needed</b>
SS Animal Consultation*			X
Botanical Consultation			X
Cultural Consultation	X		
*(SS = Special Status)			

**E. SIGNATURE**

Authorizing Official: /s/ Donald J. Holmstrom Date: 5/9/11  
(Signature)

Name: Donald J. Holmstrom

Title: Manager, Klamath Falls Resource Area

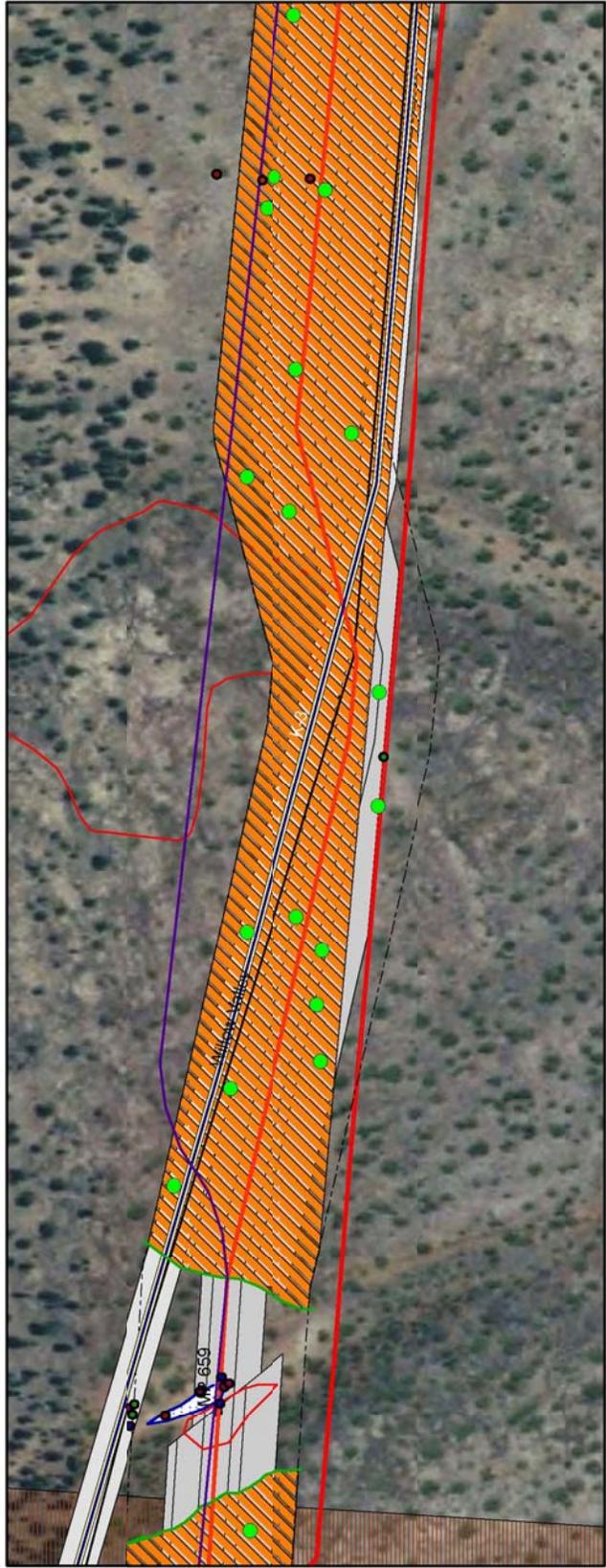
**Contact Person**

For additional information concerning this CX review, contact:

Don Hoffheins, Klamath Falls Resource Area, 2795 Anderson Avenue, Building 25, Klamath Falls, Oregon  
97603-7891 or telephone: 541-883-6916

**F. PROJECT RECOMMENDATIONS**

1. It is recommended that Klamath Tribes Monitors and Cultural Monitors be present during the power pole move.



**Legend**

- NOXWeeds
- NoxiousWeeds\_Agency
- Pipeline
- MIPs
- AccessRoads\_BaseLayer
- PL\_300ftBuffer
- WetlandPolygon
- NoxWeeds\_Polygon
- All\_Workspaces
- BigGame\_MigrationCorridor\_Additions
- Sensitive\_Areas

Ruby Pipeline  
MP 658.75



**Determination for Ruby Powerline Move**  
**DOI-BLM-OR-L040-2010-20-CX**

I have determined that it is appropriate to proceed with the Proposed Action as described and shown on the attached map(s) for DOI-BLM-OR-L040-2010-20-CX.

**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/ Donald J. Holmstrom      Date:  5/9/11  
(Signature)

Name:  Donald J. Holmstrom

Title:  Manager, Klamath Falls Resource Area

**Administrative Remedy**

Notice of the decision made on the action described in this categorical exclusion will be posted on the District internet website. The action is subject to protest under 43 CFR Section 4.450-2. A decision in response to a protest is subject to appeal to the Interior Board of Land Appeals under 43 CFR Section 4.410.