

**U.S. DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT
MEDFORD DISTRICT**

Medford Interagency Office, Fleet Service Building Power Line

**NEPA CATEGORICAL EXCLUSION REVIEW & DECISION RECORD
NEPA #: DOI-BLM-OR-M000-2014-0003-CX**

PROJECT NAME: Medford Interagency Office, Fleet Service Building Power line: Right-of-Way Grant OR 68164 – PacifiCorp

PROJECT LOCATION: Medford District
Tax Lot 401
Township 37 South, Range 1 West, Section 7
W.M., Jackson County, Oregon

PROJECT DESCRIPTION

To provide upgraded power to the Medford Interagency Office Fleet Service Building, a 4 x 6 foot electrical vault, transformer and electrical conduit would be installed within a 10 foot wide by 372 foot long right-of-way containing 0.085 acres on the Medford Interagency Compound. The right-of-way is located between the chain link security fence and sidewalk just north of the employee parking lot. This line will provide additional power to the Fleet Services Building.

The subject right-of-way is more clearly depicted in attached Exhibits A and B and the attached photos.

The rights granted will include the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of the underground electric distribution and communication lines and all necessary or desirable accessories and appurtenances, including without limitation: wires, fibers, cables and other conductors and conduits therefore; and pads, transformers, switches, cabinets, vaults on, across, or under the surface of the real property. The authorization period for this grant will be perpetual.

The project will be buried in a lawn, and under a driveway and sidewalks on the developed and maintained Medford Interagency Office compound. No habitat disturbing activities will occur.

PLAN CONFORMANCE REVIEW

The Proposed Action is in conformance with the following plans:

- *Final Supplemental Environmental Impact Statement and 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 FSEIS, 1994 and*

ROD, 1994)

- *Final-Medford District Proposed Resource Management Plan/Environmental Impact Statement and Record of Decision (EIS, 1994 and RMP/ROD, 1995)*
- *Final Supplemental Environmental Impact Statement: Management of Port-Orford-Cedar in Southwest Oregon (FSEIS, 2004 and ROD, 2004)*
- *Final Supplemental Environmental Impact Statement and Record of Decision and Standards and Guidelines for Amendment to the Survey & Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines (FSEIS, 2000 and ROD, 2001)¹*
- *Medford District Integrated Weed Management Plan Environmental Assessment (1998) and tiered to the Northwest Area Noxious Weed Control Program (EIS, 1985)*

Categorical Exclusion : The proposed action is covered by Department categorical exclusion 1.7 43 CFR 46.210 (f): Routine and continuing government business, including such things as supervision, administration, operations, maintenance and replacement activities having limited context and intensity; e.g. limited size and magnitude or short-term effects.

CATEGORICAL EXCLUSION REVIEW

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances having effects that may significantly affect the environment as documented in the following review. The proposed action has been reviewed, and none of the extraordinary circumstances described in 43 CFR § 46.215 rise to the level of significance. A summary of the extraordinary circumstances is listed below. The action must have a significant or a disproportional effect on the listed categories to warrant further analysis and environmental review.

1. Have significant impacts on public health or safety.

Yes () **NO (X) Remarks:** No effects are expected. Contractors will follow all OSHA, and other state and local regulations to assure the project is constructed and maintained in a safe manner.

2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources, park, recreation, refuge, lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands (Executive Order 11990); floodplains (Executive Order 11988); ecologically significant or critical areas (including those listed on the Department's National Register of Natural Landmarks).

YES () **NO(X) Remarks:** The project is not expected to have any such impacts.

3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(e)).

YES () **NO (X) Remarks:** The project occurs on developed and maintained grounds and no controversial effects are expected.

¹ The project is consistent with the 2001 ROD and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines, as incorporated into the District Resource Management Plan. No habitat disturbing activities will occur in this project.

4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

YES () NO (X) **Remarks:** The project occurs on developed and maintained grounds and no uncertain or potentially significant effects are expected.

5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.

YES () NO (X) **Remarks:** The project does not set any precedents for future actions.

6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

YES () NO (X) **Remarks:** No cumulative effects are expected.

7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either bureau or office.

YES () NO (X) **Remarks:** No such effects are expected.

8. Have significant impacts on species listed, or proposed for listed, on the List of Threatened Species, or have significant impacts on designated Critical Habitat for these species.

YES () NO (X) **Remarks:** No impacts on listed or proposed Threatened Species or on Designated Habitat would occur.

9. Violate a Federal law, or State, local, or tribal law requirements imposed for the protection of the environment.

YES () NO (X) **Remarks:** Contractors will adhere to all federal, state, or other laws necessary for construction and maintenance of the power line.

10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

YES () NO (X) **Remarks:** No such effects would occur.

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).

YES () NO (X) **Remarks:** The project occurs on developed and maintained grounds and will not limit access to Indian sacred sites.

12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

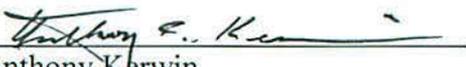
YES () NO (X) **Remarks:** The project occurs on developed and maintained grounds, travels across a maintained lawn, and will not contribute to the introduction or spread of noxious weeds or non-native invasive species.

COMPLIANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT

In accordance with 43 CFR 46.205 (c) and 46.215, the proposed action has been reviewed against the twelve criteria, and I have determined that none of the extraordinary circumstances described in 43 CFR 46.205 (c) apply to this project.

The proposed action qualifies as a categorical exclusion under 43 CFR 46.210 (f) "Routine and continuing government business, including such things as supervision, administration, operations, maintenance, renovations, and replacement activities having limited context and intensity (e.g., limited size and magnitude or short-term effects)."

Reviewed by:

 7/1/14

Anthony Kerwin
District Planning and Environmental Coordinator

No further environmental analysis is required. It is my decision to implement the project, as described.

I have reviewed the proposed action in accordance with the above criteria and have determined that the proposed action will not involve any significant environmental impacts. Therefore, the actions do not meet any of the criteria for exception and is categorically excluded from future environmental review.

 _____
Dayne Barron
Medford District Manager

7/1/14

Date

Administrative Remedy

Notice of the general public land decision to be made on the action described in this categorical exclusion will be posted on the Medford District Web site.

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4, and the enclosed form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing the decision appealed is in error.

If you wish to file a petition (request) pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay **must** also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

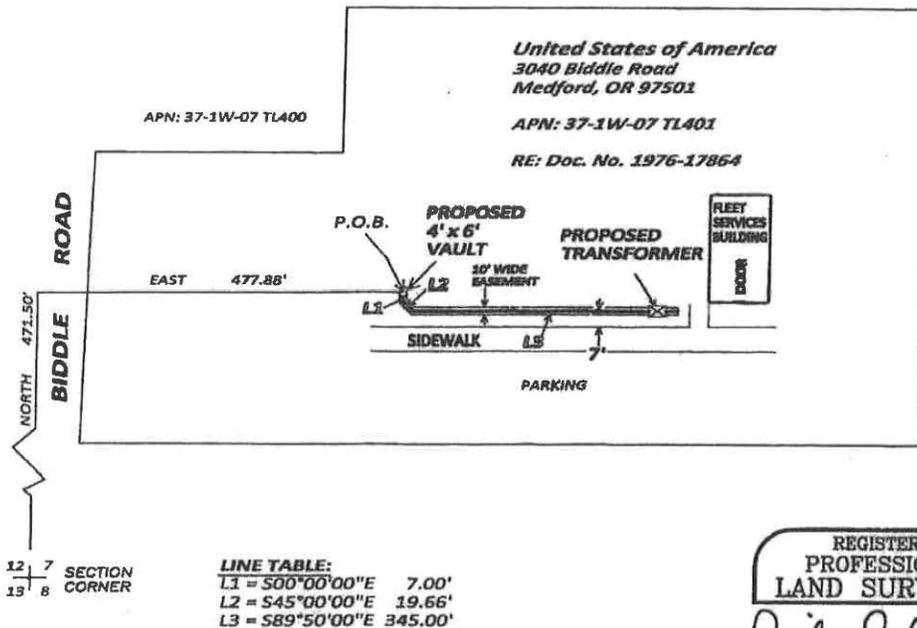
Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied.
- (2) The likelihood of the appellant's success on the merits.
- (3) The likelihood of immediate and irreparable harm if the stay is not granted.
- (4) Whether the public interest favors granting the stay.

OWNER: United States of America
 Re: 37-1W-07
 T.L. 401

EXHIBIT A
 10' WIDE RIGHT OF WAY
 EASEMENT
 Jackson County, Oregon
 May 2014



REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Richard L. Bath
 OREGON
 JULY 30, 1976
 RICHARD L. BATH
 No. 1069
 RENEWS 12/31/15

May 2014
 745-02-14\dwg\BLM Fleet Center.dwg

CC#: 11146	This drawing should be used only as a representation of the location of the easement being conveyed. The exact location of all structures, lines and appurtenances is subject to change within the boundaries of the described easement area.
WO#: 5744740	
NAME: United States of America	
DRAWN BY: Hardey Engineering & Assoc.	
EXHIBIT A	PacifiCorp Bureau of Land Management
	SCALE: 1"= 200'
	SHEET 1 OF 1 ROW#

EXHIBIT B

10' WIDE RIGHT OF WAY EASEMENT

A portion of the Southwest Quarter of Section 7 in Township 37 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon, being a portion of property owned by The United States of America, and its assigns, described in Document No. 1976-17864 of the Official Records of Jackson County, Oregon, and being further identified on Assessor's Map No. 37-1W-07 as Tax Lot 401, said easement is more particularly described as follows:

A 10.00 foot wide easement lying 5.00 feet and each side of the following described centerline:

Commencing at the southwest corner of Section seven (7), in Township 37 South, Range 1 West, of the Willamette Meridian, Jackson County, Oregon, thence North 471.50 feet, thence East 477.88 feet to the true point of beginning of the centerline to be described; thence along said centerline South 7.00 feet; thence South 45°00'00" East 19.66 feet; thence South 89°50'00" East 345.00 feet to terminate said described centerline.

Basis of Bearings: CS 21008 – Filed in Jackson County Surveyors Office

Easement area over United States of America property
37-1W-7, TL 401

MAY 22, 2014

Richard L. Bath, PLS

Director of Surveying

HEA Engineering

PO Box 1625; 2870 Nansen Drive

Medford, Oregon 97501

Ph. (541)772-6880; Cell (541)944-0936

Email: rbath@hea-inc.com



File: 745-02-14- Medford BLM, Fleet Services Power Easement

