

DECISION RECORD & CATEGORICAL EXCLUSION REVIEW

Project Name: Assignment of FLPMA Right-of-Way OR 55114 – Timber Products Company to Singer Properties, LTD (OR-M040-2012-002-CX)

Prepared By: Leslie Voelkel **Title:** Realty Specialist

BLM Office: Ashland R.A., Medford District **Phone:** (541) 618-2217

DESCRIPTION & LOCATION OF THE PROPOSED ACTION

The proposed action is to assign Federal Land Policy and Management Act of 1976 (FLPMA) Right-of-Way Grant OR 55114 from Timber Products to Singer Properties, LTD. This grant authorizes ingress/egress for administrative and residential use, forest management and the commercial haul of forest products over BLM Road 40-2E-13.0B near Baldy Creek, south of Tyler Creek Road, Ashland, Oregon as noted on the attached map. This perpetual grant was originally authorized in October 2001 to Timber Products Company which currently has a pending sale in escrow to Singer Properties, LTD. The right-of-way to be assigned to Singer Properties, LTD is 40 feet wide, 1,802 feet or 0.34 miles long and contains approximately 1.65 acres. This right-of-way is located as follows:

Lot 3 (NE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ (portion of Tax Lot 3500) of Section 13, Township 40 South, Range 2 East, Willamette Meridian, Jackson County, Oregon

This grant also provides access to BLM for administrative use, forest management and the commercial haul of forest products across the following lands:

A parcel of land lying in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ (portion of Tax Lot 3600) of Section 13, Township 40 South, Range 2 East and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ (portion of Tax Lot 6200) of Section 18, Township 40 South, Range 3 East. The said parcels being all that portion of said property contained within a strip of land 40 feet in width, being 20 feet on each side of the center line for road purposes as shown and described on Exhibits A1 and A2. General public access rights are not granted.

See attached photos and map.

PLAN CONFORMANCE

The proposed action is located on BLM-administered land in the Cascade-Siskiyou National Monument and crosses private lands on BLM-controlled roads. It is in conformance with and tiered to the 2008 *Cascade-Siskiyou National Monument ROD and RMP*. The proposed action is in conformance with the direction given for the management of public lands in the Medford District by the Oregon and California Lands Act of 1937 (O&C Act), Federal Land Policy and Management Act of 1976 (FLPMA), the Endangered Species Act (ESA) of 1973, the Clean Water Act of 1987, Safe Drinking Water Act of 1974 (as amended 1986 and 1996), Clean Air Act, and the Archaeological Resources Protection Act of 1979.

CATEGORICAL EXCLUSION REVIEW

The proposed action would not create adverse environmental effects under the categorical exclusion exceptions, unless as noted. The proposed action will:

<u>Yes</u>	<u>No</u>	<u>Categorical Exclusion Exception</u>
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<input type="checkbox"/>	<input checked="" type="checkbox"/>	1. Have significant adverse effects on public health or safety.
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<input type="checkbox"/>	<input checked="" type="checkbox"/>	2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resource; park, recreation, or refuge lands; wilderness areas; wild or
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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)] not already decided in an approved land use plan.
- () (X) 4. Have highly uncertain and potentially significant environmental effects or 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 significant cumulative environmental effects (40 CFR 1508.7 and 1508.25(a)).
- () (X) 7. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places.
- () (X) 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.

Yes **No** **Categorical Exclusion Exception**

- () (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 disproportionate significant adverse impacts on low income or minority populations (Executive Order 12898).
- () (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 nonnative 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).

SUMMARY OF FINDINGS

The proposed action has been reviewed against the twelve criteria listed above for an exception to a categorical exclusion and does not fall under any exception as identified in 516 DM 6, Appendix 2. The project qualifies as a categorical exclusion under 516 DM 11.9 E (9, 12 and 16).

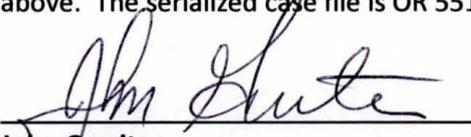
<u>Leslie Voelkel</u>	<u>Realty Specialist</u>	<u>November 21, 2011</u>
Prepared by	Title	Date

<u>Kathy Minor</u>	<u>Planning and Environmental Coordinator</u>	<u>November 21, 2011</u>
Reviewed and Edited by	Title	Date

DECISION

Based on the Categorical Exclusion Review documented above, I have determined this project proposal involves no significant impact to the human environment. Therefore, this project is categorically excluded from NEPA documentation under 516 DM 11.9 E (9, 12 and 16), and no further environmental analysis is required.

It is my decision to authorize the requested right-of-way facility to Singer Properties, LTD as described above. The serialized case file is OR 55114.



John Gerritsma
Field Manager
Ashland Resource Area

11/21/11

Date

EFFECTIVE DATE OF DECISION

This decision is effective upon signing by the authorized officer and shall remain in effect pending any appeal (43 CFR 4 and 43 CFR 2801.10).

REFERENCES

USDI Bureau of Land Management. 2008. *Cascade-Siskiyou National Monument Record of Decision and Resource Management Plan*. Medford, OR.

R/W to be assigned to Singer Properties over BLM:

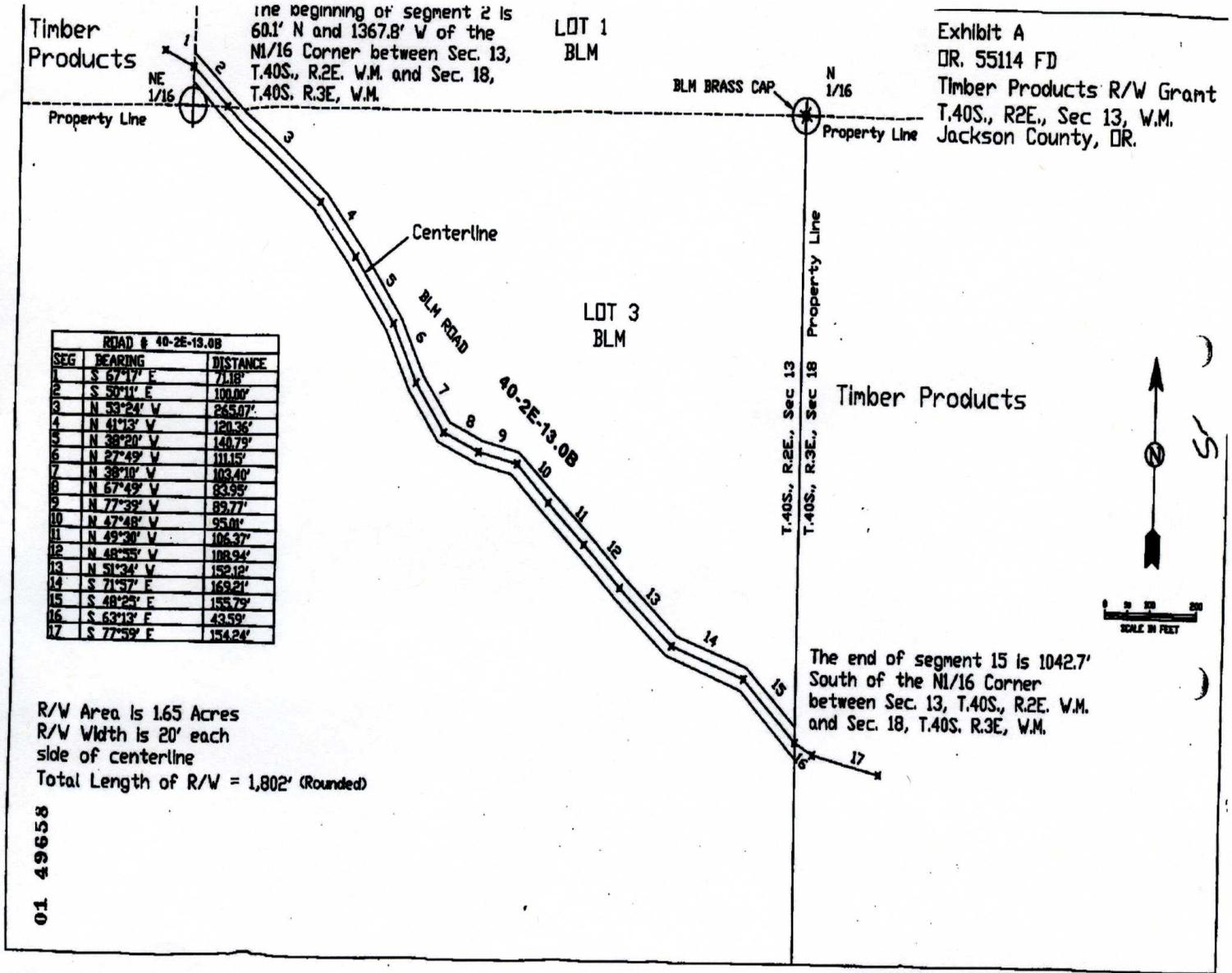


Exhibit A
 OR. 55114 FD
 Timber Products R/W Grant
 T.40S., R.2E., Sec 13, W.M.
 Jackson County, OR.

The end of segment 15 is 1042.7'
 South of the NE 1/16 Corner
 between Sec. 13, T.40S., R.2E. W.M.
 and Sec. 18, T.40S. R.3E., W.M.

D:\ATROV\TPGRANTPLAT plot at 1:200

BLM's R/W over private property (40-2E-13):

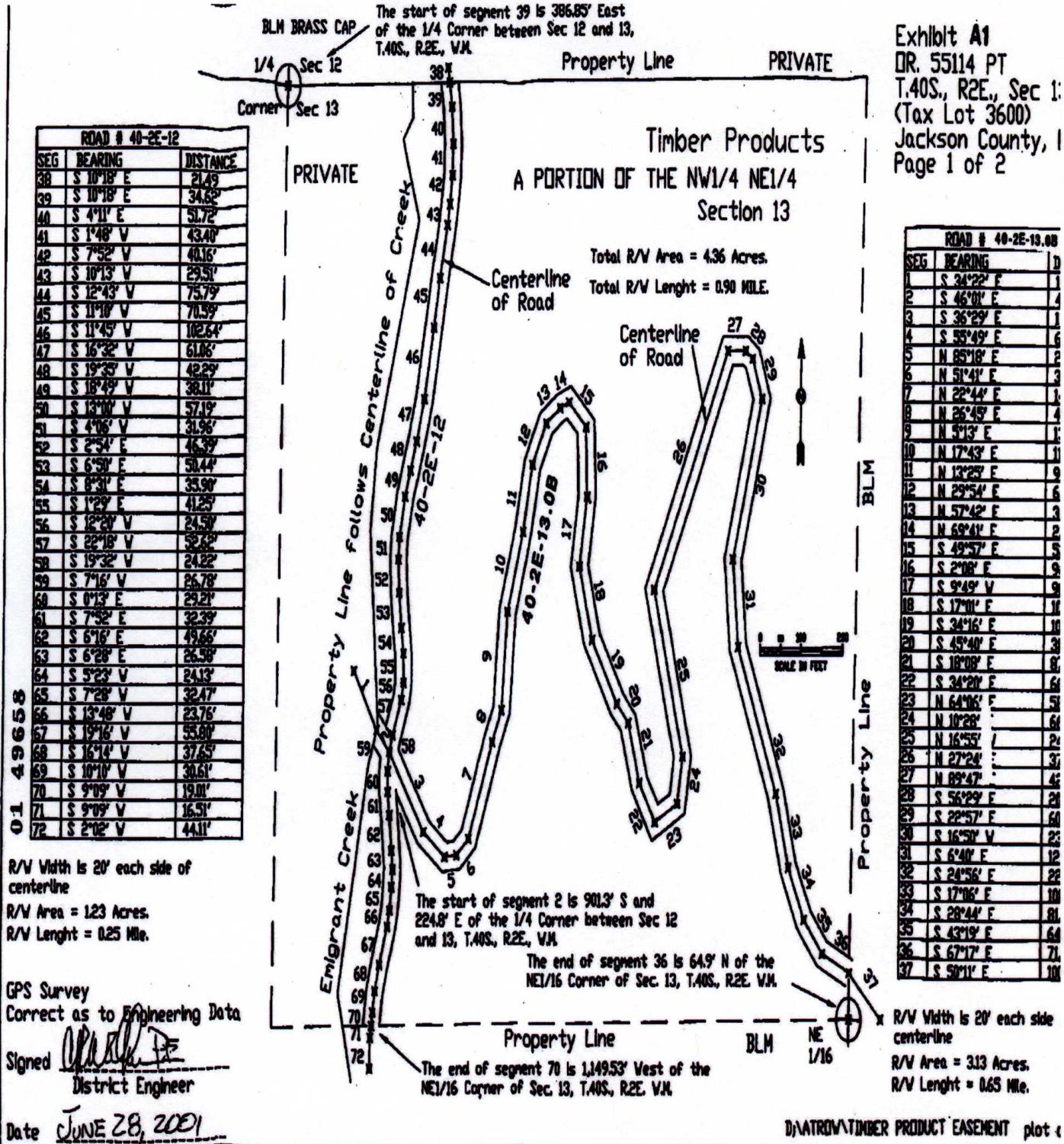


Exhibit A1
 DR. 55114 PT
 T.40S., R.2E., Sec 1:
 (Tax Lot 3600)
 Jackson County, I
 Page 1 of 2

R/W Width is 20' each side of centerline
 R/W Area = 123 Acres.
 R/W Length = 0.25 Mile.

GPS Survey
 Correct as to Engineering Data

Signed *[Signature]*
 District Engineer

Date JUNE 28, 2001

R/W Width is 20' each side centerline
 R/W Area = 3.13 Acres.
 R/W Length = 0.65 Mile.

D:\ATROW\TIMBER PRODUCT EASEMENT plot 1

BLM's R/W over private property (40-3E-18):

40-2E-13.0B

SEG	BEARING	DISTANCE
1	S 71°57' E	169.21'
2	S 48°25' E	155.79'
3	S 63°12' E	43.59'
4	S 77°59' E	154.24'
5	S 63°10' E	62.29'
6	S 50°32' E	87.74'
7	S 27°55' E	70.41'
8	S 59°23' E	179.40'
9	S 40°41' E	179.40'
10	S 27°55' E	59.04'
11	S 15°46' E	101.23'
12	S 21°28' E	130.62'
13	S 30°45' E	108.93'
14	S 59°41' E	251.31'
15	S 77°22' E	215.80'
16	S 82°36' E	118.23'
17	S 46°51' E	329.97'
18	S 25°59' E	267.66'
19	S 94°10' E	243.53'
20	S 63°14' E	241.53'
21	S 83°57' E	123.65'
22	N 85°36' E	131.81'
23	N 71°19' E	201.62'
24	N 52°11' E	72.85'

R/W Width is 20' each side of centerline
 R/W Area = 3.09 Acres.
 R/W Length = 0.64 Mile.
40-3E-18.2

SEG	BEARING	DISTANCE
25	S 48°54' V	37.21'
26	S 15°38' V	109.94'
27	S 68°52' V	83.51'
28	N 67°18' V	162.19'
29	N 44°31' V	88.21'
30	N 59°26' V	215.56'
31	S 75°38' V	54.39'
32	S 10°10' E	165.84'
33	S 7°11' V	116.29'
34	S 5°51' E	71.73'
35	S 11°52' V	57.65'
36	S 19°11' V	67.83'
37	S 22°16' V	99.33'
38	S 12°51' V	78.12'
39	S 29°17' V	52.87'
40	S 37°18' V	23.32'
41	S 9°54' V	78.82'
42	S 2°16' V	22.23'
43	S 17°56' E	15.89'
44	S 53°23' E	12.11'
45	S 52°22' E	65.99'
46	S 23°30' E	61.27'
47	S 30°13' E	50.68'
48	S 15°57' E	46.91'
49	S 25°39' V	49.63'
50	S 32°47' V	57.81'
51	S 17°16' V	35.53'
52	S 20°30' V	114.21'
53	S 17°35' V	49.04'
54	S 88°23' V	30.17'

R/W Width is 20' each side of centerline
 R/W Area = 1.92 Acres.
 R/W Length = 0.38 Mile.

Existing Road 40-3E-18.1

SEG	BEARING	DISTANCE
25	N 55°16' E	38.28'
26	N 75°22' E	135.73'
27	S 89°37' E	71.17'
28	S 81°39' E	75.29'
29	S 69°11' E	48.69'
30	S 54°18' E	48.49'
31	S 59°12' E	60.11'
32	N 82°40' E	36.46'
33	N 67°31' E	33.27'
34	N 11°11' E	61.06'
35	N 19°51' E	42.81'
36	N 7°32' V	38.19'
37	N 9°49' V	61.07'
38	N 17°57' V	33.54'
39	N 31°34' V	84.84'
40	N 21°32' V	155.94'
41	N 26°19' V	138.82'
42	N 33°35' V	94.13'
43	N 32°14' V	111.67'
44	N 36°54' V	139.64'
45	N 47°34' V	54.19'
46	N 54°49' V	31.27'
47	N 28°22' V	84.67'
48	N 23°47' V	57.14'
49	N 7°40' V	27.48'
50	N 5°35' V	28.21'
51	N 4°17' V	23.10'

R/W Width is 20' each side of centerline
 R/W Area = 1.06 Acres.
 R/W Length = 0.22 Mile.

Jackson County, Oregon
 Recorded
OCT 18 2001
 10:47 AM
 COUNTY CLERK

The end of segment 67 is 366.9' North and 8.2' East of the S1/16 Corner between Sec. 13, T.40S, R.2E, V.M. and Sec. 18, T.40S, R.3E, V.M.

The end of segment 70 is 245.5' North and 0.1' East of the S1/16 Corner between Sec. 13, T.40S, R.2E, V.M. and Sec. 18, T.40S, R.3E, V.M.

The end of segment 80 is 234.6' South and 0.1' West of the S1/16 Corner between Sec. 13, T.40S, R.2E, V.M. and Sec. 18, T.40S, R.3E, V.M.

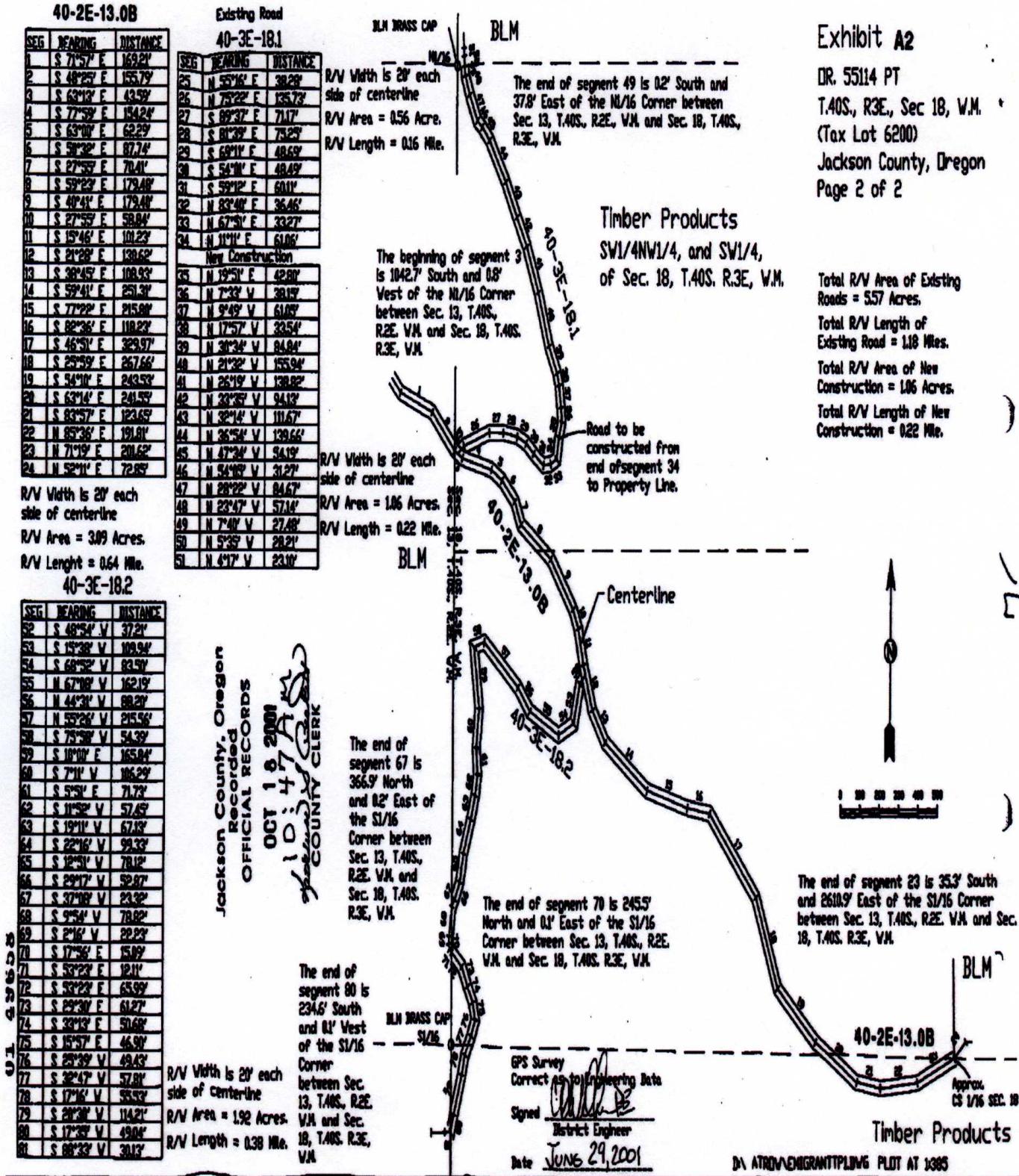
GPS Survey
 Correct as to Engineering Data
 Signed *[Signature]*
 District Engineer
 Date **JUNE 29, 2001**

Exhibit A2

DR. 55114 PT
 T.40S, R.3E., Sec 18, W.M.
 (Tax Lot 6200)
 Jackson County, Oregon
 Page 2 of 2

Total R/W Area of Existing Roads = 5.57 Acres.
 Total R/W Length of Existing Road = 1.18 Miles.
 Total R/W Area of New Construction = 1.06 Acres.
 Total R/W Length of New Construction = 0.22 Mile.

Timber Products
 SW1/4NW1/4, and SW1/4,
 of Sec. 18, T.40S, R.3E, W.M.



Timber Products
 DA ATROVEMIGRANTPLING PLOT AT 1385



Gate on right-of-way



Subject right-of-way



Subject right-of-way



Subject right-of-way