

Categorical Exclusion Documentation

A. Background

BLM Office: Prineville Field Office

NEPA Log #: DOI - BLM - OR – P060 - 2010 - 0022 -CX

Project/Lease/Serial/Case File #: OR 64066

Proposed Action Title: Olmstead Road and Utility ROW

Location:

Willamette Meridian
T. 14 S., R. 11 E., Section 2 NW ¼, Section 3 SE ¼

Approximately 10 miles west of Redmond, located adjacent to and north of State Highway 126.

Description of the Proposed Action: The proposed action is to grant a right-of-way (ROW) for road and utility access to Robert and Judith Olmstead's residence (Tax Lot 1511000000700, see Parcel 42, Figure 1) at 18700 W Highway 126.

The ROW for the road would be 0.5 miles (2,650 feet) in length, all of which would be existing road starting at State Hwy. 126 (M.P. 100.37). Approximately 1,600 feet of this access road would occur on intervening private property (Tax Lot 1511000000900, see Parcel 41, Figure 1). The grantee has obtained a permanent deeded easement through the intervening private parcel 41.

The ROW width is 30 feet, with a maximum allowable road width of 20 feet on BLM administered lands. Road surface material approved is cinders and/or gravel. The utilities would either be buried within the ROW or use aerial lines on single wood poles. If above ground utilities are provided, the most current data on installing raptor protection on powerlines will be followed.

No additional construction width or pullouts will be granted. All construction will be done within the 30 foot ROW. If utilities are buried, all materials excavated will be used to backfill the utility trench.

The road ROW is not approved for general public motor vehicle use. The BLM may require a gate to limit use of this road. The design and location will be determined in consultation with property owners of both affected tax lots. Associated fencing will be done by BLM.

B. Land Use Plan Conformance

Land Use Plan Name: Upper Deschutes Resource Management Plan

Date approved (ROD): September, 2005

The proposed action is in conformance with the above plan, even though it is not specifically provided for, because it is clearly consistent with the following land use plan decisions, objectives, terms, or conditions:

Transportation and Utilities, Objective TU-1;3. Applicants are encouraged to locate new facilities adjacent to existing facilities to the extent technically and economically feasible and meet resource objectives (UDRMP, Page 136).

Transportation and Utilities, Objective TU-2; 2. Use existing travel routes where possible to provide access and meet road density objectives; however, new alignments may be considered if they provide better resource management, reduce social conflicts, provide better recreation opportunities or if existing routes are determined to be feasible (UDRMP, Page 137).

Transportation and Utilities, Objective TU-2; 7. Public access along transportation and utility corridors will be managed to meet recreational and travel management objectives (UDRMP, Page 137).

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 Realty (17).

Grant of a short rights-of-way for utility service or terminal access roads to an individual residence, outbuilding, or water well. 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 apply. See attached CX checklist.

I considered the impact that this ROW would have in this area. Other routes were considered, but this route is an existing route that serves multiple parcels and provides the shortest distance of existing road through BLM administered lands. The Oregon Department of Transportation has reviewed and approved the ROW connection to State Highway 126. Other ROW routes considered would have required new construction on steep grades (12 – 13%). The proposed road and utility ROW was field reviewed for visual resource impacts and was found consistent with the UDRMP

D. Signature

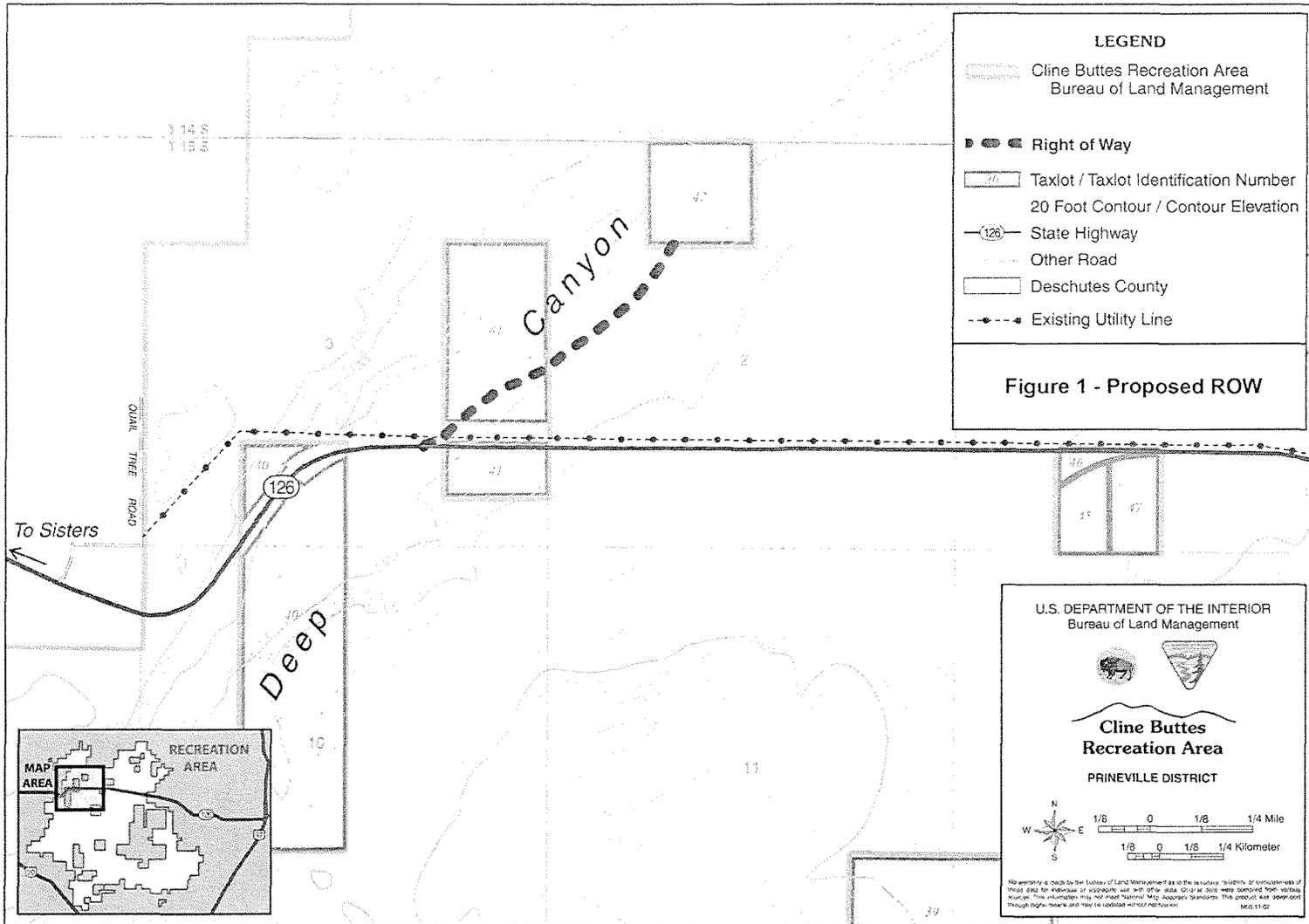
Authorizing official:

Molly M. Brown, Field Manager, Deschutes Resource Area

1/19/10
Date

Contact Person

For additional information concerning this review, contact: Greg Currie, Planner, Prineville Field Office, 3050 NE 3rd Street, Prineville, OR 97754, telephone (541) 416 – 6711, greg_currie@blm.gov



CX EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION		YES	NO
The proposed categorical exclusion action will:			
2.1	Have significant impacts on public health or safety.		X
Rationale: The ROW route provides access for two parcels of approximately 40 acres and 80 acres north of State Highway 126. The applicant has received review and approval from Oregon Department of Transportation for legal access to State Highway 126 at M.P. 100.37.			
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 provides a ROW grant on an existing road that connects to the State Highway at a constructed gap in the highway guard rail. The project uses an existing road in its entirety, and is located adjacent to the State Highway and an existing powerline. The area does not possess wilderness characteristics, having a highway, electrical powerlines, and several other nearby roads.			
2.3	Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		X
Rationale: The project provides for legal access using an existing road and placement of a single utility line along the road within the ROW. Environmental effects from use of the existing road or placement of the utility line in an area adjacent to the State Highway and existing powerlines is not highly controversial or involve unresolved conflicts concerning alternative uses of available resources.			
2.4	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
Rationale: The project would have no uncertain or potentially significant environmental effects since it is the use of an existing road. The placement of gravel and utility line along the ROW road was reviewed in the field using BLM's contrast rating process and found to meet applicable planning direction.			

2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
Rationale: Issuance of a ROW using an existing road that provides access to both private parcels in the area does not establish a precedence for future action or represent a decision in principle about future actions with potentially significant effects. The project is limited in scope to the use and maintenance of an existing road.		
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
Rationale: The project occurs in an area that has undergone planning for roads and trails, with a net reduction in route density and decrease in motor vehicle use in the Deep Canyon Area.		
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: The project is located on an existing road, with no additional road construction needed to achieve access to applicant's property. Cultural resource inventories have been completed for the 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: The project uses an existing road for access to two private parcels. This route is the shortest route of all options considered.		
2.9 Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
Rationale: The project would not violate laws or requirements for protection of the environment. The project conforms to the direction in the UDRMP ROD (2005) which complies with all applicable laws such as the Clean Water Act, ESA, and others.		
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
Rationale: Project would not affect low income or minority populations, it provides a short access road to private property in an otherwise undeveloped area.		

<p>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).</p>	<p>X</p>
<p>Rationale: No change in public access is included. The ROW road begins with a very short (less than 30 feet) section of road on public land, then immediately enters the 80 acre Tax Lot 1511000000900, before continuing back onto BLM administered lands before reaching the subject parcel. As such, the existing road does not provide legal access to public lands, due to the short piece of road prior to entering private property.</p>	
<p>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).</p>	<p>X</p>
<p>Rationale: The project does not require additional road construction, therefore it is unlikely to change the existing setting with regards to noxious weeds or non-native invasive species.</p>	