

Categorical Exclusion Documentation

A. Background

BLM Office: Prineville Field Office

NEPA Log #: DOI - BLM - OR - P040 - 2010 - 0038 - CX

Serial Number: OR 66096

Proposed Action Title: EC&R Development, LLC

Location: The proposal is approximately 9 miles northwest of Clarno, Oregon in the North Pole Ridge area.

Description of the Proposed Action: The proposal is to install 9 meteorological (Met) towers and to secure future development rights for 9,880 acres. The Met towers will be supported with wire rope guy wires in four directions. The towers are delivered in either 5-10 foot sections and can be installed in 1 day with a 2-4 person crew. There will be no permanent anchors or concrete. To erect the towers they will utilize a simple gin winch attached to a pickup truck. The proposal also includes cattle fencing around anchor points.

B. Land Use Plan Conformance

Land Use Plan Name: The Two Rivers Management Plan

Date approved (ROD): June 1986

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: On page 32, under Utility and Transportation Corridors, second paragraph states, "...Public lands will continue to be available for local rights-of-way, including multiple use and single use utility/transportation corridors following existing routes, communication sites, and roads..."

On December 15, 2005 a ROD was signed to implement a Wind Energy Development Program and Associated Land Use Plan Amendments. The Two Rivers Management Plan was named as one of the 52 land use plans to be amended in this ROD.

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, (19) Issuance of short-term (3 years or less) rights-of-way or land use authorizations for such uses as storage sites, apiary sites, and construction sites where the proposal includes rehabilitation to resort the land to its natural or original condition. The effective date was June 21, 2005.

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 Extraordinary Circumstances Documentation checklist..

D. Signature

I considered the proposal and have determined that based on project design of the installation of 9 Met towers and future development areas for wind energy there is no potential for significant impacts.

Authorizing official: H.F. "Chip" Faver 10/19/2010
 Homer "Chip" Faver, Field Manager, Central Oregon RA Date

Contact Person

For additional information concerning this review, contact: Janet Hutchison, Realty Specialist, Prineville Field Office, 3050 NE 3rd Street, Prineville, OR 97754, telephone (541) 416-6710 or email her at jlhutchi@blm.gov.

CX EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION			
The proposed categorical exclusion action will:		YES	NO
2.1	Have significant impacts on public health or safety.		X
Rationale: All proposed activities follow established Occupational Safety and Health Administration rules concerning health and safety.			
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 area requested is not within a park, recreation or refuge lands; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands. The BLM has recently updated their wilderness inventory of the lands within the project area. The public lands within the project area were found to lack wilderness character because the narrow configuration of the lands does not provide outstanding opportunities for solitude or primitive unconfined recreation (See Wilderness Inventory file OR-054-020).			
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 proposed action is in conformance with the Two Rivers Record of Decision (ROD) approved June 1986. 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. On page 32, under Utility and Transportation Corridors, second paragraph states, "All right of way applications will be			

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<p>reviewed using the criteria of following existing corridors wherever practical and avoiding proliferation of separate rights of way.” The ROD establishes the land use allocation and goals for the affected lands; as such, there is no unresolved conflict regarding other uses of these resources.</p>		
2.4	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	X
<p>Rationale: Past proposed right-of-way grants have shown no highly uncertain, potentially significant, unique or unknown risks.</p>		
2.5	Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	X
<p>Rationale: Right-of-way grants have been authorized for many years throughout BLM with various authorities. There is no evidence that this action has potentially significant environmental effects. This management activity does not commit the BLM to pursuing further actions, and as such would not establish a precedent or decision for future actions with potentially significant environmental effects.</p>		
2.6	Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	X
<p>Rationale: The proposed action is specifically provided for in land use plan decisions. Similar past activities had no significant direct, indirect or cumulative effect.</p>		
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
<p>Rationale: Cultural clearances have been completed with no significant impact.</p>		
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
<p>Rationale: The scope of the project would not change the overall habitat function of the stand or result in the loss of critical habitat.</p>		
2.9	Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	X
<p>Rationale: The proposed action conforms to the direction given for the management of public lands in the Prineville District ROD/RMP, which complies with all applicable laws, such as the Clean Water Act, Endangered Species Act and others.</p>		
2.10	Have a disproportionately high and adverse effect on low income or	X

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minority populations (Executive Order 12898).		
Rationale: The proposed right of way would not affect 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: A cultural clearance was completed for this proposal and no sacred sites were identified.		
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: If granted a term and condition of the ROW grant is that the holder is to control the spread of noxious weeds within the boundaries of the ROW grant for a period of three years.		

MET Towers Proposed Locations Area Overview

- MET Tower Proposed Locations
 - ▨ John Day River WSR Corridor
 - ▭ Project Extent (Based on Township/Range)
- Roads**
- Major Highways
 - Arterial Road
 - Collector Road
 - Local or Resource Road
- Administered Lands**
- Bureau of Land Management
 - U.S. Forest Service
 - National Park Service
 - State
 - Private/Unknown



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