

Categorical Exclusion Documentation

A. Background

BLM Office: Prineville Field Office

NEPA Log #: DOI - BLM - OR – P060- 2012 - 0015 -CX

Project/Lease/Serial/Case File #: OR-45975

Proposed Action Title: Assignment of Right-of-Way Pagel to Gibbons

Location:

Willamette Meridian

T. 15 S., R 12 E., Section 26, S ½ N ½, N ½ S ½

Section 27, S ½ NE ¼, SE ¼ NW ¼

This is an existing road which extends east from the Cline Falls Highway, five and ½ miles SW of Redmond, Oregon. Approximately 1.8 miles long with a width of 20 feet, encompassing 4.3 acres.

Description of the Proposed Action: The proposed action is for BLM to assign existing Right-of-Way OR-045975 from Cynthia Smith and Albert Pagel III to Dean Gibbons. The existing Terms and Conditions, and management practices of the Grant would remain the unchanged. The public lands surrounding this property are closed to motor vehicles.

B. Land Use Plan Conformance

Land Use Plan Name: Upper Deschutes Record of Decision (ROD) and 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: Page 135, Transportation and Utilities, Objective TU-1, "Provide new or modified right-of-way for transportation/utility corridors and communication/energy sites to meet expected demands and minimize environmental impacts". Guideline 1 states, "BLM administered lands will continue to be available for rights-of-way, including multiple use and single use utility/transportation corridors, following existing routes and roads".

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 6, Appendix 5, E. Realty, (9) "Renewals and assignments of leases, permits or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations". (516 DM 11.9, dated 1/30/2008).

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.

I considered the impact this ROW would have in this area. This road has been in existence for over 20 years. Also, another ROW, OR-62871, is located on this same route and the Upper Deschutes Resource Management Plan directs us to follow existing routes for utility/transportation corridors.

D. Signature

Authorizing official: Molly M. Brown
 Molly M. Brown, Field Manager Deschutes Resource Area

5/30/12
 Date

Contact Person

For additional information concerning this review, contact Julie Freeman, Land Law Examiner, Prineville Field Office, 3050 NE 3rd Street, Prineville, OR 97754, telephone (541) 416-6701 or email jkfreesman@blm.gov.

CX EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION The proposed categorical exclusion action will:	YES	NO
2.1 Have significant impacts on public health or safety.		<input checked="" type="checkbox"/>
Rationale: All proposed activities would 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.		<input checked="" type="checkbox"/>
Rationale: These public lands did not contain wilderness qualities in the past 1978-9 Wilderness Intensive Inventory, or current Wilderness Inventory Update, and this action has caused no significant impact.		
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		<input checked="" type="checkbox"/>
Rationale: This proposed action to assign this existing right-of-way, which has been in use since 2008, would not have highly controversial effects or unresolved conflicts with available resources.		
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		<input checked="" type="checkbox"/>
Rationale: This proposed action is on an existing road and has shown no highly uncertain, potentially significant, unique or unknown risks.		
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		<input checked="" type="checkbox"/>

<p>Rationale: 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: Similar activities have 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: The BLM has conducted surveys for cultural resources in the project area, and determined that the proposed action would not result in significant impacts to cultural resources.</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 main block of the Cline Buttes Area has a general wildlife emphasis but the scope of this project would not have significant impacts.</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: This 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 minority populations (Executive Order 12898).	X
<p>Rationale: This proposal would not affect low income or minority populations.</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).	X
<p>Rationale: Cultural clearance was completed previously in 2005 and no sacred sites were identified.</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).	X
<p>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.</p>		

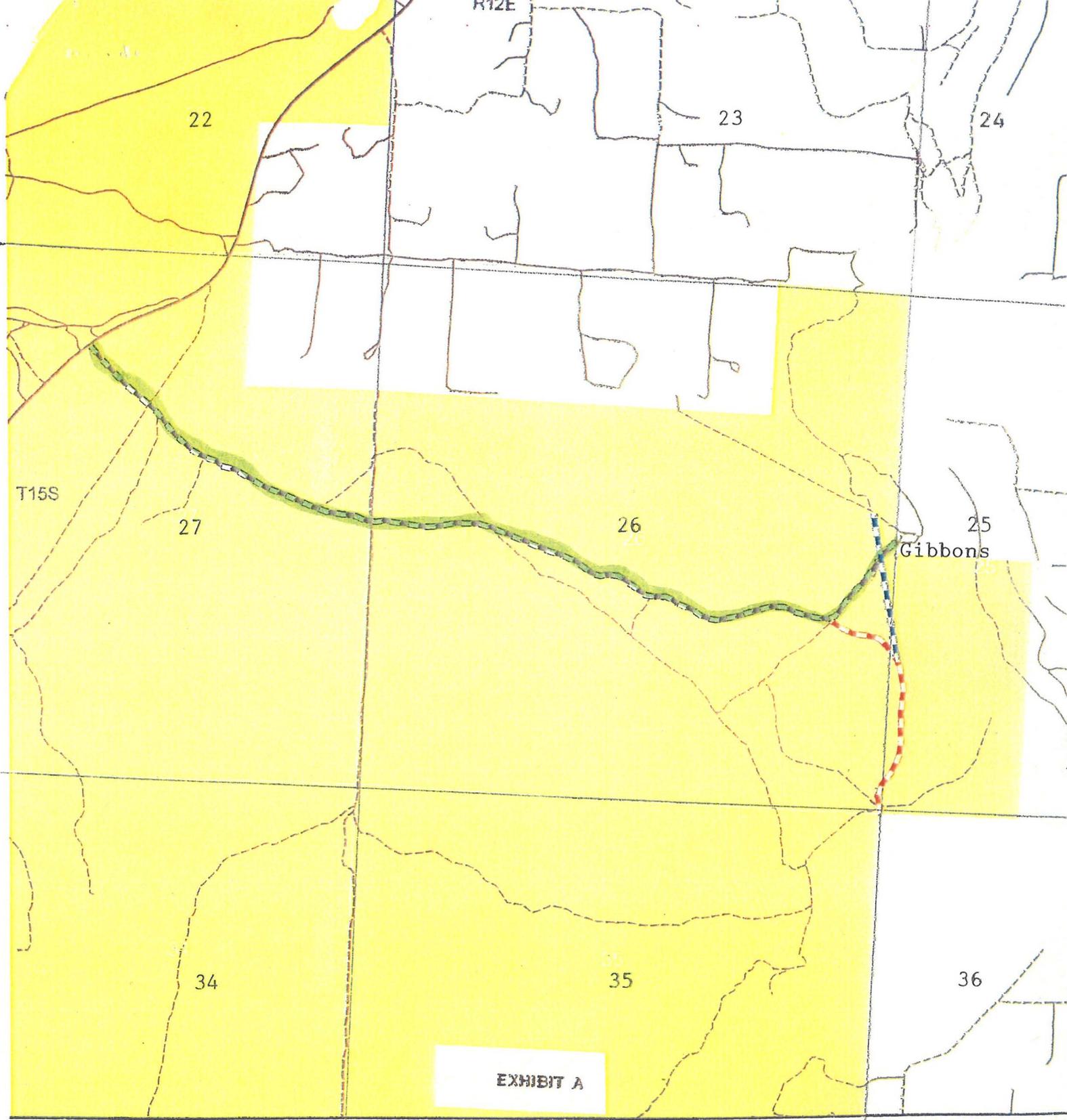


EXHIBIT A

GIBBONS
**Access Road
 Power and Utilities**
 OR-62871
 1:15,840



0 0.1 0.2 0.4
 Miles

Legend

-  Existing Road Right of Way
-  Proposed New Construction Road
-  Proposed Aerial Powerline New Construction
-  Bureau of Land Management
- Private/Unknown

T15S R12E S25, S26, S27

Current Date 09/29/2008 09:22:38 AM




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