

Categorical Exclusion Documentation

A. Background

BLM Office: Prineville Field Office, Bureau of Land Management

NEPA Log #: DOI - BLM - OR – P040 - 2013 - 0022 - CX

Serial/Case File #: OR-19046

Proposed Action Title: Withdrawal Revocation – Power Site Reserve 24 (PSR 24)

Location: Approximately 3 river miles upstream from the Hwy 218 bridge at Clarno, along both sides of the John Day Wild and Scenic River, in Wasco and Wheeler County, Oregon

Description of the Proposed Action: The proposed action is to revoke the withdrawal identified as PSR 24, as it affects the (NE $\frac{1}{4}$ SW $\frac{1}{4}$) Lots 8 and 9 of Section 3, T. 8 S., R. 19 E., Willamette Meridian. The lands are no longer needed for the purpose for which they were withdrawn.

This parcel has been identified for conveyance by land exchange to the Confederated Tribes of the Warm Springs Reservation of Oregon (CTWSRO), as directed by the Omnibus Public Land Management Act of 2009. The revocation will facilitate this legislated land exchange.

This Federal parcel in T. 8 S., R. 19 E., Section 3, (NE $\frac{1}{4}$ SW $\frac{1}{4}$) Lots 8 and 9; is affected by a withdrawal for PSR 24 created by Executive Order (EO), dated 7/12/1910. Such withdrawals are currently made inoperative and ineffectual by Section 7 of the Wild and Scenic Rivers Act, (WSRA) (16 USC 1278), which directs the Federal Energy Regulatory Commission (FERC) to not license projects in areas designated by the WSRA, and has the effect of making the withdrawal inoperative. In addition to this revocation action, BLM is planning to consult with FERC about the revocation of all such withdrawals as it affects the John Day Wild and Scenic River.

The subject lands are situated within the Pine Creek Conservation Area (PCCA) which is owned and managed by the CTWSRO and will become part of the Pine Creek Conservation Area upon conveyance. Approximately twenty years ago, the United States of America, acting through the Bonneville Power Administration (BPA), provided acquisition funding to the CTWSRO for the Pine Creek Conservation Area. The BPA continues to provide annual operations funding for the PCCA management as a fish, wildlife, and watershed mitigation site, satisfying in part the BPA's legal responsibilities to mitigate for construction and inundation caused losses of fish and wildlife habitat associated with the construction of the John Day Dam on the Columbia River. The PCCA is, and will continue to be, managed for watershed enhancement and the benefit of fish and wildlife habitat.

The Categorical Exclusion (CX) assumes that resource values and management of the resources would not change and therefore there would not be adverse effects to the resources present as a result of the proposed action, which is deemed administrative in nature.

B. Land Use Plan Conformance

Land Use Plan (LUP) Name: The Two Rivers Resource Management Plan (RMP), approved June 1986

The LUP recognizes the lands along the John Day River that have been withdrawn by the FERC for potential hydroelectric projects and by the U.S. Geologic Survey (USGS) for power site purposes. There are no related developments or current proposals. The USGS withdrawals are now administered by the BLM. The LUP recognizes that revocation, termination or modification will be determined by the withdrawal review process.

The Two Rivers RMP was amended by the John Day River Management Plan, Two Rivers, John Day and Baker RMP Amendments, dated February 2001. The Proposed John Day Basin RMP allows for the conveyance of the subject Federal lands. The review of the withdrawal is in conformance with the above land use plans.

Along with designating the Spring Basin Wilderness Study Area as wilderness, the Omnibus Public Land Management Act of 2009 directed the BLM to complete land exchanges with willing landowners within or adjacent to the designated wilderness.

C. Compliance with the National Environmental Policy Act (NEPA)

The proposed action qualifies as a Categorical Exclusion in accordance with Department of Interior Manual 516 DM 11.9 Actions Eligible for a Categorical Exclusion (CX), Effective Date August 14, 2007, E. Realty, (3) Withdrawal revocations, terminations, extensions, or modifications; classification terminations or modifications; or opening actions where the land would be opened only to discretionary land laws and where subsequent discretionary actions (prior to implementation) are in conformance with and are covered by a Resource Management Plan/EIS (or plan amendment and Environmental Assessment or Environmental Impact Statement).

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 proposed action that would revoke the withdrawal of PSR 24 as it affects the NE $\frac{1}{4}$ SW $\frac{1}{4}$ (Lots 8 and 9) of Section 3, T. 8 S., R. 19 E., Willamette Meridian. The lands are no longer needed for the purpose for which they were withdrawn.

This parcel has been designated for conveyance by land exchange to the CTWSRO, as directed by the Omnibus Public Land Management Act of 2009. The revocation is an administrative action that will facilitate this legislated land exchange.

Authorizing official: H. F. Chip Faver
 Homer "Chip" Faver
 Field Manger, Central Oregon Resource Area

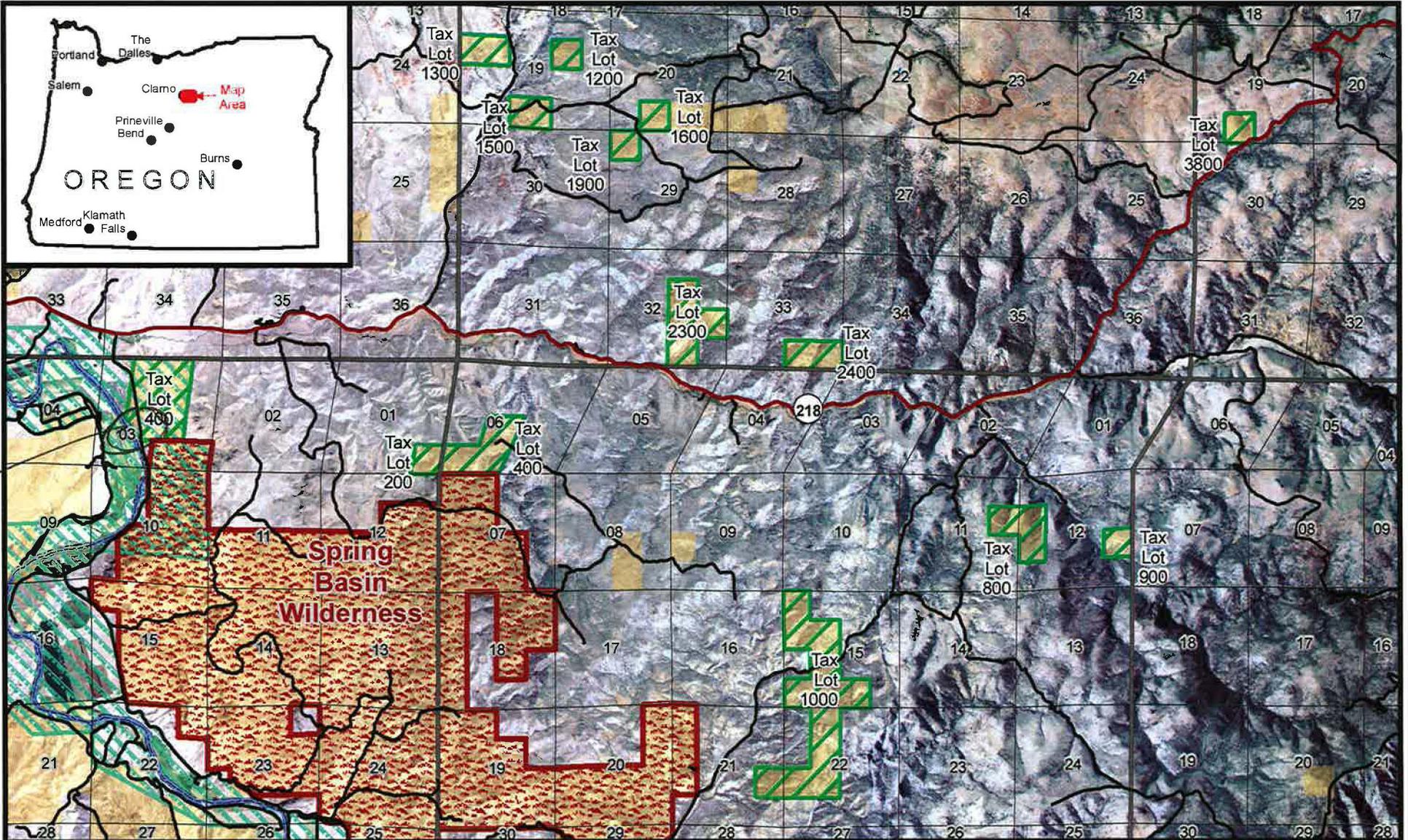
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 Date

Contact Person

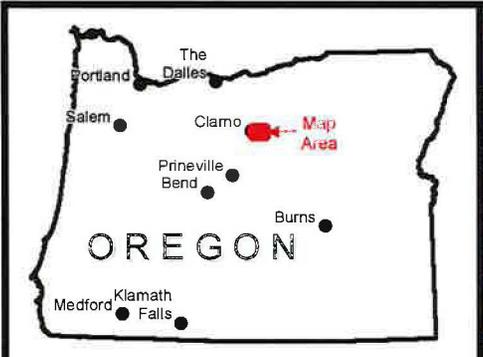
For additional information concerning this review, contact: Philip Paterno, contract realty specialist, Prineville Field Office, 3050 NE 3rd Street, Prineville, OR 97754, telephone (541) 416.6734, ppaterno@blm.gov.

CX EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION			
The proposed categorical exclusion action will:		YES	NO
2.1	Have significant impacts on public health or safety.		XX
Rationale: The revocation is an administrative action			
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.		XX
Rationale: The revocation is an administrative action that will revoke a withdrawal for power site development. Power Site Reserve 24 is situated in a Federally designated Wild and Scenic River corridor. This and all such withdrawals are made inoperative and ineffectual by Section 7 of the Wild and Scenic Rivers Act (WSRA), (16 USC 1278), which directs the FERC to not license projects in areas designated by the WSRA, and has the effect of making the withdrawal inoperative. In addition to this revocation action, BLM is planning to consult with FERC about the revocation of all such withdrawals as it affects the John Day Wild and Scenic River. The wilderness character inventory for the public land contained within the project area has recently been updated by the BLM. The evaluation found that this public land does not possess wilderness characteristics because the parcel lacks sufficient size and does not meet any of the exceptions of the size criteria.			
2.3	Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		XX
Rationale: Resource values and management of the resources would not change and therefore there would not be adverse effects to the resources present as result of the proposed action, which is deemed administrative in nature.			
2.4	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		XX
Rationale: Revocation of a withdrawal for power site reserve in a Wild and Scenic River corridor does not affect the environment of involve unique or unknown environmental risks.			
2.5	Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		XX

Rationale: Revocation of a withdrawal for power site reserve in a Wild and Scenic River corridor. BLM is planning to consult with FERC about the revocation of all such withdrawals as it affects the John Day Wild and Scenic River.		
2.6	Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	XX
Rationale: The cumulative effects of the revocation of power site reserves in a Federally designated Wild and Scenic River does not present significant environmental effects.		
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.	XX
Rationale: There are no properties listed or eligible for listing on the National Register of Historic Places as determined by either the bureau or office.		
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.	XX
Rationale: Revoking the withdrawal would insure that the river will remain free flowing		
2.9	Violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment.	XX
Rationale: Revoking the withdrawal would not violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment.		
2.10	Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	XX
Rationale: Revoking the withdrawal would not have a disproportionately high and adverse effect on 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).	XX
Rationale: N/A		
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).	XX
Rationale: N/A		



PSR 24



U.S. DEPARTMENT OF THE INTERIOR
Bureau of Land Management




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Legend

-  Roads
-  BLM to CTWSR
-  WSR Corridor
-  Spring Basin Wilderness

Administered Lands

-  BLM
-  Private

0 0.25 0.5 1 Miles



CTWSR Land Exchange
Federal Lands
OR-65926-FD
January 2011

1 of 2

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