

# Categorical Exclusion Documentation

## A. Background

**BLM Office:** Prineville Field Office

**NEPA Log #:** DOI - BLM - OR – P060 – 2014- 0049 - CX

**Project/Lease/Serial/Case File #:** ORE 12719

**Proposed Action Title:** Central Electric Cooperative, Inc. (CEC). Communications Lease Renewal on Hampton Butte.

**Location:** Hampton Butte, which is approximately 16 air miles southeast of Brothers, Oregon. This radio communication site area is located at:

Willamette Meridian, Oregon  
T. 21 S., R. 20 E., Sec. 02, S2SE, NWSE;

The specific area covered by the proposed action is 120 feet long by 120 feet wide, or approximately 0.33 acres, in size and lies within the above described portion of T. 21 S., R. 20 E. section 02.

**Description of the Proposed Action:** The proposed action (the “Project”) is CEC’s request that the BLM approve the renewal of CEC’s Communication Use Lease ORE 12719 for the provision of private mobile radio service and microwave service from the Project site, and for the provision of electrical power to the site via an existing 14.4 Kv underground power distribution line. If granted, the renewal would be for a term of approximately twenty (20) years expiring on December 31, 2034. The Project would not create any new disturbance to the BLM administered lands involved therein. The Project is not located in either preliminary general habitat or preliminary priority habitat for the Greater Sage-Grouse, as identified in the Oregon Sub-Region Greater Sage-Grouse Draft Resource Management Plan Amendment and Environmental Impact Statement, US Department of the Interior, Bureau of Land Management, dated November 2013.

## B. Land Use Plan Conformance

**Land Use Plan Name:** The Brothers/LaPine Resource Management Plan (RMP).

**Date approved:** July 1989.

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 29 under the heading “Rights of Way and Utility and Transportation Corridors, Management Direction” the plan states that, “Public lands will continue to be available for rights-of-way, including multiple use and single use utility/transportation corridors following existing routes, communications sites 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 Departmental Manual (DM) 516 11.9, 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."

The noted 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 this communication site has been in existence for over 50 years and have found that it has had no significant affect either individually or cumulatively on the human environment.

Authorizing official:  9/4/14  
Molly M. Brown Date  
Field Manager, Deschutes Resource Area

### Contact Person

For additional information concerning this review, contact, Michael Kroll, Realty Specialist, Prineville Field Office, 3050 NE 3rd Street, Prineville, OR 97754, telephone (541) 416-6752, or email [mkroll@blm.gov](mailto:mkroll@blm.gov).

<b>CX EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION</b>	<b>YES</b>	<b>NO</b>
The proposed categorical exclusion action will:		
2.1 Have significant impacts on public health or safety.		X
<p>Rationale: The proposed action and the project that it covers (collectively, the “Project”) would not have significant impacts on public health or safety. The communications site facility under consideration for renewal has been in existence for over 50 years (the facility was built in 1962). No ground disturbing activities are presently planned for the Project area. All future construction, maintenance and operational activities under the proposed project are required to follow the United States’ established Occupational Safety and Health Administration rules concerning health and safety.</p>		
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
<p>Rationale: The Project would occur within the long established communications sites area on the summit of Hampton Butte, Oregon. There are no Wilderness Study Areas or lands with wilderness character within the proposed Project area. The Project would not be located in park or refuge lands; therefor the proposed action will not have a significant effect on any such lands. Regarding recreation activities, while the general public may conduct various recreational activities such as hiking and bike riding on BLM administered lands on Hampton Butte, the public is not permitted to tamper with, damage, or otherwise interfere with the communications sites on Hampton Butte, which are private property. The Project would not conflict with current recreation use of the site. The Project would not be located within an area designated as Federal Wild and Scenic River and therefor would not affect any such natural resources and unique geographic characteristics. The Project would not be located on or in the vicinity of any national natural landmarks, national monuments, sole or principal drinking water aquifers, or prime farmlands, wetlands (Executive Order 11990), or floodplains (Executive Order 11988), therefore the Project would have no significant effect on any such ecologically significant or critical areas. There are no known historic or cultural resources have been discovered within the proposed Project area during the 50 plus years that the proposed site location has been used. Accordingly, the BLM believes the Project would not have any significant effect on historic or cultural resources.</p>		
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]		X
<p>Rationale: The Project would occur within the well-established communications sites area on Hampton Butte, and is for the renewal of an existing communications site facility that has been operating for over 50 years. Because of the long standing, developed nature of the communications sites area on Hampton Butte, the Project would not have highly controversial effects or unresolved conflicts with available resources.</p>		
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X

<p>Rationale: The proposal is for the routine renewal of a communications use lease for an existing facility in an already disturbed area; no new disturbance is presently planned for the Project area. Similar proposals have been reviewed by Prineville District resource specialists in the past (e.g., Oregon Department of Transportation's recently renewed communications lease project on Grizzly Mountain, Oregon) and it is believed by the BLM that the proposal would have no highly uncertain and potentially environmental effects or involve unique or unknown environmental 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: BLM's approval of the Project would not commit the BLM to pursuing further such 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: There are no other actions occurring in the proposed Project area that would have cumulatively significant environmental effects.</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 conducted a recent BLM Lands and Realty specialist's inspection of the Project area. The Project area was in clean and orderly condition and showed no appearance of any new construction or other disturbances on the facility site since its original construction in 1962. The BLM believes the proposed action would not result in significant impacts to cultural resources, nor would it adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places, nor would it cause loss or destruction of significant scientific, cultural, or historical 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 Project would not change the overall habitat function of the Hampton Butte communications site area, or result in the loss of critical habitat, or otherwise 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. The Project area is not within preliminary general habitat or preliminary priority habitat, as presently identified, for the Greater Sage Grouse.</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: Any issuance of the proposed communications use lease renewal for this Project would be in accordance with the provisions of the Federal Land Policy and Management Act of 1976, as amended. The proposed Project is designed to conform to all Federal, State, local and tribal laws and requirements including those relating to the protection of the environment. Accordingly, the proposed right-of-way lease grant does not violate any Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment. In addition, this Project conforms to the direction given for the management of public lands in the Prineville District's Upper Deschutes Record of Decision and Resource Management Plan, and such management direction 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
Rationale: This Project 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: No sacred sites have been identified in the Project area. Accordingly, the proposed Project would not 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 because the Project would occur in an area that does not include sacred sites or limit access to any known Indian sacred sites or affect the access to any such sites.		
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: Any equipment brought into the area for repair, inspection or other activities relating to the Project lease facility would be washed prior to entering onto BLM land. In addition, lease stipulations enforcing other standard practices for control of weed and non-native invasive species would apply to this Project. For example, such stipulations require that care be taken to avoid present weed populations when parking or traveling through the site, and care to check one's clothing and shoes before entering and leaving site. The BLM believes that these stipulations reasonably ensure that the proposal would not contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or be an action that may promote the introduction, growth, or expansion of the range of such species.		