

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
ROSEBURG DISTRICT

GLASS WATERLINE DECISION RECORD

BLM Office: Roseburg District
South River Field Office
777 NW Garden Valley Blvd
Roseburg, Oregon 97471

CX#: DOI-BLM-OR-R050-2015-0002-CX

Location of Proposed Action: Lot 16, Section 11, T. 29 S., R. 4 W., Willamette Meridian

Decision: Based upon the attached Categorical Exclusion (DOI-BLM-OR-R050-2015-0002-CX), I have determined that the proposed action to issue a waterline grant involves no significant impacts to the human environment and no further environmental analysis is required.

It is my decision to issue a Federal Land Policy and Management Act (FLPMA) rights-of-way grant (OR 68247) for a period of 20 years authorizing the operation, maintenance, and termination of an existing spring development, buried water pipeline, and two storage tanks in Lot 16, Section 11, T. 29 S., R. 4 W., Willamette Meridian and access to the site via BLM roads 29-4-11.0 and 29-4-11.4. The action is consistent with land use plans and regulatory objectives for rights-of-way found in 43 CFR 2801. The applicant has a State of Oregon water right to divert water to adjoining private property for domestic and irrigation use. The diversion, buried waterline, and two storage tanks have been in place for an unknown number of years.

Right of Appeal: The decision to issue waterline grant OR 68247 is a Rights-of-Way decision under 43 CFR 2800 and 2801, and is subject to appeal. The decision is effective immediately upon signing by the authorized officer and shall remain in effect pending an appeal.

Pursuant to 43 CFR § 4.410, this decision may be appealed to the U.S. Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals (Board) by those who have a “legally cognizable interest” to which there is a substantial likelihood that the action authorized in this decision would cause injury, and who have established themselves as a “party to the case.”

Appeals of this decision must be filed within 30 days after the decision is signed by the authorizing officer, Steven Lydick, in the South River Field Office, Roseburg, Oregon. In filing an appeal, there must be strict compliance with the regulations contained in 43 CFR Part 4.4. Only signed hard copies of a notice of appeal that are delivered to the Roseburg District Office, 777 NW Garden Valley Blvd., Roseburg, Oregon by close of business (4:30 PM Pacific Time Zone) on November 17, 2014 will be accepted. Faxed or emailed appeals will not be considered.



Steven Lydick
Field Manager
South River Field Office

10/16/14
Date

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
ROSEBURG DISTRICT

NEPA CATEGORICAL EXCLUSION REVIEW

BLM Office: Roseburg District, South River Field Office
777 NW Garden Valley Blvd
Roseburg, Oregon, 97470
Phone: 541-464-4930

Proposed Action Title: Glass Waterline **Document No.:** DOI-BLM-OR-R050-2015-0002-CX

Location of Proposed Action: Lot 16, Section 11, T. 29 S., R. 4 W., Willamette Meridian. Douglas County, Oregon (see attached map).

A. Background

Description of Proposed Action: This proposed action is to issue a Federal Land Policy and Management Act (FLPMA) right-of-way grant (OR 68247) for the operation, maintenance, and termination of existing spring development, buried water pipeline, and two storage tanks. The applicant has a State of Oregon water right to divert water to adjoining private property for domestic and irrigation use. The diversion, buried water line, and two storage tanks (see attached photos) have been in place for an unknown number of years.

The spring development is gravity fed and includes: 600 feet of buried PVC water line; two plastic storage tanks (1,000 gallons and 1,500 gallons), and a dug out 4 x 4 x 3 foot water collection “reservoir” – where the spring surfaces at the origin of the pipeline. A 4 x 8 foot sheet of plywood covers the “reservoir” and allows easy access. The grant would include access to the water system via BLM roads 29-4-11 and 29-4-11.4. No ground disturbance is proposed at this time. The grant would be for twenty (20) years.

B. Land Use Plan Conformance

This proposed action is subject to and in conformance with the *Roseburg District Record of Decision and Resource Management Plan* approved in 1995. It specifically states, “Continue to make BLM-administered lands available for needed rights-of-way where consistent with local comprehensive plans, Oregon statewide planning goals and rules, and the exclusion and avoidance areas identified in this RMP.” (ROD/RMP, p. 69).

C. Compliance with NEPA

The proposed action has been identified as a categorical exclusion under Bureau of Land Management Categorical Exclusions 516 DM 11.9, (E) (17): Grants of short rights-of-way for utility service or terminal access roads to an individual residence, outbuilding, or water well.

This proposed action is categorically excluded from further analysis or documentation under the National Environmental Policy Act (NEPA) because there are no extraordinary circumstances potentially having effects that may significantly affect the environment as documented in the following table. The proposed action has been reviewed in the following table, and none of the extraordinary circumstances described in 516 DM 2 apply.

D. Categorical Exclusions - Extraordinary Circumstances Documentation

| THE PROPOSED CATEGORICAL EXCLUSION ACTION WILL: | YES | NO |
|--|-----|----|
| 2.1 Have significant impacts on public health or safety. | | X |
| Rationale: The right-of-way is located in a remote rural area, and issuance of a right-of-way grant would not have an impact on public health or 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: None of the aforementioned resources are present on or proximate to the right-of-way. No ground disturbance would be necessary to issue this right-of-way grant for an existing waterline. Consequently, none of these resources would be affected. | | |
| 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 issuance of this right-of-way grant will not have any demonstrable environmental effects. Other similar right-of-way has been in place for more than fifty years and issuance of this new grant does not involve any unresolved conflicts over alternative resource uses and is not considered controversial. | | |
| 2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. | | X |
| Rationale: The effects of issuing similar right-of-way grants have not been demonstrated to have highly uncertain or potentially significant effects, or involve 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. | | X |
| Rationale: No precedence is being established by issuing a right-of-way grant. The issuance of right-of-way grants is a customary and routine procedure, and as noted above, similar right-of-ways have been in place in excess of fifty years. | | |
| 2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. | | X |
| Rationale: The issuance of this right-of-way grant is not tied to any other federal actions, and as such, is not related to other actions with cumulatively 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. | | X |
| Rationale: Issuing a right-of-way grant would not result in any surface disturbance, is not considered likely to pose a risk to any undiscovered cultural or historical resources that might be present, and is exempt from normal inventory requirements, as specified in Appendix E of the Oregon BLM-SHPO 1998 Protocol. | | |
| 2.8 Have significant impacts on species listed, or proposed to be listed, as an Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species. | | X |
| Rationale: Issuing a right-of-way grant for an existing waterline would not result in any surface disturbance or alteration of terrestrial or aquatic habitats and would have no impacts on northern spotted owls, marbled murrelet, Kincaid's lupine, coho salmon, critical habitat for coho salmon, or Essential Fish Habitat for coho and chinook salmon. | | |
| 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 proposed action is in conformance with the direction given for the management of public lands in the Roseburg District ROD/RMP, which complies with all applicable laws, such as the Federal Land Policy Management Act, Endangered Species Act, Historic Preservation Act, Clean Water Act and others. | | |

| | | |
|--|--|---|
| 2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 2898). | | X |
| Rationale: The issuance of this right-of-way grant would not have a disproportionately high or 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). | | X |
| Rationale: No Indian sites of sacred, ceremonial or religious value have been identified in the project area. | | |
| 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: A stipulation will be placed in the right-of-way grant requiring the Holder to be responsible for weed control within the limits of the designated right-of-way area. | | |

E. Signature:

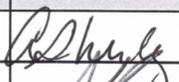
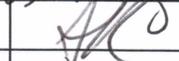

 Steven D. Lydick
 Field Manager
 South River Field Office

10/16/14
 Date

F. Contact Person & Reviewers:

For additional information concerning this Categorical Review, contact:

Anne Shirley, Realty Specialist (541) 464-3352
 Roseburg District Office, Bureau of Land Management
 777 NW Garden Valley Blvd.
 Roseburg, OR 97470

| Reviewers | Resource | Initials | Date |
|------------------|----------------------------------|--|----------|
| Anne Shirley | Realty Specialist/Project Leader |  | 10/8/14 |
| Aaron Roe | Botanist |  | 10/08/14 |
| Molly Casperson | Archaeologist | mcc | 10/8/14 |
| Sidney Post | Hydrologist | S.P. | 10/8/14 |
| Steve Clark | Fisheries Biologist |  | 10/8/14 |
| Summer Cross | Wildlife Biologist | SC | 10/9/14 |
| Michelle Roberts | Planner | mr | 10/10/14 |



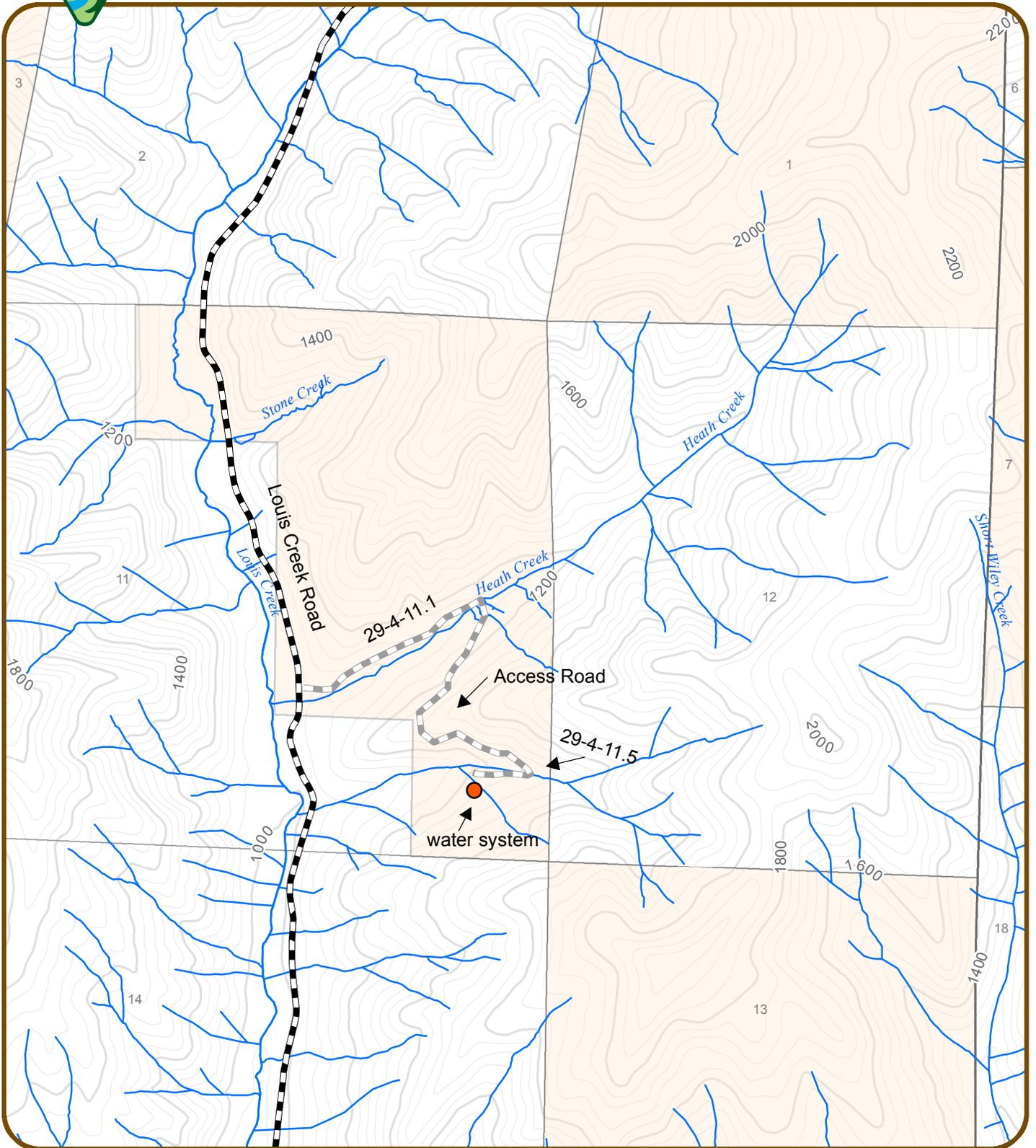
Glass Waterline

R04W

R03W

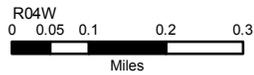
T29S

T29S

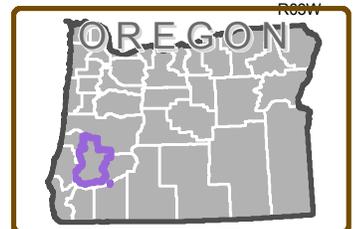


Legend

-  Road
-  Stream
-  BLM Lands



Date: 10/7/2014



No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources and may be updated without notification.











