Categorical Exclusion Documentation for All Projects Other Than Hazardous Fuels and Fire Rehabilitation Projects

A. Background

BLM Office: Tillamook Resource Area **Lease/Serial/Case File No:** N/A

Categorical Exclusion Number: DOI-BLM-OR-S060-2013-0012-CX Date: 10/24/2013

Proposed Action Title/Type: Bald Mt. Comm. Site – Silke Lease Renewal

Location of Proposed Action: T3S, R6W, Sec. 29 – Bald Mountain

Land Use Allocation(s): Late Successional Reserve (LSR)

Description of Proposed Action:

Silke Communication was assigned a communication site lease (Bald Mountain Comm. Site) on November 8, 1995, with a lease term expiring on December 31, 2012. Silke applied for a renewal of the lease on September 27, 2012. A compliance check of the site revealed terms and conditions that needed to be remedied prior to processing of the application. A subsequent site visit conducted on September 11, 2013 revealed that the lease site is in full compliance. The proposed action is to authorize the renewal of a communication use lease for the existing Bald Mountain Communication Site (OR49380) for the next 20 years. The communication site is a necessary site for the tenants in the facility to have radio coverage in the area. No new ground disturbance would take place.

B. Land Use Plan Conformance:

The proposed action is in conformance with the *Salem District Record of Decision and Resource Management Plan,* dated May 1995; *Nestucca Watershed Analysis,* dated October, 1994; *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl and Standard and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl,* dated April, 1994 (p. C-19); *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines,* January, 2001; ESA (Endangered Species Act of 1972, as amended); *Magnuson-Stevens Fishery Conservation and Management Act of 1996,* as amended; and *BLM Manual 6840 Special Status Species Policy*.

The proposed action is in conformance with the Land Use Plan (LUP) because it is specifically provided for in the following decision(s):

- "Continue to make BLM-administered lands available to 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 resource management plan." (1995 RMP p. 55).

- "Allocation of lands to existing rights-of-way will continue. (# of existing communication sites – 11)" (1995 RMP p. 55).

C. Compliance with the Endangered Species Act:

The proposed action area is located within the boundaries of critical habitat for both the northern spotted owl and the marbled murrelet, two species listed as threatened under the Endangered Species Act. However, the communication site is at the top of Bald Mountain in an open meadow that does not provide habitat for either the owl or the murrelet and thus the renewal of the lease would not affect either species therefore consultation is unnecessary.

The proposed action would also not affect any ESA listed fish species since the action area is at the top of a mountain outside of riparian reserves where no fish habitat exists. Therefore no consultation would be necessary.

D. 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 9, which allows for "Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorization".

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 43 CFR 46.215 apply, as shown on the following table:

Table 1: Categorical Exclusions: Extraordinary Circumstances Review		
Will the Proposed Action documented in this Categorical Exclusion	Yes	No
2.1/ Have significant impacts on public health or safety? **Rationale:** All proposed activities follow established rules concerning health and safety.		No
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, floodplains, national monuments, migratory birds, other ecologically significant or critical areas? **Rationale:** The proposed activity would not change the already existing use of the communication site. There are no unique geographic characteristics or special natural resources located at the existing communication site.		No
2.3/ Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2) (E)]? **Rationale:** Based on experience, this type of activity has predictable environmental effects, none of which may be considered highly controversial, and there are no unresolved conflicts concerning alternatives uses.		No
2.4/ Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks? **Rationale:** Experience with this type of activity has shown no highly uncertain, potentially significant, unique or unknown environmental risks.		No
2.5/ Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects? **Rationale:** Similar actions have taken place throughout the district with no evidence suggesting that this type of project will establish a precedent or decision for future action.		No

2.6/ Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects? **Rationale:** The communication site has existed in its current location for over 30 years and the continued use is not expected to contribute to any significant direct, indirect, or cumulative effects.	No
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? **Rationale:** No listed or eligible properties are within the project area.	No
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? **Rationale:** The lease area does not contain any habitat for any ESA listed species or species proposed to be listed therefor the renewal of the lease to continue to use the communication facility would not have any impacts on any listed species.	No
2.9/ Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment? **Rationale:** The renewal of the lease to continue the operation of the communication facility would follow all known Federal, State, local, Tribal laws, or requirements imposed for the protection of the environment.	No
2.10/ Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)? **Rationale:** The proposed action is not anticipated to have disproportionately high or adverse human health or environmental effects on minority populations and low-income populations.	No
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)? **Rationale:** Actions will not limit access to ceremonial use of Indian sacred sites.	No
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)? **Rationale**: The communication site occupies a small area within an existing meadow populated generally by non-native species that are generally not invasive. The operation of the site is generally passive with no disturbance to the ground beyond the very limited maintenance to the existing structures. The renewal of the lease to operate the communication site would not change the existing condition at the site.	No

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 (see Table 1, above) apply.

I considered and reviewed the effects of the following additional elements of the environment required by management direction. Table 2 shows the effects of the proposed action on these elements of the environment.

Table 2: Additional Elements of the Environment		
Elements of the Environment	**Status: Not Present, Not Affected, or Affected**	**Remarks**
Energy (Executive Order 13212)	Not Affected	There are no known energy resources located in the project area. The proposed action will have no adverse effect on energy development, production, supply and/or distribution.
Essential Fish Habitat (Magnuson-Stevens Fisheries Cons. /Mgt. Act)	Not Affected	There is no Essential Fish Habitat within the Proposed Action area.
Hazardous or Solid Wastes	Not Affected	There are no hazardous or solid wastes associated with renewal of the communication site lease.
Special Status (except T/E) species/habitat	Not Affected	Due to the nature and scope of the project as well as the current condition of the project area, the project would not impact any Special Status species or their habitat(s) including wildlife and plant Bureau Sensitive and/or Survey and Manage species.

The proposed action would not affect the elements of the environment described above; therefore there is no potential for significant impacts. No additional mitigation measures are required.

E. Signature:

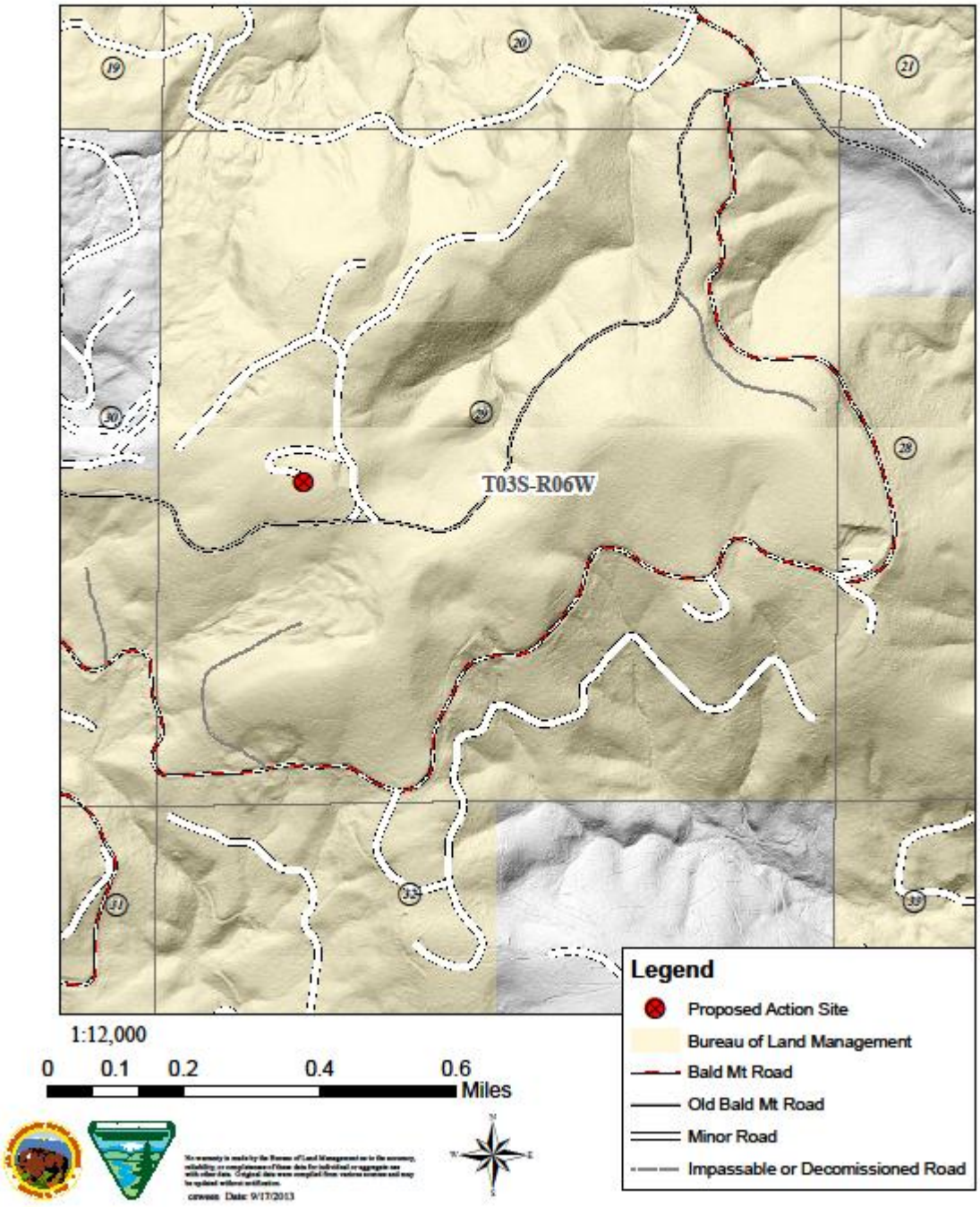
Specialist Review and Concurrence: ❑None required

Review Required	Review Not Required	Resource	Name	Initial
☒	❑	Aquatic/Fisheries	Matt Walker	*MJW*
☒	❑	Botany	Kurt Heckeroth	*KWH*
☒	❑	Cultural Resources	Heather Ulrich	*HAU*
☒	❑	Engineering	Joel Churchill	*JJC*
☒	❑	Soils/GIS	Chris Sween	*CRS*
☒	❑	NEPA Compliance/ Team Lead	Andy Pampush	*ATP*
☒	❑	Wildlife	Steve Bahe	*SAB*

Authorized Official: _____ 10/24/13
Karen Schank
Tillamook Resource Area Field Manager
Date

Contact Person: For additional information concerning this CX review contact Andy Pampush, Environmental Planner, Tillamook Field Office, Bureau of Land Management, 4610 Third Street, Tillamook, OR 97141, 503-815-1143

Bald Mountain Communication Site
Silke Lease Renewal
T03S R06W Section 29



U.S. DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT
SALEM DISTRICT, TILLAMOOK RESOURCE AREA

Decision Record

Based on the attached Categorical Exclusion Documentation DOI-BLM-OR-S060-2013-0012-CX, I have determined that the proposed action, renewal of a communication site lease on Bald Mountain involves no significant impacts to the human environment and requires no further environmental analysis.

It is my decision to implement the lease renewal, as described in the attached Categorical Exclusion Documentation DOI-BLM-OR-S060-2013-0012-CX.

Implementation: This project will be implemented in the fall of 2013 and will be in effect for 20 years.

Notice of this decision will be posted on the Salem District internet website. The action is subject to appeal to the Interior Board of Land Appeals under 43 CFR part 4.

Authorized Official: _____ Date: 10/24/13
Name: Karen Schank
Title: Tillamook Resource Area Field Manager