

Categorical Exclusion Documentation Format When Using Categorical Exclusions Not Established by Statute

A. Background

BLM Office: Marys Peak Resource Area **Lease/Serial/Case File No:** OR066563

Categorical Exclusion Number: DOI-BLM-OR-S050-2013-0002-CX **Date:** 3/18/2013

Proposed Action Title/Type: CoastCom Authorization

Location of Proposed Action: T. 10 S., R. 11 W., Section 29, Willamette Meridian. Lincoln County, Oregon.

Land Use Allocation(s): Congressionally Withdrawn

Description of Proposed Action

The proposed action is to issue a permit to CoastCom, Inc. that authorizes the installation of a 1.25" underground conduit for a fiber optic cable to the communications site on Bureau of Land Management (BLM)-managed property at Yaquina Head Outstanding Natural Area (YHONA). Besides the conduit and cable, which would be buried at 36 inches, the only related facilities would be two hand holes and a vault to provide pull points for the fiber cable. The total fiber route length is 1,041 feet and would be placed within the existing right-of-way of Easement Road (see Map 1 on page 3). This cable would be used year around to provide communications services to the existing providers at the communications site. Applicants are seeking a 20 year term. The duration of construction would be less than 30 days and Applicants would start construction within 60 days of the issuance of the permit. Implementation is planned for spring of 2013.

Upon completion of the subsurface fiber optic line installation, the approximate 900 feet of Communications Hill Road impacted by the project shall be restored as follows:

1. Fully compact the disturbed portion of the disturbed roadbed.
2. Shave elevated shoulders on approximately 600 feet of the impacted road to promote drainage.
3. Restore the 80 feet of crowned and 600 feet of outsloped segments of the road prism.
4. Place a minimum 4-inch compacted lift of 1 1/2" minus aggregate over the full width of the running surface.

Project Design Features

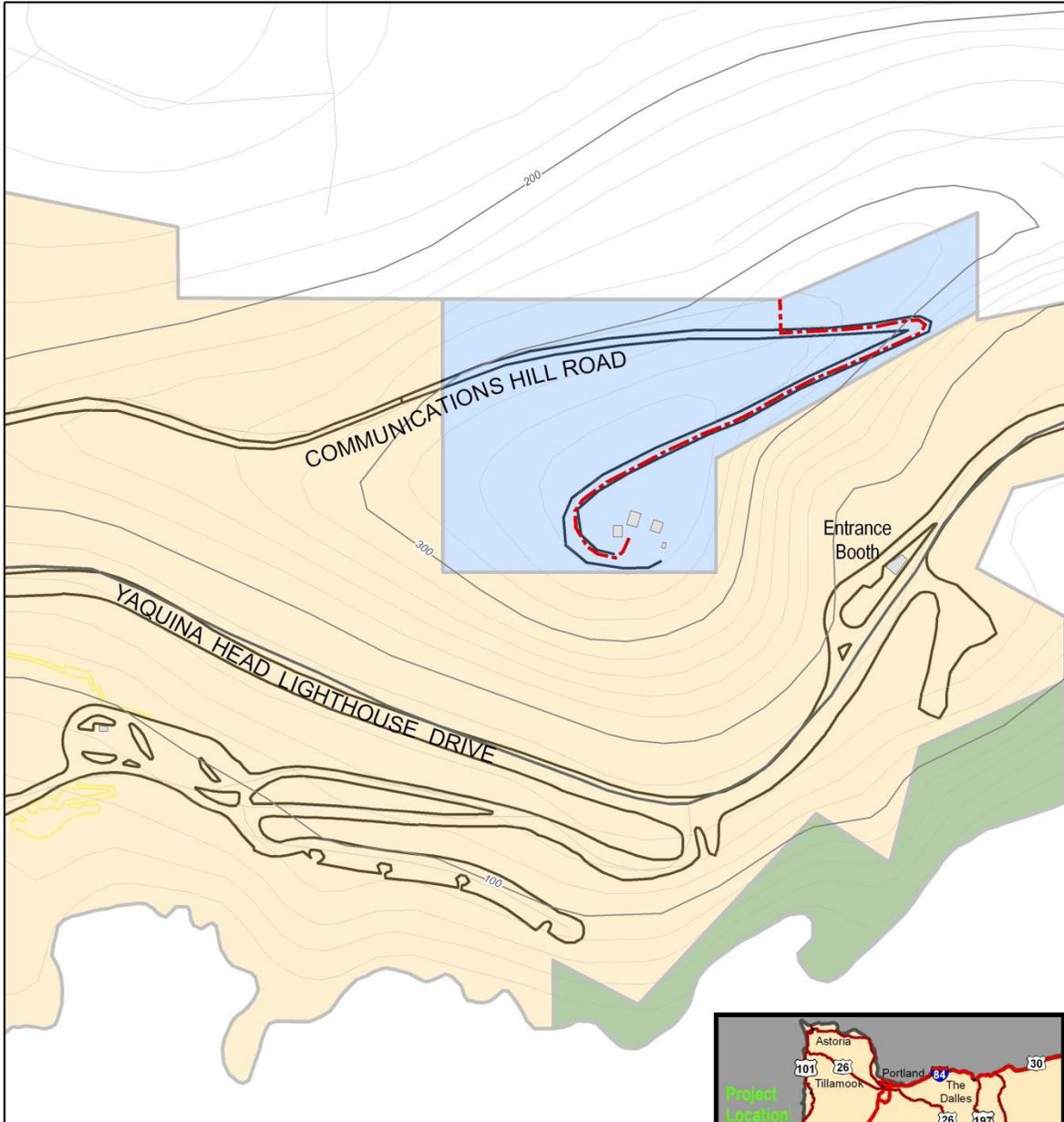
- Minimize disturbance of existing vegetation to the greatest extent possible.
- At the completion of the project, all exposed mineral soil areas located off the right-of-way shall be covered by piling adjacent slash or raking adjacent duff over the exposed

mineral soil. Locations along the existing roadway do not require any special attention and shall be left for native species to seed in naturally¹.

- The proposed route shall be flagged (off roadway only) so a botanical survey can be conducted. The permittee shall notify the BLM when this task has been completed. Bureau special status, but not Threatened and Endangered, lichen species are known to occur on shrubs at Yaquina Head in the project location. If any bureau special status species are located, they would be protected according to bureau policies.
- Reduce off-site movement with filter materials (such as straw bales or silt fences).
- The permittee shall notify the BLM when the portion of the underground conduit being placed off the roadway is being trenched. An archaeologist will be present during the digging of this portion of the trench to monitor for possible cultural resources.
- If any cultural and/or paleontological resource (historic or prehistoric site or object) is discovered during project activities all operations in the immediate area of such discovery shall be suspended until an evaluation of the discovery can be made by a professional archaeologist to determine appropriate actions to prevent the loss of significant cultural or scientific values.

¹ The roadway is scheduled for rocking and road maintenance activities after this project is complete. Seed sowing would be rendered futile.

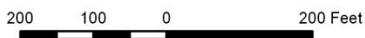
Map 1. Project Area Map



Contour interval: 20 ft.

CoastCom Permit Map

- - - Location of proposed CoastCom underground conduit
- Bureau of Land Management
- U.S. Fish and Wildlife Service
- U.S. Coast Guard



No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data. Data was compiled from multiple sources and may not meet U.S. National Mapping Accuracy Standard of the Office of Management and Budget.

B. Land Use Plan Conformance

Land Use Plan Name: *Salem District Record of Decision and Resource Management Plan (1995 RMP)* **Date Approved** March 1995 **Date Amended:** The 1995 RMP was amended in January 2001 as documented in the *Record of Decision for Amendments to the Survey and Manage, Protection Buffer, and Other Mitigation Measures Standards and Guidelines*, dated January 2001 (SM/ROD).

The proposed action is in conformance with the Land Use Plan (LUP) because it is specifically provided for in the following LUP decision(s): 1995 RMP p.55 – “Continue to make BLM-administered lands available for needed rights-of-way where consistent with local comprehensive plans.”

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 11, 11.5, E(13), which allows for “amendments to existing rights-of-way, such as the upgrading of existing facilities, which entail no additional disturbances outside the right-of-way boundary.”

Table 1. Categorical Exclusions: Extraordinary Circumstances Review

Will the Proposed Action documented in this Categorical Exclusion	Yes	No
<p>a) Have significant impacts on public health or safety?</p> <p>Rationale: The proposed project will have no impacts on public health or safety therefore will have no significant impacts on public health or safety. All activities associated with the proposed action will be conducted in a forested location outside of population centers and will conform to established Occupational Safety and Health Administration rules concerning health and safety.</p>		No
<p>b) 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?</p> <p>Rationale: The project area is located within the Yaquina Head Outstanding Natural Area boundaries, but will not have any significant effects on the aforementioned resources.</p>		No
<p>c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2) (E)]?</p> <p>Rationale: The effects of buying cables are not controversial and there are no unresolved conflicts concerning alternative uses of available resources. Past experience has shown that the environmental effects of the proposed project are not highly controversial. The</p>		No

Will the Proposed Action documented in this Categorical Exclusion	Yes	No
<p>ROD/RMP established the land use allocation and goals for the affected lands. As such, there is no unresolved conflict regarding other uses of these resources.</p>		
<p>d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?</p> <p>Rationale: Burying cables is not unique or unusual. The BLM has experience implementing similar actions in similar areas without highly controversial, highly uncertain, or unique or unknown risks.</p>	No	
<p>e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?</p> <p>Rationale: The proposed project is addressed and authorized under the existing ROD/RMP, and as such, this project will represent implementation of that land use plan decision, not a decision in principle on future actions.</p>	No	
<p>f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects?</p> <p>Rationale: There are no cumulative effects associated with burying cable within an existing road prism and therefore no significant cumulative effects as a result of these actions.</p>	No	
<p>g) 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?</p> <p>Rationale: This project will not have significant impacts on NRHP properties in the area.</p>	No	
<p>h) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened (T&E) Species, or have significant impacts on designated Critical Habitat for these species?</p> <p>Rationale: This proposed project would not impact any T&E vascular plant, fungal or wildlife species since none are known from the site. This project would not modify and suitable habitat or any designated critical habitat for federally listed wildlife species.</p>	No	
<p>i) Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?</p> <p>Rationale: The proposed project is in conformance with direction given for the management of public lands in the Salem 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.</p>	No	
<p>j) Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?</p> <p>Rationale: The proposed project is not anticipated to have disproportionately high and</p>	No	

Will the Proposed Action documented in this Categorical Exclusion	Yes	No
adverse human health or environmental effects on minority populations and low-income populations.		
k) 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)?	No	
Rationale: Past actions within this Communication Hill area have not resulted in tribal identification of concerns.		
l) 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)?	No	
Rationale: The risk rating for the long-term establishment of noxious weeds through the implementation of this project is low because: a) the project area is limited in size, b) the project area will be monitored for the establishment of noxious weed species, c) the resource area has a weed management plan in place which allows for control on non-native and noxious weed species.		

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 12 extraordinary circumstances described in 43 CFR Part 46, Section 46.215 (see Table 1, above) apply.

D. Interdisciplinary Team Review and Signature

Name	Specialty
Steve Cyrus	Engineer
Ron Exeter	Botanist
Timothy Fisher	YHONA Manager
Phyllis Gregory	Realty Specialist
Scott Hopkins	Wildlife Biologist
Stefanie Larew	NEPA Coordinator
Heather Ulrich	Archaeologist
Steve Wegner	Hydrologist and Soil Scientist

Authorized Official: /s/ Rich Hatfield **Date:** 3/18/2013

Name: Rich Hatfield

Title: Marys Peak Field Manager

Contact: For additional information concerning this CX review, contact Phyllis Gregory, Realty Specialist, Salem District Office, 1717 Fabry Rd SE, Salem, Oregon, (503) 375-5623.

**U.S. DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT
SALEM DISTRICT, MARYS PEAK RESOURCE AREA**

Decision Record

Based on the attached Categorical Exclusion review, I have determined that the proposed action, issuance of a permit to CoastCom, Inc. for the installation of an underground conduit and fiber optic cable at Yaquina Head Outstanding Natural Area, involves no significant impacts to the human environment and requires no further environmental analysis.

It is my decision to authorize the implementation of the proposed action, as described in the attached Categorical Exclusion Documentation DOI-BLM-OR-S050-2013-0002-CX.

Contact Person: For additional information concerning this CX review, contact Phyllis Gregory, Realty Specialist, Salem District Office, 1717 Fabry Rd SE, Salem, Oregon, 97306, (503) 375-5623.

Authorized Official: /s/ Rich Hatfield Date: 3/18/2013
Rich Hatfield
Marys Peak Field Manager