

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:** OR059854

Categorical Exclusion Number: DOI-BLM-OR-S050-2012-0004-CX **Date:** 11/22/2011

Proposed Action Title/Type: Pioneer Telephone Cooperative, Amendment No. 6 to Right-of-Way Grant OR 59854

Location of Proposed Action: T. 13 S., R. 7 W., Section 29, Willamette Meridian. Benton County, Oregon.

Land Use Allocation(s): Matrix

Description of Proposed Action:

The proposed action is to authorize construction, operation and maintenance of a buried communications facilities system, including the necessary cables, wires, and above-ground appurtenances thereto. The proposed action would occur on Bureau of Land Management (BLM) administered lands in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 29, T. 13 S., R. 7 W.M. with the purpose of extending requested communications facilities service to a cellular site currently being constructed by AT&T on lands adjacent to the above described BLM lands, in the SE $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 29.

Normal buried utility facilities construction techniques will be employed to place the communications facilities within areas previously disturbed by roadway construction, use, and maintenance activities, including cable plow, trenching, directional boring, and rock sawing, if necessary

Pursuant to the provision of OR 059854, the applicant requests a 20-foot wide right-of-way strip for all buried cable facilities proposed herein. This authorization will increase the total authorized linear footage of the facilities crossing BLM lands by 1,130 linear feet. Outside of this 20 foot strip, no other portion of BLM land in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 29 is part of the right-of-way.

Mitigation Measures/Other Remarks

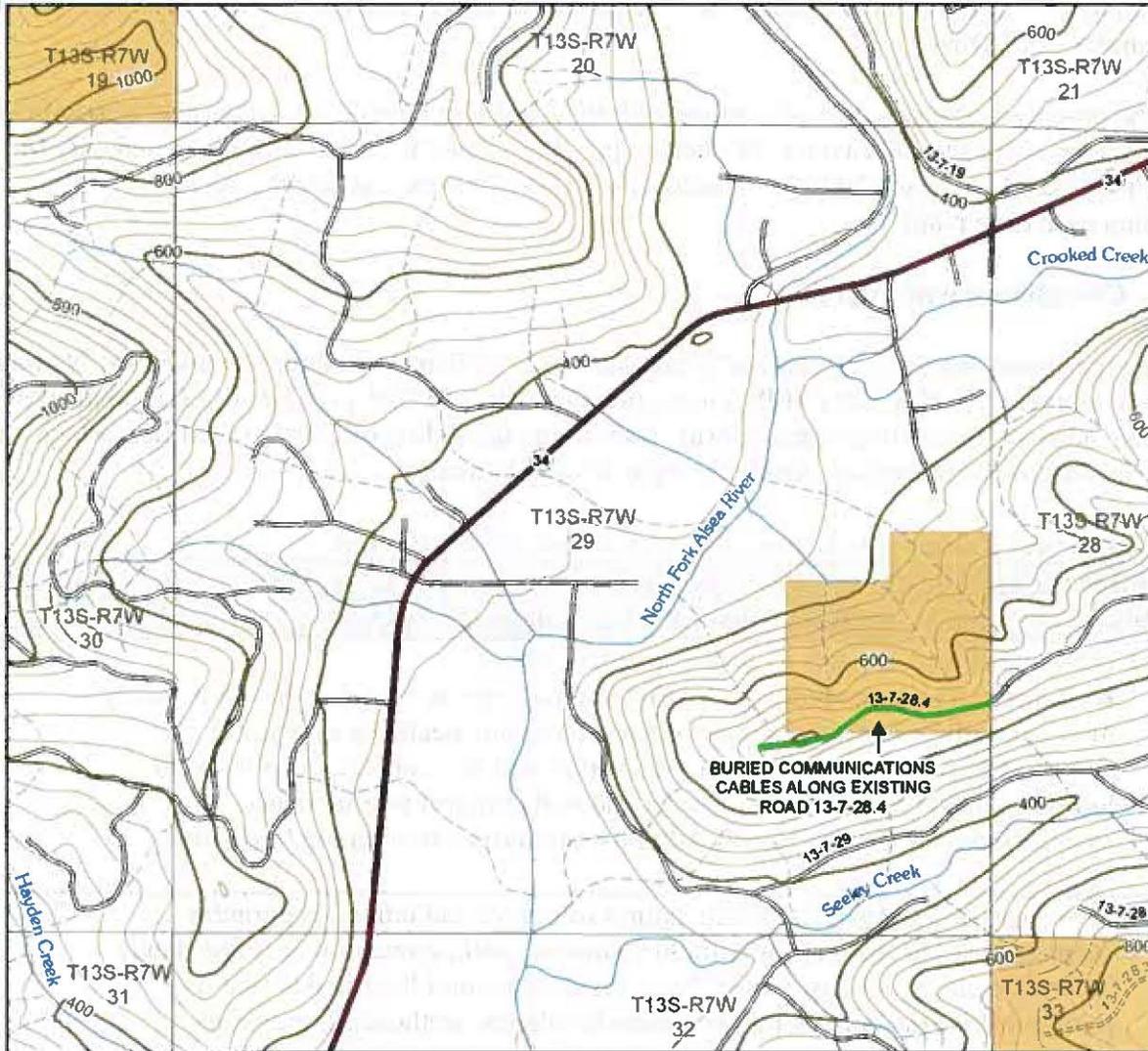
- Minimize disturbance of existing vegetation to the greatest extent possible.
- Seed disturbed areas with a mixture of 100% *Festuca rubra* (red fescue) using Oregon Certified (blue tagged) seed. The contractor will supply the BLM with the blue tag or an independent seed lab test or a seed lab analysis supplied by the vendor either by seed lot or by seed mix prior to application. The contract/permit for this project will require all areas in which soil is disrupted, to be sown at a rate equal to 40 pounds per acre. Grass seed which has become wet, moldy or otherwise damaged shall not be provided.
- Implement during dry soil conditions.

- Reduce off-site movement with filter materials (straw bales or silt fences).
- The project area occurs in the Oregon Coast Range. Survey techniques are based on those described in Appendix D of the *Protocol for Managing Cultural Resource on Lands Administered by the Bureau of Land Management in Oregon*. Post-project survey would be conducted according to standards based on slope defined in the Protocol appendix. Project activities will be suspended if archaeological or historical materials are discovered during project work until an archaeologist can assess the significance of the discovery.

PERMIT MAP 2011-A

9/27/2011

T. 13 S., R. 7 W., Section 29, W.M. - MARYS PEAK RESOURCE AREA - SALEM DISTRICT - OREGON



- Highway
 - Major Access Road
 - Minor Road
 - Impassable Road
 - Decommissioned Road
 - Land Status - BLM Only
- 40' Contour Interval

Centerline of 20' buried facilities R/W strip in a portion of the NE1/4 SE1/4 Section 29, T. 13 S., R. 7 W., W.M.



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. Original data was compiled from multiple sources and may not meet U.S. National Map Accuracy Standards of the Office of Management and Budget. This product was developed through digital means and may be updated without notification. Marys Peak Resource Area, Salem District, BLM



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.”

Categorical Exclusions: Extraordinary Circumstances Review

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? 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? Rationale: The project area is not located in any park, recreation or refuge lands, wilderness areas, wild or scenic rivers, or national natural landmarks. There are no floodplains, prime farmlands, wetlands, national monuments, or other ecologically significant or critical areas present in the project area.</p>		No
<p>c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2) (E)]? Rationale: The effects of burying high voltage cable 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 ROD/RMP established the</p>		No

Table 1: Categorical Exclusions: Extraordinary Circumstances Review		
Will the Proposed Action documented in this Categorical Exclusion	Yes	No
land use allocation and goals for the affected lands. As such, there is no unresolved conflict regarding other uses of these resources.		
d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks? Rationale: Burying high voltage cable 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.		No
e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects? 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.		No
f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects? Rationale: There are no cumulative effects associated with the proposed project and therefore no significant cumulative effects as a result of these actions. Burying high voltage cable will not alter the forest. There will be no increase in road density or flow routing by roads which will affect stream flows.		No
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? Rationale: Surveys conducted by the BLM have not identified any cultural or historical resources that will be affected by the proposed project.		No
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? Rationale: This proposed project would not impact any T&E or bureau special status 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.		No
i) Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment? 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.		No
j) Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)? Rationale: The proposed project is not anticipated to have disproportionately high and adverse human health or environmental effects on minority populations and low-income populations.		No

Table 1: Categorical Exclusions: Extraordinary Circumstances Review		
Will the Proposed Action documented in this Categorical Exclusion	Yes	No
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)? Rationale: Past actions within this area have not resulted in tribal identification of concerns.		No
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)? 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 and d) the permit requires sowing on grass seed which would reduce potential noxious weed habitat.		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 12 extraordinary circumstances described in 43 CFR Part 46, Section 46.215 (see Table 1, above) apply.

D. Interdisciplinary Review

Name	Specialty
Steve Cyrus	Engineer
Ron Exeter	Botanist
Scott Hopkins	Wildlife Biologist
Stefanie Larew	NEPA Coordinator
Scott Snedaker	Fish Biologist
Heather Ulrich	Archaeologist
Steve Wegner	Hydrologist

E. Signature

Authorized Official: Diane Morris Date: 11/22/2011
 Diane Morris
 Marys Peak Field Manager

F. Contact

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

Decision Summary

Based on the information provided in the CX review, the BLM District Office has determined that the proposed action is in the best interest of the public and the land. The BLM District Office has reviewed the information provided and has determined that the proposed action is in the best interest of the public and the land. The BLM District Office has reviewed the information provided and has determined that the proposed action is in the best interest of the public and the land.

It is the decision of the BLM District Office that the proposed action is in the best interest of the public and the land. The BLM District Office has reviewed the information provided and has determined that the proposed action is in the best interest of the public and the land.

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

Phyllis Gregory
Realty Specialist

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

Decision Record

Based on the attached Categorical Exclusion review, I have determined that the proposed action, authorization of amendment number 6 to right-of-way OR 59854 for the construction, operation, and maintenance of a buried communications facilities system, 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-S050-2012-0004-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, and (503) 375-5623.

Authorized Official: Diane Morris Date: 11/22/2011
Diane Morris
Marys Peak Field Manager