

DECISION RECORD

EA Number: OR-056-01-073
Title of Action: Wasco Electric
Serial Number: OR 56718
BLM Office: Prineville District

Decision:

It is my decision to authorize the Wasco Electric Cooperative Electrical Line Right-of-Way as described in the proposed action of EA Number OR-056-01-073, dated September 24, 2001.

Proposed Action

The location of the Proposed Action:

Willamette Meridian, Oregon,
T. 2 S., R. 15 E.,
Section 22, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 23, S $\frac{1}{2}$ SW $\frac{1}{4}$,
Section 27, N $\frac{1}{2}$ &
Section 28, N $\frac{1}{2}$
containing 12.21 acres.

Wasco Electric Cooperative is requesting a right-of-way to construct an overhead single phase power line to operate a railroad signal for the Burlington Northern/Sante Fe Railroad. The power line would run in an easterly direction following a county road known as "Public Usage Road 3137." Along the steep portion above the Deschutes River, small cuts would be made into the uphill side of the road cut for pole placement. This project would involve private and public lands and would require approximately 100 poles to be placed approximately 250 feet apart. Easements for the power line crossing private land would be secured prior to the implementation of the right-of-way grant.

The power poles would be set as near as possible to the existing road to facilitate access. The power poles would range in height from 35 to 40 feet and they would be sunk into the ground 5 $\frac{1}{2}$ to 6 feet respectively. The anchors would be in the ground approximately 20-35 feet from the pole and a guy wire would be installed from the anchor to the top of the pole.

The excavation of rock would be necessary in much of the area in order to sink the poles to the required depth. Drilling with rock teeth and an auger for pole locations would be needed. There is a possibility that blasting would also be required. Blasting would then be confined to the area of the pole. The impacts of the blasting will be reduced by using a blasting mat.

A lightning caused wildfire occurred in the Ferry Canyon area on July 12, 2001. The wildfire burned approximately 9,250 acres on the west side of the Deschutes River. The entire proposed project area on BLM managed public lands burned. Depending on the time of implementation, further danger of fire from blasting would be minimal.

Rationale for Decision:

The Proposed Two Rivers Resource Management Plan (RMP), dated September 1985, page 27 states, "Public lands will continue to be made available or local rights-of-way, including multiple use and single use utility/transportation corridors following existing routes, communication sites, and roads."

The Final Lower Deschutes Plan, approved January 1993, page 83 states, "BLM lands will continue to be available for local rights-of-way, including multiple use and single use utility/transportation corridors following existing routes, communication sites and roads."

This EA was published in the Public Notice Section of The Central Oregonian and The Dalles Chronicle. The EA was also posted at the post office in Maupin. The public had 15 days to respond and BLM received one comment as described below:

BLM received one comment from Wasco Electric Cooperative discussing the wildlife mitigation measures that prohibit construction from January 1 through August 15, 2002 and indicated that this restriction could stop the project altogether. Upon further research and discussions with the Area Wildlife Biologist it was determined that the time period for blasting only will be changed to February 1 through August 31. After discussing item E in the EA under Mitigation Measures with Wasco Electric it was determined that BLM will not pursue the building of perches since there would be no concern for raptor electrocution. Wasco Electric develops their lines with enough separation that raptor electrocution is not possible.

Mitigation Measures and Residual Impacts

1. Wasco Electric will work with BLM noxious weed control officers to ensure control of any weed populations resulting from the proposed action in a timely fashion.
2. Failure of Wasco Electric to obtain easements from private landowners would constitute termination of the right-of-way grant.

3. Wasco Electric would work with BLM staff and the current Ferry Canyon administrative site caretakers to ensure that placement of power poles are obscured from view as much as possible to lessen their visual impact to the Ferry Canyon house.
4. Power lines and associated poles would be constructed following the recommendations contained in the "Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 1996."
5. If approved, the right-of-way holder would install one osprey nesting platform (BLM could provide the pole, but cannot transport it to the site). This nesting platform should be located relatively close to the river, but the location will be determined by a site visit between the BLM wildlife biologist and a designated person from Wasco Electric.
6. No blasting will occur between the months of February 1, 2002 through August 15, 2002 unless prior approval is granted by the wildlife biologist.
7. If approved, the holder of the right-of-way grant must contact the BLM prior to any construction activities.
8. If blasting is used a blasting mat will be required.

Alternatives Considered

Wasco Electric and Burlington Northern/Sante Fe Railroad also considered locating the power line and poles on the east side of the Deschutes River and then crossing the river. However, since the Deschutes River is a Wild and Scenic River, crossing the river with new utility lines is not allowed. This alternative was considered and then dismissed.

No-Action

Construction of an electrical line would be denied across BLM managed public land. Everything else would remain as is. Currently there is limited power running parallel along the railroad tracks for the Burlington Northern/Sante Fe Railroad's use. The newer equipment they plan to install requires more power and more constant voltage than is available from their existing lines along the tracks. There is no power running to the BLM facility.

Compliance and Monitoring:

The right-of-way grant will contain terms and conditions requiring compliance with environmental quality standards applicable to Federal or State law. Such terms and conditions are intended to provide efficient management of the lands subject to the right-of-way and to protect the interest of individuals living in the area as well as the public interest in the Federal lands.

Right-of-way grants will be monitored to ensure that development is consistent with the terms

and conditions of the grant. The holder of the right-of-way grant must contact the BLM prior to any construction activities. Monitoring will be performed during and after construction by BLM personnel.

Terms / Conditions / Stipulations:

- a. This grant is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations part 2800.
- b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 90 days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.
- c. The right-of-way granted herein may be reviewed at any time deemed necessary by the authorized officer.
- d. The map set forth in Exhibit A, and designs in Exhibit B-D, attached hereto, are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.
- e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant shall constitute grounds for suspension or termination thereof.
- f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.
- g. Any human remains, cultural and/or paleontological resource (historic or prehistoric or vertebrate fossil site or object) discovered by the Holder, or any person working on his behalf, on public or Federal land shall be immediately reported by telephone to the authorized officer. The Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The Holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the Holder. In some cases it may be necessary to suspend authorized operations in the area of the discovery for as much as 30 days.

- h. In the event the holder sells the property the holder is responsible for completing an assignment to transfer this authorization to the new landowner.
- i. The holder shall be responsible for weed control on disturbed areas within the limits of the right-of-way. The holder is responsible for consultation with the authorized officer and/or local authorities for acceptable weed control methods.
- j. The holder will construct the power lines in accordance with the maps submitted with the application that were prepared by Rex D. Brown, Consulting Engineer.
- k. Right-of-way clearing shall be limited to the limits of the right-of-way.
- l. No construction or routine maintenance activities shall be performed during periods when the soil is too wet to adequately support construction equipment. If such equipment creates ruts in excess of (2) inches deep, the soil shall be deemed too wet to adequately support construction equipment.
- m. The holder shall conduct all activities associated with the construction, operation, and termination of the right-of-way within the authorized limits of the right-of-way.
- n. During conditions of extreme fire danger, operations shall be limited or suspended in specific areas, or additional measures may be required by the authorized officer. The Industrial Fire Precaution Levels (IFPL) system shall apply at all times unless a waiver, written in advance, has been issued by the authorized officer.
- o. This authorization will be terminated if private easements are not obtained.
- p. The holder will work with BLM staff and the current Ferry Canyon administrative site caretakers to ensure that power poles are obscured from view as much as possible.
- q. The holder will construct the power lines and associated poles following the recommendations contained in the "Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 1996."
- r. If approved, the holder would install one osprey nesting platform. This nesting platform will be located relatively close to the river, but the location will be determined by a site visit between the BLM Wildlife Biologist and a designated person from Wasco Electric.

- s. No blasting would occur in Sections 22, 23, 27 and the E½ of Section 28 between the months of February 1 through August 15, unless prior approval is granted by the Wildlife Biologist.
- t. If blasting is used, a blasting mat will be required.
- u. Pole and wire installation can occur between February 1 and August 15. However, while in Section 27, the crew will stay on the north side of the ridge that is located south of the road. Additionally the crew will not stage or go up on top of that ridge in Section 27.
- v. Construction activities may be suspended if it is determined that sensitive wildlife species are being impacted.
- w. The holder shall contact BLM prior to any construction activities.

Robert B. Towne
Deschutes Field Manager

Date

Attachments:

Exhibit A: Map

Exhibit B: Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 1996

Exhibit C: Single Down Guy, Through Bolt Type

Exhibit D: Line Anchor Assemblies

Form 1842-1