

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
SALEM DISTRICT OFFICE

CATEGORICAL EXCLUSION REVIEW - NEPA COMPLIANCE RECORD

Project: Pioneer Telephone Construction Project

Date: 2-12-04

Categorical Exclusion Number: OR-080-04-10

Location: T14S, R9W Section 13: S½SE¼.

Land Use Allocation(s): Riparian Reserves within Late Successional Reserves

Project Description:

Pioneer Telephone Cooperative has applied for a right-of-way grant to authorize construction/installation of a one 100 pair copper communications cable and one 1 inch diameter black HDPE conduit (for later fiber optic cable installation) attached to a 10mm steel strand. Construction/installation will be on existing power utility poles owned by Consumer's Power, Inc. and authorized by right-of-way grant OR014027. The project area is located northwest of BLM's Missouri Bend day use area along State Highway 34 in T14S, R9W Section 13: S½SE¼.

In order to offset the additional pole stress generated by the installation of the additional cable and conduit, four additional down guy and anchor units will be required. The guy and anchor units will extend across Highway 34 at the locations shown on the enclosed permit map and construction drawings. All surface disturbing activity will occur on land previously disturbed by highway construction and maintenance activities.

Construction is expected to commence in April 2004 and be completed 60 days thereafter.

Land Use Plan Conformance:

The proposed action is in conformance with the *Salem District Record of Decision and Resource & Management Plan (RMP)*, dated May 1995 (**pp.18:** topic: Rights of Way, Contracted Rights, Easements, and Special/Temporary Use Permits ..) *Lower Alsea Watershed Analysis*, dated September 27,1999; *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; and *Record of Decision and Standard and Guidelines for Amendments to the Survey and Manage, Protection Buffer and Other Mitigation Measures Standards and Guideline*, dated January 2001.

NEPA Review:

The proposed action qualifies as a categorical exclusion under Department of Interior Manual 516DM 6, Appendix 5, 5.4, Category E (13), which allows for **“Amendments to existing rights-of-way such as upgrading of existing facilities that entail no additional disturbances outside of the rights-of-way.”** It has been reviewed to determine if any of the exceptions described in 516DM 2, Appendix 2, apply (see Table 1: Categorical Exclusion Exception Review) and if any of the environmental elements are affected (see Table 2: Environmental Elements Review Summary).

Reviewed by: _____
NEPA Coordinator

Date: _____

TABLE 1: CATEGORICAL EXCLUSION EXCEPTION REVIEW

This table shows the exceptions to Categorical Exclusions that are listed in the Department of Interior Departmental Manual 5.16 DM 2, Appendix 2. An Environmental Document (Environmental Assessment or Environmental Impact Statement) must be prepared for any action for which any of these exceptions apply:

Exception	Does it Apply? Yes/ No	Remarks (Potential for Exception)
2.1 Significant adverse effects on public health or safety.	No	All proposed activities follow established rules concerning health and safety.
2.2 Adverse effects on unique geographic characteristics such as cultural resources, wetlands, ecologically significant or critical areas.	No	No unique geographical characteristics are within the project area or would be affected by this project. The project will occur in previously disturbed ground.
2.3 Highly controversial environmental effects.	No	Based on past experience from this type of activity, there are no predicted environmental effects from the proposed action which are considered to be highly controversial.
2.4 Highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	No	Past experience from this type of activity has shown no highly uncertain, potentially significant, unique or unknown risks.
2.5 Establish a precedent, or represent a decision for future actions with potentially significant environmental effects.	No	Similar actions have taken place throughout the district and there is no evidence that this type of project would establish a precedent or decision for future action.
2.6 Directly related to other actions with individually insignificant, but cumulatively significant environmental effects.	No	The BLM has conducted this type of activity in the past with no significant direct, indirect, or cumulative effects.
2.7 Adverse effects on properties listed or eligible for listing on the National Register of Historic Places.	No	No eligible or listed properties are affected. See 2.2 above.
2.8 Adverse effects on listed or proposed Endangered or Threatened species, or designated Critical Habitat for these species.	No	The proposed action will have no adverse effect on listed species or their habitat.
2.9 Require compliance with EO 11988 (Floodplain), EO 11990 (Wetlands) or Fish and Wildlife Coordination Act	No	The proposed action would not occur on existing wetlands. The floodplain would be contoured to the existing topography upon completion of the project, and not adversely affected by the excavation.
2.10 Threaten to Violate Federal, State, local, or Tribal law or requirement imposed for the protection of the environment.	No	The proposed action is in compliance with all Federal, State, local and Tribal laws and requirements.

TABLE 2: ELEMENTS OF THE HUMAN ENVIRONMENT

The interdisciplinary team reviewed the elements of the human environment, required by law, regulation, Executive Order and policy, to determine if they would be affected by the proposed action. Table 3 summarizes the results of that review. Critical Elements of the Human Environment (BLM H-1790-1, Appendix 5) are in *italics*. Affected elements are **bold**.

Elements Of The Human Environment	Status: (i.e., Not Present , Not Affected, or Affected)	Remarks
<i>Adverse Impacts on the National Energy Policy</i>	<i>Not Affected</i>	<i>There are no known energy resources located in the project area. The proposed action will have no effect on energy development, production, supply and/or distribution.</i>
<i>Air Quality</i>	<i>Not Affected</i>	<i>No burning required</i>
<i>Areas of Critical Environmental Concern</i>	<i>Not Present</i>	
<i>Cultural Resources</i>	<i>Not Affected</i>	<i>Under BLM Bulletin #OR-93-4444 Pre-Cultural Surveys are Not Required. Project occurs on a previously surveyed, disturbed site.</i>
<i>Environmental Justice (Executive Order 12898)</i>	<i>Not Affected</i>	<i>The proposed action is not anticipated to have disproportionately high and/or adverse human health or environmental effects on minority populations and low-income populations.</i>
<i>Prime or Unique Farm Lands</i>	<i>Not Present</i>	
<i>Flood Plains</i>	<i>Not Affected</i>	<i>The project is small in scale and will not change the character of the river floodplain, change floodplain elevations, or affect overbank flooding.</i>
<i>Hazardous or Solid Wastes</i>	<i>Not Present</i>	
<i>Invasive, Nonnative Species (Executive Order 13112)</i>	<i>Not Affected</i>	<i>All guyline areas in which soil has been disrupted, would be grass seeded with a mixture of 100% Festuca rubra (red fescue). The seed would be required to be Oregon Certified seed (blue tagged). Sowing with grass seed would further reduce the already low potential for the establishment of non-native species on this site.</i>
<i>Native American Religious Concerns</i>	<i>Not Affected</i>	<i>Will occur on previously disturbed ground in an existing right-of-way.</i>
<i>Threatened or Endangered (T/E) Fish Species or Habitat</i>	<i>Not Affected</i>	<i>No activity will occur within or adjacent to stream channels.</i>
<i>Threatened or Endangered (T/E) Plant Species or Habitat</i>	<i>Not Present</i>	<i>There are no known sites of any T/E "plant or fungi" species on this site. This site is maintained as a right-of-way and in general does not provide habitat for these species.</i>
<i>Threatened or Endangered (T/E) Wildlife Species or Habitat</i>	<i>Not Affected</i>	<i>No alteration of T&E wildlife species habitat, and no disturbance effects due to high ambient noise environment of Highway 34.</i>
<i>Water Quality (Surface and Ground)</i>	<i>Not Affected</i>	<i>The affects on water quality caused by guy and anchor unit installation will be immeasurable.</i>
<i>Wetlands/Riparian Zones</i>	<i>Not Affected</i>	<i>The project area is within riparian reserve, with no wetlands. No adverse impacts are anticipated to riparian reserves from the proposed action. Minimum soil and vegetation will be disturbed during cable installation. The project is unlikely to alter riparian habitat conditions or function.</i>
<i>Wild and Scenic Rivers</i>	<i>Not Present</i>	
<i>Wilderness</i>	<i>Not Present</i>	

Elements Of The Human Environment	Status: (i.e., Not Present , Not Affected, or Affected)	Remarks
Aquatic Conservation Strategy Objectives	Not Affected	This proposal is unlikely to impede and/or prevent attainment of Aquatic Conservation Strategy (ACS) because the project will not affect water quality, stream structure, or riparian vegetation. All work will occur outside wetlands and the active stream channel, and vegetation removal will be held to a minimum. Mitigating measures will prevent accelerated erosion and sedimentation, and water temperatures will not be affected.
Coastal zone	Not Affected	The proposed project is within the coastal zone, but would occur away from streams and cause little to no slope disturbance.
Fire Hazard/Risk	Not Affected	Fuel loadings would not be significantly changed by this action.
Land Uses (right-of-ways, permits, etc)	Not Affected	The land is currently being used for a public highway and an electric distribution right-of-way.
Late successional and old growth species habitat	Not Present	
Mineral Resources	Not Present	
Recreation	Not Affected	This time of year Missouri Bend is used by drift boat fishermen and others as a day use and relief stop. The project is located far enough to the Northwest as to not affect the major recreation area.
Rural Interface Areas	Not Affected	Homes are in the immediate vicinity of the project. This project is anticipated to have potentially beneficial effects on area residents.
Soils (productivity, erodibility, mass wasting, etc.)	Not Affected	Minimal soil disturbance is anticipated by this action. No increase in risk for erosion or mass wasting is expected as a result of this action.
Special Areas outside ACECs (Within or Adjacent) (RMP pp. 33-35)	Not Present	
Fish Species with Bureau Status (except T/E) and Essential Fish Habitat	Not Affected	This project would not affect the aquatic environment due to the limited ground disturbance and distance to local area streams
Special Status(except T/E) and SEIS Special Attention Plant Species/Habitat	Not Affected	<i>There are no known sites of any Special Status or Special Attention plant or fungi species within the project area. This site is maintained as a right-of-way and in general does not provide habitat for these species.</i>
Special Status (except T/E) and SEIS Special Attention Wildlife Species/Habitat	Not Affected	<i>There are no known sites of any Special Status or Special Attention wildlife species within the project area.</i>
Vegetation – Forest Environment	Not Affected	This project would not affect the forest environment. It is classified as noncommercial forest land type within the riparian reserve. Existing hardwood trees will not be removed in this previously disturbed site that also has some brush species.
Visual Resources	Not Affected	The project is in VRM 3 allowing partial retention of the existing landscape with moderate levels of change to the characteristic landscape. This action will not add negative impacts to the landscape.

Elements Of The Human Environment	Status: (i.e., Not Present, Not Affected, or Affected)	Remarks
Water Resources – Other (303d listed streams, DEQ 319 assessment, water quantity, Key watershed)	Not Affected	The Alsea River is listed on ODEQ's 303d list of impaired water bodies for exceeding summer temperature standards. The Alsea River is also listed in the ODEQ 319 assessment for nonpoint source pollution for having moderate water quality conditions, by observation, affecting general water quality, fish, and aquatic habitat. However, this project is unlikely to impact water quality or quantity because no action will take place within stream channels, along stream banks, or to soils or vegetation which would significantly impact stream morphology or habitat (including shade/temperature). The project is not located in a key watershed.
Water Use - Municipal and Domestic, Downstream Beneficial Uses	Not Affected	The project area is located approximately 1500 feet upstream of an irrigation water right and approximately 3000 feet upstream of a livestock water right. The project is located downstream of the Missouri Bend Recreation Site. Because there are no anticipated adverse effects on water quality or quantity from the proposed action, the project is unlikely to adversely affect downstream beneficial uses.

Decision:

I have reviewed this NEPA compliance record and have determined that the proposed project complies with criteria for the categorical exclusions as described under Department of Interior Manual 516 DM 2.3A. None of the exceptions to categorical exclusion apply, nor are any of the environmental impacts to the elements of the environment considered to be significant. Therefore, an environmental assessment or an environmental impact statement is not needed. It is my decision to implement the proposed action, as described, subject to the stipulations identified below.

Mitigation Measures/Other Remarks:

Seed gullyline areas with *Festuca rubra* (red fescue) using Oregon Certified (blue tagged) seed.

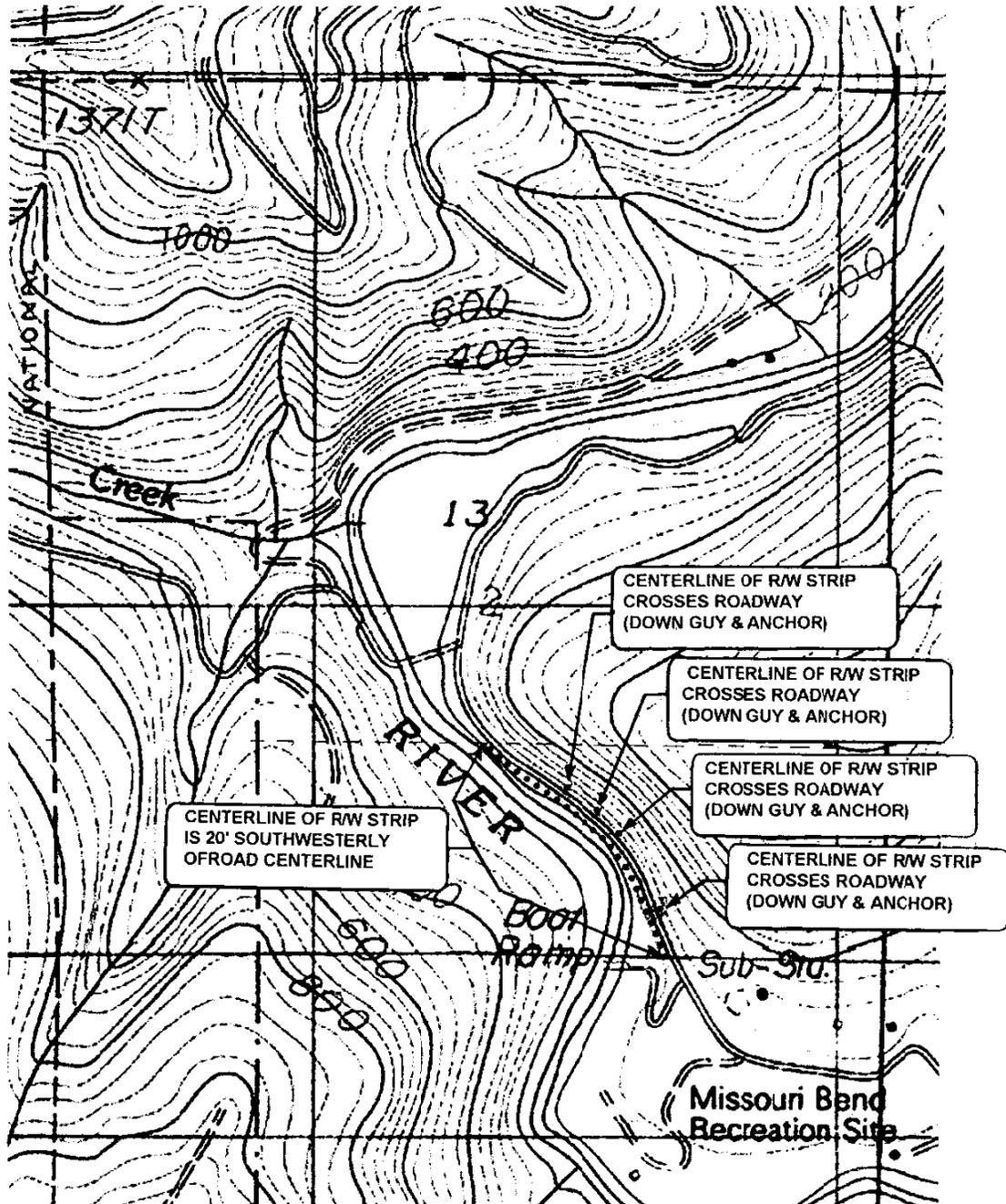
Authorized Official: 
 Dana Shuford, Field Manager
 Mary's Peak/ Tillamook Resource Areas

Date: 7/2/03

EXHIBIT A

R.9W.

T.14S.



PERMIT MAP 2004-A

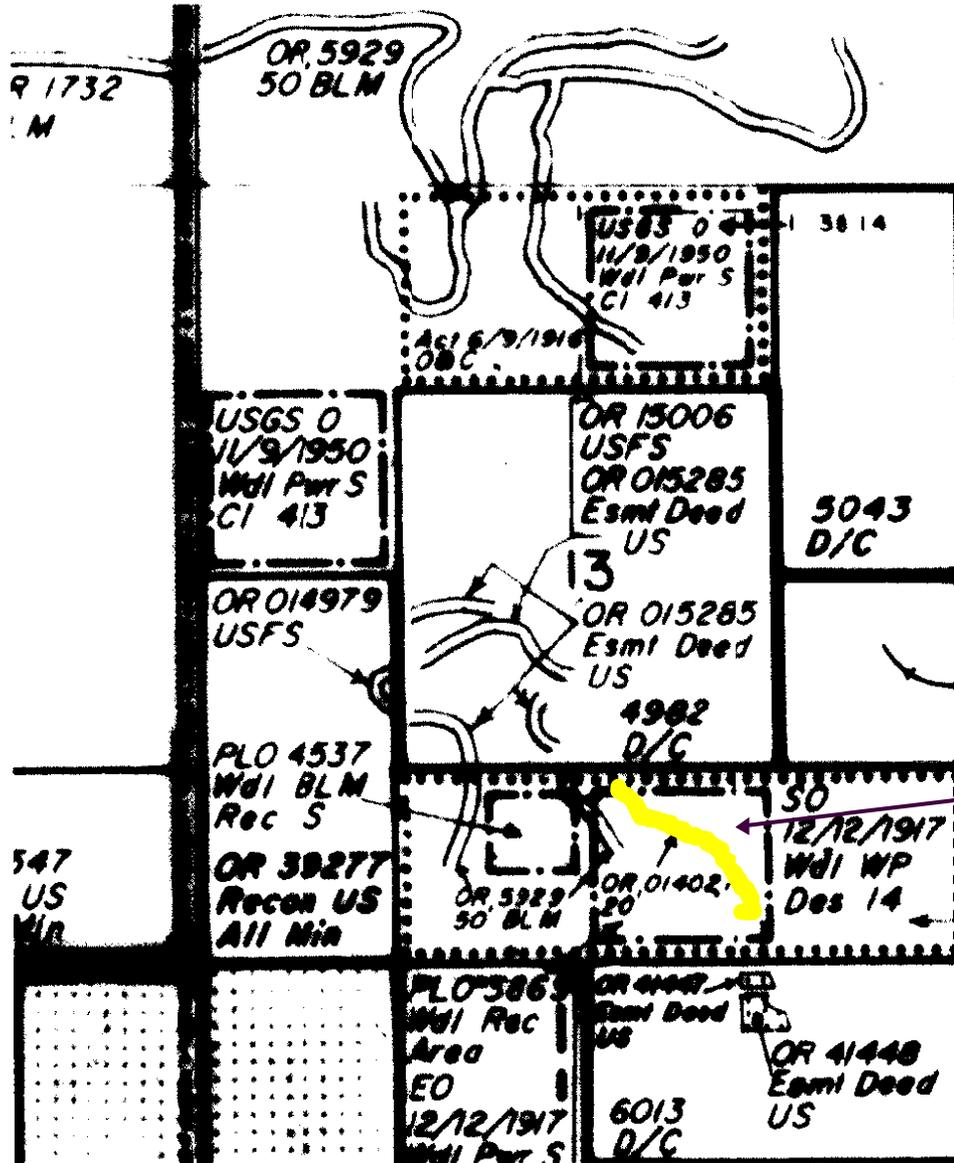
CENTERLINE OF 20' RIGHT-OF-WAY STRIP IN THE S½/SE¼ SECTION 13, T.14S., R.9W., W.M.

SCALE: 1" = 1,000'

COMMUNICATIONS FACILITIES:

REVISION DATE: 01/30/2004





OCD from US
11/25/1953

PIONEER TELEPHONE
PROJECT LOCATION

Act 6/9/1916
OBC