

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
EUGENE DISTRICT OFFICE

DECISION RECORD
CATEGORICAL EXCLUSION REVIEW

Background: The Eugene District BLM is proposing to dispose of 2 tracts of land located within Water Power Designation 14 (SO 12/12/1917) and Power Site Reservation 661 (EO 12/12/1917). A revocation of the above mentioned withdrawals as they affect the specific tracts of land is necessary prior to the BLM being able to complete the disposals.

The first tract of land is located in T. 21 S., R. 1 W., Section 31, Lot 15, W.M. The Parcel is 0.16 acres and is adjacent to landowners, who are currently encumbering it with part of a shed, a parking area, and numerous portions of cars and large appliances. This tract of land was offered to the adjacent landowner, who in turn paid in full for the land prior to the discovery of the withdrawals.

The second tract of land is located in T. 21 S., R. 1 W., Section 31, Lot 13, W.M. The Parcel is 1.42 acres that was leased to Bohemia under a lease (OR 33636) in 1981. This tract is adjacent to the log yard connected to the old Culp Creek Mill. Under the lease, the tract was used for log storage and has been subsequently paved. The Mill has since burned and the structures removed, the entire area remains as a large vacant paved lot. The lease expired in 1992, but was never terminated due to a provision that required removing all improvements (meaning the asphalt), placed upon the parcel.

Proposed Action: The proposed action is to recommend to the Assistant Secretary – Lands and Minerals Management, revocation of 1.58 acres of BLM administered land from Water Power Designation 14 (SO 12/12/1917) and Power Site Reservation 661 (EO 12/12/1917) as they affect the above mentioned tracts.

Decision: It is my decision to recommend to the Assistant Secretary – Lands and Minerals Management, revocation of 1.58 acres of BLM administered land from Water Power Designation 14 (SO 12/12/1917) and Power Site Reservation 661 (EO 12/12/1917) as they affect the above mentioned tracts.

Rationale: The following elements were taken into consideration in determining to recommend the proposed action:

1. What are the resource values of other resources compared with the preservation of the potential hydropower resources? The area in which both tracts are located has been developed and contains many residences and business. The tracts themselves have been developed, one as a residential yard, and the other as a paved log yard. The likelihood of development of any future significant hydropower resources in this area would be minimal.
2. What are the potential impacts of revocation of the waterpower withdrawal? The tracts of land referenced above would be offered for direct sale to the parties currently occupying the land.
3. What are the potential environmental impacts of opening the Federal lands to the operation of the Public Land Laws? None as the lands would remain closed due to a subsequent land action to dispose of the land.
4. In what way do the withdrawals interfere with the appropriate management of other resources? In this case the withdrawals do not allow for disposal of the above mentioned tracts of land. Due to occupancy of these tracts by third parties, the tracts have been determined difficult to manage and recommended for disposal. Disposal of these tracts is in conformance with the District RMP.

Additionally, the proposed action meets the criteria for the categorical exclusion in departmental manual 516 DM 6, Appendix 5.4E(3)(Withdrawal revocations, terminations, extensions, or modifications: classification terminations or modifications; or opening actions where the land would be opened only to discretionary land laws and where subsequent discretionary actions (prior to implementation) are in conformance with and are covered by a Resource Management Plan/EIS (or plan amendment and EA or EIS.), and none of the exceptions in 516 DM 2, Appendix 2, apply. Further, the action is in conformance with the Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl (April 1994), and the Eugene District Record of Decision and Resource Management Plan (May 1995).

Prepared by: Cheryl Adcock 5/24/04

Environmental Coordinator: Christie Hardenbrook 5/27/04

Field Manager: Emily Rice 6/2/04

1791A
 CE- 04 - 09
 OR 55981
 OR 51151

UNITED STATES DEPARTMENT OF THE INTERIOR
 BUREAU OF LAND MANAGEMENT
 EUGENE DISTRICT

CATEGORICAL EXCLUSION REVIEW
 Exception Criteria Review Checklist

Proposed Action: To recommend a partial revocation of Water Power Designation 14 and Power Site Reservation 661 to facilitate sale of OR 55981 (Bratton) and OR 51151 Culp Creek Log Yard.

Review the proposed action against each of the ten criteria listed below. If the project meets one or more of the criteria, it is an exception from categorical exclusion and **MUST** be analyzed in an EA or EIS. To qualify as a Categorical Exclusion the proposed action may not meet any of the criteria. If the criterion does not apply, indicate "Not Applicable." Any mitigation measures (such as contract stipulations or terms and conditions on permits) necessary to ensure that the proposed action qualifies as a categorical exclusion should be identified at the bottom of the page.

Exception Criteria	Comments
1. Have significant adverse effects on public health or safety.	
2. Have adverse effects on unique resources (i.e., parks, recreation, refuge lands, wilderness areas, wild or scenic rivers, wetlands, floodplains, etc.).	
3. Have highly controversial environmental effects.	
4. Have highly uncertain environmental effects or involve unique or unknown environmental risks.	
5. Establish a precedent that could result in significant impacts.	
6. Be directly related to other actions having cumulatively significant effects.	
7. Have adverse effects on cultural or historical resources.	
8. Have adverse effects on species listed or proposed as threatened or endangered or have adverse effect on designated critical habitat for these species.	Botany:
	Wildlife:
	Fisheries:
9. Require compliance with E.O. 11988 (floodplain management, (E.O. 11990 (protection of wetlands), or the Fish & Wildlife Coordination Act	
10. Threaten to violate Federal, State, Local or Tribal law or requirements imposed for the protection of the environment.	

Mitigation measures needed to qualify as CE:	

Reviewed By Christie Hardenbrook

Date 5/27/04

Above mitigation measures have been adopted and will be implemented.

Field Manager Emily Rice

Date 6/2/04