

**UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT**

Twin Falls District  
Shoshone Field Office  
400 West F Street  
Shoshone, Idaho 83352

**CATEGORICAL EXCLUSION**

**NEPA No. DOI-BLM-ID-T030-2011-0040-CX**

**A. Background**

BLM Office: Shoshone Field Office. Lease/Serial/Case File No.: IDI-0-11621/IDI-37398

Proposed Action Title/Type: Idaho Power, Rupert to Senter Power Line Right-of-Way Renewal

Location of Proposed Action:

Boise Meridian

T. 6 S., R. 21 E.,  
sec. 24, SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ .

T. 6 S., R. 22 E.,  
sec. 29, SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , N  $\frac{1}{2}$  SW  $\frac{1}{4}$  and, SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
sec. 30, NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  and S  $\frac{1}{2}$  NE  $\frac{1}{4}$ ;  
sec. 33, NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ .

T. 7 S., R. 22 E.,  
sec. 1, lot 1 and 2 and SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ .

T. 7 S., R. 23 E.,  
sec. 5, W  $\frac{1}{2}$  SW  $\frac{1}{4}$ ;  
sec. 6, lot 3, SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ , NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
sec. 8, NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ .

(For further detail refer to Attachment A, right-of-way location map)

**B. Proposed Action**

The Shoshone Field Office of the Bureau of Land Management (BLM) has received a right-of-way application from Idaho Power Company (IPC) to renew an existing right-of-way. The right-of-way grant identified as IDI-0-11621 is for a portion of the Rupert to Senter 34.5kV power distribution line. This right-of-way grant was originally issued to Idaho Power Company June 20, 1960 for a term of 50 years under the authority of the act of March 4, 1911; the right-of-way grant expired June 19, 2010. The grant originally authorized the construction, operation and maintenance of the power line on 19.88 acres of public land. Some of the public lands within the original grant have been patented into private ownership and the current right-of-way on public lands consists of a non-contiguous 12.13 acre area that is approximately 2.5 miles long and 40 feet wide. Idaho Power Company has proposed to renew this right-of-way for a term of 30 years.

The renewal of this right-of-way would be authorized under the authority of the Federal Land Planning and Management Act (FLPMA) and documented under a new serial number. The serial number IDI-37398 has been issued for the renewal of this right-of-way. Authorizing this right-of-way would allow Idaho Power Company to

operate and maintain the existing 34.5 kV distribution line as identified under the terms and conditions of the renewed right-of-way grant.

The typical design characteristics of the power line consist of a single wood pole that is 35 feet tall with approximately 420 feet between poles. The distribution line exists within the location that was previously authorized and no new construction or other components are proposed with the renewal of this right-of-way. The original authorization did not specifically identify what action were considered operation and maintenance or what would occur if the right-of-way was no longer needed or otherwise terminated. Therefore, the following operation and maintenance (O&M) activities, termination and restoration measures, and environmental protection measures would be incorporated into the renewed authorization. (Stipulations that provided environmental protection measures were provided in the original authorization, but current stipulations are being incorporated to ensure adequate protection.)

### **Operation and Maintenance**

IPC would conduct periodic inspections of the transmission lines. Depending on the results of the inspections, O&M activities may be scheduled. O&M activities can be planned—such as those for routine patrols, inspections, and scheduled maintenance,—or they can be unplanned, such as those for emergency maintenance in cases where public safety and property are threatened.

### *Vegetation Management*

IPC manages vegetation within its ROWs to minimize interference with the flow of electricity, to address safety issues, and to facilitate O&M activities. IPC's vegetation management complies with the National Electric Safety Code (NESC) and North American Electric Reliability Corporation's (NERC) requirements; these dictate minimum clearance standards.

Where possible, low-growing vegetation and small trees that would not grow into the minimum required clearance distance would be left in place; trees may be removed on a subsequent maintenance cycle as they increase in size. General vegetation management in the ROW is scheduled on a 3-6 year maintenance cycle; periodicity is dependent on the type of vegetation present and how quickly it may grow between maintenance cycles. In most cases, vegetation is cleared primarily through manual cutting of targeted trees and tall shrubs or with the use of mechanical means (e.g., Slashbuster - a rubber tired, Bobcat-sized piece of equipment with a brush cutting head mounted on the front.). However, when appropriate and allowed, tree-growth regulators and spot herbicide treatments can be applied as effective techniques for reducing re-growth of sprouting deciduous shrubs and trees and extending maintenance cycles.

IPC also conducts vegetation management around wood structures to protect them in the case of wild fires. IPC and/or a contractor would clear vegetation within a 20-foot radius around a wooden structure using hand tools (e.g., chain saw, weed whip) or mechanical means (e.g., Slashbuster) and then apply a herbicide to minimize vegetating regrowth.

Line-clearing crews would inspect shrubs, trees, and hazard trees to be trimmed or removed for active bird nests prior to cutting. If an active nest is found, the location would be noted and provided to the Idaho Power arborist in charge. If the vegetation is an imminent threat to public health and safety, the arborist Would contact the avian protection coordinator, who Would contact the FWS for appropriate permits allowing the nest to be moved or destroyed; IPC Would coordinate with the BLM. If there is not an imminent threat, and the vegetation must be trimmed prior to the next vegetation management cycle, the arborist would schedule it to be treated after the nesting season. If ROW clearing is to be expanded into previously untreated vegetation, a nesting survey would be coordinated by Environmental Affairs prior to clearing. Based on the results of the survey, a treatment plan would be developed that would protect active nests.

Idaho Power would provide annual training to foresters/arborists and contract line-clearing crews to identify and protect nests consistent with the MBTA. Training would focus on reasons for the program (i.e., why this work is important for migratory birds, compliance with existing laws, and Idaho Power's environmental stewardship policy). Training would include what to look for when inspecting trees prior to trimming: 1) whitewash (concentrations of white-colored droppings, 2) types of nests that may be encountered, 3) habitats where nests are most likely to occur, and 4) typical nesting periods for bird species that may be encountered. Training would also outline procedures to follow if a nest is found.

### *Routine Maintenance*

Periodic inspections of the transmission lines would be performed. Inspections are typically conducted from the ground and by a lineman using a pickup, or an off-highway vehicle (OHV). Follow-up inspections may be conducted and may involve the use of a bucket truck or other specialized equipment (e.g., snowmobile) to access a particular location or piece of equipment.

Some inspections may be completed aerially, typically utilizing a helicopter. No landing strips or heliports would be required. Inspectors assess the integrity of the structures, associated hardware, and conductors and identify maintenance needs. Periodic inspections are also conducted on wood structures to assess their integrity. This is typically done on a 10-year cycle.

IPC may conduct routine O&M activities that do not involve new ground disturbance (i.e., disturbance outside the original work pad) without prior approval by the BLM. For those O&M activities that involve minimal ground disturbance in an existing work pad, implementation may occur after a finding that no sensitive resources are located in the work pad following a review of existing data for the known occurrences, potential habitat or location of sensitive resources. In areas that involve new ground disturbance IPC would coordinate the effort with BLM prior to implementation.

Routine O&M of the transmission lines may include the following activities:

- Routine air patrols from a helicopter to inspect for structural and conductor defects, conductor clearance problems, and the identification of hazardous trees.
- Routine ground patrols to inspect structural and conductor components. Patrols may rely on direct line-of-sight and/or binoculars. Patrols are typically conducted in the spring and fall.
- Climbing surveys to inspect hardware and/or make repairs.
- Structure or conductor maintenance utilizing a bucket truck. The bucket truck or other equipment may be located on or off a road.
- Cathodic protection surveys (if applicable) to check the integrity and function of the anodes and ground beds.
- Routine cyclical vegetation clearing to trim or remove tall shrubs and trees to ensure adequate ground-to-conductor clearances. Personnel typically spend less than half a day in any one specific area.
- Removal of hazard trees within the ROW that pose a risk of falling into conductors or structures and causing outages or fires. Personnel generally cut the hazard trees with a chainsaw.
- Wood pole treatment to retard rotting and structural degradation. Personnel inspect and test (including the subsurface) the poles then treat them by injecting preservatives into the poles. Wood pole inspections and treatments occur on a 10-year cycle.
- Installation of bird protection devices, bird perch discouragers, and relocation or removal of bird nests.
- Reduction of fuel loads around wood poles in fire-prone areas by 1) removal of vegetation within a 20-foot radius and/or treatment with herbicide, 2) application of fire retardant coating to the base of wood poles and/or 3) no reseeding activities within the 20-foot radius.

- In-kind structure replacement (e.g., replacing a cross-arm, replacing an insulator, replacing a single wood pole with a single wood or steel pole): A bucket truck and/or other rubber-tired vehicles may be located on or off a road. Trucks are stabilized using outriggers. As it is not possible for the replacement pole to go into the same hole as the old pole, pole replacements are placed adjacent the old hole within the existing work pad.
- Follow-up restoration activities, such as seeding, noxious-weed control, and erosion control.

### *Emergency Situations*

An emergency situation could arise that would require IPC to respond immediately. Emergency situations are those that threaten human safety and property, involve fire, cause outages to IPC's system or the Western grid system, or have other dire consequences. The following examples include, but are not limited to, real and potential emergency situations:

- Failure of conductor hardware.
- Lightning strike or wildfire, resulting in the burning of, and damage to, structures.
- Damage to structures from high winds, ice, or other weather-related conditions.
- Line or system outages or fire hazards caused by trees falling into conductors.
- Breaking or imminent failure of cross-arms, insulators, or other structural elements which could, or does, cause line failures. Line may still be operational but failure could happen if repairs are not completed.
- Vandalism to structures or conductors from shooting or other destructive activities.
- Phases or shield wires coming into contact and creating the potential for fires and/or outages.

If an emergency situation arises, IPC may take immediate corrective action to fix the problem, safeguard human health, and prevent damage to the environment. Actions are frequently the same as those that occur during routine O&M activities (e.g., structure replacement), but are in response to a threatening situation. IPC would implement feasible and practicable measures to avoid and minimize impacts during emergency actions. IPC would verbally inform the appropriate BLM emergency contact of the situation prior to, or as soon as possible after, undertaking the remedial action. Then IPC would notify the BLM in writing of the remedial action, including an explanation of the circumstances that prompted the action, within three working days of undertaking the action.

### *Stabilization and Rehabilitation*

To minimize possible impacts to natural resources, reduce erosion and sedimentation, and minimize noxious weeds, IPC would conduct stabilization and rehabilitation activities in areas affected by ground-disturbing O&M and/or construction activities as required by the BLM. When a structure site is graded or otherwise disturbed, the area would be seeded as appropriate and as soon as possible during the optimal seeding period following ground disturbance. The best time to seed is in the fall (September–November). If seeding cannot be done then, spring seeding should take place as conditions dictate. In some cases, reclamation methods may not be necessary, given the limited amount of soil compaction, vegetation destruction, and surrounding site conditions. IPC would work with the BLM to develop mutually agreeable specifications for site rehabilitation. General methods are presented below; these are subject to revision based on consultation with the BLM.

The surface of the ground must be prepared prior to seeding; a process called seedbed preparation. Before seedbed preparation, an inspection of the site would determine the most appropriate method to use. Where practical and agreed to with the BLM, IPC would follow these guidelines for preparing the seedbed:

- 1) The surface would be cleared of foreign materials, such as garbage, paper, and other materials, but all rocks, limbs, or minor woody debris would be left in place. IPC would prepare the seedbed immediately prior to seeding.

- 2) Under the right soil-moisture conditions, a standard disk or spring bar harrow would be used to roughen the topsoil layer to create the desired surface texture before the seed is applied. Dirt clods and chiseled voids resulting from the roughening process increase the surface area for water collection and provide micro-sites for seed establishment. The soil should be disked or harrowed to no more than 2 inches deep at a time when soil moisture allows the surface to remain rough, with clods approximately 2 to 4 inches in diameter.
- 3) Disking or harrowing should be performed parallel to surface contours. In this way, downslope alignment of furrows can be avoided. In areas that already have the desired soil characteristics; the seedbed does not need to be prepared.

After the seedbed has been prepared, seed would be broadcasted on the disturbed area, after which the seed would be lightly harrowed into the ground. Stabilizing material may be added if necessary. Seeding efforts would not be performed when wind velocities would prohibit the seed mix from being applied evenly.

### **Termination and Restoration**

At the end of the useful life of the transmission lines, if the facility is no longer required, the lines would be removed from service. Upon decommissioning, conductors, insulators and hardware would be dismantled and removed from the ROW. Structures would be removed and foundations (if present) abandoned in-place or cut off below ground level and buried. IPC would coordinate with the BLM to determine the most appropriate method. Following abandonment and removal of the transmission line structures and equipment, any areas disturbed during decommissioning would be restored and rehabilitated as described under stabilization and rehabilitation.

### **Environmental Protection Measures**

The following environmental protection measures are identified within IPC's plan of development and would be incorporated into the terms and conditions of the right-of-way grant as stipulations. These standard mitigation measures would be implemented by IPC, and its contractors, throughout the term of the ROW in order to minimize potential adverse impacts to the environment. Most of the impacts are short-term and generally occur during the initial construction period. Project design and implementation of site-specific or selectively recommended mitigation measures would minimize the effect of the project where the potential for long-term adverse impacts may occur. The standard mitigation measures provided below are intended to protect resources within the ROW.

1. If the designated access routes, roads or trails are damaged by IPC, IPC would repair the damage. All of IPC's controlled equipment or equipment under contract to IPC operating upon such access routes, roads or trails shall be maintained in a good and safe operating condition and shall be operated cautiously so as to minimize accident hazards. All equipment and vehicle operators shall have a valid license to operate the associated equipment or vehicle.
2. If overland travel is necessary, clearing vegetation or grading a roadbed would be avoided whenever practical. All O&M traffic would be confined to the ROW or designated access routes, roads, or trails unless otherwise authorized in writing by the BLM.
3. Known cultural resources (Section 2.1) would be marked as avoidance areas before any ground disturbing activities begin. Once the activity is complete or no longer poses a threat to the resource, the marking would promptly be removed. IPC would be responsible for assuring that personnel are well trained to recognize these markers and understand the equipment/vehicle movement restrictions involved. If IPC needs to complete activities within the restricted area, they would work with the BLM to determine appropriate measures that would allow the work to be completed.
4. Any previously unknown cultural and/or paleontological resource (historic or prehistoric site object) discovered by IPC, or any person working on IPC's behalf on public or federal land would be reported immediately to the BLM. IPC would suspend operations in the immediate area of such discovery until

written authorization to proceed is issued by the BLM. An evaluation of the discovery would be made by the BLM to determine appropriate actions to prevent the loss of significant cultural or scientific values. IPC would be responsible for the cost of evaluation and any decision as to proper mitigation measures would be made by the BLM after consulting with IPC.

5. If previously unknown sensitive plant or wildlife species, including threatened and endangered, are discovered during O&M and/or construction activities IPC would establish a spatial buffer zone and immediately contact the BLM. Unless IPC is informed otherwise, activities outside the buffer area may continue. If IPC needs to complete activities within the buffer area, they would work with the BLM to determine appropriate measures that would allow the work to be completed.
6. If sensitive wildlife species are killed or injured due to O&M activities IPC would immediately notify the BLM.
7. Prior to the relocation or removal of bird nests, IPC would coordinate with the BLM as well as acquire the appropriate permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Idaho Department of Fish and Game.
8. All O&M and/or construction activities would be conducted in a manner that would minimize disturbance to vegetation, drainage channels, and intermittent and perennial stream banks. Ground disturbance would be limited to that necessary to safely and efficiently maintain/install the facility.
9. Herbaceous plants and low-growing shrubs would be left in place if they do not interfere with the safe O&M of transmission lines and equipment. IPC would trim trees in preference to cutting trees, and would cut trees in preference to bulldozing them.
10. IPC would use existing stream crossings and would not create new crossings without prior BLM approval and other necessary regulatory approvals (e.g., Section 404 of the Clean Water Act).
11. OHV use in live water is limited to designated crossings and work areas, to minimize the potential for impacts from crushing or introduction of sediments into waterways.
12. Vegetation removal would be done as close to grade as possible and with no to minimal ground disturbance.
13. IPC would consult with the BLM prior to slash disposal, and a mutually agreeable fuel bed depth and slash treatment would be developed.
14. Any felled trees or snags would be left in place as sources of large woody debris. Felled green trees would be limbed to reduce fire hazard. Stumps resulting from vegetation treatments would not be over one foot tall.
15. In O&M and/or construction areas where ground disturbance is significant or where recontouring is required, surface restoration would occur as required by the BLM. The method of restoration typically would consist of returning disturbed areas to their natural contour (to the extent practical), reseeded or vegetating with native plants (if required), installing cross drains for erosion control, placing water bars in the road, and filling ditches that were created as part of maintenance activities. IPC would rehabilitate disturbed areas as soon as possible after ground-disturbing activities and during the optimal period. Seed and mulch would be certified "noxious weed-free" and a mutually agreeable seed mix would be developed in consultation with the BLM.
16. To minimize the potential for wildland fires to damage structures, an area cleared of vegetation would be maintained within a 20-foot radius around structures using hand tools (e.g., chain saw, weed whip), mechanical means (e.g., Slashbuster), and/or herbicide treatments.
17. Before beginning any O&M and/or construction activities on BLM-managed public land, all equipment that would operate off-road or disturb the ground would be cleaned (power or high-pressure cleaning) of all mud, dirt, and plant parts. Tracks, skid plates, and other parts that can trap soil and debris would be removed for cleaning when feasible, and the entire vehicle and equipment would be cleaned at an off-site location.
18. High concentrations of noxious weeds in the immediate area of ground disturbing operations shall be reduced (e.g., through mechanical means, spraying) to ground level prior to the start of project activities. All equipment and vehicles operating off of main roads shall be cleaned off prior to leaving the job site when the job site includes noxious weed populations. Cleaning would occur in the area of the infestation

and is intended to prevent the spread of noxious weeds as crews leave a site. Cleaning may be done by hand, brooms, and/or water.

19. Unless otherwise agreed to by the BLM in writing, power lines would be constructed in accordance to standards outlined in the most recent version of the Suggested Practices for Raptor Protection on Power Lines (See Section 1.3). IPC would assume the burden and expense of proving that pole designs that are not consistent with the above publication are “raptor safe.” Such proof would be provided by a raptor expert approved by the BLM. The BLM reserves the right to require modifications or additions to all power line structures placed in the ROW, should they be necessary to ensure the safety of raptors. Such modifications and/or additions would be made by IPC without liability or expense to the United States.
20. All requirements of those entities having jurisdiction over air quality matters would be adhered to and any necessary permits for O&M and/or construction activities would be obtained. Open burning of maintenance and/or construction debris (cleared trees, etc.) would not be allowed on BLM-managed public lands.
21. Existing improvements would be repaired or replaced to their condition prior to disturbance by IPC as required by the BLM if they are damaged or destroyed by O&M and/or construction activities. Temporary improvements would only be installed with the prior approval of the BLM.
22. O&M and/or construction holes left open overnight would be covered. Covers would be secured in place and would be strong enough to prevent livestock or wildlife from falling through and into a hole.
23. Travel on roads, trails, and maintenance routes during routine O&M activities that would create ruts greater than 3 inches in depth should be avoided. Because of constrained outage windows, some maintenance activities would necessarily occur where ruts would be greater than 3 inches in depth. If, the creation of ruts greater than 3 inches is unavoidable, IPC would 1) notify the BLM when ruts are expected, so that the authorized officer can begin to determine the type of remediation; 2) flag avoidance areas to minimize or avoid resource damage, (but cannot go outside the previously disturbed road, trail or maintenance route surface to avoid these flagged areas) and 3) upon completion of the maintenance project, and when the conditions are appropriate for remediation work, IPC would re-grade the roads to a condition no less than the condition prior to disturbance, or as determined by the authorized officer.
24. Gravel and/or fill material to be placed in relatively weed-free areas (defined as noxious weeds account for less than 5% of the existing vegetation) must come from weed-free sources. Prior to obtaining gravel and/or fill material, IPC would coordinate with the BLM on acceptable sources.
25. IPC would evenly spread excess soil excavated from pole holes within the ROW and in the immediate vicinity of the pole structure.

In addition to the proposed mitigation the following standard operating procedures have been identified within IPC’s plan of development and would also be incorporated into the terms and conditions of the right-of-way grant through stipulations.

1. IPC will construct, operate, and maintain the facilities, improvements, and structures within the ROW in strict conformity with the POD as it is approved and made part of the ROW. Any relocation, additional construction, or use that is not in accordance with the approved POD will not be initiated without the prior written approval of the BLM. A copy of the complete ROW, including all stipulations and approved POD, will be made available on the ROW grant area during O&M and/or construction activities to the BLM. Noncompliance with the above shall be grounds for an immediate temporary suspension of activities if it constitutes a threat to public health and safety or the environment.
2. IPC will contact the BLM at least 90 days prior to the anticipated start of any new ground disturbing and/or construction activities. The BLM may require and schedule a pre-work conference with IPC prior to commencement of the activities on the ROW. IPC, IPC’S contractor(s), or agents involved with the ground disturbing and/or construction activities on the ROW should attend this conference to review the stipulations of the grant including the plan(s) of development.
3. The BLM may suspend or terminate in whole or in part, any notice to proceed associated with the ROW which has been issued when, in its judgment, unforeseen conditions arise which result in the approved

terms and conditions being inadequate to protect the public health and safety or to protect the environment.

4. IPC shall comply with all applicable federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, et. seq.) with regard to any toxic substances that are used, generated by or stored on the permit area or on facilities authorized under this permit. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193). Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the BLM concurrent with the filing of the reports to the involved Federal agency or State government.
5. IPC agrees to indemnify the United States against any liability arising from the release of any hazardous substances or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, et. seq. or the Resource Conservation and Recovery Act, 42 U.S. C. 6901 et. seq.) on the permit area (unless the release or threatened release is wholly unrelated to IPC's activity on the ROW). This agreement applies without regard to whether a release is caused by IPC, its agent, or unrelated third parties.
6. IPC will indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public lands under this ROW.
7. IPC will protect all survey monuments found within the ROW. Survey monuments include but are not limited to General Land Office and BLM Cadastral Survey Corners, reference corners, witness points, U.S. Coastal and Geodetic benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. In the event of obliteration or disturbance of any of the above, IPC will immediately report the incident, in writing, to the BLM and the respective installing authority, if known. Where General Land Office or BLM ROW monuments or references are obliterated during operations, IPC shall secure the services of a registered land surveyor or a BLM cadastral surveyor to restore the disturbed monuments and references using surveying procedures found in the Manual of Surveying Instructions for the Survey of the Public Lands of the United States, latest edition. IPC shall record such survey in the appropriate county and send a copy to the authorized officer. If the BLM cadastral surveyors or other federal surveyors are used to restore the disturbed survey monument, IPC will be responsible for the survey cost.
8. IPC, or their successor in interest shall comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et. seq.) and the regulations of the Secretary of Interior issued pursuant hereto.
9. IPC will conduct all activities associated with the operation and termination of the ROW within the authorized limits of the ROW. If at any time IPC wishes to reconstruct, remodel or relocate any portion of the ROW, or the improvements within, prior written approval must be obtained from the BLM. No such approval will be given unless the request is authorized by law, and an application is made under applicable regulations.
10. IPC will survey and clearly mark the centerline and/or exterior limits of the right-of-way, as determined by the BLM.
11. All design; material; and construction, operation, maintenance, and termination practices will be in accordance with safe and proven electric utility engineering practices.
12. During conditions of extreme fire danger, operations may be suspended or limited in certain areas.
13. IPC will permit free and unrestricted public access to and upon the ROW for all lawful purposes except for those specific areas designated as restricted by the BLM to protect the public, wildlife, livestock, or facilities constructed within the ROW.
14. IPC will maintain the ROW in a safe, usable condition, as directed by the BLM.
15. If maintenance is required on an authorized route to provide for the safe operation of equipment, IPC may do so as long as the length and width and alignment of road remain the same. Activities include blading the road to maintain the surface condition and drainage, removing minor physical barriers (i.e. rocks and

- debris), replacing culverts, rock crossings, or other erosion control structures, and rehabilitating after major disturbances requiring heavy equipment (such as slumping). Rehabilitation of major disturbances may include seeding, noxious weed control and erosion control as appropriate. Heavy equipment will travel and maneuver on existing service and access roads. Replacement of culverts greater than 24 inches on intermittent streams or greater than 18 inches on perennial streams will require BLM approval. If additional access, outside of authorized routes, is necessary, IPC will contact BLM for prior approval.
16. No signs or advertising devices will be placed on the ROW or adjacent BLM-managed public lands, except those posted by or at the direction of the BLM.
  17. Appropriate traffic control measures, where necessary, will be used to ensure public safety during O&M and/or construction activities. Prior notice will be given to the BLM for any extended delays or road blockage.
  18. IPC will obtain approval from the BLM prior to using herbicides on public or federal lands. Herbicide application will be conducted in accordance with label requirements and all applicable federal, state, and local requirements.
  19. When performing O&M and/or construction activities during the “closed” fire season (May 10 – October 20 each year as set by Idaho State Law, Title 38-115), IPC will be required to have the following equipment in their possession and be trained to use them, to aid in extinguishing a fire ignition before it gets out of control (taking action that a prudent person would take while still accounting for their own personal safety): a variety of fire suppression hand tools such as shovels, rakes, Pulaski’s etc., a 16-20 lb fire extinguisher, and 20-50 gallons of water with a way to effectively spray the water (i.e. backpack pumps, water sprayer, etc.)
  20. When performing O&M and/or construction activities, IPC will conduct inspections of the undercarriage of vehicles after driving over roads with high vegetation or overland to make sure grass and brush have not accumulated near the vehicle’s exhaust system and/or catalytic convertor. Each internal combustion engine shall be equipped with a spark arrester that meets BLM standards.
  21. When performing O&M and/or construction activities during BLM Stage II Fire Restrictions, IPC will contact the BLM to obtain an appropriate waiver. IPC will take appropriate precautions when conducting O&M and/or construction activities that involve an internal combustion engine, generate a flame, involve driving over or parking on dry grass, involve the possibility of dropping a line to the ground, or involve explosives by using a Fire Prevention Watch Person that will remain in the area for one hour following the cessation of that activity. Also, IPC personnel will not smoke unless within an enclosed vehicle, building or designated recreation site, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable materials. BLM will inform IPC staff listed on the IPC Notification list (Appendix 1), when BLM Stage II Fire Restrictions are implemented.
  22. If IPC becomes aware of an emergency situation caused by a fire on or threatening public or federal lands, IPC will notify the jurisdictional fire dispatch center immediately (see Appendix 1 for contact information). IPC personnel and/or contractors will then move to a safe location, wait for fire suppression resources to arrive, and check-in with the Incident Commander, if available.
  23. If the BLM determines that it must use fire-suppression techniques that could affect operation of IPC facilities, BLM will notify IPC (see Appendix 1 for contact information) as soon as possible.
  24. If noxious-weed species occur within IPC’s ROW or on access roads as a result of IPC’s activities, IPC will coordinate treatment with the BLM. When determining whether treatment is necessary and whether it will produce the desired results, IPC and the BLM will consider surrounding site conditions and whether weed-control activities will be conducted by other parties. IPC is only responsible for controlling noxious weeds to pre-disturbance levels.
  25. O&M and/or construction sites will be maintained in a sanitary condition at all times; waste materials at those sites will be disposed of promptly at an appropriate waste disposal site. “Waste” means all discarded matter including but not limited to human waste, debris, garbage, refuse, oil drums, petroleum products, ashes, and equipment.
  26. If blasting is necessary, IPC will notify the BLM and follow appropriate safety guidelines as required by state and federal regulations related to blasting operations.

27. Prior to the termination of the ROW, IPC will contact the BLM to arrange a pre-termination conference. This conference will be held to review the termination provisions of the grant.

The following are additional mitigation measures that are identified to protect resources that are specific to this right-of-way location.

1. Known locations of two-headed onion (*Allium anceps*) would be marked as avoidance areas before any ground disturbing activities begin. Once the activity is complete or no longer poses a threat to the resource, the marking would promptly be removed. IPC would be responsible for assuring that personnel are well trained to recognize these markers and understand the equipment/vehicle movement restrictions involved. If IPC needs to complete activities within the restricted area, they would work with the BLM to determine appropriate measures that would allow the work to be completed.
2. To avoid causing harm to migratory birds O&M activities should not take place during the Migratory Bird nesting season from February 1 through July 31st, or until occupied nests are no longer active. If O&M and/or construction activities must take place during this timeframe an exception request must be submitted to the BLM in writing requesting a variance to the stipulation.

### **C. Land Use Plan Conformance**

**Land Use Plan Name:** Monument Resource Management Plan (RMP)

**Date Approved/Amended:** April 22, 1985

The proposed action is not specifically provided for in the RMP; however it does fall within the concept of multiple use management. “For the Monument RMP, a variety of resource uses are allowed. Production and use of commodity resources and commercial use authorization would occur, while protecting fragile resources and habitat, preserving natural systems and cultural values, and allowing for non-consumptive resource uses.” (Monument RMP, pg 5) “The public lands would be managed under the principles of multiple use and sustained yield as required by FLPMA. Any valid occupancy, and development of the public lands, including but not limited to, those requiring rights-of-way, leases, licenses would be subject to applicable environmental review procedures,... BLM would include stipulations and special conditions as necessary in leases, licenses, and permits to ensure the protection and preservation of resources.” (Monument RMP, pg 25)

### **D. Compliance with NEPA**

The proposed action is qualified under categorical exclusions 516 DM 11.9 E(9) “(r)enewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations” and 516 DM 11.9 E(13) “(a)mendments to existing rights-of-way, such as the upgrading of existing facilities, which entail no additional disturbances outside the right-of-way boundary.” Anticipated effects of the proposed action have been reviewed, and none of the extraordinary circumstances described in 516 DM 2 apply (see Attachment B: Categorical Exclusion Review Sheet).

Based on my review of the project described above and field office staff recommendations, I have determined that the project is in conformance with the applicable land use plan and is categorically excluded from further environmental analysis. I have decided to approve the action as proposed within Idaho Power Company’s application to renew the right-of-way previously authorized as IDI-0-11621. A right-of-way grant identified under case file IDI-37398 will be offered to IPC to operate and maintain

the existing 34.5 kV power distribution line as identified in the attached draft right-of-way grant (Attachment C).

**E. Signature**

Authorizing Official: \_\_\_\_\_/s/ *Jim Tharp*\_\_\_\_\_ Date: 9/20/2012\_\_\_\_\_  
Name: Jim Tharp  
Title: Acting Field Manager

**F. Contact Person**

For additional information concerning this Categorical Exclusion, contact Kasey Prestwich, Realty Specialist, at (208) 732-7204 or at 400 West F Street, Shoshone, Idaho 83352

**G. Attachments**

Attachment A, IDI-37398, Rupert to Senter Location Map.  
Attachment B, IDI-37398, Rupert to Senter Categorical Exclusion Review Sheet.  
Attachment C, Draft IDI-37398 Idaho Power, Rupert to Senter Right-of-Way Grant