

**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 REVIEW SHEET

NEPA No. DOI-BLM-ID-T030-2010-0040-CX

A. Project Description

The Shoshone Field Office of the Bureau of Land Management (BLM) has received a right-of-way application from Idaho Power Company 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.

If the current right-of-way is renewed it would be authorized under the authority of the Federal Land Planning and Management Act (FLPMA) and documented under a new serial number. The new 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.

B. Consideration of Extraordinary Circumstances

This Categorical Exclusion Review Sheet documents the review of the proposed action to determine if any of the extraordinary circumstances described in 516 DM 2, Appendix 2 apply. If any of the extraordinary circumstances apply to the proposed action, then an EA or EIS must be prepared. Any evidence or concerns that one or more of the exceptions may apply must be brought to the attention of the manager who is authorized to approve the proposed action.

1. The proposed action would not have any significant impacts on public health or safety.

The operation and maintenance of the power distribution line would not have any significant impacts on public health and safety. The right-of-way would contain terms, conditions and stipulations that would require Idaho Power Company to comply with Federal and State standards for public health and safety, environmental protection, operation, and maintenance of, or for, such use. The authorized officer has the ability to suspend or terminate in whole or in part the right-of-way grant if 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.

2. The proposed action would not 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 (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.

There are no natural resources and unique geographic characteristics; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; national monuments; or other ecologically significant or critical areas that would be significantly impacted by the proposed action.

A cultural resource survey was conducted for the project area on April 15, 2011 and one previously unrecorded site was found. However, it was determined with concurrence from the State Historic Preservation Office (SHPO) that no cultural resources would be impacted by the renewal of the right-of-way, given that additional coordination with the BLM and SHPO would be completed prior to future maintenance activities that included ground disturbance. The proposed standard operating procedures incorporated into the right-of-way grant would ensure that this coordination is completed. Also, stipulations within the grant would also require that known areas of cultural resources to be temporarily marked as avoidance areas when operation and maintenance is being completed in that portion of the right-of-way.

A single occurrence of approximately 500 individuals of two-headed onion (*Allium anceps*; BLM Type 3 species) was found within a fragmented and disturbed silver sagebrush community within the western most portion of the right-of-way. Measures to protect this resource are being proposed that would require that the area be marked and avoided prior to operation and maintenance activities that would include ground disturbing activities.

Much of the right-of-way is located along a highway, but migratory birds are expected to occur within the vicinity of the right-of-way location, primarily during the nesting season. The proposed renewal of the right-of-way would incorporate specific stipulations so that migratory bird nests are not disturbed during the nesting season.

3. The proposed action would not have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].

The proposed action is in conformance with the Monument Resource Management Plan (RMP), approved in 1986. The RMP established the land use allocation and goals for the affected public land; as such, there are no unresolved conflict regarding other uses of these resources. Throughout the environmental process the proposal to authorize a right-of-way to Idaho Power Company for the operation and maintenance of an existing 34.5 kV power transmission line was not highly controversial, nor are the effects expected to generate future controversy. The power transmission line was constructed in 1960 and the BLM is not aware of any controversy surrounding the use of the line between then and the present time.

4. The proposed action would not have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

The proposed action does not involve highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. The use has been occurring in the project area since 1960 without involving highly uncertain and potentially significant environmental effects or unique or unknown environmental risks. The environmental process for the proposed action has not identified any effects that may involve highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

5. The proposed action would not establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.

The proposed action is not connected to another action that would require further environmental analysis and would not set a precedent for future actions that would normally require environmental analysis.

6. The proposed action would not have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

The proposed action does not have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

7. The proposed action would not 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.

As previously identified a cultural resource survey was conducted for the project area on April 15, 2011 and one previously unrecorded site was found. However, it was determined with concurrence from the State Historic Preservation Office (SHPO) that no cultural resources would be impacted by the renewal of the right-of-way, given that additional coordination would be completed prior to future maintenance activities that included ground disturbance.

8. The proposed action would not have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated critical habitat for these species.

The project area occurs in Preliminary General Habitat for greater sage-grouse. Past radio-telemetry studies of greater sage-grouse in the general project area have revealed that the grouse use habitat south of the project area for brood-rearing activities. The power line has been located within this right-of-way for the previous 50 years and is mostly along a highway. The presence of relatively tall structures in the right-of-way area causes sage-grouse to avoid the habitat in and adjacent to the project area. However, sage-grouse can be expected to move through the project area on an infrequent basis.

9. The proposed action would not violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.

The BLM issues right-of-way grants accordance with Title V of the Federal Land Policy and Management Act of 1976 and the BLM regulations at 43 CFR 2800. Under these regulations the right-of-way grant would specify that all applicable Federal, State and local laws be adhered to. The BLM has the ability to suspend and/or terminate the right-of-way if a Federal, State or local laws is violated. There are no tribal laws in effect for the project area.

10. The proposed action would not have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

The proposed action would not have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898). The effect would be the same as for the general population in the general area.

11. The proposed action would not limit access to ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly affect the physical integrity of such sacred sites (Executive Order 13007).

The proposed action would not limit access to ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly affect the physical integrity of such sacred sites. The use has been occurring in the project area since 1960 without any conflicts arising.

12. The proposed action would not 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).

The right-of-way would contain stipulations that would require Idaho Power Company to be responsible for weed control on the disturbed areas within the limits of the right-of-way. Idaho Power Company will also be responsible for ensuring that the undercarriages of equipment and/or vehicles used in the operation and termination of the right-of-way be free of all soil and plant material prior to operating on public lands. In areas where high concentrations of noxious weeds are in the immediate area of mechanical operations Idaho Power Company would be required to mow the weeds to ground level prior to the start of project activities. These stipulations/requirements would reduce the risk of introduction, continued existence, or spread of noxious and non-native, invasive species.

C. Consultation and Preparation

The review of third party surveys and the potential impacts of the proposed action was completed by the following:

Kasey Prestwich, Realty Specialist/Project Lead

Gary Wright, Wildlife Biologist

Lisa Cresswell, Archeologist/Shoshone Field Office NEPA Coordinator

Danelle Nance, Natural Resource Specialist