CATEGORICAL EXCLUSION

Applicant/Project Name: Pacificorp, d/b/a Rocky Mountain Power Blaine Larsen 25kV power line ROW Renewal
Project/Case File Number: IDI-20112
Project Lead: Heather Schlenker
CX Number: ID-I010-2012-0008-CX
Date of Preparation: April 28, 2014

BACK GROUND:

On October 21, 2011, Pacificorp, d/b/a Rocky Mountain Power submitted an application (SF-299) requesting a renewal of an existing right-of-way (ROW) authorization for a 25kV electric power line. The power line is located in Clark County as described below:

Boise Meridian, Idaho

T. 9 N., R. 33 E.,
sec. 23, N1/2NE1/4.

The power line ROW, serial number IDI-20112, is referred to as the Blaine Larsen 25kV Line. The ROW line is approximately 2643 feet (0.50 miles) in length, 25 feet in width, and encumbers 1.517 acres of public land.

The original ROW grant was issued on April 27, 1982, under the authority of Public Law 94-579 (Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761), for a period of 30 years expiring on April 26, 2012.

PROPOSED ACTION:

The proposed action is to issue a grant of right-of-way authorization to PacifiCorp for a period of approximately 30 years, expiring on December 31, 2041. The issuance of the grant of right-of-way is authorized under Public Law 94-579 (Federal Land Policy and Management Act of October 21, 1976) (90 Stat. 2776; 43 U.S.C. 1761), and the current regulations found at 43 CFR 2800. Renewing the ROW would require no on-the-ground disturbance and no changes to the line.

No additional rights would be granted beyond those of the original grant. Standard BLM terms and conditions will be included in the FLMPA grant.

The line is not located in designated Sage Grouse habitat.

CONSULTATION AND COORDINATION:

On June 9, 2014, this project was brought before an Interdisciplinary Team consisting of Bureau of Land Management (BLM) specialists. A description of the proposed action was posted to the online NEPA register. This is available to members of the public through the Upper Snake Field Office webpage. No comments were received and no issues/conflicts were identified for this project.

LAND USE PLAN CONFORMANCE:

The Proposed Action is located in Clark County, Idaho, within the boundaries of the Upper Snake Field Office. The BLM's Medicine Lodge Resource Management Plan (BLM 1985) provides general guidelines for the protection and use of resources in these areas. While this action is not specifically addressed in the document, the plan does provide for the consideration of right-of-way applications.

APPEALS INFORMATION:

43 CFR 4.21 (58 FR 4939, January 19, 1993) or 43 CFR 2801.10

FINDING AND RECOMMENDATION:

The proposed action is categorically excluded as outlined in 516 DM 11.9 E (9) for renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorization may be excluded from further environmental review. None of the extraordinary circumstances described in 43 Code of Federal Regulations (CFR) 46.215 apply.

Standard stipulations currently used for rights-of-ways would be incorporated into the grant to bring this authorization to current standards.

I recommend that the right-of-way authorization, IDI-20112 be granted for a period of approximately 30 years, expiring on December 31, 2041. The grant will be issued with the right to renew, subject to the terms and conditions and the attached stipulations (see Exhibit B). The ROW is to be issued under the authority of Public Law 94-579 (Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761), and the regulations found at 43 CFR 2800. Annual rental would be required in accordance with 43 CFR 2806.10

/s/Heather Schlenker, Realty Specialist
Date:8/7/2014

/s/Marissa Guenther, NEPA Reviewer
Date:8/7/2014

DECISION AND RATIONALE FOR THE DECISION:

It is my decision to issue a grant of ROW authorizing the use of an existing 25kV power line, under the authority of Title V of Public Law 94-579 (Federal Land Policy and Management Act) and be subject to the 43 CFR 2800 regulations. The power line encumbers approximately 1.517 acres of public land. The grant would be issued for approximately 30 years, expiring on December 31, 2041, with the right to renew, subject to the current terms and conditions found at 43 CFR 2800 and the attached stipulations (Exhibit B). Annual rental would be required in accordance with 43 CFR 2806.10.

No additional rights are being conveyed beyond those originally granted.

The subject action qualifies as a Categorical Exclusion and meets the criteria contained in 516 DM 2, 11.9 E (9). None of the exceptions found in 43 Code of Federal Regulations (CFR) 46.215 apply.

Renewing the ROW would require no on-the-ground disturbance and no changes to the line. The subject action qualifies as a Categorical Exclusion and meets the criteria contained in 516 DM 2, 11.9 E (9). None of the exceptions found in 43 Code of Federal Regulations (CFR) 46.215 apply.

/s/Jeremy Casterson, Field Manager
Date:8/11/2014

Extraordinary Circumstances Requiring Preparation of an EA or EIS

(43 Code of Federal Regulations (CFR) 46.215)

The action described in categorical exclusion # ID- I010-2012-0008-CX has been reviewed to determine that none of the extraordinary circumstances listed below pertain to the proposed action.

DM #	Extraordinary Circumstance	YES	NO
1	Have significant impacts on public health or safety. *The proposed action would have no significant impacts on health or safety of the public.*		X
2	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. *No wilderness, wilderness study areas or wild and scenic rivers are present near the project area. The ROW proposal would not impede opportunities for recreation.* *This project is not located within a Research Natural Area (RNA).* *No new disturbance would be authorized; as a result, no significant impacts to riparian-wetland areas would occur.* *Although migratory birds are present within the project area, no new disturbance would be authorized; as a result, no significant impacts to migratory birds would be expected.* *No known historic or cultural resources are located within the project area. This action is exempted per Stipulation V.A.1., Appendix C of the 2014 State Protocol agreement between BLM and Idaho State Historic Preservation Offices (SHPO).*		X
3	Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)]. *Action would not have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources. No known highly controversial or potentially significant environmental effects have resulted from the existing ROW and should not result from the issuing of a renewed ROW. Action will not impact water quality or stream channels and floodplains*.		X
4	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. *Action would not impact water quality or stream channels and floodplains. No known highly uncertain and potentially significant environmental effects or unique or unknown environmental risks have resulted from the existing ROW and should not result from the issuing of a renewed ROW.*		X

DM #	Extraordinary Circumstance	YES	NO
5	Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. *The proposed action would renew and authorized the existing power line. There would be no new ground disturbing activities as a result of the action. The proposed action would not establish a precedent for future actions. Standard annual maintenance and monitoring practices would continue to be accomplished for the power line in the same manner as other authorized power lines. However, any new ground disturbing activities would be addressed and new NEPA would be required and effects evaluated.*		X
6	Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. *The proposed action would not have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects .The power line is existing, and no cumulatively significant effects are anticipated. No cumulatively significant effects anticipated for the stream channel/floodplain.*		X
7	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 there are no known historic properties listed or eligible for listing on the NRHP located in the project area, the proposed action would have no significant impacts.*		X
8	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. *As there are no T&E or Proposed species, or critical habitat present within the project area, no significant impacts to these species would be expected.*		X
9	Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment. *The proposed action would not violate any federal law or a State, local, or tribal law or requirement imposed for the protection of the environment. No cumulatively significant effects anticipated.*		X
10	Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898). *The proposed action of renewing the existing power line ROW would have no adverse effect on low income or minority populations.*		X
11	Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007). *There are no sacred sites known to occur in the project area. Furthermore, the project would not limit access to Indian sacred sites on Federal lands or impact traditional resource use in the area.*		X
12	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 proposed action would have no on the ground changes to the already existing power line ROW. Standard terms and conditions for weeds are included in the authorization. The*		X

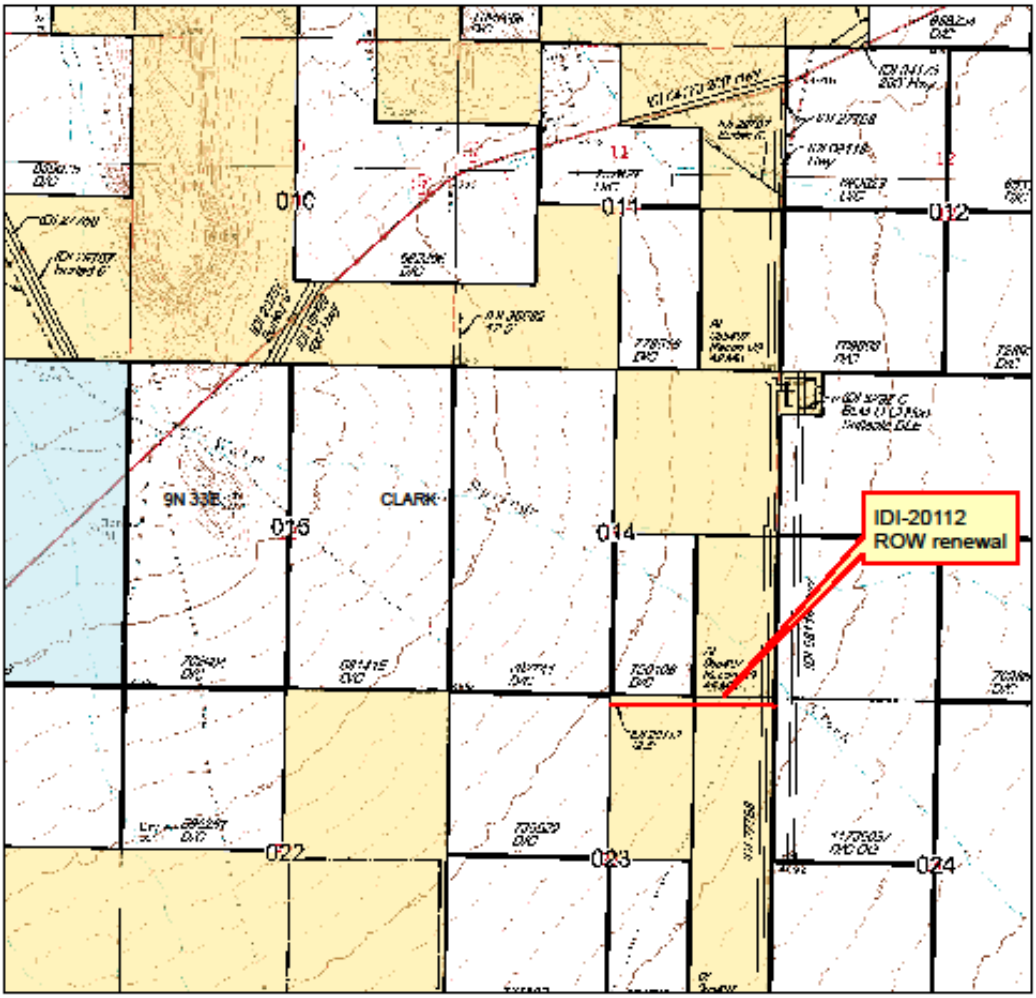
DM #	Extraordinary Circumstance	YES	NO
	proposed action would not contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species.		

N

T. 9 N., R.33 E., sec. 23
Clark County

Exhibit A
5/21/2014 HS

PacifiCorp/ IDI-20112
Blaine Larsen 25kV line ROW Renewal



0 0.375 0.75 1.5
Miles

Legend

- Bureau of Land Management
- Private
- State of Idaho
- US Forest Service

Stipulations- Exhibit B

IDI-20112

Operation and Maintenance

1. 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.

2. No 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 3 inches deep, the soil shall be deemed too wet to adequately support construction equipment.

3. Right-of-way shall be maintained in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. 'Waste' means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.

4. There is reserved to the Authorized Officer, the right to grant additional rights-of-way or permits for compatible use on, over, under, or adjacent to the land involved in this grant.

5. Ninety (90) days prior to termination of the right-of-way, the holder shall contact the authorized officer to arrange a joint inspection of the right-of-way. This inspection will be held to agree to an acceptable termination (and rehabilitation) plan. This plan may include, but is not limited to, removal of facilities, drainage structures, or surface material, recontouring, topsoiling, or seeding. The authorized officer must approve the plan in writing prior to the holder's commencement of any termination activities.

Weed Control

6. The holder shall be responsible for weed control 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 (within limits imposed in the grant stipulations).

7. Use of all pesticides (including fungicides, herbicides, insecticides, etc.) shall comply with the applicable Federal and State laws. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, the holder shall obtain from the authorized officer written approval of a plan showing the type and quantity of material to be used , pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the authorized officer. Emergency use of pesticides shall be approved in writing by the authorized officer prior to such use.

8. During surface disturbing construction and maintenance activities, the holder shall ensure that all construction equipment and vehicles are cleaned of all vegetation (stems, leaves,

seeds, and all other vegetative parts) prior to entering public lands in order to minimize the transport and spread of noxious weeds. During surface disturbing construction and maintenance activities, the holder shall ensure that all construction equipment and vehicles are cleaned of all vegetation (stems, leaves, seeds, and all other vegetative parts) prior to leaving public lands in areas that are known by the authorized officer of the BLM to be infested with noxious weeds.

Cadastral

9. The holder shall protect all survey monuments found within the right-of-way. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management 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, the holder shall immediately report the incident, in writing, to the authorized officer and the respective installing authority if known. Where General Land Office or Bureau of Land Management right-of-way monuments or references are obliterated during operations, the holder shall secure the services of a registered land surveyor or a Bureau 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 in the United States, latest edition. The holder shall record such survey in the appropriate county and send a copy to the authorized officer. If the Bureau cadastral surveyors or other Federal surveyors are used to restore the disturbed survey monument, the holder shall be responsible for the survey cost.

Cultural

10. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. 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.

11. Pursuant to 43 CFR 10.4(g), the holder of this authorization must immediately notify the authorized officer by telephone, with written confirmation, upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), the holder must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer. The BLM Authorized Officer will determine avoidance, protection or mitigation measures in consultation with the Holder, Idaho SHPO, and affected Tribes. Costs associated with the discovery, evaluation, protection or mitigation of the discovery shall be the responsibility of the holder.

12. The holder shall notify the Authorized Officer at least 90 days prior to any non-emergency activities that would cause surface disturbance in the right-of-way. The Authorized Officer will determine if a cultural resource inventory, treatment or mitigation is required for the activity. The holder will be responsible for the cost of inventory, avoidance, treatment or mitigation; including any maintenance-caused damage. The Authorized Officer will determine avoidance, treatment and mitigation measures that are necessary after consulting with the holder and under Section 106 of the National Historic Preservation Act.

Environmental Protection

13. The holder agrees to indemnify the United States against any liability arising from the release of any hazardous substance 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 of 1976, 42 U.S.C. 6901 et seq.) on the right-of-way (unless the release or threatened release is wholly unrelated to the right-of-way holder's activity on the right-of-way.) This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.

14. The holder(s) shall comply with all applicable Federal, State and local laws and regulations, existing or hereafter enacted or promulgated, with regard to any HazMat, as defined in this paragraph, that will be used, produced, transported or stored on or within the ROW or any of the ROW facilities, or used in the construction, operation, maintenance or termination of the ROW or any of its facilities. "Hazardous material" means any substance, pollutant or contaminant that is listed as hazardous under the CERCLA of 1980, as amended, 42 U.S.C. 9601 et seq., and its regulations. The definition of hazardous substances under CERCLA includes any "hazardous waste" as defined in the RCRA of 1976, as amended, 42 U.S.C. 6901 et seq. and its regulations. The term hazardous materials also includes any nuclear or byproduct material as defined by the Atomic Energy Act of 1954, as amended, 42 U. S. C. 2011 et seq. The term does not include petroleum, including crude oil or any fraction thereof that is not otherwise specifically listed or designated as a hazardous substance under CERCLA section 101(14), 42 U.S.C. 9601(14), nor does the term include natural gas.

Avian

15. Unless otherwise agreed to by the authorized officer in writing, power lines shall be constructed in accordance to standards outlined by U.S. Fish and Wildlife Service (Service) and the Avian Power Line Interaction Committee (APLIC), 2012. Reducing Avian Collisions with Power Lines: State of the Art in 2012. Edison Electric Institute, APLIC,. Washington, D.C. (including future revisions or amendments, and current BLM policy). The holder shall assume the burden and expense of proving that pole designs not shown in the above publication are 'eagle safe.' Such proof shall be provided by a raptor expert approved by the authorized officer. The BLM reserves the right to require

modifications or additions to all power line structures placed on this right-of-way, should they be necessary to ensure the safety of large perching birds. Such modifications and/or additions shall be made by the holder without liability or expense to the United States. If the lines need to be modified to meet the above requirements, the modifications will be conducted outside the migratory bird nesting season (April 1- June 30).

Fire

16. Where monitoring or inspections have identified problem areas in relation to bird related fires, the utility will provide to the BLM a mitigation plan to decrease the risk of bird related fire ignitions. The utility will implement to the mitigation measures once the plan has been approved by the Authorized Officer.

17. The utility will adhere to all industry accepted construction, maintenance and accident reporting standards as identified the National Electrical Safety Code, Company Maintenance Inspection and Safety Standards and standards required by the Idaho Public Utility Commission.

18. The utility will provide BLM with a copy of its internal maintenance, inspection and safety standard operating procedures upon request.