

**Categorical Exclusion Review**  
U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
Boise District Office  
Four Rivers Field Office

**Gem County Fire Protection District #1 RoW**

<b>CE No.:</b> ID-110-2009-CE-3866	<b>Lease/Serial/Case File No.:</b> IDI-23044
<b>Purpose and Need for Action:</b> The Gem County Fire Protection District #1 has taken over management of this communication site and access road right-of-way from the Gem County Sheriff's Office. They would like it assigned to properly show them as the holder of the right-of-way.	
<b>Description of Proposed Action:</b> This action is to assign communication site and access road right-of-way grant IDI-23044 to the Gem County Fire Protection District #1. Further, since the Fire District received a grant from the Department of Homeland Security to upgrade their facilities this action will acknowledge that they will upgrade and fence these facilities. Upgrading the facilities is considered maintenance of their communication site as the existing facilities are old and difficult to repair. The fencing was authorized when the right-of-way was renewed in 2008. No changes will be made to the terms and conditions of the existing grant.	
<b>Project Location:</b> T. 6 N., R. 1 W., Section 29; SENW	
<b>Applicant</b> (if any): Gem County Fire Protection District #1	
<b>Part I – Plan Conformance Review</b>  <b>This proposed Action is subject to the following land use plan:</b> Cascade Resource Management Plan <b>Date Plan Approved:</b> July 1, 1988  The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions):  Rights-of-way, under Title V of FLPMA, will be considered in the Cascade Resource Area except where specifically identified in the RMP for avoidance.  The subject area is not identified for avoidance.	
<b>Part II – NEPA Review</b>  A. Categorical Exclusion Review: This proposed action qualifies as a categorical exclusion under 516 DM 11.9 E. (9). Category description: Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.  B. Exceptions Review (Departmental List of Extraordinary Circumstances Review): The following twelve exceptions which apply to individual actions within categorical exclusion have been reviewed. The proposal does not meet any of the exceptions; therefore, no environmental document (EA or EIS) must be prepared.	

<b>List of Exceptions</b>		
<b>1. Have significant impacts on public health or safety.</b>		
Yes	No <input checked="" type="checkbox"/>	Specialist Signature/Date: <i>Effie Schultsmeier 10/13/2009</i>
<i>Comments/Explanation:</i> There are always limited impacts on public health and safety with maintenance activities; however, these impacts are minimal and mitigated by adherence to proper maintenance techniques.		
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; or ecologically significant or critical areas, or is not in compliance with the Fish and Wildlife Coordination Act.		
Yes	No <input checked="" type="checkbox"/>	Specialist Signature/Date: <i>Effie Schultsmeier 10/13/2009</i>
<i>Comments/Explanation:</i> The above listed resources do not occur along the route of this right-of-way.		
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		
Yes	No <input checked="" type="checkbox"/>	Specialist Signature/Date: <i>Effie Schultsmeier 10/13/2009</i>
<i>Comments/Explanation:</i> Communication site and access road rights-of-way are a typical use of the public lands.		
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
Yes	No <input checked="" type="checkbox"/>	Specialist Signature/Date: <i>Effie Schultsmeier 10/13/2009</i>
<i>Comments/Explanation:</i> There are no known uncertain or potentially significant environmental effects and this action does not involve unique or unknown environmental risks.		
5. Establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.		
Yes	No <input checked="" type="checkbox"/>	Specialist Signature/Date: <i>Effie Schultsmeier 10/13/2009</i>
<i>Comments/Explanation:</i> Authorization of communication site and access road rights-of-way is a typical use of the public lands.		
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant environmental effects.		
Yes	No <input checked="" type="checkbox"/>	Specialist Signature/Date: <i>Effie Schultsmeier 10/13/2009</i>
<i>Comments/Explanation:</i> This action is to assign the authorization for an existing communication site and access road. It does not have a known direct relationship to other actions.		
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.		
Yes	No <input checked="" type="checkbox"/>	Specialist Signature/Date: <i>Dean Shaw 10/13/2009</i>
<i>Comments/Explanation:</i> Dean evaluated this renewal and considered the proposed impacts to cultural resources. He concluded that assigning this right-of-way and remodeling the site will not impact any cultural resources because there will be no new disturbances on previously undisturbed ground.		
8. Have significant impacts on species listed or proposed to be listed on the List of Endangered or Threatened Species, or on designated Critical Habitat for these species.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date for Plants: <i>Mark Steiger 8/10/2009</i> Specialist Signature/Date for Wildlife: <i>Helen Ulmschneider 8/27/2009</i> Specialist Signature/Date for Aquatics: <i>Allen Tarter 8/10/2009</i>
Plants <i>Comments/Explanation:</i> No new disturbance will occur to any previously undisturbed areas. No known T&E or Bureau Sensitive plant species are expected to be impacted from this action.		
Wildlife <i>Comments/Explanation:</i> There are no concerns for sensitive wildlife for this project.		
Aquatics <i>Comments/Explanation:</i> No negative effect to riparian resources or H2O quality would be anticipated.		

9. Violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: <i>Effie Schultsmeier 10/13/2009</i>
<i>Comments/Explanation:</i> This action does not violate any known law or requirement.		
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: <i>Effie Schultsmeier 10/13/2009</i>
<i>Comments/Explanation:</i> Low income and/or minority populations may live in the vicinity of this right-of-way. However, the assignment an existing right-of-way would not affect low income and/or minority populations any differently than other social and economic groups.		
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).		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: <i>Effie Schultsmeier 10/13/2009</i>
<i>Comments/Explanation:</i> The subject communication site and access road do not limit any access. Therefore, there is no impact.		
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).		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: <i>Pat Kane 8/10/2009 Effie Schultsmeier 10/13/2009</i>
<i>Comments/Explanation:</i> No new impacts. Further, the existing lease contains a stipulation that the holder is responsible for the control of invasive/noxious weed species.		
<p>I certify that none of the Departmental exceptions (Extraordinary Circumstances) listed in the above Part II (516 DM 2, Appendix 2) apply to this action; therefore, this categorical exclusion is appropriate for this situation.</p> <p>Authorizing Official: <i>/s/ Michael O'Donnell</i> Date: <i>10/20/2009</i></p> <p>Name: Michael O'Donnell Title: Acting Four Rivers Field Manager</p>		
<p><b>Part III – Decision</b></p> <p>I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed project is in conformance with the approved land use plan and that no further environmental analysis is required. It is my decision to implement the project, as described, with the mitigation measures either identified below or with the stipulation(s) described above.</p> <p>Mitigation Measures/Other Remarks:</p> <p>Remarks:</p> <p>Authorizing Official: <i>/s/ Michael O'Donnell</i> Date: <i>10/20/2009</i></p> <p>Name: Michael O'Donnell Title: Acting Four Rivers Field Manager</p>		