

U.S. Department of the Interior
Bureau of Land Management
Coeur d'Alene District, Idaho

Categorical Exclusion Documentation
and
Decision Record
Lolo Creek Utilities

Office: Cottonwood Field Office

NEPA Register No. DOI- BLM-ID-C020-2012-0008-CX

Subject Code/Case File No.: 2800 / IDI-37018 (power line) and IDI-37360 (telephone line)

Location: Clearwater County, Idaho; Lolo Creek
Boise Meridian
T. 34 N., R. 4 E., sec. 17, NE1/4NE1/4.

Description of the Proposed Action

The BLM is evaluating applications to authorize an existing buried telephone line (IDI-37360) and power line (IDI-37018) on lands managed by the BLM in the Lolo Creek drainage in Clearwater County, Idaho and approximately 6 air-miles south west of town of Weippe. These utility lines were installed in August of 2006 under the a Memorandum of Understanding with the Nez Perce Tribe (NPT). Both utility services are for the operation of the Nez Perce Tribe Lolo Creek fish weir (IDI-37057), and are buried in the road ROW adjacent to the Lolo Creek road, a county road that services both Clearwater and Idaho County. The lines were buried using a directional drilling system and minimal trenching was performed at junction boxes.

Land Use Plan Conformance

This proposed action has been reviewed for conformance with the Cottonwood Resource Management Plan (RMP), approved December 21, 2009. It is consistent with the following decision from the RMP:

Objective LR-1.2 – Consider all requests for Right-of-Way, Land Use Permits and Leases. Page 49.

Compliance with the National Environmental Policy Act (NEPA)

The proposed action is excluded from further documentation under NEPA in accordance with the BLM categorical exclusion (CX) established in 516 DM 11.9 E. 9: “Grants of right-of-way wholly within the boundaries of other compatibly developed rights-of-way.” Application of this CX is appropriate in this situation because the utility lines are buried in the same location same location. The proposed action has been reviewed and none of the extraordinary circumstances described in 43 CFR 46.215 exist.

Conclusion

In reviewing the proposed action, I considered that the project would meet the needs for providing utility service for the Lolo Creek fish weir, within the existing and compatibly developed right-of-way, with no or minimal impact to natural resources. The action has little or no impacts on natural resources, and therefore does not warrant further review through an EA or EIS.

Decision

It is my decision to proceed with granting the buried electric and phone line ROWs at Lolo Creek.

Authorizing Official: Originally Signed Date: 9/12/2012
Will Runnoe, Field Manager

Contact: For additional information, contact Jeff Cartwright, Realty Specialist, at (208) 962-3680.

Administrative Review Procedures

This decision may be appealed under the regulations found at 43 CFR Part 4. In accordance with the right-of-way regulations found at 43 CFR 2801.10(a) and (b), all BLM right-of-way decisions remain in effect pending appeal unless the Secretary of the Interior rules otherwise, or as noted in this part. A petition for a stay of a BLM decision under this part of the regulations may be filed with the Office of Hearings and Appeals, Department of Interior.

Categorical Exclusion Documentation -- Extraordinary Circumstances Review

Lolo Creek Utilities

NEPA Register No: DOI- BLM-ID-C020-2012-0008-CX

CX Reference No: 516 DM 11.9 E. 12

The following must be answered 'No' to qualify for use of the CX:	NO	INITIAL
<i>Will this project</i> have significant adverse effects on public health or safety?	X	JSC
<i>Will this project</i> adversely affect such unique geographic characteristics as:		
historic or cultural resources;	X	DS
park, recreation or refuge lands, wilderness areas, wild or scenic rivers;	X	JSC
sole or principal drinking water aquifers;	X	CAJ
prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988);	X	CAJ
or ecologically significant or critical areas, including those listed on the Department of the Interior's National Register of Natural Landmarks?	X	JSC
<i>Will this project</i> have highly controversial environmental effects (NEPA section 102(2)(E))?	X	LSW
<i>Will this project</i> have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?	X	JSC
<i>Will this project</i> establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?	X	JSC
<i>Will this project</i> be related to other actions with individually insignificant but cumulatively significant environmental effects?	X	LSW
<i>Will this project</i> have adverse affects on properties listed or eligible for listing on the National Register of Historic Places?	X	DS
<i>Will this project</i> have adverse effects on species listed or proposed to be listed on the List of Threatened or Endangered Species, or have adverse effects on designated Critical Habitat for these species?	X	CAJ
<i>Will this project</i> threaten to violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment?	X	JSC
<i>Will this project</i> have a disproportionately high and adverse effect on low income or minority populations? (Executive Order 12898 -- Environmental Justice)	X	JSC
<i>Will this project</i> 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 – Sacred Sites)	X	DS
<i>Will this project</i> 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, Executive Order 13112)	X	LD

Reviewers and Comments

Specialist	Name	Comment	Date
Realty	Jeff Cartwright	Project Lead; Within Existing ROW	9/5/12
Archeologist	Dave Sisson	See memo; no cultural resource or tribal concerns	9/4/12
Biologist	Craig Johnson	See TES clearance and memo	9/7/12
Natural Resource Specialist	Lynn Danly	See memo; no concerns for invasive species	9/11/12
NEPA Coordinator	Lorrie West	LUP Conformance & applicable CX confirmation	9/10/12