

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

Century Tel Communications Lines RoW Renewal

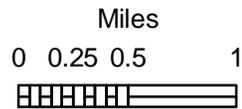
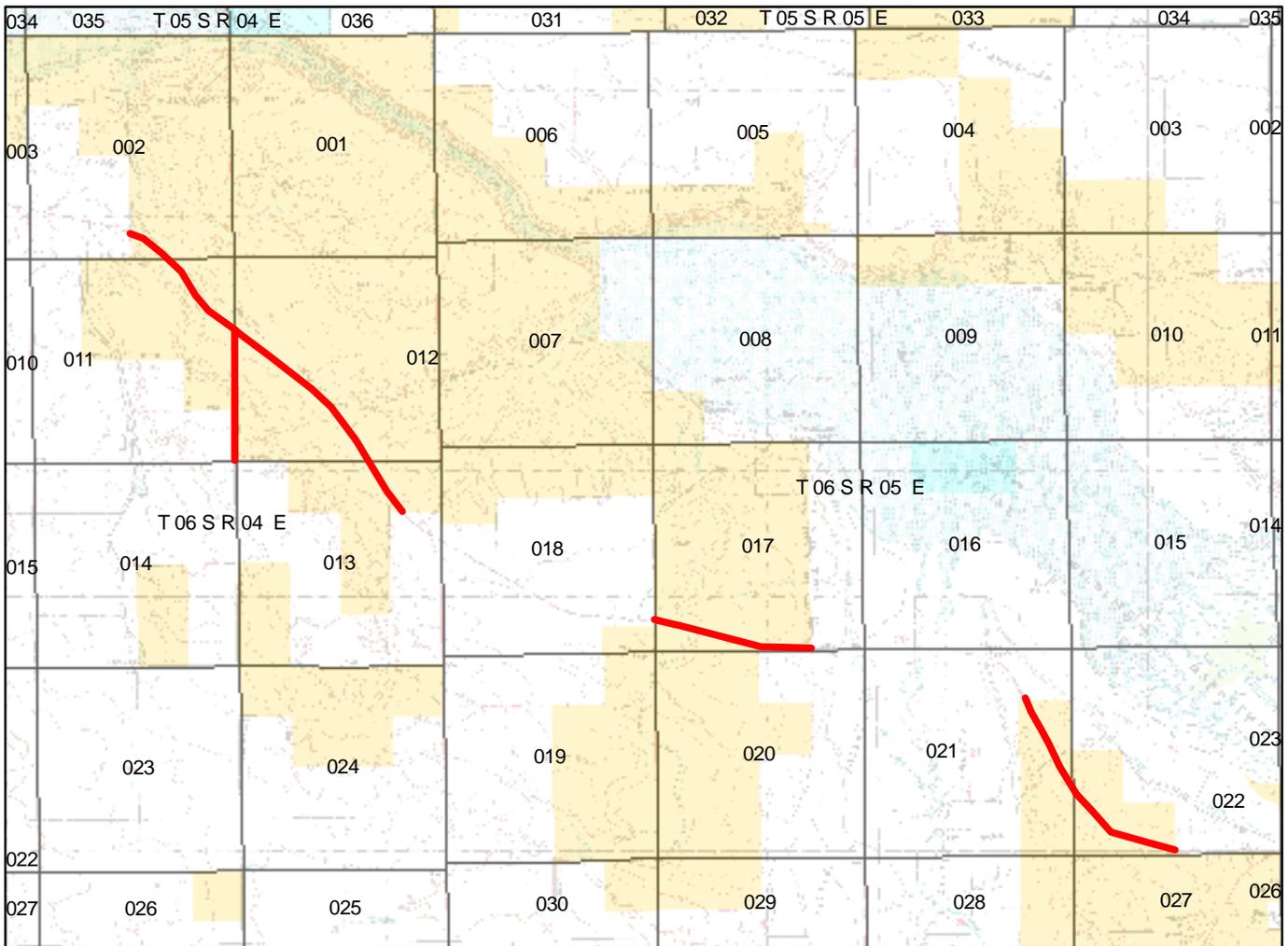
CE No.: DOI-BLM-ID-B010-2010-0015-CX	Lease/Serial/Case File No.: IDI-15495
Purpose and Need for Action: Century Tel has had a right-of-way for a buried communications line since 1979. The right-of-way expired September 25, 2009. They applied for a renewal on June 08, 2009. BLM is authorized under Title V of the Federal Land Management and Policy Act (October 21, 1976; 43 CFR 2800) to authorize rights-of-way for this type of land use.	
Description of Proposed Action: Century Tel has requested a renewal of the right-of-way that authorizes their buried telephone and fiber optic lines across BLM lands. The right-of-way would be 4.5 miles in length and 20 feet in width for a total of 10.9 acres (Exhibit A). The use would be authorized for a term of 30 years subject to the Boise District standard right-of-way stipulations (Exhibit B).	
Project Location: Secs 2,11,12,13, T6S, R4E; Secs 17,21,22, T6S, R5E	
Applicant (if any): Century Tel	
Part I – Plan Conformance Review	
This proposed Action is subject to the following land use plans: Bruneau RMP, Morley Nelson Snake River Birds of Prey (MNSRBOP) NCA(National Conservation Area) RMP	
Date Plan Approved: 1983, 2008	
The proposed action is in conformance with the applicable LUPs. In the Bruneau RMP, the use is not specifically provided for; however, uses such as the one proposed are analyzed on a site-specific basis and authorized under FLPMA guidance to provide for multiple use of the land. For the MNSRBOP the proposed right-of-way is provided for in the LUP in Section 2.17 of the Record of Decision The LUP states that land use authorizations will enhance or at least not adversely affect raptor populations or their habitat. This action would be in compliance with the plan.	
Part II – NEPA Review	
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): Review the 12 exceptions which apply to individual actions within categorical exclusion. Environmental documents (EA or EIS) must be prepared for any actions involving these exceptions. (The following Departmental List of Extraordinary Circumstances apply to individual actions. Departmental instructions mandate that environmental documents MUST BE PREPARED for actions which may: (Mark applicable answer for each item. If "yes", prepare an EA/EIS and append this form to it.)	
List of Exceptions	
1. Have significant impacts on public health or safety.	

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: Michael Borkoski 10-16-2009
<i>Comments/Explanation:</i> Based upon many right-of-ways that we have granted for similar uses, we do not anticipate any significant impact to public health and safety.		
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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: Michael Borkoski 10-16-2009
<i>Comments/Explanation:</i> There would be no significant impact to natural resources or unique geographic characteristics. A portion of the right-of-way is in the Morley Nelson Snake River Birds of Prey NCA. The use would not affect the reasons for which the NCA was established and therefore would not have a significant effect on the NCA. The use is underground and already in place with no new construction proposed.		
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: Michael Borkoski 10-16-2009
<i>Comments/Explanation:</i> We issue numerous RoWs and leases and are not aware of any highly controversial environmental effects or conflicts that would occur from such use.		
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: Michael Borkoski 10-16-2009
<i>Comments/Explanation:</i> Based upon the many right-of-ways that we have granted for similar uses we do not anticipate significant environmental effects.		
5. Establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.		
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Specialist Signature/Date: Michael Borkoski 10-16-2009
<i>Comments/Explanation:</i> Authorizations of this type are a typical use of the public lands and do not set a precedent for future actions.		
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant environmental effects.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: Michael Borkoski 10-16-2009
<i>Comments/Explanation:</i> The facility is underground and already in place. The re-issuance of the right-of-way would not cause cumulatively significant environmental effects in the area.		
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 <input type="checkbox"/>	No <input type="checkbox"/>	Specialist Signature/Date: Dean Shaw 10-21-2009
<i>Comments/Explanation:</i> A clearance was obtained from the FRFO archeologist and no listed or eligible properties were identified.		
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: Mark Steiger 08-29-2009 Specialist Signature/Date for Wildlife: Jill Holderman 10-30-2009 Specialist Signature/Date for Aquatics:
Plants <i>Comments/Explanation:</i> A survey was conducted by a FRFO Botanist and it was determined that there would be no effects.		
Wildlife <i>Comments/Explanation:</i> A survey was conducted by a FRFO Wildlife Biologist and it was determined that there would be no effects.		
Aquatics <i>Comments/Explanation:</i> Aquatics would not be affected by leaving this use in place.		

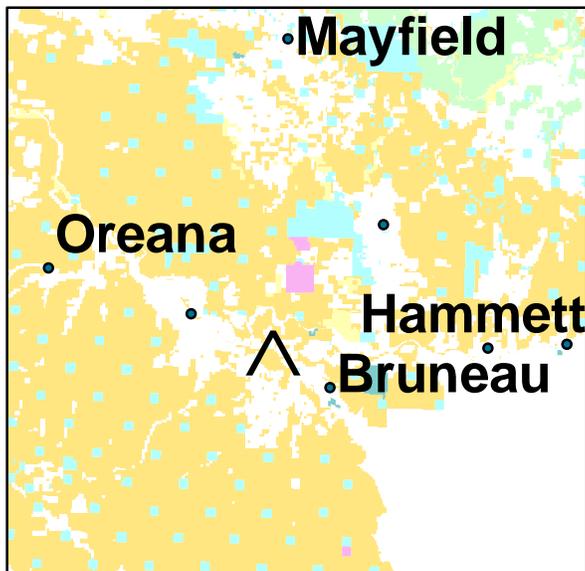
This map cannot be made Section 508 compliant. For help with its data or information, please contact the BLM Idaho State Office Webmaster at 208-373-4000.

Exhibit A

IDI - 15495 Location Map



Vicinity Map



IDI-15495
Century Tel RoW for buried communications line
Secs 2,11,12,13, T6S, R4E; Secs 17,21,22, T6S,
R5E
Length 3.85 miles, Width 20 feet, 9.33 acres



"No warranty is made by the Bureau of Land Management The accuracy, reliability, or completeness of these data for individual use or aggregate use with other data is not guaranteed."



RIGHT-OF-WAY STIPULATIONS

1. The holder shall notify the authorized officer of any change of mailing address.
2. The Holder shall file proof-of-construction within 90 days of completion of construction but no later than 1 year from the date of the grant, whichever is sooner.
3. The United States retains the right to authorize use of the right-of-way for other compatible uses (including the subsurface and air space).
4. Any cultural and/or paleontological resource (fossil(s) or historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public 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. 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.
5. Use of pesticides, herbicides, and rodenticides shall comply with the applicable Federal and State laws, and only in accordance with their registered uses.
6. The holder shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public lands under this grant or permit.
7. The holder(s) shall comply with the Toxic Substances Control Act of 1976 as amended, 15 U.S.C. 2601 et seq. (1982) with regards to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant. (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, 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 authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.
8. 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, 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), or resulting from the activity of the right-of-way holder 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.

9. As directed by the Authorized Officer the Holder shall be responsible for control of noxious weed species that result or would result from the construction, use, or maintenance of their grant.

If herbicides are used the Holder shall comply with all applicable Federal and State laws and regulations. Herbicides shall be used only in accordance with their registered uses within the limitations imposed by the Secretary of the Interior. Prior to the use of herbicides, the Holder shall obtain from the authorized officer written approval of a Herbicide Use Proposal Plan showing the type and quantity of herbicide to be used, weed(s) to be controlled, method of application, and any other information deemed necessary by the authorized officer.

Applicator(s) shall hold a current State of Idaho applicator's license or be under the direct supervision of a licensed applicator.

For areas and acres treated the Holder shall submit to the BLM a completed "BLM Pesticide Application Record" form.

Other control methods include but are not limited to annual mowing.