

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
CHALLIS FIELD OFFICE
Categorical Exclusion
Idaho Power Gauging Station
DOI- BLM-ID-I040-2012-0007-CX**

Applicant: Idaho Power
Project/Serial No.: IDI-37190
Project Lead: Joni D. Cain

Background:

The applicant, Idaho Power Company (IPC) has applied for a right-of-way authorization under the Federal Land Policy and Management Act (FLPMA) 1976, as amended, for an existing stream flow gauging station located on public lands approximately 200 feet southeast of the State Highway 75 bridge crossing the East Fork of the Salmon River.

The gauging station is an existing project originally established by the USGS sometime during the 1940's and Idaho Power assumed control of the site in 2004. A recent audit of IPC's gauging facilities determined this gauge site was not authorized. The stream gauging station is maintained by IPC's Water Management Department and discharge and water temperature data for the East Fork is monitored.

There are several gauging stations located on public lands which are authorized in the Idaho Falls District and throughout Idaho.

Proposed Action:

The proposed action is to grant a right-of-way authorization for the continued use of an existing stream flow gauging station located on public lands at the mouth of the East Fork of the Salmon River. The site includes a steel measuring rod which stands vertically in the stream channel, a buried conduit, 8 feet tall post set in concrete and supporting an equipment box, a 1/2 inch diameter flex conduit which extends from the gauge box traveling underground into the river, and a solar panel. The station would be powered by a 100 Ah, sealed, gell cell battery, which will reside in the gauge box. The area currently occupies approximately 10 feet by 60 feet (600 sq. feet) and this foot print would be authorized. The legal land description is:

Boise Meridian, Idaho
T. 11 N., R. 18 E.,
sec. 22, lot 5.

The gauging of stream flow is a long-term project and data is used on a historical and perpetual basis. Interruption of the stream flow gauging will affect the quality and effectiveness of the data for the region as the site is interrelated to other gauging sites in the same watershed. Idaho Power Company personnel would visit the site approximately once every six weeks to maintain

the equipment and make physical measurement of the river discharge. The site would be accessed via existing roads.

Idaho Power Company maintains and operates a stream gauge network of approximately 100 plus gauges for the purpose of modeling and forecasting water conditions in numerous watersheds in the states of Idaho and Oregon. This gauge site is operated as part of an ongoing program at IPC. Funding for the construction, operation, maintenance and termination of all stream gauge facilities owned by IPC is derived from contracts with USGS, the Idaho Department of Water Resources, some local agencies, and IPC's hydropower production activities. Data collected would be made publically available via IPC's web site and the data would be used to enhance fisheries habitat on the East Fork and to provide data to local agency irrigation companies.

The right-of-way grant with stipulations (Attachment A) would be authorized for a period of 30 years with the right to renew. Use would continue "as is" and no additional ground outside the existing disturbed area would be authorized.

Consultation and Coordination:

A summary description of the proposed project was made available to the public on the Idaho BLM's ePlanning website in March 2012 and the public was given the opportunity to provide comments or consult on the action.

Land Use Plan Conformance Statement:

Land Use Plan Name: Challis Resource Management Plan and EIS
Date Approved/Amended: July 1999

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s): page. 35, Land Tenure and Access” – Goal 3: Consider public needs for use authorizations, such as rights-of-way, leases, permits, and withdrawals. Rationale: Required by law, regulations, and policy.

Finding or Recommendation:

I have considered the environmental effects of the proposed action and find that it is a categorical exclusion as outlined in Departmental Categorical Exclusion 516 DM 2, Appendix 1, 1.6 1.6 which allows, “Nondestructive data collection, inventory (including field, aerial, and satellite surveying and mapping), study, research, and monitoring activities. This action does not qualify as an exception under 516 DM 2, Appendix 2.

Preparer /s/ Joni D. Cain
Date 05/13/2014

Field Manager /s/ Todd Kuck
Date 05/13/2014

Decision and Rationale for the Decision:

It is my decision to implement the proposed action as described above. The stream flow gauging station will be authorized to the applicant for continued use for a 30 year term with the stipulations outlined in the grant (Attachment A) and having an expiration date of December 31, 2043. No new disturbance to vegetation or soils will occur, and no new structures will be authorized.

Field Manager /s/ Todd Kuck
Date 5/13/2014

Appeals Information:

Refer to 43 Code of Federal Regulations (CFR), Part 4 for appeals information.

**EXHIBIT B
STIPULATIONS
IDI-37190**

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. Holder shall remove only the minimum amount of vegetation necessary for the use and maintenance of the existing road.
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. The holder shall be responsible for weed control on disturbed areas 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). Control measures must be done in accordance with the Challis Field Office Integrated Field Office Weed Management Program. Coordination with the Challis Field Office Weed Specialist shall be completed **before** applying herbicides.
5. The holder of right-of-way No. IDI-37190 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.
6. 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.
7. 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.

8. 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.
9. 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 shall 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.