

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Twin Falls District
Shoshone Field Office
400 West F Street
Shoshone, Idaho 83352**

**CATEGORICAL EXCLUSION REVIEW SHEET
NEPA No. DOI-BLM-ID-T030-2012-0020-CX**

A. Background

The Shoshone Field Office of the Bureau of Land Management (BLM) has received an application from Qwest Corporation DBA CenturyLink QC (Qwest) to renew a right-of-way on public lands within Blaine County, Idaho. The right-of-way grant identified under IDI-20213 authorizes Qwest to operate and maintain an underground telephone communications cable. The telephone communications cable provides service to residents in Blaine and Camas counties on a year-round basis.

The original right-of-way was issued on May 4, 1983, for a period of 30 years. The right-of-way area is 10 feet wide and approximately 1.83 miles in length. The total area encompassed by the right-of-way is about 2.2 acres. The telephone communications cable is buried within the right-of-way of Highway 20 (IDI-0-5777). Access to the telephone communications cable would utilize existing roads. The application to renew the telephone communications cable right-of-way does not include any new improvements, modifications, or surface disturbance.

B. Consideration of Extraordinary Circumstances

This Categorical Exclusion Review Sheet documents the review of the proposed action to determine if any of the extraordinary circumstances described in 516 DM 2, Appendix 2 apply. If any of the extraordinary circumstances apply to the proposed action, then an EA or EIS must be prepared. Any evidence or concerns that one or more of the exceptions may apply must be brought to the attention of the manager who is authorized to approve the proposed action.

1. The proposed action would not have any significant impacts on public health or safety.

The operation and maintenance, including access, of the underground telephone cable would not have any significant impacts on public health and safety. The renewed right-of-way would contain terms, conditions and stipulations that would require Qwest to comply with Federal and State standards for public health and safety, environmental protection, operation, and maintenance. The BLM authorized officer has the ability to suspend or terminate in whole or in part the right-of-way grant if unforeseen conditions arise which result in the approved terms and conditions being inadequate to protect the public health and safety or to protect the environment.

2. The proposed action would not 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.

There are no natural resources and unique geographic characteristics such as historic or cultural resources; park, recreation, refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; national monuments; or other ecologically significant or critical areas that would be significantly impacted by the proposed action.

A cultural resource review and survey was conducted for the project area on October 24, 2012 and November 5, 2012, respectively. Based on the information from the review and survey it was determined that no eligible cultural resources would be affected by the proposed action.

The telephone cable right-of-way is located within the right-of-way of Highway 20 and no maintenance needs that will remove vegetation are anticipated at this time. Therefore, the proposed renewal of this right-of-way will not impact migratory birds that utilize the project area beyond the impacts occurring as a result of the use of the highway.

3. The proposed action would not have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].

The proposed action is allowable by the Magic Management Framework Plan. This plan established the land use allocation and goals for the affected public land; as such, there are no unresolved conflicts regarding other uses of these resources. The telephone cable has been authorized since May 1983 and the BLM is not aware of any controversy surrounding the use of the lines between then and the present time.

A letter was sent to interested parties on October 15, 2012 informing them of the proposal to renew the right-of-way and no responses were received.

4. The proposed action would not have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

The proposed action does not involve highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. The use has been occurring in the project area since 1983 without involving highly uncertain and potentially significant environmental effects or unique or unknown environmental risks. Other telephone cables constructed and operated on public lands have not shown any highly uncertain, potentially significant, or unique or unknown risks.

5. The proposed action would not establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.

The proposed action does not establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects. The proposed action is not connected to another action that would require further environmental analysis and it would not set a precedent for future actions that would normally require environmental analysis. The decision to renew a right-of-way to operate and maintain an existing telephone cable on public lands as described would only allow that action to occur.

Any proposed future projects must be evaluated on their own merits and effects.

6. The proposed action would not have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

The proposed action does not have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. The renewed right-of-way would authorize the operation and maintenance of an existing telephone cable within areas of a compatible highway right-of-way.

7. The proposed action would not 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.

A cultural resource review and survey was conducted for the project area on October 24, 2012 and November 5, 2012, respectively. Based on the information from the review and survey it was determined that no eligible cultural resources would be affected by the proposed action.

8. The proposed action would not 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.

A Special Status Plant Species Assessment was completed for the proposed action on August 21, 2012, with a finding that no special status plants or their critical habitat exist within the project area.

A Special Status Animal Species Assessment was completed for the project area on August 31, 2012. It was determined that the project will not adversely impact any special status animal species or its habitat provided stipulations are incorporated into the right-of-way grant that would limit impacts from maintenance that may occur during the nesting season (February 1 – July 31) and/or that requires woody riparian vegetation (e.g. willow, cottonwood) to be removed.

9. The proposed action would not violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.

The BLM issues right-of-way grants in accordance with Title V of the Federal Land Policy and Management Act of 1976 and the BLM regulations at 43 CFR 2800. Under these regulations the renewed right-of-way grant would specify that all applicable Federal, State and local laws be adhered to. The BLM has the ability to suspend and/or terminate the right-of-way if a Federal, State or local laws is violated. There are no tribal laws in effect for the project area.

10. The proposed action would not have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

The proposed action would not have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898). The effect would be the same as for the general population in the general area.

11. The proposed action would not 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).

The renewal of the telephone right-of-way will change access to the public lands within the area. Additionally, the right of way has been used since 1983 without any conflicts arising.

12. The proposed action would not 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 renewed right-of-way would contain stipulations that would require Qwest to be responsible for weed control on the disturbed areas within the limits of the right-of-way as well as responsible to ensure that the undercarriages of equipment and/or vehicles used in the operation and maintenance of the right-of-way be free of all soil and plant material prior to operating on public lands to reduce the establishment of new invasive, non-native species or the spread of existing species to new areas. All equipment and vehicles operating off of main roads would be required to be cleaned off prior to leaving the job site when the job site includes noxious weed populations. These stipulations/requirements would reduce the risk of introduction, continued existence, or spread of noxious and non-native, invasive species.

C. Consultation and Preparation

Resource surveys and review of potential impacts of the proposed action was completed by the following:

Kasey Prestwich, Realty Specialist/Project Lead
Tara Barrier, Wildlife Biologist
Lisa Cresswell, Archeologist/Shoshone Field Office NEPA Coordinator
Danelle Nance, Natural Resource Specialist