

**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-T030-2012-0025-CX**

A. Background

The Bureau of Land Management, Shoshone Field Office (BLM) has received an application from the Department of Energy (DOE) to renew a right-of-way (IDI-28657) to access and authorize a seismic monitoring station on public lands in Butte County, Idaho near the Craters of the Moon National Monument and Preserve Visitor Center. The seismic monitoring station is part of the Idaho National Laboratory (INL) Seismic Monitoring Program (supported by DOE) which maintains and operates 27 seismic monitoring stations for the purpose of documenting earthquake activity on and around the eastern Snake River Plain. The INL seismic network is used to acquire information on earthquake sources (such as locations, magnitudes, depths, faulting styles, stress parameters, and recurrence rates), crustal structure, rock properties, and attenuation characteristics of the subsurface. The INL seismic network also serves as an early warning system for potential future basal volcanism in the eastern Snake River Plain.

The original right-of-way was issued on April 17, 1992, for a period of 20 years. The infrastructure associated with the seismic station includes the following:

- a small concrete pad (approx.. 3 x 3 x 3 ft) to support a 10 ft high antenna tower;
- solar panels and one or more antennas attached to the tower;
- a 3 x 3 x ft fiberglass box attached to the tower that houses some seismic instrumentation;
- seismic instrumentation that includes a NetDAS (an embedded LINUX computer with a GPS clock), symmetric research 24 bit digitizer, and in some cases a Trimble GPS dual frequency receiver;
- freewave technologies 900 MHz wireless modem that transmit digital signals continuously to another location;
- a 3 x 3 x 3 ft fiberglass box buried in the ground nearby the tower to house two or more sealed 12 volt, 100 amp/hr gel cell batteries; and
- one to three seismometers housed in shallow buried ½-55 gallon drums located near the antenna tower.

Access to the seismic monitoring station would utilize existing designated roads; no cross-country mechanized or motorized travel would be authorized. The application to renew the 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 seismic monitoring station 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 DOE to comply with Federal and State standards for public health and safety, environmental protection, operation, and maintenance of, or for, such use. 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, refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; or other ecologically significant or critical areas that would be significantly impacted by the proposed action. A cultural resource field inventory was conducted for the project in 1992 with additional review completed in June 2011, with a determination that no eligible cultural resources would be affected by the proposed action. The area is located within the BLM-administered Craters of the Moon National Monument and is open for dispersed recreation; however, the seismic monitoring station is not anticipated to impact any activities associated with dispersed recreation or the resource values for which the national monument designation was issued. The renewal of the right-of-way will not have additional impacts to any migratory birds which may utilize the project area beyond that of the current level.

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 specifically provided for in the Management Plan. The Management 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. Throughout the environmental process to renew a right-of-way to DOE for the operation and maintenance, including access, of a seismic monitoring station was not highly controversial, nor are the effects expected to generate future controversy. The seismic monitoring station has been authorized since 1992 and the BLM is not aware of any controversy surrounding the use of the monitoring station between then and the present time.

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 1992 without involving highly uncertain and potentially significant environmental effects or unique or unknown environmental risks. Other seismic monitoring stations constructed and operated on public lands have not shown any highly uncertain, potentially significant, or unique or unknown risks. The environmental process for the proposed action has not identified any effects that may involve highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks 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 is not connected to another action that would require further environmental analysis and would not set a precedent for future actions that would normally require environmental analysis.

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.

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 survey was conducted for the project area in 1992 with additional review completed in June 2011, with a determination 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 survey of the project area for special status plants was completed in 1992 with additional review completed in August 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 in August 2012. It was determined that this project would not adversely impact any special status, including endangered or threatened, animal species or their habitat provided that 1) no maintenance or other associated activities are performed from February 1 through July 31, 2) reflective fence markers are installed on the support wires of the tower, and 3) no sagebrush is removed during maintenance activities. The project area and adjacent habitat serves as potential nesting/foraging habitat for raptors and migratory birds. The project area has also been mapped as fairly high quality pygmy rabbit habitat; however, there are no known pygmy rabbit burrows in the vicinity of the right-of-way. Although, it is possible that pygmy rabbits would utilize the right-of-way area during dispersal, the right-of-way area is not currently within a distance from known pygmy rabbit locations that would indicate its use by pygmy

rabbits during either breeding or nonbreeding seasons. The right-of-way area is in an area designated as Preliminary Priority Habitat for greater sage-grouse and is considered to be nesting, brood-rearing, late fall and winter habitat for sage-grouse. However, there are no known leks within two miles of the right-of-way area. Motorized travel will also be limited to designated roads, primitive roads and trails for the renewed right-of-way to reduce impacts to the existing habitat.

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 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. The use has been occurring in the project area since 1992 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 DOE 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

Name of Participant	Position Title	Comments Provided (Initial One)		Date
		None	Attached	
Tara Hagen	Realty Specialist/Project Lead	TH		8/23/12
Tom Askew	Physical Scientist		TA See Hazmat Clearance dated 10-19-11	8/23/12
Tara Barrier	Wildlife Biologist		TAB	9/12/2012
Lisa Cresswell	Archeologist/NEPA Coordinator	LC		9/10/12
David Freiberg	Outdoor Recreation Planner		DF	09/12/12
John Garth	Geologist	JSG		8/23/12
John Kurtz	Outdoor Recreation Planner	JK		9/12/12
Danelle Nance	Natural Resource Specialist		DN	9/24/2012
Dan Patten	Rangeland Management Specialist	DP		8/23/12
Joe Russell	Fire Use Specialist	JR		8/28/2012

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