

**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-T030-2012-0026-CX**

A. Background

The Bureau of Land Management, Shoshone Field Office (BLM) has received an application from Cox Communications (Cox) to renew a right-of-way (IDI-23532) to access and authorize both overhead and underground TV cable lines across public lands in Blaine County, Idaho near the cities of Ketchum and Sun Valley. The TV cable lines provide service to residents and businesses in Blaine County. The original right-of-way was issued on March 18, 1987, for a period of 25 years.

The right-of-way is 10 feet wide and approximately 2.65 miles in length. The total area encompassed by the right-of-way is about 3.2 acres. Access to the TV cable lines would utilize existing roads with a minimal amount of cross-country travel. The application to renew the TV 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 TV cable lines 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 Cox 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; national monuments; or other ecologically significant or critical areas that would be significantly impacted by the proposed action. A cultural resource survey was conducted for the project area in 1981 with additional review completed in June 2011, with a determination that no eligible cultural resources would be affected by the proposed action. A portion of the underground TV cable lines are located along the River Run ski run within the Bald Mountain Ski Resort recreation permit. The lines provide service to the infrastructure associated with the ski resort located on Bald Mountain. When maintenance is required coordination with the recreation permit holder, Sun Valley Company, will occur. There would be no additional impacts to recreation in the area from the proposed action. Several of the TV cable lines are adjacent to waterways; however, it's anticipated that the renewal of the right-of-way will not have additional impacts to migratory birds beyond that of the current level. The TV cable lines that are overhead are located on power line structures owned and maintained by the Idaho Power Company.

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 Sun Valley Management Framework Plan (MFP; 1982). The Sun Valley MFP 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 for the proposal to renew a right-of-way to Cox for the operation and maintenance, including access, of existing overhead and underground TV cable lines was not highly controversial, nor are the effects expected to generate future controversy. The TV cable lines have been authorized since March 1987 and the BLM is not aware of any controversy surrounding the use of the lines 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 1987 without involving highly uncertain and potentially significant environmental effects or unique or unknown environmental risks. Other TV cable lines 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 1981 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 Special Status Plant Species Assessment was completed for the proposed action in July 2011, 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 July 2012, with a determination that this project would not adversely impact any special status, including endangered or threatened, animal species or their 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 1987 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 Cox 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		5/23/2012
Tom Askew	Physical Scientist		TEA See Hazmat Clearance dated 10-19-11	5/23/2012
Tara Barrier	Wildlife Biologist	TAB		7/20/2012
Lisa Cresswell	Archeologist/NEPA Coordinator	LC		8/13/2012
David Freiberg	Outdoor Recreation Planner	DF		8/24/2012
John Garth	Geologist	JSG		7/20/2012
John Kurtz	Outdoor Recreation Planner	JK		7/20/2012
Danelle Nance	Natural Resource Specialist	DN		8/23/2012
Joe Russell	Fire Use Specialist	JR		7/14/2012
Joanna Tjaden	Rangeland Management Specialist	JPT		9/4/2012