

Telecommunications Fiber Optic Lines: Lone Mountain Station to Tuscarora & Dinner Station to Adobe Ranchos

**Rural Telephone Company
Rights of way along Nevada SSR 18, SR 225, & SR 226
Elko County, Nevada**

Finding of No Significant Impact

**DOI-BLM-NV-E020-2011-0501-EA
2800 (NVE0200)
Serial No. NVN-089216**



FINDING OF NO SIGNIFICANT IMPACT

Telecommunications Fiber Optic Lines: Lone Mountain Station to Tuscarora & Dinner Station to Adobe Ranchos Right-of-way along Nevada SSR 18, SR 225, & SR 226 in Elko County, Nevada

January 2012

Background

Rural Telephone Company (RTC) is requesting a 20-foot wide right-of-way (ROW) authorization from the BLM to construct, operate, and maintain an underground fiber optic telecommunications line on 16.47 miles of public land (out of a 37-mile long utility line total). The RTC-proposed ROW involves private and public land in two segments, generally between Lone Mountain Station and Tuscarora, and Dinner Station to Adobe Ranchos, both in Elko County, Nevada. The proposed route lies within the rights of way of two Nevada State Routes (SR 225 and SR 226) and one secondary State Route (SSR 18). The Proposed Action is for the BLM to approve the application and issue the proposed ROW.

The purpose of the proposed project is to improve telecommunications services available in a rural area of northeastern Nevada. The proposed project is a U.S. Department of Agriculture, Rural Utilities Service, American Recovery and Reinvestment Act (ARRA), [Stimulus] Broadband Initiatives Program Project.

The proposed construction would result in surface area disturbance approximately 15-foot wide throughout the length of the RTC-proposed ROW. Directional boring methods would be employed to minimize disruption of sensitive surface areas, including existing improvements such as driveways, roads, pipelines and canals, and natural features such as streams, wetlands and endangered species habitat.

Land Use Plan Conformance

The public lands administered by the BLM in the project area are managed in accordance with the Elko Resource Management Plan (ERMP) Record of Decision (BLM 1987). Although the Proposed Action is not specifically addressed in the ERMP, it is consistent with objectives regarding right-of-way corridors and wildlife. The ERMP encourages collocation of rights of way within existing corridors to minimize adverse environmental impacts and the proliferation of separate rights of way. The Proposed Action features design elements that facilitate the management of high priority riparian/stream habitat to provide good habitat condition for wildlife and fish.

The ERMP objectives are consistent with the objectives of the BLM's rights of way program as defined in *43 CFR 2801.2*, to wit:

It is BLM's objective to grant rights of way under the regulations in this part to any qualified individual, business, or governmental entity and to direct and control the use of rights-of way on public lands in a manner that:

- a. Protects the natural resources associated with public lands and adjacent lands, whether private or administered by a government entity;*
- b. Prevents unnecessary or undue degradation to public lands;*
- c. Promotes the use of rights of way in common considering engineering and technological compatibility, national security and land use plans; and*
- d. Coordinates to the fullest extent possible, all BLM actions under the regulations in this part with state and local governments, interested individuals, and appropriate quasi-public entities.*

The Proposed Action would be consistent with the plans and policies of neighboring local, county, State, tribal and federal agencies and governments. Specifically, the proposed project would serve the goals of the Nevada Statewide Plan for Public Lands as adopted in 1986, as well as would be consistent with the Elko County Public Lands Policy Plan prepared in 2008.

Finding

I have reviewed Environmental Assessment DOI-BLM-NV-E020-2011-0501-EA (EA), dated January 2012. After consideration of the environmental effects as described in the EA, and incorporated herein, I have determined that the Proposed Action with the project design features and mitigation measures identified in the EA will not significantly affect the quality of the human environment and that an Environmental Impact Statement (EIS) is not required to be prepared.

I have determined the Proposed Action is in conformance with the Elko Resource Management Plan and is consistent with the plans and policies of neighboring local, county, state, tribal and federal agencies and governments. This finding and conclusion is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and the intensity of impacts described in the EA.

Context: The project area is comprised of two ROW segments within a 37-mile long corridor in northeastern Nevada. If completed, the project would establish continuous fiber optic cable connectivity between the town of Tuscarora and the city of Elko and provide rural residents with enhanced telecommunications services that are currently unavailable in the area.

Prior to submitting a ROW application to BLM, the applicant considered and rejected potential alternative routes for three reasons:

- a desire to utilize existing ROWs to the maximum extent possible;
- an overall increase in distance in the ROW required for any alternate route; and
- the added difficulty and complexities associated with terrain encountered outside of the existing ROW corridor.

No other alternative routes have been suggested that would meet the purpose and need for the Project while lessening the impact on the resources identified. Design features have been incorporated into the Proposed Action to avoid or minimize disturbance to resources within and near the project area.

Intensity:

1) *Impacts that may be both beneficial and adverse.*

Both beneficial and adverse impacts of the construction, operation, maintenance, and termination of the underground fiber optic lines were considered in the EA. The evaluation of the Proposed Action included an examination of the general setting, identification of the critical elements and other affected resources and uses of concern in the vicinity of the Proposed Action, a description of the affected environment, and a prediction of the associated environmental consequences.

2) *The degree to which the Proposed Action affects public health or safety.*

The Proposed Action will result in improved public welfare by providing the residents of rural northwestern Elko County the same or similar telecommunications services that are available in nearby urban areas. Implementation of components of the Proposed Action will not result in potentially substantial or adverse impacts to public health and safety.

3) *Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*

The project area does not contain park lands, prime farmlands, or wild and scenic rivers, and the project area is not considered an ecologically critical area.

The Proposed Action would not impact any perennial streams, intermittent/ephemeral streams, wetlands, water quality, or floodplains as they would be bored under. Based on soil survey information and similar construction activity recently conducted in the area, the Proposed Action would not be expected to affect groundwater resources.

The proposed project would be located within an area designated as Interim Visual Resource Management Class III, the main objective of which is to partially retain the existing character of the landscape. Installation of warning signs along the proposed route, which are required for safety reasons, would be the only change to the viewshed and would not generally be highly visible to the casual observer.

The Proposed Action would result in disturbance of approximately 89.5 acres of vegetation for a short period of time. Plant communities in the project area are comprised primarily of sagebrush (approximately 90 percent), crested wheatgrass (eight percent), and wetland grasses (two percent). A small area of cheatgrass, snakeweed and rubber rabbitbrush and a willow-dominated riparian wetland area each comprise approximately 0.1 percent of the project area. Implementation of the environmental protection measures identified in Section 2.1.6.8 of the EA, including re-seeding and rehabilitation of cleared areas, would minimize loss of vegetation.

No known sites with traditional or spiritual significance to the Western Shoshone are located in the project area, and the likelihood of encountering such sites is low. Therefore, the Proposed

Action would not inhibit or have any adverse effect on any continuing or current religious practice or ceremony.

A project-specific paleontological inventory identified one site with a scattering of fossilized bone fragments in the Lone Mountain Station to Tuscarora segment. Overall the project area lacks significant recorded paleontological resources and in-situ bones. The proposed project would have negligible impacts upon paleontological resources due to the protective measures contained in Section 2.1.6.10 of the EA, which include halting construction activities and notifying the BLM should vertebrate or other important fossils be observed.

4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.

Overall, the construction of linear utility projects, such as underground fiber optic lines, within existing utility and transportation corridors are not considered highly controversial. The Proposed Action would add one additional fiber optic ROW to the land uses in the Lone Mountain Station to Tuscarora segment, and replace and upgrade an existing fiber optic line in the Dinner Station to Adobe Ranchos segment. The Proposed Action would not interfere with other land uses or prevent existing access to public or private lands with the proposed project area. Utilizing the existing disturbed corridor for the Proposed Action would minimize impacts and be consistent with the ERMP.

5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

There are no known effects of the Proposed Action identified in the EA which are considered uncertain or involve unique or unknown risks. All construction methods proposed to be employed are accepted standard practices.

6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The Proposed Action does not establish a precedent for future actions with significant effects and does not represent a decision in principle about a future consideration. All future linear ROW projects, if they occur, would be subject to the same environmental assessment standards and independent decision making.

7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

Historic activities in the cumulative effects study areas (CESA) have included other linear-type ROW activities, grazing, wildfire suppression and burned area rehabilitation activities, and salable and locatable mineral exploration and development activities. Reasonably foreseeable future actions include ranch and housing development, recreation, livestock grazing, wildfires and burned area rehabilitation, development of geothermal resources, locatable mineral exploration activities, pipeline installation, and other linear ROW activities. These types of projects and activities, seen together with other on-going land disturbing activities in the area, are not expected to result in cumulatively significant impacts at the local or watershed scale on cultural resources, migratory birds, special status species, noxious weeds and invasive non-native plant species, visual resources, vegetation, wildlife, and paleontological resources. Cumulative

effects would be negligible to minor for resources including air quality, water, range, land use, Native American concerns, and soils.

8) *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the NRHP or may cause loss or destruction of significant scientific, cultural, or historical resources.*

A 100-foot wide corridor that encompasses the Proposed Action route was inventoried at the Class III intensive level for cultural resources as part of baseline data gathering for the EA. The inventory identified 23 archaeological sites, eight of which were determined to be eligible for listing on the National Register of Historic Places (NRHP). Three avoidance options are available to avoid impacting the eight NHRP eligible sites. The most appropriate option for each site would be determined on a site-specific basis and approved by the BLM prior to initiating construction. In addition, a cultural resource monitor would be present during construction activities in specific areas, including at NRHP eligible sites, all vault locations, and areas having potential for deeply buried cultural deposits. These measures combined with the mitigation measures outlined in Section 2.1.6.2 and Section 3.4.1 of the EA would be stipulated as conditions in any ROW grant that would be issued by BLM to prevent the Proposed Action from adversely effecting NRHP-eligible cultural resource sites.

9) *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the ESA of 1973.*

The county species list provided by the USFWS has been reviewed and the Proposed Action has undergone consultation and coordination with the Nevada Department of Wildlife and the Nevada Natural Heritage Program. The RTC-proposed ROW route passes through habitat for two candidate species, 29 species designated as Nevada BLM Sensitive Species, and four species designated as State of Nevada Listed Species, as presented in Table 9 of the EA. Specifically, sage-grouse habitat occurs throughout the entire project area and eight active lek sites are indicated within a three-mile radius of the project area. However, no sage-grouse or their sign were observed within the proposed ROW boundaries, and it is highly unlikely that sage-grouse would utilize habitat in the ROW area due to its location immediately next to state highways. The Proposed Action would result in the temporary loss of about 89.5 acres of habitat on public lands and private lands until implementation of the reclamation measures proposed in Section 2.1.6.8 of the EA would establish native perennial grass cover similar to or better than pre-project conditions. It has been determined the proposed activities would not likely adversely affect any of these species or their critical habitat.

10) *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

The Proposed Action will not violate or threaten to violate any Federal, State, or local law or requirement imposed for the protection of the environment.



Gerald Dixon

for **Manager
Tuscarora Field Office, BLM**

3/26/2012

Date