

U.S. Department of the Interior  
Bureau of Land Management  
Coeur d'Alene District, Idaho

## **Categorical Exclusion Documentation**

### **Lincoln Way Crossing ROW**

**Office:** Coeur d'Alene Field Office

**NEPA Register No.** DOI-BLM-ID-C010-2012-0004-CX

**Subject Code/Case File No.:** IDI-37330

**Location:** Kootenai County, Idaho; Corner of NW Blvd and Lincoln Way  
Boise Meridian, T. 50 N., R. 4 W., section 14 tract 44

**Contact:** Janna Paronto, Realty Specialist, 208-769-5037

#### **Description of the Proposed Action**

The BLM is processing a right-of-way (ROW) for the City of Coeur d'Alene to upgrade the intersection of Lincoln Way and NW Blvd. The intersection is needed to satisfy issues of ingress and egress into the area. The intersection crosses the abandoned Burlington Northern Santa Fe Railroad (BNSF) Company right-of-way (ROW) within the city. The BLM's interest is limited to the section of the abandoned BNSF track between Milepost 10.96 and Milepost 12.21. This 1.25 mile corridor is all that is left of the original ROW issued under the 1875 Railroad Act for which the United States is considered the underlying estate holder. The currently proposed ROW to the City at the Lincoln Way crossing would be approximately 132 feet long and 65 feet wide, consisting of 0.20 acres of public land. The intersection will be a 2 lane asphalt paved road with traffic signals. Detailed information available from the project file (IDI-37330) includes design drawings, maps, and an Environmental Report for the BNSF Abandonment that was submitted to the Surface Transportation Board (STB Docket NO. AB-6) in July 2009 (STB 2009).

#### **Land Use Plan Conformance**

In accordance with the Federal Land Policy and Management Act (FLPMA), this proposed action has been reviewed for conformance with the Coeur d'Alene Resource Management Plan (RMP), approved June 2007. It is consistent with the following land and realty decisions from the RMP, page 58:

**Goal LR-1-** Meet the public needs for use authorizations such as rights-of-way, leases, and permits when such needs are consistent with other resources values.

**Objective LR-1.1-** Issue use authorizations consistent with other resource values.

The action is further consistent with the Coeur d'Alene Education Corridor Master Plan that includes parks and trails and services along the abandoned railroad corridor. As stated in a letter from the City dated June 16, 2009 (STB 2009; Environmental Report Exhibit B), *"The plans for this area include expansion of higher education institutions and civic uses as well as private redevelopment. We are excited to have this property available for new uses that will benefit the community."* The BLM and the City are in the process of discussing options for potential transfer of the interest in the 1.25 mile abandoned railroad corridor.

**Compliance with the National Environmental Policy Act (NEPA)**

The proposed action is excluded from further documentation under NEPA in accordance with the BLM categorical exclusion (CX) established in 516 DM 11.9, CXNo. E (11). This Realty CX is for: "Conversion of existing right-of-way grants to Title V grants or existing leases to FLPMA section 302(b) leases where no new facilities or other changes are needed." Application of this CX is appropriate in this situation because there are no extraordinary circumstances having effects that may significantly affect the environment. The proposed action has been reviewed and none of the extraordinary circumstances described in 43 CFR 46.215 exist (see attachment). In reviewing the proposed action, I considered that the project is in the public interest and will provide safer public access into and out of the Coeur d'Alene education corridor. The project area is within the existing right-of-way for the abandoned railroad grade and road crossing, and the upgrade to the intersection incorporates proper engineering and environmental design features.

**Conclusion**

Based upon this review, there is no potential for significant effects that would require further analysis prior to issuing the Lincoln Way Crossing ROW to the City of Coeur d'Alene.

**Signature**

Authorizing Official:

  
Kurt Pavlat, Field Manager

Date: 10 May 2012

**Categorical Exclusion Documentation -- Extraordinary Circumstances Review**  
**Lincoln Way Crossing ROW**  
IDI-37330

**NEPA Register No:** DOI-BLM-ID-C010-2012-0004-CX

**CX Reference No:** 516 DM 11.9, CX No. E (11)

The BLM has reviewed the proposed action to determine if any of the following extraordinary circumstances exist, as listed in the Departmental NEPA regulations found at 43 CFR 46.215.

**(a) Have significant impacts on public health or safety.**

Yes\_\_ No X

*Comments/Explanation:* This project will improve public safety by adding traffic signals and better road access into the corridor area within the City of Coeur d'Alene.

*Specialist Name, Title:* Janna Paronto, Realty Specialist

*Date:* May 4, 2012

**(b) 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 (EO 11990); floodplains (EO 11988); national monuments; migratory birds; and other ecologically significant or critical areas.**

Yes\_\_ No X

*Comments/Explanation -- historic or cultural resources:* The BLM completed a cultural inventory of the project area. One historic property is recorded, and it is not considered eligible to the National Register of Historic Properties. The placement of the fill material in constructing the intersection will have no effect to the property.

*Specialist Name, Title:* David Sisson

*Date:* 5/3/2012

*Comments/Explanation -- park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks, monuments, or other ecologically significant or critical areas:* The project area is within in the city of Coeur d'Alene, and is not in the vicinity of any park or refuge lands (BLM Field Manager letter dated May 28, 2009), nor any wilderness or BLM land designated as a Research Natural Area (RNA) or Area of Critical Environmental Concern (ACEC).

*Specialist Name, Title:* LeAnn Abell, Botanist (RNAs/ACECs)

*Date:* 5/3/2012

*Comments/Explanation -- drinking water aquifers; prime farmlands; wetlands; floodplains:* There are no floodplains, prime farmlands or wetlands in the subject area. Placement of fill in the subject area will not affect groundwater as the area is limited in size and this is not a recharge area for the aquifer.

*Specialist Name, Title:* Mike Stevenson, Hydrologist

*Date:* May 3, 2012

*Comments/Explanation -- migratory birds:* Vegetation removal may have impacts on nesting migratory birds. However, most migratory species have not yet initiated nesting and will not have eggs until

## **Categorical Exclusion Documentation -- Extraordinary Circumstances Review**

mid to late May. Therefore direct impacts are not likely and would not reach the population level in significance. Early nesting birds tend to be cavity nesting birds and ground nesting game birds, neither of which are likely to be found along the corridor. Impacts to habitat would not be significant because of the very small scale of the project.

*Specialist Name, Title:* Carrie Hugo, Biologist

*Date:* 5/1/2012

### **(c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)].**

Yes\_\_ No X

*Comments/Explanation:* The upgrade to the road intersection does not involve controversy or conflicts for improving the existing road crossing or future use of the corridor in the city.

*Specialist Name, Title:* Janna Paronto, Realty Specialist

*Date:* 5/4/2012

### **(d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.**

Yes\_\_ No X

*Comments/Explanation:* The City has designed the project to meet public safety and environmental design standards.

*Specialist Name, Title:* Lorrie West, Planning & Environmental Coordinator

*Date:* 5/9/2012

### **(e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.**

Yes\_\_ No X

*Comments/Explanation:* The BLM is working with the City toward proposing transfer of the Federal interests in the 1.25 mile abandoned railroad corridor, and BLM would analyze this future action for environmental effects prior to making any decision. The proposal would likely include assigning this ROW to the City. Due to the small amount of the lands involved in the ROW, this crossing ROW is not expected to establish a precedent nor affect the decision with respect to this future action.

*Specialist Name, Title:* Lorrie West, Planning & Environmental Coordinator

*Date:* 5/9/2012

### **(f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.**

Yes\_\_ No X

*Comments/Explanation:* The road crossing is an existing disturbance within the 0.20 acres of public land in the ROW that was previously authorized in the railroad corridor. It is reasonably foreseeable that the BLM will propose and analyze transfer of the interest in the abandoned railroad corridor. Due to the limited amount of disturbance and lack of impacts on any resource related to the intersection upgrade, there is no potential for this action to result in cumulatively significant impacts when combined with impacts of other past, present and future actions.

*Specialist Name, Title:* Lorrie West, Planning & Environmental Coordinator

*Date:* 5/9/2012

## Categorical Exclusion Documentation -- Extraordinary Circumstances Review

**(g) Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.**

Yes\_\_ No X

*Comments/Explanation:* There are no properties listed or eligible for listing in the project area, thus there is no potential for effect.

*Specialist Name, Title:* David Sisson

*Date:* 5/3/2012

**(h) 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.**

Yes\_\_ No X

*Comments/Explanation -- Plants:* The Idaho Natural Heritage Program database was searched for known occurrences of rare plants in the project area, and field work has been done there in the past year. No water howellia (*Howellia aquatilis*; threatened) or Spalding's catchfly (*Silene spaldingii*; threatened) individuals, populations, or potential habitat occur in the project area. Therefore, the proposed action would not affect water howellia or Spalding's catchfly individuals, populations or potential habitat.

*Specialist Name, Title:* LeAnn Abell, Botanist

*Date:* 5/3/2012

Yes\_\_ No X

*Comments/Explanation -- Wildlife:* There are no listed or proposed wildlife species or designated critical habitat known to occur in the vicinity of the project.

*Specialist Name, Title:* Carrie Hugo, Biologist

*Date:* 5/1/2012

Yes\_\_ No X

*Comments/Explanation -- Fisheries:* Bull trout are present in the Spokane River in the vicinity of the proposed action. However, the proposed action to reconstruct the crossing of the old rail road bed is not immediately adjacent to the river and no in-water work would occur. The proposed abandonment of the BNSF rail line, which includes the area proposed for reconstruction, has been consulted on with US Fish and Wildlife Service (Service) pertaining to effects on bull trout. The Service concurred that the proposed project would have no effect on bull trout (see concurrence letter dated March 3, 2011).

*Specialist Name, Title:* Cindy Weston, Resources Coordinator/Fisheries Biologist

*Date:* 4/30/2012

**(i) Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.**

Yes\_\_ No X

*Comments/Explanation:* No adverse impacts to natural or cultural resources are anticipated, and no hazardous wastes or contaminants are known to occur at the site. Therefore, there are no permitting requirements or potential to violate any laws imposed for the protection of the environment.

*Specialist Name, Title:* Lorrie West, Planning & Environmental Coordinator

*Date:* 5/9/2012

## **Categorical Exclusion Documentation -- Extraordinary Circumstances Review**

**(j) Have a disproportionately high and adverse effect on low income or minority populations (EO 12898).**

Yes  No

*Comments/Explanation:* The project is proposed to improve safe access in the city corridor for all, and no adverse effects to minority or low income populations are anticipated.

*Specialist Name, Title:* Lorrie West, Planning & Environmental Coordinator

*Date:* 5/9/2012

**(k) 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 (EO 13007).**

Yes  No

*Comments/Explanation:* The Coeur d'Alene Tribe has been informed of the project. BLM is not aware of any sites that could be affected.

*Specialist Name, Title:* David Sisson

*Date:* 5/9/2012

**(l) 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 EO 13112).**

Yes  No

*Comments/Explanation:* The proposed project would likely reduce or eliminate the existence of noxious and non-native invasive species in the area. The final product will have a larger roadway and landscaped shoulders that will remove any noxious and non-native invasive species and decrease the likelihood of reinvasion or introduction of these species.

*Specialist Name, Title:* Doug Evans, Natural Resource Specialist

*Date:* 5/4/2012