

**UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT**

Twin Falls District  
Burley Field Office  
15 East 200 South  
Burley, ID 83318

**Finding of No Significant Impact**

**Yates Enterprises, LLC  
NEPA No. DOI-BLM-ID-T020-2013-0019-EA**

**FINDING OF NO SIGNIFICANT IMPACT:**

I have determined that the Proposed Action, as described in the EA will not have any significant impact, individually or cumulatively, on the quality of the human environment. Because there would not be any significant impact, an environmental impact statement is not required.

In making this determination, I considered the following factors:

1. The activities described in the Proposed Action do not include any significant beneficial or adverse impacts (40 CFR 1508.27(b) (1)). The EA includes a description of the expected environmental consequences of Yates Enterprises, LLC (Yates) to utilize an existing well on public land and construct, operate, and maintain, a buried irrigation water pipeline to provide irrigation water to their private land that is adjacent to the subject public lands. The pipeline would deliver water from the existing Yates Well on public land. The pipeline would cross roughly 5640 feet of BLM land the width of the ROW would be 20 feet, affecting 2.6 acres of public land, more or less. The pipeline would have at least 30 inches of cover. The pipeline would be 8 - 10 inches in diameter installed and the trench itself would be roughly 12 inches wide to fit the pipe within.

Equipment and personnel needed for construction would be a backhoe, a pickup truck, a small brush and grass trimmer and a 2 man crew. Access to the trench will be on existing roads. The trimmer will be used to whip down the grass and sagebrush to clear the area for trenching and back filling. After trenching and pipe installation, the trench will be backfilled contoured and seeded with a mixture approved by the Authorized Officer.

2. The activities included in the Proposed Action would not significantly affect public health or safety (40 CFR 1508.27(b) (2)). The proposed activity would have minimal effects on soils, vegetation, wildlife, and rangeland resources. The EA includes a description of the expected environmental consequences of the proposed 5640 foot long 20 feet wide irrigation pipeline ROW. BMP's described in the stipulations of the EA would guide the ROW holder in weed control the use of pesticides and other hazardous materials on the ROW and the safe and clean maintenance of the ROW area.

3. The proposed activities would not significantly affect any unique characteristics (40 CFR 1508.27(b) (3)) of the geographic area such as prime and unique farmlands, caves, wild and scenic

rivers, designated wilderness areas, wilderness study areas, or areas of critical concern. The project area does not contain any unique characteristics.

4. The activities described in the Proposed Action do not involve effects on the human environment that are likely to be highly controversial (40 CFR 1508.27(b)(4)). Public scoping did not reveal any controversial issues connected with the proposed action.

5. The activities described in the Proposed Action do not involve effects that are highly uncertain or involve unique or unknown risks (40 CFR 1508.27(b)(5)). This is a routine activity that the BLM has authorized and monitored numerous times. The effects are well known.

6. My decision to implement these activities does not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration (40 CFR 1508.27(b)(6)). The Proposed Action of a well and irrigation pipeline ROW is crucial to the applicants operations on private lands.

7. The effects of the buried irrigation water pipeline ROW would not be significant, individually or cumulatively, when considered with the effects of other actions (40 CFR 1508.27(b)(7)). The EA discloses that there are no other connected or cumulative actions that would cause significant cumulative impacts. Implementation of the Proposed Action as described in the EA and implementation of the stipulations contained in Exhibit B Pages 16-19 of the EA. Including seeding disturbed areas and monitoring to avoid disturbance or mortality to nesting migratory birds will serve to minimize the potential impacts to the environment identified in the EA. The Burley Field Office Realty Specialist will be responsible for seeing that compliance inspections are conducted as prescribed in the regulations at 43 CFR 2800 to ensure that the ROW grant stays in compliance with its terms, conditions and stipulations.

8. I have determined that the activities described in the Proposed Action will not adversely affect or cause loss or destruction of scientific, cultural, or historical resources, including those listed in or eligible for listing in the National Register of Historic Places (40 CFR 1508.27(b)(8)). Cultural resource surveys were inventoried on April 3, 2013. No cultural resources were encountered within the area of potential effect. As outlined in the Idaho Protocol of the National Programmatic Agreement, the action can proceed.

9. The proposed activities are not likely to adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act (40 CFR 1508.27(b)(9)). The Proposed Action is not expected to result in the “take” of migratory birds. A thorough evaluation of the proposed ROW did not reveal the presence of any nesting locations. If the ROW is approved, a Field evaluation will be completed immediately preceding construction..

There are no known nesting locations in the region for either golden eagles and/or great horned owls, nor are any nests suspected to occur at this location, particularly golden eagle nests.

The Proposed Action would not result in a trend toward listing any wildlife including BLM sensitive species. Some species may be temporarily displaced during times of active construction. Displaced species are expected to return once construction activities are complete.

10. The proposed activities will not threaten any violation of Federal, State, or local law or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10)). See page 3 of the EA.

**APPROVED:**

s/s Michael C. Courtney

8/01/2013

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Michael C. Courtney  
Field Manager  
Burley Field Office

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Date