

**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

NEPA No. DOI-BLM-ID-T030-2013-0009-CX

A. Background

BLM Office: Shoshone Field Office. Lease/Serial/Case File No.: IDI-17216

Proposed Action Title/Type: Howard Morris Right-of-Way Renewal

Location of Proposed Action:

Boise Meridian, Idaho
T. 6 S., R. 13 E.,
sec. 22, NE1/4.

(For further detail refer to Attachment A, Location map)

B. Proposed Action

The Shoshone Field Office of the Bureau of Land Management (BLM) has received a right-of-way application from Howard Morris to renew and amend an existing right-of-way on public lands within Gooding County, Idaho. The right-of-way grant identified under IDI-17216 was initially issued on June 11, 1982 to the Sage Land and Cattle Company for a term of 30 years. The right-of-way was subsequently assigned several times; the most recent assignment was to Howard Morris on February 13, 2007. The right-of-way grant authorizes the operation and maintenance of an irrigation pipeline on public lands within a corridor that has variable widths (10 to 15 feet), is 2,690 feet long, and contains approximately 0.81 acres. In 1999, prior to the right-of-way grant being assigned to Howard Morris, a portion of the pipeline was replaced and re-located. The current area being used for the irrigation pipeline is approximately 430 feet longer than identified in the original authorization and a portion of the pipeline is located outside the original right-of-way boundaries. Howard Morris has applied to renew the right-of-way grant for a term of 30 years and to amend the right-of-way grant to reflect the current location of the pipeline. The resulting dimensions of the renewed and amended right-of-way, as proposed, would be approximately 3,118 feet long, 15 feet wide, and contain approximately 1.07 acres.

The irrigation pipeline, as currently developed, consists of a 15 inch diameter plastic pipe with one riser located on public lands. The portion of the pipeline that lies within public lands is approximately 3,118 feet long and is used to convey irrigation water to private and public land for agricultural uses. The irrigation pipeline would be utilized April 15th through October 15th as this is the timeframe that the

irrigation water is available. Given the current condition of the pipeline no maintenance is anticipated, but if maintenance is needed the width of 15 feet is adequate to perform maintenance activities. Agricultural uses occurring on public lands are not authorized through this right-of-way grant. These uses have previously been authorized through a Cooperative Wildlife Agreement between the Idaho Department of Fish and Game, the BLM and Jeremy Morris. Currently, the reauthorization of the agricultural uses on public lands is pending.

C. Land Use Plan Conformance

Land Use Plan Name: Monument Resource Management Plan (RMP)

Date Approved/Amended: April 22, 1985

The proposed action is not specifically provided for in the RMP; however it does fall within the concept of multiple use management. “For the Monument RMP, a variety of resource uses are allowed. Production and use of commodity resources and commercial use authorization would occur, while protecting fragile resources and habitat, preserving natural systems and cultural values, and allowing for non-consumptive resource uses.” (Monument RMP, pg 5) “The public lands would be managed under the principles of multiple use and sustained yield as required by FLPMA. Any valid occupancy, and development of the public lands, including but not limited to, those requiring rights-of-way, leases, licenses would be subject to applicable environmental review procedures,... BLM would include stipulations and special conditions as necessary in leases, licenses, and permits to ensure the protection and preservation of resources.” (Monument RMP, pg 25)

D. Compliance with NEPA

The proposed action is qualified under categorical exclusions 516 DM 11.9 E(9) “(r) renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations” and 516 DM 11.9 E(13) “(g) grant of a short rights-of-way for utility service or terminal access roads to an individual residence, outbuilding, or water well.” Anticipated effects of the proposed action have been reviewed, and none of the extraordinary circumstances described in 516 DM 2 apply (see Attachment B: Categorical Exclusion Review Sheet).

Based on my review of the project described above and field office staff recommendations, I have determined that the project is in conformance with the applicable land use plan and is categorically excluded from further environmental analysis. I have decided to approve the action to grant Howard Morris a right-of-way to operate and maintain of an existing irrigation pipeline on public lands in Gooding County, Idaho. The authorization granted to Howard Morris is as described in the attached draft right-of-way grant (Attachment C).

E. Signature

Authorizing Official: _____/s/ Brandon Brown_____ Date: ___4/2/2013_____

Name: Brandon Brown

Title: Acting Field Manager

F. Contact Person

For additional information concerning this Categorical Exclusion, contact Kasey Prestwich, Realty Specialist, at (208) 732-7204 or at 400 West F Street, Shoshone, Idaho 83352

G. Attachments

Attachment A, IDI-17216, Right-of-Way Location Map.

Attachment B, IDI-17216 , Categorical Exclusion Review Sheet.

Attachment C, IDI-17216, Draft Right-of-Way Grant.