

CATEGORICAL EXCLUSION
UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
SALMON FIELD OFFICE
Categorical Exclusion
QCI Pit Tag Arrays, Site Rights-of-Ways
DOI-BLM-ID-I040-2013-0011-CX

Project Name/Applicant: QCI Pit Tag Arrays, Site Rights-of-Ways

Project/Case File Number: IDI-037583 and IDI-037584

Project Lead: Joni Cain, Realty Specialist

Date of Preparation: August 19, 2013

BACKGROUND:

On May 30, 2013, The Idaho Office of Species Conservation submitted an application to obtain rights-of-ways (ROWs) for infrastructure located on Bureau of Land Management (BLM) administered land in Lemhi County. Throughout the Pacific Northwest, declining populations of salmon, steelhead and bull trout have been a major concern. In the Upper Salmon River Basin, many actions have been taken by state, Federal, tribal, local, and private agencies and groups to conserve, restore, and enhance these species and their habitats as well as other federally listed species. The Idaho Department of Fish and Game, Quantitative Consultants, Inc., the Idaho Office of Species Conservation, the National Marine Fisheries Service and Bureau of Reclamation are collaborating on a project to determine how fish populations respond to habitat improvement projects (e.g. tributary reconnections, enhanced flows, and instream habitat improvement) in the Lemhi River Subbasin.

The Lemhi River Subbasin has populations of threatened Snake River spring/summer Chinook salmon (*Oncorhynchus tshawytscha*), Snake River Basin steelhead (*O. mykiss*), and Columbia River bull trout (*Salvelinus confluentus*), as well as designated critical habitat for these species. This project would monitor the following response measures in the tributaries: 1) changes in distribution of adult anadromous salmon and steelhead, and fluvial bull trout, 2) utilization of rearing habitat by juvenile salmonids, 3) changes in productivity (e.g. juvenile survival), and 4) changes in species composition, length, and age distribution of anadromous and resident/fluvial salmonids.

PROPOSED ACTION:

To issue ROW grants to Idaho Office of Species Conservation for two sites within the BLM Salmon Field Office for the purpose of installing, using and maintaining Instream Passive Integrated Transponder (PIT) Detection Systems (IPTDS). IPTDS consist of instream and onshore infrastructures. The locations of the proposed sites are on Hawley Creek and Big Timber Creek, tributaries to the upper Lemhi River. The Hawley Creek site is located at T. 15 N., R. 27 E., NW1/4SE1/4NE1/4 of Section 2, Boise Meridian, approximately 8 miles northeast of Leadore, Idaho on the south side of road NF275, about 30 yards upstream of the current Hawley Creek 3 diversion site (Exhibit A1). The Big

Timber Creek site is located at T. 15 N., R. 26 E., lot 10 of Section 19, Boise Meridian, approximately 5 miles southwest of Leadore, Idaho, about 300 yards upstream of the Carey Act Dam, on the east side of Big Timber Creek Road (Exhibit A2).

Onshore infrastructure that would encumber BLM land consists of a transceiver, communications (satellite or cell modem), and power source. The transceiver is composed of two printed circuit boards measuring 5 inches in height by 7 inches in width housed in a NEMA-4 electrical enclosure measuring 14 inches in height by 12 inches in width. The enclosure is affixed to a four inch galvanized steel pole set in a 24 inch deep by 6 inch wide hole. The pole would be reinforced with concrete. Satellite or cell modems consist of an integrated circuit board and an antenna affixed to the pole upon which the transceiver is secured. Satellite modems are cylindrical and measure 4 inches in diameter by 13 inches in height. Cell modems are cylindrical and measure 1 inch in diameter by 12 inches in height.

The sites would incorporate a battery bank to maintain operation for extended periods of power loss. Battery banks consist of four 12 volt deep-cycle batteries housed in a water resistant box measuring approximately 18 inches in width by 2 feet in depth by 2 feet in length. These sites would utilize 250 gallon propane tanks to fuel a thermoelectric generator (TEG). TEGs burn approximately 1.5 gallons of propane per day to heat a metal plate that creates a Seebeck effect (electromotive force) and produces electricity. The area of disturbance for all onshore components at each site would require a 10 foot by 20 foot area and an additional 100 foot by 1 foot area for trenching. This amounts to about a 0.007 acre of footprint for each site. Any excavation needed for leveling the components would be done by hand and within the disturbance area.

CONSULTATION AND COORDINATION:

A summary description of the proposed project was made available to the public on the Idaho BLM's ePlanning website on August 19, 2013, and the public was given the opportunity to provide comments and consult on the action.

Letters of concurrence have been received from the National Marine Fisheries Service and U.S. Fish and Wildlife Service on the Biological Assessment published in February 2012 by Chris Beasley of Quantitative Consultants, Inc.

FINDING AND RECOMMENDATION:

The proposed action is categorically excluded in 516 DM 2, Appendix 1, 1.6, which states "*Nondestructive data collection, inventory (including field, aerial and satellite surveying and mapping), study, research and monitoring activities.*", and none of the extraordinary circumstances described in 516 DM 2, Appendix 2 apply.

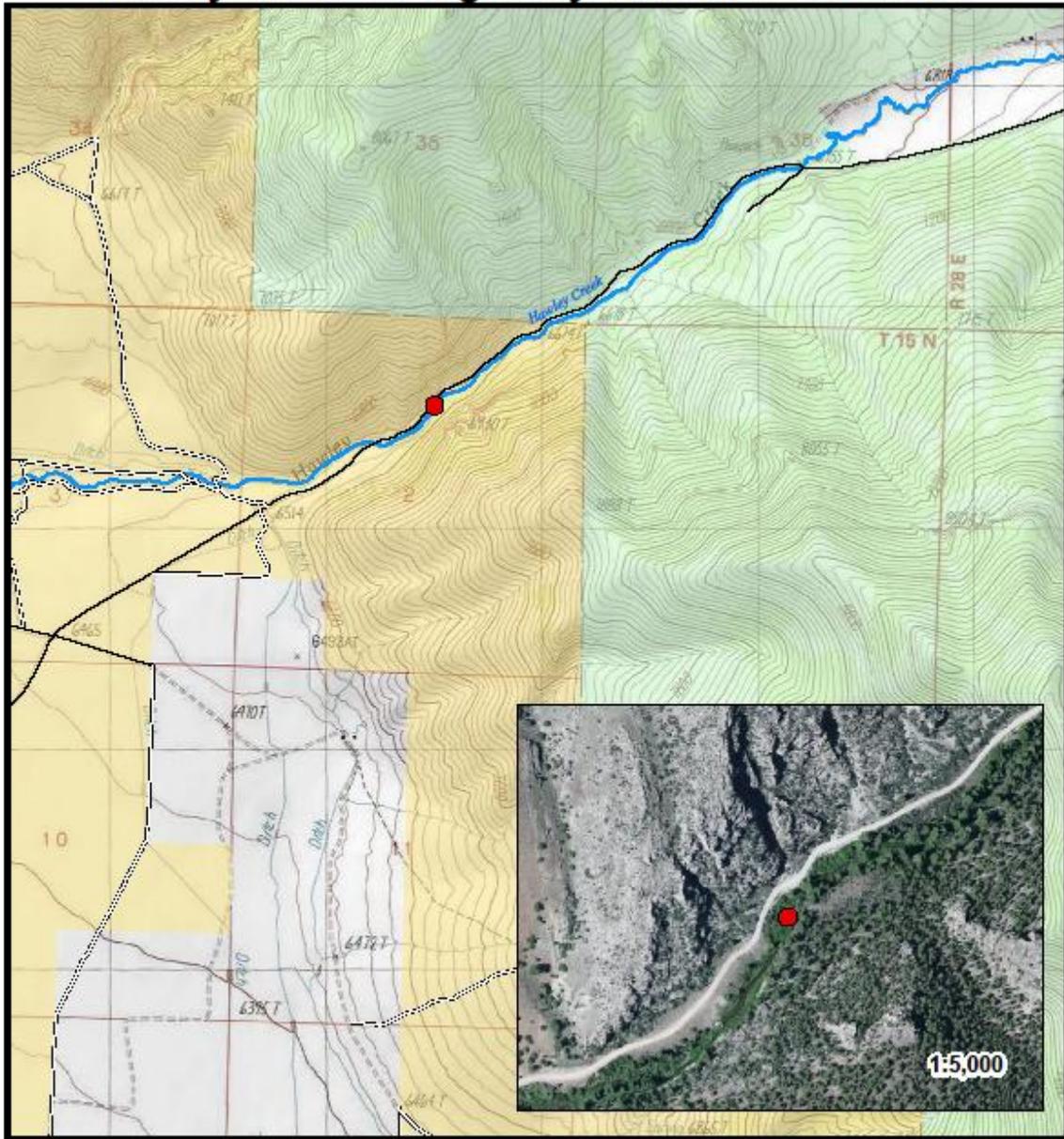
In order to allow for this data collection activity, I recommend that a ROW be issued for these sites on public land in Lemhi County. I recommend the ROW authorizations, IDI-037583 and IDI-037584, be granted for an approximate 10-year period expiring on December 31, 2022. The grant would be issued with the right to renew, subject to current terms and conditions and the attached stipulations (Exhibit B). The right-of-way would be granted under the authority of the *Federal Land Policy and Management Act of October*

Extraordinary Circumstances Requiring Preparation of an EA or EIS

The action described in categorical exclusion **DOI-BLM-ID-I040-2013-0004-CX (IDI-37583 and IDI-37584)** has been reviewed to determine if any of the following extraordinary circumstances listed below apply, as listed in the Departmental NEPA regulations (43 CFR 46.215).

DM #	Extraordinary Circumstance
2.1	Have significant impacts on public health or safety
2.2	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.
2.3	Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)].
2.4	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.
2.5	Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.
2.6	Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.
2.7	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.
2.8	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.
2.9	Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.
2.10	Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).
2.11	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).
2.12	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).

Hawley Creek Pit Tag Array- IDI37584- Exhibit A1



Legend

- BLM
- PRIVATE
- STATE
- USFS



Location Map

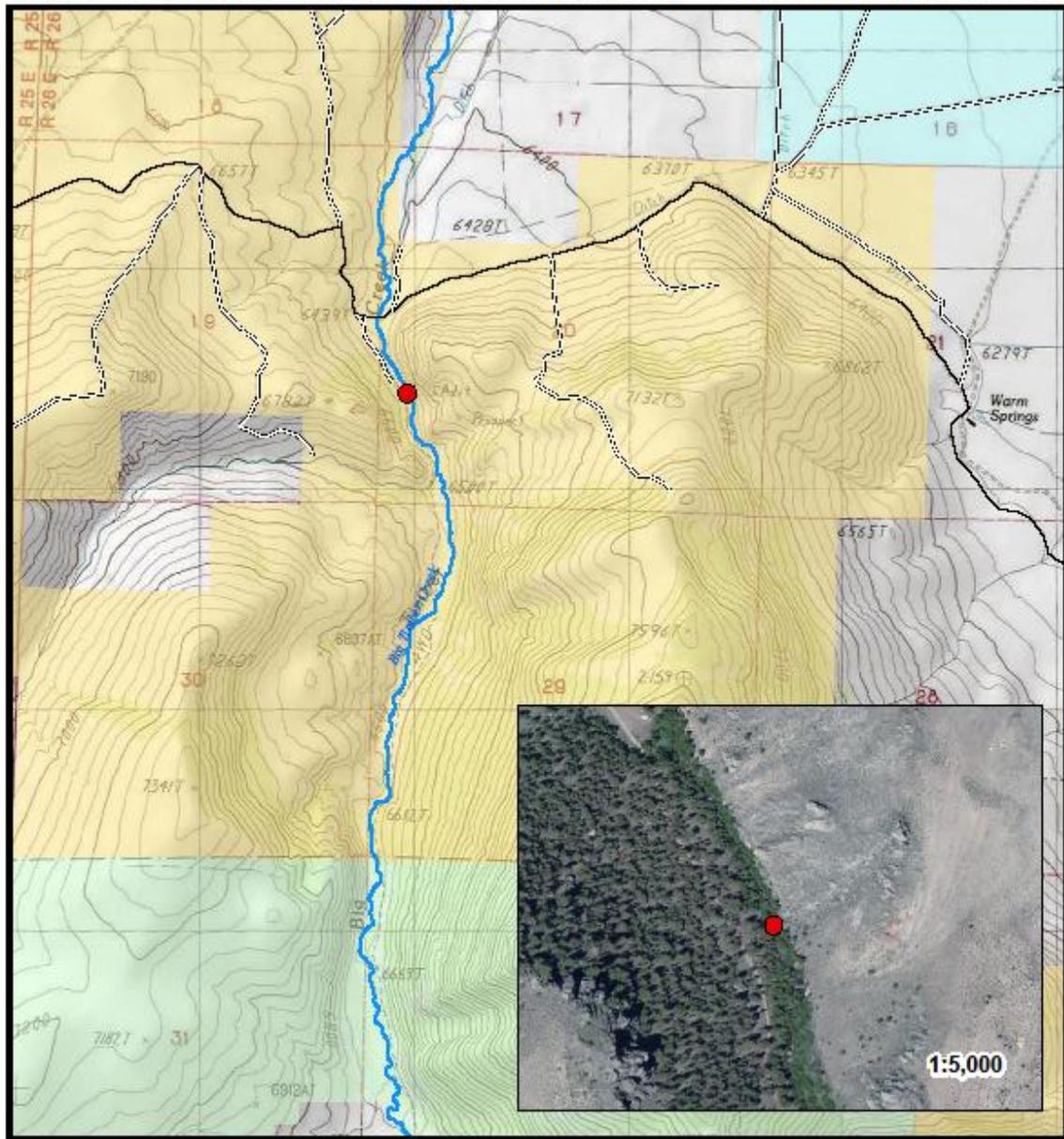
N
1:24,000
August 2013

0 1,250 2,500 5,000 Feet



No warranty is made by the Bureau of Land Management (BLM). The accuracy, reliability, or completeness of these data for individual use or aggregate use with other data is not guaranteed. The following cannot be made Section 508 compliant. For help with its data or information, please contact the BLM Idaho State Office Webmaster at 208-373-4000.

Big Timber/Basin Creek Pit Tag Array- IDI37583 Exhibit A2



Legend

- BLM
- PRIVATE
- STATE
- USFS



Location Map

N
1:24,000
August 2013

0 1,250 2,500 5,000 Feet



No warranty is made by the Bureau of Land Management (BLM). The accuracy, reliability, or completeness of these data for individual use or aggregate use with other data is not guaranteed. The following cannot be made Section 508 compliant. For help with its data or information, please contact the BLM Idaho State Office Webmaster at 208-573-4000.

**EXHIBIT B
STIPULATIONS
IDI-37583 and 37584**

1. The holder shall conduct all activities associated with the construction, operation, and termination of the right-of-way within the authorized limits of the right-of-way.
2. Holder shall remove only the minimum amount of vegetation necessary for the use and maintenance of the site.
3. Right-of-way shall be maintained in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. 'Waste' means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.
4. The holder shall be responsible for weed control on disturbed areas within the limits of the right-of-way. The holder is responsible for consultation with the authorized officer and/or local authorities for acceptable weed control methods (within limits imposed in the grant stipulations). Control measures must be done in accordance with the Salmon Field Office Integrated Field Office Weed Management Program. Coordination with the Salmon Field Office Weed Specialist shall be completed **before** applying herbicides.
5. The holder of right-of-way No. IDI-37583 and 37584 agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, et seq. or the Resource Conservation and Recovery Act of 1976, 42 U.S.C. 6901 et seq.) on the right-of-way (unless the release or threatened release is wholly unrelated to the right-of-way holder's activity on the right-of-way.) This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.
6. There is reserved to the Authorized Officer, the right to grant additional rights-of-way or permits for compatible use on, over, under, or adjacent to the land involved in this grant.
7. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.

8. Pursuant to 43 CFR 10.4(g), the holder of this authorization must immediately notify the authorized officer by telephone, with written confirmation, upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), the holder must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.
9. Ninety (90) days prior to termination of the right-of-way, the holder shall contact the authorized officer to arrange a joint inspection of the right-of-way. This inspection will be held to agree to an acceptable termination (and rehabilitation) plan. This plan shall include, but is not limited to, removal of facilities, drainage structures, or surface material, recontouring, topsoiling, or seeding. The authorized officer must approve the plan in writing prior to the holder's commencement of any termination activities.