UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO FALLS DISTRICT
SALMON FIELD OFFICE

CE Number: DOI-BLM-ID-I040-2014-0005-CX
Title of Action: T-Mobile West LLC Communication Use Lease
Project/Case File Number – IDI-37659
Preparer: Becky Lazdauskas, Realty Specialist
Date of Preparation: March 27, 2014

BACKGROUND:

Ramsey Mountain is an established communication site with characteristics desired by wireless carriers and other communication providers. The Ramsey Mountain Communication Site Plan was approved in September 2003. The plan also provides an outline for orderly future development of the communication site in accordance with the Salmon Field Office's current land use planning document, the Lemhi Resource Management Plan (RMP), approved in 1987, as amended.

The Bureau of Land Management (BLM) owns and operates a repeater site on the mountain for fire and other radio communication purposes. Salmon TV operates a television translator site and there are several local government and county communications facilities which include South Lemhi School District, Lemhi County Fire Protection, and Lemhi County Sheriff. Edge Wireless/AT&T has operated a cellular site since 2003 and on May 13, 2013, Verizon Wireless was issued a communication use lease for cellular purpose adjacent to Edge Wireless.

DESCRIPTION OF PROPOSED ACTION:

On November 18, 2013, Rocky Schutjer, on behalf of T-Mobile West LLC, submitted an application for a communications site right-of-way (ROW) on Ramsey Mountain in Lemhi County. The project location is NE1/4SW1/4 of section 23, T. 18 N., R. 24 E., Boise Meridian, Idaho (Exhibit A).

T-Mobile has entered into an agreement to co-locate their cellular antenna and become a tenant on Verizon Wireless' existing self-supporting tower, authorized under IDI-37290. Co-locating on an authorized communication facility on BLM does not require a ROW; however, T-Mobile would like to construct, operate and maintain their own equipment shelter on site. According to 43CFR 2806.36 *(b), which states if you own a building, equipment shelter, or tower on public lands for communication purposes, you must have an authorization under this part, even if you are also a tenant or customer in someone else's facility,* T-Mobile would be required to have a ROW grant.

T-Mobile is requesting permission to construct and maintain an equipment shelter, 11'x 20'and a 20KW diesel generator for emergency backup power located within the shelter. There is existing power on site which would provide 200 amp services to T-Mobil. The permit would be granted under the authority of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761) and current Bureau regulations found at 43 CFR 2800. A communication use lease would be the document that authorizes the use.

CONSULTATION AND COORDINATION:

A summary description of the proposed project was made available to the public on the Idaho BLM's ePlanning website on February 12, 2014, and the public was given the opportunity to provide comments or consult on the action.

FINDING AND RECOMMENDATION:
The proposed action is categorically excluded as outlined in 516 DM 11.9, Appendix 4 E(12) and none of extraordinary circumstances described in 43 Code of Federal Regulations (CFR) 46.215 apply. This exclusion states *"Grants of Rights-of way wholly within the boundaries of other compatibly developed rights-of-way"* may be excluded from further environmental review.

I recommend that the right-of-way authorization through a communication use lease, ID-37695, be granted for a 10 year period 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 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761) and current Bureau regulations found at 43 CFR 2800. Rental would be required in accordance with 43 CFR 2806.36(c).

DECISION and RATIONALE FOR THE DECISION:
It is my decision to authorize right-of-way IDI-37695 allowing T-Mobile the right to construct, operate and maintain an equipment shelter, 11'x 20', and a 20KW diesel generator located within the Verizon Wireless' communication site, IDI-37290 (Exhibit A). The ROW is located within the Ramsey Mountain Communication Site boundary and conforms to the 2003 Ramsey Mountain Communication Site Plan. The ROW would be issued for 10 year period expiring on December 31, 2023, subject to the attached current terms and conditions (Exhibit B). Rental would be required in accordance with 43 CFR 2806.36(c).

Issuance of the ROW would cause no significant environmental disturbance. The subject action qualifies as a Categorical Exclusion and meets the criteria contained in 516 DM 11.9, Appendix 4 E(12) and none of extraordinary circumstances described in 43 Code of Federal Regulations (CFR) 46.215 apply.

LAND USE PLAN CONFORMANCE STATEMENT:
This proposed action is in conformance with the Final Lemhi Resource Management Plan and EIS (pg. 30, 1987), as amended.

APPEALS INFORMATION:
Right-of-way Decisions become effective upon approval by the authorized officer (43 CFR 2801.10(b)). Appeal procedures may be found at *43 CFR 4.21 (58 FR 4939, January 19, 1993) or 43 CFR 2801.10.*

Preparer /s/ Rebecca Lazdauskas
Date 4/17/2014

NEPA Reviewer /s/ Kyra L. Povirk
Date 4/24/2014

Field Manager /s/ Linda R. Price
Date 4/25/2014

Requiring Preparation of an EA or EIS

The action described in categorical exclusion **DOI-BLM-ID-I040-2014-0005-CX (IDI-37659)** has been reviewed by the ID Team to determine that none of the extraordinary circumstances listed below apply, as listed in the Departmental NEPA regulations (43 CFR 46.215).

Extraordinary Circumstance

1. Have significant impacts on public health or safety.
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.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)].
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.
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.
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.
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).
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).
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).

IDI-37659
T-Mobile
Communication Site ROW

Exhibit A
NESW of Section 23
T. 18 N., R. 24 E., B.M
April 8, 2014

0 420 840 Feet

Legend

TMobile Com Site Proposal

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No warranty is made by the Bureau of Land Management for use of the data for purposes not intended by BLM.

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Exhibit B
IDI-37659
Additional Stipulations

1. The holder shall comply with the 2003 Ramsey Mountain Communication Site Plan and subsequent revisions of that plan. All development, operation and maintenance of the authorized facility, improvements, and equipment located on the property must be in accordance with stipulations in the communications site plan approved by the Authorized Officer. If required by the Authorized Officer, all plans for development, layout, construction, or alteration of improvements on the property as well as revisions of such plans, must be prepared by a licensed engineer, architect, and or landscape architect. Such plans must be approved in writing by the Authorized Officer before commencement of any work. After completion, as-built plans, maps, surveys, or other similar information will be provided to the Authorized Officer and appended to the communications site plan.

2. All fuel storage tanks (e.g., LPG, propane and diesel) must meet current fire department, Federal, State and local government safety and hazardous materials requirements. Propane is the preferred fuel for future generators.

   All tanks will be:

   - Signed in red letters, "SMOKING OR OPEN FLAME PROHIBITED WITHIN 20 FEET";
   - In conformance with National Fire Protection Association (NFPA) requirements; and,
   - Painted a BLM-approved color, or screened by an enclosure to blend in with the natural environment. Tank or enclosure colors must be pre-approved by BLM and painted an approved color utilizing BLM standard environmental color chart CC-001: June 2008.

   Diesel tanks will also be:

   - Enclosed in BLM and fire department approved secondary containment vaults that are painted a BLM-approved color utilizing BLM standard environmental color chart CC-001: June 2008.
   - Constructed with underground fuel lines. Fuel line must be constructed of black, treated pipe and fittings, and must be posted.
   - A containment basin must be maintained below all diesel tanks which are not designed and approved to be self-contained.

3. All construction, maintenance, and operation of this facility, as appropriate, shall conform to the latest edition of the Motorola R56 standards, or their equivalent, unless approved by the BLM Authorized Officer.

4. The Holder must indemnify, defend, and hold the United States harmless for any violations incurred under any such laws and regulations or for judgments, claims, or demands assessed against the United States in connection with the Holder's use or occupancy of the property. The Holder's indemnification of the United States must include any loss by personal injury, loss of life or damage to property in connection with the occupancy or use of the property during the term of this lease. Indemnification must include, but is not limited to, the value of resources damaged or destroyed; the costs of restoration, cleanup, or other mitigation; fire suppression or

other types of abatement costs; third party claims and judgments; and all administrative, interest, and other legal costs. This paragraph survives the termination or revocation of this right-of-way, regardless of cause.

5. The Holder shall conduct all activities associated with the construction, operation, and termination of the right-of-way within the authorized limits of the lease.

6. The Holder shall prepare a fire prevention and suppression plan that shall be reviewed, modified and approved, as appropriate, by the authorized officer. The holder shall take into account such measures for prevention and suppression of fire on the lease area and other public land used or traversed by the holder in connection with operations of the authorization. Project personnel shall be instructed as to individual responsibility in implementation of the plan.

7. The right-of-way area 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.

8. The Holder shall be responsible for weed control on disturbed areas within the limits of the lease area. The Holder is responsible for consultation with the authorized officer and/or local authorities for acceptable weed control methods (within limits imposed in the lease stipulations).

9. The Holder of right-of-way No. IDI-37659 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 holder's activity on the lease area.) This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.

10. There is reserved to the Authorized Officer, the right to grant additional rights-of-way, leases or permits for compatible use on, over, under, or adjacent to the land involved in this grant.

11. 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.

12. 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.

13. Ninety (90) days prior to termination of the lease, the holder shall contact the authorized officer to arrange a joint inspection of the area. 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.