

**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 REVIEW SHEET  
NEPA No. DOI-BLM-ID-T030-2014-0008-CX**

**A. Background**

The Bureau of Land Management (BLM), Shoshone Field Office of has received two right-of-way (ROW) applications from Qwest Communications DBA CenturyLink QC (Qwest) requesting the renewal of the ROW grants IDI-20022 and IDI-20180. Each of these ROW grants were initially issued to Mountain States Telephone and Telegraph Company in 1982. The ROW grants authorized the installation, maintenance, and operation of buried telephone lines on public lands in Jerome and Elmore Counties.

Qwest has not requested any changes to either of these ROW grants and no major maintenance projects are anticipated within the foreseeable future. A renewal of the ROW grants would allow Qwest to continue using the identified public lands for operating and maintaining the existing telephone lines. The term of the renewed ROW grant will be 30 years at which time the grants would be terminated or reviewed for possible renewal.

**B. Consideration of Extraordinary Circumstances**

This Categorical Exclusion Review Sheet documents the review of the proposed action to determine if any of the extraordinary circumstances described in 516 DM 2, Appendix 2 apply. If any of the extraordinary circumstances apply to the proposed action, then an EA or EIS must be prepared. Any evidence or concerns that one or more of the exceptions may apply must be brought to the attention of the manager who is authorized to approve the proposed action.

1. The proposed action would not have any significant impacts on public health or safety.

The operation and maintenance of the buried telephone cables would not have any significant impacts on public health and safety. The renewed rights-of-way would contain terms, conditions and stipulations that would require Qwest to comply with Federal and State standards for public health and safety, environmental protection, operation, and maintenance. The BLM authorized officer has the ability to suspend or terminate in whole or in part the right-of-way grants if unforeseen conditions arise which result in the approved terms and conditions being inadequate to protect the public health and safety or to protect the environment.

2. The proposed action would not 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.

There are no natural resources and unique geographic characteristics such as historic or cultural resources; park, recreation, refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; national monuments; or other ecologically significant or critical areas that would be significantly impacted by the proposed action.

A cultural resource records review was conducted on March 20, 2013 for the rights-of-way areas. The review concluded that both rights-of-way were surveyed in 1982 no cultural sites noted. As there are no changes proposed to the rights-of-way and subsequently no new ground disturbance a field survey was not completed. Based on the information from the cultural records review it was determined that no eligible cultural resources would be affected by the proposed action. The State Historic Preservation Office concurred with this determination on May, 2 2013.

A wildlife review of the proposal and area identified that the right-of-way would be located within habitat known or suspected to support one or more life cycle activities of five migratory birds species of concern (this does not include bird species that are also listed as BLM sensitive species). However, the issuance of the right-of-way would result in no discernible increase in human caused impacts to migratory birds of conservation concern above current levels. Additionally, stipulations will be included in the authorization to reduce the potential for impacts by limiting activities during nesting periods.

3. The proposed action would not have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].

The proposed action is allowable by the Monument Resource Management Plan and the Bennett Hills/Timmerman Hills Management Framework Plan. These plans established land use allocations and goals for the affected public land; as such, there are no unresolved conflicts regarding other uses of the available resources. There are other authorized uses occurring within the highway right-of-way and the BLM is not aware of any controversy surrounding these uses.

4. The proposed action would not have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

The proposed action does not involve highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. The use has been occurring in the project area since 1982 without involving highly uncertain and potentially significant environmental effects or unique or unknown environmental risks. Other telephone cables constructed and operated on public lands have not shown any highly uncertain, potentially significant, or unique or unknown risks.

5. The proposed action would not establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.

The proposed action does not establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects. The proposed action is not connected to another action that would require further environmental analysis and it would not set a precedent for future actions that would normally require

environmental analysis. The decision to renew these rights-of-way to operate and maintain existing telephone cables on public lands as described would only allow that action to occur.

Any proposed future projects must be evaluated on their own merits and effects.

6. The proposed action would not have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

The proposed action does not have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. The renewed rights-of-way would authorize the operation and maintenance of an existing telephone cables within areas of a compatible highway right-of-way.

7. The proposed action would not 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.

A cultural resource records review was conducted on March 20, 2013 for the rights-of-way areas. The review concluded that both rights-of-way were surveyed in 1982 no cultural sites noted. As there are no changes proposed to the rights-of-way and subsequently no new ground disturbance a field survey was not completed. Based on the information from the cultural records review it was determined that no eligible cultural resources would be affected by the proposed action. The State Historic Preservation Office concurred with this determination on May, 2 2013.

8. The proposed action would not 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.

A Special Status Animal Species Assessment was completed on August 13, 2013 for the proposed renewal of the rights-of-way. The assessment identified that the listed, proposed, and candidate species that may occur within the right-of-way are the 1) Snake River physa snail, 2) Bliss Rapids snail, 3) wolverine, and 4) greater sage grouse. The assessment identified that these species have the potential to occur near right-of-way IDI-20022, but concluded that the renewal of the right-of-way would not produce impacts that affected the species.

The Special Status Animal Species Assessment also identified 15 BLM sensitive species that may occur in or near the rights-of-way. These species range from Bald eagles to the northern spotted frog and are described in the assessment. The assessment identified that the renewal of the rights-of-way because of their location within the existing county road right-of-way is not expected to result in any measurable adverse impacts to the life cycle needs of any of the BLM sensitive species.

A Special Status Plant Species Assessment was completed on December 12, 2013. It was determined that there were no special status plant species or their habitat within right-of-way IDI-20180. However, morning milkvetch, a BLM type 4 special status plant species was identified within a portion of right-of-way IDI-20022. Morning milkvetch is widespread within this area and the can withstand a certain level of disturbance such as trampling or crushing from vehicles. Because morning milkvetch is widespread within this area the renewal of the right-of-way poses a low risk to the population as a whole.

A stipulation identifying that prior to maintenance of the telephone lines the right-of-way holder will be required to notify the authorized officer and follow the current prescribed

conservation measures to protect the special status plants or animals within or near the rights-of-way.

9. The proposed action would not violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.

The BLM issues right-of-way grants in accordance with Title V of the Federal Land Policy and Management Act of 1976 and the BLM regulations at 43 CFR 2800. Under these regulations the renewed right-of-way grant would specify that all applicable Federal, State and local laws be adhered to. The BLM has the ability to suspend and/or terminate the right-of-way if a Federal, State or local law is violated. There are no tribal laws in effect for the project area.

10. The proposed action would not have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

The proposed action would not have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898). The effect would be the same as for the general population in the general area.

11. The proposed action would not 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).

The renewal of the telephone right-of-way will change access to the public lands within the area. Additionally, the right of way has been used since 1982 without any conflicts arising.

12. The proposed action would not 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).

The renewed rights-of-way would contain stipulations that would require the right-of-way holder to be responsible for weed control on the disturbed areas within the limits of the rights-of-way. A stipulation will also identify that the right-of-way holder is responsible to ensure that the undercarriages of equipment and/or vehicles used in the operation and maintenance of the right-of-way be free of all soil and plant material prior to operating on public lands to reduce the establishment of new invasive, non-native species or the spread of existing species to new areas. These stipulations/requirements would reduce the risk of introduction, continued existence, or spread of noxious and non-native, invasive species.

### **C. Consultation and Preparation**

Resource surveys and review of potential impacts of the proposed action was completed by the following:

Kasey Prestwich, Realty Specialist/Project Lead  
Gary Wright, Wildlife Biologist  
Lisa Cresswell, Archeologist/Shoshone Field Office NEPA Coordinator  
Danelle Nance, Natural Resource Specialist