

**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-T030-2014-0009-CX**

A. Background

The Shoshone Field Office, Bureau of Land Management (BLM) received an application from MKR, LLC on June 18, 2013 to amend an existing communication use lease within the Kimama Communications Site in Minidoka County, Idaho. The authorization of the proposed amendment would allow MKR, LLC to replace an existing 80 foot tower with a 120 foot tower in a modified location, extend the fence surrounding their facility, and relocate an existing propane tank and generator.

The existing communication facility was initially authorized in 2002 and constructed in 2003. Since that time the site has had additions in equipment, i.e. propane tank and generator. The proposed amendment would further modify the existing facility.

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 authorized changes to the proposed communication facility would not have any significant impacts on public health and safety. The amended Communication Use Lease contains terms, conditions, and stipulations that require MKR, LLC 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 grant 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 review and survey was conducted for the project area in October 2011. Based on the information from the review and survey it was determined that no eligible cultural resources would be affected by the proposed action.

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 migratory bird species of concern. However, the amendment to the Communication Use Lease would result in no discernible increase in human caused impacts to migratory birds above the current impacts currently occurring. MKR, LLC is required to operate the existing facility under the guidelines identified within the existing Communication Site Lease and within the current Kimama Butte Communication Site Plan. The lease and communication site plan provide stipulations that reduce the potential for impacts by limiting activities during nesting periods.

The wildlife review also concluded that BLM sensitive species may occur in or near the communication facility. The review identified that granting an amendment to the Communication Use Lease is not expected to result in any measurable adverse impacts to the life cycle needs of the identified sensitive species.

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. This plan established the land use allocation and goals for the affected public land; as such, there are no unresolved conflicts regarding other uses of the available resources.

A letter was sent to interested parties on December 9, 2013 informing them of the proposal and no responses were received.

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. Similar uses have been occurring in the project area without resulting in highly uncertain and potentially significant environmental effects or unique or unknown environmental 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 principle 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 grant an amendment to the Communication Use Lease as described by MKR, LLC would only allow the proposed changes to the facility to occur. Any proposed future actions 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.

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 review and survey was conducted for the project area in October 2011. Based on the information from the review and survey it was determined that no eligible cultural resources would be affected by the proposed action.

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.

Sage-grouse, a Candidate species, is the only species protected under the Endangered Species Act that may occur within the area of the communication facility. A review of the areas sage-grouse habitat identified that the issuance of the amendment is not an action that would result in measurable change in the suitability of the habitat in the area to support sage-grouse use over current conditions.

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 Communication Use Leases 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 proposed 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 authorization if a Federal, State or local laws 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).

Impacts to minority or low income populations have not occurred as a result of granting other similar authorizations and impacts are not expected to occur as a result of the authorizing the proposed right of way.

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).

Granting the proposed amendment to the current authorization would not result in any changes to access to the public lands within the area.

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).

A site visit was completed on May 17, 2010 to document the presents of special status species and/or noxious weeds. No noxious weeds or special status plants were documented

during the site visit. The existing Communication Site Lease and the Kimama Communication Site Plan contain stipulations that 1) require MKR, LLC to be responsible for weed control on the disturbed areas within the limits of the right-of-way and 2) ensure that the undercarriages of equipment and/or vehicles used in the operation and maintenance of the communication facility be free of all soil and plant material prior to operating on public lands and prior to leaving the right-of-way area. These stipulations will reduce the establishment of new invasive, non-native species and reduce the spread of existing species to new areas.

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