

## CATEGORICAL EXCLUSION

**Project Name/ Applicant:** Bonneville Power Administration Swan Valley-Palisades Powerline Upgrade, Fiber Optic, and Access ROW Amendment

**Project/Case File Number:** IDI-37785 (Combining Casefiles IDI-06499, IDI-1908, and IDI-12826)

**Project Lead:** Becky Lazdauskas

**CX Number:** ID-I010-2014-0014-CX

**Date of Preparation:** July 20, 2014

### PROPOSED ACTION:

On September 13, 2013, Bonneville Power Administration (BPA) submitted an application (SF-299) requesting an amendment to their existing transmission right-of-way (ROW), BLM serial number IDI-06499. The transmission line, referred to as the Palisades-Swan Valley No. 1, is one of two lines taking power from the Palisades Dam to the surrounding communities.

The perpetual ROW IDI-06499 was authorized on March 13, 1956 to the Bureau of Reclamation under the Act of March 4, 1911 (36 Statute 1253). This act was repealed by the passage of Public Law 94-579, the Federal Land Policy and Management Act of October 21, 1976 (FLPMA) (90 Stat. 2776; 43 U.S.C. 1761), and the regulations found at 43 CFR 2800. The Bureau of Reclamation entered into a Memorandum of Understanding with Bonneville Power Administration who currently owns and operates the transmission and powerlines associated with the power produced by the Palisades Reservoir and Dam. The line is built as 115kV, operating at a 161kV. The ROW length is approximately 7,969 feet and 150 feet wide, encumbering 27.44 acres, more or less. Several land tenure adjustments have occurred since the transmission line was authorized and the grant currently covers the following public land in Bonneville and Bingham Counties in Idaho:

Boise Meridian, Idaho

SE1/4SE1/4 of section 13, T. 1 N., R. 38 E.,

W1/2NW1/4 of section 9 and NE1/4SW1/4 of section 18, T. 1 S., R. 38 E.,

SE1/4NW1/4 of section 34, T. 3 N., R. 40 E.,

SW1/4NE1/4 of section 19 and lot 3 of section 20, T. 2 N., R. 43 E., and

E1/2NW1/4 of section 22, T. 1 N., R. 44 E.

In 1993, portions of NESW and NWSE of section 22, T. 1 N., R. 44 E., were reconveyed to the Bureau of Land Management (BLM), therefore the transmission line across these parcels should be included under this authorization. This would add approximately 1,320 feet long by 150 feet wide or 4.54 acres to the ROW.

The request proposes to upgrade the line to a capacity of a 230kV line, however the line would continue operating at a 161kV. The upgrade would occur within the ROW and includes replacing transmission line components including 9 wood-pole transmission structures, associated structural components, and conductors. Wood poles would be removed and replaced with structural components of similar design within or near their existing locations. In each case, an additional earthen landing, approximately 50 feet by 50 feet may be constructed or improved adjacent to each tower to safely support equipment (also within the 150 wide existing ROW). The height of the poles may increase by 5 to 15'. The centerline would remain the same.

In addition, BPA requested the recognition, improvement and maintenance of 5 small access roads associated with the transmission line and Swan Valley Substation (authorized under IDI-1908 and IDI-12826). After field

visits, discussions of the level of environmental work that would be needed, and BPA's need for access, the status of roads are as follows, see Figures 1 and 2.

1. BPA Tract ID **2P-G-6-AR-3P1**, SE $\frac{1}{4}$ NE $\frac{1}{4}$  of sec. 22, T. 1 N., R. 44 E. (120'x20', 0.06 acres)  
This route is needed only for ingress and egress onto ROW, no construction or maintenance would be required.
  2. BPA Tract ID **2P-G-6-AR-2P1**, SE $\frac{1}{4}$ NW $\frac{1}{4}$  of sec. 22, T. 1 N., R. 44 E. (20'x20', 0.01 acres)  
This route is needed only for ingress and egress onto ROW, no construction or maintenance would be required
  3. BPA Tract ID **2P-G-13-AR-1**, SW $\frac{1}{4}$ SW $\frac{1}{4}$  and the NW $\frac{1}{4}$ SW $\frac{1}{4}$  of sec. 35, T. 2 N., R. 43 E.  
This existing road would be authorized under the amendment, approximately 1,410 feet in length, 20 wide, encumbering 0.65 acres, more or less.
  4. BPA Tract ID **2P-G-13-AR-2**, SW $\frac{1}{4}$ SW $\frac{1}{4}$  and of sec. 35, T. 2 N., R. 43 E.(40'x20', 0.09 acres)  
This route is needed only for ingress and egress onto ROW, no construction or maintenance would be authorized
  5. BPA Tract ID **2P-G-13-AP-1** in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  and of sec. 35, T. 2 N., R. 43 E.  
This route is mostly within the existing ROW of the transmission line. The route on BLM is needed only for ingress and egress onto ROW, no construction or maintenance would be authorized
- NOTE: Access roads, or portions falling within the existing 150 feet ROW can be constructed, operated and maintained as necessary by BPA.

Figure 1

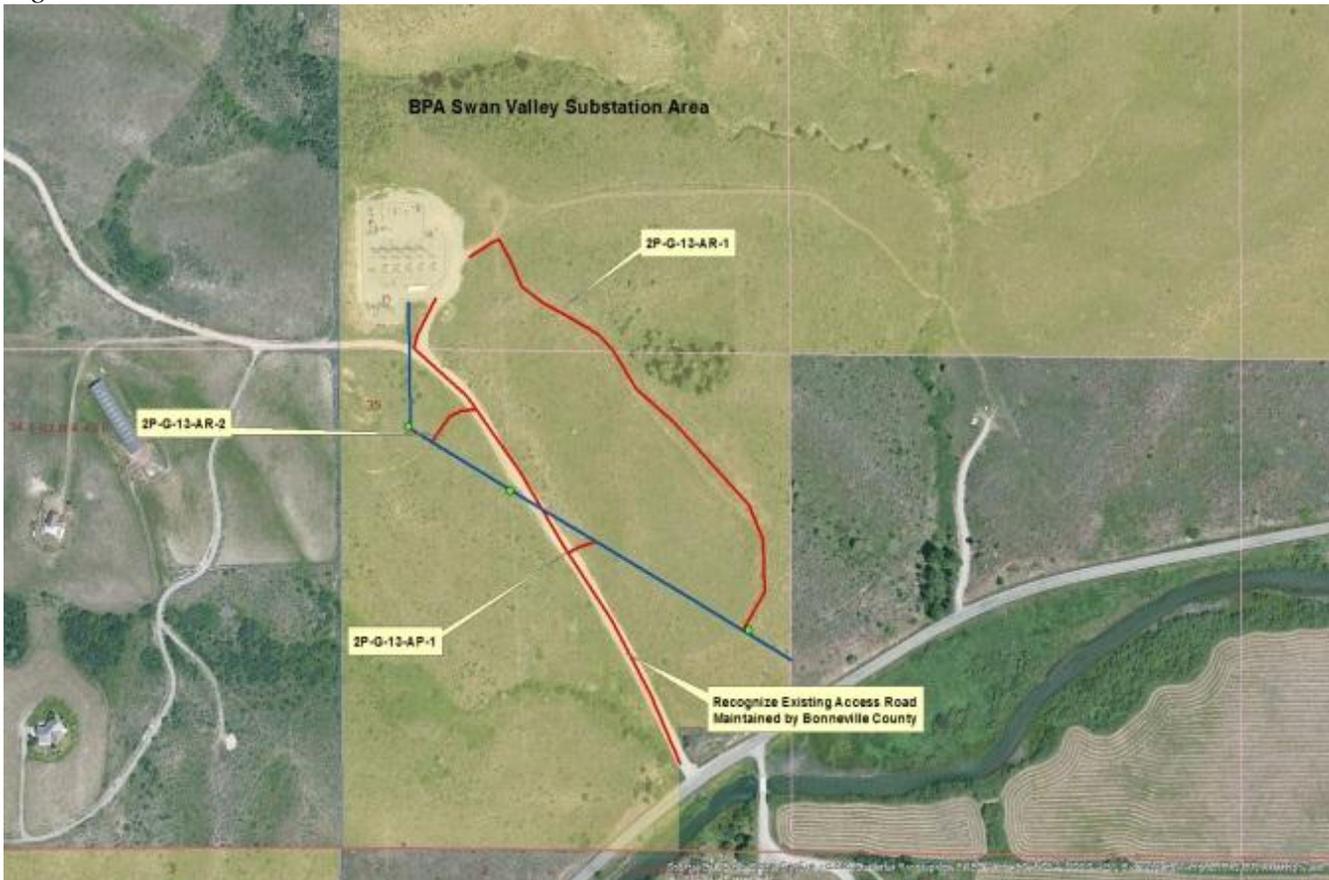




Figure 2 Note: The green dots indicated the structures on BLM to be replaced and upgraded

Although the Bonneville County maintains and claims the road off of US HWY 26, referred to High County Road, a right-of-way has never been formalized on the BLM. Therefore, this access road would be added to BPA's grant to ensure continued access to the Swan Valley Substation and the right to maintain the road if necessary. The road is approximately 1,430 feet in length and 60 feet wide, encumbering 1.97 acres more or less.

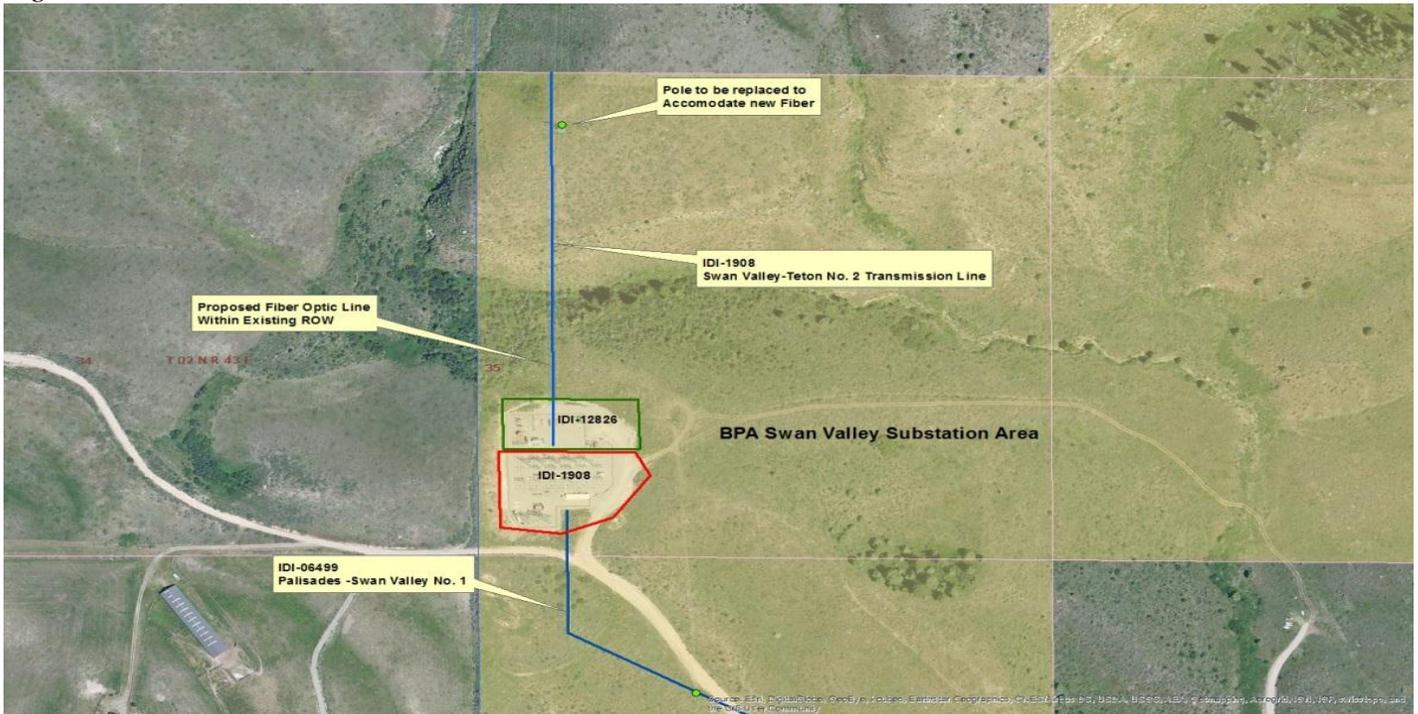
On February 14, 2014, BPA submitted another SF-299 requesting an amendment to the ROW that authorizes the Swan Valley Substation, IDI-1908. Right-of-way, IDI-1908, was issued to BPA under the authorization of 44LD513 on November 16, 1967 in perpetuity. This authority was in place to authorize utilities and other ROWs to other federal agencies. This authority was repealed with the passage of Public Law 94-579, the Federal Land Policy and Management Act of October 21, 1976 (FLPMA) (90 Stat. 2776; 43 U.S.C. 1761), and the regulations found at 43 CFR 2800. The ROW authorizes the use of 5.52 acres of public land in the NW¼SW¼ of section 35, T. 2 N., R. 43 E., for the following purposes; 3.38 acres for the Swan Valley Substation site, 2.11 acres for the Swan Valley-Teton No. 2 Transmission Line, and 0.03 acres for the substation access road.

This proposed amendment requests permission to replace fiber optic cable beginning at the Swan Valley Substation and continuing along the Swan Valley-Teton No. 2 Transmission Line to the Swan Valley Radio site. One structure, BPA Structure 1/1, would be replaced to accommodate the new cable, see Figure 3.

The Swan Valley Substation is authorized under two separate ROWs IDI-1908, as described above, and IDI-12826. Right-of-way grant IDI-12826 was issued on April 5, 1977. Because ROW IDI-1908 was issued under an authority that was repealed and could not be amended, when BPA proposed to expand the substation by 0.94

acres, the BLM authorized the expansion under a separate ROW according to FLPMA and regulation found at 43 CFR 2800. The new fiber optic would cross this portion of the substation, requiring this ROW to be amended as well.

Figure 3



Both amendments are requested under FLPMA and the current regulations found at 43 CFR 2800.

### CONSULTATION AND COORDINATION:

In February 2014, this project was brought before an Interdisciplinary Team consisting of Bureau of Land Management (BLM) specialists. A description of the proposed action was posted to the online NEPA register. This is available to members of the public through the Upper Snake Field Office webpage. No comments were received and no issues/conflicts were identified for this project.

Bonneville Power Administration prepared an Environmental Clearance Memorandum on June 30, 2014 documenting the use of a categorical exclusion and no need for further review under the National Environmental Policy Act (NEPA) for the proposed rebuild of the Palisades-Goshen No. 2 transmission line operated as the Palisades-Swan Valley transmission line. In addition, BPA prepared an Environmental Clearance Memorandum dated June 2, 2014, documenting the use of categorical exclusion for the proposed Swan Valley-Teton overhead fiber line installation. BPA has determined that neither of the proposed projects require further review under NEPA and both comply with Section 1021.410 and Appendix B of Subpart D of the Department of Energy's (DOE) National Environmental Policy Act (NEPA) Regulations (57 FR 15144, Apr. 24, 1992, as amended at 61 FR 36221-36243, July 9, 1996; 61 FR 64608, Dec. 6, 1996) as amended at 61 FR 36221-36243, July 9, 1996; 61 FR 64608, Dec. 6, 1996, 76 FR 63764, Nov. 14, 2011). The proposed action does not present any extraordinary circumstances that may affect the significance of the environmental effects of the proposal. The proposal is not connected [40 C.F.R. 1508.25(a)(1)] to other actions with potentially significant impacts, has not been segmented to meet the definition of a categorical exclusion, is not related to other proposed actions with cumulatively significant impacts [40 C.F.R. 1508.25(a)(2)], and is not precluded by

## **FINDING AND RECOMMENDATION:**

The proposed action is categorically excluded as outlined in 516 DM 11.9, Appendix 4 E (13) and none of the extraordinary circumstances described in 43 Code of Federal Regulations (CFR) 46.215 apply. This exclusion states amendment to existing rights-of-way, such as the upgrading of existing facilities, which entail no additional disturbance outside of the right-of-way boundary excluded from further environmental review.

I recommend that the amendments described above be authorized to allow BPA to upgrade existing facilities associated with the Palisades-Goshen No. 2 Transmission Line (operated as Palisades-Swan Valley No. 1 Transmission Line) and the Swan Valley Substation fiber optic line. Due to the fact that rights-of-way IDI-1908 and IDI-06499 were authorized under an authority that was repealed and cannot be amended I recommend that they be converted to a FLPMA ROW. I further recommend that IDI-1908, IDI-06499 and IDI-12826 be consolidated under one BLM serial number, IDI-37785 to simplify and reduce confusion. The grant would authorize the Palisades-Goshen No. 2 Transmission Line (operated as Palisades-Swan Valley No. 1 Transmission Line), the Swan Valley Substation (as shown on Exhibit A-2), the Swan Valley-Teton No. 2 Transmission Line, the fiber optics associated with the substation and the transmission lines, and access roads for maintenance purposes. Exhibit A defines the locations authorized on public land and the acreage associated with each facility. The grant should be issued in perpetuity subject to terms and conditions outlined in Exhibit B and Bureau regulation found at 43 CFR 2800. 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). Rent is exempt in accordance with 43 CFR 2806.14(2).

Reality Specialist, Preparer: Becky Lazdauskas, /s/ *Becky Lazdauskas*

Date: July 23, 2014

NEPA Reviewer: Deena Teel, /s/ *Deena Teel*

Date: July 23, 2014

## **DECISION AND RATIONALE FOR THE DECISION:**

It is my decision to authorize right-of-way grant, IDI-37785, as described and shown on Exhibits A, and A-1, under the authority of Title V of Public Law 94-579 (Federal Land Policy and Management Act). The right-of-way encumbers approximately **50.6** acres. The grant would be issued in perpetuity, subject to the current terms and conditions found at 43 CFR 2800 and the attached stipulations (see Exhibit B). Rent is exempt in accordance with 43 CFR 2806.14(2).

The amendment activities would require no on-the-ground disturbance outside of the existing ROWs. The subject action qualifies as a Categorical Exclusion and meets the criteria contained in 516 DM 2, 11.9 E (13). None of the exceptions found in 43 Code of Federal Regulations (CFR) 46.215 apply.

## **LAND USE PLAN CONFORMANCE:**

The Proposed Action is located in Bonneville County, Idaho, within the boundaries of the Upper Snake Field Office. The BLM's Medicine Lodge Resource Management Plan Record of Decision (BLM 1985) allows for utilities and transportation corridors while providing general guidelines for the protection and use of resources

in these areas.

Field Manager: Jeremy Casterson, /s/ *Jeremy Casterson*

Date: July 23, 2014

**APPEALS INFORMATION:**

*43 CFR 4.21 (58 FR 4939, January 19, 1993) or 43 CFR 2801.10*

## Extraordinary Circumstances Requiring Preparation of an EA or EIS

(43 Code of Federal Regulations (CFR) 46.215)

The action described in categorical exclusion # ID- I010-2014-0014-CX has been reviewed to determine that none of the extraordinary circumstances listed below pertain to the proposed action.

<u>DM</u> #	<u>Extraordinary Circumstance</u>	<u>YES</u>	<u>NO</u>
1	Have significant impacts on public health or safety. <i>The proposed action would have no significant impacts on health or safety of the public.</i>		X
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. <i>No wilderness, wilderness study areas or wild and scenic rivers are present near the project area. The ROW proposal would not impede opportunities for recreation. This project is not located within an Area of Critical Concern (ACEC) or Research Natural Area (RNA). No significant impacts to riparian-wetland areas would occur. Although migratory birds are present within the project area, no significant impacts to migratory birds would be expected.</i> <i>No known historic or cultural resources are located within the project area. This action is exempted per Stipulation V.A.1., Appendix C of the 2014 State Protocol agreement between BLM and Idaho State Historic Preservation Offices (SHPO).</i>		X
3	Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)]. <i>Action would not have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources. No known highly controversial or potentially significant environmental effects are expected to result from the issuing of the ROW. Action would not impact water quality or stream channels and floodplains.</i>		X
4	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. <i>Action would not impact water quality or stream channels and floodplains. No known highly uncertain and potentially significant environmental effects or unique or unknown environmental risks are expected to result from the issuing of the ROW.</i>		X
5	Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. <i>The proposed action would not establish a precedent for future actions. Standard annual maintenance and monitoring practices would continue to be accomplished for the ROW in the same manner as other authorized ROWs. However, any new</i>		X

<u>DM</u> #	<u>Extraordinary Circumstance</u>	<u>YES</u>	<u>NO</u>
	<i>ground disturbing activities would be addressed and new NEPA would be required and effects evaluated.</i>		
6	Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. <i>The proposed action would not have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. No cumulatively significant effects are anticipated to occur. No cumulatively significant effects anticipated for the stream channel/floodplain.</i>		X
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. <i>As there are no known historic properties listed or eligible for listing on the NRHP located in the project area, the proposed action would have no significant impacts.</i>		X
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. <i>As there are no T&amp;E or Proposed species, or critical habitat present within the project area, no significant impacts to these species would be expected.</i>		X
9	Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment. <i>The proposed action would not violate any federal law or a State, local, or tribal law or requirement imposed for the protection of the environment. No cumulatively significant effects anticipated .</i>		X
10	Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898). <i>The proposed action would have no adverse effect on low income or minority populations.</i>		X
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). <i>There are no sacred sites known to occur in the project area. Furthermore, the project would not limit access to Indian sacred sites on Federal lands or impact traditional resource use in the area.</i>		X
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). <i>Standard terms and conditions for weeds are included in the authorization. The proposed action would not contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species.</i>		X

**Exhibit A-1**  
**IDI-37785**  
**Bonneville Power Administration**  
**July 22, 2014**

This right-of-way combines the following cases, in addition to the proposed amendments and necessary corrections (oversights) discovered during the application process

Formerly IDI-06499

Palisades-Goshen No. 2 Transmission Line operated as Palisades-Swan Valley No. 1 Transmission Line  
Boise Meridian, Idaho

T. 1 N., R. 38 E., SE1/4SE1/4 of section 13 (900'x150') *not being upgraded	Bonneville County	<b>3.10 acres</b>
T. 1 S., R. 38 E., W1/2NW1/4 of section 9 (1,880'x150') NE1/4SW1/4 of section 18 (1,560'x150') *not being upgraded	Bingham County	<b>6.47 acres</b> <b>5.37 acres</b>
T. 3 N., R. 40 E., SE1/4NW1/4 of section 34 (1,320'x150') *not being upgraded	Bonneville County	<b>4.54 acres</b>
T. 2 N., R. 43 E., SW1/4NE1/4 of section 19 (586'x150') Lot 3 of section 20 (565'x150') *not being upgraded SW1/4SW1/4 of section 35 (1,610'x150')	Bonneville County	<b>2.02 acres</b> <b>1.95 acres</b> <b>5.54 acres</b>
NOTE: this transmission line in section 35 was part of the grant and noted to the Master Title Plat but was left off the BLM serial register page		
T. 1 N., R. 44 E., E1/2NW1/4 and NW1/4SE1/4 of section 22 (3,600'x150') *NW1/4SE1/4 reconveyed to BLM in 1993	Bonneville County	<b>12.40 acres</b>

Formerly IDI-1908

Swan Valley Substation, Swan Valley-Teton No. 2 Transmission Line, short access road

T. 2 N., R. 43 E., NW1/4SW1/4 of section 35	Bonneville County	
Portion of the Substation		<b>3.38 acres</b>
Transmission Line (922'x100')		<b>2.11 acres</b>
Access Road (96'x14')		[0.03 acres] will be added to access road acreages

Formerly IDI-12826

Expansion of the Swan Valley Substation

T. 2 N., R. 43 E., NW1/4SW1/4 of section 35	Bonneville County	
Portion of substation		<b>0.94 acres</b>

Amendments

T. 2 N., R. 43 E.,  
NW1/4SW1/4 of section 35 Bonneville County  
Access Road referred to as High Country Road **1.97 acres**  
BPA Tract ID **2P-G-13-AR-1** (1,410'x20') **0.65 acres**  
BPA Tract ID **2P-G-13-AR-2** (ingress and egress only) **0.09 acres**  
BPA Tract ID **2P-G-13-AP-1** (access road appears to be within existing ROW)

T. 1 N., R. 44 E., Bonneville County  
SE1/4NE1/4 and SE1/4NW14 of section 22  
BPA Tract ID **2P-G-6-AR-2P1** (ingress and egress only) **0.01 acres**  
BPA Tract ID **2P-G-6-AR-3P1** (ingress and egress only) **0.06 acres**

The amendment recognizes the upgrade of the Palisades-Goshen No. 2 Transmission Line (operated as Palisades-Swan Valley No. 1 Transmission Line) to a 230kV capabilities operating as a 161kV.

The amendment recognizes the placement of a new fiber optic cable within the Swan Valley-Teton No. 2 Transmission Line.

**THE TOTAL RIGHT-OF-WAY ENCUMBERS 50.6 ACRES, MORE OR LESS**

**Exhibit B**  
**IDI-37785**  
**Stipulations**

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. In compliance with the Migratory Bird Treaty Act (MBTA), construction activities are not allowed during the migratory bird nesting season April 1 – June 30. The Authorized Officer may waive this restriction, with a notice in writing, only if a qualified biologist conducts a survey to determine the presence of nesting birds near the project location, and determines that construction activities would not impact migratory birds.
3. Unless otherwise agreed to by the authorized officer in writing, power lines shall be constructed in accordance to standards outlined by U.S. Fish and Wildlife Service (Service) and the Avian Power Line Interaction Committee (APLIC). 2012. Reducing Avian Collisions with Power Lines: The State of the Art in 2012. Edison Electric Institute and APLIC. Washington, D.C. (including future revisions or amendments). The holder shall assume the burden and expense of proving that pole designs not shown in the above publication are 'eagle safe.' Such proof shall be provided by a raptor expert approved by the authorized officer. The BLM reserves the right to require modifications or additions to all power line structures placed on this right-of-way, should they be necessary to ensure the safety of large perching birds. Such modifications and/or additions shall be made by the holder without liability or expense to the United States.
4. Unless otherwise agreed to by the authorized officer in writing, the holder shall observe the no construction restriction from November 1 through May 1, as requested by the Idaho Fish and Game for the protection of deer wintering range in section 22, T. 1 N., R. 44 E., BM, Idaho.
5. Holder shall remove only the minimum amount of vegetation necessary for the construction and maintenance of the road.
6. The holder shall seed all disturbed areas, using an agreed upon seed mix and method suitable for the location. Seeding shall be repeated if a satisfactory stand is not obtained as determined by the authorizing officer.
7. Holder shall limit excavation to the areas of construction. No borrow areas for fill material will be permitted on the site. All off-site borrow areas must be approved in writing by the Authorized Officer in advance of excavation. All waste material resulting from construction or use of the site by holder shall be removed from the site. All waste disposal sites on public land must be approved in writing by the authorized officer in advance of use.
8. 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.

9. 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).
10. As directed by the authorizing officer, the holder is required to ensure that the right-of-way is well-drained by water baring or other method of maintaining drainage. Should erosion or damage occur, additional measures, as approved by the Authorized Officer, may be necessary to minimize damage to the ROW or surrounding public lands.
11. No equipment servicing, refueling, or storage of fuels or lubricants would be allowed on the right-of-way.
12. The holder shall protect all survey monuments found within the right-of-way. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management Cadastral Survey Corners, reference corners, witness points, U.S. Coastal and Geodetic benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. In the event of obliteration or disturbance of any of the above, the holder shall immediately report the incident, in writing, to the authorized officer and the respective installing authority if known. Where General Land Office or Bureau of Land Management right-of-way monuments or references are obliterated during operations, the holder shall secure the services of a registered land surveyor or a Bureau cadastral surveyor to restore the disturbed monuments and references using surveying procedures found in the Manual of Surveying Instructions for the Survey of the Public Lands in the United States, latest edition. The holder shall record such survey in the appropriate county and send a copy to the authorized officer. If the Bureau cadastral surveyors or other Federal surveyors are used to restore the disturbed survey monument, the holder shall be responsible for the survey cost.
13. The holder of right-of-way No. ID-37785 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.
14. 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.
15. 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.

16. Pursuant to 43 CFR 10.4(g), the holder of this authorization must immediately notify the authorized officer, by telephone, with written confirmation, immediately 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. The BLM Authorized Officer will determine avoidance, protection or mitigation measures in consultation with the Holder, Idaho SHPO, and affected Tribes. Costs associated with the discovery, evaluation, protection or mitigation of the discovery shall be the responsibility of the holder.
17. Ninety 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.