

**United States Department of the Interior
Bureau of Land Management**

**Finding of No Significant Impact and Decision Record
DOI-BLM-UT-C010-2015-0055-EA
August 8, 2016**

Fiber Line and Road Right-of-Way

Access Road:

Cellco Partnership and its controlled affiliated
d/b/a Verizon Wireless
1500 Solana Boulevard Building 6, Suite 500
Westlake, TX 76262

Fiber Line:

South Central Communications
P.O. Box 432
Panguitch, UT 84759

U.S. Department of the Interior
Bureau of Land Management
Cedar City Field Office
Phone: (435) 865-3000
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UNITED STATE
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
CEDAR CITY FIELD OFFICE

FINDING OF NO SIGNIFICANT IMPACT

Based on the analysis of potential environmental impacts contained in the attached environmental assessment, and considering the significance criteria in 40 Code of Federal Regulations (CFR) 1508.27, I have determined that these actions will not have a significant effect on the human environment. An environmental impact statement is therefore not required.


Tyler D. Ashcroft (Authorized Officer)
Acting Field Manager
Cedar City Field Office

8/8/2010
Date

**UNITED STATE
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
CEDAR CITY FIELD OFFICE**

DECISION RECORD

Authorities

The authorities for this decision are contained in the Federal Land Policy and Management Act (FLPMA) of October 21, 1976 *as amended* and implementing regulations (90 Stat. 2743; 43 U.S.C. 1701, *et seq.*; 43 CFR 2800).

Compliance and Monitoring

Compliance and monitoring will take place during and after construction to assure terms and conditions of the right-of-way are met.

Terms / Conditions / Stipulations

This decision is contingent on meeting commitments described in the attached EA, listed below; as well as the standard 2800-14 right-of-way (ROW) grant stipulations found in Appendix B of the ROW grants:

- Holders would adhere to noxious weed stipulations, and noxious weeds would be monitored by hand treating or avoiding as needed if present within the working area of the project. Verizon Wireless would also be responsible for noxious weed removal within the ROW by a certified sprayer, provide a pesticide use report, and submit a pesticide use proposal to BLM for approval prior to treating with chemical.
- No other related structures or facilities would be located on BLM land, beyond what's been analyzed. All permanent equipment, except utility lines, would be located within a fenced compound on the adjacent private property owned by Minersville Town.
- Existing sage brush, soil, and native grasses may be removed for the excavation for the electric and fiber-optic utility installation. No long-term impacts to soils or vegetation are anticipated as disturbed areas would be reseeded following implementation of the proposed action. The seed mix would be in accordance to the reclamation plan provided (Appendix G of EA).
- South Central Communication will have this additional stipulation in their ROW grant: Holder may sublease space for additional fiber optic use within the authorized conduit. Sublessees will not be required to obtain a separate grant for their use. The holder is liable and responsible for compliance with all terms/conditions of the grant, including compliance with the terms/conditions by any additional user.

Plan Conformance and Consistency

The proposed action is in conformance with the Cedar Beaver Garfield Antimony Resource Management Plan approved, June 10, 1986 and as amended by the Utah Greater Sage-Grouse Approved Resource Management Plan Amendment, approved September 2015. It is specifically provided for in decision 3.1 (p.9) which provides that applications for use authorizations such as rights-of-way, leases, and permits be processed on a case-by-case basis.

Alternatives Considered

This environmental assessment focuses on the proposed and no action alternatives. Other alternatives were not considered because the issues identified during scoping did not indicate a need for additional alternatives beyond those contained in the proposed action. The No Action Alternative is considered and analyzed to provide a baseline for comparison of the impacts of the proposed action. The No Action Alternative was not selected because it would not meet the purpose and need and is not supported by the analysis contained within the environmental assessment.

Decision

It is my decision to select the Proposed Action Alternative in accordance with the National Environmental Policy Act of 1969 (NEPA) and the Bureau of Land Management (BLM) regulations found at 43 Code of Federal Regulations (CFR) 2800. It is my decision to offer two right-of-way (ROW) grants: one to Cellco Partnership and its controlled affiliated d/b/a Verizon Wireless for the access road, and the second to South Central Communication for the fiber line. These grants would allow the two holders to construct, operate, and maintain a road/fiber line per Title V of FLPMA and BLM regulations in 43 CFR 2800, as described in environmental assessment DOI-BLM-UT-C010-2015-0055-EA. This decision was made after careful consideration of the proposal, specialist input and the project record. The ROW grants will be subject to the standard 2800-14 right-of-way grant stipulations found in Appendix B of the ROW grants and Plan of Development.

Rationale for Decision

Approval of the ROW grants will meet the purpose and need of the EA and will not cause unnecessary and undue degradation of public land. No comments were received from the public during scoping or the 15 day public comment period.

Protest/Appeal

The decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4. Public notification of this decision will be considered to have occurred on August 5, 2016. Within 30 days of this decision, a notice of appeal must be filed in the office of the Authorized Officer at 176 East D.L. Sargent Drive, Cedar City, Utah 84721. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the Authorized Officer.

If you wish to file a petition for stay pursuant to 43 CFR Part 4.21(b) (58 FR 4939, January 19, 1993) or 43 CFR 2801.10, the petition for stay should accompany your notice of appeal and shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of irreparable harm to the appellant or resources if the stay is not granted, and
4. Whether the public interest favors granting the stay.

If a petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the Authorized Officer.

A copy of the notice of appeal, any statement of reasons and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken and on the Office of the Regional Solicitor, U.S. Department of the Interior, 6201 Federal Building, 125 South State Street, Salt Lake City, Utah 84138-1180, not later than 15 days after filing the document with the Authorized Officer and/or IBLA.


Tyler D. Ashcroft (Authorized Officer)
Acting Field Manager
Cedar City Field Office

8/8/14
Date

Attachment:

Environmental Assessment DOI-BLM-UT-C010-2015-0055-EA