

DECISION RECORD

Proposed East-side Communication Facilities
DOI-BLM-ID-B010-2016-0023-EA

It is my decision to select Alternative B based on a review of the Environmental Assessment (EA) and Finding of No Significant Action (FONSI), which this decision record incorporates by reference. Through this decision record, BLM will issue to the Bureau of Reclamation (BOR), two communication site rights-of-way allowing the agency to construct a microwave communication facility on public land at Bennett Mountain and Notch Butte as described in the FONSI.

Authorities:

The authority for this decision is contained in Federal Land Policy Management Act of 1976, as amended [43 U.S.C. 1761], which provides authority for the Secretary of the Interior, in his discretion, to grant rights-of-way on lands under its jurisdiction according to federal regulation found at 43 C.F.R. § 2802.10.

Compliance and Monitoring:

As part of this decision, and in conformance with 43 C.F.R. § 2805.12 BLM will monitor the operation and termination of the approved use within these rights-of-way.

Plan Conformance and Consistency:

Jarbidge Resource Management Plan, signed 1987

The Bennett Mountain communication site will be located within the Four Rivers Field Office management area and is covered by the Jarbidge Resource Management Plan (RMP1). The RMP1 designated the proposed project area as being within Multiple Use Area-2 Upper Bennett Hills, with a Moderate Use classification on approximately 62,000 acres. The RMP provides intent for future communication site to be restricted to existing sites as much as possible. New communication sites can be considered if there is a demonstrated need and the resource conflicts are low or can be mitigated. The Bennett Mountain communication site would be within an already existing communication site; therefore, it is determined that the proposed action is in conformance with the RMP1.

Monument Resource Management Plan signed in 1986

The Notch Butte communication site will be located within the Shoshone Field Office management area and is covered by the Monument RMP (RMP2). Decisions in the plan that affect this multiple-use area do not address site-specific projects such as the one being proposed; however, it does state that the lands will be managed under the principles of multiple use and sustained yield, as required by FLPMA. Any valid use, occupancy, and development of the public lands, including but not limited to those requiring rights-of-way,

leases, and licenses, will be considered, subject to applicable environmental review procedures. This would include initiatives such as the proposed project; therefore, it is determined that the proposed action is in conformance with the RMP2.

Notch Butte Communications Site Management Plan, signed in 2012

The BLM Notch Butte Communications Site Management Plan was developed to provide an outline for orderly future development of the site in conformance with the Monument RMP. The plan governs the development and management of the Notch Butte site and will be modified in the future as needs and conditions warrant. Under the Notch Butte Communications Site Management Plan, requests for new communication site facilities may be authorized at the discretion of the BLM.

Idaho and Southwestern Montana Greater Sage-Grouse Approved Resource Management Plan Amendment signed in 2015

The Idaho and Southwestern Montana Greater Sage-Grouse Approved Resource Management Plan Amendment (ARMPA) plan provides a three-tiered habitat management approach that focuses protections on the areas of highest importance to the species:

1. **Priority Habitat Management Areas (PHMA)**, equivalent to Core Areas, are managed to avoid and minimize further disturbance. Surface energy and mineral development is limited in these areas. Development is capped with limits on the amount and density of disturbance allowed. All of the SFAs are incorporated within PHMA.
2. **Important Habitat Management Areas (IHMA)** have moderate-to-high conservation value for greater sage-grouse populations. While IHMA is managed less conservatively than PHMA, more protection allocations may be instituted through the adaptive management strategy.
3. **General Habitat Management Areas (GHMA)** provide greater flexibility for land use activities. Mitigation and required design features ensure that impacts from development are avoided, minimized and mitigated in GHMA.

All three management area objectives incorporate three common approaches:

- Minimizing new or additional surface disturbance
- Improving habitat condition.
- Reducing threat of rangeland fire

In conformance with these policies, BOR has committed to offset the disturbance of 0.23 acres of public land through a planting effort to increase forb availability on 5 acres of sage-grouse habitat at the East rim of Ririe reservoir is within the Tex Creek WMA, and is managed by BOR. Tex Creek has been delineated by the BLM as a "sage grouse priority conservation area." Given the reduced functionality of the site and that 5 acres is considerably more habitat than the 0.23 acres that would be lost, the mitigation associated with this project would result in a net conservation gain.

Alternatives Considered:

Alternative A – No Action

Under the No Action alternative, the proposed microwave communication facilities on Bennett Mountain and Notch Butte would not be constructed. Reclamation and BPA dam facilities would continue to operate as they have previously under the existing constraints and

security measures. An existing system of microwave, radio, and land-line communication (some of it being leased lines through several vendors) would continue. The integrity of this aging infrastructure could be compromised in the future due to equipment becoming more antiquated and difficult to maintain. The potential unavailability of spare parts and technical support will negatively affect the reliability of the system. Additionally, Reclamation would not comply with its current and future NERC/WECC, CIP, and EACSS requirements.

Alternative B – Proposed Action

Under Alternative B, Reclamation would construct microwave communication facilities at the BLM-designated Bennett Mountain and Notch Butte Communication Sites, and locate additional communication equipment at Reclamation office facilities.

Alternative C is the same as Alternative B, except that the proposed microwave communication facilities on Bennett Mountain would be located on privately owned lands directly adjacent to the BLM-designated BMCAS, rather than on public lands, and there would not be the removal of any existing structures.

Alternatives Considered But Not Analyzed in Detail

Other alternatives were considered but not analyzed due to security requirements necessary for the proper protection and operation of the Bennett Mountain and Notch Butte communication facilities limit co-location within other existing Federal, state, or local facilities. Consequently, those existing state or private communication locations were not considered as viable alternatives.

Reclamation considered the purchase and/or lease of land at certain elevation sites (as to keep the necessary line-of-sight requirements that dictates these communication sites be at high elevations), but these were either already occupied or not available.

Use of other types of communication options (fiber optic, etc.) were considered, but did not meet the agency requirements/constraints for such communication.

Decision and Rationale

It is my decision to authorize and grant two FLPMA rights-of-way to the BOR for the action as defined in Alternative B of the Environmental Assessment # DOI-BLM-ID-B010-2016-0023-EA. This action will authorize two rights-of-way for the BOR to install two communication sites on public lands (one at Bennett Mountain and the other at Notch Butte). The action of developing the communication sites analyzed in the Environmental Assessment will not constitute a major federal action that would significantly affect the quality of the human environment; therefore, an Environmental Impact Statement was not required and a finding was made of no significant impact (FONSI).

Appeal

Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a notice of appeal must be filed in the office of the authorized officer at the Bureau of Land Management Four Rivers Field Office, 3948 Development Avenue, Boise, Idaho, 83705. 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 (IBLA), 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. To file a petition for stay pursuant to 43 CFR part 4.21(b), it must accompany your notice of appeal and must 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 immediate and irreparable harm 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 notice of appeal and petition for stay must be served on each adverse party named in the decision from which the appeal is taken and on the Office of the Solicitor, Field Solicitor – U. S. Department of the Interior, University Plaza, 960 Broadway Avenue, Suite 400, Boise, Idaho, 83706, not later than 15 days after filing the document with the authorized officer and/or IBLA.

If you have any questions regarding this decision, or your appeal rights, please contact Jeremy Bluma, Acting Supervisory Realty Specialist, at (208) 384-3348, or e-mail him at jbluma@blm.gov.

/s/ Tate Fischer
Tate Fischer
Field Manager,
Four Rivers Field Office

6/7/16
Date

/s/ Codie Martin
Codie Martin
Field Manager,
Shoshone Field Office

6/7/16
Date