

EXHIBIT "E"

SENSITIVE ANIMAL CLEARANCE

PART I. INFORMATION

Contact: Scott Barker

Date: 5-12-09

Description: T. 11 S., R. 17 E., B.M., Twin Falls Co., ID, Sec. 34: NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$.

Job Name: Williams Buried Irrigation Water Pipeline Right-of-Way #2

Job ID Number: IDI-35995

EA Number: ID-220-2009-EA-3769

Proposed Project/Action: The proposed ROW would allow the Holder to install approximately 2400 feet of buried 12" diameter, 80 PSI plastic irrigation pipeline. The proposed ROW would be 20 feet wide and the pipeline would be installed in a 36" deep trench. The proposed pipeline would facilitate the Holder in more efficiently utilizing his Salmon River Canal water and would allow him to use the natural terrain to pressurize the water for sprinkler irrigation to some extent. This would result in significant energy savings by reducing the need for high voltage electric pump pressurization. The proposed pipeline would originate at the Salmon Falls Canal Company Lateral #1. The proposed ROW being 20 feet wide and approximately 2400 feet in length would occupy 1.1 acres of public land, more or less.

PART II. WILDLIFE SPECIES

Threatened and Endangered:

None *"no affect" Section 7 Consultation not necessary*

BLM Sensitive Species: *There is an active FEHA nest w/in 1/2 mile of the project*
BLM documents and the BLM database indicate that the following BLM sensitive species have been observed: ~~There are no known occurrences of any BLM Sensitive Species within 1 mile of the proposed action. However, potential nesting habitat for Brewer's sparrow (small patches of sagebrush) as well as long-billed curlew and burrowing owl (grassland) exists. Ground disturbance should occur outside the nesting season for these species or there should be nest searches conducted at the site just prior to construction.~~

Native Species:

BLM documents and the BLM database indicate that the following BLM sensitive species have been observed:
None

Habitat Assessment: *Sagebrush slope, crested seeding, w/ Poa's cheatgrass*
~~This project is located at the edge of the BLM property adjacent to private land and construction would occur along both a fence and a two track road. The vegetation is mostly grassland (seeded with crested wheatgrass and invaded by cheatgrass) but there are some small patches of sagebrush. There is a line of trees originating at the northern extent of the proposed project that ends to the southeast away from the project.~~

Final Assessment:

In accordance with the Migratory Bird Treaty Act, this proposed project will avoid causing harm, disturbance or mortality to nesting birds or their young.

Consultation with USFWS if assessment identifies potential impacts:

USFWS person contacted: N/A Date: N/A

Comments/Recommendations from USFWS:

Part III. CLEARANCE FOR PROPOSED ACTIVITY

ANIMAL Clearance: Full _____ Negative _____ Conditional X
If conditional or negative, state reason(s):


Signature

06/22/2009
Date

1. To comply w/ the MBTA construction activities will not be allowed from March 1 - July 31, unless the area is cleared by a wildlife biologist.
2. The proposed project is located w/in a 1/2 mile of active ferruginous hawk nest from March 1 through July 15. (TFMFP 1973)
→ No construction activities from March 1 - July 31. to protect nesting migratory birds. If construction must take place during this time, the area must be surveyed by a wildlife biologist. If active nest sites are encountered then the project will be delayed or moved to avoid conflicts w/ nesting migratory birds.
3. Habitat present for Sagebrush obligate species, including BLM sensitive species. Sage-grouse are not known to occupy the area. No known occurrences of pygmy rabbits. Field evaluations did not reveal the presence of any burrows.