

CATEGORICAL EXCLUSION

Project Name/Applicant: Rocky Mountain Power (PacifiCorp) Comm Site Lease Amendment

Project/Case File Number: IDI-3590

Project Lead: Becky Lazdauskas, Realty Specialist

CE Number: ID-310-2009-CE-3824

Date of Preparation: November 2, 2009

PROPOSED ACTION:

On August 28, 2009, Rocky Mountain Power (a division of PacifiCorp) requested an amendment to existing communication site right-of-way (ROW), IDI-3590. The Communication Site is located on Menan Butte in Madison County. The authorization effects 1.92 acres of public land in lot 13 of section 2 and lots 13 and 14 of section 3, T. 5 N., R. 38 E., B.M., Idaho.

The original ROW was issued September 8, 1971 and has been renewed several times with the current expiration date of September 7, 2016. The authorization allows; a microwave site including an equipment building (18'x18'), a 20' tall tower, an access road (10'x10') and a 12.5kV distribution line (3220' in length 25' wide).

Rocky Mountain Power is requesting to amend the powerline portion of their existing authorization in response to a request from one of other comm. site users. Tony Hafla, who owns and operates a cellular site (IDI-20584), would like to upgrade the power to his facility. The upgrade would include replacing an existing pole with a 45' wooden pole along the 12.5kV transmission line (IDI-3590) and adding a transformer to the pole. A 35' support pole would be added between the existing line and the Teton Communication Site building. The new overhead line would span an additional 160' from the replaced pole to the building. The ROW width would remain 25'. The additional line is located within the existing authorizations. No work would be done outside of those authorizations. Teton Communications existing buried powerline would be abandoned and left in place.

The transmission line would then be a total length of 3,380 feet, 25 feet wide, for an additional 0.1 acre. After the additional line, the total ROW would encumber 2.02 acres, more or less.

CONSULTATION AND COORDINATION:

The proposed project as described in the categorical exclusion was posted in the public room of the Upper Snake Field Office for a period of 30 days.

FINDING AND RECOMMENDATION:

The proposed action is categorically excluded as outlined in 516 DM 6, Appendix 5.4 E

(13) and none of the extraordinary circumstances described in 516 DM 2, Appendix 2 apply. This exclusion states that amendments to existing rights-of-way such as upgrading of existing facilities which entails no additional disturbances outside the rights-of-way boundary may be excluded from further environmental review.

I recommend that the communication site lease, IDI-3590, be amended to include a 160 feet of above ground transmission line (as shown on Exhibit A), encumbering an additional 0.1 acre of public land. The authorization would keep the expiration date of September 7, 2016. The lease would subject to current terms and conditions and stipulations. The lease would be amended under the authority of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761) and current Bureau regulations found at 43 CFR 2800. Rent would be collected as required in 43 CFR 2806.30.

/s/ Becky Lazdauskas
Becky Lazdauskas, Realty Specialist

11/10/09
Date

DECISION AND RATIONALE FOR THE DECISION:

It is my decision to amend communication site lease IDI-3590, allowing Rocky Mountain Power to place an additional 160 feet of above ground transmission line across public land within the existing authorizations. The line would encumber approximately 0.1 acres for a total ROW acreage of 2.02. The authorization would keep the expiration date of September 7, 2016 and is subject to the current terms and conditions found at 43 CFR 2800 and the original stipulations (current lease, Exhibit B). Rent would be collected as required in 43 CFR 2806.30.

Issuance of the right-of-way would cause no significant environmental disturbance. The subject action qualifies as a Categorical Exclusion and meets the criteria contained in 516 DM 6, Appendix 5.4 E (13). None of the exceptions found in 516 DM 2, Appendix 2 apply.

LAND USE PLAN CONFORMANCE:

The proposed action is in conformance with the Medicine Lodge Resource Plan (1985).

APPEALS INFORMATION:

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

/s/ Wendy Reynolds
Upper Snake Field Manager

11/10/2009
Date

Extraordinary Circumstances Requiring Preparation of an EA or EIS

(516 DM 2, Appendix 2)

The action described in categorical exclusion **CE# ID-310-2009-CE-3824 (IDI-3590)** has been reviewed to determine that none of the extraordinary circumstances listed below pertain to the proposed action.

DM # Extraordinary Circumstance

- 2.1 Have significant impacts on public health or safety
- 2.2 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.
- 2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)].
- 2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.
- 2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.
- 2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.
- 2.7 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.
- 2.8 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.
- 2.9 Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.
- 2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).
- 2.11 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).
- 2.12 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).