

memorandum

DATE: October 20, 2011

REPLY TO
ATTN OF: KEC-4

SUBJECT: Environmental Clearance Memorandum

TO: David Byrnes
Project Manager - KEWM-4

Proposed Action: Provision of funds to the Shoshone-Bannock Tribes for purchase of the Legacy Springs Property

Fish and Wildlife Project No.: 1995-057-02

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021):

B1.25 Transfer, lease, disposition or acquisition of interests in uncontaminated land for habitat preservation or wildlife management, and only associated buildings that support these purposes. Uncontaminated means that there would be no potential for release of substances at a level, or in a form, that would pose a threat to public health or the environment.

Location: Township 4 South, Range 32 East, Sections 24, 25 and 26; Township 4 South, Range 33 East, Sections 19 and 30 of the Springfield quadrangle, Bingham County, Idaho

Proposed by: Bonneville Power Administration (BPA) and Shoshone-Bannock Tribes.

Description of the Proposed Action: BPA proposes to fund the acquisition of the approximately 660 acre Legacy Springs property by the Shoshone-Bannock Tribes. BPA will be granted a perpetual conservation easement over the entire property as a condition of funding the acquisition. The property is being acquired as partial mitigation for the construction and operation of the Palisades Dam on the Snake River, and because of its outstanding riparian and floodplain natural resource values. Additionally, the property is important for providing habitat to rainbow and cutthroat trout, deer, moose, pheasants, and waterfowl including swans, ducks, and Canada geese. The easement will protect the conservation values for which the property is being acquired by restricting activity such as residential, non-agricultural commercial and industrial development.

After purchase of the property is complete, the Shoshone-Bannock Tribes will manage the property to maintain habitat for fish and wildlife. The Shoshone-Bannock Tribes will develop a management plan for the property and give the public the opportunity for involvement in developing the plan. Current water rights will be retained after the acquisition. Prior to funding any management activities, BPA will conduct further environmental review.

Findings: BPA has determined that the proposed action complies 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). 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, is not related to other proposed actions with cumulatively significant impacts [40 C.F.R. 1508.25(a)(2)], and is not precluded by 40 C.F.R. 1506.1 or 10 C.F.R. 1021.211. Moreover, the proposed action would not (i) threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, (ii) require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities, (iii) disturb hazardous substances, pollutants, contaminants, or Comprehensive Environmental Response, Compensation and Liability Act-excluded petroleum and natural gas products that pre-exist in the environment such that there would be uncontrolled or unpermitted releases, or (iv) adversely affect environmentally sensitive resources.

This proposed action meets the requirements for the Categorical Exclusion referenced above. We therefore determine that the proposed action may be categorically excluded from further NEPA review and documentation.

/s/ Hannah Dondy-Kaplan

Hannah Dondy-Kaplan

Environmental Protection Specialist – KEC-4

Concur:

/s/ Katherine S. Pierce

Date: October 20, 2011

Katherine S. Pierce

NEPA Compliance Officer – KEC-4

Attachment:

Environmental Checklist for Categorical Exclusions

Environmental Checklist for Categorical Exclusions

Name of Proposed Project: Lower Columbia River Estuary Properties Land Acquisitions

Work Order #: #BPA- 266311

This project has been found to not adversely affect the following environmentally sensitive resources, laws, and regulations:

Environmental Resources	No Adverse Effect	No Adverse Effect With Conditions
1. Cultural Resources No adverse effect	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. T & E Species, or their habitat(s) No effect as these are strictly land acquisitions	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Floodplains or wetlands No effect as these are strictly land acquisitions	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Areas of special designation No effect as these are strictly land acquisitions	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Health & safety No effect as these are strictly land acquisitions	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Prime agricultural lands No effect as these are strictly land acquisitions	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Special sources of water No effect as these are strictly land acquisitions	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Consistency with state and local laws and regulations No effect as these are strictly land acquisitions	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Pollution control at Federal facilities No effect as these are strictly land acquisitions	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Other Only BPA approved herbicides will be applied	<input checked="" type="checkbox"/>	<input type="checkbox"/>

List supporting documentation attached (if needed):

Signed: /s/ Hannah Dondy-Kaplan

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