

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Cinder Cones Property Acquisition Funding

Fish and Wildlife Project No. and Contract No. : 1995-057-02; 68102

Project Manager: Joe DeHerrera

Location: T1S, R42E; Sections 5,6,7,8, and 18; Caribou County, Idaho

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021): B1.25 Real property transfers for cultural resources protection, habitat preservation, and wildlife management

Description of the Proposed Action: BPA is proposing to fund the Shoshone-Bannock Tribe to purchase the Cinder Cones property, a 655-acre parcel of land located approximately 10.5 miles north of Soda Springs in Caribou County, Idaho. BPA would hold a conservation easement to prevent the conversion of fish and wildlife habitat on the property to other land uses.

Funding the purchase of the property would serve as partial mitigation for the construction and operation of the Federal Columbia River Power System, which includes dams on the main stem Columbia and Snake Rivers.

The property consists of the North Cone and west half of China Hat Cone cinder cones on the south side of the Blackfoot Reservoir. Habitat on the property includes high quality upland mountain brush, aspen, and conifer habitats. Water resources on the property include approximately 2,500 feet of Blackfoot Reservoir frontage, the 23-acre Gronewell/ Dredgewall Lake and the 25-acre Burchett/ Purchett Lake. Land will be acquired to protect high quality habitat for mule deer, bald eagle, and other wildlife. Acquisition will also allow for public access to the property for recreation. The Shoshone-Bannock Tribe would develop a management plan to guide the protection and enhancement of habitat and other resources on the property. The management plan would be reviewed by BPA for consistency with the conservation easement and the purpose of the acquisition. If BPA proposes to fund any additional activities on the property, further environmental review may be conducted.

Findings: In accordance with Section 1021.410(b) 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, 76 FR 63764, Nov. 14, 2011), BPA has determined that the proposed action:

- (1) fits within a class of actions listed in Appendix A of 10 CFR 1021, Subpart D (see attached Environmental Checklist);
- (2) does not present any extraordinary circumstances that may affect the significance of the environmental effects of the proposal; and
- (3) has not been segmented to meet the definition of a categorical exclusion.

Based on these determinations, BPA finds that the proposed action is categorically excluded from further NEPA review.

/s/ Jenny Lord

Jenny Lord
Contract Environmental Protection Specialist
Act 1 Group

Reviewed by:

/s/ Donald Rose

Donald Rose
Supervisory Environmental Protection Specialist

Concur:

/s/ Stacy L. Mason

Date: November 23, 2015

Stacy L. Mason
NEPA Compliance Officer

Attachment: Environmental Checklist

Categorical Exclusion Environmental Checklist

This checklist documents environmental considerations for the proposed project and explains why the project would not have the potential to cause significant impacts on environmentally sensitive resources and would meet other integral elements of the applied categorical exclusion.

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Project Site Description

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Evaluation of Potential Impacts to Environmental Resources

Environmental Resource Impacts	No Potential for Significance	No Potential for Significance, with Conditions
1. Historic and Cultural Resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> There would be no effect due to the land acquisition which includes transfer of title and the creation of a conservation easement. To the extent that management activities may have an effect, it is expected that the Shoshone-Bannock Tribe would comply with all applicable laws and regulations.		
2. Geology and Soils	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> See explanation for #1 above.		
3. Plants (including federal/state special-status species)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> See explanation for #1 above.		
4. Wildlife (including federal/state special-status species and habitats)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> See explanation for #1 above.		
5. Water Bodies, Floodplains, and Fish (including federal/state special-status species and ESUs)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> See explanation for #1 above.		

6. **Wetlands**

Explanation: See explanation for #1 above.

7. **Groundwater and Aquifers**

Explanation: See explanation for #1 above.

8. **Land Use and Specially Designated Areas**

Explanation: See explanation for #1 above.

9. **Visual Quality**

Explanation: See explanation for #1 above.

10. **Air Quality**

Explanation: See explanation for #1 above.

11. **Noise**

Explanation: See explanation for #1 above.

12. **Human Health and Safety**

Explanation: See explanation for #1 above.

Evaluation of Other Integral Elements

The proposed project would also meet conditions that are integral elements of the categorical exclusion. The project would not:

- Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders.

Explanation, if necessary: See explanation for #1 above.

- Require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators) that are not otherwise categorically excluded.

Explanation, if necessary: See explanation for #1 above.

- Disturb hazardous substances, pollutants, contaminants, or CERCLA excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases.

Explanation, if necessary: See explanation for #1 above.

- Involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species, unless the proposed activity would be contained or confined in a manner designed and operated to prevent unauthorized release into the environment and conducted in accordance with applicable requirements, such as those of the Department of Agriculture, the Environmental Protection Agency, and the National Institutes of Health.

Explanation, if necessary: See explanation for #1 above.

Landowner Notification, Involvement, or Coordination

Description: Notification letters will be sent to adjacent land owners and other interested parties at a minimum of 15 days before the closing date of the sale. Ads will also be posted in local newspapers, and information will be posted on BPA's public website prior to closing.

Based on the foregoing, this proposed project does not have the potential to cause significant impacts on any environmentally sensitive resources.

Signed: /s/ Jenny Lord

Date: November 23, 2015