

United States Government

Department of Energy  
Bonneville Power Administration

# memorandum

DATE: September 4, 2012

REPLY TO  
ATTN OF: KEC-4

SUBJECT: Environmental Clearance Memorandum

TO: Sandra Fife  
Project Manager – KEWU-4

**Proposed Action:** Provision of funds to the Shoshone-Paiute Tribes of the Duck Valley Reservation (Shoshone-Paiute Tribes) to purchase five parcels of land in Owyhee County, Idaho.

**Fish and Wildlife Project No.:** 1995-057-03

**Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021):**  
**B1.25** Transfer of land/habitat preservation wildlife management.

**Location:**

The five parcels are located in Township 10 South Range 2 West Sections 2, 3, 4, 9, 10, 27, 31 33, 35 of the Wagon Box Basin 7.5' USGS quadrangle map and Township 11 South Range 1 West Section 31 of the Frying Pan Basin 7.5' USGS quadrangle map in Owyhee County, Idaho (southwest of the town of Mountain Home).

**Proposed by:** Bonneville Power Administration (BPA).

**Description of the Proposed Action:** BPA proposes to fund the acquisition of five parcels of property totalling approximately 1660 acres by the Shoshone-Paiute Tribes. BPA will be granted a perpetual conservation easement over the property as a condition of funding the acquisition. These properties are being acquired because they contain springs and areas of forage that attract antelope, mule deer and seasonal populations of elk. This area also supports unique vegetation types that sustain populations of threatened species such as greater sage grouse, pygmy rabbit, and spotted frog.

The Shoshone-Paiute Tribes agree that this acquisition and the permanent protection of the properties that will result are ultimately being undertaken for the benefit of the public. Ownership by the Shoshone-Paiute Tribes and the perpetual conservation easement to be held by BPA will ensure that the critical wildlife habitat values present on the property will be protected forever.

BPA is funding the Shoshone-Paiute Tribes' acquisition of the properties and is receiving a conservation easement. Prior to any funding 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, 76 FR 63764, Nov. 14, 2011). 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, has not been segmented to meet the definition of a categorical exclusion, 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, (iv) have the potential to cause significant impacts on environmentally sensitive resources, or (v) 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.

/s/ Jenna Peterson

Jenna Peterson

Environmental Protection Specialist – KEC-4

Concur:

/s/ Katherine S. Pierce

Katherine S. Pierce

NEPA Compliance Officer

Date: September 4, 2012

Attachment:

Environmental Checklist for Categorical Exclusion

# Environmental Checklist for Categorical Exclusions

Name of Proposed Project: Pole Creek Land Acquisition

Project #/Contract # 1995-057-03

This project does not have the potential to cause significant impacts on the following environmentally sensitive resources. See 10 CFR 1021, Subpart D, Appendix B for complete descriptions of the resources. This checklist is to be used as a summary – further discussion may be included in the Categorical Exclusion Memorandum.

Environmental Resources	No Potential for Significance	No Potential, with Conditions (describe)
1. Historic Properties and Cultural Resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>
No effect as this is strictly funding a title of transfer for a land acquisition		
2. T & E Species, or their habitat(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
No effect as this is strictly funding a title of transfer for a land acquisition		
3. Floodplains or wetlands	<input checked="" type="checkbox"/>	<input type="checkbox"/>
No effect as this is strictly funding a title of transfer for a land acquisition		
4. Areas of special designation	<input checked="" type="checkbox"/>	<input type="checkbox"/>
No effect as this is strictly funding a title of transfer for a land acquisition		
5. Health & safety	<input checked="" type="checkbox"/>	<input type="checkbox"/>
No effect as this is strictly funding a title of transfer for a land acquisition		
6. Prime or unique farmlands	<input checked="" type="checkbox"/>	<input type="checkbox"/>
No effect as this is strictly funding a title of transfer for a land acquisition		
7. Special sources of water	<input checked="" type="checkbox"/>	<input type="checkbox"/>
No effect as this is strictly funding a title of transfer for a land acquisition		
8. Other (describe)	<input type="checkbox"/>	<input type="checkbox"/>

Signed: /s/ Jenna Peterson

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