

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Tex Creek East and West Property Acquisition and Stewardship Funding
(Update to previous Categorical Exclusion issued on July 15, 2021)

Project No.: 1995-057-00, BPA-011785

Project Manager: Hannah Dondy-Kaplan – EWM-4

Location: Bonneville 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: Bonneville Power Administration (BPA) is proposing to fund the Idaho Department of Fish and Game (IDFG) to purchase the 708-acre Tex Creek East and 240-acre Tex Creek West properties. These adjacent parcels of land are located 22 miles east-southeast from Idaho Falls in Bonneville County, Idaho. BPA would hold a covenant to permanently protect, mitigate, and enhance fish and wildlife and their habitat. BPA would also provide stewardship funds toward land management and maintenance of the property to IDFG. This is an update from the previous CX dated July 15, 2021 to reflect that the property would be placed under covenant after purchase.

Funding the purchase of the properties and long-term stewardship 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. This land purchase would specifically satisfy some of BPA's commitments made in the Southern Idaho Wildlife Mitigation (SIWM) MOA.

The property consists of sagebrush/bitterbrush shrub steppe with aspen pockets and riparian drainages. The IDFG would develop a land management plan to guide the protection and enhancement of habitat and other resources on the property. The land management plan would be drafted within 18 months of closing. 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, Jul. 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 B 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/ Catherine Clark

Catherine Clark
Contract Environmental Protection Specialist
Motus Recruiting and Staffing, Inc.

Reviewed by:

/s/ Chad Hamel

Chad Hamel
Supervisory Environmental Protection Specialist

Concur:

/s/ Katey C. Grange September 7, 2021

Katey C. Grange Date
NEPA Compliance Officer

Attachment(s): 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

The two properties are at an elevation of about 6,200 feet and are composed of forested, upland shrub, and riparian habitat consisting of aspen (*Populus tremuloides*), Douglas-fir (*Pseudotsuga menziesii*), and sagebrush (*Artemisia tridentate*) and contain mule deer (*Odocoileus hemionus*), elk (*Cervus canadensis*) and moose (*Alces alces*) transition habitat, deer fawning habitat, and aquatic riparian habitat, which support active beaver ponds.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No

Explanation: There would be no effect due to the land acquisition, which includes transfer of title and development of a covenant. To the extent that future activities on the property may have an effect, it is expected that the IDFG would comply with all applicable laws and regulations.

2. Geology and Soils

Potential for Significance: No

Explanation: See explanation for #1 above.

3. Plants (including Federal/state special-status species and habitats)

Potential for Significance: No

Explanation: See explanation for #1 above.

4. Wildlife (including Federal/state special-status species and habitats)

Potential for Significance: No

Explanation: See explanation for #1 above.

5. Water Bodies, Floodplains, and Fish (including Federal/state special-status species, ESUs, and habitats)

Potential for Significance: No

Explanation: See explanation for #1 above.

6. Wetlands

Potential for Significance: No

Explanation: See explanation for #1 above.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: See explanation for #1 above.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: See explanation for #1 above.

9. Visual Quality

Potential for Significance: No

Explanation: See explanation for #1 above.

10. Air Quality

Potential for Significance: No

Explanation: See explanation for #1 above.

11. Noise

Potential for Significance: No

Explanation: See explanation for #1 above.

12. Human Health and Safety

Potential for Significance: No

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: N/A

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

Explanation: N/A

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: N/A

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: N/A

Landowner Notification, Involvement, or Coordination

Description: A public notification letter and map of the property would be mailed to neighboring landowners, stakeholders, and relevant elected officials and other interested parties prior to the property closing. Advertisements would also be placed in local newspapers, and information would be posted on BPA's website.

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

Signed: /s/ Catherine Clark September 7, 2021
Catherine Clark, ECF-4 Date
Contract Environmental Protection Specialist
Motus Recruiting and Staffing, Inc.