

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Market Lake Property Acquisition and Stewardship Funding (*Update to previous CX issued on May 27, 2020*)

Project No.: 1995-057-00; BPA-011330

Project Manager: Sandra Fife, EWM-4

Location: Jefferson 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 provide funds to the Idaho Department of Fish and Game (IDFG) to purchase 489 acres of the 649.4-acre Market Lake property (purchase of the remaining acreage would be funded through the North American Wetlands Conservation Act) located 16 miles northwest of Idaho Falls, ID, in Jefferson County, ID. IDFG would use this real property for the public purposes of mitigation and permanent protection and enhancement of wildlife and their habitat. BPA would also provide stewardship funds toward protection, preservation, and enhancement of its conservation values under the terms and conditions of the 2014 Southern Idaho Wildlife Mitigation Memorandum of Agreement between the State of Idaho and Bonneville Power Administration (SIWM MOA).

Partially funding the purchase of the property 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 SIWM MOA.

The property predominantly consists of flood-irrigated farmland and is currently used for agriculture, grazing and passive recreation. IDFG would use this real property for the purposes stated above pursuant to the SIWM MOA and allow public access that is reasonable in light of these purposes. The Market Lake property would be managed under the existing 2014 Market Lake Wildlife Management Area plan to guide the protection and enhancement of habitat on the property. The management plan would be updated to reflect the Market Lake addition and reviewed by BPA for consistency with 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/ Kelly Hope

Kelly Hope
Contract Environmental Protection Specialist
ACS Professional Staffing

Reviewed by:

/s/ Chad Hamel

Chad Hamel
Supervisory Environmental Protection Specialist

Concur:

/s/ Katey Grange

Date: 07/21/2020

Katey Grange
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

Topography is mostly flat. The property sits at an elevation of approximately 4,770 feet above sea level. There are no permanent buildings or structures on the property, or public roadways entering the property. Adjacent properties to the north, south, and west are privately-owned land used for agricultural purposes. The Market Lake Wildlife Management Area is to the east, separated from subject property by State Highway 15. Historic uses of the property include agriculture and cattle grazing.

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. 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> See explanation for #1 above.		
3. Plants (including Federal/state special-status species and habitats)	<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, ESUs, and habitats)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> See explanation for #1 above.		
6. Wetlands	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> 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:

- 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:

- 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:

- 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:

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/ Kelly Hope Date: 07/21/2020
Kelly Hope – EC-4
Contract Environmental Protection Specialist
ACS Professional Staffing