

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Ahtanum Creek Property Acquisition Funding

Fish and Wildlife Project No. and Contract No.: 1997-051-00; BPA-008237

Project Manager: Sandra Fife – KEWU-4

Location: Township 12 North, Range 18 East, Section 2 and 3, Yakima County, Washington

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 Yakama Nation to purchase the Ahtanum Creek Property, a 54 acre parcel of land located approximately 4 miles southwest of Yakima in Yakima County, Washington. The property would be placed in a conservation easement to provide long-lasting fish benefits by preventing the conversion of aquatic, riparian, and floodplain fish habitat to other land uses.

Funding for the purchase of the property would partially fulfill BPA commitments to mitigate for impacts from Federal Columbia River Power System. This is part of BPA's ongoing efforts to mitigate for the impacts to fish and wildlife from the construction and operation of federal Columbia River Power System in the Columbia River Basin.

The property consists of aquatic, riparian, floodplain, and terrestrial habitat along Ahtanum Creek. The Yakama Nation would provide long-term stewardship of the land and 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 agreement and purpose of the acquisition. If BPA proposes to fund any management activities on the property, additional environmental review would 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 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/ Jesse Wilson

Jesse Wilson
Contract Environmental Protection Specialist
David Evans and Associates

Reviewed by:

/s/ Donald Rose

Donald Rose
Supervisory Environmental Protection Specialist

Concur:

/s/ Katherine S. Pierce

Katherine S. Pierce
NEPA Compliance Officer

Date: May 4, 2015

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 project site comprises approximately 54 acres of terrestrial, floodplain, riparian, and aquatic habitats along the north side of Ahtanum Creek. The site has historically been utilized for agriculture and is not in a pristine condition. Historically, the entire property was floodplain, but due to stream incision and agricultural development, the active floodplain has been reduced. The site was recently included in the City of Union Gap Urban Growth Boundary and development of the area would be expected in the foreseeable future.

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> No effect as this is strictly funding a title of transfer for a land acquisition. BPA Archeologists completed a literature search and the property has a moderate to high probability area for historic resources. There will be no adverse effect from funding a title of transfer for a land acquisition.		
2. Geology and Soils	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> No effect as this is strictly funding a title of transfer for a land acquisition.		
3. Plants (including federal/state special-status species)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> No effect as this is strictly funding a title of transfer for a land acquisition.		
4. Wildlife (including federal/state special-status species and habitats)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> No effect as this is strictly funding a title of transfer for a land acquisition.		
5. Water Bodies, Floodplains, and Fish (including federal/state special-status species and ESUs)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> Approximately 44 acre feet of senior surface water rights will also be acquired through this land acquisition. Water rights will be put into conservancy and left in the creek.		

6. **Wetlands**

Explanation:

No effect as this is strictly funding a title of transfer for a land acquisition.

7. **Groundwater and Aquifers**

Explanation:

No effect as this is strictly funding a title of transfer for a land acquisition.

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

Explanation:

Approximately 20 acres of prime farmland if irrigated and 13 acres of farmland of statewide importance are included in the land acquisition area. While agricultural use of the land will cease through the purchase of the property conversion of the land to other uses such as residential will not occur. The area has also been recently included in the City of Union Gap Urban Growth Boundary and it would otherwise be expected to eventually be converted to residential use.

9. **Visual Quality**

Explanation:

No effect as this is strictly funding a title of transfer for a land acquisition.

10. **Air Quality**

Explanation:

No effect as this is strictly funding a title of transfer for a land acquisition.

11. **Noise**

Explanation:

No effect as this is strictly funding a title of transfer for a land acquisition.

12. **Human Health and Safety**

Explanation:

No effect as this is strictly funding a title of transfer for a land acquisition.

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 would be sent to property owners within one quarter of a mile of the proposed land acquisition and ads placed in local newspapers prior to funding.

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

Signed: /s/ Jesse Wilson
Jesse Wilson, KEC-4

Date: May 4, 2015