

RECLAMATION

Managing Water in the West

**Finding of No Significant Impact and
Final Environmental Assessment
Use Authorization Application from Wyoming
Department of Transportation
Alpine Bear Pit
Lincoln County, Wyoming & Bonneville County, Idaho**



U.S. Department of the Interior
Bureau of Reclamation
Pacific Northwest Region
Snake River Area Office
Boise, Idaho

April 2017

U.S. DEPARTMENT OF THE INTERIOR

The Department of the Interior protects and manages the Nation's natural resources and cultural heritage; provides scientific and other information about those resources; and honors its trust responsibilities or special commitments to American Indians, Alaska Natives, and affiliated island communities.

MISSION OF THE BUREAU OF RECLAMATION

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

Finding of No Significant Impact

Use Authorization Application from Wyoming Department of Transportation

Alpine Bear Pit

U.S. Department of the Interior Bureau of Reclamation Pacific Northwest Region Snake River Area Office

PN FONSI 17-04

Introduction

The Bureau of Reclamation (Reclamation) has prepared this Finding of No Significant Impact (FONSI) to comply with the Council of Environmental Quality (CEQ) regulations for implementing procedural provisions of the National Environmental Policy Act (NEPA). This document briefly describes the proposed action, other alternatives considered, the scoping process, Reclamation's consultation and coordination activities, mitigation and Reclamation's finding. The Final Environmental Assessment (EA) fully documents the analyses of the potential environmental impacts of implementing the changes proposed.

Location and Background

The Alpine Bear Pit is approximately 0.5 miles southwest of Alpine, Wyoming. It straddles the Idaho and Wyoming border and is on the east edge of Palisades Reservoir, west of US Highway 89. The Palisades Reservoir takes in the Greys River and allows the continuous flows of the Snake River through its facilities. Sitting at 5694 feet elevation, the climate of the area is classified as a humid continental climate. This means that there is a large range between summer and winter temperatures and levels of humidity but a fairly consistent amount of precipitation year round. The impacted land is entirely on Federally owned land, managed by Reclamation, and is bordered by an existing material extraction operation located on both federally owned lands and private lands operated by Alota Sand and Gravel. That portion located on the federally owned lands managed by Reclamation is authorized under use authorization 11-07-14-LA507. The 77-acre Alpine Bear Pit is located in an area that is partially under water for most of the year and normally dry during September and October of each year as the reservoir is drawn down during the summer months. A small amount of vegetation, including *bromus inermis* (smooth brome) and other upland species grows in and adjacent to the impacted area; however, it is mostly mud flats.

Purpose and Need

The need for this action is to provide WYDOT a reliable material source and crushing site that takes advantage of its proximity to the US Highway 89 Etna Project and other nearby WYDOT highway improvement projects.

Reclamation's purpose for this action is to respond to WYDOT's application in accordance with the Act of Congress approved June 17, 1902 (32 Stat. 388; 43 U.S.C. § 391), and all acts amendatory thereof or supplementary thereto, collectively referred to as the Federal Reclamation Laws, and the regulations promulgated under 43 Code of Federal Regulations (CFR) Part 429.

Alternatives Considered and Recommended Action

Alternative A-No Action and Alternative B-Proposed Action were developed to meet the purpose and need of the project. Using this information, the range of developed alternatives includes an alternative that authorizes access and extraction of approximately 1,000,000 cubic yards of borrow and crushing material from the Alpine Bear Pit as well as to construct, operate, maintain, and terminate a material crushing operation on Federal lands managed by Reclamation located within the Palisades Reservoir. A no-action alternative is also evaluated because it provides an appropriate basis by which all other alternatives are compared.

Alternative A-No Action describes what could occur without Reclamation's approval of WYDOT's use authorization application. This action would not allow for the extraction of 1,000,000 cubic yards of material from Alpine Bear Pit and would not allow for this site to be used for crushing material. WYDOT would need to find an alternative source for material extraction as well as a material crushing site; which may not be within a close proximity to planned and future highway improvement projects. This action would not cumulatively evaluate Alota Sand and Gravel pits operations and WYDOT's future highway expansion project due to lack of proximity and involvement.

Alternative B-Proposed Action consists of authorizing access and extraction of approximately 1,000,000 cubic yards of borrow and crushing material from the Alpine Bear Pit as well as to construct, operate, maintain, and terminate a material crushing operation on Federal lands managed by Reclamation located within the Palisades Reservoir and described as follows:

6th Principal Meridian, Lincoln County, Wyoming,
Township 37 North, Range 118 West,
Section 31: a portion of the SW¹/₄NE¹/₄, the SE¹/₄NW¹/₄, and Lots 1 & 2;
Boise Meridian, Bonneville County, Idaho
Township 3 South, Range 46 East,
Section 15: A portion of Lots 4 & 9.

The project area encompasses about 77 acres. Material would be extracted during the low water season, loaded and removed to an upland site above the reservoir high water line. Access to the site and extraction of materials would only take place when the reservoir level is low enough to expose the site, and only as long as the water level is below the site. Materials would not be allowed to be stockpiled below the reservoir high water line. No excavation, nor disturbance to vegetation, would be allowed within 30 feet of the existing road located along the reservoir edge. Groundwater would not be allowed to be pumped from the extraction site. A safety fence would be installed around the perimeter of the extraction and crushing site and removed during inactive times.

Summary of Environmental Effects

The Proposed Action would not cause any short-term impact to any Threatened & Endangered Species, Cultural and Historic Resources, Indian Sacred Sites, Indian Trust Assets, Water Quality, Air Quality, Socioeconomics, Environmental Justice, and Climate Change. There would also be no additional long-term adverse effect on the above mentioned resources. For a full analysis and explanation on each resource evaluation, please reference chapter 3-Affected Environment and Environmental Consequences in the EA.

Biological Resources

Alternative B may contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area. Stipulations contained in any subsequently issued authorization would reduce the risk of introduction, continued existence, or spread of noxious and non-native, invasive species. WYDOT to be responsible for weed control on the disturbed areas within the project area as well as for reseeding the disturbed areas located above the high-water line upon excavation completion. Overall effects (direct and indirect) to the mammalian, avian, amphibian, and reptile communities in the short and long terms (5 to 10 years, respectively) within the project area would be permanent. A portion of the shoreline and riparian vegetation (approximately 1 acre or slightly more) would be destroyed and considered a permanent loss. Due to the small size of the proposed operation, this loss should not decrease the overall riparian habitat community around the reservoir. This loss may affect species using the area and displace them for a short time period.

Recreation

Under Alternative B material extraction and crushing activities would limit public access via the undeveloped access site to the reservoir and result in the reduction of existing overall reservoir access. The active material extraction and crushing areas would be fenced off from the public for safety and health purposes. The authorized activities could result in temporary or permanent closure and loss of the site. Displaced users of this site would move to the developed boat launches; other camping areas; and other recreational areas located around the reservoir.

Cumulative Impacts

Past, present, and reasonably foreseeable future impacts identified in the area (public or private) that would adversely affect the same resources area evaluated in the EA would be additive effects to the proposed project. Actions considered for cumulative impacts are the Alota Sand and Gravel Pit operation adjacent to the proposed project area and WYDOT's future expansion of Highway 89.

It has been determined through the evaluation of each resource that threatened and endangered species, cultural resources, Indian sacred sites, Indian trust assets, water quality, air quality and environmental justice will not be affected by cumulative impacts. However, there will be an effect on biological resources in terms of disturbed habitat.

Biological Resources

While the development of this small project area individually does not in itself represent a significant impact to the biological resources in the area, the cumulative impact of a larger trend of continued expansion of development along the U.S. Highway 89 corridor, of which Alternative B is a part, represents a permanent impact to habitat connectivity and ecological function in the area. This impact is minor in terms of spatial scale, as foreseeable development will likely be constrained close to the highway corridor by the surrounding foothills to one side of the highway and the reservoir footprint to the other. However, the permanent nature of the surface disturbance and wildlife displacement that such general development entails represents a pattern of cumulative impacts that is not discountable.

Environmental Commitments and Mitigation

Closure signs may be posted either during seasonal mining activity, or permanently, with maps showing the availability of recreation opportunity alternatives outside the mining area. Scoping may be conducted to locate alternative access in order to prevent cumulative loss, and possibly improve public access to the reservoir and recreational activities.

Consultation, Coordination, and Public Involvement

Reclamation initiated consultation with the State Historic Preservation Office (SHPO) for Idaho and Wyoming in October 2016. SHPO concurred with Reclamation's finding of no historic properties affected for the project on November 22 and December 2, 2016 for Wyoming and Idaho, respectively. Copies of concurrence letters are included in Appendix D. Reclamation mailed scoping letters to the Shoshone-Bannock Tribes, Shoshone-Paiute Tribes, Eastern Shoshone Tribe, and the Arapaho Tribe of the Wind River Reservation on August 24, 2016 (Appendix A). No responses or concerns from the Tribes were brought forward during the scoping period. Reclamation mailed consultation letters to the Shoshone-Bannock Tribes and Eastern Shoshone Tribe on November 1, 2016 (Appendix C). No responses or concerns from the tribes were brought forward.

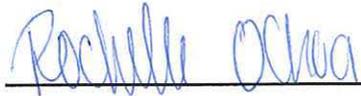
Finding

Based on the analysis of the environmental impacts presented in the Final EA and consultation with potentially affected agencies, tribes, organization and the general public, Reclamation concludes that implementation of the proposed action will not have a significant effect on the quality of the human environment or natural and cultural resources. The effects of the proposed action will be minor and localized. Therefore, preparation of an Environmental Impact Statement (EIS) is not required.

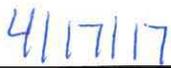
Decision

Based on the analysis in the Use Authorization Application from Wyoming Department of Transportation, Alpine Bear Gravel Pit, it is my decision to select for implementation the Proposed Action (Alternative B). The Proposed Action will best meet the Purpose and Need identified in the EA.

Recommended:



Rochelle Ochoa
Natural Resources Specialist
Snake River Area Office, Boise, Idaho

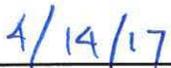


Date

Approved:



Roland K. Springer
Snake River Area Manager
Pacific Northwest Region, Boise Idaho



Date

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U.S. Department of the Interior
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Snake River Area Office
Boise, Idaho

April 2017

Acronyms and Abbreviations

| | |
|----------------|--|
| ACHP | Advisory Council on Historic Preservation |
| APE | area of potential effects |
| BMP | best management practice |
| CEQ | Council on Environmental Quality |
| CFR | Code of Federal Regulations |
| CIG | Climate Impact Group |
| CWA | Clean Water Act |
| DPS | distinct population segment |
| EA | Environmental Assessment |
| EIS | Environmental Impact Statement |
| EO | Executive Order |
| EPA | Environmental Protection Agency |
| ESA | Endangered Species Act |
| FONSI | Finding of No Significant Impact |
| ft | feet |
| IDEQ | Idaho Department of Environmental Quality |
| IPAC | Information for Planning and Conservation |
| ITAs | Indian Trust Assets |
| km | kilometer |
| m | meter |
| NAAQS | National Ambient Air Quality Standards |
| NAGPRA | Native American Graves Protection and Reparation Act |
| NEP | Nonessential Experimental Population |
| NEPA | National Environmental Policy Act |
| NHPA | National Historic Preservation Act |
| NOAA Fisheries | National Oceanic and Atmospheric Administration Marine Fisheries Service |

| | |
|-------------|---|
| NOI | notice of intent |
| NPDES | National Pollutant Discharge Elimination System |
| NRHP | National Register of Historic Places |
| Reclamation | U.S. Bureau of Reclamation |
| ROD | record of decision |
| SHPO | State Historic Preservation Officer |
| T&E | threatened and endangered species |
| TSS | total suspended solids |
| USACE | U.S. Army Corps of Engineers |
| USCB | U.S. Census Bureau |
| USFWS | U.S. Fish and Wildlife Service |
| WDGF | Wyoming Department of Game and Fish |
| WYDEQ | Wyoming Department of Environmental Quality |
| WYDOT | Wyoming Department of Transportation |

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Acronyms and Abbreviations

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Chapter 1 PURPOSE AND NEED

1.1 Introduction

The U.S. Department of Interior, Bureau of Reclamation (Reclamation) has prepared this Environmental Assessment (EA) pursuant to the National Environmental Policy Act of 1969 (NEPA).

This EA analyzes potential effects associated with an application from the Wyoming Department of Transportation (WYDOT) for a 20-year land use authorization to utilize approximately 77 acres of federal lands managed by Reclamation for the extraction of approximately 1,000,000 cubic yards of material and the operation of a material crushing site within Palisades Reservoir (Figure 1-1). The new extraction and crushing area would be known as the Alpine Bear Pit.

1.2 Project Location

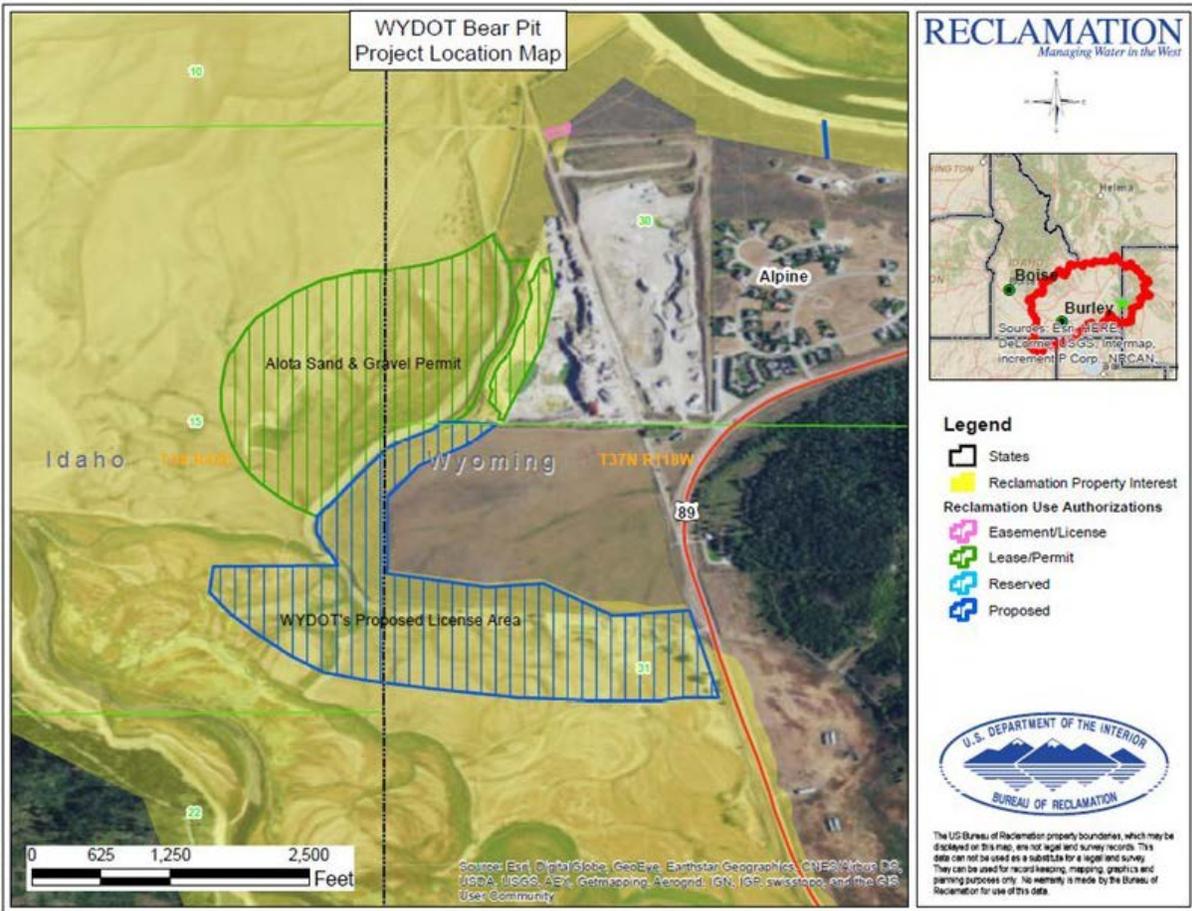


Figure 1-1. Proposed location of Alpine Bear Pit in Lincoln County, Wyoming and Bonneville County, Idaho.

1.2 Project Location

The Project is located approximately 0.5 miles southwest of Alpine, Wyoming and described as follows:

6th Principal Meridian, Lincoln County, Wyoming,
Township 37 North, Range 118 West,
Section 31: a portion of the SW¹/₄NE¹/₄, the SE¹/₄NW¹/₄, and Lots 1 & 2;
Boise Meridian, Bonneville County, Idaho,
Township 3 South, Range 46 East,
Section 15: A portions of Lots 4 & 9.

It straddles the Idaho and Wyoming border and is on the east edge of Palisades Reservoir, west of US Highway 89. The Palisades Reservoir takes in the Greys River and allows the continuing flows of the Snake River through its facilities. Sitting at 5,694 feet elevation, the climate of the area is classified as a humid continental climate. This means that there is a large range between summer and winter temperatures and levels of humidity but a fairly consistent amount of precipitation year round. The proposed project is entirely on federally-owned land, managed by Reclamation, and is bordered by an existing material extraction operation located on both federally-owned lands and private lands operated by Alota Sand and Gravel. That portion located on the federally-owned lands managed by Reclamation is authorized under use authorization 11-07-14-LA507. The 77-acre Alpine Bear Pit is located in an area that is partially under water for most of the year and normally dry only during September and October of each year as the reservoir is drawn down during the summer months. A small amount of vegetation, including *Bromus inermis* (smooth brome) and other upland species grows in and adjacent to the impacted area, however, it is mostly mud flats.

1.3 Proposed Action

WYDOT is proposing to access and extract approximately 1,000,000 cubic yards of borrow and crushing material from the Alpine Bear Pit as well as to construct, operate, maintain, and terminate a material crushing operation on federal lands managed by Reclamation located within the Palisades Reservoir.

The project area encompasses about 77 acres and is depicted on Figure 1-1.

Material would be extracted during the low water season, loaded and removed to an upland site above the reservoir high water line. Access to the extraction sites and extraction of materials would only take place when the reservoir level is low enough to expose the sites, and only as long as the water level is below the sites. This occurs mainly between late summer and early fall when the reservoir is drafted most from irrigation. Materials would not be allowed to be stockpiled below the reservoir high water line. No excavation, nor disturbance to vegetation, would be allowed within 30 feet of the existing road located along the reservoir edge. Groundwater would not be allowed to be pumped from the extraction sites. A safety fence would be installed around the perimeter of the extraction and crushing sites and removed during inactive times.

1.4 Purpose and Need for Action

The need for this action is to provide WYDOT a reliable material source and crushing site that takes advantage of its proximity to the US Highway 89 Etna Project and other nearby WYDOT highway improvement projects.

Reclamation's purpose for this action is to respond to WYDOT's application in accordance with the Act of Congress approved June 17, 1902 (32 Stat. 388; 43 U.S.C. § 391), and all acts amendatory thereof or supplementary thereto, collectively referred to as the Federal Reclamation Laws, and the regulations promulgated under 43 Code of Federal Regulations (CFR) Part 429.

1.5 Federal Decision to be Made

Reclamation will decide whether or not to approve WYDOT's application to access and extract material from the Alpine Bear Pit as well as to construct, operate, maintain, and terminate a material crushing operation for highway improvement projects. Reclamation's decision to be made includes the following options:

1. Approval of the application with no modifications;
2. Denial of the application or no action.

1.6 Regulatory Compliance

The following section contains a summary of the major laws, executive orders, and secretarial orders that apply to the proposed action.

1.6.1 National Environmental Policy Act

The National Environmental Policy Act of 1969 requires an agency to fully disclose potential effects of its proposed action on the environment and possible mitigation measures. This evaluation is documented and presented to the public. This is being done as an EA for this project. If, following scoping and alternative evaluation, no significant effects to the human environment are identified, then a Finding of No Significant Impact (FONSI) will be prepared and signed. However, if significant effects that cannot be mitigated or eliminated are identified through the EA process, Reclamation will prepare a notice of intent (NOI) to prepare an environmental impact statement (EIS) for the project. A record of decision (ROD) would be issued following completion of a Final EIS.

1.6.2 Endangered Species Act

The Endangered Species Act (ESA) requires all federal agencies to ensure that actions they authorize do not jeopardize the continued existence of listed species or destroy or adversely modify their critical habitat. As part of the ESA's Section 7 process, an agency must request a list of species from the U.S. Fish and Wildlife Service (USFWS) and the National Oceanic

and Atmospheric Administration Marine Fisheries Service (NOAA Fisheries) that identifies threatened and endangered (T&E) species within or near the project area. The agency then must evaluate effects to those species. If the action may impact any listed species, the agency must consult with USFWS or NOAA Fisheries.

1.6.3 National Historic Preservation Act

Section 106 of the National Historic Preservation Act (NHPA), as amended, requires that federal agencies consider the effects that projects have on properties eligible for or listed on the National Register of Historic Places. The regulations promulgated under 36 CFR 800 provide procedures that federal agencies must follow to comply with the NHPA. For any undertaking, federal agencies must determine if there are properties of National Register-quality in the project area, the effects of the project on those properties, and the appropriate mitigation for adverse effects. In making these determinations, federal agencies are required to consult with the State Historic Preservation Office (SHPO), Native American tribes with a traditional or culturally significant religious interest in the project area, the interested public, and in certain cases, the Advisory Council on Historic Preservation (ACHP).

1.6.4 Executive Order 13007: Indian Sacred Sites

Executive Order (EO) 13007, dated May 24, 1996, instructs federal agencies to promote accommodation of access to, and protect the physical integrity of, American Indian sacred sites. A sacred site is a specific, discrete, and narrowly delineated location on federal land. An Indian tribe or an Indian individual determined to be an appropriately authoritative representative of an Indian religion must identify a site as sacred by virtue of its established religious significance to, or ceremonial use by, an Indian religion. However, this is provided that the tribe or authoritative representative has informed the agency of the existence of such a site.

1.6.5 Secretarial Order 3175: Department Responsibilities for Indian Trust Assets

Indian Trust Assets (ITAs) are legal interests in property held in trust by the United States (with the Secretary of the Interior acting as trustee) for Indian tribes or Indian individuals. Examples of ITAs are lands, minerals, hunting and fishing rights, and water rights. In many cases, ITAs are on-reservation; however, they may also be found off-reservation.

The United States has an Indian trust responsibility to protect and maintain rights reserved by or granted to Indian tribes or Indian individuals by treaties, statutes, and EOs. These rights are sometimes further interpreted through court decisions and regulations. This trust

responsibility requires that officials from federal agencies, including Reclamation, take all actions reasonably necessary to protect ITAs when administering programs under their control.

1.6.6 Executive Order 13175: Consultation and Coordination with Tribal Governments

EO 13175 instructs federal agencies to consult, to the greatest extent practicable and to the extent permitted by law, with Tribal governments prior to taking actions that affect federally-recognized tribes. Each agency shall assess the impact of federal government plans, projects, programs, and activities on tribal trust resources and assure that government rights and concerns are considered during the development of such plans, projects, programs, and activities.

1.6.7 Executive Order 12898: Environmental Justice

EO 12898, dated February 11, 1994, instructs federal agencies, to the greatest extent practicable and permitted by law, to make achieving environmental justice part of its mission by addressing, as appropriate, disproportionately high and adverse human health or environmental effects on minority populations and low-income populations. Environmental justice means the fair treatment of people of all races, income, and cultures with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment implies that no person or group of people should shoulder a disproportionate share of negative environmental effects resulting from the execution of federal agency programs, policies, and activities.

1.6.8 Executive Order 13154: Federal Leadership in Environmental, Energy, and Economic Performances

EO 13514, Federal Leadership in Environmental, Energy, and Economic Performance, seeks to establish an integrated strategy toward sustainability in the Federal Government. Section 8(i) of the EO requires that as part of the formal Strategic Sustainability Performance Planning process, each federal agency evaluate agency climate change risks and vulnerabilities to manage both the short- and long-term effects of climate change on the agency's mission and operations. Section 5(b) of the EO specifies that the Chair of the Council on Environmental Quality shall issue instructions to implement the order (CEQ's Federal Agency Climate Change Adaptation Planning: Implementing Instructions, issued March 4, 2011) and provide implementing instructions to be used by federal agencies in climate change adaptation planning.

1.6.9 Clean Water Act (33U.S.C. 1251 et seq.)

Section 402 of the Clean Water Act (CWA) authorizes the National Pollutant Discharge Elimination System (NPDES) permit program. The Environmental Protection Agency (EPA) administers the NPDES permit program and would issue any necessary permits for any of the alternatives. NPDES permit requirements are designed to mitigate potential direct, indirect and/or cumulative effects on the environment.

1.7 Scoping of Issues and Concerns

Scoping is an early and open process used to obtain information that helps identify issues and concerns related to a proposed action, the affected public and geographical area, alternatives, and constraints in the NEPA process.

On August 26, 2016, Reclamation mailed a scoping document, including a letter, project information package, and map, to a total of 15 agencies, Indian tribes, members of Congress, organizations, and individuals, soliciting their help in identifying any issues and concerns related to the proposed action. Reclamation received comments from two entities, The U.S. Fish and Wildlife Service, Wyoming Field Office and the Board of Lincoln County Commissioners. The Fish and Wildlife Service supplied recommendations of other species and environments to review based on information issued in the scoping package. These recommendations were evaluated in Chapter 3. The Board of Lincoln County Commissioners issued a letter of support for the proposed project. The scoping letters and comments received are presented in Appendix A.

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Chapter 2 ALTERNATIVES

2.1 Introduction

This chapter describes the alternatives analyzed in this EA: Alternative A-No Action and Alternative B-Proposed Action (material extraction and crushing).

2.2 Alternative A – No Action

Alternative A describes what could occur without Reclamation’s approval of WYDOT’s use authorization application. This action would not allow for the extraction of 1,000,000 cubic yards of material from the Alpine Bear Pit and would not allow for the area to be used for a material crushing operation. WYDOT would need to find an alternative source for material extraction as well as a material crushing site; which may not be within a close proximity to planned and future highway improvement projects. This action would not cumulatively evaluate Alota Sand and Gravel Pit’s operations and WYDOT’s future highway expansion project due to lack of proximity and involvement.

2.3 Alternative B – Proposed Action

Alternative B would authorize access to and the extraction of approximately 1,000,000 cubic yards of borrow and crushing material from the Alpine Bear Pit for the construction, operation, maintenance, and termination of a material crushing operation on federal lands managed by Reclamation located within the Palisades Reservoir.

Under Alternative B, WYDOT would extract material only during the low water season. The material would be loaded and removed to an upland location above the reservoir high water line. Access to the extraction sites and extraction of materials would only take place when the reservoir level is low enough to expose the sites, and only as long as the water level is below the sites. This usually occurs in late summer to early fall. Materials would not be allowed to be stockpiled below the reservoir high water line. No excavation, nor disturbance to vegetation, would be allowed within 30 feet of the existing road located along the reservoir edge. No groundwater would be allowed to be pumped from the extraction sites. A safety fence would be installed around the perimeter of the extraction and crushing sites and removed during times when no extraction or crushing is occurring.

2.4 Summary Comparison of the Environmental Effects of the Alternatives

The environmental effects of Alternative A – No Action and Alternative B – Proposed Action are compared in Table 2-1. Potential short- and long-term, direct and indirect effects of the alternatives are summarized. The environmental consequences and cumulative effects of the alternatives arranged by resource are described in detail in Chapter 3. The terms “environmental consequences” and “environmental effects” are synonymous in this document.

Table 2-1. Summary of environmental effects of actions.

| Resource | Alternative A – No Action | Alternative B – Proposed Action |
|----------------------|---|---|
| Biological Resources | Management actions for the control of noxious weeds and non-native species would continue as is, there would be no effects from Alternative A. The habitat and human activity within the project area would remain the same. The present distribution of minimal riparian vegetation in the narrow zone within the project area would remain unchanged and there would be no effects on the mammalian, avian, amphibian, and reptile communities. | Alternative B may contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area. Stipulations contained in any subsequently issued authorization would reduce the risk of introduction, continued existence, or spread of noxious and non-native, invasive species. WYDOT to be responsible for weed control on the disturbed areas within the project area as well as for reseeding the disturbed areas located above the high-water line upon excavation completion. Overall effects (direct and indirect) to the mammalian, avian, amphibian, and reptile communities in the short and long terms (5 to 10 years, respectively) within the project area would be permanent. A portion of the shoreline and riparian vegetation (approximately 1 acre or more) would be destroyed and considered a permanent loss. Due to the small size of the proposed operation, this loss should not decrease the overall riparian habitat community around the reservoir. This loss may affect species using the area and displace them for a short time period. In the long term, these |

2.4 Summary Comparison of the Environmental Effects of the Alternatives

| Resource | Alternative A – No Action | Alternative B – Proposed Action |
|---------------------------------|---|---|
| | | species should adjust and find new areas to use. |
| T&E Species | No additional disturbances are inherent in Alternative A, there would be no anticipated effects on T&E species. | Alternative B would not occur within critical habitat of any federally-listed T&E plant or animal species. However, new surface disturbances associated with this alternative could directly disrupt habitat connectivity between less disturbed habitat areas potentially utilized by several federally listed species identified to be present in the larger landscape, including Canada lynx, North American wolverine, and gray wolf. Habitat adjacent to the project area would remain available for species movement in its current condition; however, in the short-term, the seasonal material extraction and crushing activities would result in displacement of and avoidance behavior by most federally listed species. Non-seasonal, permanent disturbance effects from fencing, road development, and establishment of piling and staging areas would all be expected to deter or physically prevent species movement through the area in the long term. |
| Cultural and Historic Resources | No additional disturbances are inherent in Alternative A, therefore there would be no anticipated effects on cultural and historic resources. | No cultural and historical resources have been identified within the area of potential effects (APE), therefore there would be no effects from Alternative B. |
| Indian Sacred Sites | No additional disturbances are inherent in Alternative A, therefore there would be no anticipated effects on Indian Sacred Sites. | No Indian Sacred Sites have been identified within the APE, therefore there would be no effects on Indian Sacred Sites from Alternative B. |
| ITAs | Under Alternative A, there would be no effects to ITAs. | Alternative B would not affect any known ITAs of land, minerals, water rights, monetary holdings, or gathering rights in the direct vicinity. |

2.4 Summary Comparison of the Environmental Effects of the Alternatives

| Resource | Alternative A – No Action | Alternative B – Proposed Action |
|----------------|--|--|
| Water Quality | No water quality effects in the short and long terms would be expected in Palisades Reservoir or the Snake River under Alternative A. | Short and long-term effects (1 to 10 years) from material extraction and crushing would include an increase in turbidity, total suspended solids (TSS), and sedimentation in the reservoir. These effects would be limited in size and impact due to the implementation of Best Management Practices (BMPs), such as watering down the surface to reduce dust from extraction sites and vehicles, placement of barriers to reduce direct sediment laden runoff into the reservoir, and physical removal of loose sediment before rise in reservoir level so as to reduce introduction to excess sediment into the reservoir. Any turbidity, TSS, and sedimentation effects would be localized due to the mitigation, and not likely to affect water quality in Palisades Reservoir or the Snake River other than the localized area. Water quality standards would not be violated and beneficial uses would not be affected by Alternative B. |
| Air Quality | The air quality in the project area would remain similar to existing conditions under Alternative A. | It's estimated that Alternative B would produce 1.6 tons of PM10 emissions per year (Wyoming 2015). WYDEQ permit requirements for Alternative B would require an air contamination prevention plan to control fugitive dust. This plan calls for dust suppressants to be used twice daily, which would help reduce the anticipated emission. The permit defines Alternative B as not being recognized as a major emitting facility under the Wyoming Air Quality Standards and Regulations (Wyoming 2015). |
| Socioeconomics | Under Alternative A, the existing conditions would remain intact and would not be affected. Therefore, no effects or benefits to socioeconomic | Under Alternative B, material extraction and crushing activities would bring short-term, minor economic gains to a few individual contractors, but is not likely to translate into any appreciable long- |

2.4 Summary Comparison of the Environmental Effects of the Alternatives

| Resource | Alternative A – No Action | Alternative B – Proposed Action |
|-----------------------|--|--|
| | resources would occur as a result of Alternative A. | or short-term economic gains in the local areas. No changes are expected to the ethnographic demographics due to effects from Alternative B. |
| Recreation | Under Alternative A the undeveloped access site would continue to provide an alternative to the nearest developed boat launch for access to the reservoir for fishing and boating; semi-remote camping for short-term stays; and parking for current year-round recreational activities. | <p>Under Alternative B material extraction and crushing activities would limit public access via the undeveloped access site to the reservoir and result in the reduction of existing overall reservoir access. The active material extraction and crushing areas would be fenced off from the public for safety and health purposes. The authorized activities could result in temporary or permanent closure and loss of the site. Displaced users of this site would move to the developed boat launches; other camping areas; and other recreational areas located around the reservoir.</p> <p>It is also possible that the material extraction and crushing activities at or near the undeveloped access site would improve the site by increasing the slope of the bank enough to extend the boat launching season and providing more area for parking, providing there were intentions to keep the site open when active material extraction and crushing activities were not occurring, or reopen the site in the future upon expiration or termination of the use authorization.</p> |
| Environmental Justice | Alternative A would not alter the current regional environmental justice status; therefore, would cause no environmental justice effects. | No minority or low-income groups, as defined by EO 12898, would be disproportionately affected by health or environmental effects as the results of the implementation of Alternative B. |
| Climate Change | Alternative A would have no effect on climate change in the long or short terms. The current projections of climate | Implementation of Alternative B would require heavy equipment operation that would use fossil fuels and emit exhaust that |

2.4 Summary Comparison of the Environmental Effects of the Alternatives

| Resource | Alternative A – No Action | Alternative B – Proposed Action |
|----------|--|--|
| | <p>change would not change based on the lack of action and would continue on the projected path.</p> <p>In the long term, climate change could alter precipitation patterns and river hydrology. This could result in potential increases or decreases in the magnitude and duration of flow events, alter the timing of snowmelt, increase or decrease flow regimes, and change river level. All of these factors could influence physical sites and biological communities, affecting species assemblages, timing and use of the project area. It could also lead to changes in noxious and invasive weed cover. There is also the potential for indirect soil erosion rates due to more or less precipitation. These would all occur regardless of an action.</p> | <p>partially contributes to climate change. These emissions would not be expected to affect climate change in the short or long term because the amount of vehicle/equipment emissions is relatively minor and would occur in a relatively short period of time.</p> <p>Effects of climate change on the project area is the same as those identified for Alternative A.</p> |

Chapter 3 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

The scope of this EA is defined by Alternative A – No Action as compared with Alternative B – Proposed Action. Analysis is focused on identifying and evaluating potential environmental effects resulting specifically from the alternatives detailed in Chapter 2. The affected environment (project area) addressed in this EA includes a 77 acre parcel of land on the east edge of Palisades Reservoir. Some resources such as air quality will be evaluating larger areas like the air shed associated with the project area.

NEPA requires analysis only of resource categories or issues in which there is or could be potential for effects from alternatives. This chapter does not contain comprehensive discussions of every resource, but focuses on issues that were identified during scoping or that might be affected by the alternatives being considered.

For each resource topic, the impact analysis follows the same general approach. Direct and indirect effects are described and are qualified as short- and long-term, as appropriate, and may also be described as direct or indirect. Direct effects are caused by an action and occur at the same time and place as the action. Indirect effects are caused by an action and occur later in time or farther removed from the area, but are reasonably foreseeable.

Cumulative effects will also be assessed for each resource. “Cumulative effect” is the effect on the environment which results from the incremental effect of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions.

Cumulative effects can result from individually minor, but collectively significant, actions taking place over a period of time. Many times, a project would have some degree of effect upon a resource or concern, but the effect does not approach any threshold of significance, nor does it increase cumulative effects by a measureable increment. Projects that are analyzed in each resource include the Alota Sand and Gravel pit operation and WYDOT’s future expansion of Highway 89. Such effects are described in the rationale for dismissal from analysis. The resources analyzed in this EA include:

- Biological Resources
- Threatened and Endangered (T&E) Species
- Cultural and Historic Resources
- Indian Sacred Sites

- Indian Trust Assets
- Water Quality
- Air Quality
- Socioeconomics
- Recreation
- Environmental Justice
- Climate Change

3.1 Biological Resources

3.1.1 Affected Environment

The project area includes Reclamation lands adjacent to and within the Palisades Reservoir inundation zone (the entire reservoir footprint up to the ordinary high water mark) slightly southwest of Alpine, Wyoming.

Noxious Weeds

The dominant vegetation cover types for the area outside the inundation zone are big sagebrush (*Artemisia tridentata*) and native bunch grasses and forbs. Noxious weeds have been under active control on Reclamation lands since management agreements between Reclamation and the Wyoming Department of Game and Fish (WDGF) were completed in the late 1970s. Control measures include proper land management practices such as chemical control, and biological control. The five main weed species being controlled are musk thistle (*Carduus nutans*), Canada thistle (*Cirsium arvense*), houndstongue (*Cynoglossum officinale*), salt cedar (*Tamarix*), and hoary cress or white top (*Cardaria draba*). Leafy spurge (*Euphorbia esula*) has not been identified within the project area but is found on adjacent lands in close proximity to Palisades Reservoir. Additionally, monitoring and active control of aquatic noxious weeds has been conducted since 2008 with the Idaho Department of Agriculture encompassing all of Palisades Reservoir including both Wyoming and Idaho sides. Annual salt cedar surveys are also conducted by Reclamation specialists and the Idaho Department of Agriculture.

The long-term noxious weed control objective is to eliminate some of the chemical control and rely on biological weed control around the reservoir. Biological control was started in the early 1980s by Reclamation on much of its property for musk thistle. Chemical control is still used on infestations found along roadways, heavily used areas, new infestations, and on the Alpine wetland complex located on the southeastern edge of the reservoir. However, rapid revegetation of disturbed soil prior to noxious weed infestation is the preferred management option.

Wildlife

The wildlife habitats of the project area are defined by Palisades Reservoir, the inflow and south fork of the Snake River, private land, and surrounding national forest system land. The south fork of the Snake River supports fragmented riparian habitat northeast of the project area. Outside of the reservoir footprint, the land along the reservoir within the project area reach is relatively undisturbed, and provides habitat for common wildlife species and migratory birds. The upland area on the Idaho side of the project area consists of healthy mixed sagebrush and native grass habitat; on the Wyoming side, the area appears to have been historically cleared of sagebrush, but supports a mixed community of native grasses and forbs. The entire project area is occupied by songbirds and rodents, and Reclamation staff assessing the site noted multiple raptors actively utilizing the area for hunting. Surface disturbance is minimal, and includes an unimproved double-track dirt road along the perimeter of the reservoir high water mark, as well as historic fence posts (though the area is currently unfenced). This area has no large cottonwood trees.

Mammals

Some of the abundant or common small mammal species that can be found in the project area are listed on Table 3-1. During the winter months a large concentration of elk (*Cervus canadensis*) and mule deer (*Odocoileus hemionus*) congregate around the general Alpine area and a small population of Shiras moose (*Alces americanus*) occupy the general area year round. Predators that may be encountered include a few mountain lion (*Felis concolor*), bobcat (*Lynx rufus*), and numerous coyotes (*Canus latrans*). A few black bears (*Ursus americanus*) are also present.

Table 3-1. Small mammals found on public lands near Palisades Reservoir (IDFG 1998; Groves et al. 1997).

| Common Name | Scientific Name |
|--|---|
| Coyote | <i>Canus latrans</i> |
| Richardson's and golden-mantled ground squirrels | <i>Spermophilus richardsoni</i> and <i>S. lateralis</i> |
| Yellow-bellied marmot | <i>Marmota flaviventris</i> |
| Northern pocket gopher | <i>Thomomys talpoides</i> |
| Beaver | <i>Castor canadensis</i> |
| Bushy-tailed wood rat | <i>Neotoma cinerea</i> |
| Badger | <i>Taxidea taxus</i> |
| Porcupine | <i>Erethizon dorsatum</i> |
| Several rodents | |

*Source: Personal communication, Matt Miller, Wyoming Department of Game and Fish, Alpine Wyoming, 2016

Birds

The peregrine falcon (*Falco peregrinus*), are known to occur in Western Wyoming (Levine et al. 1998), although none nest in the immediate Palisades Reservoir project area. There are several nests within 73 km of the project area, and peregrines pass through during migration and juvenile dispersal. A few of the more common avian species include those listed in Table 3-2 as well as many neotropical migrants. Numbers of nesting waterfowl are low in the immediate project area but increase closer to the Alpine wetland complex. Mallards (*Anas platyrhynchos*) and Canada geese (*Branta Canadensis*) are the most common species, along with a few Trumpeter swans (*Cygnus buccinator*). Mallards tend to nest along the shoreline of Palisades Reservoir while Canada geese and Trumpeter swans mainly use the ponds of the Alpine wetland complex.

Table 3-2. Common bird species on public lands near Palisades Reservoir (IDFG 1998; Groves et al. 1997).

| Common Name | Scientific Name |
|--------------------------|-----------------------------|
| Golden eagle | <i>Aquila chrsaetos</i> |
| Northern harrier | <i>Circus cyaneus</i> |
| Red-tailed hawk | <i>Buteo jamaicensis</i> |
| American kestrel | <i>Falco sparverius</i> |
| Killdeer | <i>Charadrius vociferus</i> |
| Blue grouse | <i>Dendragapus obscurus</i> |
| Ruffed grouse | <i>Bonasa umbellus</i> |
| Mourning dove | <i>Zenaida macroura</i> |
| Yellow-bellied sapsucker | <i>Sphyrapicus varius</i> |
| Black-billed magpie | <i>Pica pica</i> |

*Source: Personal communication, Matt Miller, Wyoming Department of Game and Fish, Alpine Wyoming, 2016

Amphibians and Reptiles

Some of the more common amphibians and reptiles that could occur in the project area include the western rattlesnake (*Crotalus viridus lutosus*), yellow-bellied racer (*Coluber constrictor mormon*), western terrestrial garter snake (*Thamnophis elegans*), common garter snake (*T. sirtalis*), gopher snake (*Pituophis melanoleucus deserticola*), sagebrush lizard (*Sceloporus graciosus*), rubber boa (*Charina bottae*), and northern leopard frog (*Rana pipiens*).

3.1.2 Environmental Consequences

Alternative A – No Action

Noxious Weeds

Implementation of Alternative A would have no direct or indirect effects to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the project area or actions that may promote the introduction, growth, or expansion of the range of such species. Management actions would continue as is.

Wildlife

Under Alternative A, large common mammals occurring in or near the project area such as coyotes, badger, beaver, and porcupines would continue to benefit from the annual drawdown of Palisades Reservoir as they create quick access across tributary bays, provide food, and travel corridors. The habitat and human activity within the project area would remain the same. The present distribution of minimal riparian vegetation in the narrow zone within the project area would remain unchanged and there would be no effects on the mammalian, avian, amphibian and reptile communities.

Alternative B – Proposed Action

Noxious Weeds

Alternative B may contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area as a result of the proposed actions. However, any subsequent authorization issued would contain stipulations that would require WYDOT to be responsible for weed control on the disturbed areas within the project area as well as responsible to ensure that the undercarriages of equipment and/or vehicles used in the operation and maintenance of the material extraction and material crushing operation be free of all soil and plant material prior to operating in the project area to reduce the establishment of new invasive, non-native species or the spread of existing species to new areas. WYDOT would also be responsible for reseeding the disturbed areas located above the high-water line upon excavation completion and to Reclamation's satisfaction. These stipulations would reduce the risk of introduction, continued existence, or spread of noxious and non-native, invasive species.

Wildlife

Under Alternative B, a portion of the shoreline (approximately 1 acre or more) would be destroyed. As Alternative B seeks a 20-year authorization for material extraction and crushing operations, the loss of riparian vegetation would be considered a permanent loss.

Due to the small size of the proposed operation, this loss should not decrease the overall riparian habitat community around the reservoir. Additionally, much of the surface area outside the reservoir footprint would be developed with infrastructure necessary to support WYDOT's proposed operations, including installation of graded roads, establishment of piling and staging areas, and erection and maintenance of perimeter fencing for public safety. This may affect mammalian species using the area and displace them for a short time period. In the long term, these species should adjust and find new areas to use. The big game species such as mule deer and elk would continue using the food and water resources around the reservoir as it exists.

Although the project area is small relative to the surrounding landscape, the fact that it includes intact sagebrush habitat and is situated in a narrow valley space between much larger undisturbed areas of spruce-fir habitat indicates that this project area may have appreciable value to larger mammals as a travel corridor connecting the larger landscape, particularly in the winter when the reservoir is drawn down/frozen, and does not pose a barrier to terrestrial travel. Under Alternative B, big game and predator mammals may be disrupted from their usual routes of travel and these routes may be displaced to other undisturbed areas at the upper end of the reservoir. If a sufficiently undisturbed habitat corridor does not exist nearby, the disturbance of Alternative B may result in further fragmentation of other adjacent habitats including preventing mammalian travel between them. Small mammals such as black-tailed jackrabbits, montane voles, and deer mice would be permanently displaced.

During the winter months, Palisades Reservoir does not provide useful habitat for many avian communities. Occasionally, ice will recede along the reservoir edge and migrating waterfowl such as mallard may utilize the open water, mainly near the dam or where the south fork of the Snake River enters the reservoir, lower in the reservoir system than the location of the project area. During the summer months, more shoreline bird species which would use the reservoir edge in the project area would be displaced. Additionally, raptor hunting activity in the project area would be permanently displaced, as small mammal/reptile/amphibian biota serving as a prey base would be expected to be largely displaced from the area. However, since the available habitat within the project area is small relative to the Palisades Reservoir area as a whole, the overall effect to the avian community would be minor.

Effects on amphibians, primarily northern leopard frogs, exist under Alternative B. Occasionally, leopard frogs can be found around the reservoir shoreline in the summer. This species breeds in shallow bays, especially those with emergent vegetation. These frogs use mud under water to avoid ice formation during winter hibernation. The destruction of current reservoir-edge habitat would displace and/or possibly destroy any leopard frogs using the project area shoreline. The other amphibian and reptile species using the reservoir would experience permanent displacement from the project area, similar to the effects expected for small mammals. In the long term, these species should adjust and find new areas to use.

3.1.3 Cumulative Effects

While the development of this small project area individually does not in itself represent a significant impact to the biological resources in the area, the cumulative impact of a larger trend of continued expansion of development along the U.S. Highway 89 corridor, of which Alternative B is a part, represents a permanent impact to habitat connectivity and ecological function in the area. This impact is minor in terms of spatial scale, as foreseeable development will likely be constrained close to the highway corridor by the surrounding foothills to one side of the highway and the reservoir footprint to the other. However, the permanent nature of the surface disturbance and wildlife displacement that such general development entails represents a pattern of cumulative impacts that is not discountable.

3.2 T&E Species

This section discusses the potential occurrence of and effect to federally-designated T&E species associated with the project area. Information regarding species protected under the ESA that have the potential to occur in the project area and vicinity was obtained through the USFWS Information for Planning and Conservation (IPAC) online database application (August 2016). Additionally, The USFWS reviewed Alternative B and provided an ESA Species List (August 16, 2016 in Appendix B). USFWS letters listing T&E species in the project area were formally issued from both the Idaho Fish and Wildlife Office and the Wyoming Ecological Field Services Office. The IPAC Trust Resources Report generated for this project is included in Appendix B. An on-foot assessment of the specific project area in the context of the surrounding habitats was conducted by Reclamation staff on September 13, 2016, as shown in Figures 3-1 and 3-2.



Figure 3-1. View from project area, looking south. Photo taken from the westernmost point of the project site above the ordinary high water mark, showing drawn down reservoir footprint to the right (west), and sagebrush habitat above ordinary high water mark to the left (east). U.S. Highway 89 runs roughly north to south at a distance of just under 0.8 km east of the photo location. Spruce-fir forest habitat is visible in foothills on either side of the reservoir footprint. (Reclamation photo taken September 13, 2016).



Figure 3-2. View from same location on project area as above, facing northeast (away from reservoir and toward the town of Alpine). The area above the ordinary high water mark consists of mixed sagebrush and native grass habitat and includes relatively minimal disturbance, such as the pictured unimproved double-track following the perimeter of the reservoir. Posts from historic fencing along the Idaho/Wyoming border persist, but the area is not currently fenced. Foothills of the Snake River Range are visible in the background to the northeast. (Reclamation photo taken September 13, 2016).

3.2.1 Affected Environment

The project area addressed in this EA includes approximately 77 acres, existing both above and below the ordinary high water mark at the upper end of Palisades Reservoir where the Snake River enters the reservoir, all of which is federally owned and managed by Reclamation. The area within the reservoir footprint is inundated for most of the year; it normally is progressively exposed each fall as the reservoir is drawn down during the summer and fall months. The area above the ordinary high water mark is mixed sagebrush and native grasses and forbs. The project area is on the border between Idaho and Wyoming, and encompasses land in both states.

According to official correspondence from USFWS offices in both states, there are two threatened species, one proposed threatened species, and two species populations locally designated as “experimental, non-essential” that are identified as occurring/potentially occurring within or near the project area. These species include the threatened Yellow-billed Cuckoo (*Coccyzus americanus occidentalis*) (USFWS 2016a) and Canada lynx (*Lynx canadensis*) (USFWS 2016b), the proposed threatened North American wolverine (*Gulo gulo luscus*), and experimental/nonessential populations of the black-footed ferret (*Mustela nigripes*) and the gray wolf (*Canis lupus*) (USFWS 2015). No vegetation species of ESA concern are identified in the project area. Each of the above species are addressed separately below, relative to likelihood of occurrence in or near the project area. No proposed or designated critical habitat for any of the species exists in the project area.

Yellow-billed Cuckoo (*Coccyzus americanus occidentalis*)

The yellow-billed cuckoo was designated threatened in 2014 (78 FR 61622). The yellow-billed cuckoo is a neo-tropical migrant bird that winters in South America and summers in North America, where breeding, nesting, and rearing occur. In the North American part of its range, the species is a riparian obligate, nesting exclusively in willow-cottonwood complexes greater than 50 acres (20 ha) in extent that occur adjacent to water (Hughes 1999).

The general geographic location of the project area falls into the extreme northeastern edge of the species’ documented range. The elevation in the general project area (1,717 meters [m] /5,633 feet [ft]) is also at the very high end of the generally mid-to-low elevation range in which cuckoo breeding and nesting is known to occur. Species occurrence in the historical record is very scarce above 1,850 m (6,000 ft) (Reynolds and Hinckley 2005). Suitable nesting habitat for the yellow-billed cuckoo includes very specific vegetation cover type and foliage density characteristics, as well as a minimum patch size, neither of which are present at or near the project area.

The yellow-billed cuckoo's breeding and nesting season occurs from mid-June to mid-August at this latitude, a time period during which the project area is submerged by water in Palisades Reservoir. Furthermore, this periodically-inundated nature of much of the project area, in conjunction with a related lack of other hydrologic characteristics necessary for the establishment and maintenance of the type and extent of cottonwood forest habitat required by the yellow-billed cuckoo, precludes any likelihood of the future development of suitable nesting habitat at this site.

Critical habitat has been proposed, but not yet designated for the yellow-billed cuckoo at this time. The nearest proposed critical habitat is located in a 60 kilometers (km) contiguous stretch along a segment of the Snake River, running through parts of Madison, Jefferson, and Bonneville Counties in Idaho, over 50 km downstream from the project area.

Canada Lynx (*Lynx canadensis*)

The Canada lynx was designated threatened in 2009. The Canada lynx is a forest-dwelling cat native to northern latitudes. Canada lynx are highly adapted to moist, cool, boreal spruce-fir forest habitats where their large paws with attendant low foot-load ratio give them a hunting advantage in deep, powdery snow. Canada lynx are specifically associated with areas where this habitat type is occupied by snowshoe hare, the lynx's primary prey; Canada lynx are not well suited to other additional types of habitats where snowshoe hare are also found (Murray et al. 1994). Lynx populations cannot be sustained in more temperate forest type transition zones, as the species requires persistent deep, powdery snow through much of the year to limit predator competition for prey. This species is therefore likely sensitive to climate change, and the southern boundary of its range may recede toward higher latitudes with warming temperatures (Stenseth et al. 2004, Gonzalez et al. 2007).

Critical habitat has been designated for the Canada lynx; however, the nearest designated critical habitat is located in northwestern Montana.

North American Wolverine (*Gulo gulo luscus*)

The distinct population segment (DPS) of the North American wolverine found in the United States was proposed for threatened status by the USFWS in 2013. Following multiple extensions of the review period for this proposed rule, the USFWS withdrew this proposed rule, citing a finding of substantial disagreement regarding the interpretation of wolverine habitat modeling in light of future climate change projections. However, under challenge this withdrawal was vacated by the 9th U.S. District Court, and remanded back to USFWS for further review. Under the previous standing listing proposal, the wolverine is therefore currently classified as proposed threatened at the time of the writing of this document.

The North American wolverine is the largest member of the Mustelidae family. Wolverines occur in alpine, boreal, and arctic habitats including boreal forests, tundra, and western

mountains. The wolverine has a relationship with persistent spring snow that is obligate at the den scale; that is, the wolverine requires deep (greater than 1.5 m deep), stable, and persistent spring snow for successful denning and reproduction (Aubry and Copeland 2007). Due to this habitat requirement for conditions cold enough to support persistent snow, the southern portion of their range (California, Colorado, Idaho, Montana, Washington, and Wyoming) is limited to high-elevation alpine habitats. In Idaho, natal den sites are known to occur only in locations above 2,500 m (8,200 ft) (Copeland et al. 2010).

Although the project area is at a much lower elevation than that of habitat utilized by the wolverine (the town of Alpine sits at an elevation of 1,717 m (5,633 ft), the spine of the nearby Snake River Range contains habitat within the elevation range indicative of suitable habitat for the wolverine. Ferry Peak, approximately 7 km to the northeast, rises to an elevation of 2,929 m (9,612 ft), and Stewart Peak, approximately 13 km to the southeast, is approximately 3,079 m in elevation.

The USFWS states that critical habitat for this species is not determinable at this time. No proposed or designated critical habitat currently exists for this species.

Black-footed Ferret (*Mustela nigripes*)

The black-footed ferret has been listed as endangered since 1967. It was twice thought to be extinct, however, wild ferrets were most recently rediscovered in 1981 near Meeteetse, Wyoming. All remaining wild ferrets were removed from the Meeteetse population between 1985 and 1987 for captive breeding programs, and several black-footed ferret populations have since been reintroduced in the Shirley Basin area of southeastern Wyoming. While historically this species occurred throughout most of Wyoming (with the exception of the northwest corner of the state), all known populations that currently exist in the state are the result of reintroduction efforts; therefore, the USFWS considers Wyoming to be unoccupied by wild ferrets with the exception of these reintroduced populations. Ferrets found in Wyoming are considered to be part of a non-essential experimental population (NEP) in accordance with section 10(j) of the ESA, and the entire state is classified as an NEP area (80 FR 66821).

The black-footed ferret is a medium-sized member of the Mustelidae family (average weight 1.4 to 2.5 pounds). Range-wide, black-footed ferrets have an obligate dependence on prairie dog communities and only occur in occupied prairie dog habitat, as they prey upon prairie dogs for over 90 percent of their diet, and den exclusively in prairie dog burrows. In the western part of the state, black-footed ferrets are highly dependent upon the presence of the white-tailed prairie dog. A minimum of 3,000 acres (1,215 ha) of white-tailed or Gunnison's prairie dog occupied habitat is necessary to sustain a viable population of black-footed ferrets (80 FR 66821).

White-tailed prairie dogs are generally found in desert and shrub grasslands between 5,000 and 10,000 feet in elevation. The habitat within and surrounding the project area does possess the characteristics of potentially suitable prairie dog habitat; however, it is likely fragmented to support any sizeable prairie dog population, and is not currently occupied by prairie dogs, as verified by the on-foot assessment completed by Reclamation staff.

In accordance with ESA Section 10 (j)(2)(c)(ii), no critical habitat is designated for the NEP of this species.

Gray Wolf (*Canis lupus*)

The gray wolf was listed as endangered at the species level in 1978, although several *C. lupus* subspecies were listed as endangered as early as 1974. In 1994, portions of Idaho, Montana, and Wyoming were designated as two NEP areas. Pursuant to a 2014 ruling by the 4th U.S. District Court (*Defender of Wildlife, et al. v. Salazar, et al. 2014*), a 2009 USFWS rule identifying and delisting the Northern Rocky Mountain gray wolf DPS, defined geographically as those gray wolves in Montana, Idaho, and Wyoming, was reinstated. However, ESA protections for the gray wolf in the state of Wyoming are maintained under this reinstatement due to deficiencies in Wyoming's state laws, management plans, and regulations under the ESA. In Idaho, the gray wolf has been delisted and falls under state management; therefore, this document only addresses potential effects to the Wyoming NEP that still falls under ESA protections.

Gray wolves are the largest wild members of the Canidae family, and their range in the U.S. extends through the northern Rocky Mountains in the west, and parts of northern Minnesota, Wisconsin, and Michigan in the Midwest. The genetically distinct subspecies *Canis lupus baileyi* (Mexican wolf) occupies range in Arizona, Texas, and New Mexico.

Gray wolves are adaptable habitat generalists that may occur in most western types of habitats including tundra, woodland, and grasslands, although they do not occur in extremely arid or mountaintop environments. This species preys on medium to large mammals, from ungulates to rodents, and live in social packs that average 10 individuals in protected areas, which typically occupy large and distinct territories (from 518 to 1,295 square km) (Mech 1974). Wolf density and its relationship to prey resource availability and intraspecies conflict generally serves as the most limiting factor to pup production and adult survival, in the absence of other disruptions. Year-to-year reproduction has been shown to be highly elastic in response to wolf population dynamics and prey availability, making wolf populations resilient to even severe disruptions such as high human-caused mortality or disease (Fuller et al. 2003). Thus, wolf populations are capable of rapid recovery after even severe declines.

In accordance with ESA Section 10 (j)(2)(c)(ii), no critical habitat is designated for the NEP of this species.

3.2.2 Environmental Consequences

Alternative A – No Action

As no additional disturbances are inherent in Alternative A, this alternative would not be anticipated to result in direct or indirect environmental effects on T&E species.

Alternative B – Proposed Action

Alternative B would not occur within the critical habitat of any federally-listed T&E plant or animal species. However, new surface disturbances associated with Alternative B could directly disrupt habitat connectivity between less disturbed habitat areas potentially utilized by several T&E species identified to be present in the larger landscape, including Canada lynx, North American wolverine, and gray wolf. Habitat adjacent to the project area would remain available for species movement in its current condition; however, in the short-term, the seasonal heavy equipment activity of material extraction and crushing operation would result in displacement of and avoidance behavior by most wildlife, including any federally listed species that could otherwise utilize the area for travel between less disturbed habitats. Non-seasonal, disturbance effects from fencing, road development, and establishment of piling and staging areas in the project area would all be expected to deter or physically prevent species movement through the project area in the long term. Therefore, potential effects to current T&E species under Alternative B exist, which do not exist under Alternative A.

3.2.3 Cumulative Effects

The cumulative effects from Alternative B for T&E species are anticipated to be the same as for the biological resources previously discussed.

3.3 Cultural and Historic Resources

This section discusses the potential and effects to cultural and historic resources within the area of potential effects (APE). An area of potential effects is the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The area of potential effects is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking. A record search with both the Wyoming SHPO and the Idaho SHS was completed in September and October 2016. An archaeological survey of the project area was completed in October 2016. Additionally, letters were sent to the Shoshone-Bannock Tribes and the Eastern Shoshone Tribe at Wind River to determine if cultural resources important to the tribes were located within the APE (Appendix C). No response or

concerns from the tribes were brought forward. Reclamation initiated consultation with the Idaho and Wyoming SHPO in October 2016. SHPO concurred with Reclamation's finding of no historic properties affected for the project on November 22 and December 2, 2016 for Wyoming and Idaho, respectively. Copies of concurrence letters are included in Appendix D.

3.3.1 Affected Environment

The project area sits on the state line of Idaho and Wyoming in an area where neither extensive cultural histories nor archaeological studies have been performed. The upper Snake River is located at higher elevations and within a wetter climate than the more westerly middle Snake. Prehistoric cultures in this region show influences from both the Great Plains and Great Basin. The area has been occupied since Paleoindian times and for a large part of prehistory cultures in this area were typified by very mobile groups that focused on generalized foraging. The Late Archaic period saw the movement of Fremont people or technology into the region as well as the increased dependence on seeds. The Shoshonean people are thought to have moved into the area after about 1000 BP. Key features of this time include rock circles and use of rock shelters with subsistence appearing to have focused on bison, antelope, and sheep.

Early explorers and trappers started moving through the area, starting with the Lewis and Clark expedition. Fur trade and emigrant routes followed with the first settlements in the 1860s. In 1968, Wyoming Territory was organized from lands originally included in the Dakota, Idaho and Utah Territories. Both states were admitted to the Union in 1890. The upper Snake River was to play a key role in the opening of the Snake River Plain to agricultural development. The Carey Act of 1894 and Reclamation Act of 1902, combined with various homesteading laws, allowed settlers to form long lasting settlements. Palisades Reservoir is a relatively late addition to the reservoir system of the upper Snake, authorized in 1941 and constructed in 1958, it provides water for 650,000 acres of arable land.

The entire area of the Palisades Reservoir was surveyed in 1947, during which five archaeological sites were located (Daugherty and Riddell 1947). The archaeologists of the time described these five sites as small and superficial except for one, which had been badly damaged by road construction and none worthy of excavation (Daugherty and Riddell 1947). Other than this early effort, only one previous archaeological survey has been completed within the APE. No cultural resources have been previously recorded within the APE.

A total of approximately 70 acres were surveyed on October 26, 2016. Combined with the results of the survey completed in 2011, a total of one site, a gravel pit, two trash dumps, a modern firepit, and five isolates were recorded within the APE (Table 3-3).

Table 3-3. Sites and isolates with the APE.

| Site No. | Type | Description | Age | Eligibility | State |
|----------|------------|------------------------------------|-----------------|--------------|---------|
| 2011-003 | Isolate | Ignimbrite flake | Prehistoric | Not Eligible | Wyoming |
| 2011-004 | Isolate | Ignimbrite flake | Prehistoric | Not Eligible | Wyoming |
| 2011-005 | Isolate | Two glass jars with metal lids | Historic | Not Eligible | Idaho |
| 2011-007 | Isolate | Glass bottle | Historic | Not Eligible | Idaho |
| 2011-008 | Isolate | Ignimbrite flake | Prehistoric | Not Eligible | Idaho |
| 2016-001 | Trash dump | Pile of wood debris | Historic/Modern | Not Eligible | Idaho |
| 2016-002 | Trash dump | Pile of wood, cement, metal debris | Historic/Modern | Not Eligible | Idaho |
| 2016-003 | Mining | Gravel Pit | Historic | Not Eligible | Wyoming |

Three types of resources were recorded during the survey: a gravel pit, two trash dumps and five isolates. Of these, the two trash dumps have no chronologically diagnostic artifacts and were considered modern and the isolates do not have the potential to yield information important to the past and Reclamation has determined that neither type are eligible for listing in the National Register. The final resource, the gravel pit, has no associated built features nor historic artifacts and so meets the State of Wyoming's classification as a non-site (Wyoming 2012). Reclamation supports this classification and has determined that the gravel pit is not associated with any important events (Criterion A), person (Criterion B), is not unique nor work of a master (Criterion C), and does not have the potential to yield information to the past (Criterion D) and is therefore not eligible for listing in the National Register. Finally, none of the isolates are individually significant and therefore not eligible for listing in the National Register.

3.3.2 Environmental Consequences

Alternative A – No Action

As no additional disturbances are inherent in Alternative A, this alternative would not be anticipated to result in direct or indirect effects on cultural and historic resources.

Alternative B – Proposed Action

As no cultural or historical resources have been identified within the APE, there would be no direct or indirect effects from Alternative B.

3.3.3 Cumulative Effects

There would be no cumulative effects to cultural resources as a result of Alternative B.

3.4 Indian Sacred Sites

EO 13007 identifies Indian Sacred Sites as specific, discrete, narrowly delineated locations on federal land that are identified by an Indian Tribe, or Indian individual determined to be an appropriately authoritative representative of an Indian religion, as sacred by virtue of its established religious significance to, or ceremonial use by, an Indian religion. The Tribe or appropriately authoritative representative of an Indian religion must inform a federal agency of the existence of such a site.

Executive Order 13007 grants tribal access to and ceremonial use of Indian Sacred Sites by Indian religious practitioners, and avoids adversely affecting the physical integrity of such sacred sites. Where appropriate, agencies shall maintain the confidentiality of sacred sites.

An archaeological survey of the project area was completed in October 2016. Additionally, letters were sent to the Shoshone-Bannock Tribes and the Eastern Shoshone Tribe at Wind River to determine if there were areas important to the tribes that were located within the APE (Appendix C). No response or concerns from the tribes were brought forward.

3.4.1 Affected Environment

It is known that the area has been occupied since Paleoindian times with the most recent occupants identified as the Shoshone who are thought to have moved into the area after about 1000 BP. No Indian Sacred Sites have been identified to Reclamation within the vicinity of the project area.

3.4.2 Environmental Consequences

Alternative A – No Action

As no additional disturbances are inherent in Alternative A, this alternative would not be anticipated to result in direct or indirect effects on Indian Sacred Sites.

Alternative B – Proposed Action

As no Indian Sacred Sites have been identified within the APE there would be no direct or indirect effects on Indian Sacred Sites.

3.4.3 Cumulative Effects

There would be no cumulative effects to Indian Sacred Sites as a result of Alternative B.

3.5 Indian Trust Assets

Indian Trust Assets (ITAs) are legal interests in property held in trust by the United States for Indian tribes or individuals. The Secretary of the Interior, acting as trustee, holds many assets in trust for Indian tribes and individuals. Examples of trust assets are lands, minerals, grazing, hunting, fishing, and water rights. Most ITAs are on-reservation; however, they may also be found off-reservation.

The United States has a responsibility to protect and maintain rights reserved by or granted to Indian tribes and Indian individuals by treaties, statutes, and executive orders. These are sometimes further interpreted through court decisions and regulations. Any anticipated effects to ITAs from a proposed project or action must be explicitly addressed in a NEPA document.

3.5.1 Affected Environment

The Shoshone-Bannock Tribes, which are federally recognized tribes and are located at the Fort Hall Indian Reservation in southeastern Idaho, have trust assets both on and off reservation lands. The Fort Bridger Treaty was signed and agreed to by the Bannock and Shoshone headman on July 3, 1868. The treaty states in Article 4, that members of the Shoshone-Bannock Tribes ‘...shall have the right to hunt on unoccupied federal lands of the United States...’ This has been interpreted to mean unoccupied federal lands and to include fishing as a form of hunting.

The tribes included fishing after the case of State of Idaho vs. Tinno, an off-reservation fishing case in Idaho. The Idaho Supreme court determined that the Shoshone word for “hunt” also included “fish”. Under Tinno, the court affirmed the Tribal Members’ right to take fish off-reservation pursuant to the Fort Bridger Treaty (Shoshone-Bannock Tribes 1994).

Other federally-recognized tribes are the Shoshone-Paiute Tribes of the Duck Valley Reservation located on the Idaho/Nevada border, the Eastern Shoshone Tribe on the Wind River Reservation, and the Burns Paiute near Burns, Oregon. These tribes have cultural and religious interests in the project area. These interests are protected under historic preservation laws, Native American Graves Protection and Repatriation Act (NAGPRA), and EO 13007 – Indian Sacred Sites.

3.5.2 Environmental Consequences

Alternative A – No Action

Under Alternative A, there would be no direct or indirect effects to ITAs. No ground disturbance or extraction would occur. Existing conditions would remain intact and would not be affected.

Alternative B – Proposed Action

Alternative B would not affect any known ITAs of land, minerals, water rights, monetary holdings, or gathering rights in the direct vicinity of the project area. As part of the scoping process, Reclamation requested information from tribes that traditionally and currently use the area; however, no responses were received. The lack of specific information about the area is not indicative of a lack of importance to tribes. With no specific response, Reclamation assumes that there would be no effects to ITAs such as lands, minerals, water rights, monetary holdings and gathering rights in the project area. Implementation of Alternative B would remove the project area from being available for tribal hunting and fishing during time of active material excavation and crushing; however, there are no known ITAs in the project area.

3.5.3 Cumulative Effects

There would be no cumulative effects to Indian Trust Assets as a result of Alternative B.

3.6 Water Quality

3.6.1 Affected Environment

The project area includes the confluence of the Snake River with Palisades Reservoir near the southern end of the reservoir. The area within the reservoir footprint is inundated for most of the year; it normally is progressively drawn down during the summer and fall months for irrigation purposes.

The portions of the Snake River and Palisades Reservoir located in Wyoming are bound by Wyoming water quality rules and regulations set forth by the Wyoming Department of Environmental Quality (WYDEQ). Both Palisades Reservoir and the Snake River are Class 2AB waters. (WYDEQ 2013). These waters support game fish populations or spawning and nursery areas (at least seasonally) and support drinking water supplies, where a game fishery and drinking water use is attainable. Class 2AB waters also support nongame fisheries, fish consumption, aquatic life other than fish, recreation, wildlife, industry, agriculture, and scenic value uses.

Palisades Reservoir is fully supporting its water quality criteria; however, the Snake River is not. WYDEQ placed the Snake River on the 303(d) list for not fully supporting the recreation use criteria due to high bacterial concentrations (WYDEQ 2016).

Palisades Reservoir is mostly in Idaho. Beneficial uses for Palisades Reservoir water identified by the Idaho Department of Environmental Quality (IDEQ) includes: cold water aquatic life, domestic water supply, primary contact recreation, and salmonid spawning. IDEQ has not assessed if Palisades Reservoir is indeed meeting its beneficial uses and is identified on the 2012 §305 (b) Integrated Report as “Not Assessed” (IDEQ 2014). Specific water quality data for Palisades Reservoir can be found at the EPA’s public website Storage and Retrieval and Water Quality Exchange (STORET) at <https://www.epa.gov/waterdata/storage-and-retrieval-and-water-quality-exchange>. There are five water quality monitoring sites identified in the reservoir, with the closest one being approximately 8 km from the project area.

3.6.2 Environmental Consequences

Alternative A – No Action

No water quality effects (direct or indirect) in the short and long terms would be expected at Palisades Reservoir or the Snake River if the material extraction and crushing does not occur.

Alternative B – Proposed Action

Short and long-term effects (1 to 10 years) from material extraction and crushing would include an increase in turbidity, total suspended solids (TSS), and sedimentation in the reservoir. These effects would be limited in size and impact because WYDOT would have specific BMPs in place to reduce these effects as conditions of their required 404 permit, issued jointly by the U.S. Army Corps of Engineers (USACE) and State Departments of Water Resources. Potential mitigation BMPs could include watering down the surface to reduce dust from extraction sites and vehicles, placement of barriers to reduce direct sediment laden runoff into the reservoir, and physical removal of loose sediment before rise in reservoir level so as to reduce introduction to excess sediment into the reservoir. Any turbidity, TSS,

and sedimentation effects would be localized due to the mitigation, and not likely to affect water quality in the Snake River or Palisades Reservoir other than the localized area. Water quality standards would not be violated and beneficial uses would not be affected.

3.6.3 Cumulative Effects

Effects from past, present, and future actions when added to the potential minor water quality effects from Alternative B would not affect Palisades Reservoir water quality or its beneficial uses. Alota Sand and Gravel operates a material extraction, crushing, and storage facility adjacent to the project area. No known contaminants are identified to discharge into or near the reservoir as a result of Alota Sand and Gravel's activities. The Snake River is also near the project area and has had issues with high bacterial concentrations. The localized sediment effects (sedimentation, turbidity, and total suspended solids) are not additive to bacterial concentrations, and would not create a greater effect to water quality in Palisades Reservoir. Since no projects have been identified for the immediate future, effects from future actions were not assessed.

3.7 Air Quality

Air quality is managed through a set of federal and state laws and regulations. The primary federal acts include the Air Quality Act of 1967, which is followed by Clean Air Act Amendments in 1970, 1977, and 1990. The Clean Air Act Amendments of 1970 established uniform National Ambient Air Quality Standards (NAAQS). The amendments of 1977 established the Prevention of Significant Deterioration process, which sets increments of allowable decreases in air quality for nitrogen dioxide, sulfur dioxide, carbon monoxide, and total suspended particulates. The amendments of 1990 established the Title V permit program, which consolidates all federal and state rules and regulations under one document. The EPA has the primary federal role of ensuring compliance with the requirements of the Clean Air Act. The EPA issues national air quality regulations, approves and oversees state implementation plans, and conducts major enforcement actions. The WDEQ regulates air quality in Wyoming and has the primary responsibility for carrying out the requirements of the Clean Air Act through the development and execution of State Implementation Plans, which must provide for the attainment and maintenance of air quality standards.

3.7.1 Affected Environment

The project area is located in both Bonneville County, Idaho and Lincoln County, Wyoming. Part of Lincoln County has been designated as being in nonattainment status for ozone but in attainment for all other criteria pollutants. The project area for this EA is outside of the airshed of Lincoln County that is in nonattainment. Additionally, Grand Teton National Park and Yellowstone National Park are located approximately 66 and 145 km north of the

proposed gravel pit, respectively. Both parks are identified as Class I airsheds. This class includes all national parks and provides the most protection to pristine lands and it limits the amount of human caused air pollution that can be added in these areas. Both of the national parks are in a different airshed than the project area and would not be affected by the proposed project.

3.7.2 Environmental Consequences

Alternative A – No Action

Under the No Action alternative, Reclamation would not approve the application for the 77 acre borrow pit. The air quality in the project area would remain similar to existing conditions. There would be no direct or indirect effects to the air quality from Alternative A.

Alternative B – Proposed Action

Alternative B consists of extracting approximately 1,000,000 cubic yards or roughly 3.7 million tons of material under a 20-year authorization. This would result in about 286,000 tons a year extracted over the life of the project. It is estimated this would produce 1.6 tons of PM10 emissions per year (Wyoming 2015). Other air emissions from Alternative B would be minimal and would have negligible effects to air quality due to the location and small population of Lincoln County.

The air quality permit obtained by WYDOT from WYDEQ for Alternative B requires an air contamination prevention plan to control fugitive dust. This plan calls for dust suppressants to be used twice daily, which would help reduce the anticipated emission. The permit is included in Appendix E. The permit defines Alternative B as not being a major emitting facility under the Wyoming Air Quality Standards and Regulations (Wyoming 2015).

3.7.3 Cumulative Effects

There is an existing gravel pit and material extraction operation in the project area that is unrelated to this effort but is located directly adjacent to the proposed pit. This existing pit was permitted by WYDEQ and its current emissions were considered in the permit obtained for Alternative B. The gravel extracted under Alternative B will be used by WYDOT to expand Highway 89. The emissions from the road building would take place within the first few years of the 20 year permit. An EA was completed for the Highway 89 expansion in 2015. The EA determined that the expansion would have no impacts to air quality. No cumulative effects are anticipated to air quality from the combined effects of these projects and the proposed action.

3.8 Socioeconomic Conditions

The socioeconomic character of an area includes its population and economic activity. Socioeconomic changes may occur when a project directly or indirectly changes any of these elements. This section discusses socioeconomic resources within the human environment, particularly population and economic activity that may be effected. Population is described as the magnitude, characteristics, and distribution of people. Economic activity is described in terms of employment distribution, personal income, and business growth.

3.8.1 Affected Environment

Population

Bonneville County, Idaho has an estimated population of 110,089 according to the U.S. Census Bureau (USCB) 2015 estimates (USCB 2016a). Table 3-4 shows 20 percent increase from 10 years prior in 2005 when the population was 91,709 residents. Bonneville County is the fourth largest in the state of Idaho and is best known for being a medical provider and retail focal point for the greater Southeast Idaho area. Idaho Falls is the largest city with a population of 59,184 as of the 2015 census estimates. Ammon is the next largest city in Bonneville County and far less populated with 14,960 estimated residents in 2015. Both cities and the county as a whole are experiencing continued growth.

Lincoln County, Wyoming has estimated populations of 18,722 according to the USCB 2015 estimates (USCB 2016b). The largest city in Lincoln County and the county seat is Kemmerer which has an estimated population of 2,631 residents as of 2015.

Table 3-4. Bonneville County and Lincoln County population changes since 1970.

| | Bonneville County, Idaho | Lincoln County, Wyoming |
|---------------------------------|--------------------------|-------------------------|
| 2015 Population Estimate | 110,089 | 18,722 |
| 2010 U.S. Census | 104,234 | 18,106 |
| 2000 U.S. Census | 82,867 | 14,614 |
| 1970 U.S. Census | 52,509 | 8,765 |

Employment and Income

Bonneville County is home to the Idaho National Laboratory which is one of Idaho’s largest employment sites. The unemployment rate for 2015 was 3.4 percent and continues to be under the state and national averages. There has been a 4.5 percent increase in the civilian labor force during the last decade. Due to this area being a regional hub for health care, retail, and other services there is extended business opportunities in surrounding counties and states. This, among other factors, helps keep the unemployment rate low and stable (IDL 2016).

Lincoln County’s unemployment rate rose from 5.6 in March 2015 to 5.9 in March 2016 which is higher than the state and national average in either year, as shown in Table 3-5 (WDWS 2016). The area’s industry consists of ranching and mining coal and trona as well as oil and gas production. There is also a large reliance on tourism in the area, especially out-of-state hunters and anglers.

Table 3-5. Lincoln County, state of Wyoming, and national unemployment rate over the last 10 years and between 2015 and 2016.

| | 2005 | 2010 | March 2015 | March 2016 |
|-----------------------|------|------|------------|------------|
| Lincoln County | 4.0 | 11.0 | 5.6 | 5.9 |
| Wyoming | 3.6 | 7.6 | 3.9 | 5.2 |
| U.S. | 5.1 | 9.7 | 5.5 | 5.0 |

3.8.2 Environmental Consequences

Alternative A – No Action

Under Alternative A, existing conditions would remain intact and would not be affected. Therefore, no effects or benefits to socioeconomic resources would occur.

Alternative B – Proposed Action

Alternative B, material extraction and crushing activities would bring short-term, minor economic gains to a few individual contractors, but is not likely to translate into any appreciable long-or short-term economic gains in the local areas. No changes are expected to the ethnographic demographics due to effects from Alternative B.

3.8.3 Cumulative Effects

Cumulative effects from Alota Sand and the Alpine Bear Pit would cause short-term minor economic gains to individual contractors but would not affect the socioeconomic climate as a result. The increased capacity for traffic on Highway 89 due to expansion would allow easier access to the area but would not affect the socioeconomic climate as a result.

3.9 Recreation

3.9.1 Affected Environment

Palisades Reservoir has about 113 km of shoreline with six constructed access roads. Public use facilities include five campgrounds, five picnic areas, and six boat ramps. Fishing, motorized and non-motorized boating are all popular activities on the reservoir. Winter activities in the area include ice fishing and snowmobiling. An undeveloped access site exists off U.S. Highway 89 at the north east corner of the project area, which provides access to Palisades Reservoir on a year round basis. The access site intersects an unofficial snowmobile trail that runs parallel along the west side of the U.S. Highway 89 north from McCoy Road (about 3 km south of the access site) to Alpine, Wyoming.

Summer use for the Reservoir is high; however, use within the project area is primarily by local recreationists, familiar with the area, for frequent and short-term weekend camping. A typical weekend has seven to eight recreational vehicles Thursday through Sunday. For about three to four weekends near Independence Day, there are many campers if the reservoir is at full pool and launching is easy. Users follow the receding water level and continue to launch boats and fish to the extent possible. Some off road vehicle use occurs in the project area when the water level is lower. Boaters who want to avoid perceived crowded conditions at the developed boat launches, or desire closest access to a particular location on the reservoir, access the reservoir from the undeveloped site. The nearest developed boat launch is located about 3 km north in via U.S Highway 89 in Alpine, Wyoming. When the developed boat launch parking lots are full, some boaters will use the undeveloped site as an alternative.

3.9.2 Environmental Consequences

Alternative A – No Action

Under Alternative A, the undeveloped access site would continue to provide an alternative to the developed boat launches for access to the reservoir for fishing and boating; semi-remote camping for short-term stays; and parking for current year-round recreational activities.

Alternative B – Proposed Action

Under Alternative B, material extraction and crushing activities would limit public access via the undeveloped access site to the reservoir.

The active material extraction and crushing areas would be fenced off from the public for safety and health purposes. The authorized activities could result in temporary or permanent closure and loss of the site. Displaced users of this site would move to the developed boat launches; other camping areas; and other recreational areas located around the reservoir.

It is also possible that the material extraction and crushing activities at or near the undeveloped access site would improve the site by increasing the slope of the bank enough to extend the boat launching season and increase parking provisions. This would only be possible if there were intentions to keep the site open when active material extraction and crushing activities were not occurring or if reopening the site in the future upon expiration or termination of the use authorization.

3.9.3 Cumulative Effects

Many factors limit public access to the Palisades Reservoir in general. Among the factors are: water level fluctuation, existing material extraction, private landownership between the highway and the reservoir, and both natural and artificial terrain created from road and facility construction. Additionally, population, visitation, and costs are rising in the popular resort of Jackson, Wyoming. The more recent increase of this migration has caused workers and tourists alike to seek housing and recreation in nearby areas, primarily eastward toward Alpine, Wyoming and the Swan Valley, Idaho area. This trend is creating greater demand for access to recreational opportunities on the river and reservoir.

Under Alternative B, it is anticipated that the limited access at the undeveloped site within the project area in addition to the increased level of recreation occurring on the reservoir could contribute to overcrowding at the developed boat launches, other camping areas, and other recreational areas located around the reservoir.

3.10 Environmental Justice

EO 12898 requires federal agencies to achieve environmental justice by addressing “disproportionately high and adverse human health and environmental effects on minority and low-income populations.” To determine if environmental justice populations are present, the federal agency examines the demographics of the project area to determine if the minority (including Native American) and/or low-income populations are present. If present, the agency must determine if each alternative would cause disproportionately high and adverse human health or environmental effects on the populations.

3.10.1 Affected Environment

Table 3-6 summarizes the racial characteristics of Bonneville County, Idaho and Lincoln County, Wyoming within the project area and compared to Idaho and Wyoming overall respectively. Information contained in the 2015 Census of Population was used to identify these populations. White racial categories comprise the highest percentage for Bonneville County and Lincoln County, as well as Idaho and Wyoming populations as a whole. (USCB 2016a; 2016b).

By definition from the Federal Office of Management and Budget, “race” and “Hispanic or Latino origin” are two separate categories. People who report themselves as Hispanic or Latino can be of any race. Therefore, in Table 3-6, the number of Hispanics or Latinos is not added to the totals of the race columns. For example, Hispanics and Latinos who are white are counted in the total of white in the race table, and Hispanics who are black or African American are counted in that race category.

Table 3-6. Summary of racial populations in Bonneville County, Lincoln County, and the States of Idaho and Wyoming.

| U.S. Census Bureau 2015 Statistics | Bonneville County | State of Idaho | Lincoln County | State of Wyoming |
|--|-------------------|----------------|----------------|------------------|
| 2015 Total Population Estimate | 110,089 | 1,654,930 | 18,722 | 586,107 |
| White, percent | 94.9 | 93.4 | 96.5 | 92.7 |
| Black or African American, percent | 0.7 | 0.8 | 0.7 | 1.4 |
| American Indian and Alaska Native, percent | 1.2 | 1.7 | 1.1 | 2.7 |
| Asian, percent | 1.0 | 1.5 | 0.4 | 1.0 |
| Native Hawaiian or Pacific Islander, percent | 0.1 | 0.2 | 0.1 | 0.1 |
| Two or More Races, percent | 2.0 | 2.3 | 1.3 | 2.1 |
| Hispanic or Latino, percent | 12.8 | 12.2 | 4.6 | 9.9 |
| White alone, not Hispanic or Latino, percent | 83.5 | 82.5 | 92.4 | 84.0 |

Based on this review, minority populations do not represent a substantial percentage of the project area population.

Low-income populations are identified by several socioeconomic characteristics. Specific characteristics used in this description of the existing environment, as categorized by the 2015 Census, are income (per capita income, median household income) and percentage of the population below poverty. Table 3-7 shows income and poverty rate data for Bonneville County compared to the rest of the state of Idaho, as well as Lincoln County compared to the rest of the state of Wyoming. For Bonneville County, the income is slightly higher than the state but the poverty rate is higher than the state. Lincoln County's median household income is higher than that of Wyoming but the per capita income and poverty rate are both lower than the state.

Table 3-7. Income and poverty data for Bonneville County, Lincoln County and the state of Idaho and Wyoming.

| Geographic Area | Per Capita Income | Median Household Income | People Below Poverty |
|-------------------|-------------------|-------------------------|----------------------|
| Bonneville County | \$23,160 | \$50,897 | 15.5% |
| State of Idaho | \$23,087 | \$47,334 | 14.8% |
| Lincoln County | \$28,077 | \$66,530 | 9.0% |
| State of Wyoming | \$29,381 | \$58,252 | 11.2% |

3.10.2 Environmental Consequences

Alternative A – No Action

Alternative A would not alter the current regional environmental justice status based on the presented information above and therefore would cause no environmental justice effects.

Alternative B – Proposed Action

No minority or low-income groups, as defined by EO 12898, would be disproportionately affected by health or environmental effects as the results of the implementation of Alternative B.

3.10.3 Cumulative Effects

Due to lack of effects, no cumulative effects are anticipated on this resource as a result of Alternative B.

3.11 Climate Change

Climate represents the long-term statistical characterization of daily, seasonal, and annual weather conditions such as temperature, relative humidity, precipitation, cloud cover, solar radiation, and wind speed and direction. Climate is the composite of generally prevailing weather conditions of a particular region throughout the year, averaged over a series of years. A region's climate is affected by latitude, terrain, and altitude, as well as nearby water bodies and their currents. Climate change has the potential to profoundly alter habitats through both direct and indirect effects.

Climate change effects are estimated based on projections rather than predictions. This is largely because future climatological phenomena cannot be predicted, as current atmospheric perturbation currently in motion has not been seen in historic accounts and does not act in accordance with historic patterns. It is only trends that can be identified, and these are based on 12 global circulation modules projecting worldwide climatological effects. Regional downscaling of these models is completed by a variety of organizations (though with federal data only, in this analysis), and can be used to complement the higher-level information. The information below is presented within this framework of understanding, and data sources are cited where appropriate.

3.11.1 Affected Environment

The Climate Impacts Group (CIG) at the University of Washington has analyzed the effects of global climate change on the Pacific Northwest (CIG 2006). Relative to average temperatures from 1970 to 1999, climate models project a future rate of warming in the Pacific Northwest of approximately 0.5°F (0.3°F) per decade through 2050, with the greatest temperature increases being during June through August. Models also indicate rising temperatures could affect regional precipitation including decreased snow packs and summer flows, increased winter flows, and earlier spring runoffs. Future projections suggest that the Pacific Northwest Region may gradually become wetter than historical conditions.

3.11.2 Environmental Consequences

The environmental consequences analysis for the climate change section analyzes two scenarios: what effects the alternatives (No Action or Proposed Action) have on climate change, and what effects climate change may have on the alternatives. Both scenarios are presented for each alternative.

Alternative A – No Action

Alternative A would have no effect on climate change in the long or short terms. The current projections of climate change would not change based on the lack of action and would continue on the projected path.

In the long term (more than the 20 years the authorization is seeking), climate change could alter precipitation patterns and river hydrology. This could result in potential increases or decreases in the magnitude and duration of flow events, alter the timing of snowmelt, increase or decrease flow regimes, and change river level. All of these factors could influence physical sites and biological communities, affecting species assemblages, timing and use of the project area. It could also lead to changes in noxious and invasive weed cover. There is also the potential for indirect soil erosion rates due to more or less precipitation. These would all occur regardless of an action.

Alternative B – Proposed Action

Implementation of Alternative B would require heavy equipment operation that would use fossil fuels and emit exhaust that partially contributes to climate change. These emissions would not be expected to affect climate change in the short or long term because the amount of vehicle/equipment emissions is relatively minor and would occur in a relatively short period of time.

Effects of climate change on the project area is the same as those identified for Alternative A.

3.11.3 Cumulative Effects

Past, present, and reasonably foreseeable future effects would mostly be minimal. The potential expansion of Highway 89 would allow easier access to the area but would not affect the climate. Although two material extraction operations may not have any affect, the future approval of additional operations could cause future cumulative effects to the surrounding area.

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Chapter 4 CONSULTATION AND COORDINATION

4.1 Public Involvement

On August 26, 2016, Reclamation mailed a scoping document, including a letter, project information, and map, to 15 agencies, Indian tribes, members of Congress, organizations, and individuals, soliciting their help in identifying any issues and concerns related to the Proposed Action. Reclamation received comments from two entities. The scoping letters and comments received are presented in Appendix A.

4.2 Agency Consultation and Coordination

On August 26, 2016, Reclamation mailed scoping letters to:

- Wyoming Department of Transportation
- Town of Alpine
- Alota Sand and Gravel
- US Army Corp of Engineers
- Idaho Department of Environmental Quality
- Lincoln County Board of Commissioners
- Lincoln County Office of Planning and Engineering
- Palisades Ranger District Office
- US Fish and Wildlife Service
- Hoffman Investments, LLC
- Wyoming Department of Environmental Quality
- Wyoming Game & Fish Department
- Bonneville County Board of Commissioners
- Bonneville County Planning and Zoning

Reclamation initiated consultation with the Wyoming and Idaho SHPO in October 2016. SHPO concurred with Reclamation's finding of no historic properties affected for the project area on November 22 and December 2, 2016 for Wyoming and Idaho, respectively. Copies of concurrence letters are included in Appendix D.

4.3 Tribal Consultation and Coordination

Reclamation mailed scoping letters to the: Shoshone-Bannock Tribes, Shoshone-Paiute Tribes, Eastern Shoshone Tribe at Wind River, and the Arapaho Tribe of the Wind River Reservation on August 24, 2016 (Appendix A). No response or concerns from the tribes were brought forward during the scoping period.

Reclamation mailed consultation letters to the: Shoshone-Bannock Tribes and Eastern Shoshone Tribe at Wind River on November 1, 2016 (Appendix C). No response or concerns from the tribes were brought forward.

Chapter 5 REFERENCES

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APPENDICES

APPENDIX A

SCOPING

Subject: Request for Comments regarding Excavation of Paleontological Resources, American Falls Reservoir, Minidoka Project, Idaho

Dear Interested Party:

In accordance with the National Environmental Policy Act (NEPA), the U.S. Department of the Interior, Bureau of Reclamation (Reclamation) has prepared a Final Environmental Assessment (EA) that evaluates the environmental effects of excavating and removing paleontological resources that may exist on the shore of American Falls Reservoir, and curating them in a Reclamation-approved non-federal repository for future study. The purpose of this letter is to inform interested and affected parties of the proposal and to solicit comments pursuant to the National Environmental Policy Act of 1969. Enclosed is a Scoping Information Package describing the project proposal.

Scoping is a public involvement process used to determine the scope of issues to be addressed and identify issues related to a proposed action. Analysis of the proposal is ongoing and will be documented in an environmental assessment with an estimated completion date in 2016. Comments received in response to this solicitation will be used to identify potential environmental issues related to the Proposed Action and to identify alternatives to the Proposed Action that meet the purpose of and need for the project.

Please send your written comments as soon as possible to: Ms. Rochelle Ochoa, Natural Resources Specialist, Bureau of Reclamation, Snake River Area Office, 230 Collins Road, Boise, Idaho 83702, or via email at rochoa@usbr.gov.

Before including your address, phone number, email address, or other personal identifying information in your comment, be advised that your entire comment, including your personal identifying information, may be made publicly available at any time. While you can ask us in your comment to withhold from public review your personal identifying information, we cannot guarantee that we will be able to do so.

The primary contact for questions and comments for this analysis is Ms. Nikki Polson, Archeologist, at 208-678-0461 x13.

Sincerely,

Ryan L. Newman
Assistant Area Manager

Enclosure

bc: SRA-1200 (Taylor), SRA-1208 (Jackson), USF-6300 (Boyer), USF-6310 (Hagen)
(w/encls to each)

WBR:ROchoa:KHennequin:8/23/16:208-383-2277:SRA-1214

T:\SRW1000\workfiles\1214 Ochoa\ALPINE EA SCOPING\Final Alpine Public Scoping Dear Interested Party_YELLOW BC.docx

Identical letter sent to persons on following pages.



United States Department of the Interior

BUREAU OF RECLAMATION

Snake River Area Office
Upper Snake Field Office
470 22nd Street
Heyburn, ID 83336

AUG 23 2016

IN REPLY REFER TO:

SRA-1214

ENV-1.00

VIA FEDERAL EXPRESS

Honorable Lindsey Manning
Chairman
Tribal Business Council
Shoshone-Paiute Tribal Headquarters
1623 Hospital Loop
Owyhee, NV 89832

Subject: Request for Comments Regarding a Proposed Use Authorization Application to Allow the Wyoming Department of Transportation to Extract Material for Highway Improvement Projects, Palisades Project, Idaho-Wyoming

Dear Mr. Chairman:

The Bureau of Reclamation has received an application from the Wyoming Department of Transportation for material extraction near Alpine, Wyoming, for Federal highway improvement projects. This application seeks Reclamation's approval for a 20-year land use authorization to utilize approximately 77 acres of Federal lands for the extraction of 1,000,000 cubic yards of material and the operation of a material crushing site within Palisades Reservoir. The purpose of this letter is to inform interested and affected parties of the proposal and to solicit comments pursuant to the National Environmental Policy Act of 1969. Enclosed is a Scoping Information Package describing the project proposal.

Scoping is a public involvement process used to determine the scope of issues to be addressed and identify issues related to a proposed action. Analysis of the proposal is ongoing and will be documented in an environmental assessment with an estimated completion date in 2016. Comments received in response to this solicitation will be used to identify potential environmental issues related to the Proposed Action and to identify alternatives to the Proposed Action that meet the purpose of and need for the project.

Please send your written comments by September 19, 2016, to: Ms. Rochelle Ochoa, Natural Resources Specialist, Bureau of Reclamation, Snake River Area Office, 230 Collins Road, Boise, Idaho 83702, or via email at rochoa@usbr.gov.

The primary contact for questions and comments for this analysis is Ms. Rochelle Ochoa, Natural Resources Specialist, at 208-383-2277.

Sincerely,



Ryan L. Newman
Assistant Area Manager

Enclosure



United States Department of the Interior

BUREAU OF RECLAMATION
Snake River Area Office
Upper Snake Field Office
470 22nd Street
Heyburn, ID 83336

AUG 23 2016

IN REPLY REFER TO:

SRA-1214
ENV-1.00

VIA FEDERAL EXPRESS

Honorable Dean Goggles
Chairman
N. Arapaho Tribe of the
Wind River Reservation
98 Gas Hills Road
Riverton, WY 82501

Subject: Request for Comments Regarding a Proposed Use Authorization Application to Allow the Wyoming Department of Transportation to Extract Material for Highway Improvement Projects, Palisades Project, Idaho-Wyoming

Dear Mr. Chairman:

The Bureau of Reclamation has received an application from the Wyoming Department of Transportation for material extraction near Alpine, Wyoming, for Federal highway improvement projects. This application seeks Reclamation's approval for a 20-year land use authorization to utilize approximately 77 acres of Federal lands for the extraction of 1,000,000 cubic yards of material and the operation of a material crushing site within Palisades Reservoir. The purpose of this letter is to inform interested and affected parties of the proposal and to solicit comments pursuant to the National Environmental Policy Act of 1969. Enclosed is a Scoping Information Package describing the project proposal.

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The primary contact for questions and comments for this analysis is Ms. Rochelle Ochoa, Natural Resources Specialist, at 208-383-2277.

Sincerely,



Ryan L. Newman
Assistant Area Manager

Enclosure



United States Department of the Interior

BUREAU OF RECLAMATION
Snake River Area Office
Upper Snake Field Office
470 22nd Street
Heyburn, ID 83336

IN REPLY REFER TO:

AUG 23 2016

SRA-1214
ENV-1.00

VIA FEDERAL EXPRESS

Honorable Blaine Edmo
Chairman
Fort Hall Business Council
Shoshone-Bannock Tribes
1 Pima Drive
Fort Hall, ID 83203-0306

Subject: Request for Comments Regarding a Proposed Use Authorization Application to Allow the Wyoming Department of Transportation to Extract Material for Highway Improvement Projects, Palisades Project, Idaho-Wyoming

Dear Mr. Chairman:

The Bureau of Reclamation has received an application from the Wyoming Department of Transportation for material extraction near Alpine, Wyoming, for Federal highway improvement projects. This application seeks Reclamation's approval for a 20-year land use authorization to utilize approximately 77 acres of Federal lands for the extraction of 1,000,000 cubic yards of material and the operation of a material crushing site within Palisades Reservoir. The purpose of this letter is to inform interested and affected parties of the proposal and to solicit comments pursuant to the National Environmental Policy Act of 1969. Enclosed is a Scoping Information Package describing the project proposal.

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The primary contact for questions and comments for this analysis is Ms. Rochelle Ochoa, Natural Resources Specialist, at 208-383-2277.

Sincerely,



Ryan L. Newman
Assistant Area Manager

Enclosure



United States Department of the Interior

BUREAU OF RECLAMATION

Snake River Area Office

Upper Snake Field Office

470 22nd Street

Heyburn, ID 83336

AUG 23 2016

IN REPLY REFER TO:

SRA-1214

ENV-1.00

VIA FEDERAL EXPRESS

Honorable Darwin St. Clair
Chairman
Eastern Shoshone Tribe
14 N. Fork Road
Fort Washakie, WY 82514

Subject: Request for Comments Regarding a Proposed Use Authorization Application to Allow the Wyoming Department of Transportation to Extract Material for Highway Improvement Projects, Palisades Project, Idaho-Wyoming

Dear Mr. Chairman:

The Bureau of Reclamation has received an application from the Wyoming Department of Transportation for material extraction near Alpine, Wyoming, for Federal highway improvement projects. This application seeks Reclamation's approval for a 20-year land use authorization to utilize approximately 77 acres of Federal lands for the extraction of 1,000,000 cubic yards of material and the operation of a material crushing site within Palisades Reservoir. The purpose of this letter is to inform interested and affected parties of the proposal and to solicit comments pursuant to the National Environmental Policy Act of 1969. Enclosed is a Scoping Information Package describing the project proposal.

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Please send your written comments by September 19, 2016, to: Ms. Rochelle Ochoa, Natural Resources Specialist, Bureau of Reclamation, Snake River Area Office, 230 Collins Road, Boise, Idaho 83702, or via email at rochoa@usbr.gov.

The primary contact for questions and comments for this analysis is Ms. Rochelle Ochoa, Natural Resources Specialist, at 208-383-2277.

Sincerely,

A handwritten signature in blue ink that reads "Ryan Newman". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ryan L. Newman
Assistant Area Manager

Enclosure

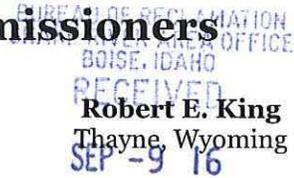


Board of Lincoln County Commissioners

Jerry T. Harmon
Chairman
Afton, Wyoming

Kent Connelly
Vice-Chair
Kemmerer, Wyoming

Robert E. King
Thayne, Wyoming



925 Sage Avenue, Suite 302, Kemmerer, WY 83101 Phone: 307-877-2004
Email: commission@lwy.org

September 6, 2016

VIA EMAIL: rochoa@usbr.gov

Ms. Rochelle Ochoa
Natural Resources Specialist
Bureau of Reclamation
Snake River Area Office
230 Collins Road
Boise, Idaho 83702

Re: Proposed WYDOT Use Authorization – BCC Scoping Comments

Dear Rochelle:

Thank you for the opportunity to comment on the proposed project and scope of the environmental analysis (EA) that will be conducted on the proposed land use authorization. Lincoln County supports WYDOT's application to utilize approximately 77 acres of BOR managed land for the extraction of material and for the operation of a crusher on-site. The project will provide WYDOT a reliable material source and crushing site that takes advantage of its proximity to the US Hwy 89 project and other highway improvement projects nearby.

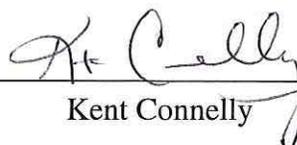
The project is designed to benefit aquatic life. Materials will be extracted during low water and stockpiled above the reservoir high water line. Excavation would only take place when reservoir levels allow. The proposed license area adjoins Alota Sand & Gravel's permit area, which fits as a compatible use.

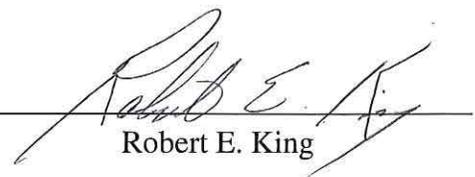
Lincoln County reserves the right to supplement its scoping comments as appropriate or necessary. The County looks forward to working with the Bureau of Reclamation on this EA. We thank you for the opportunity to comment.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
LINCOLN COUNTY, WYOMING


Jerry T. Harmon, Chair


Kent Connelly


Robert E. King



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
5353 Yellowstone Road, Suite 308A
Cheyenne, Wyoming 82009



In Reply Refer To:
06E13000-2016-CPA-0266

SEP 14 2016

Memorandum

To: Assistant Area Manager, U.S. Bureau of Reclamation, Snake River Area Office,
Boise, Idaho

From: *for* *Matthew J. Darrall* Field Supervisor, U.S. Fish and Wildlife Service, Wyoming Field Office,
Cheyenne, Wyoming

Subject: Scoping comments for the Bureau of Reclamation's proposed use authorization of a material crushing site (Alpine Bear Pit) within Palisades Reservoir, Lincoln County, Wyoming and Bonneville County, Idaho

Thank you for your letter of August 26, 2016, received in our office on August 29, regarding the proposed Palisades Project (Project). This Project will extract material for highway improvement projects, utilizing approximately 77 acres of federal lands for the extraction of 1,000,000 cubic yards of material and the operation of a material crushing site within the Palisades Reservoir. Material extraction will take place near Alpine, Wyoming.

We are writing in response to your inquiry related to species listed under Endangered Species Act (ESA; 16 U.S.C. 1531 *et seq.*), species of special concern, or migratory birds. We have indicated the response we believe best meets your request using the checkboxes below.

- You requested a list of endangered, threatened, proposed, and/or candidate species, and designated or proposed critical habitat that may occur in the area of your Project. In an effort to expedite information sharing, we created an Information, Planning, and Conservation System (IPAC), available on-line at <http://ecos.fws.gov/ipac/>. IPAC can be used to identify any potential federally listed species or critical habitat in your Project area by using the "Initial Project Scoping" tool. For species identified by IPAC, you should review the recommendations and measures at http://www.fws.gov/wyominges/species_endangered.php.

- Based on information from your request, our understanding of the nature of the project, local conditions, and current information of federally listed species:
 - We have not identified any issues that give us concern relative to species or critical habitat listed under the ESA.
 - We concur with your “may affect, not likely to adversely affect” determination for federally listed species and designated critical habitat.
 - Your Project should be re-analyzed if Project plans change, or if new information on the distribution of listed or proposed species or critical habitat becomes available, or if new information reveals effects to listed or proposed species or critical habitat not previously considered.

- Based on information from your request, we also recommend you:
 - Review your Project relative to responsibilities under the Migratory Bird Treaty Act (see http://www.fws.gov/mountain-prairie/es/wyoming/species_Migratory.php).
 - Review Avian Power Line Interaction Committee (APLIC) guidelines to avoid and minimize electrocutions and collisions (see <http://www.aplic.org>).
 - Review your Project relative to guidelines regarding placement of cell towers (see <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>).
 - Review your Project relative to responsibilities for wetland protection (see <http://www.fws.gov/wyominges/landscapeConservation.php>).
 - Contact Wyoming Game and Fish Department for measures to minimize impacts to greater sage-grouse (see <http://www.fws.gov/wyominges/Species/GRSG.php>).
 - Take steps to conserve and protect Species of Greatest Conservation Need (see http://www.fws.gov/mountain-prairie/es/wyoming/species_concern.php).

We appreciate your efforts to conserve endangered, threatened, and candidate species and migratory birds. If you have any questions regarding this letter or your responsibilities under the ESA or other authorities, please contact Lisa Solberg Schwab of my office at the letterhead address or phone (307) 367-5340.

- cc: BOR, Natural Resource Specialist, Boise, ID (R. Ochoa) (rochoa@usbr.gov)
 WGFD, Statewide Nongame Bird and Mammal Program Supervisor, Lander, WY
 (Z. Walker) (zack.walker@wyo.gov)
 WGFD, Statewide Habitat Protection Coordinator, Cheyenne, WY (M. Flanderka)
 (mary.flanderka@wyo.gov)
 WGFD, Habitat Protection Secretary, Cheyenne, WY (N. Stange)
 (nancy.stange@wyo.gov)

APPENDIX B

ESA SPECIES LISTS AND

IPAC TRUST RESOURCES REPORT



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Idaho Fish and Wildlife Office
1387 SOUTH VINNELL WAY, SUITE 368
BOISE, ID 83709
PHONE: (208)378-5243 FAX: (208)378-5262

Consultation Code: 01EIFW00-2016-SLI-0965

August 16, 2016

Event Code: 01EIFW00-2016-E-01025

Project Name: Alpine Bear Pit

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having

similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

Please note: The IPaC module for producing a list of proposed and designated critical habitat is currently incomplete. At this time, we ask that you use the information given below to determine whether your action area falls within a county containing proposed/designated critical habitat for a specific species. If you find that your action falls within a listed county, use the associated links for that species to determine if your action area actually overlaps with the proposed or designated critical habitat.

Canada Lynx (*Lynx canadensis*) - Designated February 24, 2009.
Counties: Boundary County.

Federal Register Notice:

<http://www.gpo.gov/fdsys/pkg/FR-2009-02-25/pdf/E9-3512.pdf#page=1>

Printable Maps:

http://www.fws.gov/mountain-prairie/species/mammals/lynx/criticalhabitat_files/20081222_fedreg_unit3_draft

GIS Data: http://criticalhabitat.fws.gov/docs/crithab/zip/lynx_ch.zip

KML for Google Earth: (None Currently Available)

Selkirk Mountains Woodland Caribou (*Rangifer tarandus Caribou*) - Proposed November 30, 2011.

Counties: Bonner and Boundary Counties.

Federal Register Notice: <http://www.fws.gov/idaho/home/2011-30451FINALR.pdf>

Printable Maps: http://www.fws.gov/idaho/home/Map1_sub1_150.pdf

GIS Data: (None Currently Available)

KML for Google Earth: (None Currently Available)

Bull Trout (*Salvelinus confluentus*) - Designated September 30, 2010.

Counties: Adams, Benewah, Blaine, Boise, Bonner, Boundary, Butte, Camas, Clearwater, Custer, Elmore, Gem, Idaho, Kootenai, Lemhi, Lewis, Nez Perce, Owyhee, Shoshone, Valley, and Washington Counties.

Federal Register Notice:

<http://www.gpo.gov/fdsys/pkg/FR-2010-10-18/pdf/2010-25028.pdf#page=2>

Printable Maps: http://www.fws.gov/pacific/bulltrout/CH2010_Maps.cfm#CHMaps

GIS Data: <http://criticalhabitat.fws.gov/docs/crithab/zip/bulltrout.zip>

KML for Google Earth:

http://www.fws.gov/pacific/bulltrout/finalcrithab/BT_FCH_2010_KML.zip

Kootenai River White Sturgeon (*Acipenser transmontanus*) - Designated July 9, 2008.

Counties: Boundary County.

Federal Register Notice:

<http://www.gpo.gov/fdsys/pkg/FR-2008-07-09/pdf/E8-15134.pdf#page=1>

Printable Maps: (None Currently Available)

GIS Data: http://criticalhabitat.fws.gov/docs/crithab/zip/fch_73fr39506_acit_2009.zip

KML for Google Earth: (None Currently Available)

Slickspot Peppergrass (*Lepidium papilliferum*) - Proposed May 10, 2011. Counties: Ada, Canyon, Elmore, Gem, Owyhee, and Payette Counties.

Federal Register Notice: <http://www.gpo.gov/fdsys/pkg/FR-2011-10-26/pdf/2011-27727.pdf>

Printable Maps: <http://www.fws.gov/idaho/Lepidium.html>

GIS Data: (None Currently Available)

KML for Google Earth: (None Currently Available)

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: Alpine Bear Pit

Official Species List

Provided by:

Idaho Fish and Wildlife Office
1387 SOUTH VINNELL WAY, SUITE 368
BOISE, ID 83709
(208) 378-5243

Expect additional Species list documents from the following office(s):

Wyoming Ecological Services Field Office
5353 YELLOWSTONE ROAD, SUITE 308A
CHEYENNE, WY 82009
(307) 772-2374
<http://www.fws.gov/wyominges/>

Consultation Code: 01EIFW00-2016-SLI-0965

Event Code: 01EIFW00-2016-E-01025

Project Type: DREDGE / EXCAVATION

Project Name: Alpine Bear Pit

Project Description: This proposal from Wyoming Department of Transportation (WYDOT) is for a 20-year land use authorization to utilize approximately 77-acres of Federal lands managed by the Bureau of Reclamation (Reclamation) for the extraction of approximately 1,000,000 cubic yards of material and the operation of a material crushing site within Palisades Reservoir. The new extraction and crushing area would be known as the Alpine Bear Pit.

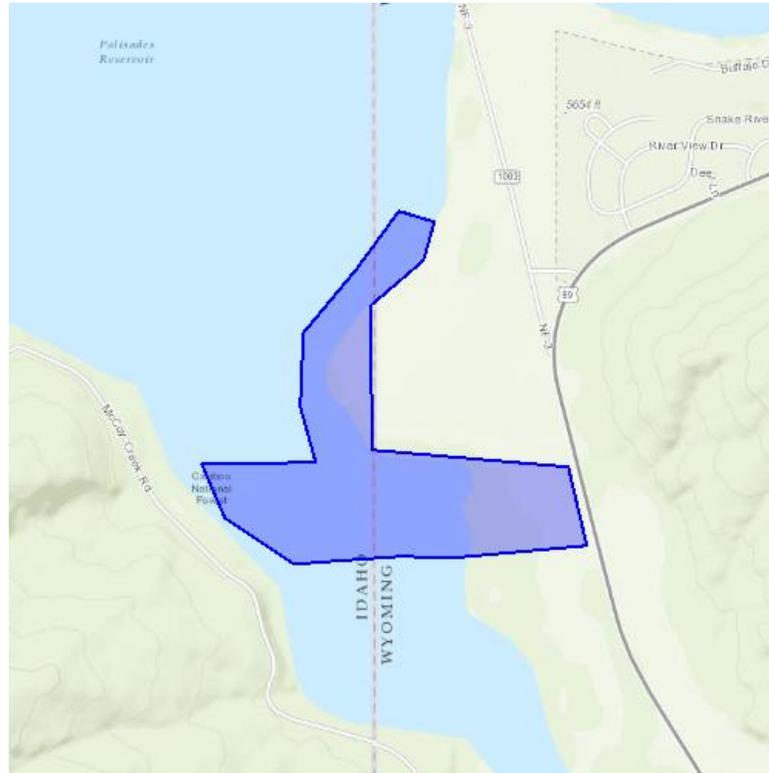
Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior
Fish and Wildlife Service

Project name: Alpine Bear Pit

Project Location Map:



Project Coordinates: MULTIPOLYGON (((-111.04422569274902 43.155950510837286, -111.04207992553711 43.15729667620039, -111.04165077209473 43.158423675557586, -111.04306697845459 43.15873672724564, -111.04478359222412 43.15704622907595, -111.04701519012451 43.155105229057256, -111.04714393615723 43.1529137033241, -111.04650020599365 43.15125435299084, -111.05117797851562 43.151191735115006, -111.05023384094238 43.149594957605004, -111.04740142822264 43.14818600162933, -111.04302406311035 43.14843648506536, -111.04087829589844 43.1483738643026, -111.03538513183594 43.14874958791696, -111.03615760803223 43.15109780818096, -111.04413986206055 43.15159875016117, -111.04422569274902 43.15382163066288, -111.04422569274902 43.155950510837286)))

Project Counties: Bonneville, ID | Lincoln, WY



United States Department of Interior
Fish and Wildlife Service

Project name: Alpine Bear Pit

Endangered Species Act Species List

There are a total of 2 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

| Mammals | Status | Has Critical Habitat | Condition(s) |
|---|------------------------|----------------------|--------------|
| Canada Lynx (<i>Lynx canadensis</i>) Population: Contiguous U.S. DPS | Threatened | Final designated | |
| North American wolverine (<i>Gulo gulo luscus</i>) | Proposed Threatened | | |



United States Department of Interior
Fish and Wildlife Service

Project name: Alpine Bear Pit

Critical habitats that lie within your project area

There are no critical habitats within your project area.



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Wyoming Ecological Services Field Office
5353 YELLOWSTONE ROAD, SUITE 308A
CHEYENNE, WY 82009
PHONE: (307)772-2374 FAX: (307)772-2358
URL: www.fws.gov/wyominges/

Consultation Code: 06E13000-2016-SLI-0280

August 16, 2016

Event Code: 06E13000-2016-E-01451

Project Name: Alpine Bear Pit

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the Environmental Conservation Online System-Information, Planning, and Conservation System (ECOS-IPaC) website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

Please feel free to contact us if you need more information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. We also encourage you to visit the Wyoming Ecological Services website at http://www.fws.gov/wyominges/Pages/Species/Species_Endangered.html for more information about species occurrence and designated critical habitat.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required

to use their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A biological assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a biological assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a biological assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the biological assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species, and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

We also recommend that you consider the following information when assessing impacts to federally listed species, as well as migratory birds, and other trust resources:

Colorado River and Platte River Systems: Consultation under section 7 of the Act is required for projects in Wyoming that may lead to water depletions or have the potential to impact water quality in the Colorado River system or the Platte River system, because these actions may affect threatened and endangered species inhabiting the downstream reaches of these river systems. In general, depletions include evaporative losses and/or consumptive use of surface or groundwater within the affected basin, often characterized as diversions minus return flows. Project elements that could be associated with depletions include, but are not limited to: ponds, lakes, and reservoirs (e.g., for detention, recreation, irrigation, storage, stock watering, municipal storage, and power generation); hydrostatic testing of pipelines; wells; dust abatement; diversion structures; and water treatment facilities.

Species that may be affected in the Colorado River system include the endangered bonytail (*Gila elegans*), Colorado pikeminnow (*Ptychocheilus lucius*), humpback chub (*Gila cypha*), and razorback sucker (*Xyrauchen texanus*) and their designated critical habitats. Projects in the Platte River system may impact the endangered interior population of the least tern (*Sterna antillarum*), the endangered pallid sturgeon (*Scaphirhynchus albus*), the threatened piping plover (*Charadrius melodus*), the threatened western prairie fringed orchid (*Platanthera praeclara*), as well as the endangered whooping crane (*Grus americana*) and its designated critical habitat. For more information on consultation requirements for the Platte River species, please visit <http://www.fws.gov/platteriver>.

Migratory Birds: The Migratory Bird Treaty Act (16 U.S.C. 703-712), prohibits the taking of any migratory birds, their parts, nests, or eggs except as permitted by regulations, and does not require intent to be proven. Except for introduced species and some upland game birds, almost

all birds occurring in the wild in the United States are protected (50 CFR 10.13). Guidance for minimizing impacts to migratory birds for projects that include communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>.

The Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d) prohibits knowingly taking, or taking with wanton disregard for the consequences of an activity, any bald or golden eagles or their body parts, nests, or eggs, which includes collection, molestation, disturbance, or killing. Eagle nests are protected whether they are active or inactive. Removal or destruction of nests, or causing abandonment of a nest could constitute a violation of one or both of the above statutes. Projects affecting eagles may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

If nesting migratory birds are present on or near the project area, timing of activities is an important consideration and should be addressed in project planning. Activities that could lead to the take of migratory birds or eagles, their young, eggs, or nests, should be coordinated with our office prior to project implementation. If nest manipulation (including removal) is proposed for the project, the project proponent should contact the Migratory Bird Office in Denver at 303-236-8171 to see if a permit can be issued for the project. If a permit cannot be issued, the project may need to be modified to protect migratory birds, eagles, their young, eggs, and nests.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: Alpine Bear Pit

Official Species List

Provided by:

Wyoming Ecological Services Field Office
5353 YELLOWSTONE ROAD, SUITE 308A
CHEYENNE, WY 82009
(307) 772-2374
<http://www.fws.gov/wyominges/>

Expect additional Species list documents from the following office(s):

Idaho Fish and Wildlife Office
1387 SOUTH VINNELL WAY, SUITE 368
BOISE, ID 83709
(208) 378-5243

Consultation Code: 06E13000-2016-SLI-0280

Event Code: 06E13000-2016-E-01451

Project Type: DREDGE / EXCAVATION

Project Name: Alpine Bear Pit

Project Description: This proposal from Wyoming Department of Transportation (WYDOT) is for a 20-year land use authorization to utilize approximately 77-acres of Federal lands managed by the Bureau of Reclamation (Reclamation) for the extraction of approximately 1,000,000 cubic yards of material and the operation of a material crushing site within Palisades Reservoir. The new extraction and crushing area would be known as the Alpine Bear Pit.

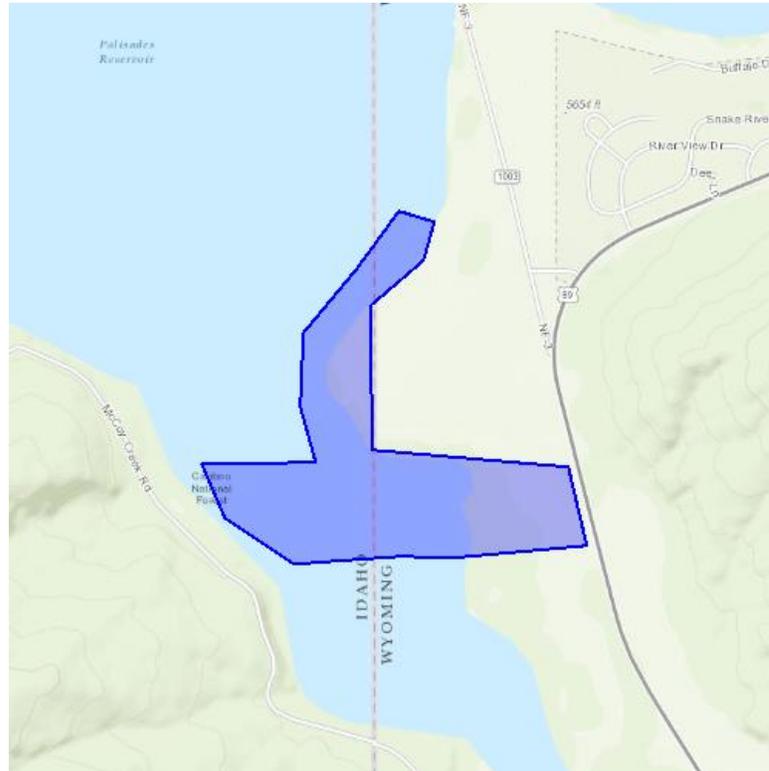
Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior
Fish and Wildlife Service

Project name: Alpine Bear Pit

Project Location Map:



Project Coordinates: MULTIPOLYGON (((-111.04422569274902 43.155950510837286, -111.04207992553711 43.15729667620039, -111.04165077209473 43.158423675557586, -111.04306697845459 43.15873672724564, -111.04478359222412 43.15704622907595, -111.04701519012451 43.155105229057256, -111.04714393615723 43.1529137033241, -111.04650020599365 43.15125435299084, -111.05117797851562 43.151191735115006, -111.05023384094238 43.149594957605004, -111.04740142822264 43.14818600162933, -111.04302406311035 43.14843648506536, -111.04087829589844 43.1483738643026, -111.03538513183594 43.14874958791696, -111.03615760803223 43.15109780818096, -111.04413986206055 43.15159875016117, -111.04422569274902 43.15382163066288, -111.04422569274902 43.155950510837286)))

Project Counties: Bonneville, ID | Lincoln, WY



United States Department of Interior
Fish and Wildlife Service

Project name: Alpine Bear Pit

Endangered Species Act Species List

There are a total of 4 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

| | | | |
|--|--|------------------|--|
| | | | |
| Yellow-Billed Cuckoo (<i>Coccyzus americanus</i>) Population: Western U.S. DPS | Threatened | Proposed | |
| | | | |
| Black-Footed ferret (<i>Mustela nigripes</i>) Population: U.S.A. (WY and specific portions of AZ, CO, MT, SD, and UT) | Experimental Population, Non-Essential | | Experimental, non-essential population of black-footed ferrets established pursuant to Section 10(j) of the ESA. consultation not required except on lands administered by the U.S. Fish and Wildlife Service or the National Park Service. |
| Canada Lynx (<i>Lynx canadensis</i>) Population: Contiguous U.S. DPS | Threatened | Final designated | |
| Gray wolf (<i>Canis lupus</i>) Population: WY, EXPN population | Experimental Population, Non- | | |



United States Department of Interior
Fish and Wildlife Service

Project name: Alpine Bear Pit

| | | | |
|--|-----------|--|--|
| | Essential | | |
|--|-----------|--|--|



United States Department of Interior
Fish and Wildlife Service

Project name: Alpine Bear Pit

Critical habitats that lie within your project area

There are no critical habitats within your project area.



United States Department of Interior
Fish and Wildlife Service

Project name: Alpine Bear Pit

Appendix A: FWS National Wildlife Refuges and Fish Hatcheries

There are no refuges or fish hatcheries within your project area.



United States Department of Interior
Fish and Wildlife Service

Project name: Alpine Bear Pit

Appendix B: FWS Migratory Birds

The protection of birds is regulated by the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA). Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). The MBTA has no otherwise lawful activities. For more information regarding these Acts see: <http://www.fws.gov/birds/policies-and-regulations/laws-legislations/migratory-bird-treaty-act.php>
<http://www.fws.gov/birds/policies-and-regulations/laws-legislations/bald-and-golden-eagle-protection-act.php>

All project proponents are responsible for complying with the appropriate regulations protecting birds when planning and developing a project. To meet these conservation obligations, proponents should identify potential or existing project-related impacts to migratory birds and their habitat and develop and implement conservation measures that avoid, minimize, or compensate for these impacts. The Service's Birds of Conservation Concern (2008) report identifies species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become listed under the Endangered Species Act as amended (16 U.S.C 1531 et seq.).

For information about Birds of Conservation Concern, go to:

<http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>

For information about conservation measures that help avoid or minimize impacts to birds, please visit:

<http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>

To search and view summaries of year-round bird occurrence data within your project area, go to the Avian Knowledge Network Histogram Tools at:

<http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/akn-histogram-tools.php>



United States Department of Interior
Fish and Wildlife Service

Project name: Alpine Bear Pit

Migratory birds that may be affected by your project:

There are 25 birds on your migratory bird list. The list may include birds occurring outside this FWS office jurisdiction.

| American bittern (<i>Botaurus lentiginosus</i>) | Yes | Breeding |
|--|-----|------------|
| Bald eagle (<i>Haliaeetus leucocephalus</i>) | Yes | Year-round |
| Black Rosy-Finch (<i>Leucosticte atrata</i>) | Yes | Year-round |
| Brewer's Sparrow (<i>Spizella breweri</i>) | Yes | Breeding |
| Burrowing Owl (<i>Athene cunicularia</i>) | Yes | Breeding |
| Calliope Hummingbird (<i>Stellula calliope</i>) | Yes | Breeding |
| Cassin's Finch (<i>Carpodacus cassinii</i>) | Yes | Year-round |
| Ferruginous hawk (<i>Buteo regalis</i>) | Yes | Breeding |
| Flammulated owl (<i>Otus flammeolus</i>) | Yes | Breeding |
| Fox Sparrow (<i>Passerella iliaca</i>) | Yes | Breeding |
| Golden eagle (<i>Aquila chrysaetos</i>) | Yes | Year-round |
| Greater sage-grouse (<i>Centrocercus urophasianus</i>) | Yes | Year-round |
| Green-tailed Towhee (<i>Pipilo chlorurus</i>) | Yes | Breeding |
| Lewis's Woodpecker (<i>Melanerpes lewis</i>) | Yes | Breeding |
| Loggerhead Shrike (<i>Lanius ludovicianus</i>) | Yes | Breeding |
| Long-Billed curlew (<i>Numenius americanus</i>) | Yes | Breeding |
| | | |



United States Department of Interior
Fish and Wildlife Service

Project name: Alpine Bear Pit

| | | |
|--|-----|------------|
| Olive-Sided flycatcher (<i>Contopus cooperi</i>) | Yes | Breeding |
| Peregrine Falcon (<i>Falco peregrinus</i>) | Yes | Breeding |
| Rufous hummingbird (<i>selasphorus rufus</i>) | Yes | Breeding |
| Sage Thrasher (<i>Oreoscoptes montanus</i>) | Yes | Breeding |
| Short-eared Owl (<i>Asio flammeus</i>) | Yes | Year-round |
| Swainson's hawk (<i>Buteo swainsoni</i>) | Yes | Breeding |
| Western grebe (<i>aechmophorus occidentalis</i>) | Yes | Breeding |
| Williamson's Sapsucker (<i>Sphyrapicus thyroideus</i>) | Yes | Breeding |
| Willow Flycatcher (<i>Empidonax traillii</i>) | Yes | Breeding |



United States Department of Interior
Fish and Wildlife Service

Project name: Alpine Bear Pit

Appendix C: NWI Wetlands

The U.S. Fish and Wildlife Service is the principal Federal agency that provides information on the extent and status of wetlands in the U.S., via the National Wetlands Inventory Program (NWI). In addition to impacts to wetlands within your immediate project area, wetlands outside of your project area may need to be considered in any evaluation of project impacts, due to the hydrologic nature of wetlands (for example, project activities may affect local hydrology within, and outside of, your immediate project area). It may be helpful to refer to the USFWS National Wetland Inventory website. The designated FWS office can also assist you. Impacts to wetlands and other aquatic habitats from your project may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal Statutes. Project Proponents should discuss the relationship of these requirements to their project with the Regulatory Program of the appropriate U.S. Army Corps of Engineers District.

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery and/or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Exclusions - Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Precautions - Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of



United States Department of Interior
Fish and Wildlife Service

Project name: Alpine Bear Pit

this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

The following NWI Wetland types intersect your project area in one or more locations. To understand the NWI Classification Code, see <https://ecos.fws.gov/ipac/wetlands/decoder>. To view the National Wetlands Inventory on a map go to <http://www.fws.gov/wetlands/Data/Mapper.html>.

| | |
|------|--------|
| | |
| Lake | L2USCh |
| Lake | L1UBHh |

Alpine Bear Pit

IPaC Trust Resources Report

Generated August 16, 2016 01:10 PM MDT, IPaC v3.0.8

This report is for informational purposes only and should not be used for planning or analyzing project level impacts. For project reviews that require U.S. Fish & Wildlife Service review or concurrence, please return to the IPaC website and request an official species list from the Regulatory Documents page.



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- IPaC Trust Resources Report [1](#)
- Project Description [1](#)
- Endangered Species [2](#)
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- Refuges & Hatcheries [7](#)
- Wetlands [8](#)

IPaC Trust Resources Report



NAME

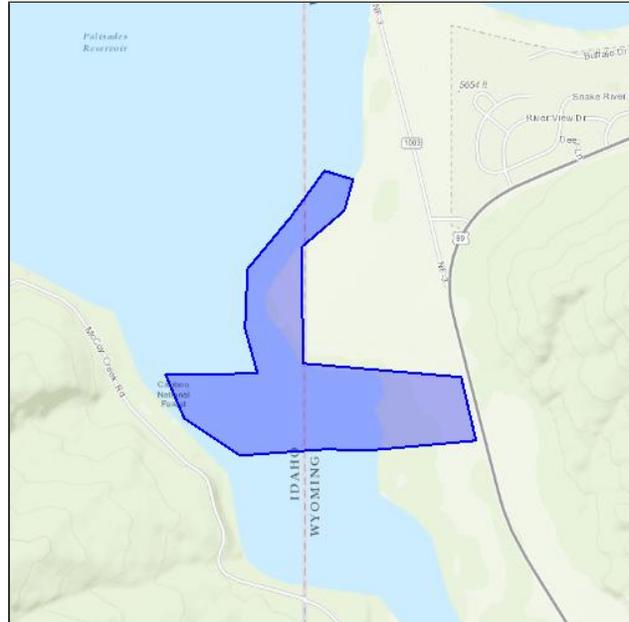
Alpine Bear Pit

LOCATION

Idaho and Wyoming

DESCRIPTION

This proposal from Wyoming Department of Transportation (WYDOT) is for a 20-year land use authorization to utilize approximately 77-acres of Federal lands managed by the Bureau of Reclamation (Reclamation) for the extraction of approximately 1,000,000 cubic yards of material and the operation of a material crushing site within Palisades Reservoir. The new extraction and crushing area would be known as the Alpine Bear Pit.



IPAC LINK

<https://ecos.fws.gov/ipac/project/MJUTT-KJHPB-FZPC4-WVDTH-I66PYA>

U.S. Fish & Wildlife Service Contact Information

Trust resources in this location are managed by:

Wyoming Ecological Services Field Office

5353 Yellowstone Road, Suite 308a
Cheyenne, WY 82009-4178
(307) 772-2374

Idaho Fish And Wildlife Office

1387 South Vinnell Way, Suite 368
Boise, ID 83709-1657
(208) 378-5243

Endangered Species

Proposed, candidate, threatened, and endangered species are managed by the [Endangered Species Program](#) of the U.S. Fish & Wildlife Service.

This USFWS trust resource report is for informational purposes only and should not be used for planning or analyzing project level impacts.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list from the Regulatory Documents section.

[Section 7](#) of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency.

A letter from the local office and a species list which fulfills this requirement can only be obtained by requesting an official species list either from the Regulatory Documents section in IPaC or from the local field office directly.

The list of species below are those that may occur or could potentially be affected by activities in this location:

Birds

Yellow-billed Cuckoo *Coccyzus americanus*

Threatened

MANAGED BY
Wyoming Ecological Services Field Office

CRITICAL HABITAT
There is **proposed** critical habitat designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B06R

Mammals

Black-footed Ferret *Mustela nigripes*

Experimental Population, Non-Essential

MANAGED BY

Wyoming Ecological Services Field Office

THIS SPECIES ONLY NEEDS TO BE CONSIDERED IF THE FOLLOWING CONDITION APPLIES

Experimental, non-essential population of black-footed ferrets established pursuant to Section 10(j) of the ESA. Section 7 consultation not required except on lands administered by the U.S. Fish and Wildlife Service or the National Park Service.

CRITICAL HABITAT

No critical habitat has been designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=A004

Canada Lynx *Lynx canadensis*

Threatened

MANAGED BY

Idaho Fish And Wildlife Office

Wyoming Ecological Services Field Office

CRITICAL HABITAT

There is **final** critical habitat designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=A073

Gray Wolf *Canis lupus*

Experimental Population, Non-Essential

MANAGED BY

Wyoming Ecological Services Field Office

CRITICAL HABITAT

No critical habitat has been designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=A00D

North American Wolverine *Gulo gulo luscus*

Proposed Threatened

MANAGED BY

Idaho Fish And Wildlife Office

CRITICAL HABITAT

No critical habitat has been designated for this species.

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=A0FA

Critical Habitats

There are no critical habitats in this location

Migratory Birds

Birds are protected by the [Migratory Bird Treaty Act](#) and the [Bald and Golden Eagle Protection Act](#).

Any activity that results in the take of migratory birds or eagles is prohibited unless authorized by the U.S. Fish & Wildlife Service.^[1] There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured.

Any person or organization who plans or conducts activities that may result in the take of migratory birds is responsible for complying with the appropriate regulations and implementing appropriate conservation measures.

1. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

Additional information can be found using the following links:

- Birds of Conservation Concern
<http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Conservation measures for birds
<http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Year-round bird occurrence data
<http://www.birdscanada.org/birdmon/default/datasummaries.jsp>

The following species of migratory birds could potentially be affected by activities in this location:

American Bittern *Botaurus lentiginosus*

Season: Breeding

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B0F3

Bird of conservation concern

Bald Eagle *Haliaeetus leucocephalus*

Season: Year-round

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B008

Bird of conservation concern

Black Rosy-finch *Leucosticte atrata*

Season: Year-round

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B0J4

Bird of conservation concern

Brewer's Sparrow *Spizella breweri*

Season: Breeding

http://ecos.fws.gov/tess_public/profile/speciesProfile.action?sPCODE=B0HA

Bird of conservation concern

| | |
|---|------------------------------|
| Burrowing Owl <i>Athene cunicularia</i> | Bird of conservation concern |
| Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0NC | |
| Calliope Hummingbird <i>Stellula calliope</i> | Bird of conservation concern |
| Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0K3 | |
| Cassin's Finch <i>Carpodacus cassinii</i> | Bird of conservation concern |
| Season: Year-round http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0J6 | |
| Ferruginous Hawk <i>Buteo regalis</i> | Bird of conservation concern |
| Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B06X | |
| Flammulated Owl <i>Otus flammeolus</i> | Bird of conservation concern |
| Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0DK | |
| Fox Sparrow <i>Passerella iliaca</i> | Bird of conservation concern |
| Season: Breeding | |
| Golden Eagle <i>Aquila chrysaetos</i> | Bird of conservation concern |
| Season: Year-round http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0DV | |
| Greater Sage-grouse <i>Centrocercus urophasianus</i> | Bird of conservation concern |
| Season: Year-round http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B06W | |
| Green-tailed Towhee <i>Pipilo chlorurus</i> | Bird of conservation concern |
| Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0IQ | |
| Lewis's Woodpecker <i>Melanerpes lewis</i> | Bird of conservation concern |
| Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0HQ | |
| Loggerhead Shrike <i>Lanius ludovicianus</i> | Bird of conservation concern |
| Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0FY | |
| Long-billed Curlew <i>Numenius americanus</i> | Bird of conservation concern |
| Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B06S | |
| Olive-sided Flycatcher <i>Contopus cooperi</i> | Bird of conservation concern |
| Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0AN | |

| | |
|--|------------------------------|
| Peregrine Falcon <i>Falco peregrinus</i> Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?scode=B0FU | Bird of conservation concern |
| Rufous Hummingbird <i>selasphorus rufus</i> Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?scode=B0E1 | Bird of conservation concern |
| Sage Thrasher <i>Oreoscoptes montanus</i> Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?scode=B0ID | Bird of conservation concern |
| Short-eared Owl <i>Asio flammeus</i> Season: Year-round http://ecos.fws.gov/tess_public/profile/speciesProfile.action?scode=B0HD | Bird of conservation concern |
| Swainson's Hawk <i>Buteo swainsoni</i> Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?scode=B070 | Bird of conservation concern |
| Western Grebe <i>aechmophorus occidentalis</i> Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?scode=B0EA | Bird of conservation concern |
| Williamson's Sapsucker <i>Sphyrapicus thyroideus</i> Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?scode=B0FX | Bird of conservation concern |
| Willow Flycatcher <i>Empidonax traillii</i> Season: Breeding http://ecos.fws.gov/tess_public/profile/speciesProfile.action?scode=B0F6 | Bird of conservation concern |

Wildlife refuges and fish hatcheries

There are no refuges or fish hatcheries in this location

Wetlands in the National Wetlands Inventory

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

DATA LIMITATIONS

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

DATA EXCLUSIONS

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

DATA PRECAUTIONS

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

This location overlaps all or part of the following wetlands:

Lake

[L1UBHh](#)

[L2USCh](#)

A full description for each wetland code can be found at the National Wetlands Inventory website: <http://107.20.228.18/decoders/wetlands.aspx>

APPENDIX C

CONSULTATION WITH TRIBES



United States Department of the Interior

BUREAU OF RECLAMATION

Pacific Northwest Region
Snake River Area Office
230 Collins Road
Boise, ID 83702-4520

NOV 01 2016

IN REPLY REFER TO:

USF-1219
LND/ENV-1.10

VIA FEDERAL EXPRESS

Honorable Darwin St. Clair
Chairman
Eastern Shoshone Tribe
14 N. Fork Road
Fort Washakie, WY 82514

Subject: Invitation to Consult on the Proposed Wyoming Department of Transportation's (WYDOT)
Alpine Bear Pit Permit

Dear Mr. Chairman:

The Bureau of Reclamation's Upper Snake Field Office is proposing to issue a permit to WYDOT for the extraction and processing of gravel within the Palisades Reservoir. The project is located in T.3 S, R.46 E, Section 15, on the Alpine, Wyoming, 1:24,000 U.S. Geological Survey Quad Sheet. At this time, Reclamation is requesting any information concerning cultural resources known to your Tribe that may be affected by this project.

The APE lies in both Wyoming and Idaho and includes all areas covered by the permit to be used for extraction and processing as seen on Figure 1 of the enclosed report. Two historic/modern trash dumps, a historic gravel pit, and five isolated artifacts were found and recorded as a part of this project. Reclamation has evaluated each of the resources and found them not eligible for listing in the National Register of Historic Places. Further, Reclamation has determined that there will be No Historic Properties Affected as a result of this project.

Please advise this office as to whether the Eastern Shoshone Tribe wishes to join in this consultation by contacting me directly at 208-383-2246 or via email at rspringer@usbr.gov. Or you may contact Ms. Nikki Polson, Upper Snake Field Office Archaeologist, at 208-678-0461, extension 13, with any questions regarding this letter or the enclosure.

Sincerely,

Roland K. Springer
Area Manager

Enclosure



United States Department of the Interior

BUREAU OF RECLAMATION

Pacific Northwest Region
Snake River Area Office
230 Collins Road
Boise, ID 83702-4520

NOV 01 2016

IN REPLY REFER TO:

USF-1219
LND/ENV-1.10

VIA FEDERAL EXPRESS

Honorable Blaine Edmo
Chairman
Fort Hall Business Council
Shoshone-Bannock Tribes
1 Pima Drive
Fort Hall, ID 83203-0306

Subject: Invitation to Consult on the Proposed Wyoming Department of Transportation's (WYDOT)
Alpine Bear Pit Permit

Dear Mr. Chairman:

The Bureau of Reclamation's Upper Snake Field Office is proposing to issue a permit to WYDOT for the extraction and processing of gravel within the Palisades Reservoir. The project is located in T.3 S, R.46 E, Section 15, on the Alpine, Wyoming, 1:24,000 U.S. Geological Survey Quad Sheet. At this time, Reclamation is requesting any information concerning cultural resources known to your Tribe that may be affected by this project.

The APE lies in both Wyoming and Idaho and includes all areas covered by the permit to be used for extraction and processing as seen on Figure 1 of the enclosed report. Two historic/modern trash dumps, a historic gravel pit, and five isolated artifacts were found and recorded as a part of this project. Reclamation has evaluated each of the resources and found them not eligible for listing in the National Register of Historic Places. Further, Reclamation has determined that there will be No Historic Properties Affected as a result of this project.

Please advise this office as to whether the Shoshone-Bannock Tribes wish to join in this consultation by contacting me directly at 208-383-2246 or via email at rspringer@usbr.gov. Or you may contact Ms. Nikki Polson, Upper Snake Field Office Archaeologist, at 208-678-0461, extension 13, with any questions regarding this letter or the enclosure.

Sincerely,

Roland K. Springer
Area Manager

Enclosure

cc: See next page.

cc: Ms. Yvette Tuell
Environmental Program Manager
Shoshone-Bannock Tribes
1 Pima Drive
Fort Hall, ID 83203-0306

Ms. Carolyn B. Smith
Cultural Resources Coordinator
Shoshone-Bannock Tribes
1 Pima Drive
Fort Hall, ID 83203-0306
(w/encl to each)

APPENDIX D

**CONSULTATION WITH STATE HISTORIC
PRESERVATION OFFICES**



United States Department of the Interior

BUREAU OF RECLAMATION
Pacific Northwest Region
Snake River Area Office
230 Collins Road
Boise, ID 83702-4520

NOV 01 2016

IN REPLY REFER TO:

USF-1219
LND/ENV-1.10

VIA FEDERAL EXPRESS

Ms. Mary Anne Davis
Associate State Archaeologist
Idaho State Historic Preservation Office
210 Main Street
Boise, ID 83702

Subject: Invitation to Consult on the Proposed Wyoming Department of Transportation's (WYDOT) Alpine Bear Pit Permit

Dear Ms. Davis:

The Bureau of Reclamation's Upper Snake Field Office is proposing to issue a permit to WYDOT for the extraction and processing of gravel within the Palisades Reservoir. The project is located in T.3 S, R.46 E, Section 15, on the Alpine, Wyoming, 1:24,000 U.S. Geological Survey Quad Sheet. At this time, Reclamation is consulting concerning the area of potential effects (APE) and a finding of No Historic Properties Affected.

The APE includes all areas covered by the permit to be used for extraction and processing as seen on Figure 1 of the enclosed report. The APE lies in both Wyoming and Idaho and this consultation is regarding only that portion of the APE that lies within Idaho. A separate consultation is being prepared concurrently with the Wyoming Historic Preservation Officer as well. The APE was subject to a cultural resources survey in October 2016 as described in the enclosed report. Two trash dumps were recorded within the boundaries of the Idaho APE that may be modern or historic, but which contained no chronologically diagnostic materials. Due to the absence of chronological material, the dumps are found to be not eligible for listing in the National Register of Historic Places. More details are provided in the enclosed report. In the absence of historic properties, Reclamation has determined that there will be No Historic Properties Affected by the issuance of this permit.

In accordance with procedures specified in 36 CFR § 800, Reclamation requests your concurrence with our APE and the issuance of this permit will result in No Historic

Properties Affected. Please direct any questions to Ms. Nikki Polson, Upper Snake Field Office Archaeologist, at 208-678-0461, extension 13, or by email at npolson@usbr.gov.

Sincerely,



Roland K. Springer
Area Manager

Enclosures

cc: Ms. Mary Hopkins
Historic Preservation Officer
Wyoming State Historic Preservation Office
2301 Central Avenue
Barrett Building, Third Floor
Cheyenne, WY 82002
(w/encls)



United States Department of the Interior

BUREAU OF RECLAMATION

Pacific Northwest Region

Snake River Area Office

230 Collins Road

Boise, ID 83702-4520

IN REPLY REFER TO:

USF-1219

LND/ENV-1.10

NOV 01 2016

VIA FEDERAL EXPRESS

Ms. Mary Hopkins
Historic Preservation Officer
Wyoming State Historic Preservation Office
2301 Central Avenue
Barrett Building, Third Floor
Cheyenne, WY 82002

Subject: Invitation to Consult on the Proposed Wyoming Department of Transportation's
(WYDOT) Alpine Bear Pit Permit

Dear Ms. Hopkins:

The Bureau of Reclamation's Upper Snake Field Office is proposing to issue a permit to WYDOT for the extraction and processing of gravel within the Palisades Reservoir. The project is located in T.37 N, R.118 W, Section 31, on the Alpine, Wyoming, 1:24,000 U.S. Geological Survey Quad Sheet. At this time, Reclamation is consulting concerning the area of potential effects (APE) and a finding of No Historic Properties Affected.

The APE includes all areas covered by the permit to be used for extraction and processing as seen on Figure 1 of the enclosed report. The APE lies in both Wyoming and Idaho and this consultation is regarding only that portion of the APE that lies within Wyoming. A separate consultation is being prepared concurrently with the Idaho Historic Preservation Officer as well. The APE was subject to a cultural resources survey in October 2016 as described in the enclosed report. A historic gravel pit was recorded within the boundaries of the Wyoming APE, but it qualifies as a non-site as defined by your office and supported by Reclamation. In the absence of historic properties, Reclamation has determined that there will be No Historic Properties Affected by the issuance of this project.

In accordance with procedures specified in 36 CFR § 800, Reclamation requests your concurrence with our APE and the issuance of this permit will result in No Historic Properties

Affected. Please direct any questions to Ms. Nikki Polson, Upper Snake Field Office Archaeologist, at 208-678-0461, extension 13, or by email at npolson@usbr.gov.

Sincerely,



Roland K. Springer
Area Manager

Enclosure

cc: Ms. Mary Anne Davis
Associate State Archaeologist
Idaho State Historic Preservation Office
210 Main Street
Boise, ID 83702
(w/encl)



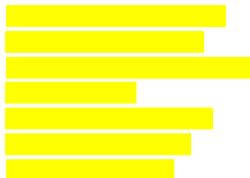
C.L. "Butch" Otter
Governor of Idaho

Janet Gallimore
Executive Director

Administration
2205 Old Penitentiary Road
Boise, Idaho 83712-8250
Office: (208) 334-2682
Fax: (208) 334-2774

Membership and Fund
Development
2205 Old Penitentiary Road
Boise, Idaho 83712-8250
Office: (208) 514-2310
Fax: (208) 334-2774

Historical Museum and
Education Programs
610 North Julia Davis Drive
Boise, Idaho 83702-7695
Office: (208) 334-2120
Fax: (208) 334-4059



- Statewide Sites:
- Franklin Historic Site
 - Pierce Courthouse
 - Rock Creek Station and
 - Stricker Homesite

Old Penitentiary
2445 Old Penitentiary Road
Boise, Idaho 83712-8254
Office: (208) 334-2844
Fax: (208) 334-3225

Idaho State Archives
2205 Old Penitentiary Road
Boise, Idaho 83712-8250
Office: (208) 334-2620
Fax: (208) 334-2626

North Idaho Office
112 West 4th Street, Suite #7
Moscow, Idaho 83843
Office: (208) 882-1540
Fax: (208) 882-1763



Historical Society is an
Equal Opportunity Employer.

DATE: December 2, 2016
TO: Roland K. Springer
FEDERAL AGENCY: Bureau of Reclamation
PROJECT NAME: Wyoming DPT Alpine Bear Gravel Pit Permit
Section 106 Evaluation

The field work and documentation presented in this report meet the Secretary of the Interior's Standards.

No additional investigations are recommended. Project can proceed as planned.

Additional information is required to complete the project review. (See comments below.)

Additional investigations are recommended. (See comments below.)

Identification of Historic Properties (36 CFR 900.4):

No historic properties were identified within the project area.

Property is not eligible. Reason:

Property is eligible for listing in the National Register of Historic Places.

Criterion: A B C D Context for Evaluation:

No historic properties will be affected within the project area.

Assessment of Adverse Effects (36 CFR 800.5):

Project will have *no adverse effect* on historic properties.

Property will have an *adverse effect* on historic properties. Additional consultation is required.

Comments:

The five isolated finds in Idaho are not eligible to the National Register. They will not receive a State Smithsonian Number but will be added to the ASI statewide GIS database.

Your archaeologist should be notified immediately if archaeological materials are found during project construction. Please contact me at 208-334-3847 ext. 111 if you have any questions.

// *Mary Anne Davis*

December 2, 2016

Mary Anne Davis, Associate State Archaeologist
State Historic Preservation Office

Date

Cc: Nikki Polson, BOR

ARTS. PARKS. HISTORY.

Wyoming State Parks & Cultural Resources

BUREAU OF RECLAMATION
SNAKE RIVER AREA OFFICE
BOISE, IDAHO
RECEIVED

NOV 28 16

State Historic Preservation Office
Barrett Building, 3rd Floor
2301 Central Avenue
Cheyenne, WY 82002
Phone: (307) 777-7697
<http://wyoshpo.state.wy.us>

November 22, 2016

Roland K. Springer
Area Manager
USDI Bureau of Reclamation
Pacific Northwest Region
Snake River Area Office
230 Collins Road
Boise, ID 83702-4520

Re: Alpine Bear Permit (SHPO File # 1116JPL026)

Dear Mr. Springer:

Thank you for consulting with the Wyoming State Historic Preservation Office (SHPO) regarding the above referenced undertaking. Following 36 CFR Part 800, we find that the proposed undertaking is in an area of previous disturbance and has a low probability of containing historic properties, as defined in 36 CFR § 800.16(l)(1). No further identification efforts are warranted.

There is a possibility that buried prehistoric or historic materials may be discovered during the undertaking and we recommend the Bureau of Reclamation incorporate the following stipulation in the project permit:

If any cultural materials are discovered during construction, work in the area should halt immediately, the federal agency and SHPO staff be contacted, and the materials be evaluated by an archaeologist or historian meeting the Secretary of the Interior's Professional Qualification Standards (48 FR 22716, Sept. 1983).

This letter should be retained in your files as documentation of a SHPO concurrence with your Area of Potential Effect and your finding of no historic properties affected. Please refer to SHPO project #1116JPL026 on any future correspondence regarding this undertaking. If you have any questions, please contact Joh Laughlin at 307-777-3424.

Sincerely,



John P. Laughlin
Archaeologist



Matthew H. Mead, Governor
Darin J. Westby, P.E., Director

APPENDIX E

PERMIT APPLICATION ANALYSIS

**DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION
Permit Application Analysis**

AP-1379

WYDOT Project No. ACNHP-010-03(051)

NAME OF FIRM: Wyoming Department of Transportation

ADDRESS OF FIRM: 5300 Bishop Boulevard
Cheyenne, WY 82009

RESPONSIBLE OFFICIAL: Kenneth R. Spear
Contracts & Estimates Engineer

TELEPHONE NUMBER: (307) 777-4431

TYPE OF OPERATION: Construction of Highways

FACILITY NAME: Alpine Pit

FACILITY LOCATION: S½ of Section 30, T37N, R118W
Lincoln County, Wyoming

REVIEWING ENGINEER: Brian Mitchell, Air Quality Engineer

PURPOSE OF APPLICATION:

The Wyoming Department of Transportation has applied for an Air Quality Permit to establish a construction/highway materials production site that will include gravel crushing, hot mix plant, and stockpiling capabilities. The operation will be located adjacent to Highway 89, approximately 0.5 miles West of Alpine, Lincoln County, Wyoming. Approximately 3,726,360 tons of material are available at this site. Approximately 286,600 tons of material per year will be removed.

ESTIMATED EMISSIONS:

The pollutant of main concern will be fugitive particulate matter emitted from crushing operations and haul truck activity. The Division has estimated the total suspended particulate (TSP) and inhalable particulate (PM₁₀) emissions generated by crushing operations based on emission factors set forth in EPA document, AP-42, "Compilation of Emission Factors". The application of water during crushing operations and the treatment of haul roads with water and/or chemical dust suppressants is credited for a 50% control efficiency.

Based on 286,600 tons of material produced per year, fugitive TSP and PM₁₀ emissions associated with crushing and screening operations are estimated as follows:

Crushing: 0.015 lb/ton TSP, 0.007 PM₁₀
AP-42, Table 11.19.2-2 9/95

Screening: 0.0315 lb/ton TSP, 0.015 PM₁₀
AP-42, Table 11.19.2-2 9/95

Estimated Emissions:

TSP –

$$\frac{[(0.015 + 0.0315) \times 286,600 \times (1 - 0.50)]}{2,000} = 3.3 \text{ tons}$$

PM₁₀ -

$$\frac{[(0.007 + 0.015) \times 286,600 \times (1 - 0.50)]}{2,000} = 1.6 \text{ tons}$$

BEST AVAILABLE CONTROL TECHNOLOGY (BACT):

To minimize impact on the nearby residences, the applicant has submitted an Air Contamination Prevention Plan for control of dust from the facility. The plan includes treating haul roads with chemical dust suppressants, a permanent berm will remain between the pit and the adjacent subdivision, and no work will be done in the pit from 9:00 pm to 6:00 am daily. This plan will be incorporated as a condition of the permit.

The Division considers the use of water and/or chemical dust suppressants on work areas, access roads and haul roads to represent BACT for this type of operation. Given the amount of rock to be mined from the pit and its proximity to residential areas, the Division will require a minimum of two (2) applications of dust suppressant each year to any unpaved portions of haul roads and access roads used by the operation. The quarry lies adjacent to Highway 89, which is paved. The dust suppressant application requirement applies to any haul route within the mining area.

BACT for crushing operations shall consist of water sprays located at all shaker screens, belt transfer points, and the inlet-outlet of primary and secondary crushers as necessary to achieve control of fugitive dust emissions.

The Division considers the dust control provisions coupled with the Air Contamination Prevention Plan to represent BACT for the quarry.

PREVENTION OF SIGNIFICANT DETERIORATION (PSD):

The proposed gravel crushing and stockpiling site is not a “major emitting facility” as defined by Chapter 6, Section 4 of the Wyoming Air Quality Standards and Regulations. Therefore, further analysis is not required under this section.

AMBIENT AIR QUALITY:

It is the Division’s experience that ambient air quality standards will be maintained with the utilization of the control measures recognized as BACT for quarry operations.

PROPOSED PERMIT CONDITIONS:

The Division is proposing to issue a construction permit for the gravel crushing, hot mix plant, and stockpiling site subject to the following conditions:

1. That authorized representatives of the Division of Air Quality be given permission to enter and inspect any property, premise or place on or at which an air pollution source is located or is being constructed or installed for the purpose of investigating actual or potential sources of air pollution and for determining compliance or non-compliance with any rules, standards, permits or orders.
2. That all substantive commitments and descriptions set forth in the application for this permit, unless superseded by a specific condition of this permit, are incorporated herein by this reference and are enforceable as conditions of this permit.
3. That any crushing/screening equipment, asphalt plants, or concrete batch plants shall have separate valid air quality permit(s) prior to locating/operating at this site.
4. That any crushing/screening equipment operated at this site shall utilize water spray control measures at all belt transfer points, shaker screens, and discharge points of the primary and secondary crushers as necessary to limit visible emissions to twenty (20) percent opacity or applicable limits set forth by Wyoming Air Quality Standards and Regulations, Chapter 5, Section 2, Subpart OOO, as determined by 40 CFR, Part 60, Appendix A, Method 9.
5. That all unpaved portions of the access roads and haul roads shall be treated with chemical dust suppressants in addition to water to control fugitive dust emissions from wind erosion and vehicular traffic. At a minimum, two (2) applications of dust suppressant shall be applied annually and shall be maintained continuously to the extent that such treatment remains a viable control measure, which may require additional applications of chemical dust suppressant. All unpaved portions of access roads and haul roads shall receive an initial treatment of dust suppressant prior to any activities in the pit. All other work areas within the pit shall be treated with water and/or chemical dust suppressants on a schedule adequate to control fugitive dust from these areas. The Wyoming Department of Transportation be responsible for ensuring the following records are maintained: a log book listing the dates, amount of dust suppressant applied, areas treated, water usage and operating hours of water truck. Records shall be maintained on site and made available to Division personnel upon request.

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6. That the Wyoming Department of Transportation shall comply with the air contamination prevention plan attached as Appendix A. The air contamination prevention plan may be revised without administratively amending the applicable permit, but revisions shall be approved by the Division prior to implementation.