

**Bureau of Reclamation**  
**Finding of No Significant Impact**  
**Final Environmental Assessment**  
**FOR THE**  
**ROCKY MOUNTAIN POWER 345-kV GOSHEN TO KINPORT**  
**TRANSMISSION LINE RIGHT-OF-WAY GRANTS PROJECT**  
**FORT HALL RESERVATION, BINGHAM, BANNOCK, AND POWER**  
**COUNTIES, IDAHO**  
**U.S. Department of the Interior**  
**Bureau of Reclamation**  
**Columbia-Pacific Northwest Region**  
**Snake River Area Office**  
**PN FONSI # 22-10**

## **Introduction**

The Bureau of Reclamation (Reclamation) has prepared this Finding of No Significant Impact (FONSI) to comply with the Council on Environmental Quality regulations for implementing procedural provisions of the National Environmental Policy Act. This document briefly describes the Proposed Actions, other alternatives considered, the scoping process, consultation and coordination activities, and Reclamation's finding. The Bureau of Indian Affairs (BIA) has prepared their own FONSI document for elements of the Proposed Action that is under their authority; see the BIA FONSI for additional information. The Final Environmental Assessment (EA) fully documents the analysis of the potential environmental effects from implementing the Proposed Action's and No Action Alternative.

## **Location and Background**

An EA was prepared for the BIA, Fort Hall Agency, as lead federal agency, and Reclamation, as cooperating federal agency, to analyze and disclose the environmental consequences of two Proposed Actions related to the segment of the existing 345-kilovolt (kV) Goshen to Kinport transmission line on the Shoshone-Bannock Tribes of the Fort Hall Reservation (Reservation) from the northern Reservation boundary to the Kinport Substation (see EA Figure 1). The approximately 37-mile segment of transmission line is owned and operated by Rocky Mountain Power (RMP), a wholly owned subsidiary of PacifiCorp.

The EA evaluates the following two Proposed Actions: (1) renew the RMP right-of-way (ROW) grant for the segment on Shoshone-Bannock Tribes' tribal and allotted trust lands administered by the BIA; and (2) grant a new ROW to RMP for the segment on lands administered by Reclamation. The ROW renewal and new ROW grant would allow RMP to continue to access, operate, and maintain the transmission line. Information in this document only pertains to the components of Proposed Action under Reclamation's authority, which is to grant a new ROW to RMP for the portion of the transmission line on lands administered by Reclamation.

Of the 37 miles of transmission line, approximately 0.7 miles is on Reclamation-administered lands within the Reservation in Bannock and Power counties, Idaho. The associated ROW is 140 feet wide, and encompasses approximately 12.0 acres in the following area:

Boise Principal Meridian, Idaho

T. 5 S., R. 33 E.,

Sections 13, 14, 24, 25, and 26

Reclamation-administered lands within the Reservation are either lands that have been withdrawn from public entry or are lands that were acquired in fee, both for the purposes of the American Falls Reservoir. The American Falls Reservoir is one of five reservoirs completed as part of the Minidoka Project, which was authorized by the Secretary of the Interior in 1904 pursuant to the Reclamation Act of 1902 to store flow of the Snake River system for irrigation use and electricity production. American Falls Reservoir and associated Reclamation-administered lands are operated to accommodate a wide variety of resource needs in accordance with existing federal laws and Reclamation policy; however, the primary operation strategy is storage of water for irrigation of lands.

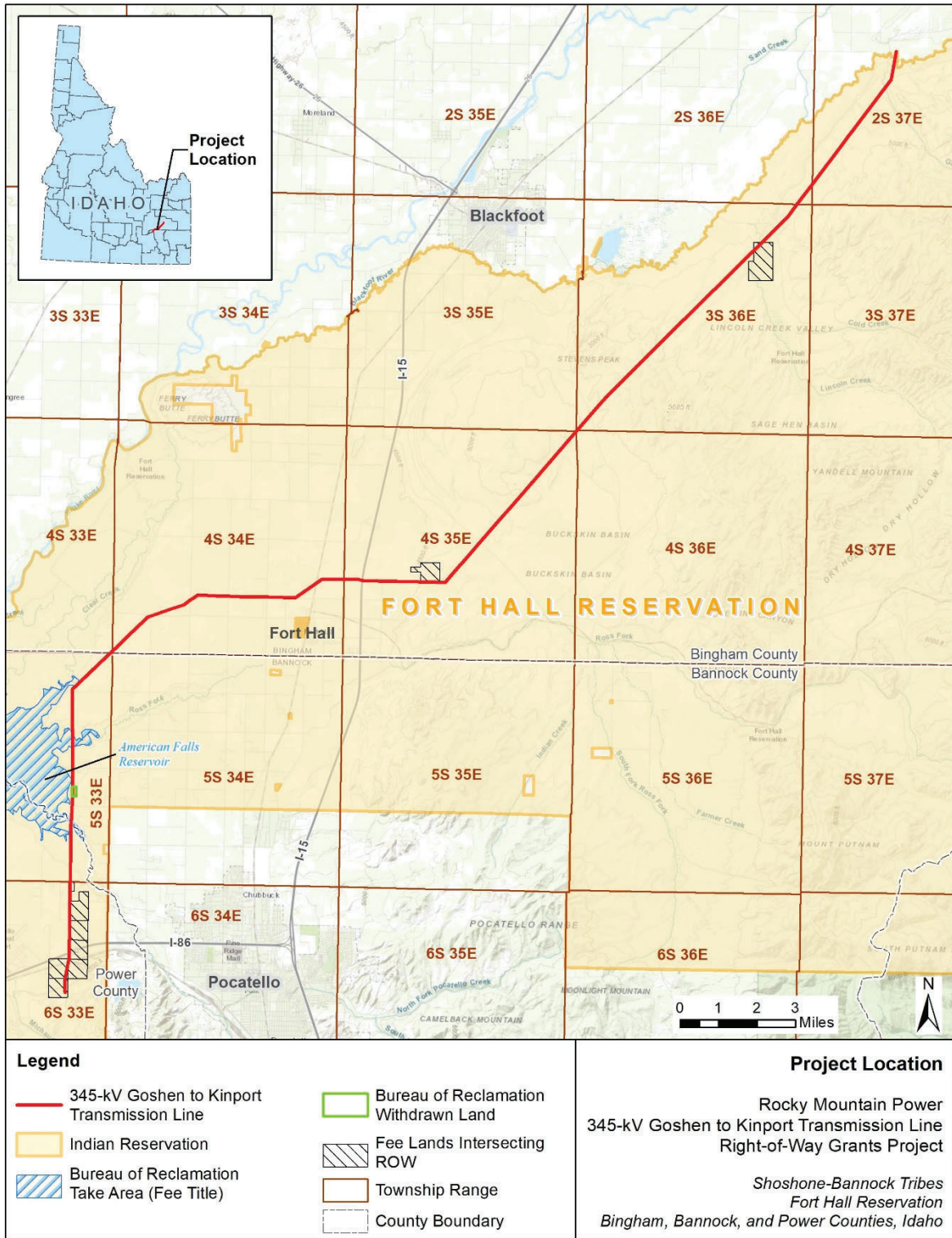
## **Purpose and Need**

Reclamation's purpose and need for action is to consider RMP's application for a ROW grant in accordance with 43 U.S. Code (U.S.C.) 387 and 43 Code of Federal Regulations (CFR) 429. Although the transmission line was constructed in the 1970s, neither Reclamation nor RMP could locate documentation of a ROW grant for the portion of the transmission line on Reclamation-administered lands; therefore, a new ROW grant must be obtained. The ROW grant would authorize an easement for RMP to use Reclamation-administered lands for the transmission line and would allow RMP to access and continue to operate and maintain the transmission line.

## **Proposed Action**

The Proposed Action considered in this FONSI is for Reclamation to issue/approve a new ROW grant that includes 12.0 acres of withdrawn and fee lands. The duration of the ROW grant would be a 25-year term with an option to renew. RMP would continue to access the Reclamation-administered ROW to perform operations and maintenance activities on the transmission line over the duration of the ROW grant.

Figure 1. Project Location



## **Alternatives Considered and Recommended Action**

The range of alternatives developed for analysis of the Proposed Action was based on the purpose and need for the project, and on the issues raised during internal, external, and tribal scoping. The alternatives analyzed include a No Action alternative and the Proposed Action. The No Action alternative does not meet the defined purpose and need for action, but was evaluated because it provides an appropriate baseline to which the recommended action is compared.

## **Summary of Environmental Effects**

The following summarizes the effects that the Proposed Action would have on each resource category analyzed in the EA. Chapter 3 of the EA provides a full analysis and explanation of how each resource was evaluated.

### **Vegetation**

- Workers conducting routine inspections and corrective maintenance activities may trample individual plants in the ROW, and re-disturb the ground in localized areas, such as around structures. This could occur up to twice per year over the 25-year term of the ROW grants.
- Operations and maintenance activities would affect individual plants but would not alter the overall vegetation communities because the area of ground disturbance would be small and localized, disturbance and vehicle use in the ROW would be infrequent, and vegetation management best management practices (BMPs) would be implemented to further reduce effects to vegetation and control weeds.
- Vegetation management activities may require removal of tall growing vegetation, but as vegetation in the ROW is primarily short-statured shrubs and grasses, this activity would not frequently occur.
- The use of vehicles in the ROW and localized surface disturbance during operations and maintenance activities could spread noxious weeds and other invasive, non-native plants, which compete with native vegetation and could change the composition of the vegetation community. Controlling weeds in the ROW is part of the proposed operations and maintenance activities and would conform with the Shoshone-Bannock Tribes' Weed Control Plan by implementing BMPs to control the potential spread and introduction of noxious weeds and other invasive, non-native plants in the ROW.

With implementation of BMPs, the Proposed Action is expected to have negligible effects on vegetation.

### **Aquatic Resources**

The Proposed Action would not affect hydrology or water quantity because no water would be used or released during future operations and maintenance activities. There would be no effect on wetlands or other aquatic resources from routine inspections because wetlands, streams, and wet soils would be avoided during ground inspections, and instead, these areas would be inspected from the air. No major corrective maintenance is expected to occur during the 25-year ROW grant term.

No surface disturbance is currently proposed in wetlands. If future operations and maintenance activities have potential to result in disturbance or discharge of dredged or fill material into wetlands or other waters of the U.S., RMP would complete a formal wetland delineation in the impact area, adhere to Clean Water Act Section 404 regulations, and obtain necessary permits from the U.S. Army Corps of Engineers prior to any ground disturbance per the BMPs outlined in Appendix B of the EA.

## **Migratory Birds and Wildlife**

- The use of vehicles/equipment, noise, and human presence during operation and maintenance activities could disturb raptors and other migratory birds, big game, and Idaho species of greatest conservation need (SGCN) when they are present in the analysis area. The disturbance would occur infrequently (about twice per year), would be short in duration, and involve a small number of people and vehicles. The disturbance could change the behavior of individual wildlife by temporarily displacing them from localized areas where operations and maintenance activities are occurring. Due to the small disturbance area and infrequency of the maintenance activities, and with the implementation of the BMPs (see EA Appendix B), the disturbance from operations and maintenance activities is not expected to affect species survival or reproduction.
- Maintenance work would be completed outside the migratory bird breeding season as practicable. If work is planned during the breeding season, a nest clearance survey would be conducted prior to any work and nest protection measures implemented where applicable.
- Birds could collide with the transmission line, but the risk is low because the line is not sited within or perpendicular to a major migration corridor. BMPs include training of employees and contractors that are expected to comply with all components of PacifiCorp's Bird Management Program. Transmission lines pose a low risk of bird electrocution due to the large spacing between the wires.
- Vehicle collisions could cause injury or mortality of migratory birds, big game, and Idaho SGCN. Vehicle collisions would be rare due to the infrequent presence of vehicles (about twice per year) and because vehicles would be traveling at low speeds, which allows for avoidance maneuvers.
- No long-term change to the overall plant community or reduction in wildlife habitat quality is expected due to the infrequent and sporadic nature of the maintenance activities in the ROW and because BMPs and required terms and conditions by the Shoshone-Bannock Tribes, BIA, and Reclamation would be implemented to reduce the risk of spreading noxious and other invasive, non-native plants and to reclaim the disturbed areas.

## **Threatened and Endangered Species**

- Ute Ladies'-tresses (Threatened) - Routine and minor operations and maintenance activities would avoid suitable habitat for Ute ladies'-tresses. No major operations and maintenance activities are expected during the 25-year term of the ROW grant. As the Proposed Action is administrative in nature and no ground disturbance is proposed in suitable habitat, the Proposed Action would have no effect on Ute ladies'-tresses. In the unlikely event that any

future operations and maintenance activities would involve surface disturbance in wetland habitat, RMP and its contractors would coordinate with the Shoshone-Bannock Tribes, BIA, and Reclamation prior to initiating any work per the BMPs outlined in Appendix B of the EA. In that case, and as a condition of the ROW grant, pre-disturbance field surveys would be conducted in suitable habitat to determine if Ute ladies'-tresses occurs in the areas of the ROW to be disturbed and, if detected, conservation measures would be identified in coordination with U.S. Fish and Wildlife Service and RMP would implement the measures to avoid effects to the plant. As future conditions are unknown, an evaluation of effects to Ute ladies'-tresses would be made at that time.

- Yellow-billed Cuckoo (Threatened) - No surface disturbance, tree removal, or other habitat modifications would occur in the cottonwood forests in the Fort Hall Bottoms where yellow-billed cuckoo is known to occur. With implementation of BMPs outlined in Appendix B of the EA, including scheduling activities to occur outside the migratory bird breeding season where practicable, there would be no effect to the yellow-billed cuckoo or its critical habitat.
- Monarch Butterfly (Candidate Species) - Routine and minor operations and maintenance activities could result in trampling or crushing of milkweeds (habitat for monarch butterflies) if they occur in the ROW. Prior to any future operations and maintenance activities that involve surface disturbance in suitable habitat, RMP and its contractors would coordinate with the Shoshone-Bannock Tribes, BIA, and Reclamation and conduct field surveys where required to determine if milkweeds or monarch butterfly occur in the areas of the ROW to be disturbed and if detected, what conservation measures to implement to avoid effects to the monarch butterfly and its habitat. The Proposed Action is not likely to jeopardize the continued existence of monarch butterfly.

## **Cultural Resources**

The Class III cultural resources inventory conducted for the portion of the ROW on Reclamation-administered lands encountered no National Register of Historic Places (NRHP) eligible sites within the ROW. If previously unidentified cultural resources are identified on Reclamation-administered lands, RMP would implement the cultural resources inadvertent discoveries BMP (see EA Appendix B) and any additional terms and conditions required by Reclamation. Therefore, no historic properties affected would occur. The Idaho State Historic Preservation Office (SHPO) has concurred with this determination (see EA Appendix D).

## **Indian Sacred Sites**

Indian Sacred Sites occur in the ROW and therefore, there is potential for future operations and maintenance activities in the ROW to disturb or alter the sites. However, these effects would be avoided because RMP and its contractors would contact the Shoshone-Bannock Tribes, BIA, and Reclamation prior to conducting any operations and maintenance activities in the ROW to discuss specific conservation measures that would be implemented in these areas. The Proposed Action would have a negligible effect on Indian Sacred Sites.

## **Indian Trust Assets (ITAs)**

Renewal and issuance/approval of the new ROW grant and the associated future operations and maintenance activities would not affect the ability of tribal members to use the ROW for hunting, fishing, grazing, and gathering activities because there would be no change in access or land ownership/administration. There would be no measurable effect to wildlife and fish populations or their habitats, grazing lands, or gathering areas because ground disturbance from future operations and maintenance activities would be limited and localized, and noise and human presence would be infrequent. Water rights would not be affected because no water would be used and no change in flow or quality of surface water or ground water would occur. For these reasons, the new ROW grant and associated future operations and maintenance activities would have negligible effects on ITAs.

## **Environmental Justice**

Future operations and maintenance activities associated with the new ROW grant would not result in occurrences or increases in any of the indicators listed in the U.S Environmental Protection Agency's environmental justice screening guidelines. The Proposed Action would not cause disproportionately high and adverse human health or environmental effects on the minority and low-income population living on the Reservation and off-Reservation trust lands.

## **Consultation, Coordination, and Public Involvement**

In compliance with Section 106 of the National Historic Preservation Act of 1966 (as amended in 1992), Reclamation consulted with the Idaho State Historic Preservation Office (SHPO) to identify cultural and historic properties in the area of potential effect. Consultation was initiated on February 18, 2022, and the Idaho SHPO concurred with the finding of no adverse effect to historic properties on May 2, 2022 (see EA Appendix D).

Two scoping letters were sent out on February 14, 2020 and September 2, 2020 to notify and seek comments from the Shoshone-Bannock Tribes and allottees. No comments were received.

The Notice of Availability (NOA) for the EA and BIA FONSI were posted at the BIA Fort Hall Agency and Shoshone-Bannock Tribal Offices on September 29, 2022. The Shoshone-Bannock Tribes also posted notice through their social media outlet (Facebook). The NOA was published in the Bingham, Bannock, and Power counties newspapers and the Shoshone-Bannock Tribes newspaper on September 29, 2022. Reclamation posted the EA and Reclamation FONSI at the USFO and on their website in October 2022. No public meetings were held because the transmission line already exists and will remain in its current location, the lack of public interest to date, and the administrative nature of the proposals. The NOA for the EA, BIA FONSI, and Reclamation FONSI were published at the same time as the decision to proceed. The time between the NOA and the time when the Proposed Actions may be implemented will correspond to the 30-day appeal period on the decision to proceed as required in 25 CFR 2.7.

## **Finding**

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

## **Decision**

Based on the analysis in the EA, it is my decision to select for implementation the Proposed Action. The Proposed Action will best meet the purpose and need identified in the EA.



**Recommended:**

**RICHARD JACKSON** Digitally signed by RICHARD JACKSON  
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Richard Jackson  
Natural Resources Specialist  
Snake River Area Office, Boise, Idaho

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Date

**Approved:**

**MELANIE PAQUIN** Digitally signed by MELANIE PAQUIN  
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Melanie Paquin  
Snake River Area Manager  
Columbia-Pacific Northwest Region, Boise, Idaho

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Date