

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Twin Falls District
Shoshone Field Office
400 West F Street
Shoshone, Idaho 83352**

**CATEGORICAL EXCLUSION REVIEW SHEET
NEPA No. DOI-BLM-ID-T030-2014-0003-CX**

A. Background

The Bureau of Land Management (BLM), Shoshone Field Office received an application from the City of Gooding (City) on April 16, 2013, for the use of an existing flood diversion channel as a water recharge site. The recharge site is needed in support of proposed updates to the City's water system in which surface water would be used to recharge the aquifer and the City would be allowed to use additional ground water from their well system. Only the recharge portion of the City's proposed updates would be located on public lands.

B. Consideration of Extraordinary Circumstances

This Categorical Exclusion Review Sheet documents the review of the proposed action to determine if any of the extraordinary circumstances described in 516 DM 2, Appendix 2 apply. If any of the extraordinary circumstances apply to the proposed action, then an EA or EIS must be prepared. Any evidence or concerns that one or more of the exceptions may apply must be brought to the attention of the manager who is authorized to approve the proposed action.

1. The proposed action would not have any significant impacts on public health or safety.

The use of identified public lands for a recharge site would not have any significant impacts on public health and safety. The right-of-way grant will contain terms, conditions, and stipulations that will require the City to comply with Federal and State standards for public health and safety, environmental protection, and operation. The BLM authorized officer has the ability to suspend or terminate in whole or in part the right-of-way grant if unforeseen conditions arise which result in the approved terms and conditions of the grant being inadequate to protect the public health and safety or to protect the environment.

2. The proposed action would not have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.

There are no natural resources and unique geographic characteristics such as historic or cultural resources; park, recreation, refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; national monuments; or other ecologically significant or critical areas that would be significantly impacted by the proposed action.

A cultural resource review and survey was conducted for the project area in August 2013. Based on the information from the review and survey it was determined that no eligible cultural resources would be affected by the proposed action. A copy of the determination documenting the records review and survey is provided in the case file.

A wildlife review of the proposal and area identified that the right-of-way would be located within habitat known or suspected to support one or more life cycle activities of five migratory bird species of conservation concern. The increase in regular occurring flowing water within the natural channel, as proposed, is expected to increase riparian areas. This would result in increased diversity and habitat for the migratory bird species of conservation concern. The issuance of the right-of-way would result in no discernible increase in human caused impacts to migratory birds above the impacts currently occurring.

The wildlife review also concluded that BLM sensitive species may occur in or near the right-of-way location. The review identified that granting an authorization for the right-of-way is not expected to result in any detectable change in the amount of suitable habitat of the identified sensitive species. A copy of the report documenting the review of wildlife species for the proposed project is located in the case file

The proposed recharge site is located above a portion of the Eastern Snake River Aquifer, the principal drinking water source for much of Southern Idaho. Base data collected has identified that the average water table is 125 feet below ground level and modeling completed by Idaho Department of Water Resources (IDWR) show the ground water flows to the southwest beneath the recharge site.

A ground water quality monitoring plan has been prepared for the recharge site. This ground water monitoring plan was reviewed and accepted by the Idaho Department of Environmental Quality (IDEQ). As part of the monitoring plan the City will utilize three monitoring wells to test water quality of the aquifer and will test surface water quality at the point of diversion. Additional details concerning water quality are described in the monitoring plan located within the case file.

3. The proposed action would not have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].

The proposed action is allowable under the Monument Resource Management Plan. This plan established the land use allocation and goals for the affected public land; as such, there are no unresolved conflicts regarding other uses of the available resources. The proposed use of an existing channel for a recharge site would be located in the same area that is authorized to be used for flood control. The existing use and proposed use would be conducted by the City of Gooding and are compatible with each other.

A letter was sent to interested parties on July 29, 2013 informing them of the proposal and no responses were received.

4. The proposed action would not have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

The proposed action does not involve highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. Similar uses have been occurring in the project area without resulting in highly uncertain and potentially significant environmental effects or unique or unknown environmental risks.

Water has been diverted from the Little Wood River onto public lands in this location since 1909 for use in flood control. During this time no uncertain or potentially significant environmental effects have been observed or reported.

5. The proposed action would not establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.

The proposed action does not establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. The proposed action is not connected to another action that would require further environmental analysis and it would not set a precedent for future actions that would normally require environmental analysis. The decision to grant a right-of-way to use public lands for a recharge site as described would only authorize that action to occur in that location. Any proposed future projects must be evaluated on their own merits and effects.

6. The proposed action would not have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

The proposed action to allow use of public lands for a water recharge site is a portion of the City's proposal to update their water system. The BLM's decision to authorize or deny the use on public lands would not limit the City's ability to proceed with actions off of public lands; therefore, the proposed action does not have a direct relationship to actions occurring off of public lands. Although another recharge location has not been identified, a site could be developed and located off of public lands or the City can purchase additional water rights that would allow them to drill the proposed wells. The impacts of the City's water development occurring off of public lands would happen with or without BLM's authorization.

The impacts associated with the recharge site on public lands have been documented in this CX and in the resource reports located in the case file. These impacts are below the level of significance.

The impacts associated with the City's proposal to update their water system outside of the recharge area are being assessed by the City with review by IDEQ. The decision to proceed with the City's other proposed water system updates will be determined by analyses prepared by the City with review from IDEQ. In the event that IDEQ identifies there is significant individual or cumulative environmental effects an Environmental Impact Statement will be required to be prepared for the City's well development.

7. The proposed action would not have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.

A cultural resource review and survey was conducted for the project area in August of 2013. Based on the information from the review and survey it was determined that no eligible cultural resources would be affected by the proposed action. A copy of the determination documenting the records review and survey is provided in the case file.

8. The proposed action would not have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated critical habitat for these species.

Sage-grouse, a candidate species is the only listed or candidate species protected under the Endangered Species Act that may occur within the area of the right-of-way. A review of

sage-grouse habitat data identified that the area is not currently considered sage-grouse habitat. The authorization of the proposed use for recharge is not an action that would result in alterations of existing sage-grouse habitat or detectable impacts to the local sage-grouse population that uses the adjacent habitat.

9. The proposed action would not violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.

The BLM issues right-of-way grants in accordance with Title V of the Federal Land Policy and Management Act of 1976 and the BLM regulations at 43 CFR 2800. Under these regulations the proposed right-of-way grant would specify that all applicable Federal, State and local laws be adhered to. The BLM has the ability to suspend and/or terminate the right-of-way if a Federal, State or local law is violated. There are no tribal laws in effect for the project area.

10. The proposed action would not have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

Impacts to minority or low income populations have not occurred as a result of granting other similar rights-of-way. Impacts are not expected to occur as a result of authorizing the proposed right of way.

11. The proposed action would not limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).

Authorizing the proposed use of public lands for a recharge site would not limit access to public lands.

12. The proposed action would not contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

A site visit was completed on July 10, 2013 to document the presence of special status plant species and/or noxious weeds. Although noxious weeds were identified on private property near agricultural uses there were no noxious weeds identified within the proposed right-of-way. Stipulations within the authorization to the City would 1) require the authorization holder to be responsible for weed control on the disturbed areas within the limits of the right-of-way and 2) ensure that the undercarriages of equipment and/or vehicles used in the operation and maintenance of the right-of-way be free of all soil and plant material prior to operating on public lands and prior to leaving the right-of-way area. These stipulations will reduce the establishment of new invasive, non-native species and reduce the spread of existing species to new areas.

C. Consultation and Preparation

Resource surveys and reviews of potential impacts of the proposed action were completed by the following:

Kasey Prestwich, Realty Specialist/Project Lead
Gary Wright, Wildlife Biologist
Lisa Cresswell, Archeologist/Shoshone Field Office NEPA Coordinator

