

memorandum

DATE: September 8, 2011

REPLY TO
ATTN OF: KEC-4

SUBJECT: Environmental Clearance Memorandum

TO: Cecilia Brown
Project Manager - KEWM-4

Proposed Action: Provision of funds to the Confederated Salish and Kootenai Tribes (CSKT) for purchase of Lake County properties.

Fish and Wildlife Project No.: 2002-003-00, Contract 49933

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021):

B1.25 Transfer, lease, disposition or acquisition of interests in uncontaminated land for habitat preservation or wildlife management, and only associated buildings that support these purposes. Uncontaminated means that there would be no potential for release of substances at a level, or in a form, that would pose a threat to public health or the environment.

Location:

All of the properties are in Lake County, Montana.

Jocko Springs Property	Township 17 North, Range 20 West, Section 26	8 acres
Post Creek Property	Township 19 North, Range 19 West, Section 6	69 acres
Finley Creek Property	Township 16 North, Range 20 West, Section 11	24 acres
Dry Creek Property	Township 18 North, Range 19 West, Section 10	43 acres
Mud Creek Property	Township 21 North, Range 20 West, Section 34	20 acres
Ronan Spring Property	Township 21 North, Range 19 west, section 30	8 acres

Proposed by: Bonneville Power Administration (BPA) and CSKT.

Description of the Proposed Action: BPA proposes to fund the acquisition of seven properties, totaling 172 acres, by the CSKT. BPA will be granted a perpetual conservation easement over the properties as a condition of funding the acquisitions. The properties are being acquired as partial mitigation for the construction and operation of the Hungry Horse Dam on the South Fork of the Flathead River, and because of their riparian and natural resource values.

The properties are largely important for providing habitat to westslope cutthroat trout and bulltrout, as well as for wildlife. The easements will protect the conservation values for which the properties are being acquired by restricting activities such as residential, non-agricultural commercial and industrial development.

When the transactions are complete, the CSKT will own and manage the properties to maintain important fish and wildlife habitat. The CSKT will provide long-term stewardship for the land and will develop management plans to guide the protection and enhancement of habitat resources on the properties. Prior to the development of the management plans, public access will not change.

Findings: BPA has determined that the proposed action complies with Section 1021.410 and Appendix B of Subpart D of the Department of Energy's (DOE) National Environmental Policy Act (NEPA) Regulations (57 FR 15144, Apr. 24, 1992, as amended at 61 FR 36221-36243, July 9, 1996; 61 FR 64608, Dec. 6, 1996). The proposed action does not present any extraordinary circumstances that may affect the significance of the environmental effects of the proposal. The proposal is not connected [40 C.F.R. 1508.25(a)(1)] to other actions with potentially significant impacts, is not related to other proposed actions with cumulatively significant impacts [40 C.F.R. 1508.25(a)(2)], and is not precluded by 40 C.F.R. 1506.1 or 10 C.F.R. 1021.211. Moreover, the proposed action would not (i) threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, (ii) require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities, (iii) disturb hazardous substances, pollutants, contaminants, or Comprehensive Environmental Response, Compensation and Liability Act-excluded petroleum and natural gas products that pre-exist in the environment such that there would be uncontrolled or unpermitted releases, or (iv) adversely affect environmentally sensitive resources.

This proposed action meets the requirements for the Categorical Exclusion referenced above. We therefore determine that the proposed action may be categorically excluded from further NEPA review and documentation.

/s/ Hannah Dondy-Kaplan

Hannah Dondy-Kaplan

Environmental Protection Specialist – KEC-4

Concur:

/s/ Katherine S. Pierce

Katherine S. Pierce

NEPA Compliance Officer – KEC-4

Date: September 9, 2011

Attachment:

Environmental Checklist for Categorical Exclusions

Environmental Checklist for Categorical Exclusions

Name of Proposed Project: CSKT Lake County Acquisitions

Work Order #: #BPA- 233877

This project has been found to **not** adversely affect the following environmentally sensitive resources, laws, and regulations:

Environmental Resources	No Adverse Effect	No Adverse Effect With Conditions
1. Cultural Resources No adverse effect	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. T & E Species, or their habitat(s) No effect as these are strictly land acquisitions	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Floodplains or wetlands No effect as these are strictly land acquisitions	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Areas of special designation No effect as these are strictly land acquisitions	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Health & safety Environmental Site Assessments were performed and there were no recognized environmental conditions identified at any of the properties	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Prime agricultural lands No effect as these are strictly land acquisitions	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Special sources of water No effect as these are strictly land acquisitions	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Consistency with state and local laws and regulations No effect as these are strictly land acquisitions	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Pollution control at Federal facilities No effect as these are strictly land acquisitions	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Other Only BPA approved herbicides will be applied	<input checked="" type="checkbox"/>	<input type="checkbox"/>

List supporting documentation attached (if needed):

Signed: /s/ Hannah Dondy-Kaplan

Date: September 9, 2011