

# Categorical Exclusion Determination

Bonneville Power Administration  
Department of Energy



**Proposed Action:** Dixon Flathead Property Acquisition Funding

**Fish and Wildlife Project No. and Contract No. :** 2002-003-00; BPA-008135

**Project Manager:** Cecilia Brown

**Location:** Township 18 North, Range 21 West, Sections 17 and 18, Sanders County, Montana

**Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021):** B1.25 Real property transfers for cultural resources protection, habitat preservation, and wildlife management

**Description of the Proposed Action:** BPA is proposing to fund the Confederated Salish and Kootenai Tribes (CSKT) to purchase the Dixon Flathead Property, a 32-acre parcel of land located 34 miles south east of Polson in Sanders County, Montana. BPA would hold a conservation easement to prevent the conversion of fish and wildlife habitat on the property to other land uses.

Funding the purchase of the property would serve as partial mitigation for the construction and operation of the Federal Columbia River Power System which includes dams on the main stem Columbia and Snake Rivers, specifically the Hungry Horse hydroelectric facility on the South Fork of the Flathead River.

The property consists of aquatic, terrestrial, wetland and riparian forest habitat. The Confederated Salish and Kootenai Tribes would develop a management plan to guide the protection and enhancement of habitat and other resources on the property. The management plan would be reviewed by BPA for consistency with the conservation easement and the purpose of the acquisition. If BPA proposes to fund any additional activities on the property, further environmental review may be conducted.

**Findings:** In accordance with Section 1021.410(b) of the Department of Energy's (DOE) National Environmental Policy Act (NEPA) Regulations (57 FR 15144, Apr. 24, 1992, as amended at 61 FR 36221-36243, July 9, 1996; 61 FR 64608, Dec. 6, 1996, 76 FR 63764, Nov. 14, 2011), BPA has determined that the proposed action:

- (1) fits within a class of actions listed in Appendix A of 10 CFR 1021, Subpart D (see attached Environmental Checklist;
- (2) does not present any extraordinary circumstances that may affect the significance of the environmental effects of the proposal; and
- (3) has not been segmented to meet the definition of a categorical exclusion.

Based on these determinations, BPA finds that the proposed action is categorically excluded from further NEPA review.

/s/ Jennifer Snyder

Jennifer Snyder  
Contract Environmental Protection Specialist  
David Evans and Associates, Inc.

Reviewed by: Donald Rose

/s/ Donald Rose

Donald Rose  
Supervisory Environmental Protection Specialist

Concur:

/s/ Stacy L. Mason

Date: August 26, 2015

Stacy L. Mason  
NEPA Compliance Officer

Attachment(s): Environmental Checklist

## Categorical Exclusion Environmental Checklist

This checklist documents environmental considerations for the proposed project and explains why the project would not have the potential to cause significant impacts on environmentally sensitive resources and would meet other integral elements of the applied categorical exclusion.

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### Project Site Description

The project site comprises approximately 32 acres of terrestrial, wetland, riparian and aquatic habitats along a 0.38 kilometer reach of the lower Flathead River. It is located immediately to the west of the current confluence of the Flathead and Jocko Rivers. The property is bordered to the east by the Pitts mitigation property, a 79.67-acre parcel purchased using BPA funding in 2009 and containing nearly 2.5 km of the Jocko and Flathead Rivers. The site has historically been utilized for agriculture and cattle-grazing. A BPA power transmission line (Hot Springs to Anaconda Transmission Line, built in 1952) bisects the property from north to south. This is a 230 kilovolt line, and two large metal towers occur on the property as part of the transmission line.

### Evaluation of Potential Impacts to Environmental Resources

Environmental Resource Impacts	No Potential for Significance	No Potential for Significance, with Conditions
1. <b>Historic and Cultural Resources</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> There would be no effect due to the land acquisition which includes transfer of title and the creation of a conservation easement.		
2. <b>Geology and Soils</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> See explanation for #1 above.		
3. <b>Plants</b> (including federal/state special-status species)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> See explanation for #1 above.		
4. <b>Wildlife</b> (including federal/state special-status species and habitats)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> See explanation for #1 above.		
5. <b>Water Bodies, Floodplains, and Fish</b> (including federal/state special-status species and ESUs)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> See explanation for #1 above.		

6. **Wetlands**

Explanation: See explanation for #1 above.

7. **Groundwater and Aquifers**

Explanation: See explanation for #1 above.

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

Explanation: See explanation for #1 above.

9. **Visual Quality**

Explanation: See explanation for #1 above.

10. **Air Quality**

Explanation: See explanation for #1 above.

11. **Noise**

Explanation: See explanation for #1 above.

12. **Human Health and Safety**

Explanation: See explanation for #1 above.

### **Evaluation of Other Integral Elements**

The proposed project would also meet conditions that are integral elements of the categorical exclusion. The project would not:

- Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders.

Explanation, if necessary:

- Require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators) that are not otherwise categorically excluded.

Explanation, if necessary:

- Disturb hazardous substances, pollutants, contaminants, or Comprehensive Environmental Response, Compensation and Liability Act excluded petroleum and natural gas products that preexist in the environment

such that there would be uncontrolled or unpermitted releases.

Explanation, if necessary:

- Involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species, unless the proposed activity would be contained or confined in a manner designed and operated to prevent unauthorized release into the environment and conducted in accordance with applicable requirements, such as those of the Department of Agriculture, the Environmental Protection Agency, and the National Institutes of Health.

Explanation, if necessary:

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### **Landowner Notification, Involvement, or Coordination**

Description: Notification letters will be sent to adjacent landowners and other interested parties at a minimum of 15 days before the closing date of the sale. Ads will also be posted in local newspapers, and information will be posted on BPA's public website prior to closing.

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

Signed: /s/ Jennifer Snyder

Date: August 26, 2015