

Categorical Exclusion Determination

Bonneville Power Administration

Department of Energy



Proposed Action: Sand Creek II Property Acquisition Funding

Fish and Wildlife Project No. and Contract No. : 1996-061-00; BPA-010089

Project Manager: Virgil (Lee) Watts III

Location: Bonner County, Idaho

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 Kalispel Tribe of Indians to purchase the Sand Creek II property, a 47-acre parcel of land located 3 miles northwest of Sand Point in Bonner County, Idaho. The United States would hold a conservation easement, which BPA would manage, to permanently protect, mitigate, and enhance fish and wildlife and their habitat.

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. This land purchase would specifically satisfy some of BPA's commitments made in the Memorandum of Understanding between the Kalispel Tribe of Indians and the Bonneville Power Administration.

The property consists of forested wetland and mixed conifer habitat. The Kalispel Tribe of Indians 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 A. Snyder

Jennifer Snyder
Contract Environmental Protection Specialist
Flux Resources, LLC

Reviewed by:

/s/ Dave K. Kennedy

Dave Kennedy
Supervisory Environmental Protection Specialist

Concur:

/s/ Sarah T. Biegel

Sarah T. Biegel
NEPA Compliance Officer

Date: November 9, 2017

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 47-acre Sand Creek II property lies just north of the eastern portion of Lake Pend Oreille. It sits east of Highway 95 and west of an adjacent 80-acre timbered conservation property owned by the Kalispel Tribe (Sand Creek I). Land uses to the north and south include timbered rural family home sites and agriculture. The property consists of two parcels in a rural area zoned for 5-acre minimum sized lots. It has been used in the past for timber production and was lightly harvested within the last 10 years. It has also had minimal pre-development in anticipation of recreational home construction that was never built. Structures are limited to fencing which lie along the southern boundary and partially along the western and northern boundaries. The property contains 20 acres of mixed conifer forest and 27 acres of forested wetland habitat which host wild turkey, white-tailed deer, and elk. There are no waterways or ESA-listed species on the parcel.

Evaluation of Potential Impacts to Environmental Resources

Environmental Resource Impacts	No Potential for Significance	No Potential for Significance, with Conditions
1. Historic and Cultural Resources	<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. To the extent that stewardship activities may have an effect, it is expected that the Kalispel Tribe of Indians would comply with all applicable laws and regulations.		
2. Geology and Soils	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> See explanation for #1 above.		
3. Plants (including federal/state special-status species)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> See explanation for #1 above.		
4. Wildlife (including federal/state special-status species and habitats)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> See explanation for #1 above.		

5. **Water Bodies, Floodplains, and Fish**
(including federal/state special-status species and ESUs)



Explanation: 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 CERCLA 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:

Landowner Notification, Involvement, or Coordination

A public notification letter and map will be mailed to neighboring landowners and other interested parties prior to site closing. Advertisements will also be placed in local newspapers, and information will be posted on BPA's public website.

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

Signed: /s/ Jennifer A. Snyder

Date: November 9, 2017

Jennifer Snyder ECF-4

Contract Environmental Protection Specialist

Flux Resources, LLC