

United States Government

Department of Energy
Bonneville Power Administration

memorandum

DATE: February 2, 2004

REPLY TO
ATTN OF: KEC-4

SUBJECT: Supplement Analysis for the Wildlife Mitigation Program EIS (DOE/EIS-0246/SA-39)

TO: Lee Watts
Fish and Wildlife Project Manager

Proposed Action: Albeni Falls Dam Wildlife Mitigation Kalispel Tribe – Pend Oreille County Acquisitions (3 parcels, 890 acres)

Project No: 1992-061-00

Wildlife Management Techniques or Actions Addressed Under This Supplement Analysis (See App. A of the Wildlife Mitigation Program EIS): 1.1 Fee-Title Acquisition and Transfer

Location: Pend Oreille County, Washington

Proposed by: Bonneville Power Administration (BPA) and the Kalispel Tribe of Indians

Description of the Proposed Action: BPA funds the Albeni Falls Wildlife Mitigation Program, which is tasked with the acquisition and restoration of key habitats within the Pend Oreille Watershed. This mitigation program purchases private land to be owned and managed by program participants for the protection, mitigation, and enhancement of wildlife affected by the construction and operation of the Federal hydroelectric facilities on the Columbia River. BPA is currently working with the Kalispel Tribe of Indians to acquire and manage three parcels that total approximately 890 acres of land within Pend Oreille County, Washington. The properties proposed for acquisition contain habitats or potential habitats that will provide BPA with credits for partial mitigation of wildlife habitat losses due to the construction of Albeni Falls Dam.

The current proposal includes only the fee title acquisition of these parcels; habitat enhancement activities will likely be carried out by the Kalispel Tribe of Indians in the future following the development of a management plan(s) for the lands.

Analysis: The compliance checklist for this project was completed by Ray Entz with the Kalispel Tribe of Indians (January 6, 2004) and meets the standards and guidelines for the Wildlife Mitigation Program Environmental Impact Statement (EIS) and Record of Decision (ROD).

Endangered Species Act (ESA) listed species that are found in the vicinity of the properties proposed for acquisition include bald eagle, bull trout, grizzly bear, Canada lynx, gray wolf and Ute Ladies-Tresses. The acquisition of these three parcels will have no effect on ESA-listed species. Prior to the implementation of any BPA funded restoration or enhancement activities on the sites, ESA Section 7 Consultation will be required.

A cultural resource investigation of the three parcels proposed for acquisition was completed by Kevin Lyons with the Kalispel Natural Resources Department. As a result of Kevin Lyons' inventory, four properties were found within the boundary of lands proposed for acquisition that may meet the National

Register of Historic Places criteria of eligibility. In addition, a forgotten pioneer cemetery associated with the Tacoma Creek settlement was located on one of the parcels. No Traditional Cultural Properties (TCP) were identified within the project area footprint although a disused TCP was identified within the vicinity of the project footprint.

BPA concluded that none of the resources encountered during this inventory would be adversely affected by the proposed undertaking, i.e. transfer of title to the Kalispel Tribe of Indians. Yet to be determined land modifications and/or management plans that will follow the acquisition of these parcels may have the potential to affect these historic properties. Appropriate assessment, consultation and protection measures will be undertaken by the Kalispel Tribe of Indians as management actions are identified. The Washington Office of Archaeology and Historic Preservation concurred with these findings on December 31, 2003.

A Phase I Environmental Site Assessment of the three parcels proposed for acquisition was completed by John Howington with BPA's Pollution Prevention Group. The Phase I assessment did not reveal any environmental factors that would pose a significant liability for remedial action or clean-up under the Comprehensive Environmental Recovery, Compensation, and Liability Act (December 19, 2003).

Public involvement has taken place as part of the proposed land acquisitions. A letter was mailed to adjacent landowners informing them of the proposed acquisitions and a public notice describing the acquisitions was published in the local newspaper. In addition, the Kalispel Tribe of Indians will hold public meetings to solicit public input on the management plans for these properties once they are purchased and secured.

Findings: The project is generally consistent with the Northwest Power Planning Council's Fish and Wildlife Program, as well as BPA's Wildlife Mitigation Program EIS (DOE/EIS-0246) and ROD. This Supplement Analysis finds that: 1) implementing the proposed action will not result in any substantial changes to the Wildlife Mitigation Program that are relevant to environmental concerns; and 2) there are no significant new circumstances or information relevant to environmental concerns and bearing on the Wildlife Mitigation Program or its impacts. Therefore, no further NEPA documentation is required.

/s/ Shannon Stewart 2-2-04
Shannon C. Stewart
Environmental Specialist – KEC-4

CONCUR:

/s/ Thomas McKinney
Thomas C. McKinney
NEPA Compliance Officer

DATE: 2-3-04

Attachments:
NEPA Compliance Checklist
WA OAHP Concurrence Letter, December 31, 2003
Phase I Environmental Site Assessment Findings, December 19, 2003

cc: (w/o attachments)
Mr. Ray Entz – Kalispel Tribe of Indians