

# Categorical Exclusion Determination

Bonneville Power Administration  
Department of Energy



**Proposed Action:** Hummingbird Land Acquisition

**Fish and Wildlife Project No. and Contract No. :** 2002-003-00; BPA-009888

**Project Manager:** Cecilia Brown

**Location:** Lake 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:** Bonneville Power Administration (Bonneville) is proposing to fund the Confederated Salish and Kootenai Tribes to purchase the Hummingbird property, which is a 6.6-acre parcel of land located about 2 miles east of Arlee in Lake County, Montana. The United States would hold a conservation easement, which Bonneville 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 inundation 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 Bonneville's commitments made in the current extension of the 2012-2014 Memorandum of Understanding between the Confederated Salish and Kootenai Tribes and the Bonneville Power Administration.

The property consists of riverine, steeply-terraced forested riparian and upland grassland 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 Bonneville for consistency with the conservation easement and the purpose of the acquisition. If Bonneville 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), Bonneville 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, Bonneville finds that the proposed action is categorically excluded from further NEPA review.

/s/ Jennifer Snyder

Jennifer Snyder  
Contract Environmental Protection Specialist  
Flux Resources, LLC

Reviewed by:

/s/ Gene Lynard FOR

Chad Hamel  
Supervisory Environmental Protection Specialist

Concur:

/s/ Sarah T. Biegel

Sarah T. Biegel  
NEPA Compliance Officer

Date: July 13, 2018

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.

**Proposed Action:** Hummingbird Land Acquisition

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## Project Site Description

The Hummingbird property is comprised of 6.6 acres of undeveloped riparian forest and upland grassland, and includes a reach of about 0.07 miles of the left (southern) bank of the Jocko River located along the northern boundary of the site. Surrounding uses are primarily agricultural and residential with mountainous forest and open lands to the outer northeast. The property may have served as agricultural land in the past; however, since the current owners purchased the property in the 1970s, it has served as the site of their primary residence and no agricultural, forestry, or other extractive activities have occurred on the property. The owners have typically mowed several acres around their house and outbuildings every year for weed control and fire suppression purposes. The portion of the property subject to this purchase is undeveloped and has been maintained as open space for over 40 years. The Jocko River floodplain throughout the property reach is narrow due to natural channel incision over millennia through naturally-occurring glacial outwash sediments; however, floodplain width generally increases downstream.

The Hummingbird property supports a variety of wildlife species including black bear, bobcat, white-tailed deer, red fox, and a variety of small mammals and birds. The upper main stem Jocko River fishery in the immediate area of the property is characteristic of many developed western Montana watersheds in that the river has been influenced by land management activities such as irrigation, agriculture, and development of transportation corridors. Also, past fisheries management practices, namely the introduction of nonnative species, have greatly altered the ecology of the river. Because of these influences, the current fish assemblage includes introduced rainbow, brown, and brook trout. Historically, the only salmonids in the river were mountain whitefish, bull trout, and westslope cutthroat trout. The Jocko River in this reach supports both resident and migratory salmonid populations and provides critical thermal refuge for migratory fishes using the Flathead River. The Jocko River is also the primary spawning and rearing tributary for both native and introduced migratory salmonids in the interconnected Clark Fork-Flathead river system. This section of the Jocko River is particularly important because it is in a reach of stream where roughly 15 years of monitoring indicates average stream temperatures do not exceed 15 degrees Celsius. Species composition at a monitoring site immediately downstream of the Hummingbird property is dominated by introduced taxa, but westslope cutthroat trout are more abundant than in lower main stem reaches. Juvenile bull trout have also been documented in the downstream sampling reach. The occurrence of bull trout and westslope cutthroat trout fits the general trend of increasing abundances of these two species in upstream reaches of the Jocko River and its tributaries, and also exemplifies the importance of this area as foraging, migratory, and overwintering habitat for native salmonids.

## Evaluation of Potential Impacts to Environmental Resources

| <b>Environmental Resource Impacts</b>     | <b>No Potential for Significance</b> | <b>No Potential for Significance, with Conditions</b> |
|---|--------------------------------------|---|
| 1. <b>Historic and Cultural Resources</b> | <input checked="" type="checkbox"/>  | <input type="checkbox"/>                              |

Explanation: 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 Confederated Salish and Kootenai Tribes would comply with all applicable laws and regulations. If any ground-disturbing activities or modifications to the built environment are planned within the area of the acquisition, the Section 106 process would need to be completed prior to implementation. This would include consultation, survey, recordation of resources, and a determination of effect for both archaeological resources and built

environment resources.

2. **Geology and Soils**

Explanation: There would be no effect due to the land acquisition. To the extent that stewardship activities may have an effect, it is expected that the Confederated Salish and Kootenai Tribes would comply with all applicable laws and regulations.

3. **Plants** (including federal/state special-status species)

Explanation: See explanation for #2 above.

4. **Wildlife** (including federal/state special-status species and habitats)

Explanation: See explanation for #2 above.

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

Explanation: See explanation for #2 above.

6. **Wetlands**

Explanation: See explanation for #2 above.

7. **Groundwater and Aquifers**

Explanation: See explanation for #2 above.

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

Explanation: See explanation for #2 above.

9. **Visual Quality**

Explanation: See explanation for #2 above.

10. **Air Quality**

Explanation: See explanation for #2 above.

11. **Noise**

Explanation: See explanation for #2 above.

12. **Human Health and Safety**

Explanation: See explanation for #2 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:

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

A public notification letter and map of the property will be mailed to neighboring landowners, stakeholders, and relevant elected officials and other interested parties prior to site closing. Advertisements will also be placed in local newspapers, and information will be posted on Bonneville's public website.

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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  
Jennifer Snyder ECF-4  
Contract Environmental Protection Specialist  
Flux Resources, LLC

Date: July 13, 2018