

# Categorical Exclusion Determination

Bonneville Power Administration  
Department of Energy



**Proposed Action:** Swift Creek Land Acquisition Funding

**Fish and Wildlife Project No. and Contract No. :** 2008-800-00, BPA-010360

**Project Manager:** Cecilia Brown – EWM-4

**Location:** Flathead County, MT

**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 (BPA) proposes to fund Montana Department of Natural Resources and Conservation (MDNRC) to purchase approximately 3,180 acres of riparian and upland habitats along Swift Creek in Flathead County, Montana. BPA will hold a conservation easement on the property and it will be managed to permanently protect, mitigate, and enhance fish and wildlife and their habitat.

Funding the acquisition is in partial fulfillment of BPA's commitments to the State of Montana in accordance with the historic Columbia Basin Fish Accords in 2008 and the Resident Fish Memorandum of Agreement in 2010. Acquisition of the conservation easement will serve as partial mitigation for the construction and operation of the Hungry Horse hydroelectric facility on the South Fork of the Flathead River, and as part of BPA's ongoing efforts to protect, restore, and enhance habitat for resident fish, including bull trout and westslope cutthroat trout, and wildlife in Montana.

Montana Department of Natural Resources and Conservation will provide long-term stewardship for the land and will develop a management plan to guide the protection and enhancement of habitat on the property. The management plan will be reviewed by BPA for consistency with the purpose of the conservation easement and land acquisition. If BPA proposes to fund any additional activities on the property, environmental review may be necessary.

**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/ Brenda Aguirre

Brenda Aguirre

Environmental Protection Specialist

Concur:

/s/ Stacy L. Mason

Stacy L. Mason

NEPA Compliance Officer

Date: August 28, 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.

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### Project Site Description

The 3,180-acre Swift Creek property is currently privately owned by Weyerhaeuser. BPA will fund its purchase by the Montana Department of Natural Resources and Conservation. The property is forested with associated streams/rivers and wetlands.

### 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> The purchase of property or conservation easement for the purposes of fish and wildlife habitat conservation in the state of Montana has no potential to affect historic properties.		
2. <b>Geology and Soils</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> No soil disturbance proposed – conservation easement only.		
3. <b>Plants</b> (including federal/state special-status species)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> No plant disturbance proposed – conservation easement only.		
4. <b>Wildlife</b> (including federal/state special-status species and habitats)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> No disturbance to wildlife – conservation easement only.		
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> No disturbance – conservation easement only.		
6. <b>Wetlands</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> No disturbance to wetlands – conservation easement only.		
7. <b>Groundwater and Aquifers</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> No change to groundwater or aquifer – conservation easement only.		
8. <b>Land Use and Specially Designated Areas</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> No change to land use – conservation easement only.		

9. **Visual Quality**

Explanation: No change to visual quality – conservation easement only.

10. **Air Quality**

Explanation: No change to air quality – conservation easement only.

11. **Noise**

Explanation: No change to noise levels – conservation easement only.

12. **Human Health and Safety**

Explanation: No change to human health and safety – conservation easement only.

### **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**

Description: Notification letters will be sent to adjacent landowners and other interested parties at a minimum of 15 days before the closing date (proposed closing date 9/26/18) 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/ Brenda Aguirre  
Brenda Aguirre ECF-4  
Environmental Protection Specialist

Date: August 28, 2018