

memorandum

DATE: January 27, 2011

REPLY TO
ATTN OF: Lisa S. Wright, KEC-4

SUBJECT: Environmental Clearance Memorandum

TO: Sandra A. Fife
Project Manager – KEWU-4

Proposed Action: Provision of funds to the Yakama Nation for the purchase of three parcels of property along Reecer Creek.

Budget Information: Work Order #00191727

Fish and Wildlife Project No.: 1997-051-00, BPA-005578

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021): B1.25 Transfer, lease, disposition or acquisition of interests in uncontaminated land for habitat preservation or wildlife management, and only associated buildings that support these purposes. Uncontaminated means that there would be no potential for release of substances at a level, or in a form, that would pose a threat to public health or the environment.

Location: Township 18 North, Range 18 East, Sections 33 (NE ¼ and SE ¼) and 34 (west ½), in Ellensburg, Kittitas County, Washington. The three parcels are adjacent to each other along Reecer Creek within the urban boundary of the city of Ellensburg.

Proposed by: Bonneville Power Administration (BPA), Yakama Nation

Description of the Proposed Action: BPA is providing funds to the Yakama Nation for the acquisition of three parcels of property totaling approximately 56 acres along Reecer Creek in the city of Ellensburg, Washington. The sale is expected to close in late February 2011. BPA will be granted a perpetual conservation easement over the entire property as a condition of funding the acquisition. The properties are in the historic floodplain of the Yakima River and still experience flooding from the Dry, Currier and Reecer creeks. The acquisition includes 3,000 feet of shoreline along Reecer Creek, 2,000 feet of shoreline along a man-made pond, and associated riverine wetlands and disturbed floodplain habitats

The properties were selected for conservation and restoration as part of an ongoing effort in the Yakima River watershed to stem the loss of quality fish habitat due to development, and to prevent further fish habitat loss due to anticipated future development in the region. The properties being acquired will provide a valuable opportunity to enhance, restore and manage an area with riparian and floodplain attributes that provide high quality spawning and rearing habitat for fish species in Reecer Creek, including two species that are listed as threatened under the Endangered Species Act—Mid-Columbia River steelhead and Columbia River bull trout. Other species that will benefit include spring-run Chinook salmon, coho salmon and various resident fish species.

The City of Ellensburg has filed a petition to condemn a small area in the southwestern portion of the easternmost parcel, where Dolarway Road crosses Reecer Creek. The City will be replacing the bridge over Reecer Creek and requires the area to undertake the work. The existing bridge is undersized and is frequently overtopped during flood events. The City will construct a larger bridge that will have more than three times the flood flow conveyance, which will significantly improve fish passage. Furthermore, the larger bridge will allow the creek to move channel and habitat characteristics (e.g., sediment, gravel, wood debris) more naturally and gradually, preventing excessive migration of the creek and protecting upstream and downstream landowner objectives. The construction of the bridge will be wholly consistent with restoration efforts to improve fish habitat in the watershed. As such, BPA supports the exclusion of 0.52 acres from the overall acquisition in order to facilitate the City's project.

The Yakama Nation agrees that this acquisition, and the resulting permanent protection of the property, is ultimately being undertaken for the benefit of the public. Ownership by the Yakama Nation and the perpetual conservation easement to be held by BPA will ensure that the critical fish habitat values present on the property will be protected forever.

BPA is providing these funds to the Yakama Nation as part of the 2008 Columbia Basin Fish Accords, which is an agreement between BPA, five tribes (including the Yakama Nation), two states and two other federal agencies, to improve the survival and recovery of fish affected by the hydroelectric dams of the Federal Columbia River Power System. Prior to any management activities, BPA will conduct further environmental review.

Subsequent to the acquisition of the three parcels, the Yakama Nation will construct a security fence along the northern and eastern perimeter and along both sides of North Potts Road. The location of the parcels within the urban boundaries of the city of Ellensburg necessitates the construction of the fence to prevent trespass into the protected areas. BPA will conduct a cultural resources review of the area to ensure that any ground disturbing activities will not affect historic cultural properties.

Findings: BPA has determined that the proposed action complies with Section 1021.410 and Appendix B of Subpart D 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). The proposed action does not present any extraordinary circumstances that may affect the significance of the environmental effects of the proposal. The proposal is not connected [40 C.F.R. 1508.25(a)(1)] to other actions with potentially significant impacts, is not related to other proposed actions with cumulatively significant impacts [40 C.F.R. 1508.25(a)(2)], and is not precluded by 40 C.F.R. 1506.1 or 10 C.F.R. 1021.211. Moreover, the proposed action would not (i) threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, (ii) require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities, (iii) disturb hazardous substances, pollutants, contaminants, or Comprehensive Environmental Response, Compensation and Liability Act-excluded petroleum and natural gas products that pre-exist in the environment such that there would be uncontrolled or unpermitted releases, or (iv) adversely affect environmentally sensitive resources.

This proposed action meets the requirements for the Categorical Exclusion referenced above. We therefore determine that the proposed action may be categorically excluded from further NEPA review and documentation.

/s/ Lisa S. Wright

Lisa S. Wright

Environmental Protection Specialist - KEC-4

Concur:

/s/ Katherine S. Pierce

Katherine S. Pierce

NEPA Compliance Officer

Date: January 28, 2011

Attachment:

Environmental Checklist for Categorical Exclusions

Environmental Checklist for Categorical Exclusions

Name of Proposed Project: Reecer Creek Land Acquisition

Work Order #: 00191727

This project has been found to not adversely affect the following environmentally sensitive resources, laws, and regulations:

| Environmental Resources | No Adverse Effect | No Adverse Effect With Conditions |
|--|-------------------------------------|---|
| 1. Cultural Resources | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. T & E Species, or their habitat(s) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Floodplains or wetlands | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Areas of special designation | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Health & safety | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Prime agricultural lands | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 7. Special sources of water | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8. Consistency with state and local laws and regulations | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 9. Pollution control at Federal facilities | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 10. Other | <input type="checkbox"/> | <input type="checkbox"/> |

List supporting documentation attached (if needed):

Signed: /s/ Lisa S. Wright

Date: January 28, 2011