

# memorandum

DATE: February 7, 2011

REPLY TO  
ATTN OF: KEC-4

SUBJECT: Environmental Clearance Memorandum

TO: Dave Roberts  
Project Manager – KEWU-4

**Proposed Action:** Provisions of funds to the Colville Confederated Tribes for purchase of the Loup Loup Creek and Aeneas Creek properties.

**Fish and Wildlife Project No.:** 2008-104-00

**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:** The Loup Loup Creek property is located near Malott, Washington. The Aeneas Creek property is located near Tonasket, Washington. Both are in Okanogan County.

**Proposed by:** Bonneville Power Administration (BPA) and the Colville Confederated Tribes (CCT)

**Description of the Proposed Action:** BPA proposes to fund the acquisition of two properties in the Okanogan River watershed by the CCT. BPA will be granted a perpetual conservation easement over the entire property as a condition of funding the acquisition. The property is being acquired because of its outstanding riparian habitat resource value. The acquisition will provide an opportunity to enhance, restore, and manage high quality habitat for populations of summer/fall Chinook salmon, sockeye salmon, and Upper Columbia River steelhead, which are listed as threatened under the Endangered Species Act. This watershed was selected for restoration and preservation efforts because natural habitat is shrinking in the area, and development poses increasing risk that more habitat will be lost in the future.

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

BPA is funding the CCT acquisition of the property and is receiving a conservation easement. Prior to any management activities, BPA will conduct further environmental review.

**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/ Jenna Peterson

Jenna Peterson

Environmental Protection Specialist – KEC-4

Concur:

/s/ F. Lorraine Bodi for

Katherine S. Pierce

NEPA Compliance Officer

Date: February 8, 2011

Attachment:

Environmental Checklist for Categorical Exclusion

## Environmental Checklist for Categorical Exclusions

Name of Proposed Project: Loup Loup Creek Aeneas Creek Acquisition 2011

Project #: 2008-104-00 Contract #: BPA-005670

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 No adverse effect as this is strictly a land acquisition.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. T & E Species, or their habitat(s) No adverse effect as this is strictly a land acquisition.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Floodplains or wetlands No adverse effect as this is strictly a land acquisition.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Areas of special designation No adverse effect as this is strictly a land acquisition.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Health & safety No adverse effect as this is strictly a land acquisition.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Prime agricultural lands No adverse effect as this is strictly a land acquisition.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Special sources of water No adverse effect as this is strictly a land acquisition.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Consistency with state and local laws and regulations No adverse effect as this is strictly a land acquisition.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Pollution control at Federal facilities No adverse effect as this is strictly a land acquisition.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Other No adverse effect as this is strictly a land acquisition.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

List supporting documentation attached (if needed):

Signed: Jenna Peterson

Date: February 8, 2011