Proposed Action: Crow and Post Creek Land Acquisitions

Project No.: 2002-003-00; 83367

Project Manager: Cecilia Brown, EWM-4

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 (BPA) is proposing to fund the Confederated Salish and Kootenai Tribes (CSKT) to purchase the 78-acre Crow and 30-acre Post Creek properties in Lake County, Montana. Funding the purchase of these properties would serve as partial mitigation for the effects of development and operation of the Hungry Horse Dam. When the purchase is complete, the CSKT would own and manage the property for fish and wildlife conservation purposes and BPA would receive a conservation easement to ensure that the habitat values on the properties are always protected.

The CSKT would develop a management plan to guide the protection and enhancement of habitat and other resources on the property. BPA would review the management plan for consistency with the conservation easement and the purpose of the acquisition. If BPA proposes to fund any additional activities on the property, further environmental review may be required.

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, Jul. 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 B 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/ Katey Grange  July 27, 2020
Katey Grange  Date
NEPA Compliance Officer

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:** Crow and Post Creeks Land Acquisitions

**Project Site Description**

The Crow Creek property is located approximately 10 miles northwest of Ronan, Montana and the Post Creek property is located approximately 7 miles northeast of St Ignatius, Montana. Both properties are within the Flathead Subbasin of the Columbia River Basin. The properties are privately owned, and were used for agricultural production and recreation. Vegetation at both locations consists of wetlands, riparian forests, and upland grasslands; and supports a variety of native and non-native fish and wildlife. The Crow Creek property is 78 acres in size and the Post Creek property is 30 acres.

**Evaluation of Potential Impacts to Environmental Resources**

1. **Historic and Cultural Resources**
   
   Potential for Significance: No
   
   **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 future activities on the property may have an effect, it is expected that the Confederated Salish and Kootenai Tribes would comply with all applicable laws and regulations.

2. **Geology and Soils**
   
   Potential for Significance: No
   
   **Explanation:** See explanation for #1 above.

3. **Plants (including Federal/state special-status species and habitats)**
   
   Potential for Significance: No
   
   **Explanation:** See explanation for #1 above.

4. **Wildlife (including Federal/state special-status species and habitats)**
   
   Potential for Significance: No
   
   **Explanation:** See explanation for #1 above.

5. **Water Bodies, Floodplains, and Fish (including Federal/state special-status species, ESUs, and habitats)**
   
   Potential for Significance: No
6. **Wetlands**

   Potential for Significance: No

   **Explanation:** See explanation for #1 above.

7. **Groundwater and Aquifers**

   Potential for Significance: No

   **Explanation:** See explanation for #1 above.

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

   Potential for Significance: No

   **Explanation:** See explanation for #1 above.

9. **Visual Quality**

   Potential for Significance: No

   **Explanation:** See explanation for #1 above.

10. **Air Quality**

    Potential for Significance: No

    **Explanation:** See explanation for #1 above.

11. **Noise**

    Potential for Significance: No

    **Explanation:** See explanation for #1 above.

12. **Human Health and Safety**

    Potential for Significance: No

    **Explanation:** See explanation for #1 above.

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**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:** N/A
Require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators) that are not otherwise categorically excluded.

Explanation: N/A

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: N/A

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: N/A

**Landowner Notification, Involvement, or Coordination**

*Description:* Notification letters would be sent to adjacent landowners and other interested parties at a minimum of 15 days before the closing date of the sale. Ads would also be posted in local newspapers, and information would be posted on BPA's public website prior to closing.

Based on the foregoing, this proposed project does not have the potential to cause significant impacts to any environmentally sensitive resource.

Signed: /s/ Brenda Aguirre July 27, 2020

Brenda Aguirre, ECF-4 Date

Environmental Protection Specialist