

United States Government

Department of Energy
Bonneville Power Administration

memorandum

DATE: December 8, 2010

REPLY TO
ATTN OF: KEC-4

SUBJECT: Environmental Clearance Memorandum

TO: Jay Marcotte
Project Manager – KEWU-4

Proposed Action: Bonneville Power Administration (BPA) would provide funds to the Confederated Tribes and Bands of the Yakama Nation (Yakama Nation) for the acquisition of a conservation easement for fish habitat mitigation in Okanogan County, Washington. The conservation easement would preserve anadromous fish habitat through the Columbia Basin Fish Accords and would be held and managed by the Methow Conservancy.

Budget Information: Work Order # 00266311

Fish and Wildlife Project No.: 2009-003-00, CR#42460

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021): A7. Transfer, lease, disposition or acquisition of interests in personal property...if property use is to remain unchanged; i.e., the type and magnitude of impacts would remain essentially the same”.

Location: The property is located in Okanogan County, Washington along the West Chewuch River. Legal description is Township 35 North, Range 21 East, Sections 10 and 11.

Proposed by: BPA, the Yakama Nation and the Methow Conservancy

Description of the Proposed Action: The proposed conservation easement would preserve anadromous fish habitat through the Columbia Basin Fish Accords. Funding for the proposed easement is among the commitments made in the historic 2008 Columbia Basin Fish Accords. The Accords established firm, ten-year funding commitments to habitat and hatchery actions and greater clarity about biological benefits, building on NOAA Fisheries’ biological opinions for listed salmon and steelhead, and the Northwest Power and Conservation Council’s fish and wildlife program. The conservation easement would provide BPA with credits for partial mitigation of resident fish habitat losses due to the Columbia River dams. This parcel would have a perpetual conservation easement placed upon it to restrict activities that could affect the habitat value.

The BPA is working with the Yakama Nation to fund the riparian portion of the Methow Conservancy’s acquisition of a 40.9-acre conservation easement on the West Chewuch River in Okanogan County, Washington. The BPA would fund the acquisition of 16.83-acres of riparian habitat and the remaining 24.07-acres of upland habitat would be donated by the property owners. The property proposed for acquisition of a conservation easement provides intact riparian habitat within the Methow Watershed for Upper Columbia steelhead trout, spring Chinook salmon, and bull trout, all listed fish under the Endangered Species Act. This property contains intact riparian habitat in an area that is at high risk of residential development.

BPA would provide funds for the Methow Conservancy to purchase a perpetual conservation easement to be placed on the property to protect its value for fish. The Methow Conservancy would hold the easement and provide long-term stewardship of the easement agreement, including monitoring and enforcement. Closure for the purchase of the property is expected in the winter of 2010/2011.

Once the conservation easement has been acquired, the Methow Conservancy would work with the land owner to develop a stewardship plan to guide the protection and enhancement of riparian habitat on the property. This plan would be updated regularly to account for changes on the property and consider the best available science. The public would be given the opportunity to review and provide comments on any proposed actions and the management plan prior to implementation of these actions and plans.

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/ Jennifer Stolz

Jennifer Stolz

Environmental Protection Specialist

Concur:

/s/ James Kehoe for

Katherine S. Pierce

NEPA Compliance Officer

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Attachment:

Environmental Checklist for Categorical Exclusions

Environmental Checklist for Categorical Exclusions

Name of Proposed Project: West Chewuch Riparian Conservation Easement

Project #: 2009-003-00, CR#42460

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

List supporting documentation attached (if needed):

Signed: /s/ Jennifer Stolz

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