memorandum

DATE: November 26, 2013

REPLY TO ATTN OF: KEC-4

SUBJECT: Environmental Clearance Memorandum

TO: Sandra Fife—KEW-4

**Proposed Action:** Ninemile Creek Lower property funding

**Fish and Wildlife Project No. and Contract No.:** 2008-104-00, BPA-006263

**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

**Location:** Okanogan County, Washington (Section 15, Township 40 North, Range 27 East)

**Proposed by:** Bonneville Power Administration (BPA)

**Description of the Proposed Action:** BPA proposes to fund the Confederated Tribes of the Coleville Reservation (CCT) for the purchase of approximately 5 acres of property, referred to as the Ninemile Creek Lower property in Okanogan County, WA. The CCT will own and manage the Ninemile Creek Lower property property for fish and wildlife conservation purposes and BPA will receive a conservation easement to ensure that the habitat values on the property are always protected.

This land purchase would serve as partial mitigation for the construction and operation of the dams on the main stem Columbia and Snake Rivers. It also satisfies some of BPA’s mitigation requirements for the Columbia River estuary as identified in the National Marine Fisheries Service 2008/2010 Biological Opinion that guides BPA’s protection of salmon and steelhead listed under the federal Endangered Species Act. The Ninemile Creek Lower property provides habitat for fish and wildlife species in the Columbia River estuary including coho and chinook salmon, steelhead, Columbia white-tailed deer, Roosevelt elk, and river otter.

The CCT will provide long-term stewardship for the land and will develop a management plan to guide the protection and enhancement of habitat and other resources on the property. Prior to any funding of 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, 76 FR 63764, Nov. 14, 2011). 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, has not been segmented to meet the
definition of a categorical exclusion, 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, (iv) have the potential to cause significant impacts on environmentally
sensitive resources, or (v) 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.

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/ Ted Gresh
Ted Gresh
Environmental Project Manager

Concur:

/s/ Stacy Mason Date: November 26, 2013
Stacy Mason
NEPA Compliance Officer

Attachment(s):
Environmental Checklist for Categorical
Environmental Checklist for Categorical Exclusions

Name of Proposed Project: Ninemile Creek Lower property funding

Work Order #: 

This project does not have the potential to cause significant impacts on the following environmentally sensitive resources. See 10 CFR 1021, Subpart D, Appendix B for complete descriptions of the resources. This checklist is to be used as a summary – further discussion may be included in the Categorical Exclusion Memorandum.

<table>
<thead>
<tr>
<th>Environmental Resources</th>
<th>No Potential for Significance</th>
<th>No Potential, with Conditions (describe)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Historic Properties and Cultural Resources</td>
<td>X</td>
<td></td>
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<tr>
<td>2. T &amp; E Species, or their habitat(s)</td>
<td>X</td>
<td></td>
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<tr>
<td>3. Floodplains or wetlands</td>
<td>X</td>
<td></td>
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<tr>
<td>4. Areas of special designation</td>
<td>X</td>
<td></td>
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<td>5. Health &amp; safety</td>
<td>X</td>
<td></td>
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<td>6. Prime or unique farmlands</td>
<td>X</td>
<td></td>
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<tr>
<td>7. Special sources of water</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>8. Other (describe)</td>
<td>X</td>
<td></td>
</tr>
</tbody>
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Signed: /s/ Ted Gresh                                      Date: November 26, 2013