

United States Government

Department of Energy
Bonneville Power Administration

memorandum

DATE: October 21, 2010

REPLY TO
ATTN OF: Bruce Hollen KEC-4

SUBJECT: Environmental Clearance Memorandum

TO: Cecilia Brown
Project Manager – KEWM-4

Proposed Action: Funding the acquisition by the State of Montana of habitat in the West Swan Valley.

Fish and Wildlife Project No.: 2008-800-00, Contract # BPA-45235

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: All or part of the following sections in Lake County, Montana
Township 24 North; Range 18 W, Sections 23, 25, 27, and 35
T23N, R18W Sections 1, 3, 9, 11, 15, 17, 21, 25, 27, 29, 33, and 35
T24N, R17W Section 31
T23N, R17W Section 7

Proposed by: Bonneville Power Administration (BPA) and Montana Fish, Wildlife & Parks (MFWP)

Description of the Proposed Action: BPA proposes to fund the acquisition of up to approximately 9,500 acres of habitat in the Swan Valley of northwestern Montana for conservation purposes. While the mechanism of securing the habitat is still being evaluated, BPA would either fund fee title acquisition by the State of Montana and BPA would hold a conservation easement; or BPA would fund the acquisition of a conservation easement by the State of Montana, with MFWP holding a conservation easement, and BPA would retain rights of enforcement. The property is being acquired because of the opportunity it provides to protect and enhance the habitat for important resident fish species. The West Swan parcel includes waterbodies that are designated as critical habitat for bull trout, resident fish that are listed as threatened under the Endangered Species Act. The watershed also supports local populations of resident and migratory westslope cutthroat trout, a subspecies that is considered at risk by the State of Montana. There would be additional benefits to wildlife and recreation.

Establishing the permanent protection of the habitat would give BPA credit for partial mitigation of resident fish habitat lost due to construction of Hungry Horse Dam – a federal dam on the South Fork of the Flathead River – and inundation by its reservoir. This acquisition would also help fulfill the “2008 Columbia Basin Fish Accords Memorandum of Agreement between the State of Montana and the FCRPS Action Agencies” which provided for habitat acquisitions for resident fish. BPA is one of these Action Agencies.

The property, which was historically utilized primarily for timber harvest, would continue to be utilized for more limited timber harvest activities. A multi-resource management plan has been developed by

The Nature Conservancy and the MFWP for the future management of the property. That plan includes requirements designed to ensure that the important resident fish habitat values are protected.

Prior to any management activities on the property funded by BPA (for example, BPA may fund MFWP to undertake certain restoration actions), 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.

Based on the provision that a cultural resource survey will be conducted prior to any ground disturbing activities, 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/ Bruce Hollen

Bruce Hollen

Environmental Protection Specialist – KEC-4

Concur:

/s/ Katherine S. Pierce

Katherine S. Pierce

NEPA Compliance Officer – KEC-4

DATE: October 21, 2010

Attachment:

Environmental Checklist for Categorical Exclusions

Environmental Checklist for Categorical Exclusions

Name of Proposed Project: Montana Resident Fish Habitat Aquisition

Project #: 200880300 Cont# BPA-45235

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"/>

Signed: /s/ Bruce Hollen

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