

# Categorical Exclusion Determination

Bonneville Power Administration  
Department of Energy



**Proposed Action:** Upper Beaver Creek Balky South Property Acquisition

**Project No.:** 2008-104-00; BPA-011626

**Project Manager:** Sandra Fife

**Location:** Okanogan County, WA

**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:** BPA is proposing to fund the Confederated Tribes of the Colville Reservation (CTCR) to purchase the Upper Beaver Creek Balky South Property, which is a 20-acre parcel of land on Beaver Creek, a tributary to the Methow River, approximately 10 miles northeast of the town of Twisp in Okanogan County, WA. BPA would hold a conservation easement to protect, mitigate, and enhance fish and wildlife and their habitat.

Funding the purchase of the property would serve as partial mitigation for the construction and operation of the Federal Columbia River Power System which includes dams on the main stem Columbia and Snake Rivers. Funding the proposed activities fulfills ongoing commitments under the 2020 National Marine Fisheries Service Columbia River System Biological Opinion (2020 NMFS CRS BiOp). These proposed activities also fulfill commitments specified in the 2020 U.S. Fish and Wildlife Service Columbia River System BiOp (2020 FWS CRS BiOp).

The property consists of wetland, riparian, and upland habitat. The CTCR would develop a management plan to guide the protection and enhancement of habitat and other resources on the property. The management plan would be reviewed by BPA 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 conducted.

**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/ Israel Duran

Israel Duran  
Contract Environmental Protection Specialist  
Salient/CRGT

Reviewed by:

/s/ Chad Hamel

Chad Hamel  
Supervisory Environmental Protection Specialist

Concur:

/s/ Sarah T. Biegel                      August 25, 2020

Sarah T. Biegel                      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:** Upper Beaver Creek Bally South Property Acquisition

## **Project Site Description**

The 20-acre parcel of privately-owned property at Beaver Creek Mile 5.8 in the Methow subbasin is approximately 10 miles northeast of the Town of Twisp, WA. The property includes approximately 1,000 feet of riparian area along the creek and ranges from less than 50 feet to 500 feet in width and includes patches of isolated riparian vegetation, several springs, and a wetland pond complex. The property has historically been in agricultural use, with grazing dominating the uplands and alfalfa and grazing in the remainder. Acquisition would protect ESA-listed Chinook salmon, steelhead trout, and bull trout habitat as well as other resident fish species habitat.

## **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 Upper Beaver Creek Bally South 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 Colville 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

Explanation: See explanation for #1 above.

## **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.

### **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 (proposed closing date September 15, 2020) of the sale. Advertisements 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/ Israel Duran August 25, 2020  
Israel Duran, ECF-4 date  
Contract Environmental Protection Specialist  
Salient/CRGT