Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy

Proposed Action: Hungry Horse Mitigation/Flathead Lake Restoration and Research, Monitoring, and Evaluation Project (Updated)

Project No.: 1991-019-01

Project Manager: Cecilia Brown

Location: Flathead, Lake, Missoula, and Sanders Counties, Montana

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021): B1.20 Protection of Cultural Resources, Fish and Wildlife Habitat

Description of the Proposed Action:

Bonneville Power Administration (BPA) proposes to fund the Confederated Salish and Kootenai Tribes (CSKT) to implement the Hungry Horse Mitigation/Flathead Lake Restoration and Research, Monitoring, and Evaluation Project in the Clark Fork and Flathead watersheds of northwest Montana. BPA's funding for this project would support conservation of ESA-listed species considered in the 2020 ESA consultation with the U.S. Fish and Wildlife Service on the operations and maintenance of the Columbia River System, while also supporting ongoing efforts to mitigate for effects of the FCRPS on fish and wildlife in the mainstem Columbia River and its tributaries pursuant to the Pacific Northwest Electric Power Planning and Conservation Act of 1980 (the Northwest Power Act) (16 USC (USC) 839 et seq.).

The CSKT would conduct the following activities on CSKT-owned lands:

- ***Install Fence*** – Install new and or replace approximately 8,500 feet of existing boundary fence with "wildlife friendly" wire fencing. This type of fence utilizes smooth wire on top and bottom to allow for safer passage of wildlife and barbed wire in the middle to discourage the movement of livestock onto fenced properties. Fencing crews would mow grasses and trim trees and shrubs along the new and existing fence lines and proposed staging areas prior to beginning fencing work. Access to staging areas would be along existing two-track roads. Crews would use a rubber-tracked skid-steer with a hydraulic post pounder and hand tools to install metal and treated-wood fence posts. All work would occur above the ordinary high water mark of nearby streams.
- ***Maintain Vegetation*** – Control noxious weeds and other vegetation on up to 300 acres across 27 properties. Vegetation crews would control noxious weeds using herbicides, insects, and mowing; manage tall vegetation around parking areas and heavily traveled roads by mowing to create firebreaks or in preparation for herbicide applications, and re-seed previously seeded areas where weeds have been reduced.

  Herbicide applications would involve broadcast and direct spray treatments; insect applications would involve direct release treatments; mowing would be conducted on large and small areas via a mower deck mounted on a tractor or a skid-steer, heavy-duty walk-behind mower, or hand-held weed trimmer; and re-seeding would be conducted on large and small areas via a no-till tractor-drawn, drill seeder with an imprinter behind the drill seeder to create a trough around the seed to collect water.

Herbicide application, mowing, and drill seeding activities would occur above the ordinary high water mark of nearby streams. Crews may access areas below the ordinary high water mark on properties where insects would be released to control leafy spurge and Canada thistle, which often occur immediately adjacent to streams; however, this access would be restricted to foot traffic only. Additionally, vegetation crews would not need to use temporary or existing stream crossings to complete the proposed herbicide application, biological control, or mowing.

- ***Provide Access*** – Construct a permanent new access point and 5,000 square-foot parking area on the Ravalli Curves property. The new access point and parking area would be located on an existing access road and driveway and be constructed with gravel. Construction would also involve installation of a metal gate at the access point to prevent unauthorized entry of motorized vehicles and 500-feet of split-rail fence around the perimeter of the parking area to prevent off-site parking. Construction activities would be conducted using an excavator and skid-steer loader and hand-held tools. Parking area and access development work would occur above the ordinary high water mark of nearby streams and crews would not need to use temporary or existing stream crossings to complete the proposed work.
- ***Remove Structures/Debris*** – Remove structure and or miscellaneous debris from the Valley Creek 1&2 and Pitt's properties. At the Valley Creek 1 & 2 property, a 40 foot by 30 foot barn built by the former owners in the early 2000s and miscellaneous debris would be removed, and at the Pitt's property, a 25 foot by 25 foot pile of miscellaneous debris would be removed.

  Work crews would remove materials and debris using a tracked excavator and skid-steer and load debris into a dump truck and transport to the Lake County Landfill for proper disposal. Work crews would also use both pieces of equipment to remove any remaining surface debris and grade disturbed sites. Following final clean up and grading, work crews would scarify disturbed soil areas, including staging areas, with a tractor and harrow. All scarified soils would be hand-seeded with a native seed mix and re-harrowed following seed placement to ensure good seed to soil contact. Access would be along existing 2-track roads so new access would not be needed. Structure and debris removal work would occur above the ordinary high water mark of nearby streams, and work crews would not need to use temporary or existing stream crossings to complete the any of the proposed work in this section.

Some or all of the preceding project activities would be included at these sites; the main project elements planned at individual sites are included here:

Action	Latitude	Longitude	County
Install Fence			
Ravalli Property: Install 1,000 feet of new fence to protect 1.0 mile of the Jocko River and 329 acres of riparian and upland habitat.	47.286853	-114.23499	Lake
Printz Property: Install 2,500 feet of new fence to protect 0.25 mile of the Jocko River and 155 acres of riparian, wetland, and upland habitat.	47.362769	-114.567725	Lake
Valley Creek 1&2 Property: Install 4,000 feet of new fence to protect 0.30 mile of Valley Creek and 15 acres of riparian, wetland, and upland habitat.	47.225408	-114.209321	Sanders
	47.228389	-114.187244	Lake

Hoff/Ravalli Curves Property: Install 1,000 feet of new fence to protect 0.30 mile of the Jocko River and 30 acres of riparian, wetland, and upland habitat.			
Maintain Vegetation: Control noxious weeds and other vegetation on up to 300 acres across 27 properties.			
Pierce	47.370828	-114.268674	Lake
Vulles	47.359807	-114.609526	Sanders
Riversong	47.350482	-114.630108	Sanders
Trosper Kahn Roullier Complex	47.513839	-114.205302	Lake
Elk Creek	47.532509	-114.737672	Missoula
Otopaulik	47.353374	-114.281562	Sanders
Dixon Flathead	47.318224	-114.306516	Sanders
Cole	47.297882	-114.261498	Sanders
Zeimet	47.291686	-114.249258	Sanders
Tapia	47.288598	-114.237613	Sanders
Kingston	47.358194	-114.276492	Lake
Printz	47.221675	-114.150035	Lake
Scott	47.214905	-114.135552	Lake
Whitworth	47.224257	-114.200434	Lake
Jocko Hollow	47.177931	-114.097994	Lake
Ravalli	47.273794	-114.189316	Lake
Owen	47.43273	-114.057227	Lake
Mullins	47.270601	-114.02609	Lake
Bird's Eye View	47.754106	-113.853514	Lake
Little Shell Tribe	48.304186	-114.214287	Flathead
Bogage	47.189484	-114.116378	Lake
Vergeront	47.364481	-114.568886	Sanders
Fyant	47.228085	-114.18943	Lake
Haynes	47.353681	-114.54006	Sanders
Derflinger	47.219345	-114.143129	Lake
Schemers	47.198938	-114.100624	Lake
Upper Demonstration Reach	47.166171	-114.062688	Lake
Provide Access			
Ravalli Property: Construct new access point and parking area	47.277561	-114.789394	Lake
Remove Structure/Debris			
Valley Creek 1&2 Property: Remove barn and miscellaneous debris	47.22	-114.210004	Sanders
Pitts Property: Remove miscellaneous debris	47.7538	-114.0379	Sanders

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/ Sarah T. Biegel *February 8, 2021*
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: Hungry Horse Mitigation/Flathead Lake Restoration and Research, Monitoring, and Evaluation Project

Project Site Description

Project activities would take place on properties within and surrounding the Flathead Reservation in northwestern Montana on the Flathead River. Vegetation and land use in the project areas consist of a montane forest, agricultural pastureland, and rural residential. Most of the project areas have been altered by human disturbances. Clearing for road construction and agricultural production have altered plant community structures; exotic species are abundant.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No

- Activities would occur on and off Flathead Reservation lands. For activities that occur on reservation lands, BPA consulted with the CSKT THPO. For activities that occur off-reservation, BPA consulted with the CSKT THPO and Montana State Historic Preservation Office (SHPO) on 9/23/2020.
- BPA received a response from the CSKT THPO on 9/24/2020. No response was received from SHPO within the 30-day period.

2. Geology and Soils

Potential for Significance: No

- Excavation to construct project elements would disturb soils; erosion control measures and revegetation would be implemented to minimize impacts.

3. Plants (including Federal/state special-status species and habitats)

Potential for Significance: No

- No Federal/state special-status plant species or habitats are within the project sites.
- Native plants would not be removed or destroyed, though some vegetation around parking areas and heavily traveled roads would be mowed to create firebreaks or in preparation for herbicide applications.

4. Wildlife (including Federal/state special-status species and habitats)

Potential for Significance: No with Conditions

- The potential to have short-term effects on ESA-listed grizzly bear, Canada lynx, and Canada lynx critical habitat is possible in that a majority of the project sites occur within or adjacent to areas known to support seasonal usage by grizzly bears and Canada lynx. All applicable HIP conservation measures would be followed and BPA received concurrence from the USFWS for our HIP PNF 2020096 determination of NLAA to grizzly bears, Canada lynx, and Canada lynx critical habitat on 8/13/20.
- No habitats would be modified to any degree that might permanently displace resident wildlife, though some may be temporarily displaced by disturbance from project operations.
- The machine operations would occur after migratory birds have completed nesting and fledging.
- All human presence and activity associated with these actions would temporarily disturb and displace nearby wildlife, but long-term displacement resulting in competition for nearby habitats is unlikely.

5. Water Bodies, Floodplains, and Fish (including Federal/state special-status species, ESUs, and habitats)

Potential for Significance: No

- The potential to have short-term effects on ESA-listed bull trout is possible. A majority of the project sites occur within or adjacent to areas known to support bull trout and areas of designated bull trout critical habitat. All applicable HIP conservation measures would be followed in accordance with the HIP PNF 2020096 submitted to the USFWS 8/14/2020.
- No water bodies or floodplains would be impacted. Project activities have been designed to avoid adverse impacts.
- All work would occur above the ordinary high water mark of nearby streams, and work crews would not need to use temporary or existing stream crossings to complete any proposed work.

6. Wetlands

Potential for Significance: No

- No riparian wetlands would be impacted. Project activities have been designed to avoid adverse impacts to wetlands.
- On properties where insects would be released to control leafy spurge and Canada thistle, which often occur immediately adjacent to streams; access would be restricted to foot traffic only.

7. Groundwater and Aquifers

Potential for Significance: No

- There would be no groundwater withdrawal.
- There would be some potential for contamination of groundwater from fuel or fluid drips or spills from vehicles and heavy equipment used to conduct the work; however, spill prevention measures would be present on site to reduce the risk of contamination.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

- There would be no land use changes, and no impact to specially-designated areas.

9. Visual Quality

Potential for Significance: No

- No visually-prominent vegetative, landform, or structural change would be made.
- The new, permanent access point, parking area, fencings, and areas of vegetation management would not change the visual character of the landscapes.

10. Air Quality

Potential for Significance: No

- There would be small amounts of dust and vehicle emissions generated during construction but these would be short-term actions, and no long-term source of emissions or exhaust would be created.

11. Noise

Potential for Significance: No

- There would be short-term construction noise generated; however, this would occur during locally approved daylight hours.

12. Human Health and Safety

Potential for Significance: No

- There are no known soil contamination or hazardous conditions, and no adjacent CERCLA (Superfund) sites.

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: NA

Landowner Notification, Involvement, or Coordination

No notification - All work on CSKT-owned property and no visual or other effects to adjacent landowners.

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* *February 8, 2021*
Brenda Aguirre, ECF-4 Date
Environmental Protection Specialist