

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Jocko Canyon Property Acquisition

Project No.: 2002-003-01

Project Manager: Elizabeth Santana, EWM-4

Location: Lake County, MT

Categorical Exclusion Applied (from 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: Bonneville Power Administration (BPA) is proposing to fund the Confederated Salish and Kootenai Tribes (CSKT) to purchase the Jocko Canyon property, a 7-acre parcel of land located roughly six miles east of Arlee in Lake County, Montana. BPA would hold a conservation easement to permanently protect, mitigate, and enhance fish and wildlife and their habitat.

Funding the purchase of the property would support conservation of ESA-listed species considered in the 2020 Endangered Species Act (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 the effects of the Federal Columbia River Power System on fish and wildlife in the mainstem of the Columbia River and its tributaries pursuant to the Pacific Northwest Electric Power and Planning and Conservation Act of 1980 (the Northwest Power Act) (16 U.S.C. 839 et seq.).

The property consists of a narrow strip of forested land along the northern bank of the Jocko River. The Jocko River provides important habitat for resident ESA-listed bull trout (*Salvelinus confluentus*) and Montana fish species of concern westslope cutthroat trout (*Oncorhynchus clarkii lewisi*). CSKT would develop a land management plan to guide the protection and enhancement of habitat and other resources on the property. The land management plan would be drafted within 18 months of closing. 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 1021.102 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; 89 FR 34074, April 30, 2024; 90 FR 29676, July 3, 2025 [Interim Final Rule]) and the current *DOE National Environmental Policy Act (NEPA), Implementing Procedures*, BPA has determined the following:

- 1) The proposed action fits within a class of actions listed in Appendix B of 10 CFR 1021;
- 2) The proposal has not been segmented to meet the definition of a categorical exclusion; and

- 3) There are no extraordinary circumstances related to the proposed action that may affect the significance of the environmental effects of the proposal (see attached Environmental Evaluation).

Based on these determinations, BPA finds that the proposed action is categorically excluded from further NEPA review.

Thomas DeLorenzo
Environmental Policy Analyst

Concur:

Katey C. Grange
NEPA Compliance Officer

Attachment(s): Environmental Evaluation

Categorical Exclusion Environmental Evaluation

This evaluation 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.

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Project Site Description

The Jocko Canyon property consists of a strip of land running between the northern (river right) bank of the Jocko River and Jocko Canyon Road, a local highway. The opposite bank of the river was purchased by CSKT using BPA funds in 2008 and the purchase of the Jocko Canyon property would fully protect roughly 0.60 stream-miles of the Jocko River on both sides of the river. The property is largely undeveloped woodland. The Flathead Indian Irrigation Project Jocko K irrigation canal and its diversion structure is located adjacent to the parcel near the southern end of the property.

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 land 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 CSKT 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: Prior to closing, notice of the acquisition would be mailed to nearby landowners and interested parties, and BPA would run advertisements in local area newspapers for at least two weeks to inform the public of the pending acquisition.

Based on the foregoing, this proposed project does not have the potential to cause significant impacts to any environmentally sensitive resource.

Signed:

Thomas DeLorenzo, EC-4
Environmental Policy Analyst