

memorandum

DATE: February 27, 2013

REPLY TO
ATTN OF: KEC-4

SUBJECT: Environmental Clearance Memorandum

TO: Cecilia Brown
Project Manager – KEWM-4

Proposed Action: Yellow Bay Creek property funding

Fish and Wildlife Project No. and Contract No.: 2002-003-00, BPA-58888

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: Township 24 North, Range 19 West, Section 3; Lake County, MT

Proposed by: Bonneville Power Administration (BPA)

Description of the Proposed Action:

BPA proposes to fund the Confederated Salish and Kootenai Tribes (CSKT) for the purchase of 62 acres of property, referred to as the Yellow Bay Creek Property, in Lake County, MT. The CSKT would own and manage the property for fish and wildlife conservation purposes and BPA would 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 Hungry Horse Dam on the South Fork of the Flathead River. The property provides important habitat for westslope cutthroat trout and bull trout in the Flathead Lake Basin.

The CSKT would provide long-term stewardship for the land and would 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 would conduct further environmental review. Initial planned management activities on the property are to maintain current fencing.

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/ Hannah Dondy-Kaplan
Hannah Dondy-Kaplan
Environmental Project Manager

Concur:

/s/ Katherine S. Pierce
Katherine S. Pierce
NEPA Compliance Officer

Date: February 27, 2013

Attachments:
Environmental Checklist for Categorical Exclusions
Map

Environmental Checklist for Categorical Exclusions

Name of Proposed Project: Yellow Bay Creek Land Acquisitions. Project 2002-002-00

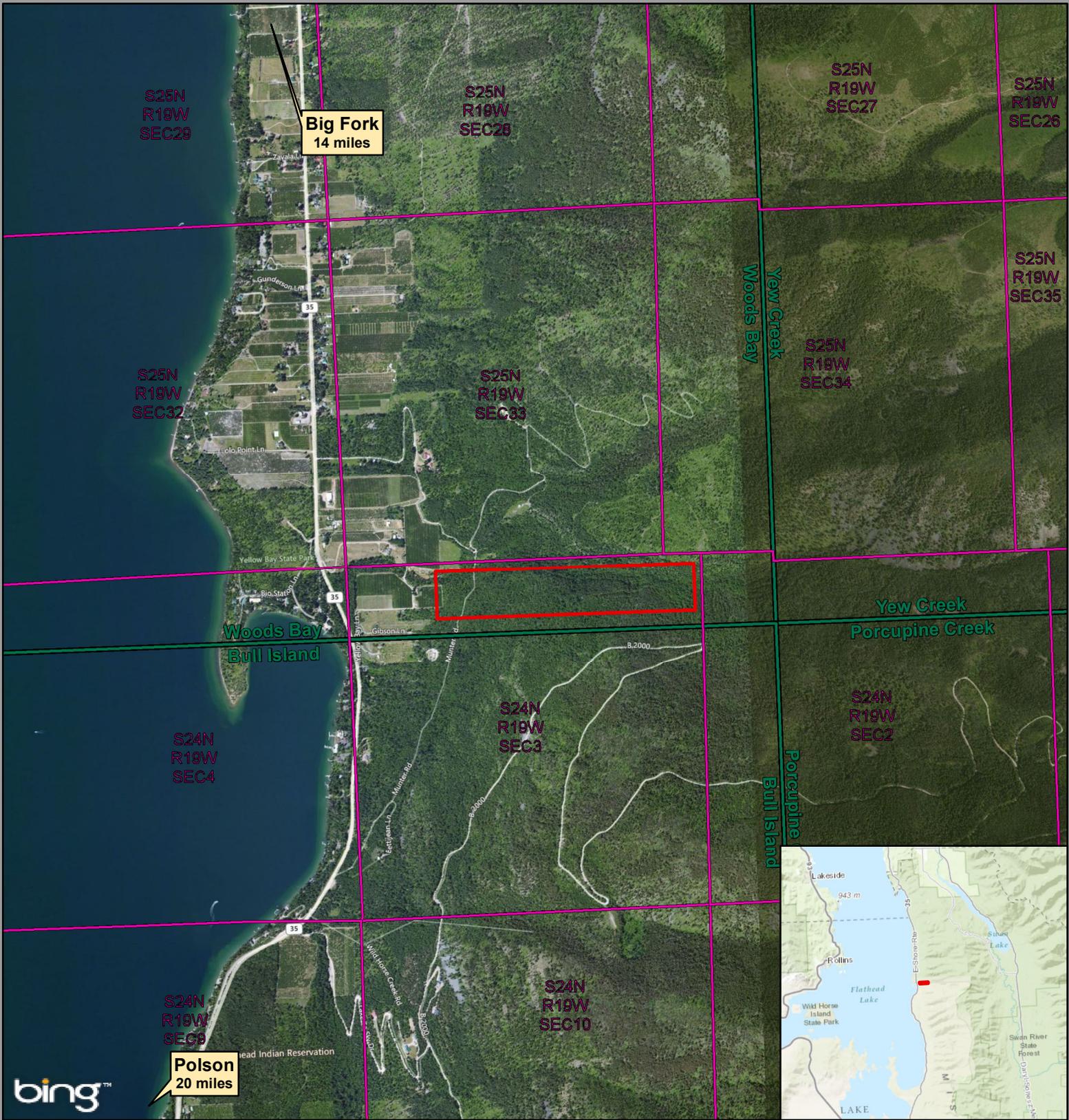
Work Order #: #BPA- 266311

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 adverse effect	<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 Only BPA approved herbicides will be applied	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Signed: /s/ Hannah Dondy-Kaplan

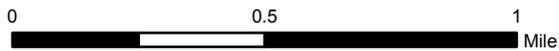
Date: February 27, 2013



YELLOW BAY CREEK LAND ACQUISITION

LAKE COUNTY, MT
(64 ACRES)

-  Subject Property
-  TRS Boundary
-  Quad Name and Boundary



2/27/2013

