

United States Government

Department of Energy  
Bonneville Power Administration

# memorandum

DATE: January 26, 2005

REPLY TO  
ATTN OF: KEC-4

SUBJECT: Supplement Analysis for the Watershed Management Program EIS (DOE/EIS-0265/SA-201)

TO: Joe DeHerrera  
Wildlife Biologist - KEWU

**Proposed Action:** Secure and Restore Critical Fish Habitats

**Project No:** 2002-003-00

**Watershed Management Techniques or Actions Addressed Under This Supplement Analysis (See App. A of the Wildlife Mitigation Program EIS):** 1.1 Fee-Title Acquisition and Transfer; 2.15 Acquisition of Sensitive Riparian Resources; 4.18 Purchase/Negotiate water rights

**Location:** Flathead Basin, Montana

**Proposed by:** Bonneville Power Administration (BPA) and the Confederated Salish and Kootenai Tribes (CSKT)

**Description of the Proposed Action:** BPA proposes to fund the CSKT for the acquisition of four separate parcels in the Flathead River Watershed, Montana. These parcels are the Pierce (216 acres at T19N R21W Sec. 27, 28 and 33), Walhood (23 acres at T22N R19W, Sec. 18), Ortgies (261 acres T25N R21W, Sec. 19 and 20), and Hawkins (80 acres at T24N R21N, Sec. 31) properties. These parcels encompass upland and lowland habitats along Mission Creek, DuCharme Creek, Dayton Creek, and Ronan Creek. The overall objective for these watersheds is to restore the water quality, habitat quality, and fish community to the greatest extent possible.

Because of various man-caused developments including dams, roads, livestock grazing, residential development, irrigation and other agricultural practices, there has been a severe decline in the range and abundance in two native trout species: westslope cutthroat trout and bull trout. This program is designed toward securing critical fish habitat, consistent with the goals of the 1994 and 2000 Fish and Wildlife Programs, and 1993 Hungry Horse Dam Fisheries Mitigation Implementation Plan. The current proposal includes only land acquisition; any habitat enhancement, restoration, and/or improvement activities will likely be accomplished by other projects.

**Analysis:** The compliance checklist for this parcel was completed by Lynn DuCharme of the CSKT (August 11, 2004) and meets the standards and guidelines for the Watershed Mitigation Program Environmental Impact Statement (EIS) and Record of Decision (ROD).

Endangered Species Act (ESA) listed species that may be found in the vicinity of the properties proposed for acquisition are the bull trout, bald eagle, grizzly bear, gray wolf, and Canada lynx. The acquisition of these parcels will have no effect on ESA-listed species, as there would not be land disturbing activities (actions) associated with this proposal. Prior to implementing any BPA-funded restoration or enhancement activities on the parcels, ESA compliance (consultation) will likely be required.

In the spring of 2004, the CSKT submitted a File Search Request Form to the Montana State Historic Preservation Office (SHPO) for the four properties. In response, Mr. Damon Murdo of the SHPO office provided a June 14, 2004 electronic response that identified a cultural site at the Pierce property and another at the Hawkins property. Because no ground disturbance is associated with this project however, Mr. Murdo stated that there would be a low likelihood of impacts to cultural properties and that no cultural resource inventories would be needed. However, he stated that any future work on the properties that could involve ground disturbance would necessitate a cultural resource inventory to determine presence and anticipated impacts, if any. Mr. David Schwab of the CSKT Tribal Historic Preservation Department conducted a more recent cultural resource file search of the Pierce, Walhood, and Hawkins properties which are within the Flathead Indian Reservation. One prehistoric occupation site was noted but Mr. Schwab concluded that because the proposed actions will not pose a threat to cultural resources, no further review is necessary. He stated that any future land disturbing undertakings on these tracts will require a cultural resource compliance review by the CSKT. No cultural sites were found on the Ortgies property which is just outside the reservation boundary, and Mr. Schwab deferred further comment to the SHPO. Additionally, it was reported that in a conversation between Lynn DuCharme and CSKT THPO, Marcia Pablo, Ms. Pablo indicated there was no need or requirement to conduct a cultural resources survey or review prior to just acquiring land.

In December 2004, a Phase I Environmental Site Assessment (environmental audit) was completed on three of the four properties proposed for acquisition by BPA Environmental Protection Specialist, Fred Walasavage: Hawkins, Pierce, and Walhood. The assessments did not reveal any noteworthy environmental conditions. In May 2004, Fred completed a Phase I Environmental Site Assessment on the portion of the property that lies to the west of Highway 95 by Fred Walasavage. Fred determined that there was inadequate information to fully assess the conditions of this portion of the Ortgies property. Fred recommended that a site visit and interview with the landowner would need to be conducted to collect missing information and further assess site conditions.

Over the last several years, the CSKT conducted several multiple public meetings in the watersheds of land to be acquired. Landowners were invited to learn and discuss the goals and potential projects by the CSKT. The CSKT continues to work with multiple stakeholders in each of the drainages and to assess the goals. Several mailings and progress reports have also been sent to landowners in the watersheds to update them on recent and potential projects.

**Findings:** The project is generally consistent with the Northwest Power Planning Council's Fish and Wildlife Program, as well as BPA's Watershed Mitigation Program EIS (DOE/EIS-0265) and ROD. This Supplement Analysis finds that: 1) implementing the proposed action will not result in any substantial changes to the Watershed Mitigation Program that are relevant to environmental concerns;

and 2) there are no significant new circumstances or information relevant to environmental concerns and bearing on the Watershed Mitigation Program or its impacts. Therefore, no further NEPA documentation is required. All support information to this memo is found in the KEC-4 project file that includes the NEPA compliance checklist, cultural resources correspondence, and Phase I Environmental Site Assessment Findings.

/s/ Carl Keller 1-26-05

Carl J. Keller

Fish and Wildlife Biologist – KEC-4

CONCUR:

/s/ Thomas McKinney

Thomas C. McKinney

NEPA Compliance Officer – KEC-4

DATE: 1-26-05

cc:

Lynn DuCharme, Confederated Salish and Kootenai Tribes, P.O. Box 278, Pablo, MT 59855