

United States Government

Department of Energy
Bonneville Power Administration

memorandum

DATE: September 29, 2004

REPLY TO
ATTN OF: KEC-4

SUBJECT: Supplement Analysis for the Wildlife Mitigation Program EIS (DOE/EIS-0246/SA-44)

TO: Joe DeHerrera- KEWN-4
Fish and Wildlife Project Manager

Proposed Action: Hellsgate Big Game Winter Range-Wildlife Mitigation Project

Project No: 199204800

Wildlife Management Techniques or Actions Addressed Under This Supplement Analysis (See App. A of the Wildlife Mitigation Program Final EIS, DOE/EIS-0246): 1. Resource Acquisition, 1.2 Easement Acquisition, 7. Vegetation Management, 7.1 Herbicides, and 8 Species Management

Location: Okanogan and Ferry Counties, Oregon

Proposed by: Bonneville Power Administration (BPA) and Confederated Tribes of the Colville Reservation (CTCR)

Description of the Proposed Action: Background - The overall goal of this ongoing 10-year+old project is to fully mitigate for all wildlife losses that have resulted from hydropower construction and operation of Chief Joseph and Grand Coulee Dams. To mitigate for losses, the CTCR annually acquires and manages suitable land. Presently, the CTCR have not yet been fully and appropriately compensated, and are continuing project activities until such goals are met. Accordingly, 14,510 Habitat Units (HUs) have been accumulated to date on Tribal property toward a calculated target of 35,819 HUs lost.

Actions - The focus of the project is to protect, restore, and enhance critical winter habitat for big game and shrub-steppe/sharp-tailed grouse habitat on lands purchased and managed by the CTCR.

The CTCR currently proposes to acquire separate units of land on the Colville Reservation as follows: A. Former Joy Properties – three land parcels totaling 12,636 acres, and B. Balcom Family Trust - totaling 361.17 acres.

In addition to purchasing additional property (and adding HUs), other activities proposed for FY04 are as follows: maintain livestock boundary fences; remove trespass livestock from mitigation lands; close roads and gates; maintain leases to protect wildlife; protect critical habitat in accordance with tribal fish and wildlife management priorities; control noxious weeds through chemical measures by using best technology; maintain records; secure necessary application licenses; coordinate weed control measures; use other weed control practices; provide adequate fire protection; carry out comprehensive management plan; keep project lands free of nuisances and hazards; clean up dumped materials; continue data collection and evaluation on the project; update the standard monitoring plan that included evaluation and monitoring; establish photo point transects, conduct HEP studies including a vegetation inventory, monitor subsistence use and population responses of selected species; conduct population census and trend data collection; maintain communication, coordination, and administrative support to the project; prepare necessary reports including quarterly progress reports and annual summary reports to BPA; clear

all ground-disturbing with Tribal History/Archaeology Department; identify selected habitats from the Site Specific Management Plan for implementing restoration activities, enhance and maintain lands into Habitat Improvement Programs, and implement habitat enhancement on project lands.

Analysis: In March 1995, the CTCR, Bureau of Indian Affairs, and BPA cooperatively completed a final environmental assessment entitled “*Hellsgate Winter Range: Wildlife Mitigation Project Final Environmental Assessment*”. The primary intent of this document was to assess effects from implementing the Hellsgate Wildlife Mitigation project. The CTCR’s 2004 SOW activities are generally covered under this document. In addition, Matthew Berger of the CTCR completed an environmental compliance checklist on December 12, 2003 that provides more current and detailed information about the ongoing and proposed activities. This checklist meets the standards and guidelines for the Wildlife Mitigation Program Environmental Impact Statement (EIS) and Record of Decision (ROD).

Acquisition of property is normally conducted within the parameters of a Memorandum of Agreement (MOA) between BPA and the CTCR. This MOA establishes the working interrelationships between the two parties. The CTCR and BPA are currently completing an amended *MOA Between the Confederated Tribes of the Colville Reservation and the Bonneville Power Administration for Wildlife Mitigation*, as related to this project.

CTCR reports that the project is dedicated to the protection of wildlife species and that no actions or activities would in any way jeopardize federally listed species and or their habitats. The CTCR’s IRMP provides guidelines for protecting, managing, and enhancing the resources. A species list was obtained from U.S. Fish and Wildlife Service on June 12, 2003, identifying bald eagles, Canada lynx, and bull trout as potentially occurring in the project vicinity. No listed species under the jurisdiction of NOAA Fisheries are present in the project area. A site assessment was conducted on July 15, 2003 to determine presence of listed species and the potential effects of project activities on these species. Based on the activities proposed and the likelihood of those species being present in the project area during construction, a “no effect” determination is made for all ESA-listed species. For future project activities under BPA finding authority, the CTCR Fish and Wildlife Department will annually reassess their proposed actions for potential effects on listed species and their habitats, and keep BPA apprised of those actions accordingly, so that ESA consultation may appropriately be initiated as necessary.

The MOA described above, contains provisions related to cultural resources that have been agreed between the Tribe’s Business Council, their Natural Resources Committee, BPA’s Office of General Counsel, and BPA’s Environment, Fish and Wildlife. Accordingly to avoid cultural and historic resource impacts, the Tribe will integrate management planning for historic and cultural resources as defined under the National Historic Preservation Act as amended. Cultural resource surveys shall be done before initiating project ground-disturbing activities and sensitive sites will be avoided if possible in implementing actions. Only ground-disturbing activities that are approved in the Management Plan may be undertaken after meeting appropriate environmental analyses. Specific cultural resource compliance activities will be funded by BPA in accordance with intergovernmental contracts.

To date, only small-scale enhancement activities have occurred on mitigation units purchased before 1999. However, any planned specific activities that could impact cultural resources may necessitate consultation with the CTCR Tribal Historic Preservation Office for appropriate conservation and protection. During the site planning process for property acquisition, the Tribal cultural resources staff will participate by coordinating the cultural resources survey. When constructing new fences, the cultural resource department is invited to walk the fence line to determine need for protection. If cultural resources are discovered during fence building, all work stops and the department is notified.

The consulted parties in the development of the aforementioned actions include: the Natural Resources Conservation Service, Bureau of Indian Affairs, and U.S. Department of Agriculture, Interagency Scientific Review Committee, and NW Power and Conservation Council.

Any herbicidal application will comply with the USDA guidelines and recommendations on the labels for each product. Livestock grazing will not be allowed unless it will benefit wildlife. All vegetative planting will be grown at the Tribal greenhouse and be approved by the CTCR's Natural Resources Committee. Local seed stock will be used on disturbed areas. Quarterly and annual reports would be provided to BPA. Additional parameters are outlined in the MOA described earlier. Support documents to this SA are located in the KEC project files.

Findings: The project is generally consistent with the Northwest Power Planning Council's Fish and Wildlife Program, the Hellsgate Final EA, and BPA's Wildlife Mitigation Program EIS (DOE/EIS-0246) and ROD. This Supplement Analysis finds that: 1) implementing the proposed action will not result in any substantial changes to the Wildlife Mitigation Program or the Watershed Management 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 Wildlife Mitigation Program, Watershed Management Program, or their impacts. Therefore, no further NEPA documentation is required.

/s/ Carl Keller

Carl J. Keller
Fish and Wildlife Biologist

CONCUR:

/s/ Thomas C. McKinney

Thomas C. McKinney
NEPA Compliance Officer

DATE: September 30, 2004

cc:

Mr. Matt Berger- Colville Confederated Tribes, Fish and Wildlife Department, P.O. Box 150, Nespelem, WA 99155

cc: (w/o attachments)

L. Croff - KEC-4

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Official File - KEC (EQ-14)

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