

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Pearlshell Land Property Acquisition

Project No.: 2002-003-00, Contract 83367

Project Manager: Cecilia Brown, EWM-4

Location: Lake County, Montana

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

Description of the Proposed Action: Bonneville Power Administration (BPA) is proposing to fund the Confederated Salish and Kootenai Tribes to purchase the Pearlshell property, a 10.5 acre parcel of land located four miles north 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 this property would serve as partial mitigation for the construction and operation of the Hungry Horse Dam. This land purchase would also fulfill ongoing commitments under the 2020 U.S. Fish and Wildlife Service Columbia River System BiOp (2020 FWS CRS BiOp).

When the purchase is complete, the CSKT would own and manage the property for resident fish and wildlife conservation purposes and BPA would receive a conservation easement to ensure that the habitat values on the properties are always protected.

The property consists of riparian and upland habitats. The CSKT would develop a management plan to guide the protection and enhancement of habitat and other resources on the property. 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 required.

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:

<u>/s/ Katey C. Grange</u>	<u>August 26, 2020</u>
Katey C. Grange	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: Pearlshell Land Acquisition

Project Site Description

The Pearlshell property is mostly flat and lies along the Jocko River within the Flathead Subbasin of the Columbia River Basin at an elevation of approximately 3,100 feet above sea level. The property is privately owned and was used for agricultural production and recreation. Vegetation consists of riparian forests and upland grasslands; and supports a variety of native and non-native fish and wildlife.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No

Explanation: BPA Archaeologist determined there would be no potential to affect historic properties due to the land acquisition, which includes transfer of title and the creation of a conservation easement (MT 2020 018). To the extent that future activities on the property may have an effect, it is expected that the Confederated Salish and Kootenai Tribes 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: Notification of the land acquisition letters would be sent to adjacent landowners and other interested parties at a minimum of 15 days before the closing date of the sale. Ads would also be posted in local newspapers, and information would be posted on BPA's public website prior to closing.

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 August 26, 2020
Brenda Aguirre, ECF-4 Date
Environmental Protection Specialist