

United States Government

Department of Energy
Bonneville Power Administration

memorandum

DATE: March 7, 2011

REPLY TO
ATTN OF: KEC-4

SUBJECT: Environmental Clearance Memorandum

TO: Jay Marcotte
Project Manager – KEWU-4

Proposed Action: Bonneville Power Administration (BPA) funding to acquire the Beaver Creek property and to maintain this property for fish and wildlife habitat protection.

Budget Information: Work Order # 00225478

Fish and Wildlife Project No.: 2009-003-00, 43451

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021): B1.25 Transfer, lease, disposition or acquisition of interests in uncontaminated land for habitat preservation or wildlife management, and only associated buildings that support these purposes.

Uncontaminated means that there would be no potential for release of substances at a level, or in a form, that would pose a threat to public health or the environment.

Location: The Beaver Creek property is located near Twisp, Washington in Okanogan County, along Beaver Creek. Legal description is Township 33 North, Range 22 East, Section 2 and 11.

Proposed by: BPA; the Confederated Tribes and Bands of the Yakama Nation (Yakama Nation); the Methow Salmon Recovery Foundation (MSRF), a Washington nonprofit corporation; and Trout Unlimited.

Description of the Proposed Action: BPA proposes to work with the Yakama Nation to fund the MSRF's acquisition of 145 acres and to fund the maintenance of this property along Beaver Creek. The property is being acquired to protect and restore fish habitat. This purchase would protect this land from development and contribute to the improvement of riparian fish habitat for Upper Columbia spring Chinook salmon, Upper Columbia steelhead and Columbia River bull trout, which are listed under the Endangered Species Act, as well as other unlisted fish and numerous wildlife species. Trout Unlimited will also purchase water rights from the same landowner to improve habitat values for fish by moderating temperature and make more water available for fish during late summer months. This acquisition will help the Yakama Nation and BPA meet the goals and objectives of fish habitat mitigation addressed in their Columbia Basin Fish Accord agreement. The acquisition is being undertaken pursuant to an agreement between BPA and the MSRF relating to habitat acquisitions

Once the property is purchased the MSRF will own and manage the land for conservation purposes. The MSRF will develop an interim management plan to identify and guide any activities that may be needed to protect and preserve the property's value for fish and wildlife.

It is anticipated that MSRF may lease or sell parts or all of the land, at which time they will place a perpetual conservation easement on the property to ensure its permanent protection for fish and wildlife habitat. The MSRF would hold the perpetual conservation easement and BPA would retain rights to enforce the easement. If BPA funds any management or restoration activities on the property, BPA will conduct further environmental review. The purchase of the property is expected to be finalized in April 2011.

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). 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, 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, or (iv) adversely affect environmentally sensitive resources.

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/ Jennifer Stolz

Jennifer Stolz

Environmental Protection Specialist – KEC-4

Concur:

/s/ Katherine S. Pierce

Date: March 7, 2011

Katherine S. Pierce

NEPA Compliance Officer – KEC-4

Attachment:

Environmental Checklist for Categorical Exclusions

Environmental Checklist for Categorical Exclusions

Name of Proposed Project: Beaver Creek

Project #: 2009-003-00, 43451

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 effect as this is strictly a land acquisition.	<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 No effect as this is strictly a land acquisition.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

List supporting documentation attached (if needed):

Signed: /s/ Jennifer Stolz

Date: March 7, 2011