

United States Government

Department of Energy  
Bonneville Power Administration

# memorandum

DATE: August 31, 2005

REPLY TO  
ATTN OF: KEC-4

SUBJECT: Supplement Analysis for the Wildlife Mitigation Program EIS (DOE/EIS-0246/SA-48)

TO: Virgil Watts, KEWU-4  
Fish and Wildlife Project Manager

**Proposed Action:** Sand Creek Property Transfer

**Project No:** 1992-061-00

**Wildlife 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.

**Location:** Bonner County, Idaho

**Proposed by:** Bonneville Power Administration (BPA) and the Kalispel Tribe of Indians

**Description of the Proposed Action:** BPA is proposing to transfer title of an 80-acre parcel to the Bureau of Indian Affairs to hold in trust for the Kalispel Tribe of Indians. The Kalispel Tribe of Indians would receive the property as part of the Albeni Falls Wildlife Management Program, which is a mitigation program that purchases private land to be owned and managed by program participants for the protection, mitigation, and enhancement of wildlife affected by the construction and operation of the Federal hydroelectric facilities on the Columbia River. The property would be used for wildlife habitat and would provide BPA with credits for partial mitigation of wildlife habitat losses due to the construction of Albeni Falls Dam.

**Analysis:** The compliance checklist for this project was completed by Ray D. Entz with the Kalispel Tribe of Indians (December 16, 2004) and meets the standards and guidelines for the Wildlife Mitigation Program Environmental Impact Statement (EIS) and Record of Decision (ROD). A comprehensive management plan will be prepared for the property after it is transferred and will follow the guidelines and mitigation measures detailed in the Wildlife Mitigation Program EIS and ROD.

Endangered Species Act (ESA) listed species identified by the U.S. Fish and Wildlife Service (May 24, 2004) that may be present in the project vicinity include gray wolf, grizzly bear and slender moonwort. The transfer of the Sand Creek parcel will have no effect on ESA-listed species. There are no documented occurrences of either gray wolf or grizzly bear within 20 miles of the Sand Creek property and slender moonwort is not known to occur in Bonner County (Idaho Conservation Data Center, 2003). ESA Section 7 Consultation will be conducted by BPA and the Kalispel Tribe of Indians, as necessary, prior to the implementation of any restoration or enhancement activities on the site.

In accordance with Section 106 of the National Historic Preservation Act, a cultural resource survey of the Sand Creek parcel and right-of-way access easement was conducted by Kevin Lyons with the Kalispel Tribe of Indians. No cultural or historic resources were identified within the project area. Based on these findings, BPA determined that the proposed land transfer would have no effect on cultural

or historic resources. The Idaho State Historic Preservation Office concurred with these determinations on November 2, 2004.

In June 2004 a review of the Sand Creek parcel was conducted by Fred Walasavage, Environmental Protection Specialist for BPA, to ensure compliance with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The purpose of the review was to determine if any hazardous substances, toxic materials or petroleum materials have been stored, released, or disposed of at the site. Fred determined that the property has never been used for any operational or maintenance activities, there are no releases occurring on or adjacent to the property, and there were no recognized environmental conditions identified during his site visit (June 3, 2004).

No restoration or enhancement activities on the Sand Creek parcel are authorized to begin until the proponent has obtained all applicable local, state, and federal permits and approvals. The parcel has been documented to contain two wetlands that are regulated under Section 404 of the Clean Water Act (Army Corps of Engineers, October 21, 2004). Any discharge of dredged or fill material into these wetlands would require a permit.

Public involvement has taken place as part of the proposed Sand Creek land transfer. The proposal was reviewed and approved by Albeni Falls Work Group that includes the Coeur d'Alene Tribe, the Kootenai Tribe, and Idaho Department of Fish and Game. A public notice was published in the Bonner County Daily Bee and a letter was mailed to adjacent landowners notifying them of the proposed transfer and requesting comments. Additional public involvement will be required during the development of a comprehensive management plan for the Sand Creek parcel.

**Findings:** The project is generally consistent with Section 7.6A.2, 7.6B.3, & 7.8E.1, of the Northwest Power Planning Council's Fish and Wildlife Program. This Supplement Analysis finds 1) that the proposed action is substantially consistent with the Wildlife Mitigation Program EIS (DOE/EIS-0246) and ROD, and, 2) that there are no new circumstances or information relevant to environmental concerns and bearing on the proposed action or their impacts. Therefore, no further NEPA documentation is required.

/s/ Shannon C. Stewart 8-31-05  
Shannon C. Stewart  
Environmental Specialist – KEC-4

CONCUR:

/s/ Kathy S. Pierce  
Kathy S. Pierce  
Acting NEPA Compliance Officer – KEC-4

DATE: 8-31-05

**Attachment:**  
NEPA Compliance Checklist  
ID SHPO Letter of Concurrence, November 2, 2004  
CERCLA Findings, June 3, 2004

cc: (w/ attachments)  
Mr. Ray D. Entz – Kalispel Tribe of Indians