# Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy

**Proposed Action:** Kalispel Tribe Albeni Falls Wildlife Area Operations, Maintenance, and Habitat Restoration

**Project No.:** 1992-061-02

**Project Manager:** Lee Watts – EWM-4

**Location:** Pend Oreille, Washington and Bonner, Idaho

**Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021):** B1.3 Routine Maintenance, B1.20 Protection of cultural resources, fish, and wildlife habitat

**Description of the Proposed Action:** The Bonneville Power Administration (BPA) proposes to fund routine operations and maintenance (O&M) and habitat restoration activities on lands owned and managed by the Kalispel Tribe in Washington and Idaho to address the negative impacts to fish and wildlife species and habitats affected by the construction and operation of the Albeni Falls Dam. BPA funding would be provided under the Albeni Falls Wildlife Mitigation Program to mitigate for effects of the Federal Columbia River Power System (FCRPS) on fish and wildlife in the mainstem Columbia River and its tributaries pursuant to Pacific Northwest Electric Power Planning and Conservation Act of 1980 (Northwest Power Act) (16 U.S.C. (USC) 839 et seq.).

BPA proposes to fund routine operations and maintenance and habitat restoration activities on 11 wildlife areas:

| Property Name | County | Location (Long, Lat) |
|---|---|---|
| Beaver Lake | Bonner, ID | 48.20525 N 116.41501 W |
| Big Meadows | Bonner, ID | 48.45075 N 116.99471 W |
| Carey Creek | Bonner, ID | 48.14134 N 116.85019 W |
| Cusick Meadows | Pend Oreille, WA | 48.33012 N 117.31896 W |
| Eaton Lake | Bonner, ID | 48.19684 N 116.40943 W |
| Flying Goose | Pend Oreille, WA | 48.43728 N 117.28417 W |
| Gamlin Lake | Bonner, ID | 48.22589 N 116.40033 W |
| Indian Creek | Pend Oreille, WA | 48.25022 N 117.14611 W |

| | | |
|---|---|---|
| Scheibel | Pend Oreille, WA | 48.37909 N<br>117.29509 W |
| Tacoma | Pend Oreille, WA | 48.40291 N<br>117.30780 W |
| Trimble Creek | Pend Oreille, WA | 48.38103 N<br>117.33223 W |

Project activities would include:

**Vegetation Maintenance**

Vegetation would be maintained and noxious weeds removed using mechanical control (mowing, weed whacking, etc.), physical control (hand pulling, cutting, etc.), cultural control (burning, planting competing species), and chemical control (herbicide) methods. Herbicides would be applied by hand spraying, tank-mounted boomless trucks, or vehicle boom sprayer. Controlled burns would be performed only in appropriate conditions (soil moisture, humidity, wind, etc.) and use mowed lines, wet lines, water bodies, and hard rocks as burn barriers.

Native tree, shrub, and grass species would be planted in an effort to restore natural vegetation in newly restored areas and former agricultural fields. Areas treated for weed removal would be prioritized for reseeding and planting after weeds are removed to prevent regrowth of undesirable vegetation. Planting larger trees and shrubs would be completed using small machinery fitted with augur bits to dig holes. Smaller plants would be planted using hand tools like shovels and hand spades. Seeding would be conducted by hand or using a broadcast seeder attached to a small vehicle. All seeded and planted areas would be monitored for vegetation survival and growth and weeded, fertilized, mulched, and maintained as needed.

**Nursery Operations and Maintenance**

The Indian Creek Field Nursery produces plants and materials for use on restoration sites. Ongoing work at the nursery would include potting new plants, transferring plants to developed beds for maturation, and maintaining the water delivery and irrigation system and its components. Plants are bedded over during winter and remain dormant until spring. All work would occur in areas that have previously been disturbed and all maintenance would be like-for-like with no new construction.

**Road, Parking Lot, and Fence Maintenance**

Existing access roads and parking lots would be maintained. All road maintenance would occur solely within the existing road prisms and no new roads would be constructed. Routine maintenance would include filling potholes with gravel, removing snow and ice during winter months, collecting and disposing of debris and trash, and removing encroaching vegetation. Existing parking lots would also be maintained in a similar manner.

Perimeter fences at management areas would be inspected, monitored, and maintained. Roughly 95 miles of fencing across the various wildlife areas would be maintained. Maintenance would include tightening wires, replacing old or damaged wires with new ones, removing falling trees, and resetting any fencing segments that have fallen. All repairs and replacements would be like-for-like and no new fence construction would be conducted.

Signage at parking lots, along roads, and along fences would also be maintained. The signs would be inspected during maintenance activities and repaired or replaced as needed due to damage from wildlife, vandalism, and the elements.

**Building Maintenance**

Existing buildings on mitigation units would be maintained. The buildings maintained would include field offices, restroom structures, machine shops, and storage sheds for equipment and material. Maintenance would include painting, disposing of trash and debris, trimming encroaching vegetation, and other routine building repairs. No new construction would occur.

**Water Control Structure Maintenance**

Existing water control structures (stop logs, valves) and water diversions (culverts, ditches) on mitigation units would be inspected and maintained to ensure continued operability. Debris would be regularly removed to ensure that back-ups caused by clogged water structures do not occur. All repairs and replacements would be like-for-like and no new structures would be constructed.

**Replace Two Culverts**

Two degraded metal culverts on the Scheibel property would be replaced with new plastic culverts. The existing culverts are 24 inches in diameter and roughly 10 feet long and used solely for irrigation and water control purposes. No fish have access to the culvert locations. The culverts have begun rusting and no longer properly function. Both culverts are adjacent to existing roadways, which would be used for access and staging of materials. The old culverts would be excavated using a backhoe operated by Kalispel Tribe staff. The new culverts would be the same size as the old culverts and placed in the same location. Ground disturbance beyond the footprints of the existing culverts would be minimal.

**Create Wetland Ponds**

Approximately ten acres of ephemeral wetland ponds would be created on the Cusick Meadows property. Creation of these wetland ponds would restore historic habitat conditions on the property, which was extensively leveled by past agricultural practices. Shallow depressions between 6 and 12 inches deep would be excavated using machinery (backhoes, skid steers, etc.) and hand tools (shovels, rakes, etc.). Spoils from the excavation would be used to fill unused irrigation ditches on the property. The disturbed area would then be seeded and planted with native wetland species. During wet months, the depressions would fill and retain water and form habitat for wetland species and wintering waterfowl. The new ponds would be monitored throughout the year and additional vegetation management (planting, removing weeds, etc.) would occur as needed.

**Construct Three New Parking Lots**

New parking pull-offs would be created at the Carey Creek, Beaver Lake, and Gamlin Lake properties. The parking lots would be roughly 50 feet by 50 feet, with space for 3 to 5 vehicles to pull off the road and park safely by the entrances for the properties. The lots would be constructed by laying down a layer of geotextile fabric and topping it with 3 to 5 inches of gravel. The gravel would be leveled and left to settle, and additional gravel would be added as needed throughout the year to create a level parking area. No digging or excavation would be required and ground disturbance would be minimal.

**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/ Thomas DeLorenzo*
Thomas DeLorenzo
Protection Specialist

Concur:

*/s/ Katey C. Grange* *August 25, 2022*
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:** Kalispel Tribe Albeni Falls Wildlife Area Operations, Maintenance, and Habitat Restoration

## Project Site Description

The Kalispel Tribe maintains thousands of acres across more than a dozen wildlife areas in northeastern Washington and northern Idaho. Project activities that BPA would fund would take place on 11 of these wildlife areas spread throughout Pend Oreille County, Washington and Bonner County, Idaho, covering just under 5,000 acres of upland grasslands, riparian forests, wetlands, and remnant agricultural fields. Much of the region was greatly affected by historic cattle grazing and agriculture, which severely impacted the wetlands and forests that historically dominated the area. Moreover, the construction of the Albeni Falls Dam inundated more than 6,000 acres of riparian habitat and caused large-scale and ongoing changes to the hydrology of the Pend Oreille River, the dominant waterway in the region.

## Evaluation of Potential Impacts to Environmental Resources

### 1. Historic and Cultural Resources

Potential for Significance: No with conditions

Explanation: BPA, in coordination with Kalispel Tribe Natural Resources Department (KNRD) archaeological staff, reviewed project activities for effects on historic and cultural resources. An area of potential effect (APE) for project activities was identified and BPA conducted background research into recorded cultural resources and archaeological surveys near the APE (BPA CR Project No. ID 2022 115). On July 20, 2022, BPA determined that project activities would result in no adverse effect to historic properties, subject to the stipulations detailed below. BPA initiated consultation with the Kalispel Tribe of Indians, the Kootenai Tribe of Idaho, the Coeur d'Alene Tribe, the Idaho State Historic Preservation Office (IDSHPO), and the Washington Department of Archaeology and Historic Preservation (WDAHP). On August 15, 2022, IDSHPO concurred with BPA's determination. On August 24, 2022, WDAHP concurred with BPA's determination. No other responses were received. The consultation period ended on August 21, 2022.

Notes:

- In the event of inadvertent discovery of cultural resources during project activities, all work would cease, the area would be secured, and BPA archaeological staff, KNRD staff, and the consulting parties would be notified.
- There are identified cultural resource sites on many of the properties. KNRD staff would flag these cultural resource sites plus an additional buffer zone of at least 30 meters around the sites prior to project activities. No project activities would occur within these areas and entrance into these areas would be avoided.
- Should grassland burning be proposed in the central-northern section of the Cusick Meadows property, further cultural resources review by KNRD archaeological staff and BPA would be conducted prior to implementation.

## 2. Geology and Soils

Potential for Significance: No

Explanation: Planting vegetation would require some soil disturbance. However, the amount of excavation required would be minor and the long-term effects of restoring vegetation would be to establish complex root systems that would improve the retention of topsoil and overall quality of soil in the planted areas.

Replacing the culverts on the Scheibel property would also require excavation. However, the replacement culverts are the same dimensions as the existing culverts. All excavation would be within the same footprint as the existing culverts and disturbed soil would be backfilled over the new culverts. No long-term changes to the soil conditions at the culvert locations would occur as a result of the replacements.

Construction of the wetland ponds on the Cusick Meadows property would require excavation. Soil removed would be used to fill nearby irrigation ditches that are no longer in use. The overall effect of the excavation would be to restore the historic topography and natural conditions of the property from before it was leveled for agricultural use.

Construction of new parking lots would require no ground disturbance. The lots are built on top of the soil and no excavation is required. All road maintenance would occur within existing road prisms. New and replacement signs would use existing fence posts and require no new ground disturbance. All fence maintenance would be like-for-like and any replacements would use existing post holes and require no new ground disturbance.

No other project activities would involve earthmoving and would have negligible effects on soils.

## 3. Plants (including Federal/state special-status species and habitats)

Potential for Significance: No

Explanation: No Endangered Species Act (ESA)-listed plant species are present in any of the project areas (United States Fish and Wildlife Services (USFWS) Information for Planning and Consultation (IPaC)). Washington state-listed endangered Michigan moonwort (*Botrychium michiganense*) has the potential to occur in Pend Oreille County (Washington Department of Natural Resources). However, this species is typically only found in sandy dune systems, none of which are present in the project areas. Therefore, there would be no effect on Michigan moonwort. No Idaho state-listed species of endangered plants are present in Bonner County (Idaho Governor's Office of Species Conservation).

Vegetation maintenance would affect plants. The plants that would be removed are largely noxious weeds or invasive species. These plants would be replaced with native vegetation, helping to restore historic vegetation in the project areas. Other effects on vegetation from project activities and human presence would be negligible, consistent with ongoing O&M activities that have been conducted in past years, and cause no long-term impacts.

## 4. Wildlife (including Federal/state special-status species and habitats)

Potential for Significance: No

Explanation: ESA-listed Canada lynx (*Lynx Canadensis*), grizzly bear (*Ursys arctos horribilis*), and yellow-billed cuckoo (*Coccyzus americanus*) have the potential to occur on the wildlife areas (IPaC). The project areas are far below the typical elevation and outside the typical spruce and fir forests in which lynx are found. Grizzly bear are likewise unlikely to be found near project sites during project activities due to their avoidance of noise and human presence. Yellow-billed cuckoo typically nest in dense riparian woodlands similar to those that can be found on some of the wildlife areas. However, no work would occur that would alter or affect these forests. Vegetation management programs would not remove the large

trees in which yellow-billed cuckoo nest and hunt. As a result, the project activities would have no effect on these species. No Washington or Idaho state-listed species of endangered animals are present in Pend Oreille County and Bonner County (Washington Department of Fish and Wildlife, Idaho Governor's Office of Species Conservation).

To the extent that any wildlife would be disturbed by human presence (noise, shadows, etc.) during project activities, the effects would be minor, consistent with ongoing O&M activities which have been conducted in past years, and cause no lasting impacts.

## 5. Water Bodies, Floodplains, and Fish (including Federal/state special-status species, ESUs, and habitats)

Potential for Significance: No

Explanation: No anadromous fish species are present due to anthropogenic blockages downriver of the project locations. ESA-listed bull trout (*Salvelinus confluentus*) and bull trout critical habitat are present in the nearby Pend Oreille River (IPaC). All project activities would be in upland areas and no work is proposed that would interact with this habitat. Buffers of at least 150-feet between areas in which herbicides are applied and waterbodies would be observed to ensure that there would be no impacts to bull trout and bull trout critical habitat by herbicide run-off. Similarly, there would be no effect on any non-listed fish species.

## 6. Wetlands

Potential for Significance: No

Explanation: Mapped wetlands are present on or nearby to all of the wildlife areas (USFWS National Wetlands Inventory). No fill or destruction of these wetlands would occur from O&M activities. Vegetation management would affect some plants in mapped wetlands. However, vegetation removal would target noxious weeds and invasive species and these areas would be seeded and planted with native species, improving the quality of wetland vegetation in these areas.

The area of the Cusick Meadows property in which the wetland pools would be excavated is mapped as a palustrine emergent temporary flooded wetland (USFWS National Wetlands Inventory). The Kalispel Tribe completed a wetland delineation on August 5, 2020 for the project. The Kalispel Tribe obtained hydraulic project approval from the Washington Department of Fish and Wildlife (Permit No. 2021-1-53+01) and Shoreline Management Act approval from the Pend Oreille County Community Development Department (Permit No. SSDP-20-024). All excavation for the creation of the wetland pools would occur during dry months when no water is present in the upland project area and have minimal effects on local wetlands as a result. The long-term effects of the wetland pond creation would be to restore the natural winter and spring seasonal wetlands that were historically present on the property before it was leveled for agriculture, improving the quality of the wetlands on the property.

## 7. Groundwater and Aquifers

Potential for Significance: No

Explanation: No new wells or groundwater use are proposed by these actions. The creation of wetland ponds at the Cusick Meadows property would have the long-term positive effect of restoring historic groundwater conditions on the property as they existed before the property was leveled for agriculture. No other effects on groundwater would occur as a result of project activities.

## 8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: No changes to existing land use are proposed. Some of the properties are open seasonally for tribal member and public recreation. These properties would potentially be closed for access during some project activities. However, these closures would be temporary and consistent with past closures that have occurred during similar O&M activities in past years. No long-term changes to access are proposed.

## 9. Visual Quality

Potential for Significance: No

Explanation: Creation of wetland ponds on the Cusick Meadows property would change the current visual quality of the property but have the long-term effect of restoring the historic seasonal wetlands that existed prior to the property being leveled for agriculture. This would have the effect of enhancing the natural visual quality of the property.

Construction of new parking lots would have minimal effects on visual quality. The lots would overlay current featureless grassland and be maintained in a clean and well-kept manner.

Vegetation management activities would remove undesirable weeds and invasive species, which would have short-term effects on visual quality of treated areas. However, these areas would be planted and seeded with native plant species, restoring the traditional visual quality of the treated areas.

## 10. Air Quality

Potential for Significance: No

Explanation: There would be minor increases in vehicle exhaust from machinery used during project tasks. These effects would be limited in scope and duration and cause no long term impacts to air quality.

## 11. Noise

Potential for Significance: No

Explanation: There would be noise generated by machinery used during project activities. These effects would be limited in scope and duration and cause no long term impacts.

## 12. Human Health and Safety

Potential for Significance: No

Explanation: All personnel would use best management practices to ensure human health and safety. All machinery would be operated solely by licensed and trained personnel.

## 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: All properties are owned or held in trust by the Kalispel Tribe. No external coordination is required.

Based on the foregoing, this proposed project does not have the potential to cause significant impacts to any environmentally sensitive resource.

Signed: */s/ Thomas DeLorenzo* *August 25, 2022*
Thomas DeLorenzo, ECF-4 Date
Environmental Protection Specialist