

memorandum

DATE: April 21, 2014

REPLY TO
ATTN OF: KEC-4

SUBJECT: Environmental Clearance Memorandum

TO: Joan Kendall
Realty Specialist, Real Property Field Services – TERR-3

Proposed Action: Cowlitz Falls Fish Facility and Fish Transfer Facility Property Transfers

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021): B1.24 Property Transfers

Locations: Lewis County, Washington

Proposed by: Bonneville Power Administration (BPA)

Description of the Proposed Action: BPA proposes to transfer ownership of two fish facilities located on the Cowlitz River to the City of Tacoma (Tacoma). The facilities include the Cowlitz Falls Fish Facility (CFFF) and the Fish Transfer Facility (FTF).

BPA currently funds the operation of both fish facilities. The CFFF is near Lewis County Public Utility District's (PUD) Cowlitz Falls Project at river mile 88.6, and the FTF is at Tacoma's Cowlitz Salmon Hatchery near Barrier Dam at river mile 49.5. The facilities support fish transport from the Cowlitz Falls Project downstream to below Mossyrock and Mayfield dams, which are owned by Tacoma. BPA funded the construction, operation, and maintenance of the CFFF as part of a 1991 Settlement Agreement for the project. BPA has a power purchase agreement for the generation output of the Cowlitz Falls Project through June 30, 2032.

BPA proposes to transfer its property interests in the CFFF and FTF, together with associated buildings, structures, and equipment, by entering into a three-party agreement among BPA, the PUD and Tacoma. Under the terms of the three-party agreement, BPA would release its easement for the CFFF to the PUD, and the PUD would release BPA from all obligations associated with the CFFF Access Agreement and Grant of Easement. BPA would execute a quitclaim deed and bill of sale to Tacoma for the CFFF and FTF properties. BPA would also release its license to enter the FTF to Tacoma, and Tacoma would agree to release BPA from all obligations associated with the Cowlitz Salmon Hatchery Access Agreement.

Tacoma would own and operate the facilities to comply with its Federal Energy Regulatory Commission hydroelectric license, the Endangered Species Act (ESA), and fish-passage requirements for its dams. BPA would make annual payments to Tacoma to offset a portion of the cost of operations and maintenance for the CFFF through 2031. Tacoma is proposing to expand the CFFF facilities, but BPA's payments would not fund construction, operations, or maintenance of any new Tacoma facilities.

Operations of the CFFF have been conducted under an ESA incidental take permit from the National Marine Fisheries Service (NMFS). NMFS granted a one-year extension of the permit to allow

continued operations until the transfer of the CFFF property to Tacoma. With completion of the property transfer, compliance obligations under the ESA and other applicable environmental laws and regulations for the continued operations of the CFFF would become the responsibility of Tacoma.

In general, the operation of the fish facilities would not change with transfer of the properties. In addition, the transfer of properties would not have the potential to release substances that could pose a threat to public health or the environment, nor would the transfers have the potential to cause a significant change in impacts from before the transfers.

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) NEPA Regulations (57 FR 15144, Apr. 24, 1992, as amended at 61 FR 36221-36243, July 9, 1996; 61 FR 64608, Dec. 6, 1996, 76 FR 63764, Nov. 14, 2011). 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, has not been segmented to meet the definition of a categorical exclusion, 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, (iv) have the potential to cause significant impacts on environmentally sensitive resources, or (v) 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.

We therefore determine that the proposed action may be categorically excluded from further NEPA review and documentation.

/s/ Jeffrey J. Maslow
Jeffrey J. Maslow
Environmental Protection Specialist

Concur:

/s/ Stacy Mason
Stacy Mason
NEPA Compliance Officer

Date: *April 21, 2014*

Attachment:
Environmental Checklist for Categorical Exclusions

Environmental Checklist for Categorical Exclusions

Name of Proposed Project: Cowlitz Falls Fish Facility and Fish Transfer Facility Property Transfers

Work Order #: 00003824

This project does not have the potential to cause significant impacts on the following environmentally sensitive resources. See 10 CFR 1021, Subpart D, Appendix B for complete descriptions of the resources. This checklist is to be used as a summary – further discussion may be included in the Categorical Exclusion Memorandum.

Environmental Resources	No Potential for Significance	No Potential, with Conditions (describe)
1. Historic Properties and Cultural Resources BPA consulted with the Confederated Tribes of the Chehalis Reservation, Confederated Tribes and Bands of the Yakama Nation, and Cowlitz Indian Tribe. On December 10, 2013, Washington State Department of Archaeology and Historic Preservation concurred with BPA's determination of no historic properties affected.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. T & E Species, or their habitat(s) No effects to T & E species or critical habitat would occur from the proposed property transfers. With completion of the property transfers, compliance obligations under the ESA for the continued operations of the CFFF and FTF would become the responsibility of Tacoma.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Floodplains or wetlands	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Areas of special designation	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Health & safety	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Prime or unique farmlands	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Special sources of water	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Other (describe)	<input type="checkbox"/>	<input type="checkbox"/>

Signed: /s/ Jeffrey J. Maslow

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