

United States Government

Department of Energy
Bonneville Power Administration

memorandum

DATE: July 29, 2004

REPLY TO
ATTN OF: KEC-4

SUBJECT: Supplement Analysis for the Watershed Management Program EIS (DOE/EIS-0265/SA-162)

TO: Ron Morinaka (KEWU – 4)
Fish and Wildlife Project Manager - COTR

Proposed Action: Libby Creek (Lower Cleveland) Stabilization Project

Project No: 199500400

Watershed Management Program (See App. A : Available Management Techniques): 1.6 Install Large Woody Debris Structures; 1.7 Install Other Habitat Complexity Structures; 1.9 Structural Bank Protection using Bioengineering Methods; 1.16 Spawning Habitat Enhancements; 1.17 Rearing Habitat Enhancements; 2.1 Maintain Healthy Riparian Plant Communities.

Location: On Libby Creek, located about 18 miles southwest of the town of Libby, Montana within T.28N, R.30 W, NE ¼ Sec.36, and T.28N, R.30 W, NW ¼ Sec.31, SW ¼ Sec. 30 in Lincoln County

Proposed by: Bonneville Power Administration (BPA) and the Montana Department of Fish, Wildlife and Parks (FWP)

Description of the Proposed Action: This project is follow-up to stream stabilization activities on Libby Creek that were initiated on the Upper Cleveland reach of Libby Creek 2 years ago (see my SA dated Oct. 21, 2002). BPA now proposes to fund FWP to complete channel stabilization activities on the Lower Cleveland reach of Libby Creek, reduce sediment sources, convert over-widened portions of the stream into self-maintaining channel types, use natural stream stabilization techniques, and improve wildlife migratory corridors.

This lower reach is about one river mile below the upper Cleveland Reach and the proposed activities are very similar to those conducted before. The current work would be constructed in two additional phases. The first phase of the Lower Cleveland project would be completed in the fall of 2004 (9/1/04 – 12/31/04), to include the upper 3,100 feet. The second phase will be constructed in the fall of 2005 (9/1/05 – 12/31/05), to include stabilizing the remaining 6,200 feet of stream. The Cleveland reaches are a spawning and rearing tributary for resident redband trout, and resident and fluvial bull trout migrating from the Kootenai River.

The planned work at the two remaining phases calls for shaping cut banks; installing root wads and tree revetments; installing channel grade control structures; planting native vegetation; and installing cross vanes constructed from rock and trees to control channel gradient.

In the past, this reach of Libby Creek has been degraded by past management practices, including road building, hydraulic and dredge mining, and riparian logging. This past activity has resulted in accelerated bank erosion along a number of meander bends, resulting in channel degradation and poor fish habitat. Currently the stream channel is over-widened and shallow having limited pool habitat. The current stream channel is over-widened and shallow, having limited pool habitat.

Analysis: This environmental memo covers both phases as described above. The NEPA compliance checklist for this project was completed by Jim Dunnigan (FWP) on April 22, 2004 and meets the standards and guidelines for the Watershed Management Program Environmental Impact Statement (EIS) and Record of Decision (ROD). Additionally, the FWP prepared their own Montana EPA/NEPA checklist that has included public input into that process.

This project is intended to compliment present and future restoration projects in Libby Creek. Short-term impacts of the project largely relate to ground disturbing activities during construction. Such impacts would result from channel work, bank sloping, vegetation establishment, and associated work. On the long term, the proposed project is expected to improve fish and wildlife habitat, aesthetics, and water quality within the project area, and should also increase trout populations in both Libby Creek and the Kootenai River. Other benefits include providing for greater channel stability and reduce sediment loading, producing a healthier habitat for aquatic life, and creating more diverse habitat from vegetation planting.

The following species listed under the Endangered Species Act may occur in the general vicinity of the project:

| Species | Listing | Finding |
|--------------------|---------------------|--|
| bull trout | Threatened | May affect, not likely to adversely affect |
| grizzly bear | Threatened | May affect, not likely to adversely affect |
| bald eagle | Threatened | May affect, not likely to adversely affect |
| white sturgeon | Endangered | No effect |
| Canada lynx | Threatened | No effect |
| Water howellia | Threatened | No effect |
| Spalding's campion | proposed Threatened | No effect |
| gray wolf | Endangered | No effect |

In accordance with Section 7 of the Endangered Species Act (ESA), BPA submitted a *Biological Assessment (BA) for Libby Creek Channel Stabilization (Upper Cleveland Reach)* to the U.S. Fish and Wildlife Service (FWS) on June 1, 2004 and requested concurrence with the "May affect, not likely to adversely affect" findings above. In their June 10, 2004 letter, the FWS concurred with the finding for the grizzly bear and bald eagle, and they further determined that the project is exempted from take prohibition for bull trout in accordance with a Cooperative Agreement with the FWP in accordance with Section 6 of the ESA. Therefore, no section 7 consultation for bull trout is deemed necessary for this project. The FWS did not respond to BPA's "no effect" determination for the white sturgeon, Canada lynx, water howellia, Spalding's campion, and gray wolf because they are not required to respond to this determination.

Under section 106 of the National Historic Preservation Act, BPA initiated consultation on July 26, 2002, with the Montana Historic Preservation Office (SHPO), the Confederated Salish and Kootenai Tribes of Flathead, and Kootenai Tribe of Idaho for work on the upper Cleveland reach. A cultural resource inventory was conducted for this reach in July 2002 by Jim Calvi and no cultural properties were identified. The State Archaeologist/Deputy SHPO then responded with acceptance of the report without mitigative conditions.

A cultural resource inventory, was conducted by Jim Calvi for the lower Cleveland reach on June 16 and 17, 2004, and no cultural properties were found on this reach. In the unlikely event that cultural material is uncovered during project construction, BPA offers to immediately notify an archaeologist and halt all work in the vicinity of the finds until they can be inspected and evaluated. The results were sent to the SHPO on July 16, 2004 and a concurrence response from the MT SHPO was received on July 23, 2004.

Standard in-channel water quality protection procedures will be followed during the implementation of the project. Applications for the following have been filed and all permits will be secured prior to project construction of both phases: a section 404 permit under the Clean Water Act and Section 10 permit of the Rivers and Harbors Act from the U.S. Army Corps of Engineers, a 318 authorization from the Montana Department of Environmental Quality, a 310 permit from the Lincoln County Conservation District, SPA permit from the FWP, Navigable Rivers Land Use License/Easement from the Montana Department of Natural Resources and Conservation, and a Floodplain Permit from the Lincoln County Planning Department.

The proposed project will be constructed on private property, and project planning has included consultation with the Libby Placer Company (John Cleveland), USFWS, U.S. Forest Service, Libby Area Conservation District, U.S. Army Corps of Engineers, Plum Creek Timber Company, MT SHPO, and Confederated Salish and Kootenai Tribes. The local media were notified of public meetings held on the planning of this project, and the MFWP has been forthright in soliciting public input to the project. The plan assures quality control through reference and consultation with the following: Rosgen Design Methodology, River Restoration and Natural Channel Design, Applied River Morphology, Shuichi Sato Water Consultants, John Muhfeld River Design Group, TOM Ostrowski FWP Fisheries Technician.

Findings: Similar to the work planned and conducted on the upper Cleveland reach in 2002, the lower Cleveland reach project is also consistent with the Northwest Power Planning Council's Fish and Wildlife Program, as well as BPA's Watershed Management Program EIS (DOE/EIS-0265) and ROD. This Supplement Analysis finds that: 1) implementing the proposed action will not result in any substantial changes to the Watershed Management Program that are relevant to environmental concerns; and 2) there are no significant new circumstances or information relevant to environmental concerns and bearing on the Watershed Management Program or its impacts. The following relevant documents are maintained in BPA's environmental project file:

- . NEPA Compliance Checklist for the Libby Creek Channel Stabilization (Lower Cleveland Reach) of April 22, 2004.
- . Biological Assessment for Libby Creek Channel Stabilization (Lower Cleveland Reach) of June 1, 2004.

- . FWS concurrence letter of June 10, 2004.
- . Biological Opinion for Issuance of Section 10(a)(1)(A) Scientific Take Permits and Section 6(c)(1) Exemption From Take for Bull Trout.
- . MT SHPO response dated July 23, 2004.

Therefore, no further NEPA documentation is required.

CONCUR:

/s/ Carl Keller
Carl J. Keller
Fish and Wildlife Biologist

/s/ Thomas McKinney
Thomas C. McKinney
NEPA Compliance Officer

DATE: 7-30-04

cc:

Mr. Jim Dunnigan, MT Department of Fish, Wildlife and Parks, 475 Fish Hatchery Road, Libby
MT 59923

Mr. Tom Ostrowski, MT Department of Fish, Wildlife and Parks, 475 Fish Hatchery Road,
Libby, MT 59923