

DEPARTMENT OF THE INTERIOR, Bureau of Indian Affairs

Final Environmental Assessment and Finding of No Significant Impact for the North Fork Jocko – Tabor Diversion Project, Flathead Indian Reservation, Lake County, Montana

AGENCY: Bureau of Indian Affairs

ACTION: Notice of Availability and initiation of 30-day appeal period.

SUMMARY: This notice is to advise interested parties that the Bureau of Indian Affairs (BIA), in cooperation with the Confederated Salish and Kootenai Tribes (CSKT) have prepared a final Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) for the proposed action for the North Fork Jocko – Tabor Diversion Project (Project) on the Flathead Indian Reservation, Lake County, Montana. This notice announces that the final EA and FONSI are now available in hard copy upon request and available electronically at the addresses below.

ADDRESSES: You may request a hard copy of the final EA and FONSI by writing the CSKT, Natural Resources Department, PO Box 278, Pablo, Montana, 59855, or emailing taryn.bushey@cskt.org. An electronic copy can be downloaded at: <https://cskt.org/natural-resources/dewr/irrigation-infrastructure/> or <https://www.csktwatercompact.com/north-fork-jocko-tabor-diversion/>

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTAL INFORMATION: The Project is located on the North Fork Jocko River at the Tabor Diversion, approximately 13 miles west of Arlee, MT. The center of the project is at 47.222673°, -113.83026°. The Project would replace the current Tabor Diversion (Facility) on the North Fork Jocko River, which is operated by the BIA Flathead Indian Irrigation Project. The Facility is over 100 years old and is in a state of disrepair, with structural deterioration and antiquated infrastructure that cause worker safety issues, and various environmental issues. Adverse impacts caused by the Facility to aquatic resources and habitat include habitat fragmentation due to the diversion acting as a fish barrier, fish entrainment in the Tabor Canal, an unnatural sediment transport regime, and the inability to meet instream flow requirements due to inefficient operational controls. The Project would address these structural, operational, and environmental issues by replacing the diversion to include a rock ramp fishway; adding automated sluicing to the diversion; adding modern operational controls; and installing fish screening in the Tabor Canal.

AUTHORITY: This notice is published pursuant to 43 CFR 46.305 of the Department of Interior Regulations (43 CFR 46 et seq.), the procedural requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4371 et seq.), and in accordance with the exercise of authority delegated to the Assistant Secretary – Indian Affairs by 209 DM 8. The decision has been made to go forward with the proposed action for the Project based on the content of the Final EA and issuance of the FONSI.

You may appeal this decision directly to the Interior Board of Indian Appeals (IBIA) in accordance with the regulations in the 43 CFR Parts 4.310-4.340 and 25 CFR 2.7. The IBIA is located at the following address: U.S. Department of the Interior, Interior Board of Indian Appeals, Office of Hearings and Appeals, 801 N. Quincy Street, Suite 300, Arlington, Virginia, 22203.

Your notice of appeal to the IBIA must be signed by you or your attorney and postmarked within 30 days of the date of this decision. It should clearly identify the decision being appealed. You must send copies of your notice of appeal to the following offices: (1) the Assistant Secretary - Indian Affairs, U.S. Department of the Interior, Mailstop 4140-MIB, 1849 C Street, N.W., Washington D.C. 20240; (2) each interested party known to you; and (3) this office. Your notice of appeal sent to the IBIA must certify that

you have sent copies to all necessary parties. If you file a notice of appeal, the IBIA will notify you of further appeal procedures. If no appeal is timely filed, this decision will become final for the Department of the Interior at the expiration of the appeal period. No extension of time may be granted for filing the notice of appeal.

Shane Hendrickson
Superintendent – Flathead Agency
Bureau of Indian Affairs
U.S. Department of the Interior

Date