

## **DEPARTMENT OF THE INTERIOR**

### **Bureau of Indian Affairs**

#### **Final Environmental Assessment and Finding of No Significant Impact for the proposed Jocko K Canal Headworks Project, Flathead Indian Reservation, Lake County, Montana.**

**AGENCY:** Bureau of Indian Affairs

**ACTION:** Notice of Availability

**SUMMARY:** This notice is to advise interested parties that the Bureau of Indian Affairs (BIA) as lead federal agency, with the Confederated Salish and Kootenai Tribes of the Flathead Indian Reservation (CSKT), has prepared a final Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) for the proposed Jocko K Canal Headworks Project on the Flathead Indian Reservation, Lake County, Montana. This notice also announces that the final EA and FONSI are now available in hard copy and available electronically at the addresses below. The FONSI is a finding on environmental effects, not a decision to proceed, therefore it cannot be appealed.

**ADDRESSES:** You may request a hard copy of the final EA and FONSI by writing the Confederated Salish and Kootenai Tribes, Natural Resources Department, PO Box 278, Pablo, Montana 59855 or emailing [taryn.bushey@cskt.org](mailto:taryn.bushey@cskt.org). You may download an electronic copy of the final EA and FONSI at the following website: <http://csktnrd.org/water-management>.

**FOR FURTHER INFORMATION CONTACT:** Taryn Bushey, CSKT NEPA Coordinator, 406-675-2700 ext. 1255, [taryn.bushey@cskt.org](mailto:taryn.bushey@cskt.org).

**SUPPLEMENTAL INFORMATION:** Confederated Salish and Kootenai Tribes of the Flathead Indian Reservation, Division of Engineering and Water Resources, through contractual obligations to the BIA, has proposed the Jocko K Canal Headworks Project. The activities under the agency proposed action are to reconstruct and/or rehabilitate the Jocko K Canal Headworks Facility (Facility) to increase the efficiency of the Facility to allow Flathead Indian Irrigation Project operators to better match irrigation demand with water diversion and provide greater water conservation to the area while maintaining fish management and protection capabilities, near the town of Arlee on the Flathead Indian Reservation, Lake County, Montana. The activities will occur under guidelines established in Section 4.0 of the final EA.

**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 Alternative based on the content of the Final EA and issuance of the FONSI. The FONSI is a finding on environmental effects, not a decision to proceed, therefore it cannot be appealed. 25 CFR 2.7 requires a 30 day appeal period after the decision to proceed with the action is made before the action may be implemented. Appeal information will be made publicly available when the decision to proceed is made. This decision will become final 30 days after posting this notice.

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.



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Flathead Indian Irrigation Project  
Bureau of Indian Affairs, U.S. Department of the Interior

4-28-22

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Date