

# Categorical Exclusion Determination

Bonneville Power Administration  
Department of Energy



**Proposed Action:** Trout Creek Watershed Restoration and Operations and Maintenance (O&M)

**Project No.:** 1998-028-00 (JCSWCD); 1994-042-00 (ODFW)

**Project Manager:** Jesse Wilson, EWL - 4

**Location:** Jefferson County, OR; Wasco County, OR; Crook County, OR

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

**Description of the Proposed Action:** Bonneville Power Administration (BPA) proposes to fund the Jefferson County Soil and Water Conservation District (JCSWCD) and the Oregon Department of Fish and Wildlife (ODFW) (hereafter collectively referred to as the Sponsor) to conduct ongoing maintenance of past habitat restoration project areas in the Trout Creek Watershed, with the mutual objective of increasing the abundance of Endangered Species Act (ESA)-listed Middle Columbia River steelhead (*Oncorhynchus mykiss*) populations. BPA funding would contribute toward routine ongoing maintenance for projects that have already been completed, steelhead population data collection, and project planning. These actions would support conservation of ESA-listed species considered in the 2020 ESA consultations with the National Marine Fisheries Service and United States Fish and Wildlife Service on the operations and maintenance of the Columbia River System while also supporting ongoing efforts 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 the Pacific Northwest Electric Power Planning and Conservation Act of 1980 (Northwest Power Act) (16 U.S.C. (USC) 839 et seq.). Proposed activities would include the following:

**Inspect and maintain past project sites:** Previously implemented stream habitat improvement projects would be revisited to take annual photo points and resurvey cross sections and longitudinal profiles as needed to document changes. The information would inform current and future design for similar projects. If necessary, instream and floodplain structures such as large wood habitat structures would be maintained. No ground disturbance would occur as part of this action.

**Inspect and maintain riparian livestock exclusion fencing:** Established riparian enclosures in the Trout Creek basin would be monitored for trespass livestock and feral pig rooting activity. Fencing would be inspected for damage and points of trespass entry. Fencing structures would be repaired where wood posts have failed and where stream channel movement has reduced effectiveness. Ground-disturbing activities would be limited to minor in-kind fence repairs. No new fence construction or realignment beyond the original project footprint is proposed.

**Vegetation planting and removal:** Vegetation management would involve seeding, planting and maintenance, or removal by mechanical (hand pulling, above ground cutting, and mowing) or

chemical (non-aerial) means. Vegetation management would occur in discrete areas on previously disturbed restoration sites, which encompass an area of approximately 8,800 acres.

**Inspect and maintain existing off-channel water sites and mechanical devices such as pumps and demand switches:** Seven off-site water developments would be maintained to reduce livestock pressure on the exclusion fencing by encouraging livestock to utilize alternative water sources away from riparian areas. Maintenance would include fixing line breaks, pumps, leaks, and general annual maintenance. This would not result in ground disturbance.

**Monitor water temperature:** Twenty water temperature probes would be placed throughout the Trout Creek basin to monitor stream water temperature. Groundwater levels within channel relocation projects would be monitored as well to assess long-term trends. Probe installation would consist of tethering the probe to a large structure such as a tree or rock using non-corrosive chain. This would not result in ground disturbance.

**Steelhead monitoring:** Pedestrian redd counts would be conducted to assess basin productivity and the effectiveness of channel habitat improvement projects. Smolt production and adult escapement would be monitored by annual installation and operation of a five-foot-long screw trap and a video weir in the lower basin to gather information on steelhead productivity. The screw trap and video weir would be attached and anchored to adjacent rock and stream substrate through established anchor points. During screw trap operations passive integrated transponder (PIT)-tagging would be implanted in up to 5,000 summer steelhead per year to estimate the out-migrant population. Two existing PIT arrays used to detect tagged fish would be maintained. Maintenance would include assuring the electrical components are functioning and properly tuned, solar panels and batteries are functional, and instream antennas functional.

**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/ Mandy Hope

Mandy Hope

Contract Environmental Protection Specialist

ACS Professional Staffing



# 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:** Trout Creek Watershed Restoration and Operations and Maintenance (O&M)

## **Project Site Description**

The majority of the land in the Trout Creek watershed is privately owned. The southern end of the watershed includes the U.S. Forest Service-managed Ochoco National Forest. Small plots of land scattered throughout the project area are managed by the U.S. Department of the Interior.

## **Evaluation of Potential Impacts to Environmental Resources**

### **1. Historic and Cultural Resources**

Potential for Significance: No

Explanation: All former restoration project sites have been surveyed, consulted on, and received clearance to proceed by BPA archaeologists in accordance with Section 106 of the National Historic Preservation Act. The actions described above would have no potential to affect cultural resources due to the limited ground disturbance associated.

### **2. Geology and Soils**

Potential for Significance: No

Explanation: Ground-disturbing activities would be limited to minor fence repairs and hand seeding and planting, resulting in minimal soil impacts.

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

Potential for Significance: No

Explanation: No special-status plant species are present in the project area. Vegetation management would occur in discrete locations within previously-disturbed habitat restoration project areas that have since been re-seeded and planted with native vegetation.

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

Potential for Significance: No

Explanation: Gray wolf (*Canis lupus*) and 11 species of migratory birds have the potential to occur within the project area (U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation [IPaC]). However, no known occurrences are documented in the natural heritage database. The O&M, vegetation management, and monitoring activities would be limited in duration, and impacts to wildlife from human presence (minor, temporary increases in noise and emissions resulting from the use of trucks and all-terrain vehicles to access field sites) would be temporary. Therefore, there would be no effect to ESA-listed or sensitive terrestrial wildlife species.

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

Potential for Significance: No with Conditions

Explanation: ESA-listed steelhead are present in Trout Creek and its tributaries. ESA-listed bull trout (*Salvelinus confluentus*) and its critical habitat are present in the lower portion of Trout Creek. Proposed vegetation management actions, including herbicide application, may have short-term impacts on fish. The Sponsor would adhere to BPA's ESA Section 7 consultation with the USFWS and National Marine Fisheries Service (NMFS) for BPA's Habitat Improvement Program (HIP).

### Notes:

- Proposed steelhead smolt production, adult escapement monitoring, and PIT-tagging would have the potential to result in take. The Sponsor obtained a NMFS ESA Section 4(d) take authorization for this activity (current authorization number 23484). ODFW applies for 4(d) authorization on a yearly basis. There would be no effect on bull trout.
- Herbicide use would be reported to BPA within 30 days of completion for inclusion in annual reporting to the USFWS and NMFS.

## 6. Wetlands

Potential for Significance: No

Explanation: Removal, fill, or disturbance of native vegetation within wetland areas is not anticipated through ongoing O&M activities. Activities within or near wetlands would be limited to vegetation management and in-kind fence replacement and would have positive long-term effects.

## 7. Groundwater and Aquifers

Potential for Significance: No

Explanation: Groundwater monitoring involves the use of existing probes approximately three inches in diameter that have been inserted into the ground to the depth of the groundwater table. Probes would be for monitoring purposes only and would not have an effect on groundwater supply or aquifers.

## 8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: Existing land use would not change as a result of this project.

## 9. Visual Quality

Potential for Significance: No

Explanation: No visual changes would occur as a result of this project.

## 10. Air Quality

Potential for Significance: No

Explanation: Minor, temporary generation of emissions associated with increased vehicular traffic (trucks and all-terrain vehicles used to access field sites) would occur during project inspection activities.

## 11. Noise

Potential for Significance: No

Explanation: Minor, temporary noise increases associated with increased vehicular traffic (trucks and all-terrain vehicles used to access field sites) would occur during project inspection activities.

## 12. Human Health and Safety

Potential for Significance: No

Explanation: All personnel would use best management practices to protect worker health and safety.

### **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: The Sponsor has long-standing verbal agreements with the numerous private landowners and would receive permission to operate on private lands.

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

Signed: /s/ Mandy Hope April 13, 2021  
Mandy Hope, ECF - 4 Date  
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