

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Nez Perce Trout Ponds

Project No.: 1995-013-00

Project Manager: Eric McOmie, EWU - 4

Location: Clearwater County, ID; Lewis County, ID

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

Description of the Proposed Action: Bonneville Power Administration (BPA) proposes to fund the Nez Perce Tribe to operate put and take fisheries at four ponds in the Clearwater Basin (Elk Lake, Mud Springs, Talmaks, and Tunnel Pond) as mitigation for lost anadromous fisheries due to the construction and operation of Dworshak Dam on the North Fork Clearwater River, which flows through the Nez Perce Reservation in north central Idaho. Activities would focus on providing optimal recreational and subsistence harvest opportunities for tribal members and the public using rainbow trout from fish hatcheries in isolated ponds.

These actions would support 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.).

Operation actions would include the following:

- Stocking ponds with catchable-sized rainbow trout based on expected harvest and fish availability, and depending on pond conditions.
- Maintaining access roads and parking areas by filling potholes, cleaning ditches and culverts and removing shrub and tree overgrowth, and spreading gravel as needed.
- Maintaining existing structures at pond sites (minor repairs to picnic tables and floating dock).
- Maintaining cattle exclusion fences around ponds as needed.
- Removing excessive nuisance aquatic vegetation growth via boat, ATV, and cable-towed plow apparatus designed by project staff.
- Controlling terrestrial vegetation by mowing, applying herbicides, and burning piles or fields (<1/4 acre) to maintain access to banks for fishing and preventing fire hazards near ponds, roads, and parking areas.

- Sampling fish by seining to measure growth and observe condition to manage biomass and adjust stocking rates according to harvest rate and environmental conditions.
- Collecting water quality data on total ammonia, fecal coliform, and phosphorus to adjust stocking quantities.
- Assessing harvest rates by monitoring amount of time invested by anglers.

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/ Shawn Skinner
Shawn Skinner
Environmental Protection Specialist

Concur:

/s/ Katey C. Grange March 11, 2021
Katey C. Grange Date
NEPA Compliance Officer

Attachment(s): Environmental Checklist

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: Nez Perce Trout Ponds

Project Site Description

The project areas (four reservoir fisheries) are located on the Nez Perce Reservation within the Clearwater subbasin. These areas generally consist of forested rolling hills and canyon slopes, and floodplains. Mud Springs fishery is in the Lapwai Creek watershed at approximately 4050 feet in elevation, Talmaks fishery is in the Lawyer Creek watershed at approx. 4170 feet, Tunnel Pond fishery is in the Upper Clearwater River watershed at approx. 1000 feet, and Elk Lake fishery is in the Lapwai Creek watershed at approximately 4100 feet in elevation.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No

Explanation: BPA determined that the implementation of the proposed undertaking would result in no adverse effect to historic properties in a letter dated September 19, 2018 (ID 2017 016). The Nez Perce Tribal Historic Preservation Office provided recommendations and concurred with BPA's determination on October 16, 2018.

Notes:

- An archaeological monitor would work with field crews to ensure that known isolates are relocated or avoided during implementation.
- In the event that archaeological or historic materials are discovered during project activities, work in the immediate vicinity must stop, the area be secured, and the concerned tribe's cultural staff and cultural committee notified.

2. Geology and Soils

Potential for Significance: No

Explanation: Maintenance required would include applying gravel to access roads. Impacts would be minor and within the existing road prism.

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

Potential for Significance: No

Explanation: Vegetation would be removed only where necessary to maintain access to the sites. The impacts to non-listed plants would be low and confined to existing access routes. There are no Federal/state special-status plant species in the project area. Therefore, the proposed action would not affect special-status plant species.

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

Potential for Significance: No

Explanation: Minor, short-term impact to wildlife during road and site maintenance activities due to noise and human presence. There are no Federal/state special-status wildlife species in the project area. No long-term effect on wildlife or wildlife habitats.

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

Potential for Significance: No

Explanation: Minor, short-term impact to fish during in-pond vegetation removal. Anadromous fish are anthropogenically blocked from the project sites and there are no documented bull trout or critical habitat within the project areas. The work would not cause impacts to water bodies or floodplains.

6. Wetlands

Potential for Significance: No

Explanation: The proposed actions would occur entirely within the pond and access road for each site and not in the wetland. Therefore, there would be no impact to wetlands.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: The proposed actions would have no impact to groundwater or aquifers.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: The proposed actions would not impact or change land use.

9. Visual Quality

Potential for Significance: No

Explanation: No change to visual quality.

10. Air Quality

Potential for Significance: No

Explanation: Any increase in emissions from vehicles accessing field sites would be very minor and short term.

11. Noise

Potential for Significance: No

Explanation: Any increase in ambient noise from vehicles accessing field sites would be very minor and short term.

12. Human Health and Safety

Potential for Significance: No

Explanation: All applicable safety regulations would be followed during work activities.

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: All work would occur on the Nez Perce Indian Reservation and in coordination with the Nez Perce Tribe.

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

Signed: /s/ Shawn Skinner March 11, 2021
Shawn Skinner, ECF-4 Date
Environmental Protection Specialist