

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Red River Watershed Culvert Replacement and Fence Repair

Project No.: 2002-072-00

Project Manager: Jennifer Lord

Location: Idaho County, Idaho

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: The Bonneville Power Administration (BPA) proposes to fund the Nez Perce Tribe (NPT) to implement a project located in the Red River Watershed that would consist of inspecting/repairing approximately two miles of cattle exclusion fencing along Red River to protect mainstem Red River meadow habitat, and replacing a culvert on Little Moose Creek, a tributary to Red River, to restore fish passage.

Fence repairs would include the in-kind replacement of fence posts and wire where identified as being needed during inspections. No new fence posts would be installed.

Little Moose Creek culvert, which is located under Forest Service (FS) Road 1800, is currently undersized for flow conditions and does not provide adequate fish passage. Under the partnership agreement between the NPT and Nez Perce – Clearwater National Forests, the current 24-inch by 40-inch round corrugated metal pipe culvert would be removed and replaced with a 10-foot span by 63-inch rise by 58-inch long steel structural plate arch culvert with precast footings. Installation would involve excavation of approximately 36 cubic yards of road surface and 112 cubic yards of roadway embankment in order to reach the culvert. Equipment would be staged from the roadway prism away from live water. A hydraulic excavator (most likely a CAT 320) would be used to remove the existing culvert. All fueling would be done away from live water. The construction window would be July 1 – August 15, 2020. The site would be brushed out where excavation would occur, which could result in tree removal. This would be avoided if possible.

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/ Kelly Hope

Kelly Hope
Contract Environmental Protection Specialist
ACS Professional Staffing

Reviewed by:

/s/ Chad Hamel

Chad Hamel
Supervisory Environmental Protection Specialist

Concur:

/s/ Katey Grange

Katey Grange
NEPA Compliance Officer

Date: May 6, 2020

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.

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Project Site Description

The proposed action would occur in riparian and meadow areas within the Red River Watershed in the Clearwater subbasin, approximately five miles southeast of Elk City, ID. Little Moose Creek runs through Nez Perce National Forest, which is managed by the US Forest Service (USFS). The culvert in need of replacement is located at Township 28 North, Range 8 East, Section 36, approximately 1.6 miles southwest of Red River.

The fence in need of repair is located along the east bank of Red River, approximately 3.3 miles north-northeast of Little Moose Creek, on privately-owned land. Emergent wetlands occur intermittently along the fencing.

Evaluation of Potential Impacts to Environmental Resources

Environmental Resource Impacts	No Potential for Significance	No Potential for Significance, with Conditions
1. Historic and Cultural Resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Explanation: Fence repair would fall under Section VIII of the 2015 Programmatic Agreement between the Idaho State Historic Preservation Office and BPA. No historic properties have been identified within the fence line area of potential effect (APE); therefore, the proposed fence repair would result in no effect to historic properties

The Little Moose Creek culvert replacement project was consulted on in 2017 by the Clearwater National Forest as the National Historic Preservation Act Section 106 lead. Because the proposed undertaking remains the same, no further inventory efforts are needed

2. Geology and Soils	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Explanation: Fence repair would not involve ground-disturbing activities; thus, there is no potential to affect geology or soils.

Removal of the existing culvert and replacement with a new culvert would require some ground-disturbing activities. During construction, best management practices (BMPs) would be employed to reduce erosion and sedimentation into the waterway prior to commencing ground-disturbing activities, per State of Idaho and USFS Forest Plan standards.

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



Explanation: Fence repair would not result in vegetation disturbance.

The Little Moose Creek culvert replacement would involve clearing vegetation within the excavation limits. Upon completion, the site would be seeded with native grass and planted with sedges, rushes, and willow/alder plants.

There are no Endangered Species Act (ESA)-listed or USFS sensitive plant species in the proposed action area. The fence repair and culvert replacement would have no effect on listed plants.

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



Explanation: Fence repair areas overlap Canada lynx and North American wolverine habitat. These listed species and their critical habitats are not present within the project area; therefore, there would be no effect on ESA-listed species or critical habitats as a result of fence repair.

The USFS evaluated the potential effects to R1 Sensitive wildlife species and/or their habitats and concluded that the project would have no effect on USFS sensitive species. BPA determined that the culvert replacement would have no effect on ESA-listed species. Any impacts to non-listed wildlife species would be limited to the immediate vegetation removal sites where there would be a temporary, small decrease in available habitat and temporary elevated noise disturbance.

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



Explanation: Fence repair areas overlap bull trout critical habitat. No in-stream work would be involved during fence repair; therefore, the project would have no effect on listed species or critical habitats.

The culvert replacement would occur within the streambed of Little Moose Creek, under FS Road 1800. The existing undersized culvert is currently $\frac{3}{4}$ plugged, restricting the movement of aquatic organisms as they leave Red River and head up Little Moose Creek. The new culvert would allow aquatic organisms easier access to the Little Moose Creek drainage, and provide adequate capacity for higher spring flows and 100-year storm events. The project would have temporary construction-related impacts to waterbodies, floodplains, and fish with long-term benefits to fish passage.

The culvert replacement project site would be de-fished before work began, following State of Idaho and USFS Forest Plan BMPs. The contractor would adhere to State of Idaho turbidity standards when re-watering: the stream bottom would be pre-washed and dirty water would be pumped onto the ground before re-watering the main channel. Bull trout are present in the project area, but they would not be present during the time of project implementation. In order to minimize potential impacts to fish and wildlife species and their habitats, all work would occur within the in-water work window of July 1 – August 15. There would be no effect on bull trout from the culvert replacement.

Prior to the start of project construction, the USFS would obtain a Clean Water Act Section 404 permit from the US Army Corps of Engineers for the discharge of dredged or fill materials into waters of the US during excavation and backfill associated with the culvert replacement. A temporary sandbag diversion dam/pipe would be used to divert the creek through the project area, thus preventing sedimentation during construction.

6. **Wetlands**



Explanation: While the proposed fence repair would occur in an area where freshwater emergent wetlands are intermittently present, all repairs would occur within the existing fence footprint and would not impact any wetlands.

No wetlands are present in the Little Moose Creek project area.

7. **Groundwater and Aquifers**



Explanation: The proposed fence repair project would not involve new ground disturbance; therefore, there would be no impact to groundwater or aquifers.

During culvert replacement, groundwater would be pumped out onto the ground following State of Idaho and USFS Forest Plan BMPs to keep the site dry and keep turbidity down.

8. **Land Use and Specially-Designated Areas**



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

9. **Visual Quality**



Explanation: There would be no adverse effects to the visual quality of the environment as a result of this project.

10. **Air Quality**



Explanation: Minor, temporary generation of emissions associated with increased vehicular traffic would occur during project activities. There would be no significant changes to air quality as a result of the proposed action.

11. **Noise**



Explanation: The noise generated by project implementation would not substantially impact the surrounding environment.

12. **Human Health and Safety**



Explanation: There would be no impact to human health and safety as a result of implementing the proposed action.

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, if necessary:

- Require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators) that are not otherwise categorically excluded.

Explanation, if necessary:

- 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, if necessary:

- 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, if necessary:

Landowner Notification, Involvement, or Coordination

Description: The area where fence repair would occur is privately owned. The NPT coordinates with private landowners via email, phone call, in-person visits, and site visits. The Little Moose Creek culvert is located on land managed by the USFS and the USFS conducted public outreach. No substantial public concerns were expressed.

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

Signed: /s/ Kelly Hope

Date: May 6, 2020

Kelly Hope
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