

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Wanaket Wildlife Area Operation and Maintenance

Project No.: 1990-092-00

Project Manager: Andre L'Heureux, EWU-4

Location: Umatilla County, Oregon

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; B1.11 Fencing; B1.15 Support Buildings

Description of the Proposed Action: Bonneville Power Administration (BPA) proposes to fund the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) to conduct ongoing operations and management throughout about 2,800 acres of the Wanaket Wildlife Area on the western slopes of the Blue Mountains in Oregon.

Wanaket is managed by the Confederated Tribes of the Umatilla Indian Reservation (CTUIR), through contract with BPA, to provide protection and enhancement credits for wildlife mitigation. The purpose of the project is to offset habitat losses from, and provide in-kind mitigation for, the impacts of construction and operation of the John Day and McNary hydroelectric projects.

Management focuses on providing wetland habitat by applying irrigation water to the "McNary Potholes;" exclusion and removal of trespass livestock grazing; noxious weed control, planting native vegetation; and providing regulated public access.

The following major tasks are annual in nature and are necessary for ongoing operations and maintenance.

- **Irrigation Management:** Wetlands and deep water pools are maintained and filled in spring (March 1 – April 15) with irrigation water to provide foraging areas for migrating and breeding waterfowl and shorebirds.
- **Vegetation Management:** Vegetation management actions would include the following control techniques: biological (introducing bio-agents that control weeds), chemical (approved herbicide by backpack sprayer or ATV mounted sprayer), cultural (burning or grazing) and mechanical (removal by hand, shovel, weed eater, tractor, mower, tiler, chainsaw or hedge trimmer). The specific combination used would be tailored to the weed species, site, topography, and management goals. Blackberry and Russian olives trees would be removed by excavator adjacent to the irrigation canal. At other areas, Russian Olive trees would also be cut at 2 feet above ground with the slash piled and burned.

Re-vegetation actions would occur by hand, shovel, or planting bar, and would consist of planting of seeds, seedlings, and/or cuttings of native grasses, forbs, and herbaceous and woody plants and trees

- **Sediment Management:** The yearly excavation of sediments in selected wetlands and ponds that have lost open water habitat due to encroaching vegetation and sediment deposition and accumulation. Excavation would typically not exceed 12 inches and materials would be distributed within existing pond perimeter.
- **Install Terrestrial Habitat Features:** Construct and install new burrows, to expand the artificial burrows available to burrowing owls on the wildlife area; refurbish or replace existing burrow structures as needed to encourage occupancy and promote nest success. Eight burrows would be built with each burrow consisting of half of a 55 gallon drum, buried 3 – 4 feet into the ground using handtools.
- **Road, Trail and Parking Area Maintenance:** Road maintenance and improvement actions would occur annually to improve and repair road surfaces, parking areas, canal margins and trails. Primary road surfaces and shoulders would be graded, spot rocked and new aggregate would be imported, placed, and compacted.
- **Fence Maintenance:** Annual maintenance, repairs and replacement of perimeter exclusionary fencing would occur from snow load, fallen trees, wild ungulate movement, and domestic livestock trespass. All elements of barbed wire and wood fence systems would be maintained and/or replaced in kind, including barbed wire strands, steel t-posts, wooden stays, rock jacks, crossbars, wood posts, cattle guards and gates, using hand tools and non-ground disturbing actions.
- **Building Construction:** Replacement of the maintenance shop facility destroyed in the 2001 wildfire. The replacement building would be located in a different location from the original shop site and would be adjacent to the visitor check in a previously existing gravel lot. Building size would be approximately 1,200 square feet and includes: metal building with two overhead doors, concrete slab floor, one bathroom, eyewash station and chemical shower, insulation, heating, and perimeter fencing.
- **General Maintenance:** Actions include the repair and maintenance of all buildings, equipment, and infrastructure. Infrastructure includes irrigation facilities (pumps, electric motors, pipeline, ditches, water control structures, and fish screens). Actions also include the repair and maintenance of existing gates, parking areas, guzzlers and public information kiosks in order to regulate public access.

Any ground-disturbance areas in areas outside of the building footprint or previously-gravelled areas would be reseeded after disturbance with a native seed mix and native shrubs would occur with an ATV and/or broadcast by hand. Work would largely be conducted by workers traveling on foot or via existing access roads on the wildlife area. Work would be accomplished with hand tools and equipment with the exception of sediment management, which would require excavators.

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/ Dan Gambetta

Dan Gambetta
Environmental Protection Specialist

Concur:

/s/ Katey C. Grange April 22, 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: Wanaket Wildlife Area Operation and Maintenance

Project Site Description

The Wanaket Wildlife Area contains approximately 160 acres of emergent wetland habitats. There are 64 ponds providing emergent wetland habitat and 6 ponds providing approximately 14 acres of open water habitat. Ponds range in size from 0.25 to 10.5 acres with an average pond size of 2.2 acres and an average pond perimeter of 1,560 feet. Primary habitat types include shrubsteppe/grassland (2,477 acres) and riparian wetland (159 acres) and other habitat types include riparian herb, riparian shrub, riparian tree, and sand/cobble/gravel/mud.

Plant species common to these wetlands areas include Russian olive, cottonwood, peach-leaved and Columbia River willows, American and hardstem bulrush, and broadleaf and thinleaf cattails. Herbaceous vegetation includes alkali saltgrass, creeping spikerush, tall fescue, common velvetgrass, pepperweed, catnip, reed canarygrass, smartweed, rabbitfoot grass, and stinging nettle.

The new proposed shop would be sited on a previously-developed, gravelled area near Highway 730. The gravelled area contains infrastructure to support and manage public access – away from the areas being managed exclusively for habitat values.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No with Conditions

Explanation: As the Wanaket wildlife area is located on trust lands owned and managed by the CTUIR, BPA initiated Section 106 consultation with the Tribal Historic Preservation Officer (THPO) of the CTUIR multiple times since 2007. In letters dated from March 2007 (07-0302), December 2007 (07-2693), August 2010 (10-1847), September 2011 (email), June 2014, January 2015, March 2016, October 2018 (OR 2018 009), Feb 2018 (OR 2018 009), May 2019 (OR 2019 042), December 2019 (OR 2020 012), BPA determined the actions described herein would have no adverse effect to historic properties. CTUIR THPO concurred with determination in letters dating January 2008 (07-2693), September 2009 (09-1924), September 2011 (email), February 2018 (email), or did not respond within 30 days.

Vegetative Management actions such as reseeding and hand-pulling, mowing, or applying herbicides for the control of invasive plants would have no potential to affect cultural resources.

The actions that require ground disturbance (building construction, wildlife pond excavation, russian olive removal and owl burrow construction) would take place within the previously surveyed APEs for which BPA and the CTUIR Cultural Resources Program

conducted cultural resource surveys, consultations and determinations of no effect to historic properties.

All building and fence maintenance activities are non-ground disturbing and retain the existing structure, with no modifications, additions, or removals of structures or structural elements that might affect its potential eligibility for inclusion in the National Register of Historic Places.

Notes:

- In the event that archaeological or historic materials are discovered during project activities, work in the immediate vicinity must stop, the area secured, and the concerned tribe's cultural staff and cultural committee and DAHP notified.
- CTUIR Tribal members shall be given access to Wanaket Wildlife Area to gather cultural plants according to the appropriate gathering time according to plant phenology and particular stage of development.
- The CTUIR Cultural Resources Protection Program has identified several historic properties of religious and cultural significance to Indian Tribes (HPRCSIT) in the Wanaket Wildlife Area. All activities shall avoid those resources.

2. Geology and Soils

Potential for Significance: No with Conditions

Explanation: Vegetative Management actions such as hand-pulling, mowing, or applying herbicides for the control of invasive plants would cause no or minimal disturbance to soils.

For actions that require ground disturbance (building construction, wildlife pond excavation, russian olive removal and owl burrow construction) would have a small footprint within the overall area and represent a negligible level of short-term disturbance as erosion control and other rehabilitation efforts would prevent soils from becoming mobilized.

Ground disturbance associated with fence management actions would be minimal to nonexistent as all work would be done by hand using materials on-site.

Excavation of selected wetlands and ponds would occur to maintain open water habitat due to encroaching vegetation and sediment deposition and accumulation. Excavation would typically not exceed 12 inches and materials would be distributed within existing pond perimeter. These selected areas would represent a small footprint within the overall pond network and represent a negligible level of short term disturbance.

Notes:

- Implement sediment and erosion control best management practices (BMPs) immediately after clearing and prior to initiating ground-disturbing activities to prevent erosion and runoff.
- Native seed mix, vegetation plugs, shrubs, and/or slash shall be placed on the disturbed soil to assist in the reestablishment of native vegetation.

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

Potential for Significance: No

Explanation: The only potential Federally Endangered Species Act (ESA)-listed special-status plant species in the Blue Mountains of SE Washington is the Ute ladies'-tresses. None of the activities are proposed in areas where they typically reside and they have never been documented or seen in the wildlife area, possibly as a result of historic over grazing. Therefore, operation and maintenance of the wildlife area would have no effect on Ute ladies'-tresses.

Vegetative management that utilizes herbicide applications shall utilize the Conservation Measures identified in BPA's Habitat Improvement Program (HIP) ESA consultation, which would result in minimal potential for drift or runoff to non-target vegetation.

Temporary, short-term impacts to vegetation from construction activities associated with road maintenance would be minimized by post-construction native revegetation efforts.

Shop construction would occur in a previously graveled area and not result in vegetation disturbance.

Plant disturbance associated with fence management actions would be minimal to nonexistent as all work would be done by hand using materials on-site.

Controlled burning would occur along existing main canals, wetlands, and uplands as required to remove excess or invasive vegetation to improve water delivery and enhance habitat condition and value. In areas with sensitive native plants, weed pulling would occur where spraying or burning may damage them.

Overall, vegetative management activities would result in minor beneficial impacts due to the reduction of invasive species and an increase in native vegetation.

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

Potential for Significance: No

Explanation: Waterbirds, waterfowl, mallards, rails, wading birds, shorebirds, and longbilled curlews utilize the maintained wetlands and deep water ponds for migrating and breeding throughout the wildlife area. Wildlife species include mallard, California quail, western meadowlark, spotted sandpiper, mink, yellow warbler, and downy woodpecker. The northern bald eagle utilizes the area as feeding habitat during migration periods, and the American peregrine falcon is a potential, though not documented, seasonal user as well. Waterfowl utilizing the wildlife area wetlands provide a prey base for both species.

All human presence and activity associated with these actions would temporarily disturb and displace nearby wildlife, but long-term displacement in competition for nearby habitats is unlikely.

Vegetative management herbicide treatments would be small spot treatments of individuals or clusters of target plants that would be highly localized and thus not substantially impact any one animal's home range.

Road maintenance and shop rebuilding could cause temporary, short-term disturbance to and displacement of nearby wildlife, but long-term displacement resulting in competition for nearby habitats is unlikely. The operation of vehicles and equipment associated with these

project actions are planned to take place after migratory birds have completed nesting and fledging.

Prescribed burning conducted in the spring would be accomplished prior to April 15 to protect nesting birds.

The ESA-listed Canada lynx (*Lynx Canadensis*) is known to occur in the Blue Mountains of SE Washington, Gray Wolf (*Canis lupus*) and Canada lynx (*Lynx canadensis*). While suitable habitat may exist for these ESA-listed species in the wildlife area, no records show the presence of this species with a negligible likelihood for presence in the future. Thus, the actions would have no effect on this species.

Overall the project would result in beneficial impacts to terrestrial wildlife due to the reduction of invasive species, creation of wetland and deepwater pools and the expansion and enhancement of native plant assemblages in riparian and shrub-steppe habitat.

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

Potential for Significance: No with Conditions

Explanation: No ESA-listed aquatic species are within the wildlife area. Although 13 species of ESA-listed salmon and steelhead are present in the adjacent Lower Columbia River, they are excluded from the canal network that feeds into the Wanaket Wildlife area through screens.

Sediment management actions would maintain water levels and keep a viable pond network throughout the wildlife area.

The shop construction, fencing, road, trail and parking area maintenance actions would not disturb water bodies or floodplains.

Road and parking lot maintenance would not result in an overall increase in impervious surfaces that would result in additional discharge to water bodies and floodplains. Similarly, the reconstruction of the maintenance shop would be of similar size and would not introduce additional impervious surfaces.

Herbicide applications would be conducted in accordance with conservation measures and methodologies to minimize potential for drift or runoff to water bodies and floodplains.

Fuel or fluid drips or spills from equipment and vehicles have the potential to occur during project activities, but are unlikely to do so in the volume necessary to contaminate water bodies.

Overall, habitat conditions for aquatic species are expected to improve in the long term from project actions as riparian areas are revegetated with native species.

Notes:

- Petroleum products, sediment, or other deleterious materials shall not be allowed to enter any stream, wetland, water body, or drainage conveyance.
- Spill containment and cleanup materials shall be readily available at project sites, staging areas, and in construction vehicles and equipment.

6. Wetlands

Potential for Significance: No

Explanation: Approximately 165 acres of emergent wetland habitats shall be maintained through water withdrawals during the irrigation season. These activities are exempt from Section 404 Clean Water Act permitting.

Removal, fill, or disturbance of wetlands and native vegetation within wetland areas is not anticipated from road and parking area maintenance, building construction, fence maintenance and general maintenance within project areas.

Vegetation Maintenance would involve removal of invasive weeds and non-natives using methods with little to no ground disturbance. Herbicide treatments are not planned to occur in or in the vicinity of wetlands.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: No new wells or withdrawal of groundwater is planned for the project areas.

Potential impacts to groundwater and aquifers from herbicide treatments would be minimized by best management practices.

Fuel or fluid drips or spills from equipment and vehicles have the potential to occur during project activities, but are unlikely to do so in the volume necessary to contaminate groundwater.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: There would be no changes to land use, and no impact to specially designated areas.

9. Visual Quality

Potential for Significance: No

Explanation: No visually prominent vegetative, landform, or structural changes would be made.

The proposed building is a small structure (>1200 square feet) that would be unimposing on the landscape.

Owl burrows are buried into the ground and not visible from medium to long range distances.

The appearance of post-treatment vegetation removal sites may produce unsightly dead plants visible in the foreground in some areas for a season, but would not substantially alter the visual quality in the long term.

10. Air Quality

Potential for Significance: No

Explanation: Temporary, short-term impacts from small amounts of dust and vehicle emissions would occur during project actions. Debris pile burning would introduce a short term source of particulates, but are expected to be temporary and not exceed air quality standards.

11. Noise

Potential for Significance: No

Explanation: There would be some noise impacts for a few hours at each project site while the work is being done, but this type of noise is not inconsistent with that of common ranching, mining, or farming operations throughout the area.

Other noise sources would be from humans working on the site, and the use of vehicles to transport workers, supplies, and equipment to the project sites.

All noise sources are of low intensity and short term.

12. Human Health and Safety

Potential for Significance: No

Explanation: Vehicle operation and working with hand and power tools have their attendant risk to users, but there would be no condition created from these actions that would introduce new human health or safety hazards or risk into the environment.

Neither project actions nor operation of project-associated vehicles on public roads would hinder traffic or access by emergency vehicles.

None of the proposed work is considered hazardous nor would it increase the burden on the local health, safety, and emergency-response infrastructure.

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: Project actions proposed by the CTUIR within the Wanaket Wildlife Area would be implemented by employees or contractors on lands owned and managed by the CTUIR.

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

Signed: /s/ Dan Gambetta April 22, 2021
Dan Gambetta, ECF-4 Date
Environmental Protection Specialist