

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: John Day Habitat Enhancement

Project No.: 1984-021-00

Project Manager: Jesse Wilson

Location: Multiple counties, Oregon

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021): B1.20 Protection of Cultural Resources, Fish and Wildlife Habitat, B3.2 Aviation activities, B3.3 Research related to conservation of fish, wildlife, and cultural resources

Description of the Proposed Action: Bonneville Power Administration (BPA) proposes to fund Oregon Department of Fish and Wildlife to implement habitat protection, restoration and improvement projects consistent with the Northwest Power and Conservation Council's Fish and Wildlife Program. Activities would include small-scale habitat protection, restoration, and improvement actions that may have the potential for short-term effects but no potential for significant effects with conditions on environmental resources, including Endangered Species Act-listed species or designated critical habitat. These actions would result in long-term benefits for terrestrial and aquatic species and their habitats.

The proposed actions include:

- Vegetation planting and non-native plant control: Planting and maintaining vegetation or removing vegetation by mechanical, biological, or chemical means or with controlled burns.
- Fish, hydrologic, and geomorphologic surveys: Installing stream gauges and passive integrated transponder (PIT) tag arrays; conducting snorkel surveys; conducting aerial surveys (e.g. drones, airplanes, helicopter); conducting site assessments (e.g. pebble counts, elevation surveys); ongoing data collection.
- Fence maintenance: maintain preciously installed fences as needed
- Fence Installation: Installing fences to protect sensitive resources, such as cattle exclusion fencing in riparian areas.
 - Wind Creek: Using hand tools, construct 1.0 mile of riparian protection fence (four-strand barbed wire strung between steel t-posts at 16 foot spacing, with two tamarack stays evenly spaced between the t-posts), one cattle water gap, and 6 gates.
 - Junkens Creek: Using hand tools, construct 2.5 miles of riparian protection fence (four-strand barbed wire strung between steel t-posts at 16 foot spacing, with two tamarack stays evenly spaced between the t-posts) to protect approximately 70 acres of riparian habitat, 600 acres of adjacent upland, and 3.15 miles of stream affected by livestock grazing along Junkens and Desolation creeks.
- Small wood placement: Installation of structures that require no ballast, boulders, excavation or structural connections and include no risk to downstream infrastructure or property; using trees less than 1 foot at DBH, and 15 feet or less in length. Structures include, but are not limited to: whole tree placement, beaver dam analogues, post assisted log structures, and post lines with wicker weaves.
 - Hay Creek BDAs: The project would install 12 BDAs within a 0.65 mile reach of Hay Creek within Gilliam County.

These actions would specifically satisfy some of BPA's Columbia River tributary mitigation commitments begun under the 2008 NMFS' Federal Columbia River Power System Biological Opinion (as supplemented in 2010 and 2014) (2008 BiOp) and ongoing commitments under the 2019 NMFS' Columbia River System BiOp (2019 CRS BiOp).

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/ Israel Duran

Israel Duran
Contract Environmental Protection Specialist
Salient/CRGT

Reviewed by:

/s/ Chad Hamel

Chad Hamel
Supervisory Environmental Protection Specialist

Concur:

/s/ Sarah T. Biegel

Sarah T. Biegel
NEPA Compliance Officer

Date: May 27, 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.

Proposed Action: John Day Habitat Enhancement

Project Site Description

Activities would occur within the John Day Basin in multiple counties in Oregon.

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"/>
<p><u>Explanation:</u> A BPA Historian and/or Archaeologist reviewed proposed activities and determined that activities are covered under an existing Section 106. In the event any archaeological material is encountered during project activities, work would be stopped immediately and a BPA Archaeologist and Historian would be notified, as well as consulting parties.</p>		
2. Geology and Soils	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><u>Explanation:</u> Minor, temporary impact to soils and geology during construction.</p>		
3. Plants (including Federal/state special-status species and habitats)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Explanation:</u> Work would have no potential for significant effects with conditions on environmental resources, including Endangered Species Act (ESA)-listed plants or Federal or state special-status species and habitats. If ESA-listed species are present, the project would result in no effect determination or would be low risk according to the current programmatic biological opinion issued by the United States Fish and Wildlife Service (USFWS) on the effects of BPA's Habitat Improvement Program (HIP).</p> <ul style="list-style-type: none">Project sponsor would adhere to all applicable site-specific conservation measures identified, including, but not limited to, HIP conservation measures or other mitigation measures.		
4. Wildlife (including Federal/state special-status species and habitats)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Explanation:</u> Work would have no potential for significant effects with conditions on environmental resources, including ESA-listed wildlife or Federal or state special-status species and habitats. If ESA-listed species are present, the project would result in a no effect determination or would be low risk according to the current biological opinion issued by the USFWS on the effects of BPA's HIP.</p> <ul style="list-style-type: none">Project sponsor would adhere to all applicable site-specific conservation measures identified, including, but not limited to, HIP conservation measures or other mitigation measures (e.g., construction or vegetation removal restrictions under the Bald and Golden Eagle Protection Act or Migratory Bird Treaty Act).		

5. **Water Bodies, Floodplains, and Fish**

(including Federal/state special-status species, ESUs, and habitats)

Explanation: Effects to water bodies would be minimal; limited to temporary, low level turbidity. There would be no net rise in floodplain elevations. Actions would have no effect or be classified as low risk to species according to the current programmatic biological opinion issued by the USFWS and the National Marine Fisheries Service on the effects of BPA's HIP.

- Project sponsors are required to obtain any applicable Clean Water Act permits and authorizations, as needed.
- Project sponsor would adhere to all applicable site-specific conservation measures identified, including, but not limited to, HIP conservation measures or other mitigation measures.

6. **Wetlands**

Explanation: Project sponsors are required to obtain any applicable Clean Water Act or wetland fill permits and authorizations, as needed.

7. **Groundwater and Aquifers**

Explanation: Most of the activities would not impact groundwater or aquifers. However, some restoration activities may result in locally increased groundwater storage through improved floodplain function.

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

Explanation: Some changes to land use could occur where habitat features exclude or modify existing uses.

- If a project occurs in a specially-designated area, project sponsor would provide documentation of any applicable permits or authorizations to the BPA environmental compliance lead prior to project initiation.

9. **Visual Quality**

Explanation: Visual quality of immediate project areas may be impacted during project activities due to equipment staging and completed structures, but impacts would be short term as structures restores habitat functionality.

10. **Air Quality**

Explanation: Air quality may be impacted by the additional travel to project sites but impacts would be local and temporary in nature.

11. **Noise**

Explanation: Some work activities would raise noise levels above ambient levels for short periods of time, but only during regular working hours until work is completed.

12. **Human Health and Safety**

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, 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: Work occurs on a mix of public (Umatilla and Malheur National Forests managed by the US Forest Service) and private lands; notification would occur as needed.

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

Signed: /s/ Israel Duran

Date: May 27, 2020

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