

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Northeast Precious Lands Wildlife Area Project

Project No.: 1996-080-00

Project Manager: Tracy Hauser – EWL -4

Location: Wallowa County, Oregon and Asotin County, Washington

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021): B1.20 Protection of cultural resources, fish and wildlife habitat; B3.3 Research related to conservation of fish and wildlife

Description of the Proposed Action: Bonneville Power Administration (BPA) proposes to fund the Nez Perce Tribe (NPT) to manage and administer the Precious Lands Wildlife Area project. The Project would include operation and maintenance (O&M) and research, monitoring and evaluation (RM&E) activities. These actions also support conservation of ESA-listed species considered in the 2020 ESA consultations with National Marine Fisheries Service on the operations and maintenance of the Columbia River System, while also supporting ongoing efforts to mitigate for effects of the 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.).

O&M activities would include but are not limited to the following:

Existing fences, gates, buildings, and signs would be maintained and repaired as needed to manage public access and exclude stray livestock. Obsolete materials, fences, and debris would be removed from the project sites. Existing access roads and trails would be maintained by cutting-back shrubbery and removing rocks and fallen trees. Vegetation maintenance would include maintaining areas previously planted, planting native vegetation, herbicide application to control noxious weeds, and fire prevention cut-back near infrastructure. Work be performed largely by hand using non-electric and power handheld tools with some use of large equipment such as a tractor.

RM&E would be performed on various populations of wildlife, vegetation, and habitat conditions. Data would be collected visually, using instruments, and stationary data collectors.

The Precious Lands Wildlife Area project is on-going, and activities would be performed throughout the year as weather permits and as required for seasonal wildlife surveillance. Sites would be accessed on existing trails and roads on foot, or by vehicles such as pick-up trucks or all-terrain vehicles.

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.

Lindsey Arotin
Environmental Protection Specialist

Concur:

Katey C. Grange
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: Northeast Precious Lands Wildlife Area Project

Project Site Description

The Precious Lands Wildlife Area includes 17,466 acres in Lower Grande Ronde subbasin. 16,286 acres of land held in fee title by the NPT is located approximately 5 miles north of Paradise, in Wallowa County OR. Another 1,180 acres of non-use grazing BLM-managed land is located 10 miles south of Anatone, in Asotin County, WA. Both sites are managed by the NPT and function as mitigation areas which are open to the public for recreational uses. Adjacent to the Wallowa-Whitman National Forest, the project area is high quality fish and wildlife habitat consisting primarily of canyon grasslands with intermixed shrub fields, Douglas-fir and ponderosa pine forest, riparian areas, and parts of Bear, Cottonwood, Basin, Rock, Broady, Tamarack, Joseph, Rush, and Buford Creeks.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No

Explanation: BPA determined the proposed O&M and RM&E activities would have no potential to cause effect to historical properties (April 2024, Cultural Resources Number: WA 2024 066). The proposed activities would either cause minimal or no ground disturbances, occur in areas with no known archaeological resources or historical significance, or not involve modifications to existing historic built resources.

2. Geology and Soils

Potential for Significance:

Explanation: Minor ground disturbance would occur during on-going O&M and RM&E activities. Most disturbance would occur in previously disturbed areas or areas with compacted soil. Overall, many activities, such as cattle fences, and vegetation management would improve soil and habitat conditions.

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

Potential for Significance: No

Explanation: Spalding's catchfly, an ESA-listed threatened species, is present in the project area according to the NPT's habitat species inventory. No additional ESA-listed, state-listed species or designated critical habitat are known to be present in the project areas. Best management mitigation practices for Spalding's catchfly include sustainable livestock grazing and vegetation management that reduces invasive species, both of which are two primary components of the proposed project. However, possible unintentional impact may occur during the proposed activities. The project's potential impact to the Spalding's

catchfly are covered under BPA's HIP BiOp. NPT has developed a comprehensive management plan consistent with the HIP conservation measures to guide conservation and minimize impact. Therefore, effects would be minor and would be unlikely to adversely affect the Spalding's catchfly.

Permanent changes to non-ESA-listed vegetation would occur as a result of the O&M activities, and minor impacts may occur during RM&E activities. Vegetation disturbed during maintenance activities would be replanted with native species. Vegetation management activities would include supportive care for previously planted trees, noxious weed control, and planting native species. Overall, project efforts would restore and improve habitat quality.

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

Potential for Significance: No

Explanation: According to ODFW's "Area of Known Wolf Activity", WDFW's "Wolf Packs in Washington" websites, and the NPT's species inventory, presence of the gray wolf, an ESA-listed endangered species, is present in this region. Encounters at the project site would be highly unlikely as gray wolves are nocturnal and generally avoid human populated areas. Additionally, several Oregon Conservation Strategy Species¹ may be present in the project areas. The O&M and RM&E activities may have minor and temporary effects on ESA-listed or state-listed species due to increased noise, traffic, and human presence. The potential impacts are covered under BPA's HIP BiOp. NPT has developed a comprehensive management plan consistent with the HIP conservation measures to minimize impact. Recommended conservation approaches for the OR Conservation Strategy Species include reducing habitat loss, increasing native vegetation, and preventing invasive species which are primary goals of the proposed project. Overall, the improved habitat conditions would result in long-term benefits for wildlife.

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

Potential for Significance: No

Explanation: ESA-listed steel head and Chinook salmon are present in the project area and there are no critical habitats. This project would be covered under the HIP Biological Opinion under Section 7 of the ESA. The project sponsor would use best practices to adhere to all applicable site-specific conservation measures. Although no direct in-water-work would occur, O&M and RM&E work could occur near streams. Work near streams could cause minor and temporary disturbances due to human presence and noise, but no lasting effects are anticipated. Habitat restoration such as vegetation management and livestock exclusion fences would result in long-term benefits for aquatic life.

6. Wetlands

Potential for Significance: No

Explanation: There are mapped wetlands located in the project area (USFWS National Wetlands Inventory). O&M and RM&E activities would not directly impact wetlands or hydrology in the project area. Any activities within or near wetlands would be limited to

¹ OR Conservation Strategy Species: Western Toad, Rocky Mountain Bighorn Sheep, Hoary Bat, Silver-Haired Bat, Long-Legged Myotis, Monarch Butterfly, Flammulated Owl, Great Gray Owl, Lewis' Woodpecker, Pileated Woodpecker, White-Headed Woodpecker, Olive-Sided Flycatcher.

vegetation maintenance using methods with little to no ground disturbances. Effects on wetlands would be temporary and limited to the removal of undesirable vegetation to improve conditions for native wetland species. This would have the long-term effect of improving the quality of local wetlands.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: No new wells or use of groundwater are proposed. Herbicide impacts to groundwater and aquifers would be minimized by application according to manufacturer's label and would be limited (spot treatments). The O&M and RM&E actions would have no long-term impact to groundwater or aquifers.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: The underlying land use would not change and no impact to specially-designated areas would occur as a result of this project.

9. Visual Quality

Potential for Significance: No

Explanation: The proposed work would have little to no effect on visual quality. Minor changes such as livestock exclusion fences, removal of existing debris, temporary road work and increased native vegetation would occur. Overall, the project would be returning the area to a more natural vegetative condition.

10. Air Quality

Potential for Significance: No

Explanation: There would be minor, temporary effects to the air quality of the environment from exhaust due to vehicle use for site access and vegetation management actions as a result of this project. Normal conditions would return upon project completion.

11. Noise

Potential for Significance: No

Explanation: The proposed work would result in a minor, temporary increase in ambient noise due to human presence, and use of vehicles and equipment. Conditions would return to normal upon completion of the project.

12. Human Health and Safety

Potential for Significance: No

Explanation: The proposed work is not considered hazardous, nor does it result in any health or safety risks to the general public. There would be no soil contamination or hazardous conditions and no CERCLA sites.

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 Nez Perce Tribe would be implemented by employees or contractors on land managed by the Tribe. The community participated in developing the project goals and original management plans. The NPT continues disseminate information publicly by posting information in recreation areas and maintaining a public website with information about on-going projects and research.

Signed:

Lindsey Arotin, ECF - 4
Environmental Protection Specialist