

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Couse Creek River Mile Four Low-Tech Process Based Restoration (Update to CX issued May 16, 2023)

Project No.: 2007-396-00

Project Manager: Joshua Ashline – EWL - 4

Location: Umatilla County, OR

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 Walla Walla Basin Watershed Council (WWBWC) to implement a low-tech process-based restoration (LTPBR) project on Couse Creek, to include installation of post-assisted log structures (PALS) and beaver dam analogues (BDAs). The LTPBR would mimic natural river processes to restore ecological function, which would improve channel floodplain connectivity, water quality and habitat for ESA-listed species; spring Chinook, steelhead, and bull trout. This CX has been updated to reflect changes in construction processes from hand tools only to the use of a skidsteer post-pounder and the implementation schedule.

Funding the proposed activities fulfills ongoing commitments under the 2020 National Marine Fisheries Service Columbia River System Biological Opinion (2020 NMFS CRS BiOp), commitments specified in the 2020 U.S. Fish and Wildlife Service Columbia River System BiOp (2020 FWS CRS BiOp), while also supporting 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.)."

Up to 140 PALS and 40 BDAs would be constructed along 0.6 miles of Couse Creek. Structures would consist of channel spanning, mid-channel, bank attached, and floodplains structures. The LTPBR structures would be constructed from locally-sourced, untreated wood pieces varying in size but would not likely exceed 12 inches in diameter at breast height (DBH) by 15 feet in length. Structures would be constructed and installed using hand tools and a skidsteer post-pounder. Following construction, structures and riparian areas would be revegetated with native species. Measures would be taken to preserve existing trees or vegetation.

The project would occur between July and August, when the stream would be nearly dry. Staging, site access, and materials transportation would be limited to designated areas and paths and accessed only by foot or small vehicles such as ATV or skidsteer.

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.

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Project Site Description

Couse Creek originates from mid-elevation headwaters of the Blue Mountains in northeast Oregon and is a tributary to the Walla Walla River. The project site is located within a valley bottom at an elevation of 1,600 feet roughly 5 mile southeast of Milton-Freewater in Union county, Oregon. The project would occur on private land, along one-half mile of stream and surrounding floodplain amounting to approximately 13.5 acres. Past land management activities include grazing, agriculture, timber harvest, and channel clearing, which has left the land ecologically degraded. The channel is primarily a single thread throughout the length of the project with little structure or habitat. The valley bottom vegetation consists of patches of cottonwood and willow near the channel margins and thick patches of blackberry and non-native grasses, teasel and hemlock in the surrounding area.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No

Explanation: BPA made a determination of no historic properties affected on June 13, 2022 (BPA CR Project No.: OR 2022 025). BPA received an acknowledgement of the report from Oregon State Historic Preservation Office, but no further correspondence was received from the Nez Perce Tribe, or the Confederated Tribes of the Umatilla Indian Reservation within the 30-day consultation period.

BPA sent an amended determination letter on April 2, 2024 outlining the changes to the scope of work. On April 29, 2024 Oregon SHPO requested that the isolated finds described in the report that was submitted in 2022 be evaluated for eligibility to the National Register of Historic Places (NRHP). The report was amended to include these evaluations and both isolated finds were determined to be ineligible for listing on the NRHP. The revised report and determination letter with a determination of no historic properties affected were submitted to all consulting parties on May 21, 2024. No further correspondence was received from any of the consulting parties.

2. Geology and Soils

Potential for Significance: No

Explanation: The low-tech process-based restoration activities would disturb soils on the project site. Best Management Practices (BMP) have been developed to avoid or minimize temporary fine sediment impacts during construction. All ground disturbance would be monitored throughout the length of implementation and stabilized with vegetation planting upon completion.

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

Potential for Significance: No

Explanation: No ESA-listed or special-status plant species are known to exist on the site. Non-listed plants in the project area would be impacted by the low-tech process-based restoration activities. Native species would be avoided or salvaged for replanting when possible. Invasive species would be removed and disposed of off-site. All areas impacted by restoration activities would be restored by re-seeding and planting native vegetation to stabilize topsoils, prevent re-introduction of invasive species, and improve habitat quality for both aquatic life and wildlife. Overall, this project would have a positive impact on vegetation conditions.

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

Potential for Significance: No

Explanation: According to US Fish and Wildlife Service's IPaC, presence of the gray wolf (ESA listed endangered) may be possible in this region. However, according to ODFW's "Area of Known Wolf Activity" in Umatilla County, no wolf activity has been documented near the project area. Additionally, encounters at the project site would be highly unlikely as gray wolves are nocturnal and generally avoid human populated areas. No other ESA or special-status species have been documented within or near the project area. Non-listed wildlife in the project area would be disturbed by the effects of project activities, such as human presence and noise from equipment. Conservation measures would be used to minimize wildlife impacts. Wildlife that could be temporarily displaced during implementation would likely reoccupy the site following completion of the proposed activities. The proposed habitat restoration project is expected to improve aquatic and riparian habitat, which would have a beneficial effect to wildlife species in the long term.

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

Potential for Significance: No

Explanation: The low-tech process-based restoration would permanently alter a portion of the waterway and would disrupt aquatic life. Impacts to ESA-listed species, including summer steelhead, spring Chinook, and bull trout would be covered under the BPA's programmatic Habitat Improvement Program (HIP) biological opinion with the USFWS and NMFS. Construction activities would have temporarily affects such as: increased turbidity, habitat disturbances, and increased physiological stress to aquatic life. The project would be constructed during low flow and BMPs would be implemented to minimize impacts such as soil erosion, excess sediment downstream and turbidity. Construction would be paused during runoff events. Work zone isolation and fish passage techniques would be used as needed but due to low-flow conditions, presence of ESA-listed fish or other species would be unlikely. In the long term, this project would improve water quality and habitat for ESA-listed and non-listed aquatic species.

WWBWC obtained the following permits:

- Clean Water Act (CWA) Section 404 permit under the Regional General Permit (RGP) 6 was obtained from the U.S. Army Corps of Engineers (USACE) on May 2, 2023. RGP-6 is covered by the Oregon Department of Environmental Quality (DEQ) under a CWA Section 401 Water Quality Certification for the Reissuance of Regional General Permit #6 with Modifications for Bonneville Power Administration Funded Habitat Improvement Projects – Corps No. NWP-2023-108

- Zone Permit from the Wallowa County Planning Department on May 2, 2023 to fulfill the Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) ESA Section 7(a)(1) Conservation Action Program – Zone Permit no.: 23-084
- ODFW Fish Passage Plan for Beaver Dam Analogue and Post Assist Log Structure on May 9, 2023 – Approval #: PA-07-0046

6. Wetlands

Potential for Significance: No

Explanation: Couse Creek is incised and lacks floodplain interaction necessary to produce riparian wetlands within the project area. Although no off-channel wetland were identified in the Nation Wetland Inventory, approximately 5 acres of in-channel riverine were identified. The proposed low-tech process-based restoration activities would result in minor and temporary ground disturbances within or near the in-channel wetlands. The proposed project is designed to reactivate the floodplain by encouraging interaction through multi-threaded channels and increasing inundation. As a result, the wetland areas are expected to increase by an additional 10-15 acres. Overall, the project would improve wetland function, abundance, and ecological value.

WWBWC has obtained Sections 404 and 401 permits for the proposed work under the USACE RGP-6 permit. Please see section 5. *Water Bodies, Floodplains, and Fish* for permit information.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: Although there would be ground disturbances as a result of the low-tech process-based restoration, the work is not expected to substantially effect groundwater and aquifers. Groundwater recharge and water table levels would potentially improve as a result of increased water storage throughout the floodplain and wetland. The proposed project would either have no effect or a positive effect on groundwater and water tables.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: There are no specially-designated areas in the project area and no change in land use would occur as a result of the proposed low-tech process based restoration. The project is located on private land used for agriculture, however the land within the project area is fallow and the landowner would maintain access. Therefore, the proposed actions would not impact land use.

9. Visual Quality

Potential for Significance: No

Explanation: The proposed low-tech process-based restoration would have temporary and permanent changes to the landscape. Visual changes due to woody material and equipment staging, vegetation disturbances, and human presence would be minor and short-term. Upon completion, changes such as increased riparian habitat, wetlands, and natural waterway structures would be permanent and overall improve visual quality.

10. Air Quality

Potential for Significance: No

Explanation: A temporary increase in emissions and dust from vehicles accessing the project site would be very minor and short-term during construction, but would resume to normal conditions immediately once the project is completed.

11. Noise

Potential for Significance: No

Explanation: The proposed work would result in a temporary increase in ambient noise. Any noise emitted from construction equipment would be short-term and temporary during daylight hours and would cease following project completion.

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 as a result of the proposed project.

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: The Walla Walla Basin Watershed Counsel and Anabranch Solutions (the project designer) developed and agreed upon the proposed actions collaboratively with the landowner. Construction schedules and mobilization of heavy equipment would be coordinated with the landowners.

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

Signed:

Lindsey Arotin, ECF - 4
Environmental Protection Specialist