

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Coyote Creek South V Property Acquisition and Stewardship Funding

Project No.: 2011-003-00; BPA-014254

Project Manager: Virginia Preiss – EWM-4

Location: Lane County, Oregon

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021): B1.25 Real property transfers for cultural resources protection, habitat preservation, and wildlife management

Description of the Proposed Action: Bonneville Power Administration (BPA) is proposing to fund the Oregon Department of Fish and Wildlife to purchase the Coyote Creek South V property, which is a 57-acre parcel of land located about 10 miles west of Eugene in Lane County, Oregon. BPA would hold a conservation easement to permanently protect, mitigate, and enhance fish and wildlife and their habitat. BPA would also provide stewardship funds toward land management and maintenance of the property to the Oregon Department of Fish and Wildlife.

This land purchase would specifically satisfy some of BPA's commitments made in the 2010 "Willamette River Basin Memorandum of Agreement Regarding Wildlife Habitat Protection and Enhancement between the State of Oregon and the Bonneville Power Administration."

The property primarily consists of wet prairie, mixed deciduous forest, and riparian habitats including 0.4 miles of Coyote Creek and its tributaries. The property supports Federally-recognized species of concern including Northern red-legged frog (*Rana aurora*), Northwestern pond turtle (*Actinemys marmorata*), Willow flycatcher (*Empidonax traillii*), and Yellow-breasted chat (*Icteria virens*), and an Oregon Conservation Strategy species: Dusky Canada goose (*Branta canadensis occidentalis*). Additionally, the property provides connectivity to habitat conserved on other recently acquired habitat conservation properties in the Willamette Wildlife Mitigation Program and contributes to landscape-scale conservation. The Oregon Department of Fish and Wildlife would develop a land management plan to guide the protection and enhancement of habitat and other resources on the property. The land management plan would be drafted within 18 months of closing. The management plan would be reviewed by BPA for consistency with the conservation easement and the purpose of the acquisition. If BPA proposes to fund any additional activities on the property, further environmental review may be conducted.

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.¹

Israel Duran
Environmental Protection Specialist

Concur:

Katey C. Grange
NEPA Compliance Officer

Attachment(s): Environmental Checklist

¹ BPA is aware of the November 12, 2024, decision in *Marin Audubon Society v. Federal Aviation Administration*, No. 23-1067 (D.C. Cir. Nov. 12, 2024). To the extent that a court may conclude that the Council on Environmental Quality regulations implementing NEPA are not judicially enforceable or binding on this agency action, BPA has nonetheless elected to follow those regulations at 40 Code Federal Regulations (C.F.R.) §§ 1500– 1508, in addition to the US Department of Energy’s NEPA implementing procedures at 10 C.F.R. Part § 1021, to meet the agency’s obligations under NEPA, 42 U.S.C. §§ 4321 *et seq.*”

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 57-acre Coyote Creek South V property located about 10 miles west of Eugene in Lane County, Oregon, is privately owned and BPA would fund the fee title purchase by the Oregon Department of Fish and Wildlife at closing. Historically, the property was used for forest and agricultural purposes. Wetlands encompassing more than 1200 acres were documented near the confluence of the Long Tom River and Coyote Creek. Floodplains, wetlands, and hydric soils limited impacts to this area during pioneer settlement and early agricultural development. The property currently consists of wet prairie, mixed deciduous forest, and riparian habitats including Coyote Creek and its tributaries, and the BPA Rainbow Valley Tap to Lane-Wendson Transmission Right of Way (ROW). Coyote Creek drains north into Fern Ridge Reservoir and the associated dam is a barrier to anadromous fish species.

The ROW is approximately 4.3 acres and runs north-south through the approximate center of the property. The forest is seasonally wet with a diverse understory of native shrubs and herbaceous species. Coyote Creek flows through the southwest corner of the property, bordered by a wide riparian habitat corridor of Oregon Ash (*Fraxinus latifolia*) and Oregon White Oak (*Quercus garryana*). There is an unnamed tributary to Coyote Creek that flows through the site from east to west. The property supports Federally-listed species of concern, Oregon Conservation Strategy species, and other important species, including neotropical migratory birds, amphibians, reptiles, raptors and other native species such as Northern red-legged frog (*Rana aurora*), Northwestern pond turtle (*Actinemys marmorata*), Dusky Canada goose (*Branta canadensis occidentalis*), Willow flycatcher (*Empidonax traillii*), and Yellow-breasted chat (*Icteria virens*). Forest habitats are dominated by riparian and wetland habitats. Restoration would support wet prairie habitats and associated vegetation such as tufted hairgrass (*Deschampsia cespitosa*), meadow checker mallow (*Sidalcea campestris*), brodiaea (*Brodiaea* spp.), milkweed (*Asclepias* spp.), camas (*Camassia* spp.), and Western buttercup (*Ranunculus occidentalis*).

The property is within a Priority Oak and Prairie Conservation Unit identified within the Lower Calapooia-Santiam Conservation Strategy produced by the Lower Calapooia-Santiam Planning Partnership. It also provides travel corridors for wildlife and plant species movement into adjacent public lands and between other key protected lands within the larger regional ecological context, including: (1) proximity to other BPA-funded acquisitions under the MOA such as Courtney Creek (BPA Tract ID WILWF-WL-40) and C-Bow (BPA Tract ID WILWF-WL-66), and (2) proximity to Coburg Ridge (managed by The Nature Conservancy), Flying Wym (managed by the McKenzie River Trust), a Wetlands Reserve Program conservation easement managed by the Natural Resources Conservation Service, and several thousand acres of Bureau of Land Management (BLM) forest lands, including the BLM Oak Basin Prairies Area of Critical Environmental Concern.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No

Explanation: There would be no effect due to the conservation easement acquisition which includes transfer of title, the creation of a conservation easement, and award of stewardship funds. To the extent that future activities on the property may have an effect, it is expected that the Oregon Department of Fish and Wildlife would comply with all applicable laws and regulations.

2. Geology and Soils

Potential for Significance: No

Explanation: See explanation for #1 above.

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

Potential for Significance: No

Explanation: See explanation for #1 above.

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

Potential for Significance: No

Explanation: See explanation for #1 above.

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

Potential for Significance: No

Explanation: See explanation for #1 above.

6. Wetlands

Potential for Significance: No

Explanation: See explanation for #1 above.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: See explanation for #1 above.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: See explanation for #1 above.

9. Visual Quality

Potential for Significance: No

Explanation: See explanation for #1 above.

10. Air Quality

Potential for Significance: No

Explanation: See explanation for #1 above.

11. Noise

Potential for Significance: No

Explanation: See explanation for #1 above.

12. Human Health and Safety

Potential for Significance: No

Explanation: See explanation for #1 above.

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: Notification letters will be sent to adjacent landowners and other interested parties at a minimum of 15 days before the closing date of the sale. Advertisements will also be posted in local newspapers, and information will be posted on BPA's public website prior to closing.

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

Signed:

Israel Duran, ECF-4
Environmental Protection Specialist