

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Foley Creek Meadow Planting

Project No.: 1998-028-00

Project Manager: Chad Baumler, EWL-4

Location: Jefferson County, OR

Categorical Exclusion Applied (from 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 Oregon Department of Fish and Wildlife (ODFW) and the Jefferson Soil and Water Conservation District (together “the Sponsors”) to remove undesirable vegetation and plant native species on roughly 11 acres of floodplain of Foley Creek in Jefferson County, Oregon. Funding for the proposed action would support the conservation of Endangered Species Act (ESA)-listed steelhead trout (*Oncorhynchus mykiss*) considered in the 2020 ESA-consultation with the National Marine Fisheries Services (NMFS) on the operations and maintenance of the Columbia River System while also supporting ongoing efforts to mitigate for the effects of the Columbia River System 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 (16 U.S.C. § 839 *et seq.*).

Foley Creek is a seasonal stream which serves as a tributary to Trout Creek, a major steelhead spawning and rearing stream in the western Deschutes basin. The project site is a historical floodplain valley of the stream nestled between two high ridgelines. The valley was extensively grazed by cattle throughout the 20th century, heavily impacting local vegetation and the stream corridor. Additionally, western juniper (*Juniperus occidentalis*) from the nearby hillsides have aggressively colonized the valley floor and are outcompeting other native shrubs and trees for the limited water available in the system, further degrading conditions for vegetation across the floodplain and reducing the quality of in-stream habitat available for fish.

The Sponsors would improve conditions across the project site by removing juniper trees and replanting the area with native hardwood species, including nursery-grown saplings of black cottonwood (*Populus trichocarpa*) and quaking aspen (*P. tremuloides*), as well as a variety of native willow (*Salix* spp.) stakes. The sponsors would use hand tools to remove encroaching juniper along the valley floor. Locations in which trees are removed would then be planted in sets of roughly 20 saplings to create aspen groves throughout the floodplain. These groups of trees would be surrounded by 8-foot-tall wire fences to prevent grazing by elk and trespassing cattle until the trees are firmly established and can withstand wildlife grazing. Roughly two-dozen of these fenced groves would be scattered across the 11 acres of the project site, subject to tree availability.

Access to the project site is along an existing private access road and two-track roads across the property. The Sponsors would monitor the conditions in the valley in future years for adaptive management, removing weeds and replanting dead plantings as necessary to promote the desired habitat conditions. Exclusion fencing around the trees planted would be removed once the saplings have grown to the point at which wildlife grazing would not negatively affect their ability to thrive, likely in 5 to 8 years.

Findings: In accordance with Section 1021.102 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; 89 FR 34074, April 30, 2024; 90 FR 29676, July 3, 2025 [Interim Final Rule]) and *DOE National Environmental Policy Act (NEPA), Implementing Procedures* (dated June 30, 2025), BPA has determined the following:

- 1) The proposed action fits within a class of actions listed in Appendix B of 10 CFR 1021;
- 2) The proposal has not been segmented to meet the definition of a categorical exclusion; and
- 3) There are no extraordinary circumstances related to the proposed action that may affect the significance of the environmental effects of the proposal (see attached Environmental Evaluation).

Based on these determinations, BPA finds that the proposed action is categorically excluded from further NEPA review.¹

Thomas DeLorenzo
Environmental Policy Analyst

Concur:

Katey C. Grange
NEPA Compliance Officer

Attachment(s): Environmental Checklist

¹ BPA is aware that the Council on Environmental Quality (CEQ), on February 25, 2025, issued an interim final rule to remove its NEPA implementing regulations at 40 C.F.R. Parts 1500–1508. Based on CEQ guidance, and to promote completion of its NEPA review in a timely manner and without delay, in this CX BPA is voluntarily relying on the CEQ regulations, in addition to the interim final rule to revise DOE NEPA regulations implementing NEPA at 10 C.F.R. Part 1021 and NEPA Implementing Procedures (dated June 30, 2025), to meet its obligations under NEPA, 42 U.S.C. §§ 4321 et seq.

Categorical Exclusion Environmental Evaluation

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

Foley Creek is a tributary to Trout Creek, the largest eastside tributary to the upper Deschutes River in central Oregon. Streams in the area are fed primarily by snowmelt and springtime precipitation and provide extensive cool summertime water ideal for salmonid spawning and rearing habitat. The surrounding area is emblematic of the Oregon High Desert, with extensive scrubland valleys and hillsides dominated by western juniper trees. The Foley Creek Meadow project site is located on private property that was historically used for extensive timber harvest and ranching.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No

Explanation: BPA initiated consultation with the Confederated Tribes of the Warm Springs Reservation of Oregon and Oregon State Historic Preservation Office (SHPO) on September 5, 2024. BPA completed a field survey and identified historic properties within the Area of Potential Effects (APE). Additionally, patches of camas (*Camassia* spp.), a first food of cultural importance, were observed throughout the meadow. A field survey of the APE recorded the locations of these camas patches. On September 5, 2025, BPA shared the results of its efforts to identify historic properties and determination of no adverse effect to historic properties with consulting parties (BPA Project # OR 2024 151, Oregon SHPO Project 24-1723). SHPO concurred with BPA's determination on September 30, 2025. No other comments were received within 30 days.

Notes:

- No planting would occur within the boundaries of the documented archaeological resource sites or patches of camas. The Sponsors would use GIS shapefiles to avoid sensitive areas.
- Removal of young junipers in sensitive areas would be conducted using hand tools and the trees would not be dragged along the ground when they are removed from the property to reduce the potential impacts on cultural resource sites and culturally significant camas plants.
- Driving vehicles across the property would be prohibited when the meadow is fully saturated while camas are in bloom to minimize the potential for rutting and impacts to culturally significant plants.

2. Geology and Soils

Potential for Significance: No

Explanation: Disturbances to local soil would be limited to areas in which juniper trees are removed and new trees are planted. While these actions would necessitate digging, the effects would be localized and require no large-scale excavation or earthmoving. Soil excavated when digging planting holes would be backfilled over the new saplings and no soil would be removed from the site. Overall effects would be mild. The long-term effects of restoring historical vegetation to the meadow would improve soil quality by establishing a historical and native vegetative root system throughout the meadow.

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

Potential for Significance: No

Explanation: There are no ESA-listed plant species present in Jefferson County (U.S. Fish and Wildlife Service (USFWS Information for Planning and Consultation (IPaC))). There would be no effect on ESA-listed plant species.

There are no Oregon state special status plant species present in Jefferson County (Oregon Department of Agriculture). There would be no effect on state special status species.

Effects on non-listed plant species would be mild. Individual juniper trees would be removed from the meadow. While these individual trees would be heavily impacted, many of the hillsides of the area are dominated by extensive stands of juniper trees and the removal of these individual trees would have little impact on the overall population of junipers in Jefferson County and the species' ability to continue to propagate. Additionally, these juniper trees would be replaced with plantings of other native species of trees that are typically found in stream meadows in the area, helping to restore the historical vegetation to the meadow. Overall effects on local vegetation would therefore be mild and beneficial in the long term as native vegetation is reestablished.

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

Potential for Significance: No

Explanation: ESA-listed grey wolf (*Canis lupus*) is found in Jefferson County. Wolf packs in Oregon are routinely tracked by the ODFW Wildlife Division, and no known wolf packs are currently present in the eastern portion of the county near the project site (ODFW). There would therefore be no effect on grey wolves.

There are no separately listed Oregon state special status wildlife species present in Jefferson County (ODFW). There would be no effect on state special status wildlife species.

Effects on non-listed wildlife species would be mild. Juniper cutting would occur outside of the typical nesting seasons of local non-listed bird species. There would be temporary disruption to local wildlife from human presence and noise. These effects would be short-lived and cause no long-term impacts on local wildlife.

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

Potential for Significance: No

Explanation: ESA-listed steelhead are found in Foley Creek seasonally (StreamNet Mapper). The proposed planting would be in the meadow around the creek, and no work is proposed in the stream. There would be no negative effects on steelhead that would occur and in the long-term, steelhead habitat benefit from the reestablishment of native riparian vegetation. Effects on non-listed fish species would be functionally identical.

6. Wetlands

Potential for Significance: No

Explanation: While there are mapped wetlands directly upstream of the project site (USFWS National Wetlands Inventory), no planting is proposed in these areas. There would be no effect on wetlands.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: No new wells or groundwater uses are proposed. The depth of excavation needed to remove juniper trees and plant other species would not be deep enough to significantly interact with groundwater.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: The Foley Creek Meadow project site is on privately owned land. No changes in ownership or use of the property are proposed.

9. Visual Quality

Potential for Significance: No

Explanation: Removal of junipers and restoration of native woody vegetation would restore the historical visual quality of the Foley Creek meadow site. However, the site is located entirely on private property which is not open to the public and there would be no effect on the public's aesthetic appreciation of the site.

10. Air Quality

Potential for Significance: No

Explanation: Equipment like trucks would produce exhaust. However, these effects would be mild and cause no long-term impacts on local air quality.

11. Noise

Potential for Significance: No

Explanation: Equipment like trucks would produce noise. However, these effects would be mild and cause no long-term impacts on local noise levels.

12. Human Health and Safety

Potential for Significance: No

Explanation: All personnel would use best practices to ensure human health and safety. All machinery would be operated solely by trained and licensed (when applicable) personnel.

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 Foley Creek meadow property is privately owned. The Sponsors would continue coordination with the landowner as needed. No other outside coordination is required.

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

Signed:

Thomas DeLorenzo
Environmental Policy Analyst