

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Aerial Surveys in the Crooked and American Rivers

Project No.: 2010-086-00

Project Manager: Matthew Schwartz, EWM-4

Location: Idaho County, Idaho

Categorical Exclusion Applied (from 10 C.F.R. Part 1021): 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 the Nez Perce Tribe (NPT) to conduct aerial surveys to assess potential locations for restoration projects and monitor completed restoration projects in the Crooked River and American River watersheds. NPT would operate a small quadcopter unmanned aerial vehicle (UAV) to remotely collect data to assess vegetation and stream bank conditions, floodplain connection, and instream habitat complexity, such as presence of large wood or undercut banks. Imaging would support identification of future restoration project locations and monitor performance of completed restoration projects that support ESA-listed steelhead (*Oncorhynchus mykiss*) and bull trout (*Salvelinus confluentus*), and non-listed spring/summer Chinook salmon (*O. tshawytscha*), westslope cutthroat trout (*O. clarkii lewisi*), and Pacific lamprey (*Entosphenus tridentatus*).

A UAV equipped with camera/video equipment would be flown multiple times throughout the year in 12-minute to 30-minute intervals. Flights would mainly be staged from locations within the Nez Perce-Clearwater National Forest but may also be staged on private land. Flight staging would be from an existing road or other existing cleared ground, such as road pullouts or driveways. No ground disturbance would be required for staging or flights. Operators would follow all Federal, state, and local laws, including Nez Perce-Clearwater National Forest Red River Ranger District requirements for use of UAVs; be certified with appropriate ratings; and operate within 400 feet of ground level. Flights would occur over small areas (typically less than 1 mile from staging), limited by a requirement for the operator to maintain line of sight. NPT would provide the location, approximate time, and duration of operation to the Red River Ranger District dispatch office prior to flights within the forest.

Funding the proposed activities supports commitments under the 2020 National Marine Fisheries Service Columbia River System Biological Opinion (2020 NMFS CRS BiOp) and the 2020 U.S. Fish and Wildlife (USFWS) Service Columbia River System BiOp (2020 FWS CRS BiOp). These actions also support Bonneville's ongoing efforts to mitigate for effects of the Federal Columbia River Power 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 (Northwest Power Act) (16 U.S.C. (USC) 839 *et seq.*).

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 the current *DOE National Environmental Policy Act (NEPA), Implementing Procedures*, 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.

Jacquelyn Schei
Environmental Protection Specialist

Concur:

Sarah T. Biegel
NEPA Compliance Officer

Attachment(s): Environmental Evaluation

Categorical Exclusion Environmental Evaluation

This evaluation 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: Aerial Surveys in the Crooked and American Rivers

Project Site Description

The Crooked River and American River watersheds are located in north-central Idaho in the South Fork Clearwater River subbasin and are within the Nez Perce Tribe's usual and accustomed area. Cumulatively, the watersheds compose about 115,000 acres. The bulk of the land (over 80 percent) lies within the Nez Perce-Clearwater National Forest. The watersheds are designated critical habitat for steelhead and bull trout and are major spawning areas. They also provide habitat for non-listed fish species present in the area. Historic activities in the watersheds, such as dredge and hydraulic mining, road crossings, grazing, and haying, have severely degraded instream habitat and floodplain functions. Land development in the American River watershed around the Elk City township has further reduced fish habitat quality and function.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No

Explanation: Activities would not result in ground disturbance that could potentially impact archaeological resources and no modifications to existing built historic resources are proposed. Therefore, the proposed actions would have no potential to cause effects to historic properties.

2. Geology and Soils

Potential for Significance: No

Explanation: There would be no ground disturbance associated with the proposed action. Existing roads would be used for access and flight staging.

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

Potential for Significance: No

Explanation: The proposed action would not require any tree or vegetation removal or management. Flight staging would be within existing roadways or other previously cleared areas, like driveways or road pullouts. Therefore, the proposed action would not impact ESA-listed, special-status, or other plant species or habitats.

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

Potential for Significance: No with Conditions

Explanation: The USFWS Information for Planning and Conservation (IPaC) tool lists Canada lynx (*Lynx canadensis*), grizzly bear (*Ursus arctos horribilis*), and North American wolverine (*Gulo gulo luscus*), all ESA-listed Threatened, as having the potential to be in the project area. In addition, IPaC lists the monarch butterfly (*Danaus plexippus*), ESA-proposed Threatened, and Suckley's cuckoo bumble bee (*Bombus suckleyi*), ESA-proposed Endangered, as having the potential to be present in the American River and Crooked

River watersheds. There is no designated critical habitat for ESA-listed or proposed species in these areas. There are no known recent occurrences of lynx, grizzly, and wolverine in these watersheds. They generally avoid human presence and noise and are mainly active during twilight or night.

There are U.S. Forest Service (USFS) species of conservation concern present in the Nez Perce-Clearwater National Forest (2025 Land Management Plan). The list includes two species of migratory birds—harlequin duck (*Histrionicus histrionicus*) and white-headed woodpecker (*Picoides albolarvatus*)—mountain quail (*Oreortyx pictus*), bighorn sheep (*Ovis canadensis*), and fisher (*Pekania pennanti*). These species are rare in Idaho and occurrences are typically in other watersheds and not in the Crooked River and American River watersheds. Golden eagles (*Aquila chrysaetos*) are not typically found near the Crooked River and American River; however, bald eagles (*Haliaeetus leucocephalus*) are present several months of the year, as are several species of migratory birds.

ESA-listed and proposed species and USFS species of conservation concern would be extremely unlikely to be in or near roadways used to access staging areas for UAV flights due to lack of habitat, lack of food sources, and regular human presence resulting in elevated noise. These areas would not contain vegetation suitable for food or habitat for monarch butterflies or Suckley's cuckoo bumble bees. Therefore, there would be no effect to ESA-listed or proposed wildlife species or USFS species of conservation concern.

There may be minor impacts to non-ESA-listed wildlife species, migratory birds, and bald eagles, but proposed actions would not result in incidental take of any species protected under the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act with implementation of minimization measures. The UAV is a small quadcopter that emits a low buzzing noise when operated. The noise would be less audible to wildlife on the ground as the UAV gains altitude, but likely could still be heard by many species when flying below 400 feet and would be heard by nearby avian species in flight. There may be a small chance of collision between the UAV and avian species, but these types of mid-air collisions are very rare and would be avoided to the greatest extent possible with a trained operator. Some species may consider the UAV a predator and result in the individual's stress response to avoid the area or hide during flights.

However, no wildlife habitat would be modified. Staging areas would be located in roadways or locations with disturbed ground and would not be suitable locations for nesting birds or other wildlife habitat. Flights would be of short duration (12 minutes to 30 minutes), during daylight hours, over short distances (1 mile or less to maintain line of sight), and infrequent in any given area. It is expected that noise from the UAV would not be more than routine road noise in these areas. In addition, helicopters and fixed-wing aircraft are commonly used across the Nez Perce-Clearwater National Forest for forest management activities. The UAV proposed for use would produce significantly less noise and have shorter duration flights. Annually in the spring, NPT would coordinate with the Red River Ranger District to determine location of known denning or nesting sites and presence of wildlife species. NPT would conduct pre-flight assessments immediately prior to flights to assess wildlife presence in proposed flight areas and would employ protection measures (e.g., timing and distance restrictions) as necessary to ensure wildlife species would not be harmed as a result of the project. The purpose of the proposed flights is not to observe wildlife or nests, nor would the UAV be operated in such a manner that it trails or paces wildlife, including a bird in flight. Flights would not occur over or near wildlife during breeding, nesting, rearing, or other critical development stages. The primary nesting season for migratory birds varies among species but generally occurs from spring to early summer (April to early July). The UAV would be operated a minimum of 1,000 feet away from any in-use eagle nests during breeding season (January to August in Idaho), which is a sufficient distance for aircraft operation that is unlikely to cause disturbance and does not require a take permit from USFWS (50 CFR 22.280).

Overall, effects would be temporary and of limited duration and it is expected that wildlife would resume typical behavior after flights are concluded; therefore, effects on non-ESA-listed wildlife species, migratory birds, and bald eagles would be low.

Notes:

- NPT would assess flight areas and would not operate UAVs within the disturbance limits of known or suspected populations of ESA-listed or sensitive wildlife species (e.g., USFS species of conservation concern, migratory birds, bald eagles) without implementing avoidance and minimization measures, such as daily and seasonal timing restrictions, disturbance buffers, and additional species-specific measures, as needed.
- The UAV would be staged and launched at least 100 meters from wildlife, following USFWS Tips for Responsible Drone Use, and would not be flown over or near wildlife during breeding, nesting, rearing, or other critical development stages.
- If wildlife is encountered during flights, the operator would modify the route, altitude, air speed, or other operating parameters to minimize potential impacts, if possible. In the unlikely event that a flight inadvertently affects ESA-listed or sensitive wildlife species, the flight would be immediately grounded, and the BPA environmental compliance lead would be contacted to assess effects in consultation with appropriate wildlife management agencies.

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

Potential for Significance: No

Explanation: Proposed actions would occur in the air and would not involve interaction with or modification of existing conditions of water bodies, floodplains, fish, or fish habitat. There would be no impact to water bodies, floodplains, or fish. Imaging would support identification of future restoration project locations and monitor performance of completed restoration projects that support ESA-listed steelhead (*Oncorhynchus mykiss*) and bull trout (*Salvelinus confluentus*), and non-listed spring/summer Chinook salmon (*O. tshawytscha*), westslope cutthroat trout (*O. clarkii lewisi*), and Pacific lamprey (*Entosphenus tridentatus*).

6. Wetlands

Potential for Significance: No

Explanation: Proposed actions would occur in the air and would not involve interaction with or modification of wetlands. There would be no impact to wetlands.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: Proposed actions would occur in the air and would not involve interaction with or modification to groundwater or aquifers. There would be no impact.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: Proposed actions would not change existing land uses or ownership. The UAV would not take off from, land in, or be operated from specially-designated areas such as scenic areas, designated wilderness areas, wild and scenic rivers, USFS Research Natural Areas, or national historic landmarks.

9. Visual Quality

Potential for Significance: No

Explanation: Flights may be observed by individuals in the area at the time of the flight. Flights would be limited in duration (12 minutes to 30 minutes) and during daylight hours only and would not have any long-term impact on the visual quality of the area.

10. Air Quality

Potential for Significance: No

Explanation: Vehicles accessing the staging areas would produce exhaust and potentially dust if access is on gravel or dirt roads. The exhaust and dust generated would be consistent with current activity on the roads. Exhaust and dust would be temporary and cause no long-term effects on air quality.

11. Noise

Potential for Significance: No

Explanation: The UAV would emit a low buzzing noise when operated. The noise would decrease as the UAV gains altitude, but likely could still be heard below the maximum altitude allowed for operation (400 feet). The flights would be temporary, have a short duration, be during daylight hours only, and produce noise similar in level to typical roadway noise. There would be no long-term noise impacts to the area.

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. The UAV would be operated by trained staff who would follow all Federal, state, and local laws; be certified with appropriate ratings; and operate only during daylight hours and within 400 feet of ground level.

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: NPT would coordinate flights within the Nez Perce-Clearwater National Forest with the Red River Ranger District. Flights occurring on private property would be coordinated with the landowner.

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

Signed:

Jacquelyn Schei
Environmental Protection Specialist