

United States Government

Department of Energy
Bonneville Power Administration

memorandum

DATE: March 23, 2005

REPLY TO
ATTN OF: KEC-4

SUBJECT: Supplement Analysis for the Watershed Management Program (DOE/EIS-0265/SA-206)

to: Jay Marcotte
Fish and Wildlife Project Manager – KEWU-4

Proposed Action: Toppenish Creek Watershed Restoration Project

Project No: 1998-033-00

**Watershed Management Techniques or Actions Addressed Under This Supplement Analysis
(See App. A of the Watershed Management Program EIS):**

1.2 Prohibit Further Channelization; 1.3 Restoration of Channelized River and Stream Reaches; 1.4 Pre-Implementation Evaluation of Proposed Enhancements; 1.5 Install Grade Control Structures and Check Dams; 1.6 Install large Woody Debris Structures; 1.7 Install Other Habitat Complexity Structures; 1.8 Bank Protection Through Vegetation Management; 1.10 Structural Bank Protection Using Engineered Structures; 1.12 Hardened Fords; 1.15 Fish Passage Enhancements-Fishways; 1.16 Spawning Habitat Enhancements; 1.17 Rearing Habitat Enhancements; 2.1 Maintain Healthy Riparian Plant Communities; 2.7 Avoid Exotic Species; 2.12 Prescribed Burning; 2.14 Enhance Large Woody Debris Recruitment; 2.15 Acquisition of Sensitive Riparian Resources; 4.1 Irrigation Water Management; 4.2 Water Measuring Devices; 4.7 Irrigation by Surface or Subsurface Means; 4.10 Water Conveyance: Pipeline; 4.18 Purchase/Negotiate Water Right; 4.22 Avoid Excess Irrigation Flows; 4.23 Intake and Return Diversion Screens; 4.24 Protect Springs; 5.11 Hardened Fords for Livestock Crossing of Streams; 6.1 Deferred Grazing; 6.7 Troughs; 6.8 Water Supply: Well; 6.10 Access: Fencing; 7.7 Reduce Risk of Road-Related Surface Erosion; 7.8 Drainage Control to Minimize Erosion and Sedimentation; 7.13 Grade Road; 7.14 Ditch and Culvert Cleaning; 7.19 Water Bars.

Location: Toppenish Creek Watershed, Yakama Reservation, Yakima Subbasin, Washington

Proposed by: Bonneville Power Administration (BPA) and the Yakama Nation

Description of the Proposed Action: Yakama Nation Tribal biologists will collect data on existing conditions within the Toppenish Watershed in order to identify factors limiting production of salmonids. Toppenish Creek Watershed Restoration Project (Project) activities will occur within the Yakama Nation boundaries. The collected data will be used in planning efforts to prioritize effective habitat restoration activities, changes in current land management practices, and vegetation management activities.

Habitat restoration measures that will be implemented include restoration of channelized river and stream reaches, measures to prohibit further channelization, installation of grade control structures, structural bank protection, installation of habitat complexity structure including large woody debris and large boulders, enhancement of fish passage, and enhancement of spawning and rearing habitat.

Sensitive riparian areas will be identified in order to manage them to promote and enhance wildlife habitat and to identify parcels for acquisition, if they become available.

Changes will be made to existing land and management practices to minimize adverse effects to wildlife and fish habitat. This will address impacts from grazing animals, including improving irrigation facilities through the installation of off-channel water facilities for livestock, fencing riparian areas in order to restrict cattle access, managing grazing. Monitoring of diversions for irrigation will be done with the use of water measuring devices and irrigation methods may be modified to maximize the use of water. Existing road maintenance practices will be modified in order to improve drainage and minimize the amount of sediment that reaches waterways.

Measures will be implemented to promote healthy native plant communities in riparian areas and floodplains. Revegetation practices include seeding and planting in riparian and floodplain areas to protect and stabilize banks and minimize erosion and sedimentation. Vegetation management will include control of invasive plant species that are considered noxious weeds.

Analysis: The compliance checklist for this project was completed by Brandon Rogers, Yakama Nation Fisheries Biologist II (signed on March 17, 2005, attached). The Project meets the standards and guidelines for the Watershed Management Program Environmental Impact Statement (EIS) and Record of Decision (ROD).

Pursuant to its obligations under the Endangered Species Act (ESA), BPA requested a list of listed and proposed species with the potential to occur in the project area from the U.S. Fish and Wildlife Service (USFWS). The letter from the USFWS (dated March 12, 2004, attached) states that habitat for bald eagle, bull trout, Canada lynx, gray wolf, grizzly bear, marbled murrelet, northern spotted owl, and Ute ladies'-tresses may occur within the project area. Because there have been no additional listings of these species or any new occurrences of listed species in this area, the species list was not updated in 2005. (pers. comm. March 1, 2005, B. Rogers, Yakama Nation Fish and Wildlife Department). Yakama Nation Tribal biologists confirmed that only bald eagle might occur in the project area, using the area for foraging. Because there are no eagle nests near Project areas and work will not be done during the wintering period, BPA made a determination of no effect to bald eagle as a result of project activities and did not initiate informal consultation. In the future if any activities are proposed near eagle nests or during the winter in areas where eagle winter, consultation with USFWS will be initiated if there could be any effect to this species. Consultation will also be initiated if any project activities occur in areas where listed species could be affected.

One listed anadromous fish species occurs in the project area. Middle Columbia Steelhead, a threatened species under the jurisdiction of NOAA fisheries, occurs in most of the Project area waterways. Any project activities may adversely affect this species will undergo Endangered Species Act Section 7 Consultation using the BPA Fish and Habitat Improvement Program (HIP) Biological Opinion (BO). This programmatic consultation also encompasses consultation with NOAA for Essential Fish Habitat (EFH) under the Magnuson-Stevens Fishery Conservation and Management Act. In order to conduct Section 7 and EFH consultation using the HIP BO, all proposed activities must fall within the activities covered, all effects must have been considered, the activity must be conducted in accordance with the applicable terms and conditions identified in the HIP BO. If requirements are not met, individual Section 7 consultation will be carried out if there is an effect to Middle Columbia Steelhead.

A cultural resource review of the portions of the proposed project sites that will be subject to ground disturbance will be completed prior to implementation of those activities. This review will include a literature search and a field survey by a qualified cultural resource specialist. The project area is located on the Yakama Reservation and the Yakama Nation Cultural Resources Program will determine if the project will have an effect on cultural or historic resources. If cultural deposits are found during any phase of the proposed project or if the nature of the undertaking changes, ground-disturbing work will cease, and a Yakama Nation cultural resource specialist will be contacted immediately.

Standard protection measures for activities in or near streams and wetlands will be followed during the implementation of the Project. The necessary permit approvals for this project have either been obtained or are in the process of being obtained. No construction will be authorized to begin until the applicant has obtained all required permits and approvals.

Public involvement has taken place as part of the Project. The Project will be implemented on Tribal land by Tribal members and Tribal staff. Tribal members are kept aware of the activities of the Fisheries Resource Management Program through the Natural Resources Quarterly Bulletin, which is made available to the public. Information is also disseminated through announcements on the Tribal radio station, and announcements and articles in the local newspaper. Non-tribal members have access to these sources of information. Students at the local college, Heritage College, are exposed to the project through some of the curriculum.

Findings: The project is generally consistent with the Northwest Power Planning Council's Fish and Wildlife Program, as well as BPA's Watershed Management Program EIS (DOE/EIS-0265) and ROD. This Supplement Analysis finds that: 1) implementing the proposed action will not result in any substantial changes to the Watershed Management Program that are relevant to environmental concerns; and 2) there are no significant new circumstances or information relevant to environmental concerns and bearing on the Watershed Management Program or its impacts. Therefore, no further NEPA documentation is required.

/s/ Kimberly St. Hilaire 3-30-05

Kimberly R. St.Hilaire
Environmental Protection Specialist – KEC-4

CONCUR:

/s/ Thomas McKinney

Thomas C. McKinney
NEPA Compliance Officer – KEC-4

Date: 3-30-05