

United States Government

Department of Energy
Bonneville Power Administration

memorandum

DATE: June 23, 2005

REPLY TO
ATTN OF: KEC-4

SUBJECT: Supplement Analysis for the Watershed Management Program EIS (DOE/EIS/SA-214)

TO: Mrs. Dorie Welch
Fish and Wildlife Project Manager - KEWU-4

Proposed Action: Poley Allen Diversion Structure Modification Project

Project No: 1992-026-01

Watershed Management Techniques or Actions Addressed Under This Supplement Analysis
(See App. A of the Watershed Management Program EIS): 4.25 Consolidate/Replace Irrigation
Diversion Dams

Location: Lostine River, Near Lostine, Wallowa County, OR

Proposed by: Bonneville Power Administration (BPA), Bureau of Reclamation, Natural Resources
Conservation Service, and Wallowa Soil and Water Conservation District

Description of the Proposed Action: The Bonneville Power Administration (BPA) is proposing to fund a project that will replace a concrete diversion structure that was modified by high 1998 spring runoff/flows and now presents a fish passage barrier at the existing Poley Allen diversion structure. In 1997, a concrete diversion structure was built to replace an annual gravel push up dam. In 1998, high water flows near 2,300 cfs caused erosion and movement of the large boulders downstream of the structures resulting in up to a 4-foot drop below the concrete structure.

Proposed activities include:

- Install two rock chevron weirs downstream of the structure (small passage pools will be incorporated into the structure);
- Lower and harden inlet to upstream side channel with rock and sheet piling, reducing flows through structure during high flows; and
- Remove 6' x 4' concrete lip upstream of headgate, install automated headgate.

The project would be located in the Lostine River watershed, a tributary to the Wallowa River which is, in turn, a tributary to the Grande Ronde River, about .75 miles south of Lostine, Wallowa County, OR.

Analysis: The NEPA compliance checklist for this project was completed by Coby Menton with the Grande Ronde Model Watershed Program and meets the standards and guidelines for the Watershed Management Program Environmental Impact Statement (EIS) and Record of Decision (ROD).

The Endangered Species Act (ESA) listed species that may occur in the general vicinity of the project area are: Canada lynx, bald eagle, Spalding's Catchfly, bull trout, steelhead, and Snake River chinook. For the anadromous fish species, BPA has determined that, if conducted in

accordance with the applicable terms and conditions identified in the ESA Consultation Biological Opinion (BO) and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Consultation for BPA's Habitat Improvement Program (HIP), the Poley Allen Diversion Structure Modification Project meets the requirements of consistency and no further consultation is required.

Canada lynx are highly unlikely to be in the project area due to elevation, habitat and proximity to residential areas; the project poses no effect to Canada lynx. The nearest known bald eagle nests are at Wallowa Lake and on the Wallow River, approximately 17 and 10 miles, respectively from the project site. There are no known roost sites in the project area but bald eagles may forage along the Lostine River; the project poses no effect to bald eagle. On April 19, 2005, Mr. Jerold Hustafa, Wallowa Mountain Zone Botanist and Terrestrial Program Manager, U.S. Forest Service conducted a survey of the project area and determined the site was not potential habitat for Spalding's Catchfly.

In a June 13, 2005 Biological Opinion (BO), USFWS granted concurrence with a 'may adversely affect' determination for bull trout and a 'not likely to adversely affect' determination for designated critical habitat. The USFWS BO outlines terms and conditions that must be strictly adhered to in order to comply with the Endangered Species Act.

In compliance with Section 106 of the National Historic Preservation Act, BPA initiated consultation with the OR SHPO as well as the Nez Perce Tribe and the Confederated Tribes of the Umatilla Indian Reservation. The project area of potential effect (APE) had been previously disturbed from when the original diversion structure was constructed in 1997, which replaced an annual man-made gravel push up dam. In October 1996, a cultural survey was conducted and an associated report was prepared for the work at the Poley Allen project site by Ray Leicht, Bureau of Reclamation Archaeologist, Pacific Northwest Region. The report concluded that the 1997 activities were in-stream, at a previously disturbed dam site, that existing roads would be utilized for construction areas, and that no further resources work was recommended for the site. The APE for the currently proposed Poley Allen project is not expected to exceed the area affected by prior construction activities. OR SHPO concurred on June 21, 2004. However, in the unlikely chance that cultural resources are found during construction activities, work will stop and the BPA archaeologist will be notified immediately.

Standard water quality protection procedures and Best Management Practices will be followed during the implementation of the Poley Allen Diversion Structure Modification Project. No construction is authorized to begin until the proponent has obtained all applicable local, state, and federal permits and approvals including water right modifications. Also, the project's established Erosion and Pollution Control Plan must be adhered to.

Public Involvement has continually occurred as part of the Poley Allen Diversion Structure Modification Project. The project has been a collaborative effort between the landowners, BPA, Wallowa Soil and Water Conservation District, Natural Resources Conservation Service, Bureau of Reclamation and Oregon Department of Fish and Wildlife. The Project has been reviewed and approved by the Grande Ronde Model Watershed Program (GRMWP) Technical Committee and Board of Directors. All GRMWP project discussion meetings are open to the public and advertised in local newspapers and on the radio. General permit/authorization for the Poley Allen project from the OR Department of State Lands (DSL) also requires formal notification of adjacent landowners.

Findings: The project is generally consistent with Section 7.6A.2, 7.6B.3, & 7.8E.1, of the Northwest Power Planning Council's Fish and Wildlife Program. This Supplement Analysis finds 1) that the proposed actions are substantially consistent with the Watershed Management Program EIS (DOE/EIS-0265) and ROD, and, 2) that there are no new circumstances or information relevant to environmental concerns and bearing on the proposed actions or their impacts. Therefore, no further NEPA documentation is required.

/s/ Kelly Mason 6-27-05

Kelly Mason
Environmental Specialist – KEC-4

CONCUR:

/s/ Kathy Pierce

Kathy Pierce
NEPA Compliance Officer – KEC-4

DATE: 6-27-05

Attachments:

NEPA Compliance SA Checklist