

United States Government

Department of Energy
Bonneville Power Administration

memorandum

DATE: July 25, 2005

REPLY TO
ATTN OF: KEC-4

SUBJECT: Supplement Analysis for the Watershed Management Program EIS (DOE/EIS-0265/SA-217)

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

Proposed Action: Grande Ronde Model Watershed Program—Dry Creek/Lower Valley Ditch Passage

Project No.: 1992-026-01

Watershed Management Techniques or Actions Addressed Under This Supplement

Analysis (See App. A of the Watershed Management Program EIS): 1.5 Install grade control structures and check dams; 1.14 Reduce scour and deposition at hydraulic structures; 1.15 Fish passage enhancement-fishways; 4.23 Intake and return diversion screen; 4.25 Consolidate/replace irrigation diversion dams; 5.13 Alternative water sources; 6.7 Water supply: trough.

Location: Intersection of Dry Creek and Lower Valley Ditch, Township 2N, Range 42 East, SW ¼ of Section 27, Wallowa County, OR

Proposed by: Bonneville Power Administration (BPA), Bureau of Reclamation (BOR), Grande Ronde Model Watershed Program (GRMWP), and Lower Valley Ditch Company.

Description of the Proposed Action: BPA, in cooperation with GRMWP, BOR, and the Lower Valley Ditch Company, propose to fund a ditch bypass project near Wallowa, Oregon at the intersection of Dry Creek and Lower Valley Ditch. The project will eliminate adult and juvenile steelhead and rainbow trout access from Dry Creek to the Lower Valley Ditch. The project aims to meet the following goals:

- Eliminate fish access to the Lower Valley Ditch system, thereby reducing fish mortality;
- Improve year-round juvenile fish passage in Dry Creek through the ditch crossing site;
- Reduce flooding impact of high water events caused by collection of water in the ditch; and,
- Meet Lower Valley Ditch irrigators land management objectives.

The project involves constructing a siphon bypass under the Dry Creek channel for the Lower Valley Ditch. This will include a concrete intake with a headgate, a 36-inch, 100-foot long PVC siphon pipe, a concrete outlet structure, and a PVC drain pipe to dewater the siphon during periods of non-use. A wastewater bypass will be constructed from the ditch to Dry Creek to handle excess ditch water collected by the ditch during periods of high run-off. The existing concrete diversion structure will be removed necessitating the construction of three rock vortex weirs to stabilize the Dry Creek channel. The siphon cannot be operated outside the normal irrigation system (freezing) so alternative stockwater sources will be developed for three landowners on the west side of Dry Creek.

Analysis: Dry Creek is a tributary of the Wallowa River and supports resident rainbow and steelhead populations. The number of steelhead spawners and the level of juvenile fish production are not known. There have been numerous previous restoration projects on Dry Creek including fencing, off-stream livestock water development, and roadwork. These projects, along with modified management practices, have resulted in improving watershed and habitat conditions in the Dry Creek system.

As per the recommendation of Oregon Department of Fish and Wildlife's Assistant District Fish Biologist, Bill Knox, and at the permission of Eric Murray, NOAA Fisheries, the instream work window has been expanded to July 15-October 31. Bull trout do not inhabit Dry Creek and there is no spawning by chinook in Dry Creek, or the Wallowa River downstream of Dry Creek. Surface flow is often absent in late summer and early fall and given this year's very low snow-pack, Dry Creek is expected to be Dry during this extended in-stream work window.

The compliance checklist for this project was completed by Coby Menton of GRMWP, and meets the standards and guidelines for the Watershed Management Program Environmental Impact Statement (EIS) and Record of Decision (ROD).

The Endangered Species Act listed species present in or near the proposed project area include bald eagle, Columbia spotted frog (candidate for listing), Snake River spring/summer Chinook, and Snake River steelhead. On July 16, 2004, USFWS issued an ESA Section 7 concurrence letter that the project is not likely to adversely affect bald eagles or Columbia spotted frogs. On September 29, 2004, NOAA Fisheries issued an ESA Section 7 biological opinion (BO) for the anadromous fish species present in the proposed project area. All terms and conditions, as outlined by the NOAA Fisheries BO, must be strictly adhered to.

As required by Section 106 of the National Historic Preservation Act, cultural resource surveys of the site were conducted September 2004 and June 2005. Though the existing concrete bypass structure is believed unique to the area, the structure was determined not eligible for listing in the National Register of Historic Places. The OR SHPO issued concurrence on July 1, 2005. Consultation was also initiated with the Nez Perce Tribe and the Confederated Tribes of the Umatilla Indian Reservation. In the unlikely event that suspected cultural or historic properties are found during construction, all work must cease in the surrounding area and a BPA archaeologist will be notified immediately.

All other applicable permits, including a Clean Water Act Section 404 permit, must be obtained before the project may proceed. All terms and conditions must be adhered to.

The Dry Creek/Lower Valley Ditch Bypass project has been discussed at various GRMWP meetings, which are open to the public and advertised on the radio and in the local newspaper. The project was reviewed and approved by the GRMWP Technical Committee and Board of Directors, which include the Oregon Department of Fish and Wildlife (ODFW), tribes and local government representatives. Additionally, the property is enrolled in the Conservation Reserve Enhancement Program (CREP); as such the Dry Creek/Lower Valley Ditch Bypass project is

featured during regional CREP tours.¹ This project is a cooperative effort between BPA, ODFW, GRMWP, Wallowa Soil and Water Conservation District, Lower Valley Ditch Company, and the private landowner.

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/ Kelly Mason 7-25-05

Kelly Mason
Environmental Specialist – KEC-4

CONCUR:

/s/ Kathy Pierce

DATE: 7-25-05

Kathy Pierce
NEPA Compliance Officer – KEC-4

Attachments:

NEPA SA checklist

cc: (w/o attachments)

Mr. Coby Menton-GRMWP

¹ The Oregon State Conservation Reserve Enhancement Program (CREP) was approved in October 1998, in a Memorandum of Agreement between the United States Department of Agriculture (USDA), the Commodity Credit Corporation (CCC), and the State of Oregon. "The Oregon CREP is a voluntary program offering annual payments to landowners for establishment of riparian buffers along streams and for restoration of wetlands." Source: USDA Farm Service Agency, 1999. "Oregon State CREP." [Online]. Last Accessed 22July2005.
<http://www.fsa.usda.gov/or/creporegon.html>