

United States Government

Department of Energy

Bonneville Power Administration

# memorandum

DATE: August 24, 2004

REPLY TO  
ATTN OF: KEC-4

SUBJECT: Supplement Analysis for the Watershed Management Program EIS (DOE/EIS-0265/SA-176)

TO: Jamie Swan  
Fish and Wildlife Project Manager - KEWU-4

**Proposed Action:** Gravel Push-Up Dam Removal, Lower North Fork John Day River – Murphy Cottonwood Creek Diversion

**Project No:** 1998-017-00

**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:** Grant County, Oregon

**Proposed by:** Bonneville Power Administration (BPA) and the North Fork John Day Watershed Council

**Description of the Proposed Action:** The Bonneville Power Administration is proposing to fund a fish passage improvement project on Cottonwood Creek in Grant County, Oregon with the North Fork John Day Watershed Council. The goal of this project is to eliminate the need for annual reconstruction of a gravel dam that acts as a partial fish-passage barrier and replace it with a permanent diversion structure that assures fish passage and eliminates the need for annual instream disturbance. A sheet-piling structure will be driven into the streambed to support a removable dam that will raise water levels in the stream to a level that allows for pumping for irrigation while minimizing disturbance to stream and riparian habitats.

**Analysis:** The NEPA compliance checklist for this project was completed by Alex Conley with the North Fork John Day Watershed Council (August 12, 2004) 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 include spring chinook salmon, summer steelhead trout, bull trout, and bald eagle. Pursuant to Section 7 of the Endangered Species Act, BPA determined that the proposed actions would have no effect on bull trout and bald eagle; documentation supporting these findings was provided by Alex Conley on August 11, 2004. BPA also determined that ESA consultation for steelhead and chinook salmon, and Essential Fish Habitat consultation for chinook salmon were covered under BPA's Habitat Improvement Program Programmatic Biological Opinion with NOAA Fisheries (August 19, 2004). All applicable terms and conditions contained in the Programmatic Biological Opinion must be implemented accordingly. Project design was approved by Larry Swenson with NOAA Fisheries (August 19, 2004).

In compliance with Section 106 of the National Historic Preservation Act, BPA determined that the Murphy-Cottonwood Creek project would have no affect on prehistoric or historic resources given the present site conditions and proposed activities. This determination was submitted to the Oregon State Historic Preservation Office (SHPO) on July 2, 2004. The Oregon SHPO concurred with this

determination on July 20, 2004. In the unlikely event that archaeological material is discovered during project implementation, work should be halted in the vicinity of the finds until they can be inspected and assessed.

Standard water quality protection procedures and Best Management Practices should be followed during the implementation of the Murphy Cottonwood Creek project. No construction is authorized to begin until the proponent has obtained all applicable local, state, and federal permits and approvals.

Public involvement has occurred as part of the Murphy Cottonwood Creek project. The project has been discussed at monthly North Fork John Day Watershed Council meetings and Monument Soil and Water Conservation District meetings and has been reported on in the mailings and minutes associated with these meetings. Consultation has also taken place with the Oregon Department of Fish and Wildlife, Oregon Department of Water Resources, Bureau of Reclamation, the Warms Springs and Umatilla Tribes, and affected 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/ Shannon Stewart 8-24-04

Shannon C. Stewart  
Environmental Specialist – KEC-4

CONCUR:

/s/ Thomas McKinney

Thomas C. McKinney  
NEPA Compliance Officer – KEC-4

DATE: 8-24-05

Attachments:

NEPA Compliance Checklist  
HIP BO Authorization and Consistency Form, August 19, 2004  
USFWS No Effect Determination, August 11, 2004  
OR SHPO Letter of Concurrence, July 20, 2004

cc: (w/ attachments)  
Mr. Alex Conley – North Fork John Day Watershed Council