

United States Government

Department of Energy
Bonneville Power Administration

memorandum

DATE: August 18, 2005

REPLY TO
ATTN OF: KEC-4

SUBJECT: Supplement Analysis for the Wildlife Mitigation Program EIS (DOE/EIS-0246/SA-47)

TO: Joe DeHerrera – KEWU-4
Fish and Wildlife Project Manager

Proposed Action: Malheur (Denny Jones Ranch) Wildlife Mitigation Project – Management Plan

Project No: 2000-027-00

Wildlife Management Techniques or Actions Addressed Under This Supplement

Analysis (See App. A of the Wildlife Mitigation Program EIS): 2.0 Plant propagation techniques; 3.0 Habitat creation and conversion; 4.0 Water development and management techniques; 5.0 Water distribution techniques; 6.0 Fire management techniques; 7.0 Vegetation enhancement; 8.0 Species management techniques; 9.0 Multiple use techniques; and 10.0 Transportation/access techniques.

Location: Juntura, Malheur County, Oregon

Proposed by: Bonneville Power Administration (BPA) and the Burns Paiute Tribe.

Description of the Proposed Action: The Burns Paiute Tribe purchased the Denny Jones Ranch, 7 miles east of Juntura, Oregon, in 2001 with BPA funds. The current proposed action is the adoption of a management plan for the wildlife area, which consists of 6500 acres of richly diverse property on the Malheur River. The wildlife area includes about 7 miles of Malheur River frontage, about 350 acres of senior water rights, a 36,000 acre lease from the Bureau of Land Management (BLM), and 4500 acres of state land. The project benefits a diverse population of fish, wildlife and vegetation species. Management objectives addressed in the plan include: restoring and enhancing critical habitat for fish and wildlife, maintaining BLM allotments, enhancing historical home range and wintering habitat for resident and migratory species, weed control, and improving water quality. The Tribe also has great interest in preserving cultural sites and reestablishing cultural use of the site, which was once part of the Malheur Reservation.

Analysis: The compliance checklist for this project was completed by David Speten of the Burns Paiute Tribe, and meets the standards and guidelines for the Wildlife Mitigation Program Environmental Impact Statement (EIS) and Record of Decision (ROD).

Endangered Species Act information – Two listed species are potentially found in the wildlife area – bald eagle and bull trout (David Speten, pers. com. with Nancy Gilbert, June 17, 2005). Both are listed as threatened. No proposed species are present, although there are a number of species of concern.

Although bull trout historically utilized the entire North Fork Malheur and Malheur Rivers as over-wintering habitat, past and current creel data collected below Agency Valley Dam, project presence/absence surveys, and extant habitat conditions all suggest that it is unlikely that bull trout currently occupy the river below the dam. Furthermore, bull trout have not been surveyed since 2000 and were not detected in the two years that presence/absence surveys were conducted.

A site assessment was conducted on July 15, 2003 to determine if bald eagles were present and the potential effects of project activities. There were no bald eagle nests located within two miles of the wildlife area, and a no effect determination was made for all ESA-listed species.

As management activities proceed in the future, BPA and the Burns Paiute Tribe wildlife management staff will obtain updated ESA listing information and re-assess potential effects of planned activities on listed species as needed.

Cultural resource information - The Burns-Paiute Tribe conducted a literature search for historic and archaeological sites on the property on December 3, 1999. No known sites were identified. All ground-disturbing activities that are conducted under this management plan will be assessed for cultural resources prior to commencement of the work. BPT's wildlife management staff will contact BPA's Environmental Group (KEC) no less than three months in advance of work. BPA will initiate Section 106 consultation with the State Historic Preservation Office and the BPT Cultural Resources Department. Surveys will be conducted as needed, and concurrence on the survey report and findings will be obtained from the State Historic Preservation Office and the BPT Cultural Resources Department prior to starting the work.

Environmental Land Audit - On November 26, 1999, Fred Walasavage of BPA completed a Phase I Site Assessment and concluded that the site did not reveal any environmental factors that would pose a significant liability for remedial action or cleanup under the Comprehensive Recovery, Compensation and Liability Act.

Public involvement information - A public meeting was held when the property was initially acquired where the property acquisition and proposed activities were discussed. Public involvement on the proposed management plan included review of the draft plan by the Malheur Wildlife Mitigation Project Advisory Committee and a public meeting held on May 4, 2005. Two comment letters were received; the wildlife management staff has addressed these comments in the final management plan.

Findings: The management plan is generally consistent with the Northwest Power Planning Council's Fish and Wildlife Program, as well as BPA's Wildlife Mitigation Program EIS (DOE/EIS-0246) and ROD. This Supplement Analysis finds that: 1) implementing the proposed action will not result in any substantial changes to the Wildlife Mitigation 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 Wildlife Mitigation Program or its impacts. Therefore, no further NEPA documentation is required.

/s/ Nancy H. Weintraub 8-18-05

Nancy H. Weintraub
Environmental Specialist – KEC-4

CONCUR:

/s/ Kathy S. Pierce

Kathy S. Pierce
NEPA Compliance Officer – KEC-4

DATE: 8-18-05

Attachments:

Checklist

cc: (w/ attachments)

Mr. David Speten, Burns Paiute Tribe, 100 Pasigo Street, Burns, OR 97720