

memorandum

DATE: April 27, 2006

REPLY TO
ATTN OF: KEC-4

SUBJECT: Supplement Analysis, for the Wanaket (Conforth Ranch) Wildlife Mitigation Project Management Plan and EA, to the Wildlife Mitigation Program EIS (DOE/EIS-0246/SA-53)

TO: Sabrina Keen - KEWU-4
Fish and Wildlife Project Manager

Proposed Action: Continuation of the Wanaket Wildlife Area Operation and Maintenance, and Monitoring and Evaluation for FY06-07

Project No: 1990-092-00

Wildlife Management Techniques or Actions Addressed Under This Supplement Analysis (See Appendix A of the Wildlife Mitigation Program EIS):

7.1 Vegetation Management: Herbicides; 7.2 Vegetation Management: Mechanical Removal; and 8.2 Control of Predators and Nuisance Animals

Location: Hermiston, Umatilla County, OR

Proposed by: Bonneville Power Administration (BPA), Confederated Tribes of the Umatilla Indian Reservation (CTUIR)

Description of the Proposed Action: This review is to ensure that project activities continue to be consistent with the Wildlife Mitigation Program EIS, and that there continues to be no effects on endangered species or cultural resources. The CTUIR proposes to continue operations, maintenance, monitoring, and evaluation of the Wanaket Wildlife Area. The goal of this project is to mitigate for wildlife habitat affected by construction of McNary Dam. The wildlife area has an approved 5-year management plan dated September 2001. Activities include: 1) control Russian olive and noxious weeds; and 2) manage mosquito populations.

Analysis: The original management plan for the wildlife area was analyzed for environmental effects in the Conforth Ranch (Wanaket) Wildlife Mitigation Project EA (DOE/EA-1016, March 1995). A Decision Notice/Finding of No Significant Impact (FONSI) dated November 3, 1995 was issued. The EA examined the property acquisition, irrigation, vegetation management, and long-term O & M for the area and its infrastructure (trails, ditches, roads, etc.). In 2001, the management plan was revised and updated although no change to management actions was proposed except more extensive vegetation management to recover from a wildfire that scorched a large part of the area. The associated NEPA analysis (W:\KEC\SAs - EQ-14\Wildlife Management 0246\Wanaket Wildlife Area\Memo_NEPA review020503.doc) concluded the original FONSI was applicable to continuing O & M operations, but that follow-up was needed to obtain SHPO and Tribal concurrences on no effect findings to cultural resources (letter of no effect to SHPO dated February 6, 2003 and CTUIR THPO dated February 18, 2003), and ESA

Section 7 consultations with NOAA Fisheries and USFWS. The USFWS concurred with a “finding of” may effect, not likely to adversely affect species under their purview (letter dated May 28, 2003, TS number 03-2917). NOAA Fisheries required formal consultation (Biological Opinion 2003/00343 dated November 10, 2003) for replacing pump water intakes with approved fish screens in Lake Wallula. NOAA criteria compliant fish screens were installed in April 2004 (Fish Screen Replacement Project Completion Report, May 2004), and are currently in operation.

The Wildlife Mitigation Program EIS compliance checklist for the 2006 - 2007 Wanaket project was completed and signed on 03/01/2006 by Ms. Jenny Barnett, CTUIR wildlife biologist (attached). Changes to this year's proposed activities include an expanded vegetation management plan to control Russian olive and noxious weeds with the use of herbicides and mechanical control. Wanaket Wildlife Area contains 159 acres of emergent wetlands. Russian olive grows along the wetland margins and adjacent to the irrigation ditches used to deliver water. Mechanical treatments could include cutting trees with chainsaws, or pulling trees out of the ground with an excavator or backhoe. When trees are cut with chainsaws, stumps would be less than 12 inches tall, and would immediately be sprayed with herbicide. Russian olive trees would be cut in March or April, just as the trees are budding. If an excavator or backhoe were used, the work would be conducted in July or August. Russian olive readily re-sprouts from the roots. Therefore, treated sites would be inspected for re-sprouts annually for 3-4 years following mechanical treatment, and re-sprouts would be treated with herbicide. Stumps will be sprayed using a backpack sprayer, with spray directed only onto the cut surface of the stump. Resprouts would be sprayed using a backpack sprayer or ATV-mounted sprayer. Only Russian olive sprouts would be targeted. Chemical application would not occur when wind speeds exceed 5 miles per hour. Herbicides used could include Round-up or generic equivalent (glyphosate), Garlon (triclopyr), Stinger or Transline (clopyralid), or Escort (metsulfuron-methyl). A colorant would be added to the spray mix, so applicators would know what stumps and sprouts were sprayed.

Another change pertains to the control of nuisance animals. The Wanaket management plan was revised in March 2006 (W:\KEC\SAs-EQ-14\ WildlifeManagement0246\Wanaket Wildlife Area\FY06 SOW\Mosquito Plan) to include an adaptive management mosquito population control strategy utilizing pesticides targeting adult mosquitoes. West Nile Virus (WNV) was first documented in Oregon in 2004 and in Umatilla County in 2005, causing concern among public health officials and the public. While WNV is mainly an avian disease, it can kill livestock and humans. Mosquito control is the only known practical method of protecting animals and people from WNV. Mosquito monitoring shows that when larvicide applications are not made or are otherwise ineffective, high numbers of adult mosquitoes may be present in the vicinity of Wanaket. Therefore, a more integrated approach, focusing on water management, biological controls, and allowing a greater range of chemical treatment options, is needed to ensure effective mosquito control for public health reasons. Wanaket is located within the West Umatilla Vector Control District (WUVCD). To ensure protection of the wildlife and wetland resources being managed at Wanaket, CTUIR and WUVCD desire an integrated and phased approach to mosquito control including operational measures as well as consistent application of pesticides when necessary.

BPA informally consulted with the U.S. Fish and Wildlife Service (USFWS) on the original Wanaket Wildlife Area Management Plan (Plan), and received a letter of concurrence in May 2003. Pursuant to its obligations under the Endangered Species Act (ESA), CTUIR requested an updated species list which was obtained from the USFWS on July 27, 2005 (attached). A

biological assessment (BA) was submitted to USFWS on March 22, 2006, reinitiating Section 7 consultation, as BPA proposed actions, by making additions to the Plan, which were not considered in the 2003 consultation. Also, bull trout critical habitat has been designated on the John Day River in near proximity to Wanaket. ESA listed species considered in the BA include: bull trout (*Salvelinus confluentus*), Canada lynx (*Lynx canadensis*), bald eagle (*Haliaeetus leucocephalus*), and bull trout critical habitat. Candidate species considered in the BA include: yellow-billed cuckoo (*Coccyzus americanus*), Columbia spotted frog (*Rana luteiventris*), and Washington ground squirrel (*Spermophilus washingtoni*). A Letter of Concurrence dated April 18, 2006, was received from USFWS on April 24, 2006, (attached) agreeing with the determinations that the proposed Wanaket Wildlife Area project will have "**no effect**" to bull trout critical habitat, bull trout, and Canada lynx. The USFWS concur with the "**may affect, not likely to adversely affect**" determination for bald eagle in association with this proposed project.

The Wanaket Wildlife Area has no hydrologic connection with the John Day River, or the Columbia River. Screened irrigation water is pumped from the Columbia River to maintain the wetlands. The wetlands are a dead end system in that the water remains on the wildlife area until it evaporates. The wetlands are over 0.5 mile from the Columbia River, and two miles from the John Day River. There are no listed species under the jurisdiction of NOAA Fisheries present in the project area. There are endangered and threatened fish species as well as designated critical habitat in the Columbia River. Even though the risk is low that use of herbicides would impact these species, the Habitat Improvement Program Biological Opinion Form 1 (attached) was completed which put terms and conditions on project activities. As management activities proceed in the future, BPA will annually re-assess potential effects of planned activities on listed species.

BPA initiated Section 106 consultation with the CTUIR Tribal Historic Preservation Officer on January 09, 2006 (attached). 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 proposed project activities. This review will include a literature search and if needed a field survey, by a qualified cultural resource specialist. 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 cultural resource specialist will be contacted immediately.

Public meetings presenting the vector control plan were held, and copies of the plan were sent to meeting attendees. Attendees included representatives from the City of Umatilla, Umatilla County Public Health, the Port of Umatilla, and the Two Rivers Correctional Institution. Public involvement continues through coordination with the Mid-Columbia National Wildlife Refuge Complex, Oregon Department of Fish and Wildlife, West Umatilla Vector Control District, and Umatilla County Weed Control Board, which involves staff, board members, and the public. Wanaket is open seasonally to the public for recreational uses.

Findings: The project is generally consistent with the Northwest Power and Conservation Council's Fish and Wildlife Program, and the Conforth Ranch (Wanaket) Wildlife Mitigation Project EA (DOE/EA-1016, March 1995) and FONSI, 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 Conforth Ranch (Wanaket) Wildlife Mitigation Project EA or its impacts, or on BPA's Wildlife Mitigation Program EIS or its impacts. Therefore, no further NEPA documentation is required.

/s/ Sandra Ackley

Sandra Ackley

Fish and Wildlife Biologist - KEC-4

CONCUR:

/s/ Katherine Pierce

Katherine Pierce

NEPA Compliance Officer - KEC-4

DATE: April 27, 2006

Attachments:

NEPA Compliance Checklist for Wildlife Mitigation Projects, 03/01/2006

USFWS Listed Species Letter, 07/27/2005

USFWS 8330.00924(06) Letter of Concurrence, 04/18/2006

HIP BO Form 1 02/06/2006

HIP BO Approval Terms and Conditions, 01/13/2006

HIP BO Authorization Letter from BPA to J. Barnett, 04/20/2006

Section 106 Cultural Resource Consultation Request Letter, 01/09/2006

cc: (w/ attachments)

Ms. Jenny Barnett, Wildlife Biologist, CTUIR Wildlife Program