

Categorical Exclusion Determination

Bonneville Power Administration

Department of Energy



Proposed Action: Meacham Creek – Bonifer Reach Stream Restoration Activities

Project No.: 1987-100-01

Project Manager: Tracey Yerxa, EWP-4

Location: Umatilla County, Oregon

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021): B1.20 Protection of cultural resources, fish and wildlife habitat

Description of the Proposed Action: Bonneville Power Administration (BPA) proposes to provide funds to the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) for restoration activities along about 4 miles of Meacham Creek, which is a tributary of the Umatilla River, in Umatilla County, Oregon. The activities would mostly occur on CTUIR reservation lands, with some actions on adjacent CTUIR fee-owned land.

The restoration work would improve floodplain and in-stream habitat for Endangered Species Act (ESA)-listed and non-ESA-listed fish species, and would occur between river mile (RM) 1.9 and RM 5.7 of Meacham Creek. The activities would occur in various locations along the 4 mile stretch of creek and would include removal of levees and dikes to reopen historic floodplain areas, excavation to open relic secondary channels for increased spawning and rearing habitat, adjusting channel alignment toward the historic creek bed and away from the adjacent Union Pacific Railroad, railroad embankment plantings and protection measures, and revegetation of disturbed areas on the floodplain and along the stream channel.

Construction access would occur along Meacham Creek Road, which parallels the stream to the east. No new permanent access roads would be constructed. Restoration activities would occur over a period between 3 to 5 years and would be monitored via the project's adaptive management plan. Work in the wetted channel would occur during the Oregon Department of Fish and Wildlife (ODFW) in-stream work window (July 1 to August 15) and floodplain activities would occur between May and November.

The restoration activities are consistent with those identified in BPA's Fish and Wildlife Implementation Plan Environmental Impact Statement (DOE/EIS-0312).

Findings: In accordance with Section 1021.410(b) of the Department of Energy's (DOE) National Environmental Policy Act (NEPA) Regulations (57 FR 15144, Apr. 24, 1992, as amended at 61 FR 36221-36243, July 9, 1996; 61 FR 64608, Dec. 6, 1996, 76 FR 63764, Nov. 14, 2011), BPA has determined that the proposed action:

- (1) fits within a class of actions listed in Appendix B of 10 CFR 1021, Subpart D (see attached Environmental Checklist);
- (2) does not present any extraordinary circumstances that may affect the significance of the environmental effects of the proposal; and

(3) has not been segmented to meet the definition of a categorical exclusion.

Based on these determinations, BPA finds that the proposed action is categorically excluded from further NEPA review.

/s/ Katey Grange
Katey Grange
Environmental Protection Specialist

Concur:

/s/ Stacy L. Mason
Stacy L. Mason
NEPA Compliance Officer

Date: October 16, 2017

Attachment(s): Environmental Checklist

Categorical Exclusion Environmental Checklist

This checklist documents environmental considerations for the proposed project and explains why the project would not have the potential to cause significant impacts on environmentally sensitive resources and would meet other integral elements of the applied categorical exclusion.

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Project Site Description

The restoration action would be located about 23 miles east of the city of Pendleton, within and along the Meacham Creek stream channel and its associated floodplain. The floodplain is located in a valley and is adjacent to a steep hillside to the west and an existing access road and Union Pacific railroad track to the east. The floodplain includes several spur dikes and levees and historical side channel beds with intermittent cottonwoods and pine trees.

Evaluation of Potential Impacts to Environmental Resources

Environmental Resource Impacts	No Potential for Significance	No Potential for Significance, with Conditions
1. Historic and Cultural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Explanation:</u> BPA initiated Section 106 consultation with the CTUIR Tribal Historic Preservation Officer (THPO) and Oregon State Historic Preservation Office (SHPO) in January 2016. In a letter dated January 19, 2016, SHPO provided concurrence on the APE boundaries. The project area was surveyed by the CTUIR Cultural Resources Protection Program (CRPP). BPA submitted the survey report along with letters stating that BPA determined the project would have no adverse effect to historic properties to the SHPO on July 3, 2017, and to the CTUIR THPO on July 10, 2017. The CTUIR THPO concurred with BPA’s determination via an email dated July 24, 2017, and SHPO concurred with BPA’s determination in a letter dated August 4, 2017.</p> <p>Due to expressed concerns associated with the levee source material and the tribal traditional use of Meacham Creek, a CTUIR CRPP staff member would conduct monitoring during ground-disturbing activities.</p>		
2. Geology and Soils	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><u>Explanation:</u> Levees and spur dikes would be removed and portions of the floodplain would be excavated to reconnect and reconstruct historical stream channels and install large woody debris, and to plant vegetation. The project would institute the erosion control plan and BMPs to prevent erosion from entering into the adjacent waterbodies. Equipment would be placed in secondary containment to reduce the likelihood of contaminants entering the soil.</p>		
3. Plants (including federal/state special-status species)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><u>Explanation:</u> No special-status species are present. Disturbance areas would be revegetated with native vegetation and monitored post-planting to ensure successful revegetation.</p>		
4. Wildlife (including federal/state special-status species and habitats)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><u>Explanation:</u> No special-status wildlife species are present. Wildlife may be temporarily disturbed by construction noise and increased traffic. Due to the use of the adjacent railroad in the area, wildlife are typically</p>		

exposed to occasional elevated noise levels. After completion, the project would result in overall improvement for wildlife habitat in the area.

5. **Water Bodies, Floodplains, and Fish**
(including federal/state special-status species and ESUs)



Explanation: The project completed Section 7 ESA consultation under the 2013 Habitat Improvement Program (HIP) III Biological Opinion and underwent Restoration Review Team review. The project would be implemented in accordance with the terms and conditions of the HIP III consultation.

The US Army Corps of Engineers authorized the project under a Nationwide 27 Clean Water Act (CWA) Section 404 permit on August 31, 2017. Oregon Department of State Lands and the CTUIR issued CWA Section 401 certifications for non-reservation and reservation lands, respectively, on September 25, 2017, and August 31, 2017. The CTUIR issued a Stream Zone Alteration Permit for the reservation lands on June 20, 2017.

6. **Wetlands**



Explanation: Wetlands would be restored and created as a result of the project. The US Army Corps of Engineers authorized the project under a Nationwide 27 Clean Water Act (CWA) Section 404 permit on August 31, 2017. Oregon Department of State Lands and the CTUIR issued CWA Section 401 certifications for non-reservation and reservation lands, respectively, on September 25, 2017, and August 31, 2017.

7. **Groundwater and Aquifers**



Explanation: No new wells or groundwater use is proposed.

8. **Land Use and Specially Designated Areas**



Explanation: The portion of the project area within the CTUIR reservation is designated as "Big Game Grazing Forest" (Zoned G-1). The purpose of this zoning is to "preserve and maintain habitat for big game and other wildlife...Generally, these lands are utilized and managed for outdoor recreation, range and timber with very limited development." The CTUIR issued the project a Conditional Use Permit in May 2016. The project would be consistent with and improve the condition of the project area for the water quality and habitat values, which would be consistent with the underlying land use designation.

9. **Visual Quality**



Explanation: The project would enhance the natural appearance of the area and would improve the existing visual value of the area.

10. **Air Quality**



Explanation: Temporary dust and vehicle emissions would increase in the local area during construction activities.

11. **Noise**



Explanation: Temporary noise would increase in the local area during the project installation activities.

12. **Human Health and Safety**



Explanation: No health and safety impacts as a result of this project would occur.

Evaluation of Other Integral Elements

The proposed project would also meet conditions that are integral elements of the categorical exclusion. The project would not:

- Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders.

Explanation, if necessary:

- Require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators) that are not otherwise categorically excluded.

Explanation, if necessary:

- Disturb hazardous substances, pollutants, contaminants, or CERCLA excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases.

Explanation, if necessary:

- Involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species, unless the proposed activity would be contained or confined in a manner designed and operated to prevent unauthorized release into the environment and conducted in accordance with applicable requirements, such as those of the Department of Agriculture, the Environmental Protection Agency, and the National Institutes of Health.

Explanation, if necessary:

Landowner Notification, Involvement, or Coordination

Description: Underlying and adjacent landowners were notified of the project. Further, several public hearings were held in support of the tribal permitting process. No concerns were expressed during the notification process.

Based on the foregoing, this proposed project does not have the potential to cause significant impacts to any environmentally sensitive resource.

Signed: /s/ Katey Grange
Katey Grange ECT-4

Date: October 16, 2017