Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy

Proposed Action: Luckiamute Floodplain Reconnection

Project No.: 2009-012-00

Project Manager: Eric Andersen, EWM-4

Location: Polk 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:
The Bonneville Power Administration (BPA) proposes to provide funding to the Luckiamute Watershed Council (LWC) to implement a floodplain reconnection project on land owned by Oregon State Parks and Recreation District (OPRD) on a segment of the Willamette River.

Luckiamute State Natural Area (LSNA) is an Oregon State Park located at the confluence of the Luckiamute and Willamette Rivers in Polk County. With this project, LWC and OPRD would be building on eight years of successful past revegetation at the park. The project actions would result in long-term benefits for terrestrial and aquatic species and their habitats. These actions would address decades of regulated flow on the Willamette River exhibiting reduced peak flows and the extent, frequency, and duration of inundation. The access to off-channel winter rearing habitat for ESA listed Upper Willamette River spring Chinook and winter steelhead is severely reduced and mostly inaccessible at the LSNA.

The 25 acre LSNA Floodplain Reconnection Project lies in the two-year flood inundation zone of the middle Willamette River along the Luckiamute River just upstream of the confluence. The proposed work would reactivate the floodplain to improve channel connectivity and fish passage comprising of 5 acres. Of this area, approximately 1 acre is comprised of wetlands segmented at three reconnection locations.

The project would reconnect a series of isolated swales, currently presenting risks for salmonid stranding and it would provide salmonids access to an existing 8-acre oxbow. Native materials would be removed and used to enhance these wetlands. Excavation and placement of native materials and finish grading would increase the duration and extent of inundation improving surface-water connections and reduce the current risk of stranding of ESA listed Chinook and steelhead on the floodplain when floodwaters recede.

An additional 20 acres of proposed work would occur in floodplain that was previously farmed and is now fallow and devoid of vegetation except for a few species of noxious weeds. The 20 acre abandoned farm field would be reforested to enhance the newly accessible off-channel habitat created by the project.

All disturbance areas would be seeded with a native grass seed mix in late September and early October. Planting of native species in disturbed areas as well as the surrounding 20 acres of floodplain would commence with the installation of live cuttings in fall 2020. Planting of bare root native plants would be completed by winter 2021. The species would include big leaf maple (*Acer macrophyllum*), red osier dogwood (*Cornus sericea*), Douglas spiraea (*Spiraea*

douglasii), and willow species (*Salix spp.*). Plants would be two-year-old, bare root stock at a minimum of 18 inches in height. In 2024, the project would receive an inter-planting of 3,450 native trees and shrubs based on assessments of the 2023 planting effort and to supplement plant mortality.

Existing roads and paths would be used for construction access. Gravel would be added to existing unimproved roads if necessary. Equipment storage, vehicle storage, and fueling, servicing, and hazardous materials would be located in the staging, storage, and stockpile areas. These areas would be 150 feet or more from bodies of water, except the natural materials (wood, etc.) that would be stored within 150 feet of waterbodies. These actions would be classified as low to medium risk to species according to the BPA's ESA Section 7 consultation with National Marine Fisheries Service and US Fish and Wildlife Service and follow BPA's Habitat Improvement Program (HIP) protocols.

July 1st - Oct. 15th is the in-water work window and construction would occur approximately August 15th - Sept. 20th.

Aerial imagery and pressure transducers would be used to monitor duration and extent of inundation as a result of the project over five years post implementation; and, the LWC is partnering with USGS and the Mainstem Anchor Habitat Working Group to monitor sediment accretion/scour at newly constructed channels over the same five year period.

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, Jul. 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/ Luca T. De Stefanis
Luca T. De Stefanis - ECF
Environmental Protection Specialist
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Reviewed by:

/s/ Chad Hamel
Chad Hamel – ECF -4
Supervisory Environmental Protection Specialist

Concur:

/s/ Katey Grange Date: *May 18, 2020*
Katey Grange
NEPA Compliance Officer

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.

Proposed Action: Luckiamute Floodplain Reconnection

Project Site Description

The proposed project would occur at RM 109 -110 located at the confluence of the Luckiamute and Willamette Rivers in Polk and Benton Counties. The proposed 25 acre project location is in the two-year flood inundation zone of the middle Willamette River, on the lower Luckiamute River in LSNA's North Tract (Polk County) between Independence and Albany. The project site consists of 20 acres of previously farmed land now fallow and devoid of vegetation except for a few species of noxious weed with the historic floodplain consisting of grasses and weedy forbs. This area surrounds 5 acres of swales that would be the proposed reconnection sites. Three wetlands have been identified through the National Wetland Inventory in the floodplain swales. These wetlands present a high risk of stranding to native fish as waters recede after high flow events in the adjacent Luckiamute and Willamette Rivers. The wetlands are seasonally wet which is driven primarily via groundwater when the surrounding water table is high. The wetland and surrounding floodplain have been part of a weed control and riparian revegetation effort since 2015. Prior to 2015, the area had been farmed for decades and more recently abandoned to noxious weeds. The topography within the project area is generally flat with undulating terrain with approximately 1 ace of wetlands in floodplain swales at three reconnection sites. The project presently consists of a disconnected floodplain that historically was hydrologically connected to the Willamette River.

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**	☑	☐

Explanation:

Consultation Initiated on March 26, 2019.

Consulting parties: Oregon SHPO, OPRD, Siletz Tribe, Confederated Tribes of Grand Ronde.

Determination: No Effect on Historic Properties.

Concurrence date: The Determination Letter was sent on March 5, 2020. BPA did not receive any correspondence within 30 days.

In the event any archaeological material is encountered during project activities, work would be stopped immediately and a BPA Archaeologist and Historian would be notified, as well as consulting parties.

2. **Geology and Soils**	☑	☐

Explanation: A temporary excavation of soils and geology during construction. Erosion and sedimentation controls would be in place to prevent off-site migration. After construction, the ground disturbance areas would be stabilized and revegetated.

3. **Plants** (including Federal/state special-status species and habitats) ☑ ☐

Explanation: No special–status, including Endangered Species Act (ESA)-listed, plant species or designated habitat present. Disturbance areas would be primarily in agricultural fields, blackberry thickets, or reed canary grass. There would be disturbance to some native plant communities, but the project planting plan would restore the area to a more native vegetation condition than pre-project condition.

4. **Wildlife** (including Federal/state special-status species and habitats) ☑ ☐

Explanation: Wildlife would be disturbed by temporary elevated noise levels and the increased presence of workers and construction equipment. Some limited mortality to some wildlife species, such as turtles and amphibians, that cannot move out of the work area may occur. Vegetation clearing and construction activities would occur outside of the bird nesting windows to reduce or avoid impacting nesting birds in the project area. Disturbance areas would be primarily in agricultural fields, blackberry thickets, or reed canary grass habitats. There are no bald eagle or golden eagle nests on the property and one osprey nest. Construction timing considerations would be outside of ground bird nesting season and after osprey have fledged. The work implementation would begin after August 15 and, therefore, would avoid any potential for disturbing nests. The measures listed below would be implemented to reduce the potential for wildlife mortality and disturbance.

Note:

- Should an active eagle nest be identified, work would not occur between January 1 and August 15 near active eagle nests.
- The project team would walk the travel corridors to identify turtles, amphibians, or reptiles located in the project access areas. Encountered wildlife would be avoided and relocated during construction.
- The project team would modify construction work areas to minimize areas where concentrations of wildlife are identified.

5. **Water Bodies, Floodplains, and Fish** (including Federal/state special-status species, ESUs, and habitats) ☐ ☑

Explanation: Effects to water bodies and fish would be minimal; limited to temporary, low level turbidity. There would be no net rise in floodplain elevations. Actions would have no effect or be classified as low to medium risk to species according to the BPA's ESA Section 7 consultation with National Marine Fisheries Service and US Fish and Wildlife Service for BPA's Habitat Improvement Program (HIP). Project sponsors would obtain applicable Clean Water Act permits and authorizations, as needed, to minimize impacts to waterbodies.

Note:

- The project sponsor would obtain all applicable US Army Corps of Engineers (Regional General Permit (RGP-6) and Oregon Department of State Lands (DSL) Fill-Removal permits prior to initiating work in waterbodies.
- The project sponsor would adhere to all applicable site-specific conservation measures identified in the HIP Biological Opinion, RGP-6, and DSL Fill-Removal permit.

6. **Wetlands** ☐ ☑

Explanation: Wetland plant and vegetation disturbance would occur on approximately 1 acre. Three wetlands identified in the National Wetland Inventory (NWI) exist at floodplain swales at the proposed reconnection locations. All wetlands are freshwater, palustrine-emergent-persistent-seasonally flooded respectively. The wetlands in the project area would be enhanced and expanded by this project. Improving connectivity of floodplain features would change wetlands from being primarily groundwater driven to seasonally driven by surface water and groundwater. The project would increase the frequency and duration of inundation at the site, creating more wetland habitat as a result. All disturbed areas in wetlands and newly created wetlands would be seeded with a native grass seed mix appropriate for wetland habitats.

There would be no wetland impacts to approximately 24 acres of the project site.

Travel routes pass through upland areas that are not classified as wetlands on the National Wetlands Inventory map.

Note:

- The project sponsor would obtain and adhere to all applicable US Army Corps of Engineers (RGP-6) and DSL Fill-Removal permits prior to initiating work in delineated wetlands.

7. **Groundwater and Aquifers** ☑ ☐

Explanation: The maximum excavation would be 10 feet. The excavation would not affect groundwater or aquifers during the construction in water work window. The average excavation would be about 3-4 feet deep. All wetlands are fed seasonally by groundwater when the floodplain water table is high, not during the construction window. Groundwater would continue to inundate project site wetlands in conjunction with seasonally driven surface water inundation. No new wells or use of groundwater proposed.

8. **Land Use and Specially-Designated Areas** ☑ ☐

Explanation: Some changes to land use would occur where habitat features exclude or modify existing uses to improve fish and wildlife habitat. The land use at the project site is within the specially-designated area of Luckiamute State Park and is managed by Oregon Parks and Recreation Department (OPRD). The Specially Designated area would be improved by the project meeting goals of habitat enhancement identified in the OPRD Natural Resource Assessment and Strategic Action Plan for the Willamette Basin.

Construction is expected to have very little impact on recreation. Excavation and planting areas are publicly accessible; however, they are currently very low-use areas blocked off from vehicle traffic by gates and accessible only via rough terrain. High recreational use areas at the LSNA are typically limited to the parcels to the north (across the Luckiamute River from the project area) where established trails are located, and at the canoe access location on the other side of Buena Vista Rd from the site. Therefore, construction is not expected to have a substantial impact to the normal recreational user's experience at the park.

9. **Visual Quality** ☑ ☐

Explanation: Some temporary changes to visual quality could occur in the immediate project area, but the changes would be returning the area to a more natural state and would be consistent with the visual quality of the surrounding area. The construction contractor would also be responsible for operating a water truck during construction to address dust to reduce visual impairment.

10. **Air Quality** ☑ ☐

Explanation: Minor, temporary generation of emissions associated with increased vehicle traffic or potential vegetation removal during construction or implementation of habitat protection, restoration, and improvement actions. The construction contractor would also be responsible for operating a water truck during construction to address dust.

11. **Noise** ☑ ☐

Explanation: Minor, intermittent noise during construction or implementation of habitat protection, restoration, and improvement actions.

12. **Human Health and Safety** ☑ ☐

Explanation: All projects are required to use best management practices to protect worker health and safety. Any activities involving hazardous materials would be disposed of at a designated hazardous waste facility based on heavy equipment operator's not existing materials in the environment.

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:
LWC has coordinated and would continue to coordinate with OPRD for the project. OPRD is cooperating on the project and would make appropriate public notifications. The park would be open during construction and signage would be installed prior to construction.

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

Signed: */s/ Luca T. De Stefanis* Date: *May 18, 2020*
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