

# Categorical Exclusion Determination

Bonneville Power Administration  
Department of Energy



**Proposed Action:** John Day Watershed Restoration Activities

**Project No.:** 2007-397-00

**Project Manager:** Jesse Wilson

**Location:** Grant County, Oregon

**Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021):** B1.20 Protection of cultural resources, fish and wildlife habitat, B3.3 Research related to conservation of fish, wildlife, and cultural resources

**Description of the Proposed Action:** Bonneville Power Administration (BPA) proposes to fund the Confederated Tribes of the Warm Springs Reservation of Oregon to implement habitat protection, restoration and improvement projects consistent with the Northwest Power and Conservation Council's Fish and Wildlife Program. Activities would include small-scale habitat protection, restoration, and improvement actions that would result in long-term benefits specifically for federally listed steelhead trout (*Oncorhynchus mykiss*) but would also provide benefits to Chinook salmon (*O. tshawytscha*), Pacific lamprey (*Entosphenus tridentata*), bull trout (*Salvelinus confluentus*), and rainbow trout (*O. mykiss*) and their habitats.

1. Fox Creek Reach 18 Irrigation. Replace 3 unscreened diversions with 1 pump station and pivot on private property on Fox Creek, two miles southeast of the town of Fox, Oregon in Grant County.
2. Fox Creek Reach 10 Juniper Harvest. Acquisition of trees for 2021 habitat projects at Fox Creek Reach 10. The project is located on private property, about three miles west of the town of Fox, Oregon. Up to 200 whole juniper trees would be tipped over to retain rootwads, then staged for implementation.
3. Fox Creek Adaptive Management. Located approximately 0.7 miles west of Fox, in Grant County, Oregon. Personnel would survey previously completed restoration projects on Fox Creek to ensure project elements are functioning as intended. Maintenance may be required if project elements are not meeting the performance criteria. Maintenance would include, but is not limited to, that of cattle crossings, stockwater systems, beaver dam analogs, and fencing.
4. Reynolds Creek Irrigation. Located on Reynolds Creek a tributary to the John Day River, located on private property approximately 7.9 miles southeast of Prairie City in Grant County, Oregon, the Reynolds Creek Irrigation Project would replace an existing irrigation diversion that acts as a migration barrier.
5. Camp Creek Habitat. Located in the Malheur National Forest, approximately 6 miles southeast of Galena in Grant County, Oregon, would be enhanced through the removal of portions of a

railroad grade, placement of approximately 70 wood structures and individual logs, and reconnection of historical side channels. Railroad grades would be partially and/or fully removed to provide for multi-threaded channel planforms and the soil would be redistributed back across the floodplain. Side channel reconnection would be accomplished by the placement of wood at strategic locations located within railroad grade removal areas to effectively activate valley floodplain and secondary side channels during 2 year events. Placement of woody debris across the floodplain would function to reduce overland flow energy and promote water on the floodplain. Plants would be salvaged and replanted with more cottonwood poles, willow and dogwood whips. A combination of buck and pole and metal fences would be placed around suckering mature cottonwood and disturbed areas that would provide high quality shade. Trees would be tipped and placed, improving forest structure at the stand scale and reduce wild fire threats. The goal is to increase the length of side channels by 5 miles and increase the area that is connected to peak flows by approximately 60 acres immediately after restoration, and help development of cottonwood, willow, and dogwood plant communities to provide stream shading, increase riparian production, and increase beaver habitat over the long term.

6. Dunstan Preserve. This project is located on property owned and operated by the Confederated Tribes of Warm Springs along the Middle Fork John Day River, approximately 13 miles west of Bates State Park in Grant County, Oregon. Work would include excavating approximately 80 cubic yards of the Sumpter Valley Rail line to increase floodplain function and connectivity, reactivating up to 35 acres of side channels. This is the second phase of a large instream restoration project on Dunstan Property that was completed in summer of 2015.

7. Middle Fork Fencing and Planting. Exclusion fencing would be installed along the perimeter of various restoration sites (Dunstan, Vincent to Vinegar, etc) within the Middle Fork John Day with a mini-excavator. Native vegetation would also be planted. Hand augers or augers attached to a mini-excavator would be used for planting efforts, and would take place throughout the Middle Fork, focused around stream and river banks. Ground disturbance from planting is anticipated to extend no deeper than 1 to 2 feet. ATVs and mini-excavators would be used to transport plants and equipment throughout the sites. Planting activities would occur over the next five years. A pickup truck or similar vehicle would be used to move materials within the site. Access would be along existing roads.

8. Riparian Plant Maintenance. This work covers the maintenance of previous planting efforts, including the collection of seed, propagation, and planting of native riparian plants, and weed control (via manual, mechanical and herbicide treatments) as needed. Restoration projects that would be revisited include: Long Creek, Cavendar, Starr, Rock Creek, Fox Creek (reaches 18 and 10), and Middle Fork, which are all located on private property.

9. Bear Creek Juniper Removal. Located on private property in the Bear Creek watershed, which is a tributary to Bridge Creek in the Lower John Day. Treatment would cover the removal of approximately 150 acres of juniper on the Canyon Creek Ranch. Juniper would be hand felled and piled *in situ*. Noxious weeds would be treated at the project site post felling.

10. Monitoring. Previously implemented stream habitat improvement projects (such as culvert and diversion removals/replacements or upland juniper cutting) would be monitored at 3, 5, and 10-year intervals (e.g. projects completed in 2010, 2015, and 2017 would be revisited in 2020). Monitoring would include photo points to document changes. No ground disturbance would occur as part of this action.

These actions would specifically satisfy some of BPA's Columbia River tributary mitigation commitments begun under the 2008 NMFS' Federal Columbia River Power System Biological



# 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:** John Day Watershed Restoration

## **Project Site Description**

Activities would occur within the John Day River watershed in Grant County, Oregon. The watershed has been the location of numerous river, stream, and fish passage restoration projects that were designed to address local limiting factors at sites typically located within stream courses, along river banks, and in adjacent riparian, agricultural, and grazing areas.

## **Evaluation of Potential Impacts to Environmental Resources**

### **1. Historic and Cultural Resources**

Potential for Significance: No

Explanation: A BPA Historian reviewed proposed activities and determined that these types of activities are covered under an existing Section 106 consultation or do not require it. In the event any archaeological material is encountered during project activities, work would be stopped immediately and a BPA Archaeologist or Historian would be notified, as well as consulting parties.

Table 1. NHPA consultation information for activities.

| Action                             | Determination                       | Concurrence | SHPO Case #                                 |
|------------------------------------|-------------------------------------|-------------|---------------------------------------------|
| Fox Creek Reach 18 Irrigation      | No adverse affect                   | 6/24/2020   | 18-0208, 20-0660                            |
| Fox Creek Reach 10 Juniper Harvest | No adverse affect                   | 11/8/2017   | 17-0979                                     |
| Fox Creek Adaptive Management      | No adverse affect                   | 12/18/2017  | 17-1922                                     |
| Reynold's Creek Irrigation         | No adverse affect                   | 6/3/2019    | 19-0409                                     |
| Camp Creek                         | MOA for adverse affect to railroad; | 5/14/2020   | 19-0256                                     |
| Dunstan Preserve                   | MOA for adverse affect to railroad; | 3/19/2020   | 14-1734, 19-0256                            |
| Middle Fork Fencing and Planting   | No adverse affect                   | 6/5/2020    | 20-0609                                     |
| Riparian Plant Maintenance         | No adverse affect                   | 6/3/2019    | 12-0658, 15-1622, 16-1366, 17-1922, 19-0409 |
| Bear Creek Juniper Removal         | No adverse affect                   | 6/15/2020   | 20-0746                                     |

### **2. Geology and Soils**

Potential for Significance: No

Explanation: Minor, temporary impact to soils and geology during construction.

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

Potential for Significance: No

Explanation: Work would have no potential for significant effects on environmental resources, including Endangered Species Act (ESA)-listed plants or Federal or state special-status species and habitats. If ESA-listed species are present, the project would result in a no effect determination or would be low risk according to the current programmatic biological opinion issued by the United States Fish and Wildlife Service (USFWS) on the effects of BPA's HIP.

Notes: Project sponsor would adhere to all applicable site-specific conservation measures identified, including, but not limited to, HIP conservation measures or other mitigation measures.

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

Potential for Significance: No with Conditions

Explanation: There would be potential for activities to temporarily displace wildlife due to human activity. However the displacement would be temporary in nature and the work would have no potential for significant effects with conditions on environmental resources, including ESA-listed wildlife or Federal or state special-status species and habitats. ESA work would have no potential for significant effects with conditions on environmental resources. If ESA-listed species are present, activities would result in a no effect determination or would be low risk according to the current biological opinion issued by the USFWS on the effects of BPA's HIP.

Notes: Project sponsor would adhere to all applicable site-specific conservation measures identified, including, but not limited to, HIP conservation measures or other mitigation measures (e.g., construction or vegetation removal restrictions under the Bald and Golden Eagle Protection Act or Migratory Bird Treaty Act).

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

Potential for Significance: No

Explanation: Effects to water bodies would be minimal; limited to temporary, low level turbidity. There would be no net rise in floodplain elevations. Effects to fish would be low and fall within the current programmatic biological opinion issued by the USFWS and the National Marine Fisheries Service for ESA-listed fish species.

Notes: Project sponsor would adhere to all applicable site-specific conservation measures identified, including, but not limited to, HIP conservation measures or other mitigation measures to protect water quality and fish.

### **6. Wetlands**

Potential for Significance: No

Explanation: There are wetlands in some of the planting locations. The impacts would be below the permitting thresholds and there is no removal of fill planned.

### **7. Groundwater and Aquifers**

Potential for Significance: No

Explanation: The limited groundbreaking activities would not impact groundwater or aquifers.

## 8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: The activities would not change land use or affect any specially-designated areas.

## 9. Visual Quality

Potential for Significance: No

Explanation: Visual quality of immediate project areas may be impacted during project activities due to equipment staging and completed structures, but impacts would be short term as structures restore habitat functionality.

## 10. Air Quality

Potential for Significance: No

Explanation: Air quality may be impacted by the additional travel to project sites but impacts would be local and temporary in nature.

## 11. Noise

Potential for Significance: No

Explanation: Some work activities would raise noise levels above ambient levels for short periods of time, but only during regular working hours until work is completed.

## 12. Human Health and Safety

Potential for Significance: All applicable safety regulations would be followed during work activities.

### **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: N/A

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

Explanation: N/A

**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: N/A

**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: N/A

**Landowner Notification, Involvement, or Coordination**

Description: The activities would occur on private lands with landowner approval and consultation, or on property owned by the Confederated Tribes of the Warm Springs.

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

Signed: /s/ Israel Duran 07/17/2020  
Israel Duran, ECF-4 Date  
Contract Environmental Protection Specialist  
Salient/CRGT