

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: North Fork John Day River Routine Activities

Project No.: 2000-031-00

Project Manager: Jesse Wilson, EML-4

Location: Grant and Umatilla Counties, 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 Confederated Tribes of the Umatilla (CTUIR) to implement routine maintenance and monitoring activities on conservation easement properties. Activities would include minor habitat actions that would result in long-term benefits for terrestrial and aquatic species and their habitats, specifically Federally-listed Mid-Columbia River Chinook salmon (*Oncorhynchus tshawytscha*), Mid-Columbia River steelhead trout (*O. mykiss*), bull trout (*Salvelinus confluentus*) and the non-listed Pacific lamprey (*Entosphenous tridentata*). Funding the proposed activities would support habitat improvement efforts for Middle Columbia River Steelhead under the 2020 National Marine Fisheries Service Columbia River System Biological Opinion (2020 NMFS CRS BiOp), commitments specified in the 2020 U.S. Fish and Wildlife Service Columbia River System BiOp (2020 FWS CRS BiOp), and Bonneville's commitments to the CTUIR under the 2018 Columbia River Fish Accord Extension agreement, while also supporting ongoing efforts to mitigate for effects of the FCRPS on fish and wildlife in the mainstem Columbia River and its tributaries pursuant to the Pacific Northwest Electric Power Planning and Conservation Act of 1980 (Northwest Power Act) (16 U.S.C. (USC) 839 et seq.).

The proposed actions would include:

- **Fence and stock water maintenance:** Existing riparian enclosure fences and water developments (i.e. troughs and associated plumbing and pumps) where CTUIR holds Riparian Conservation Agreements would be maintained and repaired in place by project personnel as necessary to exclude livestock from restricted access areas. Fence maintenance would be almost exclusively wire tightening and replacement. Post replacement needs would be accomplished using metal T-posts driven into the ground, with no digging required. Water development repairs would not require new ground disturbance. Sites include Lower Camas Creek, Mud Creek, and the Lower North Fork John Day River.
- **Vegetation control:** Noxious weed treatments with herbicide applied by hand wand would occur where CTUIR holds Conservation Agreements.

- **Monitoring:** Water temperature loggers and photo points would be used to collect data where conservation agreements exist.

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/ Israel Duran

Israel Duran
Contract Environmental Protection Specialist
Salient/CRGT

Reviewed by:

/s/ Chad Hamel

Chad Hamel
Supervisory Environmental Protection Specialist

Concur:

/s/ Katey C. Grange September 2, 2020

Katey C. Grange Date
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: North Fork John Day Routine Activities

Project Site Description

Activities would occur within the North Fork John Day Basin in Grant and Umatilla counties in Oregon. The North Fork John Day River Basin has been the location of numerous river, stream, and 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. The fence maintenance areas are around riparian zones. The monitoring and invasive plants treatments would occur on private agricultural lands along North Fork John Day and its tributaries.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No

Explanation: Neither herbicide application nor monitoring would disturb the ground surface. Herbicide would be applied by hand, not motorized equipment on private lands along North Fork John Day and its tributaries. Fence maintenance would be almost exclusively wire tightening and replacement. Post replacement needs would be accomplished using metal T-posts driven into the ground, with no digging required. Stock water maintenance activities would be limited to trough, pumps and pipe repair in kind with no proposed ground breaking. A BPA archaeologist has reviewed the proposed action and has determined that it is the type of activity that does not have the potential to cause effects to historic properties.

2. Geology and Soils

Potential for Significance: No

Explanation: Minor, temporary impact to soils during activities may occur through fence post replacement and the minor disturbance would be minimized through the proposed action's goal of a restored riparian plant community.

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

Potential for Significance: No

Explanation: No ESA-listed, or "special status," plant species are present in these locations. Herbicide applications would be according to label instructions and the sponsor would follow Habitat Improvement Program (HIP) conservation measures to minimize the potential for drift or runoff to non-target vegetation. Fence maintenance and monitoring would not disturb plants beyond the minimal trampling by workers.

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

Potential for Significance: No.

Explanation: The sponsor would follow HIP conservation measures to minimize the potential for drift or runoff. Fence maintenance and monitoring would not disturb wildlife beyond the minimal presence of workers temporarily displacing wildlife. However the effect would be temporary in nature and the work would have no potential for significant effects to wildlife, including ESA-listed wildlife or Federal or state special-status species and habitats.

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

Potential for Significance: No

Explanation: ESA-listed fish species (Chinook, steelhead and bull trout) and their designated critical habitats are present in the project areas, but proposed actions would not physically alter any aquatic habitat site; there would be no adverse physical changes to water bodies, floodplains, or fish from these actions. Maintenance and monitoring activities would have no effect. Herbicide applications would be conducted in accordance with the current programmatic biological opinion issued by the US Fish and Wildlife Service and the National Marine Fisheries Service on the effects of BPA's HIP. The project sponsor would adhere to all applicable site-specific conservation measures identified in the HIP. Effects to Federally-listed fish such as Chinook, steelhead, and bull trout are addressed in HIP#2020070.

6. Wetlands

Potential for Significance: No

Explanation: There are no wetlands within the project areas.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: The activities would not impact groundwater or aquifers

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: Construction/repairs would be in kind and limited to infrastructure from enhancements to fences and vegetation management. This is not inconsistent with the long-term ongoing land use operations through use of light trucks, ATVs and mowers on the property and surrounding agricultural properties.

9. Visual Quality

Potential for Significance: No

Explanation: Visual quality of immediate project areas may be impacted during project activities while equipment and personnel are on site, but the repair activities would result in structures that have a similar visual quality..

10. Air Quality

Potential for Significance: No

Explanation: Air quality may be impacted by increased vehicle emissions due to additional travel between 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: No

Explanation: 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: NA

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

Explanation: NA

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

Explanation: NA

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: NA

Landowner Notification, Involvement, or Coordination

Description: The activities would occur on private lands where the CTUIR and landowners have signed Riparian Conservation Agreements.

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 September 2, 2020

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