

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: BPT Logan Valley Wildlife Mitigation

Project No.: 2000-009-00

Project Manager: Siena Lopez-Johnston

Location: Grant County, Oregon

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021): B1.3 Routine Maintenance; B1.20 Protection of Cultural Resources, Fish and Wildlife Habitat

Description of the Proposed Action: Bonneville Power Administration (BPA) proposes to fund the Burns Paiute Tribe (BPT) (Sponsor) to conduct revegetation and facility upgrades at the BPT's Logan Valley Wildlife Mitigation cabin site, located within 1,760 acres of meadow, wetland, and shrub steppe habitat within the headwaters and along the mainstem of the Malheur River.

Project activities would occur on lands owned and managed by BPT, and would include the following:

Revegetation

Revegetation actions would consist of targeted aspen plantings conducted by hand adjacent to existing irrigation ditches to provide shade and wind protection, and habitat for terrestrial and avian wildlife.

Facility Upgrades

Facility upgrades at the cabin site would consist of placing a temporary equipment storage container measuring 20 feet long by 8 feet wide, and replacing an existing outhouse with a new outhouse with a self-composting vault toilet. Prior to delivery and placement of the storage container, geofabric would be laid on the proposed storage container location, upon which imported gravel would be spread by compact, low ground pressure-tracked construction equipment. The same equipment would be used to excavate an approximate 15 feet long by 7 feet wide by 5 feet deep trench to accommodate the vault toilet. The completed upgrades would ensure safer and improved access for BPT staff, and allow more efficient and comprehensive fish and wildlife habitat restoration throughout 1,760 acres managed by the BPT.

Funding the proposed activities would support conservation of ESA-listed species considered in the 2020 consultations with both NMFS and USFWS on the operations and maintenance of the Columbia River System. Additionally, the proposed activities are consistent with the Northwest Power and Conservation Council's Fish and Wildlife Program as authorized by the Pacific Northwest Electric Power Planning and Conservation Act.

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/ Zachary Gustafson

Zachary Gustafson

Contract Environmental Protection Specialist

SalientCRGT

Reviewed by:

/s/ Chad Hamel

Chad Hamel

Supervisory Environmental Protection Specialist

Concur:

/s/ Sarah T. Biegel

Sarah T. Biegel

NEPA Compliance Officer

January 13, 2021

Date

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: BPT Logan Valley Wildlife Mitigation

Project Site Description

The project area is located in Grant County, OR, within 1,760 acres of meadow, wetland, and shrub steppe habitat within the headwaters and along the mainstem of the Malheur River. Project actions would take place on land owned and managed by BPT.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No with Conditions

Explanation: BPA initiated Section 106 consultation on May 9, 2019, with the Burns Paiute Tribe (BPT), Confederated Tribes of the Warm Springs Reservation of Oregon (CTWSRO), Fort McDermitt Paiute-Shoshone Tribe, Shoshone-Paiute Tribes of the Duck Valley Reservation, and the Oregon State Historic Preservation Office (SHPO). In a letter received June 5, 2019, OR SHPO concurred with the Area of Potential Effect (APE). No other responses were received.

Following background research, BPA archaeologist conducted a cultural resources inventory of the APE which revealed a previously unknown pre-contact lithic site. BPA prepared a cultural resources report detailing these findings, and coordinated with the Sponsor to revise the nature and location of project actions to avoid and/or minimize impacts to the site. In a letter dated October 13, 2020, BPA determined the actions described herein would have no adverse effect to historic properties, pending adherence to the stipulations of the consultation and the mitigation measures below. OR SHPO concurred with BPA's determination in a letter dated November 9, 2020. No other responses were received.

Notes:

- In the event of an inadvertent discovery, stop work in the vicinity and immediately notify the BPA environmental lead, a BPA archaeologist, the BPA project manager, interested Tribes, OR SHPO, and the appropriate county, state, and Federal agencies.
- Archaeological monitoring and the preparation of a monitoring report by a qualified cultural resource professional is required for all ground-disturbing activities associated with the vault toilet installation.
- Sponsor to coordinate with BPA cultural lead to avoid impacts to known sites and resources.

2. Geology and Soils

Potential for Significance: No with Conditions

Explanation: Revegetation actions would cause minimal disturbance to soils. Compact tracked equipment with low ground pressures would be used to conduct facility upgrade actions. Soil disturbance is anticipated from the moving of tracked equipment and excavation for the vault toilet.

Notes:

- Implement sediment and erosion control best management practices (BMPs) prior to initiating ground-disturbing activities to prevent erosion and runoff.

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

Potential for Significance: No

Explanation: The Whitebark Pine is listed as a Candidate species in Grant County, OR. There are no known occurrences of Whitebark Pine in the project area, and therefore no effect to Whitebark Pine is anticipated from project activities.

Temporary, short-term impacts to vegetation from construction activities associated with facility upgrades would be mitigated by post-construction native revegetation.

Overall, the project would result in minor beneficial impacts due to the increase in native vegetation.

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

Potential for Significance: No with Conditions

Explanation: The Yellow-billed Cuckoo is listed as Threatened in Grant County, OR. The Yellow-billed Cuckoo has the potential to occur in the project area due to the presence of suitable habitat along riparian areas. There are no documented sightings or history of prior occurrence for this species in the project area, and therefore no effect to Yellow-billed Cuckoo is anticipated from project activities.

The Gray Wolf is listed as Endangered in Grant County, OR. Suitable habitat is present within the Upper Malheur River watershed in Logan Valley and the surrounding Malheur National Forest, and the Gray Wolf has the potential to occur in this portion of the project area. If individuals are present, project actions would cause temporary, short-term disturbance to, or displacement of, these individuals. However, there are no recent documented sightings or known populations of Gray Wolf in the project area, and therefore no effect to Gray Wolf is anticipated from project activities.

No habitats would be modified to the degree that would have the potential to permanently displace medium to large resident wildlife.

All construction and human activity associated with the project actions could cause temporary, short-term disturbance to, and displacement of, nearby wildlife, but long-term displacement resulting in competition for nearby habitats is unlikely.

Overall, the project would result in beneficial impacts to terrestrial and avian wildlife due to the enhancement and expansion of native vegetation in meadow and riparian habitat.

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

Potential for Significance: No

Explanation: Bull Trout (Threatened) and their critical habitat are present in the mainstem and tributaries throughout the Upper Malheur River watershed. Project activities do not occur within, adjacent to, or in vicinity of water bodies or conveyances. Therefore, project activities are anticipated to cause no effect to Bull Trout or their critical habitat.

6. Wetlands

Potential for Significance: No

Explanation: Project activities do not occur within, adjacent to, or in the vicinity of wetlands.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: No new wells or withdrawal of groundwater are planned for the project areas.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: There would be no changes to land use, and no impact to specially-designated areas.

9. Visual Quality

Potential for Significance: No

Explanation: No visually prominent vegetative, landform, or structural changes would be made.

10. Air Quality

Potential for Significance: No

Explanation: Temporary, short-term impacts from small amounts of dust and vehicle emissions would occur during project actions.

11. Noise

Potential for Significance: No

Explanation: Temporary, intermittent noise from construction activities would occur during daylight hours.

12. Human Health and Safety

Potential for Significance: No

Explanation: Project actions are not anticipated to create conditions that would increase the burden on the local health, safety, and emergency-response infrastructure.

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: Project actions proposed by BPT within the Upper Malheur River watershed would be implemented by tribal members, employees, or contractors on properties owned and managed by BPT.

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

Signed: /s/ Zachary Gustafson January 13, 2021
Zachary Gustafson, ECF-4 date
Contract Environmental Protection Specialist
SalientCRGT