

# Categorical Exclusion Determination

Bonneville Power Administration  
Department of Energy



**Proposed Action:** Range Fencing at Pine Hollow and Little Indian Creeks

**Project No.:** 1984-021-00

**Project Manager:** Josh Ashline – EWL-4

**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

**Description of the Proposed Action:** Bonneville Power Administration (BPA) proposes to fund Oregon Department of Fish and Wildlife to install new fencing within the John Day Basin in Grant County, Oregon.

Pine Hollow Creek fence at 44.496097, -119.830542: Construction of approximately 2.5 miles of riparian protection fence, including one water gap for cattle crossing and eight gates. This work would protect 14 acres of steelhead habitat on private property and would begin under appropriate conditions as early as September 2022.

Little Indian Creek fence at 44.855985, -118.912423: Construction of approximately 2.1 miles of riparian protection fence, including one water gap for cattle crossing. This work would protect approximately 25 acres of steelhead habitat split between the Umatilla National Forest and private property and may be constructed as soon as September 2022.

These actions would support conservation of ESA-listed species considered in the 2020 ESA consultation with National Marine Fisheries Service on the operations and maintenance of the Columbia River System, 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.).

**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  
Environmental Protection Specialist

Concur:

/s/ Sarah T. Biegel

Sarah T. Biegel  
NEPA Compliance Officer

August 15, 2022

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:** Range Fencing at Pine Hollow and Little Indian Creeks

## **Project Site Description**

Fencing installation would occur on Pine Hollow and Little Indian creeks, which are tributaries to the John Day River in Grant County, Oregon. Pine Hollow Creek fencing would occur on privately-owned property approximately 25 miles west of Dayville, Oregon. Little Indian Creek fencing would occur on private property and within the Umatilla National Forest approximately 12 miles east of Ritter, Oregon. Many years of livestock grazing has generally depleted the riparian vegetation along both creeks, and shrubs and trees are lacking.

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

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

Potential for Significance: No

Explanation: BPA made a determination of no historic properties affected on November 4, 2021 (OR 2021 145). BPA consulted with the Burns Paiute Tribe, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation of Oregon, and the Oregon State Historic Preservation Office. BPA received acknowledgement from the Oregon State Historic Preservation Office and consultation ended on December 5, 2021. No other responses were received.

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

Potential for Significance: No

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

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

Potential for Significance: No

Explanation: No Federal or state special-status plant species are within the project site. Staging and installation may require minor disturbance, but no broad-scale vegetation removal is proposed.

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

Potential for Significance: No

Explanation: No Federal or state special-status wildlife species are within the project site. Minor, temporary impacts to local wildlife from human presence and noise during installation are expected.

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

Potential for Significance: No

Explanation: Endangered Species Act (ESA)-listed fish species steelhead (*Oncorhynchus mykiss*) and its designated critical habitat are present. No action proposed would physically alter any aquatic habitat site; there would be no adverse physical changes to water bodies, floodplains, or fish from these actions.

## **6. Wetlands**

Potential for Significance: No

Explanation: The proposed fencing sites are not within any wetland complexes, nor would any be disturbed by the work.

## **7. Groundwater and Aquifers**

Potential for Significance: No

Explanation: The proposed fencing sites would not impact groundwater or aquifers.

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

Potential for Significance: No

Explanation: The fencing construction would not change land use or the designation of any land.

## **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: 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: N/A or explanation if applicable.

**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: Work would occur at Pine Hollow Creek on privately-owned land. Little Indian Creek work would occur on private property and within Umatilla National Forest managed by the US Forest Service. The landowners and ODFW would enter into a 15-year Cooperative Agreement.

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

Israel Duran  
Environmental Protection Specialist

August 15, 2022

Date