

# Categorical Exclusion Determination

Bonneville Power Administration  
Department of Energy



**Proposed Action:** Upper John Day Adams Juniper Treatment Project

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

**Project Manager:** Josh Ashline

**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:** BPA proposes to fund the Confederated Tribes of Warm Springs Reservation of Oregon (CTWS) to implement 165 acres of Western juniper removal on a 495-acre private ranch in Grant County, Oregon. The legal description of the project is Township 12 South, Range 33 East, Sections 25 and 36 and Township 13 South, Range 34 East, Sections 5, 6, 7, and 8.

Project objectives are to remove encroaching juniper trees from upland areas adjacent to Jeff Davis Creek for the benefit of salmonids, specifically Endangered Species Act-listed Mid-Columbia steelhead trout (*Oncorhynchus mykiss*). It is anticipated that this project would limit encroachment of Western juniper in the Jeff Davis Creek drainage, recharging the water table and increasing the amount of water available to support the native sagebrush steppe ecosystem.

In areas with greater than 30 percent slope, juniper would be hand cut and piled in place. These portions of the project area would be accessed on foot, and ground disturbance from juniper treatment activities is anticipated to be minimal. In areas with less than 30 percent slope, juniper would be mechanically thinned and piled in place. In these areas, junipers would be removed with steel tracked machinery, either pulled out with an excavator or pushed out with a bulldozer. Junipers too large to be effectively removed by machine would be hand cut. Steel tracked machinery also would be used to pile juniper in the areas of mechanical thinning. These areas would be accessed by existing two-track roads. Ground disturbance from mechanical thinning activities may extend as deep as the maximum depth of juniper roots, which can be as deep as 10 feet or more. Ground disturbance from the steel tracked machinery used for mechanical thinning would extend to a depth of about 5 inches. In both the hand-thinned and machinery-thinned areas, juniper would be piled in place and burned by the landowner at a later date.

These actions would support conservation of ESA-listed species considered in the 2020 ESA consultations with the National Marine Fisheries Service and the Fish and Wildlife Service on the operations and maintenance of the Columbia River System and Bonneville's commitments to the CTWS under the 2020 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.*).

**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/ Thomas Sentner

Thomas Sentner  
Environmental Protection Specialist

Concur:

/s/ Sarah T. Biegel

Sarah T. Biegel  
NEPA Compliance Officer

March 22, 2023

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:** Upper John Day Adams Juniper Treatment Project

## **Project Site Description**

The project would occur in 165 acres of uplands adjacent to Jeff Davis Creek, a tributary to the John Day River east of Prairie City, Oregon. The project site is on a private ranch used for agriculture. Due to historical grazing and fire-suppression practices, Western juniper has increased in density within the project site becoming a nuisance species that is negatively affecting more desirable vegetation and hydrological functions (groundwater and hyporrheic flows).

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

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

Potential for Significance: No

Explanation: A cultural resource survey was conducted, and consultations with the Oregon State Historic Preservation Office, Confederated tribes of the Warm Springs Reservation of Oregon, Burns Paiute Tribes, and the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) were completed for the area potentially affected by the project. On October 12, 2021, BPA initiated Section 106 consultation. On November 30, 2021, SHPO responded acknowledging receipt of the consultation package, and assigning SHPO case No. 21-1503 to the project. On November 8, 2022, BPA determined the undertaking would result in no historic properties affected. On November 23, 2022, CTUIR responded that they had no concerns or comments on this project. On December 8, 2022, the 30-day comment period closed; no other comments were received from consulting parties.

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

Potential for Significance: No

Explanation: There would be temporary impacts to soil due to felling, hauling, and staging of trees via heavy machinery. All junipers would be piled on site. There would be no digging or other ground disturbances as part of this process.

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

Potential for Significance: No

Explanation: There are no ESA-listed or Federal/state special-status species or habitats within proposed work areas. Removal of encroaching juniper would help promote beneficial native forbs and shrubs and reduce noxious weeds.

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

Potential for Significance: No

Explanation: Several Oregon Conservation Strategy species have been identified within the Upper John Day River watershed: great gray owl (*Strix nebulosi*), ferruginous hawk (*Buteo regalsi*), Swainson's hawk (*Buteo swainsoni*), flammulated owl (*Otus flammeolus*), burrowing owl (*Athene cunicularia*), greater sage grouse (*Centrocercus urophasianus*), Lewis's woodpecker (*Melanerpes lewis*), white-headed woodpecker (*Picoides albolarvatus*), black-backed woodpecker (*Picoides articus*), pileated woodpecker, (*Dryocopus pileatus*), upland sandpiper (*Bartramia longicauda*), olive-sided flycatcher (*Contopus cooperi*), California myotis (*Myotis californicus*), fringed myotis (*Myotis thysanodes*), hoary bat (*Lasiurus seminolus*), long-legged myotis (*Myotis volans*), and pallid bat (*Snytozous palidus*). Proposed work would follow the conservation measures in the HIP4 Programmatic Biological Opinion category 3e) Juniper Burning. This category includes the conservation measure that old growth juniper of high value to wildlife should not be cut. No Federal or other state special-status wildlife species are found within the project site. Work would avoid and minimize impacts to breeding and nesting birds by beginning treatments prior to start of breeding and nesting season (May 15-July 15), continuing work activity daily to discourage bird nesting in the treatment area, and avoiding removing trees with observed nests until after nesting season. Minor, temporary impacts to local wildlife from human presence, construction noise, and vegetation removal are expected. The treated areas would be able to support native sagebrush-steppe plant species that would be beneficial to local wildlife in the long term.

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

Potential for Significance: No

Explanation: Work would occur in uplands and avoid water bodies and floodplains. Endangered Species Act (ESA)-listed fish species Mid-Columbia River steelhead trout (*Oncorhynchus mykiss*) and designated critical habitat are present in the project area watershed. 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 work would not occur within wetlands. No wetlands would be disturbed by the work.

## **7. Groundwater and Aquifers**

Potential for Significance: No

Explanation: There are no groundwater or aquifer-disturbing activities involved in this project; therefore, there is no potential to affect groundwater and aquifers.

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

Potential for Significance: No

Explanation: Work would occur on a private ranch with the permission of the landowner; therefore, there is no potential to affect land use or specially-designated areas.

## **9. Visual Quality**

Potential for Significance: No

Explanation: Juniper removal work would be short-term in nature and visual impacts would be temporary and decrease as new vegetation grows. There would be no long-term impairments, and the work would ultimately improve vegetation conditions and restore the land to a more natural visual appearance that is consistent with historical conditions.

## 10. Air Quality

Potential for Significance: No

Explanation: Temporary and minor impacts to air quality are not expected.

## 11. Noise

Potential for Significance: No

Explanation: Work activities would increase noise above baseline levels for short periods of time, but only during regular working hours until work is completed. The proposed project is in a rural agricultural area that is sparsely populated.

## 12. Human Health and Safety

Potential for Significance: No

Explanation: Work would not occur when wildfire conditions are unsafe.

### 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 CTWS has worked with the landowner to plan and coordinate the project and address any landowner concerns.

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

Signed: /s/ Thomas Sentner March 22, 2023  
Thomas Sentner, ECF-4 Date  
Environmental Protection Specialist