

Supplement Analysis
for the
Columbia River Basin Tributary Habitat Restoration
Programmatic Environmental Assessment
(DOE/EA-2126/SA-62)

Uma-Birch Floodplain Reconnection Project (Project Area 1)

BPA project number 1987-100-01
BPA contract number 73982 REL 212

Bonneville Power Administration
Department of Energy



Introduction

In December 2020, Bonneville Power Administration (BPA) and the Bureau of Reclamation completed the *Columbia River Basin Tributary Habitat Restoration Programmatic Environmental Assessment* (DOE/EA-2126). The Programmatic EA (PEA) analyzed the potential impacts of implementing habitat restoration actions in the Columbia River Basin and its tributaries.

Consistent with the PEA, this Supplement Analysis (SA) analyzes the proposed Uma-Birch Floodplain Reconnection Project (Project Area 1) that would implement some of the specific restoration actions assessed in the PEA in the Umatilla subbasin in Umatilla County, Oregon. The objectives are to increase in-stream habitat diversity; increase floodplain connectivity; and improve riparian and floodplain vegetative diversity to the benefit of Endangered Species Act (ESA)-listed salmonids. This SA evaluates the site-specific impacts of the Uma-Birch Floodplain Restoration Project (Project Area 1) to determine if it is within the scope of the analysis considered in the PEA. This SA also evaluates whether the proposed project presents no substantial new circumstances or information about the significance of the adverse effects that bear on the analysis and that were not addressed by the EA. The findings of this SA determine whether additional National Environmental Policy Act (NEPA) documentation is needed consistent with 40 C.F.R. § 1502.9.

Proposed Activities

The Uma-Birch Floodplain Reconnection Project (Project Area 1) is located between river miles 47.8 and 48.7 on the Umatilla River, approximately one mile downstream of the confluence of the Umatilla River and Birch Creek, near the town of Rieth, in Umatilla County, Oregon (Figure 1). The project would install about six habitat-forming in-stream large-wood structures to restore historic habitat and geomorphic functions intended to improve secondary channel and floodplain connectivity. Each structure would consist of about ten logs and root wads with an 18-inch minimum width and a 40-foot minimum length. These installations would occur in the floodplain and upland areas above the ordinary high-water mark, and therefore not involve work within the active river channel. The structures would be freestanding and placed in upland areas around existing features such as trees to keep them in place. Construction activities would require constructing staging areas and temporary access roads and would use existing roads and maintain vegetation to the extent practicable. These temporary access and staging areas would require vegetation clearing and grubbing. After construction, areas of disturbed soil would be de-

compacted to a minimum depth of 18 inches and reseeded with native seed mix. Construction activities would take several weeks. All project activities would occur within about one acre.

BPA would fund the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) to carry out the project. Funding the proposed activities supports conservation of ESA-listed species considered in the 2020 National Marine Fisheries Service and U.S. Fish and Wildlife Service 2020 Columbia River System Biological Opinions. They also support Bonneville’s commitments to the CTUIR in the 2008 Columbia River Fish Accords Memorandum of Agreement, as amended, while also supporting ongoing efforts to mitigate for effects of the Federal Columbia River Power System 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. §§ 839 *et seq.*).

The project would improve in-stream habitat for ESA-listed and non-listed fish and aquatic species by addressing the documented primary limiting factors in the Umatilla River such as in-stream flow characteristics, riparian habitat, floodplain disconnection, sediment, and water quality/temperature.

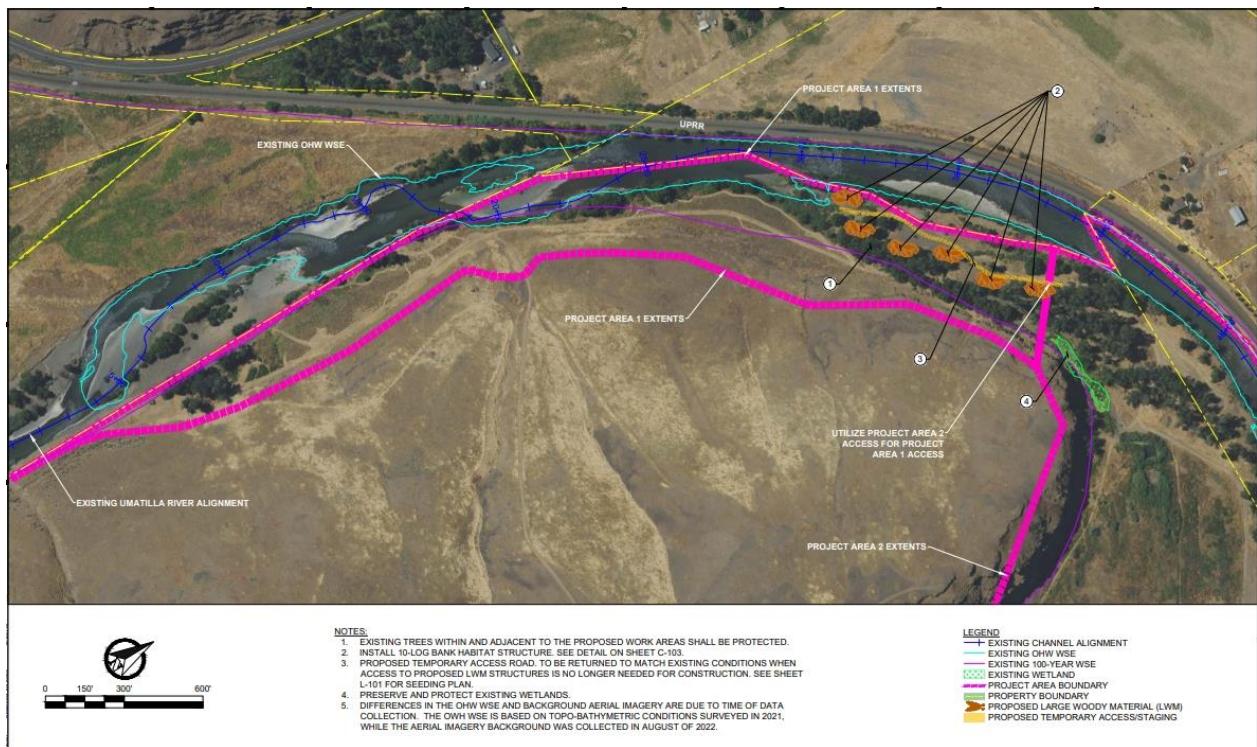


Figure 1: Uma-Birch Floodplain Reconnection Project – Project Area 1 Design

Environmental Effects

The typical environmental impacts associated with the Columbia River Basin Tributary Habitat Restoration Programmatic EA are described in Chapter 3 of the PEA and summarized in this SA. Below is a description of the potential site-specific impacts of the Uma-Birch Floodplain Reconnection Project (Project Area 1) and an assessment of whether project impacts are consistent with those described in the Columbia River Basin Tributary Habitat Restoration PEA.

1. Geology and Soils

Construction crews would utilize heavy machinery to place large wood structures within an area of disturbance of about one acre. Construction activities would have adverse effects on soils from compaction. Long term, the anticipated natural flow regime would improve soil quality from sediment deposits and water-holding capacity. These effects would result from using mechanized equipment in and along the Umatilla River. To minimize these effects to soils, the PEA identified mitigation measures that would apply to the project such as minimizing the area of impact and using sediment barriers, which would reduce the level of effect to moderate (section 2.4).

These effects are consistent with the analysis in the PEA, finding adverse short-term effects to geology and soils from compacting and exposing soils with heavy equipment.

Overall, after applying these mitigation measures, the degree of effect from the project would be low to moderate, which, based on the discussion above, would be consistent with and potentially less than the effects analyzed in the PEA, which found that potentially moderate to high short-term effects would reduce to a moderate level after implementing mitigation measures and realizing the long-term soil benefits (section 3.3.6.3).

2. Vegetation

The project would affect up to one acre of vegetation by compacting and crushing plants with heavy equipment. Field surveys did not find presence of special-status plant species (federally or state-listed species or candidate species) or their habitat in the project area. The project area generally consists of introduced upland vegetation from past agricultural practices and cobbled floodplain riparian areas. Various noxious weed species (including diffuse knapweed, rush skeletonweed, and Dalmatian toadflax) have high densities along the Umatilla River. Long term, the project would have beneficial effects from increasing the local riparian plant community because more frequent watering from the introduced flows would promote riparian plant growth.

Effects described above resulting from using mechanized equipment along the Umatilla River would affect plants in a manner consistent with the effects analyzed in the PEA. The PEA generally found overall moderate effects to vegetation: the balance of severe short-term adverse effects from construction activity and long-term beneficial effects due to increased riparian function and vegetation (section 3.3.3.3). To address the adverse effects, bare soil would be reseeded with a native seed mix consistent with the mitigation measure identified in the PEA (section 2.4). In addition, the PEA found bare soil exposed by construction susceptible to invasive species, and for most projects, these areas would receive follow-up treatments to remove invasive plants (section 3.3.3.2). Accordingly, in addition to the post-construction reseeded effort that would be integral to the proposed restoration project, mitigation measures would apply to the project—such as washing all construction equipment before and after leaving the project site and applying weed-control measures following construction—to control the spread of invasive and noxious weeds known to occur within the project area (section 2.4). Overall, because the project would apply these mitigation measures to reduce effects from vegetation removal, the project effects would be moderate and consistent with the analysis of the PEA.

3. Water Resources

Installing large wood structures would not negatively affect water quality because they would remain in upland areas and avoid in-water work. Implementing mitigation measures such as temporary erosion and sediment controls would reduce the possibility of sedimentation and turbid water-quality effects resulting from construction. Moreover, there is the potential for fuel and fluid leaks from construction vehicles and equipment; however, implementation of a Spill Prevention, Control, and Countermeasures Plan would reduce the risk that contamination leaks would affect water resources. Long term, the project would improve water-quality by restoring riparian function along the Umatilla River.

There would be no effect to water quantity because the project would not involve withdrawals. Overall, when considering the long-term benefit from improved river function, the effects to water resources would be low.

These effects to water resources would be less than those analyzed in the PEA. The PEA's analysis found moderate short-term adverse effects comparable to those described above (sedimentation/turbidity and fuel leaks) and beneficial long-term effects (improved river function) that result in overall low effects (section 3.3.2.3).

4. Wetlands and Floodplains

No short-term construction effects to wetlands would occur because the project area does not contain delineated wetlands and crews would avoid and use erosion control methods to protect existing wetlands just outside the project area from sedimentation. Implementing the project would promote floodplain and wetland habitats and functions where they were previously disconnected. Large wood structures would slow water velocities and elevate water levels, thereby facilitating more effective connection between the Umatilla River and its floodplain. Floodplain function would therefore be enhanced throughout the project area following project completion. In addition, more frequent watering and elevated water levels promote wetland function, which has potential to enhance and expand a nearby wetland just outside the project area—a long-term low beneficial effect to wetlands.

The effects of using construction equipment in floodplain areas would be consistent with the analysis in the PEA. Section 3.3.4.3 of the PEA describes overall low impacts to wetlands and floodplains after considering potential high short-term adverse effects from construction and beneficial long-term effects from improved floodplain function.

5. Fish and Aquatic Species

The project would not have short-term effects on fish, including ESA-listed fish, because it would not involve in-water work. Sediment controls and potential contamination containment mitigation measures would reduce the risk of sedimentation and other water-quality concerns. Long term, the project's installation of large wood structures would benefit fish primarily due to the enhancement of in-stream habitat complexity over time by slowing the velocity of Umatilla River flows. The installation would also create refugia and pools that provide fish habitat when the river overtops the banks and enters the floodplain. There would be a negligible effect on fish and other aquatic species from the project construction activities from potential sedimentation and fuel leak contamination from work alongside the Umatilla River. The long-term beneficial effects from improvements to in-stream habitat would be low to moderate. This is consistent with the analysis in section 3.3.1.2 of the PEA.

6. Wildlife

Construction activities would have short-term adverse effects due to physical disturbances caused by construction and vegetation removal. This would disturb up to one acre of non-native upland and riparian habitat determined through surveys to generally provide low-quality wildlife habitat. Available wildlife information and surveys conducted in the project area indicate that ESA-listed wildlife species are unlikely to occur in the project area. Bald and golden eagles have a moderate and high potential to occur in the project area—the nearest known golden eagle nest is about a half mile outside the project area. While construction activities are expected to remain outside a half-mile disturbance buffer for currently known eagle nests, should crews discover a previously unknown active bald or golden eagle nest, the project would take necessary measures, including seasonal restrictions, to ensure that construction activities avoid and minimize potential for eagle disturbances within a half mile buffer. Long term, the project would promote floodplain function and the establishment of riparian vegetation that could result in higher-quality wildlife habitat and enable more wildlife species to occupy the area. On balance, the low probability of wildlife presence due to the existing low-quality habitat combined with the low-level and short-duration construction-related disturbances from operating equipment would result in an overall low-level effect from the project on wildlife.

Taken together, the effects described above are consistent with those analyzed in the PEA, which found that restoration activities, after considering short-term adverse effects from construction in combination with their intended long-term beneficial effects, would result in an overall low level of effect to wildlife (section 3.3.5.3).

7. Cultural Resources

The Uma-Birch Floodplain Reconnection Project (Project Area 1) is located within the Area of Potential Effect (APE) for another project, the Uma-Birch Floodplain Reconnection Project. Relying on this APE, BPA initiated Section 106 consultation with the Oregon State Historic Preservation Office (SHPO), Confederated Tribes of the Umatilla Indian Reservation, and Confederated Tribes of the Warm Springs on January 14, 2019, and received a response from the SHPO on February 8, 2019, concurring with BPA's APE (SHPO Case No. 19-0084).

BPA's Section 106 process included a determination of effects based on an intensive cultural resource survey and exploratory subsurface shovel probing of the APE that BPA provided to the SHPO and the consulting Tribes. This inventory report did not identify the presence of historic properties potentially eligible for listing on the National Register of Historic Places in Project Area 1. The overall consultation resulted in an MOU signed on November 14, 2023, between BPA and the Oregon SHPO relied on the APE that included Project Area 1. BPA did not identify potentially eligible historic properties in the Uma-Birch Floodplain Reconnection Project (Project Area 1). Therefore, there would be no-to-low effects to cultural resources. In the unlikely event that a cultural resource is inadvertently encountered during the implementation, BPA would require that work be halted in the vicinity of the finds until further inspection and assessment by BPA, and in consultation with the appropriate consulting parties.

The above analysis of potential effects falls within the scope of analysis of the PEA as section 3.3.11.3 describes low impacts to cultural resources from tributary habitat projects such as the Uma-Birch Floodplain Reconnection Project.

8. Land Use and Recreation

The project area is cobbled floodplain formerly used for agriculture. Some private recreational activities such as hunting and fishing still occur. The project would have a negligible effect on land use and recreation because current land use within and adjacent to the project area as well as recreational use would not fundamentally change. A small sliver of land along the Umatilla River would likely increase in riparian and floodplain habitat cover compared to its current state. This transition from the current land use would not reduce the overall land available for agriculture because land zoned for exclusive farm use within the project area is fallow and has not recently been in agricultural production. Recreational use such as hunting and fishing that occurs on the private land and along the Umatilla River, within and near the project area, would not change; and may benefit from the enhanced fish and wildlife habitat resulting from the project. These low-level effects would be lower than those described in section 3.3.8.3 of the PEA, which found that the reversion of land use to natural riparian conditions underlying most tributary habitat project sites would not change the preexisting underlying land uses and therefore would result in an overall low to moderate effect.

9. Air Quality, Noise, and Public Health and Safety

A few homes sit several hundred feet away on the opposite bank of the Umatilla River at a distance close enough for residents to potentially experience a low level of noise during construction, although likely far enough away to not experience effects from dust or exhaust. No long-term source of emissions or noise would be created. Safety risks may be present from workers sharing roads when travelling to and from work sites, however, they would be minor due to the small number of additional vehicles relative to road capacity. In addition, all travelers would adhere to traffic safety laws and utilize appropriate signage. The project would have low potential to affect public safety infrastructure (e.g., roads and telecommunications) or to burden emergency services (e.g., police, fire, or ambulance). Overall, this level of impact would be low, which is consistent with the analysis in section 3.3.10.3 of the PEA describing low impacts to air quality, noise, and public health and safety.

10. Socioeconomics and Environmental Justice

The project would not result in requirements for additional permanent employees or for individuals to leave the local area or relocate within it. For this reason, it would not affect housing availability for local populations, displace people, or eliminate residential suitability of nearby areas. The project would generate short-term employment for those constructing the project and provide small, short-term economic boost to local businesses for fuel, equipment, and travel expenses. This effect would be low.

The project focuses on a private landowner allowing restoration actions on their property in a rural, sparsely populated area and would therefore not create a unique pathway for environmental justice populations to experience any disproportionate and adverse human health and environmental effects (including risks) and hazards.

The above-described effects in and along the Umatilla River and nearby communities of Rieth and Pendleton are consistent with the analysis in section 3.3.13 of the PEA. This section describes low impacts to socioeconomics and environmental justice, recognizing generally low-level effects upon local populations, economies, and environmental justice populations from tributary habitat projects.

11. Climate Change

The Uma-Birch Floodplain Reconnection Project (Project Area 1) would result in a low-level effect on climate change from short-term emissions from motorized equipment operations during implementation of the construction-related restoration actions. Further, these emissions could be offset to a minor degree by the ameliorating effects stemming from restored floodplain function, such as increased water table inputs and improved water quality from improved instream and riparian habitat conditions. The overall contribution to climate change and greenhouse gas production would be low.

These effects would be consistent with the analysis in section 3.3.14 of the PEA finding that tributary habitat projects similar to the Uma-Birch Floodplain Reconnection Project generally involve short-duration construction activities and a relatively small number of vehicles, which results in an overall low level of project-related greenhouse gas emissions.

Findings

BPA finds that the types of actions and the potential impacts related to the proposed Uma-Birch Floodplain Reconnection Project (Project Area 1) have been examined, reviewed, and consulted upon and are similar to those analyzed in the Columbia River Tributary Habitat Programmatic EA (DOE/EA-2126) and Finding of No Significant Impact. There are no substantial changes in the EA's Proposed Action and no substantial new circumstances or information about the significance of the adverse effects that bear on the analysis in the EA's Proposed Action or its impacts within the meaning of 10 C.F.R. § 1021.314 and 40 C.F.R. § 1502.9.¹ Therefore, no further NEPA analysis or documentation is required.

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Concur:

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Date

¹ BPA is aware of the November 12, 2024, decision in *Marin Audubon Society v. Federal Aviation Administration*, No. 23-1067 (D.C. Cir. Nov. 12, 2024). To the extent that a court may conclude that the Council on Environmental Quality regulations implementing NEPA are not judicially enforceable or binding on this agency action, BPA has nonetheless elected to follow those regulations at 40 Code Federal Regulations (C.F.R.) §§ 1500–1508, in addition to the US Department of Energy's NEPA implementing procedures at 10 C.F.R. Part § 1021, to meet the agency's obligations under NEPA, 42 U.S.C. §§ 4321 *et seq.*