

DEPARTMENT OF ENERGY
Bonneville Power Administration
Kootenai River Lower Meander Project
Finding of No Significant Impact
May 2017

Summary

Bonneville Power Administration (BPA) is announcing its environmental findings regarding the Kootenai River Lower Meander Project. BPA proposes to fund the Kootenai Tribe of Idaho (Tribe) to restore portions of the Kootenai River near Bonners Ferry, Idaho. The project would involve installing structures on the river banks and excavating areas in the river to create deeper pools of water, as well as developing and enhancing islands to be planted with native riparian vegetation. The project would improve Kootenai River habitat to benefit listed Kootenai River White Sturgeon and other native fish, would complement other restoration on the Kootenai River, and would help mitigate for effects caused by Libby Dam located upstream in Montana.

BPA issued and requested public comment on a draft Environmental Assessment (EA) (DOE/EA-2051 dated March 23, 2017) that evaluated the proposed action and its potential environmental effects. Based on the analysis in the EA, BPA has determined that the proposed action is not a major federal action significantly affecting the quality of the human environment, within the meaning of the National Environmental Policy Act (NEPA) of 1969 (42 United States Code [USC] 4321 et seq.). Therefore, the preparation of an Environmental Impact Statement is not required, and BPA is issuing this Finding of No Significant Impact (FONSI) for the proposed action. Comments received on the draft EA, as well as the responses to the comments, are provided in the final EA.

The attached Mitigation Action Plan (MAP) lists all of the mitigation measures that BPA and the Tribe are committed to implementing as part of the proposed action. The FONSI also includes a statement of findings on how the proposed action impacts wetlands and floodplains. Impacts to wetlands and floodplains would be avoided where possible and minimized by the mitigation measures (see attached Mitigation Action Plan) where there is no practicable alternative.

Public Availability

BPA will mail this FONSI to interested parties, post the FONSI on its website (www.bpa.gov/goto/KootenaiMeander), and mail a notification of availability to potentially affected parties.

Project Background

Under the Pacific Northwest Electric Power Planning and Conservation Act (Northwest Power Act), 16 USC § 839b(h)(10)(A), BPA has an obligation to protect, mitigate, and enhance fish and wildlife, and their habitats, affected by the development and operation of the Federal Columbia River Power System (FCRPS). To help accomplish this, the Act requires BPA to fund fish and wildlife protection, mitigation, and enhancement actions consistent with the Northwest Power and Conservation Council's (Council) Fish and Wildlife Program, the purposes of the Act, and other environmental laws. Under this program, the Council reviews habitat improvement (or restoration) plans submitted by various entities, and makes recommendations to BPA about which fish and wildlife projects to fund. In addition, BPA shares responsibilities with the U.S.

Army Corps of Engineers (Corps) under a biological opinion issued by the U. S. Fish and Wildlife Service in 2006 to help FCRPS operations avoid jeopardizing Kootenai River white sturgeon, which are listed as endangered under the Endangered Species Act. Protecting and enhancing sturgeon habitat helps fulfill BPA's obligations under the biological opinion.

BPA began funding the Tribe to collect and analyze data of Kootenai River habitat conditions under the Council's Program in 2006, and the Tribe completed the Kootenai River Habitat Restoration Program Master Plan in 2009 (Kootenai, 2009 <http://www.restoringthekootenai.org/habitatRestoration/masterPlan/>). In 2011, the Tribe submitted a proposal to the Council to implement specific habitat restoration projects consistent with the framework presented in the Master Plan. In 2012, the Council's Independent Scientific Review Panel reviewed the Kootenai River Habitat Restoration Program and the list of proposed projects, and based on that review, the Council recommended that BPA fund this proposal.

Proposed Action

Under the proposed action, BPA would fund the Kootenai River Lower Meander Restoration Project, which would enhance in-river, riparian, and aquatic habitats to benefit juvenile and adult Kootenai River white sturgeon, listed as endangered under the Endangered Species Act, and other native fish and wildlife species found in and along the river. The Kootenai Tribe of Idaho would implement the proposed project.

The proposed action would call for creating large excavated pools within the main channel of the Kootenai River. Several mid-channel islands would be enhanced using material excavated from the river bottom to create the pools. Material removed from the north bank of the river would also be used to enhance the islands. Three stream bank structures would be constructed and bank stabilization methods would be used to reduce erosion and establish riparian vegetation.

No-Action Alternative

Under the No Action Alternative, BPA would not fund the Kootenai River Lower Meander Project and the Tribe would not receive funds from BPA to make the fish habitat improvements to the Kootenai River as proposed. In addition, BPA would not use the project to help meet its fish and wildlife mitigation obligations under the Northwest Power Act, or further support habitat improvement efforts identified in the Libby Dam Biological Opinion.

Significance of the Potential Impacts of the Proposed Action

BPA evaluated the potential effects of the proposed action and the no-action alternative on human and natural resources to determine whether the alternatives could cause significant environmental effects; the effects analysis for the proposed action is in Chapter 3 of the EA. To summarize potential environmental effects, BPA used four impact levels (i.e., high, moderate, low, and no impact). These impact levels are based on the considerations of context and intensity defined in the Council on Environmental Quality regulations (40 Code of Federal Regulations 1508.27). High impacts could be considered significant impacts, while moderate and low impacts would not be. It was determined that the proposed action would have no significant impacts.

The following discussion summarizes the proposed action's potential impacts and the reasons these impacts would not be significant.

Soils and Geology

- Increases in turbidity and soil erosion during construction activities would be short term, while bank stabilization and native vegetation plantings would reduce the current stream bank erosion over the long term.

Wetlands

- The loss of less than one acre of wetlands due to island creation and stream bank modification would be offset by the restoration of 24 acres of functioning wetlands created as part of the proposed action.

Water Resources

- Changes to river flow would be localized, increases in turbidity and soil erosion during construction activities would be short term, and bank stabilization and native vegetation plantings would help reduce localized river turbidity over the long term.
- Existing contaminants in the river bed are within allowable levels.
- The project would not increase the base floodplain elevation in the area and no change in how the Corps operates Libby Dam to prevent flooding in Bonners Ferry would be required.

Fish and Fish Habitat

- Temporary increases in turbidity and underwater noise during construction would cause some effects on fish behavior, but few fish are expected to be in the area during construction. Once completed, the proposed project would increase quality habitats for native fish.

Recreation

- Construction is proposed from late August through November, which is a time when fewer recreational boaters, tubers, or swimmers would be in the area.
- Boaters would need to navigate among large wood structures in the side channels and main river but these structures would be visible by boaters and tubers and allow them enough time to avoid them.

Cultural Resources

- A cultural resource survey showed that previously recorded sites near the project would not be affected.
- If unanticipated sites are discovered during construction, they could be affected; however, the EA and mitigation action plan include requirements related to unintended discoveries of cultural resources, such as requiring the contractor to stop work, notify appropriate entities, and to first try to avoid potential impacts.

Visual Resources

- Construction activities would be visible from several residences along the river near the project area but these activities would be temporary.
- Although the project would change the Kootenai River's visual landscape, the proposed islands, pool-forming structures, and bank stabilization would not be inconsistent with the existing landscape and over time as vegetation grows, project elements would resemble natural features that occur along large rivers.

Noise

- Approximately 30-day noise level changes would be noticeable during pile driving activities, but due to the distance to nearby noise receptors it would not be much greater than routine background noise experienced in town.

Air Quality and Greenhouse Gases

- Construction activities would cause some temporary increases in dust and particulate matter.

Public Health and Safety

- There could be minor increases in traffic, potential for accidents, and demands on local emergency services during construction activities.
- The project would introduce additional boating hazards into the Kootenai River but would be consistent with other river hazards that are routine, including naturally-formed hazards, for boaters.

Transportation and Utilities

- Construction vehicles would increase traffic in the area, including through a residential area, and would periodically block traffic. However, delays would be short term and would cease once construction was completed.

Socioeconomics

- During construction activities, approximately 20 workers would have an indiscernible effect on the overall population, would increase the use of short-term housing slightly, and would increase local economic activity through spending temporarily.
- Though it is difficult to ascertain environmental justice populations at a neighborhood scale, impacts of construction activities would be temporary and would likely have no disproportionate impacts on minority or low-income populations.

Wildlife

- Tree and vegetation removal would cause the loss of some habitat, but much of this vegetation is non-native.
- Approximately 10 acres of native vegetation would be planted, which would increase the amount of functional wildlife habitat in the project area once the planting is mature.
- Eagle nests in the vicinity of the project area would not be disturbed because construction activities would begin after any eaglets have left the nest.

Vegetation

- Removal of several trees and shrubs along the south bank of the Kootenai River in the Bonners Ferry proposed project area would consist mostly of non-native vegetation such as reed canary grass and box elder.
- Planting native vegetation over 10 acres throughout the project area would mitigate for the removal of this vegetation.

Land Use

- The construction would occur in the main channel of the Kootenai River and cause no changes to land use.
- Some land currently used for agriculture and pasture would be used for temporary access and staging areas but those land uses would continue after construction.

Determination

Based on the information in the EA, as summarized here, BPA has determined that the proposed action is not a major federal action that significantly affects the quality of the human environment, within the meaning of NEPA (42 USC 4321 *et seq*). Therefore, preparation of an EIS is not required, and BPA is issuing this FONSI.

Issued in Portland, Oregon

/s/ F Lorraine Bodi
F Lorraine Bodi, Vice President
Environment, Fish and Wildlife

May 31, 2017
Date

Mitigation Action Plan

This mitigation action plan for the Kootenai Lower Meander Project includes all of the mitigation measures recommended in the Environmental Assessment (DOE/EA-2051) to mitigate adverse environmental impacts. It includes some measures that are essential to ensure there are no significant effects of the proposed action, and other measures to decrease effects that could occur, but would not be considered significant.

Mitigation measures have been incorporated into the project planning and design, and will be implemented during construction and after construction is completed (when the site is being stabilized and revegetated).

The Kootenai Tribe of Idaho will implement this project, and contractors will build it. To ensure that the contractor will implement mitigation measures, the relevant portions of this mitigation action plan will be included in the construction contract specifications (the directions to the contractor) for the project. This will obligate the contractor to implement the mitigation measures that relate to their responsibilities during construction and post-construction.

If you have general questions about the project, contact the Project Manager, Lee Watts, at 503-230-4625 or vlwatts@bpa.gov. If you have questions about the mitigation action plan, contact the Environmental Lead, Ted Gresh, at 503-230-5756 or esgresh@bpa.gov. This mitigation action plan may be amended if revisions are needed due to new information or if there are any significant project changes.

Mitigation Action Table

Environmental Resource	Mitigation Measure
Soils and Geology	
SG-1	Prepare and implement a plan for erosion and sedimentation control and a stormwater pollution prevention plan for construction activities to minimize erosion and soil loss (e.g., use silt fences, straw bales, interceptor trenches or other perimeter sediment management devices; maintain as necessary throughout construction).
SG-2	Locate staging areas in previously disturbed or graveled areas to minimize soil and vegetation disturbance, where practicable.
SG-3	Design and build access roads to minimize drainage from the road surface directly into surface waters, and direct sediment-laden waters into vegetated areas.
SG-4	Inspect and maintain access roads and other facilities during construction to ensure proper function and nominal erosion levels.
SG-5	Existing unimproved roads, temporary haul roads and the staging area would be graded, surfaced with gravel and treated for dust control (water application) as needed to support haul traffic during construction.
SG-6	Reseed disturbed areas, monitor seed germination, and implement contingency measures as necessary until areas disturbed from construction activity are stabilized.
Wetlands	
Wet-1	Identify clearing limits on all construction drawings and flag as “no-work” areas in field before construction.
Wet-2	Revegetate disturbed areas (including wetlands) with appropriate native species using seed mixes that meet the requirements of federal, state, and county noxious weed control regulations and guidelines.
Wet-3	Implement mitigation measures to control potential noxious weed infestations before, during, and after construction.
Wet-4	Implement best management practices during construction to minimize adverse effects on wetlands (e.g., limit wetland disturbance areas; flag or stake wetland boundaries; refuel machinery and store fuels away from wetlands; develop and implement erosion and sedimentation control plan).
Wet-5	Install silt fences and straw wattles at culvert locations and wetland areas to prevent effects from stormwater runoff and construction related disturbance.
Water Resources	
WR-1	Deposit and stabilize all excavated material not re-used in an upland area outside of floodplains.
WR-2	Follow the Idaho Department of Environmental Quality’s Catalog of Stormwater Best Management Practices for Idaho Cities and Counties to create a stormwater pollution prevention plan for construction activities. Use and maintain this plan throughout construction to minimize erosion and soil loss (e.g., use silt fences, straw bales, interceptor trenches or other perimeter sediment management devices).
WR-3	Implement measures to prevent stockpile erosion during rain events (e.g., surround piles with compost berms, cover piles with impervious materials, or use other equally effective methods).
WR-4	Minimize staging areas to the size necessary to conduct the work, and locate the staging areas in previously disturbed areas at least 150 feet from the river or wetlands.
WR-5	Create and use a spill prevention, control and countermeasures plan to minimize the potential for spills of hazardous material, which includes provisions for storage of hazardous materials, and refueling of construction equipment outside of riparian zones, a spill containment and recovery plan, and notification and activation protocols.

WR-6	Store spill containment kits at each work site, and train the construction crews in proper use.
WR-7	Wash all equipment before moving it to the project site, to minimize the introduction of foreign materials and fluids to the project site.
WR-8	Use only hydraulic fluids certified as non-toxic to aquatic organisms in equipment used to work in the water.
WR-9	Inspect all equipment to ensure it is free of oil, hydraulic fluid, and diesel fuel leaks. Repair detected leaks in the vehicle staging area before the vehicle resumes operation. Document inspections in a record that is available for review on request.
WR-10	Locate vehicle staging, cleaning, maintenance, refueling, fuel storage, and sanitary facilities at least 150 feet the Kootenai River or wetlands.
WR-11	Clean all equipment operated in stream before beginning operations below the bankfull elevation to remove all external oil, grease and dirt. Every day, inspect all power equipment within 150 feet of the water for fluid leaks.
WR-12	Apply truck diapers to any stationary power equipment (e.g., generators) operated within 150 feet of any stream, water body or wetland to prevent leaks.
WR-13	Floating silt curtains and temporary berms would be used where water depth allows for turbidity management. Practical efforts would be made to install floating silt curtains in lower velocity areas at the downstream end of the work areas such that construction related turbidity can settle out in the lower velocity backwater areas. Floating silt curtains would be anchored with 12-inch diameter temporary steel piles.
Fish	
FISH-1	Conduct work below the OHWM from August through November in 2015 and 2016.
FISH-2	Operate machinery for below OHWM construction from the top of the stream bank along adjacent upland areas, to the extent possible.
FISH-3	Protect existing riparian and wetland vegetation, to the extent possible.
Recreation	
Rec-1	Install temporary signage upstream at the Twin Rivers Canyon Resort boat launch, to inform boaters of construction activities occurring downstream in the Bonners Ferry area.
Rec-2	Install permanent signs upstream at the Twin Rivers boat ramp requesting that boaters and tubers stay clear of the restoration area in order to protect the restoration work. Signs would also contain an educational element to describe the different project locations, the types of structures, and the benefits they provide for fish.
Cultural Resources	
CR-1	Protect any unanticipated cultural resources discovered during construction as follows: <ul style="list-style-type: none"> – Stop all work; cover and protect find in place – Notify Kootenai Tribe’s project manager who will notify the BPA cultural resources specialist and the Kootenai Tribe of Idaho Cultural Resource Program – Implement mitigation or other measures as instructed by BPA
Visual Resources	
VR-1	Retain existing vegetation, when possible, to visually screen new disturbances, during construction.
VR-2	Reseed and plant disturbed areas with appropriate native species, and control weeds, following construction.

Noise	
Noise-1	Limit construction noise to normal daytime working hours.
Air Quality and Greenhouse Gases	
AQ-1	Implement vehicle idling restrictions.
AQ-2	Encourage the use of the proper size of equipment for each job.
AQ-3	Use alternative fuels for stationary equipment at the construction sites, such as propane, or use electrical power, where practicable.
AQ-4	Reduce electricity use in the construction office by using compact fluorescent bulbs and turning off computers and other electronic equipment every night.
AQ-5	Recycle or salvage nonhazardous construction and demolition debris, where practicable.
AQ-6	Implement vehicle idling restrictions.
AQ-7	Encourage the use of the proper size of equipment for each job.
AQ-8	Use alternative fuels for stationary equipment at the construction sites, such as propane, or use electrical power, where practicable.
Public Health and Safety	
	No Mitigation not required
Transportation and Utilities	
Trans-1	Keep construction activities and equipment clear of residential driveways, to the greatest extent possible.
Trans-2	Employ traffic control flaggers and post signs along roads warning of construction activity and merging traffic for temporary interruptions of traffic, where needed.
Trans-3	Coordinate with Burlington Northern Santa Fe to determine whether they would require a flagger be present during construction times to avoid train conflicts or delays at the unmarked crossing of the Burlington Northern Santa Fe rail line.
Socioeconomics	
	No Mitigation not required