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**Jordan/Malheur Resource Area  
Jonesboro Diversion Dam Replacement Project  
Finding of No Significant Impact  
Bonneville Power Administration  
February 2015**

## **SUMMARY**

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Bonneville Power Administration (BPA) announces its environmental findings for its proposal to fund the Burns Paiute Tribe (Tribe) to implement the Jordan/Malheur Resource Area Jonesboro Diversion Dam Replacement Project. The project would involve removing and replacing an aging and failing diversion dam located in the Malheur River approximately eleven miles east of the town of Juntura in Malheur County, Oregon. The diversion is located on land owned by the Bureau of Land Management (BLM), and adjacent to the Tribe's Malheur River Wildlife Area. The proposed replacement would help improve fish passage and facilitate continued management of the Tribe's wildlife area.

BLM, in cooperation with BPA, prepared an environmental assessment (EA) evaluating the Proposed Action and the No Action Alternative. As a cooperating agency, BPA has adopted the EA. 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 (EIS) is not required and BPA is issuing this Finding of No Significant Impact (FONSI) for the Proposed Action. BLM has prepared its own agency-specific FONSI for the project.

The comments received on the Draft EA and responses to the comments are included in the Final EA.

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 included in the EA and avoided where there is no practical alternative.

## **PUBLIC AVAILABILITY**

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This FONSI and the Final EA will be available on BPA's project website:

## **PROPOSED ACTION**

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Under the Proposed Action, the Tribe would replace the existing diversion dam to help improve fish passage and facilitate continued management of the Tribe's wildlife area. BPA would fund the project as part of its efforts to mitigate for the effects of the Federal Columbia River Power System on fish and wildlife in the mainstem Columbia River and its tributaries as part of its obligations under the Northwest Power Act.

The Tribe would operate and maintain the new diversion dam to utilize their water rights and irrigate portions of the Malheur River Wildlife Area to increase riparian habitat for terrestrial species. Replacement of the failing diversion dam would also provide passage for migratory fish species, such as redband trout.

Construction is expected to last 3 – 6 weeks, and would occur during the in-water work period from November 1 to March 31. Details of the Proposed Action are presented in Chapter 2 of the EA.

## **NO ACTION ALTERNATIVE**

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Under the No Action Alternative, the Tribe would not replace the failing diversion dam and BPA would not provide funding for the proposal. The existing structure would remain in use, exacerbating erosion to the stream channel through scouring and to the bank where there is currently no abutment. The existing diversion dam would continue to impede fish movement upstream during the irrigation season. Accessing and using the diversion in its current state would continue to pose safety risks

## **SIGNIFICANCE OF POTENTIAL IMPACTS OF THE PROPOSED ACTION**

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To determine whether the Proposed Action has the potential to cause significant environmental effects, the potential impacts on human and natural resources was evaluated and presented in Chapter 3 of the EA. The potential impacts associated with the Proposed Action are summarized below. The Proposed Action would have no significant impacts.

### **VEGETATION/NOXIOUS WEEDS**

Impacts to vegetation would be low.

- Although some native vegetation (less than 0.3 acre) would be disturbed by construction equipment and abutment placement, these areas would be reseeded with a native grass seed mixture, or planted with willow cuttings, and treated with weed control measures.

### **RECREATIONAL RESOURCES**

Impacts to recreational resources would be low.

- Impacts would be limited to temporary, localized impacts during construction. The expected increase in the footprint associated with the fish passage structure would still allow for reasonable portage along the north bank so would not impact current recreational users because they already navigate around the existing diversion dam.

### **SOILS AND WATERSHED RESOURCES**

Impacts to soils and watershed resources would be low.

- Soil disturbance would be limited and mitigation measures (use of sediment barriers, stormwater controls etc.) would minimize risk of erosion during construction and aid in soil recovery.
- Impacts to water would be limited as the Proposed Action would take place during winter low flows and during the Malheur River in-water work window. Mitigation measures (use of coffer dams, use of existing irrigation canal and waste water return, etc.) would reduce sediment deposition downstream.

## **CULTURAL RESOURCES**

The Proposed Action would likely have no effect on any known cultural resources.

- No impacts would occur to known cultural resources, and mitigation measures including avoidance of known resources, archaeological monitoring during project implementation, and stopping work if cultural materials are revealed during construction would lessen potential impacts to unknown sites.

## **WILDLIFE, NEOTROPICAL BIRDS, AND FISH**

Impacts to wildlife, neotropical birds and fish would be low.

- Construction-related activities could cause localized, short-term disruptions to general wildlife in the project areas.
- Use of erosion control mitigation measures would minimize or eliminate the delivery of sediments from project activities into the Malheur River.
- Construction during ODFW in-water work windows would help avoid potential impacts to migrating aquatic species.
- Impacts to wildlife habitat would be mitigated by reseeding disturbed areas with a native grass seed mixture and plantings.
- Replacing the damaged diversion structure would provide for improved channel stabilization and allow for upstream migration of native fish species.

## **SENSITIVE, THREATENED, OR ENDANGERED SPECIES**

Impacts to sensitive, threatened, or endangered species would be low.

- Construction during ODFW in-water work windows would help avoid potential impacts to redband trout.
- No impacts would occur to ESA-listed threatened or endangered species because none are known to occur within the project area.

## **VISUAL/AESTHETIC RESOURCES**

Impacts to visual quality would be low.

- Visual impacts during construction would be temporary and localized.

## **WETLANDS RIPARIAN ZONES AND FLOODPLAINS**

The Proposed Action would have no impact on wetlands, and impacts to riparian zones and floodplains would be low.

- Impacts to riparian zones and floodplains would be short-term and limited to construction. These impacts would be mitigated by reseeding these areas with a native grass seed mixture and plantings.

## DETERMINATION

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Based on the information in the EA, as summarized here, BPA determines that the Proposed Action is not a major federal action significantly affecting the quality of the human environment within the meaning of NEPA (42 USC 4321 *et seq.*). Therefore, an EIS will not be prepared and BPA is issuing this FONSI for the Proposed Action.

Issued in Portland, Oregon

/s/ F. Lorraine Bodi

F. Lorraine Bodi  
Vice President  
Environment, Fish and Wildlife

February 5, 2015

Date

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