

# Categorical Exclusion Determination

Bonneville Power Administration  
Department of Energy



**Proposed Action:** Trout Creek Watershed Restoration and Operations and Maintenance (O&M)

**Project No.:** 1998-028-00 (JCSWCD); 1994-042-00 (ODFW)

**Project Manager:** Jesse Wilson, EWL-4

**Location:** Jefferson County, OR; Wasco County, OR

**Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021):**

B1.20 Protection of cultural resources, fish and wildlife habitat  
B1.3 Routine maintenance

**Description of the Proposed Action:** Bonneville Power Administration (BPA) proposes to fund the Jefferson County Soil and Water Conservation District (JCSWCD) and the Oregon Department of Fish and Wildlife (ODFW) (hereafter collectively referred to as the Sponsor) to conduct ongoing maintenance of past habitat restoration project areas in the Trout Creek Watershed, with the mutual objective of increasing the abundance of Endangered Species Act (ESA)-listed Middle Columbia River steelhead populations. BPA funding would contribute toward routine ongoing maintenance for projects that have already been completed, steelhead population data collection, and project planning. Proposed activities would include the following:

- **Inspect and maintain past project sites:** Previously implemented stream habitat improvement projects would be revisited to take annual photo points, and resurvey cross sections and longitudinal profiles as needed to document changes. The information would inform current and future design for similar projects. Instream and floodplain structures such as weirs, J-hooks, log structures, cross vanes, and boulder check structures would be maintained to promote increased habitat complexity and steelhead smolt production. No ground disturbance would occur as part of this action.
- **Inspect and maintain riparian livestock exclusion fencing:** Established riparian enclosures in the Trout Creek basin would be monitored for trespass livestock and feral pig rooting activity. Fencing would be inspected for damage and points of trespass entry. Fencing structures would be repaired where wood posts have failed and where stream channel movement has reduced effectiveness. Ground disturbing activities would be limited to minor in-kind fence repairs. No new fence construction or realignment is proposed.
- **Vegetation planting and removal:** Vegetation management would involve hand seeding, planting and maintenance, or removal by mechanical (hand pulling, above ground cutting, and mowing) or chemical means. Vegetation management would occur in discrete areas on previously disturbed restoration sites, which encompass an area of approximately 8,800 acres.
- **Inspect and maintain existing off-channel water sites and mechanical devices such as pumps and demand switches:** Seven offsite water developments would be maintained to increase the effectiveness of riparian exclusion fencing by encouraging

livestock to utilize alternative water sources. Maintenance would include fixing line breaks, pumps, leaks, and general annual maintenance. This would not result in ground disturbance.

- **Monitor water temperature:** Twenty water temperature probes would be placed throughout the Trout Creek basin to monitor stream water temperature. Groundwater levels within channel relocation projects would be monitored as well to assess long-term trends. Probe installation would consist of tethering the probe to a large structure such as a tree or rock using non-corrosive chain. This would not result in ground disturbance.
- **Steelhead monitoring:** Pedestrian redd counts would be conducted on all reaches to assess the effectiveness of channel habitat improvement projects. Smolt production and adult escapement would be monitored by annual installation and operation of a five-foot-long screw trap and a video weir in the lower basin to gather information on fish passage and basin productivity. The screw trap and video weir would be attached and anchored to adjacent rock and stream substrate through established anchor points.

All work would occur in areas that have been previously disturbed and have existing available access.

**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/ Mandy Hope

Mandy Hope, ECF-4  
Contract Environmental Protection Specialist  
ACS Professional Staffing

Reviewed by:

/s/ Chad Hamel

Chad Hamel  
Supervisory Environmental Protection Specialist

Concur:

/s/ Katey Grange

Katey Grange  
NEPA Compliance Officer

Date: July 1, 2020

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.

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## Project Site Description

The majority of the land in the Trout Creek watershed is privately owned. The southern end of the watershed includes the U.S. Forest Service-managed Ochoco National Forest. Small plots of land scattered throughout the project area are managed by the U.S. Department of the Interior.

## Evaluation of Potential Impacts to Environmental Resources

Environmental Resource Impacts	No Potential for Significance	No Potential for Significance, with Conditions
1. <b>Historic and Cultural Resources</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> All former restoration project sites have been surveyed, consulted on, and received clearance to proceed by BPA archaeologists in accordance with Section 106 of the National Historic Preservation Act. The actions described above would have no potential to affect cultural resources due to the limited ground disturbance associated with the actions.		
2. <b>Geology and Soils</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> Ground disturbing activities would be limited to minor fence repairs and hand seeding and planting, resulting in minimal soil impacts.		
3. <b>Plants</b> (including Federal/state special-status species and habitats)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> No special-status plant species are present in the project area. Vegetation management would occur in discrete locations with previously-disturbed habitat restoration project areas that have since been re-seeded and planted with native vegetation.		
4. <b>Wildlife</b> (including Federal/state special-status species and habitats)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> Gray wolf and 11 species of migratory birds have the potential to occur within the project area (U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) Consultation Code 01EOFW00-2020-SLI-0464, 6/15/20). However, no known occurrences are documented in the natural heritage database. The O&M, vegetation management, and monitoring activities would be limited in duration, and impacts to wildlife from human presence (minor, temporary increases in noise and emissions resulting from the use of trucks and all-terrain vehicles to access field sites) would be temporary. Therefore, there would be no effect to ESA-listed or sensitive terrestrial wildlife species.		

5. **Water Bodies, Floodplains, and Fish**

(including Federal/state special-status species, ESUs, and habitats)



Explanation: ESA-listed steelhead are present in Trout Creek and its tributaries. ESA-listed bull trout and its critical habitat are present in the lower portion of Trout Creek.

Proposed vegetation management actions, including herbicide application, would be classified as low risk to ESA-listed species according to BPA's ESA Section 7 consultation with the USFWS and National Marine Fisheries Service (NMFS) for BPA's Habitat Improvement Program (HIP) (HIP No. 2020063 (ODFW) and 2020063 (JCSWCD)). Herbicide use would be reported to BPA within 30 days of completion for inclusion in annual reporting to the USFWS and NMFS.

Proposed steelhead smolt production and adult escapement monitoring would have the potential to result in take. The Sponsor obtained a NMFS Section 10 permit (#23484 expiration 12/31/20) for this activity. The permit would be renewed on a yearly basis. There would be no effect on bull trout.

6. **Wetlands**



Explanation: Removal, fill, or disturbance of native vegetation within wetland areas is not anticipated through ongoing O&M activities. Activities within or near wetlands would be limited to vegetation management and in-kind fence replacement and would have positive long-term effects.

7. **Groundwater and Aquifers**



Explanation: Groundwater monitoring involves the use of existing probes approximately three inches in diameter that have been inserted into the ground to the depth of the groundwater table. Probes would be for monitoring purposes only and would not have an effect on groundwater supply or aquifers.

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



Explanation: Existing land use would not change as a result of this project.

9. **Visual Quality**



Explanation: No visual changes would occur as a result of this project.

10. **Air Quality**



Explanation: Minor, temporary generation of emissions associated with increased vehicular traffic (trucks and all-terrain vehicles used to access field sites) would occur during project inspection activities.

11. **Noise**



Explanation: Minor, temporary noise increases associated with increased vehicular traffic (trucks and all-terrain vehicles used to access field sites) would occur during project inspection activities.

12. **Human Health and Safety**



Explanation: All personnel would use best management practices to protect worker health and safety.

**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, if necessary:

- Require siting and construction or major expansion of waste storage, disposal, recovery, or treatment

facilities (including incinerators) that are not otherwise categorically excluded.

Explanation, if necessary:

- 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, if necessary:

- 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, if necessary:

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### **Landowner Notification, Involvement, or Coordination**

Description: The Sponsor has long-standing verbal agreements with the numerous private landowners and would receive permission to operate on private lands.

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

Signed: /s/ Mandy Hope

Mandy Hope, ECF-4  
Contract Environmental Protection Specialist  
ACS Professional Staffing

07/01/2020

Date