

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Jeff Davis Creek Beaver Dam Analogs

Project No.: 2007-397-00

Project Manager: Josh Ashine EWL-4

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: Bonneville Power Administration (BPA) proposes to fund the Confederated Tribes of the Warm Springs Reservation of Oregon (CTWS) to implement the Jeff Davis Creek Beaver Dam Analogs (BDA) project in Jeff Davis Creek, approximately 2.8 miles east of Prairie City, in Grant County, Oregon. Activities include habitat actions that would result in long-term benefits specifically for federally-listed steelhead trout (*Oncorhynchus mykiss*), but may also provide benefits to other terrestrial and aquatic species and their habitats.

The proposed project is the first phase of a potential two-phase project and consists of installing up to 16 BDA structures in selected areas along 1.9 miles of Jeff Davis Creek to temporarily retain flows, raise the water table, and to improve instream, riparian, and floodplain habitat. These BDA structures are intended to promote channel complexity and habitat diversity by mimicking and serving as foundations for natural beaver dams. Untreated wood posts and live willow cuttings would be used to form the beaver dam analog structures and locally sourced native leaves, small woody debris, and sediment may be used on the upstream faces of the BDAs to help seal them to ensure adequate over-topping and side flow to facilitate fish passage where required. Upon completion of BDA structures, all disturbed areas would be seeded with a native seed mix. BDA structures would be installed at selected locations using a bio-oil driven post driver mounted on a mini-excavator. Other equipment would include chainsaws, pruners, and off-road trucks and trailers. Construction is proposed for winter of 2021/2022, when the creek is expected to be dry.

These actions would support conservation of ESA-listed species considered in the 2020 ESA consultation with National Marine Fisheries Service on the operations and maintenance of the Columbia River System and Bonneville's commitments to the Confederated Tribes of Warm Springs 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/ Israel Duran

Israel Duran
Contract Environmental Protection Specialist
Salient/CRGT

Reviewed by:

/s/ Chad Hamel

Chad Hamel
Supervisory Environmental Protection Specialist

Concur:

/s/ Sarah T. Biegel 12/3/2021

Sarah T. Biegel Date
NEPA Compliance Officer

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: Jeff Davis Creek Beaver Dam Analogs

Project Site Description

The Jeff Davis Creek Beaver Dam Analogs project would be located near the confluence of the John Day River and Jeff Davis Creek, approximately 2.8 miles east of Prairie City, in Grant County, Oregon. Historically, Jeff Davis Creek provided habitat for native fish species and was a source of cold water to the mainstem. The creek does not currently provide habitat value for salmonid species for two primary reasons. First, the creek is hydrologically disconnected from the mainstem river: the entire creek is diverted into irrigation ditches at the lower end and conveyed to agricultural fields, and fish that might naturally migrate into the creek from the mainstem are prevented from doing so because there is no discernable confluence. Second, the creek typically runs dry during the summer and early fall. This is due, in part, to withdrawals to service upstream water rights, and to the degradation of instream, riparian, and floodplain conditions from grazing that have led to an altered “flashy” hydrograph, in which peak flows are higher following precipitation events and base flows are reduced.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No

Explanation: A BPA archaeologist initiated consultation in accordance with Section 106 of the National Historic Preservation Act on September 30, 2021, with the Confederated Tribes of Warm Springs, Confederated Tribes of the Umatilla Indian Reservation, and Oregon State Historic Preservation Office (SHPO). BPA made a determination of no historic properties affected and received concurrence from SHPO on October 29, 2021 (SHPO Case No. **18-011**). Additionally, BPA consulted with the Burns-Paiute Tribe on October 28, 2021, and no response was received. BPA did not receive responses from other parties during the consultation period. In the event any archaeological material is encountered during project activities, work would be stopped immediately and a BPA Archaeologist or Historian and consulting parties would be notified.

2. Geology and Soils

Potential for Significance: No

Explanation: Ground disturbance during construction would be temporary and stabilized with post-construction revegetation. Some wood structures are expected to cause additional scour, while others may collect sediment. No long-term adverse effects are expected.

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

Potential for Significance: No

Explanation: There are no Endangered Species Act (ESA)-listed plant species within the project area. The Whitebark Pine (*Pinus albicaulis*) is listed as a Candidate species in Grant County, Oregon. There are no known occurrences of Whitebark Pine in the project area; therefore, no effect to Whitebark Pine is anticipated from project activities. There would be no large-scale earthmoving with its associated vegetative loss. The work would temporarily disturb vegetation when planting, placing wood, building diversion infrastructure, and vehicle access, but the project would result in improved riparian conditions which should benefit riparian plants. Wood source collection would occur on neighboring properties as previously completed juniper removal projects or harvested from ongoing vegetation maintenance.

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

Potential for Significance: No

Explanation: The yellow-billed cuckoo (*Coccyzus americanus*) is listed as Threatened in Grant County, Oregon. There are no documented sightings or history of prior occurrence for this species in the project area; therefore, no effect to yellow-billed cuckoo is anticipated from project activities. The gray wolf (*Canis lupus*) is listed as Recovered in Grant County, Oregon. However, suitable habitat is not present within the project area and there are no recent documented sightings or known populations of gray wolf near the project area. Therefore, no effect to gray wolf is anticipated from project activities. Impacts to other wildlife would be primarily from disturbance of wildlife by the temporary presence and activity of humans. This could temporarily displace them from their preferred haunts during construction, and they would likely re-occupy the site once activities are complete.

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

Potential for Significance: No

Explanation: Effects to water bodies would be minimal; limited to temporary, low level turbidity as wood structures may contribute to localized scour. There would also be some flow redirection as wood structures facilitate more natural lateral movement and sinuosity of channels, and facilitate more effective connection between the channel and the floodplain. The wood placement and passage improvements were reviewed in accordance with the current biological opinion issued by NMFS (WCRO-2020-00102) on the effects of BPA's Habitat Improvement Program. The work received approval in September 2021 (#20211130).

6. Wetlands

Potential for Significance: No

Explanation: There are no wetlands within or near the project area; therefore, no impacts to wetlands are expected from this project.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: The activities are designed to restore habitat functionality. One result of increased floodplain connection may be locally improved groundwater or aquifer conditions.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: The activities would not change land use or affect any specially-designated areas.

9. Visual Quality

Potential for Significance: No

Explanation: The proposed actions may be visible to vehicular traffic along Summit Prairie Road and private land owners. As discussed above under "Plants," there would be no large-scale soil or vegetation disturbance and changes to the visual landscape would thus be minor, and nearly undetectable to most viewers. Visual quality of immediate project areas may be impacted during construction activities due to equipment staging and completed wood structures, but impacts would be short term as structures restore habitat functionality and are integrated into the site.

10. Air Quality

Potential for Significance: No

Explanation: Air quality may be impacted by dust and vehicle emissions due to travel to project site and construction activities. However, impacts would be local and temporary in nature and some would be minimized through HIP compliance (such as sequencing and scheduling work to reduce exposed, bare soils); no long-term source of emissions would be created.

11. Noise

Potential for Significance: No

Explanation: Noise levels would be affected by operations from the machinery to be used during placement of wood structures. But this is short-term, and likely too far from any population area to be heard; no long-term source of noise would be created.

12. Human Health and Safety

Potential for Significance: No

Explanation: All applicable safety regulations would be followed during work activities. No restoration action proposed has the potential to impact public safety infrastructure (e.g., roads, telecommunications) or place a burden on emergency services (e.g., police, fire, ambulance).

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: All activities would occur on private property in coordination with the Confederated Tribes of Warm Springs.

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

Signed: /s/ Israel Duran
Israel Duran, ECF-4
Contract Environmental Protection Specialist
Salient/CRGT

12/3/2021
Date