

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Dead Cow Wood Placement (Updated)

Project No.: 2007-397-00

Project Manager: Jesse Wilson, 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 Dead Cow Wood Placement project. Activities include minor habitat actions that would result in long-term benefits, specifically for Chinook salmon (*Oncorhynchus tshawytscha*) and federally-listed steelhead trout (*O. mykiss*), and may also provide benefits to federally-listed bull trout (*Salvelinus confluentus*) and other terrestrial and aquatic species and their habitats.

This project would affect a 0.3-mile-long reach of Dead Cow Creek, a tributary to the Middle Fork John Day River, using a low tech and minimally invasive approach to improve habitat functionality. An estimated 30 small trees and limbs (not exceeding 6 inches DBH [Diameter at Breast Height]) would be placed within this project area to provide shade and habitat complexity. The trees would be surface placed rather than excavated or anchored. Exclusion fencing would be installed along the stream using a mini-excavator to drive fence posts approximately 3 to 4 feet below ground. Wood used in this project would be obtained from one of two sources, all from surrounding Tribal properties. Some wood from tree removal activities that have already been completed would be used in the project. Additional material would be harvested during regular ongoing maintenance activities.

Revegetation of the project site with native plants would occur after construction and seasonally over the next 5 years. Hand augers or augers attached to a mini-excavator would be used for planting efforts, focused around stream and river banks. Ground disturbance from planting is anticipated to extend no deeper than 1 to 2 feet. ATVs, mini-excavators, and trucks would be used to transport plants and equipment along existing roads throughout the site.

These actions would support conservation of ESA-listed species considered in the 2020 ESA consultations with National Marine Fisheries Service and U.S. Fish and Wildlife 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.).

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: Dead Cow Wood Placement

Project Site Description

Activities would occur on CTWS property within the Dead Cow Creek, a tributary to the Middle Fork John Day River in Grant County, approximately 3 miles west of Austin, Oregon. Degraded channel structure/complexity and poor water quality are limiting factors to salmonids throughout the Middle Fork John Day River basin. Tributaries are a high priority for restoration on the Middle Fork as juvenile salmonids use these cooler habitats for rearing as water temperature increases and flow decreases in summer and fall. Dead Cow serves as one such cold water source, but much of the creek has been grazed and browsed and minimal woody vegetation exists. Now owned by the Tribe, Dead Cow Creek has degraded channel structure and complexity and poor water quality due to lack of riparian vegetation. The mouth of the stream was previously rerouted to its historic path.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No

Explanation: A BPA archeologist initiated consultation in accordance with Section 106 of the National Historic Preservation Act on February 4, 2020, with the Confederated Tribes of Warm Springs, Confederated Tribes of the Umatilla Indian Reservation, Burns Paiute Tribe, and Oregon State Historic Preservation Office (SHPO). BPA made a determination of no historic properties affected and received concurrence from SHPO on December 8, 2020 (SHPO Case No. 20-0154). The Confederated Tribes of Warm Springs concurred with findings and recommendations and determination of project effect. BPA did not receive responses from other parties during the consultation requests. 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: Minor, temporary impact to soils and geology during implementation and once structures are functional may occur. However, the disturbance would be minimal during planting and wood placement activities and scouring or accretion due to the structures would be expected.

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

Potential for Significance: No

Explanation: The work would temporarily disturb some vegetation when planting, placing wood, and vehicle access, but the project would result in improved riparian conditions which should benefit riparian plants to the detriment of upland species. Collection of the small wood would occur on neighboring Tribal-owned properties as previously completed juniper removal projects or harvested from ongoing vegetation maintenance. There are no

Endangered Species Act (ESA)-listed plants or state special-status species within the project area.

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

Potential for Significance: No

Explanation: There would be potential for activities to temporarily displace wildlife due to human activity; however, the displacement would be minor and short term. There are no ESA-listed wildlife or state special-status species within the project area.

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. The wood placement was reviewed in accordance with the current biological opinion issued by the NMFS (WCRO-2020-00102) on the effects of BPA's Habitat Improvement Program. The work received approval in June, 2020 (#2020072).

6. Wetlands

Potential for Significance: No

Explanation: There are no wetlands in the Dead Cow site.

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, as in accordance with CTWS management.

9. Visual Quality

Potential for Significance: No

Explanation: Visual quality of immediate project areas may be impacted during project 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 the additional travel to project sites but impacts would be local and temporary in nature.

11. Noise

Potential for Significance: No

Explanation: Some work activities would raise noise levels above ambient levels for short periods of time, but only during regular working hours until work is completed.

12. Human Health and Safety

Potential for Significance: No

Explanation: All applicable safety regulations would be followed during work activities.

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: NA

Require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators) that are not otherwise categorically excluded.

Explanation: NA

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: NA

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: NA

Landowner Notification, Involvement, or Coordination

Description: All activities would occur on property owned by 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

March 4, 2021

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

Date