

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Reservation Fence and Water Development Maintenance

Project No.: 2008-301-00

Project Manager: Josh Ashline – EWL-4

Location: Wasco 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 to implement the Fence and Water Development Maintenance project within the Warm Springs Reservation in Wasco County, Oregon. This project would benefit ESA-listed steelhead trout (*Oncorhynchus mykiss*) and their critical habitats. Specific benefits to steelhead trout include increased water quality and decreased water temperature provided by the intact and recovering riparian buffer protected by the livestock exclusion fencing. The following activities would occur:

- Inspect and maintain riparian livestock exclusion fencing: Established riparian enclosures would be monitored biweekly for damage. Fencing structures would be repaired where posts, wires, or corner sections have failed. This would include removal of trespass livestock and clearing brush and shrubs from wood structures along the fence line. Ground-disturbing activities would be limited to minor in-kind fence repairs. No new fence construction or realignment beyond the original project footprint is proposed.
- Inspect and maintain water developments: Biweekly checks of all water developments would occur in conjunction with fence line checks. Maintenance, repairs, and cleaning of water troughs and pump systems would be completed as needed. Pumps are maintained annually in the off season and put on a three year replacement schedule. No ground disturbance would occur as part of this action.

These actions would support conservation of ESA-listed species considered in the 2020 ESA consultations with National Marine Fisheries Service on the operations and maintenance of the Columbia River System and Bonneville's commitments to the Confederated Tribes of the Warm Springs Reservation of Oregon 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/ Katey C. Grange October 14, 2021

Katey C. Grange 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: Reservation Fence Maintenance and Water Development Inspections

Project Site Description

The Reservation Fence Maintenance and Water Development Inspections project is located at previous restoration sites on tribal property within the in Wasco County, Oregon.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No

Explanation: A BPA archaeologist has reviewed the proposed actions and has determined that it is the type of activity that does not have the potential to cause effects to historic properties 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. Fence and water development maintenance activities would be limited to in kind repair with no proposed ground breaking beyond post replacement.

2. Geology and Soils

Potential for Significance: No

Explanation: Ground-disturbing activities would be limited to minor in kind repairs.

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

Potential for Significance: No

Explanation: No ESA-listed, or "special-status," plant species are present in these locations. Maintenance and monitoring would not disturb plants beyond the minimal trampling by workers.

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

Potential for Significance: No

Explanation: Wasco County has the potential to contain ESA-listed northern spotted owl (*Strix occidentalis caurina*) and critical habitat (USFWS Information for Planning and Consultation (IPaC), 2021), but suitable habitat is not located within or near the project sites. There would be no effect to other sensitive wildlife species. Wildlife may be temporarily disturbed by inspection and repair activities, however displacement would be short term.

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

Potential for Significance: No

Explanation: There is no in water work planned and the activities would not impact water bodies, floodplains, or fish.

6. Wetlands

Potential for Significance: No

Explanation: Wetlands would not be impacted by the proposed activities.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: The inspection and repair activities would not impact groundwater or aquifers.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: There are no known special uses for the property. Existing land use would not change as a result of the project.

9. Visual Quality

Potential for Significance: No

Explanation: There would be minimal impact to visual quality during inspections and repairs, but this would be very short term.

10. Air Quality

Potential for Significance: No

Explanation: Equipment emissions from travel to project sites would result in short-term impacts to air quality. These would be temporary and localized in nature and would not have long-term impacts on air quality. Implementation of the proposed action is not expected to generate long-term or short-term violations of state air quality standards.

11. Noise

Potential for Significance: No

Explanation: Maintenance may result in temporary, localized noise increases. These increases would not substantially impact the surrounding environment.

12. Human Health and Safety

Potential for Significance: No

Explanation: All applicable safety standards would be followed.

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: This project is located on Tribal property and would be implemented by the Confederated tribes of the Warm Springs Reservation of Oregon.

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 October 14, 2021
Israel Duran, ECF-4 Date
Contract Environmental Protection Specialist
Salient/CRGT