

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Lostine Weir Maintenance- Sediment Removal

Project No.: 1998-007-02

Project Manager: Eric McOmie, EWU-4

Location: Wallowa County, Oregon

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021): B1.3 Routine Maintenance

Description of the Proposed Action: Bonneville Power Administration (BPA) proposes to provide funds to the Nez Perce Tribe of Idaho (NPT) to perform routine maintenance actions for the Grande Ronde Supplementation Operations and Maintenance (O&M) and Monitoring and Evaluation (M&E) on Lostine River in Wallowa County, Oregon. The proposed action would remove sediment built up around the Lostine River weir on the Lostine River. Sediment buildup upstream and downstream of the weir have impeded its functionality, and it is anticipated that after another high flow season the weir would become inoperable and would inhibit safe fish passage over the structure.

All sediment, which has been deposited in the last several years, would be removed from below the Ordinary High Water Mark (OHWM). Sediments would be transported from the river with heavy equipment using a previously constructed graveled access ramp, and either deposited in an onsite sediment stockpile or a previously established offsite commercial stockpile. Instream work areas would be dewatered and isolated during gravel excavation and NPT fish biologists would conduct fish salvage of the work areas prior to dewatering. An existing travel route would be used to access the river and a storage area for equipment and vehicles would be located more than 150 feet from the river.

These actions would support conservation of ESA-listed species considered in the 2020 ESA consultations with both NMFS and USFWS on the O&M of the Columbia River System. These actions also support 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/ Kristina Eilts

Kristina Eilts
Environmental Protection Specialist

Concur:

Katey C. Grange
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: Lostine Weir Maintenance- Sediment Removal

Project Site Description

The project is located at approximately River Mile 0.7 of the Lostine River next to an existing weir structure. The project location is surrounded by pasture meadows used for grazing by ongoing operations of nearby Wolfe Ranch. In the vicinity of the weir, the river channel is approximately 76ft wide with tiered banks, the first of which is situated below the Ordinary High Water Mark (OHWM) and is characterized by herbaceous wetlands dominated by reed canary grass (*Phalaris arundinacea*). On the east bank, where existing trapping facilities are located, the first tier contains a narrow strip (4 to 10 feet wide) of bank dominated by a palustrine emergent wetland community. The second tier forms the top of bank, and contains vast amounts of fill material likely artificially manipulated during clearing for the existing trapping facility. Riparian vegetation has been cleared from much of the east bank, which is covered in gravel to support facilities associated with trapping operations. On the west bank, the lower tier consists of a terrace up to 40-50 feet wide in some locations that contains several small depressions and a small (2-3 feet wide) side channel that traverses the terrace and is apparently connected to the river during high flow events. As with the east bank, the upper tier of the west bank is formed by the top of bank which is vegetated with a deciduous forested community.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No

Explanation: BPA initiated consultation and made a determination of no historic properties affected on November 3, 2022. Consulting parties include the Nez Perce Tribe, the Confederated Tribes of the Umatilla Indian Reservation, and the Oregon State Historic Preservation Office (SHPO). The Oregon SHPO responded on November 16, 2022, assigning the project SHPO Case No. 22-1586. No other responses to consultation were received.

2. Geology and Soils

Potential for Significance: No

Explanation: There would be no substantial effect to the geology or soils of the project area as the proposed action is a minor removal of accumulated gravel and sediment in the waterway, which would be disposed of at an existing storage area. No contamination or changes to surrounding soil or geological structure would occur.

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

Potential for Significance: No

Explanation: There are no ESA or Oregon state-listed plant species in the action area. There would be no effect to plants as the proposed action would take place in the water channel and at a previously disturbed and existing gravel storage area and travel route.

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

Potential for Significance: No

Explanation: No ESA or sensitive wildlife are likely to be present in the action area during the operation, with noise and activity disturbance within the established facilities footprint being temporary and short lived. No changes to existing habitat near the action area is expected to occur. Therefore there would be no impact to wildlife.

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

Potential for Significance: No with Conditions

Explanation: ESA-listed fish species documented in this reach of the Lostine River are: Columbia River bull trout (*Salvelinus confluentus*), spring, summer, and fall run Snake River Chinook salmon (*Oncorhynchus tshawytscha*), and Snake River steelhead (*Oncorhynchus mykiss*). Effects to ESA-listed fish species would be consistent with those described in the 2016 NE Oregon Hatchery Program BiOp (NMFS Consultation Number: WCR-2013-21) and the 2016 NE Oregon NOAA Section 10 Permit BiOp (USFWS Reference: 01EWF00-2015-F-0154). The proposed action would require temporary disturbance of the Lostine channel close to the existing weir structure. Disturbance includes the temporary dewatering of the work area and removal of accumulated gravel and sediment and short travel to and from the weir via a dry gravel bar near the weir. These disturbances, which may result in a short term sediment plume upon rewatering, would be minor and temporary and would not have long term or drastic impacts to the overall condition or quality of the habitat near the weir. Fish salvaged from the work area would have temporary stress associated with handling, but it not anticipated to result in long term effects to handled fish. In the long term, the maintenance would be beneficial to fish species as it would promote improved fish passage conditions.

Notes:

- All BMP's and conditions required for in/near water maintenance actions described in the 2016 NE Oregon Hatchery Program BiOp (NMFS Consultation Number: WCR-2013-21) and the 2016 NE Oregon NOAA Section 10 Permit BiOp (USFWS Reference: 01EWF00-2015-F-0154), are required to be adhered to by the sponsor/contractor.
- The sponsor has submitted an in-water work window extension request as of December 6th, 2022 and would receive an approved extension before any in water work takes place, as well as adhere to any conditions set by the granting agency.
- Isolate work areas, including diverting water around the work area so excavation can occur in relatively dry conditions. Pumps would be used to keep excavation areas dry and water would be pumped to upland areas to avoid turbidity increases. Silt fence, wattles, or the like would be placed so active work areas are isolated from the river.
- Fish would be salvaged from the project work area prior to dewatering.
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6. Wetlands

Potential for Significance: No

Explanation: All work would take place either in-water, on the dry gravel bar, or on existing and previously disturbed surfaces in the work area. No wetlands are within the work area, and

the proposed actions would not impact wetlands in the area/region. Therefore no impacts to wetlands would occur.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: No impacts to groundwater or aquifers would occur from the proposed action.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: The proposed action would not impact the use or operation of the land at or near the action area, therefore there would be no impacts to land use or specially designated areas.

9. Visual Quality

Potential for Significance: No

Explanation: All proposed actions are short term and temporary in nature, the removed gravel and sediment would be disposed of at one of two existing disposal sites, therefore there would be no impacts to visual quality.

10. Air Quality

Potential for Significance: No

Explanation: All proposed actions would be short term and temporary in nature including emissions from any heavy equipment used. Therefore there would be a small, temporary impact to air quality.

11. Noise

Potential for Significance: No

Explanation: All proposed actions would be short term and temporary in nature including noise from any heavy equipment used. Therefore there would be a small, temporary impact to noise at or near the construction area.

12. Human Health and Safety

Potential for Significance: No

Explanation: Due to the isolated location and type of work proposed, there would be no effect to human health or safety from the proposed action.

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 property and its access road easements were acquired by BPA through the 1997 Lostine Fish Facility Easement and Access Road Easements and is contracted with the Nez Perce Tribe for ongoing operations at the Lostine Site. The access road connects to the public road system on Baker Road. Both BPA and Nez Perce are actively working on this upcoming project and therefore no notification is needed.

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

Signed: /s/ Kristina Eilts

Kristina Eilts

Environmental Protection Specialist

January 19, 2023

Date