

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Elk and Big Elk Creeks Beaver Dam Analogs and Riparian Planting Project

Project No.: 2010-086-00

Project Manager: Matthew Schwartz, EWM-4

Location: Idaho County, Idaho

Categorical Exclusion Applied (from 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 Nez Perce Tribe (NPT) to install beaver dam analogs (BDAs) and plant riparian vegetation on privately owned land along Elk and Big Elk creeks to increase stream channel complexity and aid in floodplain reconnection. The project would benefit resident fish and Endangered Species Act (ESA)-listed Chinook salmon (*Oncorhynchus tshawytscha*), steelhead (*O. mykiss*), and bull trout (*Salvelinus confluentus*).

NPT would install up to 20 channel-spanning BDAs on approximately 2,000 feet of Big Elk Creek. Hand tools and a hydraulic post pounder would be used to construct the structures. Posts made of untreated wood would be driven into the streambed approximately 4 feet deep and woven with branches and small woody debris. Post height would be trimmed and leveled to a minimum of 1 foot above bankfull elevation to encourage sheet flow and reduce scouring. The BDA structures would be up to 20 feet long, 1 foot wide, and 3 feet above the channel bed. Vegetation materials for the structures would be locally sourced or gathered onsite.

The NPT would also plant native shrubs and trees from containers (1- to 8-gallon) or live cuttings within the riparian areas along the reaches where the BDAs would be installed, as well as an adjacent meadow and an additional reach (about 1,000 feet) of Elk Creek. A mini excavator with a 1-foot-wide by 2-foot-long auger would be used to drill holes for the plants. Additional cuttings may be planted along the stream banks using a water-jet stinger. All access and staging would be along existing roadways.

Instream work would occur during the in-water work window (July 15 through August 31) and planting work would take place through the fall. Work would occur over several years. Staging for equipment and materials would be in previously disturbed areas adjacent to work areas. All access would be along existing roadways. Following BDA construction and planting efforts, all disturbed areas would be reseeded with native grass seed mix, as needed. Disturbed areas along the riverbanks would be planted with riparian plant forbs after BDA construction. Project areas would be monitored for several years after work is complete. If failures in system function, structure function and integrity, or risks to infrastructure, riverscape processes, or fish passage occur, the project's adaptive management procedures would be implemented. These procedures may include installation of new structures of the same type originally installed,

modification of structures, or replanting and reseeding if the native plant community is slow to establish or there is low survival in restored areas.

Funding the proposed activities fulfills commitments under the 2020 National Marine Fisheries Service Columbia River System Biological Opinion (2020 NMFS CRS BiOp) and the 2020 U.S. Fish and Wildlife Service Columbia River System BiOp (2020 FWS CRS BiOp). These actions also support ongoing efforts to mitigate for effects of the Federal Columbia River Power System 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 1021.102 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; 89 FR 34074, April 30, 2024; 90 FR 29676, July 3, 2025 [Interim Final Rule]) and the current *DOE National Environmental Policy Act (NEPA), Implementing Procedures*, BPA has determined the following:

- 1) The proposed action fits within a class of actions listed in Appendix B of 10 CFR 1021;
- 2) The proposal has not been segmented to meet the definition of a categorical exclusion;
and
- 3) There are no extraordinary circumstances related to the proposed action that may affect the significance of the environmental effects of the proposal (see attached Environmental Evaluation).

Based on these determinations, BPA finds that the proposed action is categorically excluded from further NEPA review.

Jacquelyn Schei
Environmental Protection Specialist

Concur:

Katey C. Grange
NEPA Compliance Officer

Attachment(s): Environmental Evaluation

Categorical Exclusion Environmental Evaluation

This evaluation 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 project areas are within the American River Watershed, about 1 mile north of Elk City in Idaho County, Idaho. The area consists of mountainous terrain and forested vegetation with interspersed grasslands and meadows. The Nez Perce-Clearwater National Forest manages roughly two-thirds of the watershed, while the remainder is privately owned. Elk Creek is a perennial tributary to the American River. Land use activities within the area include rural residential, timber harvest, agriculture, and mining. Historical livestock grazing practices have degraded riparian conditions to the extent that Elk Creek and Big Elk Creek reaches have become incised and are devoid of canopy cover and riparian vegetation.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No with Conditions

Explanation: BPA identified an archaeological site with cultural resources within the area of potential effect and would avoid work within a 10-meter buffer of the site boundaries. Based on this, BPA made a determination of no historic properties affected on May 15, 2024 (BPA Cultural Resources Project Number ID 2024 031). Consulting parties included the Idaho State Historic Preservation Office (SHPO) and the NPT. On June 24, 2024, SHPO concurred with BPA's determination. No other responses were received during the consultation period.

Notes:

- NPT would mark boundaries of avoidance area prior to staging and project implementation.

2. Geology and Soils

Potential for Significance: No

Explanation: There would be temporary impacts to geology and soils from posts being driven into the ground for BDA construction and from augering holes for riparian vegetation planting. Erosion and sediment control best management practices would be implemented prior to work to minimize potential for instream turbidity or excessive runoff during construction. Additionally, NPT would plant or seed with native vegetation in all disturbed areas following work to reduce erosion and retain soil in the area.

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

Potential for Significance: No

Explanation: No ESA-listed or state special-status plant species have been recorded in or near the project areas. There would be temporary impacts to existing vegetation, such as crushing and removal as a result of human trampling and augering for planting. Impacts would be minimized by using existing access routes and planting native vegetation and seeding disturbed areas after construction to help reestablish native plant communities.

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

Potential for Significance: No

Explanation: No ESA-listed or state special-status wildlife species or habitats are within the project site. The USFWS Information for Planning and Conservation (IPaC) tool lists Canada lynx (*Lynx canadensis*), grizzly bear (*Ursus arctos horribilis*), and North American wolverine (*Gulo gulo luscus*), all ESA-listed Threatened, as having the potential to be in the project area. In addition, IPaC lists the monarch butterfly (*Danaus plexippus*), ESA-proposed Threatened, and Suckley's cuckoo bumble bee (*Bombus suckleyi*), ESA-proposed Endangered, as having the potential to be present in the project area. There are no critical habitats for ESA-listed or proposed species in the project area and no confirmed presence of any of the species in the project area. Due to current agricultural land use practices, proximity of residences, and lack of native vegetation and forested areas, it is highly unlikely these species would be present. Therefore, there would be no impact to ESA-listed or proposed wildlife species from the project.

IPaC information indicates that bald eagles (*Haliaeetus leucocephalus*) may be present in or near the project area until late July. There is no confirmed presence of nests or previously used nest sites for eagles in the project area. The project area is in a largely deforested agricultural area with little to no tree canopy. If a nest is observed in the project area, NPT would employ protection measures (e.g., timing, distance) as necessary to ensure eagles would not be harmed as a result of the project. Bald eagles could benefit from the project in the long-term from an increased source of food coming from improved fish and wildlife habitats in the area. Therefore, the project would have no adverse impacts to bald eagles.

No wildlife habitat would be modified to a degree that would permanently displace resident wildlife, though some may be temporarily displaced by disturbance from construction activities and human presence. In the long term, the project would re-establish native, riparian vegetation that would provide more habitat for wildlife than exists now.

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

Potential for Significance: No with Conditions

Explanation: ESA-listed Chinook salmon, steelhead, and bull trout, and their critical habitat are found in the project area, as well as Idaho special-status species westslope cutthroat trout (*Oncorhynchus clarkii lewisi*). The project was reviewed and consulted on under BPA's Habitat Improvement Program ESA Section 7 programmatic consultations (HIP BiOp) and would adhere to all applicable conservation measures, including turbidity monitoring requirements and approved work timing. Instream activities to install posts and construct BDAs would have temporary negative impacts to fish and fish habitat, specifically sediment transport and delivery and displacement of individuals. Some aquatic invertebrates and amphibians may be displaced or killed by mechanical activities, but quick re-occupation of this site by the same or other members of the same classes of animals following construction is anticipated. Ground-disturbing activities, including planting along the stream banks, would increase the risk of erosion and sedimentation during and immediately after proposed activities. This increase would occur during work and would not be expected to last more than several hours. Impacts would be mitigated by the use of erosion control measures throughout project construction.

Overall, the proposed actions would improve long-term conditions by supporting floodplain reconnection and improve instream complexity for fish by reducing fine sediment, increasing access to quality habitat, and providing more riparian cover. The project would obtain a permit issued by the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act prior to any in-water construction activities and would adhere to all requirements, conditions, and prescriptions set forth in the permit.

Notes:

- Prior to in-water construction, IDFG would obtain a Clean Water Act Section 404 permit and Section 401 certification and adhere to all terms and conditions.

6. Wetlands

Potential for Significance: No

Explanation: Elk and Big Elk Creeks are highly incised and lack floodplain interaction necessary to produce riparian wetlands. However, the USFWS National Wetlands Inventory identifies much of the floodplain in the project area as freshwater emergent wetlands. By design, proposed actions would include ground disturbance in these areas for planting native riparian vegetation. The project would obtain a permit issued by the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act and would adhere to all requirements, conditions, and prescriptions set forth in the permit. Restoration activities would support improved wetland and riparian structure and would not have adverse impacts to wetlands in the long term.

Notes:

- Prior to proposed actions in wetlands, NPT would obtain a Clean Water Act Section 404 permit and Section 401 certification and adhere to all terms and conditions.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: No new wells or uses of groundwater are proposed. Restoration activities would result in a local increase in groundwater storage through improved floodplain function.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: No change in land use would occur. No specially designated areas are present.

9. Visual Quality

Potential for Significance: No

Explanation: Short-term changes to the landscape would occur during implementation of proposed activities, such as work zone conditions, work crews, and vehicles. In the long term, BDA structures and riparian plantings would be visually consistent with adjacent vegetation and would not be in a visually sensitive area.

10. Air Quality

Potential for Significance: No

Explanation: There would be minor increases in local air pollution during project activities due to exhaust from vehicles. These effects would be limited in scope and duration and cause no long-term impacts to air quality.

11. Noise

Potential for Significance: No

Explanation: The proposed work would result in a temporary increase in ambient noise. Any noise emitted from crews and equipment would be short-term and temporary during daylight hours and would cease following project completion.

12. Human Health and Safety

Potential for Significance: No

Explanation: The proposed work is not considered hazardous, nor does it result in any health or safety risks to the general public. Operating vehicles and equipment inherently carries potential safety risks to operators, however, staff training and implementing best management practices, such as daily on-site safety precautions, would minimize that risk during construction 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: 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: The project areas are located on private land. NPT has obtained written permission from the landowners to conduct project activities.

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

Signed:

Jacquelyn Schei
Environmental Protection Specialist