

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: BPT Jonesboro Waterline Installation

Project No.: 2000-027-00

Project Manager: Siena Lopez-Johnston

Location: Malheur county, Oregon

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021): B1.3 Routine Maintenance; B1.20 Protection of Cultural Resources, Fish and Wildlife Habitat

Description of the Proposed Action: Bonneville Power Administration (BPA) proposes to fund the Burns Paiute Tribe (BPT) (Sponsor) to complete the installation of an underground water pipeline between a well and a renovated bunkhouse. An inadvertent cultural resources discovery during construction in fall 2018 had previously halted project activities until consultation occurred. The completed project would establish a year-round potable water supply to the bunkhouse, thereby ensuring safer and improved access for BPT staff, and allowing more efficient and comprehensive fish and wildlife habitat restoration throughout 31,781 acres managed by the BPT.

In order to complete the project, the Sponsor would use a directional bore to install a 270-foot-long, 2-inch-diameter underground water pipeline from an existing well north of Highway 20 to a crawl space under a bunkhouse south of the highway. Hand tools would be used to excavate the remaining distance from the head of the bore to the bottom of the crawl space, and to connect the new waterline with the existing interior plumbing at the bunkhouse.

Funding the proposed activities 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. Additionally, the proposed activities are consistent with the Northwest Power and Conservation Council's Fish and Wildlife Program as authorized by the Pacific Northwest Electric Power Planning and Conservation Act.

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/ Zachary Gustafson

Zachary Gustafson

Contract Environmental Protection Specialist

SalientCRGT

Reviewed by:

/s/ Chad Hamel

Chad Hamel

Supervisory Environmental Protection Specialist

Concur:

/s/ Katey C. Grange

October 19, 2020

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: BPT Jonesboro Waterline Installation

Project Site Description

The project area is located at a renovated bunkhouse along Highway 20 east of the town of Juntura in Malheur county, OR. The bunkhouse is situated within 31,781 acres of meadow, wetland, and shrub steppe habitat managed by the BPT within the headwaters and along the mainstem of the Malheur River.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No with Conditions

Explanation: BPA initiated Section 106 consultation on October 04, 2017 with the Burns Paiute Tribe (BPT), Confederated Tribes of the Warm Springs Reservation of Oregon (CTWSRO), Fort McDermitt Paiute-Shoshone Tribe, Shoshone-Paiute Tribes of the Duck Valley Reservation, and the Oregon State Historic Preservation Office (SHPO). BPA determined the project would result in no historic properties affected, and recommended a monitor be present during construction. OR SHPO and BPT concurred with BPA's determination in letters dated October 24 and 29, 2017, respectively.

BPA notified consulting parties on November 18, 2018 of a post-review discovery identified by the monitor during construction activities. BPA determined no work could proceed until the site was tested to determine eligibility for listing in the National Register of Historic Places (NHRP).

Archaeological testing was conducted in June and July 2019 and determined the new site was eligible for listing to the NHRP. In a letter dated November 1, 2019, BPA determined the project would result in an adverse effect to the new site, and proposed to negotiate a Memorandum of Agreement (MOA) with BPT, OR SHPO, and interested tribes to mitigate the adverse effects. All parties signed the MOA on or before October 15, 2020.

Notes:

- In the event of an inadvertent discovery, stop work in the vicinity and immediately notify the BPA environmental lead, a BPA archaeologist, the BPA project manager, interested Tribes, OR SHPO, and the appropriate county, state, and Federal agencies.
- MOA signatories to abide by terms and conditions contained therein.

2. Geology and Soils

Potential for Significance: No

Explanation: Soil disturbance is anticipated from the moving of vehicles and equipment, operation of the direction bore, and excavation beneath the bunkhouse crawlspace.

Notes:

- Implement sediment and erosion control best management practices (BMPs) prior to initiating ground-disturbing activities to prevent erosion and runoff.

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

Potential for Significance: No

Explanation: There are no ESA-listed or special status species or habitats at the project site.

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

Potential for Significance: No

Explanation: The Yellow-billed Cuckoo is listed as Threatened in Malheur County, OR. The Yellow-billed Cuckoo has the potential to occur in the project area due to the presence of suitable habitat along riparian areas. There are no documented sightings or history of prior occurrence for this species at the project site and BPA determined that the project would have no effect on the species. No other ESA-listed or special status species or habitats are present at the project site.

All construction and human activity associated with the project actions could cause temporary, short-term disturbance to, and displacement of, nearby wildlife, but long-term displacement resulting in competition for nearby habitats is unlikely.

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

Potential for Significance: No

Explanation: Bull Trout (Threatened) and their critical habitat are present in the mainstem and tributaries throughout the Upper Malheur River watershed. Lahontan Cutthroat Trout are listed as Threatened in Malheur County, but are not present in the Malheur River. Project actions are not planned to occur in or adjacent to water bodies or floodplains, and have no potential to affect listed fish or their habitat.

Notes:

- Ensure spill containment and cleanup materials are readily available at project sites, staging areas, and in construction vehicles and equipment.

6. Wetlands

Potential for Significance: No

Explanation: Removal, fill, or disturbance of wetlands and native vegetation within wetland areas is not anticipated from activities within the project site.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: No new wells or withdrawal of groundwater are planned for the project areas.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: There would be no changes to land use, and no impact to specially-designated areas.

9. Visual Quality

Potential for Significance: No

Explanation: No visually prominent vegetative, landform, or structural changes would be made.

10. Air Quality

Potential for Significance: No

Explanation: Temporary, short-term impacts from small amounts of dust and vehicle emissions would occur during project actions.

11. Noise

Potential for Significance: No

Explanation: Temporary, intermittent noise from construction activities would occur during daylight hours.

12. Human Health and Safety

Potential for Significance: No

Explanation: Project actions are not anticipated to create conditions that would increase the burden on the local health, safety, and emergency response infrastructure.

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: Project actions proposed by the BPT would be implemented by tribal members, employees, and contractors on property owned and managed by the BPT, and Oregon Department of Transportation (ODOT). The BPT has notified and would coordinate with ODOT prior to and during all project activities.

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

Signed: <u>/s/ Zachary Gustafson</u>	<u>October 19, 2020</u>
Zachary Gustafson, ECF-4	Date
Contract Environmental Protection Specialist	
SalientCRGT	