

# Categorical Exclusion Determination

Bonneville Power Administration  
Department of Energy



**Proposed Action:** Willamette Riverkeeper Vegetation Management

**Project No.:** 2009-012-00

**Project Manager:** Eric Andersen – EWM-4

**Location:** Marion 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:**

The Bonneville Power Administration (BPA) proposes to provide funding to the Willamette Riverkeeper to implement two vegetation management projects in Marion County on land owned by Oregon Parks and Recreation Department (OPRD) and the City of Salem. The projects would occur at Willamette Mission State Park (WMSP) located near river mile 75 on the main stem Willamette River and at Minto Brown Park located near river mile 85 of the Willamette Slough connected to the mainstem Willamette River. The goals of this projects are to protect, manage, and restore habitat values for fish and wildlife by improving habitat complexity, water quality, and reducing fragmentation of suitable refugia for aquatic wildlife.

The work would include the following activities:

- **Aquatic Vegetation Management at Minto Brown Park:**
  - Aquatic removal of invasive weeds using aquatic herbicides by boat and backpack spraying from the shoreline. Removal would focus on Uruguayan water primrose (*Ludwigia hexapetala*). Approximately 34 acres of invasive weeds would be removed in a 76-acre project area. The area would be treated for 3 years.
  
- **Vegetation Management at WMSP:**
  - Upland removal of non-native weeds by hand held herbicide treatment. Removal would focus on reed canarygrass, blackberry, clematis, Scots Broom, and shiny leaf geranium across approximately 205 acres of riparian and adjacent upland forest habitats.
  
  - The vegetation management at both project sites of WMSP and Minto Brown Park would not involve ground disturbance, new construction, nor handling of fish. **\*\*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/ Luca T. De Stefanis

Luca T. De Stefanis - ECF  
Environmental Protection Specialist  
Motus

Approved by:

/s/ Chad Hamel

Chad Hamel  
Supervisory Environmental Protection Specialist

Concur:

/s/ Katey Grange

Katey Grange  
NEPA Compliance Officer

Date: May 26, 2020

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.

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## Project Site Description

The William Mission State Park is managed by the Oregon Parks and Recreation Department (OPRD) and the area to be treated consists of seasonal floodplain forest and riparian forest on mostly flat lands along Willamette River mile 75. The Minto Brown Park is a 1,200-acre city park inside the City of Salem consisting of lush, open, and wooded areas with the area to be treated consisting of wet, flat existing sloughs, and side channels located near river mile 85 of the Willamette Slough. Willamette Slough is hydrologically connected to the mainstem Willamette River. Both project areas are located on the mainstem of the Willamette River and open for public use from walking, hiking, dog walking and bird watching.

## Evaluation of Potential Impacts to Environmental Resources

Environmental Resource Impacts	No Potential for Significance	No Potential for Significance, with Conditions
1. <b>Historic and Cultural Resources</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> There would be no ground disturbing activities, thus the proposed activities would not have the potential to affect historic properties or cultural resources.		
2. <b>Geology and Soils</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> No ground disturbing activities proposed, thus the proposed activities do not have the potential to affect geology and soils.		
3. <b>Plants</b> (including Federal/state special-status species and habitats)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> There are no federal/state special-status plant species in the project area. Non-native vegetation would be disturbed during chemical control, but the project goal of a restored native plant communities would result in a long-term benefit to fish, wildlife and plant communities. There would be no effect to Endangered Species Act (ESA)-listed or sensitive plant species.		
4. <b>Wildlife</b> (including Federal/state special-status species and habitats)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> No ground disturbing or other activity that may affect wildlife or wildlife habitat is proposed. Field crews from 1-3 people walking with backpacks or utilizing similar treatment methodologies from a boat would yield avoidance or minor disturbance through human presence of walking through the woods or carried out from within a boat. There would be no effect to ESA-listed or sensitive wildlife species.		

5. **Water Bodies, Floodplains, and Fish**

(including Federal/state special-status species, ESUs, and habitats)

Explanation: The proposed action would have a minor impact to water bodies, floodplain or fish. Potential temporary degraded water quality in isolated areas resulting from concentrations of chemical contamination through direct spray and spills may occur, but minimization measures specified in the Endangered Species Act (ESA) consultation would minimize the potential for spills. The goal of the work is to improve rearing habitat for upper Willamette River spring chinook salmon through the restoration of native vegetative communities.

BPA determined that the aquatic vegetation removal at Minto Brown Park would be likely to adversely affect ESA-listed Upper Willamette River (UWR) Chinook salmon (*Oncorhynchus tshawytscha*), UWR steelhead (*O. mykiss*) or their designated critical habitats and consulted with the National Marine Fisheries Service (NMFS) under ESA Section 7. NMFS issued a Biological Opinion (WCRO-2019-00622) for the project on 10/25/2019. The Aquatic vegetation removal activities at Minto Brown Park would have no effect on ESA-listed species under US Fish and Wildlife Service's (USFWS) jurisdiction.

Proposed vegetation management at WMSP would use herbicides and adjuvants based on BPA's Habitat Improvement Program (HIP) to remove weeds. Actions would be classified as low risk to species according to the BPA's ESA Section 7 consultation with USFWS and NMFS for BPA's HIP.

All conservation measures and terms and conditions in both consultations would be followed during project implementation.

6. **Wetlands**

Explanation: Herbicide application to remove non-native vegetation would occur within some of the mapped wetlands, but the herbicide applications would result in a long-term net benefit to wetlands through the restoration of native wetland vegetation communities. There would be no excavation and no fill removal in these areas.

7. **Groundwater and Aquifers**

Explanation: The project would not affect groundwater and aquifers. No ground disturbing activities proposed adherence to the ESA consultation conservation measures and terms and conditions would reduce the potential for unintentional spills that could contaminate ground water.

8. **Land Use and Specially-Designated Areas**

Explanation: The project area(s) are owned by OPRD and City of Salem. The project would restore the area to a more natural condition, which is consistent with the OPRD and City of Salem natural resource management plans. Members of the public using the property for hiking and bird watching may have periods of temporary restricted use during vegetation control scheduled activities.

9. **Visual Quality**

Explanation: Some changes in vegetation and the associated visual quality would occur in the immediate project area, but the changes would be returning the area to a more natural state and would be consistent with the visual quality of the surrounding area and or native plant habitat. There would be a long-term improvement in the visual quality of the area due to the restoration of a more native plant and animal habitat condition.

10. **Air Quality**

Explanation: Any increase in emissions from vehicles or spot spraying from backpack sprayers accessing field sites would be very minor and short term.

11. **Noise**

Explanation: All work would be carried out from within existing facilities or the existing field sites and would not result in an increase in ambient noise.

12. **Human Health and Safety**



Explanation: Contracted employees attend herbicide/pesticide recertification workshops to keep their Oregon State Public Operator weed spraying licenses up to date according to Oregon State Law. 12 credit hours per year are required to maintain license. Human health and safety would follow federal guidelines. Appropriate PPE would be worn by all employees across all tasks. Human health and safety conditions would be maintained and or improved by the improvements proposed.

**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, if necessary:

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

Explanation, if necessary:

- 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, if necessary:

- 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, if necessary:

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**Landowner Notification, Involvement, or Coordination**

Description: The areas of the park would be closed for a brief period during herbicide application and signage would be installed prior. Public outreach and education efforts by both the City of Salem and OPRD with Willamette Riverkeeper have negotiated work hours and construction schedule with recreation users. There have been outreach efforts to communicate information on the project benefits and to address concerns.

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

Signed: /s/ Luca T. De Stefanis  
Luca De Stefanis, ECF-4  
Contract Environmental Protection Specialist  
Motus

Date: May 26, 2020