

APPENDIX F: ENVIRONMENTAL ASSESSMENT

CELILO VILLAGE REDEVELOPMENT

ENVIRONMENTAL ASSESSMENT

FINDING OF NO SIGNIFICANT IMPACT
CELILO VILLAGE REDEVELOPMENT
WASCO COUNTY, OREGON

The proposed action is to provide infrastructure and residential redevelopment of Celilo Village in Wasco County, Oregon. The proposed action is to redevelop Celilo Village by removing existing structures and replacing with manufactured housing; adding roads and other needed infrastructure; and relocating the sewage lagoons. The Confederated Tribes of the Umatilla Indian Reservation completed a "Celilo Village Redevelopment Study" that has served as the starting point to make improvements to the Village. The preferred design is based on numerous scoping meetings with the residents of Celilo Village. I have reviewed the Environmental Assessment and determined that the proposed action would not significantly affect the quality of the human environment and that an Environmental Impact Statement is not required.

Date: 14 MAY 03


RICHARD W. HOBERNIGHT
Colonel, EN
Commanding

1. INTRODUCTION

This environmental assessment considers the effects of improving the infrastructure and replacement of substandard residential housing at Celilo Village. Celilo Village consists of approximately 34 acres of land, held in trust for three tribes and the other Columbia River Indians by the United States of America, and is currently under jurisdiction of the Bureau of Indian Affairs. The Village currently supports 14 dwellings and approximately 50 people, all of whom live at or below poverty levels. The primary, if not only, source of subsistence for the residents is derived from the Treaty fishery. The long history of fishing for subsistence and trade at the ancient Celilo Village was severely impacted by the Federal Government with the construction of The Dalles-Celilo Canal, the Bonneville Dam, and the elimination of the Celilo Falls with the completion and filling of The Dalles Dam and reservoir in 1957. As mitigation, authorized under the Flood Control Act of 1950, the Corps of Engineers built the existing Celilo Village. In its current state, the Village lacks adequate sanitary and water systems, which result in public health and safety problems that concern Federal, state and local health officials.

This project was originally part of the Columbia River Treaty Fishing Access Sites Project (CRTFAS) that consists of acquisition, improvement, rehabilitation or transfer of thirty-one sites to the Department of the Interior, Bureau of Indian Affairs (BIA). The authorization is Section 401, Public Law 100-581, Title IV-Columbia River Treaty Fishing Access Sites, signed into law on November 1, 1988. These sites are located in Oregon and Washington on the Bonneville, The Dalles, and John Day pools.

The CRTFAS legislation does not specifically include redevelopment of the Celilo Village site itself as an authorized project; the legislation authorized developing fishing access sites on the Columbia River for the Nez Perce Tribe, Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of the Warm Springs, and Confederated Tribes and Bands of the Yakama Indian Nation.

The current recommended action for project authorization is for the Tribes and Corps to seek the simplest legislative solution, specifically adding Celilo Village as a named site for improvement under Section 401(b)(3) of the CRTFAS legislation.

2. PURPOSE AND NEED FOR ACTION

The purpose and need for this action is to provide infrastructure and residential redevelopment of Celilo Village in Wasco County, Oregon. Public Law 100-581, which authorized CRTFAS and the Flood Control Act of 1950 that authorized mitigation for the construction of The Dalles Project, together, do not provide sufficient authority to redevelop Celilo Village; the Tribes and Corps are currently seeking Congressional authorization to specifically name Celilo Village as a site for improvement.

As required by the National Environmental Policy Act (NEPA) of 1969 and subsequent implementing regulations promulgated by the Council on Environmental Quality, this environmental assessment is prepared to determine whether the action proposed by the

Corps constitutes a “...major Federal action significantly affecting the quality of the human environment...” and whether an environmental impact statement is required.

3. ALTERNATIVE ACTIONS

3.1 Proposed Action – Village Redevelopment

The proposed action is to redevelop Celilo Village by removing existing structures and replacing with manufactured housing; adding roads and other needed infrastructure; and relocating the sewage lagoons. Table 1 shows an estimate of the types and quantities of infrastructure and common area improvements for the Village.

Table 1: Estimated Village Improvements

Sewer System Improvement
Potable Water System Improvement
Replacement Homes (14)
Water Well and Pump house
Restroom and Showers (2)
Fish Cleaning Station (2)
Net Repair Area (2)
Longhouse Repair
Parking Area
Roadway
Drying Shed (2)
Fencing
Irrigation System
Signage
Camp Sites (8 to 12)
Dump Station
Electrical and Telephone Upgrade

The preferred alternative is to replace the current substandard 14 residential units with manufactured homes of sufficient size to accommodate the legal residents of Celilo Village. The current residential homes present health hazards with asbestos and lead-based paint concerns along with substandard plumbing and electrical facilities. The Confederated Tribes of the Umatilla Indian Reservation completed a “Celilo Village Redevelopment Study” that has served as the starting point to make improvements to the Village. The preferred design is based on numerous meetings with the residents, Tribes, and the BIA. The residents were asked to provide their views on what Village improvements were necessary, and how they would be configured.

3.2 No Action

The no action alternative traditionally describes what would happen if the proposed action were not to occur. It is being addressed in the EA as required by Council on Environmental Quality (CEQ) regulations (40 CFR 1502.14) and to provide a baseline against which to measure impacts of the project. Under the No Action alternative, Celilo Village would not be redeveloped. The Village would continue to fall into a state of disrepair and living conditions at the Village would continue to decline. The Corps will not have fully mitigated the effects of the construction of The Dalles Project.

3.3 Other Alternatives Considered

Two other redevelopment alternatives were considered. Both of the alternatives have the same basic elements of Village redevelopment: Replacement housing, improved roads, associated infrastructure, and other improvements such as relocating the sewage lagoons and renovating the Long House. The differences between the alternatives are how the improvements are configured within and around the Village.

4. AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

4.1 Reservoir Water Quality

The Celilo pool backs up behind The Dalles Dam (RM 191.5) at the head of lake Bonneville, 90 miles east of Portland and 3 miles east of The Dalles, Oregon. The Celilo pool is almost 24 miles long, with a shoreline of approximately 55 miles and a pool surface area of 9,400 acres. The states of Washington and Oregon include all of the Columbia River on their 303(d) lists of impaired water bodies for total dissolved gas. The rebuilding of Celilo Village should not impact the water quality in the project area because all work will be upland of the Columbia River.

4.2 Aquatic Species

Fisheries resources in the project area include anadromous salmonids (including 10 species or stocks listed under the Endangered Species Act), wild and hatchery, sturgeon, and several warm water species. The Columbia River is particularly important as a migratory pathway to the upriver spawning and rearing grounds in the upper Columbia and Snake Rivers. Peak movements of juvenile salmonids occur during the months of April, May, June, and July. Since the redevelopment project consists entirely of upland work, there will be no effect on aquatic species in the project area.

4.3 Wildlife

In or near the project area, the representative wildlife species that use the shrub-steppe/upland grassland cover type include sage thrashers, black-tailed jackrabbits, mule deer, badgers, and coyotes. In grassland areas grasshopper sparrows, long-billed curlews, and burrowing owls are commonly found. Where the shrub-steppe/upland grassland is near or adjacent to croplands, ring-necked pheasants are common. Waterfowl will nest in shrub-steppe/upland grasslands where it is adjacent to suitable brood rearing habitat. Game species include ring-necked pheasants, Canada geese, and a variety of ducks.

There are a variety of wildlife species that specifically use the shrub-steppe habitats. Birds that use sagebrush for nesting are sage sparrow (*Amphispiza belli*), sage thrasher (*Oreoscoptes montanus*), and loggerhead shrikes (*Lanius ludovicianus*). Burrowing owls (*Athene cunicularia*), and long-billed curlews (*Numenius americanus*) often nest on the ground within the shrub stands. This habitat community also supports a wide variety of small mammals, reptiles, and insects, as well as upland game bird species. Since the redevelopment project consists of essentially rebuilding the existing Village, any impacts to wildlife should be minimal.

4.4 Endangered Species

A species list from the U.S. Fish and Wildlife Service (USFWS) was obtained that identifies federally listed and proposed endangered and threatened species, candidate species and species of concern that may occur within the area of the Celilo Village residential improvements project. A Biological Assessment has been prepared to address the potential impacts to Endangered Species Act (ESA) listed species resulting from the proposed redevelopment of Celilo Village.

4.5 Cultural Resources

Under section 106 of the National Historic Preservation Act (NHPA), federal agencies are required to take into consideration the affects of their undertakings on historic properties that are included in, or eligible for, the National Register of Historic Places (Register). Consultation regarding cultural resources in the proposed project area with affected Indian tribes and interested parties will continue throughout the compliance process. A cultural resources survey of the Area of Potential Effect will be conducted prior to any land altering activities and the results will be coordinated with the Oregon State Historic Preservation Officer (SHPO) and Tribal Historic Preservation Officer (THPO) as appropriate. It is known from previous studies that locations within the APE contain some cultural resources, and the proximity to the Columbia River and areas of prehistoric and historic occupation makes it probable that there are more present. It is also known that there are human remains located within the APE. Therefore, a Memorandum of Understanding (MOU) covering cultural resources will need to be developed and signed between the U.S. Army Corps of Engineers (USACE), the Bureau of Indian Affairs (BIA), the Oregon SHPO, tribal THPO, and the Advisory Council on Historic Preservation (ACHP). The MOU should contain clauses addressing all cultural resources related matters for the project, including, avoidance of impacts to eligible properties through design changes, principles to be followed in formulating any impact mitigation plans, and inadvertent discovery protocols.

4.6 Recreation

Redevelopment of Celilo Village will have no effect on the current public recreation use in the area. The Village is adjacent to the Celilo Treaty Fishing Access Site, separated from the site by the railroad and interstate highway. The Village and Treaty Fishing Access Site are not public recreation sites; nearby Celilo Park is a popular day-use recreation site open to the general public. Once the improvements to the Village are made, the Celilo Treaty Fishing Access Site might be used even more than it currently is, but the recreation aspect of Celilo Park and the surrounding area will not be impacted.

4.7 Socio-Economics

Currently, the substandard housing and lack of infrastructure does not contribute positively to the socio-economic state of the Village and surrounding area. The socio-economic state of the Village and surrounding area will benefit when the improvements have been made.

4.8 Cumulative Effects

The Celilo Village Redevelopment Project would not contribute significantly to cumulative effects on the environment. The only other projects near the Celilo Village Redevelopment Project are Celilo Park and the Celilo Treaty Fishing Access Site; both of these are Corps of Engineers projects. The replacement housing and associated infrastructure for the Village would essentially replace the existing housing and infrastructure, thereby not contributing negatively to the cumulative impacts on the environment.

5. CONSULTATION REQUIREMENTS

5.1 Federal Statutes

5.1.1 Cultural Resources Acts

A cultural resources investigation will be conducted. The Oregon State Historic Preservation Officer has been contacted regarding literature searches for known sites at Celilo Village. Field investigations will be necessary prior to construction and monitoring will likely be required during construction.

5.1.2 Clean Air Act, As Amended

The proposed project complies with the Clean Air Act, as amended.

5.1.3 Clean Water Act, As Amended

The proposed project complies with the Clean Water Act, as amended.

5.1.4 Endangered Species Act of 1973, As Amended

The Corps prepared a Biological Assessment that evaluates effects of this project to species listed on the Endangered Species List by the U.S. Fish and Wildlife Service. The Corps has determined that the project will have no effect on listed species in the project area. The Biological Assessment has been coordinated with the U.S. Fish and Wildlife Service and National Marine Fisheries Service. Both agencies concurred with the determination.

5.1.5 National Environmental Policy Act (NEPA)

This EA has been prepared pursuant to the requirements of NEPA. No significant impacts have been identified. An environmental impact statement is not required.

5.1.6 Wild and Scenic Rivers Act

The Columbia River is not included on the Wild and Scenic Rivers inventory, according to the National Wild and Scenic Rivers System, December 1, 1992 and its 1998 updates, published by the Department of Interior and the Department of Agriculture, Forest Service. The project is in compliance with the Wild and Scenic Rivers Act.

5.1.7 Migratory Bird Treaty Act

The proposed project would not harm or harass migratory birds.

5.1.8 Fish and Wildlife Coordination Act

A Coordination Act Report performed by the U.S. Fish and Wildlife Service is not required for this project.

5.1.9 Coastal Zone Management Act

The proposed project is outside the coastal zone on the state of Oregon. No effect on the coastal zone is expected.

5.1.10 Marine Protection, Research, and Sanctuaries Act of 1972, as amended:

No marine resources would be affected by the proposed action.

5.1.11 Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Resource Conservation and Recovery Act (RCRA).

The proposed project area will be investigated for hazardous, toxic, and radioactive waste (HTRW). Presence of HTRW will be responded to within the requirements of the law and Bureau of Indian Affairs (BIA) regulations and guidance.

5.1.12 Columbia River Gorge National Scenic Area Act

Land use designation within the Columbia River Gorge National Scenic Area Act for this site is Indian Trust Lands. Section 17(a)(7) of the savings provisions of the act exempts lands held in trust by the Secretary of the Interior and other land acquired by the Corps of Engineers for benefit of Indian Tribes from provisions of the act.

5.2 Executive Orders

5.2.1 Executive Order 11988, Floodplain Management, May 24, 1977

The objective of Executive Order 11988 is to insure that to the best of our ability we avoid any adverse impacts, short and long term, with relation to the occupancy and modification of the base floodplain whenever there is a proposed alternative. This project would not result in or support additional development in the floodplain; therefore the project is in compliance with the Executive Order.

5.2.2 Executive Order 11990, Protection of Wetlands, May 24, 1977

No wetlands will be impacted by this project.

5.3 Executive Memorandums

5.3.1 CEQ Memorandum dated August 11, 1980, Analysis of Impacts on Prime and Unique Agriculture Lands in Implementing NEPA.

No Prime or unique farmland would be impacted by this project.

5.4 State and Local Permits

There are no state and local permits from resource agencies required for this project. Building permits required for the sewage lagoon construction and the Village buildings and infrastructure will be obtained prior to construction.

6. CONSULTATION & COORDINATION

This action will be coordinated with applicable agencies including the Bureau of Indian Affairs, U.S. Fish and Wildlife Service, National Marine Fisheries Service, Environmental Protection Agency, U.S. Forest Service, Oregon Division of State Lands, Oregon Department of Environmental Quality, and the Oregon State Office of Archaeology & Historic Preservation. Additionally, the Environmental Assessment was circulated to interested Federal and State agencies, groups, and the public for review and comment, concurrent with the release of the PAC report. Comments on both the Environmental Assessment and the PAC report were requested from pertinent Federal, State and local agencies; Treaty Tribes; Celilo Village residents; and interested groups and members of the public. Groups contacted included:

- Confederated Tribes of the Umatilla Indian Reservation
- Confederated Tribes of the Warm Springs Reservation
- Confederated Tribes and Bands of the Yakama Indian Reservation
- Nez Perce Tribe
- Mid-Columbia Council of Governments
- Mid-Columbia Housing Agency
- National Marine Fisheries Service
- U.S. Fish and Wildlife Service
- U.S. Forest Service, Columbia River Gorge National Scenic Area
- U.S. Environmental Protection Agency
- U.S. Bureau of Indian Affairs
- Indian Health Service
- The Columbia River Gorge Commission
- Oregon State Historic Preservation Office
- Oregon Division of State Lands
- Oregon Department of Fish and Wildlife
- Oregon State Police
- Wasco County (Oreg.) Board of Commissioners
- Wasco County (Oreg.) Sheriff's Office
- Wasco County (Oreg.) Family Services
- Wasco County (Oreg.) Health Department
- Dufur School District
- Region 9 Educational Services District
- City of The Dalles
- City of The Dalles, Community Planning Department

Several comments were received, and are summarized below.

Indian Health Service. Comment: Are there provisions for identifying adequate and sustained funding to the BIA to ensure improvements are operated and maintained properly through their service life? Response: The Corps will transfer capitalized operations and maintenance funds to the BIA, in accordance with the 23 June 1995 Memorandum of Understanding signed between the Department of the Army and the

Department of the Interior. Additional discussions regarding Village operations and maintenance will take place during governance planning prior to construction. Comment: Indian Health Service should be added as an Advisory & Support Team Member for O&M of water and sewer facilities, and also be included in Planning and Development, Advisory Committees, Site Cleanup and Construction. Response: The Corps will solicit input from Indian Health Services in these areas.

Friends of the Columbia Gorge. Comment: The development is not required to blend in with the surrounding landscape, but Friends requests that the Corps voluntarily comply with the spirit of the Columbia River Gorge National Scenic Area Act to minimize the project's impacts on scenic resources. Response: While developing plans and specification for the project, the Corps will consider measures that may include using landscaping to screen structures from I-84; ensuring structure exteriors are dark, non-reflective, and composed of colors that blend in with the surrounding landscape; and ensuring that outdoor lighting is directed downward, hooded, and shielded.

Mid-Columbia Fire and Rescue Service. Comment: There should be clear addresses on the buildings to aid in emergency rescue service. Response: Addresses clearly readable from the road will be placed on all the replacement housing. Comment: Streets and roadways should be wide enough to allow access for fire apparatus without lengthy dead ends unless turnarounds are provided. Response: The current plan provides for a turnaround in the Village. Comment: Fire hydrants should be located in the Village. Response: The Corps plans to site to fire hydrants at the Village. Comment: Replacement houses should be constructed with fire sprinklers to lessen the chance of catastrophic loss at the Village. Response: The PAC report includes a rebuilt water system, which will alleviate some of the fire concerns at the Village. Including fire sprinklers in the modular homes will be considered during the development of plans and specifications for construction. If this cannot be accomplished, the Corps will consider other methods of providing the houses fire protection.

Confederated Tribes of the Umatilla Indian Reservation. Comment: The Corps needs to place more emphasis on developing a "Management Code" and enforcement framework to sustain improvements and operations at the Village once construction is complete. This work should be done before construction begins. Response: The Corps has altered the PAC report to place more emphasis on developing a governance plan for Celilo Village. Additionally, the Corps proposes to transfer a portion of the capitalized operations and maintenance amount up front to the BIA. The intent is to facilitate completion of governance planning concurrent with design, and prior to construction, of Village improvements.

In addition to the public review and comment on the PAC report and Environmental Assessment, the Corps conducted a public meeting to address Celilo Village redevelopment. Nearly everyone present was in favor of the project. All comments made by agencies and individuals at the meeting are addressed here. The transcript of the meeting is included, as a separately bound appendix to the PAC report.

Ms. Ella Jim. Comment: What will be done about Village healthcare, and who will oversee it? Response: Issues regarding Village healthcare will be addressed by the BIA, Tribes and Wyam Board in the governance plan developed prior to construction. Comment: People were moved fraudulently from communities when the Dalles and Bonneville dams were built. Response: The status of individuals who were moved to locations other than Celilo Village is beyond the scope of the project. Comment: The Residents need technical assistance to move the project forward. Response: A number of groups have come forward to offer assistance on issues such as education and governance. The Corps will pursue relations with these groups and put them into contact with the Residents.

Mr. Donald Ortloff. Comment: Will the longhouse and the dance shed be moved? Response: No. Comment: Who's going to manage the Operation and Maintenance money? Response: The Corps will transfer capitalized operation and maintenance funds to the BIA. The BIA will be responsible for administration of O&M program in accordance with the 23 June 1995 Memorandum of Understanding signed between the Department of the Army and the Department of the Interior.

Chief Leo Alec. Comment: Grant County PUD's construction of homes for the Wanapum Indians could serve as a model for Celilo. Response: The Corps has contacted Grant County PUD regarding their Tribal housing. The two projects present differing histories, legal requirements, and governance issues, which prevent the Grant County PUD housing from being a model for Celilo Village redevelopment. The Corps may attempt to incorporate some elements of the Grant County PUD Tribal housing, however.

Ms. Jean Vercouteren, Region 9 Education Services District. Comment: All houses should have running water, a bathroom, a place to sleep, and a place to cook or eat. Students should have a place to study, and parents should have a place for privacy. Response: All houses will have running water, a bathroom, cooking and eating space. The level of privacy will depend upon number of occupants. Comment: Living conditions have deteriorated and not enough attention is placed on upkeep and maintenance. Response: Conditions have deteriorated. Upkeep and maintenance of infrastructure, housing, and other buildings will be addressed in governance planning prior to construction. Comment: Residents should be involved in governance decisions. Response: The Residents have been included during PAC report development, including governance. They will be involved both informally, and through the Village positions on the Wyam Board. Comment: The maintenance worker should be a villager, a full-time employee, and have a budget to do repairs. Response: The Corps concurs. Comment: Residents need to have jobs. Response: Creating employment opportunities for Residents will be considered during the economic development portion of governance planning. Comment: People currently living at Celilo should be the ones receiving the replacement housing. Response: The BIA, in consultation with the Tribes, the Residents and the Corps, will make residency and heirship determinations based on applicable Federal and state laws.

Mr. Jack Henderson, Dufur School District. Comment: Celilo students are uncomfortable with the appearance of their houses. Response: The replacement housing will address this concern. Comment: The railroad crossing, and its blockage for significant periods of time, is unacceptable. Response: The Corps is exploring several options regarding the railroad-crossing blockage. Possibilities include seeking funding from the Burlington Northern – Santa Fe railroad for constructing an underpass east of the grade crossing, improving the current crossing, and applying to the Coast Guard for a change in the operation of the nearby drawbridge that causes the train backups that block the Village entrance. The Tribes and Residents also have the option of seeking legal enforcement of their superior right of ingress and egress at the Village, which supersedes the railroad’s right to use the crossing. The Corps will continue to coordinate with the Tribes, Oregon Department of Transportation, the Burlington Northern – Santa Fe railway, the Residents, and all other applicable agencies such as the Coast Guard to resolve the issue. Comment: Supporting Celilo students, and maintaining the educational center need to be addressed in the PAC report. Response: The funded Resident maintenance worker position will be responsible for the educational center building upkeep. Providing additional educational materials and resources will be addressed in governance planning.

Ms. Kathy Schwartz, Wasco and Sherman County Public Health Department. Comment: Housing, sanitation, and clean water are the basic elements of public health, and must be provided. Response: The PAC report includes these three elements. Comment: The health department has many services available to the Residents, and desires to be included in any planning. Response: The Corps will include the health department as it proceeds with the project.

Chief Wilbur Slockish Jr. Comment: Quality materials and insulation need to be used in the replacement housing. Response: Quality, new materials and insulation will be used in construction. Comment: Are the other fishing sites promised on the lower river going to be addressed? Response: The provision of fishing sites is addressed under the basic CRTFAS project authorization. Comment: Is the war in Iraq going to impede Celilo Village redevelopment like World War II affected earlier projects? Response: Celilo Village redevelopment, even with Congressional authorization, is subject to national priorities. It is conceivable that the war could impede the project. Comment: Are there going to be Tribal contractors. Response: Tribal contractors will be used for the Celilo Village Redevelopment project, as they have been used for CRTFAS site construction.

Chief Johnny Jackson. Comment: When there’s an Indian housing project, the cheapest materials are always used, and something goes wrong. Response: See response to Chief Wilbur Slockish Jr., above. Comment: Past promises have not been fulfilled, in part because of World War II. Response: See response to Chief Wilbur Slockish, Jr., above.

Ms. Marlene White. Comment: The current homes do not have safe drinking water and are not hooked up to sewage disposal. Response: Both issues are addressed in the PAC report. Comment: Everyone needs to work as a team on the project. Response: The Corps will continue to work with the Residents, the BIA, the Tribes, and all other interested parties on Celilo Village redevelopment. Comment: The Tribes and the

Residents need to take responsibility for operations and maintenance at the Village. Response: The Tribes, Residents, and BIA will share to some extent the responsibility to operate and maintain the Village. Comment: More work has to be done on governance issues such as health and economic development. Response: Governance issues will be addressed prior to construction. Comment: The Residents should be included in resolving inheritance issues and made aware of restrictions. Response: See response to Ms. Jean Vercouteren, above.

Chief Leo Alec. Comment: Grant County PUD built homes for Indians by Priest Rapids Dam in cooperation with them, and provided jobs and electricity. Response: Celilo Village residents have been involved in the development of the PAC report from the beginning and will continue to be so. The PAC report suggests that a Resident be employed as the Village maintenance worker. Further job opportunities and economic development will be addressed during the governance discussions prior to construction.

Mr. Alan Crawford, reading a letter on behalf of the Confederated Tribes of the Umatilla Indian Reservation. Comment: The Corps needs to continue to assist with development of organizational structure, management tools, and financing to sustain the long-term maintenance, operation, and economic viability of the Village. Response: The Corps will continue to be involved in governance discussions prior to construction. The Corps will transfer capitalized operations and maintenance funds to the BIA in accordance with the 23 June 1995 Memorandum of Understanding signed between the Department of the Army and the Department of the Interior, that will be used to address governance issues.

Ms. Anna Wahtomy. Comment: House “D” at Celilo Village was not “abandoned,” and there are several people on the Warm Springs list of Village residents and heirs that should not be. Response: See response to Ms. Jean Vercouteren above.

Mr. Bobby Begay. Comment: The plan should allow Celilo Village to grow over time. Response: The PAC report only addresses the replacement of the fourteen original homes. The construction of any additional housing could be addressed through BIA, HUD, or Tribal housing programs, though there is limited space available at the site.

Ms. Cecilia Wesley. Comment: There is black mold in the houses, causing health problems. Response: The houses will be completely demolished and disposed of off-site, removing the threat of exposure to contaminants. Comment: There are problems with the bathrooms: the toilets won’t flush and the shower water smells. Response: Quality, new sewage and water systems, with appropriate fixtures and hardware will be constructed, removing these concerns. Comment: The project should happen soon, before all the elders pass on. Response: If Congress authorizes the project, construction would likely begin one and a half to two years later. Comment: Decisionmakers should approach the Residents directly regarding decisions that affect them. Response: See response to Ms. Jean Vercouteren, above. Comment: Neither the dams nor employers in the Dalles hire Native Americans. Response: These issues are beyond the scope of the project. Comment: Some of the electrical boxes shock people. Response: Quality, new electrical systems will be constructed in the Village, removing this problem.

Mr. Randy Settler. Comment: Will the status of Celilo land change as a result of the PAC report? Response: No. Comment: Has the PAC report been authorized? Response: No. Comment: Redevelopment of Celilo Village should be included in the Senate Committee on Indian Affairs' technical amendments bill. Response: Congressional staff have stated that the Celilo Village Redevelopment Project's inclusion in the Senate Committee on Indian Affairs technical amendments bill is likely. Comment: If congressional authorization is secured in June, how long will it take to design and construct the facilities? Response: Design would likely begin late this year, with construction in the year afterward. It would take about a year and a half to two and a half years for the whole process, subject to funding. Comment: Governance issues could be ironed out faster if Tribal residents or Tribal community members or Tribal representatives actively participated in the process. Response: All three groups have been and will continue to be invited to participate in developing a governance plan.

Ms. Bernice R. Mitchell. Comment: The people at Celilo need good water. Response: See response to Ms. Marlene White, above.

Ms. Aleta Sohappy. Comment: More dry sheds should be built along the river with different construction, especially with tables, running water and fans. Response: The PAC report includes dry sheds, and designs will be chosen in consultation with the Tribes and the Residents. The construction of additional dry sheds along the river is beyond the scope of this project. Comment: There should be water purification plans put up and down the river. Response: The placement of purification plans up and down the Columbia is beyond the scope of this project.

Ms. Karen Jim Whitford. Comment: The trains sometimes block emergency medical care from getting to the Village. Response: See response Mr. Jack Henderson, above. Comment: The Tribes need to contact the Residents physically, in person, before making decisions about voter and position eligibility for the Wyam Board. Response: the Corps agrees that the Tribes should actively engage the Residents in making voter and position eligibility determination regarding the Wyam Board. Comment: The Residents asked that temporary pads for seasonal residents not be included in the redevelopment plan, due to noise pollution, health hazards, and security concerns. Response: The Corps understands the Residents' position, but included the temporary pads because the Treaty Tribes have a legal right to reside on the site during fishing seasons. Comment: A cultural committee including Residents and Village elders should be created to deal with archaeological discoveries. Response: The Corps will develop and sign a Memorandum of Understanding (MOU) covering cultural resources with the BIA, the Oregon State Historic Preservation Officer (SHPO), the Tribal Historic Preservation Officer (THPO), and the Advisory Council on Historic Preservation (ACHP). The MOU will contain clauses addressing all cultural resources related matters for the project, including, avoidance of impacts to eligible properties through design changes, principles to be followed in formulating any impact mitigation plans, and inadvertent discovery protocols. The Residents will be invited to participate in matters regarding cultural artifacts at the site, and will have the opportunity to provide input in how discovered artifacts should be

dealt with. Comment: Stanley Speaks should attend meetings at Celilo Village. Response: The Corps supports participation by all levels of the BIA in the Celilo Village Redevelopment project. Comment: There were monies available from Dalles Dam negotiations, but none of it came to the Villagers. Response: This is beyond the scope of the project. Comment: More land should be involved in the project, including Celilo Park. Response: The Corps does not plan to purchase any additional lands for the project to site additional housing beyond the fourteen replacement houses. The Celilo Park will not be included in the project.

Ms. Yvonne Colefax. Comment: If a family has honored an occupancy permit, and the BIA has not, can the Residents take legal action against the BIA? Response: This is beyond the scope of the project. Comment: Can heirs receive a house outside of Celilo? Response: Housing heirship and relocation benefits decisions will be determined prior to the beginning of construction. Comment: The BIA is pushing responsibility for Celilo upon the Corps. Response: The Federal government has a trust responsibility for Celilo Village. The BIA and the Corps will work together to meet this responsibility and redevelop the Village.

Ms. Delilah Begay Heemsah. Comment: Problems with the railroad crossing need to be addressed. Response: See response to Mr. Jack Henderson, above.

Ms. Susan Hess. Comment: What can be done to help authorization happen? Response: Express views to the Northwest Congressional Delegation, through letters to Senator Gordon Smith, on the Senate Committee on Indian Affairs.

Ms. Jean Vercouteren. Comment: Is the money there because it's already been appropriated? Response: No. There is currently a cost estimate for an authorized project built into the Office of Management and Budget's multi-year program. If Celilo Village redevelopment is authorized, the Corps will make adjustments in its annual budget submissions to address dollars for Celilo redevelopment. Comment: There is no additional money available? Response: No funding is available now. If the project is authorized by Congress, the Corps will submit budget requests to support the project. As with any work, future appropriations will be required.

Mr. Alan Slickpoo, Jr. Comment: Has the Corps been meeting with the railroad about the present safety issue at Celilo. Response: See the response to Mr. Jack Henderson, above.

Wasco-Sherman Public Health Department. Comment: Will the 12 campsites the PAC report proposes be enough? Response: The PAC report proposes campsites in recognition of the Treaty Tribes' right to temporarily reside at the site during fishing seasons. The number of campsites is constrained by the property available at the site. Comment: How will the Corps provide a 30-minute disinfection contact time for ground water? Response: The well water is now being disinfected using a chlorinator and the chlorine residual is maintained in the range of 1.5 to 2.0 mg/L. All upgrades to the system will meet all Federal, State and local codes. Comment: Will a reservoir be used in the water system? Response: There will be a new water storage (enclosed) reservoir near

where the old one was on the cliff behind the Village. Comment: Will the proposed sewage lagoons be located over the former solid waste site, and if so, will the solid waste be relocated onsite or taken offsite to a DEQ permitted landfill? Response: The proposed sewage lagoons will be located over the former solid waste site, and any solid waste at the site will be taken to a DEQ permitted landfill. Comment: Cultural items in the soil cover could be affected if waste is taken offsite. Response: The Corps will develop and sign a Memorandum of Understanding (MOU) covering cultural resources with the BIA, Oregon State Historic Preservation Officer, Tribal Historic Preservation Officer, and the Advisory Council on Historic Preservation. The MOU will address this issue.

Ms. Anne Berblinger, U.S. Department of Commerce, Economic Development Administration. Comment: Workshops are necessary to insure that the community and Wyam Board members understand the outcome of the redevelopment process. Response: It is essential that the Residents and Wyam Board members understand their roles and responsibilities in the redevelopment of Celilo. Comment: A governance structure is an essential first step, which can be followed by determining responsibilities for utilities, law enforcement, land-use regulation, emergency services, and all the other functions of local government, as well as a community economic development plan including a detailed one-two year economic development work program. Response: Creating a governance structure for the Village is an essential first step, which will enable the delegation and assignment of responsibilities.

Mr. Hector Valdepena, Burlington Northern Santa Fe Railway. Comment: A grade separation, involving the construction of an underpass east of the grade crossing will eliminate the risk of the grade crossing at Celilo Village Road. Response: Constructing an underpass east of the grade crossing, rather than improving the current crossing, is a feasible, yet costly, solution for eliminating the risk. The Corps proposes to improve the at-grade crossing and recommends that BNSF works to minimize or reduce trains stopping and blocking the railroad crossing for extended periods of time.

Mr. Sanders George. Comment: The water pumps should be stronger, and the fire hydrants should have more pressure. Response: The PAC report calls for a completely rebuilt water system at the Village, which will insure higher water pressure throughout the system. Comment: People drive too fast through the Village. Response: Village regulations and law enforcement will be addressed in governance planning prior to construction. Comment: There should be routes to the 2 hilltop cemeteries. Response: This is beyond the scope of the project. Comment: Raymond Slockish should be a representative on the Wyam Board, with Sanders George as another representative. Response: The Tribes and the BIA, in consultation with the Residents, have formulated procedures for voter eligibility and elections. The two Residents who will be members of the reconstituted Wyam Board have been elected through this process.

**WASCO - SHERMAN
PUBLIC HEALTH DEPARTMENT**

TEL: (541) 296-4636 • FAX: (541) 296-4697
419 E. SEVENTH ST., ROOM 100
THE DALLES, OR 97058-2676

March 6, 2003

George Miller
Project Manager
US Army Corps
P.O. Box 2946
Portland, OR 97208-2946

Dear Mr. Miller:

This letter is in regards to the Celilo Village redevelopment project and represents written comment. The questions and general information are as follows:

1. The draft plan stated the 10 to 12 campsites to be developed would accommodate the "large seasonal increase from treaty fisherman" (page 26). Will 12 campsites be enough? Are the sanitary facilities large enough to handle this large seasonal increase? History has it that if there are not enough campsites, then multiple camps at individual campsites will occur.
2. Page 27 of the draft plan states that there is a lack of contact time for drinking water disinfection. How will the Corps provide a 30 minute disinfection contact time for ground water? Will a reservoir be used in the water system?
3. Celilo Village had a solid waste open dump in the 1980s at the east end of the current sewage lagoon. In the late 1980s this dump was buried with fill. The new location of the proposed sewage lagoons appears to be located over this solid waste site. Will the solid waste be relocated onsite or taken offsite to a DEQ permitted landfill? Cultural items in the soil cover could be affected if waste is taken offsite. This, of course, is just an observation.

If you have any questions, please call me at 541-296-4636, extension 310.

Sincerely,



Glenn Pierce, RS
Environmental Health Specialist

cp



CONFEDERATED TRIBES
of the
Umatilla Indian Reservation

P.O. Box 638
PENDLETON, OREGON 97801
Phone: (541) 276-3099
Fax: (541) 278-5393



July 22, 2002

Mr. George Miller, Project Manager
Celilo Redevelopment Project
USACOE / Portland District
PO BOX 2946
Portland, OR 97208-2946

RE: Celilo Village Redevelopment Post Authorization Change report

Dear George:

Find attached a marked up copy of the report that contains my comments. In general you will find my comments focus on the lack of emphasis on Corps development of a "Management Code" and enforcement framework to sustain improvements and operations at the Village once construction has been completed. This task must be the most important element of the Corps work program and be adequately supported by Corps resources and commitment to assure history does not repeat itself at Celilo. This is not to suggest the Corps actually manage the Village and enforce regulations but to incorporate in the Village's redevelopment process preparation of documents that can be adopted and administered by the responsible entities and programs.

Since no single entity will likely have regulatory or program authority over all aspects of the Village and some of the operating functions may not even be created yet, the Corps funded management planning process will serve to provide a coordinated approach to product development. In practical terms neither the BIA nor the Tribes have the resources, horsepower or initiative to get the job done. In fact since this code preparation work is typically the function of a municipal corporation, the Corps may want to contract out for services as with other specialized elements of the redevelopment. I have attached for your consideration and edification general statements about the substance of this work and the process, time and budget involved in completing such a task.

TREATY JUNE 9, 1855 ♦ CAYUSE, UMATILLA AND WALLA WALLA TRIBES

The real key to getting this done in a timely manner will be to get started now so it will be completed prior to the start of construction. Delaying construction until completion and agreement on the Management Code is considered essential to diligent and productive resolution of issues and completion of the work.

I look forward to discussing my comments at your earliest convenience and I can be reached at 541-966-2599 or by e-mail at jimbeard@ctuir.com.

Sincerely,



Jim Beard, AICP
Comprehensive Planning Manager

Pc letter only
Alvina Huesties, Wy-Am Board Member
Phil Sanchez, Superintendent Umatilla Agency
Louie Pitt, Governmental Affairs Director
Christine Ganuelas, YIN

enclosures

MID-COLUMBIA

FIRE &
RESCUE



FIRE CHIEF Joe Richardson
1400 West Eighth Street
The Dalles, Oregon 97058
541-296-9445 • Fax: 541-296-8656

February 14, 2003

George Miller, Project Manager
Portland District, Army Corps of Engineers
P.O. Box 2946
Portland, Oregon 97208-2946

Dear Mr. Miller,

I regret that I am unable to attend the meeting at the Discovery Center on February 28, 2003 regarding Celilo Village redevelopment. The Mid-Columbia Fire & Rescue (MCF&R) provides fire protection for the village per an existing contract, and as Fire Marshal I have been asked to submit my thoughts regarding this project.

Celilo Village is located outside of the boundaries of the MCF&R jurisdiction, and we will not address any fire code issues that would otherwise be in effect. We will however, be happy to address fire and life safety issues and concerns as we are the emergency response agency directly involved. Please understand that our concerns regarding these issues are recommendations only, based on standards of good practice, they should in no way be perceived as requirements.

The two primary concerns that the MCF&R has for the village are an appropriate address system and an adequate water supply for fire protection. Any systematic addressing that provides for proper identification that is clearly visible from the street, can greatly reduce response time and thus increase survival rates. Streets and roadways should also be wide enough to allow access for fire apparatus without lengthy dead ends unless turnarounds or hammer heads are provided.

Fire hydrants can be located at nominal costs during the construction of the water supply systems. Required fire flow is dependant upon the type of building construction, the size of the structures, and the proximity of exposures. Within the MCF&R, we utilize Appendix III-A of the Oregon Uniform Fire Code (OUFC). This standard is optimal, but any increase in the availability of water for fire protection, over that already existing, is a benefit. I would recommend a system that allows for fire hydrants capable of delivering a minimum of 500 gallons per minute to be located within 500 feet of every single-family-dwelling. Fire flow needs for larger structures are certainly increased, and additional water supply requirements should therefore be considered during planning.

A final point that should be considered for this project is the installation of residential fire sprinkler systems. The response time for the MCF&R to a reported structure fire in Celilo Village greatly reduces the probability of saving much of the structure. Residential fire sprinkler systems have made a tremendous impact on new developments where they were installed. Current data indicates that these systems not only save lives, they reduce property loss due to fire by 92%. These systems have also been shown to reduce water supply needs, fire insurance costs, and markedly reduce the

environmental damage due to run-off. Many plumbers advise that these systems can be added for about \$1.00 per square foot if installed during initial construction. The only negative aspect of these systems that I am aware of, aside from the initial cost, is that they may not be suitable for use in buildings that are left unoccupied and unheated for extended periods during the winter.

Please feel free to contact me with any additional concerns, or if I can be of service in providing specific information.

Sincerely,

A handwritten signature in cursive script that reads "Stuart Z. Nagel". The signature is written in dark ink and is positioned below the word "Sincerely,".

Stu Nagel, Fire Marshal

BNSF



HECTOR VALDEPEÑA

Manager Public Projects

The Burlington Northern
and Santa Fe Railway Company

740 E. CARNEGIE DR.
SAN BERNARDINO, CA 92408

Office: 909-386-4472
Cell: 909-226-2799
Fax: 909-386-4479
E-mail hector.valdepena@bnsf.com

File No. 066702E

March 18, 2003

Jeremy Weber

Project Manager
US Army Corps of Engineers
333 S. W. First Avenue
Portland, OR 97204-3495

RE: Celilo Village Redevelopment

Dear Mr. Weber:

The Burlington Northern Santa Fe Railway has reviewed the Celilo Village Redevelopment Plan. We also reviewed the proposed upgrades of gates and flashers at the grade crossing of Celilo Village Road and BNSF main track, milepost 1.80, Dot #066702E, ODOT # 28T-001.80.

BNSF also attended the public hearing on February 28, 2003 at the Discovery Center. After listening to the concerns of the Celilo Village community with regards to the grade crossing being blocked by trains and BNSF projections of increased train traffic, BNSF believes the best solution is a grade separation.

Craig Reiley (ODOT Mgr. Rail Division) and I reviewed the location of the existing grade crossing. We both agree that it is possible to construct an underpass east of the grade crossing. I asked BNSF Structures Supervisor to provide an estimate of cost for a BNSF standard bridge that will accommodate two twelve foot roadway lanes. BNSF Structures designed a bridge (attached) that can be constructed for approximately \$760,000. The roadway grading and paving will have to be completed by others.

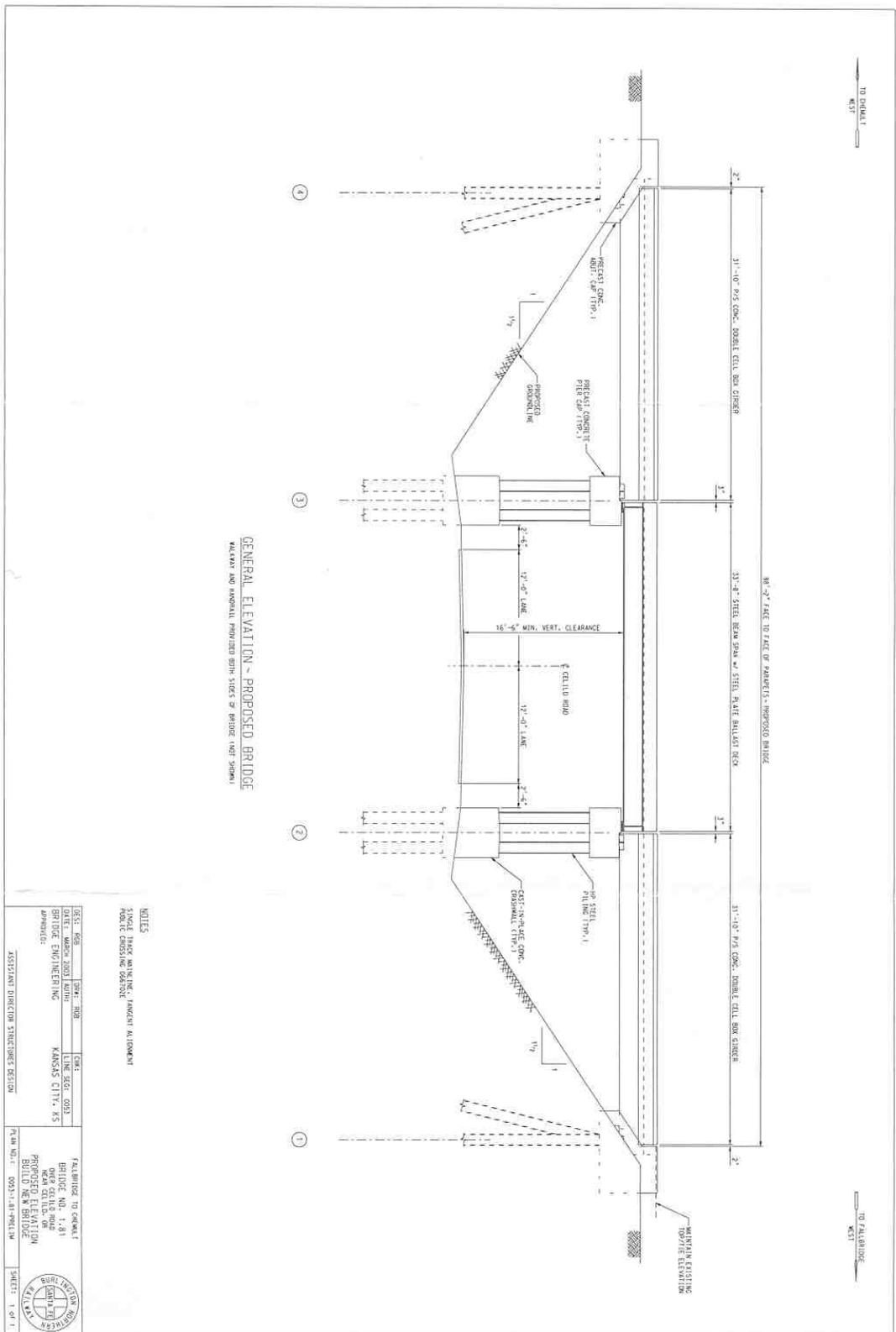
BNSF is asking the USACE to consider funding the underpass and eliminate the risk of the grade crossing at Celilo Village Road. If you have any questions or I may be of any assistance please telephone me. I look forward to hearing from you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Hector Valdepeña", with a long horizontal flourish extending to the right.

Hector Valdepeña

Cc: Craig Reiley; ODOT Rail Division



GENERAL ELEVATION - PROPOSED BRIDGE
 WALKWAY AND HANDRAIL PROVIDED BOTH SIDES OF BRIDGE (NOT SHOWN)

NOTES:
 1. BRIDGE SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE KANSAS BRIDGE DESIGN SPECIFICATIONS.

DESIGNER	DATE	PROJECT	SCALE
BRIDGE ENGINEERING	1/21/2023	PROPOSED BRIDGE	AS SHOWN
APPROVED:		KANSAS CITY, KS	
ASSISTANT DIRECTOR STRUCTURES SECTION		FALSBURGH TO OGDEN	
		BRIDGE NO. 1.81	
		NEAR OGDEN, MO	
		PROPOSED ELEVATION	
		PROJECT NO. 2023-131	
		PLAN NO. 2023-131-01	
		SHEET 1 OF 1	

Weber, Jeremy J NWP

From: Anne Berblinger [aberblin@OregonVOS.net]
Sent: Friday, April 04, 2003 2:41 PM
To: Jeremy Weber; AlvinaHuestes@ctuir.com; Jimbeard@ctuir.com
Subject: Celilo Village Economic Adjustment and Governance Strategy

I appreciate being brought up to speed on the thinking that has already taken place on the governance at Celilo. I have had a chance to look at the draft from last year. It is very inclusive and represents some good thinking.

I would like to suggest some minor adjustments in the proposed scope of work.

It seems to me that the very first step should be a short series of workshops which would result in a clear understanding on the part of the community and the Wy-Am board members of what the outcome of this process will be: a vision of a vibrant and functional community where governance responsibilities, resources, and authorities are properly structured, and where the residents are economically self-sufficient and contributing to the regional economy.

Second, adoption of a governance structure, and consensus on about what kind of an entity or group of entities it (they) should be. This is the crucial step that will give the rest of the process legitimacy.

Once this had been accomplished, the "governance entity" or "governance team" would take the lead responsibility for the balance of the process.

Then, the nuts and bolts of who is responsible for the utilities, law enforcement, land-use regulation, emergency services, and all the other functions of local government, and well as a community economic development plan including a detailed one-two year economic development work program.

From: Craney, Patrick W. [mailto:pcraney@pao.Portland.ihs.gov]
<mailto:[mailto:pcraney@pao.Portland.ihs.gov]>
Sent: Wednesday, July 31, 2002 2:46 PM
To: 'davis.g.moriuchi@usace.army.mil'
Cc: Titensor, Kelly R.
Subject: Celilo Vilage Redevelopment PAC - COMMENTS

A number of Indian Health Service, Portland Area Staff have reviewed the PAC and their comments are summarized in the following:

The O&M recommendations are good, but very brief. Are there provisions for or identifying adequate and sustained funding to the BIA to ensure improvements are operated and maintained properly through the service life of them? IHS struggles daily with the provision of sustained O&M for the facilities provided. The O&M situation is exacerbated at Celilo with multiple tribal interests and remoteness of the site. For these reasons, identifying a long-term O&M management plan is critical for this project to be successful.

Table A-2 Construction estimates exceed IHS provided costs which is conservative.

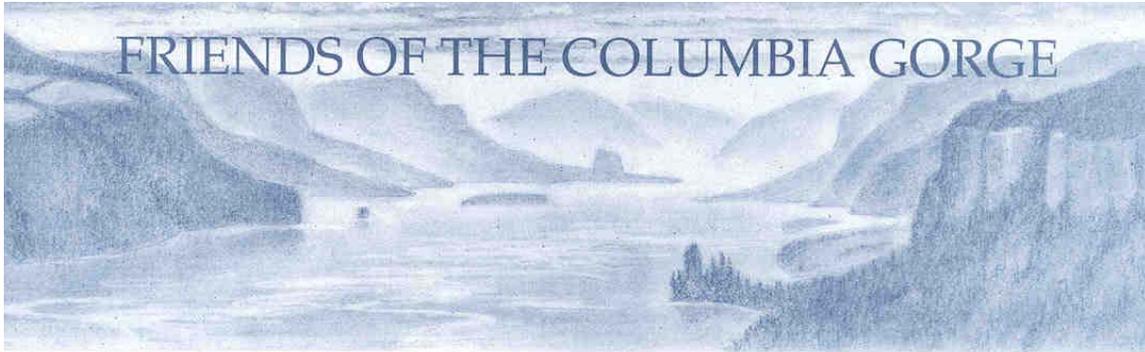
Tables D1-D3

At a minimum, IHS should be added as an Advisory & Support Team Member for O&M of water and sewer facilities. Other categories for consideration of IHS inclusion are: Planning and Development, Advisory Committees, Site Cleanup and Construction.

Thank you for the opportunity to comment upon the PAC and we look forward to a positive result of the PAC request. Do you have an estimated date when a decision will be made on the request?

Patrick Craney, PE
Indian Health Service
Sanitation Facilities Construction

Ph 503.326.3122



October 22, 2002

George Miller
District Engineer
U.S. Army Corps of Engineers, Portland District
P.O. Box 2946
Portland, OR 97208-2946

Re: U.S. Army Corps of Engineer's Celilo Village Redevelopment Plan

Dear Mr. Miller:

Friends of the Columbia Gorge has reviewed and would like to comment on the Celilo Village Redevelopment Plan. Friends is a non-profit organization with members in more than 3,000 households dedicated to protecting and enhancing the resources of the Columbia River Gorge through the effective implementation of the Columbia River Gorge National Scenic Area Act. Our membership includes hundreds of citizens who reside in the six counties within the Columbia River Gorge National Scenic Area.

The Corps correctly points out in the Draft Environmental Assessment that the tribal trust land is exempt from regulation under the Columbia River Gorge National Scenic Area Act. Therefore, the Corps's development proposal is not required to blend in with the surrounding landscape. Nevertheless, Friends respectfully requests that the Corps voluntarily comply with the spirit of the Act. Measures the Corps should take to minimize project's impacts on scenic resources include using landscaping to screen structures from Interstate 84; ensuring that the exteriors of structures are dark, non-reflective, and composed of colors that blend in with the surrounding landscape; and ensuring that outdoor lighting is directed downward, hooded, and shielded. If the Corps implements these measures, the proposal will likely protect the scenic resources of the National Scenic Area.

Thank you for providing Friends with this opportunity to comment.

Sincerely,

Glenn Fullilove
Land Use Legal Assistant



Oregon

Theodore R. Kulongoski, Governor

Department of Transportation

Rail Division
555-13th Street NE-Suite 3
Salem, OR 97301-4179
Telephone 503-986-4321
FAX 503-986-3183
TTY 503-986-3416

March 14, 2003

JEREMY J WEBER
USACE
PO BOX 2946
PORTLAND OR 97208-2946

File Code:

RE: Celilo Village Redevelopment (Crossing No. 28T-001.80)

The Oregon Department of Transportation, Rail Division, supports the concept of constructing a separated crossing (underpass) from I-84 into the Celilo Village area. During the Celilo Village Redevelopment Public Meeting on February 23, 2003, a school district representative stated that a school bus had been delayed at the current crossing by a train stopped on the crossing. Without specifics about the incident (date, time, etc.), we can only speculate that the train must have been delayed waiting for the drawbridge over the Columbia River. Rail traffic is increasing, so we expect to see more rail traffic in the Celilo Village area and hence, a greater potential for blockage of the grade crossing caused by the train delays.

Hector Valdepena, Burlington Northern Santa Fe Railroad and I had an opportunity to review the Celilo Village area prior to the meeting. We both agree that by relocating the existing crossing easterly, an underpass could be constructed. The potential site for the new underpass would be at the I-84 interchange. Vehicle traffic could exit I-84 and proceed southerly into the Celilo Village area. If the underpass were to be constructed, we would expect the existing at-grade crossing to be closed.

Again, the ODOT Rail Division supports the conceptual idea to construct an underpass and eliminate the at-grade crossing to the Celilo Village. With the proposed redevelopment, the village would likely see a substantial increase in traffic. The current at-grade crossing is not adequate to accommodate the potential increase in use. The installation of automatic warning devices, while helpful, would not address the access issue if a train is delayed and blocking the crossing.

If you have any questions regarding our position in this matter, please call.

Craig J. Reiley
Manager
Crossing Safety
503.986.4273 Fax: 503.986.3183
craig.j.reiley@state.or.us

cc: Hector Valdepena, BNSF
28T-001.80
h:\wg_rail\cjr\Celilo Village 28T-1.80.doc

FAX TRANSMITTAL

of pages 1

To: <i>Jeremy</i>	From: <i>Leona Hatcher</i>
Dist Agency: <i>BIA NE</i>	Phone #: <i>572-2874</i>
Fax #: <i>503-808-4736</i>	FAX #



IN REPLY REFER TO:
Northwest Regional Director

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Northwest Regional Office
911 NE 11th Avenue
Portland, Oregon 97232-4169

MAY 23 2003

Colonel Richard W. Hobernicht
District Engineer
United States Army Corps of Engineers
Post Office Box 294
Portland, Oregon 97208-2946

Dear Colonel Hobernicht:

We have reviewed the May 2002 Draft Celilo Village Redevelopment Plan, Post Authorization Change report. The Bureau of Indian Affairs supports the Celilo village redevelopment, and the recommendations of the FAC report in general. We will continue to coordinate and work with the Corps of Engineers, Treaty Tribes, Celilo Village residents and other interested groups in the anticipation that this worthy project will be approved and implemented in a way that provides both the necessary housing, and support to non-resident treaty fishers who seasonally require access and camping facilities provided under P.L. 100-581's Columbia River Treaty Fishing Access Site project. This project should be a good step towards mitigation due from the effects of Bonneville and The Dalles Dam inundations.

Should you need additional information call Charles James, (503) 231-6229.

Sincerely,

Northwest Regional Director

CELILO VILLAGE REDEVELOPMENT PROJECT

BIOLOGICAL ASSESSMENT

March 18, 2002

LOCATION

Celilo Village is located at River Mile (RM) 201 to 202 on the Columbia River about 14 miles east of The Dalles, Wasco County, Oregon. The site is immediately adjacent to the Celilo Treaty Fishing Access Site on the south shore of the Columbia River, separated from the site only by the railroad and U.S. interstate highway I-84. Celilo Village resides in the NE corner of Township 2 North, Range 15 East. Rock and other material for road surfacing will be obtained from established quarries or commercial stockpiles nearby: either owned by the Corps of Engineers (Corps), by the Oregon Department of Transportation (ODOT), or private.

INTRODUCTION

The goal of the project is to provide adequate living conditions for the residents of Celilo Village whose families were relocated to the current upland site as consequence of Federal construction of the Dalles dam on the Columbia River. Celilo Village consists of approximately 34 acres of land, held in trust under jurisdiction of the Bureau of Indian Affairs for three tribes and other Columbia River Indians who utilize the site for traditional fishing. Celilo Village currently supports 13 dwellings and approximately 50 people who live at or below the poverty level. The primary source of subsistence for the residents is derived from the Treaty fishery. Celilo Village supports a large seasonal increase in use by Treaty fishers during each spring and fall fishing season. The Corps of Engineers built the existing Celilo Village between 1948 and 1955. In its current state the Village lacks adequate sanitary and water systems, resulting in public health and safety problems which are of concern to Federal, state and local health officials.

The Facility Maintenance staff of Confederated Tribes of the Umatilla Indian Reservation thoroughly inspected the 13 residential structures and concluded that all except two newer modular dwellings should be removed and replaced. There are 8 privately owned dwellings and 5 federally owned facilities currently occupied. There are 2 privately owned dwellings and 2 federally owned facilities that are uninhabitable and consequently have been abandoned. The residences presented health hazards with substandard electrical, many testing positive for asbestos and lead paint, and some without water or sewer service due to substandard plumbing. The community facilities were also in major disrepair. The Longhouse has structural damage, electrical system problems, and no smoke alarms, sprinkler systems, or restroom facilities. The Indian Health Service (HIS) completed a needs assessment of the water and sewer facilities in October 1997. HIS concluded that there is no storage system for fire protection or contact time for chlorine disinfecting of well water, and inadequate metering. HIS also found problems with the

gravity collection sewer system, lift station and force main, and two-cell lagoon. Other problems exist with the roads and railroad crossing, sanitation with stacks of garbage in several locations, and no parks or playgrounds for the children living in Celilo Village.

PROJECT DESCRIPTION

The “footprint” of the project encompasses the main work area and all of the material source areas. The main work area is located just south of Interstate Route 84 at Celilo Village. Oregon Department of Transportation (ODOT) and Corps quarries are nearby.

Materials such as the bioengineering materials, fine-grained fill material, and fuel may be obtained and transported from outside of the project footprint. The bioengineering material could come from various vendors throughout the region. Fuel hauling routes would follow existing improved roads.

Infrastructure and Common Areas:

- New water well and pumphouse of sufficient size to provide all residential and fire protection needs.
- New relocated sewage lagoon facilities to be designed by the Indian Health Services (HIS).
- Two restroom and shower facilities.
- Two fish cleaning facilities.
- Two net repair areas with sufficient off-season storage space.
- Two drying sheds.
- New garbage dumpster pads with recyclable material stations.
- Perimeter fencing around site, along railroad, and new relocated sewage lagoons.
- Irrigation system for landscaping in limited areas.
- Minor landscaping around longhouse.
- All weather roadway around the two main Village loops for residential and camping and their access route areas.
- Parking areas with some overflow areas for peak use times.
- Longhouse repairs to bring it to current health and safety standards.
- Camping sites (8 to 12) constructed to National Park Service standards.
- A small number of picnic shelters would be constructed at the group camping area. These shelters would be open-sided and sized to accommodate diners seated at standard 6-foot picnic tables. One shelter would accommodate 1-2 families of diners. One of the shelters would provide a kitchen/serving facility at one end. The kitchen would have food preparation counter space, serving counters, and built-in storage cabinets.
- The entry control point upgrade for Celilo Village would include one vehicle entry lane and one vehicle exit lane, and a turn-around lane located just past the entry station.
- In addition to entry, main access roads within the Village would be added to and revised in order to simplify traffic circulation. The current day-use parking would have a single entry/exit and single direction arrangement, and the camping loops

would provide one-way traffic circulation. New signage for directional, traffic, recreation, and safety would be added.

- Construction of two new recreational vehicle (RV) camping loops with water and electrical hook-ups added to all RV pads and most including sewage hook-ups. A new rustic tent camping loop. A group camping area with picnic shelters.
- Improved railroad crossing with the parking lot expanded. The roadway would be built around centralized landscaped areas bermed in a manner to help ease the traffic flow into the area. The parking lot would involve the repavement of the existing lot.
- Pollution carried from the roads would be controlled by a grass swale buffering the parking lot designed to absorb run-off. The grass swale will filter out the run-off preventing stormwater and oil from getting into open or running water.
- Equipment would be staged/stored overnight in the existing parking lot at the Sand Station Site. The parking lot is approximately 150 feet from the river. Containment berms capable of containing 110% of the on-board fuel/oil will be utilized under each piece of equipment stored unattended. Similar containment berms would also be utilized for equipment at the Martindale and Burbank material sites if equipment is left there unattended.

Housing Improvements:

- Modular home units of appropriate size to be temporarily located while demolition of existing structures and infrastructure improvements are made. Then the modular units will be placed permanently on the improved sites.
- After demolition of existing homes new mainline and secondary water and sewer lines will be constructed.
- Foundations for modular units will be placed.
- Electrical and telephone upgrade, line and pole placements.

Redeveloped Sewage Treatment for Celilo Village

A small number of alternatives for sewage treatment at Celilo Village were evaluated:

- septic tank and subsurface trench drainfield;
- evaporative lagoon;
- mechanical methods.

The preferred alternative for treating the additional sewage flows at Celilo Village is by septic tank and subsurface trench drainfield. This is the lowest cost alternative, provides the quickest and simplest permitting and monitoring compliance (through Washington Department of Health), is familiar to maintenance staff, and is easily expandable. Although the drainfields/ponds require a few acres of parkland, adequate space is available, which could also be used as horse corrals since the ponds will be fenced. Plate 1 shows the Proposed Celilo Village redevelopment project.

A septic tank and drainfield system is the most commonly used on-site sewage treatment alternative for small systems with adequate land area for the drainfield. Shallow subsurface trenches (approximately 3-ft deep) are the recommended absorption system because of favorable soil conditions and available land. A trench would be required. The best area for locating the new drainfields/ponds is the undeveloped area to the northeast of the existing site. The elevation at this site is 200 m.s.l. and the drainfield is approximately 1000 feet horizontally distant and 40 feet vertical from the Columbia River waters edge in the boat basin.

Timing of Work

Construction would take place between July 15, 2002, and November 1, 2002, in order to avoid bald eagle winter use of the area for roosting and perching. The Corps estimates it would take about 4 months to do the work. No in-water work should be necessary.

LISTED SPECIES AND EFFECTS

The following species list was obtained from the National Marine Fisheries Service (NMFS) per a phone call to Dale Bambrick on December 16, 2001, and the United States Fish and Wildlife Service (USFWS Reference 1-7-02-SP-212, letter dated January 15, 2002. We have determined a “No Effect” on ESA-listed species. Therefore, we are not requesting consultation with NMFS for ESA-listed anadromous salmonid stocks and with USFWS for bald eagle.

Endangered:

Upper Columbia Spring Chinook (*Oncorhynchus tshawytscha*)
Upper Columbia Steelhead (*Oncorhynchus mykiss*)
Snake River Sockeye Salmon (*Oncorhynchus nerka*), Critical Habitat designated.

Threatened:

Snake River Fall Chinook (*Oncorhynchus tshawytscha*), Critical Habitat designated.
Snake River Spring/Summer Chinook (*Oncorhynchus tshawytscha*), Critical Habitat designated.
Middle Columbia River Steelhead (*Oncorhynchus mykiss*), Critical Habitat designated.
Snake River Basin Steelhead (*Oncorhynchus mykiss*), Critical Habitat designated.
Bald eagle (*Haliaeetus leucocephalus*)

Proposed:

None

Summary Table of Effects Determinations for ESA listed Species

Upper Columbia River Spring Chinook (E)	No Effect
Upper Columbia River Steelhead (E)	No Effect
Snake River Sockeye Salmon (E)	No Effect
Snake River Fall Chinook (T)	No Effect
Snake River Spring/Summer Chinook (T)	No Effect
Middle Columbia River Steelhead (T)	No Effect
Snake River Basin Steelhead (T)	No Effect
Bald eagle (T)	No Effect

Aquatic Species

Chinook Salmon (*Oncorhynchus tshawytscha*)

Description of Species

Snake River and Columbia River Spring Chinook Salmon

Several different strains of chinook salmon can be found in this reach of the Columbia River during part of the year. Unlisted hatchery and upper Columbia River fall chinook are the most common. However, endangered upper Columbia spring chinook and threatened Snake River spring/summer and fall chinook are also present. Migration timing and lifestage development can be different between the strains as they migrate through and use the area near the proposed project. However, the various strains migrate and use nearshore habitat at overlapping times. Most of the available juvenile salmon habitat use information is based on hatchery and upper Columbia sub-yearling fall chinook. This biological assessment of the proposed project assumes that known information about fall chinook habitat use can also be used to evaluate the impacts to the listed strains of chinook salmon.

Critical habitat for the listed strains of chinook salmon includes all waterways, substrate, and adjacent riparian zones that can be or have been accessed by the specific strain (65 FR 7764). The Columbia River adjacent to the proposed project is designated as critical habitat for several listed salmonids.

Construction of dams, roads, railroads, and levees/shoreline protection, as well as irrigation withdraws has altered the rearing habitat of juvenile salmon and the migratory habitat of juveniles and adults. Increased predation on juvenile salmonids due to the habitat changes is also a contributor to the declining salmonid population (Lichatowich and Moberg 1995, Rondorf 1994, Rondorf 1997, Burge et.al. 1999). Prior to the construction of McNary Dam, a large percentage of the shoreline consisted of shallow water with a small particle size substrate. Today, much of the shoreline consists of deeper water bordered by riprap. This change in habitat type is likely a factor in the decline of the Columbia Basin salmonid populations.

Juvenile salmonids frequently use shallow, low-velocity, small particle size, near-shore habitat during the spring (Key et. al. 1994, Venditti et. al. 1997, Key et. al. 1999, Venditti and Garland 1999). Much of the area consists of this type of habitat. Adjacent habitat is deeper, has a higher gradient, higher velocity, and banks lined with riprap. This adjacent type of habitat has been shown to harbor predatory fish species that prey on juvenile salmonids. Key et. al. (1999) found juvenile chinook predominately over substrate less than 32 mm (1.25 inches) in diameter. Most piscivorous fish were found over substrate in excess of 256 mm (10 inches). Gradient away from the shoreline could also be a factor affecting the quality of habitat, however, the higher gradient areas were generally associated with riprapped shorelines. Thus, the importance of gradient is difficult to determine. Velocity is another important habitat variable. Higher numbers of juvenile chinook were observed in areas of low velocity. Predatory fish were found in a wide range of velocities, often close to velocity breaks such as riprap.

As water temperatures increase in the late spring, food intake requirements of predatory fish increase. Electroshocking studies in 1994 and 1995 by Key et. al. (1999) were only performed during the spring period of known sub-yearling chinook use, not during periods of possible spring chinook use. The association of predatory fish with riprap and their effect on juvenile salmonids later in the summer is unknown.

The construction of the project involves no in-water work or shoreline work within the Columbia River. Direct take from construction is not expected.

Adult spring run chinook salmon begin entering the Columbia River in February. By late June, most have passed the Corps dams on the lower Columbia and Snake rivers. Most spring chinook salmon migrate upstream from early April through mid-June and spawn in tributaries far upstream from the proposed work at Celilo Village. Peak spawning occurs from August through October.

Juveniles typically rear in the tributary streams for more than a year, migrating downstream their second spring as yearlings from about March to June. The majority pass the dams during April and May. Fish then rear in the ocean mostly for two years before returning to the river as adults. However, a significant number spend three years in the ocean, some spend four to five years, and a few return after one year as “jacks” (early maturing fish) (USACE 1999).

Snake River Summer Chinook Salmon

Adult summer chinook salmon begin entering the Columbia River in May and pass the mainstem dams by September. The majority pass from mid-June through mid-August. Summer chinook salmon generally spawn and rear upstream of the influence of the mainstem river dams. In the Snake River System, spawning regions are typically in tributaries, but often downstream of spring chinook salmon. Spawning typically occurs from August through October, peaking in the Snake River System in September.

Juvenile summer chinook salmon out-migrate mostly as subyearlings in the upper Columbia River and yearlings in the Snake River. The yearlings out-migrate from the Snake River during March through June, with the majority passing in April and May. Most Snake River adults spend two to three years in the ocean before returning, while upper Columbia stocks may spend up to five years (USACE 1999).

Snake River Fall Chinook Salmon

Adult fall chinook salmon begin entering the Columbia River in July and pass mainstem dams by the end of November. Fall chinook in the Columbia River System consist of two distinct groups: “tules” which are confined primarily to the lower Columbia River tributaries (below Bonneville Pool), and “upriver brights” which mainly spawn in the mainstem Columbia in the Hanford reach (downstream of Priest Rapids Dam) and in the Snake River System. The majority of upriver bright fall chinook salmon pass the dams from mid-August to November. The tules returning to the Bonneville pool area are primarily hatchery fish. Tules spawn typically from mid-September to mid-October, while upriver brights spawn during October and November (USACE 1999).

The current spawning area for Snake River fall chinook salmon is limited to the 103 miles of the Snake River below Hells Canyon Dam, and to parts of the lower reaches of the Clearwater, Grande Ronde, Imnaha, Tucannon, and Salmon Rivers. Additionally, incidental deep water spawning has been observed below Lower Granite, Little Goose, and Ice Harbor Dams (Dauble et al., 1999).

Juvenile upriver bright fall chinook rear primarily in the mainstem river and reservoir reaches of the Columbia and Snake Rivers. Those in the Snake River rear in the flowing water areas below Hells Canyon Dam and in the reservoirs. Juvenile fall chinook salmon predominately migrate as subyearlings, leaving in their first spring or summer of fresh water residence. Subpopulations of subyearling chinook may rear and over-winter in the lower Snake River or McNary Reservoir and finish their out-migration the following spring as yearlings (USACE 1999).

Juvenile Snake River fall chinook salmon use shallow, open water, fine substrate, backwater-type habitat areas for both rearing and migration. These fish tend to out-migrate as subyearlings during the year of emergence over a period of weeks or months, feeding and growing as they progress downriver (Bennett et al. 1997). Many of the juvenile fall chinook salmon outmigrating from the Clearwater and Snake River spend time in shoreline areas (<3 meters in depth) in Lower Granite and downriver reservoirs, where they prefer sand-substrate areas (Curet 1994, Bennett et al. 1997). When water temperatures reach about 18 degrees Centigrade, these fish appear to leave shoreline areas and continue rearing and migration in the cooler pelagic zone of the reservoirs (Bennett et al. 1997).

As water temperatures increase in the late spring, food intake requirements of predatory fish increase. However, Key et. al. (1994) found few sub-yearling chinook in the nearshore area. Electroshocking studies in 1994 and 1995 by Key et. al. (1999) were only

performed during the spring period of known sub-yearling chinook use. Therefore, the association of predatory fish with riprap and their effect on juvenile salmonids later in the summer is unknown.

Lower river, hatchery, and wild tules migrate from March through October; the majority pass the dams in July and August. Those from the Snake River pass the upper dam primarily in June and July with some passing as late as November. However, most leave before late-July due to warming temperatures that are not suitable for chinook salmon in the Snake River.

Tules stocks typically rear in the ocean for two to three years. The Snake River fall chinook salmon typically return after one to four years in the ocean; most return after three years (USACE 1999).

Analysis of Effects

The construction of the project will occur during the late summer through fall when few anadromous salmonids would be present in the nearshore area, except fall chinook salmon. Direct take from construction is not expected.

The wild adult chinook salmon runs consist of overlapping migrations of spring, summer, and fall races in the project area during the April through December period, with wild spring chinook occurring April through mid-June, wild summer chinook occurring mid-June through mid-August, and wild fall chinook occurring mid-August to December. Chinook use the mainstem Columbia River for migration almost exclusively, with the exception of fall chinook subyearlings that may have a size related affinity for shallow water shoreline habitat areas for growth during rearing.

The proposed actions should have “No Effect” on either juvenile or adult wild Snake and Columbia River spring/summer or fall chinook salmon stocks. No in-water or shoreline work is necessary although few individuals of these stocks may be present in the Columbia River during the work window of July 15 through November 1.

The Celilo Village redevelopment area is located within the portion of the Columbia River designated as critical habitat for passage of all Snake and Columbia River salmon evolutionarily significant unit (ESU) stocks (Federal Register 1993). The Corps believes that the Celilo Village redevelopment construction should not affect the suitability of that habitat for wild Columbia or Snake River spring/summer or fall chinook salmon stocks, because this reach of The Dalles reservoir is used primarily as a migration corridor for all lifestages of listed wild chinook salmon excluding the potential for areas of shoreline sand/gravel bar rearing for juvenile of fall chinook salmon.

Wild juvenile chinook salmon migrate downriver through the project area primarily between late March and the end of August. Juvenile Snake River fall chinook salmon are spawned and reared in the Snake River above Lower Granite reservoir (Connor et al. 1994). The proposed Celilo Village work would have no impact on potential fall chinook

spawning, because spawning habitat is not available. Based on the typical Snake River fall chinook salmon out-migration pattern passing Ice Harbor Dam, few or no juvenile chinook salmon should be present, in an open water juvenile rearing lifestage, during the work window of July 15 through November 1, 2002.

Cumulative and Indirect Effects

The additional asphalt due to the parking lot expansion and additional roads and camping pads added to the park would cause increased stormwater runoff. However, the areas where the additional asphalt is being placed is greater than 250 to 1000 feet away from the boat basin. This distance allows sufficient vegetated area to absorb the runoff therefore preventing it from entering the boat basin area across the Highway on the south shore of the Columbia River.

The sewage treatment drainfields/ponds are over 1000 feet horizontal from the boat basin and at the same upland elevation of about 200 m.s.l. as the Village, which is about 40 feet vertical above the Columbia River shoreline at the boat basin. The distance and slight elevation change should prevent any sewage from entering the boat basin. There is a possibility of sewage entering the boat basin during flooding. However this would be temporary and would dissipate by the time it reached the Columbia River due to the distance between the sewage drainfields and the Columbia River.

Best Management Practices would be implemented during all phases of the construction to minimize any sediment entering the boat basin. The construction area closest to the boat basin and the Columbia River would be the parking lot addition and upgrades to the Camping loop.

Management Actions

To reduce potential direct impacts to bald eagles, construction can be performed during April through November, which is outside of the designated winter in-water work window for the conservation of salmonids. A July 15 through November 1 work window would be adequate for avoiding indirect effects to in-water salmonid stocks since all construction is upland in an established impacted footprint that is buffered from the Columbia River mainstem shoreline. It will be necessary to include such measures as erosion monitoring and watering the plants during the first summer to ensure the long term stability of this method.

The following measures would be taken during construction. To minimize adverse impacts to the Columbia and Snake River chinook salmon ESUs, the Contractor and his subcontractors would comply with all applicable Federal, State, and local laws, and regulations concerning environmental pollution control and abatement. Fueling and lubrication of construction equipment and motor vehicles would be conducted in a manner that affords the maximum protection against spills. Construction equipment would be kept in good repair, without leaks of fuel, hydraulic, or lubricating fluids. If such leaks or drips occur, they would be cleaned up immediately. Drip pans would be

utilized when vehicles are parked. The equipment fueling, maintenance, and/or repair would be confined to one location. Runoff would be controlled to prevent contamination of soils and water. Special measure shall be taken to prevent chemicals, fuels, oils, greases, bituminous materials, waste washings, sewage, chlorinated solutions, herbicides and insecticides, and cement and concrete drainage from entering surface land and substrate soils.

Equipment left unattended overnight will be parked in the existing parking area within Celilo Village. Fuel containment berms will be utilized for all equipment parked unattended at the site. Field refueling and any field maintenance activity will occur within this designated staging area.

Conclusion

We have determined that the proposed parking lot addition, sewage drainfield/ponds, and camping loop improvements should have “*No Effect*” on individuals of adult and/or juvenile wild Snake River summer, spring, or fall and/or wild upper Columbia River spring chinook salmon, nor act to jeopardize their survival and recovery, nor adversely modify their critical habitat or ecological functions of their Essential Fish Habitat (EFH). This is because the Columbia River portion of the project area should be sufficiently isolated and buffered from the upland construction sites and the mainstem river is used primarily for migration by each of these stocks. This reach of the mainstem Columbia River does not have spawning habitat for any of the Snake River or Columbia River chinook salmon stocks and few individuals would likely be exposed to activities or their residual effects during the proposed construction activity, except for activities required for the acquirement and transport and placement of fill material from their sources.

Steelhead (Oncorhynchus mykiss)

Description of Species

Snake River And Columbia River Basin Steelhead

Snake River Basin and Mid-Columbia River Steelhead were listed as threatened and Upper Columbia River Steelhead were listed as endangered under the Endangered Species Act in March 1999 by the NMFS. Adult steelhead return to their natal streams from December through April to spawn. After spending one or two years rearing in the area, juveniles begin their outmigration to the ocean in April and May when flows are usually higher than average. Optimal steelhead habitat is characterized by clear, cold water with complex cover including large woody debris and boulders. Periodic low flows, flood control measures, irrigation diversions, and habitat destruction limit both adult and juvenile steelhead survival. The upper incipient lethal temperature for adult rainbow/steelhead is 25°C (77°F) (Raleigh et. al. 1984).

Threatened Mid-Columbia River and Snake River steelhead, Endangered upper Columbia River steelhead, as well as unlisted hatchery strains, use the river adjacent to the project

site as a migration corridor. Habitat use in the mainstem Columbia River by steelhead is not well known. Unlike other salmonids, which tend to use a smaller portion of the available habitat at a higher density, steelhead tend to disperse widely throughout the available habitat.

Critical habitat for steelhead includes all waterways, substrate, and adjacent riparian zones that can be or have been accessed (65 FR 7764). The Columbia River adjacent to the proposed project is designated as critical habitat for steelhead as well as other listed salmonids.

Very little information is documented on nearshore habitat use by juvenile steelhead in the mainstem Columbia River. Juvenile steelhead are thought to utilize the deeper, higher velocity areas away from the shoreline to migrate through the reach.

The Columbia River serves as a migration corridor as well as an important estuary for all of the listed or proposed steelhead ESUs in Washington, Oregon, and Idaho. Major tributaries known to support steelhead in the Upper Columbia river ESU include the Entiat, Methow, Okanogan, and Wenatchee Rivers. In the Middle Columbia River ESU, major tributaries include the Deschutes, John Day, Klickitat, Umatilla, and Yakima Rivers. In the Snake River Basin ESU, major tributaries include the Clearwater, Grande Ronde, Salmon, Selway, and Tucannon Rivers (Federal Register 1999).

Adult ESU Snake River Basin steelhead, Mid-Columbia steelhead, and Upper-Columbia steelhead enter the Columbia River year-round as winter or summer races. Most winter race fish are restricted to the Bonneville pool downstream. Winter steelhead are considered those passing dams from November through March. The summer race is found in most areas and is the only one present in the upriver areas.

The upriver summer steelhead are divided into two groups (A-run and B-run), based on migration timing, ocean age, and adult size (USACE 1999). A-run fish originate in production areas throughout the Columbia-Snake River System, while B-run fish are only found in the Clearwater and Salmon River drainages. A-run fish enter the Columbia mainly in June to early August and B-run enter from late August into October (USACE 1999). Although most steelhead enter in the summer months, they do not spawn until the following late winter or spring period. Some summer steelhead over-winter in reservoirs before advancing upstream the next spring to spawn. Not all steelhead die following spawning, but may reside or out-migrate as “kelts” to return to spawn a second time in following years.

Juvenile steelhead rear primarily in rivers upstream of mainstem project areas. Most steelhead migrate as smolts at age two or three years primarily from March through June, with the majority passing in April and May. Most adults spend two years in the ocean before returning, although some return after one year or after longer than two years.

Analysis of Effects

Wild adult steelhead migrate through the reach between March and May and between late August and November. Wild juvenile steelhead migrate downriver through the project areas primarily between late March and the end of August. Most adult steelhead during the period could likely be A-run kelts out-migrating, residual forms searching for overwintering habitat, or B-run spawners holding before moving up-stream for spawning above Lower Granite reservoir later in the winter. Adult steelhead counts at Ice Harbor Dam for 1999 had steelhead in the passage starting March 15 and ending November 15. This indicated that wild adult Snake River steelhead could be present in the mainstem channel adjacent to the proposed project area during the work window period of December 15 to March 1. These fish would likely be sufficiently aware and agile to avoid the area and to move away from low concentration turbidity plumes caused by any suspension of sediment (Newcomb and Jensen 1996).

The Celilo Village redevelopment area is located within the portion of the Columbia River designated as critical habitat for all ESA-listed Columbia and Snake River steelhead stocks. Critical Habitat was designated March 17, 2000. (Fed. Reg. Vol. 65 No. 32, Feb. 16, 2000). The Corps believes that the work during smolt migration would not affect the suitability of that habitat for Snake River steelhead. This is because the area is used primarily as a migration corridor for all lifestages of each steelhead ESU.

Cumulative and Indirect Effects

Direct impacts to steelhead from the project are unlikely. Indirect impacts could be related to increased opportunity for both tribal subsistence/ceremonial and/or commercial fishing pressure due to expanded sanitary camping and temporary seasonal housing. Fishing pressure would remain regulated by NMFS, CRITFC, and the States of Oregon and Washington.

The additional asphalt due to the parking lot expansion and additional roads and camping pads added to the park would cause increased stormwater runoff. However, the areas where the additional asphalt is being placed is greater than 250 to 1000 feet away from the boat basin. This distance allows sufficient vegetated area to absorb the runoff therefore preventing it from entering the boat basin area across the Highway on the south shore of the Columbia River.

The sewage treatment drainfields/ponds are over 1000 feet horizontal from the boat basin and at the same upland elevation of about 200 m.s.l. as the Village, which is about 40 feet vertical above the Columbia River shoreline at the boat basin. The distance and slight elevation change should prevent any sewage from entering the boat basin.

Best Management Practices would be implemented during the all phases of the construction to minimize any sediment entering the boat basin. The construction area closest to the boat basin and the Snake River would be the parking lot addition and upgrades to the Camping loop.

Management Actions

This project is designed to avoid impacts to river and riparian habitat. No in-water work is necessary and upland site work would take place during the summer when water temperatures are at their highest. Much of the area would revegetate naturally, but willows could be planted between the retaining wall and the bankfull elevation to provide some riparian buffer to the stream. The in-water work window is July 15 to September 30. Potential indirect or interrelated impacts from construction will be minimized by following established best management practices. The contractor will be required to collect all debris from demolition. Most of the large debris will be removed from above using excavation equipment.

The disturbed area will be revegetated following removal of debris and equipment. A staging area at least 50 meters from the Columbia River will be utilized. All heavy equipment refueling, maintenance, and overnight storage will be done in the staging area. Overnight containment berms will be utilized to limit impacts from potential petroleum product spills.

The following measures would be taken in the construction. To minimize impacts to the Snake River Basin and mid-Columbia River steelhead, the Contractor and his subcontractors would comply with all applicable Federal, State, and local laws and regulations concerning environmental pollution control and abatement. Fueling and lubrication of construction equipment and motor vehicles would be conducted in a manner that affords a high level of protection against spills. Construction equipment would be kept in good repair, without leaks of fuel, hydraulic, or lubricating fluids. If such leaks or drips occur, they would be cleaned up immediately. Drip pans would be utilized when vehicles are parked. The equipment fueling, maintenance, and/or repair would be confined to one location. Runoff would be controlled to prevent contamination of soils and water. Special measures shall be taken to prevent chemicals, fuels, oils, greases, bituminous materials, waste washings, sewage, chlorinated solutions, herbicides and insecticides, and cement and concrete drainage from entering surface land and substrate soils.

To reduce potential direct impacts to bald eagles, construction can be performed during April through November, which is outside of the designated winter in-water work window for the conservation of salmonids. A July 15 through November 1 work window would be adequate for avoiding indirect effects to in-water salmonid stocks since all construction is upland in an established impacted footprint that is buffered from the Columbia River mainstem shoreline. It will be necessary to include such measures as erosion monitoring and watering the plants during the first summer to ensure the long term stability of this method.

Equipment left unattended overnight will be parked in the existing parking area within Celilo Village. Fuel containment berms will be utilized for all equipment parked unattended at the site. Field refueling and any field maintenance activity will occur within this designated staging area.

Conclusion

Although overlapping stocks of wild steelhead can be found in the shallower shoreline area of the Columbia river throughout the entire year, we conclude that this project should not effect steelhead or their habitat. Any potential indirect or interrelated effects should be short term. Negative effects would be reduced as vegetation reestablishes, providing increased shade and filtering of runoff.

There would be no direct impacts to steelhead from construction of this project. We have determined that the proposed parking lot addition, sewage drainfield/ponds, and camping loop improvements should have “*No Effect*” on individuals of adult and/or juvenile wild Snake River Basin or mid-Columbia River steelhead and/or wild upper Columbia River steelhead, nor act to jeopardize their survival and recovery, nor adversely modify their critical habitat or ecological functions of their Essential Fish Habitat (EFH). This is because the Columbia River portion of the project area should be sufficiently isolated and buffered from the upland construction sites and the mainstem river is used primarily for migration by each of these stocks. This reach of the mainstem Columbia River does not have spawning habitat for any of the Snake River or Columbia River steelhead stocks and few individuals would likely be exposed to activities or their residual effects during the proposed construction activity, except for activities required for the acquirement and transport and placement of fill material from their sources.

Snake River Sockeye Salmon (*Oncorhynchus nerka*)

Description of Species

Adult sockeye salmon begin entering the Columbia River in April and continue to pass by dams through October. The majority of passage occurs from June through early August. Sockeye are unique among salmonids in their requirement of lakes for spawning and juvenile rearing areas. Because of this requirement, sockeye distribution in the Columbia and Snake Rivers is currently limited to primarily the Wenatchee and Okanogan River areas of the upper Columbia region and the upper Salmon River, a tributary to the Snake River, except for the few weeks the mainstem Columbia River is used by individual fish composing runs for passage either upriver or downriver.

Juveniles rear in lakes in these systems for typically one to two years before migrating to the ocean, typically from April into July. In the Snake River, some out-migration of wild juveniles occurs into November. Most adults spend two years in the ocean before returning to spawn, although some Okanogan River fish return after one year (USACE 1999).

Analysis of Effect

The proposed actions should not effect either juvenile or adult wild Snake River sockeye because no in-water or shoreline work is necessary and few individuals of this stock should be present in the Columbia River during the work window of approximately July

15 through November 1, 2002. These fish migrate through the lower Columbia River from late summer to early winter.

Best Management Practices would be used to avoid spillage into standing or flowing waters.

Cumulative and Indirect Effects

Direct impacts to juvenile or adult wild Snake River sockeye salmon from the project are unlikely. Indirect impacts could be related to increased opportunity for incidental take due to both tribal subsistence/ceremonial and/or commercial fishing pressure for chinook salmon and steelhead due to expanded sanitary camping and temporary seasonal housing. Incidental take due to fishing pressure for chinook salmon and steelhead would remain regulated by NMFS, CRITFC, and the States of Oregon and Washington.

The additional asphalt due to the parking lot expansion and additional roads and camping pads added to the park would cause increased stormwater runoff. However, the areas where the additional asphalt is being placed is greater than 250 to 1000 feet away from the boat basin. This distance allows sufficient vegetated area to absorb the runoff therefore preventing it from entering the boat basin area across the Highway on the south shore of the Columbia River.

The sewage treatment drainfields/ponds are over 1000 feet horizontal from the boat basin and at the same upland elevation of about 200 m.s.l. as the Village, which is about 40 feet vertical above the Columbia River shoreline at the boat basin. The distance and slight elevation change should prevent any sewage from entering the boat basin.

Best Management Practices would be implemented during all phases of the redevelopment construction to minimize any sediment entering the boat basin. The redevelopment construction area closest to the boat basin and the Columbia River would be the parking lot addition to Camping/temporary residential loop.

Celilo Village is located within the portion of the Columbia River designated as critical habitat for the Snake River sockeye salmon (Federal Register 1993). The Corps believes that the proposed work would not affect the suitability of the habitat or migration behavior of the wild Snake River sockeye salmon. This is because the area is used primarily as a migration corridor for all lifestages of this stock. Utilization of backwater habitat typically used by juvenile salmonids for rearing in larger rivers has not been well documented in the mainstem of the lower Columbia River for races other than fall chinook.

Management Actions

The following measures would be taken to minimize effects the Snake River sockeye salmon, the Contractor and his subcontractors would comply with all applicable Federal, State, and local laws, and regulations concerning environmental pollution control and

abatement. Fueling and lubrication of construction equipment and motor vehicles would be conducted in a manner that affords a high level of protection against spills. Construction equipment would be kept in good repair, without leaks of fuel, hydraulic, or lubricating fluids. If such leaks or drips occur, they would be cleaned up immediately. Drip pans would be utilized when vehicles are parked. The equipment fueling, maintenance, and/or repair would be confined to one location. Runoff would be controlled to prevent contamination of soils and water. Special measure shall be taken to prevent chemicals, fuels, oils, greases, bituminous materials, waste washings, sewage, chlorinated solutions, herbicides and insecticides, and cement and concrete drainage from entering surface land and substrate soils.

Conclusion

We have determined that the proposed parking lot addition, sewage drainfield/ponds, and camping/temporary residential loop improvements should have “*No Effect*” on individuals of adult and/or juvenile Snake River sockeye salmon, nor act to jeopardize their survival and recovery, nor adversely modify their critical habitat or ecological functions of their Essential Fish Habitat (EFH). None to few individuals of the Snake River sockeye salmon would likely be in the area during the proposed construction activity. Because the sockeye salmon are migratory in this area and do not need the shoreline habitat for juvenile rearing, potential indirect changes to important critical habitat due to short periods of locally increased turbidity should not likely impact the ESU.

SUMMARY CONCLUSION FOR AQUATIC SPECIES

This project is designed to avoid impacts to river and riparian habitat in that it requires no in-water work. Measures will be taken to minimize impacts to the environment including potential indirect or interrelated effects due to increased stormwater runoff and the relocation of new sewage pond system.

1. Use of standard erosion control techniques during construction.
2. Leaving as much native vegetation as possible to provide a buffer.
3. Minimizing the clearing of trees. Re-planting suitable native trees would mitigate unavoidable clearing.

The proposed project should have “*No Effect*” on federally endangered and threatened aquatic species because most life stages of the Columbia and Snake River salmon and steelhead stocks primarily use the adjacent shoreline to Celilo Village as a migration corridor and all construction activity would occur in a well buffered upland site that has been impacted since the 1950s. Furthermore, migration requirements and critical habitat of either juvenile or adult listed spring/summer and fall chinook and sockeye salmon and steelhead should not be affected by the proposed project. No in-water work is proposed as necessary for this project. Direct impacts to listed salmon and steelhead stocks from the project are not anticipated in any manner. Indirect, interrelated, and cumulative effects could include: 1) potential for slight increase in incidental take of wild ESU

individuals due to increased opportunity for both tribal subsistence/ceremonial and/or commercial fishing pressure due to expanded sanitary camping and temporary seasonal housing. Fishing pressure would remain regulated by NMFS, CRITFC, and the States of Oregon and Washington. 2) increased runoff of new located sewage pond system during extreme flooding (predicted frequency extremely low, near zero).

TERRESTRIAL SPECIES

Bald eagle (*Haliaeetus leucocephalus*)

Description of Species

Bald eagles were listed as threatened under the Endangered Species Act on February 14, 1978 by the U.S. Fish and Wildlife Service. The bald eagle is an uncommon winter resident in the area. Records of sightings within the geographic area have occurred between November and April. Several factors determine whether bald eagles are attracted to a riparian area. One factor is food supply. The second factor is large trees for perching, roosting, and nesting. The primary wintering season for bald eagles is November 1st through March 15th. Bald eagles are primarily piscivorous, but will scavenge for any readily available food source including carrion. In the Columbia River basin, bald eagles feed primarily on fish and waterfowl.

Bald eagles winter throughout this area. They are likely attracted to the large numbers of waterfowl that raft on the open water of the Columbia River and various small mammals or carrion that inhabit the upland cliffs. Few trees for use as bald eagle perches exist along this stretch of the Columbia River. Some sycamore trees that could be used as perches are located less than 100 meters downstream of Celilo Village. The trees within the area are not used very much because of the continual use of the Village and surrounding lands by residents and visitors for seasonal fishing access and camping. However, the trees along the shoreline of the Columbia River get more regular seasonal use.

Inventories and Surveys

Eagles frequent many of the large trees along this stretch of river during the winter months (November through March). There is known use of a few trees along the river shoreline along the highway. The eagle count during the winter has shown 2 or 3 eagles in the area on a consistent basis. These eagles routinely perch within 50 meters of passing traffic.

No nesting attempts or nest building is presently known to occur in or adjacent to the proposed project construction footprint.

Analysis of Effects

This analysis assumes that no trees would be removed within the Celilo Village construction footprint. The work would take place during the July 15 (summer) through November 1 (fall) work window established for bald eagle winter roosting and perching. Bald eagles should not be directly impacted. This area is very fair to good bald eagle roosting/perching habitat and marginal nesting habitat.

Construction activities at Celilo Village could disturb bald eagles if they chose to perch in the sycamore trees along the Columbia River or within Celilo Village. Because of the public use of the restrooms located within the Celilo Fishing Access site, eagles generally do not consistently use these trees. The proposed construction could last up to four months in duration.

Waterfowl important to bald eagle hunting and feeding raft in large numbers on the mainstem Columbia River and would not be disturbed by the work. They generally raft well away from the shoreline. With the proper monitoring and work delays if eagles are within ¼ mile of the work site, the potential for impacts to eagles would be minimized. No indirect or interrelated effects due to construction should occur.

Obtaining material such as rock or gravel from the source sites could have an equal or higher potential to disturb eagles for those sites located at near shoreline of the Columbia River where eagles are more common during the winter months. Effects attributable to excavation and transport of materials would be independently consulted upon considering their routine activities.

Management Actions Related to the Species

The proposed work should be completed by November 1. This would minimize impacts if any bald eagles chose to winter in the area. Disturbed areas will be revegetated with native species. No other special management actions related bald eagles are required.

SUMMARY CONCLUSION FOR TERRESTRIAL SPECIES

By implementing Management Actions designed to reduce impacts to bald eagles, the proposed construction should have “*No Effect*” on bald eagle or act to modify their critical habitat. There would be no direct effects on bald eagles from the proposed work. If bald eagles begin to use the area, it would likely be during the winter. The proposed project should be completed by November 1.

Any work delayed due to unforeseen or unanticipated reasons would be reconsulted if the Effects determination changes because such work activities completed during the bald eagle wintering timeframe (November 1 thru March 15) could potentially impact bald eagles. If such work is required to complete certain temperature dependent tasks, adequate Monitoring for the presence of eagles will occur daily prior to the beginning of work. If an eagle is seen perching in the trees adjacent to or close to the work area (within a one-half mile radius), work will be delayed until the eagle leaves on its own to minimize impacts. Alternatives with the shortest construction timeframes would likely have the least overall impact.

To minimize impacts to wintering and nesting bald eagles near quarry or stockpile sites, the following mitigation measures will be implemented.

1. Remove the necessary material from the respective site prior to 1 February. This will minimize disturbance to eagles that may attempt to nest later in February. If any phase of construction requiring material is delayed, material should be removed from the quarry site and stockpiled within the Celilo Village construction area footprint or in a nearby impacted area previously cleared for ESA compliance after any eagles attempting to nest in the area leave for the season and prior to next season's wintering period.
2. Access and perform work at any quarry or stockpile site only between about 9:30 a.m. and 2 p.m. This will give eagles a couple hours in the morning and evening of minimal disturbance.
3. Perform as much work as possible using the rock stockpile as a shield from line-of-sight with any occupied eagle nest or known roosting/perching site.
4. Perform the work in as few days as possible.

REFERENCES

- Bambrick, Dale. 2000. Personal communication. National Marine Fisheries Service.
- Bennett, D.H., T.J. Dresser, Jr., and M. Madsen. 1997. Habitat Use, Abundance, Timing, And Factors Related To The Abundance Of Subyearling Chinook Salmon Rearing Along The Shorelines Of Lower Snake River Reservoirs. Completion Report To The U.S. Army Corps Of Engineers, Wall Walla District. College Of Fish And Wildlife, University Of Idaho, Moscow, Idaho.
- Connor, W.P., A.P. Garcia, H.L. Burge, and R.H. Taylor. 1993. Fall Chinook Salmon Spawning In Free-Flowing Reaches Of The Snake River. Pp1-29. *In:* Rondorf, D.W. And W.H. Miller [Eds] Identification Of The Spawning, Rearing, And Migratory Requirements Of Fall Chinook Salmon In The Columbia River Basin. Project No. 91-029. Prepared For U.S. Department Of Energy, Bonneville Power Administration, Division Of Fish And Wildlife, Portland, Oregon By The National Biological Survey, Cook, Washington, And The U.S. Fish And Wildlife Service, Ahsahka, Idaho.
- Connor, H.L. Burge, and W.H. Miller. 1994. Rearing And Emigration Of Naturally Produced Snake River Fall Chinook Salmon Juveniles. Chapter 5. *In:* Rondorf, D.W. And W.H. Miller [Eds] Identification Of The Spawning, Rearing, And Migratory Requirements Of Fall Chinook Salmon In The Columbia River Basin. Project No. 91-029. Prepared For U.S. Department Of Energy, Bonneville Power Administration, Division Of Fish And Wildlife, Portland, Oregon By The National Biological Survey, Cook, Washington, And The U.S. Fish And Wildlife Service, Ahsahka, Idaho.
- Curet, T.D. 1994. Habitat Use, Food Habits and The Influence Of Predation On Subyearling Chinook Salmon In Lower Granite And Little Goose Reservoirs, Washington. Master's Thesis. University Of Idaho, Moscow, Idaho.
- Dauble, D.D, R.L. Johnson, R.P. Mueller, and C.S. Abernethy. 1995. Prepared For The U.S. Army Corps Of Engineers, Walla Walla District By Battelle, Pacific Northwest Laboratory, Richland, Washington.
- Dauble, D.D, R.P. Mueller, R.L. Johnson, and W. V. Mavros. 1999. Surveys Of Fall Chinook Salmon Spawning Downstream Of Lower Snake River Hydroelectric Projects. Summary Report 1993-1998. Prepared For The U.S. Army Corps Of Engineers, Walla Walla District By Battelle, Pacific Northwest Laboratory, Richland, Washington.
- Federal Register. 1993. Vol. 58, No.242. December 28.
- Federal Register. 1999. Vol. 64, No. 24. February 5.

- HDR Engineering, Inc. 2000. Hood Park Modernization: Preliminary Analysis of Sewage Treatment Requirements and Alternatives. Prepared for the U.S. Army Corps of Engineers, Walla Walla District.
- Krutsch, Tony and Wally Hickerson. 2000. Boat Launch/Access Feasibility Memorandum. HDR Engineering, Inc.
- Newcomb, C.P. and J.O.E. Jensen. 1996. Channel Suspended Sediment And Fisheries: A Synthesis For Quantitative Assessment Of Risk. N. Am. J. Fish. Manag. 16: 693-727
- Mendel, G., D. Milks, R. Bugert, and K. Petersen. 1992. Upstream Passage And Spawning Of Fall Chinook Salmon In The Snake River, 1991. Completion Report To The U.S. Fish And Wildlife Service, Boise, Idaho.
- Mendel, G., D. Milks, R. Bugert, and K. Petersen. 1994. Upstream Passage and Spawning of Fall Chinook Salmon in the Snake River. *In:* H.L. Blakenship and G.W. Mendel. 1994. Upstream Passage, Spawning, And Stock Identification Of Fall Chinook Salmon In The Snake River, 1992. Annual Report FY 92-93. Prepared For the U.S. Department of Energy, Bonneville Power Administration, Portland, Oregon.
- Mueller, R.P., W.V. Mavros, and D.D. Dauble. 1998. Assessment of Dredging Activities Downstream of Ice Harbor Dam. Letter Report Prepared For U.S. Army Corps of Engineers, Walla Walla District, Walla Walla, Washington.
- Raleigh, R.F., T. Hickman, R.C. Solomon, and P.C. Nelson. 1984. Habitat Suitability Information: Rainbow Trout. US Dept. of Interior, Fish and Wildlife Service. FWS/OBS-82/10.60. January
- U.S. Army Corps of Engineers, Walla Walla District. 1999. Draft: Lower Snake River Juvenile Salmon Migration Feasibility Report/Environmental Impact Statement.
- U.S. Army Corps of Engineers, Portland District. 2000. 1999 Monthly Summaries for Adult Fish Counts.
<http://www.nwp.usace.army.mil/op/fishdata/monthsum1999.htm> (29 Sept. 2000).
- Waples, R.S., R.P. Jones, Jr., B.R. Beckman, and G.A. Swan. 1991. Status Review For Snake River Fall Chinook Salmon. U.S. Department Of Commerce, NOAA Technical Memorandum NMFS F/NWC-201. 73 Pp.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Oregon Fish and Wildlife Office
2600 S.E. 98th Avenue, Suite 100
Portland, Oregon 97266
(503) 231-6179 FAX: (503) 231-6195

Reply To: 8330.1211(02)
File Name: ~9793655.wpd
TR Number: 02-1416

January 15, 2002

Peter F. Poolman
U.S. Army Corps of Engineers
201 North Third Avenue
Walla Walla, WA 99362-1876

Subject: Celilo Village Residential Improvements Project (1-7-02-SP-212).

Dear Mr. Poolman:

This is in response to your letter, dated December 18, 2001, requesting information on listed and proposed endangered and threatened species that may be present within the area of the Celilo Village Residential Improvements Project in Wasco County. The U.S. Fish and Wildlife Service (Service) received your correspondence on December 18, 2001.

We have attached a list (Attachment A) of threatened and endangered species that may occur within the area of the Celilo Village Residential Improvements Project. The list fulfills the requirement of the Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). U.S. Army Corps of Engineers (COE) requirements under the Act are outlined in Attachment B.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems on which they depend may be conserved. Under section 7(a)(1) and 7(a)(2) of the Act and pursuant to 50 CFR 402 *et seq.*, COE is required to utilize their authorities to carry out programs which further species conservation and to determine whether projects may affect threatened and endangered species, and/or critical habitat. A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) which are major Federal actions significantly affecting the quality of the human environment as defined in National Environmental Policy Act (NEPA) (42 U.S.C. 4332 (2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to the Biological Assessment be prepared to determine whether they may affect listed and proposed species. Recommended contents of a Biological Assessment are described in Attachment B, as well as 50 CFR 402.12.

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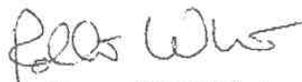
If COE determines, based on the Biological Assessment or evaluation, that threatened and endangered species and/or critical habitat may be affected by the project, COE is required to consult with the Service following the requirements of 50 CFR 402 which implement the Act.

Attachment A includes a list of candidate species under review for listing. The list reflects changes to the candidate species list published October 30, 2001, in the Federal Register (Vol. 66, No. 210, 54808) and the addition of "species of concern." Candidate species have no protection under the Act but are included for consideration as it is possible candidates could be listed prior to project completion. Species of concern are those taxa whose conservation status is of concern to the Service (many previously known as Category 2 candidates), but for which further information is still needed.

If a proposed project may affect only candidate species or species of concern, COE is not required to perform a Biological Assessment or evaluation or consult with the Service. However, the Service recommends addressing potential impacts to these species in order to prevent future conflicts. Therefore, if early evaluation of the project indicates that it is likely to adversely impact a candidate species or species of concern, COE may wish to request technical assistance from this office.

Your interest in endangered species is appreciated. The Service encourages COE to investigate opportunities for incorporating conservation of threatened and endangered species into project planning processes as a means of complying with the Act. If you have questions regarding your responsibilities under the Act, please contact Stacy Sroufe at (503) 231-6179 or Cindy Bright at (541) 957-3479. All correspondence should include the above referenced file number. For questions regarding salmon and steelhead trout, please contact National Marine Fisheries Service, 525 NE Oregon Street, Suite 500, Portland, Oregon 97232, (503) 230-5400.

Sincerely,


 for Kemper M. McMaster
 State Supervisor

Attachments
 1-7-02-SP-212

cc: OFWO-ES
 ODFW (nongame)
 cc: Bob Willis ACOE

ADDITIONALLY LISTED AND PROPOSED ENDANGERED AND THREATENED SPECIES,
 CANDIDATE SPECIES AND SPECIES OF CONCERN THAT MAY OCCUR WITHIN THE
 AREA OF THE CELILO VILLAGE RESIDENTIAL IMPROVEMENTS PROJECT
 1-7-02-SP-212

ADDITIONALLY LISTED SPECIES^{1/}Birds

Bald eagle ^{2/}	<i>Haliaeetus leucocephalus</i>	T
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Fish

Steelhead (Middle Columbia River) ^{3/}	<i>Oncorhynchus mykiss</i>	**T
Steelhead (Upper Columbia River) ^{4/}	<i>Oncorhynchus mykiss</i>	**E
Steelhead (Snake River Basin) ^{5/}	<i>Oncorhynchus mykiss</i>	**T
Sockeye salmon	<i>Oncorhynchus nerka</i>	CH **E
Salmon River tributary to the Snake River, Idaho		
Chinook salmon (Upper Columbia River) ^{6/}	<i>Oncorhynchus tshawytscha</i>	**E
Chinook salmon	<i>Oncorhynchus tshawytscha</i>	CH **T
Snake River spring/summer runs		
Chinook salmon	<i>Oncorhynchus tshawytscha</i>	CH **T
Snake River fall runs		

PROPOSED SPECIES

None

CANDIDATE SPECIES^{9/}Birds

Yellow-billed cuckoo ^{7/}	<i>Coccyzus americanus</i>
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Amphibians and Reptiles

Oregon spotted frog	<i>Rana pretiosa</i>
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Plants

Northern wormwood	<i>Artemisia campestris</i> ssp. <i>wormskioldii</i>
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SPECIES OF CONCERNMammals

Pale western big-eared bat	<i>Corynorhinus (=Plecotus) townsendii pallescens</i>
Silver-haired bat	<i>Lasiorycteris noctivagans</i>
Small-footed myotis (bat)	<i>Myotis ciliolabrum</i>
Long-eared myotis (bat)	<i>Myotis evotis</i>

Yuma myotis (bat)
Yuma myotis (bat)

Myotis volans
Myotis yumanensis

Birds

Tricolored blackbird
 Western burrowing owl
 Ferruginous hawk
 Willow flycatcher
 Yellow-breasted chat
 Lewis' woodpecker
 Mountain quail

Agelaius tricolor
Athene cunicularia hypugea
Buteo regalis
Empidonax trailli adastus
Icteria virens
Melanerpes lewis
Oreortyx pictus

Amphibians and Reptiles

Northern sagebrush lizard

Sceloporus graciosus graciosus

Fish

Pacific lamprey
 Interior redband trout

Lampetra tridentata
Oncorhynchus mykiss gibbsi

Invertebrates

California floater (mussel)
 Great Columbia River spire snail
 Minor Pacific sideband (snail)

Anodonta californiensis
Fluminicola columbianus
Monadenia fidelis minor

Plants

White meconella
 Disappearing monkeyflower
 Little mousetail
 Obscure buttercup

Meconella oregana
Mimulus evanescens
Myosurus minimus ssp. apus (= var. *sessiliflorus*)
Ranunculus reconditus

(E) - Listed Endangered

(T) - Listed Threatened

(CH) - Critical Habitat has been designated for this species

(PE) - Proposed Endangered

(PT) - Proposed Threatened

(PCH) - Critical Habitat has been proposed for this species

Species of Concern - Taxa whose conservation status is of concern to the Service (many previously known as Category 2 candidates), but for which further information is still needed.

** Consultation with National Marine Fisheries Service may be required.

¹ U. S. Department of Interior, Fish and Wildlife Service, October 31, 2000. *Endangered and Threatened Wildlife and Plants*, 50 CFR 17.11 and 17.12

² Federal Register Vol. 60, No. 133, July 12, 1995 - Final Rule - Bald Eagle

³ Federal Register Vol. 64, No. 57, March 25, 1999, Final Rule - Middle Columbia and Upper Willamette River Steelhead

⁴ Federal Register Vol. 62, No. 159, August 18, 1997, Final Rule - Upper Columbia and Snake River Steelhead

⁵ Federal Register Vol. 64, No. 56, March 24, 1999, Final Rule - West Coast Chinook Salmon

⁶ Federal Register Vol. 66, No. 210, October 30, 2001, Notice of Review - Candidate or Proposed Animals and Plants

⁷ Federal Register Vol. 66, No. 143, July 25, 2001, 12-Month Finding for a Petition To List the Yellow-billed Cuckoo



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
WALLA WALLA DISTRICT, CORPS OF ENGINEERS
201 NORTH THIRD AVENUE
WALLA WALLA, WASHINGTON 99362-1876

April 8, 2002

Planning, Programs, and Project
Management Division

Subject: Celilo Village Residential Improvements- Biological Assessment - No Effect
Determination

Mr. Michael Tehan
Branch Chief, Oregon Habitat Branch
National Marine Fisheries Service
525 NE Oregon Street, Suite 500
Portland, Oregon 97232

Dear Mr. Tehan:

Pursuant to Section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*), find enclosed for your information is the Corps of Engineers, Portland District's Biological Assessment for Celilo Village Residential Improvements project at Celilo, Oregon. We have determined that the project would have "no effect" on fish species listed under the ESA, nor their Critical Habitat under ESA or Essential Fish Habitat (EFH) under the Magnuson-Stevens Fishery Conservation Act.

U.S. Fish and Wildlife Service (USFWS) listed species have also been addressed in this Biological Assessment (Ref. File No. 1-7-02-SP-212). These species include bald eagle. We have determined that this project would have "no effect" on bald eagles or on any proposed species for listing. We are consulting with the Oregon State Office of the USFWS in Portland on these species.

If changes are made that could potentially change the effect determinations, we will initiate consultation pursuant to section 7(c) of the Endangered Species Act. If you have any questions or would like additional information about the proposed action, please contact Mr. George Miller (Project Manager) at 503-808-4704.

Sincerely,

A handwritten signature in cursive script that reads "Peter F. Poolman".

Peter F. Poolman
Chief, Environmental Compliance Section

Enclosure

Copy Furnished w/ Enclosure to the following:

George Miller (CENWP-PM-PM)



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
WALLA WALLA DISTRICT, CORPS OF ENGINEERS
201 NORTH THIRD AVENUE
WALLA WALLA, WASHINGTON 99362-1876

April 8, 2002

Planning, Programs, and Project
Management Division

Subject: Celilo Village Residential Improvements – Biological Assessment – No Effect
Determination

Mr. Kemper McMaster
U.S. Fish and Wildlife Service
Oregon State Office
2600 SE 98th Avenue, Suite 100
Portland, Oregon 97266

Dear Mr. McMaster:

Pursuant to Section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*), find enclosed for your information is the Corps of Engineers, Portland District's Biological Assessment for Celilo Village Residential Improvements project at Celilo, Oregon (Ref. File No. 1-7-02-SP-212). We have determined that the project would have "no effect" on bald eagle listed under the ESA or other proposed species.

National Marine Fisheries Service (NMFS) listed species have also been addressed in this Biological Assessment. These species include Columbia and Snake River salmon and steelhead stocks. We have determined that this project would have "no effect" on these listed stocks or on any proposed species for listing, nor their Critical Habitat under ESA or Essential Fish Habitat (EFH) under the Magnuson-Stevens Fishery Conservation Act. We are consulting with the Oregon Habitat Branch of the NMFS in Portland on these species.

If changes are made that could potentially change the effect determinations, we will initiate consultation pursuant to section 7(c) of the Endangered Species Act. If you have any questions or would like additional information about the proposed action, please contact Mr. George Miller (Project Manager) at 503-808-4704.

Sincerely,

Peter F. Poolman
Chief, Environmental Compliance Section

Enclosure

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Copy Furnished w/ Enclosure to the following:

George Miller (CENWP-PM-PM)



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Oregon Fish and Wildlife Office
2600 S.E. 98th Avenue, Suite 100
Portland, Oregon 97266
(503) 231-6179 FAX: (503) 231-6195

Reply To: 8330.6022
File Name: Celilo Village.wpd
TS Number: 02-4775

April 22, 2002

Mr. Peter F. Poolman
Chief, Environmental Compliance Section
Department of the Army
Walla Walla District, Corps of Engineers
201 North Third Avenue
Walla Walla, Washington 99362-1876

Attn: Mr. George Miller, Project Manager

Re: Celilo Village Residential Improvements Biological Assessment

Dear Mr. Poolman:

This is in response to your April 8, 2002, letter transmitting your evaluation of the impacts on bald eagle (*Haliaeetus leucocephalus*) from the proposed Celilo Village Residential Improvements Project. Your correspondence was received in this office on April 15, 2002. Although we typically do not provide a written response for "no effect" determinations, this letter has been prepared, per your request, in order to document our review of the Biological Assessment (BA) for the proposed action in accordance with section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Celilo Village is located at River Mile 201 to 202 on the Columbia River about 14 miles east of the Dalles, Wasco County, Oregon. The Village consists of approximately 34 acres of land and currently lacks adequate sanitary and water systems, resulting in public health and safety problems. The goal of the proposed project is to provide adequate living conditions for the residents of Celilo Village.

No known bald eagle nests or nesting attempts occur in or adjacent to the proposed project construction footprint. Bald eagles are known to frequent many of the large trees along this stretch of river during winter months. Potential suitable bald eagle roosting/perching habitat does occur within the project area. The proposed action does not include the removal of any trees within the Celilo Village construction footprint. Additionally, construction is scheduled to take place between July 15, 2002 and November 1, 2002, in order to avoid bald eagle winter use

of the area for roosting and perching. Based on our review of the Biological Assessment for the proposed project, we do not object to your no effect determination for the bald eagle.

This concludes section 7 consultation on the Celilo Village Residential Improvements project. Should project plans change, or if additional information on the distribution of listed or proposed species becomes available, this determination may be reconsidered. If you have any questions or concerns about this consultation or the consultation process in general, please feel free to contact Mikki Collins or Laura Todd of my staff at (503) 231-6179.

Sincerely,


for Kemper M. McMaster
State Supervisor



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
525 NE Oregon Street
PORTLAND, OREGON 97232-2737

Refer to:
OHB2002-00380

July 25, 2002

Mr. George Miller
U.S. Army Corps of Engineers
CENWP-PM-PM
P.O. Box 2946
Portland, OR 97208-2946

Re: Endangered Species Act Section 7 Consultation and Magnuson-Stevens Fishery
Conservation and Management Act Essential Fish Habitat Consultation for the Celilo
Village Residential Improvements Project at Celilo, Oregon.

Dear Mr. Miller:

This correspondence is in response to your request for consultation under the Endangered
Species Act (ESA). Additionally, this letter serves to meet the requirements for consultation
under the Magnuson-Stevens Fishery Conservation and Management Act (MSA).

ENDANGERED SPECIES ACT

The Corps of Engineers (COE) proposes to fund the upgrades and improvements to housing and
infrastructure (sewage treatment and parking) at Celilo Village in order to improve living
conditions for residents that were relocated to the site as a consequence of construction of the
Dalles Dam. The proposed action is located near the Columbia River at Celilo, Oregon.

On April 15, 2002, the National Marine Fisheries Service (NOAA Fisheries) received a complete
biological assessment (BA) and other project information from COE, as well as a written request
for concurrence with a finding that the proposed action will have "no effect" on Columbia River
chum salmon (*Oncorhynchus keta*), Lower Columbia River steelhead (*O. mykiss*), Middle
Columbia River steelhead (*O. mykiss*), Upper Columbia River steelhead (*O. mykiss*), Snake River
steelhead (*O. mykiss*), Snake River sockeye salmon (*O. nerka*), Lower Columbia River chinook
salmon (*O. tshawytscha*), Upper Columbia River spring-run chinook salmon (*O. tshawytscha*),
Snake River spring/summer-run chinook salmon (*O. tshawytscha*), Snake River fall chinook
salmon (*O. tshawytscha*), or their designated critical habitats in the project area. This
consultation is undertaken pursuant to section 7(a)(2) of the Endangered Species Act (ESA) and
its implementing regulations, 50 CFR Part 402.



Based on information provided by COE, NOAA Fisheries concurs with COE's determination that the proposed project will have no effect on the listed species because: (1) The project involves no in-water or shoreline work; (2) the project is located from 250 to 1,000 feet away from the top of bank; (3) all runoff from the parking lot would be absorbed within the vegetated buffer zone; and (4) the contractor will be required to implement an extensive list of proposed conservation measures as listed on page 10 of the biological assessment will avoid or minimize any potential adverse effects to designated critical habitat such as pollution or chemical contamination.

The COE must reinitiate this consultation if: (1) New information reveals that effects of the action may affect listed species in a way not previously considered; (2) the action is modified in a way that causes an effect on listed species that was not previously considered; or (3) a new species is listed or critical habitat is designated that may be affected by the action (50 CFR 402.16).

MAGNUSON-STEVENSON ACT

Federal agencies are required under §305(b)(2) of the MSA and its implementing regulations (50 CFR 600 Subpart K), to consult with NOAA Fisheries regarding actions that are authorized, funded, or undertaken by that agency that may adversely affect essential fish habitat (EFH). The MSA (§3) defines EFH as "those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity." If an action would adversely affect EFH, NOAA Fisheries is required to provide the Federal action agency with EFH conservation recommendations (MSA §305(b)(4)(A)). This consultation is based, in part, on information provided by the Federal action agency and descriptions of EFH for Pacific salmon contained in Appendix A to Amendment 14 to the Pacific Coast Salmon Plan (August 1999) developed by the Pacific Fishery Management Council and approved by the Secretary of Commerce (September 27, 2000).

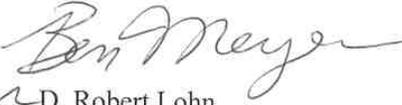
The proposed action and action area are described in section 1.0 of the BA. The project area includes habitat which has been designated as EFH for various life stages of chinook salmon (*O. tshawytscha*) and coho salmon (*O. kisutch*).

Because the COE has determined that the proposed project would have no adverse effect to designated EFH, conservation recommendations pursuant to MSA (§305(b)(4)(A)) are not necessary.

This concludes consultation under the MSA. If the proposed action is modified in a manner that may adversely affect EFH, or if new information becomes available that affects the basis for NOAA Fisheries' EFH conservation recommendations, the COE will need to reinitiate EFH consultation with NOAA Fisheries in accordance with NOAA Fisheries implementing regulations for EFH at 50 CFR 600.920(k).

Please direct questions regarding this letter to Ben Meyer of my staff in the Oregon Habitat Branch at 503.230.5425.

Sincerely,


for D. Robert Lohn
Regional Administrator



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Oregon Fish and Wildlife Office
2600 S.E. 98th Avenue, Suite 100
Portland, Oregon 97266
(503) 231-6179 FAX: (503) 231-6195

Reply To: 7315.0271
File Name: PN PM-E-02-09, Celilo Village Redvelpmt. Proj., Treaty Fishng. Access Site, Wasco County near Col. River
TS#:02-7964

October 23, 2002

Colonel Richard W. Hobernicht, District Engineer
Portland District, Corps of Engineers
ATTN: CENWW-PM-PM (George Miller)
P.O. Box 2946
Portland, Oregon 97208-2946

Dear Colonel Hobernicht:

The U. S. Fish and Wildlife Service has reviewed the environmental assessment for the proposed redevelopment of Celilo Village in Wasco County near the Columbia River as advertised by the following public notice. This proposed redevelopment project is a post authorization change to the development of treaty fishing access sites authorized under Public Law 100-581. No significant adverse effects on fish and wildlife, their habitats, or human uses thereof are expected to result from the proposed work or activity. Therefore, the Service has no objection from the standpoint of fish and wildlife to the construction of this project as described in the public notice/ environmental assessment below provided the applicant adheres to all conditions and requirements specified by the Oregon Division of State Lands and NOAA/Fisheries.

Notice No./Date	Applicant Name	Due Date
PN PM-E-02-09/Sept. 23, 2002	Corps of Engineers	October 23, 2002

Other Bureaus of the Department of the Interior do not expect to submit comments on this notice at this time.

Sincerely yours,

for Kemper M. McMaster
State Supervisor
Acting for U.S. Department of
the Interior Coordinator