

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Couse Creek Fish Passage at Blue Mt. Station

Project No.: 2007-396-00

Project Manager: Corrie Veenstra – EWL - 4

Location: Umatilla County, OR

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021): B1.20 Protection of cultural resources, fish and wildlife habitat

Description of the Proposed Action: Bonneville Power Administration (BPA) proposes to fund the Walla Walla Watershed Basin Council to implement a fish passage project to include; removing an irrigation diversion, streambed channel restoration, and enhancing surrounding riparian vegetation. The proposed actions would improve habitat and provide access to eleven miles of up-stream habitat for listed-species: spring Chinook, steelhead, and bull trout. Funding the proposed activities fulfills ongoing commitments under the 2020 National Marine Fisheries Service Columbia River System Biological Opinion (2020 NMFS CRS BiOp) commitments specified in the 2020 U.S. Fish and Wildlife Service Columbia River System BiOp (2020 FWS CRS BiOp), while also supporting ongoing efforts to mitigate for effects of the Federal Columbia River Power System (FCRPS) on fish and wildlife in the mainstem Columbia River and its tributaries pursuant to the Pacific Northwest Electric Power Planning and Conservation Act of 1980 (Northwest Power Act) (16 U.S.C. (USC) 839 et seq.).

An existing 3 foot concrete irrigation diversion would be removed. Immediately upstream of the dam, approximately 100 feet of streambed would be excavated no more than 1.5 feet to maintain a sustainable channel gradient. A roughened channel consisting of boulders, rocks, and large woody debris would be constructed approximately 100 feet both upstream and downstream of the dam. In-stream structures would fill pools formed by the dam, stabilize the streambed, and enhance habitat complexity. Prior to construction, best management practices (BMPs) would be used to remove fish, de-water and isolate the work zone, and control sediment and erosion as needed.

Following construction, banks and riparian zones would be mulched, revegetated with native species, and areas of ground disturbance would be reseeded with native grasses. Measures would be taken to preserve or transplant the existing trees and vegetation.

The project would occur in September and October of 2022, within the designated Oregon Department of Fish and Wildlife (ODFW) in-stream work window, when the stream is typically dry. The site would be accessed via pre-existing access road on private property. Construction equipment would consist of pick-up trucks, dump trucks, excavators, jackhammers, diversion pumps, power tools, and hand tools. All materials used in the restoration would be repurposed directly from the site or sourced from a local vendor. Due to landowner directive, the staging and

stockpiling area would be within 150 ft from stream; however, it would be above the 100-year flood elevation and a spill prevention plan has been developed.

Findings: In accordance with Section 1021.410(b) of the Department of Energy's (DOE) National Environmental Policy Act (NEPA) Regulations (57 FR 15144, Apr. 24, 1992, as amended at 61 FR 36221-36243, Jul. 9, 1996; 61 FR 64608, Dec. 6, 1996, 76 FR 63764, Nov. 14, 2011), BPA has determined that the proposed action:

- 1) fits within a class of actions listed in Appendix B of 10 CFR 1021, Subpart D (see attached Environmental Checklist);
- 2) does not present any extraordinary circumstances that may affect the significance of the environmental effects of the proposal; and
- 3) has not been segmented to meet the definition of a categorical exclusion.

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

/s/ Lindsey Arotin

Lindsey Arotin
Environmental Protection Specialist

Concur:

/s/ Sarah T. Biegel

Sarah T. Biegel
NEPA Compliance Officer

September 26, 2022

Date

Attachment(s): Environmental Checklist

Categorical Exclusion Environmental Checklist

This checklist documents environmental considerations for the proposed project and explains why the project would not have the potential to cause significant impacts on environmentally sensitive resources and would meet other integral elements of the applied categorical exclusion.

Proposed Action: Couse Creek Fish Passage at Blue Mt. Station

Project Site Description

The proposed project site is located in northeast Oregon, approximately 6-miles south of Milton-Freewater, Oregon in Umatilla County. The project would occur on 0.2 acres of private property along Couse Creek, approximately 3-miles upstream from the Walla Walla River confluence. Land use is a combination of agriculture, suburban development, and fallow areas dominated by lowland shrubbery and weedy herbaceous plants. Historical agricultural practices have left the stream and surrounding environment degraded and poorly functioning.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No

Explanation: BPA determined that the Couse Creek fish passage and restoration project (OR 2021 113) would have no historical properties affected on August 12, 2022. BPA consulted with the Confederated Tribes and Bands of the Yakama Nation, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation of Oregon, and the Oregon State Historical Preservation Office. The Nez Perce responded to the determination letter on August 12, 2022, expressing no comment on the report and deferring comment to the Confederated Tribes of the Umatilla Indian Reservation. The SHPO responded on August 28, confirming receipt of the report and determination letter. No additional comments were received by the end of the end of the 30-day consultation period on September 10, 2022.

2. Geology and Soils

Potential for Significance: No

Explanation: The fish passage and restoration construction would permanently disturb soils on the project site. BMPs would be developed to avoid or minimize temporary fine sediment impacts during construction. All ground disturbance would be stabilized and monitored throughout the length of implementation.

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

Potential for Significance: No

Explanation: No ESA-listed or special-status plant species are known to exist on the site. Areas impacted by the fish passage and restoration construction would be restored by planting native vegetation to improve habitat quality.

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

Potential for Significance: No

Explanation: Presence of a migratory USFWS Bird of Conservation Concern (BCC) species; Rufous hummingbird; may be possible at the proposed project site (USFWS IPaC.gov). However, no sightings have been documented within a 2-mile radius of the project site (Ebird.org). No special-status wildlife species or habitat would be negatively impacted by the fish passage restoration work and vegetation planting. Wildlife may be temporarily disturbed and displaced by construction noise during implementation.

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

Potential for Significance: No

Explanation: The removal of the irrigation diversion dam would permanently alter a portion of the waterway, and would have temporary effects such as: increased turbidity, habitat disturbances, and increased physiological stress to aquatic life. Stream flow would be diverted during construction operations, and work zone isolation structures would be installed. Due to low-flow conditions and increased water temperature, presence of ESA-listed fish or other species would be unlikely. If necessary, fish salvage (block netting, electrofishing, and handling) would be performed by Walla Walla Basin Watershed Council (WWBWC) Biologist. BMPs would be implemented to manage sediment and turbidity, and construction operations would be paused during runoff events. The proposed project was designed in accordance with NMFS passage criteria and would restore migration habitat access for ESA-listed species; bull trout, redband trout, summer steelhead, and spring Chinook salmon.

Permits:

- Clean Water Act (CWA) Section 404 permit under the Regional General Permit (RGP) 6 from the U.S. Army Corps of Engineers (USACE) on September 22, 2022. RGP-6 is covered by the Oregon Department of Environmental Quality (DEQ) under a CWA Section 401 Water Quality Certification for the Reissuance of Regional General Permit #6 with Modifications for Bonneville Power Administration Funded Habitat Improvement Projects – USACE Corps No. NWP-2022-270
- Waterway Habitat Restoration, Removal-Fill Permit Issued by the Department of State Lands on April 22, 2022 #RGL 7383
- ODFW Fish Passage Approval issued July 22, 2022 #PA-07-044
- Rescue/Salvage Authorization issued by ODFW on August 30, 2022 #26740

6. Wetlands

Potential for Significance: No

Explanation: Ground disturbance would occur and channel wetlands within Couse Creek's historical floodplain, identified by the National Wetland Inventory (NWI) spatial data, would be impacted as a result of the dam irrigation diversion removal. However, no off-channel wetlands were identified during field surveillance. WWBWC has obtained Sections 404 and 401 permits for the proposed work under the USACE RGP-6 permit. The project would be self-mitigating as it would restore wetland function and increase ecological value.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: Although there would be ground disturbances as a result of the dam removal and channel restoration, the work is not expected to substantially affect groundwater and aquifers. Recharge could potentially improve as flow increases downstream of the dam and natural stream conditions improve.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: No change in land use would occur as a result of the proposed irrigation dam removal. The project is located on private agricultural land and although the diversion would be removed, the landowner would still have adequate access to water per their water rights.

Permits:

- Floodplain Development Zoning Permit issued by Umatilla County May 23, 2022 #ZP-22-094

9. Visual Quality

Potential for Significance: No

Explanation: Temporary and permanent changes would occur during the fish passage and restoration construction. Short-term changes to the landscape would occur during construction, such as work zone conditions, vehicles, and equipment. Approximately 100 feet of Couse Creek and surrounding habitat would be permanently changed and restored to natural conditions which would improve visual quality overall.

10. Air Quality

Potential for Significance: No

Explanation: A temporary increase in emissions and dust from vehicles accessing the project site would be very minor and short-term during construction, but would resume to normal conditions immediately once the project is completed.

11. Noise

Potential for Significance: No

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

12. Human Health and Safety

Potential for Significance: No

Explanation: The proposed work is not considered hazardous nor does it result in any health or safety risks to the general public. There would be no soil contamination or hazardous conditions and no CERCLA sites.

Evaluation of Other Integral Elements

The proposed project would also meet conditions that are integral elements of the categorical exclusion. The project would not:

Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders.

Explanation: N/A

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

Explanation: N/A

Disturb hazardous substances, pollutants, contaminants, or CERCLA excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases.

Explanation: N/A

Involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species, unless the proposed activity would be contained or confined in a manner designed and operated to prevent unauthorized release into the environment and conducted in accordance with applicable requirements, such as those of the Department of Agriculture, the Environmental Protection Agency, and the National Institutes of Health.

Explanation: N/A

Landowner Notification, Involvement, or Coordination

Description: WWBWC and GeoEngineers developed and agreed upon the proposed actions collaboratively with the landowner.

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

Signed: /s/ Lindsey Arotin

Lindsey Arotin, ECF - 4
Environmental Protection Specialist

September 26, 2022

Date