

# Categorical Exclusion Determination

Bonneville Power Administration  
Department of Energy



**Proposed Action:** Cougar Creek Barrier Removal Project

**Project No.:** 1994-018-05

**Project Manager:** Matthew Schwartz, EWM - 4

**Location:** Asotin County, Washington

**Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021):** B 1.20 Protection of cultural resources, fish and wildlife

**Description of the Proposed Action:** Bonneville Power Administration (BPA) proposes to fund Asotin County Conservation District (ACCD) in the removal and replacement of a culvert that is currently a fish passage barrier.

ACCD proposes to remove the existing 64-inch-diameter corrugated metal culvert crossing structure and replacing it with a concrete open bottom culvert. The proposed culvert would be 50 feet in length and would span 24 feet. The culvert would be supported with spread footings and a prefabricated concrete cap would be placed on the stem wall footings. The culvert includes wingwalls at both the inlet and outlet locations.

ACCD proposes to reconstruct the channel on either side of the new culvert to maintain the proper slope and mitigate for potential new barrier. The channel work would consist of installing porous weirs with longitudinal spacing, matching conditions observed in their reference reach. The proposed streambed materials between the weirs would generally match the gradation identified in the site, boulders between 28in and 36in would be utilized. Fines would be washed into the weirs to promote flow over them. Weirs would dissipate energy and direct flow towards the center of the channel to prevent erosion at the newly installed structure walls and channel banks. The weirs would span the channel width and are designed to degrade over time.

Removal of the passage barrier, installation of the new culvert, and reconstruction of the channel would require the use of heavy equipment (most likely excavator, or backhoe) to remove and place the new culvert, and to place boulders for channel reconstruction. All work near and adjacent the river would occur during the in-water work window, typically July 15<sup>th</sup> to September 30<sup>th</sup>.

These actions would support conservation of ESA-listed species considered in the 2020 ESA consultations with NMFS on the operations and maintenance of the Columbia River System. These actions also support Bonneville's ongoing efforts to mitigate for effects of the 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.).

**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/ Catherine Clark  
Catherine Clark  
Environmental Protection Specialist

Concur:

<u>/s/ Sarah T. Biegel</u>	<u>June 14, 2023</u>
Sarah T. Biegel	Date
NEPA Compliance Officer	

Attachment(s): Environmental Checklist

# Categorical Exclusion Environmental Checklist

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

**Proposed Action:** Cougar Creek Barrier Removal Project

## **Project Site Description**

The proposed project site would be located in southern Asotin County on Grande Ronde Road. The roadway is owned and maintained by Asotin County and the land adjacent to the crossing is owned by the Washington Department of Fish and Wildlife (WDFW). Cougar Creek is a tributary to the Grande Ronde River and crosses Grande Ronde Road approximately 120 feet upstream of the confluence.

## **Evaluation of Potential Impacts to Environmental Resources**

### **1. Historic and Cultural Resources**

Potential for Significance: No with Conditions

Explanation: BPA determined that the implementation of the proposed project would result in no adverse effects to historic properties (WA 2021 077) on April 5, 2023. BPA consulted with the Nez Perce Tribe, the Confederated Tribes and bands of the Yakama Nation (YN), the Confederated Tribes of the Umatilla Indian Reservation (CTUIR), the Confederated Tribes of the Colville Reservation, WDFW, and the Washington Department of Archaeology and Historic Preservation (DAHP). DAHP and the Nez Perce Tribe concurred with our determination of effect and proposed contingencies on April 5, 2023. No other responses were received from the remaining consulting parties.

Notes:

- The no adverse effect determination is contingent upon the avoidance of positive shovel test locations and the presence of a monitor on site during ground-disturbing activities.

### **2. Geology and Soils**

Potential for Significance: No

Explanation: The Cougar Creek barrier removal fill and removal would not exceed the cubic yard limits or the described qualitative amounts below the Ordinary High Water Mark (OHWM) set in NWP-2022-955 Permit. As specified in the permit for the culvert removal (fish passage) project, both fill and removal amounts would be the minimum possible to restore floodplain and stream channel dimensions.

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

Potential for Significance: No

Explanation: No Federal/state special-status plant species would be expected to be impacted by the proposed activities because none are present in the project area. Disturbance to vegetation from construction activities and heavy equipment would occur within the project area. All disturbed areas would be seeded and replanted with native riparian vegetation as

part of WDFW's revegetation plan. Increased native vegetation would be considered beneficial to plants and habitat in the long term.

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

Potential for Significance: No

Explanation: No Federal/state special-status wildlife species would be expected to be impacted by the proposed activities because none are present in the project area. Some short-term displacement of wildlife may occur due to human presence and implementation noise levels, with long-term benefits to habitat.

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

Potential for Significance: No

Explanation: BPA conducted an engineering review for compliance with the Endangered Species Act (ESA) under the programmatic Section 7 Habitat Improvement Program (HIP) ESA consultation. Adherence to HIP project design criteria would minimize impacts to water bodies, floodplains, and fish. Short-term negative effects, such as displacement due to dewatering and construction activities, to Snake River Basin steelhead and Chinook designated critical habitat are expected to have a long-term benefit post-project implementation. All work would occur within the in-water work window of July 15 to August 15. The General Permit for USFS Aquatic Habitat Restoration, Permit number NWP-2022-955 under the US Army Corp of Engineers Nationwide Permit 27, authorizes ACCD to place fill material and certain structures in waters of the US within the State of Washington for the purpose of aquatic habitat restoration in support of the ACCD conservation strategies.

#### **6. Wetlands**

Potential for Significance: No

Explanation: There are no wetlands present in the proposed project areas. Therefore, there would be no impact to wetlands.

#### **7. Groundwater and Aquifers**

Potential for Significance: No

Explanation: There would be no groundwater withdrawal proposed with these activities. Therefore, there would be no impacts to groundwater or aquifers. The culvert replacement would provide more access for water to inundate side channels and wetland areas downstream and would store flood water and slowly release it throughout the year. This would in turn improve base flows and groundwater recharge in the project area.

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

Potential for Significance: No

Explanation: No action proposed would change the land use or affect any specially-designated areas.

#### **9. Visual Quality**

Potential for Significance: No

Explanation: The proposed activities at Cougar Creek would directly impact the visual foreground associated with the area during implementation, due to the presence of heavy equipment and culvert replacement. Post-implementation, all project areas would return to a natural state, which would enhance overall visual quality.

## 10. Air Quality

Potential for Significance: No

Explanation: Temporary, small amounts of vehicle emission would be generated by equipment and trucks during implementation.

## 11. Noise

Potential for Significance: No

Explanation: Temporary increase in ambient noise may occur during implementation. Any noise emitted from equipment would be short-term and temporary during daylight hours.

## 12. Human Health and Safety

Potential for Significance: No

Explanation: No known soil contamination or hazardous conditions and no adjacent 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: WDFW owns and operates the land, and has been in coordination with Asotin County Conservation District staff and BPA.

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

Signed: /s/ Catherine Clark June 14, 2023  
Catherine Clark Date  
Environmental Protection Specialist