

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Cummings Creek Restoration Project

Project No.: 2010-077-00

Project Manager: Jenny Lord, EWU-4

Location: Columbia County, WA

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

Description of the Proposed Action: The Bonneville Power Administration (BPA) proposes to fund the Nez Perce Tribe (NPT) Fisheries Resources Management Watershed Division to implement a low-tech restoration project on Washington Department of Fish and Wildlife (WDFW)-managed parcels within the ceded lands of the NPT in Columbia County, Washington. Project objectives are to improve floodplain access, incision recovery, and/or water retention in order to improve and maintain spawning and rearing habitat for Snake River steelhead on Cummings Creek, a tributary to the Tucannon River.

Specific Actions for Floodplain Restoration include:

- **Post Assisted Log Structures:** Up to 70 Post Assisted Log Structures (PALS) would be constructed along and/or within the Ordinary High Water (OHW) of the main channel of Cummings Creek. Each PALS would consist of 7 to 10 posts spanning the creek and contain 10 to 15 pieces of wood interspersed between the posts. Each post is approximately 2 inches in diameter and 6 feet long. Hand powered tools (post drivers, sledgehammers, saws) would be used for installation. In subsequent years, an additional 70 PALS wood placements would occur within the project area, near or adjacent to existing structures, dependent upon the river's response to the initial placements and resilience of individual structures.
- **Beaver Dam Analogs (BDAs):** Up to 10 Beaver Dam Analogs (BDAs) would be constructed along and/or within the OHW of the main channel of Cummings Creek. Each BDA would consist of between 24-38 posts and contain up to 19 cubic yards of weaving material. Each post is approximately 2 inches in diameter and 6 feet long. Hand powered tools would be used for installation. In subsequent years, an additional 10 BDAs would occur within the project area, near or adjacent to existing structures, dependent upon the river's response and resilience of individual structures.
- **Plantings:** Native species planting would occur in riparian areas complementing each PALS and BDA complex in subsequent years if channel migration and water retention objectives are met.

- Adaptive Management: Maintenance to these structures (addition of wood, reinstallation of individual posts, placement of weaving material and additional plantings) would occur in subsequent years in response to unforeseen high flow events.

Construction of project elements would occur July through September. Crews would access the site by foot using existing paths and trails and use hand tools (post drivers, sledgehammers, saws) to install untreated posts. No heavy machinery would be used.

The Proposed Action fulfills commitments under the 2020 National Marine Fisheries Service (NMFS) Columbia River System Biological Opinion and would support conservation of ESA-listed species considered in the 2020 ESA consultation with the U.S. Fish and Wildlife Service and NMFS on the operation and maintenance of the Columbia River System. These actions also support ongoing efforts to mitigate for the 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; 89 FR 34074, April 30, 2024), 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.¹

Dan Gambetta
Environmental Protection Specialist

Concur:

Katey C. Grange
NEPA Compliance Officer

Attachment(s): Environmental Checklist

¹ BPA is aware that the Council on Environmental Quality (CEQ), on February 25, 2025, issued an interim final rule to remove its NEPA implementing regulations at 40 C.F.R. Parts 1500–1508. Based on CEQ guidance, and to promote completion of its NEPA review in a timely manner and without delay, in this CX BPA is voluntarily relying on the CEQ regulations, in addition to DOE's own regulations implementing NEPA at 10 C.F.R. Part 1021, to meet its obligations under NEPA, 42 U.S.C. §§ 4321 et seq.

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: Cummings Creek Restoration Project

Project Site Description

Cummings Creek is a small tributary to the Tucannon River flowing through the rolling terrain of the Blue Mountains region. From the mouth to approximately 1 mile upstream of the project area is in a partially confined, fan driven valley and is located completely within parcels managed by Washington Department of Fish and Wildlife for conservation. Cummings Creek provides habitat for native fish species and the surrounding land is comprised of a mix of forested and agricultural landscapes. Historic practices such as agriculture, grazing, and logging have decreased riparian condition, and caused major changes in channel form and function throughout the watershed. Throughout the project area, channel simplification caused by channel confinement (levees, lakes, roads) and straightening (pushing the channel to the valley wall) has led to a loss of floodplain connectivity (channel incision), increased stream velocities, and loss of pool habitat. These factors have combined to decrease quality habitat for adult and juvenile spring Chinook salmon, steelhead, and bull trout.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No

Explanation: Pursuant to its responsibilities under Section 106 of the National Historic Preservation Act and 36 CFR Part 800, BPA initiated consultation with Department of Archaeology and Historic Preservation, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Colville Nation, the Confederated Tribes and Bands of the Yakama Nation and the NPT on March 27, 2025 (BPA CR Project No.: WA 2024 283).

BPA was provided with an inventory report prepared by the NPT Cultural Resources Program that did not identify any historic properties within the Area of Potential Effect. Therefore, on March 27, 2025, as per §36 CFR 800.4(d)(1), BPA determined that the implementation of the proposed undertaking would result in no historic properties affected. BPA did not receive any responses from consulting parties.

2. Geology and Soils

Potential for Significance: No

Explanation: Minimal and highly localized soil disturbance would occur from manual post driving and foot traffic within the riparian corridor. No excavation or soil compaction from heavy machinery would occur.

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

Potential for Significance: No

Explanation: There are no special status species or Endangered Species Act (ESA)-listed plant species known to exist on the site. Ground disturbance would be limited to the small areas where the structures are placed. Minor trampling of herbaceous vegetation may occur along access paths but no clearing or tree removal would be required. Any impacts would be localized and temporary. Additional plantings near BDAs and PALS would enhance the riparian overstory.

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

Potential for Significance: No

Explanation: No ESA-listed wildlife species, including sensitive wildlife species, have been documented in or adjacent to the project area and no designated critical habitat is present. Non-listed resident wildlife species would be temporarily disturbed by noise and human presence during PALS and BDA installation; however, this disturbance would be limited and would not permanently displace wildlife in the project area. These effects would be mild, temporary, and localized to the project area.

BDAs are a permeable, channel spanning structures that would mimic the processes of beaver dam activity, such as promoting the temporary ponding of water. This would provide suitable habitat for beavers themselves, who could potentially occupy the habitat and maintain the structure over time.

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

Potential for Significance: No

Explanation: The Project area supports ESA-listed Snake River summer steelhead (*Oncorhynchus mykiss*), Snake River spring and fall Chinook salmon (*O. tshawytscha*), and Columbia River bull trout (*Salvelinus confluentus*) and other aquatic species. However lack of floodplain connectivity, diminished channel complexity, and excessive stream power hinders adult holding, spawning and summer/winter rearing for these species.

Consultation on the effects of this action on these species was completed under programmatic Fish and Wildlife Habitat Improvement Program (HIP) ESA consultation (NMFS# WCRO-2020-00102 and USFWS# 01E0FW00-19Y-F-0710), with the conclusion that the project would likely adversely affect these species and their designated critical habitat but would not likely result in jeopardy to the species or result in destruction or adverse modification of their designated critical habitat. Plans were reviewed by BPA engineering technical services, and a series of design changes and conservation measures were proposed and accepted to ensure that the project would benefit ESA-listed fish species through the HIP review process.

PALS and BDA installation may cause localized and minor turbidity which would dissipate rapidly, within an hour. Fish may react to personnel working within the wetted channel and noise from post pounding with behavioral avoidance but effects would be short term and not rise to a level of death or injury. In the long term, increased habitat complexity from PALS and BDA installation would improve rearing, holding and cover habitat for ESA-listed salmon through improving the quantity and quality of pools and reducing excessive flow velocities.

6. Wetlands

Potential for Significance: No

Explanation: As PALS and BDAs are installed by hand within the wetted channel with no excavation or fill there would be no impacts to wetlands.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: The increase of inundation and floodplain connectivity from BDA and PALS installation may enhance shallow groundwater recharge and increase the residence time of water within the local aquifer improving hydrology over time.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: This project is consistent with WDFW designated land use of natural resource and habitat conservation and would not cause a disruption to users.

9. Visual Quality

Potential for Significance: No

Explanation: Installed PALS and BDAs would have the appearance of natural wood recruitment in a typical stream or river. Visual quality may improve over time with increased habitat complexity and additional plantings.

10. Air Quality

Potential for Significance: No

Explanation: Minor emissions from powered hand tools are expected but would be short-lived.

11. Noise

Potential for Significance: No

Explanation: Noise would be minimal and limited to powered hand tools and crew activity during daylight hours. There would be no engine or heavy machinery noise.

12. Human Health and Safety

Potential for Significance: No

Explanation: Working with powered hand tools and traversing through the stream channel would have their attendant risks, but there would be no condition created from this action that would introduce new human health or safety hazards or risk into the environment.

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: Landowner outreach was conducted in annual virtual and in -person public meetings in Dayton WA, to showcase and discuss draft restoration actions for the Tucannon River. The NPT has coordinated with WDFW during project planning.

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

Signed:

Dan Gambetta
Environmental Protection Specialist