

# Categorical Exclusion Determination

Bonneville Power Administration  
Department of Energy



**Proposed Action:** Newsome Creek Phase I Management Funding

**Project No.:** 2002-072-00

**Project Manager:** Virginia Preiss, EWM-4

**Location:** Idaho County, Idaho

**Categorical Exclusion Applied (from 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 Nez Perce Tribe (the Tribe) to continue adaptive management actions along a segment of Newsome Creek in the Nez Perce-Clearwater National Forest. All project sites are on land managed and maintained by the United States Forest Service (USFS). BPA's proposed actions would be limited to providing a portion of the funding to the Tribe for continuing management of the site. The proposed actions would support the conservation of Endangered Species Act (ESA)-listed species considered in the 2020 ESA consultations with the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) on the operations and maintenance of the Columbia River System while also supporting ongoing efforts to mitigate for the effects of the Columbia River System 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. 839 et seq.).

The Tribe proposes to manage roughly four miles of Newsome Creek and an established private access road which runs from the stream to a nearby public Forest Service Road. The first phase of the Newsome Creek restoration project, completed by the Tribe in 2018, excavated a new stream channel along this segment of the stream, installed habitat-forming wood debris jams, and planted vegetation throughout the historical floodplain. The Tribe has continued to monitor the site since, and additional management actions are proposed to further improve the conditions at the phase one site.

The Tribe would add additional wood debris to the stream channel using logs from nearby dead and fallen trees. Wood would be placed in areas of the channel to replace habitat jams that were installed in 2018 and have since degraded, washed out, or were removed by trespassers. Additionally, the Tribe would improve the existing private access road used by USFS and Tribal staff to access the site for maintenance. The road runs over a nearby ridge and portions of it washed out in recent rain, making it difficult to access and maintain the phase one site. The Tribe would re-grade the road, fill in washouts with new gravel, and clear filled-in ditches along the side of the road to provide better stormwater management. All work would be conducted during late summer and early autumn in coordination with USFS personnel.

**Findings:** In accordance with Section 1021.102 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; 90 FR 29676, July 3, 2025 [Interim Final Rule]) and *DOE National Environmental Policy Act (NEPA), Implementing Procedures* (dated June 30, 2025), BPA has determined the following:

- 1) The proposed action fits within a class of actions listed in Appendix B of 10 CFR 1021;
- 2) The proposal has not been segmented to meet the definition of a categorical exclusion; and
- 3) There are no extraordinary circumstances related to the proposed action that may affect the significance of the environmental effects of the proposal (see attached Environmental Evaluation).

Based on these determinations, BPA finds that the proposed action is categorically excluded from further NEPA review.<sup>1</sup>

Thomas DeLorenzo  
Environmental Policy Analyst

Concur:

Katey C. Grange  
NEPA Compliance Officer

Attachment(s): Environmental Checklist

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<sup>1</sup> 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 the interim final rule to revise DOE NEPA regulations implementing NEPA at 10 C.F.R. Part 1021 and NEPA Implementing Procedures (dated June 30, 2025), 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:** Newsome Creek Phase I Management Funding

## **Project Site Description**

Newsome Creek is a major tributary of the South Fork of the Clearwater River, itself the largest tributary of the Snake River. The river historically hosted extensive spawning and rearing habitat for ESA-listed salmonids, including steelhead trout (*Oncorhynchus mykiss*), Chinook salmon (*Oncorhynchus tshawytscha*), and bull trout (*Salvelinus confluentus*). Destructive dredge mining in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries, along with intensive grazing and cattle ranching, severely degraded the local habitat. The Nez Perce-Clearwater National Forest manages and maintains the land surrounding Newsome Creek, most of which is protected habitat for federal and Idaho state species of concern.

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

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

Potential for Significance: No

**Explanation:** USFS was the lead federal agency for cultural resources review of the proposed actions. USFS conducted a cultural resource survey of the area in 2011 and determined that no historic properties would be affected by the proposed actions. The Idaho State Historic Preservation Office concurred with the determination on August 15, 2011. USFS cultural resources staff determined on April 4, 2025, that the proposed actions would be consistent with this determination.

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

Potential for Significance: No

**Explanation:** Repairing the access road would be limited to the existing road prism and disturb no new areas. Individual logs for habitat structures would be partially dug into the banks of the stream for anchoring but would not require large-scale earthmoving to install. Overall effects on local geology and soils would be mild.

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

Potential for Significance: No

**Explanation:** USFS was the lead federal agency for environmental review, including ESA review. A USFS botanist reviewed the proposed actions and determined that there would be no effect on ESA-listed Whitebark pine (*Pinus albicaulis*), as all the proposed project actions are at elevations below suitable Whitebark pine habitat. No other listed plants are present near the project area.

Effects on non-listed plant species would be mild. Wood for habitat structures would be harvested solely from trees which USFS staff have identified as dead, and no living plants would be destroyed. Road maintenance would take place within and adjacent to the existing road prism and would not affect plants.

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

Potential for Significance: No

Explanation: USFS was the lead federal agency for environmental review, including ESA review. A USFS biologist reviewed the proposed actions and determined that there would be no effect on ESA-listed Canada lynx (*Lynx canadensis*), grizzly bear (*Ursus arctos horribilis*), or North American wolverine (*Gulo gulo luscus*), as none of the listed species have been observed at or near the project area. No other listed species are present near the project area.

Effects on non-listed wildlife would be mild. Temporary disruption from human presence and noise would negatively affect local wildlife, but the effects would not persist beyond implementation of the proposed actions and there is ample adjacent wildlife habitat for use during the period of temporary disturbance.

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

Potential for Significance: No

Explanation: USFS was the lead federal agency for environmental review, including ESA review. A USFS biologist reviewed the proposed actions and determined that the effects on steelhead, Chinook salmon, and bull trout would be consistent with the effects on listed fish species addressed in the USFS Idaho Restoration Programmatic Biological Opinion programmatic ESA Section 7 consultation. The proposed actions would be implemented outside of spawning seasons, but fish present in the area would be temporarily disturbed by human presence, noise, and bankside excavation from installing the new wood habitat structures. However, over the long-term, adding these additional wood habitat jams would improve the in-stream conditions for these species, providing additional cover and habitat.

Overall effects on fish from the proposed actions would therefore be moderate in the short term but provide long-term benefits that partially outweigh these short-term negative effects.

#### **6. Wetlands**

Potential for Significance: No

Explanation: There are no mapped wetlands in the proposed project area.

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

Potential for Significance: No

Explanation: No new wells or groundwater use are proposed.

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

Potential for Significance: No

Explanation: All project sites are on USFS-managed property. No change in ownership or use of the property is proposed. The access road that would be repaired is only used for maintenance access by USFS and Tribal staff and is inaccessible to the public. Temporary closure of the road for repair would not affect public access to other areas in the forest.

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

Potential for Significance: No

Explanation: Effects on the public's aesthetic enjoyment of the proposed project areas would be negligible.

## 10. Air Quality

Potential for Significance: No

Explanation: There would be exhaust produced by equipment used for project actions, such as trucks and ATVs. However, these effects would be temporary and cause no long-term effects on local air quality.

## 11. Noise

Potential for Significance: No

Explanation: There would be noise produced by equipment used for project actions, such as trucks and ATVs. However, these effects would be temporary and cause no long-term effects on local noise levels.

## 12. Human Health and Safety

Potential for Significance: No

Explanation: All personnel would use best practices to ensure human health and safety. All equipment and machinery would be operated solely by trained and licensed personnel.

### 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: All project sites are located on USFS-managed land. No outside coordination is required.

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

Signed:

Thomas DeLorenzo  
Environmental Policy Analyst