

# Categorical Exclusion Determination

Bonneville Power Administration  
Department of Energy



**Proposed Action:** Keeton Creek Fish Screen #s 1-5

**Project No.:** 1993-066-00

**Project Manager:** Allan Whiting, EWL-4

**Location:** Wheeler County, Oregon

**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 Oregon Department of Fish and Wildlife (ODFW) to install fish screens, headgates, and water measuring devices at five locations in Wheeler County, Oregon. The sites are located on irrigation ditches that receive flows from Keeton Creek in the John Day River Basin. The sites are on privately owned property at the locations shown in the table below.

Location Name	Latitude	Longitude	Creek Mile
Keeton Creek #1	44.49241	-120.01531	3.2
Keeton Creek #2	44.49384	-120.01408	3.1
Keeton Creek #3	44.49877	-120.00924	2.6
Keeton Creek #4	44.50440	-120.00668	2.2
Keeton Creek #5	44.50724	-120.00059	1.8

Each of the five irrigation ditches in the project area is unscreened, and a new prefabricated steel fish screen box would be installed at each site within the ditch. The proposed screens are gravity paddle wheel systems with rotary self-cleaning drum screens, sized to handle the expected flows in each ditch. The smallest of the screens would be a single-bay structure with a screen that is 2 feet wide and 2 feet in diameter. Other ditches would have a two- or three-bay structure with screens that are 2 to 4 feet wide and 2 feet in diameter. The multiple-bay structures on the higher-flow ditches would allow more than one screen to operate during periods of higher flows, shifting to single-screen operation as flows decrease, ensuring consistent delivery of water to the irrigation ditch.

A 10-inch-diameter pipe would be installed at each screen to safely return fish reaching the front of the screen back to Keeton Creek. A water measuring device consisting of a sharp-crested weir would be installed below the fish screen drums at the downstream end of each screen box. A new prefabricated steel headgate would be installed in the irrigation ditch at each of the five points of diversion to allow control of flows into the ditch from the creek.

An excavator or backhoe would be used to grade each ditch to the correct elevations for the prefabricated fish screen structures to be installed and function properly. Construction in the irrigation ditches would occur in dry ditches that would be blocked from Keeton Creek flows by a temporary barrier at the head of each ditch. Existing roads and two-track access routes would be used to access the sites.

Fish screens prevent fish entrapment in irrigation ditches and irrigated fields, and BPA's purpose in funding them is to prevent entrapment and mortality of Endangered Species Act (ESA)-listed fish, including steelhead trout (*Oncorhynchus mykiss*). The design of the proposed fish screens aligns with criteria in the National Marine Fisheries Service (NMFS) Anadromous Salmonid Passage Facility Design Manual (NMFS, West Coast Region, Portland, Oregon 2023).

These actions would support conservation of ESA-listed species considered in the 2020 ESA consultation with NMFS on the operation and maintenance of the Columbia River System. These actions also support BPA's ongoing efforts to mitigate for effects of the Federal Columbia River Power 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. (USC) 839 et seq).

**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 the current *DOE National Environmental Policy Act (NEPA), Implementing Procedures*, 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.

John Vlastelicia  
Environmental Protection Specialist

Concur:

Katey C. Grange  
NEPA Compliance Officer

Attachment(s): Environmental Evaluation

# Categorical Exclusion Environmental Evaluation

This evaluation 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:** Keeton Creek Fish Screen #s 1-5

## **Project Site Description**

The project site is located on a large, privately owned parcel approximately 10 miles southeast of Mitchell, Oregon. Site access is via gravel road from U.S. Highway 26, which is located approximately 1.5 miles north of the proposed fish screen work area. The rural property includes a residence, outbuildings, and a mix of pine and juniper forested land, meadows, and irrigated fields used for grazing and hay production. The proposed fish screen locations are within the upper parts of irrigation ditches along a 1.4-mile stretch of Keeton Creek, which flows through the property in a northeasterly direction and into Mountain Creek about a half mile downstream of the property. Ground vegetation in project work areas consists primarily of grasses and shrubs, with a pine and juniper tree overstory in some locations.

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

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

Potential for Significance: No

**Explanation:** BPA determined that the proposed project would result in no historic properties affected, based on background research and a site survey completed in 2024. BPA consulted with the Oregon State Historic Preservation Office (SHPO) and affected Tribes on this project and several other ODFW fish screen projects as part of a National Historic Preservation Act Section 106 consultation process (BPA CR Project No. OR 2024 209). BPA submitted a determination letter and a survey report to the consulting parties on March 20, 2025. SHPO concurred with BPA's determination on April 19, 2025. No other responses related to the Keeton Creek fish screens were received during the consultation process.

**Notes:**

- Protocols would be in place requiring that, if cultural material is inadvertently encountered during construction, work must be stopped until the findings can be assessed by BPA in coordination with the appropriate consulting parties.

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

Potential for Significance: No

**Explanation:** The project would disturb soil during construction due to the grading required to install the fish screens, headgates, and bypass pipes on the irrigation ditches. Construction-related ground disturbance is expected to be less than a quarter of an acre at each of the screen sites. Erosion and sediment control best management practices would be implemented to minimize the physical extent, severity, and duration of soil disturbance.

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

Potential for Significance: No

**Explanation:** Installation of the fish screens, headgates, and bypass pipes would involve some vegetation disturbance of mostly grasses and shrubs, from grading within the ditches and the trench installation of a bypass pipe from each screen to the creek. Installation of the fish screen at the Keeton Creek #1 site would also require the removal of one mature pine

tree located along the irrigation ditch. The project is not within the geographic range of any Federal ESA-listed plant species, and there are no documented occurrences of state-listed plants in the project area.

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

Potential for Significance: No

Explanation: Construction activity could temporarily deter wildlife from the fish screen work areas, due to noise, ground disturbance, and visual disturbance from equipment operation and human activity. Some small animals (e.g., mice and moles) could be killed by equipment operation. The project site is part of a private property that includes forested areas and fields used for grazing, and habitat similar to the fish screen work areas is available on the surrounding portions of the property. The fish screens would not substantially change habitat conditions for wildlife in the long term.

The removal of a single mature pine tree at the Keeton Creek #1 site would reduce habitat structure for birds and small mammals, although similar trees surround the project. The tree removal would likely occur outside of the primary nesting season for migratory birds (April 15 – July 31). If tree removal within the primary nesting season is planned, a bird nesting survey would be performed prior to removal of the tree; if nests are observed, removal would be delayed until the nesting season has ended and any identified nest is no longer occupied.

The project area is within the geographic range of the Federal ESA-listed Endangered gray wolf (*Canis lupus*) and is within an ODFW-identified area of known wolf activity that generally covers much of southern Wheeler County. The project is not within gray wolf designated critical habitat, known denning areas, or areas of documented wolf sightings. The likelihood of wolves encountering project construction activity is expected to be low, and the project would not involve permanent elements that would negatively impact wolf habitat (e.g., increasing road/trail densities). BPA completed ESA Section 7 consultation with U.S. Fish and Wildlife Service on the effects of BPA Habitat Improvement Program (HIP) actions on wildlife species, finding that such actions may affect but would not likely adversely affect gray wolf. There are no documented occurrences of state-listed wildlife species in the project area.

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

Potential for Significance: No

Explanation: The fish screens would be installed in irrigation ditches that receive flows from the adjacent Keeton Creek, which flows into Mountain Creek downstream of the project site. Mountain Creek is a tributary of Rock Creek, which is a tributary of the lower John Day River. Keeton Creek is designated critical habitat for Mid-Columbia River steelhead trout and is also habitat for redband trout.

The proposed screens would benefit fish by preventing access to, and entrapment within, the irrigation ditches. Fish screens on irrigation ditches are authorized under the NMFS Biological Opinion issued for BPA's HIP. HIP conservation measures for design and construction would be incorporated into the project. Construction within the ditches would occur when the ditches are dry, with the work areas blocked from Keeton Creek flows by a temporary barrier placed at the head of each ditch.

#### **6. Wetlands**

Potential for Significance: No

Explanation: The project would involve small amounts of excavation and fill (less than 50 cubic yards) within the irrigation ditches to accommodate the installation of the fish screens and headgates. The U.S. Army Corps of Engineers has determined that discharges of dredged or fill material from construction or maintenance of irrigation ditches – and associated elements such as diversion structures or other facilities – are exempt from regulation under

Section 404 of the federal Clean Water Act and do not require a Section 404 permit. Additionally, the Oregon Department of State Lands has determined that irrigation ditches are not jurisdictional under Oregon's Removal-Fill Law if they are operated and maintained for the primary purpose of irrigation and are dewatered for the non-irrigation season.

## **7. Groundwater and Aquifers**

Potential for Significance: No

Explanation: The project would have no impact on groundwater and aquifers. It is associated with surface water diversions with corresponding surface water rights, and it does not involve withdrawals of, or discharges to, groundwater. The project is not located within a Groundwater Restricted Area designated by the Oregon Water Resources Department or within a U.S. Environmental Protection Agency-designated Sole Source Aquifer.

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

Potential for Significance: No

Explanation: The project would not change the existing land use of the site. The proposed fish screens and headgates would support controlled delivery of irrigation water in existing ditches to existing agricultural land in a manner that is protective of fish. Temporary disruptions of normal irrigation schedules may occur to accommodate the fish screen and headgate installations. Any construction-related changes in irrigation water availability in individual ditches would be coordinated with the water user in advance of the work to accommodate active irrigation needs, and some work may be completed after irrigation season if needed to avoid disruptions.

## **9. Visual Quality**

Potential for Significance: No

Explanation: The proposed fish screens and headgates within the irrigation ditches would be visible from the adjacent areas. These small structures would be located in the interior of a large, private rural property, would not interfere with public views, and would not substantially change the visual quality of the area.

## **10. Air Quality**

Potential for Significance: No

Explanation: The fish screen installations would not introduce new operational sources of air emissions or otherwise affect air quality in the long term. Minor temporary increases in site emissions from gasoline- and diesel-powered construction equipment and vehicles would occur during construction. Dust emissions from construction activities are expected to be minor based on the small areas of ground disturbance and their locations primarily in ditches. The project site is not located in an area designated by the Oregon Department of Environmental Quality as a Non-Attainment Area or a Maintenance Area with current or historic issues meeting air quality standards.

## **11. Noise**

Potential for Significance: No

Explanation: The project would not introduce new permanent sources of noise to the project site and would not otherwise change noise levels in the long term. Temporary increases in noise levels would be expected during construction. Noise-generating construction equipment could include a backhoe or excavator, trucks, and personnel vehicles.

## **12. Human Health and Safety**

Potential for Significance: No

Explanation: No permanent public health or safety hazards would be created by the fish screens and related project elements. Temporary safety hazards typical of construction activities would be expected from the operation of heavy equipment and hand tools.

### **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: ODFW has been in contact with the landowner about the proposed fish screen installations. Construction activities and schedules would be coordinated with the landowner prior to beginning work and prior to any disruption of irrigation schedules.

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

Signed:

John Vlastelicia  
Environmental Protection Specialist