

Categorical Exclusion Determination

Bonneville Power Administration

Department of Energy



Proposed Action: Smoky Creek Low-Tech Process-Based Restoration

Project No.: 2007-397-00

Project Manager: Chad Baumler, EWL-4

Location: Grant 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 Confederated Tribes of the Warm Springs Reservation of Oregon (CTWS) to implement a low-tech process-based restoration (LTPBR) project in Grant County, Oregon. The South Fork John Day Watershed Council (SFJDWC) is a project partner. The U.S. Fish and Wildlife Service (USFWS) is providing technical and permitting assistance for the project through its Partners for Fish and Wildlife Program.

The project would occur on privately owned land along Smoky Creek, a South Fork John Day River tributary that is designated critical habitat for Endangered Species Act (ESA)-listed Middle Columbia River (MCR) steelhead trout (*Oncorhynchus mykiss*). The proposed restoration would install approximately 27 beaver dam analogs (BDAs) and 12 post-assisted log structures (PALS) to mimic natural beaver dam building and wood accumulation processes. These features are designed to increase floodplain connectivity, attenuate high flows, promote sediment and water retention, and support long-term recovery of hydrologic, geomorphic, and ecological processes.

The project includes two separate sections of Smoky Creek totaling about one-half mile of stream. Each BDA would be constructed of a row of untreated wooden spikes driven vertically into the creek bed across the channel, with willow or juniper branches woven between them to simulate a beaver dam. The PALS would consist of a mix of sizes of wood placed along the channel, tangled together with branches, and anchored by wooden spikes driven into the creek bed to prevent them from floating. Riparian areas would be planted with a mix of native trees and shrubs after construction.

Posts for the BDAs and PALS would be driven by a mini excavator or a hand-operated gasoline-powered post driver. Branches would be woven between posts by hand. A private road located just above the creek throughout the project reach would provide close access to the BDA and PALS installation locations and allow pickup trucks to be used for delivery of material (e.g., posts, willow branches, small logs).

The proposed action would support conservation of ESA-listed species considered in the 2020 ESA consultation with the National Marine Fisheries Service (NMFS) on the operation and maintenance of the Columbia River System. These actions also support ongoing efforts to mitigate for the 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: Smoky Creek Low-Tech Processed-Based Restoration

Project Site Description

The project site is located on a privately owned 363-acre property about four miles south of the town of Dayville in western Grant County, Oregon. Smoky Creek originates on Aldrich Mountain and transitions from a confined canyon to a low-gradient valley with a narrow band of riparian vegetation as it enters the project property. The creek flows into the South Fork John Day River about 0.4 miles downstream of the project. Channel confinement, historic grazing impacts, and hydrologic simplification have reduced habitat complexity and limited riparian function for much of the stream. The property has recently been managed for juniper harvest, which has occurred along portions of lower Smoky Creek in the project area and in surrounding uplands. The property also contains a native plant nursery to support restoration projects. The project area along Smoky Creek is accessible from a private gravel road that intersects South Fork Road just west of the project area. The property is largely surrounded by land owned by U.S. Bureau of Land Management and Oregon Department of Fish and Wildlife (ODFW) and managed as part of the Phillip W. Schneider Wildlife Area.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No with Conditions

Explanation: BPA and USFWS agreed that USFWS, which is providing permitting and technical assistance for the project through its Partners for Fish and Wildlife Program, would take the role of lead federal agency for compliance with Section 106 of the National Historic Preservation Act (NHPA). On March 13, 2026, USFWS sent letters initiating consultation, along with a cultural resources investigation report, to CTWS, Burns-Paiute Tribe, and Confederated Tribes of the Umatilla Indian Reservation. On March 16, 2026, USFWS sent the survey report and a letter to SHPO presenting a determination that the project would have no adverse effect on historic properties. SHPO acknowledged receipt of the letter on March 17, 2026, with an email stating "if SHPO does not respond within 30 calendar days from receipt of this submittal, the project may proceed as described in the submitted documentation." No further responses from SHPO or the consulting Tribes were received within 30 days of the letters.

Notes:

- A 30-meter buffer would be placed around the boundary of one site identified during the cultural resources field survey. No activity is to take place within the buffer, including non-ground disturbing activity.

2. Geology and Soils

Potential for Significance: No

Explanation: The installation of the BDAs and PALS would involve small areas of soil/sediment disturbance where each feature is installed. This would include about 25 cubic yards of material placement (wood, posts, brush, and small amounts of native sediment) in the stream and adjacent floodplain. An existing gravel road located just above the creek would be used to access the project work areas, limiting the extent of off-road access disturbance needed. Riparian areas would be planted with native trees and shrubs after construction.

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

Potential for Significance: No

Explanation: Small areas of riparian vegetation would be disturbed where people and equipment (mini-excavator) access the streambank from the nearby gravel road to install the BDAs and PALS. Specific creek access points would be selected to minimize damage to riparian plants; no tree removal is proposed. Riparian areas would be planted with a mix of native trees and shrubs after construction, including black cottonwood, willow, red-osier dogwood, and elderberry. The site is not within the geographic range of any federal ESA-listed plant species, and there are no documented occurrences of state-listed plants in proposed project disturbance areas.

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

Potential for Significance: No

Explanation: Construction could temporarily displace wildlife from the work area, 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. Abundant wildlife habitat is present in nearby areas surrounding the project, including on the Phillip W. Schneider Wildlife Area that surrounds much of the project property, and wildlife would be able to re-occupy the project areas once the BDAs and PALS are installed. In the long-term, the project would improve wildlife habitat conditions in the riparian area of Smoky Creek through the improvements to the stream/floodplain connection and riparian plantings, which would promote a wider, wetter riparian corridor with greater vegetation diversity. This would benefit wildlife including birds, beavers, and amphibians.

The project area is within the geographic range of the ESA-listed Endangered gray wolf (*Canis lupus*). However, it is not within gray wolf designated critical habitat, known denning areas, or areas of documented wolf sightings. The likelihood of project construction activity encountering gray wolves is very low, and the project is expected to have no effect on gray wolves. There are no state-listed species documented in the project area.

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

Potential for Significance: No with Conditions

Explanation: Smoky Creek is designated critical habitat for ESA-listed Threatened MCR steelhead trout. It is also habitat for redband trout.

The installation of the BDAs and PALS would involve low-level temporary disturbance in Smoky Creek, which could temporarily increase stream turbidity. Fish present in areas of BDA and PALS installation could be displaced from those areas while work is occurring. Aquatic invertebrates may also be displaced or killed by aquatic construction activity, but rapid re-occupation of these areas by the same classes of animals following construction is expected.

Despite short-term adverse impacts from construction, the overall impact of the project would be beneficial to ESA-listed steelhead and other aquatic species. Project activities would be in accordance with a programmatic biological opinion issued to USFWS by NMFS, known as the Programmatic Restoration Opinion for Joint Ecosystem Conservation by the Services (PROJECTS) program for aquatic restoration actions.

In-water work would be performed during the ODFW-recommend July 15th – August 31st in-water work window for Smoky Creek. Construction best management practices, including keeping equipment staging and fueling areas at least 150 feet from the creek, would be used to minimize the potential for water quality impacts. Stream turbidity would be monitored during in-water work. In-water construction would be performed under a Clean Water Act (CWA) Section 404 permit issued by the U.S. Army Corps of Engineers

(USACE). The project is exempt from Oregon Department of State Lands (DSL) Removal-Fill permitting requirements as a voluntary habitat restoration activity involving less than 50 cubic yards of removal/fill, and notification was submitted to DSL accordingly (DSL NSP #66206-NSP).

Notes:

- Prior to in-water construction, SFJDWC would obtain project coverage under a USACE CWA Section 404 Nationwide Permit and comply with all applicable permit terms and conditions.

6. Wetlands

Potential for Significance: No

Explanation: The installation of the BDAs and PALS would involve temporary disturbance within the wetted perimeter of Smoky Creek, but no excavation or fill is proposed that would result in any permanent wetland loss or degradation. By improving the stream/floodplain connection, the project would enhance and potentially expand the wetland riparian area over time.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: The project would not involve groundwater withdrawals or discharges to groundwater. The BDAs and PALS are intended to improve the stream/floodplain connection and thus could improve groundwater recharge in areas adjacent to the creek. No long-term adverse impacts to groundwater or aquifers would result from the BDAs and PALS once they are in place.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: The project would not change the existing uses of the land and would not change the capability of the land to be used as it was prior to project actions. The project area is not within any specially designated area that would prohibit the proposed activity.

9. Visual Quality

Potential for Significance: No

Explanation: The project would not substantially change the visual character of the area. The BDAs and PALS would mimic and promote beaver activity in streams and increase floodplain activation, potentially adding some diversity of vegetation color and texture to the landscape. The project is on private property and would not interfere with public views.

10. Air Quality

Potential for Significance: No

Explanation: The BDA and PALS installations would not introduce new sources of air emissions or otherwise affect air quality in the long term. Minor and temporary increase in site emissions from gasoline- and/or diesel-powered equipment and vehicles could occur during construction. Dust emissions from construction activities are expected to be minor based on the small areas of disturbance and their locations within Smoky Creek. 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 area and would not otherwise change noise levels in the long term. Temporary increases in noise would be expected during construction from the operation of a mini-excavator, post-pounder, and pickup trucks. Project work areas are located on a large, privately owned rural property. Noise-sensitive receptors such as residential neighborhoods, schools, and hospitals are not present in the area and would not be affected by construction noise.

12. Human Health and Safety

Potential for Significance: No

Explanation: The project is located on private property and would not create public health or safety hazards. Temporary safety hazards typical of stream restoration activities would be expected from worker operation of equipment and tools used to install the BDAs and PALS.

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: The landowner is aware of the project, has been involved in pre-project planning activities, and would be involved in project implementation.

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