Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy

Proposed Action: Summit Creek and Idaho Creek AOP Projects

Project No.: 2023-004-00

Project Manager: Chad Baumler, EWL-4

Location: Grant County, Oregon

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: Bonneville Power Administration (BPA) proposes to fund the United States Forest Service (USFS) to replace three perched culverts, and associated legacy structures, with Aquatic Organism Passage (AOP) culverts within the Malheur National Forest (Table 1). The USFS has identified these priority habitat actions to benefit Endangered Species Act (ESA)-listed Middle Columbia River steelhead trout (Oncorhynchus mykiss), its designated critical habitat, and other non-listed species.

Table 1. Name and location of Aquatic Organism Passage projects proposed in 2025.

Name	Lat/Long	ESA species
Summit Creek 1940	44.576, -118.368	Middle Columbia River steelhead
Idaho Creek 2622172	44.583, -118.401	Middle Columbia River steelhead
Idaho Creek 2622	44.595, -118.388	Middle Columbia River steelhead

The culvert on National Forest System (NFS) Road 1940 at Summit Creek is a perched culvert creating a juvenile and partial adult passage barrier for steelhead. A legacy berm located approximately 150 feet upstream of the culvert would also be removed and two lodgepole pine grade control structures would be installed. Additionally, a log weir 120 feet downstream from the culvert would be removed.

Two culverts are proposed for removal on Idaho Creek. Both culverts are passage barriers to adult and juvenile steelhead. The culvert removal at NFS Road 2622 would also include removal of four legacy structures: three berms that block stream channels and a log weir downstream of the culvert. The culvert removal at NFS Road 2622172 would include removal of a log weir downstream of the culvert and the modification of a legacy berm.

Funding the proposed activities fulfills commitments under the 2020 National Marine Fisheries Service Columbia River System Biological Opinion (2020 NMFS CRS BiOp). These actions also support BPA's commitments to the 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*.). This project also supports BPA and United States Department of Agriculture, Forest Service, Region 6

2022 Memorandum of Understanding to design and implement highest priority habitat actions on USFS managed lands that support BPA's mitigation obligation under the Columbia River System Biological Opinion for ESA-listed Middle Columbia River steelhead.

All work would occur during the in-water work window (July 15 - August 15). Heavy equipment such as excavators, bulldozers, dump trucks, front-end loaders, and similar equipment used would be restricted to the road or other areas that have already been impacted. Prior to instream work, the area would be isolated via block nets, trapped fish would be caught and released, and the site dewatered. Roads would be closed and traffic diverted during construction. Upon Project completion, the site would be slowly re-watered to reduce sediment release. Each site would be revegetated prior to or at the beginning of the first growing season following construction and monitored for three years or until 70% of native vegetation has recovered and project goals are met.

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]

JOHN VLASTELICIA

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John Vlastelicia
Environmental Protection Specialist

Concur:

KATEY GRANGE

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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: Summit Creek and Idaho Creek AOP Projects

Project Site Description

The Aquatic Organism Passage (AOP) projects are located at one site on Summit Creek and two sites on Idaho Creek, which is a tributary of Summit Creek, in the headwaters of the Middle Fork John Day River. All three project locations are existing culvert sites on National Forest System roads within Malheur National Forest. The roads provide the public with access to forest recreation opportunities including backroad driving, hiking, cycling, and dispersed camping. There are no Federal Emergency Management Agency-mapped floodplains associated with Summit Creek or Idaho Creek in the project area. The project sites are within Management Area 3B (Anadromous Riparian Areas) of the Malheur National Forest Land and Resource Management Plan. The area 300 feet above and below these culverts have been modified in the past with heavy equipment, which has been used to construct roadbeds, the existing culverts, levees, in-stream berms, riprap, and log weirs.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No

Explanation: Compliance with Section 106 of the National Historic Preservation Act for the AOP projects is met through the terms of the 2004 “Programmatic Agreement Among the United States Department of Agriculture Forest Service Pacific Northwest Region (Region 6), the Advisory Council on Historic Preservation, and the Oregon State Historical Preservation Officer Regarding Cultural Resources Management in the State of Oregon by the USDA Forest Service." USFS certified the determination of compliance and coverage under the 2004 programmatic agreement in April 2019, in a “Project Review for Heritage Resources” for the “2019 Blue Mountain Ranger District Fish Passage (AOPs) Aquatic Restoration – R2019060401005.”

2. Geology and Soils

Potential for Significance: No

Explanation: Ground disturbance during construction would be temporary and stabilized with post-construction revegetation. Heavy equipment use would be restricted to areas that have been impacted by prior site alterations. Proposed wood in-stream grade control structures are intended to support streambed stability over time. No long-term adverse effects are expected.

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

Potential for Significance: No

Explanation: There are no reports of ESA-listed or Oregon state-listed plant species within the project area. Non-listed plants would be impacted by project actions that include ground disturbance from equipment operation. Following construction activities, disturbed areas would be seeded and planted with species native to the area to restore site conditions. Restoring more natural stream processes by removing in-stream structures and replacing the undersized culverts would benefit riparian plants over time. The long-term effects of project activities on vegetation in the project area would therefore be minimal to beneficial.

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

Potential for Significance: No

Explanation: Wildlife including deer, elk, coyote, various small mammals, birds, reptiles, and amphibians may use the project area. Construction activity could temporarily deter wildlife from using the project area, due to noise and visual disturbance from equipment operation and human activity. Some aquatic invertebrates or amphibians may be displaced or killed during construction, but rapid reoccupation of these stream areas by the same or other members of the same classes of animals following the project would be likely. It is unlikely the stream restoration activities would result in long-term displacement of wildlife.

The project sites are within the geographic range of the federal ESA-listed Threatened North American wolverine (*Gulo gulo luscus*), the Proposed Threatened monarch butterfly (*Danaus plexipus*), and the Proposed Endangered Suckley's cuckoo bumble bee (*Bombus suckleyi*). However, there are no documented occurrences of these species in the project area, and there is no designated or proposed critical habitat for listed wildlife species in the project area. The project is expected to have no effect on these species or critical habitat.

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

Potential for Significance: No

Explanation: Middle Columbia River steelhead (an ESA-listed Threatened species) and its designated critical habitat are present in the project areas of Summit Creek and Idaho Creek. These streams are also habitat for redband trout.

Instream construction activities including planned work area isolation and fish salvage efforts could impact ESA-listed steelhead during construction. The proposed actions would result in long-term positive impacts to ESA-listed species and other resident fish species by restoring more natural streamflow conveyance and improving fish passage and instream habitat conditions. Despite short-term adverse effects from in-stream construction, the overall impacts would be beneficial to ESA-listed steelhead and other aquatic species.

Project activities would be in accordance with USFS' programmatic biological opinions issued by NMFS and USFWS for aquatic restoration activities (ARBO II).

6. Wetlands

Potential for Significance: No

Explanation: National Wetland Inventory mapping identifies no wetlands in the project areas except for Summit Creek and Idaho Creek. No fill placement resulting in wetland loss is proposed with this project, and adverse impacts to wetlands are not expected from the proposed restoration activities.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: The projects would not involve groundwater withdrawals or discharges to groundwater and would not change land cover in a way that would reduce infiltration and groundwater recharge. The projects are not 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 projects are consistent with Malheur Forest Plan Management Area 3B (Anadromous Riparian Areas) standards to maintain roads to protect fisheries values and riparian habitat, maintain fish passage on fish-bearing streams, enhance fish habitat through instream or riparian improvements, and other standards. The projects would occur on USFS land with USFS permission. The project sites are not located on designated Wild and Scenic Rivers, within a designated Wilderness Area, or within any other specially designated area that would prohibit the activity. Construction activity would result in temporary road and project site access restrictions to forest recreation users visiting an activity area during construction. None of the project roads serve as the sole access to developed recreation facilities such as campgrounds, and the roads would re-open to vehicle use upon completion of the culvert replacements.

9. Visual Quality

Potential for Significance: No

Explanation: Temporary changes to the visual qualities of the project area are expected during construction, due to work zone conditions and the presence of vehicles, equipment, and personnel. Long-term changes to the visual character of the area from the culvert replacements and stream restoration activities would be minor and would not be adverse.

10. Air Quality

Potential for Significance: No

Explanation: The projects would not introduce new operational sources of air emissions or otherwise affect air quality in the long term. Minor temporary increases in emissions and dust generated by construction vehicles and equipment would occur. Emissions and dust levels would return to normal conditions once project construction is completed.

11. Noise

Potential for Significance: No

Explanation: The proposed construction activities would temporarily elevate noise above background levels during daylight hours while work is occurring. The work areas are not located adjacent to sensitive noise receptors such as residential neighborhoods, schools, or hospitals. The projects would not affect noise levels in the long term, once construction activities are completed.

12. Human Health and Safety

Potential for Significance: No

Explanation: The AOP projects would present no long-term risks to human health and safety. Temporary worker safety hazards associated with construction equipment operation would be managed through appropriate worker training and adherence to applicable safety regulations. The projects are not located in areas of known soil or groundwater

contamination and are not within or near an EPA-designated CERCLA site or an Oregon DEQ-managed environmental cleanup site.

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 project actions proposed by the USFS are to be implemented on Malheur National Forest land in coordination with USFS staff land managers.

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

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