

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Oregon Fish Screen Projects, Gravity Screens (JDR #24, #26, Indian Creek–Holiday, Indian Creek-Winegar, and Flat Creek #2)

Project No.: 1993-066-00

Project Manager: Eric Leitszinger, EWM-4

Location: Grant County, Oregon

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021): B1.8 Screened water intake and outflow structures, B1.20 Protection of cultural, fish and wildlife habitat

Description of the Proposed Action: Bonneville Power Administration (BPA) proposes to fund Oregon Department of Fish and Wildlife (ODFW) to construct, fabricate, and install fish screens and headgates as per the National Oceanic and Atmospheric Administration (NOAA) fish screen criteria at five diversions in Grant County, Oregon. ODFW identified the screen replacement sites in the John Day subbasin based on many considerations, including priorities identified in the subbasin plan, irrigation schedules, fish presence and population status, and current passage conditions.

At all five sites, new gravity fish screens would be installed in an irrigation ditch typically outside of the irrigation season. If there is a need to provide for irrigation or stock water during screen installation (due to water needed for crop rotation, agriculture harvest, stock water needs, weather, site constraints, irrigation practices, etc.), the irrigation ditch would be dewatered and water would be bypassed around the construction site. Prior to diverting water, ODFW would install a temporary portable prefabricated fish screen. The temporary fish screens would ensure that fish would be protected during construction, and would keep fish from traveling down the irrigation ditch. The conveyance headgate and the bypass headgate would typically stay closed during replacement or maintenance.

Water measuring devices are commonly incorporated into the design plans for fish screens as a sharp crested weir placed downstream of the fish screen, or in the fish screen concrete box at the downstream (below the fish screen) end. Water measuring devices that are installed on existing screens are placed downstream of the fish screen in order to not impede flows on the screen drum which can affect submergence. This is coordinated with the Oregon Water Resources Department (OWRD) local Watermaster to ensure the water measuring control device is fully functional upon completion.

Headgates would be constructed at Indian Creek and Flat Creek project sites within the existing diversion structures (e.g., concrete or wood). Work would occur typically outside of irrigation season, while the ditch is not operational (dewatered). In the rare occasion that a water user is irrigating or providing stock water during the time of installation, water would be bypassed around the construction site and a temporary prefab fish screen would be installed to keep fish from traveling down the ditch during construction. Headgates would be placed near the confluence of the stream edge and within the irrigation ditch. These headgates would be installed at the same time as the fish screen. Extreme

caution would be taken so that there would be no or very minimal disturbance below the normal high water mark. Once the installation were complete, the headgate would be opened while keeping the bypass closed for a very short period which would allow for the initial flush of sediment and debris to go down the conveyance ditch, while still providing fish protection from the installed fish screens.

All work would include a minimal impact and very limited amounts of material (typically less than a cubic yard) to be removed from each work site. Work would be done within the Oregon Department of State Lands (ODSL) and Army Corp of Engineers permit exemption stipulations by providing maintenance to an existing diversion/fish passage structure. An ODFW fish district biologist would conduct a site inspection upon completion.

Gravity Screens, Headgates, and water measuring devices proposed for Construction:

<i>Stream Name</i>	<i>Lat</i>	<i>Long</i>
John Day River #24	44.45362	-118.71919
John Day River #26	44.453740	-118.72629
Indian Creek – Winegar	44.405820	-118.763460
Indian Creek - Holiday	44.424332	-118.781518
Flat Creek #2	44.43619	-119.42066

Funding the proposed activities would support conservation of ESA-listed species considered in the 2020 ESA consultations with both National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service (USFWS) on the O&M of the Columbia River System, and Bonneville’s ongoing efforts to mitigate for 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), 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.

/s/ Catherine Clark

Catherine Clark
Contract Environmental Protection Specialist
Motus Recruiting and Staffing, Inc.

Reviewed by: Chad Hamel

/s/ Chad Hamel

Chad Hamel
Supervisory Environmental Protection Specialist

Concur:

/s/ Katey C. Grange March 15, 2021

Katey C. Grange Date

NEPA Compliance Officer

Attachment(s): Environmental Checklist

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: Oregon Fish Screen Projects, Gravity Screens (JDR #24, #26, Indian Creek–Holiday, Indian Creek-Winegar, and Flat Creek #2)

Project Site Description

All project areas are located in Grant County, Oregon within the John Day River Basin. JDR #24, JDR #26, Indian Creek-Holiday, and Indian Creek-Winegar are located on private land along the edges of grass fields that are utilized primarily for livestock grazing and hay production. Flat Creek is located on the P.W. Schneider Wildlife Area, a section of public land owned by ODFW. This site is in a ravine with steep canyon walls on its East and West facing sides. The irrigation water would be utilized for a 40 acre food plot field during mid to late growing season, July – August, which provides wildlife feed.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No

Explanation: BPA determined that the implementation of the proposed undertaking would result in no historic properties affected. BPA consulted with the Confederated Tribes of the Warm Springs Reservations of Oregon, the Confederated Tribes of the Umatilla Indian Reservation, the Burns Paiute Tribes, and the State Historic Preservation Office.

(JDR #24/26) (OR 2020 147) The Warm Springs Tribal Office concurred with BPA's determination on November 13th 2020. No additional responses from consulting parties were received within 30 days.

(Indian Creek Projects) (OR 2018 073) No responses from consulting parties were received within 30 days.

(Flat Creek #2) (OR 2020 035) No responses from consulting parties were received within 30 days.

2. Geology and Soils

Potential for Significance: No

Explanation: Removal and replacement of current fish screens would cause approximately 0.5 acres of ground disturbance at each site; ODFW would utilize pre-existing roads and two-tracks to access all sites. Erosion control measures would be implemented to minimize impacts.

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

Potential for Significance: No

Explanation: No ESA-listed or special-status plant species are known to exist on the site. All areas disturbed during construction would be within the footprint of the irrigation ditch and filled with concrete to ensure stability of the structure.

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

Potential for Significance: No

Explanation: No special-status wildlife species or habitat would be negatively impacted by the installation of the fish screens and their associated parts. Wildlife may be temporarily displaced by construction noise during implementation.

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

Potential for Significance: No

Explanation: The projects are covered under the Habitat Improvement Program (HIP) Biological Opinion (BiOp) under section 7 of the Endangered Species Act (2021033 and 2021042). Listed fish species include Middle Columbia River steelhead, and Columbia River bull trout and their critical habitat. Plans were reviewed by BPA engineering technical services and NMFS hydrological engineering, and a series of conservation measures were proposed to ensure that the project would benefit ESA-listed fish species.

These projects would be exempt from the Department of State Lands removal of fill permit under the OAR 141-085-0530 Exemption: "Fish Passage and Fish Screening Structures in Essential Indigenous Anadromous Salmonid Habitat (ESH). Less than 50 cubic yards of removal-fill for construction or maintenance of fish passage and fish screening structures that are constructed, operated or maintained under ORS 498.306, 498.316, 498.326 or 509.600 to 509.645". This exemption includes removal of material that inhibits fish passage or prevents fish screens from functioning properly.

These projects are exempt from permits under Section 404 of the Clean Water Act, "The construction and maintenance of irrigation ditches are exempt under the Clean Water Act, Section 404."

6. Wetlands

Potential for Significance: No

Explanation: There are no designated wetlands located in the project areas.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: Ground-disturbing activities are not likely to intersect with groundwater and would have no impact on aquifers. Construction BMPs would be implemented to prevent contamination of groundwater from equipment leaks or spills.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: The projects are located on private and public lands. No change to land use would occur.

9. Visual Quality

Potential for Significance: No

Explanation: Minor changes to visual quality. The new fish screens would be slightly larger than the previously installed fish screens. However, they would be consistent with other fish screens in the John Day River basin and would not be located in a visually sensitive area.

10. Air Quality

Potential for Significance: No

Explanation: Temporary increase in emissions and dust from vehicles accessing the sites during construction activities.

11. Noise

Potential for Significance: No

Explanation: Temporary increase in ambient noise during construction. Any noise emitted from construction equipment would be short term and temporary during daylight hours and would cease following project completion.

12. Human Health and Safety

Potential for Significance: No

Explanation: The proposed activities are not considered hazardous nor would result in any health or safety risks to the general public.

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: Activities would be implemented within irrigation ditches on private and public lands. ODFW would work with land owners to install all gravity screens, headgates, and flow measuring devices on private land, and are the landmanagers of the wildlife area.

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

Signed: /s/ Catherine Clark March 15, 2021
Catherine Clark, ECF-4 Date
Contract Environmental Protection Specialist
Motus Recruiting and Staffing, Inc.