

# Categorical Exclusion Determination

Bonneville Power Administration  
Department of Energy



**Proposed Action:** Pine Hollow Passage Improvement Project

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

**Project Manager:** Joshua Ashline

**Location:** Wheeler 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 jointly fund the Oregon Department of Fish and Wildlife (ODFW), along with the Oregon Watershed Enhancement Board (OWEB) and State funding, in the implementation of a habitat passage project on Pine Hollow Creek in Wheeler County; the nearest town is Mitchell, Oregon. Pine Hollow Creek is an ESA-listed Middle Columbia (Mid-C) steelhead and Oregon sensitive species redband trout-bearing tributary of Rock Creek, which flows to the John Day River. The goal of the project is to correct a major fish passage barrier and increase habitat complexity within Pine Hollow Creek. This is a partnership project with Wheeler Soil and Water Conservation District, ODFW Fish Habitat Program, ODFW Fish Screening and Passage Program, and the landowner.

BPA is proposing to fund a small portion of the project's overall budget for personnel services for the project's overall implementation and the cost of the habitat features proposed. The habitat features and personnel time would be one part of the larger passage and habitat restoration project being implemented with other funds.

## ***Habitat Features***

ODFW would place approximately 25 pieces of large wood within the project site. Approximately 10 root wads and trees would be placed in a backwatered alcove to catch sediment, disperse high flows across the floodplain, and help establish native riparian vegetation. Approximately 14 root wads and trees would be placed upstream and downstream of a replaced culvert.

Implementation of all aspects of this proposed project would utilize an excavator, backhoe, and 4x4 vehicles. BPA funding for the proposed habitat feature activities supports commitments under the 2020 NMFS Columbia River System Biological Opinion (2020 NMFS CRS BiOp). These actions support ongoing efforts to mitigate for effects of the FCRPS on ESA-listed 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  
Environmental Protection Specialist

Concur:

/s/ Sarah T. Biegel

Sarah T. Biegel  
NEPA Compliance Officer

August 12, 2022

Date

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:** Pine Hollow Passage Improvement Project

## **Project Site Description**

The project would be located along Pine Hollow Creek, which is located within Wheeler County, Oregon. The nearest town to the project location would be Mitchell, Oregon. The project area runs parallel to Antone Lane, southeast of Ochoco Hwy (U.S. Hwy 26). The project area is surrounded by sagebrush steppe habitat with minimal riparian vegetation along the creek.

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

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

Potential for Significance: No

Explanation: A BPA archaeologist conducted a combined initiation and determination consultation in accordance with Section 106 of the National Historic Preservation Act on January 26, 2022, with the Oregon State Historic Preservation Office (SHPO), the Burns Paiute Tribe (BPT), the Confederated Tribes of the Warm Springs Reservation of Oregon (CTWS), and the Confederated Tribes of the Umatilla Indian Reservation (CTUIR). The CTUIR concurred with the finding of no historic properties affected on January 27, 2022. The Oregon SHPO sent notice of receipt on February 23, 2022; however, no concurrence documentation was received. No other responses were received.

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

Potential for Significance: No

Explanation: The placement of large wood is proposed to enhance fish habitat. The Pine Hollow Project fill and removal amounts would not exceed the cubic yard limits of the described qualitative amounts below the Ordinary High Water Mark (OHWM) set in the NWP-2022-208 permit. Proposed removal below the OHWM for the Pine Hollow Project would be 141 cubic-yards; proposed fill below the OHWM for the Pine Hollow Project would be 198 cubic-yards.

Turbidity would be monitored during dewatering and rewatering activities, following all conservation measures designated for turbidity monitoring. Long-term benefits for soils would be increased sediment storage from large wood placement.

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

Potential for Significance: No

Explanation: No Federal/state special-status plant species would be expected to be impacted by the proposed activities. Disturbance to vegetation from construction activities and heavy equipment would occur within the project area. All disturbed areas would be seeded and

replanted with native riparian vegetation as part of ODFW's revegetation plan. Increased native vegetation would be considered beneficial to plants and habitat in the long term.

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

Potential for Significance: No

Explanation: No Federal/state special-status wildlife species would be expected to be impacted by the proposed activities. Some short-term displacement of wildlife may occur due to human presence and implementation noise levels, with long-term benefits to habitat.

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

Potential for Significance: No

Explanation: BPA conducted an engineering review for compliance with the Endangered Species Act (ESA) under the programmatic Section 7 Habitat Improvement Program (HIP) ESA consultation. Adherence to HIP project design criteria would minimize impacts to water bodies, floodplains, and fish. Short-term negative effects, such as displacement due to dewatering and construction activities, to Middle Columbia steelhead critical habitat and Oregon sensitive species redband trout are expected with a long-term benefit post-project implementation. All work would occur within the in-water work window of July 15<sup>th</sup> - September 30<sup>th</sup>.

The General Permit for BPA-funded habitat improvement projects within the Columbia River Basin in Oregon, Permit number NWP-2022-208 under the US Army Corp of Engineers Regional General Permit 6, authorizes project proponents who receive funding through BPA to place fill material and certain structures in waters of the US for the purpose of habitat improvement.

#### **6. Wetlands**

Potential for Significance: No

Explanation: There are no designated wetlands present in the proposed project area. Therefore, there would be no impact to wetlands.

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

Potential for Significance: No

Explanation: The activities are designed to restore habitat function. Increased floodplain connection may locally improve base flows and groundwater recharge in the project area. No groundwater withdrawal is proposed with these activities.

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

Potential for Significance: No

Explanation: The activities proposed would not change land use or affect any specially-designated areas.

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

Potential for Significance: No

Explanation: The proposed activities at Pine Hollow would directly impact the visual foreground associated with the area during implementation, due to the presence of heavy equipment. Post-implementation, all project areas would return to a natural state, which would enhance overall visual quality.

## 10. Air Quality

Potential for Significance: No

Explanation: Temporary, small amounts of vehicle emissions would be generated by equipment and trucks during implementation.

## 11. Noise

Potential for Significance: No

Explanation: Temporary increase in ambient noise may occur during implementation. Any noise emitted from equipment would be short term and temporary during daylight hours.

## 12. Human Health and Safety

Potential for Significance: No

Explanation: All applicable safety regulations would be followed during work activities. No restoration action proposed has potential to impact public safety infrastructure (e.g., roads, telecommunications) or place a burden on emergency services (police, fire, ambulance).

### 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 activities would occur on private property in coordination with Oregon Department of Fish and Wildlife, and the Wheeler County Soil Conservation District.

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

Signed: <u>/s/ Catherine Clark</u>	<u>August 12, 2022</u>
Catherine Clark, ECF-4	Date
Environmental Protection Specialist	