

# Categorical Exclusion Determination

Bonneville Power Administration  
Department of Energy



**Proposed Action:** Neal Creek Phase I Aquatic Restoration

**Project No.:** 1998-021-00

**Project Manager:** Eric Andersen – EWL-4

**Location:** Hood River 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 Confederated Tribes of the Warm Springs Reservation of Oregon to implement the Neal Creek Phase I project to restore aquatic habitat within Neal Creek, a tributary to the Hood River. This project is being designed and implemented with project sponsor Hood River Watershed Group (HRWG). The purpose of this project is to restore floodplain connectivity and increase instream habitat complexity for all life stages of ESA-listed steelhead trout (*Oncorhynchus mykiss*) and coho (*O. kisutch*).

This project includes two sites on Neal Creek, a tributary to the Hood River. Site 1 is located between river mile (RM) 1.5 and 1.8, and Site 2 between RM 4.5 and 4.7. The project would be constructed during the instream work window of 2021 (July 15 - August 15). Site 1 would include the addition of 155 pieces of wood (logs with and without rootwads) incorporated into five wood structures and floodplain placement, excavation of five associated pools and a historic channel entrance. Approximately 725 cubic yards (CY) of logs, posts and boulder ballast would be added to the site and up to 850 CY of material would be removed and placed outside the 100-year flood zone. Site 2 would include the addition of 70 pieces of wood into three wood structures and floodplain placement, excavation of four scour pools and a historic side channel entrance. Approximately 525 CY of materials would be added and up to 400 CY of cut material would be removed and placed outside the 100-year- flood zone. Wood structures are designed to increase habitat complexity, collect and store spawning gravels, maintain scour pools, and establish connectivity to the stream's floodplain and remnant side channels. Excavation materials would be used as ballast for wood structures where possible and all excess material would be placed outside the 100-year flood zone. Wood used for the project would be locally purchased. The sites would be accessed by pre-existing routes. All areas disturbed within the footprints of the work sites would be seeded and revegetated with native riparian vegetation following construction.

These actions would support conservation of ESA-listed species considered in the 2020 ESA consultations with National Marine Fisheries Service on the operations and maintenance of the Columbia River System and Bonneville's commitments to the Confederated Tribes of the Warm Springs Reservation of Oregon under the 2020 Columbia River Fish Accord Extension agreement, while also supporting 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/ Israel Duran

Israel Duran  
Contract Environmental Protection Specialist  
Salient/CRGT

Reviewed by:

/s/ Chad Hamel

Chad Hamel  
Supervisory Environmental Protection Specialist

Concur:

<u>/s/ Katey C. Grange</u>	<u>July 15, 2021</u>
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:** Neal Creek Phase I Aquatic Restoration

## **Project Site Description**

The Neal Creek Phase I project encompasses approximately 7 acres of floodplain and stream channel habitat on private lands, and is located approximately two miles south of Hood River, Oregon in Hood River County. Currently, the Neal Creek project and surrounding areas are comprised of private residences and agricultural properties (orchards). The sites generally have robust riparian areas, but have limited floodplain connection and habitat complexity. Neal Creek historically was used to convey 42 cfs of water from the East Fork Hood River to the central lateral canal on the east side of the Hood River Valley, until the completion of the Central Canal Pipeline Project in 2008, which eliminated the use of Neal Creek as an irrigation canal. The combination of channel alterations and large wood removal has led to a relatively entrenched channel that is no longer capable of providing large areas of high-quality spawning and rearing habitats.

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

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

Potential for Significance: No

Explanation: BPA submitted a determination of No Historic Properties Affected under Section 106 of the National Historic Preservation Act (BPA Cultural Resources Project Number OR 2021 023) on April 29, 2021. Consulting parties included the Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of the Warm Springs Reservation of Oregon, and Oregon State Historic Preservation Office (OR SHPO). BPA received concurrence from the OR SHPO on May 26, 2021. No other responses were received as part of BPA's consultation efforts.

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

Potential for Significance: No

Explanation: Ground disturbance during construction would be temporary and stabilized with post-construction revegetation. Some wood structures are expected to cause additional scour, while others may collect sediment. 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 ESA-listed or sensitive plant species present in the project area. Short term negative impacts to vegetation from heavy equipment use would result in soil being turned and plants being uprooted, buried, or torn apart. The project is designed to minimize impacts to native vegetation. Riparian vegetative communities would be restored through

seeding and planting native species in disturbed areas following project implementation. The project would have short-term effects on vegetation from construction actions, but in the long term, there would be beneficial effects including increased riparian habitats and restored or improved vegetative conditions.

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

Potential for Significance: No

Explanation: Hood River County has the potential to contain ESA-listed northern spotted owl (*Strix occidentalis caurina*) and critical habitat (USFWS Information for Planning and Consultation (IPaC), 2021), but suitable habitat is not located within or near the project sites. There would be no effect to other sensitive wildlife species. Wildlife may be temporarily disturbed by construction activities, however displacement would be short term. Improved habitat conditions would result in long-term positive impacts, including increased plant species richness and diversity, increased habitat structural diversity, and increased habitat heterogeneity.

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

Potential for Significance: No

Explanation: ESA-listed steelhead and coho may be present in the project area. BPA performed a technical and functional review of the project designs and approved them on July 13, 2021. ESA consultations with NMFS on BPA's Habitat Improvement Program (HIP) were completed DATE (PNF #2021116). The proposed action would result in long-term positive impacts by providing habitat for fish species during all flow conditions. Work area isolation would be used in areas with water; no direct effects to salmonids as a result of construction are anticipated. Fish salvage, which could cause a direct effect to fish, would be performed prior to establishing the temporary cofferdams for the side channel excavation. Clean Water Act permitting would be covered under US Army Corps of Engineers Regional General Permit 6 (NWP-2020-462).

Notes:

- The Confederated Tribes of the Warm Springs Reservation of Oregon would adhere to the conservation measures required under the ESA consultations with NMFS on BPA's HIP to minimize impacts to ESA-listed fish during project implementation. These measures include isolating work from waters and designing large wood placements to mimic natural processes and functions.

#### **6. Wetlands**

Potential for Significance: No

Explanation: Jurisdictional wetlands are not present in or near the project area.

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

Potential for Significance: No

Explanation: The placement of log structures in the channel may result in minor impacts to groundwater by encouraging greater amounts of water onto the floodplain and side channels during high flows. The long-term increase in floodplain access would benefit groundwater recharge and function.

## 8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: There are no known special uses for the property. Existing land use would not change as a result of the project.

## 9. Visual Quality

Potential for Significance: No

Explanation: There would be minimal impact to visual quality during construction. However, the project would contribute to the natural appearance of the property once vegetation and structures become established.

## 10. Air Quality

Potential for Significance: No

Explanation: Equipment emissions and upturned dust would result in short-term impacts to air quality. These would be temporary and localized in nature and would not have long-term impacts on air quality. Implementation of the proposed action is not expected to generate long-term or short-term violations of state air quality standards.

## 11. Noise

Potential for Significance: No

Explanation: The use of heavy equipment during project implementation would result in temporary, localized noise increases. These increases would not substantially impact the surrounding environment.

## 12. Human Health and Safety

Potential for Significance: No

Explanation: All applicable safety standards would be followed.

### **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: This project has been developed with guidance and permission of the landowners.

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

Signed: /s/ Israel Duran July 15, 2021  
Israel Duran, ECF-4 Date  
Contract Environmental Protection Specialist  
Salient/CRGT