

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Marion Drain Hatchery Rearing Tank Repair

Project No.: 1997-013-00

Project Manager: Michelle O'Malley, EWU-4

Location: Yakima County, Washington

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021): B1.3 Routine Maintenance

Description of the Proposed Action: The Bonneville Power Administration (BPA) proposes to provide funding to the Confederated Tribes and Bands of the Yakama Nation (Yakama Nation) to repair circular rearing tanks at the Marion Drain Hatchery within the exterior boundaries of the Yakama Indian Reservation near Toppenish, Washington.

During late 2022, a drain from one of three circular outdoor rearing tanks became clogged, resulting in overflowing the tank to the point of wall collapse. Over 13,000 gallons of water escaped, displacing the adjacent circular tank, and flowing under the third tank creating some ground disturbance. A response crew repaired the ground around two of the tanks using sand bags and sand. Later in January 2023, one of the circular tanks developed a crack in the center drain, and a second tank experienced a center drain fail.

To address these issues, the three circular tanks would be removed via crane and repaired – one tank would be taken off site to receive a new center drain assembly and the other two tanks would be repaired on site. Prior to re-situating the repaired tanks, the ground below the tanks would be regraded and piping would be repaired and improved. A perimeter wall (likely made of eco-blocks) would be installed to protect the tanks, pipes and flow meters. Excess fill from regrading and clean imported fill, if needed, would be placed inside that perimeter wall to provide stability to the tanks. Ground disturbance would be limited to areas previously disturbed during construction of the facility. Access would occur via existing roads and staging would be limited to an established parking and staging area. Cranes would be staged and operated from within the hatchery grounds in a previously-graded and graveled area.

This action would support BPA's commitments to the Yakama Nation under the 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/ Carolyn Sharp

Carolyn Sharp
Environmental Protection Specialist

Concur:

Katey C. Grange
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: Marion Drain Hatchery Rearing Tank Repair

Project Site Description

The Marion Drain Hatchery is located on a 38.5-acre parcel that is approximately eight miles southwest of Toppenish, WA (Township 10 North, Range 19 East, Section 20). The land is owned by Yakama Nation on the Yakama Nation Reservation and is located adjacent to the Marion Drain, a man-made irrigation canal, about 13.8 miles from where the canal empties into the Yakima River at RM 77. Work would occur within previously graveled areas within the existing hatchery facility.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No

Explanation: BPA initiated consultation with the Yakama Nation Tribal Historic Preservation Office (THPO) and the Confederated Tribes and Bands of the Yakama Nation (Yakama Nation) on April 21, 2023. The letter also provided a determination of effects indicating that the proposed undertaking would result in no effect to historic properties and stipulating that a monitor be present during implementation of ground-disturbing activities. On May 25, 2023, the Yakama Nation THPO responded with their concurrence.

2. Geology and Soils

Potential for Significance: No

Explanation: Localized soil disturbance would occur during regrading of the ground around the rearing tanks during repair. Standard construction erosion control measures would be utilized as necessary.

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

Potential for Significance: No

Explanation: There are no ESA-listed or state-sensitive plant species present at the project site. As a result, there would be no effect on listed plant species. All construction activities would take place in existing developed areas that are not vegetated. There would be no effects to plants.

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

Potential for Significance: No

Explanation: The work area is within a previously-disturbed, graveled area of an existing hatchery site. No known ESA-listed species and no habitat for any Federal or state special-status species are present in the project area. Project activities would be limited to an already impacted, unpaved area of an existing hatchery site and would not substantially alter the

footprint or operational noise of the area; therefore, wildlife and associated habitat would not be affected.

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

Potential for Significance: No

Explanation: All activities would occur within previously disturbed and developed areas. No in-water work is proposed for this project. Standard construction erosion control measures would be utilized to ensure sediment and other contaminants do not enter bodies of water. Therefore, waterbodies, floodplains, and fish would not be affected in the short term by the proposed project activities.

6. Wetlands

Potential for Significance: No

Explanation: The project areas are previously disturbed and developed areas and no wetlands are present. There would be no impact to wetlands.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: No use of groundwater proposed and excavation would not extend to a depth that would intersect ground water.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: Existing land uses would remain the same. There would be no impact to specially-designated areas.

9. Visual Quality

Potential for Significance: No

Explanation: The proposed actions would involve repair and replacement of equipment in their current locations only; no equipment would be added. There would be no effect to the visual quality of the site.

10. Air Quality

Potential for Significance: No

Explanation: There may be minor and temporary amounts of exhaust produced by construction equipment. The emissions would be of short duration and consistent in amount and duration with routine vehicle use currently at the hatcheries and surrounding agricultural operations. There would be no long-term effects to air quality.

11. Noise

Potential for Significance: No

Explanation: Noise is anticipated during construction activities. The noise would be of short duration and consistent in volume or duration with operational activities at the hatchery and surrounding agricultural operations. This noise would be temporary and cause no long-term impacts.

12. Human Health and Safety

Potential for Significance: No

Explanation: All personnel would use best management practices to protect worker health and safety.

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 Yakama Nation is the operator and owner of the property and hatchery. No further coordination or notification is needed.

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

Signed: /s/ Carolyn Sharp June 2, 2023
Carolyn Sharp Date
Environmental Protection Specialist