

# Categorical Exclusion Determination

Bonneville Power Administration  
Department of Energy



**Proposed Action:** McKay Creek Watershed Steelhead Restoration Monitoring (update to CX issued April 29, 2021)

**Project No.:** 2008-203-00

**Project Manager:** Tim Ludington, EWU-4

**Location:** Umatilla County, Oregon

**Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021):** B1.20 Protection of cultural resources, fish and wildlife habitat; B3.3 Research related to conservation of fish and wildlife

**Description of the Proposed Action:** Bonneville Power Administration (BPA) proposes to fund the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) to survey spawning and fish passage habitat; and to tag, haul, and track steelhead in the McKay Creek watershed. Proposed monitoring activities would contribute to steelhead restoration efforts within the Umatilla Watershed Basin. These actions would support conservation of ESA-listed species considered in the 2020 ESA consultation with National Marine Fisheries Service on the operations and maintenance of the Columbia River System and Bonneville's commitments to the CTUIR 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.). This CX has been updated to reflect the addition of fin clipping genetic analysis to tagging, hauling and monitoring activities.

Steelhead monitoring would include:

**Spawning and Fish Implementation Passage Surveys:** Both spawning and fish passage surveys are visual, involve no contact, and are done on foot. Streams would be surveyed from the confluence of the Umatilla River, up the mainstem of McKay Creek, above the McKay Dam, and in to the headwaters and major tributaries. Spawning locations and fish passage impediments would be documented and used to evaluate population, accessibility, and habitat restoration feasibility.

**Tagging, Hauling & Monitoring:** CTUIR would trap, radio and passive integrated transponder (PIT) tag, collect fin clips for genetic analysis, haul, and release up to 60 adult hatchery-reared endemic stock steelhead above McKay Dam to evaluate spawning habitat in the watershed. Fish would be caught at the Three Mile Falls Dam Fish Trap during CTUIR hatchery brood collection. Once trapped, fish would be guided into a buffered CO<sub>2</sub> anesthetic tank and sorted. Selected steelhead would be hauled to Minthorn Springs Steelhead brood stock holding facility for collection of fin clips for genetic and health analysis, PIT tagging, and radio tagging. Tagged fish would be hauled in insulated transport tankers to McKay Creek and

released. Fish that do not meet Oregon Department of Fish and Wildlife (ODFW) and NMFS McKay Creek research criteria would be returned to the Umatilla River. There would be no additional contact or handling following tag and release. Radio telemetry and pre-existing PIT arrays would be used to document migration, passage, spawning distribution, and final disposition in the watershed. Mobile tracking would be accompanied by boat, by automobiles using public roads, and on foot using pre-existing trails.

**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/ Lindsey Arotin  
Lindsey Arotin  
Environmental Protection Specialist

Concur:

<u>/s/ Katey Grange</u>	<u>December 15, 2021</u>
Katey 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.

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## **Project Site Description**

The proposed project activities would occur in Umatilla County; trapping would occur three miles south of Umatilla, Oregon at Three Mile Falls Dam Fish Trap, tagging and sampling would occur at Minthorn Springs steelhead brood stock holding facility, and surveying and monitoring would occur south of Pendleton along McKay Creek and major tributaries. The Three Mile Dam Fish Trap and the Minthorn Springs holding facility are run through a cooperative project by the CTUIR and Oregon Department of Fish and Wildlife (ODFW). The McKay Creek project area runs through the Umatilla Reservation, the Umatilla National Forest, McKay Creek National Wildlife Refuge, rural residential land, and agricultural land.

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

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

Potential for Significance: No

Explanation: BPA determined the proposed activities would have no potential to cause effects to historic properties. The proposed activities would not result in ground disturbance that could potentially impact archaeological resources. No modifications to existing historically built resources are proposed.

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

Potential for Significance: No

Explanation: No ground-disturbing or vegetation removal activities are proposed. Soils would not be disturbed.

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

Potential for Significance: No

Explanation: No ground-disturbing or vegetation removal activities are proposed. Plants would not be disturbed.

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

Potential for Significance: No

Explanation: The project monitoring activities may cause minor, temporary disturbance to wildlife due to increased noise, vehicular traffic, and human presence. No ESA-listed, state-listed, sensitive wildlife species, or designated critical habitat are known to exist in activity locations.

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

Potential for Significance: No

Explanation: Trapping, tagging, and tracking activities would have minor and/or temporary effects to water bodies and fish; increased turbidity, aquatic habitat disturbances, and increased physiological stress to aquatic life. There would be no permanent adverse physical changes to water bodies or floodplains resulting from the proposed actions. Activities with potential to affect aquatic life are part of an effort to restore ESA-listed steelhead. ESA-listed bull trout may be present but would not be impacted. ESA Section 7 coverage for steelhead research is granted through NMFS' Middle Columbia River Hatchery biological opinion, dated February 13, 2018. The proposed project was developed and modified in coordination with ODFW protocol and was approved by CTUIR Fisheries Managers. CTUIR would adhere to all applicable terms and conditions identified in the biological opinion and operation plans and ODFW protocols.

## **6. Wetlands**

Potential for Significance: No

Explanation: There would be no impact to wetlands. No ground-disturbing activities are proposed.

## **7. Groundwater and Aquifers**

Potential for Significance: No

Explanation: No actions during PIT and radio tagging, habitat surveillance, or monitoring would have potential to impact groundwater or aquifers.

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

Potential for Significance: No

Explanation: The proposed action would not impact or change land use.

## **9. Visual Quality**

Potential for Significance: No

Explanation: No visual vegetation, landforms, or structural changes would occur and PIT tag arrays used for tracking are at pre-existing stations. Activities would not impact visual quality.

## **10. Air Quality**

Potential for Significance: No

Explanation: A minor, short-term impact to air quality would occur from vehicle or boat emissions during fish tracking and spawning and fish passage surveillance.

## **11. Noise**

Potential for Significance: No

Explanation: A minor, short-term increase in ambient noise would occur due to human presence or use of boats to access sites.

## 12. Human Health and Safety

Potential for Significance: No

Explanation: All applicable safety regulations would be followed during work activities.

### **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: Proposed activities would occur primarily in streams or on stream banks that run through public, private, state, and tribal lands. Tribal land access has been granted to tribal biologists. Landowners within the study reach have been notified of the fish release, telemetry mobile tracking, and spawning surveys. The restoration project has received ample support and cooperation from landowners on McKay Creek.

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

Signed: /s/ Lindsey Arotin December 15, 2021  
Lindsey Arotin, ECF - 4 Date  
Environmental Protection Specialist