

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Yakama Nation's Wahtum Creek Culvert Replacement and Fish Passage Project

Project No.: 1996-035-01

Project Manager: Michelle O'Malley, EWU

Location: Yakima County, Washington

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 Wahtum Creek Culvert Replacement and Fish Passage Project (Project) which would be implemented by the Yakama Nation (YN) Fisheries. The Project would include the removal of two fish passage barrier culverts on Wahtum Creek located on Simcoe Creek Road and replace them with a 50-foot-span by 14-foot-wide steel beam bridge. YN would also install new fencing to tie into the existing fence line to keep cattle out of the Project area.

Two existing 60-inch-diameter steel culverts would be replaced with a 50-foot-span by 14-foot-wide weathering steel bridge. The steel bridge superstructure would rest on pre-cast concrete footings, with pre-cast concrete backwalls.

Wahtum Creek channel width under the bridge would be about 25-foot-width, to meet requirements for NOAA and WDFW stream simulation method. Bridge superstructure would be set on pre-cast concrete footings countersunk into banks, with rock armor, 18" to 28" in size, waterward of the footings. Freeboard over the estimated 100-year flood flow would be 3 feet. The bridge would provide unrestricted fish passage, flood flow conveyance, bed load, and debris passage at all flows. Once the bridge has been installed in the stream bed below, the bridge would be reconstructed similarly to the stream bed upstream and downstream of the bridge.

Approximately 180-foot-long existing barbed wire fences would be removed for access to the Project area. New fence sections would consist of 4-strand barbed wire with 6-inch-diameter terminal wood posts at fence corners to isolate 30-foot-long sections across Wahtum Creek upstream and downstream of the proposed bridge.

Project implementation activities would require the use of heavy equipment, including backhoe, trucks, excavator, paving equipment, etc. All equipment and materials would be staged on preexisting routes and equipment would be refueled above the 100-year floodplain.

After installation of the Project, Simcoe Creek Road would be graded and leveled to meet the new height of the proposed bridge. All disturbed areas from Project implementation would be reseeded with an erosion control seed mix consisting of bluebunch wheatgrass (*Pseudoroegneria spicata*),

sandberg bluegrass (*Poa secunda*), basin wildrye (*Leymus cinereus*), and Idaho fescue (*Festuca idahoensis*). All reseeding areas would be covered by weed-free straw to promote reseeding success.

Funding the proposed activities fulfills commitments under the 2020 National Marine Fisheries Service Columbia River System Biological Opinion (2020 NMFS CRS BiOp). These actions also support BPA's commitments to the Yakama Nation in the Columbia River Fish Accord, as amended, 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/ Catherine Clark
Catherine Clark
Environmental Protection Specialist

Concur:

<u>/s/ Sarah T. Biegel</u>	<u>September 1, 2023</u>
Sarah T. Biegel	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 is located within the exterior boundaries of the Yakama Indian Reservation in Yakima County, Washington. The legal description of the Project site is Township 11 North, Range 16 East, Section 33. The proposed Project is on Wahtum Creek located on Simcoe Creek Road, situated west of White Swan on the Yakama Reservation.

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 project would result in no potential to adversely affect historic properties (WA 2023 116) on August 11, 2023. BPA consulted with the Yakama Nation's Tribal Historic Preservation Office (THPO). The THPO concurred with our determination of effect on August 30, 2023.

2. Geology and Soils

Potential for Significance: No

Explanation: The Project's culvert removal fill and removal would not exceed the cubic yard limits or the described qualitative amounts below the Ordinary High Water Mark (OHWM) set in NWP-2023-439 Permit. As specified in the permit for the Project, both fill and removal amounts would be the minimum possible to restore floodplain and stream channel dimensions.

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

Potential for Significance: No

Explanation: No Federal/state special-status species are known to be present in the project area. Disturbance to vegetation from construction activities and heavy equipment would occur within the Project area. All disturbed areas would be reseeded with a native seed mix post-implementation. 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 waterbodies, floodplains, and fish. Short-term negative effects, such as displacement due to dewatering and construction activities, to Middle Columbia River steelhead and designated critical habitat are expected to have long-term benefits post-project implementation. All work would occur within the local in-water work window.

The General Permit for Aquatic Habitat Restoration, Permit number NWP-2023-439 under the US Army Corp of Engineers Nationwide Permit 27, authorizes YN to place fill materials and certain structures in waters of the US within the State of Washington for the purpose of aquatic habitat restoration in support of YN's conservation strategies.

6. Wetlands

Potential for Significance: No

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

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: There would be no groundwater withdrawal proposed with these activities. Therefore, there would be no impacts to groundwater or aquifers. The culvert replacement would provide more access for water to inundate side channels and wetland areas downstream and which would store flood water and slowly release it throughout the year. This would in turn improve base flows and groundwater recharge in the project area.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: No action would change the land use or affect any specially-designated areas.

9. Visual Quality

Potential for Significance: No

Explanation: The proposed Project would directly impact the visual foreground associated with the area during implementation, due to the presence of heavy equipment and culvert replacement. Post-implementation, all project areas would be returned 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: No known soil contamination or adjacent CERCLA sites. Hazardous conditions to Simcoe Creek Road may occur during the removal of the culverts and replacement with the bridge as this would remove a section of the roadway during implementation. All hazardous areas would be blocked off from access for human safety during implementation. Post-implementation all areas would be made safe for normal access.

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: YN owns and operates the land and has been in coordination with tribal members on implementation of the proposed project.

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 September 1, 2023
Catherine Clark Date
Environmental Protection Specialist