

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Thorn Hollow Bridge Replacement Easement

Project No.: LURR-20230373

Project Manager: Heidi Haserot – TERR-3

Location: Umatilla County, OR

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021): B1.24 Property transfers

Description of the Proposed Action: Bonneville Power Administration (BPA) proposes to grant a permanent right-of-way easement on a section of BPA-owned property in Umatilla County, Oregon to the Oregon Department of Transportation (ODOT). The easement would permit ODOT to rebuild a county-owned bridge for Thorn Hollow Road situated adjacent to the property which was destroyed by a flood. BPA is not involved with the design, construction, or maintenance of the replacement bridge or its approach and would provide no funding towards the design, construction, or maintenance of the bridge or its approach. BPA's action would be limited solely to granting an easement on BPA-owned property. ODOT would compensate BPA for the easement based on the appraised value of the property.

While the replacement Thorn Hollow Road bridge and approach would occupy the same route as the original, the new footings and approach would be wider than those of the original bridge to support the increased length of the replacement bridge and be wider than the existing right-of-way for the road and bridge. As a result, ODOT would need to obtain permanent use easements from the landowners adjacent to the road to construct the replacement bridge and approach.

BPA owns the property located on both shores of the Umatilla River to the west of Thorn Hollow Road. There are no improvements or structures located on the BPA-owned property on the northern shore of the river. On the southern shore, the property is the site of the Thornhollow Juvenile Acclimation Facility, a Chinook salmon (*Oncorhynchus tshawytscha*) rearing facility operated as part of the Umatilla Basin Artificial Propagation Program. The facility is jointly managed by the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) and the Oregon Department of Fish and Wildlife (ODFW) and is situated on the property roughly 100 feet west of the road.

No modifications to the acclimation facility would be required to replace Thorn Hollow Road Bridge and the proposed easement would not include any land on which the facility sits. An access road currently runs through the BPA fee-owned area in which ODOT is requesting an easement along the northern edge of the property. This access road would be closed. This closure would not affect operations at the facility, as there are two more access roads to the south that would not be impacted by the replacement bridge and approach. Decommissioning the access road would not require any large-scale work. The road is an unimproved dirt track and would be left fallow or reseeded and allowed to regrow into a natural extension of the lawn which surrounds it.

BPA would grant ODOT a permanent easement on the property sufficient to construct and maintain the replacement bridge footers and approach. The easement on the northern shore would be roughly 126 feet long by 10 feet wide for a total area of 1,264 square feet. The easement on the southern shore would extend 30 feet from the current eastern edge of the facility property and run for roughly 391 feet along Thorn Hollow Road for a total area of approximately 11,891 square feet. BPA would retain fee ownership of the property and no other rights would be conferred with the easement. ODOT would use portions of this easement for situating the new, wider bridge approach and footers for the replacement bridge, as well as for long-term maintenance of the road and bridge. Much of the easement area would be used during construction for access, moving equipment, and other activities, and the final constructed bridge and approach would use only a small portion of the eastern edge of the easement area.

Work during construction would occur throughout this easement area and involve the use of heavy machinery to build the new, wider bridge approach and the concrete footers for the replacement bridge. Excavation on BPA-owned property would be required for building the new road and footings and portions of this road and footings would permanently be situated within the limits of BPA-owned property. ODOT would also erect a permanent chain link fence along the boundary of their new right-of-way to deter trespass onto BPA-owned property from the road. Following construction, ODOT and Umatilla County would maintain the road and bridge in the easement area.

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.

Thomas DeLorenzo
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: Thorn Hollow Bridge Replacement Easement

Project Site Description

The Umatilla River is a major tributary to the lower Columbia River in northern Oregon. The 89-mile-long river drains a basin of roughly 2,500 square miles and joins the Columbia just above the John Day Dam in Umatilla County. The Thorn Hollow Road crossing is located roughly 70 river miles upstream of this confluence. The river is roughly 106 feet wide at the crossing. While the crossing was not especially busy, with an average of fewer than 500 crossings per day when it was in operation, it provides access to the northern shore of the river that otherwise requires traveling to the Brigham Road crossing more than five miles to the east. The area surrounding the bridge is rural and sparsely populated with a climate emblematic of the high Columbia plateau. Riparian vegetation lines the shores of the Umatilla River, with a rapid transition to bunchgrass-dominated shrub-steppe habitat in the local uplands.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No

Explanation: A BPA archaeologist reviewed the proposed action and determined that granting the easement would have no effect on historic and cultural resources (BPA CR No. OR 2024 011). BPA initiated NHPA Section 106 consultation on March 15, 2024. Consulting parties were CTUIR and the CTUIR Historic Preservation Office (THPO). The consultation period ended on April 15, 2024. No written responses were received, so on April 16, 2024, BPA Cultural Resources staff discussed the grant of the easement with THPO staff. THPO had no comments or concerns with the actions.

2. Geology and Soils

Potential for Significance: No

Explanation: Excavation and earthmoving on BPA-owned property would be required for construction of the replacement bridge and its approach. New footers will be installed for the bridge consisting of piles drilled into the bedrock with concrete abutments. A small part of these footers would be within the easement area on BPA-owned property. Ground disturbance on BPA-owned property from construction of the footers would be limited to the areas in which concrete is needed to be poured. The areas would be excavated and leveled, and the footer constructed in this cleared area. Additionally, portions of the existing road prism approaching the bridge would also be removed and rebuilt to fit the profile of the new bridge. This new approach would require ground disturbance in the easement area, an area which has been previously undisturbed. To build the road, the soil would be excavated and compressed, with layers of cobble, sand, and soil then placed along the route before being paved by asphalt. This would necessitate some amount of excavation within the bounds of BPA-owned property. Additionally, construction of a new exclusion fence would

involve digging small holes for each fence post. However, these effects would be localized and cause no large-scale changes to the geology of the region. Disturbed areas would be reseeded and replanted with native vegetation seed, as appropriate, following construction to minimize future disturbance to soils and restore the current conditions to the maximum possible extent.

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

Potential for Significance: No

Explanation: There are no Endangered Species Act (ESA)-listed plant species within the easement area (U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) tool). Oregon-state listed northern wormwood (*Artemisia campestris* var. *wormskioldii*) and Lawrence's milkvetch (*Astragalus collinus* var. *laurentii*) have been recorded in Umatilla County (Oregon Department of Agriculture). However, both species are typically only found in arid upland shrub-steppe regions and would not be present in the wetter riparian area in which the easement would be granted. Granting the easement for construction of the bridge would therefore have no effect on listed plant species.

There would be mild effects on non-listed vegetation in the easement area. Vegetation on the BPA-owned property in the area is limited to lawn grass and small shrubs, with some individual trees. The area has been routinely mowed as part of regular operations and maintenance activities of the rearing facility and as a result there is little complex vegetation present. While some of this grass would be removed during construction, the long-term effects on vegetation in the area would be limited to these areas and no vegetation outside of the easement would be impacted by project actions. The trees on the BPA-owned property would be avoided. Overall effects on local vegetation from granting the easement would therefore be mild.

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

Potential for Significance: No

Explanation: ESA-listed grey wolf (*Canis Lupus*) is present in Umatilla County (IPaC). Multiple wolf packs and wolf use areas have been identified by ODFW in the local area (ODFW Wildlife Division). Wolves generally avoid human presence and noise. While the surrounding area is rural, between the existing nearby roads, residences, and the fish facility there is regular daily human presence locally, and it would be unlikely for wolves to be present in the area. Additionally, installation of the replacement bridge would not change the character of the area appreciably from conditions prior to the 2020 washout. There would therefore be no effect on grey wolves.

No separately listed Oregon state species of concern are present near the project area (ODFW Wildlife Division).

Non-listed wildlife present on BPA-owned property would be disturbed by noise and human presence during construction of the replacement bridge, but this disturbance would be limited in scope and duration. Long-term effects would be limited to merely restoring the conditions in the area that existed prior to the 2020 washout and would not change the character of the area appreciably from conditions that existed then. Overall effects to wildlife would therefore be mild.

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

Potential for Significance: No

Explanation: The Umatilla River is spawning, rearing, and migration habitat for ESA-listed Chinook salmon, Coho salmon (*Oncorhynchus kisutch*), steelhead (*O. mykiss*), and bull

trout (*Salvelinus confluentus*) (StreamNet Mapper, IPaC). Granting an easement for use of the BPA-owned property would have no effect on these species. Because of existing bank armoring and the steep slope of the local riverbanks, the easement area is entirely in upland areas and does not include the river or its floodplain. No BPA-owned property overlaps with the river or its floodplain and no work on BPA-owned property would impact the river or any fish within. Granting the easement and the work which would occur on BPA-owned property would therefore have no effect on listed fish species.

No separately listed Oregon state aquatic species of concern are present near the project area (ODFW Wildlife Division).

Effects on non-listed fish species would be functionally identical to those on listed species.

Notes:

- FEMA conducted an ESA consultation with USFWS for both the removal of the damaged bridge and installation of a replacement bridge in 2021 for effects on bull trout and bull trout critical habitat in the Umatilla River. The consultation determined that the proposed actions would be unlikely to adversely affect bull trout or bull trout critical habitat. ODOT confirmed the continued validity of this consultation via email with the USFWS regional field office supervisor on January 12, 2023.
- FEMA conducted an ESA consultation with the National Marine Fisheries Service (NMFS) for the removal of the damaged bridge in 2021 for effects on Chinook salmon, Coho salmon, and steelhead. FEMA did not consult on construction of a replacement bridge with NMFS at this time. ODOT obtained ESA coverage for these fish species for construction of the replacement bridge under the ODOT Federal-Aid Highway Program ESA-MSA Programmatic Consultation on March 20, 2023 (ESA programmatic key number 22325).

6. Wetlands

Potential for Significance: No

Explanation: There are no mapped wetlands on BPA-owned property in the area (USFWS National Wetlands Inventory). Existing bank armoring and the steep banks of the Umatilla River in the area have limited the development of riparian wetlands near the site of the bridge. There would therefore be no effect on wetlands from granting of an easement or construction of the replacement bridge and its approach on the BPA-owned property.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: Granting an easement would not substantially affect groundwater and aquifers. No new wells or groundwater use are proposed. Construction of the replacement bridge and its approach would have minor effects on local groundwater by increasing the amount of impermeable surfaces in the area, including marginal increases in impermeable surfaces on BPA-owned property. The total area of impermeable surfaces would increase by roughly 0.15 acres compared to the old bridge and approach. The effects of this increase in impermeable surface area on local groundwater would be minor because of the limited size of the increase.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: Granting an easement would represent a change in land use of the BPA-owned property in the easement area. The area is currently an undeveloped lawn. Part of the easement area would be paved for the new approach to the replacement bridge, and the

easement would allow for ongoing maintenance of the bridge and road. The effects of this change in land use would be minor. The lawn is not currently being used for anything and the change in use would have no effect on the day-to-day operations of the fish acclimation facility on the property. Moreover, the easement area is a small section of the overall property.

9. Visual Quality

Potential for Significance: No

Explanation: There would be changes to the visual quality of the BPA-owned property, but these changes would be minor. The easement area is currently a grass lawn. A portion of the area would be paved for the approach to the replacement bridge. The visual quality would be similar to the existing road. The replacement bridge would have a similar visual quality as the old bridge that was damaged by the 2020 flood. Overall effects on the visual quality of the area would therefore be minor.

10. Air Quality

Potential for Significance: No

Explanation: Construction taking place on BPA-owned property would involve the use of heavy machinery and produce exhaust. These effects would be temporary, localized to the area, and cause no long-term generation of emissions. Replacing the bridge would restore conditions which existed in the area prior to the 2020 washout, which would include exhaust generated from traffic using the bridge. Given the relatively small number of vehicles which use the crossing daily, these effects would be mild.

11. Noise

Potential for Significance: No

Explanation: Construction taking place on BPA-owned property would involve the use of heavy machinery and produce noise. These effects would be temporary, localized to the area, and cause no long-term changes to the noise levels of the area. Replacing the bridge would restore conditions which existed in the area prior to the 2020 washout, which would include noise generated from traffic using the bridge. Given the relatively small number of vehicles which use the crossing daily, these effects would be mild.

12. Human Health and Safety

Potential for Significance: No

Explanation: All workers would use best practices to ensure human 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 easement area is wholly on BPA fee-owned property. The acclimation facility on the property is jointly operated by CTUIR and ODFW. BPA confirmed with the operators that granting the proposed easement and the proposed new permanent use of the BPA-owned property would not disrupt operations at the facility. No other external coordination would be required.

As BPA is not involved with funding, designing, or constructing the replacement bridge or its approach, BPA is not responsible for any notification or public involvement associated with the bridge replacement. ODOT would conduct any public notification or involvement required for construction of the replacement bridge and its approach.

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

Signed:

Thomas DeLorenzo
Environmental Protection Specialist