

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: YTAHP Ranch on Swauk Creek Fish Passage and Screening Project

Project No.: 2007-398-00

Project Manager: Michelle O'Malley - EWU-4

Location: Kittitas 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 Kittitas County Conservation District (KCCD), a member of the Yakima Tributary Access and Habitat Program (YTAHP) work group, to implement the Ranch on Swauk Creek Fish Passage and Screening Project on private land near Cle Elum, Washington. The proposed project would restore year-round fish passage in Swauk Creek for all fish including Endangered Species Act (ESA)-listed Mid-Columbia River steelhead, as well as Chinook and coho salmon, ESA-listed bull trout, and other native fishes. The project would also improve irrigation screening and efficiency, and enhance fish habitat.

The KCCD would consolidate two gravity irrigation diversions to a single existing point of diversion and install a fish screen in accordance with the National Marine Fisheries Service (NMFS) and Washington Department of Fish and Wildlife fish screening criteria. At the consolidated point of diversion, a roughened channel fishway would be installed to facilitate year-round fish passage for all life stages of salmonids. At the remaining point of diversion, the headgate and pipe would be plugged with concrete and permanently decommissioned. In-stream modifications at the decommissioned diversion would not be necessary; there are no in-stream structures and the stream has adequate fish passage when the diversion is not in use.

Additional activities would occur along portions of the irrigation conveyance ditches. These areas would be piped to reduce evaporation and infiltration, resulting in conserved water available for instream flow benefit, and a robust planting of cottonwood copses in strategic locations would be conducted to provide shade and future woody debris for the stream and floodplain. Areas disturbed during construction would also be revegetated with native plants. All access and staging would occur via existing roads and previously disturbed areas. KCCD would implement the project during late summer and fall 2021.

BPA's proposed funding for this project would support conservation of ESA-listed species considered in the 2020 ESA consultations with NMFS and U.S. Fish and Wildlife Service on the operations and maintenance of the Columbia River System, 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/ Brenda Aguirre

Brenda Aguirre

Environmental Protection Specialist

Concur:

/s/ Sarah T. Biegel August 2, 2021

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.

Proposed Action: YTAHP Ranch on Swauk Creek Fish Passage and Screening Project

Project Site Description

The project site is located on Swauk Creek at River Mile (RM) 7.1 - 7.9 near Cle Elum, WA. The Swauk Creek watershed drains an area of about 100 square miles before entering the Yakima River at River Mile 170. There are no passage barriers downstream of the project location. The majority of the property is irrigated agricultural pastures. Swauk Creek flows through the property and, within the project area, has a narrow, intermittent riparian buffer consisting of ponderosa pine, alder, willow, elderberry, golden currant, dogwood, and several other native species. The pastures provide forage for grazing cattle.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No with Conditions

Explanation: BPA completed consultation under the Section 106 of the National Historic Preservation Act on June 7, 2021, and determined that the implementation of the proposed undertaking would result in no historic properties adversely affected as long as the below measures were followed. Consulting parties included the Confederated Tribes of the Colville Reservation (CCT), Confederated Tribes and Bands of the Yakama Nation, Snoqualmie Tribe, and Washington State Department of Archaeology and Historic Preservation (DAHP). BPA received responses from the following parties agreeing/concurring with the effects determination and implementation measures: CCT - March 10, 2021, April 5, 2021, May 10, 2021; Yakama Nation - May 5, 2021; Snoqualmie Tribe - May 7, 2021. The final 30 day consultation period expired June 7, 2021; BPA assumed concurrence.

Notes:

- BPA's Inadvertent Discovery Plan would be distributed to personnel associated with the implementation of the Swauk Creek Diversion Project, and to consulting parties upon request.
- Specific cultural sites have been identified as needing to be buffered, flagged-off, and avoided during project implementation (including staging activities) to avoid any damage to these sensitive areas.
- In specific sections of the APE, project activities would proceed as planned with the expectation that they be accomplished via established roads to ensure nearby cultural sites are avoided.

2. Geology and Soils

Potential for Significance: No

Explanation: Temporary impacts to soil from increased erosion potential during construction of the roughened channel fishway activities are expected. Sediment control best management

practices would be installed prior to project implementation to minimize potential for in-stream turbidity or excessive runoff during construction. Post construction plantings would re-establish areas of disturbed soil.

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

Potential for Significance: No

Explanation: No special-status, including ESA-listed, plant species are known to be present. Temporary impacts to existing vegetation from equipment crushing some plants while accessing work areas are expected. Post construction plantings would re-establish areas of disturbed vegetation.

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

Potential for Significance: No

Explanation: No special-status, including ESA-listed, wildlife species, or habitats are known to be present. Temporary impacts to area wildlife would occur from increased noise and vehicle traffic during construction. Wildlife would likely avoid the area during this time and return once the project work is completed.

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

Potential for Significance: No

Explanation: Temporary sedimentation would be generated with instream work. KCCD obtained Clean Water Act (CWA) Section 404 authorization under NWP 27 from the US Army Corps of Engineers (USACE) on June 17, 2021, (NWP-2020-828) to excavate and place material in Swauk Creek, and would implement all terms and conditions of NWP 27. USACE also authorized that the work complies with the Washington State Department of Ecology's Water Quality Certification (CWA Section 401) requirement for NWP 27. There would be no net rise in floodplain elevations from implementation of the project activities. The project would have an effect on fish and their habitats during in-water work. ESA-listed Middle Columbia River steelhead and their designated critical habitat area are present in the project area. Project activities are covered under BPA's HIP BiOp, Project Notification Number 2021023. KCCD would follow HIP general and project-specific conservation measures to avoid and minimize impacts to fish throughout project implementation.

6. Wetlands

Potential for Significance: No

Explanation: None present in the project area.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: The project activities do not propose new wells or use of groundwater; spill prevention measures would be present on site during use of heavy equipment.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: The project activities do not propose changes to land use.

9. Visual Quality

Potential for Significance: No

Explanation: Minor change to visual quality from diversion consolidation, construction of the roughened channel fishway, and plantings. The new conditions would be visually consistent with the topography of the existing channel and surrounding area and adjacent vegetation. Construction equipment would be visually consistent with area agricultural equipment. The project is not within a visually sensitive area.

10. Air Quality

Potential for Significance: No

Explanation: The project would generate small amounts of dust and vehicle emissions due to construction.

11. Noise

Potential for Significance: No

Explanation: There would be short-term construction noise during daylight hours. Construction noise would not be noticeably different than the agricultural production noise.

12. Human Health and Safety

Potential for Significance: No

Explanation: The project sponsor is required to use best management practices to protect worker health and safety. Any activities involving hazardous materials would be disposed of at a designated hazardous waste facility.

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: Implementation of project activities would not cause impacts to surrounding landowners. The project sponsor, KCCD, has coordinated with the underlying landowner and irrigation water users and has permission to conduct project activities.

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

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| Signed: <u>/s/ Brenda Aguirre</u> | <u>August 2, 2021</u> |
| Brenda Aguirre, ECF-4 | Date |
| Environmental Protection Specialist | |