

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Mill Creek Fishway Fish Passage Improvements

Project No.: 1996-046-00

Project Manager: Victoria Bohlen, 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; B2.3 Personal safety and health equipment

Description of the Proposed Action: Bonneville Power Administration (BPA) proposes to fund the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) to complete a fish passage improvement project at the Mill Creek Diversion Dam owned and operated by the City of Walla Walla for its public drinking water supply. The Mill Creek Diversion Dam is located along river mile (RM) 27.4 of Mill Creek, a tributary of the Walla Walla River. The diversion dam was constructed in the early 1920s and the fishway was reconstructed in 1988. Fish passage at the existing fishway ladder does not meet current National Marine Fisheries Service (NMFS) fish passage criteria. BPA funding would allow CTUIR to complete modifications to the existing ladder that would improve fish passage through the fishway and around the diversion dam. The project would improve passage conditions for all life stages of Endangered Species Act (ESA)-listed summer steelhead and bull trout, as well as spring Chinook salmon.

The fishway exit is the upstream orifice where water enters the fishway. The exit would be reconstructed by reducing the 2-foot wall thickness and increasing the exit orifice from 18 inches to 30 inches wide and adding a stainless steel slide gate. Improvements to the orifice would remedy the excessive hydraulic drop at the fishway exit, and improve fish attraction potential. The fishway entrance, which is the downstream orifice where water exits the fishway, would be modified by increasing the elevation of the entrance sill to between 12 and 18 inches. The increase in sill elevation would dissipate the energy of flows that enter the tailrace pool downstream of the diversion, further improving fish passage through the fishway. To improve safety conditions at the site, additional improvements would include modifications to the access grate above the fishway, installation of a new access ladder, and installation of a new personnel tie-off near the fishway exit.

The project would be accessed via Mill Creek Road and via an existing upstream maintenance access road. All equipment and material staging would be located on an existing gravel driveway at the downstream end of Mill Creek Diversion Dam site, or at an upstream staging area established for this project. Any work below the Ordinary High Water Mark (OHWM) would be isolated from stream flows using silt fencing or temporary coffer dams. Work areas would be dewatered using screened pumps. Any sediment-laden water would be pumped to upland areas for infiltration. A tracked excavator would be used for work area isolation structures, and hand tools would be used for selective demolition at the fishway and installation of new safety

structures. Following construction, all work areas would be returned to pre-construction conditions or better.

These actions would support conservation of ESA-listed species considered in the 2020 ESA consultations with National Marine Fisheries Service and U.S. Fish and Wildlife Service on the operations and maintenance of the Columbia River System and Bonneville's commitments to 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.).

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/ Claire McClory

Claire McClory

Environmental Protection Specialist

Concur:

/s/ Katey C. Grange

Katey C. Grange

NEPA Compliance Officer

September 10, 2021

Date

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

On the north bank and upstream of the diversion dam, the project area is comprised of intact riparian habitat with of a mix of deciduous and coniferous trees and shrubs. The north bank immediately downstream of the diversion dam has been altered by rip rap and large cobbles. Along the south bank, bedrock outcrops create a vertical bank that is vegetated with conifers, snowberry, and sword fern. Banks are relatively stable and confined. Upstream of the project area, the watershed provides pristine habitat conditions for native salmonids. Downstream, the watershed is subject to increased sedimentation from historic logging and rural residential development.

The Mill Creek Diversion Dam is owned and operated by the City of Walla Walla and provides about 85 percent of its municipal water supply. The City performs annual maintenance at the diversion dam, which includes bi-annual sediment sluicing and as-needed mechanical debris removal. A gravel parking area, the intake dam, fish ladder, ancillary facilities, and a caretaker's residence occupy the project site.

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 undertaking would result in no historic properties affected (OR 2019 128). The Nez Perce Tribe Cultural Resources Office replied with no issues. No other comments received from consulting parties.

2. Geology and Soils

Potential for Significance: No

Explanation: Temporary impact to soil from increased erosion potential during construction staging, site access, and work area isolation. Sediment control BMPs installed prior to implementation would minimize potential for excessive runoff into Mill Creek during construction.

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

Potential for Significance: No

Explanation: No special status or ESA-listed plant species are known to be present. Construction would take place within the confines of a developed area. Any construction-related impacts to vegetation would be temporary and minor.

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

Potential for Significance: No

Explanation: No special status or ESA-listed wildlife species are documented in or adjacent to the project area and no critical habitat is present. Wildlife may be temporarily disturbed by construction noise and traffic, but there would be suitable adjacent habitat for use during the temporary disturbance.

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

Potential for Significance: No with Conditions

Explanation: No impact to floodplains expected.

All in-water work would be isolated from stream flow using coffer dams and silt fencing to limit turbidity and minimize impacts to ESA-listed Columbia River steelhead, bull trout, and their critical habitats. The project is covered under the HIP Biological Opinion under Section 7 of ESA with Project Notification Form number 2021105.

The Mill Creek Diversion Dam is used to supply the City of Walla Walla with a portion of its municipal drinking water and during summer months, groundwater injection and recovery wells supply most of the municipal water. The intake would continue to operate during construction. In-stream site isolation measures and continuous turbidity monitoring would have negligible impact to water quality during construction.

Avoidance and minimization measures identified in the project Sponsor's Clean Water Act Section 404 Regional General Permit 6 (application number NWP-2021-003) would further reducing impact to waterways.

Notes:

- Project sponsors would adhere to all applicable site-specific conservation measures identified in the HIP consultation and approval, including work area isolation, turbidity monitoring requirements, and in-water work timing restrictions. Any changes to the in-water work window would require approval from the Oregon Department of Fish and Wildlife District Fish Biologist.
- The Project Sponsor would adhere to all avoidance and minimization efforts identified in the Clean Water Act permit issued for this project.

6. Wetlands

Potential for Significance: No

Explanation: No wetlands present.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: On-site sediment control measures and monitoring would limit potential impacts to groundwater during construction.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: No change to land use.

9. Visual Quality

Potential for Significance: No

Explanation: No change to visual quality. The project is not located within a visually sensitive area.

10. Air Quality

Potential for Significance: No

Explanation: Temporary increase in vehicle emissions and dust during construction. No long-term impacts to air quality.

11. Noise

Potential for Significance: No

Explanation: Temporary increase in noise during daytime construction activities due to vehicles and equipment use. No long-term impacts to noise.

12. Human Health and Safety

Potential for Significance: No

Explanation: Improvements to the fishway access grate and ladder alongside improvements to personnel protective measures on-site would improve long-term safety conditions.

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 City of Walla Walla owns and operates the property and have granted CTUIR permission to conduct the work.

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

Signed: /s/ Claire McClory September 10, 2021
Claire McClory, ECF-4 Date
Environmental Protection Specialist