

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Yakama Nation's Satus North Drain Project

Project No.: 1992-062-00

Project Manager: Michelle O'Malley, EWU-4

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 jointly fund Yakama Nation's (YN) Satus North Drain Project along with Natural Resources Conservation Service (NRCS). The proposed project would take place in two phases. Phase one would occur within the Satus Wildlife Area wetland complex and phase two would be addressing the diversion structure and canal into the Satus wetland complex. All phases of this project would utilize heavy machinery in its implementation.

Phase one's goal would be to enhance water management and various infrastructure components in the areas of the Satus wetland complex, improve the intake canal portions located on the YN Wildlife Area property, including constructing a bypass ditch and swale to pass excess water through during wetland maintenance. All phase one actions would be on the raised floodplain above the Yakima River and would not happen within the channels of the Yakima River or Satus Creek. A portion of the bypass swale would be located at the banks of Satus Creek, however this area is consistently dry and well above the normal water surface elevation during the proposed construction period. All activities of phase one would occur when wetlands are dry. The wetland margins where these structures are located are kept dry during the summer and early fall to allow for vegetation management, so keeping the worksites dry would not cause any additional impacts.

The proposed phase one would include replacing ten, degraded or damaged, existing water control structures within the main Satus wetland complex to improve water management. It would include the installation of six new water control structures for improved water management – all new structures would be associated with the installation of the proposed intake canal and bypass swale which would be approximately 1,200 feet of new ditch to carry water to a bypass swale, outside of the main wetland complex. It would include installation of one small berm that would function in concurrence with a water control structure. Cleaning of approximately 4,200 feet of existing swales and excavation of approximately 6,300 feet of new swale would be included in the proposed phase one to improve flow conveyance and allow for additional water management options. Lastly, phase one would include re-alignment of approximately 600 feet and re-graveling of approximately 3,800 feet of existing roads within the wildlife area.

Phase two's goal would be to install a diversion structure in the Satus North Drain and improve the existing flow to the Satus wetland complex on the wildlife area. This work would take place

away from the active floodplain within the banks of the existing intake canal. After irrigation season, neither the drain nor the canal would contain flowing water, however standing water may be present. Work areas would be isolated by cofferdams to prevent the downstream movement of silt due to construction activities. All water would be routed into the wetland complex to prevent the release of excess sediment into the Yakima River or Satus Creek due to construction activities.

The proposed phase two would include the installation of a large concrete diversion and culvert under Satus Longhouse Road in order to route water from the drain towards the wetland complex. It would include the installation of three new water control structures on the existing canal to improve flow management. Lastly, it would include plugging the superfluous bypass ditch along the canal, with the cleaning and widening of the canal as needed to ensure proper flow from the new diversion.

Funding the proposed actions would support Bonneville's commitments to the Yakama Nation 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/ Catherine Clark

Catherine Clark
Environmental Protection Specialist

Concur:

<u>/s/ Katey C. Grange</u>	<u>June 30, 2022</u>
Katey C. 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.

Proposed Action: Yakama Nation's Satus North Drain Project

Project Site Description

Satus North Drain Project is located on tribal lands West of the Yakima River. This project is located on the Satus Wildlife and Recreation Area and would be implemented by wildlife area staff members. The wildlife area is managed for wetland habitat, livestock grazing, and access for traditional resource practices.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No

Explanation: The Natural Resources Conservation Service (NRCS) Archaeologist reviewed the proposed project and determined there were "no historic properties affected" and consulted with the THPO. NRCS received final concurrence from the THPO on June 1st 2022. NRCS is the lead federal agency for compliance with Section 106 of the National Historic Preservation Act.

2. Geology and Soils

Potential for Significance: No

Explanation: Excess fill from excavation of water control structures, swales, and diversion would all remain on the floodplain and would be distributed within the project area as needed. Therefore, no potential for significant impact to geology and soils.

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 areas. Historical farming, ranching and management levels have reduced native plant community structure. Proposed project would assist in restoring the native landscape to include native grass stands, other riparian vegetation, and weed management.

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: The proposed activities would have no effect to fish species as the project site would be closed off to fish presence during the time of implementation. Therefore, no fish would be present to impact.

6. Wetlands

Potential for Significance: No

Explanation:Wetlands would be excavated over about 7.4 acres and wetland fill would occur in about 1.2 acres of farmed wetlands. In the long term, the proposed project activities would have an increased benefit to these present wetlands. Project goal would be to increase wetland acres and water levels within existing wetlands. On December 13, 2021, EPA granted YN with a Clean Water Act (CWA) Section 401 Certification with no conditions under the Reference No. NWS-2021-518. This certification applies to any potential point source discharges from the Satus Refuge Wetland Restoration Project into waters of the United States within the Yakama Indian Nation's Reservation. The US Army Corps of Engineers confirmed that the project would fall under Nationwide Permit (NWP) 27, Aquatic Habitat Restoration, Establishment, and Enhancement Activities in their letter dated December 15, 2021.

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.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: No action proposed would change the capability of the land to be used as it was prior to implementation. All wetlands would continue to function as wetlands and all roads would continue to function as roads within the wildlife area.

9. Visual Quality

Potential for Significance: No

Explanation: Minor changes to visual quality. Diversion, water control structures, and culvert would be consistent with other visual aspects already existing on the Satus Wildlife Area and would not be located in a visually sensitive area.

10. Air Quality

Potential for Significance: No

Explanation: Temporary, small amounts of vehicle emission 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 hazardous conditions and no adjacent CERCLA sites.

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: Wildlife area is owned and operated by the Yakama Nation. Wildlife area staff have been working in accordance to Yakama Nation Reservation coordination standards of practice.

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 June 30, 2022
Catherine Clark, ECF-4 Date
Environmental Protection Specialist