

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Brush Creek Fish Passage Improvement Project

Project No.: 1997-056-00

Project Manager: Chad Baumler, EWL - 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

Description of the Proposed Action: Bonneville Power Administration (BPA) proposes to fund the Confederated Tribes and Bands of the Yakama Nation (YN) Fisheries to complete a fish passage improvement project within an about 0.2 acre section of Brush Creek. YN would remove three fish barrier culverts and replace them with a preconstructed bridge along 175 Road in the Yakama Nation Tribal Forest in Yakima County, Washington. The work would restore adult and juvenile fish passage for Endangered Species Act (ESA)-list Middle Columbia steelhead (*Oncorhynchus mykiss*) at one of the last remaining passage barriers in the White Creek Watershed.

The project would include removal of three undersized culverts at the 175 Road crossing, and replace them with a single, clear-span 35-foot-long bridge. The stream is expected to be dry during construction. However, if flows are present, the work area would be isolated from stream flow using block nets. Fish salvage operations would occur within the isolated area, then the site would be dewatered, and a sandbag berm would be used to divert streamflow to a diversion pump and pipe directing flows downstream of the work area. An excavator, backhoe loader, and crane truck would be used to remove the undersized culverts and excavate footings for the new bridge crossing. Pre-cast concrete footings and rock slope protection would be constructed along the stream banks. A 35-foot-long open span bridge deck would be placed atop the footings and backfilled with 6 inches of aggregate to match the existing 175 Road grade.

The project would be accessed via the existing 175 Road. Vehicle staging and refueling would occur at least 150-feet from Brush Creek. Temporary staging adjacent to the project area would be used to store materials and act as a platform for heavy equipment use. Following construction, all work areas would be returned to pre-construction conditions or better. Native seed mix would be planted in disturbed areas. Long-term monitoring and vegetation management could take place up to five years post-construction to ensure planting success.

These actions would support the conservation of ESA-listed species considered in the 2020 ESA consultation with the National Marine Fisheries Service on the operations and maintenance of the Columbia River System and BPA'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 Federal Columbia River Power System 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; 89 FR 34074, April 30, 2024), 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. ¹

Catherine Clark
Environmental Protection Specialist

Concur:

Katey C. Grange
NEPA Compliance Officer

Attachment(s): Environmental Checklist

¹ BPA is aware that the Council on Environmental Quality (CEQ), on February 25, 2025, issued an interim final rule to remove its NEPA implementing regulations at 40 C.F.R. Parts 1500–1508. Based on CEQ guidance, and to promote completion of its NEPA review in a timely manner and without delay, in this CX BPA is voluntarily relying on the CEQ regulations, in addition to DOE's own regulations implementing NEPA at 10 C.F.R. Part 1021, to meet its obligations under NEPA, 42 U.S.C. §§ 4321 et seq.

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: Brush Creek Fish Passage Improvement Project

Project Site Description

The project is located on Yakama Nation Reservation land in south central Washington. Brush Creek is a tributary to the Klickitat River. Since the 1950s, the project area has been used for commercial timber harvest and cattle grazing. Currently, the existing road is utilized for forest access and tree harvest access. Brush Creek is typically dry from July to October each year.

Plant communities in the vicinity of the project generally consist of mature forest containing willow (*Salix spp.*), black cottonwood (*Populus trichocarpa*), ponderosa pine (*Pinus ponderosa*), and ground cover such as spirea (*Spiraea douglassii*) and snowberry (*Symphoricarpos albus*).

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No

Explanation: BPA initiated consultation under Section 106 of the National Historic Preservation Act (NHPA) on the proposed project on April 10, 2021 (WA 2021 093). Consulting parties included the YN and the Yakama Nation Tribal Historic Preservation Office (YN THPO). YN THPO responded on May 12, 2021. On August 30, 2021, BPA received and reviewed a copy of the Cultural Committee Action approved memorandum dated March 24, 2023, for the Archaeological Review for the Project. No cultural resources were identified during the survey work. The YN THPO concurred with the determination that the undertaking does not have the potential to cause adverse effects on historic properties. BPA reviewed this information and, as per §36 CFR 800.4(d)(1), determined that the implementation of the proposed undertaking would result in no historic properties affected.

2. Geology and Soils

Potential for Significance: No

Explanation: Temporary impact to soil from increased erosion potential during culvert removal and road grading actions. Sediment control best management practices (BMPs) would be installed prior to project implementation to minimize potential for in-stream turbidity or excessive runoff during construction. Post-construction seeding and mulching would minimize long-term erosion potential.

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 in the project area. Temporary impact to existing vegetation during culvert removal is expected. Post-construction seeding and monitoring would re-establish native riparian plant communities.

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

Potential for Significance: No

Explanation: Wildlife including deer, elk, coyote, various small mammals, birds, reptiles, and amphibians may use the project area. Construction activity could temporarily deter wildlife from using the project area, due to increased noise and visual disturbance from equipment operation and human activity. Some aquatic invertebrates or amphibians may be displaced or killed during construction, but rapid reoccupation of these stream areas by the same or other members of the same classes of animals following the project would be likely. It is unlikely the stream restoration activities would result in long-term displacement of wildlife.

The project area is within the geographic range of the ESA-listed gray wolf (*Canis lupus*). However, there are no documented occurrences of these species in the project area, and there is no designated or proposed critical habitat for listed wildlife species in the project area. The project is expected to have no effect on ESA-listed species or critical habitat.

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

Potential for Significance: No with Conditions

Explanation: The project would result in about 32 cubic yards of fill along the banks of Brush Creek. Equipment access and construction actions would take place during the dry season when flows are not likely to be present. Avoidance and minimization measures would be identified in YN's Clean Water Act Section 404 Nationwide Permit (NWP-2025-00289), further reducing impact to waterways.

ESA-listed Middle Columbia River steelhead are downstream of the project area but are unable to pass the currently existing culverts. No state special-status species occupy the project area. Work would occur during low or no flow periods. If flows are present, fish salvage and in-stream work area isolation measures would be utilized to minimize construction-related turbidity. The project was reviewed and consulted on under BPA's ESA Section 7 Habitat Improvement Project (HIP) biological opinion and would adhere to all applicable site-specific conservation measures, terms, and conditions, including turbidity monitoring requirements, approved work timing, and work area isolation. The project would result in long-term fish access to upstream habitat in Brush Creek.

Notes:

- YN would adhere to all applicable site-specific conservation measures identified in the HIP consultation and approval.
- YN 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 are identified in the project area. Therefore, no wetlands would be impacted by the proposed project actions.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: No new wells or uses of groundwater or aquifers are proposed. There would be potential for contamination of groundwater or aquifers from fuel or fluid drips or spills from equipment use, but spills and drips with the volume necessary to contaminate groundwater or aquifers are unlikely. BMPs would be adhered to in order to avoid or minimize impacts to groundwater or aquifers. No long-term change to aquifers or groundwater recharge potential.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: The 175 Road is located in a remote portion of the Yakama Nation Reservation that is minimally utilized. Temporary, negligible disruption to road access and use during construction could occur. Impacts could occur for up to four weeks of road closure, however there are multiple alternative routes to access the forest on either end of the road closure. No long-term changes to land use are proposed.

9. Visual Quality

Potential for Significance: No

Explanation: The project area is not in a visually sensitive area and the new bridge's appearance would be consistent with the existing road infrastructure.

10. Air Quality

Potential for Significance: No

Explanation: A temporary increase in emissions and dust from vehicles during construction actions on the project site would be minor and short-term during construction period but would return to normal conditions once the project is completed.

11. Noise

Potential for Significance: No

Explanation: The proposed work would result in a temporary increase in ambient noise. Any noise emitted from construction equipment would be short-term and temporary during daylight hours and would cease following project completion.

12. Human Health and Safety

Potential for Significance: No

Explanation: The proposed work is not considered hazardous, nor does it result in any health or safety risks to the public. Road closure measures would include signage, social media posting, radio broadcast, and staff meetings to ensure notice of closure period to limit access to the project area. All personnel would use best management practices to protect workers' health and safety during construction actions.

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 project area is within the bounds of the Yakama Nation Reservation. Yakama Nation Fisheries group would obtain necessary approvals to conduct work on tribal property.

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

Signed:

Catherine Clark
Environmental Protection Specialist