

NEPA Compliance Checklist

(This is a voluntary template used to document compliance with NEPA requirements and determine applicability of DOI and FWS Categorical Exclusions to proposed project actions.)

I. Project Name & Brief Description: Highland Dam Removal and Irrigation Efficiency Project The South Umpqua Rural Community Partnership (SURCP) and the Highland Ditch Irrigation District, proposes to modernize irrigation infrastructure and improve aquatic habitat conditions along Cow Creek near Azalea, Douglas County, Oregon. The Project will completely remove the historic-era low-head concrete diversion dam (Highland Ditch Dam) and intake structure from the active stream channel and install a new fish-friendly screened intake approximately one mile downstream. The new fish screen will be a cone screen; it has been reviewed and approved by NMFS engineer Jeff Brown. From the new point of diversion, approximately three miles of underground pipeline will be installed—primarily within the existing ditch alignment, along roadway embankments, or adjacent to agricultural fence lines—to distribute irrigation water to district members. Excavated soils will be returned to the trench following installation. The Project is designed to eliminate inefficiencies and habitat impacts associated with the 3.2-mile open ditch and diversion dam, including water loss, contamination, and impeded fish passage. Implementation will restore unimpeded migration and improve spawning conditions for multiple fish species in Cow Creek, including Oregon Coast coho salmon (<i>Oncorhynchus kisutch</i>), Oregon Coast Chinook salmon (<i>O. tshawytscha</i>), Oregon Coast steelhead (<i>O. mykiss</i>), and Pacific lamprey (<i>Entosphenus tridentatus</i>). Work will be confined to previously disturbed areas where feasible, with access provided via existing roads and staging areas.	Financial Assistance Agreement Number: F23AC01556
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II. Categorical Exclusion Identifier

Cite applicable categorical exclusion identifier that applies from categorical exclusion that applies from 43 CFR § 46.210, 516 DM 8.5, and/or another applicable categorical exclusion, include name of the agency or bureau that originally established the categorical exclusion proposed for application:

U.S. Fish and Wildlife Service (Service) Categorical Exclusions B. Resource Management (2) The operation, maintenance, and management of existing facilities and routine recurring management activities and improvements, including renovations and replacements which result in no or only minor changes in the use, and have no or negligible environmental effects on-site or in the vicinity of the site. (3) The construction of new, or the addition of, small structures or improvements, including structures and improvements for the restoration of wetland, riparian, instream, or native habitats, which result in no or only minor changes in the use of the affected local area. The following are examples of activities that may be included. a) The installation of fences. b) The construction of small water control structures. c) The planting of seeds or seedlings and other minor revegetation actions. d) The construction of small berms or dikes. e) The development of limited access for routine maintenance and management purposes.
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III: Categorical Exclusion Justification

The Highland Project will be maintaining and improving irrigation infrastructure related to the Highland Irrigation District, as well as installing a new small diversion structure and associated fish screen and removing the former dam structure to improve instream habitat. These actions align with the CE category above that covers “operation, maintenance, and management of existing [irrigation] facilities” and “construction of new, or the addition of, small structures or improvements, including structures and improvements for the restoration of ... instream... habitats”.

An appropriate categorical exclusion must be identified and cited before completing the remainder of the Checklist. If a categorical exclusion cannot be identified, or the proposal cannot meet the qualifying criteria in the categorical exclusion, an environmental assessment or an environmental impact statement must be prepared.

Part IV. Extraordinary Circumstances (based on 43 CFR § 46.215):

Yes	No	Will This Proposal (check (x) box YES or NO for each item below):
	X	(a) Have significant adverse effects on public health or safety.
	X	(b) Have significant adverse effects on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds (Executive Order 13186); and other ecologically significant or critical areas under Federal ownership or jurisdiction.
	X	(c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].
	X	(d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.
	X	(e) Have a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.
	X	(f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.
	X	(g) Have significant adverse effects on properties listed or eligible for listing on the National Register of Historic Places as determined by either the bureau or office, the State Historic Preservation Officer, the Tribal Historic Preservation Officer, the Advisory Council on Historic Preservation, or a consulting party under 36 CFR 800.
	X	(h) Have significant adverse effects on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant adverse effects on designated Critical Habitat for these species.
	X	(i) Have the possibility of violating a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.
	NA	(j) Removed per EO 14154 ¹
	X	(k) Have the possibility to limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).
	X	(l) Have the possibility to significantly contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

(If any of the above extraordinary circumstances receive a "YES" check (x) or if any extraordinary circumstances exist of the agency or bureau that originally established a categorical exclusion, an environmental assessment or an environmental impact statement must typically be prepared.)

Pursuant to the National Environmental Policy Act of 1969, as amended (NEPA), and Department of Interior NEPA Regulations (43 CFR 46) (check one):

X	The proposed action is covered by a categorical exclusion as provided by 43 CFR 46.210 or 516 DM 8.5 or that has been adopted from another Federal agency and no extraordinary circumstances in 43 CFR 46.215 (a)-(i), (k) ¹ apply. No further NEPA documentation will therefore be prepared (If applicable, attach any additional required environmental or cultural compliance documentation associated with the categorical exclusion).
	An extraordinary circumstance could exist for the proposed action and either an environmental assessment or an environmental impact statement must be prepared.

U.S. Fish and Wildlife Service Staff Signature Approval:

Project Officer Signature:

Date: Feb 19, 2026

Project Officer Name & Title: Leah Tai, State Hydrologist

Concurrence Signature: _____

Date: _____

Concurrence Signature Name & Title: Emelie McKain, Bend Field Office Supervisor

1 Executive Order 14154, Unleashing American Energy (Jan. 20, 2025), and a Presidential Memorandum, Ending Illegal Discrimination and Restoring Merit-Based Opportunity (Jan. 21, 2025), require the Department to strictly adhere to the National Environmental Policy Act (NEPA), 42 U.S.C. §§ 4321 et seq. Further, such Order and Memorandum repeal Executive Orders 12898 (Feb. 11, 1994) and 14096 (Apr. 21, 2023). Because Executive Orders 12898 and 14096 have been repealed, complying with such Orders is a legal impossibility. The Fish and Wildlife Service verifies that it has complied with the requirements of NEPA, including the Department's regulations and procedures implementing NEPA at 43 CFR Part 46 and Part 516 of the Departmental Manual, consistent with the President's January 2025 Order and Memorandum.