Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy

Proposed Action: S-22 Irrigation Ditch Control Gate and Spillway Construction

Project No.: 2007-268-00

Project Manager: Tim Luddington - EWM

Location: Custer County, Idaho

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 Custer Soil and Water Conservation District (CWSCD) to construct a modified irrigation control gate and spillway on the S-22 ditch off the Salmon River 8.5 river miles downstream from Challis, Idaho.

S-22 currently has a single control gate in the ditch about 1,070 feet downstream of the ditch's diversion from the Salmon River. It is used to stop the flow of irrigation water down the ditch, but has no structural provision to redirect that irrigation flow back to the Salmon River. To provide for this, irrigators have been using a backhoe to breach the right ditch bank to allow the diverted water to flow overland downhill back to the river, about 60 feet away. To restore flows down the ditch, the gate is opened and a backhoe used to reconstruct the ditch bank. This practice is erosive and produces sediment into the Salmon River every time it is done.

The proposed action would install a double irrigation control structure with gates at right angles such that one would open and close the ditch and the other would open and close the ditch bank. Below the ditch bank gate, a rip-rapped spillway would be constructed to return flows cleanly back

to the Salmon River. The structure would be installed according to all relevant criteria in the Habitat Improvement Program (HIP) Biological Opinions (NMFS 2020, USFWS 2020).

Construction would occur in the fall when irrigation flow is not needed. The ditch would be sand-bagged below the construction site to dewater the ditch so work would be completed "in-the-dry". Fish would be salvaged downstream of the construction site to the ditch's connection with Morgan Creek. The armored spillway would be constructed down to exposed gravels during the low flow of the Salmon River. The footprint of construction activity would impact less than ¼ acre of previously disturbed land. Construction would require removal of the existing control gate; clearing, excavating, and preparing the subgrade with a track hoe; installing the new double-gate control structure; backfilling and shaping the final grade; then restoring the site by hydro-seeding.

The proposed action would benefit Snake River spring/summer Chinook salmon, Snake River sockeye salmon, Snake River Basin steelhead, and bull trout. As such, this Proposed Action fulfills commitments under the 2020 National Marine Fisheries Service Columbia River System Biological Opinion and would support conservation of Endangered Species Act-listed species considered in the 2020 Endangered Species Act consultation with the US Fish and Wildlife Service on the operation and maintenance of the Columbia River System. These actions also support 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/ Robert W. Shull
Robert W. Shull
Contract Environmental Protection Specialist
CorSource Technology Group

Reviewed by:

/s/ Dave Kennedy
Dave Kennedy
Executive Manager, Environmental Planning & Analysis

Concur:

/s/ Sarah T. Biegel *June 6, 2023*
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: S-22 Irrigation Ditch Control Gate and Spillway Construction

Project Site Description

This control structure is located in the riparian zone of the Salmon River but the site has been previously disturbed by irrigation ditch construction and cattle grazing. The construction site can be characterized as flat with predominantly herbaceous vegetation, situated adjacent to an agricultural (hay) field to the northwest, the Salmon River on the south, and with a very open riparian woodland of scattered cottonwoods and willows to the northeast.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No

Explanation: This action requires the use of heavy equipment, which would have the potential to disturb cultural resources. The site has had a completed cultural survey and consultation under Section 106 of the National Historic Preservation Act. This consultation was with the Idaho State Historic Preservation Office (SHPO) and the Shoshone Bannock Tribes-Fort Hall Indian Reservation.

The S-22 Ditch (IHSI No.: 37-17181) was identified in the survey as eligible to the National Register of Historic Places (NRHP) under Criterion A, but BPA determined and SHPO concurred that the proposed replacement of the existing water control structure would be confined to the previously disturbed areas, would not represent a significant alteration to the ditch nor disassociation with historical themes, and would thus, have no effect. No response was received from the tribes.

During construction, protocols would be in place to stop construction and notify BPA for applicable consultation if new cultural resources are discovered.

2. Geology and Soils

Potential for Significance: No

Explanation: Soils would be displaced, compacted, and mixed by the actions of construction equipment, but these impacts would occur on sites that have been previously disturbed by heavy construction equipment when the original ditch and control gate was constructed. There would likely be little previously-unaltered soils impacted. The site would be less than ¼ acre in size, and impacts from construction actions would be minimized by the application of Conservation Measures (erosion control, spill prevention, etc.) from BPA's Habitat Improvement Program (HIP) Endangered Species Act (ESA) consultation (e.g., erosion controls).

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

Potential for Significance: No

Explanation: Installation of the gates would be within the riparian zone of the Salmon River, but it would be in a location previously disturbed by prior construction, agricultural, and grazing activities and only herbaceous plants (native and invasive) would be impacted. No native shrubs or trees are present to be

affected. Once constructed, the lack of need for bi-annual access and operations of a backhoe would allow woody native riparian plant species to re-establish.

No ESA-listed or "special-status" plant species are present in these locations.

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

Potential for Significance: No

Explanation: Construction would commence in late summer or fall; thus, no disturbance of nesting birds would occur. There would be some home range destruction and displacement of small terrestrial and avian wildlife within the footprint of the new structure, but this loss would be a few hundred square feet at most and would be of minimal effect to animal populations in the project area. Larger wildlife using riparian habitats nearby may be disturbed and temporarily displaced by noise and human presence during the construction actions. These larger species would likely not be displaced from their home ranges, though they may temporarily relocate as long as active construction is occurring.

No ESA-listed or "special-status" wildlife species are present in this location close enough to sites to be disturbed.

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

Potential for Significance: No

Explanation: No construction activities would occur in flowing water. The gate would be installed in an irrigation ditch outside of the irrigation season and with the ditch dammed by sandbags so it would not be flowing water. The spillway would be installed down to exposed gravels during low flows of the Salmon River. ESA-listed spring/summer Chinook, sockeye, steelhead, and bull trout are present in the nearby Salmon River and would benefit from the project. Though no impacts would occur from construction actions, the ditch would be dewatered by sandbags, and fish salvage would be needed downstream of the construction site. Fish may be electroshocked, handled, and released in the nearby Salmon River or in Morgan Creek. This would be stressful on fish, perhaps lethal to some, but this salvage would be conducted as per the requirments in BPA's Habitat Improvement Program programmatic ESA consultation (HIP) so impacts to fish would be minimized.

6. Wetlands

Potential for Significance: No

Explanation: No wetlands are present at the project site. There would be no effect.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: The new gates would have no potential to impact groundwater or aquifers. The structure would not withdraw water from either surface or groundwater sources. The operation of construction equipment activities may have a short-term potential to impact water quality slightly from possible fuel or other fluid drips or spills, but best management practices and conservation measures from BPA's HIP ESA consultation would be applied that would prevent or minimize this potential (e.g, equipment cleaning, staging locations, fuel storage requirements, etc.).

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: There would be no change to land uses. The new structure would be constructed on private agricultural lands and is intended to support continued agricultural activities by protecting ESA-listed fish during delivery of irrigation water.

9. Visual Quality

Potential for Significance: No

Explanation: The new control gate would be replacing an existing gate in the irrigation ditch, so there would be no long-term change to visual quality. There would be short-term scenery impacts from the presence of construction equipment and vegetation removal (until revegetation measures succeed in green-up).

10. Air Quality

Potential for Significance: No

Explanation: Driving of trucks and operation of construction equipment would produce emissions, but the amount would be minimal and short-term, and consistent with that produced by local agricultural activities.

11. Noise

Potential for Significance: No

Explanation: Noise sources would be from trucks and operation of construction equipment. Noise would be consistent with that produced by local agricultural activities and would be short-term. These impacts would occur during daylight hours during the late summer and fall months.

12. Human Health and Safety

Potential for Significance: No

Explanation: No long-term public safety hazards would be created with this project. Routine, short-term, safety hazards would be expected from the incremental addition of truck traffic on local roads, and the operation of construction equipment.

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 landowners and water users associated with this irrigation structure have already been coordinating with the CSWCD regarding its need, the design, and the construction schedule. Construction would proceed following notification of, and in cooperation with, the affected landowners and irrigation water users.

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

Signed: */s/ Robert W. Shull* *June 6, 2023*

Robert W. Shull — Date

Contract Environmental Protection Specialist

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