

# Categorical Exclusion Determination

Bonneville Power Administration  
Department of Energy



**Proposed Action:** 2022 Pahsimeroi Ditch Fill

**Project No.:** 2008-603-00

**Project Manager:** Tim Ludington, EWM-4

**Location:** Lemhi 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:** BPA proposes to fund the Idaho Department of Fish and Game to decommission and obliterate two existing irrigation ditches that divert water from the Pahsimeroi River to the Little Pahsimeroi River. The goal is to maintain as much flow as possible in the mainstem Pahsimeroi River, particularly during low flows. The project would fill an existing ditch that diverts water from the river, and over-fill another ditch that branches from that first ditch to create a low berm outside of the riparian zone sufficient to keep flooding flows within the immediate Pahsimeroi floodplain rather than draining away toward the Little Pahsimeroi River. The diversion point at the Pahsimeroi River would be plugged and stabilized with a large wood fish habitat structure to provide instream cover and to protect the bank from the river's erosive forces.

The material used to fill the ditches would be imported from in-basin sources and would be a combination of a gravel-alluvium mix topped with topsoil for a growing medium. All disturbed surfaces would be hydroseeded or replanted with native seed and live plants.

The project is planned for implementation after July 1 and would be completed by October 31. The approved in-water work window for the Pahsimeroi River at this location is August 1 through March 21. An early start would allow the project to take advantage of the driest months, when water users are still irrigating, allowing for drier conditions within the ditch network. Most of the work is off-channel with the exception of the inlet and outlet of the primary ditch. The ditch network would likely be completely dry during filling, but in the event that it is not completely dry, the ditch network would be isolated and fish would be salvaged from the work area.

This Proposed Action fulfills commitments under the 2020 National Marine Fisheries Service (NMFS) 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. The project would 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/ Chad Hamel

Chad Hamel  
Supervisory Environmental Protection Specialist

Concur:

/s/ Katey C. Grange                      May 31, 2022

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:** 2022 Pahsimeroi Ditch Fill

## **Project Site Description**

The project area along the Pahsimeroi River is located within agricultural lands used primarily for livestock pasture and hay production. The terrain is flat. Riparian vegetation is mostly dense grasses and herbaceous plants with scattered willow clumps. No cottonwoods or other trees are present.

## **Evaluation of Potential Impacts to Environmental Resources**

### **1. Historic and Cultural Resources**

Potential for Significance: No

Explanation: BPA consulted with the Nez Perce Tribe, the Shoshone Bannock Tribes, and the Idaho State Historic Preservation Office (SHPO) on the effects of the project based on an intensive cultural resource survey of the 28-acre project area. The survey and report identified no resources within or adjacent to the proposed action and BPA determined the proposed project would have no effect to historic properties. Idaho SHPO concurred with this determination. No response was received from the Nez Perce Tribe nor the Shoshone Bannock Tribes.

### **2. Geology and Soils**

Potential for Significance: No

Explanation: There would be minor, temporary impacts to soil from the operation of equipment used to deliver and place the needed fill material. Soil would be compacted or disturbed, and protective vegetation may be damaged or removed. There would be an increase in erosion potential where the bare-soil fill material would be placed. All disturbed sites and newly placed soils would be hydroseeded, or seeded and planted with native riparian species.

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

Potential for Significance: No

Explanation: No special-status plants, including Endangered Species Act (ESA)-listed plant species, are known to be present. There would be temporary impacts to existing vegetation (crushing, removal, and breaking) from heavy equipment operation. Post-construction plantings would re-establish native upland and riparian plant communities. Disturbed soils would be monitored and treated for invasive plants as needed.

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

Potential for Significance: No

Explanation: No Federal/state special-status wildlife species or habitats are within the project site. No habitats would be modified to any degree that might permanently displace resident wildlife, though some may be temporarily displaced by disturbance from construction activities. Human presence and activity associated with construction would temporarily disturb and displace nearby wildlife, but long-term displacement resulting in competition for nearby habitats is unlikely.

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

Potential for Significance: No

Explanation: State and Federal ESA-listed Snake River spring/summer-run Chinook, Snake River steelhead, and bull trout are present in the project area. The project is covered under BPA's Habitat Improvement Program (HIP) Biological Opinion under Section 7 of the ESA with Project Notification Form number 2022032. The project sponsor would adhere to all applicable site-specific conservation measures identified in the HIP consultation and approval. No other state-listed special-status species occupy the project area.

Ditch filling is planned to be accomplished when there is no water in the ditches. If there is some flow, then the ditches would be isolated and fish salvage would be conducted according to HIP conservation measures to minimize effects. Electrofishing for fish salvage is stressful on fish and potentially harmful, but the number of fish affected in the ditch network at low flows would be very few, if any.

Some aquatic invertebrates and amphibians may be displaced or killed by project actions at the intake and outflow sites of the main ditch, but quick re-occupation of these small sites by the same or other members of the same classes of animals following construction is anticipated.

Current flooding flow patterns across the floodplain would be altered by the presence of the newly filled ditches. Flow amounts would be the same, but their direction and ultimate disposition would be directed away from the Little Pahsimeroi River and restored to their natural destination, the Pahsimeroi River. Minor adverse effects of this redirection to aquatic habitats in the Little Pahsimeroi are anticipated, as are beneficial impacts to aquatic habitats in the Pahsimeroi River. The beneficial impacts of restoring higher flows to the Pahsimeroi River, as they were naturally, would benefit Chinook salmon and steelhead populations in the upper Pahsimeroi Valley greater than if flows remained distributed as they were, where flows in both rivers had been inadequate for these species' needs.

#### **6. Wetlands**

Potential for Significance: No

Explanation: Though wetlands are present in the project area and would be impacted by the ditch filling which may change the floodplain hydrology, the acreage of wetlands would not change, nor would their functionality within this floodplain. The redirection of flooding flows may alter wetland conditions during flood periods, but would not be anticipated to eliminate wetlands within the floodplain since most of the wetlands are maintained by subsurface flow throughout the year. Subsurface flow during routine non-flooding periods would be enhanced by ditch filling as subsurface flows would not be intercepted by open ditches and drained from the area.

## 7. Groundwater and Aquifers

Potential for Significance: No

Explanation: There would be no groundwater withdrawal. There would be some miniscule potential for contamination of groundwater from fuel or fluid drips or spills from the equipment used for ditch filling, but spills and drips with the volume necessary to contaminate groundwater is unlikely. Onsite spill kits would also minimize the potential for spills and drips to be of sufficient quantity to contaminate groundwater.

The redirection of flooding flows may alter existing near-surface groundwater flows by returning them to their more natural condition. Subsurface flows during routine non-flooding periods would be enhanced by ditch filling as subsurface flows would not be intercepted by open ditches and drained from the area as they had been in the recent past.

## 8. Land Use and Specially-Designated Areas

Explanation: The project would not change the capability of the land to be used as it was prior to project actions. There would be no land use changes, and no impact to specially-designated areas.

## 9. Visual Quality

Potential for Significance: No

Explanation: No visually-prominent vegetative, landform, or structural change would be made. Ditch filling would not change the overall visual character of the landscape along, or as seen from, local roads.

## 10. Air Quality

Potential for Significance: No

Explanation: There would be some exhaust and greenhouse gas emissions from the motorized equipment used for ditch filling, but these are short-term actions, and no long-term source of emissions or exhaust is created. Vehicles used to transport workers, supplies, and equipment to the site would be another potential source of exhaust and greenhouse gasses, but this also would be minimal and short term.

## 11. Noise

Potential for Significance: No

Explanation: There would be some short-term noise impacts from the heavy equipment used for the ditch filling, but this type of noise is not inconsistent with that of common ranching, or farming operations in the local area.

## 12. Human Health and Safety

Potential for Significance: No

Explanation: Vehicle and excavator operation have their attendant risks to equipment operators, but there would be no condition created from this action that would introduce new human health or safety hazards or risk into the environment. No condition created by this action would increase the burden on the local health, safety, and emergency-response infrastructure.

### **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 proposed ditch filling is on private land and has been designed in cooperation with the private land owner, who would be notified prior to construction activities.

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 May 31, 2022  
Robert W. Shull Date  
Contract Environmental Protection Specialist  
CorSource Technology Group