

United States Government

Department of Energy

Bonneville Power Administration

memorandum

DATE: November 16, 2005

REPLY TO
ATTN OF: KEC-4

SUBJECT: Supplement Analysis for the Watershed Management Program Final EIS (DOE/EIS-0265/SA-242)

TO: Jan Brady - KEWR-4
Fish and Wildlife Project Manager

Proposed Action: SWSC-01, Warm Springs – Idaho Fish Screening Improvement

Project No: 1994-015-00

Watershed Management Techniques or Actions Addressed Under This Supplement Analysis (See App.): 1.15 Fish Passage Enhancement-Fishway; 4.23 Intake and return Diversion Screens; 4.25 Consolidate/Replace Irrigation Diversion Dams

Location: Town of Sunbeam, Custer County, Idaho

Proposed by: Bonneville Power Administration (BPA) and Idaho Department of Fish and Game (IDFG)

Description of the Proposed Action: The goal of this project is to effectively preclude all life stages of fish from entering an irrigation ditch. BPA proposes to fund IDFG for the construction of a modular rotary drum screen and water control structure that would replace an old infiltration screen. The original project utilized an infiltration style fish screen but it was unsuccessful due to sediment clogging of the screen. Maintenance has required periodic in-stream disturbances and release of sediments onto the infiltration system.

The project would conform to Idaho Code that requires irrigators to install fish screens, control structures, and fish passage devices at diversions. The project is designed to be consistent with NOAA Fisheries Fish Screen criteria and IDFG's screen goals, including the State's Fishery Management Plan, NOAA Fisheries' Salmon Recovery Plan, Bull Trout Recovery Plan, and FWS's Bull Trout Recovery Strategy.

Analysis: The NEPA compliance checklist for the project was completed by Paddy Murphy, Screen Program Staff Biologist with the IDFG Screen Shop in Salmon, Idaho on August 1, 2005. The information meets the standards and guidelines for the Watershed Management Program Environmental Impact Statement (EIS) and Record of Decision (ROD).

The species listed under the Endangered Species Act that could be in the project area are the Snake River spring Chinook salmon (t), Snake River steelhead (t), bull trout (t), and designated Critical Habitat for Chinook salmon. There are no known listed plants in the project area.

To comply with ESA, the IDFG has engaged in a Section 6 Cooperative Agreement (dated January 17, 1995) with the U.S. Fish and Wildlife Service that establishes a cooperative program for the IDFG to carry out conservation activities to benefit applicable threatened and endangered species. This agreement includes taking of species that must be consistent with this agreement, emergency provision as necessary, recordkeeping for the conservation of listed species, notification to the FWS of any change in circumstances, and other administrative and procedural provisions.

This agreement remains in effect in perpetuity for bull trout and any species under the FWS's jurisdiction. There is no threatened or endangered plant or animal species that would be affected by this proposed action.

A Biological Assessment on anadromous fish, dated July 2003, was prepared by IDFG and submitted to NOAA Fisheries as part of Section 7 Informal Consultation. The BA was initiated to assist IDFG in its responsibilities to comply with the ESA specific to all fish screen and control structure installations. A NOAA Fisheries concurrence letter, dated September 22, 2003, concludes that these activities are not likely to adversely affect listed Snake River salmon and steelhead, designated critical habitat, or EFH. The concurrence extends into the future without an end date.

A cultural resources survey report of the project area, entitled "A Cultural Resource Survey of the Upper Salmon River Anadromous Fish Passage Project, Warm Springs Creek Fish Screen Site, Custer County, Idaho" was conducted by Laurie Mauser, M.A., on January 31, 2005. On March 28, 2005 the SHPO determined/recommended the following: 1. that field work and documentation met the Secretary of Interior Standards, 2. that property found during the survey was eligible for the National Register, 3. that there would be no adverse effect on historic properties, 4. that no additional investigations were needed, and 5. that the project proceed as planned.

The project was authorized under the U.S. Army Corps of Engineers and Idaho Department of Water Resources Clean Water Act Section 404 that was issued January 25, 2005 and expires December 15, 2011.

Idaho Code requires irrigators to install fish screens, control structures, and fish passage at diversions. The project is isolated and does not affect a large number of people as the Salmon basin is sparsely populated. Nevertheless, the salmon recovery effort is large. Exposure of the project has been by word-of-mouth, resident involvement in similar projects, state code, local political interest, and agency cooperative efforts. Local newspaper articles and Upper Salmon Basin Watershed Project circulars have notified the public of the project intentions. The following group of partners have been kept informed of the development of this project: the Salmon River Coalition, Natural Resources Conservation Service, NOAA Fisheries, Custer Water and Soil Conservation District, FWS, Bureau of Reclamation, Upper Salmon Basin Watershed, Idaho Department of Water Resources, Governor's Office of Species Conservation, U.S. Forest Service, and Idaho Department of Fish and Game. Further consultation has been with the Shoshone-Bannock Tribe, and Challis Creek landowners and irrigators.

Findings: The project is generally consistent with: the Northwest Power and Conservation Council's Fish and Wildlife Program; BPA's Watershed Management Program Final EIS (DOE/EIS-0265) and ROD; IDFG fish screen standards; NOAA Fisheries Fish Screen Criteria; the State's Fishery Management Plan, Idaho Bull Trout Recovery Plan; NOAA Fisheries Salmon Recovery Plan; and U.S. Fish and Wildlife Service Bull Trout Recovery Strategy. This Supplement Analysis finds that: 1) implementing the proposed action will not result in any substantial changes to the Watershed Management Program that are relevant to environmental concerns; and, 2) there are no significant new circumstances or information relevant to environmental concerns and bearing on the Watershed Management Program or its impacts.

Therefore, no further NEPA documentation is required. The proponent shall comply with all terms, provisions, and conditions of the aforementioned permits and authorizations. Support documentation to this environmental clearance may be located in the KEC project file.

/s/ Carl J. Keller

Carl J. Keller
Fish and Wildlife Biologist

CONCUR:

/s/ Katherine S. Pierce

Katherine S. Pierce
Acting NEPA Compliance Officer

DATE: November 17, 2005

Attachment
Environmental Provisions

cc: (w/ attachment)

Mr. Lynn D. Stratton, Screen Program Coordinator, Idaho Department of Fish and Game, P.O. Box 1336, Salmon, ID 83467

Mr. Patrick Murphy, Department of Fish and Game, P.O. Box 1336, Salmon, ID 83467

Attachment

ENVIRONMENTAL PROVISIONS

The following provisions apply:

- If archaeological remains are discovered during construction, a BPA archaeologist, IDFG representative, and Idaho SHPO representative should be notified immediately so that the find can be evaluated before any further work is conducted.
- The contractor shall operate under the following ESA provisions:
 - a. A Section 6 Cooperative Agreement (dated January 17, 1995) with the U.S. Fish and Wildlife Service; This agreement includes the taking of species consistent with this agreement, emergency provision as necessary, recordkeeping for the conservation of listed species, notification to the FWS of any change in circumstances, and other administrative and procedural provisions; This agreement remains in effect in perpetuity for bull trout and any species under the FWS's jurisdiction..
 - b. A Section 7 ESA programmatic Informal Consultation on anadromous fish, dated July 2003; The BA covers fish screen and control structure installation; A NOAA Fisheries concurrence letter, dated September 22, 2003, concludes that these activities are not likely to adversely affect listed Snake River salmon and steelhead, designated critical habitat, or EFH; The concurrence extends into the future without an end date.

Project must be consistent and compliant with the: Northwest Power and Conservation Council's Fish and Wildlife Program; BPA's Watershed Management Program Final EIS (DOE/EIS-0265); NOAA Fisheries Fish Screen Criteria; State's Fishery Management Plan, NOAA Fisheries Salmon Recovery Plan, FWS Bull Trout Recovery Plan, Idaho Department of Water Resources' Section 404 Permit dated January 25, 2005 (expiration December 15, 2011), Best Management Practices, and Idaho Code specific to installing fish screens, control structures, and fish passage provisions.

- An on-site inspector will monitor construction activities to ensure no releases of sediment into open water.
- Newly disturbed soil and vegetation resources will be replanted according to the IDFG recommended seeds and procedures in accordance with soil type, availability of native seeds, and soil moisture.
- The fish screen and associated parts will be painted to visually blend in with the natural ambient background.
- If there are any changes in construction activities that require relocation or change of work, or for sites that have not been previously identified as work sites, construction shall not proceed until the KEC Environmental Lead for this project can evaluate those changes.

////////\////////