memorandum

DATE: September 17, 2004

REPLY TO ATTN OF: KEC-4

SUBJECT: Supplement Analysis for the Watershed Management Program EIS (DOE/EIS-0265/SA-184)

TO: Mickey Carter
Fish and Wildlife Project Manager - KEWU-4

Proposed Action: Idaho Model Watershed Habitat Projects – L-3AO Irrigation Diversion Modification

Project No: 1994-017-00

Watershed Management Techniques or Actions Addressed Under This Supplement Analysis (See App. A of the Watershed Management Program EIS): 1.15 Fish Passage Enhancement – Fishways, 4.1 Irrigation Water Management, 4.2 Water Measuring Devices, 4.23 Intake and Return Diversion Screens, 4.25 Consolidation/Replace Irrigation Diversion Dams

Location: Lemhi County, Idaho

Proposed by: Bonneville Power Administration (BPA) and the Lemhi Soil and Water Conservation District

Description of the Proposed Action: The Bonneville Power Administration is proposing to fund a fish passage improvement project at the L-3AO diversion on the Lemhi River in Lemhi County, Idaho with the Lemhi Soil and Water Conservation District. The project proposes to remove the existing rock and substrate push-up dam across the Lemhi River and replace it with a permanent single rock vortex weir located at the same point of diversion. This project will provide for better water delivery and control and improve passage for juvenile and adult resident and anadromous salmonids in the lower section of the Lemhi River.

Analysis: The NEPA compliance checklist for this project was completed by Al Simpson with the U.S. Bureau of Reclamation (July 5, 2004) and meets the standards and guidelines for the Watershed Management Program Environmental Impact Statement (EIS) and Record of Decision (ROD).

The Endangered Species Act (ESA) listed species that may occur in the general vicinity of the project area include gray wolf, Canada lynx, bald eagle, yellow-billed cuckoo, chinook salmon, steelhead trout and bull trout. Pursuant to Section 7 of the Endangered Species Act, BPA submitted a Biological Assessment to U.S. Fish and Wildlife Service (USFWS) and NOAA Fisheries on April 20, 2004. BPA determined that the proposed actions will have no effect on gray wolf, Canada lynx and yellow-billed cuckoo, and that the actions may affect but are not likely to adversely affect bull trout and bald eagle. USFWS concurred with these findings on May 3, 2004. BPA determined that the proposed actions may adversely affect Snake River spring/summer chinook salmon and Snake River steelhead, and Essential Fish Habitat for chinook salmon. NOAA Fisheries issued a Biological Opinion for this project on September 3, 2004. All terms and conditions contained in the Biological Opinion must be implemented accordingly.

In compliance with Section 106 of the National Historic Preservation Act, a cultural resource survey of the L3AO Diversion Modification project site was completed by North Wind, Inc. Pre-field research and a field survey were completed for all areas proposed for disturbance. No cultural or historic properties
were discovered in the project area. Based on these findings, BPA determined that the L3AO Diversion Modification project will have no effect on cultural and/or historic resources. The Idaho State Historic Preservation Office concurred with this determination on May 31, 2004. In the unlikely event that archaeological material is discovered during project implementation, an archaeologist should be notified immediately and work halted in the vicinity of the finds until they can be inspected and assessed.

Standard water quality protection procedures and Best Management Practices should be followed during the implementation of the L3AO Diversion Modification project. No construction is authorized to begin until the proponent has obtained all applicable local, state, and federal permits and approvals.

Public involvement has occurred as part of the L3AO Diversion Modification project. The project has been reviewed by Upper Salmon Basin Watershed Project (USBWP) team members and by local landowners and irrigators. The Shoshone-Bannock Tribe has attended USBWP meetings and received copies of the draft design. The project has been discussed in local newspaper articles and at USBWP meetings. In addition, draft design has been circulated for review to USFWS, NOAA Fisheries and Idaho Department of Fish and Game.

**Findings:** The project is generally consistent with Section 7.6A.2, 7.6B.3, & 7.8E.1, of the Northwest Power Planning Council’s Fish and Wildlife Program. This Supplement Analysis finds 1) that the proposed actions are substantially consistent with the Watershed Management Program EIS (DOE/EIS-0265) and ROD, and, 2) that there are no new circumstances or information relevant to environmental concerns and bearing on the proposed actions or their impacts. Therefore, no further NEPA documentation is required.

/s/ Shannon Stewart 9-20-04
Shannon C. Stewart
Environmental Specialist – KEC-4

CONCUR:

/s/ Thomas McKinney DATE: 9-20-04
Thomas C. McKinney
NEPA Compliance Officer – KEC-4

Attachments:
NEPA Compliance Checklist
NOAA Fisheries Biological Opinion, September 3, 2004
USFWS Letter of Concurrence, May 3, 2004
ID SHPO Letter of Concurrence, May 31, 2004

cc: (w/ attachments)
Mr. Al Simpson – U.S. Bureau of Reclamation