

Finding of No Significant Impact

Final Environmental Assessment

Sedimentation and Phosphorus Removal Ponds Project

Twin Falls County, Idaho

U.S. Department of the Interior

Bureau of Reclamation

Columbia-Pacific Northwest Region

Snake River Area Office

CPN FONSI # 20-4

Introduction

The Bureau of Reclamation (Reclamation) has prepared this Finding of No Significant Impact (FONSI) to comply with the Council on Environmental Quality (CEQ) regulations for implementing procedural provisions of the National Environmental Policy Act (NEPA). This document briefly describes the Preferred Alternative, other alternatives considered, the scoping process, Reclamation's consultation and coordination activities, and Reclamation's finding. The Final Environmental Assessment (EA) fully documents the analyses of the potential environmental effects of implementing the changes proposed.

Location and Background

The Southern Idaho Water Quality Coalition (SIWQC) was established in October 2018 and is based in Twin Falls, Idaho. The SIWQC is a group of stakeholders who represent canal companies, local entities, and the aquaculture industry within the middle portion of the Snake River, referred to as the Magic Valley. Their main purpose is to coordinate with community members to improve water quality by educating and identifying projects and goals that are environmentally beneficial to the Snake River, its tributaries, and associated bodies of water. The river reach where SIWQC operates spans roughly 93 miles from Milner Dam to King Hill, Idaho and lies in the Snake River Plain of southern Idaho (Figure 1 of the EA). The contributing watershed includes 8,620 square miles of land below Milner Dam downstream to the community of King Hill, Idaho and the adjacent contributing areas.

The Snake River and contributing areas are not meeting state water quality standards due to higher levels of primary sediment and nutrients in the water. These pollutants have a direct relationship to the health of the aquatic ecosystem of the Middle Snake River and its associated tributaries. This

project would entail construction of sediment and phosphorus removal ponds on the O Coulee Canal and Auger Falls Lateral 43 Canal outside Twin Falls, Idaho (Figure 1 of the EA). Under the Proposed Action, there would be multiple pond cells constructed to remove sediment and phosphorus from these Snake River tributaries. The methods of evaporation and settling are identified in the Middle Snake River Total Maximum Daily Load (TMDL) as viable methods for removal of Total Suspended Solids (TSS) and Total Phosphorus (TP). The ponds are meant to remove a large portion of the TSS and TP from the canal flows before they enter the Snake River.

Action Areas

The two action areas within this project sit on a wide plain on the southern edge of the Snake River Canyon. This region is of moderate climate with warm, dry summers and cooler winters. The elevation of the region is 3,743 ft above sea level. Annual precipitation within the area is generally about 10 inches. Other major distinguishing features of the action area include Shoshone Falls, just five miles east, and the city's namesake, Twin Falls, a few miles upstream from Shoshone Falls. The two action areas both lie downstream of both of these falls and west of the City of Twin Falls.

Auger Falls Lateral 43 Ponds

The Auger Falls Lateral 43 Ponds are located approximately 4.8 miles northwest of the City of Twin Falls in Twin Falls County. These ponds would discharge directly to the Snake River through a surface water conveyance structure with no infiltration to groundwater. The Auger Falls action area is within the boundary of the city owned Auger Falls Heritage Park. The location in which the ponds would be constructed is bordered by the Snake River to the north and east and by city park land to the south and west.

O Coulee Allen Ponds

The O Coulee Allen Ponds are located approximately 2.6 Miles west of the City of Twin Falls in Twin Falls County). These ponds would discharge through a surface water conveyance structure to Rock Creek, one of the seriously impacted tributaries to the Snake River, specifically identified in the TMDL allocations. There would be no infiltration to groundwater. The O Coulee Allen action area is bordered by roads to the north and west and by agricultural fields to the south and east.

Purpose and Need

Reclamation's purpose for the Proposed Action is to fulfill the WaterSMART grant that provided funding for the project and to improve Snake River water quality through sediment and phosphorus removal. This project would create eight sediment pond cells at the O Coulee Allen project site and five sediment pond cells at the Auger Falls Lateral 43 project site. The ponds would help address water quality in the Middle Snake River, which has continually degraded over time due to increases in nutrient-laden organic and inorganic material from point and non-point sources in the watershed. Changes in flow, droughts, and the previously mentioned nutrient inputs contribute to the water

quality problems. The use of sediment ponds as a filtration system is a common water treatment technique to remove/reduce these pollutants.

Alternatives Considered and Recommended Action

The range of alternatives developed for analysis of this Proposed Action was based on the purpose and need for the project, and on the issues raised during internal, external, and tribal scoping. The alternatives analyzed include a No Action alternative and the Proposed Action for sedimentation and phosphorus removal ponds. The No Action alternative does not meet the defined purpose and need for action but was evaluated because it provides an appropriate basis to which the recommended action is compared.

Summary of Environmental Effects

The following summarizes the effects that the preferred alternative – the Proposed Action (Alternative B) – would have on each resource category analyzed in the EA. Chapter 3 of the EA provides a full analysis and explanation of how each resource was evaluated.

Biota-Vegetation, Wetland-Fish and Wildlife

Terrestrial and Riparian Biota

Under the Proposed Action, the terrestrial habitat within the proposed action area would remain the same. The present distribution of riparian and wetland habitat within the proposed action area and the quality of habitat in the riparian zone would likely improve. Removing TP would decrease the density of vegetation choking the ponds, allowing more open water to become available. Removing the sediment load would deepen the ponds. The combination of these actions would increase oxygen levels in the ponds, allowing for a greater diversity of riparian vegetation composition.

Mammalian, Avian, Reptile and Amphibian Communities

Under the Proposed Action, the terrestrial mammalian, avian, amphibian, and reptile communities within the proposed action area would remain the same. The mammalian, avian, amphibian, and reptile communities that depend on the riparian and wetland zones should increase and the quality of habitat in the wetland and riparian zones would likely improve.

Fisheries and Wetland Communities

Under the Proposed Action alternative, the fisheries and wetland communities within the proposed action area should increase. The fisheries in the Snake River near Rock Creek and Auger Falls would be positively impacted and the quality of habitat in the wetland and riparian zones would likely improve. Additionally, water quality should improve and favor fish species, such as rainbow trout and possibly white sturgeon. The trout fishery would likely improve and the bathymetry within in river channel would likely stabilize, allowing for deeper holes that would hold sturgeon and large fish

populations. Removing phosphorus would decrease the density of vegetation choking the ponds, allowing more open water to become available. Removing the sediment load would deepen the ponds. The combination of these actions would increase oxygen levels in the ponds, allowing for a greater diversity of fish species.

Prime and Unique Farmlands

Under the Proposed Action alternative, the run-off from the adjacent prime farmland would decline and prevent much of the sediment from reaching the river. Over time, the Snake River in this area would improve in terms of water quality, recreation, and fish/wildlife habitat.

Threatened and Endangered Species

Under the Proposed Action, any potential use of habitat in the action area by individual wolverines and yellow-billed cuckoo would likely be temporarily disrupted. The noise of heavy machinery and increased human activity inherent in the construction process would likely cause temporary displacement of mobile wildlife, including any Threatened and Endangered (T&E) species present, due to avoidant behavior. These behavioral changes would be limited to the duration of the construction timeframe. The Proposed Action would not significantly alter the overall character of habitat present in the action area, and infrequent periodic migratory use by T&E species would be expected to resume after the conclusion of construction. Therefore, the Proposed Action would cause no significant effect to T&E species.

Hydrology

Under the Proposed Action, water quality in the Snake River would be improved. Drain water from the Twin Falls Canal Company would first pass into the Auger Falls Lateral 43 Ponds and the O Coulee Allen Ponds before being released from the end of the canal system. Basin hydrology and discharges from the irrigation district would be unaffected under the Proposed Action.

Water Quality

Construction Effects

Minor effects due to blowing dust from active construction sites and staging areas could occur, especially at the Auger Falls Lateral 43 Ponds site, due to their proximity to the Snake River. These effects would be short-term (a few weeks) and would occur during dry, windy days, and could result in minor inputs of sedimentation and small increases in turbidity and/or TSS in the Snake River. Due to the volume of water moving through the Snake River compared to the small input of dust, and due to the use of best management practices during construction (such as wetting the area down) to control dust levels, state water quality standards would be met.

Auger Falls and O Coulee Allen Ponds Effects

TSS and TP Removal

The proposed ponds would be located at the termination points of their respective canals and there are no water users beyond these locations. Through evaporation and infiltration, these ponds should

remove a large portion of the TSS and TP from the canal return flows before they enter the Snake River. This is a common method to decrease sediment and nutrients in agricultural settings. As detailed in the EA, Bjorneberg et al (2002) identified that a large pond removed 65 percent to 75 percent of the sediment and 25 percent to 33 percent of TP that entered the pond. MacMillan identified in the *2019 WaterSMART Cooperative Watershed Management Program Phase 2, Snake River Tributary Sedimentation and Phosphorus Ponds* grant application that the both the Auger Falls Lateral 43 Ponds and the O Coulee Allen Ponds are expected to remove nearly 86 percent of the TSS and 60 percent of the TP. These TSS/sediment and TP removal rates are higher than the corresponding values identified in the Bjorneberg et al journal article. However, if TSS and TP are removed at the lower percentages (65 and 25 percent, respectively), that would be a large decrease in pollutant load in the Snake River and would be an overall benefit to water quality. This would aid in meeting state water quality standards and meeting TMDLs for TSS and TP for this section of the Snake River and Rock Creek. To identify the effectiveness of the ponds, specific amounts of TSS and TP would be calculated from monitoring stations at the inlet and outlet of each set of ponds, allowing for true TSS and TP concentrations removed from the Snake River and Rock Creek to be reported to IDEQ. These amounts would aid in meeting TMDLs for the Snake River (Upper Snake-Rock) subbasin.

E. coli Removal

Sediment ponds could create a reservoir for *E. coli* and other pathogenic bacteria to accumulate and be introduced into surface waters (Kunkel 2013). This would be unlikely in this situation because as the terminal ponds accumulate sediment, the sediment settles on the bottom of the ponds and effectively decreases nutrients, lessening the chances for bacteria to grow unrestricted. These ponds should decrease total *E. coli* concentrations and aid in attaining state water quality standards, especially in Rock Creek.

Pond Maintenance

As the ponds fill with sediment, activities such as sediment removal and disposal would be required. No direct or indirect effects are expected from the routine maintenance because the proposed ponds are at the termination points of their respective canals. As a result, any sediment mobilized during removal would remain in the ponds.

Recreation

The Proposed Action would reduce sediment and improve water quality to help keep fisheries and wildlife habitats sustainable on the river, and to improve recreational opportunities on the river downstream from the project sites for generations to come. Clear and fresh running water is always desirable and critical to sustaining habitats, directly affecting and improving the availability and quality of water related to both water- and land-based recreational activities. Construction of the sediment ponds should not reduce or negatively affect recreation in the short term.

Unaffected Resources

The Proposed Action would not cause any short- or long-term direct, indirect, or cumulative effects to the following resource categories:

- Indian sacred sites;
- Cultural resources;
- Tribal Interests, including -
 - Indian trust assets, and
 - Treaty Rights; and
- Environmental Justice.

Consultation, Coordination, and Public Involvement

In compliance with Section 106 of the National Historic Preservation Act of 1966 (as amended in 1992), Reclamation consulted with the Idaho State Historic Preservation Office to identify cultural and historic properties in the area of potential effect. Consultation was initiated on August 10, 2020, and the State Historic Preservation Office (SHPO) concurred with the finding of no adverse effect to historic properties on September 3, 2020 (see Appendix B of the Final EA). During the course of consultation, the SHPO asked Reclamation to provide training to the construction crew prior to work at the lower Auger Falls location and provide occasional monitoring at this same location as the features are part of an eligible historic site. Reclamation has concurred with those requests.

Reclamation mailed tribal and public recipients scoping letters, with a project information package enclosed, on June 5, 2020. Reclamation received six comments during the scoping period. The mailing list, scoping letters, and comments received are presented in Appendix C of the Final EA.

Finding

Based on the analysis of the environmental effects presented in the Final EA and consultation with potentially affected agencies, tribes, organizations, and the general public, Reclamation concludes that implementation of the preferred alternative – the Proposed Action (Alternative B) – will not have a significant impact on the quality of the human environment or natural and cultural resources. The effects of the Proposed Action will be minor, temporary, and localized. Therefore, preparation of an Environmental Impact Statement (EIS) is not required.

Decision

Based on the analysis in the EA, it is my decision to select for implementation the preferred alternative, i.e., the Proposed Action (Alternative B). The Proposed Action will best meet the Purpose and Need identified in the EA.

Recommended:

ROCHELLE OCHOA

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Rochelle Ochoa
Natural Resources Specialist
Snake River Area Office, Boise, Idaho

Date

Approved:

**MELANIE
PAQUIN**

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Date: 2020.10.06 17:14:14
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Melanie Paquin
Snake River Area Manager
Columbia-Pacific Northwest Region, Boise, Idaho

Date



— BUREAU OF —
RECLAMATION

Final Environmental Assessment

Sedimentation and Phosphorus Removal

Ponds Project

Twin Falls County, Idaho

Columbia-Pacific Northwest Region



Mission Statements

The Department of the Interior conserves and manages the Nation's natural resources and cultural heritage for the benefit and enjoyment of the American people, provides scientific and other information about natural resources and natural hazards to address societal challenges and create opportunities for the American people, and honors the Nation's trust responsibilities or special commitments to American Indians, Alaska Natives, and affiliated island communities to help them prosper.

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

Cover photograph: view of the Snake River and the Auger Falls Lateral 43 Ponds area of the Sedimentation and Phosphorus Removal Ponds Project, Twin Falls County, Idaho.

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Acronyms and Abbreviations

Acronym or Abbreviation	Definition
APE	Area of Potential Effect
BMP	Best Management Practices
BP	Before Present
CEQ	Council on Environmental Quality
cfs	Cubic feet per second
CFR	Code of Federal Regulations
CWA	Clean Water Act
DOI	Department of the Interior
EA	Environmental Assessment
EIS	Environmental Impact Statement
EO	Executive Order
ESA	Endangered Species Act
FONSI	Finding of No Significant Impact
GIS	Geographic Information Systems
IDEQ	Idaho Department of Environmental Quality
IDFG	Idaho Department of Fish and Game
IDWR	Idaho Department of Water Resources
IPaC	Information for Planning and Conservation
ITAs	Indian Trust Assets
mg/L	Milligrams per liter
MOA	Memorandum of Agreement
National Register	National Register of Historic Places
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NPDES	National Pollutant Discharge Elimination System
O&M	Operations and Maintenance
Reclamation	Bureau of Reclamation
RM	River Mile

Acronym or Abbreviation	Definition
ROD	Record of Decision
SGCN	Species of Greatest Conservation Need
SHPO	State Historic Preservation Office
SIWQC	Southern Idaho Water Quality Coalition
SWAP	State Wildlife Action Plan
T&E	Threatened and Endangered
TFCC	Twin Falls Canal Company
TMDL	Total Maximum Daily Load
TP	Total Phosphorus
TSS	Total Suspended Solids
USFWS	United States Fish and Wildlife Service

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Chapter 1 Purpose and Need

1.1 Introduction

The Bureau of Reclamation (Reclamation) prepared this Environmental Assessment (EA) in accordance with the National Environmental Policy Act (NEPA). This EA analyzes the potential environmental effects that could result from the proposed construction activities necessary for the Sedimentation and Phosphorus Removal Ponds Project.

This EA serves as a tool to aid the authorized official in making an informed decision that is in conformance with applicable federal laws and regulations. The proposed action and additional alternatives are described in Chapter 2 of this document, and the effects (direct, indirect, and cumulative environmental effects) of each alternative are evaluated for each of the affected resource areas in Chapter 3 of this document.

The NEPA process requires analysis of any federal action that may have an impact on the human environment. This EA is being prepared to assist Reclamation in finalizing a decision on the proposed action, and to determine whether to issue a Finding of No Significant Impact (FONSI) or a notice of intent to prepare an Environmental Impact Statement (EIS).

1.2 Location, Background, and Action Areas

1.2.1 Location and Background

The Southern Idaho Water Quality Coalition (SIWQC) was established in October 2018 and is based in Twin Falls, Idaho. The SIWQC is a group of stakeholders who represent canal companies, local entities, and the aquaculture industry within the middle portion of the Snake River, referred to as the Magic Valley. Their main purpose is to coordinate with community members to improve water quality by educating and identifying projects and goals that are environmentally beneficial to the Snake River, its tributaries, and associated bodies of water. The river reach where SIWQC operates spans roughly 93 miles from Milner Dam to King Hill, Idaho and lies in the Snake River Plain of southern Idaho (Figure 1). The contributing watershed includes 8,620 square miles of land below Milner Dam downstream to the community of King Hill, Idaho and the adjacent contributing areas.

The Snake River and contributing areas are not meeting state water quality standards due to higher levels of primary sediment and nutrients in the water. These pollutants have a direct relationship to the health of the aquatic ecosystem of the Middle Snake River and its associated tributaries. This project would entail construction of sediment and phosphorus removal ponds on the O Coulee Canal and Auger Falls Lateral 43 Canal outside Twin Falls, Idaho; the proposed pond locations are shown in Figure 1. There would be multiple pond cells constructed to remove sediment and phosphorus from these Snake River tributaries. The methods of evaporation and infiltration are identified in the Middle Snake River total maximum daily load

(TMDL) as viable methods of total suspended solids (TSS) and total phosphorus (TP) removal. The ponds are meant to remove a large portion of the TSS and TP from the canal flows before they enter the Snake River.

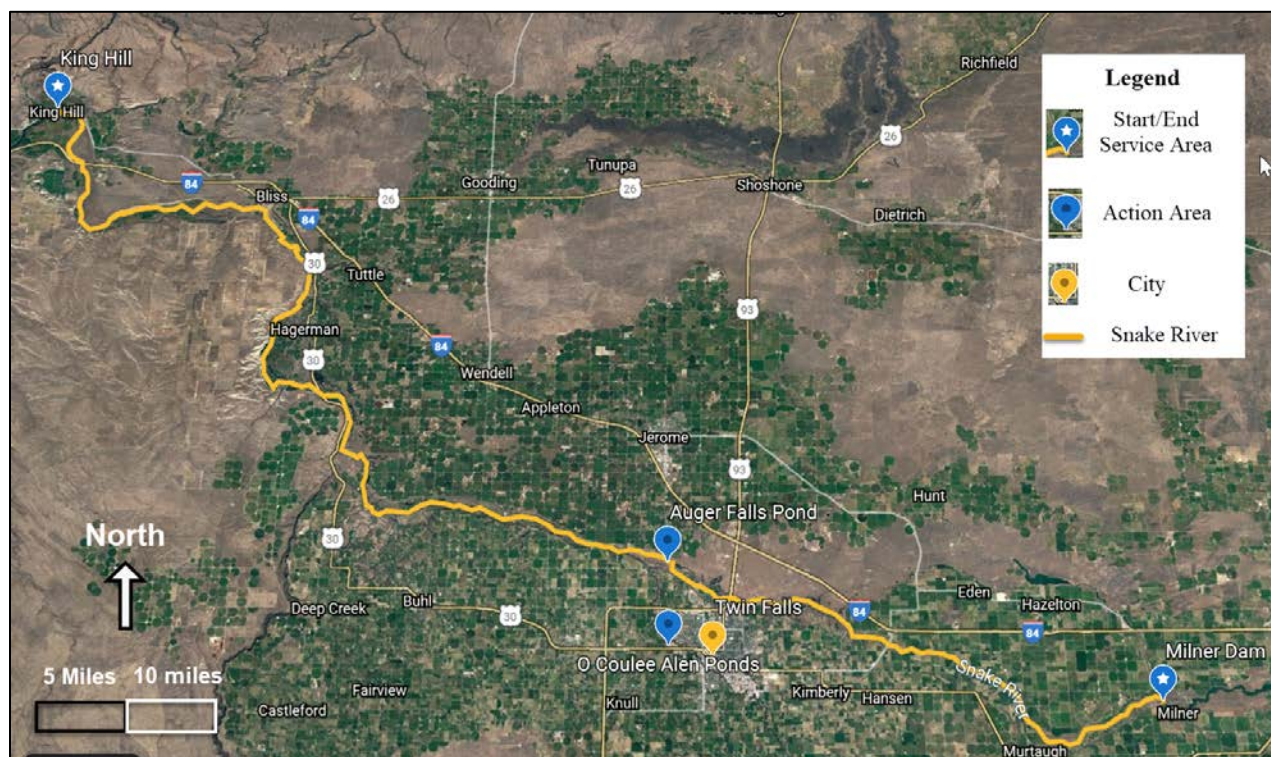


Figure 1. Milner Dam downstream to King Hill, Idaho; this area encompasses the SIWQC contributing watershed

1.2.2 Action Areas

The two action areas for this project sit on a wide plain on the southern edge of the Snake River Canyon. This region is of moderate climate with warm, dry summers and cooler winters. The elevation of the region is approximately 3,740 ft above sea level. Annual precipitation within the area is generally about 10 inches. Other major distinguishing features of the area include Shoshone Falls, just five miles east, and the city's namesake, Twin Falls, a few miles upstream from Shoshone Falls. The two action areas lie downstream of both of these falls and west of the City of Twin Falls.

Auger Falls Lateral 43 Ponds

The location for the Auger Falls Lateral 43 Ponds is approximately 4.8 miles northwest of the City of Twin Falls in Twin Falls County, Idaho (Figure 2). These ponds would discharge directly to the Snake River through a surface water conveyance structure with no infiltration to groundwater. The Auger Falls action area is within the boundary of the city-owned Auger Falls Heritage Park. The location in which the ponds would be constructed is bordered by the Snake River to the north and east and by city park land to the south and west.

O Coulee Allen Ponds

The location for the O Coulee Allen Ponds is approximately 2.6 miles west of Twin Falls City in Twin Falls County, Idaho (Figure 2). These ponds would discharge through a surface water conveyance structure to Rock Creek, one of the seriously impacted tributaries to the Snake River, specifically identified in the TMDL allocations. There would be no infiltration to groundwater. The O Coulee Allen action area is bordered by roads to the north and west and by agricultural fields to the south and east.

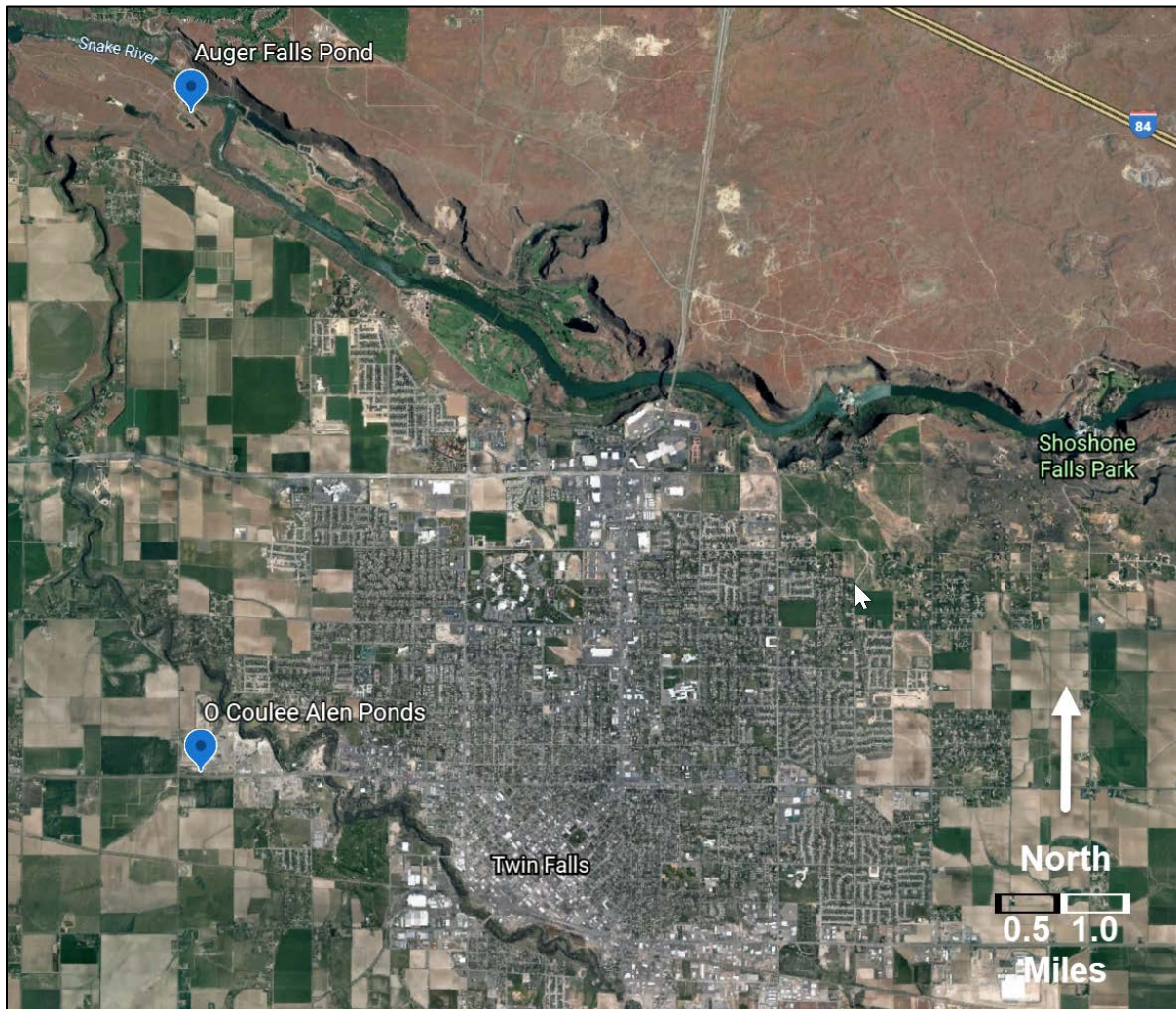


Figure 2. Project locations

1.3 Purpose and Need

Reclamation's purpose for the proposed action is to fulfill the WaterSMART grant that provided funding for the proposed project and to improve Snake River water quality through sediment and phosphorus removal. This project would create eight sediment pond cells at the O Coulee Allen project site and five sediment pond cells at the Auger Falls Lateral 43 project site. The

ponds would help address water quality in the Middle Snake River, which has continually degraded over time due to increases in nutrient-laden organic and inorganic material from point and non-point sources in the watershed. Changes in flow, droughts, and the previously mentioned nutrient inputs contribute to the water quality problems. The use of sediment ponds as a filtration system is a common water treatment technique to remove/reduce these pollutants.

1.4 Regulatory Compliance

The following major laws, executive orders, and secretarial orders apply to the proposed project, and compliance with their requirements is documented in this EA:

- NEPA;
- Endangered Species Act (ESA);
- National Historic Preservation Act (NHPA);
- Clean Water Act (CWA);
- Executive Order (EO) 13007 Indian Sacred Sites;
- EO 12898 Environmental Justice;
- EO 13175 Consultation and Coordination with Tribal Governments;
- Secretarial Order 3175 Department Responsibilities for Indian Trust Assets (ITAs); and
- Secretarial Order 3355 Streamlining National Environmental Policy Act Reviews and Implementation of Executive Order 13807, “Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects.”

1.5 Scoping Summary

The scoping process provides an opportunity for the public, governmental agencies, and tribes to identify their concerns or other issues and aids in developing a full range of potential alternatives that address meeting the project’s purpose and need as stated in this document. To accomplish this, Reclamation provided information to the public through a mailed preliminary information package and solicited comments from the public, governmental agencies, and potentially affected tribes. Details regarding the public and agency scoping are presented in Chapter 4.

Chapter 2 Description of Alternatives

2.1 Introduction

This chapter describes the two alternatives analyzed in this EA: Alternative A, the No Action alternative; and Alternative B, the Proposed Action alternative.

2.2 Alternative Development

The alternatives presented in this chapter were developed based on the purpose and need for the project, as described in Chapter 1, and the issues raised during internal, external, and tribal scoping. The alternatives analyzed in this document include the No Action alternative and the Proposed Action alternative that would construct ponds for removal of phosphorus and sediment. A no action alternative is evaluated because it provides an appropriate basis to which the other alternative is compared. No new alternatives were identified during the scoping process. A summary of alternatives considered but not carried forward can be found in Section 2.6.

2.3 Alternative A – No Action

Under the No Action alternative, Reclamation would not provide WaterSMART funding. Without the Reclamation grant, SIWQC and its associated organizations and agencies would likely continue with their proposed project, using alternative funding sources, which would cause a delay in the implementation of the project. However, for the purposes of this analysis, the assumption is that the project would not go forward so that the environmental effects associated with taking no action can be compared to the other alternatives as required under NEPA.

Under No Action, no ponds would be built within the action areas to filter out sediment and phosphorus from the tributaries. No water would be recharged to the aquifer and there would be no reduction in TSS or TP to water returning to the Snake River.

2.4 Alternative B -Sediment and Phosphorus Removal Ponds (Proposed Action)

Reclamation proposes to provide funding, through a WaterSMART grant, to SIWQC for construction of the Sediment and Phosphorus Removal Ponds Project. SIWQC's proposed project is as described below.

2.4.1 Ponds

Construction of eight sediment pond cells would occur at the O Coulee Allen project site and five sediment pond cells at the Auger Falls Lateral 43 project site. The ponds would be designed to operate in parallel for serviceability. The ponds would be constructed off the original canal alignment to preserve the original canal for flood control redundancy. The diversion structures in the canals would be constructed with overflow protection so that high flows would bypass the diversion structure and sedimentation ponds. The ponds would be constructed using a cut-and-fill balance of material from the action area and would be unlined. Since these ponds would be at the ends of their respective canals, there are no more water users beyond these locations, making water quality of the Snake River a primary consideration. The ponds would remove a large portion of the TSS and TP from the canal flows before they enter the Snake River through a surface water conveyance structure with no infiltration to groundwater. TSS can be composed of a wide range of materials but generally consists of non-dissolved particles suspended within water. Evaporation and settling are identified in the Middle Snake River TMDLs as viable methods of TSS and TP removal. Construction for both pond locations would take approximately 10 months to complete.

2.4.2 Staging Areas

Construction equipment and materials would be stored at the staging areas (Figure 3 and Figure 4) during periods when not in use and on nights and weekends.



Figure 3. Staging area for O Coulee Allen Ponds

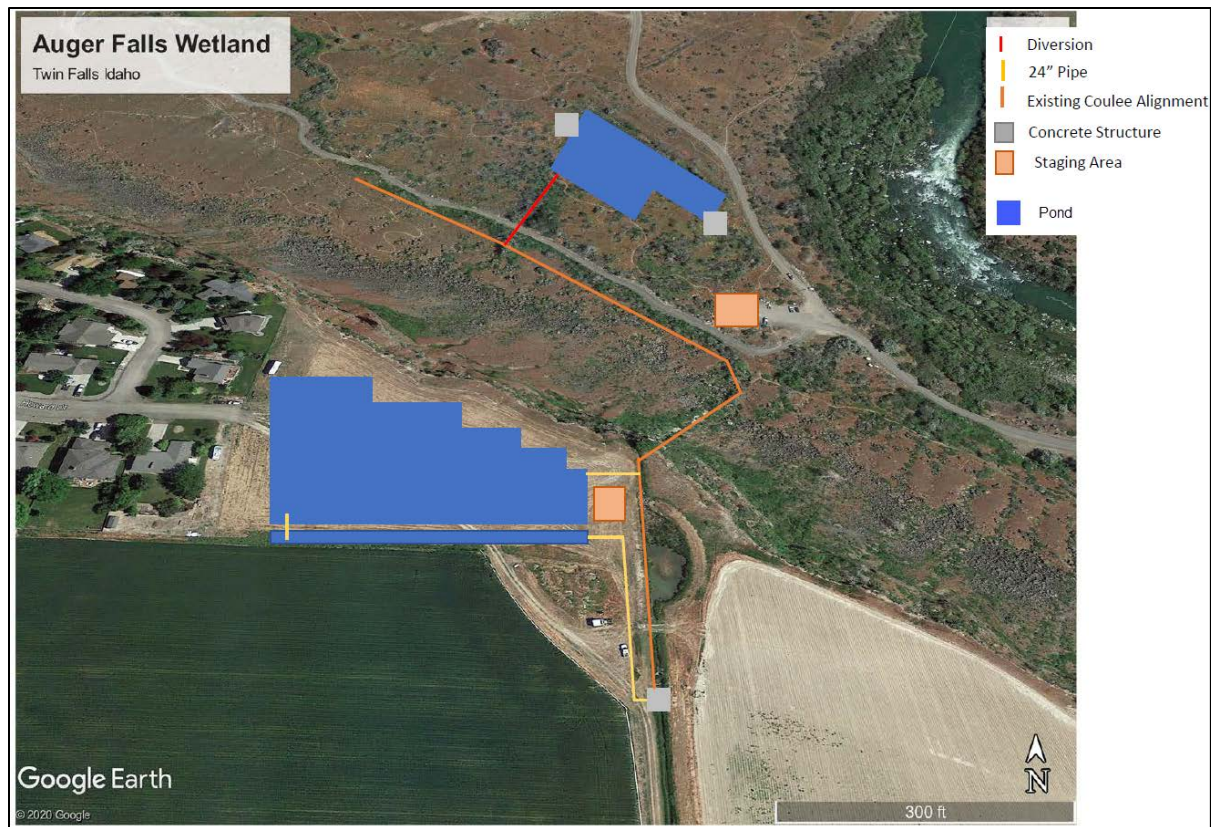


Figure 4. Staging area for Auger Falls Lateral 43 Ponds

2.4.3 Operations and Maintenance

The City of Twin Falls and the Twin Falls Canal Company (TFCC) would be responsible for long term operations and maintenance (O&M) for these ponds. The SIWQC, City of Twin Falls, and TFCC have executed a Memorandum of Agreement (MOA) that identifies O&M responsibilities.

TFCC maintains approximately 50 settling ponds; their experience informs the basis of this O&M outline. For projects similar to the Proposed Action, the smaller cells are dredged annually and the larger ponds at the end of the system are dredged on a 3 to 4 year cycle. TFCC O&M staff analyze sediment accumulation on an annual basis for each pond they maintain. The SIWQC ponds will be included in this routine.

2.5 Alternatives Considered but Eliminated from Further Study

NEPA requires Reclamation to consider alternatives developed through public scoping. However, only those alternatives that are reasonable and meet the purpose and need of the proposed action must be analyzed. There were no alternatives presented through the public and agency scoping process.

2.6 Actions Considered for Cumulative Effects

Cumulative Effects are defined in 40 CFR 1508.7 as the effect on the environment that results from the incremental effects of the action when added to other past, present, and reasonably foreseeable future actions. The Council on Environmental Quality (CEQ) interprets this regulation as referring only to the cumulative effect of the direct and indirect effects of the proposed action and its alternatives when added to the aggregate effects of past, present, and reasonably foreseeable future actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time.

Past, present, and reasonably foreseeable actions identified in the area (public or private) that could adversely affect the same resource areas evaluated in this EA would be additive effects to the proposed project. However, there are no projects identified in the general vicinity of the project planned within the next 5 years or beyond. No projects were identified as a result of scoping or through information from other federal agencies that manage areas within the project area.

Chapter 3 Affected Environment and Environmental Consequences

3.1 Introduction

This chapter evaluates the environmental consequences of implementing each of the alternatives described in Chapter 2. The level and depth of the environmental analysis corresponds to the context and intensity of the impacts anticipated for each environmental component (resource). The affected environment (proposed action area) addressed in this EA is defined in varying contexts, depending on the affected resource being analyzed.

Resources evaluated in this document and analyzed in this chapter were selected based on: Reclamation requirements; compliance with laws, statutes, and executive orders; public and internal scoping; and the potential for resources to be affected by the proposed project.

3.2 Biota – Vegetation, Wetlands, Fish and Wildlife

3.2.1 Affected Environment

The first action area for the Auger Falls Lateral 43 Ponds is located approximately 4.8 miles northwest of the City of Twin Falls within the Snake River Canyon in Twin Falls County, Idaho. The proposed ponds would discharge directly to the Snake River.

The second action area for this project is for construction of the O Coulee Allen Ponds, located approximately 2.6 miles west of the City of Twin Falls above the canyon rim in Twin Falls County, Idaho. These proposed ponds would discharge to Rock Creek, one of the seriously-impacted tributaries to the Snake River as specifically identified in the TMDL load allocations.

Habitat – Terrestrial Vegetation

Historically, the vegetation on the uplands within and surrounding the proposed action areas consisted of shrub-steppe habitat (Tisdale and Hironaka 1981). Shrub-steppe habitats in western North America are characterized by woody, mid-height shrubs, perennial bunchgrasses, and forbs (Daubenmire 1978; Dealy et al. 1981; Tisdale and Hironaka 1981; Short 1986). Periodic drought, extreme temperatures, wind, poor soil stability, and only fair soil quality (Wiens and Dyer 1975; Short 1986) create a stressful environment for biotic communities. The original shrub-steppe vegetation of the proposed action areas was dominated by big sagebrush (*Artemisia tridentata*) with an understory of native perennial grasses and forbs, consisting mainly of bluebunch wheatgrass (*Agropyron/ Pseudoroegneria spicatum*), Sandberg bluegrass (*Poa secunda*), needlegrasses (*Stipa spp.*), lupine (*Lupinus spp.*), Indian paintbrush (*Castilleja spp.*), and penstemon (*Penstemon spp.*) (Hironaka et al. 1983).

Most of the original bunchgrass-sagebrush communities in the vicinity of the proposed action areas have been replaced by irrigated agriculture and pastures. Additionally, these areas are dominated by exotic species that have become established as a result of human disturbance, livestock grazing, and a higher fire frequency compared to pre-European settlement. Habitat value of the original shrub-steppe for wildlife has been substantially reduced and degraded by agricultural and related development, which eliminated most of the original habitat and fragmented much of what remains within predominantly agricultural areas. Remaining habitats have been further degraded by grazing and noxious weed invasion (Reclamation 2004).

Currently, most of the terrestrial lands within the proposed action areas have had disturbance and are dominated by rabbitbrush (*Chrysothamnus spp.*) and cheatgrass (*Bromus tectorum*). The cheatgrass-dominated areas are a result of increased fire frequency depressing the competitive ability of native vegetation. Some of the native plants found in these areas are Sandberg bluegrass, squirreltail (*Sitanion hystrix*), bluebunch wheatgrass, western wheatgrass (*Agropyron smithii*), basin wildrye (*Elymus cinereus*), needlegrass, Indian ricegrass (*Oryzopsis hymenoides*), lupine, penstemon, phlox (*Phlox hoodii*), paintbrush, death camas (*Zigadenus spp.*), larkspur (*Delphinium spp.*), and gooseberryleaf globemallow (*Sphaeralcea grossulariifolia*).

Wooded areas are defined by the presence of trees, whether native or invasive. The native species, Rocky mountain juniper (*Juniperus scopulorum*) and Utah juniper, are both present in certain locations of the Snake River Canyon but are not abundant in the area of Auger Falls. Southern Idaho is the northern edge of the juniper habitats.

Habitat - Riparian Vegetation

In a location similar to the two action areas, Martin and Meuleman (1989) and Meuleman (1991) listed riparian habitat plant species typically found along the Snake River in southcentral Idaho. Shrub species (usually less than 3 feet) present include skunkbush sumac (*Rhus trilobata*), Wood's rose (*Rosa woodsii*), and golden currant (*Ribes aureum*). Mid-sized species (less than 10 feet) present primarily include coyote willow (*Salix exigua*) with some skunkbush sumac. Taller species include eastern cottonwood (*Populus deltoides*), peachleaf (*Salix amygdaloides*) and Pacific willows (*Pacific lucida*), Russian olive (*Elaeagnus angustifolia*), green ash (*Fraxinus pennsylvanica*), and Chinese elm (*Ulmus parvifolia*). There are a few areas with sizable patches of riparian habitat near the Auger Falls area, but, for the most part, the riparian zone is narrow and linear (typically only one tree wide, where it goes from open water to basalt rock in only a few feet). Nevertheless, the riparian zone is quite important to some songbird species, such as Bullock's orioles (*Icterus bullockii*). The oriole territories include a couple of hundred feet of shoreline with trees for nesting, but much of their foraging is in the adjacent sagebrush.

The primary threat to the riparian zone in the area of the Snake River is invasive weeds. Much of the riparian habitat is degraded by Russian olive, which is an invasive weed/tree. Past grazing practices may have encouraged the Russian olive trees as they are less palatable than native willows. The riparian zone has been degraded by several other invasive weeds, primarily Canada thistle, Scotch thistle (*Onopordum acanthium*), and poison hemlock (*Conium maculatum*). Other species present in the proposed action areas that are difficult to control are perennial pepperweed (*Lepidium latifolium*), hoary cress (*Lepidium draba*), and Russian (*Rhaponticum repens*)

and diffuse knapweeds (*Centaurea diffusa*). These weeds grow primarily in herbaceous riparian areas but can also grow under trees.

Prior to the construction of Milner Dam and Minidoka Dam in the early 1900s, the Snake River fluctuated seasonally. While this fluctuation was likely beneficial to the riparian vegetation, it no longer occurs because of current reservoir operations.

Noxious Weeds

Noxious weeds have been actively controlled by the Weed Bureau of Twin Falls County and by TFCC. Control measures include proper land management practices such as biological control, physical removal, and use of chemical spraying. The five main weed species being controlled are musk thistle (*Carduus nutans*), Canada thistle (*Cirsium arvense*), salt cedar (*Tamarix*), cheat grass (*Bromus tectorum*), and skeleton weed (*Chondrilla juncea*).

Wildlife - Mammals

The only big game species existing within the proposed action areas are a few mule deer (*Odocoileus hemionus*) which reside in the Snake River canyon year-round. The loss of native shrublands from past conversion to agriculture has generally reduced and degraded mule deer habitat so the existing mule deer must live along the river corridor (IDFG 2015).

Large fur-bearing mammals occurring in upland parts of the proposed action areas include coyote (*Canis latrans*), red fox (*Vulpes vulpes*), badger (*Taxidea taxus*), and striped skunk (*Mephitis mephitis*). Raccoons (*Procyo lotor*), muskrats (*Ondatra zibethica*), long-tailed weasels (*Mustela frenata*), and mink (*Mustela vison*) occur along the river corridor, shoreline, and wetlands. Small mammals common to the area include black-tailed jackrabbits (*Lepus californicus*), montane voles (*Microtus montanus*), and deer mice (*Peromyscus maniculatus*).

There are no existing data to support a Pygmy rabbit population detection in either of the action areas, as no surveys have been conducted. According to U.S. Fish and Wildlife Service (USFWS) survey records, Pygmy rabbit (*Brachylagus idahoensis*) have never been detected within or near the proposed action areas off of Bureau of Land Management lands (Bouffard 2009).

Predators that may be encountered include mountain lion (*Felis concolor*), bobcat (*Lynx rufus*), and numerous coyotes (*Canis latrans*). Some of the abundant or common mammal species that can be found in the action area are listed on Table 1.

Table 1. Common and uncommon mammals found on lands near the Auger Falls Lateral 43 Ponds and the O Coulee Allen Ponds (sources: White 2003; Groves et al. 1997)

Common Name	Scientific Name
Mule deer	<i>Odocoileus hemionus</i> ,
Mountain lion (<i>uncommon</i>)	<i>Felis concolor</i>
Bobcat	<i>Felis rufus</i>
Coyote	<i>Canis latrans</i>
Red fox	<i>Vulpes vulpes</i>

Common Name	Scientific Name
Yellow-bellied marmot	<i>Marmota flaviventris</i>
American beaver	<i>Castor canadensis</i>
American mink	<i>Neovison vison</i>
American marten	<i>Martes americana</i>
Weasel	<i>Mustela spp.</i>
Raccoon	<i>Procyon lotor</i>
Skunk	<i>Mephitis mephitis</i>
Badger	<i>Taxidea taxus</i>
Porcupine	<i>Erethizon dorsatum</i>
Several rodent spp.	<i>Peromyscus maniculatus spp.</i>
Several bat spp.	<i>Vespertilionidae</i>
Several squirrel spp.	<i>Sciuridae</i>

Wildlife - Birds

The river corridor near the locations of the proposed Auger Falls Lateral 43 Ponds and the wetland area of the proposed O Coulee Allen Ponds attracts numerous avian species including waterfowl, shorebirds, and wading birds. There are more than 230 species of birds known to use the Snake River corridor in and near the proposed action areas (USFWS 2002). The more common breeding raptors are northern harrier (*Circus cyaneus*), red-tailed hawk (*Buteo jamaicensis*), American kestrel (*Falco sparverius*), and occasional burrowing owl (*Athene cunicularia*). Less common raptors that are present during migration or summer include prairie falcon (*E. mexicanus*), Swainson's hawk (*B. swainsoni*), ferruginous hawk (*B. regalis*), turkey vulture (*Cathartes aura*), short-eared owl (*Asio flammeus*), osprey (*Pandion haliaetus*), and great horned owl (*Bubo virginianus*). The most abundant wintering raptors are the rough-legged hawk (*Buteo lagopus*), bald eagles (*Haliaeetus leucocephalus*), red-tailed hawk (*Buteo jamaicensis*), and prairie falcon (*Falco mexicanus*). Northern goshawks (*Accipiter gentilis*) may be present in the winter, especially near the Snake River, and golden eagles (*Aquila chrysaetos*) may also be present during the winter.

USFWS information (USFWS 1989 and 2002) indicates that the waterfowl species most likely to use the proposed action area wetlands and nearby grain fields include mallards (*Anas platyrhynchos*), gadwalls (*A. strepera*), and cinnamon teal (*A. cyanoptera*). Fewer redheads (*Aythya americana*), ruddy ducks (*Oxyura jamaicensis*), pintails (*Anas acuta*), American wigeon (*Anas americana*), and northern shovelers (*Anas chipeata*) breed in the general area and may occasionally use drain-water wetlands. Wintering waterfowl include Canada geese (*Branta canadensis*), mallards, pintails, gadwalls, American wigeon, northern shovelers, and green-winged teal (*Anas crecca*). Tundra swans (*Cygnus columbianus*) forage in grain fields in relatively low numbers during migration and are usually found more toward Minidoka reservoir.

Great blue herons (*Ardea herodias*), American avocets (*Recurvirostra americana*), long-billed curlews (*Numenius americanus*), killdeer (*Charadrius vociferous*), and other shorebirds would also be expected to use larger wetlands, as would red-winged blackbirds (*Agelaius phoeniceus*). In addition, white pelicans (*Pelicanus erythrorhynchus*), grebes, Sabine's gull (*Xema sabini*), and several other species of gulls use the area along the Snake River during the summer.

USFWS surveys (USFWS 1989 and 2002) indicate that mallards were the most abundant waterfowl species, followed by redhead, gadwall, and teal. During fall migration, ruddy ducks and canvasbacks were also among the most abundant species. Mallards are the most abundant species in the winter, followed by common goldeneye. Over the past few decades, wintering waterfowl numbers appear to have increased due to the mild winters as well as abundant winter food (i.e., residual corn after harvest).

Peak bird species diversity on the Snake River occurs from June through September. Peak waterfowl numbers occur from August through October. The timing of these peaks could be related to reproduction during early summer, molt migration on the Snake River later in summer, and migrating birds during fall.

Some of the conspicuous nongame birds breeding on areas with native vegetation include common nighthawks (*Chordeiles minor*), western kingbirds (*Tyrannus verticalis*), sage thrashers (*Oreoscoptes montanus*), loggerhead shrikes (*Lanius ludovicianus*), and Brewer's sparrows (*Spizella breweri*).

Historically, the Magic Valley had some of the highest densities of pheasants in Idaho (Thomas 1985; USFWS 1985). The pheasants reached peak densities between 1955 and 1965. The increase in grain production – in combination with weedy areas along canals, roadside vegetation, spoil areas, and interspersed remaining sagebrush lands – created excellent habitat for pheasants (Thomas 1985). In recent years, however, pheasants have declined drastically (Rybarczyk and Connelly 1990). Much of the decline is due to loss of permanent and carry-over wintering and nesting habitat that resulted from changes in farming practices. Conversion of rangelands to agriculture and more efficient and intensive farming have resulted in larger farms, loss of roadside cover, removal of riparian vegetation, increased use of herbicides and insecticides, and burning of fence rows and ditch banks. Croplands are usually fallowed during fall and winter, making waste grain unavailable as a pheasant food source.

In addition to pheasants, other upland game bird species in the proposed action areas include gray partridge (*Perdix perdix*) and mourning dove (*Zenaida macroura*). Common birds present in the proposed action areas are identified in Table 2.

Table 2. Common birds found on lands near the Auger Falls Lateral 43 Ponds and the O Coulee Allen Ponds (sources: White 2003; Groves et al. 1997)

Common Name	Scientific Name
Mallard	<i>Anas platyrhynchos</i>
Canada geese	<i>Branta Canadensis</i>
Gadwall	<i>A. strepera</i>
Green-winged and cinnamon teal	<i>A. cyanoptera</i>
Bald eagle (<i>uncommon/but present</i>)	<i>Haliaeetus leucocephalus</i>
Golden eagle	<i>Aquila chrsaetos</i>
Northern harrier	<i>Circus cyaneus</i>
Red-tailed hawk	<i>Falco sparverius</i>
American kestrel	<i>Falco sparverius</i>
Mourning dove	<i>Zenaida macroura</i>
Black-billed magpie	<i>Pica pica</i>
Great blue heron	<i>Ardea herodias</i>
White pelican	<i>Pelicanus erythrohynchus</i>
Common nighthawk	<i>Chordeiles minor</i>
Hummingbirds	<i>Trochilidae</i>
Killdeer	<i>Charadrius vociferus</i>
Sandpipers and allies	<i>Scolopacidae</i>
Osprey	<i>Pandion haliaetus</i>
Several owl spp.	<i>Strigidae</i>
Several woodpecker spp.	<i>Picidae</i>
American Robin	<i>Turdus migratorius</i>
Chinese ring neck pheasant	<i>Phasianus colchicus</i>
Gray partridge	<i>Perdix perdix</i>
Mourning dove	<i>Zenaida macroura</i>

Wildlife - Amphibians and Reptiles

Some of the more common amphibians and reptiles in the general vicinity of the proposed action areas are listed in Table 3. Those that could occur in the action areas include long-toed salamanders (*Ambystoma macrodactylum*), pacific treefrogs (*Hyla regilla*), leopard frogs (*Rana pipiens*), western chorus frogs (*Pseudacris triseriata*), longnose leopard lizards (*Gambelia wislizenii*), side-blotched lizard (*Uta stansburiana*), racers (*Coluber constrictor*), gopher snakes (*Pituophis melanoleucus*), garter snakes (*Thamnophis spp.*), and western rattlesnakes (*Crotalus viridis*).

Table 3. Common amphibians and reptiles found on lands near the Auger Falls Lateral 43 Ponds and the O Coulee Allen Ponds

Common Name	Scientific Name
Western rattlesnake	<i>Crotalus viridis lutosus</i>
Yellow-bellied racer	<i>Coluber constrictor mormon</i>
Common garter snake	<i>T. sirtalis</i>
Gopher snake	<i>Pituophis melanoleucus deserticola</i>
Side-blotched lizard	<i>Uta stansburiana</i>
Northern leopard frogs	<i>Rana pipiens</i>
Western chorus frog	<i>Pseudacris triseriata</i>
Long-toed salamanders	<i>Ambystoma macrodactylum</i>
Pacific treefrogs	<i>Hyla regilla</i>

Fisheries and Wetlands

The Snake River near the Auger Falls Lateral 43 Ponds action area is composed mostly of large marsh areas along the shoreline. The river and surrounding area supports a substantial nongame fish community comprised primarily of carp (*Cyprinus carpio*), Utah chub (*Gila atraria*), and sucker species (*Catostomus*). Game fish present include smallmouth bass (*Micropterus dolomieu*) and rainbow trout (*Oncorhynchus mykiss*) (Ryan et al. 2008). Hatchery rainbow trout are regularly stocked in the Snake River either by the Idaho Department of Fish and Game (IDFG) or have escaped from the many private fish hatcheries in the region. Smallmouth bass were introduced into the general area in 1985 and can be found throughout the Snake River system below American Falls Dam (Teuscher and Scully 2008).

Historically, white sturgeon (*Acipenser transmontanus*) were abundant, ranging freely throughout the Columbia and Snake River basins as far upriver as Shoshone Falls, a natural barrier. Dam construction on the Snake River from the early to mid-1900s eliminated or severely reduced sturgeon access to spawning, rearing, and feeding habitats. Presently, there are only two viable populations of white sturgeon in the Snake River in Idaho: (1) the free-flowing reaches between Bliss and C.J. Strike dams; and (2) from Hells Canyon Dam downstream to Lower Granite Dam in Washington.

Fish are entrained into both the South Side and North Side canals (Partridge et al. 1990; Hiebert and Bjornn 1980). Current numbers of fish entrained into these systems are not known. However, recent anecdotal information suggests that significant numbers of both game and nongame fish enter the canal system during the irrigation season (IDWR 1999). Additionally, white sturgeon are also occasionally entrained into these canals.

The fishery within the area of the O Coulee Allen Ponds could contain fish that have been entrained by the South Side canal system or released by private fish farms. Other than those two possibilities, the O Coulee Allen Ponds do not contain a known sustained fishery. The wetland in this area is composed mostly of marsh areas along the shoreline.

Table 4 presents a listing of common fish species identified in or near the proposed action area.

Table 4. Common fish species found on lands near the Auger Falls Lateral 43 Ponds and the O Coulee Allen Ponds

Common Name	Scientific Name
Rainbow trout	<i>Oncorhynchus mykiss</i>
Carp	<i>Cyprinus carpio</i>
Utah chub	<i>Gila atraria</i>
Smallmouth bass	<i>Micropterus dolomieu</i>
White sturgeon	<i>Acipenser transmontanus</i>
Sucker spp.	<i>Catostomus</i>

3.2.2 Environmental Consequences

Alternative A- No Action

Terrestrial and Riparian Biota

Under the No Action alternative, the terrestrial habitat within the proposed action area would remain the same. The present distribution of riparian and wetland habitat within the proposed action area would likely remain unchanged, but over time there would be adverse impacts due to sediment loading. Sediment loading would likely change the quality of habitat in the riparian zone as well as increase aquatic weed impacts.

Mammalian, Avian, Amphibian and Reptile Communities

Under the No Action alternative, the terrestrial mammalian, avian, amphibian, and reptile communities within the proposed action area would remain the same. The mammalian, avian, amphibian, and reptile communities that depend on the riparian and wetland zones would likely be adversely impacted due to sediment loading. Sediment loading would likely change the composition and quality of habitat in the wetland and riparian zones over time.

Fisheries and Wetland Communities

Under the No Action alternative, the fisheries and wetland communities within the proposed action area would continue toward degradation. The fisheries in the Snake River near Rock Creek and Auger Falls would be adversely impacted due to sediment loading. Sediment loading would change the composition and quality of habitat in the wetland and riparian zones over time. Additionally, water quality would continue to decline and favor less-desirable fish species such as carp and sucker. The trout fishery would likely decline and the bathymetry within the river channel would likely change as sediment fills in the deeper holes that hold sturgeon and large fish populations. The increase of sediment and agricultural runoff would also favor the establishment of aquatic invasive weed species and promote a choking effect of aquatic vegetation within the river channel.

Prime and Unique Farmlands

Under the No Action alternative, the discharge from the adjacent prime farmland would continue with no additional ponds to collect the or displace the sediment. Over time, the sediment discharge would spill into the Snake River and harm the integrity of the river system in terms of water quality, recreation, and fish/wildlife habitat.

Alternative B –Phosphorus and Sediment Removal Pond Construction (Proposed Action)

Terrestrial and Riparian Biota

Under the Proposed Action alternative, the terrestrial habitat within the proposed action area would remain the same. The present distribution of riparian and wetland habitat within the proposed action area and the quality of habitat in the riparian zone would likely improve. Removing the phosphorus would decrease the density of vegetation choking the ponds, allowing more open water to become available. Removing the sediment load would deepen the ponds. The combination of these actions would increase oxygen levels in the ponds, allowing for a greater diversity of riparian vegetation composition.

Mammalian, Avian, Reptile and Amphibian Communities

Under the Proposed Action alternative, the terrestrial mammalian, avian, amphibian, and reptile communities within the proposed action area would remain the same. The mammalian, avian, amphibian, and reptile communities that depend on the riparian and wetland zones should increase and the quality of habitat in the wetland and riparian zones would likely improve.

Fisheries and Wetland Communities

Under the Proposed Action alternative, the fisheries and wetland communities within the proposed action area should increase. The fisheries in the Snake River near Rock Creek and Auger Falls would be positively impacted and the quality of habitat in the wetland and riparian zones would likely improve. Additionally, water quality should improve and favor fish species, such as rainbow trout and possibly white sturgeon. The trout fishery would likely improve and the bathymetry within in river channel would likely stabilize, allowing for deeper holes that would hold sturgeon and large fish populations. Removing phosphorus would decrease the density of vegetation choking the ponds, allowing more open water to become available. Removing the sediment load would deepen the ponds. The combination of these actions would increase oxygen levels in the ponds, allowing for a greater diversity of fish species.

Prime and Unique Farmlands

Under the Proposed Action alternative, the run-off from the adjacent prime farmland would decline and prevent much of the sediment from reaching the river. Over time, the Snake River in this area would improve in terms of water quality, recreation, and fish/wildlife habitat.

3.3 Special Status Species

3.3.1 Affected Environment

This section discusses the potential effects to special status species, which include both federally-designated Threatened and Endangered (T&E) species and those species identified by the Idaho State Wildlife Action Plan (SWAP) as Species of Greatest Conservation Need (SGCN).

The locations, hydrologic connectivity, wildlife and vegetation assemblages, and habitat types present in the action areas are described in detail in Section 3.2.

Special Status Classifications and Species Potentially Present

Federal protection is afforded to those species listed or proposed as Threatened or Endangered by the USFWS under the ESA (16 U.S.C. 1531-1544, 87 Stat. 884). Information regarding species protected under the ESA that have the potential to occur in the vicinity of the action areas were obtained through the USFWS Information for Planning and Conservation (IPaC) online database application (Appendix A). The USFWS website identifies all listed, proposed, and candidate species occurrences by county; it also provides links to recent updates in the status of respective species listings and, where relevant, designation of critical habitat. An IPaC report generated for this project's action areas identified that two federally-designated species that could be affected: the Bliss Rapids snail (*Taylorconcha serpenticola*); and the Snake River physa (*Physa natricina*). No designated Critical Habitat exists in or adjacent to the proposed action areas.

The Idaho SWAP provides a framework for conserving SGCNs and the habitats upon which they depend. It is the state's guiding document for managing and conserving at-risk species. An integrated approach to implementing this strategy across all state agency programs is intended to reduce potential future listings under the ESA. During scoping for this project, IDFG indicated that the project could have effects to three species identified by the SWAP as SGCNs and requested the inclusion of analysis of the project's potential effects to the Hunt's bumble bee (*Bombus huntii*), the California floater (*Andonta californiensis*), and the western ridged mussel (*Gonidea angulala*).

Bliss Rapids Snail (Taylorconcha serpenticola)

The Bliss Rapids snail has been listed as Threatened under the ESA since 1992 and is classified by the SWAP as a species in SGCN Tier 1 (highest priority/critical conservation need).

The Bliss Rapids snail is a freshwater mollusk that occurs in cold water springs and spring-fed tributaries to the Snake River, and in some reaches of the Snake River itself. This species is primarily found on cobble boulder substrate and in water temperatures between 59 and 61 degrees Fahrenheit. The free-flowing, cool water environments required by the species are impacted by, and are vulnerable to, continued adverse habitat modifications and deteriorating water quality due to one or more of the following: hydroelectric development, peak-loading effects from existing hydroelectric project operations, water pollution, inadequate regulatory mechanisms, and invasion of the non-native New Zealand mudsnail (Federal Register 2009).

Recent surveys indicate the species is distributed discontinuously over 22 miles, from River Mile (RM) 547 to 560, RM 566 to 572, and at RM 580 on the Snake River (roughly between Hagerman and Glenns Ferry, Idaho). The species is also known to occur in 14 springs or tributaries to the Snake River. It does not occur in reservoirs.

Since 1980, there have been nine observations recorded in Twin Falls County (IDFG 2020), the closest of which is at a location approximately 40 to 45 kilometers downstream from the proposed Auger Falls project site. The Bliss Rapids snail's range is not known to include any part of Rock Creek, where the O Coulee Allen ponds would discharge.

Snake River Physa (Physa natricina)

The Snake River physa is listed as Endangered under the ESA and is classified by the SWAP as a species in SGCN Tier 1 (highest priority/critical conservation need).

The Snake River physa is a freshwater snail that was long believed to be endemic to a very limited reach of the Snake River in southern Idaho. More recent surveys have expanded its known range, originally believed to be confined to the Snake River between RM 487 to RM 573 and a known population below Minidoka Dam at RM 675, with detections as far downstream as Ontario, Oregon at RM 368 (USFWS 2020). Much of this habitat has been only minimally sampled, or has not been sampled for this species, so overall abundance is still not known.

This species requires free-flowing, cool water environments and occurs on the undersides of gravel to boulder-sized substrates in areas of mid-velocity to swift water currents. The main threats to the species include flow alterations and reductions caused by dam operations, water diversions, and the introduction of sediment and other pollutants.

Hunt's Bumble Bee (Bombus huntii)

The Hunt's bumble bee is classified by the SWAP as a SGCN Tier 3 species. Tier 3 species do not meet the criteria for Tier 1 (critical conservation needs) or Tier 2 (longer-term vulnerabilities requiring management intervention) but have either declining trends range-wide or are otherwise lacking in information.

The Hunt's bumble bee is a species of bumblebee native to western North America, where it occurs in western Canada and the United States as far east as Manitoba and Minnesota and in Mexico as far south as the Trans-Mexican Volcanic Belt. At the general latitude of the action areas, this species inhabits desert scrub, prairies, and meadows. It is active in the summer and fall and nests underground (Williams et al. 2014). As a pollinator species, the Hunt's bumble bee is dependent on finding adequate nectar sources, which can include foraging on the flowers of both crop plants and native species found in or near the proposed action areas, such as rabbitbrush, thistles, sunflowers, penstemons, phalacias, currants, and clovers. Within its range of occurrence, this species may be found almost anywhere there are suitable flowers, occupying a wide variety of habitats (Williams et al. 2014).

The Hunt's bumble bee is susceptible to viruses that infect honeybees. Like many *Apidae* species, the species has experienced decline in recent years but it remains one of the most common bees

in the western United States. The International Union for Conservation of Nature classifies the Hunt's bumble bee as a species of "least concern" (IUCN 2020).

California Floater (Andonta californiensis)

The California floater is classified by the SWAP as a SGCN Tier 3 species. Tier 3 species do not meet the criteria for Tier 1 (critical conservation needs) or Tier 2 (longer-term vulnerabilities requiring management intervention) but have either declining trends range-wide or are otherwise lacking in information. The species was petitioned to be listed under the ESA in 1989 but was determined ineligible in 1990 by the USFWS and later dropped from inclusion as a candidate species in 1995 when the USFWS eliminated all Category 2 candidate species. Nevertheless, it remains a federal Species of Concern.

The California floater is a freshwater bivalve mussel species that can reach a size of up to 5 inches. It occurs in lakes and slow rivers with mud or sand substrates, typically at low elevations. Little has been published about the species' existence in Idaho, though it is known to occur in declining numbers in the greater Columbia Basin watershed, including portions of the Snake River in Elmore, Gooding, Jerome, and Twin Falls Counties in Idaho (Jepsen et al. 2009).

The California floater's numbers have steeply declined range-wide and the species appears to have been extirpated from much of its former range. Main threats to the species include loss of water quality, chemical pollutants and silt, reductions in water quantity, and the interruption of glochidial host relationships, wherein parasitic larval stage mussels (glochidium) require attachment to the gill filaments of host fish for a period of time in order to mature to the next life stage (Jepsen et al 2009). These relationships also dictate the species' ability to colonize new areas, as they do not locomote independently as adults. As a filter feeder, this species is in a group that is especially sensitive to sedimentation and aquatic pollutants.

Western Ridged Mussel (Gonidea angulala)

The western ridged mussel is classified by the SWAP as a SGCN Tier 3 species. Tier 3 species do not meet the criteria for Tier 1 (critical conservation needs) or Tier 2 (longer-term vulnerabilities requiring management intervention) but have either declining trends range-wide or are otherwise lacking in information.

The western ridged mussel is a widely distributed freshwater mussel that inhabits cold creeks and streams with varied substrates from low to mid elevations. It is found from southern British Columbia to southern California and as far east as locations in Idaho and Nevada. It is locally common on the Snake River plain. It has likely declined in abundance in the Columbia and Snake River watersheds (Jepsen et al. 2010).

Western ridged mussels are relatively slow-growing and long-lived (20 to 30 years). Like other freshwater mussels, they are dependent on parasitic host relationships with host fish both in their larval (glochidium) stage and for dispersal (because as adults, they are sedentary).

Threats to the species include impoundments and related loss of host fish, channel modification and channelization, direct mortality via dredging and mining, contamination, sedimentation, and

nutrient enrichment, thermal pollution, riparian grazing, and introduction of non-native species (Jepsen et al. 2010).

3.3.2 Environmental Consequences

Alternative A – No Action

Direct and Indirect Effects

Under the No Action alternative, no new alteration of flows or discharges into the Snake River or Rock Creek would occur. There would therefore be no effects to any special status species.

Alternative B Phosphorus and Sediment Removal Pond Construction (Proposed Action)

Terrestrial Special Status Species

Under the Proposed Action, Alternative B, construction of the sediment ponds would create short-term surface disturbance that could temporarily reduce available food sources for pollinator insects such as the Hunt's bumble bee at the localized areas of construction. At the O Coulee site, much of the disturbance would take place in formerly-irrigated cropland, while at the Augur Falls site, the disturbance would occur in upland scrub that is sparsely vegetated. Neither location provides exceptional pollinator habitat at any point in the year. In the longer term, these areas would become revegetated with a shifted assemblage of species more suited to riparian or semi-riparian conditions, which would be expected to serve similar ecological functions as pollinator foraging habitat. Given the relatively small size of the proposed sites in relation to the surrounding landscape and the low quality foraging habitat the proposed sites currently provide, as well as the mobility of individual *Apidae* insects to seek out appropriate foraging habitat during temporary disturbance, no measurable effects to the Hunt's bumble bee would be expected to occur as a result of this project.

Aquatic Special Status Species

The proposed project sites are not in immediate proximity to the known ranges of any aquatic special status species, and no disturbance or dredging within the river channel would take place that would directly physically disturb potential habitat for snail and mussel special status species or indirectly affect downstream habitat through the mobilization of increased sediment. Due to the lowered sediment and phosphorous loads carried by water that would be discharged from these ponds, the project would be expected to result in slight improvements in localized water quality in the Snake River and immediately downstream, which would dissipate with distance downstream and with the introduction of additional downstream water inputs. However, the amount of returned water would be fractional in relation to the overall flows of the Snake River; as a result, effects would not be expected to be measurable at any distance downstream. Therefore, while a slight positive effect of improved water quality may be experienced locally and in the Snake River downstream, no measurable effects to aquatic special status species are expected.

3.4 Hydrology

3.4.1 Affected Environment

Snake River water has been diverted by the TFCC at Milner Dam since the early 1900s. TFCC holds several natural flow rights and storage rights to support their irrigation use. TFCC holds a senior natural flow right in the Magic Valley area with a priority date of October 11, 1900 of 3,000 cubic feet per second (cfs). Two other natural flow rights are also held by TFCC with priority dates of 1915 (600 cfs) and 1939 (180 cfs). The natural flow rights held by TFCC total 3,780 cfs. As natural flow priority dates in the Upper Snake system reduce as spring and summer runoff slow, TFCC utilizes their available supplemental storage water. TFCC holds a total storage right of 245,930 acre-feet in various Upper Snake reservoirs. Currently, TFCC provides water to approximately 202,690 irrigated acres in the Twin Falls area.

From TFCC's main headworks at Milner Dam, water is carried through the canal system network to individual irrigation district patron's headgates. Figure shows daily diversion data for the 30-year period from 1981 to 2010 and demonstrates the general seasonal flow patterns of water diverted by TFCC. Lines for the minimum, maximum, and 10th, 50th, and 90th percentiles are included. It is typical for TFCC to begin diverting water each irrigation season in late March and to end irrigation diversions in late October.

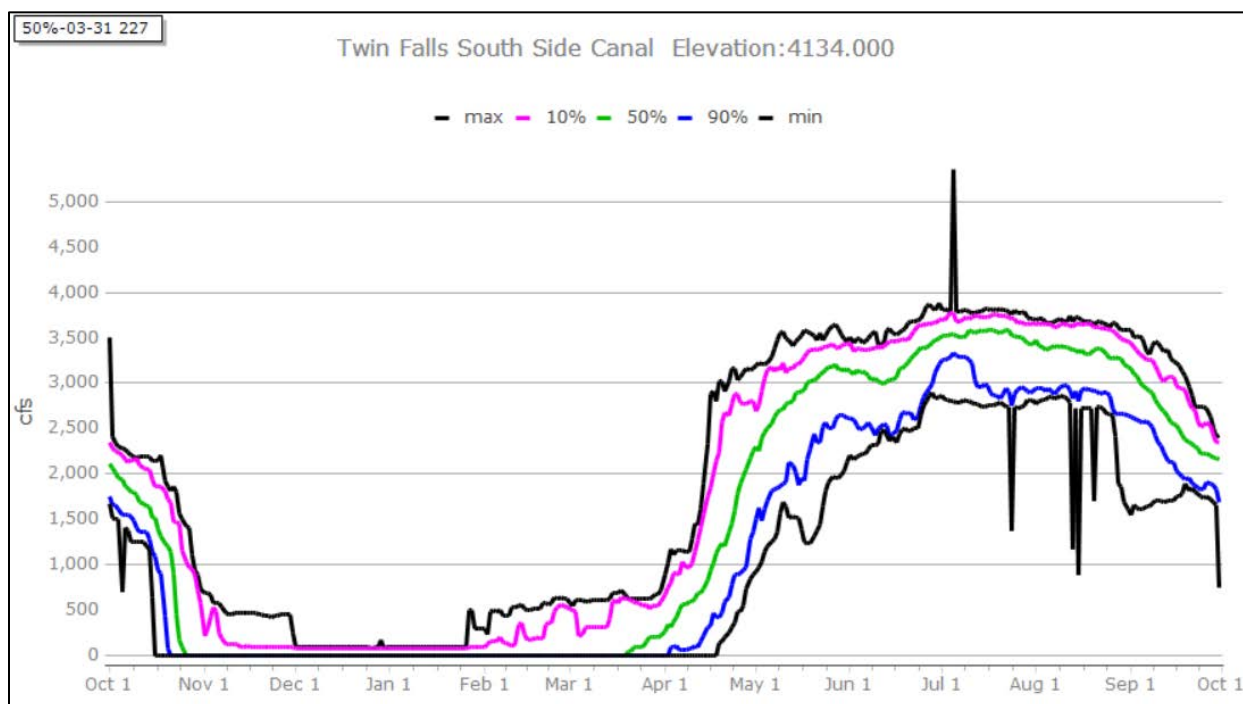


Figure 5. Daily diversion data for the Twin Falls Canal Company for the 30-year period from 1981 to 2010

The TFCC canal system also carries drainage water from the irrigated lands to the end of the canal system at several different locations, where it is released into the Snake River. The canal system can also capture and transport local drainage from between the headgate at Milner Dam

to the ends of the canal system. The Auger Falls Lateral 43 Ponds are located at the end of the irrigation conveyance system very near the Snake River and these ponds discharge directly to the Snake River. There are several natural drainages that pass through TFCC land areas; at these drainages, water can be released and it will then travel down the natural channel and into the Snake River. The O Coulee Allen Ponds are located at the end of the irrigation conveyance system and are located very near to the Rock Creek drainage, one of the natural tributaries to the Snake River.

3.4.2 Environmental Consequences

Alternative A – No Action

Under the No Action alternative, drain water from Auger Falls Lateral 43 would be discharged directly into the Snake River. The drain water from the O Coulee Allen Lateral would be discharged into Rock Creek, which discharges into the Snake River. Basin hydrology and discharges from the two drain sites would be unaffected in the No Action alternative.

Alternative B – Phosphorus and Sediment Removal Pond Construction (Proposed Action)

Under the Proposed Action alternative, drain water from TFCC would first pass into the Auger Falls Lateral 43 Ponds and the O Coulee Allen Ponds before being released from the end of the canal system. Basin hydrology and discharges from the irrigation district would be unaffected under the Proposed Action alternative.

3.5 Water Quality

3.5.1 Affected Environment

Overview

The proposed ponds are in the Snake River (Upper Snake-Rock) subbasin, of which the Snake River is a prominent feature. The Snake River water quality is degraded due to the culmination of effects from nutrient-laden organic and inorganic material from point and non-point sources in the watershed (Houser 2019; IDEQ 2011 and 2010). TSS, TP, and *Escherichia coli* (*E. coli*) were identified as pollutants of concern, and the Idaho Department of Environmental Quality (IDEQ) incorporated TMDLs to limit these pollutants and move the waters toward meeting their specific beneficial uses (IDEQ 2010 and 2011). The *Upper Snake Rock/Middle Snake TMDLs 5-Year Review* (IDEQ 2010) states “In general, the sediment (TSS) and *E. coli* TMDLs appear to be meeting beneficial uses for the Snake River. Total phosphorus has not been reduced sufficiently to meet beneficial uses for the Snake River.” This improvement could be attributed to community cooperative work and capital investment from business that are point sources (Houser 2019). Currently, this subbasin is going through another water quality TMDL 5-year review with IDEQ.

Snake River Reach near Auger Falls Lateral 43 Ponds

The proposed Auger Falls Lateral 43 Ponds are located near the Snake River-Twin Falls to Rock Creek assessment unit. IDEQ has assessed this 11.88-mile reach of the Snake River as water quality limited, and as not meeting cold water aquatic life criteria beneficial use due to flow regime alterations, TP, and TSS concentrations (IDEQ 2018). Additionally, a TMDL allocation for TP and TSS has been implemented to improve water quality in the Snake River. Instream targets for the Snake River for TP and TSS are less than 52 milligrams per liter (mg/L) and 0.075 mg/L, respectively (IDEQ 2010).

The Snake River reach is meeting primary contact recreation beneficial use. Aesthetics, agricultural and industrial water supply, salmonid spawning, and wildlife habitat have not been assessed but are presumed as meeting their beneficial uses (IDEQ 2018).

Rock Creek Reach near O Coulee Allen Ponds

The proposed O Coulee Allen Ponds are immediately down river of the Auger Falls Lateral 43 Ponds in the Snake River-Rock Creek to Box Canyon Creek assessment unit within the Snake River (Upper Snake-Rock) subbasin. IDEQ assessed this 18.32-mile reach of the Snake River as water quality limited, and as not meeting cold water aquatic life criteria beneficial use due to flow regime alterations, TP, and TSS concentrations (IDEQ 2018). TMDL allocation for TP and TSS concentrations are the same as for the Auger Falls Lateral 43 Ponds Snake River reach (IDEQ 2010).

Unassessed uses that are presumed as meeting beneficial uses for this Snake River reach include aesthetics, agricultural and industrial water supply, primary contact recreation, salmonid spawning, and wildlife habitat (IDEQ 2018).

These ponds would ultimately discharge into Rock Creek, part of the Rock Creek RM 25 to mouth assessment unit within the same subbasin noted above. IDEQ assessed this 20.2-mile reach of Rock Creek as water quality limited, and as not meeting cold water aquatic life criteria and primary contact recreation beneficial uses due to flow regime alterations, TP, TSS, and fecal coliform concentrations (IDEQ 2018). The TMDL allocations for TP and TSS concentrations are the same as for the Auger Falls Lateral 43 Ponds Snake River reach, and fecal coliform allocations are 126 geometric mean and 406 instantaneous maximum of colony forming units of *Escherichia coli* (*E. coli*) (IDEQ 2010).

The Rock Creek reach is meeting its secondary contact recreation beneficial use. Aesthetics, agricultural and industrial water supply, salmonid spawning, and wildlife habitat have not been assessed but are presumed as meeting their beneficial uses (IDEQ 2018).

For more water quality information, including monitoring locations, specific data, and pollutant trends, please see *Upper Snake Rock/Middle Snake TMDLs 5-Year TMDL Review* (IDEQ 2010) and *Upper Snake Rock Subbasin TMDL (2000 & 2005) City of Twin Falls TSS Revision* (IDEQ 2011).

3.5.2 Environmental Consequences

Alternative A – No Action

Under the No Action alternative, the Snake River and Rock Creek would continue to be affected by point and non-point source pollutants. IDEQ would continue to administer state water quality standards and TMDLs and would move forward in meeting beneficial uses of these waters. IDEQ indicated that population growth and industry development have become more challenging for smaller Idaho communities in meeting TMDL wasteload allocations (IDEQ 2010). The community's ability to deal with population growth may require IDEQ to reevaluate the wasteload allocations for point sources and would likely affect the load allocation for nonpoint sources, i.e., lower point source pollutant allocations and increase non-point source pollutant allocation (IDEQ 2010). Point sources in the subbasin with National Pollutant Discharge Elimination System (NPDES) permits would continue to have pollutant discharge concentrations slowly decreased by IDEQ to meet or move towards meeting TMDLs and, ultimately, state water quality standards. Additionally, there would be more emphasis on best management practices (BMPs) in an attempt to limit pollutants from non-point sources. Direct and indirect effects in the Snake River and Rock Creek would be the slow, incremental decrease of these pollutants (TSS, TP, and *E. coli*) over time. TP would take much longer to decrease in concentration because of its ability to bind with sediments and redistribute within the watershed. TP can be a problematic pollutant to manage because of its tendency to bind to sediments (Wasley 2007; Houser 2019); it settles into the bed of rivers, streams, and reservoirs, then can become mobile and redistribute with high flows. Additionally, aquatic vegetation can uptake TP from the sediment, release TP when the plant dies and decays, and redistribute the TP.

Alternative B – Phosphorus and Sediment Removal Pond Construction (Proposed Action)

Construction Effects

Minor effects due to blowing dust from active construction sites and staging areas, especially at the Auger Falls Lateral 43 Ponds site due to their proximity to the Snake River could occur. These effects would be short-term (a few weeks), occurring during dry, windy days and could result in minor inputs of sedimentation, small increase in turbidity and/or TSS in the Snake River. Due to the volume of water moving through the Snake River compared to the small input of dust, and the use of BMPs during construction (such as wetting the area down) to control dust levels, state water quality standards would be met.

Auger Falls Lateral 43 Ponds and O Coulee Allen Ponds Effects

TSS and TP Removal The proposed ponds would be located at the termination points of their respective canals and there are no water users beyond these locations. Through evaporation and settling, these ponds should remove a large portion of the TSS and TP from the canal return flows before they enter the Snake River. This is a common method to decrease sediment and nutrients in agricultural settings. Bjorneberg et al. (2002) identified that a large pond removed 65 to 75 percent of the sediment and 25 to 33 percent of the TP that entered the pond. MacMillan identified in the 2019 *WaterSMART Cooperative Watershed Management Program Phase 2, Snake River*

Tributary Sedimentation and Phosphorus Ponds grant application that the both the Auger Falls Lateral 43 Ponds and the O Coulee Allen Ponds are expected to remove nearly 86 percent of the TSS and 60 percent of the TP. These TSS/sediment and TP removal rates are higher than the corresponding values identified in the Bjorneberg et al journal article. However, if TSS and TP are removed at the lower percentages (65 percent and 25 percent, respectively), that would be a large decrease in pollutant load in the Snake River and would be an overall benefit to water quality in the Snake River. This would aid in meeting state water quality standards and meeting TMDLs for TSS and TP for this section of the Snake River and Rock Creek. To identify the effectiveness of these ponds, specific amounts of TSS and TP would be calculated from monitoring stations at the inlet and outlet of each set of ponds, allowing for true TSS and TP concentrations removed from the Snake River and Rock Creek to be reported to IDEQ. These amounts would aid in meeting TMDLs for the Snake River (Upper Snake-Rock) subbasin.

E. coli Removal Sediment ponds could create a reservoir for *E. coli* and other pathogenic bacteria to accumulate and be introduced into surface waters (Kunkel 2013). This would be unlikely in this situation because as the terminal ponds accumulate sediment, the sediment settles on the bottom of the ponds and effectively decreases nutrients, lessening the chances for bacteria to grow unrestricted. These ponds should decrease total *E. coli* concentrations and aid in attaining state water quality standards, especially in Rock Creek.

Pond Maintenance As the ponds fill with sediment, activities such as sediment removal and disposal would be required. No direct or indirect effects are expected from the routine maintenance because the proposed ponds are at the termination points of their respective canals and any sediment mobilized during removal would remain in the ponds.

3.6 Cultural Resources

3.6.1 Affected Environment

Evidence of American Indian occupation in southeastern Idaho dates as early as 14,500 years before present (BP). Archaeologists have defined three prehistoric cultural periods in southeast Idaho. These are the Paleo-Indian Period (14,500 to 7,000 BP), the Archaic Period (7,000 to 300 BP), and the Protohistoric Period (300 BP to European contact). Clovis and Folsom projectile points representing the Paleo-Indian Period have been recovered from areas around the reservoir and from Lake Channel. A wide variety of temporally diagnostic projectile points, ceramic fragments, and other items recovered from lands downstream from the dam indicate extensive use through the Archaic and Protohistoric Periods. The action area also contains remains from historic-period mining and settlement.

The Shoshonean occupation of southern Idaho is thought to start between 650 to 550 BP (1300-1400 A.D.), although one researcher hypothesizes Shoshone occupation as early as 3,300 BP. The Bannock are linguistically related to the Northern Paiute and may have been in southern Idaho since 450 BP (1500 A.D.). Shoshone and Bannock territory consisted primarily of southern Idaho, and bands congregated along the Weiser, Payette, Boise, and Snake Rivers. The canyons associated with the river canyons were generally favored for winter habitation and food

was stored there and game animals were available during the winter months for hunting. With the horse, they ranged north into southern Alberta and east to the Black Hills to hunt bison and trade. The Fort Hall Reservation was established in 1867.

Explorers and fur trappers may have first entered the study area in the early nineteenth century, but there is no physical evidence of their time there. Emigrants following the Oregon Trail passed both on the north side of the Snake River but also passed close by to the O Coulee Allen Ponds project area.

It wasn't until the 1860s that people really began using the canyon area, when they arrived searching for gold. Gold was first found in the Twin Falls area in 1869 by a man named Jamison who eventually moved his operations to Rock Creek, just downstream from Auger Falls. At Auger Falls, Tom Bell discovered gold in the late 1870s but no trace of his placers has been found. Likely, these were reworked in the 1890s by miners working the Jennings Bar Placers. The mining features at Auger Falls date to the later 1890s operations. Eventually these placers were settled by the Urie Family, who ran a farm and raised turkeys.

The Urie family converted the use of many of the placer ditches to agricultural use and built flumes and other features to better move water to their homestead. Most of the land was sold following World War II to fund other operations. Today, the farm stands completely dilapidated and much of the land has been converted into liquid application disposal for a nearby food plant.

The site record for Lateral 43 (IHSI 83-19139) discusses the history of the TFCC:

“In 1903 the Twin Falls Land and Water Company was Organized by Ira B. Perrine and others under authority of the Carey Act of 1894. They established the Twin Falls Tract, which became Idaho's most successful Carey Act project. The company developed Milner Dam (IHSI 83-00772) in 1905, its key diversion point for the tract. Water from the Snake River was diverted at Milner Dam into the South Side Main Canal for about 8.5 miles into Murtaugh Lake, a regulating reservoir. From there it went by the canal about 10 miles to the Forks, where the flow was split into the High Line Canal and the Low Line Canal. Lateral canals carried water from the High Line and Low Line to farms located between these canals and the Snake River. Construction of the canals laterals and returns was begun in 1905 and essentially completed by 1909. The Twin Falls Land and Water Company sold water shares on the basis of one share per acre and within a decade the farmlands had been occupied and agricultural production was well established. In 1909, Perrine and his partners organized the TFCC to operate the irrigation system, a task the company continues today” (Bennett 2002).

The TFCC is made up of 110 miles of major canals and 1,000 miles of lateral delivery canals, plus return drains and coulees. This does not include the thousands of in-channel features such as gates, culverts, and siphons. Overall, the system serves 202,691 acres.

A total of 13 cultural resources are within 1,000 feet of the area of potential effects (APE) at the Auger Falls Lateral 43 Ponds location and three cultural resources at the O Coulee Allen Ponds location. Information concerning these sites was examined and their current status can be found

in Table 5 and discussed briefly below. Of these, four are eligible for listing in the National Register of Historic Places (National Register), five have been determined not eligible, and four are currently unevaluated. The four sites located within the APE are discussed in more detail below.

Table 5. Cultural resources within 1,000 feet of the APE

Site No.	Description	Age	Eligible	In APE
10TF430	Lithic Scatter with rock features	Precontact	Eligible	No
10TF1646/ 83-19156	US Highway 93	Historic	Eligible	No
10TF1937	Mining Prospect with precontact isolate	Mixed Component	Not Eligible	Yes
10TF1938	Rock features	Unknown	Unevaluated	No
10TF1939	Rock features and small ditch	Historic	Not Eligible	No
10TF1942	Rock features	Unknown	Unevaluated	No
10TF1964	Rock and wooden features with trash scatter	Historic	Unevaluated	No
10TF2192	Mining features	Historic	Unevaluated	No
10TF2195	Urie Farmstead	Historic	Eligible	No
10TF2196	Gold Bug Placer	Historic	Eligible	Yes
10TF2199	Jennings Flat Placer	Historic	Eligible	No
10TF2200	Bibb Site	Historic	Not Eligible	No
83-17685	Jackson Corner Farmstead	Historic	Not Eligible	No
83-17686	Farm J	Historic	Eligible	No
83-19139	Lateral 43- Twin Falls Canal Company	Historic	Not Eligible	Yes
83-19208	Urie Ditch	Historic	Not Eligible	No

Site 10TF1937

Site 10TF1937 was recorded as a placer mine prospect of unknown age and cultural affiliation. The mining operation may have also included hydraulic mining to remove sediment at the bases of Bonneville Flood related boulders. Also located within the site boundaries was a single milling stone fragment. The site was determined not eligible in 2009. The site is within the current APE.

Site 10TF2196¹

The Gold Bug Placer was started by the Perrine family in the 1890s and was later worked by the Urie family. It includes multiple features across the gravel bar at the base of the canyon, including a water collection system (Feature 1) along the base of the Snake River Canyon walls, a collected water delivery ditch (Feature 2), a water storage reservoir (Feature 3), excavated rock storage areas (Feature 3a), a stone building base on the side of the reservoir (Feature 3b – see also Bibb Site, 10TF2200), two minor ditches (Features 4 and 5), and portions of two head race systems and two placer areas (Features 6 and 7). A suspension bridge (10TF2198), once spanning the Snake River, that was used to transfer water from the Jerome County side of the Snake to the placer grounds was disassembled in the historic era leaving only abutments and cable anchors.

Site 10TF2096 was found eligible for listing in the National Register under Criterion B for its connections to the Perrine Family and Criterion C as a good example of a placer mining operation. Four of the features fall within the current APE and are discussed below.

Feature 1

Feature 1 is a water collection system along the base of the talus slope below the Snake River Canyon cliffs. This 1.5-foot wide ditch is 1,600 feet long. It collects groundwater seepage and irrigation wastewater from along the cliff talus base. It originates below a waterfall from irrigation wastewater and runs westward paralleling the cliff to a point above the Feature 3 reservoir, where it connects to a water transfer ditch to the Urie Ditch irrigation system or the Feature 2 water delivery ditch. This system is still intact and actively collecting water.

Feature 2

Feature 2 is a water delivery ditch. Located at the base of the talus slope on the west end of Feature 1, this 2-foot wide ditch runs straight downhill 300 feet to the north and then northeast to the reservoir (Feature 3). This feature is still active. At its top, it connects with Feature 2A, the water transfer ditch. The diversion structure is no longer extant.

Feature 2A

Feature 2A is a water transfer ditch. Located at the base of the talus slope on the west end of Feature 2, this 2-foot wide ditch runs along the side hill for 536 feet to connect with the Urie Ditch. The ditch is dry but appears to be in good condition and probably would be restored to historic function by the construction of a water diversion structure on its east end.

Feature 3

Located just to the south of the Auger Falls Road, this reservoir consists of a long berm from 1 to 10 feet in height. The berm is 860 feet long and is oriented east-west. Rows of basalt rocks collected below the downslope side indicate that the upslope side of the reservoir was the source

¹ Copied and adapted from Gray 2006

of the materials used in the berm and that the berm was constructed using relatively small tools such as a horse-drawn Fresno or even wheelbarrows. Water from Features 1 and 2 is running through the dam to the east end where a gap allows the water to get past the berm, enter a culvert, and be delivered to the Snake River. Portions of the reservoir are still marshy. The reservoir has been cut in four places. In addition to the east side gap, there are two former headgate locations separated by 202 feet that connect to former miner ditches (Features 4 and 5) and a bulldozed gap opposite the old Urie Homestead lane. On the west side of the reservoir, the berm appears to have been extended 126 feet west of a rock outcrop so as to raise the water level. A large 24-foot diameter, 10-foot deep hole has been excavated in modern times within the reservoir opposite the Upper Mine Ditch headgate gap.

Site 83-19139

Lateral 43 is part of the TFCC, which includes 110 miles of major canals and 1,000 miles of lateral delivery canals, plus return drains. Lateral 43 diverts at Lateral 42 and flows generally west, then north. The lateral's outflow is at the Snake River Canyon rim. It was determined eligible for the National Register in 2004 as part of the overall TFCC. A portion of the lateral is located within the APE. A reanalysis of the eligibility of this resource was completed as part of this project. According to current Idaho State Historic Society guidelines concerning historic irrigation facilities, only primary and secondary waterways should be recorded and evaluated for their eligibility for listing in the National Register. Lateral 43 is at least a fifth-level lateral and has been re-evaluated as not eligible for listing in the National Register.

Site 83-19208

The Urie ditch was recorded as 83-19208 in 2010. The ditch was constructed in 1929 and runs along the flood plain to a reservoir above the Urie Farmstead. Features include ditches, flume, water collector ditches, and the Gold Bug Reservoir. Many of these features overlap with those recorded under 10TF2196, specifically features 1, 2, 2a, and 3, which are within the proposed action area. The system was found not eligible for listing in 2011.

3.6.2 Environmental Consequences

Methods and Criteria

An intensive archaeological survey of the upper portion of the Auger Falls Lateral 43 Ponds APE, approximately 4.3 acres, was completed on July 23, 2020 by Reclamation archaeologist Nikki Polson, MA. The rest of the APE was subject to a reconnaissance survey at this time as the O Coulee Allen Ponds APE was six feet deep in corn and the lower portion of the general Auger Falls area has been surveyed on at least two different occasions, including 1980 and 2006. Photographs of the APE and cultural resources within the APE were taken. Site records were updated based on current information for those sites within the APE.

Results

The canyon bottom at Auger Falls includes a number of historic sites that are mostly related to the placer mining that occurred there between 1860 and 1900. Overlying these features is later evidence of the homesteading and use of the area for agriculture. Little precontact evidence is

present and may have been largely erased by subsequent use of the area, except at 10TF430, which may or may not have the potential to yield information about the past. Although these historic features have been recorded individually, and sometimes duplicated across site forms, it is probably safer to say that they are all features of a larger mining and agricultural district. While it is out of the scope of this project to define and identify features of this district, Reclamation has tried to unravel some of the duplicated recordings to come to its determinations and findings concerning its effects to historic properties. A total of four cultural resources have been recorded within the Auger Falls Lateral 43 Ponds location, two previously determined to be eligible and two not eligible. The O Coulee Allen Ponds location is less complicated in terms of previously recorded sites, but due to current crops, there was zero visibility within the APE. Based on available evidence from the surrounding area, it is unlikely that cultural resources, historic or precontact, are present within the action area. Further discussion is included in the analysis of Alternative B.

Finding of Effect and Consultation

Reclamation has reviewed the project proposal and, considering the eligibility and assumed eligibility of the shared features of the Gold Bug and Urie Ditch, has found that the project will avoid adverse effects to either site. This will be done because the project proposes to restore these features to a more historic appearance and function and will add interpretive signage regarding the reservoir and its association with the Gold Bug Placer as part of a larger trail system. Therefore, Reclamation finds that the project will result in no adverse effects to historic properties. Consultation concerning these determinations and findings has been initiated with the State Historic Preservation Office (SHPO) and Indian tribes on August 10, 2020 (Appendix B).

Alternative A – No Action

Direct and Indirect Effects

As No Action would result in no changes to the historic properties identified in the action area, there would be no direct nor indirect impacts on historic properties resulting from Alternative A.

Cumulative Effects

There will be no cumulative effects to historic properties as a result of this alternative.

Alternative B – Phosphorus and Sediment Removal Pond Construction (Proposed Action)

Auger Falls Lateral 43 Ponds

Site 10TF1937 Site 10TF1937 was visited during this survey as it is within the APE. The site was previously found not eligible. Since that time, the site has been demolished and replaced with a parking lot associated with the Snake River Centennial Park.

Sites 10TF2196 and 83-19208 The reservoir (Feature 3) associated with the Gold Bug Placer and the Urie Ditch was visited during the reconnaissance and the boundaries of the reservoir were better defined using a combination of GPS and modern aerial photography. A portion of

Feature 1 and all of Features 2, 2a, and 3 are located within the Auger Falls Lateral 43 Ponds APE. These features have also been recorded as part of 83-19208, with the same feature numbers. The ditch and reservoir were constructed of local materials, primarily by excavating basalt cobbles and sediment and using these materials to form the berm at the reservoir. The reservoir is overgrown by native and non-native species and the berm has been breached in at least four locations. The current project proposes to clean out the ditches and reservoir and repair the reservoir back to its historic appearance and function. The features under 10TF2196 have been determined eligible for listing in the National Register as part of the larger Gold Bug Placer, while at the same time found not eligible as 83-19208 as the features did not have a significant contribution to the development of agriculture. Updated site forms for both sites have been prepared to account for the double recording and to identify site boundaries. The Gold Bug Placer and the Urie Ditch share some of the features discussed above, and have been evaluated eligible and not eligible, respectively. Although this discrepancy in the recorded data exists, Reclamation has chosen to treat the features associated with both sites as eligible for listing in the National Register rather than reevaluate the features in terms of a larger, as yet undefined historic district, which would be out of the scope of this project.

Site 83-19139 The terminal end of Lateral 43 will be altered by the proposed project and was visited as part of this survey. At this location, the lateral is approximately 5 feet wide, which widens into a small settling pond, before it spills over the canyon to fall more than 480 feet to enter the Snake River (see cover photo). Tracing the lateral to its origins, it branches off of Lateral 42, which branches off of Lateral 40. From the information available at the time of this report, it is not clear whether Lateral 40 connects to the High Line Canal directly or through another lateral or series of laterals. As such, Lateral 43 is at least a fifth-level lateral going by stream order. The lateral was determined eligible in 2004. An updated site record documenting the length of canal and updating its current National Register status has been prepared. According to current guidance and understanding, Lateral 43 does not rise to the level of significance to contribute to the agricultural development or settlement of the Twin Falls area. Therefore, Reclamation has determined that the earlier evaluation was in error and that Lateral 43 is not eligible for listing in the National Register.

O Coulee Allen Ponds

No cultural resources have been identified within the boundaries of the O Coulee Allen Ponds APE. Although there was zero visibility within the APE, there are few recorded sites in the area and there is a low probability for cultural resources within the agricultural field.

Direct and Indirect Effects

As the project proposes to return the features of the Gold Bug Placer (10TF2196) and Urie Ditch (83-19208) to more historic use and function, there would no direct or indirect impacts on historic properties resulting from Alternative B.

Cumulative Effects

There will be no cumulative effects to historic properties as a result of this project.

Mitigation

In the absence of historic properties, no mitigation is necessary.

3.7 Indian Sacred Sites

This section discusses the potential impact to Indian Sacred Sites. An archaeological survey of the proposed permit area was completed in 2020. Additionally, Reclamation initiated consultation with the Shoshone-Bannock Tribes in July 2020 to determine if there were areas important to the Tribes located within the APE. Copies of all letters are included in Appendix B.

3.7.1 Affected Environment

It is known that the area has been occupied since Paleoindian times with the most recent occupants identified as the Shoshone and Bannock peoples, who are thought to have moved into the area after about 1000 AD. No Indian Sacred Sites have been identified to Reclamation within the vicinity of the action area.

3.7.2 Environmental Consequences

Alternative A – No Action

Direct and Indirect Effects

As Indian Sacred Sites have not been identified within the action area, there would be no direct nor indirect impacts on historic properties resulting from Alternative A.

Alternative B - Phosphorus and Sediment Removal Pond Construction (Proposed Action)

Direct and Indirect Effects

As Indian Sacred Sites have not been identified within the action area, there would be no direct nor indirect impacts on historic properties resulting from Alternative B.

3.8 Tribal Interests

Indian Trust Assets (ITAs) are legal interests in property held in trust by the United States for Indian tribes or individuals. ITAs include trust lands, natural resources, trust funds, or other assets held by the federal government in trust. An ITA has three components: (1) the trustee, (2) the beneficiary, and (3) the trust asset. Treaty-reserved rights, for instance, fishing, hunting, and gathering rights on and off reservation, are usufructuary rights (legal rights to use and derive profit or benefit from property that belongs to another person) that do not meet the Department of the Interior (DOI) definition of an ITA. The United States does not own or otherwise hold these resources in trust. ITAs do not normally include usufructuary rights alone

(i.e., rights to access for hunting or fishing). Rather, they require first a possessory interest in that the asset must be held or owned by the federal government as trustee.

The DOI requires that all impacts to trust assets, even those considered nonsignificant, must be discussed in a trust analysis in NEPA documents and appropriate compensation and/or mitigation implemented. Additionally, Reclamation's NEPA Handbook (Reclamation 2012) recommends a separate ITA section in all NEPA documents including a Record of Decision (ROD). These sections should be prepared in consultation with potentially-affected tribal and other trust beneficiaries.

3.8.1 Affected Environment

No land ITAs were identified during the scoping process, such as those held in trust by the Bureau of Indian Affairs for the benefit of tribes or individual Indian trust land owners. As part of the scoping process, Reclamation researched Tessel, a federal Geographic Information System (GIS) land database that includes federal lands held in trust for tribes and individual Indian trust landowners. This research indicated there are no Indian trust land assets in the proposed action areas.

Additionally, there are no federally owned lands at either of the proposed project locations. The land at the proposed Auger Falls Lateral 43 Ponds site is owned by the State of Idaho. The land at the proposed O Coulee Allen Ponds site is privately owned.

3.8.2 Environmental Consequences

Alternative A - No Action

Under the No Action alternative, there would be no direct, indirect, or cumulative effects to ITAs. The proposed ponds would not be constructed and the land would remain as is.

Alternative B – Phosphorus and Sediment Removal Pond Construction (Proposed Action)

Under Alternative B, there would be no effects to tribal interests.

3.9 Treaty Rights

3.9.1 Affected Environment

The United States has a fiduciary responsibility to protect and maintain rights reserved by Indian tribes or Indian individuals by treaties, statutes, executive orders, and allotments. These are sometimes further interpreted through court decisions and regulations.

Both Proposed Action pond sites are in areas historically used by many tribes. Treaty Rights at issue here are access and impacts to off-reservation hunting, fishing, gathering rights, livestock grazing rights, and cultural or ceremonial use rights. Although lands at the Auger Falls Lateral 43 Ponds are owned by the State of Idaho and lands at the O Coulee Allen Ponds are held in

private ownership; courts have ruled that members of federally recognized tribes with reserved treaty rights have the right to cross these lands in order to gain access to treaty areas (United States v. Winans, 198 U.S. 371 (1905)).

On July 3, 1868, the Fort Bridger Treaty was signed and agreed to by the Bannock (of the Fort Hall Reservation) and the Eastern Shoshone (of the Wind River Reservation). Article IV of the treaty states that members of the Shoshone-Bannock Tribes ‘...shall have the right to hunt on the unoccupied lands of the United States...’ Courts interpreted this to mean “unoccupied federal lands.”

In the case of *State of Idaho v. Tinno*, an off-reservation fishing case in Idaho, the Idaho Supreme Court interpreted the Fort Bridger Treaty of the Shoshone-Bannock Tribes. The Court determined that the Shoshone word for ‘hunt’ also included to ‘fish.’ Under *Tinno*, the Court affirmed the Tribal Members’ right to take fish off-reservation pursuant to the Fort Bridger Treaty. The Court also recognizes “that treaty Indians have subsistence and cultural interests in hunting and fishing...” and “The Fort Bridger Treaty ... contains a unified hunting and fishing right, which...is unequivocal.” The treaty did not grant a hunting, fishing, or gathering right; it reserved a right the Shoshone-Bannock Tribes have always exercised.

The Shoshone-Paiute Tribes of the Duck Valley Reservation are federally recognized tribes in southern Idaho and northern Nevada. The reservation was established by Executive Orders dated April 16, 1877; May 4, 1886; and July 1, 1910. The Shoshone-Paiute sometimes claim the interests of the Tribes that are reflected in the Bruneau, Boise, Fort Bridger, Box Elder, Ruby Valley, and other treaties and executive orders that the Tribes’ ancestors agreed to with the United States. The Tribes continue to observe these treaties and executive orders in good faith; however, the federal government did not ratify treaties that reserved off-reservation hunting and fishing rights. The Tribes assert they have aboriginal title and rights to those areas. All such treaties and executive orders recognize the need for the Tribes to continue to have access to off-reservation resources because most of the reservations established were and continue to be incapable of sustaining tribal populations. This need continues and has not diminished from the time of the first treaties and executive orders that established the Duck Valley Reservation (*Cherokee Nation of Oklahoma and Shoshone-Paiute Tribes of the Duck Valley Reservation v. Leavitt, 543 U.S. 631, (2005)*).

The Nez Perce Tribe of the Nez Perce Reservation is a federally recognized tribe in northern Idaho. The United States and the Tribe entered into three treaties (Treaty of 1855, Treaty of 1863, and Treaty of 1868) and one agreement (Agreement of 1893). The rights of the Nez Perce Tribe include the right to hunt, gather and graze livestock on open and unclaimed lands, and fish in all usual and accustomed places.

Figure 6 shows the locations of federally recognized reservations closest to the proposed action areas.

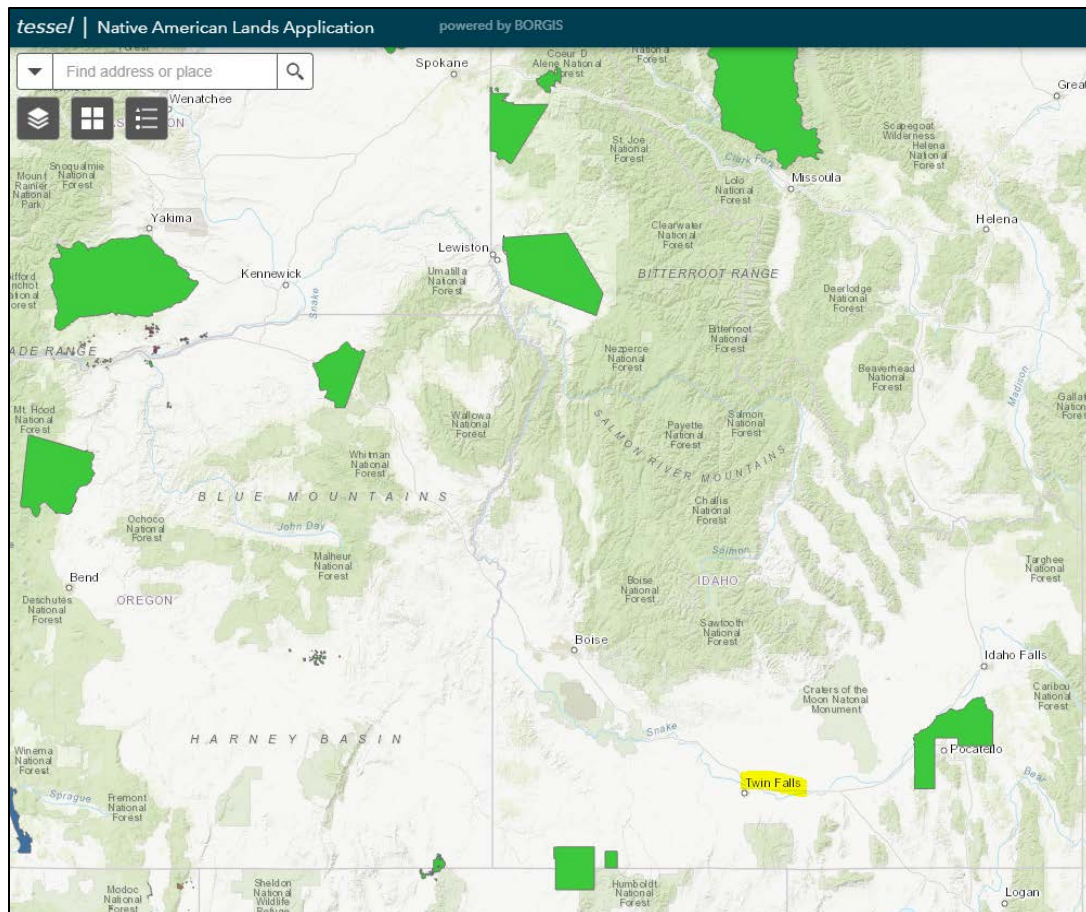


Figure 6. Locations of federally recognized reservations closest to the action area

3.9.2 Environmental Consequences

The United States Supreme Court has ruled that treaties with Indian tribes are to be construed liberally in favor of tribes, as the tribes would have understood the language of the treaty at the time the treaty was signed. It is highly likely that the treaties listed above include the areas surrounding Twin Falls, Idaho, including the Proposed Action sites.

Alternative A - No Action

Under the No Action alternative, there would be no direct, indirect, or cumulative effects to reserved Treaty Rights. The proposed ponds would not be constructed and the land would remain as is.

The No Action alternative would not affect tribal hunting, fishing, gathering, or livestock grazing in usual and accustomed places.

Alternative B – Phosphorus and Sediment Removal Pond Construction (Proposed Action)

Alternative B would not affect any known Treaty Rights such as access or impacts to the area for hunting, fishing, gathering, or livestock grazing in the area.

Reclamation requested information from tribes that traditionally or currently use the area; however, no responses were received. The lack of specific information about the area is not indicative of a lack of importance to tribes. With no specific response, Reclamation assumes that there would be no adverse effects to reserved Treaty Rights such as access or impacts to areas for hunting, fishing, gathering, or livestock grazing activities.

Implementation of Alternative B may serve to increase the fish population in the Snake River, adjacent to the proposed pond sites, by improving the water quality.

Mitigation Summary

No mitigation is required since the Proposed Action would not affect reserved Treaty Rights such as access or impacts to hunting, fishing, gathering, or livestock grazing in the area.

3.10 Environmental Justice

Executive Order 12898 (59 FR 7629) requires each federal agency to achieve environmental justice by addressing disproportionately high and adverse human health and environmental effects on minority and low-income populations. The demographics of the action area are examined to determine whether minority populations, low income populations, and/or Native American tribes are present in the area impacted by a Preferred Alternative. If present, the agency must determine if implementation of the Preferred Alternative would cause disproportionately high and adverse human health or environmental effects on the populations.

3.10.1 Affected Environment

The racial demographics of Twin Falls County and the State of Idaho are compared in Table 6. Population estimates provided by the U.S. Census Bureau were used to identify these populations. White racial categories comprise the highest percentage of the population in Twin Falls County, as well as in the rest of the State of Idaho (USCB 2018). By the Federal Office of Management and Budget's definition, race and Hispanic or Latino origin are two separate categories. People who report themselves as Hispanic and Latino can be of any race. Therefore, in Table 6, the number of Hispanics or Latinos is not added to the totals of the race columns. For example, Hispanics and Latinos who are white are counted in the total of white in the race table, and Hispanics who are black or African American are counted in that race category.

Table 6. Summary of racial populations in Twin Falls County, Idaho and the State of Idaho

U.S. Census Bureau 2018 statistics	Twin Falls County	Idaho
Total population estimate	86,878	1,787,065
White (percent)	93.7	93.0
Black or African American (percent)	0.9	0.9
American Indian and Alaska Native (percent)	1.4	1.7

U.S. Census Bureau 2018 statistics	Twin Falls County	Idaho
Asian (percent)	1.8	1.6
Native Hawaiian or Pacific Islander (percent)	0.3	0.2
Two or more races (percent)	2.0	2.6
Hispanic or Latino (percent)	17.1	12.8
White alone, not Hispanic or Latino (percent)	78.2	81.6

Hispanic or Latino populations make up a slightly higher percentage of the population than any other race. However, this is still a relatively small proportion and not particularly concerning when considering the location of the action area. The EJ SCREEN tool is shown in Figure 7, along with the EJ SCREEN geographic distribution of minority populations. The project location is identified with a small red box for orientation.

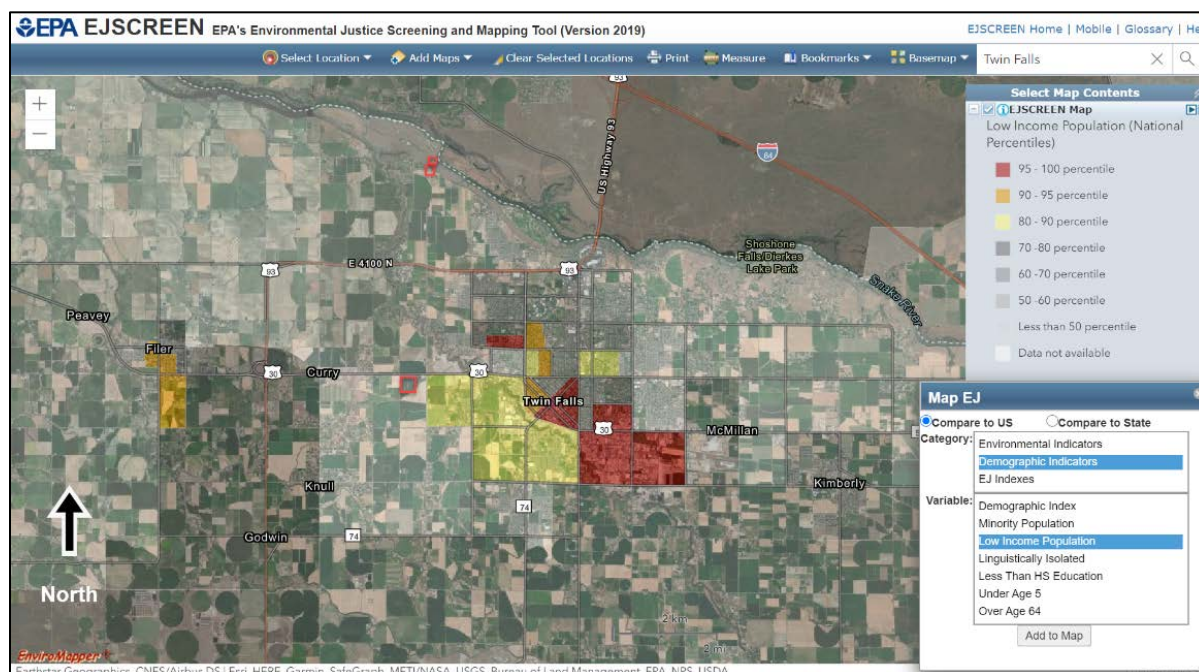


Figure 7. EJ SCREEN geographic distribution of low-income populations within the general area of the localized action

Low income populations are identified by several socioeconomic characteristics. Specific characteristics used in this description of the existing environment, as categorized by the U.S. Census Bureau, are income (per capita income and median household income) and percentage of the population below poverty. Table 7 shows data for the most recent 5 years in terms of income and poverty rate data for Twin Falls County and the State of Idaho (USCB 2018).

Table 7. Income and poverty data (2014-2018) for Twin Falls County, Idaho and the State of Idaho

Geographic Area	Per Capita Income in Past 12 Months (2018 dollars)	Median Household Income 2013-2017 (2018 dollars)	Persons at or Below Poverty Level (percent)
Twin Falls County	\$24,222	\$50,778	13.6
State of Idaho	\$26,772	\$53,089	11.8

3.10.2 Environmental Consequences

Alternative A – No Action

The No Action alternative would not alter the current regional environmental justice status based on the lack of action occurring and the information presented above, and therefore would have no environmental justice effects.

Alternative B – Phosphorus and Sediment Removal Pond Construction (Proposed Action)

Under Alternative B, Reclamation would provide funding through a WaterSMART grant to SIWQC for the construction of TP and TSS removal ponds. No minority or low-income groups, as identified for further analysis by Executive Order 12898, were identified that would be disproportionately affected by health or environmental effects as the result of the implementation of the Proposed Action. Because the Proposed Action is a small, localized action with an area of effect, there would be no significant effect to the greater area's low-income or minority populations.

3.11 Recreation

3.11.1 Affected Environment

The waters of the Snake River in south-central Idaho and its tributaries are famous for boating, whitewater rafting, and predominately for fishing by both residents and tourists. Recreation opportunities are reliant on access to areas where quality experiences can be had. Navigability and public access are governed by Idaho State Recreational Use Statutes Code 36-1601 through 36-1604 (www.nationalaglawcenter.org). The code first defines a navigable stream as: “Any stream which, in its natural state, during normal high water, will float cut timber having a diameter in excess of six (6) inches or any other commercial or floatable commodity or is capable of being navigated by oar or motor propelled small craft for pleasure or commercial purposes is navigable;” and further defines recreation use of public land and water bodies and

access protections for public and private land owners. The proposed project ponds are located near the Snake River in the Magic Valley and within easy commuting distance from Twin Falls, Idaho.

Avid anglers can find a variety of game fish throughout the waterways of Idaho. Some sections of rivers are catch and release, while others can provide fish for harvest. Several clubs and individuals routinely post fishing conditions; point out top destinations for angling, both conventional and those that are ideal for introducing children to this outdoor activity; identify types of fish available in different areas; and document record size fish. Fishing is important not only to recreational fishermen but to subsistence fishermen as well. Definitions of what constitutes “subsistence” tend to differ by geographic area and be influenced by perception. For example, the definition of “subsistence” may include, social, cultural, and spiritual aspects of the harvest, or be the definition presented by the CEQ: “The dependency by a minority population, low-income population, Indian tribe or subgroup of such populations on indigenous fish, vegetation and/or wildlife, as the principal portion of their diet” (CEQ 1997).

Most popular pond fishing in the Magic Valley takes place at 11 water bodies: Featherville Pond, Camas Ponds, Little Camas Reservoir, Blair Trail Reservoir, Roseworth Reservoir (Cedar Creek Reservoir), Penny Lake, Dollar Lake, Little Wood Reservoir, Gravers Lagoon, Magic Reservoir, and Rock Creek. Many alternative fishing sites are located within easy commuting distance from Twin Falls. Dierkes Lake, located near Shoshone Falls, is a popular with Twin Falls residents to fish for largemouth bass, hike, and rock climb. Amenities are docks, a playground, and restrooms. Centennial Waterfront Park features kayak/canoe rentals, guided boat tours, barbecues, and a playground.

Recreation near Augur Falls is best known for easy hiking trails and plenty of room to run, hike, and mountain bike. The area is marked with historic signs that provide information about the area. The area is not noted as “fish-worthy.” No known public recreation currently takes place in the area of the O-Coulee Allen Ponds site.

Muddy water in sediment ponds reduces the amount of sunlight, making it difficult for predatory fish like largemouth bass to catch prey. Catfish and nuisance bottom-feeding fish like common carp and bullheads will also stir up the bottom sediments. Fishing is unlikely to occur in the project sediment ponds themselves.

Both large and small game hunting areas are designated and managed by IDFG along the waterways. The action area is located within game unit 54 (Idaho Big Game 2020 Seasons & Rules). The only big game species existing within the proposed action areas are a few mule deer, which reside in the Snake River Canyon year-round (see Section 3.2). Habitat for both large and small game is diminished by agricultural practices. Hunter safety rules and regulations would likely restrict or prevent hunting by the public at either site due to proximity of private property and public roads.

3.11.2 Environmental Consequences

Alternative A-No Action

No Action Alternative would not immediately change current recreation opportunities; however, continued deterioration of water quality would eventually reduce fish and wildlife populations that would negatively impact water- and land-based recreational opportunities along the Snake River corridor starting at the action areas and reaching far to the west.

Alternative B – Phosphorus and Sediment Removal Pond Construction (Proposed Action)

The Proposed Action alternative would reduce sediment and improve water quality to keep fisheries and wildlife habitats sustainable on the river and improve recreation opportunities on the river downstream from the project sites for generations to come. Clear and fresh running water is always desirable and critical to sustaining all habitats; this directly affects and improves the availability and quality of water related to both water- and land-based recreation activities. Construction of the sediment ponds should not reduce or negatively affect recreation in the short term.

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Chapter 4 Consultation and Coordination

On June 5, 2020, Reclamation mailed a scoping document including a letter, project information, and a map, to agencies, Indian tribes, members of Congress, organizations, and individuals, soliciting their help in identifying any issues and concerns related to the Proposed Action. Reclamation received six comments during the scoping period. The mailing list, scoping letters, and comments received are presented in Appendix C.

4.1 Agency Consultation and Coordination

4.1.1 National Historic Preservation Act

Reclamation initiated consultation with the Idaho SHPO on August 10, 2020. SHPO concurrence with Reclamation's finding on No Effect to Historic Properties for the action area was received on September 3, 2020.

4.1.2 Endangered Species Act

Reclamation generated a preliminary endangered species report through the USFWS IPaC site (Appendix A). The report indicated that one species is expected to be present in the action area for the proposed project, the Snake River snail (*Physa natricina*). Since the Proposed Action would not adversely affect any listed species, no need exists for formal Section 7 consultation under the ESA.

4.2 Tribal Consultation and Coordination

Reclamation mailed scoping letters to the Shoshone-Bannock Tribes on June 5, 2020 (Appendix C). No responses or concerns from the Tribes were brought forward during the scoping period.

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Appendices

Appendix A – Information for Planning and Conservation (IPaC) Report

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Jerome and Twin Falls counties, Idaho



Local office

Idaho Fish And Wildlife Office

☎ (208) 378-5243

📠 (208) 378-5262

1387 South Vinnell Way, Suite 368
Boise, ID 83709-1657

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information.
2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Snails

NAME

STATUS

Bliss Rapids Snail *Taylorconcha serpenticola*
No critical habitat has been designated for this species.
<https://ecos.fws.gov/ecp/species/4780>

Threatened

Snake River Physa Snail *Physa natricina*
No critical habitat has been designated for this species.
<https://ecos.fws.gov/ecp/species/305>

Endangered

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds
<http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds
<http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird

species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON (IF A BREEDING SEASON IS INDICATED FOR A BIRD ON YOUR LIST, THE BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE BIRD BREEDS ACROSS ITS ENTIRE RANGE. "BREEDS ELSEWHERE" INDICATES THAT THE BIRD DOES NOT LIKELY BREED IN YOUR PROJECT AREA.)

Bald Eagle *Haliaeetus leucocephalus*

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1626>

Breeds Dec 1 to Aug 31

Golden Eagle *Aquila chrysaetos*

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

<https://ecos.fws.gov/ecp/species/1680>

Breeds Dec 1 to Aug 31

Green-tailed Towhee *Pipilo chlorurus*

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

<https://ecos.fws.gov/ecp/species/9444>

Breeds May 1 to Aug 10

Long-billed Curlew *Numenius americanus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/5511>

Breeds Apr 1 to Jul 31

Williamson's Sapsucker *Sphyrapicus thyroideus*

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

<https://ecos.fws.gov/ecp/species/8832>

Breeds May 1 to Jul 31

Willow Flycatcher *Empidonax traillii*

Breeds May 20 to Aug 31

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

<https://ecos.fws.gov/ecp/species/3482>

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

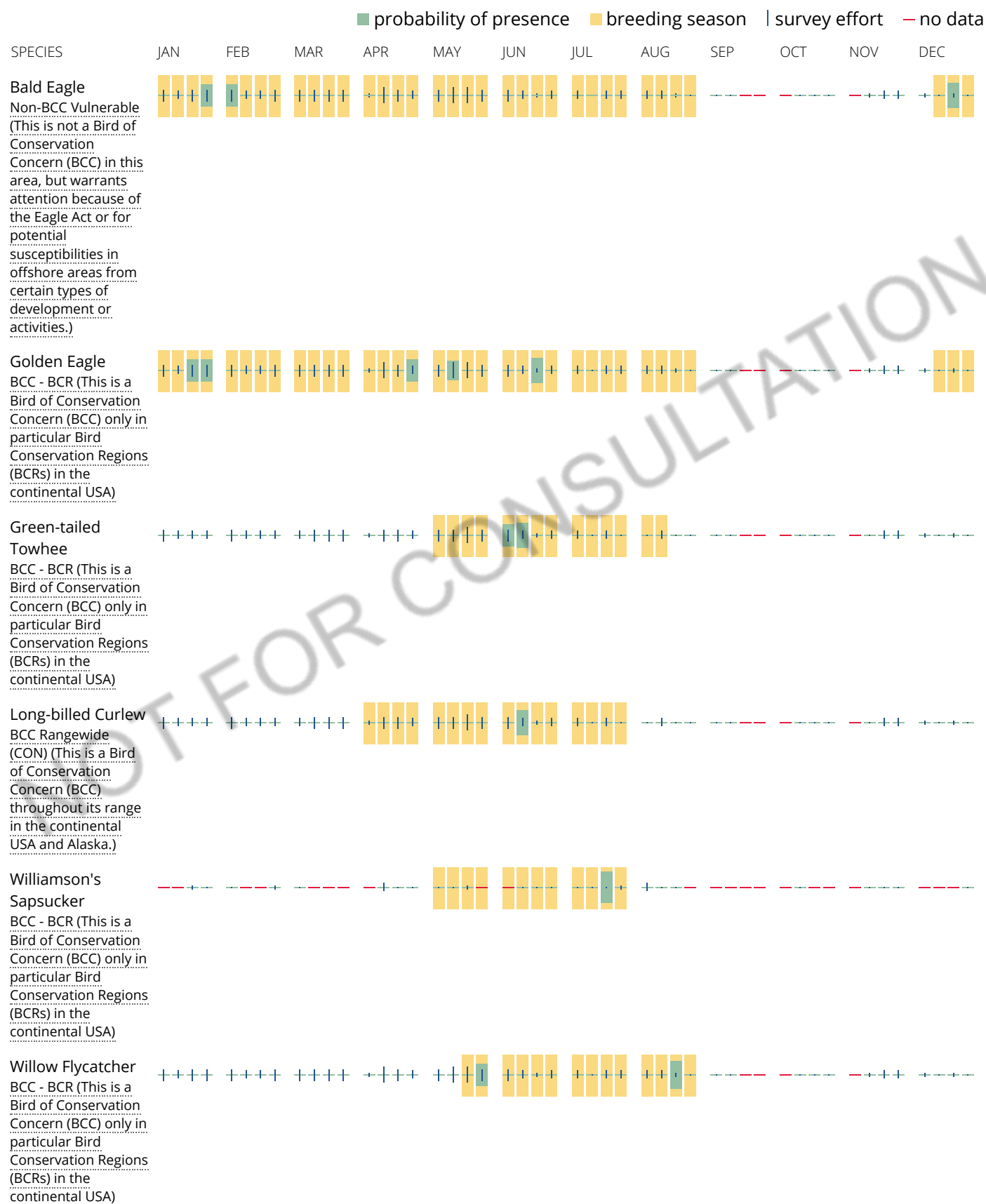
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) and/or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

Wetlands in the National Wetlands Inventory

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

FRESHWATER EMERGENT WETLAND

[PEM1C](#)

[PEM1Cx](#)

[PEM1Ch](#)

FRESHWATER FORESTED/SHRUB WETLAND

[PSSC](#)

[PFOA](#)

[PSSA](#)

[PFOC](#)

FRESHWATER POND

[PUBFh](#)

[PUBHh](#)

[PUSCx](#)

[PABCh](#)

[PUBKx](#)

[PABFx](#)

[PUSCh](#)

RIVERINE

[R3UBH](#)

[R5UBFx](#)

[R4SBC](#)

[R3RSC](#)

[R5UBH](#)

A full description for each wetland code can be found at the [National Wetlands Inventory website](#)

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

**Appendix B – Cultural Resources and Sacred Sites
Consultation with State Historic Preservation Office and
Shoshone-Bannock Tribes**



United States Department of the Interior

BUREAU OF RECLAMATION

Snake River Area Office

230 Collins Road

Boise, ID 83702-4520



IN REPLY REFER TO:

USF-1219

2.1.1.04

VIA FEDERAL EXPRESS

Honorable Tino Batt
Chairman
Fort Hall Business Council
Shoshone-Bannock Tribes
85 W. Agency Rd., Building #82
Fort Hall, ID 83203-0306

Subject: Invitation to Consult on the Proposed Lining of a Portion of the Main Canal, Salmon River
Canal Company, Twin Falls County, Idaho

Dear Chairman Batt:

The Bureau of Reclamation is proposing to grant money to the Southern Idaho Water Quality Coalition (SIWQC) to build sediment ponds at two locations in Twin Falls, Twin Falls County, Idaho. At this time, Reclamation is requesting any information concerning cultural resources known to the Shoshone-Bannock Tribes that may be affected by these projects.

The current project proposes to excavate new ponds and connect them to existing agricultural features. Reclamation has completed a cultural resources inventory and found that four historic resources: The Gold Bug Placer (10TF2196), Urie Ditch (83-19208), Lateral 43 (19-19139) and part of another placer mine (10TF1937) are within the proposed project area. The Gold Bug Placer is the only resource which is eligible for listing in the National Register and the applicant has designed the project such that it will not result in adverse effects to the site. An isolated precontact artifact, a milling stone was identified at 10TF1937, which is otherwise a historic site, but this site has been demolished since it was recorded. Additional details can be found in the attached report.

Please advise this office as to whether the Shoshone-Bannock Tribes wish to join in this consultation by contacting me directly at (208) 383-2246 or via email at rspringer@usbr.gov. You may also contact my staff archaeologist, Ms. Nikki Polson, at (208) 678-0461, extension 13, with any questions regarding this letter or report.

Sincerely,

BRYAN HORSBURGH
Digitally signed by BRYAN
HORSBURGH
Date: 2020.08.10 08:19:26 -06'00'

Acting for Melanie J. Paquin
Area Manager

Enclosure

cc: See next page.

INTERIOR REGION 9 • COLUMBIA-PACIFIC NORTHWEST

IDAHO, MONTANA*, OREGON*, WASHINGTON

* PARTIAL

cc: Ms. Yvette Tuell
Tribal Policy Analyst
Shoshone-Bannock Tribes
85 W. Agency Rd., Building #82
Fort Hall, ID 83203-0306

Ms. Carolyn B. Smith
Cultural Resources Coordinator
Shoshone-Bannock Tribes
85 W. Agency Rd., Building #82
Fort Hall, ID 83203-0306

Ms. Christina Cutler
Environmental Coordinator
Shoshone-Bannock Tribes
85 W. Agency Rd, Building #82
Fort Hall, ID 83203
(w/encls to each)



IDAHO STATE
**HISTORICAL
SOCIETY**



Brad Little
Governor of Idaho

Janet Gallimore
Executive Director
State Historic
Preservation Officer

Administration:
2205 Old Penitentiary Rd.
Boise, Idaho 83712
208.334.2682
Fax: 208.334.2774

Idaho State Museum:
610 Julia Davis Dr.
Boise, Idaho 83702
208.334.2120

**Idaho State Archives
and State Records
Center:**
2205 Old Penitentiary Rd.
Boise, Idaho 83712
208.334.2620

**State Historic
Preservation Office:**
210 Main St.
Boise, Idaho 83702
208.334.3861

**Old Idaho Penitentiary
and Historic Sites:**
2445 Old Penitentiary Rd.
Boise, Idaho 83712
208.334.2844

HISTORY.IDAHO.GOV

3 September 2020

Melanie Paquin
Area Manager
Bureau of Reclamation
230 Collins Road
Boise, Idaho 83702-4520

Via Email

RE: Invitation to Consult on the Proposed Southern Idaho Water Quality Coalition (SIWQC) Sediment Ponds, Twin Falls, Idaho / SHPO Rev. No. 2020-879

Dear Ms. Paquin:

Thank you for consulting with our office on the above referenced project. We understand that the undertaking will include the excavation of new ponds and connecting them to existing agricultural features. Construction of eight sediment pond cells would occur at the O Coulee Allen project site and five sediment pond cells at the Auger Falls Lateral 43 project site. The project is located in Twin Falls County, Idaho.

Pursuant to 36 CFR 800, we have applied the criteria of effect to the proposed undertaking. Based on the information received 10 August and 2 September 2020, we concur the proposed undertaking will have **no adverse effect to historic properties.**

In the event that cultural material is inadvertently encountered during implementation of this project, work shall be halted in the vicinity of the finds until they can be inspected and assessed by the appropriate consulting parties.

If you have any questions or the scope of work changes, please contact me via phone or email at 208.488.7463 or ashley.brown@ishs.idaho.gov.

Sincerely,


Digitally signed by Ashley L. Brown
DN: cn=Ashley L. Brown, o=Idaho
State Historical Society, ou=State
Historic Preservation Office,
email=ashley.brown@ishs.idaho.gov,
c=US
Date: 2020.09.03 15:37:31 -06'00'

Ashley Brown, M.A.
Historical Review Officer
Idaho State Historic Preservation Office



United States Department of the Interior

BUREAU OF RECLAMATION

Snake River Area Office

230 Collins Road

Boise, ID 83702-4520



IN REPLY REFER TO:

USF-1219

2.1.1.04

VIA ELECTRONIC MAIL ONLY

Ms. Ashley Brown
Historical Review Officer
State Historic Preservation Office
210 Main Street
Boise, ID 83702

Subject: Invitation to Consult on the Proposed Southern Idaho Water Quality Coalition (SIWQC)
Sediment Ponds, Twin Falls, Idaho

Dear Ms. Brown:

The Bureau of Reclamation is proposing to grant money to the SIWQC to build sediment ponds at two locations in Twin Falls, Twin Falls County, Idaho. At this time, Reclamation is consulting on the area of potential effects (APE) and finding of no adverse effects to cultural resources.

The current project proposes to excavate new ponds and connect them to existing agricultural features. Construction of eight sediment pond cells would occur at the O Coulee Allen project site and five sediment pond cells at the Auger Falls Lateral 43 project site, including reuse of a historic pond and ditches. The APE includes all work and staging areas of the project. As no part of the project will be taller than approximately four feet, the project would not indirectly affect sites away from the respective project areas, so only a small buffer of approximately 30 feet was added to the project areas.

Reclamation has completed a cultural resources inventory and found that four historic resources: The Gold Bug Placer (10TF2196), Urie Ditch (83-19208), Lateral 43 (83-19139) and part of another placer mine (10TF1937) are within the proposed project area. Although all of the sites within the APE have been previously evaluated for listing in the National Register, this study found that these need to be readdressed to clear up discrepancies and using current guidance concerning three of the four resources. 10TF1937 was determined not eligible for the register in 2009 and has since been demolished and replaced with a parking lot.

The Gold Bug Placer and the Urie Ditch share some features and have been evaluated eligible and not eligible, respectively. Although this discrepancy in the recorded data exists, Reclamation has chosen to treat the features associated with both sites as eligible for listing in the National Register rather than reevaluate the features in terms of a larger, as yet undefined historic district, which would be out of the scope of this project.

Lateral 43, 83-19139, was identified as being present within the APE and was determined eligible in 2004. In 2007 and 2017, the Idaho State Historic Society issued guidance on the recordation and evaluation of linear irrigation features such as canals, laterals and drains. According to that guidance only primary and secondary canals or laterals should be recorded and evaluated. In the TFCC, the primary canal is the South Side Main Canal and the secondary canals are the High Line and Low Line Canals. All

laterals below that are tertiary or lower level canals. Lateral 43 branches off of Lateral 42, which in turn branches off of Lateral 40. It is unclear from available information if Lateral 40 connects into the High Line Canal or another lateral, making Lateral 43 at least a fifth level waterway. According to current guidance and understanding Lateral 43 does not rise to the level of significance to contribute to the agricultural development or settlement of the Twin Falls area. Therefore, Reclamation has determined that the earlier evaluation is no longer justified, and that Lateral 43 is not eligible for listing in the National Register.

The project work at Auger Falls includes reuse of features associated with the Gold Bug Placer (10TF2196) which has previously been determined eligible. Work associated with the historic ditches and reservoir associated with 10TF2196 would include clearing out accumulated vegetation, such as invasive species such as Russian Olive, and accumulated sediments. In addition, existing cuts in the berm of Feature 3 would be filled in to return the feature to its historic appearance. As the features are located in the Snake River Centennial Park no major changes are planned that would alter the integrity of these features or to the overall Gold Bug Placer.

As the APE at the O Coulee site had zero visibility due to crops, Reclamation proposes to resurvey the area after harvest in late October. Should any cultural resources be identified at that time Reclamation will reopen consultation under 36 CFR 800.13.

In accordance with procedures specified in 36 CFR § 800, Reclamation requests your concurrence with our APE and the finding that this project will result no adverse effect to historic properties. Please direct any questions to Ms. Nikki Polson, Upper Snake Field Office Archaeologist, at 208-678-0461, extension 13, or by email at npolson@usbr.gov.

Sincerely,

**BRYAN
HORSBURGH**

 Digitally signed by BRYAN
HORSBURGH
Date: 2020.08.10 08:20:06 -06'00'

Acting for Melanie J. Paquin
Area Manager

Enclosures

Appendix C – Scoping Documents, Mailing List, and Scoping Comments Received



United States Department of the Interior

BUREAU OF RECLAMATION

Snake River Area Office

230 Collins Road

Boise, ID 83702-4520

June 5, 2020



IN REPLY REFER TO:

SRA-1214

2.1.4.17

Subject: Request for Public Comments Regarding a Proposed WaterSMART Grant to Create Sedimentation and Phosphorus Removal Ponds in Twin Falls County, Idaho

Dear Interested Party:

The Bureau of Reclamation has received a proposal from the Southern Idaho Water Quality Coalition (SIWQC) for a WaterSMART (Sustain and Manage America's Resources for Tomorrow) grant to create sedimentation and phosphorus removal ponds on the O Coulee Allen and Auger Falls Lateral 43 Canal outside of the city of Twin Falls, Idaho. The pond cells would be constructed off the original canal alignments to preserve the original canal for flood control. These ponds are expected to remove Total Suspended Solids (TSS) and Total Phosphorus (TP) from these Snake River tributaries.

The U.S. Department of the Interior's WaterSMART Program establishes a framework to provide Federal leadership and assistance on the efficient use of water; integrate water and energy policies to support the sustainable use of all natural resources; form strong diverse partnerships with states, tribes and local entities, and coordinate with other Department bureaus and offices on water conservation activities. Reclamation provides a 50/50 cost share for WaterSMART grant projects.

For more information please see the scoping information package included. Comments received in response to this request will be used to identify potential environmental issues related to the proposed action and to identify alternatives to the proposed action that meet the purpose of and need for the project.

Please send your written comments by **July 6, 2020**, to: Ms. Rochelle Ochoa, Natural Resources Specialist, Bureau of Reclamation, Snake River Area Office, 230 Collins Road, Boise, Idaho, 83702, or via email at sra-nepa-comments@usbr.gov.

Before including your address, phone number, email address, or other personal identifying information in your comment, please be advised that your entire comment, including your personal identifying information, may be made publicly available at any time. While you may request that we withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

OFFICIAL FILE COPY		
DATE	SURNAME	CODE
6/2	Via email Ochoa	1214
6/2	Via email Taylor	1200
6/2	Via email Newman	2000
6/3	Via email Horsburgh	1000

The primary contact for questions or comments for this analysis and accessibility needs or information is Ms. Rochelle Ochoa, Natural Resources Specialist, at 208-383-2277.

Sincerely,

/s/

Bryan Horsburgh
Acting Area Manager

Enclosure

bc: SRA-1200 (Taylor), SRA-1208 (Jackson), SRA-1214 (Ochoa), SRA-1212 (Prisciandaro)
USF-2000 (Newman), MSF-6215 (Guerricagoitia)
(w/encl to each)

WBR:ROchoa:KHennequin:6/2/20:208-383-2277:SRA-1214
P:\NEPA\NEPA Projects\EA\SIWQC Sediment and Phosphorous Ponds\Scoping\Public Scoping
Letter_SIWQC_Project Routing.docx

Identical Letter Sent To Recipients on Following Pages.



United States Department of the Interior

BUREAU OF RECLAMATION

Snake River Area Office

230 Collins Road

Boise, ID 83702-4520



IN REPLY REFER TO:

SRA-1214

2.1.4.17

May 29, 2020

VIA FEDERAL EXPRESS

Honorable Tino Batt
Chairman
Fort Hall Business Council
Shoshone-Bannock Tribes
85 W. Agency Rd., Building #82
Fort Hall, ID 83203

Subject: Request for Comments Regarding a Proposed WaterSMART Grant to
Create Sedimentation and Phosphorus Removal Ponds in Twin Falls County, Idaho

OFFICIAL FILE COPY		
DATE	SURNAME	CODE
5/28	Via email Ochoa	1214
5/29	Via email Taylor	1200
5/28	Via email Newman	2000
5/29	Via email Horsburgh	1000

Dear Chairman Batt:

The Bureau of Reclamation has received a proposal from the Southern Idaho Water Quality Coalition (SIWQC) for a WaterSMART (Sustain and Manage America's Resources for Tomorrow) grant to create sedimentation and phosphorus removal ponds on the O Coulee Allen and Auger Falls Lateral 43 Canal outside of the city of Twin Falls, Idaho. The pond cells would be constructed off the original canal alignments to preserve the original canal for flood control. These ponds are expected to remove Total Suspended Solids (TSS) and Total Phosphorus (TP) from these Snake River tributaries.

The U.S. Department of the Interior's WaterSMART Program establishes a framework to provide Federal leadership and assistance on the efficient use of water; integrate water and energy policies to support the sustainable use of all natural resources; form strong diverse partnerships with states, tribes and local entities; and coordinate with other Department Bureaus and offices on water conservation activities. For more information please see the scoping information package included.

Please help us identify important issues and concerns regarding the proposed action by providing your written comments. Although your comments are always welcome, they can be best used if received by **July 6, 2020**. Written comments may be submitted electronically to sra-nepa-comments@usbr.gov, or mailed or hand-delivered to:

Ms. Rochelle Ochoa
Natural Resource Specialist
Bureau of Reclamation Snake River Area Office
230 Collins Road
Boise, ID 83702

The primary contact for questions or comments for this analysis, accessibility needs, or other information is Ms. Rochelle Ochoa, Natural Resource Specialist, at 208-383-2277 or via email at rochoa@usbr.gov.

Sincerely,

/s/

Bryan Horsburgh
Acting Area Manager

Enclosure

cc Ms. Christina Cutler
Environmental Coordinator
Shoshone-Bannock Tribes
85 W. Agency Rd, Building #82
Fort Hall, ID 83203

Mr. Claude Broncho
Supervisor, Natural Resources and Fish
and Wildlife Policy Representative
Shoshone-Bannock Tribes
85 W. Agency Rd., Building #82
Fort Hall, ID 83203-0306

Mr. Wes Jones
Emergency Manager
Shoshone-Bannock Tribes
85 W. Agency Rd., Building #82
Fort Hall, ID 83203-0306

Mr. Cleve Davis
Environmental Program Manager
Shoshone-Bannock Tribes
85 W. Agency Rd., Building #82
Fort Hall, ID 83203-0306

Mr. Chad Colter
Fish and Wildlife Director
Shoshone-Bannock Tribes
85 W. Agency Rd., Building #82
Fort Hall, ID 83203-0306
(w/encl to each above)

bc: SRA-1200 (Taylor), SRA-1208 (Jackson), SRA-1214 (Ochoa), SRA-1212 (Prisciandaro)
USF-2000 (Newman), MSF-6215 (Guerricagoitia)
(w/encl to each)

Title	First Name	Last Name	Organization	Organization 2	Position
MR	BRIAN	OLMSTEAD	TWIN FALLS CANAL COMPANY		GENERAL MANAGER
MS	SHERI	HELMAN	ROCK CREEK GROUND WATER DISTRICT		SECRETARY
HONORABLE	MIKE	SIMPSON	UNITED STATES HOUSE OF REPRESENTATIVES		ATTN: MS COLLEEN ERICKSON
HONORABLE	JIM	RISCH	UNITED STATES SENATE		ATTN: MS AMY TAYLOR
HONORABLE	MIKE	CRAPO	UNITED STATES SENATE		ATTN: MR DON DIXON
HONORABLE	Tino	Batt	SHOSHONE-BANNOCK TRIBAL COUNCIL		CHAIRMAN
MR	Spence	Ward	SHOSHONE-BANNOCK TRIBES		Tribal Water Engineer
MR	Lester	Galloway	SHOSHONE-BANNOCK TRIBES		Tribal Water Resources Commissioner
	Gail	Martin	SHOSHONE-BANNOCK TRIBES		Tribal Water Resources
	Frances	Roy	SHOSHONE-BANNOCK TRIBES		Tribal Water Resources Sergeant At Arms
MR	Claudeo	Broncho	SHOSHONE-BANNOCK TRIBES		Supervisor, Natural Resources and Fish and Wildlife Policy Representative
MS	Christina	Cutler	SHOSHONE-BANNOCK TRIBES		Natural Resources and G2G Coordinator
MS	Carolyn B.	Smith	SHOSHONE-BANNOCK TRIBES		Cultural Resources Coordinator
MR	John	Chatburn	Governor's Office of Energy & Mineral Resources		
MR	ROB	BROCHU	US ARMY CORPS OF ENGINEERS		ENVIRONMENTAL RESOURCE SPECIALIST
MR	DAVID	KAMPWERTH	US FISH AND WILDLIFE SERVICE	EASTERN IDAHO FIELD OFFICE	ASSISTANT FIELD SUPERVISOR
MR	BRIAN	KELLY	US FISH AND WILDLIFE SERVICE		STATE SUPERVISOR

Title	First Name	Last Name	Organization	Organization 2	Position
MS	SUE	SWITZER	IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY	TWIN FALLS REGIONAL OFFICE	
			IDAHO DEPARTMENT OF FISH AND GAME	MAGIC VALLEY REGIONAL OFFICE	
MR	COREY	SKINNER	IDAHO DEPARTMENT OF WATER RESOURCES	SOUTHERN REGIONAL OFFICE	SOUTH REGION MANAGER
MR	GARY	SPACKMAN	IDAHO DEPARTMENT OF WATER RESOURCES		DIRECTOR
HONORABLE	SUZANNE	HAWKINS	CITY OF TWIN FALLS		MAYOR
MR	BRENT	REINKE	TWIN FALLS COUNTY COMMISSIONERS		COMMISSIONER DISTRICT #1
MR	DON	HALL	TWIN FALLS COUNTY COMMISSIONERS		COMMISSIONER DISTRICT #2
MR	LYNN	TOMINAGA	IDAHO GROUND WATER ASSOCIATION		EXECUTIVE DIRECTOR
MR	PAUL	ARRINGTON	IDAHO WATER USERS ASSOCIATION		EXECUTIVE DIRECTOR
MR	VINCE	ALBERDI	IDAHO WATER RESOURCES BOARD		CHAIRMAN
MR	JONATHAN	OPPENHEIMER	IDAHO CONSERVATION LEAGUE		GOVERNMENT RELATIONS DIRECTOR
MR	BARRY	BURNELL	IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY		WATER QUALITY DIVISION ADMIN
MR	LEW	PENCE	MIDDLE SNAKE REGIONAL WATER RESOURCES COMMISSION		CHAIRMAN
MR	BOB	MUFFLEY	MIDDLE SNAKE REGIONAL WATER RESOURCES COMMISSION		EXECUTIVE DIRECTOR
MR	MARK	DAVIDSON	THE NATURE CONSERVANCY		DIRECTOR OF CONSERVATION INITIATIVES

Title	First Name	Last Name	Organization	Organization 2	Position
MR	ALVIN	ALLEN			
			GREEN RIVER RANCHES LLC		
			A-1 INVESTMENTS LLC		
MR	RYAN	CANOY			
	LANA	SIMIS			
			STAKER & PARSON COMPANIES		
MR	ROBERT	COINER			
			LAWNSCAPES LLC		
MR	WILLIAM	NUNNELEE			
MR	MICHAEL	DEVINE			

Scoping Information Package

Proposed Sedimentation and Phosphorus Removal Ponds Project in Twin Falls County, Idaho

This information package summarizes the proposal from the Southern Idaho Water Quality Coalition (SIWQC) to construct a series of sedimentation ponds on the O Coulee and Auger Falls Lateral 43 Canal outside of the city of Twin Falls, Idaho. The pond cells would be constructed off the original canal alignments to preserve the original canal for flood control. These ponds are expected to remove Total Suspended Solids (TSS) and Total Phosphorus (TP) from these Snake River tributaries.

Federal actions must be analyzed in accordance with the National Environmental Policy Act (NEPA) and other relevant Federal and State laws and regulations to determine potential environmental consequences. Reclamation is asking for comment to better identify issues and concerns associated with this proposal.

The U.S. Department of the Interior's WaterSMART (Sustain and Manage America's Resources for Tomorrow) Program establishes a framework to provide Federal leadership and assistance on the efficient use of water; integrate water and energy policies to support the sustainable use of all natural resources; form strong diverse partnerships with states, tribes and local entities; and coordinate with other Department bureaus and offices on water conservation activities. Through the WaterSMART Grants Program, Reclamation provides a 50/50 cost share funding entities and promoting the sustainable use of water resources, improving the ecological resilience of rivers and streams, and conserving water for multiple uses through collaborative conservation efforts.

Purpose and Need of Action

Reclamation's purpose for the Proposed Action is to fulfill the WaterSMART grant and to improve Snake River water quality through sediment and phosphorus removal. This project would add eight sediment pond cells to the O Coulee Allen project site and five sediment pond cells to the Auger Falls Lateral 43 project site.

Proposed Action

Reclamation proposes to provide funding through a WaterSMART grant to the SIWQC for construction of eight sediment pond cells to the O Coulee Allen project site and five sediment pond cells to the Auger Falls Lateral 43 project site (Figure 1). The ponds will be designed to operate in parallel and off the original canal alignment to preserve the original canal for flood control. Since these ponds are at the end of their respective canals, there are no more water users beyond these locations, and water quality of the Snake River is the primary consideration. The ponds are meant to remove a large portion of the TSS and TP from the canal flows before they enter the Snake River. Evaporation and infiltration are identified in the Middle Snake River Total Maximum Daily Loads as viable methods of TSS and TP removal.

Location and Background

The SIWQC was established in October 2018 and is based in Twin Falls, Idaho. The SIWQC's main purpose is to coordinate with community members to improve the water quality by educating and identifying projects and goals that are environmentally beneficial to the Snake River, its tributaries, and associated bodies of water. The contributing watershed includes 8,620 square miles of land below Milner Dam downstream to the community of King Hill, Idaho, and the adjacent contributing areas.

The Auger Falls Lateral 43 Ponds are located approximately 4.8 miles northwest of the city of Twin Falls and the O Coulee Allen Ponds are located approximately 2.6 miles west of the city of Twin Falls.

Preliminary Alternative Development

The environmental assessment would include consideration of the Proposed Action Alternative and the No Action Alternative. Additionally, alternatives would be developed with the identified issues throughout the NEPA process.

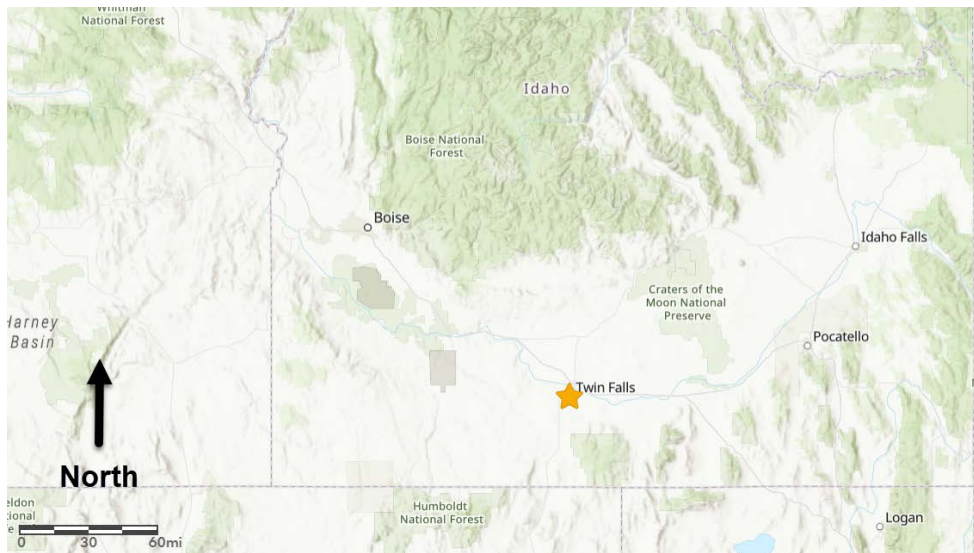


Figure 1. Project location within southern Idaho.

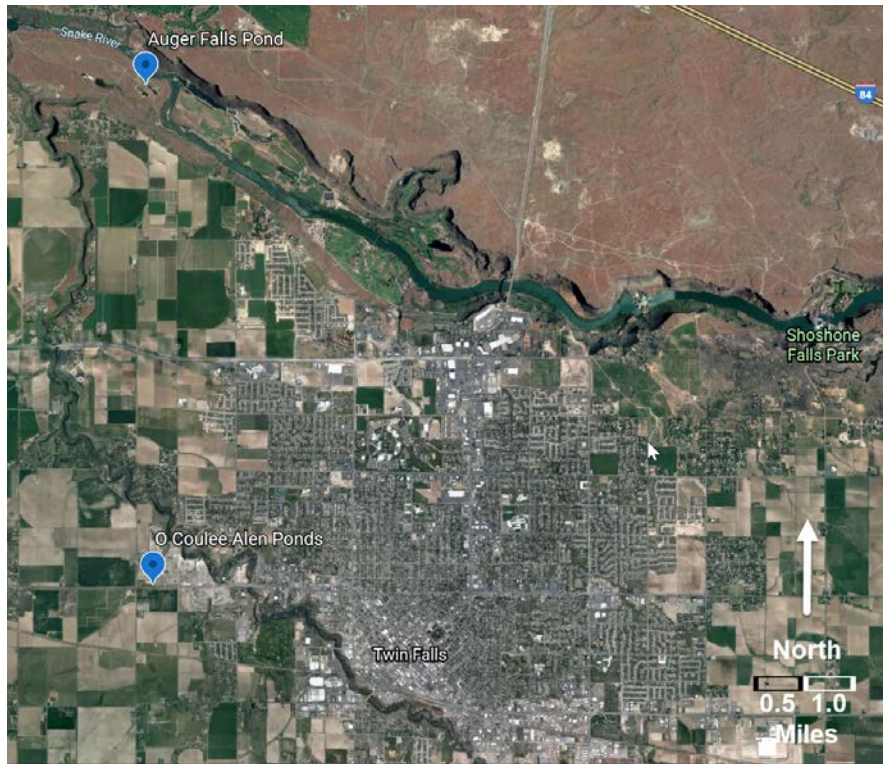


Figure 2. Project locations' proximity to largest city of Twin Falls, Idaho.

Vince Alberdi

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Ms. Rochelle Ochoa
Natural Resources Specialist
Bureau of Reclamation
Snake River Area Office
230 Collins road
Boise, Idaho 83702

Re: Request for public Comments Regarding a Proposed WaterSMART Grant to Create Sedimentation and Phosphorus Removal Ponds in Twin Falls County, Idaho

Ms. Ochoa:

Recently, I received a letter from you requesting my comments on the referenced sedimentation and phosphorus removal ponds in Twin Falls County, Idaho. To evaluate the project submitted by the Southern Idaho Water Quality Coalition (SIWQC), I contacted one of the members of the SIWQC, Mr. Brian Olmstead with the Twin Falls Canal Company and arranged for a tour of the proposed projects.

We first toured the Auger Falls Lateral 43 Canal and your description of the project is accurate and complete. The proposed project would remove TSS and TP and is an excellent water quality enhancement project that will help clean up the Snake River.

Next, we toured the O Coulee Sediment and Phosphorus project. Again I find your description of the project accurate and without question I believe the project will benefit the Snake River water quality.

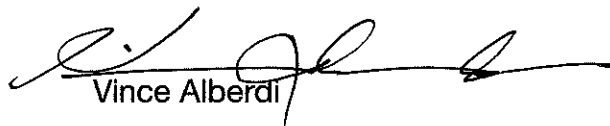
When evaluating the proposed projects one has to evaluate the Coalition's ability to acquire the site, design the required ponds, and build the project. Many times on projects such as these two, the need, design, and benefits are easily defined, but acquiring property ownership, construction and providing future operation and maintenance of the projects pose huge hurdles.

I understand that the City of Twin Falls currently owns the site for the Auger Falls Lateral 43 project. I was pleased to learn that plans are in place to acquire the property for the O Coulee Project if the grant is awarded.

In regards to the Coalition's ability to construct the projects, the Twin Falls Canal Company will be building the projects and TFCC has a proven track record for constructing dozens of successful water quality projects for the past several years. Once constructed future operation and maintenance will be provided by the principal members of the Coalition.

In my evaluation, the Bureau of Reclamation has a unique combination of the Coalition understanding the needs to improve water quality in the Snake River and the Coalition's ability to own the property where the projects will be built by a member of the Coalition with a proven track record, as well the members of the Coalitions will operate the two proposed project for years to come. Accordingly, I completely support and urge the Bureau to fund these two worth while projects. Thank you for the opportunity to comment on these two excellent projects.

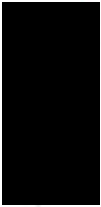
Regards,



Vince Alberdi



Vince Alberdi



MS. ROCHELLE OCHOA

NATURAL RESOURCES SPECIALIST

BUREAU OF RECLAMATION

SNAKE RIVER AREA OFFICE

230 COLLINS ROAD

BOISE, ID. 83702

BUREAU OF RECLAMATION
SNAKE RIVER AREA OFFICE
BOISE, IDAHO
RECEIVED

JUN 29 20



FOREVER / USA

[EXTERNAL] Idaho Conservation League comments on the proposed WaterSMART grant for Twin Falls sediment/phosphorous ponds

Jonathan Oppenheimer [REDACTED]

Mon 7/6/2020 5:07 PM

To: NEPA Mailbox, BOR SRA <sra-nepa-comments@usbr.gov>

Cc: Josh Johnson [REDACTED]

 1 attachments (65 KB)

Burec-Letter of Support-O_Coulee7-6-20.docx.pdf;

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Attached and pasted below are our comments.

Please let me know if you have any questions, or need any additional information.

Thank you,

Jonathan

Ms. Rochelle Ochoa, Natural Resources Specialist

Bureau of Reclamation

Snake River Area Office

230 Collins Road

Boise, ID 83702

July 6, 2020

Re: Letter of Support for WaterSMART Grant to reduce sediment and phosphorus in Twin Falls County

Dear Ms. Ochoa:

On behalf of the Idaho Conservation League (ICL), I am writing to express our support for the O Coulee Allen and Auger Falls Later 43 Project. As Idaho's leading voice for conservation, ICL represents more than 30,000 supporters from across the state who care deeply about protecting our state's clean water and wildlife. The Idaho Conservation League has a long history of involvement with conservation, watershed restoration, and the Clean Water Act in the Snake River region, and beyond.

The Idaho Conservation League appreciates the efforts of the Southern Idaho Water Quality Coalition to address water quality concerns in the Mid-Snake Region. In particular, we are encouraged by the involvement of non-point source contributors in the Mid-Snake Region to step up their investments to

improve and restore water quality. As a result, we support the O Coulee Allen and Auger Falls Later 43 Project and encourage the Bureau of Reclamation to move forward with the project.

We encourage you to consult with other relevant agencies and landowners to determine whether other measures can be implemented that would help support or amplify the beneficial effects of this project.

We appreciate the opportunity to comment and request that you move forward with the project expeditiously to realize the anticipated water quality benefits.

Sincerely,

/s/Jonathan Oppenheimer

Jonathan Oppenheimer
External Relations Director



--

Jonathan Oppenheimer
External Relations Director
Idaho Conservation League
PO Box 844, Boise, ID 83701
208.345.6933 x 26 • fax 208.344.0344 • cell 208.867.3505
<http://www.idahoconservation.org> • <http://www.idahoconservation.org/blog>
Twitter: iclnaturerocks
Facebook: /idahoconservationleague

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CONSERVATION
LEAGUE

208.345.6933 • PO Box 844, Boise, ID 83702 • www.idahoconservation.org

Ms. Rochelle Ochoa, Natural Resources Specialist
Bureau of Reclamation
Snake River Area Office
230 Collins Road
Boise, ID 83702

July 6, 2020

Re: Letter of Support for WaterSMART Grant to reduce sediment and phosphorus in Twin Falls County

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We appreciate the opportunity to comment and request that you move forward with the project expeditiously to realize the anticipated water quality benefits.

Sincerely,

Jonathan Oppenheimer
External Relations Director

[Redacted]
[Redacted]

[EXTERNAL] DEQ Comments on WaterSMART Grant

Sandy.Gritton@deq.idaho.gov <Sandy.Gritton@deq.idaho.gov>

Thu 6/25/2020 1:43 PM

To: NEPA Mailbox, BOR SRA <sra-nepa-comments@usbr.gov>

 1 attachments (54 KB)

DEQ Comment on WaterSMART Grant for ponds in Twin Falls County - June 25....pdf;

Please see attached comments.

Sincerely,

Sandy



Sandy Gritton | Administrative Assistant II

Idaho Department of Environmental Quality

650 Addison Ave. W., Suite 110, Twin Falls, ID 83301

Office: (208) 737-3864

<http://www.deq.idaho.gov/>

Our mission is to protect human health and the quality of Idaho's air, land, and water.



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

650 Addison Avenue West, Suite 110 • Twin Falls, Idaho 83301 • (208) 736-2190
www.deq.idaho.gov

Governor Brad Little
Director John H. Tippetts

June 25, 2020

By email: sra-nepa-comments@usbr.gov

Ms. Rochelle Ochoa
Natural Resource Specialist
Bureau of Reclamation
Snake River Area Office
230 Collins Road
Boise, ID 83702

Subject: Request for Public Comments Regarding a Proposed WaterSMART Grant to Create
Sedimentation and Phosphorous Removal Ponds in Twin Falls County, Idaho

Dear Ms. Ochoa:

Thank you for giving us the opportunity to comment on the proposed WaterSMART grant to create sedimentation and phosphorous removal ponds in Twin Falls County. The Department of Environmental Quality (DEQ) is fully supportive of these proposed water quality improvement projects.

DEQ believes that the implementation of nonpoint source projects such as the construction of sediment ponds on the O Coulee Allen Pond and the Auger Falls Lateral 43 are extremely important to the improvement of water quality in the Mid Snake River and its tributaries.

DEQ looks forward to working with the Bureau of Reclamation, the Southern Idaho Water Quality Coalition (SIWQC), and the Twin Falls Canal Company on future water quality improvement projects in the Twin Falls Region.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sue Switzer", is written over the word "Sincerely,".

Sue Switzer
Regional Administrator

SS:SW:sg

c: Mary Anne Nelson

[EXTERNAL] IDFG comments - WaterSMART grant for phosphorus and sediment removal ponds in Twin Falls County

Conley,Keats <keats.conley@idfg.idaho.gov>

Wed 6/24/2020 8:04 AM

To: NEPA Mailbox, BOR SRA <sra-nepa-comments@usbr.gov>

 1 attachments (251 KB)

IDFG_R4_BOR WaterSMART ponds_20200624.pdf;

Dear Ms. Ochoa,

Please see the Idaho Department of Fish and Game's attached review letter regarding the proposed WaterSMART Grant to create sedimentation and phosphorus removal ponds in Twin Falls County, Idaho.

Please let me know if you have questions or need additional information.

Sincerely,

Keats

Keats Conley
Environmental Staff Biologist
Idaho Department of Fish and Game – Magic Valley Region
324 South 417 East, Suite 1
Jerome, ID 83338
(208) 644-6310



<https://idfg.idaho.gov>



IDAHO DEPARTMENT OF FISH AND GAME

MAGIC VALLEY REGION
324 South 417 East, Suite 1
Jerome, Idaho 83338

Brad Little / Governor
Ed Schriever / Director

June 24, 2020

Rachel Ochoa
Natural Resources Specialist
Bureau of Reclamation
Snake River Area Office
203 Collins Road
Boise, ID 83702

RE: Proposed WaterSMART grant to create sedimentation and phosphorus removal ponds in Twin Falls County

Dear Ms. Ochoa,

The Idaho Department of Fish and Game's (IDFG) mission is to preserve, protect, perpetuate, and manage Idaho's fish and wildlife resources for the public interest (Idaho Code § 36-103(a)). Accordingly, IDFG has reviewed the Bureau of Reclamation's (BOR) June 5, 2020 notification regarding the proposed WaterSMART Grant to create a total of 13 ponds in Twin Falls County, Idaho. The ponds would generally be located at the end of the Auger Falls Lateral 43 and O Coulee Allen canals and are intended to remove suspended solids and phosphorus from canal flows to improve Snake River water quality.

IDFG appreciates efforts to improve water quality in the Snake River for fish spawning and rearing and for recreational uses, consistent with management objectives identified in the *IDFG Fisheries Management Plan 2019-2024*. It is difficult to assess potential impacts to habitat given the spatial scale shown in Figure 2 of the scoping notice, which shows the general project location but not the precise footprint of each pond. IDFG records of State sensitive species observed within or adjacent to the proposed project sites include the following species:

- Hunt's bumblebee (*Bombus huntii*)
- California Floater (*Anodonta californiensis*)
- Western Ridged Mussel (*Gonidea angulate*)

Thank you for the opportunity to review the scoping notice. For questions, please contact Keats Conley (Environmental Staff Biologist) via phone (208-644-6310) or e-mail (keats.conley@idfg.idaho.gov).

Sincerely,

A handwritten signature in black ink that reads "Craig A. White". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Craig White
Magic Valley Regional Supervisor

Cc: Keats Conley (Environmental Staff Biologist, IDFG Region 4)

Keeping Idaho's Wildlife Heritage



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037

Website: idwr.idaho.gov • Email: southerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

June 16, 2020

Ms. Rochelle Ochoa,
Natural Resources Specialist
Bureau of Reclamation
Snake River Area Office
230 Collins Road
Boise, ID 83702

Dear Ms. Ochoa,

The Idaho Department of Water Resources (IDWR) would like to comment on a letter we received from the Bureau of Reclamation (SRA-1214, 2.1.4.17) regarding a proposed WaterSMART grant to create sedimentation and phosphorus removal ponds in Twin Falls County, Idaho. The project scoping package provided specifies that the proposed ponds would be built off the original canal alignments to preserve the original canal for flood control.

Water storage projects, such as ponds and reservoirs, require a water right to allow for the diversion and storage of water and can be considered to be consumptive due to seepage, evaporative losses, and the water impounded in the pond or reservoir. The proposed sites are located within the area subject to the Snake River Basin Moratorium which prevents IDWR from processing applications for new water right appropriations for consumptive uses unless the consumptive use is mitigated. Typically mitigation is provided by retiring portions of existing consumptive use water rights. Mitigation must replace or offset depletions to a water source, at the time, location, and quantity that water is depleted due to the new appropriation. Typically in the moratorium area, water rights are obtained for new water development projects via the water right transfer process. This entails modifying an existing water right, or group of rights, by transfer, pursuant to §42-222, IDAHO CODE. In the transfer process, IDWR cannot allow an enlargement in use of either the rate of diversion, annual diversion volume, or consumptive use volume of the existing right(s). New appropriations or transfers would require corresponding applications to be submitted to IDWR.

If existing Twin Falls Canal Company water rights would be utilized for the project, then facility storage could potentially fall within the 24-hour fill allowance guidance policy without requiring separate water storage water rights for the facilities. In accordance with this policy, intakes to the storage facilities need to be sized to convey a large enough flow to fill each storage facility (pond) within a 24-hour period.

Any associated embankments exceeding 10 feet in height *and* resulting in a storage capacity of at least 50 acre-feet would be considered dams, and they would be subject to IDWR Dam Safety regulation per IDAHO CODE §42.1710 - §42.1720, and IDAPA 37.03.06. This would entail filing application(s) to construct any dam(s) before construction can commence and dam design and construction would be subject to IDWR Dam Safety Section review and approval.

It should also be noted that applications for new water rights are subject to public notice and protest. In addition, any new water right filings are subject to fees as outlined in §42-221, IDAHO CODE, and applications for construction of a dam are subject to filing fees as outlined in §42-1713, IDAHO CODE.

If you have any questions, feel free to contact our office at your convenience.

Sincerely,

A handwritten signature in blue ink, appearing to read "Corey Skinner".

Corey Skinner, PE
IDWR Southern Region Manager



1010 W. Jefferson, Ste. 101, Boise, ID 83702 | www.iwua.org
P: 208-344-6690 F: 208-344-2744 E: iwua@iwua.org

June 16, 2020

Sent via email: sra-nepa-comments@usbr.gov

Ms. Rochelle Ochoa
Natural Resources Specialist
Bureau of Reclamation, Snake River Area Office
230 Collins Road
Boise, ID 83702

RE: Support for WaterSMART Grant to Create Sedimentation & Phosphorus Removal Ponds in Twin Falls County, Idaho

To Ms. Ochoa:

On behalf of the Idaho Water Users Association (IWUA), I write to express support for the Southern Idaho Water Quality Coalition's (SIWQC) proposed sedimentation and phosphorus removal ponds project in Twin Falls County (the Pond Project).

IWUA is a non-profit corporation representing approximately 300 canal companies, irrigation districts, ground water districts, municipal and public water suppliers, hydroelectric companies, aquaculture interests, agri-businesses, professional firms and individuals throughout Idaho. Our purpose is to promote, aid and assist in the development, control, conservation, preservation and utilization of Idaho's water resources. IWUA and its members understand the importance of meeting water quality challenges in our rivers and streams. IWUA maintains an active, standing committee on water quality, and many of our member irrigators actively participate in water quality/total maximum daily loads ("TMDL") efforts in the Snake, Boise, Payette and other river basins throughout Idaho.

The SIWQC is a prime example of a collaborative effort to address water quality concerns. The broad group of stakeholders includes irrigation interests (including IWUA), conservation districts, industry representatives, aquaculture, dairy, municipalities, and conservation groups. All have come together with a singular goal: "to bring about water quality improvement to the Middle Snake River through collaboration with a wide range of stakeholders."

The use of ponds to reduce sediment and phosphorus, as proposed in the Pond Project, is a common practice. In fact, this project will be very similar to other ponds previously constructed in the Twin Falls area. These existing ponds have proven to have positive water quality impacts by reducing sediment and phosphorus loading to the Snake River in Southern Idaho. Existing canal and lateral systems are used to convey water to the ponds, before that water ultimately

To: Ms. Ochoa
Date: June 16, 2020
Page: 2

reaches the Snake River. The Pond Project will build upon those ongoing successes and provide additional water quality benefits to the region.

Thank you for the opportunity to provide comments on this grant proposal. Awarding this grant would be consistent with the purposes of the WaterSMART program – including the purpose of forming “strong diverse partnerships.” I urge you to award this grant.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Arrington', with a long horizontal line extending to the right.

Paul Arrington