

# Categorical Exclusion Determination

Bonneville Power Administration  
Department of Energy



**Proposed Action:** Hangman Drainage Ditch and Channel Fill

**Project No.:** 2010-032-00

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

**Location:** Benewah County, Idaho

**Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021):** B1.20 Protection of Cultural Resources, Fish and Wildlife Habitat

**Description of the Proposed Action:** BPA proposes to fund the Coeur d'Alene Tribe to fill, and thus deactivate, four ditches and one channel that was excavated to drain the Hangman Creek floodplain. Four ditches totaling 8,481 linear feet, and one 590-foot relief channel are proposed for filling to the level of the floodplain. The placement of logs within the floodplain is also proposed. These logs would be strategically placed to increase floodplain roughness, maximize water infiltration, and reduce erosion. These actions would restore wetland habitat and floodplain functionality which would provide season-long flows for Hangman Creek thereby, improving and increasing rearing and spawning habitat for redband trout, and improving the potential for their dispersal among subpopulations. Disturbed soils would be seeded to native grass and forb species upon completion, and the area treated for invasive plants, if present.

The Project Area is positioned on tribally-owned lands within the southeast extent of the Coeur d'Alene Reservation, approximately 9.7 miles east of the Washington / Idaho State border approximately 38 miles south of Coeur d'Alene. US Highway 95 is 1.0 mi southwest.

Funding these actions assists Bonneville in mitigating for effects of development and operation of the Federal Columbia River Power System on fish and wildlife in the Columbia River and its tributaries, under the Pacific Northwest Electric Power Planning and Conservation Act of 1980 (the Northwest Power Act) (16 USC § 839b(h)(10)(A)).

**Findings:** In accordance with Section 1021.410(b) of the Department of Energy's (DOE) National Environmental Policy Act (NEPA) Regulations (57 FR 15144, Apr. 24, 1992, as amended at 61 FR 36221-36243, Jul. 9, 1996; 61 FR 64608, Dec. 6, 1996, 76 FR 63764, Nov. 14, 2011), BPA has determined that the proposed action:

- 1) fits within a class of actions listed in Appendix B of 10 CFR 1021, Subpart D (see attached Environmental Checklist);
- 2) does not present any extraordinary circumstances that may affect the significance of the environmental effects of the proposal; and
- 3) has not been segmented to meet the definition of a categorical exclusion.

Based on these determinations, BPA finds that the proposed action is categorically excluded from further NEPA review.

/s/ Robert W. Shull

Robert W. Shull

Contract Environmental Protection Specialist CorSource Technology Group

Reviewed by:

/s/ Chad Hamel

Chad Hamel

Supervisory Environmental Protection Specialist

Concur:

/s/ Sarah T. Biegel 8/11/2022

Sarah T. Biegel      Date

NEPA Compliance Officer

Attachment(s): Environmental Checklist

# **Categorical Exclusion Environmental Checklist**

This checklist documents environmental considerations for the proposed project and explains why the project would not have the potential to cause significant impacts on environmentally sensitive resources and would meet other integral elements of the applied categorical exclusion.

**Proposed Action:** Hangman Drainage Ditch and Channel Fill

## **Project Site Description**

The project site is a former agricultural field with drainage ditches across it. These were used historically to drain the floodplain to allow for hay production and pasturage. The site is surrounded by more agricultural fields and patches of coniferous forest. An unpaved rural road runs along the eastern boundary of the project area.

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

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

Potential for Significance: No

Explanation: An extensive literature and records review, and a pedestrian survey with augur test probes, were conducted for the project area. These efforts identified one historic resource within the project area; historic canals and ditches. These resources are recommended as not eligible for listing on to the National Register of Historic Places (NRHP). Therefore, there will be no adverse effect to historic properties as a result of the project. BPA sent consultation letters and documentation to the Coeur d'Alene Tribal Historic Preservation Office (THPO) with the determination that there would be no adverse effect to historic properties (BPA CR Project No.: ID 2022 030). There was no response from THPO within the regulatory 30 days and the consultation was concluded.

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

Potential for Significance: No

Explanation: Filling existing ditches would require small earth-moving equipment (such as a track hoe) to push existing berms adjacent to those ditches (with material from original construction) into the ditch. This would relocate soils from those long-standing berms into the ditches. Soil would be disturbed and soil horizons that may have formed in those berms would be disrupted. The earth-moving equipment would also compact and disturb native soil around the ditches as it levels the sites after filling. This soil disturbance would be linear and approximately 20 feet wide, on average, along the approximately 9,000 feet of ditches to be filled. The total would be only about four acres within an overall project area of over 300 acres. This level of soil disturbance is minimal.

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

Potential for Significance: No

Explanation: No special-status plants, including Endangered Species Act (ESA)-listed species, are known to be present. There would be impacts to existing riparian vegetation in the ditches from the filling and operation of the earth-moving equipment, but the area would be planted and seeded once filled. The project would restore floodplain function and increase the amount of wetlands in the project area, so vegetation communities would be changed from linear, riparian-appearing, ditches to meandering wetlands across the floodplain with a greater amount and diversity of riparian and wetland plant species anticipated.

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

Potential for Significance: No

Explanation: No Federal/state special-status wildlife species or habitats are within the project site. The linear aquatic habitat in the ditches would be eliminated and wetland habitat would re-establish, which would provide for a different and more diverse assemblage of species than are there at present. Human presence and activity associated with construction would temporarily disturb and displace nearby wildlife, but long-term displacement resulting in competition for nearby habitats is unlikely. These effects are minimal, and would not meaningfully affect wildlife communities in the larger watershed.

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

Potential for Significance: No

Explanation: No water bodies would be affected as none are present. Floodplain function would be improved / increased once the floodplain drainage structures (the ditches) are removed. No ESA or state-listed fish species are present in the project area. The ditches do not provide fish habitat, though non-fish aquatic species may be present. These species, if aquatic, would be destroyed and their habitat not replaced. Habitat for wetland-associated species would occupy the site once the project is completed.

### **6. Wetlands**

Potential for Significance: No

Explanation: The project site is a former agricultural field with drainage ditches across it, and the only wetlands being small, narrow, linear features associated with those ditches. Upon completion, the site would support scattered wetlands once the drainage ditches are removed, along with meandering wetlands where the ditches had been. A net increase in wetland acreage is anticipated.

### **7. Groundwater and Aquifers**

Potential for Significance: No

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

## 8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: The project would not change the capability of the land to be used as it was prior to project actions. Though there are currently drainage ditches in place that provide conditions suitable for agriculture, as the site had been used historically, the Coeur d'Alene Tribe now owns the property and the land use is no longer for agriculture, but rather for riparian floodplain, wetland, and aquatic restoration. There would be no change to this intended land use by the Coeur d'Alene Tribe, and no impact to specially-designated areas.

## 9. Visual Quality

Potential for Significance: No

Explanation: The project site is not visible from a major highway or designated view site, and no visually-prominent vegetative, landform, or structural change would be created. Filling of ditches may replace visually obscure irrigation ditches with continuous floodplain supporting sinuous wetlands in their place, but this would likely not be visually evident to anyone not familiar with the project.

## 10. Air Quality

Potential for Significance: No

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

## 11. Noise

Potential for Significance: No

Explanation: There would be some short-term (few days) noise impacts from the mechanized equipment used for ditch filling, but this type of noise is not inconsistent with that of common logging, ranching, or farming operations in the surrounding areas.

## 12. Human Health and Safety

Potential for Significance: No

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

### **Evaluation of Other Integral Elements**

The proposed project would also meet conditions that are integral elements of the categorical exclusion. The project would not:

**Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders.**

Explanation: N/A

**Require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators) that are not otherwise categorically excluded.**

Explanation: N/A

**Disturb hazardous substances, pollutants, contaminants, or CERCLA excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases.**

Explanation: N/A

**Involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species, unless the proposed activity would be contained or confined in a manner designed and operated to prevent unauthorized release into the environment and conducted in accordance with applicable requirements, such as those of the Department of Agriculture, the Environmental Protection Agency, and the National Institutes of Health.**

Explanation: N/A

### **Landowner Notification, Involvement, or Coordination**

Description: The project is on Tribally-owned lands, and the Tribe is the sponsor and operator of this project. No special notification is necessary.

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

Signed: /s/ Robert W. Shull  
Robert W. Shull  
Contract Environmental Protection Specialist  
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August 11, 2022  
Date