

# Categorical Exclusion Determination

Bonneville Power Administration  
Department of Energy



**Proposed Action:** Pole Creek Pond Reconnect

**Project No.:** 1995-057-03

**Project Manager:** Elizabeth Santana, EWM-4

**Location:** Owyhee, ID

**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 is proposing to fund the Shoshone-Paiute Tribes of the Duck Valley Indian Reservation to re-connect a natural spring to an existing 1,800 square-foot pond. The natural spring had been developed (piped) in the past and a livestock watering trough was installed at the spring. The trough has since been removed and the existing piping from the spring would be extended in this project to provide water to the pond, about 100 feet way. A cutoff valve would be installed on the existing piping and a 2-foot-deep, 100-foot-long ditch would be excavated for a plastic pipe which would deliver water from the new cutoff valve to the pond. A 47-horsepower rubber-tired Kubota tractor with backhoe attachment would be used for this action. This work would provide year-round water at the pond and the cutoff valve would allow for diversion of water away from the pond when it is filled. Access to the project site would be during the dry season via an existing about 0.35-mile-long two-track road, and by traveling cross-country for about 0.4 mile. A 1,000-square foot staging area would be established in an existing borrow area along a developed road at its junction with the two-track access road. A minor amount of grading and sagebrush removal would be needed to make the staging area functional.

This action supports ongoing efforts to mitigate for effects of the Federal Columbia River Power System on fish and wildlife in the mainstem Columbia River and its tributaries pursuant to the Pacific Northwest Electric Power Planning and Conservation Act of 1980 (Northwest Power Act) (16 U.S.C. (USC) 839 et seq.).

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

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

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

Robert W. Shull  
Contract Environmental Protection Specialist  
CorSource Technology Group

Reviewed by:

Carolyn Sharp  
Supervisory Environmental Protection Specialist

Concur:

Katey C. Grange  
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:** Pole Creek Pond Reconnect

## **Project Site Description**

The project is located on a remote ranch in the great basin (near-desert) vegetative type of southern Idaho. The project area is in a large (approximately 500 acre) low-lying valley between isolated buttes. The valley bottom supports mostly wet-season grasses and forbs with patches of sagebrush and rabbit brush. The surrounding hills supports an expansive sagebrush and rabbit brush plant community and scattered juniper trees. The valley bottom contains seven isolated ephemeral ponds (one of which is the focus of this project). Minor amounts of riparian forbs and grasses rim these ponds.

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

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

Potential for Significance: No

Explanation: BPA initiated consultation with the Shoshone-Paiute Tribes of the Duck Valley Indian Reservation, the Fort McDermitt Paiute-Shoshone Tribe, and the Idaho State Historic Preservation Office (SHPO) on June 7, 2023. SHPO responded that the area of potential effect was in an historic district, but no other responses to our initiation letters were received. BPA submitted a determination letter and cultural survey report to these parties on May 21, 2024 and received a concurring response from SHPO on May 24, 2024 that there would be No Adverse Effect on the Pole Creek Stockwater Storage Pond and Spring-Fed Irrigation System or on the archeological site discussed in BPA's determination letter. No other responses were received.

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

Potential for Significance: No

Explanation: Soils would be impacted on only about 1,500 square feet from excavation of the pipeline and staging area. There would be no risk of erosion or sediment delivery in this extremely dry (desert) area. All ground disturbance would be stabilized by seeding following this action.

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

Potential for Significance: No

Explanation: Vegetation would be impacted on about 1,500 square feet from excavation of the pipeline and staging area. Disturbed areas would be revegetated by seeding of native species. Post-project conditions would provide for a limited increase in vegetative diversity around the pond because of the more consistent filling of the pond provided by the action.

No plant species listed as threatened or endangered under the Endangered Species Act are present.

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

Potential for Significance: No

Explanation: Wildlife habitat (vegetative loss) and small animals would be impacted on about 1,500 square feet from excavation of the ditch and the development of the staging area. Improved riparian habitats around the pond, however, would likely increase habitats for song birds, providing for an increased number and diversity of species. There would also be disturbance of wildlife (e.g., coyotes, badger, deer, pronghorn) by the temporary presence and activity of humans and the use of construction equipment. This could temporarily displace them from their preferred habitats during construction (a day or two), and they would likely re-occupy the site once human activity has ceased. No wildlife species listed as threatened or endangered under the Endangered Species Act are present.

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

Potential for Significance: No

Explanation: There are no flowing waterbodies, floodplains, or fish affected by this project. The only affected waterbody would be the small pond, which is the focus of this project. Its conditions as a pond would be improved by the dependable supply of water this spring connection would provide. No fish are present.

#### **6. Wetlands**

Potential for Significance: No

Explanation: The project is located within the wetted area of the developed spring, which supports some riparian forbs and grasses, but would not be classified as a wetland. This action, however, would continue to provide a water source for the habitats surrounding the spring by use of the cutoff valve once the pond is filled. The wetted habitats would not be lost by this project.

#### **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 in this action, but spills and drips with the volume necessary to contaminate groundwater is unlikely. Although there would be ground disturbances as a result of the project, the work would not affect groundwater and aquifers.

#### **8. Land Use and Specially-Designated Areas**

Potential for Significance: No

Explanation: There are no specially-designated areas in the project area and no change in land use would occur as a result of the proposed project. The project would not change the capability of the land to be used as it was prior to project actions.

## 9. Visual Quality

Potential for Significance: No

Explanation: No visually prominent vegetative, landform, or structural change would be made. Installing an underground pipeline would not change the visual character of the landscape. The area is not visible from any roads.

## 10. Air Quality

Potential for Significance: No

Explanation: There would be some exhaust and greenhouse gas emissions from the motorized equipment used for project actions, but these are short-term only, 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 gases, but this also would be minimal and short term.

## 11. Noise

Potential for Significance: No

Explanation: There would be some short-term noise impacts from the heavy equipment used for construction, but this type of noise is consistent with that of common ranching operations in the larger area, and there are no towns or dwellings within at least 10 miles of this action to be affected.

## 12. Human Health and Safety

Potential for Significance: No

Explanation: Vehicle and backhoe operation and working with hand and power tools 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 Pole Creek Ranch, in which this project lies, is owned by the Shoshone-Paiute Tribes of the Duck Valley Indian Reservation which is also the sponsor of the project. They will be aware of the implementation schedule for this project.

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

Signed:

Robert W Shull  
Contract Environmental Protection Specialist  
CorSource Technology Group