

United States Government

Department of Energy  
Bonneville Power Administration

# memorandum

DATE: October 25, 2005

REPLY TO  
ATTN OF: KEC-4

SUBJECT: Supplement Analysis for the Watershed Management Program EIS (DOE/EIS-0265/SA-239)

TO: David Kaplow  
Fish and Wildlife Project Manager - KEWU-4

**Proposed Action:** Protect and Restore the Lapwai Creek Watershed

**Project No:** 1999-017-00

**Watershed Management Techniques or Actions Addressed Under This Supplement Analysis**  
**(See App. A of the Watershed Management Program EIS):** 2.1 Maintain Healthy Riparian Plant Communities; 2.7 Avoid Exotic Species; 6.10 Access: Fencing

**Location:** Lapwai Creek Watershed, Nez Perce Reservation, Nez Perce County, Idaho, near Lewiston, Idaho

**Proposed by:** Bonneville Power Administration (BPA) and the Nez Perce Tribe Department of Fisheries Resource Management-Watershed Division

**Description of the Proposed Action:** The proposed restoration and protection of the Lapwai Creek Watershed will assist in the recovery and restoration of fish and wildlife habitat. The fence construction and weed control will be done to improve water quality by improving the quality of riparian areas. All activities will take place within the boundaries of the 1863 Nez Perce Reservation. Activities include:

- Installation of fencing to prevent livestock access to sensitive wetlands and riparian areas,
- Weed control, using mechanical and chemical methods
- Replanting of areas where weeds are removed, using native species

Weed control activities will remove non-native vegetation so that sensitive riparian areas can be replanted with native tree, shrub and grass species. Some weed species will be controlled using brushers and weed eaters (mechanical control). Because mechanical control is not effective with Japanese knotweed, control of this species will be done using chemical methods. Plants will be directly injected with Aquamaster, an herbicide that has been approved for use in and around water bodies.

Riparian areas will benefit when the vegetative cover is converted from invasive, tap-rooted, non-native weedy species to a more diverse plant community. The inclusion of woody species in the planting will eventually promote lower water temperatures by shading the water surface. The dense root systems of native species will help anchor soils and stabilize slopes. It will support wildlife by providing food, cover, and more complex three-dimensional structure. Riparian vegetation will provide nutrients to aquatic species when it eventually falls into the streams and decomposes.

Passive riparian restoration will be accomplished by constructing approximately 3 miles of fence, to exclude livestock from three sensitive riparian areas. Areas to be fenced were chosen based on their physical condition, their potential influence on water quality within the watershed, and the effect they could have on fish diversity and productivity, if undisturbed by livestock.

**Analysis:** Emmitt E. Taylor Jr. and Kent Werlin, both biologists for the Nez Perce Tribe Department of Fisheries Resource Management-Watershed Division completed the compliance checklist for this project (attached and signed by Mr. Taylor on October 15, 2005). The project meets the standards and guidelines for the Watershed Management Program Environmental Impact Statement (EIS) and Record of Decision (ROD).

**Listed Species:** The U.S. Fish and Wildlife Service (USFWS) office in Idaho was contacted for information on species proposed for listing or listed under the federal Endangered Species Act (ESA) that could occur in the project area. A letter from the Idaho Snake River Fish and Wildlife Office (dated March 22, 2004, attached) states that no proposed species or critical habitat for listed or proposed species are known to occur within the project area. One listed species under USFWS jurisdiction may occur in the project area: gray wolf (experimental/non-essential population). Two species under the NOAA Fisheries jurisdiction are known to occur in the project area: fall-run Chinook salmon and Snake River Basin steelhead.

In 2005, a request was made to USFWS Snake River Office for an updated species list. The updated species list (dated October 11, 2005, attached) includes the following additional species: spring/summer Chinook salmon (threatened), sockeye salmon (endangered), bull trout (threatened), Canada lynx (threatened), bald eagle (threatened), Spalding's catchfly (threatened), and the yellow billed cuckoo (candidate).

Only listed aquatic species are known to occur in the project area. Fall Chinook salmon are present in the Clearwater River but seldom travel into the tributaries within the project area. Spring Chinook have been found to occasionally venture into the lower reaches of the mainstem tributaries (pers. comm. Clint Chandler, Fisheries Biologist, Nez Perce Tribe). Sockeye salmon have rarely been observed in the Clearwater subbasin and do not exist within the project area. Bull trout are present in the Clearwater River but seldom travel into the tributaries within the project area. Snake River Steelhead are present in the project area.

The Nez Perce Tribal Wildlife Department (Keith Lawrence, Director) and the Idaho Fish and Game (Jay Crenshaw, Wildlife Manager, Clearwater Region) were contacted to ask if there has been any known occurrences of listed terrestrial wildlife species in the project area. There are no recorded sightings or known denning locations of the grey wolf or Canada lynx in the Lapwai Creek Watershed. Bald eagles do not winter within the Lapwai Creek watershed and are only occasionally observed passing through the area. The yellow-billed cuckoo has never been recorded within the Nez Perce Reservation boundary, and the large old growth black cottonwood stands that are needed for cuckoo survival are no longer present on the reservation. The Spalding's catchfly has not been observed on any tribal property within the NPT Reservation (Marcie Carter, Wildlife Biologist, Nez Perce Tribe).

Nez Perce Tribal Wildlife Department biologists and Idaho Fish and Game Department staff reviewed the list of species and considered whether potential habitat for any of these species would be affected by this project. A letter documenting their findings is attached.

There will be no effect to listed aquatic or terrestrial species for the following reasons:

- The fencing projects will have no effect on aquatic species because the fences are being constructed greater than or equal to 100 feet from the ordinary high water mark, and construction will consist of only pounding fence posts and will not cause any sediment to enter the stream.
- Weed control will have no effect because the herbicide will be injected directly into the stems of the Japanese knotweed.
- Revegetative will be done using hand tools and an expandable stinger and will not release sediments into the stream.
- Potential habitat for listed terrestrial species does not occur within the project area.

**Cultural Resources:** A cultural resources review of the proposed fencing project site is being completed by the Nez Perce Tribe Cultural Resources Department for the project, prior to implementing any ground disturbing activities. This review will include a literature search and a field survey by a qualified Tribal cultural resource specialist. The cultural resources report will be submitted to the THPO, along with a determination of whether historic properties will be affected, for concurrence. If any cultural or historic resources are identified in the project area, appropriate mitigation will be done, in conjunction with the THPO and the Tribe. If cultural deposits are found during any phase of the proposed project or if the nature of the undertaking changes, a cultural resource specialist will be contacted immediately.

Public involvement has taken place as part of the planning process for the proposed project. Fencing and road decommissioning will take place on Nez Perce Tribal lands. Tribal programs and the public were given an opportunity to comment on the project as part of the Tribal NEPA process. The Nez Perce Tribe Watershed Program holds periodic public meetings to inform landowners about the project and to solicit comments.

**Findings:** The project is generally consistent with the Northwest Power Planning Council's Fish and Wildlife Program, as well as BPA's Watershed Management Program EIS (DOE/EIS-0265) and ROD. This Supplement Analysis finds that: 1) implementing the proposed action will not result in any substantial changes to the Watershed Management Program that are relevant to environmental concerns; and 2) there are no significant new circumstances or information relevant to environmental concerns and bearing on the Watershed Management Program or its impacts. Therefore, no further NEPA documentation is required.

/s/ Kimberly R. St. Hilaire

Kimberly R. St.Hilaire

Environmental Protection Specialist – KEC-4

CONCUR:

/s/ Katherine Pierce

Katherine Pierce

NEPA Compliance Officer – KEC-4

Date: October 27, 2005

Attachments:

NEPA Compliance Checklist

USFWS Species Letter, Snake River Fish and Wildlife Office, March 22, 2004

USFWS Species Letter, Snake River Fish and Wildlife Office, October 11, 2005

Letter from Nez Perce Tribe documenting No Effect on Listed Species from Proposed Fencing and Weed Control Activities, dated October 15, 2005

cc: (w/ attachments)

Mr. Emmit E. Taylor Jr., Nez Perce Tribe Department of Fisheries Resource Management-Watershed Division