



US Army Corps of Engineers
Walla Walla District



EMMETT LEVEE REPAIR

PM-EC-2012-0207

Environmental Assessment

U.S. Army Corps of Engineers
Walla Walla District
Environmental Compliance Section

21 March 2013

Emmett Levee Repair Environmental Assessment

Table of Contents

SECTION 1 – INTRODUCTION

1.1	Introduction.....	1
1.2	Purpose and Need	2
1.3	Background Information.....	2
1.4	Action area.....	3

SECTION 2 – ALTERNATIVES

2.1	Alternative 1 – No Action.....	3
2.2	Alternative 2 – Proposed Action.....	3

SECTION 3 – AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

3.1	Introduction.....	5
3.2	Water Quality.....	6
3.3	Aquatic Resources	7
3.4	Wildlife	8
3.5	Vegetation	8
3.6	Threatened and Endangered Species	9
3.7	Cultural Resources	10
3.8	Soils.....	11
3.9	Socioeconomics	12
3.10	Cumulative Impacts	13

SECTION 4 – COMPLIANCE WITH APPLICABLE ENVIRONMENTAL LAWS AND REGULATIONS

4.1	National Environmental Policy Act.....	14
4.2	Endangered Species Act	14
4.3	National Historic Preservation Act	14
4.4	Clean Water Act.....	15

SECTION 5 – COORDINATION, CONSULTATION, AND PUBLIC INVOLVEMENT

5.1	Agency Consultation and Coordination.....	15
5.2	Public Involvement	16

SECTION 6 - REFERENCES

FIGURES

1 Location of the Emmett Levee on the Payette River, near Emmett, Idaho1
2 Emmett levee repair site located on the south shore of the Payette River 150 feet
downstream from the North Washington Avenue Bridge in Emmett, Idaho.2
3 Photo of damage sustained by the Emmett levee during a high water event
in April, 20124
4 Cross section of damaged Emmett levee showing planned repairs5

TABLES

1 Environmental Resources not evaluated further5
2 Species that may occur in the area potentially affected by this action10
3 List of individuals or agencies for distribution of this EA.....15

APPENDICES

Appendix A – Federal Natural Resources Law, Compliance and Biological Evaluation,
Memorandum for Record Regarding Consultation for the Endangered Species Act, U.S.
Fish and Wildlife Coordination Act, the Migratory Bird Treaty Act, and the Bald and
Golden Eagle Protection Act.

Appendix B – Section 106 Consultation Letter to the Idaho State Historic Preservation
Officer – February 20, 2013 and Concurrence Letter from the State Historic Preservation
Officer – March 6, 2013.

1. INTRODUCTION

1.1. Introduction

The U.S. Army Corps of Engineers, Walla Walla District (Corps) proposes to repair one section of the Emmett levee on the Payette River, in Emmett, Idaho (Figure 1). The levee was damaged by high flows in April 2012.

This Environmental Assessment (EA) was prepared in accordance with the Council on Environmental Quality (CEQ) *Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (NEPA)* (Title 40 of the CFR Parts 1500-1508) and Engineer Regulation (ER) 200-2-2, *Procedures for Implementing NEPA*. The objective of the EA is to determine the magnitude of the environmental impacts of the proposed action and any reasonable alternatives. If such impacts are relatively minor, a Finding of No Significant Impact (FONSI) would be issued and the Corps would proceed with the preferred alternative. If the environmental impacts are significant according to the CEQ's criteria (40 CFR 1508.27), an Environmental Impact Statement (EIS) would be prepared before a decision is reached to implement the preferred alternative. Applicable laws under which these impacts will be evaluated include NEPA, the Endangered Species Act, the Clean Water Act, and the National Historic Preservation Act. The Corps also considered, but determined inapplicable, requirements under the Clean Air Act, the U.S. Fish and Wildlife Coordination Act, the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act.



Figure 1. Location of the Emmett Levee on the Payette River, near Emmett, Idaho.

1.2. Purpose and Need

The purpose of the proposed action is to restore flood risk protection provided by the Emmett levee system on the Payette River near Emmett, Idaho by repairing a damaged section of the levee. The Emmett levee is approximately 3,500 feet long, and is located on the south bank of the Payette River adjacent to the town of Emmett, Idaho. The levee provides 50-year level flood protection to 106 acres of land with 209 residential, commercial, and light industrial structures south of the Payette River. Total value of structures protected by the levee is \$37 million. The Emmett Levee repair consists of a 150 foot section of levee on the south bank of the Payette River just downstream from North Washington Avenue (Figure 2). Without repair, this levee will continue to erode and may eventually fail, leading to the loss of private property and public infrastructure.

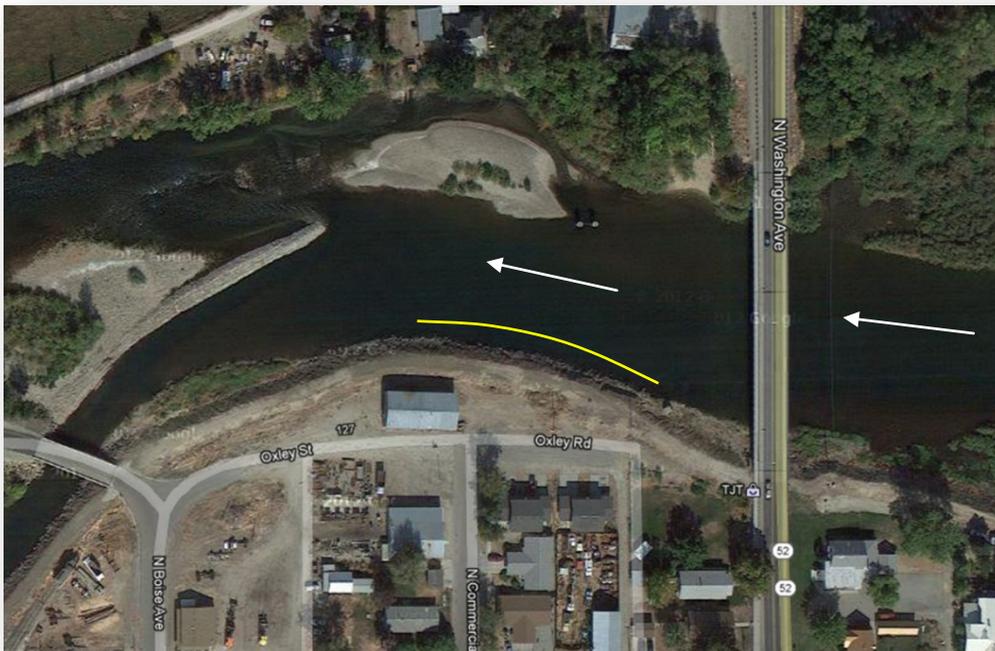


Figure 2. Emmett levee repair site located on the south shore of the Payette River 150 feet downstream from the North Washington Avenue Bridge in Emmett, Idaho.

1.3. Background Information

The Emmett levee is a non-Federal levee that was first inspected for Federal eligibility in the PL 84-99 assistance program in September 1989. The last eligibility inspection of the Emmett Levee was completed in 2009. The levee is composed of dredged material, and protected by revetment. The levee was damaged by sustained high flows on April 27-28, 2012. The existing riprap in both the upper and lower slope was displaced or washed away. The riprap at the toe of slope was also displaced exposing the underlying fill material and allowing the river to scour fill material in the levee and create over steepened slopes that further undermined the levee integrity (Figure 3).



Figure 3. Photo of damage sustained by the Emmett levee during a high water event in April, 2012.

Under Public Law 84-99 authority was given the Corps to provide emergency response/ disaster assistance (33 U.S.C. 701n). The appropriation for this authority is Flood Control and Coastal Emergencies. Under PL 84-99, the Chief of Engineers is authorized to undertake activities, including... rehabilitation of flood control works (FCW) threatened or destroyed by flood. On 30 April 2012 the City of Emmett requested assistance from Corps to repair the damaged levee. This project is in response to that request.

1.4. Proposed Action Area

The Emmett levee is located in rural Gem County, Idaho, along the banks of the Payette River. The levee repair site is on the south shore of the Payette River, approximately 150 feet downstream from the North Washington Avenue Bridge, near the town of Emmett, Idaho. The levee provides 50-year level flood protection to 106 acres of land with 209 residential, commercial, and light industrial structures south of the Payette River. Across the Payette River, to the north of the action area are predominantly agricultural lands, while 1,000 feet to the west is the Gem Island Sports complex. To the east is North Washington Avenue, and further east is a wetland/floodplain complex.

The Payette River throughout this area is dominated by a braided system with an unstable channel that migrates within the floodplain and levee system. The corridor of riparian habitat is important for fish and wildlife in the area and is characterized by riverbanks lined with

cottonwood, willow, Russian olive, dogwood, water birch, and alder. Understory plants include horsetail, wild rose and milkweed. Open habitats are dominated by Kentucky blue grass, clover, meadow fescue, and sedges. The Payette River supports healthy fish populations including: bridgelip sucker, Redband trout, largescale sucker, mountain whitefish, northern pikeminnow, smallmouth bass, and rainbow trout. The surrounding area is considered a high desert and receives approximately 13.9 inches of precipitation per year.

2. ALTERNATIVES

Two alternatives are evaluated in this EA; “No Action” and the “Proposed Action”. The “no action” alternative does not satisfy the project’s purpose and need, but NEPA requires analysis of the no action alternative to set the baseline from which to compare other alternatives. “No action” does not mean there will be no environmental impacts from this alternative.

2.1. Alternative 1: No Action

Under Alternative 1, the no action alternative, the Corps would not repair the Emmett levee, but would allow the levee to continue to function in a damaged state. No ground disturbing activities would take place and no alterations of this levee would occur. Periodic monitoring and inspections would occur. Without repair, this levee will continue to erode and may eventually fail, leading to the loss of private property and public infrastructure. The no action alternative would not meet the purpose and need of the project.

2.2. Alternative 2: Proposed Action

Under Alternative 2, the proposed action, the Corps would repair one section of the Emmett levee during the early spring of 2013, as described below. Repairs would occur prior to high water flows in 2013. The Emmett levee repair site is approximately 150 feet in length and is located just downstream from the North Washington Avenue Bridge, north of the town of Emmett, Idaho.

The repair work would require excavation and removal of the material within the damaged area. Satisfactory material taken from the damaged area would be placed on the landside of the levee. Unsatisfactory material would be disposed of off-site in an approved disposal site. A toe trench with riprap would be constructed at the channel bottom. This toe trench would serve as a foundation for the new riprap on the levee slope. New sand and gravel would be placed as fill material for the damaged area. Fill material would be compacted and shaped to a 2 to 1 slope. Riprap would be placed on top as the final revetment surface (Figure 4). No attempt would be made to dewater the project site prior to repair work. Reasonable efforts to dewater the action area would create greater sediment disturbance and transport. Work is expected to take approximately one week.

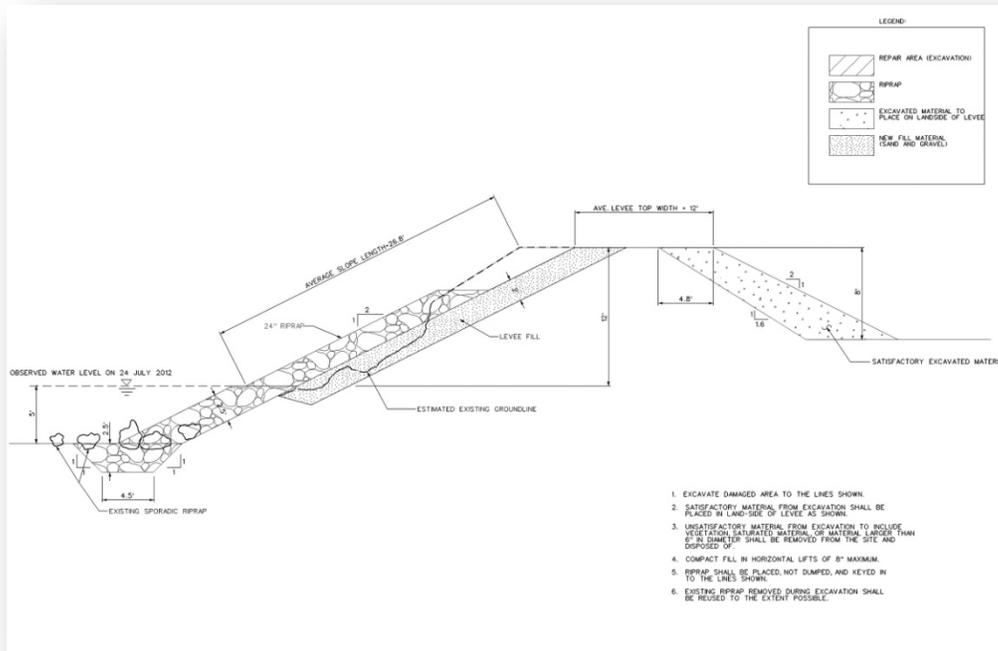


Figure 4. Cross section of damaged Emmett levee showing planned repairs.

3. AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

3.1. Introduction

This section describes the existing affected environment (existing condition of resources) and evaluates potential environmental effects on those resources for each alternative. Although only relevant resource areas are specifically evaluated for impacts, the Corps did consider all resources in the proposed action area and made a determination as to which ones to evaluate. The following resource areas were evaluated: Water Quality, Aquatic Resources, Vegetation, Wildlife, Threatened and Endangered Species, Cultural Resources, Socioeconomics, and Cumulative Impacts. ***It was determined that it was not necessary to evaluate Aesthetics/Visual Quality, Recreation, Environmental Justice, Noise, Climate, or Air Quality as implementation of the proposed action would not affect these resources (Table 1).***

Table 1. Environmental Resources not evaluated further.

Environmental Component	Explanation
Aesthetics/Visual Quality	The proposed action would restore the levee to its original condition. No noticeable permanent structure or visual obstruction would remain.
Recreation	The proposed action would not interfere with current recreation activities (e.g. boating, swimming, fishing).
Environmental Justice	The proposed action would have no negative impacts (e.g. economically) on any minority/ethnic group or social class.
Noise	The action area is located at the edge of Emmett, Idaho. There are no

	known sensitive receptors in the action area. Work will be conducted during daylight hours and will take approximately one week to complete.
Climate Change	The Council on Environmental Quality (CEQ) in draft NEPA guidance for documenting effects of climate change directed agencies to conduct quantitative analysis of Greenhouse Gas (GHG) emissions for any project with estimated GHG emissions over 25,000 metric tons of annually. It is not anticipated that the total GHG emissions produced by the week-long operation of excavation equipment will exceed the 25,000 metric ton GHG emission threshold.
Air Quality	The action area meets Idaho State’s ambient air quality standards and is in “attainment”. Air quality would not be impacted by the proposed action.

3.2. Water Quality

3.2.1. Affected Environment

The Payette River near the Emmett levee is a cold water system characterized by braided channels that migrate within the confines of the floodplain and levee system. Mean water discharge ranges from 1,100 cfs in November to 8,900 cfs in June. The floodplain is constrained but well established in some areas, and riparian vegetation is extensive and is dominated by cottonwood and willow habitats. The Payette River is listed as impaired within the action area for cold water aquatic life, primary contact recreation, and salmonid spawning. Cold water aquatic life and salmonid spawning are impaired due to elevated water temperatures, while primary contact recreation is impaired due to elevated E. Coli pathogens. Irrigation water constitutes 73% of all water use in the basin and returns in the area from this use are high in phosphorus and some pesticides and contribute to elevated water temperatures. In addition, agriculture and forest management practices reduced streamside vegetation that historically shaded the stream and reduced elevated temperatures.

3.2.2. Environmental Consequences

3.2.2.1. No Action Alternative

Under the No Action Alternative there would be minor effects on water quality in the action area. The Corps would not repair the Emmett levee, but would allow the levee to continue to function in a damaged state. No ground disturbing activities would take place and no alterations of the levee would occur. The continued erosion of this levee would have minor, less than significant effects to water quality in the action area.

3.2.2.2. Proposed Alternative

Under the Proposed Alternative the effects to water quality in the action area would be greater than the no action alternative, but still less than significant. Excavation and levee re-shaping would require work below the high water mark of the Payette River. Effects would likely include increased sediment transport and increased turbidity at repair sites and for some distance downstream. These effects would be localized and short term. To minimize sediment transport and increased turbidity, work would be conducted prior to high flows and would take

approximately one week to complete. The levee repair site would not be dewatered prior to work.

The Clean Water Act (CWA) of 1972 establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. Section 401 of the federal Clean Water Act requires that any federal activity that may result in a discharge to waters of the United States must first receive a water quality certification from the state in which the activity will occur. Section 404 of the Clean Water Act established a program to regulate the discharge of dredged or fill material into waters of the United States.

The project does not require a 404 permit. It is exempt under 33 CFR 323.4 November 13, 1986, as amended August 25, 1993. The exemption reads as follows: Maintenance, including emergency reconstruction of recently damaged parts, of currently serviceable structures such as dikes, dams, levees, groins, riprap, breakwaters, causeways, bridge abutments or approaches, and transportation structures. Maintenance does not include any modification that changes the character, scope, or size of the original fill design. Emergency reconstruction must occur within a reasonable period of time after damage occurs in order to qualify for this exemption. The Emmett levee was damaged on April 27-28, 2012. The city of Emmett applied for emergency help on April 30, 2012. Emergency monies were released February 12, 2013.

3.3. Aquatic Resources

3.3.1. Affected Environment

Aquatic fauna includes numerous species of invertebrates and 18 fish species for this section of the river. Fish species found in the area include rainbow trout, mountain whitefish, brown trout, sculpin, smallmouth bass, largemouth bass, pumpkinseed, bluegill, brown bullhead, channel catfish, largescale sucker, bridgelip sucker, Carp, chiselmouth, northern squawfish, redbreast shiner, dace, and white crappie. Aquatic invertebrates include caddisfly, mayfly, stonefly, blackfly, crane fly, various midge species, water mites, leaches, worms and snails.

3.3.2. Environmental Consequences

3.3.2.1. No Action Alternative

Under the No Action Alternative there would be minor effects on aquatic resources in the action area. The Corps would not repair the Emmett levee, but would allow the levee to continue to function in a damaged state. No ground disturbing activities would take place and no alterations of the levee would occur. The continued erosion of this levee would have minor effects to aquatic resources in the area.

3.3.2.2. Proposed Alternative

Under the Proposed Alternative there would be minor, less than significant impacts to aquatic resources in the action area. Excavation and levee re-shaping would require work below the high water mark of the Payette River. Minor disturbance to fish and aquatic organisms may occur at the levee repair site. Additional disturbance may occur downstream from this site due to

limited sediment transport and increased turbidity during excavation. However, effects would be localized and short term. Work is scheduled to occur prior to high flows when the river carries heavy sediment loads and has increased turbidity. Some aquatic invertebrates would be lost during excavation and sedimentation, but these would be minor relative to the extensive populations of the river system. Fish would simply move to avoid repair work until excavation is complete.

3.4. Wildlife

3.4.1. Affected Environment

The diverse habitat of the area is home to over 170 wildlife species, including: over 40 mammal species, 102 bird species, and 23 species of reptile or amphibian. Common mammal species include mule and whitetail deer, coyote, striped skunk, red fox, badger, beaver, deer mice, and black-tailed jackrabbit. Bird species include over a dozen waterfowl species, several upland game bird species, numerous song and migratory birds, and a number of raptors. Some of the more common species include; Canada geese, barn swallow, magpie, red-tailed hawk, American robin, song sparrow, and mourning dove. Sensitive species of the valley include: greater sage grouse, northern leopard frog, snowy egret, bald eagle, peregrine falcon, Townsends Big-eared bat, and southern Idaho ground squirrel.

3.4.2. Environmental Consequences

3.4.2.1. No Action Alternative

Under the No Action Alternative there would be no effect on wildlife in the action area. The Corps would not repair the Emmett levee, but would allow the levee to continue to function in a damaged state. No ground disturbing activities would take place and no alterations of the levee would occur. The continued erosion of this levee would have no negative impact to wildlife in the area.

3.4.2.2. Proposed Alternative

Under the Proposed Alternative there would be minor, less than significant impacts to wildlife in the action area. Grubbing and clearing would remove limited shrub and grass habitat on the levee that may impact small birds and mammals in the area. However, the loss of these habitats is minor relative to existing habitat in the area. There may be some loss of small mammals during excavation, but most of the species using the levee would simply relocate to nearby habitats. In addition, construction is scheduled to be conducted prior to nesting seasons for migratory birds and should not impact these species. The introduction of heavy equipment into the area would cause larger, more mobile species to avoid the levee repair site during construction. This disturbance would be relatively short in duration and restricted to a relatively small, already developed area.

3.5. Vegetation

3.5.1. Affected Environment

Climate is a major factor in determining vegetation. In the upper Snake River Basin, climate is influenced predominantly by eastward-moving air-masses from the Pacific Ocean. The area receives 12 to 14 inches of precipitation annually. The semi-humid mountainous parts of the drainage receive the greatest amount of precipitation as snow, generally between November and March.

The action area is located in the high desert province where sagebrush-steppe habitat has been replaced by agriculture in much of the area. Land use is primarily agricultural with dryland and irrigated croplands, along with upland grazing. Primary crops in the area include grain, onions, sugar beets, corn, potatoes, apples, pasture and alfalfa hay and seed. Uplands are used for open grazing of cattle and sheep. Landownership is mostly private, with some public lands found in the uplands and river bottom. Vegetation in the valley bottom near the Payette River is markedly different than that in the upland areas. Riparian areas are characterized by riverbanks lined with cottonwood, willow, Russian olive, dogwood, water birch, and alder. Riparian habitats near the levee repair site supports limited vegetative cover.

3.5.2. Environmental Consequences

3.5.2.1. No Action Alternative

Under the No Action Alternative there would be no effect on vegetation in the action area.

The Corps would not repair the Emmett levee, but would allow the levee to continue to function in a damaged state. No ground disturbing activities would take place and no alterations of the levee would occur. The continued erosion of this levee would have no negative impact to vegetation in the area.

3.5.2.2. Proposed Alternative

Under the Proposed Alternative there would be minor, less than significant impacts to vegetation in the action area. Grubbing and clearing would remove limited shrub and grass habitat on the levee. A total of approximately 1/10 of an acre of levee would be cleared for levee repair. Vegetation cover is limited on this area. The loss of vegetation is minor relative to other existing habitats in the area. Because the face of the levee would be armored with large rip-rap and the top would be covered with road-base and gravel, no attempt will be made to revegetate the levee.

3.6. Threatened and Endangered Species

3.6.1. Affected Environment

On February 1, 2013 the Corps reviewed the current list of threatened and endangered species for the action area under jurisdiction of the U.S. Fish and Wildlife Service (USFWS)¹ for Gem

¹ <http://www.fws.gov/idaho/species/IdahoSpeciesList.pdf>

County, Idaho (Appendix A). The list of USFWS protected species is shown in Table 2. Critical habitat has been designated for Bull trout and is proposed for Slickspot Peppergrass. However, there is no Critical habitat designated or proposed within the action area. There are no threatened and endangered species under the jurisdiction of the National Marine Fisheries Service (NMFS) in the action area.

Table 2. Species that may occur in the area potentially affected by the proposed action.

Species	Scientific Name	Status
USFWS		
Listed Species		
Bull Trout	<i>Salvelinus confluentus</i>	Threatened
North American Wolverine	<i>Gulo gulo luscus</i>	Proposed
Slickspot Peppergrass	<i>Lepidium papilliferum</i>	Proposed

3.6.2. Environmental Consequences

3.6.2.1. No Action Alternative

Under the No Action Alternative there would be no effect on Threatened and Endangered species in the action area. The Corps would not repair the Emmett levee, but would allow the levee to continue to function in a damaged state. No ground disturbing activities would take place and no alterations of the levee would occur. The continued erosion of this levee would have no negative impact to listed species in the area.

3.6.2.2. Proposed Alternative

Under the Proposed Alternative there would be no effect on Threatened and Endangered species in the action area. While bull trout and bull trout critical habitat are found in upstream sites, bull trout are not found at the project site. Elevated water temperatures make the Payette River near the Emmett levee repair site unsuitable for this species. The nearest critical habitat for bull trout is nearly 50 miles upstream of the Emmett levee repair site.

North American Wolverine were proposed for listing as a threatened species on February 1, 2013. Currently, wolverines are found in the North Cascades in Washington and the Northern Rocky Mountains in Idaho, Montana, Oregon (Wallowa Range), and Wyoming. However, wolverines require large tracts of remote, undeveloped habitat. The Emmett levee repair site is developed and does not contain suitable habitat for wolverine.

Slickspot Peppergrass has been proposed for listing as a threatened species, but proposed critical habitat does not exist within Gem County. Slickspot Peppergrass is not known to exist in the action area. Because this species is separated temporally from the project site no effects to Slickspot Peppergrass are expected.

3.7. Historic/Cultural Resources

3.7.1. Affected Environment

The area of potential effect (APE) for the proposed project is the levee itself. The proposed rehabilitation will involve restoring the riverward levee revetment. Some of the material that has slumped off the levee, along with commercially purchased material will be used to complete the repairs. Under PL-84-99 the levee can only be restored to its original dimension, so no changes to the size and shape of the levee will occur. Access to the location will use existing roads through town, as well as the levee crest itself. Material and equipment will also be staged on the levee crest, and on existing gravel parking areas.

The city of Emmett grew up around a ferry crossing on the Payette River. The ferry crossing was established in 1863 to help would-be gold prospectors to cross the river when it swelled with snow melt each spring. Various businesses took up residence at the location to market wares to travelers. In 1870 the Emmett post office was established at the location and the name stuck. The town was formally platted in 1883, and in the 19th century the town became a major agricultural servicing center for the Payette valley (Gem County Official Website – Gem County History).

Because information is lacking it is difficult to determine when the Emmett levee was built. However, based on research on other levees along the Payette River it seems reasonable to conclude that this levee is older than 50 years. The Emmett Levee is one of a number of levees along the Payette River, and like those other levees (Hall and Hudson 2012) it has been repaired numerous times. As very little of the levee is original, the Corps determined that the property is not eligible for listing on the National Register of Historic Places (NRHP), and that the proposed repairs to the Emmett levee would result in “no adverse effects to historic properties.”

3.7.2. Environmental Consequences

3.7.2.1. No Action Alternative

Under the No Action Alternative there would be no adverse effect on Historic/Cultural Resources in the action area. The Corps would not repair the Emmett levee, but would allow the levee to continue to function in a damaged state. No ground disturbing activities would take place and no alterations of the levee would occur. The continued erosion of this levee would have no negative impact to historic properties in the area.

3.7.2.2. Proposed Alternative

Under the Proposed Alternative there would be no adverse effect on Historic/Cultural Resources in the action area. The Emmett Levee is one of a number of levees along the Payette River, and like those other levees it has been repaired numerous times. As very little of the levee is original the Corps determined that the property is not eligible for listing on the NRHP, and that the proposed repairs to the Emmett levee would result in “no adverse effects to historic properties.”

3.8. Soils

3.8.1. Affected Environment

The Emmett Valley is cut into the sandy, unconsolidated Idaho formation. According to a 1965 USDA Soil Survey of Gem County, the soils in the vicinity of the Emmett, Idaho are primarily Falk fine sandy loam, silty loam, and loam (USDA 1965). Soils immediately adjacent to the proposed project site are classified as riverwash; which is a combination of stratified sand and gravel. These soils are formed during the high flows of the Payette River. These high flows transport large quantities of sand and gravel that are deposited as flows recede.

3.8.2. Environmental Consequences

3.8.2.1. No Action Alternative

Under the No Action Alternative there may be significant negative impacts to soils in the action area. The Corps would not repair the Emmett levee, but would allow the levee to function in its damaged state. However, levee failure can have greater environmental impacts than those associated with a normal flood event. The soil loss from erosion and scouring would be significantly greater during a levee failure, because of a large amount of fast-moving water affecting a small area. Large amounts of sediment from erosion could alter the landscape and change the ecosystem. In addition, hazardous materials could be carried away from flooded properties and distributed throughout the floodplain. Industrial and agricultural chemicals and wastes, solid wastes, raw sewage, and common household chemicals comprise the majority of hazardous materials spread by floodwaters along the flood zone.

3.8.2.2. Proposed Alternative

Under the Proposed Alternative there would be minor, less than significant short-term effects on soils in the action area. Long-term effects would be positive. Excavation of the eroded Emmett levee would cause a minor, short term disturbance to the already disturbed project site. Once the levee repairs are complete, soil erosion would be reduced from current levels and future soil losses would be minimized and even eliminated at this site.

3.9. Socioeconomics

3.9.1. Affected Environment

The Emmett levee is located in Gem County, Idaho. In 2011, Idaho had an estimated population of 1,595,728 persons and Gem County had an estimated population of 16,665. Gem County experienced an estimated 9.8 percent increase in population since 2000 (U.S. Census Bureau 2011).

The median household income for Gem County is \$44,442 with approximately 16% of the population living below the poverty level. Job growth is slower in Gem County than in Idaho as a whole. Growth since 1970 has been 55% in Gem County, while job growth in Idaho for that same time period has been 168%. Low job growth is partly due to a more mobile work force.

Currently, over 46% of all residents in Gem County commute to neighboring counties to work. Major industries in the area include services and professional (retail, wholesale, utilities, finance), agriculture and food processing, government, manufacturing, and construction. According to the Bureau of Labor Statistics, in 2012, the unemployment rate of Gem County was 8.0. Unemployment for Idaho in 2012 is 6.6% while the national average is 8.9 percent (U.S. Bureau of Labor Statistics).

3.9.2. Environmental Consequences

3.9.2.1. No Action Alternative

Under the No Action Alternative there may be significant negative impacts to socioeconomics in the action area. The Corps would not repair the Emmett levee, but would allow the levee to continue to function in its damaged state. Levee failure could result in the loss of property and livelihood. The levee protects 106 acres of land with 209 residential, commercial, and light industrial structures. Total value of structures protected by the levee is \$37 million.

3.9.2.2. Proposed Alternative

Under the Proposed Alternative there are no negative impacts to socioeconomics in the action area. The repair of the Emmett levee would result in the continued protection of private and public property against flooding, up to a 50 year event. In addition, the levee repair work would result in a small increase in revenue to the local community and contractors while conducting the work.

3.10. Cumulative Impacts

The National Environmental Policy Act (NEPA) and the Council on Environmental Quality (CEQ) regulations implementing the Act require federal agencies to consider the cumulative impacts of their actions. Cumulative effects are defined as, “the impact on the environment which results from the incremental impact of an action when added to other past, present and reasonable foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions” (40 CFR § 1508.7). Cumulative impacts can result from individually minor, but collectively significant actions taking place over a period of time.

The Emmett Levee has a history of periodic environmental impacts tracing back to the construction of the original levees. Periodic damage to the Emmett levee has resulted in intermittent repair needs. These repairs have been similar in scope to the proposed action. Damaged locations were identified, repairs made and the levee returned to its original shape or condition. Impacts were temporary in nature and the disturbance was localized. These effects are minor and localized.

Population growth in Gem County continues to increase. From 2000 to 2010 Gem County experienced a population increase of 9.5% (Gem County 2010). The population of Gem County is expected to reach 20,850 by 2030. Development and new housing starts to support this growth will also continue to increase. Areas in Emmett designated for business expansion include: Shadow Butte Industrial Park, Enterprise Loop, the airport industrial area, Mill Road/Salesyard

Road mixed use area, Main Street/Cascade Road Industrial Area, and the central business district of downtown Emmett. Foreseeable development projects that may impact the action area include: 1) improvements to east Main Street of downtown Emmett in 2015, and 2) upgrades to the bridge on Substation Road in Emmett in 2016.

While farming and ranching are diminishing in importance to the economy of Gem County, they are still the second highest producers of jobs in the area (Gardner and Zelus 2009). Agriculture lands and natural resource consumptive uses on public lands have had, and continue to have, major impacts to water quality, aquatic resources, wildlife, vegetation, threatened and endangered resources, and soils. Agricultural lands are concentrated along the floodplains and valley bottoms of the Payette River and cover nearly 50,000 acres. Irrigation return flows contribute to elevated water temperatures, bacteria, and nutrients, while altering the aquatic ecology of the river system. These effects are expected to persist into the future.

There are no known major cumulative impacts from the proposed action to repair the Emmett levee. The expected impacts are short term and localized and will not have significant negative impacts to resources. All repairs will be carried out in previously disturbed habitats and will not enlarge the footprint of the levee system.

4. COMPLIANCE WITH APPLICABLE ENVIRONMENTAL LAWS AND REGULATIONS

4.1. National Environmental Policy Act

This environmental assessment was prepared pursuant to regulations implementing the National Environmental Policy Act (NEPA) (42 U.S.C. 4321 et seq.). NEPA provides a commitment that Federal agencies will consider the environmental effects of their proposed actions prior to implementing those actions. This includes making their findings available for public review and comment. Completion of this environmental assessment and signing of a Finding of No Significant Impact (FONSI), if applicable, fulfills the requirements of NEPA.

4.2. Endangered Species Act

The Endangered Species Act (ESA) established a national program for the conservation of threatened and endangered fish, wildlife and plants and the habitat upon which they depend. Section 7(a)(2) of the ESA requires Federal agencies to consult with the USFWS and NMFS, as appropriate, to ensure that their actions are not likely to jeopardize the continued existence of endangered or threatened species or adversely modify or destroy their critical habitats. Section 7(c) of the ESA and the Federal regulations on endangered species coordination (50 CFR §402.12) require that Federal agencies prepare biological assessments of the potential effects of major actions on listed species and critical habitat.

The Corps has determined that this action, as proposed, would have no effect on listed species or their designated critical habitats. See Appendix A: Federal Natural Resources Law Compliance and Biological Evaluation Memorandum for Record dated 1 February 2013. No formal or informal consultation is required for projects that result in a no effect determination. However, the USFWS and Idaho Fish and Game were contacted to coordinate the identification

of potential listed and protected resources. None were known to exist in the action area and no further coordination was necessary. See Appendix A for additional information on the Corps consideration of potential effects of the proposed action under the Fish and Wildlife Coordination Act, the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act.

4.3. National Historic Preservation Act

The National Historic Preservation Act (NHPA) of 1966 as amended directs federal agencies to assume responsibility for all cultural resources under their jurisdiction. Section 106 of NHPA requires agencies to consider the potential effect of their actions on properties that are listed, or are eligible for listing, on the National Register of Historic Places (NRHP). The NHPA implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, requires that the federal agency consult with the State Historic Preservation Officer (SHPO), Tribes and interested parties to ensure that all historic properties are adequately identified, evaluated and considered in planning for proposed undertakings.

The Corps has determined that this action, as proposed, would result in no adverse effect to historic properties. The Corps did not identify any historic properties of potential religious or cultural significance to Native American tribes so no tribes were consulted. On February 20, 2013 the Corps initiated consultation with the Idaho SHPO via a letter seeking concurrence with a determination of no adverse effect to historic properties (Appendix B). The Corps expects to receive concurrence from the Idaho SHPO before construction of the project begins.

4.4. Clean Water Act

The Clean Water Act (CWA) of 1972 establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. Section 401 of the federal Clean Water Act requires that any federal activity that may result in a discharge to waters of the United States must first receive a water quality certification from the state in which the activity will occur. Section 404 of the Clean Water Act established a program to regulate the discharge of dredged or fill material into waters of the United States.

The project does not require a 404 permit. It is exempt under 33 CFR 323.4 November 13, 1986, as amended August 25, 1993. The exemption reads as follows: Maintenance, including emergency reconstruction of recently damaged parts, of currently serviceable structures such as dikes, dams, levees, groins, riprap, breakwaters, causeways, bridge abutments or approaches, and transportation structures. Maintenance does not include any modification that changes the character, scope, or size of the original fill design. Emergency reconstruction must occur within a reasonable period of time after damage occurs in order to qualify for this exemption.

5. COORDINATION, CONSULTATION, AND PUBLIC INVOLVEMENT

5.1 Agency Consultation and Coordination

This EA was distributed for public and agency review and comment through the Walla Walla District Corps of Engineers website at www.nww.usace.army.mil. The distribution list is found in table 3.

Table 3. List of individuals or agencies for distribution of this EA.

Individual	Organization
Bruce Evans	City of Emmett, Idaho
Brad Clark	Gem County, Idaho
Rick Ward	Idaho Department of Fish and Game
Troy Saffle	Idaho Department of Environmental Quality
Travis Pitkin	Idaho State Historic Preservation Office
Bob Kibler	U.S. Fish and Wildlife Service
Tracy Degering	U.S. Environmental Protection Agency
Renee Richardson	Senator James Risch's Office
Leslie Huddleson	Senator Michael Crapo's Office
Jake Ball	Congressman Raul Labrador's Office
Lisa Anderson	Congressman Raul Labrador's Office

5.2 Public Involvement

This EA was made available to potentially interested members of the public and local, state, and federal agencies for a 15-day review and comment period from March 6 2013 through March 20, 2013. No comments were received.

6. REFERENCES

Gardner, R. and P. Zelus. 2009. Community Economic Profile, Gem County, Idaho. Gem County Idaho.

Gem County. 2010. Gem Community Joint Comprehensive Plan – March 2010. Gem County, Idaho.

Hall, S. M. and E. J. Hudson. 2012. Archaeological Survey and Determination of Effect for the Proposed Repair of the Chapman and Horseshoe Bend Levees, Payette and Boise Counties.

U.S. Bureau of Labor Statistics. 2011. Local Area Unemployment Statistics:
<http://www.bls.gov/lau/>

U.S. Census Bureau. 2010. State & County QuickFacts, Idaho. Jefferson and Madison Counties: <http://quickfacts.census.gov/qfd/states/16000.html>

U.S. Department of Agriculture. 1965. Soil Survey, Gem County Area, Idaho. U.S. Government Printing Office, Washington, D.C.

APPENDIX A

**Section 7 – Federal Natural Resources Law, Compliance and Biological Evaluation,
Memorandum for Record Regarding Consultation for the Endangered Species Act, U.S.
Fish and Wildlife Coordination Act, the Migratory Bird Treaty Act, and the Bald and
Golden Eagle Protection Act.**



US Army Corps of Engineers
Walla Walla District



BUILDING STRONG®

EMMETT LEVEE REPAIR

PM-EC-2012-0207

Federal Natural Resources Law Compliance and Biological Evaluation

Memorandum for Record

U.S. Army Corps of Engineers
Walla Walla District
Environmental Compliance Section

1 February 2013

CHAMBERLAIN
N.CHARLES.B
.1366539944

Digitally signed by
CHAMBERLAIN.CHARLES.B.136653
9944
DN: c=US, o=U.S. Government,
ou=DoD, ou=PKJ, ou=USA,
cn=CHAMBERLAIN.CHARLES.B.136
6539944
Date: 2013.02.11 15:15:33 -08'00'

Charles Chamberlain
Fishery Biologist
U.S. Army Corps of Engineers
Walla Walla District
Environmental Compliance Section

TICE.BENJAMIN
J.1229098566

Digitally signed by
TICE.BENJAMIN.J.1229098566
DN: c=US, o=U.S. Government, ou=DoD,
ou=PKJ, ou=USA,
cn=TICE.BENJAMIN.J.1229098566
Date: 2013.02.11 15:20:21 -08'00'

Ben Tice
Biologist/Reviewer
U.S. Army Corps of Engineers
Walla Walla District
Environmental Compliance Section

CENWW-PM-PD-ECS

MEMORANDUM FOR RECORD

To: File
From: Charles Chamberlain, Fishery Biologist
Subject: Emmett Levee Repair, PM-EC-2012-0207
Date: 1 February 2013

1. Introduction

The U.S. Army Corps of Engineers, Walla Walla District (Corps) proposes to repair one section of the Emmett Levee on the Payette River, near Emmett, Idaho (Figure 1). The levee was damaged by high flows in April 2012.



Figure 1. General location of levee repair site on the Payette River in Emmett, Idaho.

2. Project Description

2.1. Project Area and Baseline Conditions

The Emmett levee is approximately 3,500 feet long, and is located on the south bank of the Payette River adjacent to the town of Emmett, Idaho. The levee provides 50-year level flood protection to 106 acres of land with 209 residential, commercial, and light industrial structures south of the Payette River. Total value of structures protected by the levee is \$37 million. The

Emmett Levee repair consists of a 150 foot section of levee on the south bank of the Payette River just downstream from North Washington Avenue (Figure 2).



Figure 2. Emmett levee repair site located on the south shore of the Payette River 150 feet downstream from the North Washington Avenue Bridge in Emmett, Idaho.

The levee was damaged by sustained high flows on April 27-28, 2012. The existing riprap in both the upper and lower slope was displaced or washed away. The riprap at the toe of slope was also displaced exposing the underlying fill material and allowing the river to scour fill material in the levee and create over steepened slopes that further undermined the levee integrity (Figure 3).

2.2. Work Schedule

Contracts will be awarded in mid to late March, 2013, and work will be completed soon thereafter.

2.3. Project Details

The repair work will require excavation and removal of the material within the damaged area. Satisfactory material taken from the damaged area will be placed on the landside of the levee. Unsatisfactory material will be disposed of off-site. A toe trench with riprap will be constructed at the channel bottom. This toe trench will serve as a foundation for the new riprap on the levee slope. New sand and gravel will be placed as fill material for the damaged area. Fill material will be compacted and shaped to a 2 to 1 slope. Riprap will be placed on top as the final revetment surface (Figure 4).



Figure 3. Photo of the section of the Emmett Levee damaged April 2012.

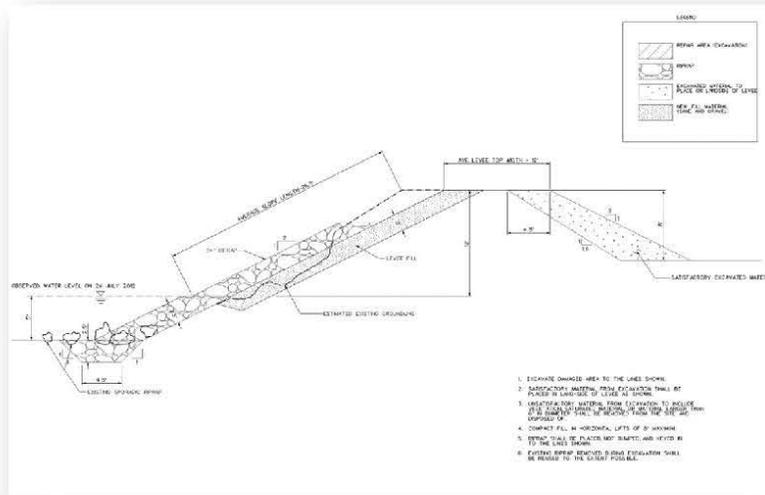


Figure 4. Cross section of damaged Emmett levee showing planned repairs.

2.4. Project Details

The repair work will require excavation and removal of the material within the damaged area. Satisfactory material taken from the damaged area will be placed on the landside of the levee. Unsatisfactory material will be disposed of off-site. A toe trench with riprap will be constructed at the channel bottom. This toe trench will serve as a foundation for the new riprap on the levee slope. New sand and gravel will be placed as fill material for the damaged area. Fill material will be compacted and shaped to a 2 to 1 slope. Riprap will be placed on top as the final revetment surface (Figure 4).

3. Federal Natural Resources Laws

3.1. Endangered Species Act of 1973

On February 1, 2013 the Corps reviewed the current list of threatened and endangered species that pertain to the area affected by this action under jurisdiction of the U.S. Fish and Wildlife Service (USFWS)¹ for Gem County, Idaho (see attachment 1). There are no species under the jurisdiction of the National Marine Fisheries Service (NMFS) in the project area. The list of USFWS protected species is shown in Table 1. Critical habitat has been designated for Bull trout and is proposed for Slickspot Peppergrass. However, there is no Critical habitat designated or proposed within the project area.

Table 1. Species that may occur in the area potentially affected by the proposed action.

Species	Scientific Name	Status
USFWS		
Listed Species		
Bull Trout	<i>Salvelinus confluentus</i>	Threatened
Slickspot Peppergrass	<i>Lepidium papilliferum</i>	Proposed
North American Wolverine	<i>Gulo gulo luscus</i>	Proposed

3.1.1. Bull Trout

Bull trout were first listed as threatened in 1998 (64 Federal Register 111, June 10, 1998). The USFWS proposed the designation of critical habitat for bull trout in 2002 (67 FR 230, November 29, 2002) and updated that designation in 2010 (76 FR 200, October 18, 2010). Critical habitat does not currently include the Payette River, but begins at the confluence of the south and middle forks of the Payette River nearly 50 miles upstream from the project site. Compared to other salmonids, bull trout have more specific habitat requirements that appear to influence their distribution and abundance. They need cold water to survive, so they are seldom found in waters where temperatures exceed 59 to 64 degrees (F). Bull trout do not use this section of the Payette River because elevated stream temperatures near the project site make this area of the river unsuitable for bull trout. ***Consequently, the proposed action will have No Effect on bull trout within the project area.***

¹ <http://www.fws.gov/idaho/species/IdahoSpeciesList.pdf>

3.1.2. North American Wolverine

The North American wolverine was proposed for listing as a threatened species on February 1, 2013. In North America, wolverines occur within a wide variety of habitats, primarily boreal forests, tundra, and western mountains throughout Alaska and Canada; however, the southern portion of the range extends into the contiguous United States.

Currently, wolverines are found in the North Cascades in Washington and the Northern Rocky Mountains in Idaho, Montana, Oregon (Wallowa Range), and Wyoming. Individual wolverines have also moved into historic range in the Sierra Nevada Mountains of California and the Southern Rocky Mountains of Colorado, but have not established breeding populations in these areas.

Wolverines are opportunistic feeders and consume a variety of foods depending on availability. They primarily scavenge carrion, but also prey on small animals and birds, and eat fruits, berries, and insects. Wolverine have an excellent sense of smell that enables them to find food beneath deep snow.

Wolverines require a lot of space; the availability and distribution of food is likely the primary factor in determining wolverine movements and home range size. Wolverine travel long distances over rough terrain and deep snow, and adult males generally cover greater distances than females. Home ranges of wolverines are very large, but vary greatly depending on availability of food, gender, age, and differences in habitat. These home range sizes are large for mammals of the size of wolverines and may indicate that wolverines occupy a relatively unproductive niche. *Because the Emmett levee repair site is located in a developed area and does not meet the habitat requirements of the Wolverine, the proposed action will have No Effect on the North American Wolverine.*

3.1.3. Slickspot Peppergrass

Slickspot peppergrass is a small, flowering plant in the mustard family which grows in unique microsites known as slick spots within the semiarid sagebrush-steppe of the Snake River Plain of southwestern Idaho. Slick spots are visually distinct small-scale (mostly between 10 to 20 square feet) depressions in the soil that collect water. These sparsely vegetated microsites are created by unusual edaphic conditions. Drainage swales commonly bisect the landscape and often contain the slick spots with ponded water. Slick spot soils are silt to clay in texture and significantly higher in sodium than adjacent areas. Slickspot peppergrass is not known to occur in the project area. The nearest proposed critical habitat is in Payette County approximately 50 miles from the project site. *Consequently, the proposed action will have No Effect on slickspot pepper grass in the project area.*

3.2. Magnuson-Stevens Fishery Conservation and Management Act of 1976, as Amended

The consultation requirement of section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) directs Federal agencies to consult with NMFS on all actions, or

proposed actions that may adversely affect Essential Fish Habitat (EFH). Adverse effects include the direct or indirect physical, chemical, or biological alterations of the waters or substrate and loss of, or injury to, benthic organisms, prey species and their habitat, and other ecosystem components, if such modifications reduce the quality or quantity of EFH. Adverse effects to EFH may result from actions occurring within EFH or outside EFH, and may include site-specific or EFH-wide impacts, including individual, cumulative, or synergistic consequences of actions (50 CFR 600.810). Section 305(b) also requires NMFS to recommend measures that may be taken by the action agency to conserve EFH.

The Pacific Fishery Management Council (PFMC) designated EFH for Chinook salmon, Coho salmon, and Puget Sound pink salmon (PFMC 1999). There is no EFH near the project area. ***Consequently, there will be no modification or adverse effects to EFH from the proposed action.***

3.3. Fish and Wildlife Coordination Act of 1958, As Amended

The Fish and Wildlife Coordination Act (FWCA) authorizes the USFWS the authority to evaluate the impacts to fish and wildlife species from proposed Federal water resource development projects that could result in the control or modification of a natural stream or body of water that might have effects on the fish and wildlife resources that depend on that body of water or its associated habitats. ***This action does not alter or modify stream-flow, but only repairs an existing levee. Consequently, the action does not involve activities subject to the FWCA.***

3.4. Migratory Bird Treaty Act of 1918, As Amended

The Migratory Bird Treaty Act (MBTA) (16 U.S.C. §§ 703-712, as amended) prohibits the taking of and commerce in migratory birds (live or dead), any parts of migratory birds, their feathers, or nests. Take is defined in the MBTA to include by any means or in any manner, any attempt at hunting, pursuing, wounding, killing, possessing or transporting any migratory bird, nest, egg, or part thereof.

A wide variety of species listed under the MBTA occur near or within the project area. However, no known nesting habitat exists in the project area and no trees will be removed. Work will occur prior to the nesting season for most migratory birds. ***Therefore, the proposed action will not result in taking migratory birds, their nests, eggs, or parts thereof.***

3.5. Bald and Golden Eagle Protection Act of 1940, As Amended

The Bald and Golden Eagle Protection Act (BGEPA) prohibits the taking or possession of and commerce in bald and golden eagles, with limited exceptions, primarily for Native American Tribes. Take under the BGEPA includes both direct taking of individuals and take due to disturbance. Disturbance is further defined on 50 CFR 22.3.

Eagle nesting and roosting sites are not known to occur in proximity of the levee repair site. *Therefore, disturbance of nesting bald eagles is unlikely to occur and no take of either bald or golden eagles will occur due to the proposed project.*

4. Environmental Considerations

The Corps commonly places environmental stipulations and recommendations on projects as an integral part of the proposed action. These requirements and recommendations must be implemented in conjunction with the proposed action to ensure that the Corps can defensibly make a determination that the proposed action will not affect species or habitats protected by the natural resources laws addressed in this document.

4.1. Stipulations

1. No disturbance or destruction of occupied migratory bird nests will occur.

4.2. Recommendations

No additional recommendations will be required to minimize impacts of this project

5. Determinations

5.1. Determination Summary

Table 1. Determinations for the area potentially affected by this action.

ESA		
	Species	Critical Habitat
Bull Trout	No Effect	No Effect
Slickspot Peppergrass	No Effect	No Effect
North American Wolverine	No Effect	N/A
MSA		
No Adverse Effects		
FWCA		
Not Applicable		
MBTA		
No Take		
BGEPA		
No Take		

After a review of the species lists and critical habitat lists, a review of the biological requirements of the identified species, and a review of the project description, timing, and nature of the action, the Corps has determined that species will be spatially or temporally separated from this action, and species and critical habitats are not likely to be exposed to or respond to those potential stressors. *Consequently, the Corps has determined that this action will have*

NO EFFECT for all ESA-listed or proposed species and their designated or proposed critical habitats. The Corps has also determined that there will be no adverse effects to EFH, migratory birds, or eagles.

This project will require further review in order to re-analyze the potential adverse effects on federal resource species or habitats if any significant changes in the action are proposed or occur after the date of this document.

6. References

PFMC (Pacific Fishery Management Council). 1999. Amendment 14 to the Pacific Coast Salmon Plan. Appendix A: Description and identification of essential fish habitat, adverse impacts, and recommended conservation measures for salmon. Pacific Fishery Management Council, Portland, Oregon.

ATTACHMENT 1 – ESA Listed Species for the State of Idaho.



United States Department of the Interior
Fish and Wildlife Service
Idaho Fish And Wildlife Office

1387 S. Vinnell Way, Room 368
Boise, Idaho 83709
Telephone (208) 378-5243
<http://www.fws.gov/idaho>



**U.S. Fish and Wildlife Service - Idaho Fish and Wildlife Office
Endangered, Threatened, Proposed, and Candidate Species
With Associated Proposed and Critical Habitats in Idaho**

February 11, 2013

This Letter and Species List

The U.S. Fish and Wildlife Service (Service) is providing this letter in response to your inquiry regarding federally listed, proposed, and candidate species, and proposed and designated critical habitats that may occur in Idaho. Use the attached Species List to ensure compliance with Sections 7 and 9 of the Endangered Species Act (Act). As a federal agent or designated non-federal representative, use this list in conjunction with best available information to assess whether a proposed action may affect these species or their habitats. If you determine a proposed action may affect a species or their habitats, contact the Service to initiate informal or formal consultation. This list is only valid for a period of 90 days. An updated list can be obtained by downloading the PDF file: www.fws.gov/idaho/species/IdahoSpeciesList.pdf.

Candidate Species Conservation

Though Candidate species have no protection under the Act, they are included in the Species List for early planning consideration. Candidate species could be proposed or listed during the project planning period. The Service advises project proponents to evaluate potential effects to Candidate species that may occur in the project area. Should the species be listed, this may expedite Section 7 consultation under the Act.

Effects Beyond Idaho

If the anticipated effects of an action extend beyond the range of Idaho, please contact the appropriate Service Contact for lists of species and habitats occurring in those adjacent states.

U.S. Fish and Wildlife Service Contacts

Idaho - Idaho Fish and Wildlife Office, Bob Kibler, bob.kibler@fws.gov, (208) 378-5255
Montana - Montana Ecological Services Field Office, (406) 449-5225
Nevada - Nevada Fish and Wildlife Office, (775) 861-6300
Oregon - LaGrande Field Office, (541) 962-8584
Utah - Utah Ecological Service Field Office, (801) 975-3330
Washington - Eastern Washington Field Office, (509) 891-6839
Wyoming - Wyoming Ecological Services Field Office, (307) 772-2374

NOAA Fisheries Species

Listed or proposed species that are under National Marine Fisheries Service's (NOAA Fisheries) jurisdiction do NOT appear on the Service's Species Lists. In Idaho, please contact NOAA Fisheries at (208) 378-5696 or visit NOAA Fisheries' webpage at <http://www.nwr.noaa.gov/Species-Lists.cfm> for consultation information.

Additional Information

To obtain additional information about the Act, please visit one of the Service's internet sites at <http://www.fws.gov/endangered/laws-policies/index.html>; <http://www.fws.gov/idaho/agencies.htm>; or speak with a Service Contact.

This species list was revised by the USFWS on 02/04/2013, and is valid for 90 days after 02/11/2013.

U.S. Fish and Wildlife Service • Idaho Fish and Wildlife Office																								
CANDIDATE, PROPOSED AND LISTED SPECIES & PROPOSED AND DESIGNATED CRITICAL HABITAT IN IDAHO																								
Common Name	Herps	Birds	Mammals				Fish	Mollusks			Plants													
	Columbia Spotted Frog (Great Basin Population)	Greater Sage-Grouse	Yellow-Billed Cuckoo	Canada Lynx	Grizzly Bear	Northern Idaho Ground Squirrel	Idaho Spurred Woodrat	Southern Idaho Ground Squirrel	North American Wolverine	Bull Trout	Kootenai River White Sturgeon	Humboldt Spring Lamp	Bitter Root Snail	Bronze Frog	Snake River Physa	Goose Creek Milkweed	MacFarlane's Four-O'clock	Packard's Milkweed	Slickhorn Poppygrass	Spadling's Cuckoo	Ute Larkspur	Water Howaria	Whitebark Pine	
Scientific Name	<i>Rana sylvatica</i>	<i>Chrysothrix unglauca</i>	<i>Chondestes americanus</i>	<i>Lynx canadensis</i>	<i>Ursus arctos horribilis</i>	<i>Spermophilus eremicus</i>	<i>Thomomys talpae</i>	<i>Spermophilus eremicus</i>	<i>Canis lupus</i>	<i>Salvelinus fontinalis</i>	<i>Acipenser transmontanus</i>	<i>Lamproloma</i>	<i>Physa</i>	<i>Physa</i>	<i>Ampelisca</i>	<i>Mimulus</i>	<i>Astragalus</i>	<i>Lepidium</i>	<i>Stemodia</i>	<i>Spermatococcus</i>	<i>Howaria</i>	<i>Pinus</i>		
Gooding		C							P			E	T		E									
Idaho			C	T						P	T-DCH													C
Jefferson		C	C	T						P														T
Jerome			C										T		E									
Kootenai			C	T						P	T-DCH													T
Latah			C	T						P														T
Lemhi		C	C	T						P	T-DCH													
Lewis			C							P	T-DCH													
Lincoln			C							P														
Madison		C	C	T						P														T
Minidoka			C	C											E									
Nez Perce					T					P	T-DCH													T
Oneida			C	C																				
Owyhee		C	C	C							T-DCH			E	E					P-PCH				
Payette			C								T				E								P-PCH	
Power			C																					
Shoshone					T					P	T-DCH													T
Teton					T	T					P													C
Twin Falls		C	C	C							P			T		E								
Valley					T						P	T-DCH												C
Washington			C							C	P	T-DCH			E									C

Table Key: C = Candidate Species P = Proposed Species T = Threatened Species E = Endangered Species PCH = Proposed Critical Habitat DCH = Designated Critical Habitat

APPENDIX B

**Section 106 Consultation Letter to the Idaho State Historic Preservation
Officer – February 20, 2013**



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
WALLA WALLA DISTRICT, CORPS OF ENGINEERS
201 NORTH THIRD AVENUE
WALLA WALLA WA 99362-1876

February 20, 2013

Planning, Programs, and Project
Management Division

Ms. Suzi Pengilly, Deputy SHPO
Idaho State Historic Preservation Office
210 Main Street
Boise, Idaho 83702

Dear Ms. Pengilly:

Please find enclosed the summary Cultural Resource Compliance Section 106 Clearance for the Proposed Repairs of the Emmett, Idaho Levee. The report contains a site form for the levee, the determination that the proposed repairs will result in 'no adverse affect to historic properties' and the determination that the levee is not eligible for listing on the National Register of Historic Places.

Please review this finding and advise whether you agree. If you have any questions contact Mr. Scott Hall at 509-527-7278, Scott.M.Hall@usace.army.mil or me at 509-527-7288, Alice.K.Roberts@usace.army.mil).

Sincerely,

ROBERTS.ALICE
.K.1392453993

Digitally signed by
ROBERTS.ALICE.K.1392453993
DN: c=US, o=U.S. Government,
ou=DoD, ou=PKI, ou=USA,
cn=ROBERTS.ALICE.K.1392453993
Date: 2013.02.20 12:20:01 -08'00'

Alice. K. Roberts
Chief, Tribal Relations and Cultural Resources

Enclosure



C.L. "Butch" Otter
Governor of Idaho

Janet Gallimore
Executive Director

Administration
2205 Old Penitentiary Road
Boise, Idaho 83712-8250
Office: (208) 334-2682
Fax: (208) 334-2774

Membership and Fund
Development
2205 Old Penitentiary Road
Boise, Idaho 83712-8250
Office: (208) 514-2310
Fax: (208) 334-2774

Historical Museum and
Education Programs
610 North Julia Davis Drive
Boise, Idaho 83702-7895
Office: (208) 334-2120
Fax: (208) 334-4059

State Historic Preservation
Office and Historic Sites
Archeological Survey of Idaho
210 Main Street
Boise, Idaho 83702-7264
Office: (208) 334-3861
Fax: (208) 334-2775

Statewide Sites:
• Franklin Historic Site
• Pierce Courthouse
• Rock Creek Station and
• Stricker Homesite

Old Penitentiary
2445 Old Penitentiary Road
Boise, Idaho 83712-8254
Office: (208) 334-2844
Fax: (208) 334-3225

Idaho State Archives
2205 Old Penitentiary Road
Boise, Idaho 83712-8250
Office: (208) 334-2820
Fax: (208) 334-2626

North Idaho Office
112 West 4th Street, Suite #7
Moscow, Idaho 83843
Office: (208) 882-1540
Fax: (208) 882-1763



Historical Society is an
Equal Opportunity Employer.

DATE: March 6, 2013

TO: Alice Roberts, Corps of Engineers

FEDERAL AGENCY: Corps

PROJECT NAME: Proposed Repairs to the Emmett Levee, Emmett, Idaho;
Archaeological Report by Scott M. Hall, Corps of Engineers, dated 19 February
2013

Section 106 Evaluation

- The field work and documentation presented in this report meet the Secretary of the Interior's Standards.
 - No additional investigations are recommended. Project can proceed as planned.
- Additional information is required to complete the project review. (See comments below.)
- Additional investigations are recommended. (See comments below.)

Identification of Historic Properties (36 CFR 900.4):

- No historic properties were identified within the project area.
 - Property is not eligible. Reason: Lack of historical significance.
- Property is eligible for listing in the National Register of Historic Places.
- Criterion: _ A _ B _ C _ D Context for Evaluation:
- No historic properties* will be affected within the project area.

Assessment of Adverse Effects (36 CFR 800.5):

- Project will have *no adverse effect* on historic properties.
- Property will have an *adverse effect* on historic properties. Additional consultation is required.

Comments:

Your archaeological consultant should be notified immediately if archaeological remains are discovered during construction.

**Susan Pengilly, Deputy SHPO
State Historic Preservation Office**

**3/6/2013
Date**