

**Finding of No Significant Impact for the Environmental Assessment on the Supplemental Lower
Gunnison Watershed Project, Delta County, Colorado**

Project Name: Supplemental Lower Gunnison Watershed Project

Project Initiation Date: 9/13/2019

Proponent Name: Colorado River District

Responsible Federal Official (RFO): Clinton Evans, State Conservationist

State: Colorado

County: Delta

Anticipated Implementation: 2025 - 2027

Signing Authority: RFO

Project Webpage & Files: <https://www.nrcs.usda.gov/conservation-basics/conservation-by-state/colorado/supplemental-lower-gunnison-watershed-project>

General Location: Between the towns of Paonia and Crawford, Colorado

Watersheds: North Fork and Crawford sub-watersheds of the Lower Gunnison River Watershed

I. AGENCY ROLE AND RESPONSIBILITY

In accordance with the NRCS regulations (40 CFR `500 – 1508, 7 CFR 650, & 7 CFR 622) implementing the National Environmental Policy Act (NEPA), NRCS has completed an environmental review of the proposed action (Project).

The proposed action of the Supplemental Lower Gunnison Watershed Project will improve Agricultural Water (Irrigation) Management by: Converting approximately 13,000 feet of the Fire Mountain Canal in the North Fork sub-watershed from open earthen ditches to enclosed pipe; Building the 3300 Road Regulating Reservoir in the North Fork sub-watershed; and Installing 21 Supervisory Control and Data Acquisition (SCADA) sites in the North Fork and Crawford sub-watersheds. The proposed project has a service life of 50 years.

The proposed action is federally assisted, authorized under Public Law 83-566, the Watershed Protection and Flood Prevention Act. An environmental assessment (EA) was

undertaken in conjunction with the development of the supplemental watershed plan. This assessment was conducted in consultation with local, state, and tribal governments; federal agencies; and interested organizations and individuals. The EA accompanying this finding was completed to update the original Lower Gunnison Watershed Work Plan completed in 2018.

II. NRCS DECISION TO BE MADE

NRCS must determine if the agency's proposed action will or will not be a major Federal action significantly affecting the quality of the human environment. The EA accompanying this finding has provided the analysis needed to assess the significance of the potential impacts from the proposed action. The decision on which alternative is to be implemented and the significance of that alternative's impacts are described in Chapter 4 - Alternatives, Table 4-4, Summary and Comparison of Alternatives; Chapter 5, Environmental Consequences; and Chapter 7, Section 7.1, Rationale for the Preferred Alternative.

III. PURPOSE AND NEED FOR ACTION

The purpose of the proposed project measures in the Supplemental Lower Gunnison Project is to improve Agricultural Water Management by increasing overall irrigation efficiency, and reducing salinity and selenium transport out of the watershed. The proposed project measures will improve agricultural water use efficiency, improve water quality, and reduce system operational and maintenance burden.

IV. ALTERNATIVES CONSIDERED IN THE EA.

The NRCS National Watershed Manual (501.12) requires that all reasonable alternatives that address the purpose and need for action must be presented in the watershed project plan,

including those not within the program authorities of the NRCS and those not preferred by sponsors. Three alternatives were analyzed in the EA and are characterized as follows:

Alternative 1 - NO ACTION. The No Action Alternative is the near-term continuation of the status quo without Federal investment.

Alternative 2 – Coal Road Regulating Reservoir. Install SCADA in Crawford & North Fork Project Areas; Build a 49 Acre-Feet irrigation water regulating reservoir at the Coal Road Site; and pipe about 13,800 feet of the Fire Mountain Canal in the North Fork Area.

Alternatives 3 – 3300 Road Regulating Reservoir, PROPOSED ACTION (preferred alternative). Install SCADA in Crawford & North Fork Project Areas; Build a 44 Acre-Feet irrigation water regulating reservoir at the 3300 Road Site; and pipe about 13,000 feet of the Fire Mountain Canal (FMC) in the North Fork Area.

V. NRCS’S DECISION AND FACTORS CONSIDERED IN THE DECISIONS

Based on the evaluation in the EA, I have chosen the proposed action, Alternative 3 to install SCADA controls, the 3300 Road water regulating reservoir, and FMC piping, as the agency’s preferred alternative. I have taken into consideration all the potential impacts of the proposed action, incorporated herein by reference from the Final Plan-EA and balanced those impacts with considerations of the NRCS’s purpose and need for action.

In accordance with the Council on Environmental Quality’s (CEQ) “40 Most Asked Questions” guidance on NEPA, Question 37(a), NRCS has considered “which factors were weighed most heavily in the determination” when choosing the agency proposed action (installing Alternative 3) to implement. Specifically, acknowledging that based on the Final Plan-EA, potential impacts to soil, water, air, plants, fish and wildlife, and human resources

were considered in the decision. As a result and for the reasons provided below, there will be no significant individual or cumulative impacts on the quality of the human environment as a result of implementing the Proposed Action as authorized by Section 216 of the Flood Control Act of 1950, Public Law 81–516, 33 U.S.C. 701b–1; and Section 403 of the Agricultural Credit Act of 1978, Public Law 95–334, as amended by Section 382, of the Federal Agriculture Improvement and Reform Act of 1996, Public Law 104–127, 16 U.S.C. 2203 of the SWP; particularly when focusing on the significant adverse impacts which the NEPA is intended to help decision makers avoid and mitigate against.

VI. FINDING OF NO SIGNIFICANT IMPACT

To determine the significance of the action analyzed in this Final Plan-EA, NRCS, is required by NEPA regulations at 40 CFR Section 1508.27 and NRCS regulations at 7 CFR Part 650 to consider the context and intensity of the proposed action. Based on the Final Plan-EA, review of the NEPA criteria for significant effects, and based on the analysis in the EA, I have determined that the action to be selected, installation of Alternative 3 (agency preferred alternative), would not have a significant effect upon the quality of the human environment. Therefore, preparation of an environmental impact statement (EIS) on the final action is not required under section 102(2)(c) of the NEPA, CEQ implementing regulations (40 CFR Part 1500-1508, Section 1508.13), or NRCS environmental review procedures (7 CFR Part 650). This finding is based on the factors from CEQ’s implementing regulations at 40 CFR Section 1508.27 and from NRCS regulations at 7 CFR Part 650:

- 1) The Final Plan-EA evaluated both the beneficial and adverse impacts of the proposed action. It is anticipated the proposed action will provide long term beneficial impacts for environmental resources (i.e., soil, air, water, animals, plants, and human

resources). As a result of the NEPA analysis (discussed in detail in section 3.6 and incorporated by reference), the proposed action, installation of Alternative 3 (SCADA controls, the 3300 Road water regulating reservoir, and FMC piping), does not result in significant impacts to the human environment, particularly when focusing on the significant adverse impacts, which NEPA is intended to help decision makers avoid, minimize, and mitigate. The analysis shows there are temporary and short- and long-term minor effects imposed by the project. With the implementation of avoidance, minimization, and mitigation measures identified in Table 7-4 of the Final Plan-EA, short-term and long-term impacts to natural resources are expected to be minor. No cumulative impacts are anticipated.

- 2) The proposed action, installation of Alternative 3, will not result in significant adverse effects on public health or safety. It is expected to provide long term beneficial impacts to improve natural ecosystems functions. Specifically, soil, water, fish, wildlife, and land will be improved and protected through selection of the preferred alternative.
- 3) As analyzed in Chapter 5 of the Final Plan-EA, there are no significant effects to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas from selection of Alternative 3, the proposed action. NRCS regulations (7 CFR Part 650) and policy (Title 420, General Manual, Part 401), require that NRCS identify, assess, and avoid effects to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas. In accordance with these requirements, it is not anticipated that implementing the proposed action, installing SCADA controls, the 3300 Road

- water regulating reservoir, and FMC piping, would have any major adverse effects on these resources. No compensatory mitigation is anticipated to be required for the Proposed Alternative. Avoidance, minimization, and mitigation measures described in Table 7-4 of the Final Plan-EA include conservation measures recommended by the USFWS that would be applied during construction of the project measures to avoid and minimize impacts on environmental and social resources.
- 4) The effects on the human environment are not considered controversial for the proposed action, installation of SCADA controls, the 3300 Road water regulating reservoir, and FMC piping. There are no impacts associated with the proposed action that would be considered controversial.
 - 5) The proposed action, , installation of SCADA controls, the 3300 Road water regulating reservoir, and FMC piping, is not considered highly uncertain and does not involve unique or unknown risks.
 - 6) The proposed action, installation of SCADA controls, the 3300 Road water regulating reservoir, and FMC piping, will not establish a precedent for future actions with significant effects, nor does it represent a decision in principle about future considerations.
 - 7) The proposed action, , installation of SCADA controls, the 3300 Road water regulating reservoir, and FMC piping, will not result in individually or cumulatively significant adverse impacts to the human environment, particularly when focusing on the significant adverse impacts which NEPA is intended to help decision makers avoid, minimize, or mitigate. Cumulative impacts resulting from the proposed action are anticipated to be beneficial overall with little to no threat to human environment

- (see Chapter 5 in the attached Final Plan-EA).
- 8) The proposed action, , installation of SCADA controls, the 3300 Road water regulating reservoir, and FMC piping, will not adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or cause loss or destruction of signification scientific, cultural, or historical resources. NRCS follows the procedures developed in accordance with a nationwide programmatic agreement between NRCS, the Advisory Council on Historic Preservation, and the National Conference of State Historic Preservation Officers, which called for NRCS to develop consultation agreements with State historic preservation officers and federally recognized Tribes (or their designated Tribal historic preservation officers).
- 9) The proposed action, installation of SCADA controls, the 3300 Road water regulating reservoir, and FMC piping, will not adversely affect endangered or threatened species, marine mammals, or critical habitat as discussed in Sections 3.4, 3.5, and 5.6 of the Final Plan-EA. It has been concluded that the proposed actions either have no effect on threatened and endangered species or will not likely adversely affect threatened and endangered species. The United States Fish and Wildlife Service, which has jurisdiction over these species, has reviewed the report and has concurred with our findings. The concurrence letter provided by USFWS is included in the Final Plan-EA under Appendix A.
- 10) The proposed action will not violate Federal, State, or local law requirements imposed for protection of the environment as noted in Section 7.5 of the Final Plan-EA. The major laws, orders, and permits identified with the selection of the

EA. The major laws, orders, and permits identified with the selection of the preferred alternative, installation of SCADA controls, the 3300 Road water regulating reservoir, and FMC piping, include the Clean Air Act; Section 404 - Clean Water Act Permit; Section 401 - Clean Water Act-Water Quality Certification (WQC); Section 402 - Clean Water Act – National Pollutant Discharge Elimination System Permit; Endangered Species Act (ESA); National Historic Preservation Act; 16 U.S.C. 668-668d, 54 Stat. 250, Bald and Golden Eagle Protection Act; Migratory Bird Treaty Act (MBTA); Fish and Wildlife Coordination Act; Executive Order 11988 - Floodplain Management; Executive Order 11990 - Protection of Wetlands; Executive Order 13112 - Invasive Species; Executive Order 13186 - Responsibilities of Federal Agencies to Protect Migratory Birds; and 2CCR-402-1, Colorado Rules and Regulations for Dam Safety and Dam Construction. The preferred alternative is consistent with the requirements of these laws.

Findings of No Significant Impact: Having reviewed the information provided by the Supplemental Lower Gunnison Watershed Project Final Plan-EA and all interested parties and an assessment of the environmental impacts, I find that this action will not have a significant impact on the quality of the human environment. Therefore, an environmental impact statement will not be required.



Clinton Evans, State Conservationist

Attachment: Final Supplemental Watershed Plan and Environmental Assessment for the Lower Gunnison Project.