

Public Notice of the Intent of FEMA to Fund a Project

Notification is hereby given of the Federal Emergency Management Agency's (FEMA) intent to provide funding to the Huntley Project Irrigation District (HPID) for the replacement of the Huntley Project box culvert and siphon structure with an inverted box siphon structure that will siphon the Huntley Main Canal beneath Pryor Creek in Yellowstone County near the Yellowstone River at Huntley, MT. The Bureau of Reclamation, as owners of the property, has been identified as the lead Federal Agency for the proposed project. Due to the severe flooding that struck the area in spring, 2011, the existing structure was over 50% damaged beyond economical repair. The temporary repairs made to the structure to allow irrigation to continue for the 2011 growing season are not expected to withstand next spring's expected high flows in Pryor Creek. The project purpose is to provide a permanent replacement for the structure and secondarily to achieve a long-standing recommendation by Montana Fish, Wildlife, and Parks to remediate the fish passage barrier on Pryor Creek caused by the existing structure.

Funding will be provided in accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended.

Under the National Environmental Policy Act (NEPA), FEMA is required to review the proposed action and possible alternative solutions to the proposed action. Two alternatives were evaluated in an Environmental Assessment (EA): Under the No Action Alternative, FEMA would not fund the Proposed Action. Because the flooding caused extensive damage to the water crossing structure and the temporary repairs made to the structure are not expected to withstand predicted high spring flows, the existing structure would likely fail and cause irreparable harm to continued irrigation of the 30,000 acres of cropland and the families and local farming community dependent upon the industry, further straining the county's social and economic infrastructure. Under the Proposed Action Alternative, replacement of the structure is recommended because it:

- Will have no significant adverse impacts on the human or natural environment, and;
- Will allow continued irrigation of the 30,000 acres of Huntley Project croplands;

Information used in the determination of effects for the preparation of the EA was obtained from previous contacts with the various agencies and from websites of the U.S. Fish and Wildlife Service (USFWS) – for determination of no effect on any listed species or migratory birds); Montana Fish, Wildlife and Parks Department - recommendations to restore fish passage at the culvert site); and Natural Resources Conservation Service (NRCS) – determination of no adverse effects on Prime or Unique Farmland.

Formal contacts were made with Montana State Historic Preservation Officer (SHPO) – for concurrence of determination of adverse effect on a potential historical structure, the damaged box culvert and siphon, which resulted in a Memorandum of Agreement between US BOR, FEMA, and SHPO for replacement of the structure; and Crow Tribe Tribal Historic Preservation Officer (CTHPO) – for determination of no effect on Indian Trust Assets.

The President of the United States has issued Executive Orders (EO) that require Federal agencies, when considering an action or finding, to focus attention on the environment and on

human health with respect to: Floodplain Management, Executive Order (EO) 11988; Wetlands Protection, EO 11990; and Environmental Justice, EO 12898. Compliance with Executive Orders, other environmental laws, and the NEPA have been documented in an EA. The EA has found that the proposed action alternative will have no significant adverse impact on the human environment. As a result of this finding, an Environmental Impact Statement will not be prepared, and if no comments to the contrary are received, A Finding of No Significant Impact (FONSI) will be signed immediately upon closure of the comment period for this Public Notice. At that time the proposed project as described in the prepared EA may proceed.

Interested persons may submit comments, obtain more detailed information about the action, or request a copy of the FONSI by contacting FEMA's Region 8 Environmental Officer, Steven Hardegen at steven.hardegen@dhs.gov . A copy of the Draft EA and FONSI may be reviewed on FEMA's website at <<http://www.fema.gov/plan/ehp/envdocuments/ea-region8.shtm>> and at the FEMA Forward Field Office at 175 N. 27th St., Billings Montana 59101. Responses must be received by midnight, October 6, 2011.