

United States Department of the Interior
Bureau of Reclamation
Western Colorado Area Office
Grand Junction, Colorado

FINDING OF NO SIGNIFICANT IMPACT

**ZANNI LATERAL OF THE CRAWFORD CLIPPER DITCH PIPELINE PROJECT,
DELTA & MONTROSE COUNTIES, COLORADO**

In accordance with the National Environmental Policy Act of 1969, as amended (NEPA), and the Council on Environmental Quality's Regulations for implementing the procedural provisions of the National Environmental Policy Act (40 CFR Part 1500-1508), the Bureau of Reclamation (Reclamation) has prepared an Environmental Assessment (EA) for the Zanni Lateral of the Crawford Clipper Ditch Pipeline Project (Project) in and near Crawford, Colorado. The EA assesses a No Action alternative and a Proposed Action alternative. Based on the following, Reclamation has determined that the Proposed Action, with integrated environmental commitments, will not result in a significant impact on the human environment.

Background

The Colorado River and its tributaries provide municipal and industrial water to about 27 million people and irrigation water to nearly four million acres of land in the United States, and another 2.3 million people and 500,000 acres in Mexico. Elevated salinity concentrations in the River are a major concern in both the United States and Mexico. Elevated salinity levels have impacts to agricultural, municipal, and industrial water users.

In June 1974, Congress enacted the Colorado River Basin Salinity Control Act (Salinity Control Act), Public Law 93-320, which directed the Secretary of the Interior to proceed with a program to enhance and protect the quality of water available in the Colorado River for use in the United States and Republic of Mexico. In October 1984, Congress amended the original act by passing Public Law 98-569 to address wildlife habitat issues, including fish and wildlife values foregone, project funding, and operation and maintenance of habitat.

Reclamation is one of the agencies working through the Colorado River Basin Salinity Control Program to implement salinity control projects in the Colorado River Basin. The program's overall goal is to cost-effectively reduce the amount of salinity in the Colorado River.

The Proposed Action is funded by Reclamation through the Basin States Program. The Basin States Program, along with the Basinwide Program, is a Program that Reclamation uses to allocate Salinity Control Program funds. The Basin States Program funds projects that improve irrigation practices and reduce salinity loading of the Colorado River Basin but are too small to compete for the Basinwide Program's cost-competitive process. All contracts and funding for Basin States-funded projects pass through the State of Colorado. Because Reclamation is providing the funds for the Proposed Action, Reclamation is the lead agency for purposes of compliance with the NEPA.

The Crawford Clipper Ditch Company of Crawford, Colorado, (Company) is a private, non-profit, mutually funded irrigation company. The Company has received a grant from Reclamation, through the Basin States Program, to replace approximately 8,110 linear feet of the unlined, open Zanni Lateral with a total of approximately 14,114 linear feet of buried pipe.

Purpose and Need

The Proposed Action is consistent with the Colorado River Basin Salinity Control Act, as amended, and helps fulfill the goals of the Basin States Program. The purpose and need of the Proposed Action is to replace the existing irrigation ditch with a buried pipe delivery system, eliminating seepage and reducing salinity in the Colorado River basin by an estimated 551 tons of salt per year.

Scoping/Public Involvement

Reclamation's scoping included various local, state and federal agencies, private and non-profit organizations, Southern Ute Tribe, Ute Mountain Ute Tribe, and Ute Indian Tribe (Uintah and Ouray Reservation). Reclamation had previously funded similar irrigation system improvements in the Crawford area, and previous EAs were also used as a source to identify potential issues and concerns. A Draft EA was prepared and distributed on November 12, 2015, to 22 local, state, and federal agencies and organizations, 3 Tribes, and 11 property owners within or adjacent to the Proposed Action area. Comments were received from six entities. The primary concern expressed was potential flooding and damage to private property as a result of piping the Zanni Lateral.

No Action Alternative

Under the No Action Alternative, Reclamation would not authorize funding to the Company to pipe the Zanni Lateral. Irrigation practices and seepage from the ditch would continue to contribute to salt and selenium loading in the Colorado River basin. Riparian and wetland habitats associated with the ditches would likely remain in place and continue to provide benefits to local wildlife. The No Action Alternative does not meet the purpose and need for the action.

Proposed Action Alternative

Under the Proposed Action Alternative, the Company will replace approximately 8,110 linear feet of the unlined, open Zanni Lateral with a total of approximately 14,114 linear feet of buried pipe, including 8,647 linear feet for irrigation, and 5,467 linear feet for winter stock water delivery. All buried pipe alignments will be installed in or near the existing ditch or ditch prism, with the exception of the last approximately 1,600 feet of pipeline and an approximately 490-foot pipeline spur, which will instead cross irrigated ground and semi-desert shrublands. Approximately 1,660 linear feet of existing irrigation ditch will be abandoned and decommissioned by backfilling. It is anticipated that implementation of the Proposed Action will result in a total annual reduction of 551 tons of salt in the Colorado River. The Company will also develop replacement wildlife habitat as required by the Salinity Control Act. The Proposed Action is more fully described and depicted in the EA.

Summary of Findings

Reclamation has prepared a final EA that analyzes the effects of the Proposed Action. Under the Proposed Action, Reclamation will approve funding for the Proposed Action. The Proposed Action is predicted to have no effect on Indian trust assets or Native American religious concerns, environmental justice, socio-economic issues, Wild and Scenic Rivers, and Wilderness Study Areas. Following is a summary of predicted impacts (both beneficial and negative) of the Proposed Action:

Water Rights and Use

The Proposed Action will provide for improved system management; however, no changes in water uses are anticipated. The Proposed Action does not include new depletions, new water storage or the irrigation of new lands. Water rights and use will not be adversely affected.

Water Quality

Implementation of the Proposed Action is predicted to result in improved water quality. Temporary impacts to water quality may occur during construction; however, construction will take place during non-irrigation season, when no water is flowing in the Zanni Lateral.

Air Quality

The Proposed Action will have a minor, short-term effect on air quality as a result of dust and exhaust which may be created by construction equipment. There will be no long-term impacts from the Proposed Action.

Rights-of-Way & Land Use

The Proposed Action will have short-term, minor effects on land use during construction and until disturbed areas are revegetated. Although storm water management is not the responsibility of the Company or Reclamation, construction (but not maintenance) of storm water management features at certain locations has been incorporated into the Project design. There will be no long-term impacts from the Proposed Action.

Access, Transportation & Public Safety

Implementation of the Proposed Action will result in temporary disruptions to traffic on State Highway 92 and local public roadways during construction. There will be no long-term impacts from the Proposed Action.

Vegetative Resources / Habitat

There will be short-term impacts to vegetation due to construction activities. Upon completion of construction, appropriate reclamation procedures will be employed to revegetate disturbed areas and control noxious weed infestations. An estimated 6.39 habitat value units will be lost due to elimination of seepage from the involved ditch alignments. A Habitat Replacement Plan will be implemented to mitigate for the habitat value lost because of the Proposed Action.

Wildlife Resources

There will be temporary and minor adverse effects to local wildlife during construction. Implementation of the Habitat Replacement Plan will mitigate long-term loss of riparian and wetland habitat due to the Proposed Action.

Threatened and Endangered Species

Reclamation consulted with the U.S. Fish and Wildlife Service (FWS) regarding impacts to endangered Colorado River fishes and the Yellow-billed cuckoo. In a memorandum dated February 17, 2016 (ES/GJ-6-CO-09-F-001-GP029, TAILS 06E24100-2016-F-0022), FWS concurred with Reclamation's determination that the proposed action may affect, but is not likely to adversely affect, the Yellow-billed cuckoo. The Fish and Wildlife Service also concurred that the proposed action may affect, and is likely to adversely affect, the endangered Colorado River fishes; however, the Upper Colorado River Endangered Fish Recovery Program serves as mitigation for impacts to the Colorado River endangered fishes, as identified by the 2009 *Final Gunnison River Basin Programmatic Biological Opinion* (PBO). To ensure their depletions are covered under the umbrella of the PBO, the Company entered into a Recovery Agreement with FWS on February 2, 2016. The proposed action will have no effect on other federally-listed species or critical habitat.

Cultural Resources

The Colorado State Historic Preservation Officer concurred by letter dated October 26, 2015, that the Proposed Action will have no adverse effect on cultural resources.

Agricultural Resources & Soils

The Proposed Action will cause short-term, temporary disturbance to agriculturally important lands, including Farmland of Unique Importance and Farmland of Statewide Importance. No farmlands will be permanently removed from production. Agricultural production and grazing will resume following restoration of the ground surface, and appropriate reseeding, erosion control, and weed control on disturbed soils in non-irrigated areas.

Hazardous Materials, Waste Management & Pollution Prevention

Fuel and lubricant spills have the potential to impact soil and water resources during construction, but because of the relatively small amounts of such materials that would be used in the Proposed Action area, any impacts that could occur from accidental spills or leaks are expected to be minimal. There will be no long-term impacts from hazardous materials or waste as a result of the Proposed Action.

Cumulative Impacts

Cumulative impacts of past, present, and reasonably foreseeable future actions on resources in and near the Proposed Action area will be temporary and/or negligible, with consideration of mitigative measures (e.g., habitat replacement). Implementation of the Proposed Action will result in beneficial effects related to reduction of salt and selenium loading in the Gunnison and Colorado River basins.

Environmental Commitments

The following environmental commitments will be implemented as an integral part of the Proposed Action, and would be included in the contractor bid specifications. The Company would provide an environmental briefing to the contractor and any sub-contractors in a pre-construction meeting. Such an environmental briefing would include, at a minimum, a review of the environmental commitments described in this Section.

Construction Access & Rights-of-Way

- All construction activities will be confined to rights-of-way negotiated between the Company and the landowners. Construction staging (for pipe and equipment) will take place in several areas, as shown on Figures 3 and 4 in the Final EA.
- Environmental commitments regarding access will be included in CDOT and/or Delta County authorizations and agreements with landowners.
- All construction easements/right-of-way agreements will be executed by all parties prior to construction.
- Existing roads will be used to access the construction, staging/borrow, and habitat replacement areas. No new roads will be constructed.

Water Quality

Standard Best Management Practices (BMPs) will be implemented to minimize erosion and protect water quality of downstream resources, including:

- Straw wattles, silt curtains, cofferdams, dikes, straw bales, or other suitable erosion control measures shall be used to prevent erosion from entering water bodies during construction.
 - Concrete pours shall occur in forms and/or behind cofferdams to prevent discharge into waterways. Any wastewater from concrete-batching, vehicle wash down, and aggregate processing shall be contained and treated or removed for off-site disposal.
 - Fuels, lubricants, hydraulic fluids, and other petrochemicals shall be stored and dispensed in an approved staging area.
 - Equipment shall be inspected daily and immediately repaired as necessary to ensure equipment is free of petrochemical leaks.
 - Construction equipment shall be parked, stored, and serviced only at an approved staging area.
 - A spill response plan shall be prepared in advance of construction by the contractor for areas of work where spilled contaminants could flow into water bodies. All employees and workers, including those under separate contract, shall be briefed and made familiar with this plan.
 - A spill response kit, which includes appropriate-sized spill blankets, shall be easily accessible and onsite at all times.
 - Onsite supervisors and equipment operators shall be trained and knowledgeable in the use of spill containment equipment.
 - Appropriate federal and Colorado authorities shall be immediately notified in the event of any contaminant spill.
- Abandoned Irrigation Facilities & Structures
- Pursuant to the Cooperative Agreement between the Company and Reclamation, the Company will permanently dewater, remove from irrigation service, and render incapable of irrigation water delivery those open ditches abandoned as part of the Proposed Action.

- The Company will be responsible for removing all decommissioned irrigation structures (head gates, drops, etc.) by methods described in the construction specifications provided to the contractor.

Ground Disturbances

- Ground disturbances will be limited to only those areas necessary to safely implement the Proposed Action.
- Vegetation removal will be confined to the smallest portion of the Proposed Action Area necessary for completion of the work.
- Construction limits will be clearly flagged onsite to avoid unnecessary plant loss or ground disturbance. The boundary between U.S. Bureau of Land Management (BLM) land and Borrow/Staging Site #1 will be clearly flagged so that Project activities do not encroach on adjoining BLM land.
- Prior to construction, vegetative material will be removed by mowing or chopping, and either hauled to a proposed staging area to be burned or chipped, or chipped and mulched onsite. Stumps will be grubbed and hauled to a proposed staging area to be burned.
- Topsoil will be stockpiled and then redistributed after completion of construction activities.
- Straw wattles, silt curtains, cofferdams, dikes, straw bales, or other suitable erosion control measures will be used at the edges of ground disturbance to minimize soil erosion and prevent soil erosion from entering water bodies during construction.
- Following construction, all disturbed areas will be smoothed, shaped, contoured and reseeded to as near to their pre-project conditions as practicable.
- Seeding will be completed with weed-free seed mixes per Reclamation specifications at appropriate times within six months following construction completion.
- Weed control will be implemented by the Company or the Company's contractor in accordance with current county weed control standards.

Wildlife Resources

- Construction areas will be confined to the smallest feasible area and within approved construction limits/rights-of-way to minimize disturbance to wildlife within the Proposed Action area.
- Pipeline trenches left open overnight will be kept to a minimum and covered to reduce potential for hazards to the public and to wildlife. Covers will be secured in place and strong enough to prevent livestock or wildlife from falling through. Where trench covers will not be practical, wildlife escape ramps will be utilized.
- Vegetation disturbing activities are currently not planned for implementation during the nesting season of migratory birds protected under the Migratory Bird Treaty Act. However, if the schedule for the Proposed Action shifts, and vegetation disturbing activities will occur during the nesting season of migratory birds, further conservation measures may be necessary to protect these species, such as pre-construction nest surveys.

- If an occupied raptor nest is discovered during construction, regardless of construction timing, the Company shall stop construction activities until Reclamation has consulted with the U.S. Fish & Wildlife Service and/or Colorado Parks & Wildlife on appropriate protective measures to avoid or reduce impacts to nesting raptors.

Habitat Disturbance & Loss

- Habitat loss will be mitigated in accordance with the Habitat Replacement Plan prepared for the Proposed Action to mitigate fish and wildlife values that will be foregone as a result of the Proposed Action. Habitat replacement will be implemented concurrently with or prior to the implementation of the Proposed Action. The Company will be responsible for constructing and maintaining the Habitat Replacement site and ensuring the objectives of the Habitat Replacement Plan are met for at least 50 years. The complete Reclamation-approved Habitat Replacement Plan is included as Attachment E in the Final EA.

Federally-Listed Species

- The Habitat Replacement Site component of the Proposed Action is located in currently unoccupied range of the federally-listed Gunnison sage-grouse. If ground or vegetation-disturbing activities are to take place at the Habitat Replacement Site during the breeding, nesting or brood-rearing periods of sage-grouse (March through September), the Company will contact FWS and Colorado Parks and Wildlife (CPW) terrestrial biologists prior to construction to confirm the Proposed Action area remains unoccupied by the species, and that a documented active lek does not lie within 0.6 mile of the Proposed Action.
- In the event that other listed species are encountered during construction, the Company will stop construction activities until Reclamation has consulted with FWS to ensure that adequate measures are in place to avoid or reduce impacts to the species.

Cultural Resources

- In the event of discovery of evidence of possible cultural or paleontological resources, all ground disturbing activities in the area shall immediately cease, and Reclamation shall be notified. Work shall not be resumed until authorized by Reclamation.

Agricultural Resources & Soils

- During construction, topsoil will be saved and then redistributed after completion of construction activities.
- Straw wattles, silt curtains, cofferdams, dikes, straw bales, or other suitable erosion control measures will be used to minimize soil erosion and prevent soil erosion from entering water bodies during construction.
- All disturbed areas will be smoothed, shaped, contoured and reseeded to as near their pre-project conditions as practicable.
- Lands previously in agricultural production will be returned to agricultural production following construction.

Hazardous Materials, Waste Management & Pollution Prevention

- The construction contractor will transport, handle, and store any fuels, lubricants, or other hazardous substances involved with the Proposed Action in an appropriate manner that prevents them from contaminating soil and water resources.
- Portable secondary containment will be provided for any fuel or lubricant containers staged within the Proposed Action Area. Any staging of fuel or lubricants, or fueling or maintenance of vehicles or equipment, will not be conducted within 100 feet of any live water or drainage.
- Prior to construction, a spill response plan will be prepared for areas of work where spilled contaminants could flow into water bodies. All employees and workers, including those under separate contract, will be briefed and made familiar with this plan.
- A spill response kit, which includes appropriate-sized spill blankets, will be easily accessible and onsite at all times.
- Onsite supervisors and equipment operators will be trained and knowledgeable in the use of spill containment equipment.
- All spills, regardless of size, will be cleaned up promptly and contaminated soil will be disposed of at an approved facility.
- Appropriate federal and Colorado authorities will be immediately notified in the event of any contaminant spill. Any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b.

Sequence and Timing of the Proposed Action

The Proposed Action will take place during March and early April 2016. If the Proposed Action cannot be completed during this timeframe, then it would be postponed until the 2016-2017 irrigation off-season (between late October 2016 and early April 2017). The following provides an approximate outline of the approximate sequence of activities:

- Perform vegetation removal prior to migratory bird nesting season (prior to mid-April, and as early as possible)
- Construct buried pipe alignments outside the existing ditch prism (i.e., “overland” pipe alignments) prior to the irrigation season.
- Construct buried pipe alignments in or near the existing the existing ditch prism, to begin as soon as possible in the irrigation off-season, prior to the irrigation season.
- Decommission and backfill abandoned ditch and irrigation control structures and conduct final mop-up, prior to the irrigation season.

- Complete activities at the Habitat Replacement site prior to or concurrently with pipeline construction activities. Vegetation-disturbing activities occurring at the Habitat Replacement site during breeding (March through May), nesting (April through June), or brood rearing (June through September) seasons for Gunnison sage-grouse, will require confirmation by CPW of sage-grouse non-occupancy prior to commencement of work.

Permits, Licenses and Approvals Needed to Implement the Proposal

The following permits, licenses, or approvals (and their statuses) are needed prior to implementation of the Proposed Action:

- Right-of-Way approvals from private landowners with land involved in the Proposed Action, obtained by the Company.
- Stormwater Management Plan, to be submitted to the Colorado Department of Public Health and Environment (CDPHE) by the construction contractor prior to construction disturbance.
- CWA Section 402 Storm Water Discharge Permit compliant with the National Pollutant Discharge Elimination System (NPDES), to be obtained from CDPHE by the construction contractor prior to construction disturbance (regardless of whether dewatering would take place during construction).
- CDOT Highway Right-of-Way Permit, to be obtained by the construction contractor prior to working in the State Highway 92 right-of-way.
- Traffic control measures, to be coordinated by the construction contractor with CDOT, Delta County Sheriff, and emergency services, prior to working in the State Highway 92 right-of-way.
- Utility clearances, to be obtained by the construction contractor prior to construction activities, from Delta Montrose Electric Association, TDS Telecom, local water companies, and any other utility in the area.
- Delta County clearance, to be obtained by the Company / construction contractor prior to crossing county roads with buried pipeline or installing buried pipeline in the county road corridor.
- CWA Section 401/404: Because the Proposed Action is exempted from CWA Section 404, no Clean Water Act Section 401 Water Quality Certification is required; however, water quality BMPs (as outlined above) will be implemented to protect water resources.

Conclusions

Based upon the analysis of environmental impacts, coordination with local, state, and Federal agencies, and a review of comments received, as documented in the EA and supporting documents, I have determined that implementing the Proposed Action will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the area. No environmental effects meet the definition of significance in context or intensity as defined at 40 CFR 1508.27 and evaluated in the EA. Therefore, an environmental impact statement is not required for this proposed action.

Signatures


Recommended:



Lesley McWhirter, Chief
Environmental and Planning Group

Feb. 26, 2016
Date

Approved:



Ed Warner, Area Manager
Western Colorado Area Office
Bureau of Reclamation

2-26-2016
Date