

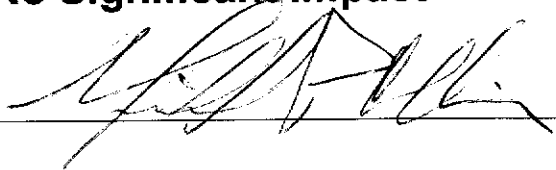
# RECLAMATION

*Managing Water in the West*

FONSI No. EC-1300-09-03

## 2009 Ruedi Reservoir Round II Water Marketing Program Repayment Contract - Town of Silt

Finding of No Significant Impact

Approved:  Date: 10/2/2009



U.S. Department of the Interior  
Bureau of Reclamation  
Great Plains Region  
Eastern Colorado Area Office

October 2009

## **INTRODUCTION**

This Finding of No Significant Impact has been prepared to document the environmental review and evaluation of the proposed action in compliance with the National Environmental Policy Act of 1969, as amended. Based on the following finding, the Bureau of Reclamation (Reclamation) has determined that the implementation of a Ruedi Reservoir Round II repayment contract (contract) with the Town of Silt, Colorado (Town) would not result in a significant impact to the human environment, or natural or cultural resources that were not already analyzed in the Final Record of Decision for Ruedi Reservoir Round II Water Marketing Program Final Supplement to the Environmental Statement (RRII FSES).

## **PREFERRED ALTERNATIVE**

Reclamation evaluated the effects of two alternatives, including the No Action Alternative and the Proposed Action Alternative, and has selected the latter as the Preferred Alternative. Under this alternative, Reclamation could enter into a 217 acre-foot (ac-ft) contract and a 83 ac-ft contract with the Town. Contract water would be used as a legal source for municipal and agricultural uses to replace stream diversions, preventing injury to downstream senior water right holders.

## **FINDING**

In the attached Environmental Analysis, Reclamation evaluated the environmental consequences associated with implementing the Proposed Action Alternative. The following specific findings were ascertained:

There would be no significant negative site specific impacts expected to wetlands/water quality/river physical properties, threatened and endangered species, recreation, cultural resources, site specific hydrology, farmlands, Indian trust assets, or environmental justice as a result of the issuance of the proposed contract.

Issuance of the proposed contract is anticipated to have various beneficial and adverse impacts to socioeconomics compared to current conditions, none of which exceed or approach those evaluated in the RRII FSES.

The expected cumulative impacts of the proposed contract issuance, in addition to all other existing and likely future impacts to recreation, threatened and endangered species, and socioeconomics, are not expected to be greater than those evaluated in the RRII FSES, Ruedi Reservoir 2012 Agreement Final Environmental Assessment (2012 Agreement EA), or the Programmatic Biological Opinion (PBO).

No further Endangered Species Act (ESA) consultation is required for the proposed contract for the endangered fish species, including the Colorado pikeminnow, razorback sucker, humpback chub, and bonytailed chub. The PBO issued in 1999 by the U.S. Fish and Wildlife Service addressed the effects of all Federal and non-Federal depletions from the 15-Mile Reach, considered all existing and future operations and depletions from Ruedi by including a comprehensive list of actions to be implemented and funded by the recipients of the PBO,

including continuation of Ruedi repayment contracts. If the actions considered in the PBO are funded and implemented as anticipated, they would affect, but would not jeopardize, the continued existence of the four fish. The Proposed Action Alternative is not expected to result in impacts greater than those analyzed in the PBO.

## **ENVIRONMENTAL COMMITMENTS**

Water released through the proposed contract would be delivered according to the Operating Principles established for Ruedi Reservoir.

The contract would contain a shortage provision recognizing that the contract can be satisfied only when the water is available consistent with the Operating Principles.

The contract would be subject to all requirements to maintain minimum instream flows detailed in the Operating Principles and by the Colorado Water Conservation Board (CWCB). In order to reduce the potential that the proposed contract would cause a violation of the CWCB instream flows, Ruedi contracts and agreements issued after the establishment of an instream flow are subject to all requirements to maintain CWCB's minimum instream flows.