

FINDING OF NO SIGNIFICANT IMPACT

THE LARSON CREEK PIPELINE AND FISH PASSAGE PROJECT ROGUE RIVER BASIN PROJECT, OREGON

***BUREAU OF RECLAMATION
LOWER COLUMBIA AREA OFFICE
PORTLAND, OR***

INTRODUCTION

In accordance with the National Environmental Policy Act (NEPA) of 1969, as amended, and based on the following, the Bureau of Reclamation (Reclamation) has determined that the Larson Creek Pipeline and Fish Passage Project (Project) would not result in a significant impact on the human environment.

Reclamation administers two grant programs which can cost-share the expenses of implementing projects for the conservation of irrigation water. Two grant applications have been approved for this Project; one for Medford Irrigation District (MID) to make modifications to their delivery system under the grant program “Water 2025: Preventing Crises and Conflict in the West”, and one for Talent Irrigation District (TID) to modify their system under Reclamation’s Water Conservation Field Services Program.

Reclamation prepared a Draft Environmental Assessment (EA) for the Project to evaluate the environmental and social impacts of awarding these water conservation grant funds as required by NEPA. The purposes of the Project are to conserve water, remove fish passage barriers and improve fish habitat, and to stop the practice of using Larson Creek to transfer irrigation water.

Larson Creek is located near the city of Medford, Oregon in the Rogue River basin. Larson Creek is a small tributary of Bear Creek which is a major tributary of the Rogue River. MID and TID operate portions of their respective water delivery systems in the project area. There are three stream diversion structures on Larson Creek in the project area. TID operates one diversion on the Middle Fork, MID operates one on the Middle Fork and one on South Fork. Common to both systems is that both districts have major delivery canals that intersect with Larson Creek. TID discharges irrigation water from its canal into the Middle Fork and the MID diversions allow MID to collect TID-discharged water and all natural flow in the Middle Fork during the irrigation season. MID also diverts all natural flow in the South Fork during the irrigation season into their canal. Due to the relative proximity of the facilities and the location of Larson Creek, MID has been able to utilize TID tailwater in their system by means of their diversion on Middle Fork Larson Creek.

ALTERNATIVES CONSIDERED

The National Environmental Policy Act requires Reclamation to explore a reasonable range of alternatives and to evaluate the environmental effects of each alternative. Three alternatives are considered in the EA including the No Action Alternative and a Preferred Alternative.

Alternative A – No Action Alternative. Reclamation would not grant money from either of the Reclamation water conservation programs to TID or MID to construct modifications to the water delivery systems as described by the districts in their grant applications. The money would be used for other water conservation projects in the western United States.

Alternative B – Barnett Road Pipeline. Reclamation would cost-share grant money only from the Water Conservation Field Services Program. This funding would allow TID to construct an 8,000 foot long pipeline from the end of their canal to the MID system along Barnett Road for the transfer of tailwater. This alternative would remove one water diversion structure. This pipeline independently meets the purposes of the Project, but it does not make more stream habitat available to aquatic species because downstream diversions would remain in place.

Alternative C/Preferred Alternative – Barnett and North Phoenix Road Pipelines. Reclamation's Preferred Alternative is the Barnett Road Pipeline described in Alternative B and a second pipeline on North Phoenix Road. The construction of the second 2,200 foot pipeline on North Phoenix Road would allow MID to remove their two stream diversions on South Fork Larson Creek. Complicating the planning and development of this additional pipeline is that previous private land developments have eliminated the historic confluence of the two forks of Larson Creek. Consequently, the only remaining connection between them is an approximately 700 foot segment of the MID canal. Typically after replacing a canal with a pipeline the canal is completely abandoned and often filled in. In this case, to entirely fill in the canal would not be prudent. Therefore, the Preferred Alternative includes making enhancements to the canal so that it can function, to the extent possible, as a natural stream course.

ENVIRONMENTAL COMMITMENTS

The following environmental commitments will be implemented as part of the preferred alternative.

- The construction of the siphon necessary for the Barnett Road pipeline will not begin until the required permits are obtained from the Army Corps of Engineers as required by section 404 of the Clean Water Act and by Oregon Division of State Lands as required by state law.
- All instream construction activities will adhere to all the conditions of the permits.
- All instream construction will only occur during the Oregon Department of Fish and Wildlife's designated instream work period.
- Reclamation will mitigate adverse effects upon the historic Medford Canal in accordance with a strategy agreed upon during consultation with the Oregon State

Historic Preservation Office (SHPO). Mitigation actions will be completed in August and September, 2004.

PUBLIC INVOLVEMENT

Reclamation sent an initial scoping letter and on January 28, 2004 to local residents, the Medford library, to local, State, and Federal agencies, and to non-governmental organizations requesting them identify to Reclamation any concerns they may have with the Project. On February 3, 2004 Reclamation issued a news release announcing the 30-day scoping comment period. We received four responses. The City of Medford sent a letter in support of the Project, one consulting firm requested to be added to the mailing list, and two comments were received from local residents. What we learned from the local residents is that the project description in the scoping letter did not clearly describe the Project.

On August 5, 2004, Reclamation sent out the Draft EA and a news release requesting comments on the Project by September 3, 2004. The Draft EA was mailed to local residents, the local library, Indian tribes, and local, State, and Federal agencies. The Draft EA was also available on Reclamation's Pacific Northwest Region website. No comments were received. The Draft EA and environmental commitments made in this FONSI will serve as the Final EA.

COORDINATION WITH INDIAN TRIBES

In March of 2004, Reclamation sent letters to representatives of The Klamath Tribes, The Confederated Tribes of the Grand Ronde Community of Oregon, The Confederated Tribes of the Siletz Indians, and the Cow Creek Band of the Umpqua Tribe of Indians. We requested information on resources of interest to the tribes. In August 2004 a copy of the Draft EA was mailed to each tribe. None of the tribes responded to Reclamation's notification regarding the Project.

ENDANGERED SPECIES ACT

Reclamation requested species lists from the US Fish and Wildlife Service and NOAA Fisheries (Services) in February 2004. Reclamation determined that there would be no effect to bald eagles, vernal pool fairy shrimp, Cook's lomatium, large-flowered woolly meadowfoam, and Gentner's mission bells. On August 24, 2004 NOAA Fisheries informed Reclamation that the project has existing ESA and Magnuson-Stevens Fishery Conservation and Management Act (MSA) coverage under the Standard Local Operating Procedures for Endangered Species biological opinion (SLOPES) issued to the Army Corps of Engineers (COE) in 2002 and revised in 2003. Therefore, no additional consultation is required for ESA listed coho salmon and MSA Essential Fish Habitat. Correspondence between NOAA and Reclamation is on file at Reclamation's Lower Columbia Area Office (LCA-6502).

NATIONAL HISTORIC PRESERVATION ACT

In consultation with the SHPO, Reclamation has determined that the Medford Canal and the Talent East Canal are contributing features to a linear historic district that is eligible for listing in the National Register of Historic Places. Reclamation and the SHPO

concluded that the MID diversion structures contribute to the historic significance of the Medford Canal, and that their removal will have an adverse effect upon the historic integrity of the canal. The TID diversion does not yet meet the minimum 50-year age for consideration as a contributing feature, but would have been considered a contributing feature when it reached that age within the next 5 years. Reclamation and SHPO concurred that mitigation of adverse effects will be through photographic documentation of the three diversion dams and the affected segment of the Medford Canal. Correspondence between SHPO and Reclamation is on file at Reclamation Pacific Northwest Regional Office (PN-6511).

CONCLUSION

Based on thorough review of the comments received, analysis of the environmental impacts as presented in the EA, ESA section 7 consultation, coordination with the various agencies and implementation of all environmental commitments identified in the Draft EA and in this FONSI, Reclamation has concluded that implementation of the Preferred Alternative would have no significant impacts on the quality of the human environment or the natural resources in the area. Therefore, this FONSI has been prepared and is submitted to document environmental review and evaluation in compliance with NEPA and an environmental impact statement will not be prepared.

Recommended:

____/s/ Tanya Sommer_____ _9/3/2004_____
Tanya Sommer, Natural Resource Specialist Date

Concurrence:

____/s/ Karen Blakney_____ _9/3/2004_____
Karen Blakney, ESA Program Manager Date

Approved:

____/s/ Ronald Eggers _____ _9/7/2004_____
Ronald Eggers, Area Manager Date